



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: OCTOBER 13, 2020
TO: THE MAYOR AND ALDERMEN OF THE CITY OF SAVANNAH
FROM: METROPOLITAN PLANNING COMMISSION
SUBJECT: MPC RECOMMENDATION

PETITION REFERENCED:

716 Highland Drive
Goldberg Properties LP, Owner
Ed Garvin, Agent
PINs: 20491 07009 & -010
Acreage: .93 Acres
Aldermanic District: 4 (Palumbo)
County Commission District: 1 (Stone)
File No. 20-001742-ZA

MPC ACTION:

Approval of the requested rezoning from an RSF-10 (Single Family Residential) zoning classification to an O-I (Office -Institutional) zoning classification.

MPC STAFF RECOMMENDATION:

Approval of the requested rezoning from an RSF-10 (Single Family Residential) zoning classification to an O-I (Office Institutional) zoning classification.

MEMBERS PRESENT: 8 + Chairman

Ellis Cook, Chairman Tom Woiwode
Travis Coles
Karen Jarrett
Tanya Milton
Wayne Noha
Eula Parker
Linder Suthers
Joseph Welch

PLANNING COMMISSION VOTE: Approve Staff Recommendation (8-1)

APPROVAL Votes: 8	DENIAL Votes: 1	ABSENT
Cook Coles Milton Noha Parker Suthers Welch Woiwode	Jarrett	Branch Ervin Manigault Monahan Smith

Respectfully submitted,



Melanie Wilson
Executive Director

/jh

Enclosure

cc Mark Massey, Clerk of Council
Lester B. Johnson, Assistant City Attorney
Jennifer Herman, Assistant City Attorney
Beth Barnes, Department of Inspections

one



TO: The Mayor and Aldermen, City of Savannah

FROM: MPC Staff

DATE: October 13, 2020

**SUBJECT: 716 Highland Drive
Goldberg Properties LP, Owner
Ed Garvin, Agent
PINs: 20491 07010
Acreage: .50 Acres
Aldermanic District: 4 (Palumbo)
County Commission District: 1 (Stone)
File No. 20-001742-ZA**

Marcus Lotson, MPC Project Planner

ISSUE: A request to rezone 716 Highland Drive from an RSF-10 (Single Family Residential) zoning classification to an O-I (Office -Institutional) zoning classification.

BACKGROUND:

A petition was heard for 714 and 716 Highland Drive by the Planning Commission during the May 19th meeting. The petitioner requested to continue the hearing and have the request reconsidered to exclude 714 Highland Drive. On June 9th, the Planning Commission considered the proposed rezoning of 716 Highland Drive to change the designation from RSF-10 to O-I. After the public hearing concluded, a motion was made and passed to forward a recommendation of denial to City Council. The Planning Commission found that, in part, that the subject property and the neighborhood have served as residential single family uses for many years and although many commercial uses have developed around it, the neighborhood has remained stable and viable through this transition.

On July 23rd, the Savannah City Council held a public hearing regarding the proposed rezoning. The petitioner presented a proposal to limit the use of the property, should it be rezoned to O-I (see Exhibit 1). Upon taking testimony from the petitioner, the public and staff, the Council instructed the petitioner to provide a legally binding document (see Exhibit 2) that would limit the use of the property to Office, General. Office, General is defined in the Savannah Zoning Ordinance as: *An establishment generally providing professional services where tangible products are not produced or sold.* The Council then remanded the petition to the MPC.

FACTS AND FINDINGS:

1. **Public Notice:** On May 1st mailed notice of the Planning Commission meeting was sent to all property owners within 300 feet of the subject property, signs were posted on site and required newspaper advertisements were run. The notice included instructions on how to access the meeting over the internet. In addition, a neighborhood meeting was held prior to the May 19th public hearing.

2. **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	Commercial & Office	B-N
East	Commercial & Office across Waters Ave,	B-N & OI-E
South	Day Care	RSF-10
West	Single Family Residential	RSF-10

The development pattern in the vicinity of the subject properties is a common one amongst southside Savannah neighborhoods. It includes, in this case, a single-family neighborhood that is accessed via an arterial roadway. While many of the nearby uses are nonresidential because of the proximity of Waters Avenue and Eisenhower Drive, the Highland Park subdivision is stable and well protected from commercial intrusion. In addition, it has a single point of vehicular access which essentially eliminates cut through traffic and trips not related to the residences within the subdivision.

