



C H A T H A M C O U N T Y - S A V A N N A H

METROPOLITAN PLANNING COMMISSION

"Planning the Future - Respecting the Past"

M E M O R A N D U M

DATE: March 21, 2023
TO: THE MAYOR AND ALDERMEN OF THE CITY OF SAVANNAH
FROM: METROPOLITAN PLANNING COMMISSION
SUBJECT: MPC RECOMMENDATION

PETITION REFERNCED:

Petitioner: Joshua Yellin, Agent for J. Elder Studio

Owner: 2613 Montgomery, LLC

Aldermanic District: 2 - Alderman Detric Leggett

County Commission District: 2 - Commissioner Larry Rivers

Neighborhood/Subdivision: Metropolitan

Current Zoning District: TN-2 (Traditional Neighborhood - 2)

Future Land Use (FLU) Category: Traditional Commercial

File No. 23-001036-ZA

Location: West 42nd Street

PIN: 20073 31009 **Acreage:** 0.9 acres

MPC ACTION:

Approval of the request to rezone approximately 0.9 acres from TN-2 to TC-1 with the following conditions:

- (1) The subject parcel – PIN# 20073 31009, 414 W. 42nd Street, and parcel PIN# 20073 31004 shall be recombined.
- (2) All non-residential uses shall be eliminated from this zoning request.

MPC STAFF RECOMMENDATION:

Approval of the request to rezone approximately 0.9 acres from TN-2 to TC-1 with the following conditions:

- (1) The subject parcel – PIN# 20073 31009, 414 W. 42nd Street, and parcel PIN# 20073 31004 shall be recombined.
- (2) All non-residential uses shall be eliminated from this zoning request.

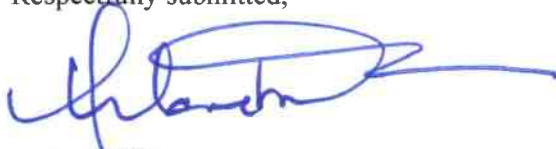
MEMBERS PRESENT: 7 + Vice-Chairman

Travis Coles
Laureen Boles
Karen Jarrett
Wayne Noha
Jeff Notrica
Michael Kaigler
Joseph Ervin
Tom Woiwode

PLANNING COMMISSION VOTE: Approval staff recommendation (8-0)

APPROVAL Votes: 8	DENIAL Votes: 0	ABSENT
Boles Coles Jarrett Notrica Ervin Noha Kaigler Woiwode		Coleman Epstein Melder Stephens Watkins Welch

Respectfully submitted,



Melanie Wilson
Executive Director

MW/sh

Enclosure

cc: Mark Massey, Clerk of Council
Lester B. Johnson, Assistant City Attorney
Jennifer Herman, Assistant City Attorney
Zarina Davis, Department of Inspections
Bridget Lidy, Department of Inspections





CHATHAM COUNTY-SAVANNAH METROPOLITAN PLANNING COMMISSION

"Planning the Future, Respecting the Past"

STAFF REPORT

File No. 23-001036-ZA

Location: West 42nd Street

PINs: 20073 31009

Acreage: +/- 0.9 Acres

Prepared by Melissa Leto, Senior Planner



Figure 1 Location Map

Petitioner: Joshua Yellin, Agent for J. Elder Studio

Owner: 2513 Montgomery LLC

Aldermanic District: 2, Alderman Detric Leggett

County Commission District: 2, Commissioner Larry Rivers

Neighborhood/Subdivision: Metropolitan

Current Zoning District: TN-2 (Traditional Neighborhood – 2)

Future Land Use (FLU) Category: Traditional Commercial

Request

The petitioner is requesting to rezone the subject parcel from TN-2 (Traditional Neighborhood-2) to the Traditional Commercial-1 designation (TC-1) with the intent of developing the property and the adjacent parcel, 414 W. 42nd Street as an apartment building on the north side of W. 42nd Street between Montgomery Street and Martin Luther King Boulevard. The proposed three-story apartment building would include eleven (11) units with associated parking located to the rear of the building. Access to the proposed apartment building would be through an access easement facing Montgomery Street.

