



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: **The Planning Commission**

FROM: **MPC Staff**

DATE: **February 19, 2019**

SUBJECT: **Petition to Rezone Property**
Jay Maupin, Petitioner
Heath Shelton, Owner
Jay Maupin, Agent
2026 Habersham Street
Aldermanic District: 2, Bill Durrence
County Commission District: 2, James Holmes
Property Identification Numbers: 2-0064-25-011; -013; -014; -016
File No. 19-000413-ZA

Marcel Williams, MPC Project Planner

REPORT STATUS: Initial Report

Issue:

A request to rezone 4 parcels on the east side of Habersham Street near the intersection with 37th Street and Plant Street from the TN-2 (Traditional Neighborhood 2) zoning classification to the TC-1 (Traditional Commercial 1) zoning classification. All parcels fall within the Mid-City/Thomas Square/Streetcar Historic District.

Background:

The petitioner, through his agent, wishes to recombine several vacant parcels in the triangular area bounded by Habersham Street and a railroad line to construct a new multifamily residential project. The southernmost portion of this area is occupied by a dilapidated two-story structure which is not believed to be contributing.

Properties:

The subject properties consist of 6 contiguous parcels, comprising approximately 0.66 acres. Parcels -015 and -017 at the southern end of the site are located entirely within the TC-1 zoning district. Parcels -014 and -013 are split-zoned between TN-2 and TC-1, but since most of the area of both these parcels falls within the TC-1 district, they would be considered zoned TC-1 per section 8-3023(d). The remaining parcels, -011, and -016, are

the primary focus of this zoning request, though -014 and -013 are included for sake of completeness.

Facts and Findings:

1. **Public Notice:** As required by the City of Savannah Zoning Ordinance, all property owners within 300 feet of the subject property were sent notices of the proposed rezoning on January 30, 2019. Public notice was also posted in various locations around the site.
2. **Existing Zoning and Development Pattern:** The land uses and zoning districts surrounding the subject site include:

<u>Location</u>	<u>Land Use</u>	<u>Zoning</u>
North	Single/Multifamily Residential	TN-2
South	Commercial/Railroad	TC-1
East	Railroad/Commercial	TC-1/P-RIP
West	School/Commercial Structures	TC-1/CIV

3. **Existing TN-2 Zoning District:**
 - a. **Intent of the TN-2 District:** Per the Mid-City Ordinance, “The TN-2 District is intended to ensure the vibrancy of historic residential neighborhoods with traditional development patterns characteristic of Savannah from 1890 to 1930 during the streetcar and early automobile era.”
 - b. **Allowed Uses:** The permitted uses for the TN-2 district are attached in **Table 1**. These include a variety of residential forms, civic uses, and a limited number of commercial uses such as galleries, offices, restaurants and retail on corner lots.
 - c. **Development Standards:** The development standards for the TN-2 district are attached in **Table 2**.
4. **Proposed TC-1 Zoning District:**
 - a. **Proposed Intent of the TC-1 District:** Per the Mid-City Ordinance, “The TC-1 District is intended to ensure the vibrancy of historic mixed-use neighborhoods with traditional development patterns characteristic of Savannah from 1890 to 1930 during the streetcar and early automobile era. The district provides for commercial areas that are developed at a mass and scale harmonious with nearby residential neighborhoods.”

