



**MPC STAFF REPORT
REZONING MAP AMENDMENT
APRIL 21, 2009
MPC File No. Z-090305-59556-2**

REZONING SUMMARY

Report Status	Initial report
Petitioner/Agent Property Owner	Attorney J. Scott Vaughn Patrick J. O'Connor
Staff Project Planner	Gary Plumbley
Property Description	Street Address: 1206 Madrid Avenue PIN: 2-0494-08-040 Property Size: 0.21 acres Existing Use: Single Family House Proposed Use: Single Family House and General Office
Existing Zoning	R-6 – Single-Family Residential (6 Units Per Net acre)
Requested Zoning	R-B-C-1 (Residential-Business-Conservation-Extended)
Future Land Use Plan Designation	Residential – Suburban Single Family
Policy Analysis	The proposed zoning is not consistent with the <u>Tri-centennial Comprehensive Plan</u> Future Land Use Map, which calls for Residential – Suburban Single Family. Rezoning this site to an R-B-C-1 classification will allow the expansion of non-residential uses into an established single family residential area. Such an intrusion could be detrimental to the adjacent residential properties which could increase the pressure to rezone additional properties and further erode the stability of the residential properties in close proximity.
Recommendation	The MPC staff recommends Denial of the request to rezone 1206 Madrid Avenue (PIN 2-0494-08-040) from an R-6 classification to an R-B-C-1 classification.



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

TO: METROPOLITAN PLANNING COMMISSION

FROM: MPC STAFF

DATE: APRIL 21, 2009

**SUBJECT: PETITION OF ATTORNEY J. SCOTT VAUGHN, AGENT
PATRICK J. O'CONNOR, OWNER
1206 MADRID AVENUE
ALDERMAN DISTRICT 4 – COUNTY COMMISSION DISTRICT 3
PIN 2-0494-08-040
MPC FILE NO. Z-090305-59556-2**

GARY PLUMBLEY, MPC PROJECT PLANNER

REPORT STATUS: Initial Report

Issue:

At issue is a request to zone a 0.21 acre site from an R-6 (Single Family Residential – 6 Units Per Net Acre) classification to an R-B-C-1 (Residential-Business-Conservation-Extended) classification.

Background:

Petitioner's property is located within the Grove Park Subdivision. In 2000 the Mayor and Aldermen requested that MPC evaluate the zoning pattern of Grove Park Subdivision and the surrounding area. The designated study area included the properties along both sides of Corinth Avenue south to the northern side of Montgomery Cross Road and from the Truman Parkway right-of-way west to include the residentially zoned properties along Waters Avenue. The Mayor and Aldermen adopted a revised zoning pattern that is intended to protect the residentially zoned interior properties and not allow nonresidential encroachment into the R-6 zoned area. The residential area within the study area remains a viable residential neighborhood.

Recently, the petitioner began operating a commercial business use on the subject property. The petitioner was cited by the City of Savannah for non-compliance with zoning regulations. The citation prompted the request for a change in the zoning classification.

Facts and Findings:

1. **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.

2. **Existing Zoning and Development Pattern:** The petitioned property is presently occupied by a single family detached residential structure. The site was zoned R-1 (Single Family Residential) in 1962 when Chatham County established comprehensive zoning. The site was annexed into the City of Savannah in 1979 and was, along with all of the properties in the general area, zoned to its present R-6 classification.
3. There are three existing non-residential uses located in close proximity to the petitioned site within the interior portion of the Grove Park Subdivision. Two of these uses are child day-care centers which are allowed in residential districts subject to approval of the Zoning Board of Appeals. These day-care centers have been existing uses for over 20 years. The other non-residential use is an office located at the northeast corner of Shannon Avenue and Marcus Place. Several years ago, an insurance company was apparently erroneously established at this location. In 2001, the owner of the insurance agency filed an application to rezone the site to a PUD-IS-B zoning classification in order to expand the non-conforming use. The petition was denied by the Mayor and Aldermen.
4. The petitioner requests that the site be rezoned to an R-B-C-1 zoning classification in order to utilize the existing structure as a single family residence as well as an office.

