



**MPC STAFF REPORT
REZONING MAP AMENDMENT
June 2, 2009
MPC FILE No. Z-090422-40836-2**

REZONING SUMMARY	
Report Status	Initial report
Petitioner / Property Owner	Russell D. Browne, Petitioner / Owner
Staff Project Planner	Marcus Lotson
Property Description	Street Address: 1006 E. Broad Street PIN: 2-0043-15-003 Property Size: 2,888 square feet Existing Use: Vacant Proposed Use: Mixed Use Residential
Existing Zoning	BG-2 (General Business)
Requested Zoning Staff Proposed Zoning	BG (General Business) RB-1 (Residential Business)
Future Land Use Plan Designation	Traditional Commercial

Policy Analysis	<p>Staff believes that the proposed BG zoning classification is too intense for the area in general and the site in particular. The staff proposed zoning (RB-1) is more compatible with area development, and is consistent with the <u>Tri-centennial Comprehensive Plan</u> Future Land Use Map, which designates the subject property as Traditional Commercial. A mixture of residential with commercial is appropriate in RB-1. Zoning this site to an RB-1 classification will allow for the redevelopment of an abandoned property and will decrease area blight. Because of the nature of the proposed uses at the property this zoning reclassification is unlikely to be detrimental to the adjacent residential properties. The RB-1 classification is consistent with the growth and development pattern in the area. Additionally RB-1 zoning will satisfy the petitioners proposed use while protecting the neighborhood from the more intense uses that could come about within a BG zoning district.</p>
Recommendation	<p>Staff recommends <u>DENIAL</u> of the requested zoning to BG for the property located at 1006 East Broad Street and <u>APPROVAL</u> of a rezoning to an alternative RB-1 classification.</p>



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: June 2, 2009

**SUBJECT: PETITION OF RUSSELL D. BROWNE, OWNER
1006 EAST BROAD STREET
ALDERMANIC DISTRICT 2
COUNTY COMMISSION DISTRICT 2
PIN 2-0043-15-003
MPC FILE NO. Z-090422-40836-2**

MARCUS LOTSON, MPC PROJECT PLANNER

REPORT STATUS: Initial Report

Issue:

At issue is a request to rezone an approximately 2900 square foot site from the current BG-2 (General Business-Transition) zoning classification to a BG (General Business) classification in order to allow a mixed commercial / residential use on the property.

Background:

The petitioner's property is located at the southeast corner of East Broad and Waldburg Streets within the Eastside neighborhood directly adjacent to the eastern boundary of the Victorian District. The neighborhood contains a mix of uses including single and multiple-family residential, commercial, institutional and civic. It is the petitioner's intent to create a mixed used space to allow for a single family residence as well as bicycle depot with indoor storage.

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. Additionally, notice was also sent to the Eastside neighborhood association.
2. **Existing Zoning and Development Pattern:** The petitioned property, zoned BG-2 and currently vacant, has in the past served as a neighborhood convenience store, nightclub and game room. Directly across East Broad Street is a multi family residential structure. Directly across Waldburg is Oglethorpe Marble and Granite, a stone fabrication company. South of the subject property is a collection of vacant single story cinder block buildings which were once used as a social hall.

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

<u>Location</u>	<u>Land Use</u>	<u>Zoning</u>
North	Manufacturing	P-B-G-2 [1]
South	Vacant	P-B-G-2
East	Atlantic Coast Railway	P-R-4 [2]
West	Multiple-Family Residential	1-R [3]

[1] Planned General Business

[2] Planned Four-family Residential

[3] 25-43 Multifamily Residential Units per Acre (Victorian District)

3. **Existing BG-2 Zoning District:**

- a. **Intent of the BG-2 District:** The purpose of this district shall be to create and protect older mixed use residential/ commercial areas of the city in which compatible business and industrial-like activities are permitted in proximity to residential uses.
- b. **Allowed Uses:** The uses allowed within the BG-2 district appear in the attached chart.
- c. **Development Standards:** The development standards for the BG-2 district appear in the attached table (Table 1).

4. **Requested BG Zoning District:**

- a. **Intent of the BG 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 BG district appear in the attached chart.
- c. **Development Standards:** The development standards for the BG district appear in the attached table (Table 1).

5. **Proposed RB-1 Zoning District:**

- a. **Intent of the RB-1 District:** The purpose of this district is to create an area in which certain types of convenience-shopping-retail sales and service uses can be established and at the same time prevent nuisances or hazards created by vehicular movement, noise or fume generation or high-intensity use detrimental to adjacent residential development.

