



**Staff Report  
General Plan/Group Development  
Aldermanic District 3  
County Commission District 2  
MPC File No. P-120112-35026-2  
January 31, 2012**

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**Backus Redevelopment**

**1801 East Victory Drive**

**B-H Zoning District**

**5.4 Acres**

**PIN 2-0078 -13-001, -002, -003, -004, -005, -007, -008, -013, -015, -016,  
2-0078 -14-001, -002, -003, 2-0083 -04-002, -006**

**Thomas and Hutton Engineering, Ryan Smith, P.E., Agent  
S.J. Collins Enterprises, Owner**

**Jim Hansen, MPC Project Planner**

**Report Status      Initial Report**

**Nature of Request**

The petitioner is requesting approval of a General Plan/Group Development for a site located at the southwest corner of Victory Drive and the Truman Parkway within a B-H (Highway Business) zoning district. The site consists of 15 separate parcels which must be recombined prior to issuance of building permits and a certificate of occupancy. The plan also anticipates that certain public rights-of-way will be vacated by the City of Savannah and quit claimed to the developer.

The petitioner also seeks the following variances:

- 1) A five to ten foot parking encroachment into the required front yard setback along Victory Drive.
- 2) A one foot reduction in the required drive aisle width for aisles in the parking lot.
- 3) An increase in the number and percentage of allowable compact parking spaces permitted (63 spaces, 20 percent permitted; 67 spaces, 21.13 percent requested).
- 4) A 20 foot reduction in the required 25 foot building setback along Limerick Street and Galway Street for the building identified on the plan as "Major Tenant".
- 5) A 15 foot reduction in the required 25 foot building setback along Dixie Avenue for the building identified on the plan as "Shops C".
- 6) A five foot reduction in the required 10 foot building setback along the rear property line (adjacent to the cell tower site).

## Background

1. The subject site, located generally on the south side of Victory Drive between the Truman Parkway and Dixie Avenue, is largely vacant and/or undeveloped. The area in question was the former site of Backus Cadillac, including ancillary parking and showcase lots, Savannah Restaurant Equipment, Allen Oil, and a shuttered Burger King. All of the properties have been assembled by the petitioner with the intent to develop a grocery anchor and associated retail.
2. The subject properties are zoned B-H (Highway Business) and have been so designated since the inception of zoning in the early 1960's. The properties have been designated for commercial development on the Tricentennial Plan Future Development Map.

## Findings

1. **Notification:** A courtesy notice was mailed to all property owners located within 200 feet of the subject site on Monday, January 23, 2012. The properties are not located within a registered neighborhood district nor are they located within 1,000 feet of any other registered neighborhood district.
2. **Site:** The site in question is approximately 5.4 acres in size. With the exception of Savannah Restaurant Equipment and Allen Oil, the site is vacant and is primarily void of significant vegetation. The adjacent land uses and zoning districts include:

<u>Location</u>	<u>Land Use</u>	<u>Zoning</u>
North	Commercial (Shopping Center) Single Family Residential	B-H R-6 [1]
South	Cell Tower Site Vacant	B-H P-B-H [2]
East	Truman Parkway	B-H
West	Commercial Cell Tower Site Vacant	B-H B-H P-B-H

[1] One-Family Residential

[2] Planned Highway Business

3. **Water, Sewer, and Public Services:** The proposed development will be provided water and sanitary sewer by the City of Savannah. The site will be served by the Chatham County Metropolitan Police Department, the City of Savannah Fire Department, and the Chatham Area Transit Authority, bus route Number 12 Henry. A bus stop in the eastbound direction lies adjacent to the subject property; a bus stop in the westbound direction is located on the north side of Victory Drive.