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

<u>Location</u>	<u>Land Use</u>	<u>Zoning</u>
North	Single Family Residential	R-6
South	Single Family Residential	R-6
East	Single Family Residential	R-6
West	Single Family Residential	R-6

5. **Existing R-6 Zoning District:**

- a. **Intent of the R-6 District:** According to the Zoning Ordinance, the purpose of the R-6 district is to "...create an environment in which one-family dwellings, and certain non residential uses are permitted in order to promote stability and character of low-density residential development with adequate open space..."
- b. **Allowed Uses:** The uses allowed within the R-6 district appear in the attached chart.
- c. **Development Standards:** The development standards for the R-6 district appear in the attached table (Table 1).

6. **Proposed R-B-C-1 Zoning District:**

- a. **Intent of the R-B-C-1 District:** According to the Zoning Ordinance, the purpose of the R-B-C-1 district is "...to encourage the conservation and rehabilitation of residential uses and the construction of new residential and/or residential mixed uses by limiting business activities that have performance characteristics which minimize detrimental impacts on residential uses in order to preserve the integrity of those areas where residential and business uses are found to be necessary and desirable."
- b. **Allowed Uses:** The uses allowed within the R-B-C-1 district appear in the attached chart.
- c. **Development Standards:** The development standards for the R-B-C-1 district appear in the attached table (Table 1).

7. **Land Use Element:** The Tri-centennial Comprehensive Plan Future Land Use Map designates the subject property as Residential – Suburban Single Family. Approval of the requested zoning map amendment would not be consistent with the Future Land Use Map.

8. **Public Services and Facilities:** The property is served by the Chatham County – Savannah Metropolitan Police Department, City of Savannah fire protection and by the City of Savannah water and sanitary sewer. The property is also served by the Chatham Area Transit System, route number 28 Waters Road. The nearest bus stops are at the intersections of Madrid Avenue and Waters Avenue and Marcus Place and Montgomery Cross Road.

9. **Transportation Network:** The property is accessed by Madrid Avenue, an existing paved public street with a 60 foot right-of-way. Madrid Avenue is classified as a minor residential street. There are no existing traffic counts available for Madrid Avenue. However, the subject site is located on the easternmost portion of Madrid Avenue which ends in a cul-de-sac and as a result, has a very limited amount of vehicular traffic.

SUMMARY OF FINDINGS

1. *Will the proposed zoning districts 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 X No ___

2. *Will the proposed zoning districts 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 X No ___

3. *Will the proposed zoning districts 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 X No ___

4. *Will the proposed zonings 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 districts 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 zonings 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 X No ___

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

Yes X No ___

ALTERNATIVES:

1. Approve the petitioner's request to zone the subject property from an R-6 classification to an R -B-C-1 classification.
3. Approve an alternate zoning classification
4. Deny the petitioner's request.

POLICY ANALYSIS:

The proposed rezoning is not consistent with the Tri-centennial Comprehensive Plan Future Land Use Map, which calls for Residential – Suburban Single Family. Zoning this site to an R-B-C-1 classification will allow the expansion of non-residential uses into an established single family residential area. Such an intrusion could be detrimental to the adjacent residential properties which could increase the pressure to rezone additional properties and further erode the stability of the residential properties in close proximity.

RECOMMENDATION:

The MPC staff recommends **Denial** of the request to rezone 1206 Madrid Avenue (PIN 2-0494-08-040) from an R-6 classification to an R-B-C-1 classification.

Table 1: Comparison of Development Standards for the Existing R-6 and Proposed R-B-C-1 Zoning Districts		
	R-6 District	R-B-C-1 District
Minimum Lot Area	One-family detached 6,000 square feet	Residential: 600 square feet per unit
Minimum Lot Width	60 feet	Residential: 20 feet Non-Residential: N/A
Front Yard Setback	25 feet along a minor residential street	25 feet along a minor residential street
Minimum Side Yard Setback	5 feet	N/A
Minimum Rear Yard Setback	25 feet	N/A
Maximum Height	35 feet	Residential: 40 feet Non-Residential & Mixed Use: N/A
Maximum Building Coverage	30 percent	75 percent
Maximum Density	6 units per net acre	72 units per net acre