



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: April 30, 2024

TO: THE MAYOR AND ALDERMEN OF THE CITY OF SAVANNAH

FROM: METROPOLITAN PLANNING COMMISSION

SUBJECT: Text Amendment Section 5.4 Use Schedule for I-L (Light Industrial)

PETITION REFERENCED:

Petitioner: Robert McCorkle

Property Owner: Ramsey Khalidi

Address: 100 Old West Lathrop Ave

Alderman: District - 2 – Bernetta B. Lanier

County Commission: District - 2– Kenneth A. Adams

Property Identification Number: 20025 12001

Petition File No.: 24-000624-ZA-Test

MPC ACTION:

The Planning Commission recommends **Denial** of the requested text amendment to permit ‘indoor amusement’ uses in the I-L zoning district as a limited (L) use.

Alternatively, The Planning Commission recommends approval of the following text amendments:

To permit ‘indoor amusement,’ ‘indoor sports facility,’ and ‘theatre/cinema/performing arts’ uses as a Special Use (S) in the I-L zoning district in Section 5.4, Principal Use table, with the following use-specific standards to be included in Article 8, Section 8.5, Commercial Use Standards for Limited and Special Uses:

Section 8.4.5* Indoor Amusements | Indoor Sports Facilities | Theatre/Cinema/Performing Arts

In the light industrial (I-L) zoning district, the following shall apply:

- a. All activities shall be conducted indoors.
- b. A conceptual site plan shall be submitted and approved with the petition including the following:
 1. Existing zoning of all parcels within 100' of the property line
 2. Land uses and structures within 100' of the property line
 3. Existing rights of way and points of ingress/egress to the property
 4. Footprints of existing and proposed buildings/structures to be used in association with the request
 5. Location of any proposed screening, fences or walls to be constructed in association with the proposed use
 6. Location and counts of all proposed parking
- c. Where variances to development standards of Article 9 are required, a site plan meeting the requirements of a GDP in *Sec. 3.8.4.a* shall be submitted and approved concurrently through the Special Use process.

Principal Use Table																															
✓ = Permitted Use L = Limited Use S = Special Use Blank Cell = Use not permitted																															
PRINCIPAL USES	C	C	A	S	R	R	R	R	R	R	R	T	T	T	T	T	D	D	D	D	D	O	O	B	B	B	B	I	I	I	Use Standards
	CM	PI	F	E	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Indoor Recreation:																															
Arena: convention center																															
Indoor amusement																															
Indoor firearm range																															
Indoor sports facility																															
Indoor archery range/paintball facility																															
Teen Club																															
Theater/cinema/performing arts																															

MPC STAFF RECOMMENDATION:

The Planning Commission recommends **Denial** of the requested text amendment to permit 'indoor amusement' uses in the I-L zoning district as a limited (L) use.

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To permit 'indoor amusement,' 'indoor sports facility,' and 'theatre/cinema/performing arts' uses as a Special Use (S) in the I-L zoning district in Section 5.4, Principal Use table, with the following use-specific standards to be included in Article 8, Section 8.5, Commercial Use Standards for Limited and Special Uses:

PLANNING COMMISSION VOTE: Approve Staff Recommendation.
(9-0)

APPROVAL Votes: 13	DENIAL Votes: 0	ABSENT
Amick Boles Coles Noha Stephens Jarrett Notrica Welch Ervin Melder Kaigler Woiwode Plunk		Ross

Respectfully submitted,



Melanie Wilson
Executive Director and CEO

MW/sh

Enclosure

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

FACTS AND FINDINGS:

1. Per Section 5.17.1 of the Zoning Ordinance, “The Industrial (“I-”) districts are established to allow industrial and industrial-like uses with limited non-industrial uses. The intensity of uses allowed is indicated by the suffix following the district name, with the Light Industrial-Restricted (I-L-R) district being the most limited and the Heavy Industrial (I-H) district the most intense.
2. The I-L district is established to provide for a wide range of research and development, light manufacturing and assembly, warehousing, and wholesaling activities as well as some support services. These uses are subject to standards intended to ensure such development is compatible with adjacent and nearby non-industrial areas. Development must be operated in a clean and quiet manner, with most activities occurring indoors, and should not be a nuisance to nearby non-industrial uses.
3. Accessory structures and uses in this District are governed by *Sec. 8.7, Accessory Structures and Uses*.
4. The Ordinance distinguishes between ‘indoor amusements’ and ‘indoor sports facilities,’ which include “athletic, racquet, swim or health club, gymnastic facility or similar uses. The term excludes firearm and archery ranges. These terms are also distinct from sports arenas, which place greater emphasis on assembly of spectators.
5. Per Section 9.3-1 of New ZO, indoor amusements require one (1) off-street parking space per 250 sf. Indoor sports facilities require one (1) space per 225 sf of gross floor area. Arenas require 1 off-street parking space per 5 seats.
6. Neither indoor sports facilities nor arenas are currently permitted in the I-L zoning district.
7. Bars, taverns, restaurants, food truck parks, and retail alcohol sales (on premise consumption of alcohol) are all presently limited (L) uses in the I-L zoning district.
8. Nightclub use requires grant of a Special Use permit in the I-L zoning district.
9. The present petition was heard by the MPC on February 27, 2024 and forwarded to Savannah’s City Council with a recommendation of ‘*approval*’ to allow ‘indoor amusements,’ ‘indoor sports facilities,’ and ‘theater/cinema/performing arts’ uses as ‘Limited’ uses in the I-L zoning district with 4 use-specific conditions. Grant of a Special Exception by the MPC was to be required where 1) the proposed use was proposed to be collocated in the same building as an existing industrial use or 2) where prescribed buffering and landscaping requirements could not be met.
10. At its meeting on March 28, 2024 Savannah City Council remanded the petition to MPC for further review.

ORDINANCE ANALYSIS:

Per section 3.7.7 of Article 3, Savannah’s Zoning Ordinance offers four (4) review criteria for proposed text amendments:

- a. **Consistency** – The extent to which the proposed text amendment is consistent with the remainder of the Zoning Ordinance, including any purpose and intent statements.

MPC Staff Comment: *While not appropriate in all circumstances, proper conditioning (identification of appropriate limiting factors) can ensure the proposed amendment remains consistent with the remainder of the Zoning Ordinance.*

- b. **New or Changing Circumstances** – The extent to which the proposed text amendment represents a new idea not considered in the existing Zoning Ordinance, or represents a revision necessitated by changing circumstances over time.

MPC Staff Comment: *The proposed amendment would see local adoption of a practice that has been utilized in other jurisdictions, and represents a proactive approach to a likely issue the City and region could face in the future – namely, that of un- and underused warehouse space. The proposed amendment offers a viable solution to utilize warehouses that may experience periods of vacancy either due to decline in market demand or for their structural obsolescence.*

- c. **Error or Inappropriate Standard** – Whether or not the proposed text amendment corrects an error in the Zoning Ordinance, or otherwise improves upon existing requirements or standards.

MPC Staff Comment: *The proposed amendment does not correct any error in the Zoning Ordinance or otherwise improve upon existing requirements or standards.*

- d. **Compliance with Higher Law** – Whether or not the proposed text amendment revises the Zoning Ordinance to comply with state or federal statutes.

MPC Staff Comment: *The proposed amendment is not a revision to bring a local ordinance into conformance with state or federal law.*

POLICY ANALYSIS:

The overall intent of the requested amendment is to provide a potential new use for underutilized warehouse space. Indoor amusements, sports facilities and performing arts spaces, which are increasing in popularity, often require the kind of spacious, unobstructed floor area common to these structures. What they sometimes lack, however, are large parking areas for passenger vehicles. Additionally, depending on context, accessing these facilities may place passenger vehicles in common circulation with large commercial vehicles.