Background

The subject property is currently zoned TN-2 (Traditional Neighborhood-2), while the adjacent parcel, 414 W. 42nd Street is zoned TC-1 (Traditional Commercial-1). The applicant is requesting the TC-1 (Traditional Commercial-1) zoning district. The subject site currently has an abandoned

building that was used as a vehicle repair shop. The adjacent parcel, 414 W. 42nd Street, also has an abandoned building that was once used as a vehicle repair shop. The applicant intends to demolish both non-contributing buildings. The subject parcel has a rear yard that abuts the 409 W. 41st Street parcel. North and south of the subject property are single- and two-family residential neighborhoods, constructed primarily in the 1980s. Adjacent to the entrance of the subject property on the west side are existing single family residential properties, constructed primarily in the early 1900's. The east side adjacent property located on the corner of W. 42nd Street and Montgomery Street is an abandoned retail first floor with upper residential. Across the street at 411 W. 42nd Street, two three-story apartment buildings were recently approved by the Historic Preservation Commission. The proposed apartment building for the rezoning will share the pool amenities located within the two buildings being constructed on the corner of Montgomery Street and W. 42nd Street.

Public Notice

As required by the City of Savannah Zoning Ordinance, all property owners within 300 feet of the subject property were sent notices of the proposed rezoning. Public notice was posted on site.

The applicant hosted a neighborhood meeting on September 20, 2022, where 40 to 50 people were in attendance.

Existing Development Pattern

The land uses and zoning districts surrounding the subject property include:

<u>Location</u>	<u>Land Use</u>	<u>Designation</u>
North	One and Two-Family/ Residential	TN-2
East	Mixed-use building	TC-1
South	One and Two-Family Residential / Mixed-Use	TC-1
West	Single-Family Residential	TN-2

The development pattern in the immediate vicinity of the subject property includes single family residential, two family and a approved three-story mixed-use apartment buildings by the same developer for the subject parcel along W. 42nd Street.

Impact and Suitability

Public Utilities

The area has access to the City's public water, sewer, and stormwater systems. Improvements, such as the access easement, would have to be provided for accessing the proposed development.

Transportation and Transit

The property would be accessed via an access easement with an entrance from Montgomery Street to the rear of the proposed apartment building. The apartment traffic would have one ingress and egress through the access easement onto Montgomery Street. Transit is available on Montgomery Street, and several transit stops are in the vicinity of the subject property. On-street parking is typical in the Tn-2 and TC-1 designations.

Community Development

The proposed zoning will allow a development pattern that would be similar to the property across the street as both proposals would be apartment buildings. The other properties in the immediate vicinity are generally one and two-family residential uses with some restaurants.

Future Land Use

The Comprehensive Plan Future Land Use Map designates the subject property as Traditional Commercial. The multifamily zoning designation proposed by the applicant is consistent with the Future Land Use Map.

Existing Residential Single Family (TN-2) District

- The Residential Single-family (“TN-”) districts are established to allow residential-oriented mixed-use development in areas that were established in the 19th and early 20th centuries. Residential uses are the foundation of the TN- districts, but each TN-district also allows a mix of non-residential uses. It is this mix of residential, commercial, and institutional uses that distinguishes TN- districts from Residential Single Family (RSF) and Traditional Residential (TR) districts.
- **Allowed Uses:** Allowed uses in the TN-2 district are listed in the attached table.
- **Development Standards:** The TN-2 development standards are listed in the table below.