- b. **Allowed Uses:** The uses allowed within the RB-1 district appear in the attached chart.
 - c. **Development Standards:** The development standards for the RB-1 district appear in the attached table (Table 2)
6. **Land Use Element:** The Tri-centennial Comprehensive Plan Future Land Use Map designates the subject property as Traditional Commercial. These properties exhibit such features as mixed use neighborhoods with traditional Savannah development patterns and arterial commercial corridors traversing historic neighborhoods.
7. **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 with access available nearby on route 27 along East Broad.
8. **Transportation Network:** The property is accessed from East Broad Street, an existing paved public street with a 40 foot right-of-way. The roadway is classified as a minor arterial and no existing traffic counts are available.
9. The BG zoning classification allows heavy commercial and limited industrial-like activities. The range of uses (identified in the attached chart) is too intense for the area and is not appropriate for a traditional commercial planned area. The RB-1 (Residential Business) classification is a more appropriate zone for the area. The RB-1 district allows mixed use and will allow the petitioner the ability to achieve his objective.

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 ___ No X
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 ___ No X
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 ___ No X

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 ___ No X

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

Yes ___ No X

ALTERNATIVES:

1. Approve the petitioner's request.
2. Deny the petitioner's request.
3. Deny the petitioner's request and approve an alternative zoning classification.

POLICY ANALYSIS:

Staff believes that the proposed BG zoning classification is too intense for both the neighborhood and this particular site. The staff proposed zoning (RB-1) is more compatible with area development, and is consistent with the Tri-centennial Comprehensive Plan Future Land Use Map, which designates the subject property as Traditional Commercial. A mixture of residential with commercial is appropriate in RB-1. Zoning this site to an RB-1 classification will allow for the redevelopment of an abandoned property and will decrease area blight. Because of the nature of the proposed uses at the property this zoning reclassification is unlikely to be detrimental to the adjacent residential properties. The RB-1 classification is consistent with the growth and development pattern in the area. Additionally RB-1 zoning will satisfy the petitioners proposed use while protecting the neighborhood from the more intense uses that could come about within a BG zoning district.

Recommendation	Staff recommends <u>DENIAL</u> of the requested zoning to BG for the property located at 1006 East Broad Street and <u>APPROVAL</u> of a rezoning to an alternative RB-1 classification.
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Existing BG-2 / Proposed B-G or RB-1 Zoning district

<i>List of Uses</i>	<i>RB-1</i>	<i>B-G</i>	<i>BG-2</i>
Residential Types:			
(1) One-family dwelling:			
a. Detached	X	X	-
b. Semidetached or end-row	X	X	-
c. Attached or row	X	X	-
(2) Two-family dwelling:			
a. Detached	X	X	-
b. Semidetached or end-row	X	X	-
c. Attached or row	X	X	-
(3) Multifamily dwelling:			
a. Detached	X	X	-
b. Semidetached or end-row	X	X	-
c. Attached or row	X	X	-
(4) Reserved			
(5) Garage apartment or carriage house	X	X	-
(6) Manufactured home park	-	-	-
Provided such use shall comply with the manufactured home park regulations of the City of Savannah.			
Lodging Facilities:			
(7) Hotel or apartment hotel Provided the uses front onto an arterial street.	-	X	-
(7a) College dormitory a. Such use shall abut a collector or greater classified street.	-	X	-
(8) Apartment building used by a college (mixed use)	-	X	-
(9) Motel Including such ancillary uses as barber shops, beauty shops, restaurants with or without pouring licenses, cocktail lounges, tobacco stores, drugstores, and uses of a similar nature. Provided that within the R-B-C-1 district, no pouring license or alcoholic beverage sales shall be allowed.	-	X	X
(9a) Recreational vehicle park Provided that:	-	-	-
(9b) Inn Provided that such use shall contain not more than 15 bedrooms or suites. Such use may serve meals, provided such service shall be limited to guests occupying rooms in the inn.	-	X	-
(9c) Bed and breakfast Provided such use shall be an incidental use within an owner-occupied principal dwelling structure containing not more than two dwelling units, and provided that not more than one bedroom in such dwelling structure shall be used for such purpos	-	X	-
(10) Boardinghouse or roominghouse	X	X	X
(10b) Group care home for the mentally ill (seven to 15 persons) Provided that within R-B, RB-1, R-B-C and R-B-C-1 districts such use shall not be permitted within 1,000 feet as measured in any direction from property line to property line of a boardinghouse or roominghouse, a care home or other type of grou	-	X	X
(10c) Congregate mental care facility (over 15 persons) Provided that within R-B, RB-1, R-B-C and R-B-C-1 districts such use shall not be permitted within 1,000 feet as measured in any direction from property line to property line of a boardinghouse or roominghouse, a care home or other type of grou	-	X	X
(10d) Homes for chemically dependent persons	X	X	X