- b. **Proposed Uses:** The permitted uses for the TC-1 district are attached in **Table 1**. In addition to the uses allowed in TN-2, TC-1 permits a wider range of civic and commercial uses, including general retail, inns, animal hospitals and a number of special uses subject to additional review.
 - d. **Proposed Development Standards:** The development standards for the TC-1 district are attached in **Table 3**.
5. **Land Use Element:** The Chatham County-Savannah Comprehensive Plan Future Land Use Map designates the subject property as traditional neighborhood, defined as: *“residential areas in close proximity to downtown or in outlying historically settled areas having development patterns characteristic of the Planned Town, Streetcar, and Early Automobile eras. This category includes non-residential uses that are compatible with the residential character of neighborhoods.”* While traditional commercial is nominally inconsistent with the future land use designation, the two categories are both mixed-use and exist on a spectrum with considerable overlap. It may be most appropriate to deem the proposed re-zoning partially consistent with the FLUM designation.
6. **Public Services and Facilities:** The property is served by the Savannah Police Department, City of Savannah fire protection and by City of Savannah water and sanitary sewer.
7. **Transportation Network:** The property is served by Habersham Street, a collector with annual average daily traffic (AADT) of approximately 6700 vehicles. Chatham Area Transit (CAT) bus route 14 runs along Abercorn Street two blocks to the west with several nearby stops and is the most frequent route in the CAT system. Route 12 runs along Price Street and 37th Street immediately to the east of the subject property.

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

While some more intense commercial uses would be permitted under the TC-1 district, many of these are subject to special use review and would be unlikely to gain approval in this case. Under the current TN-2 zoning, many potentially disruptive uses are already permitted. In a historic mixed-use setting such as this, the risk of some minor adverse impacts must be weighed against the real possibility of benefits associated with new neighborhood amenities such as shops, restaurants or new public spaces.

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

See comment for (1.) above.

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

The property has principal frontage on Habersham Street, which has more than enough traffic capacity for any foreseeable use permitted under the TC-1 district.

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

The adjacent properties on all sides are already developed and the requested zoning district is unlikely to adversely impact their further improvement.

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

Yes X No X

The comprehensive land use plan designates the subject property as “traditional residential,” which is partially inconsistent with the desired traditional commercial zoning. There is considerable overlap in the mix of uses and scale of development permitted, however, especially since most of the subject property falls under the more flexible corner lot provisions of the TN-2 district. It would be misleading, therefore, to characterize the requested zoning as either entirely consistent or inconsistent.

ALTERNATIVES:

1. Approve the petitioner’s request as presented.
2. Deny the petitioner’s request.
3. Deny the petitioner’s request and approve an alternative classification.

POLICY ANALYSIS:

The existing TN-2 district has different standards for interior lots and corner lots, where more commercial uses are permitted. The triangular site is unusual, but since portions abut a railroad right-of-way and a lane, the properties in question are almost certainly corner lots under section 8-3200. Consequently, a much greater range of activities, including restaurants with alcohol service, package stores, retail and personal service shops would be permitted. This array of uses is much more consistent with the proposed TC-1 designation than would otherwise be the case for TN-2 in an interior-lot situation.

Many of the most intense additional uses permitted in TC-1, such as bars, microbreweries, fraternity houses, gas stations, and vehicle repair are subject to special use review by the ZBA and would likely be deemed inappropriate for the site. Other additional uses permitted by right in TC-1 like vehicle sales and larger-scale retail operations are extremely unlikely owing to dimensional constraints and land values. As a result, the range of new uses that would be permitted in the TC-1 district in this case is much more limited than it may otherwise appear.

The subject properties are surrounded by commercial and institutional uses on three sides: Narobia’s Grits and Gravy, a SCAD educational building, a former gas station being converted into a restaurant, a church, and a former ice cream manufacturing building. While there are residential uses immediately north of the property, they are primarily multifamily structures with a density comparable to what would be permitted under the proposed TC-1 district. Residential use across a lane from commercial use—or

even directly abutting—is a common pattern in the Mid-City district, found throughout the Bull Street, Abercorn and Habersham Street corridors. Since any development is likely to have principal frontage on Habersham Street, it would be immediately across from other commercial and institutional uses. The TC-1 district is therefore contextually appropriate.

Development standards are generally consistent between the TN-2 and TC-1 districts. Both permit 3 stories and a maximum height of 45 feet, with similar setback requirements. TC-1 does permit a larger ground floor footprint for nonresidential use, but TN-2 permits a greater footprint for residential uses. The permitted gross residential density is also higher in TC-1 (30 vs. 20 units per acre), but even this greater value is below the prevailing density of the surrounding neighborhood.