Proposed TC-1 District:

- The Traditional Commercial (TC-) districts are established to allow commercial-oriented mixed-use development in areas that were developed in the 19th and early 20th centuries. Several factors, including location on higher classifications of streets, development standards that emphasize pedestrianism and the continuation of historic development patterns, combine to create a “Main Street” character within these districts to create sustainable neighborhoods with convenient access to neighborhood-serving commercial uses. The intensity of uses allowed is indicated by the number following the district name, with the TC-1 being the most limited district and TC-2 the most intense.
- **Allowed Uses:** Allowed uses in the TC-1 district are listed in the attached table.
- **Development Standards:** The TC-1 development standards are listed in the table below.

Zoning Ordinance Review

The following review criteria for rezoning are prescribed in the Savannah Zoning Ordinance Sec. 3.5.8.

a. Suitability and Community Need

- i. Whether the range of uses permitted by the proposed zoning district is more suitable than the range of uses that is permitted by the current zoning district.

MPC Comment: The range of uses permitted under the proposed TC-1 zoning is similar to the permitted uses which is allowed under the current zoning. The applicant is eliminating any non-residential uses from the TC-1 permitted uses table for the requested re-zoning. This will ensure the property does not change from the non-residential permitted uses in TC-1.

- ii. Whether the proposed zoning district addresses a specific need in the county or city.

MPC Comment: The proposed zoning would allow residential housing inventory to be created, which has been identified as a need in the City of Savannah.

- iii. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.

MPC Comment: The site is located adjacent to TC-1 properties and was most recently used for commercial uses. The re-zoning will be for neighborhood-oriented multi-family housing which is limited by the current zoning. The proposed eleven (11) unit apartment building on the subject site would change the residential density and scale of the block. However, the two approved three-story mixed-use apartment buildings across the street from the subject parcel would add a continuity of density and height to the block.

- iv. Whether the zoning proposal is compatible with the present zoning pattern and conforming uses of nearby property and the character of the surrounding area.

MPC Comment: The re-zoning is consistent with City plans. The TC-1 designation allows for apartment building use. Directly across the street on the corner of Montgomery and W. 42nd Street there are three-story buildings being constructed.

- v. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

MPC Comment: The requested re-zoning would allow for newly constructed housing in the city where there is a need for more residential units.

b. Consistency

Whether the zoning proposal is in conformity with the policy and intent of the Comprehensive Plan and other adopted plans, such as a redevelopment plan or small area plan.

MPC Comment: The current Comprehensive Plan designation conforms with the existing zoning.

c. Reasonable Use

Whether the property to be affected by the zoning proposal has a reasonable use as currently zoned.

MPC Comment: The property has reasonable use under the current zoning. The proposed apartment building will include the adjacent parcel, 414 W. 42nd Street which is currently zoned TC-1 designation. In order to construct the eleven (11) unit apartment building with associated parking, it would require both parcels to be in the TC-1 designation due to the development standards allowing for more density. The property could be developed as a single family residential. However, the apartment building use is permitted in both the TN-2 and the TC-1 zoning districts. Since the applicant is proposing to combine the properties, a split zoning would be abnormal.

d. Adequate Public Services

Whether adequate school, public safety and emergency facilities, road, ingress and egress, parks, wastewater treatment, water supply and stormwater drainage facilities are available for the uses and densities that are permitted in the proposed zoning district.

MPC Comment: Adequate services are available.

Analysis

The introduction of approximately 11 dwelling units in the form of a three-story apartment building is compatible with the surrounding land uses. Across the street on the corner of Montgomery Street and W. 42nd Street is an approved development including two three-story mixed-use buildings. The same developer is requesting to rezone this subject parcel and the adjacent parcel, 414 W. 42nd Street, to construct a three-story apartment building without commercial on the first floor and would share pool amenities with the other two buildings. The proposed zoning would allow residential housing inventory to be created, which has been identified as a need in the City of Savannah. The current Comprehensive Plan designation conforms with the existing zoning.

Recommendation

Based upon the review criteria, the Planning Commission recommends **approval** of the rezoning request with the following conditions.