Existing BG-2 / Proposed B-G or RB-1 Zoning district

<i>List of Uses</i>	<i>RB-1</i>	<i>B-G</i>	<i>BG-2</i>
Provided that within R-B, RB-1, R-B-C and R-B-C-1 districts such use shall not be permitted within 1,000 feet as measured in any direction from property line to property line of a boardinghouse or roominghouse, a care home or other type of group			
(10e) Group care home for the abused or mistreated (seven or greater persons)	X	X	X
Provided that within R-B, RB-1, R-B-C and R-B-C-1 districts such use shall not be permitted within 1,000 feet as measured in any direction from property line to property line of a boardinghouse or roominghouse, a care home or other type of group			
(10f) Group care home for the elderly (seven to 15 persons)	X	X	X
(10g) Congregate care home for the elderly (over 15 persons)	X	X	X
(10h) Group care home for the mentally retarded	X	X	X
Provided that within R-B, RB-1, R-B-C and R-B-C-1 districts such use shall not be permitted within 1,000 feet as measured in any direction from property line to property line of a boardinghouse or roominghouse, a care home or other type of group			
(10i) Congregate care home for the mentally retarded (over 15 persons)	X	X	X
Provided that within R-B, RB-1, R-B-C and R-B-C-1 districts such use shall not be permitted within 1,000 feet as measured in any direction from property line to property line of a boardinghouse or roominghouse, a care home or other type of group			
(10j) Emergency shelters for homeless persons	-	X	X
Provided that the following conditions shall be met:			
(10k) Transitional shelters for homeless persons. Provided that the following conditions shall be met:	X	X	X
(10l) Food service centers for homeless persons	X	X	X
(10m) Singleroom occupancy residences	X	X	X
(10n) Community correctional center	-	X	X
(10o) Hostel	-	X	X
Provided that such use shall have a full-time resident manager.			
(10p) Personal care home for the handicapped and/or elderly (six or fewer persons)	X	X	X
Provided that such use shall not be permitted within 500 feet, as measured in any direction from property line to property line, of another such care home or other type of care home.			
(11) Church or other place of worship	X	X	X
(12) Church or monastery	-	X	X
a. Temporary outdoor religious services.	-	X	X
b. Carnival, community fair, athletic event or other event of public interest.	-	B	B
c. The use of public parks for carnivals, rodeos, horse shows, shooting or athletic events, community fair, or other events of public interest.	-	X	X
Provided that:			
1. Public parks shall be owned and operated by either an agency of government or unit of government.			
2. Tents and/or mobile vehicles/structures may be utilized for such activities.			
d. Temporary or portable sawmill	-	-	-
e. Temporary off-site promotional sales and public interest events, such as boat shows, auto and home furnishing, promotional sales, etc.	-	X	X
f. The sale of seasonal plants and/or produce	-	X	X