Much of the motivation for this rezoning appears to be borne out of practicality; the petitioner intends to develop the entire vacant portion of the site and understandably desires a consistent zoning designation throughout. The unusual triangular site presents certain challenges for its redevelopment such that a larger area is required to support the same built area compared to a standard rectangular site. Since the southern portion is already zoned TC-1 and sits at an important intersection adjacent to other commercial uses, the TC-1 district as proposed is appropriate for the remainder of the site.

RECOMMENDATION:

Staff recommends **approval** of the request to rezone the subject property from the TN-2 district to the TC-1 district.

Table 1:

Uses permitted in TN-2 including both upper-story and ground-floor and based on a corner lot.

TN-2 and TC-1 District Comparison	TN-2	TC-1
Key: ✓ = Permitted * = Subject to Special Use Review		
RESIDENTIAL USES		
Single-family detached, semi-detached or end- row, attached or row	✓	✓
Two-family detached, semi-detached or end-row, attached or row	✓	✓
Multifamily (3 or more units)	✓	✓
Conversion to provide additional units in existing structure	*	*
Bed and breakfast inn (up to 8 guest rooms)	✓	✓
Accessory dwelling, garage apartment, carriage house, caretaker's quarters	✓	✓
Upper-story residential	✓	✓
Short-term vacation rental <i>[Adopted 11/10/14; effective 1/1/15 (14-003621-ZA)]</i>	✓	✓
CIVIC USES		
Adult group day care home (7 to 18 people)		✓
Ambulance service, rescue squad		*
College, university		✓
Congregate care home (over 15 people)		*
Convent, monastery	✓	✓
Day care home, Group (7 to 18 children)	*	✓
Eleemosynary or philanthropic institution	*	✓
Food service center for homeless		✓
Group care home (7 to 15 people)	*	✓
Homeless shelter (emergency)		*
Museum, library		✓
Place of worship	*	✓
Public uses, including recreation sites	✓	✓
School, public or private (K-12)		✓
Single room occupancy residence		✓
Special needs housing	✓	✓
Technical, trade or business school		✓
Utility, minor	✓	✓
COMMERCIAL USES		
Artist studio, gallery	✓	✓
Bar, nightclub, tavern		*
Boarding or rooming house (up to 10 people)		✓
Club, lodge		*
Contractor's office		✓

Fraternity, sorority house		*
Funeral home		✓
Gas station with convenience retail		*
Indoor recreation (commercial)		✓
Inn, hostel		✓
Microbrewery <i>(17-001851-ZA; adopted 6/8/17)</i>		*
Office, General	✓	✓
Office, Medical		✓
Package alcohol sales	*	*
Restaurant without alcohol sales	✓	✓
Restaurant with alcohol sales	*	*
Retail, General		✓
Retail, Neighborhood	✓	✓
Service, General		✓
Service, Neighborhood	✓	✓
Vehicle repair		*
Vehicle sales and service, Minor		✓
Veterinarian, animal hospital		✓

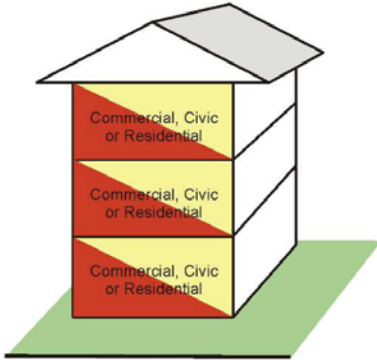
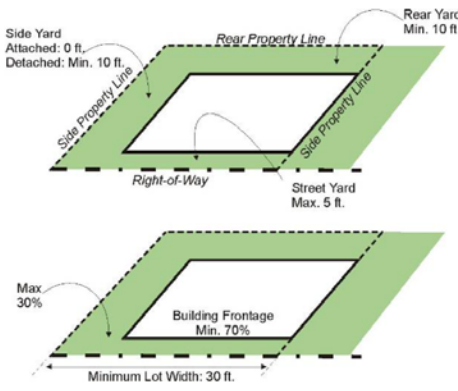
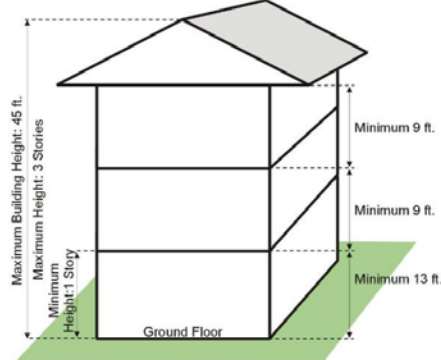
Table 2:

(5) *TN-2 District Development Standards.*

Use	<p style="text-align: center;">INTERIOR CORNER</p>	<p>Interior Lot Ground Floor: Residential or mixed use (see use table in 8-3214(2)(a)). Upper Floors: Residential</p> <p>Corner Site Ground Floor: Residential or mixed use (see use table in 8-3214(2)(a)). Upper Floors: Residential or mixed use (see use table in 8-3214(2)(a)). No residential use allowed below a commercial use</p> <p>Ground Floor Area: Residential: none. Commercial or office: 2,500 square feet maximum</p> <p>Residential Density 20 units per gross acre maximum 24 units per gross acre maximum for designated affordable housing</p>
Site		<p>Lot Area: 2,200 SF minimum for attached residential, 3,000 SF minimum for all other uses.</p> <p>Lot Width: 30 feet minimum</p> <p>Street Yard: Average street yard for all contributing structures on the block face; Blocks without contributing structures: Interior lot: 5 minimum to 10 feet maximum; Corner lot: 5 feet maximum</p> <p>Garage Setback: 20 feet minimum from street</p> <p>Building Frontage: 70% of lot width minimum[*]</p> <p>Building Coverage: 60% maximum</p> <p>Rear Yard: 5 feet minimum; garage with access to lane, 3 feet minimum</p> <p>Side Yard: 0 feet on any attached side; all other sides, 5 feet minimum [*]</p> <p>[*] For lots less than 31 feet in width, provide either a 5 foot side setback or 70% minimum building frontage</p>
Height		<p>Building Height: 3 stories maximum, 2 stories minimum on block face with any two-story building, 45 feet maximum</p> <p>Floor Height Ground floor: 11 feet minimum Upper floors: 9 feet minimum</p> <p>Ground Floor Elevation Interior lot: 30 inches minimum, including slab construction Corner site: no minimum</p>

Table 3:

(5) *TC-1 District Development Standards.*

Use		<p>Ground Floor Commercial, civic or residential (see use table in 8-3216(2)(a))</p> <p>Upper Floors Residential, civic or commercial (see use table in 8-3216(2)(a)). No residential use allowed below a commercial use.</p> <p>Ground Floor Area 5,500 square feet maximum</p> <p>Residential Density 30 units per gross acre maximum 36 units per gross acre maximum for designated affordable housing</p>
Site		<p>Lot Area: 2,200 SF minimum for attached residential. 3,000 SF minimum for all other uses.</p> <p>Lot Width: 30 feet minimum</p> <p>Building Frontage: 70% of lot width minimum[*]</p> <p>Street Yard Average street yard for all contributing structures on the block face; Blocks without contributing structures, 5 feet maximum</p> <p>Rear Yard: 10 feet minimum</p> <p>Side Yard: 0 feet on any attached side or abutting TC-1 or TC-2 zoning; all other sides, 5 feet minimum [*]</p> <p>[*] For lots less than 31 feet in width, provide either a 5 foot setback or 70% minimum building frontage</p>
Height		<p>Building Height: 3 stories maximum, 1 story minimum, 45 feet maximum</p> <p>Floor Height Ground floor: 13 feet minimum Upper floors: 9 feet minimum</p> <p>Ground Floor Elevation Residential ground floor: 30 inches minimum, including slab construction; Nonresidential: no minimum</p>