4. **Stormwater:** Because the site is a redevelopment project and the amount of impervious surface will not be increased, the petitioner has not shown any proposed retention on site. A Drainage Plan was not submitted and is not required in conjunction with the approval of a General Development Plan. However, the developer has been working with the City of Savannah to facilitate the development of an adequate drainage plan. Said plan will be made a part of the Specific Development Plan submittal.
5. **Buildings:** The site plan identifies three separate buildings, one a 35,107 square foot grocery anchor, and two smaller buildings, 12,000 square feet and 12,800 square feet respectively, identified for retail use. The buildings are proposed to be located near the rear of the parcel with parking provided primarily in the front adjacent to Victory Drive. Building elevations for the proposed development have not been submitted and are not required as part of a General Development Plan.
6. **Access/Traffic:** Multiple access points are proposed to the site including two from Victory Drive (right in and right out only), one from Dixie Avenue, one from Galway Street, and two from Limerick Street. A traffic signal is proposed at the intersection of Victory Drive and Dixie Avenue. Because Victory Drive is a State controlled highway the traffic signal as well as other requested improvements to the roadway must be approved by the Georgia Department of Transportation with concurrence from the City of Savannah Traffic Engineering Department. A traffic impact analysis study will be required to be completed and approved in conjunction with the Specific Development Plan.

Several issues, as noted herein, will need to be addressed as the planning process moves forward. Among these are the impacts to the bus stop and the existing landscaping at the commercial center on the north side of Victory Drive that may be affected by access proposals for the subject site; the impacts of maneuvering on the public right-of-way in order to access the food store loading dock; the necessity of a deceleration lane along Victory Drive; and potential conflicting traffic movements resulting from a two way median break along Victory Drive.

7. **Green Space:** The green space required is equal to 20 percent of the site area. As proposed, the subject development will provide 21 percent green space.

Tree and landscape quality points calculations have been provided. A detailed landscape plan will be required as a part of the Specific Development Plan submittal.

8. **Parking:** Current ordinance regulations require that food stores and general retail uses be parked at a ratio of one parking space per 200 square feet of floor area. The proposed development totals 59,907 square feet of floor area thus requiring 300 parking spaces. No less than seven spaces must be designated for the handicapped or disabled. 316 spaces are provided of which eight are designated for the handicapped or disabled. 48 spaces (16 percent) are located within the required front yard setback. The petitioner is seeking a variance from this regulation which is discussed in later sections.
9. **Dumpster Pad:** A trash compactor has been sited at the rear of the proposed food store. No other area has been designated as a dumpster pad to serve the other two buildings. The placement of an additional dumpster pad(s) must be addressed as part of the Specific Development Plan in accordance with the requirements of ordinance section 8-3031(F)(3).
10. **Signage:** The proposed development plan has identified a location for a freestanding sign along Victory Drive. A detailed sign plan must be submitted and approved as a part of the Specific Development Plan.
11. **Buffers:** Generally, buffers are intended to protect property from the adverse effects of adjacent land use activity of a more intensive nature where such activity encroaches. Buffering is not required when adjoining properties are similarly zoned.

Section 8-3066(d)(5) requires a Type "G" buffer (three foot wide planted area with plant material three feet in height) where a parking lot containing four or more parking spaces adjoins other properties or where a parking lot abuts a public or private road right-of-way. The submitted General Development Plan provides ample space necessary for the inclusion of a Type "G" buffer along all impacted parking areas.

12. **Setbacks.** Ordinance requirements establish minimum building setbacks for all properties. The setbacks differ depending upon the site's zoning and relation to adjacent uses. Accordingly, setbacks for the subject site are as follows:

Front yard:	85 feet from the centerline of Victory Drive;
West side yard:	50 feet from the centerline of Dixie Avenue and Limerick Street;
	10 feet from the property line adjacent to the cell tower site;
East side yard	15 feet from the property line adjacent to the Truman Parkway;
Rear yard	10 feet from the rear property line not adjacent to public right-of-way;
	50 feet from the centerline of Galway Street.

As proposed, the submitted General Development Plan encroaches into several required setbacks. The petitioner is seeking variances from the same as discussed in later sections.