Existing BG-2 / Proposed B-G or RB-1 Zoning district

<i>List of Uses</i>	<i>RB-1</i>	<i>B-G</i>	<i>BG-2</i>
Community Facilities:			
(14) Eleemosynary or philanthropic institution	X	X	X
(15) Public uses Including, but not restricted to schools, libraries, fire and police stations, park and recreation facilities.	X	X	X
(15a) Heliport, heliport	-	B	-
(15b) Private schools Provided that the use shall be located only on arterial or collector roadways as identified by section 8-3025(e), Street Classification Map.	-	-	-
(16) Public utility	X	X	X
(17) Sewage treatment plant	-	-	-
(18) Telephone exchange	-	X	X
(19) Cultural facilities Art galleries, museums, legitimate theaters, library and other facilities of a similar nature.	X	X	X
(20) Club or lodge	-	B	B
(20a) Assembly halls Including union halls, conference halls, business meetings, civic halls and activities of a similar nature. Such use may include office space where incidental to the principal use.	-	X	X
(20b) Day nurseries and kindergartens a. Provided, that 100 square feet of out door play space is provided for each child.	B	X	X
(20c) Child care center a.	X	X	X
(20d) Adult day care center	X	X	X
(20e) Child sitting center	X	X	X
(23) Greenhouse and plant nursery	-	X	X
(23a) Tree cutting/ pruning contractor	-	X	X
(25) Animal hospital, veterinary clinic, animal boarding place or animal grooming salon Provided all buildings for housing animals shall set back not less than 100 feet from any dwelling place in a residential area and all pens, kennels and runs be within an enclosed structure that has a Sound Transmission Class Rate (STC) as set f	-	X	X
(25a) Animal grooming establishment Provided, that such establishments shall not board animals overnight.	X	X	X
Recreation:			
(26) Reserved.			
(27) Miniature golf course	-	-	-
(28) Golf or baseball driving range	-	-	-
(29) Amusement or recreational activities carried on wholly within a building, including theater, billiard parlor, dance hall, and activities of a similar nature.	-	X	-
(29a) Electronic, video or mechanical amusement game arcade (excluding movies, film or photographic machines)	-	X	-
(30) Indoor shooting range	-	B	B
Retail Sales and Services:			
(32) Food stores and drugstores Drugstores, meat market, bakery products, dairy products, confectionery shops, and stores of a similar nature.	X	X	X

Existing BG-2 / Proposed B-G or RB-1 Zoning district

<i>List of Uses</i>	<i>RB-1</i>	<i>B-G</i>	<i>BG-2</i>
(32a) Sale of beer and wine by the package when incidental to other principal retail use.	-	X	-
(32b) Sale of beer and wine by the package when incidental to other principal retail grocery, drug or variety stores.	-	-	X
(32c) Plant and produce shops	X	X	X
(33) Personal service shops	X	X	X
(34) Clothing stores and dry goods	X	X	X
Shoestore, men's shops, women's shops, variety stores and stores of a similar nature.			
(35) Home furnishing and hardware	X	X	X
(35a) Furniture repair, including furniture refinishing, refurbishing and upholstery shops	X	X	X
(36a) Specialty shops (See Sec. 8-3002 - Definitions)	X	X	X
(36b) Craft shops	X	X	X
Gift shops which produce goods used for special orders and/or for sale in specialty craft shops.			
(36c) Adult entertainment establishment	-	X	-
(37) Banks and offices Banks, office buildings, loan agencies, professional offices, business offices, and facilities of a similar nature.	X	X	X
(37a) Mixed use, nonresidential	X	X	X
(37b) Mixed use, residential	X	X	-
(38) Janitorial services contractor	X	X	X
(38a) Administration building	X	-	-
Provided that such office facility shall be directly related to the administration and operation of industrial uses.			
(39) Department stores	X	X	X
(39c) Sale and display of monuments and stones	-	X	X
(40) Photography studio	X	X	X
(41) Funeral homes and crematory	-	X	X
(42) Ambulance service or rescue squad	-	X	X
(43) Radio and television towers (including radio and television tower farms)	-	X	-
Provided that a site development plan shall be reviewed under the provisions of section 8-3031.			
(43a) Radio or television broadcasting studio	-	-	X
(44) Telegraph or messenger service	-	X	X
(45) Taxi stand	X	X	X
Provided that the use shall first be authorized by the mayor and aldermen as set forth in section 6-1421 of the City Code, for the site in question.			
(45a) Taxicab company	X	X	X
(45b) Motor coach service and storage	-	X	-
(45c) Tour vehicle service and storage facility	-	X	X
(46) Freezer locker service, ice storage	-	X	X
(46d) Post secondary schools	-	X	X
(47) Vocational and technical schools	-	X	X
(47a) Secondary use (professional office)	X	-	-
(47b) Fortune telling	-	X	X
(47c) Teaching of music, voice, and dance	-	X	X
(47d) Temporary day labor employment center	-	X	X
(47e) Personal service schools	X	X	X

