



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

Petition File No. Z-0421-000122
Reference File No. Z-191113-00120
Commission District: 1 (Stone)

Bethesda Union Society of Savannah, Owner
Enmark Stations Inc, Petitioner
Robert McCorkle, Agent
9520 Ferguson Avenue

MPC Project Planner: Marcus Lotson

Issue:

A request to rezone the subject property from the R-A/EO (Residential Agriculture / Environmental Overlay) zoning district to the PUD-BN (Planned Unit Development – Neighborhood Business) classification in conjunction with a site development plan. The attached site development plan, if approved by the County Commission, will represent as the approved use of the property. Although the petitioner, under this proposal, would serve as the developer, ownership of the property will be retained by Bethesda consistent with their property deeds.

Background:

Bethesda Academy was founded in 1740 as Bethesda Orphan House and Academy and became Bethesda Home for Boys in 1900. In 1992 it became a full time school for boys and rebranded itself in 2011 to reflect the college preparatory curriculum. The 600 plus acres that make up the schools' property exists on both sides of Ferguson Avenue, as well as portions that are south of Diamond Causeway. However, the active portion of the campus, including classrooms, dormitories and athletic facilities, are all east of Ferguson Avenue and north of Diamond Causeway.

The subject property is a +/- 7 acre portion of an approximately 315 acre parent tract of undeveloped land. Portions of the property have been cleared and timbered at different times over the years. In addition, a 50 acre lake exists in the northwest portion of the parent tract. The portion which is the subject of the rezoning request is bounded by Diamond Causeway, Ferguson Avenue and the former Old Bethesda Road, an unopened right of way which has been quit claimed and is now fee simple property owned by Bethesda.

Zoning:

The subject property and the remaining parent tracts of land were zoned R-A (Residential Agriculture) in 1962, with the adoption of the Chatham County Zoning Ordinance. This was true of most of the undeveloped portions of the unincorporated area. In 2003 Section 4-12, the Environmental Overlay, was adopted into the Chatham County Zoning Ordinance which provides for additional development standards in designated areas that include the Islands Community and the Southeast Chatham Community. The subject property is within the overlay.

The petitioner is requesting to rezone the subject property to the PUD-BN zoning classification. The zoning request is in conjunction with the attached site plan which if approved, would constitute the approved use for the property.

Site Development:

The petitioner has submitted a development plan in conjunction with the request to rezone. The development plan identifies 5.2 acres of disturbed area, which includes neighborhood retail, fuel sales and a welcome center with pavilion to be operated by the Bethesda School. The property is proposed to be accessed via Ferguson Avenue with two full movement access points, and Diamond Causeway, with one limited access (right in / right out) only. Proposed access points will require approval by Chatham County Engineering.

Use	Area	Required Parking	Parking Provided
Retail Convenience Store	6,285 sq. ft.	32	34
Welcome Center / Pavilion	1,800 sq. ft.	3	16
General Retail – 3 bldgs.	20,400 sq. ft.	102	102

Required Buffers and Setbacks		
Requirement	Setback	Buffer
Diamond Causeway	35' Building Setback	Landscape buffer for parking
Ferguson Avenue	35' Building Setback	50' Max Buffer

Conditions Proffered by Applicant – Noted on Development Plan	
Facade	Building facades visible from the R-O-W shall be finished in brick. Building facades not visible shall be painted to match brick.
Freestanding Signs	Monument style sign designed with brick to match buildings.
Dumpster Enclosure	Enclosure shall be screened on three sides w/ matching brick.
Excluded Uses	The following uses shall not be permitted: Cocktail Lounges, Nightclubs, Taverns, Package Stores, Marine Engine and Boat Repair Shops.

Facts and Findings:

1. **Public Notice:** As required by the Chatham County Zoning Ordinance, all property owners within 300 feet of the subject property were sent notices of the proposed rezoning on April 30, 2021. A sign was also posted on the site in addition to the required notice. There is no recognized neighborhood association within 1,000 feet of the subject property.
2. **Existing Zoning and Development Pattern:** The development pattern in the immediate vicinity includes the Bethesda School across Ferguson Avenue, and a shopping center at the southeast corner of Ferguson Avenue and Diamond Causeway. North and west of the subject property are undeveloped acres owned by Bethesda which historically have been used as timber property. The nearest residential uses are approximately 1,000 feet south of the subject property on Ferguson Avenue.