3. **Future Land Use:** The Comprehensive Plans Future Land Use Map designates the subject properties, and all properties within the subdivision as Residential Suburban Single Family, with the exception of the existing daycare. This designation is defined as “Areas identified for single-family residential dwellings at gross area densities of 5 units per acre and less.” The proposed Office – Institutional zoning district is not compatible with this designation.

4. **Existing RSF-10 (Single Family Residential) District:**

a. **Intent of the RSF District:** The Residential Single-family (“RSF”) districts are established to allow single-family detached development on varying lot sizes which are indicated by the number (suffix) following the district name.

b. **Allowed Uses:** Allowed uses in the RSF district are attached to the agenda. **Table 1.**

c. **Development Standards:** The development standards are attached to the agenda. **Table 2.**

5. **Proposed O-I (Office - Institutional) Zoning District:**

a. Intent of the O-I District: The Office and Institutional (“OI”) district is established to allow office uses as well as a limited number of other uses that are compatible with an office environment. The OI district is intended to be located in close proximity to Nonresidential districts and may be used as a transition between such areas and Residential districts.

b. Allowed Uses: The allowed uses are attached to the agenda item. **Table 1.**

c. Development Standards: The development standards are attached to the agenda. **Table 2.**

6. **Transportation Network:** The subject property is accessed from Highland Drive. There is an existing unused curb cut on Waters Avenue. Highland Drive is an unclassified residential street. Where it abuts the subject property, it is split with a treelined median which creates one-way traffic in a westerly direction. The pavement width at this point is approximately 15 feet. There are no ingress / egress points for the neighborhood except the primary one. There are approximately 60 single family residential structures within the subdivision, including the one that is the subject of this rezoning request.

7. **Public Services and Facilities:** The property is served by the Savannah Police Department, City fire protection and by City water and sewer services.

ADDITIONAL REVIEW CRITERIA:

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.

Staff Comment: The range of uses permitted in the O-I zoning district are not suitable to be located in close proximity to single family detached residential uses, in particular at the entrance to a residential neighborhood.

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

Staff Comment: Based on observation, there does not appear to be a shortage of opportunities to develop office space within the City of Savannah.

b. Compatibility

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

Staff Comment: The use and usability of other nearby properties could be adversely affected by the proposed rezoning because of the range of uses allowed in the O-I district. The development

standards that would be applied including parking, buffers and signage would be inconsistent with the residential pattern.

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

Staff Comment: The proposed O-I district at this location is not compatible with the rest of the neighborhood that it is a part of. This property is located at the only entrance to what is an almost exclusively residentially developed subdivision, with the exception of one parcel.

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

Staff Comment: This is a property that has always been residentially developed. The neighborhood has remained stable even though there has been significant commercial development around it over the years. While conditions around the subject property have changed, staff finds that the subject property is still a viable single family residential uses.

c. 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.

Staff Comment: The proposed zoning for the subject property is not consistent with the Future Land Use Map or approved land use designation. The addition of nonresidential uses to the neighborhood will likely increase incompatibility relative to land use and the development pattern

d. Reasonable Use

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

Staff Comment: Under the current zoning and with how the parcels are currently developed they do have reasonable use.

e. 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.

Staff Comment: Ingress / egress is currently inadequate for nonresidential uses at this location. This is due to street width and one way, primarily residential, traffic. Should access be limited to Waters Avenue, an evaluation of other nearby curb cuts should be completed to determine if any conflicts exist.

f. Proximity to a Military Base, Installation or Airport

In accordance with the O.C.G.A. §36-66-6, when a rezoning is proposed for property located within 3,000 feet of a military base, installation or airport, or within the 3,000-foot Clear Zone and Accident Prevention Zones I and II as prescribed in the definition of an Air Installation Compatible Use Zone that is affiliated with such base.

The subject properties are not within 3,000 feet of a military base or within the other listed zones.

POLICY ANALYSIS:

Commercial development along an arterial roadway can place redevelopment pressures on residences, specifically corner lots that abut major arterial roads. The council has found that the while the O-I zoning district may not be appropriate in its entirety, the option of limiting the site to the proposed use may be.

Most properties that abut Waters Avenue between Eisenhower Drive and Mall Boulevard are nonresidential, the Planning Commission, however, did not initially find justification to rezone the subject property to a nonresidential classification. By the action of the governing body, requiring a legally binding document to restrict the use of the property, some of those concerns could be mitigated.

ALTERNATIVES:

1. Approve of the petition as submitted.
2. Deny the rezoning.

RECOMMENDATION: The applicant appears to have provided the information requested by City Council. Based on this finding the Planning Commission recommends **approval** as submitted.