Existing BG-2 / Proposed B-G or RB-1 Zoning district

<i>List of Uses</i>	<i>RB-1</i>	<i>B-G</i>	<i>BG-2</i>
(48) Restaurant, sit-down or cafeteria, which serves alcoholic beverages	-	X	-
(48a) Restaurant, sit-down or cafeteria, which does not serve alcoholic beverages.	X	X	X
(48b) Cocktail lounges, nightclubs, and taverns	-	X	-
(48c) Package store	-	X	-
(49) Drive-in restaurant	-	X	-
(49a) Fast-food or drive-thru restaurants Provided, that no alcoholic beverage sales shall be permitted.	-	X	-
(49b) Catering services Provided that the sale or consumption of alcoholic beverages in conjunction with this use shall not be allowed unless permitted elsewhere in the district.	X	X	X
(50) Automobile service station (including an automobile washeteria)		X	X
(50a) Indoor carwash		X	X
(51) Major automobile body repair and paint shops		X	
(51a) Major automobile mechanical repair, maintenance, service or similar activities.		X	
(52) Automobile, truck, or boat and nonresidential trailer sales or rentals.		X	
(52a) Motorcycle, motor scooter sales and services.		X	
(52b) Bicycle and moped sales and service		X	X
(53) Automobile upholstery shop		X	X
Such use shall not be established in a R-B-C-1, B-C or BG-2 District on a lot which is either adjacent to or directly across the street from any R-District unless such use is conducted entirely within an enclosed building.			
(54) Retail automobile parts and tire store		X	X
(55) Automobile parking lot or parking garage. May include gasoline pumps. (provided that principal use parking shall occur only within an authorized off-street parking lot or facility)		X	X
(55a) Automobile parking lot or garage. Not including gasoline pumps. (provided that principal use parking shall occur only within an authorized off-street parking lot or facility).	X		
(55b) Automobile storage garage.		X	
(55c) Provided that the following provisions are met:		X	
56. Residential manufactured home sales room and sales lot		X	
Laboratory:			
(57) Laboratory serving professional requirements, dentists, medical, etc.	X	X	X
(58) Experimental laboratory			
(58a) Design shop and testing of new products (as a secondary use)		X	X
(59) Farm implement sales and storage and similar activities	-	X	-
(59a) Equipment rental Provided that within the B-H, BG-1, and BG-2 districts, no outdoor storage shall be permitted unless screened from view from other properties or from the public right-of-way with a solid eight-foot high architecturally designed fence.	-	X	X
(60) Feed and grain sales and storage	-	X	-
(61) Electrical repair and similar repair	-	X	-
(61a) Small electric motor repair	X	X	-
(62) Locksmith, gunsmith and similar activities	-	X	X
(63) Building supplies and materials	-	X	X
(63a) Prefabricated structures sales lot	-	X	-

Existing BG-2 / Proposed B-G or RB-1 Zoning district

<i>List of Uses</i>	<i>RB-1</i>	<i>B-G</i>	<i>BG-2</i>
Provided that:			
(63b) Pest control	X	X	X
(64) Glass sales and installation	-	X	X
(68) Building contractor and related construction contractors	-	X	X
(69) Newspaper	-	X	X
Printing:			
(70) Printing or letter shop	-	X	X
(71) Newspaper and magazine distributor	-	X	X
(71a) Book cover processing	-	X	X
Transportation, Storage, Wholesaling:			
(72) Express office	-	X	-
(73) Cold storage and freezer plant	-	X	X
Provided, that within the BG-1 and BG-2 districts all activities shall be conducted within a building and a site plan shall be approved under the provisions of Sec. 8-3030.			
(73a) Fur storage vaults	-	X	X
Provided that within the B-B, B-C and BC-1 zoning districts fur storage vaults shall be an incidental use to the principal use, retail sale of fur.			
(74) Railroad or bus station	-	X	-
(75) Wholesaling or warehousing	-	X	X
(75b) Self-storage miniwarehouse	-	X	X
(75c) Remote dry storage warehouse	-	X	X
(76) Commercial charter or sightseeing watercraft facilities	-	-	X
(82a) Accessory storage buildings	-	X	X
(82b) Incidental outdoor storage	-	X	X
(82c) Indoor recycling collection center	-	X	-
(82d) Buy-back center for recyclable aluminum, glass, paper and plastics.	-	X	-
n. Dry cleaning plants and laundry plants	-	X	X
q. Unclassified light manufacturing	-	B2	B2
(86) Principal use sign	X	X	X
(87) Separate use sign (See section 8-3112 Sign Permits - Required, Subsection I. Sign Standards, (1-12).	-	X	-
Incidental Uses:			
(88) Incidental use sign (See section 8-3112 (d) or special sign districts provisions).	X	X	X
(88a) Bus stop bench signs	X	X	X
(89) Home occupation	X	X	-
(90) Accessory uses Provided, that temporary accessory uses or buildings shall not be permitted for more than a 24-month period.	X	X	X
(90a) Satellite dish	X	X	X
(92) Microbrewery	-	X	-