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

<u>Location</u>	<u>Land Use</u>	<u>Zoning</u>
North	Undeveloped	R-A / EO
South	Commercial / Office	PUD-BN /TC [1]
East	Private School	R-A / EO
West	Undeveloped	R-A/TC

[1] Town Center Overlay

3. **Existing R-A Zoning District:**
 - a. **Intent of the R-A District:** “The purpose of this district is to protect those rural areas within the urban expansion areas of the county for future urban development, and to protect certain rural highway roadside areas against strip development, which can lead to traffic congestion, traffic hazards, and roadside blight.”
 - b. **Permitted Uses:** See attached list of uses
 - c. **Development Standards:** See attached chart.
4. **Proposed PUD-BN Zoning District:**

- a. **Intent of the PUD-BN District:** A planned, development classified as either a neighborhood, community or regional shopping center or Waterfront Urban Center.
 - b. **Permitted Uses:** Uses permitted in the B-N zoning district. However, as proposed, the attached site plan would constitute the approved use.
 - c. **Development Standards:** Identified on development plan.
5. **Land Use Element:** The Chatham County-Savannah Comprehensive Plan Future Land Use Map designates the subject property as Planned Campus. The Planned Campus designation is defined as “Areas designated for research and development, educational, and business campuses where landscaping, greenspace, open space and open water area exceeds impervious area of structures and parking lots.”
 6. **Public Services and Facilities:** The property is served by the Chatham County Police Department, Chatham Emergency Services, existing public sewer and private water.
 7. **Transportation Network:** The property is bounded by Ferguson Avenue and Diamond Causeway. The intersection of Diamond Causeway and Ferguson Avenue is a part of the primary vehicular route for residents of Pin Point, Skidaway Island, Modena Island, Burnside Island and other residential neighborhoods south of Diamond Causeway. Diamond Causeway is an arterial roadway that supports 19,600 vehicle trips per day according to the most recent available traffic counts.
 8. **Environmental Overlay (E/O):** Intent of the E/O District: The intent and purpose of the Environmental Overlay (E/O) district is “... to establish supplemental standards to bolster those currently in the Chatham County Zoning Ordinance in order to, **a)** protect and enhance community character; **b)** provide for safe and orderly development; and **c)** protect environmental quality, especially the estuarine system that surrounds the community.” Should the zoning change be adopted, the Environmental Overlay would still apply.

Within the environmental overlay, Corridor Development Standards apply to the subject property. Those standards include:

- (i) Trees that contribute to road canopy as identified by the County Arborist may not be removed without approval of a mitigation plan by the County Arborist.
- (ii) Buffers along designated roads shall be 10 percent of the average depth of the site, to a maximum depth of 50 feet and minimum of 20 feet, except where greater buffers are required as a condition of site plan approval in planned developments.

- (iii) Existing trees and shrubs 4 inches or more DBH shall remain in buffer areas.
 - (iv) Paved surfaces are not permitted in buffer areas, except where they are a necessary part of utility easements, driveways, or pedestrian facilities.
 - (v) Utility easements in buffer areas may be counted as part of the buffer if left undisturbed or restored using desirable species as identified in the Land Disturbing Activities Ordinance. Buffer areas outside easements shall have 1600 tree quality points per acre.
9. **National Registry of Historic Places:** Preservation staff was asked to research the Bethesda property and they found that the original 500 acres of Bethesda Home for Boys was listed on the National Register of Historic Places in 1973.
10. **Quit Claim:** In conjunction with the Quit Claim of the former Old Bethesda Road. Bethesda entered into a restrictive Covenant agreement that would allow removal of certain trees within the Old Bethesda Road right of way only with the approval of the County Arborist. The Covenant restrictions are as follows:
- The mature trees within the ROW shall be maintained by Declarant, its successors, assigns and transferees, with consultation from a licensed arborist. No trees larger than 24 inches in diameter at breast height within the ROW will be cut down without prior consultation with and approval from the Chatham County’s arborist.
 - Declarant, on behalf of itself and its successors, assigns and transferees, covenants and agrees that the ROW shall remain an undeveloped buffer and that no above-ground improvements (other than fences and gates to control access to the ROW) shall be constructed within the ROW.
 - These Restrictive Covenants shall be covenants running with the Property and shall be binding upon the Declarant herein, its successors and assigns.