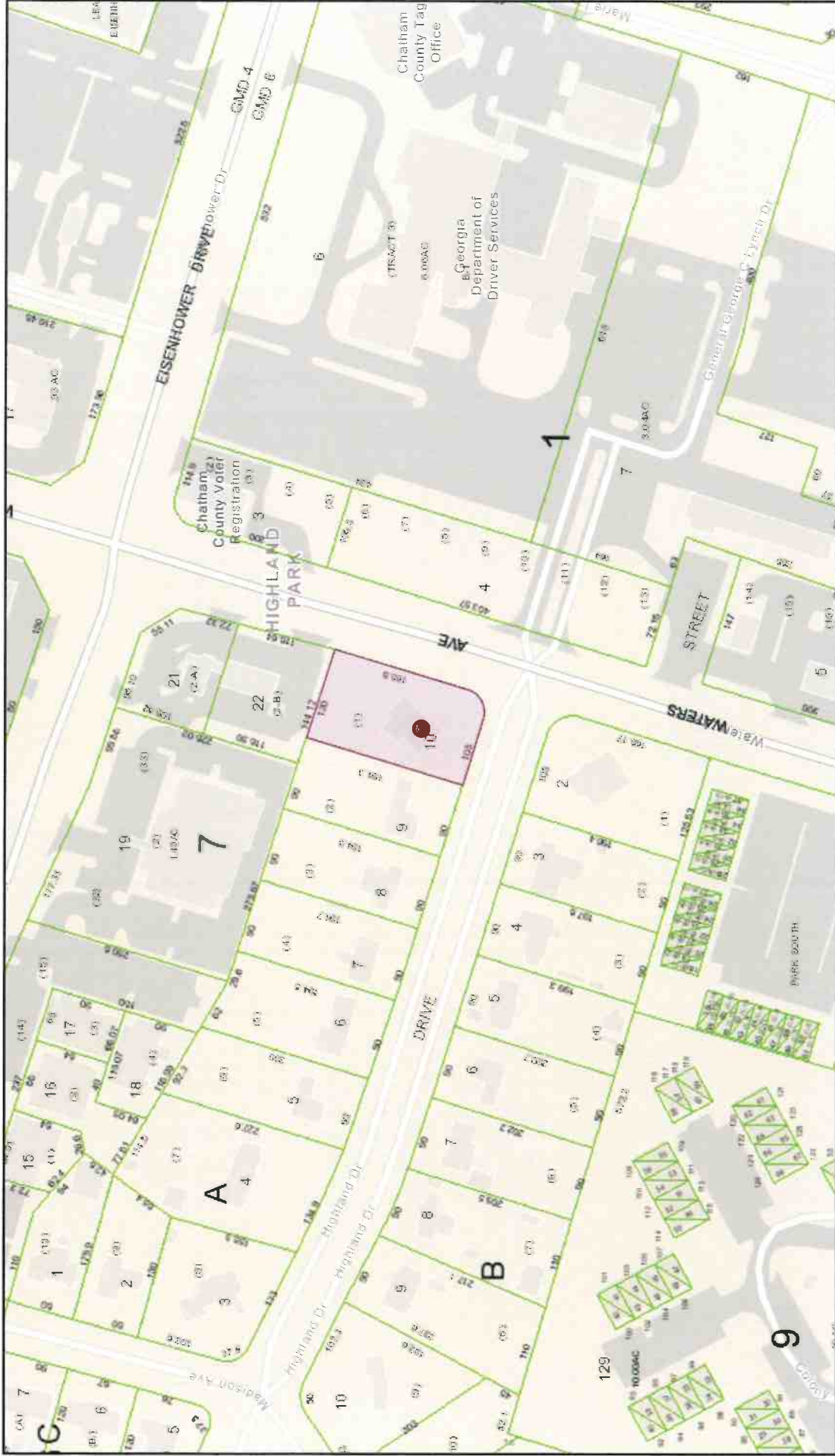
Note: Staff recommendation could change based on information gathered during the public hearing.

