



**MPC STAFF REPORT
REZONING MAP AMENDMENT
April 21, 2009
MPC File No. Z-090331-00020-1**

REZONING SUMMARY

Report Status	Initial Report
Petitioner, Property Owner, Agent Information	3609 Ogeechee Road Ogeechee Savannah Investors, LLC Harold B. Yellin, Agent
Property Description	Street Address: 3609 Ogeechee Road Property Identification Numbers: 1-0706-01-013 and 014 Property Size: 19.39 acres Existing Use: Vacant (formerly Sam's Club) Proposed Use: Commercial / Retail Heating and Air Business
Existing Zoning	B-C (Commercial Business) and M (Manufacturing)
Requested Zoning	B (Business)
Future Land Use Plan Designation	Commercial
Policy Analysis	The proposed rezoning is consistent with <u>Tri-centennial Comprehensive Plan</u> Future Land Use Map. The building on site is designed and constructed for a commercial use.
Recommendation	The MPC staff recommends <u>APPROVAL</u> of the request to rezone the property at 3609 Ogeechee Road (PINs 1-0706-01-013 and 014) from BC & M classifications to a B classification.



METROPOLITAN PLANNING COMMISSION

"Planning the Future - Respecting the Past"

M E M O R A N D U M

TO: METROPOLITAN PLANNING COMMISSION

FROM: MPC STAFF

DATE: April 21, 2009

**SUBJECT: PETITION OF HAROLD B. YELLIN, AGENT
3609 OGEECHEE ROAD
ALDERMANIC DISTRICT UNINCORPORATED
COUNTY COMMISSION DISTRICT 5
P.I.N. 1-0706-01-013 AND 014
MARCUS LOTSON, MPC PROJECT PLANNER
MPC FILE NO. Z-090331-00020-1**

REPORT STATUS: Initial Report

ISSUE: At issue is a request to rezone approximately 19.39 acres from the BC (Commercial Business) and M (Manufacturing) zoning classifications, to a B (Business) zoning classification.

BACKGROUND: The subject property, located at 3609 Ogeechee Road near the I-516 on-ramp is a vacant former Sam's Club location and if rezoning is approved will be repurposed in part to accommodate a commercial / retail Heating and Air Conditioning business that would not be allowed in the current zoning districts.

FACTS AND FINDINGS:

- Public Notice:** As required by the City of Savannah Zoning Ordinance, all property owners within 200 feet of the subject property were sent notices of the proposed rezoning and postings were placed on the site.
- Existing Development Pattern:** The land uses and zoning districts surrounding the subject property include:

<u>Location</u>	<u>Land Use</u>	<u>Zoning</u>
North	Commercial	BC
East	Residential	R6 [1]
South	Manufacturing	M
West	Commercial	BC

[1] Single Family Residential

2. **Transportation Network:** The property is accessed from Ogeechee Road. The proposed rezoning will not alter the traffic pattern. Public transportation is available via Chatham Area Transit Bus #17 with a stop approximately 200 feet from the subject property.
3. **Public Services and Facilities:** The property is currently served by the Metropolitan Police Department, and City fire protection, water and sewer. The proposed rezoning will not affect these services.
4. **Proposed (B) Zoning District:**
 - a. **Intent of the B District:** The purpose of this district shall be to create and protect areas in which heavy commercial and certain industrial-like activities are permitted.
 - b. **Allowed Uses:** The uses allowed within the B district appear in the attached chart.
 - c. **Development Standards:** The development standards for the B district appear in the attached table (Table 1).
5. **Existing (BC) and (M) Zoning Districts:**
 - a. **Intent of the BC District:** The purpose of this district shall be to provide community shopping facilities consisting of a wide variety of sales and service facilities at locations that will be accessible to a market area containing from 35,000 to 70,000 people.
 - b. **Intent of the M District:** The purpose of this district shall be to create and protect areas in which nuisance producing manufacturing activities and nonmanufacturing uses closely related to such activities will be permitted.
 - c. **Allowed Uses:** The uses allowed within the BC and M districts appear in the attached chart.
 - d. **Development Standards:** The development standards for the BC and M districts appear in the attached table (Table 1).
6. **Land Use Element:** Both the property in question and the adjacent properties are designated as Commercial on the Tri-Centennial Comprehensive Plan Future Land Use Map. The existing building is designed and built for an intense commercial use with adequate setbacks from roadways, homes and other businesses. The proposed use will occupy approximately one third of the existing building

SUMMARY OF FINDINGS

1. *Will the proposed zoning district permit uses that would create traffic volumes, noise level, odor, airborne particulate matter, visual blight, reduce light or increased density of development that would adversely impact the livability or quality of life in the surrounding neighborhood?*

Yes ___ No X

2. *Will the proposed zoning district permit uses that would adversely impact adjacent and nearby properties by rendering such properties less desirable and therefore less marketable for the type of development permitted under the current zoning?*

Yes ___ No X

3. *Will the proposed zoning district permit uses that would generate a type or mix of vehicular traffic on a street or highway that is incompatible with the type of land use development along such street or highway?*

Yes ___ No X

4. *Will the proposed zoning district permit uses that would generate greater traffic volumes at vehicular access points and cross streets than is generated by uses permitted under the current zoning district to the detriment of maintaining acceptable or current volume capacity (V/C) ratio for the streets that provide vehicular access to the proposed zoning district and adjacent and nearby properties?*

Yes ___ No X

5. *Will the proposed zoning district permit uses or scale of development that would require a greater level of public services such as drainage facilities, utilities, or safety services above that required for uses permitted under the current zoning district such that the provision of these services will create financial burden to the public?*

Yes ___ No X

6. *Will the proposed zoning district permit uses or scale of development that would adversely impact the improvement or development of adjacent and nearby properties in accordance with existing zoning regulations and development controls deemed necessary to maintain the stability and livability of the surrounding neighborhood?*

Yes ___ No X

7. *Will the proposed zoning district permit development that is inconsistent with the comprehensive land use plan?*

Yes ___ No X

ALTERNATIVES:

1. Approve the petitioner's request to rezone the property from BC and M zoning classifications to a B zoning classification.
2. Deny the petitioner's request.

POLICY ANALYSIS:

The purpose of the business (B) district is "to create and protect areas in which heavy commercial and certain industrial-like activities are permitted." The proposed rezoning is very consistent with the overall character of the area and its most likely future development pattern. If approved, this rezoning would allow for the reuse of a long abandoned structure which serves as the cornerstone of a busy commercial corridor.

RECOMMENDATION: APPROVAL of the request to rezone the subject property from BC & M classifications to a B classification.

Table 1: Comparison of Development Standards for the Existing BC & M and Proposed B Zoning Districts		
	BC & M Districts	B
Minimum Lot Area	N/A	N/A
Minimum Lot Width	N/A	N/A
Front Yard Setback	85 feet from the centerline of the right-of-way	85 feet from the centerline of the right-of-way
Minimum Side Yard Setback	BC district 10 feet M district 25 feet	0 feet (does not abut residential)
Minimum Rear Yard Setback	BC district 0 feet M district 40 feet	0 feet (does not abut residential)
Maximum Height	N/A	N/A
Maximum Building Coverage	N/A	N/A
Maximum Density	N/A	N/A