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

Staff Comment: Developing previously undeveloped property can create changes to an area. The uses proposed are not likely to “impact livability or quality of life”

due to the fact that there are no residences within approximately 1,000 feet of the subject property.

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

Staff Comment: Adjacent and nearby properties are undeveloped and owned by the owner of the subject property. The proposed zoning is not likely to render these properties less desirable.

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

Staff Comment: The mix of vehicular traffic is not likely to change. The existing commuter traffic is likely to represent the primary users of the proposed facilities. The nearest developed property is also commercial, so similar traffic is likely to continue along the nearby streets.

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

Staff Comment: The proposed zoning could, at times, generate greater traffic volume at vehicular access points. However, due to the recent widening and intersection improvements adjacent to the subject property, capacity exists to address it.

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

Staff Comment: Infrastructure and services are available to the site. The proposed zoning will not permit uses that will create a financial burden to the public, relative to the provision of these services.

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?*

Staff Comment: The proposed zoning is not likely to impact the improvement or development of nearby properties.

Yes ___ No X

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

Yes X No ___

Staff Comment: The Comprehensive Plan Future Land Use Map identifies the property as Planned Campus. This designation was applied to all the property owned and operated by Bethesda in this area, approximately 600 acres. Although the definition includes business campuses, staff finds that the proposed use does not fall into that category and Commercial Suburban is likely a more appropriate category should this property be rezoned as requested. The Comprehensive Plan Future Land Use Map is currently under review and may be amended during the update process.

POLICY ANALYSIS:

The subject site is a 7 acre portion of a 300 acre parent tract that is and has always been undeveloped. Agriculture, in the form of timber harvesting, is the only use that has taken place on this property. The portion of the property that is the subject of the request abuts arterial and collector classified roadways. The petitioner is requesting that the property be rezoned in conjunction with a site plan, which includes building façade details. In addition, the applicant has proffered to eliminate certain uses from the list of approved uses for this

site. These additional conditions are being recommended in order to create predictability, as it relates to the development.

The location of the subject property on an arterial roadway, and the lack of abutting or nearby residential uses, make it a likely site for development. Due to the mostly undeveloped nature of the immediate area, in terms of commercial uses, any development should be designed to match the character of others in the vicinity. The nearby commercial development and the Bethesda School both exhibit landscaping and building materials which the proposed development is attempting to simulate.

If rezoned as requested, the attached development plan with the conditions noted therein would constitute the approved development plan for this property. Deviation from that plan would require reconsideration by the MPC and County Commission through the rezoning process.

ALTERNATIVES:

1. Approve the staff recommendation.
2. Approve the petitioners request as presented.
3. Deny the petitioner's request.

RECOMMENDATION:

Staff recommends approval of the request to rezone the subject property in conjunction with the attached site plan which shall include the following conditions noted on the plan:

- Visible building elevations will be finished in brick. Any concrete block used in rear service areas will be painted to match brick used on visible elevations.
- All dumpsters on the site will be screened with brick on three sides to match the buildings.
- Monument style signs will be used for principal use free standing signs and shall be designed with brick to match buildings.
- Curb cut locations shall be approved by the Chatham County Department of Engineering.
- The following uses shall be prohibited: Use (61c) Cocktail Lounges, Night Clubs, Taverns and Package Stores. Use (84a) Marine Engine and Boat Repair Shops - Minor

Note: This recommendation is based on information provided to date and may change based on information provided during the public hearing.