The Petitioner has proposed a text amendment applicable to all I-L-zoned property with an eye toward a specific use case. The site identified at 100 Old West Lathrop is consistent with the single Petitioner-proposed limiting condition of requiring that a proposed I-L-zoned parcel adjoin a parcel not zoned I-L or I-H. The effect of the condition is believed to be identification of parcels that are in ‘transition’ zones between less intense commercial and residential uses and more heavily concentrated industrial uses. Allowance as a conditional use within its current zoning district would permit the facility to retain its zoning for what could prove to be a temporary need while leaving it situated to accommodate current by-right uses as future opportunities may present.

Acknowledging the potential effectiveness of the Petitioner-recommended condition, establishment of the requested use will likely be a site-specific exercise, with each petition offering its own unique challenges. For this reason, evaluation of each request by MPC and Council as a ‘Special Use’ is advisable to ensure that both the relevant requirements of development and concerns of the receiving community are adequately addressed in siting of the use.

Section 3.10.8 of New ZO offers the following criteria for determining appropriateness of a requested Special Use.

3.10 Special Use Permit

3.10.8 Review Criteria for Special Use Permits

When reviewing a special use permit request, the review authority shall consider the following criteria:

- a. Whether the special use is consistent with the intent, goals, strategies, policies, guiding principles and programs of the Comprehensive Plan and other adopted plans;
- b. Whether specific use standards for the special use, if any, as provided in Article 8.0, Use Standards, can be achieved;
- c. Whether the special use is detrimental to the public interest, health, safety, welfare, function, and appearance of the adjacent uses or general vicinity by reason of any one or more of the following: the number, area, location, height, orientation, intensity (such as traffic, noise, odor, hours of operation), or relation to the neighborhood or other adjacent uses;
- d. Whether the subject property is adequate in shape and size to accommodate the special use;
- e. Whether adequate public facilities are available to serve the proposed use, including, but not limited to: water; sanitary sewer; stormwater drainage facilities; public safety and emergency facilities; roadway capacity; vehicular ingress and egress; or, that the applicant will provide adequately for such services and for placement in an appropriate location.
- f. Whether the special use will result in the destruction, loss, or damage of any feature determined by the review authority to be of natural, cultural, scenic or historic importance.

Though robust, the Ordinance leaves room for the inclusion of use-specific standards that may be necessary or desirable to ensure the safe and efficient establishment of a use.

Several critical factors should be evaluated in determining the appropriateness of the requested uses in the environment proposed. Among them:

- 1) Minimizing interaction of passenger and commercial vehicles in areas catering principally to commercial traffic;
- 2) Minimizing exposure of the general public to hazardous chemicals and/or activities;
- 3) Avoidance of establishing nuisance-generating activities in an incompatible location, whether by light, noise, traffic volumes generated, or other means.

Where a variance to development standards is needed, submission and review of a site plan through the Special Use process will eliminate the need for Petitioners to pursue variances to development standards through subsequent applications and public hearings of the MPC or ZBA.



Savannah City Council Agenda Item Information Sheet

Date of MPC Hearing: April 30, 2024

Type of Petition: Text Amendment

Staff Generated Petition: Y/N

The Petitioner, Robert McCorkle (File No. 24-000624-ZA-TEXT) requests approval of a petition to amend *Article 5, Section 5.4, Principal Use Table*, to permit ‘indoor amusement’ uses as a ‘limited’ use in the I-L (Light Industrial) zoning district.

Savannah’s Zoning Ordinance defines an ‘indoor amusement’ as inclusive of such activities as “pool halls, bowling lanes, game arcades, escape rooms, haunted houses, skating rinks and similar uses.” The Ordinance specifies that the term does *not* include ‘adult entertainment.’

The Planning Commission recommends **denial** of the requested text amendment to permit ‘indoor amusement’ uses in the I-L zoning district as a limited (L) use.

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