13. **Group Development.** The zoning ordinance identifies a group development as any project consisting of two or more principal buildings devoted to a common or similar use and constructed on a single lot. Such developments are reviewed in accordance with the requirements of Section 8-3031 and must be approved by the planning commission.
14. **Plan Conformance.** The proposed uses are permitted in the B-H zoning district and the development is consistent with the commercial designation of the Tricentennial Plan Future Development Map.
15. **Variances.** Variances from the requirements of the Zoning Ordinance may be approved at the request of the developer on a finding that such variances:
  - (a) Would be in keeping with the overall character of the area.
  - (b) Would not be contrary to the purpose and intent of this chapter.
  - (c) Would not be detrimental to existing or proposed surrounding uses.
  - (d) Would serve public purposes to a degree equal to or greater than the standards replaced.

The petitioner is seeking several variances as previously described above. Each request will be considered individually and analyzed independently.

1) Parking in the front yard setback – Within the B-H zoning district, the front yard setback is established at 85 feet from the centerline of a major arterial roadway. Section 8-3082(w) states that no required off-street parking...shall be established in a front yard setback in any I or B district.

The right-of-way width for Victory Drive varies due largely to the site's proximity to the Truman Parkway interchange. Thus, along Victory Drive, parking proposed encroaches from five to ten feet into the required setback. The proposed site plan provides for a 20 foot landscaped buffer between the edge of the Victory Drive right-of-way and the start of the parking lot.

Remaining is a 20 foot landscaped buffer (proposed), including a sidewalk, that exceeds the landscaping provided on many of the nearby developments. Granting the requested variance to allow parking in the required setback would be in keeping with the overall character of the area, would not be detrimental to existing and proposed uses, and is, therefore, justified.

2) Reduction of drive aisle width – Ordinance standards requires interior parking lot drive aisles to be at least 25 feet in width. The petitioner is proposing 24 foot wide aisles for the interior drives.

The site is relatively small and is limited in its layout ability. Coupled with this restriction is the desire to connect the commercial buildings to Victory Drive with a defined, raised sidewalk. This sidewalk is an important safety factor for pedestrians, especially handicapped individuals, as well as a means of providing direct access to patrons arriving by means other than private automobile. Removal of the sidewalk could result in the additional footage needed to increase aisle widths. Such an action is not deemed desirable, however, as it would result in the loss of the walkway and pedestrian connectivity. The variance is justified to maintain connectivity.

3) Compact parking spaces – Up to 20 percent of the parking spaces provided can be designated for compact car use. The submitted site plan designates a total of 316 spaces; thus 63 spaces can be designated compact. The plan has designated a total of 67 spaces, or 21.20 percent of the total.

Compact spaces shall be located so as to be as convenient as large car spaces and shall be grouped or placed in clusters rather than scattered randomly. The proposed plan has grouped the compact spaces along Victory Drive and along the eastern property line. The four additional compact spaces would not be detrimental to existing or proposed uses and is justified.

4) Encroachment into the building setback (Limerick and Galway Streets) – Building setback lines restrict the location of improvements behind or within certain boundaries. Generally the minimum building setback line is designed to ensure conformity in the location of improvements within a development, area, or subdivision, and designates the building setback from a street, right-of-way or side lot line.

Building setback lines have been established from Limerick and Galway Streets as being 50 feet from the centerline of each roadway. The proposed plan shows building encroachment of 20 feet into the required setback. The proposed building is set back five feet from the property line.

It is not uncommon for improvements to encroach upon minimum building setback lines especially on irregularly shaped lots, corner lots, or lots developed on a cul-de-sac. The subject site is an irregularly shaped lot, measuring approximately 560 feet in an east/west direction at Victory Drive, yet only 155 feet in an east/west direction at the rear of the property. Similarly, the lot measures approximately 650 feet in a north/south direction along the east property line yet only 235 feet in a north/south direction along the west property line. At the rear of the property, the site is bounded by Galway Street, a one block long east/west street approximately 340 feet in length and by Limerick Street, a one block long north/south cul-de-sac approximately 450 feet in length.