Table 1: Comparison of Principal Uses for the RSF-6 (Existing) and O-I (Proposed) Zoning Districts

RSF-6	O-I
Single-family detached Agriculture, personal Community garden Park, general Library/community center Police/fire station or substation Child/adult day care home School, public or private (K-12) All places of worship Personal care home, registered Golf course Retail consumption dealer Dock, private Dock, residential community Marina, residential Watercraft launch/ramp Utilities, major Utilities, minor	Continuing care retirement community Upper story residential Agriculture, personal Community Garden Park Library/community center Museum Post office Police/fire station or substation Child/adult day care center Child/adult care center, 24 hour School, public or private (K-12) All places of worship Office, general Office, medical Office, utility/contractor Art/photo studio; gallery Pharmacy Services, general Animal services, indoor Bank Business support services Catering establishment Funeral home; mortuary (not including crematorium) Event Venue Instructional studio or classroom Personal service shop Repair-oriented services Retail consumption dealer (on premise consumption of alcohol) Utilities, major Utilities, minor

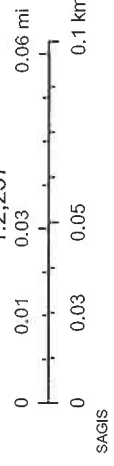
Table 2. Comparison of Development Standards		
Standards	RSF-10	OI-E
Building Setbacks (min ft)		
Front yard	25	15
Side (interior) yard	27	10
Side (street) yard	15	10
Rear yard	25	20
From access easement	5	5
Building Separation	See Fire Code	See Fire Code
Building Coverage (max)	40%	80%
Height (max ft)	36	40
Parking Area Setback (min ft)		
From collector or arterial street rights-of-way	15	15
From local street rights-of-way	10	10
Abutting lane, property line or access easement	5	5

SAGIS Map Viewer



6/9/2020, 1:02:22 PM

1:2,257



Property Boundaries (Parcels)

MEMORANDUM

TO: Mayor and Aldermen of the City of Savannah

CC: Patrick Monahan, City Manager
Mark Massey, Clerk of Council
Bridget Lidy, Planning and Urban Design Director

FROM: Ed Garvin, Goldberg Properties LP

DATE: July 15, 2020

SUBJECT: Rezoning of 716 Highland Drive
PIN 20491 07010

The subject property is located at 716 Highland Drive and is currently zoned RSF-10 (Residential Single Family-10). The petition request is to rezone the property to O-I (Office Institutional).

Following the denial of the rezoning by the Planning Commission on June 30, 2020, Goldberg Properties LP, owner of 716 Highland Drive, and Ben Bluemle, buyer of the property, met with residents from the Highland Park Subdivision to address concerns associated with the proposed rezoning.

Based on our discussions, Goldberg Properties LP, Ben Bluemle and the residents agreed to add the following conditions to the rezoning. It is our intent to also agree to include this information in the owner deed of transfer to the buyer which we will provide to the City.

1. The only use permitted for the O-I district at 716 Highland Drive is: Office, General
2. Site plan review approval by the City of Savannah to include:
 - a. The installation and maintenance of a new 5' high black aluminum fence along Highland Drive from Waters Avenue to the property located at 714 Highland Drive
 - b. Maintenance of a 4' chain link fence on the north of the property and 6' wooden fence on the west of the property
 - c. Ingress and egress will be from Waters Avenue
 - d. O-I Zoning District development standards

We request the Mayor and Aldermen approve these conditions as part of the rezoning of 716 Highland Drive from RSF-10 to O-I.

Thank you for your consideration.

Attachments: Higher Quality Print of Site Plan for 716 Highland

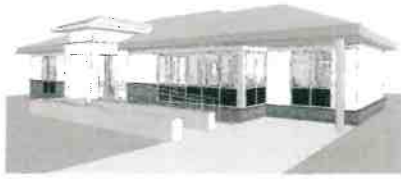
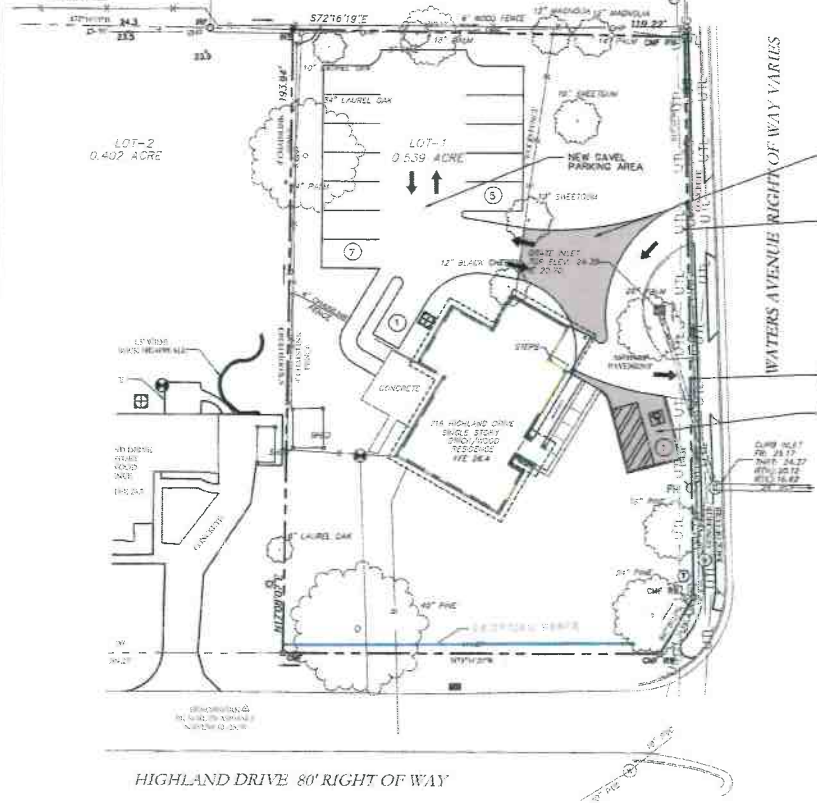
Sincerely,