1. The subject parcel – PIN# 20073 31009, 414 W. 42nd Street, and parcel PIN# 20073 31004 shall be recombined.
2. All non-residential uses shall be eliminated from this zoning request.

Development Standards for Existing TN-2 and Proposed TC-1		
	Existing District	Proposed District
Standard	TN-2	TC-1
Minimum Lot Area (Each unit unless otherwise specified)	1,750 sf	434 sf
Minimum Lot Width	30-feet	30-feet
Front Yard Setback	5-feet (min).; 10-feet (max)	5-feet (max)
Minimum Side Yard Setback	3-feet	10 feet
Minimum Rear Yard Setback	20-feet	10-feet
Maximum Height	3 stories, not to exceed 45-feet	3 stories, not to exceed 45- feet
Maximum Building Coverage	60%	n/a
Maximum Density	Min. lot size applies	Min. lot size applies

Use Table - TN-2 (Interior lot)	X=Permitted Use L=Limited Use S=Special Use	Use Standards
Single-family detached	X	
Single-family attached	X	
Two-family	X	
Three-family/ Four-family	X	Sec. 8.1.1
Townhouse	X	
Stacked townhouse	X	
Apartment	X	
Upper story residential	X	
Monastery/ convent	X	
Agriculture, personal	X	
Community Garden	X	
Park, general	X	
Library/community center	X	
Museum	X	Sec. 8.7.24
Police/ fire station or substation	X	
Child/ adult day care home	S	Sec. 8.3.9 or Sec. 8.7.11
Child/ adult day care center	S	Sec. 8.3.10 or Sec. 8.7.11
All places of worship	S	Sec. 8.3.15, Sec. 8.7.13, and Sec. 8.8.3.(d)
Assisted living facility	X	
Personal care home, registered	X	Sec. 8.3.19
Personal care home, family	X	Sec. 8.3.19
Office, general	X	Sec. 8.4.1
Retail consumption dealer (on premise consumption of alcohol)	S	Sec. 8.7.24 and Sec. 7.14
Bed and Breakfast Homestay	L	Sec. 8.4.33
Bed and Breakfast	L	Sec. 8.4.34
Inn	L	Sec. 8.4.35 and Sec. 8.7.24
Short-term vacation rental	L	Sec. 8.4.37 and Sec. 7.5
Parking facility	S	Sec. 8.6.2
Utilities, major	S	
Utilities, minor	X	

Use Table - TC-1 (Interior lot)	X=Permitted Use L=Limited Use S=Special Use	Use Standards
Single-family detached	X	
Single-family attached	X	
Two-family	X	
Three-family/ Four-family	X	Sec. 8.1.1
Townhouse	X	
Stacked townhouse	X	
Apartment	X	
Upper story residential	X	
Child caring institution	L	Sec. 8.1.5
Dormitory/student housing	X	
Community Garden	X	
Park, general	X	
Library/community center	X	
Museum	X	Sec. 8.7.24
Police/ fire station or substation	X	
Child/ adult day care home	S	Sec. 8.3.9 or Sec. 8.7.11
Child/ adult day care center	S	Sec. 8.3.10 or Sec. 8.7.11
All places of worship	S	Sec. 8.3.15, Sec. 8.7.13, and Sec. 8.8.3.(d)
Assisted living facility	X	
Personal care home, registered	X	Sec. 8.3.19
Personal care home, family	X	Sec. 8.3.19
Office, general	X	Sec. 8.4.1
Retail consumption dealer (on premise consumption of alcohol)	S	Sec. 8.7.24 and Sec. 7.14
Bed and Breakfast Homestay	L	Sec. 8.4.33
Bed and Breakfast	L	Sec. 8.4.34
Inn	L	Sec. 8.4.35 and Sec. 8.7.24
Short-term vacation rental	L	Sec. 8.4.37 and Sec. 7.5
Parking facility	S	Sec. 8.6.2
Utilities, major	S	
Utilities, minor	X	