Because of the irregular lot shape and the need to “push” development to the rear of the parcel, the proposed building identified as “Major Tenant” encroaches into the minimum building setback of both Galway and Limerick Streets a total of 20 feet, remaining a total of five feet from the property line. Both streets are classified as local roadways and both serve limited users. It is unlikely that either would ever be expanded. The requested variance would not be contrary to the intent of the ordinance nor would it be detrimental to existing or proposed uses and is therefore justified.

5) Encroachment into the building setback (Dixie Avenue) – The building setback line along Dixie Avenue has been established as being 50 feet from the centerline of the roadway. Dixie Avenue has a 50 foot right-of-way. The building identified on the plan as “Shops C” encroaches into the minimum building setback a total of 15 feet, remaining ten feet from the property line. The petitioner intends to extensively landscape the 10 foot setback area in part to help shield visibility to the cell tower site located immediately south of the proposed building.

The proposed building will side onto Dixie Avenue, located directly across the street from an existing commercial building which also sides onto Dixie Avenue. Though the off-site building provides head-in parking along Dixie Avenue, it does not appear to meet the required 25 foot minimum building setback line. Dixie Avenue extends in a southerly direction for approximately two blocks to Kerry Street, providing direct access to approximately ten single family residential units. As with Galway and Limerick Streets as noted above, Dixie Avenue is classified as a local roadway. It is unlikely that the roadway would ever be expanded and precedent has been established for encroachment into the required setback within the immediate B-H zoned area. The variance request would not be detrimental to existing or proposed uses and is therefore justified.

6) Encroachment into the building setback (rear property line) – The rear building setback line where the property does not abut a right-of-way is established at ten feet. The building identified on the plan as “Shops C” encroaches a total of five feet into the required rear yard setback, remaining five feet off the property line.

The adjoining property, also zoned B-H, is developed with a lattice style three-legged cell tower and ancillary support buildings. It is unlikely that the cell tower site will ever be redeveloped nor is it likely that the cell tower site needs the protection normally afforded by a minimum building setback. The requested variance would not be contrary to the intent of the ordinance nor would it be detrimental to existing or proposed uses and is therefore justified.

**Recommendation:**

The MPC staff recommends **approval** of the proposed General Development Plan/Group Development for the Backus redevelopment site subject to the following conditions:

1. Approval by the City Review Departments including the City Engineer.
2. Acceptance of the Traffic Impact Analysis Report and approval by the Georgia Department of Transportation and City of Savannah as applicable for needed permits.
3. The Specific Development Plan shall incorporate the General Development Plan conditions of approval and include the following:
  - a. A Landscape Plan. The City Arborist shall review the Landscape Plan.
  - b. A Water and Sewer Plan. The City Water and Sewer Engineer shall review the Drainage Plan.
  - c. A Drainage Plan. The City Stormwater Engineer shall review the Drainage Plan.
  - d. A Lighting Plan. MPC staff shall review the Lighting Plan. The Lighting Plan shall identify the location of all exterior light standards and fixtures. All exterior lights shall utilize fully shielded fixtures to minimize glare on surrounding uses and rights-of-way. "Fully shielded fixtures" shall mean fixtures that incorporate a structural shield to prevent light dispersion above the horizontal plane from the lowest light-emitting point of the fixture.
  - e. A Signage Plan. MPC staff shall review the Signage Plan.
4. That the petitioner secure vacated right-of-way and quit claim deeds to the public rights-of-way shown on the plan from the City of Savannah. Said rights-of-way shall be secured prior to subdivision recombination.
5. That the various parcels be recombined into one tract prior to issuance of any building permits or certificate of occupancy.



MPC staff also recommends approval of the following variance requests:

- 1) A five to ten foot parking encroachment into the required front yard setback along Victory Drive.
- 2) A one foot reduction in the required drive aisle width for aisles in the parking lot.
- 3) An increase in the number and percentage of allowable compact parking spaces permitted (63 spaces, 20 percent permitted; 67 spaces, 21.20 percent requested).
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