Ed Garvin - Applicant
Broker
(912) 657-8379 (mobile)
garvinedward@gmail.com

2-0491-07-019
N/Y
CANDLER HOSPITAL INC
527 EISENHOWER DRIVE
DBL 3834 PG. 195

2-0491-07-022
N/Y
EAST COAST LUBE INC
7203 WATERS AVENUE
DBL 3970 PG. 749



ENTRY INSPIRATION

WATERS AVENUE RIGHT OF WAY VARIES

NEW PAVEMENT

ENTRANCE ONLY (EXISTING CURB CUT)

EXIT ONLY (EXISTING CURB CUT)

NEW PAVEMENT

1. PROPERTY ADDRESS - 716 HIGHLAND DRIVE
2. TOTAL AREA - 0.941 AC (21,247 SQ FT)
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VE
VILLAGE ENGINEERS
1000 W. 10TH AVENUE
SUITE 100
DENVER, CO 80202
TEL: 303.733.1111
WWW.VILLAGEENGINEERS.COM

NO.	DESCRIPTION	DATE
1	PRELIMINARY PLAN	10/15/11
2	GENERAL DEVELOPMENT PLAN	10/15/11
3	GENERAL DEVELOPMENT PLAN	10/15/11
4	GENERAL DEVELOPMENT PLAN	10/15/11
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50	GENERAL DEVELOPMENT PLAN	10/15/11

STAFFPORT OFFICE

GENERAL DEVELOPMENT PLAN

1

Prepared by:



MCMANAMY
JACKSON LAW

McManamy Jackson, P.C.
415 Eisenhower Drive, #1
Savannah, Georgia 31406
ATTN: Stephen E. Jackson, Jr., Esq.

LIMITED WARRANTY DEED

THIS INDENTURE, made and entered into as of the _____ day of _____, 2020, by and between **Goldberg Properties, LP** a **Georgia limited partnership** (hereinafter referred to as the "Grantor"), and **Benjamin J. Bluemle** (hereinafter referred to as "Grantee") (the words "Grantor" and "Grantee" to include their respective heirs, legal representatives, **successors** and assigns where the context requires or permits);

WITNESSETH, THAT:

GRANTOR, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration, in hand paid at and before the **sealing** and **delivery** of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these **presents** does grant, bargain, sell, alien, convey and **confirm** unto said Grantee:

All those certain portions of lots, tracts or parcels of land situate, lying and being in the City of Savannah, **County** of Chatham and State of Georgia and being known and designated as Lot 1, Block A, Highland Park Subdivision. Property containing improvements thereon known as **716 Highland Drive, Savannah, GA 31406** with a **current Parcel Identification** number of **2-0491-07-010** (hereinafter referred to as the "Property").

TO HAVE AND TO HOLD the said described Property, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, only to the proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE.

GRANTEE, hereby covenants and agrees that the Property use shall be limited to Office, General unless Grantee, his successors, and assigns, makes application with and obtains approval from the City of Savannah for another use allowed within the current zoning. This covenant shall run with the land and be binding upon the Grantee and any successor in title

AND THE SAID GRANTOR will warrant and forever defend the right and title to the above described Property unto the said Grantee against the claims of all persons and entities claiming by, through or under Grantor, but against none other.

IN WITNESS WHEREOF, the duly authorized officer of Grantor has signed and sealed this Deed on the day and year first above written.

Signed, sealed and delivered this
____ day of _____, 2020,
in the presence of:

**GOLDBERG PROPERTIES, LP a
Georgia limited partnership**

Unofficial Witness

By:
Its: General Partner

Notary Public

My Commission Expires:

[NOTARIAL SEAL]