



**MPC STAFF REPORT
REZONING MAP AMENDMENT
MAY 5, 2009
MPC FILE No. Z-090403-32760-2**

REZONING SUMMARY

Report Status	Initial report
Petitioner/Agent Property Owner	Attorney Harold Yellin, Petitioner/Agent Rite Spot, LLC, Owner
Staff Project Planner	Jim Hansen
Property Description	Street Address: 800 Habersham Street PIN: 2-0044 -16-001 Property Size: 26,708 sq. ft. (0.61 acres) Existing Use: Vacant/Former Retail Drug Store Proposed Use: Multi-family Residential
Existing Zoning	2-B (Victorian Neighborhood Conservation District)
Requested Zoning	3-R (Victorian Neighborhood Conservation District)
Future Land Use Plan Designation	Traditional Commercial
Policy Analysis	The petitioner is requesting a change in zoning to a residential classification within the Victorian District. Clearly, residential use is appropriate at this location. The proposal is consistent with the existing development and zoning pattern in the area. The Future Land Use Map (FLUM) designates the site as Traditional Commercial. Although this classification allows residential use, it is more appropriate to consider a change in the FLUM to a Traditional Neighborhood category. An amendment to the <i>Tri-centennial Comprehensive Plan</i> Future Land Use Map is being processed simultaneously with the zoning request.
Recommendation	The MPC staff recommends APPROVAL of the request to rezone 800 Habersham Street (PIN 2-0044 -16-001) from a 2-B (Victorian) classification to a 3-R (Victorian) 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: MAY 5, 2009

**SUBJECT: PETITION OF ATTORNEY HAROLD YELLIN, AGENT
RITE SPOT, LLC., OWNERS
800 HABERHAM STREET
ALDERMANIC DISTRICT 2
COUNTY COMMISSION DISTRICT 2
PINS 2-0044 -16-001
MPC FILE NO. Z-090403-32760-2**

JIM HANSEN, MPC PROJECT PLANNER

REPORT STATUS: Initial Report

Issue:

At issue is a request to zone an approximate 0.61 acre site from a 2-B (Victorian District) classification to a 3-R (Victorian District) classification.

Background:

The subject property is located on the south side of Gwinnett Street, east of Habersham Street. The property is located in the Dixon Park neighborhood. The petitioner is requesting zoning to the 3-R (Victorian District) classification. As stated in the Ordinance, the purpose of the Victorian District is to "...promote the general welfare of the city through the rehabilitation, conservation, revitalization and redevelopment of the area. (Area bounded by MLK Boulevard, Gwinnet Street, West Broad and Anderson Lane.) The retention of the architectural and historic integrity of the area without major population displacement is a basic objective of the Victorian planned neighborhood conservation district and will in part be carried out through the rehabilitation and conservation of existing buildings and the introduction of visually compatible new construction in the area." The 2-B district permits community business uses and mixed residential uses; the 3-R district permits a density range of between 35 and 60 dwellings per acre plus various nonresidential uses considered appropriate for the area.

The subject property is an existing lot of record that contains approximately 26,708 square feet. Most recently the site was occupied by a Rite Aid drug store. The approximate 7,100 square foot building located on site is currently vacant and the remainder of the parcel is also unused.

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. Notice was also sent to the Dixon Park Neighborhood Association.
2. **Existing Zoning and Development Pattern:** The property is located at the northern edge of the Victorian District in an area that contains a mix of uses and zoning types. The petitioned property is zoned 2-B (Victorian District).

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

<u>Location</u>	<u>Land Use</u>	<u>Zoning</u>
North	Commercial and Multi-family Res	B-N [1] and RIP-A [2]
South	Multi-family Residential	I-R [3]
East	Commercial (Vacant)	2-B
West	Retail (grocery)	2-B

[1] Neighborhood Business

[2] Residential-Institutional-Professional-Medium Density

[3] Residential-Victorian (25 to 43 dwellings per acre)

3. **Existing 2-B Zoning District:**
 - a. **Intent of the 2-B District:** According to the Zoning Ordinance, the purpose of the 2-B district is to "...permit community business uses and mixed residential uses within the Victorian P-N-C district."
 - b. **Allowed Uses:** The uses allowed within the 2-B district appear in the attached chart.
 - c. **Development Standards:** The development standards for the 2-B district appear in the attached table (Table 1).
4. **Proposed 3-R Zoning District:**
 - a. **Intent of the 3-R District:** According to the Zoning Ordinance, the purpose of the 3-R district is to "...permit a density range of between 35 and 60 dwelling units per net acre of residential land...plus various nonresidential uses considered appropriate for the district."
 - b. **Allowed Uses:** The uses allowed within the 3-R district appear in the attached chart.
 - c. **Development Standards:** The development standards for the 3-R district appear in the attached table (Table 1).

5. **Land Use Element:** The *Tri-centennial Comprehensive Plan* Future Land Use Map designates the subject property as Traditional Commercial. Traditional Commercial is defined in the Plan as:

“business 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 also includes residential units that are compatible with the character of adjacent neighborhoods.”

Although it may be argued that the proposed zone change is generally consistent with the Future Land Use Map designation, it is recommended that an amendment to the Future Land Use Map be made concurrent with the zoning. A change to the Traditional Neighborhood category is more consistent with the intent of the 3-R district. Traditional Neighborhood is defined in the Plan 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 also includes non-residential uses that are compatible with the residential character of neighborhoods.”

Essentially, the Traditional Commercial category is primarily a business classification that allows limited residential uses, whereas the Traditional Neighborhood category is primarily a residential classification that allows limited commercial uses.

7. **Public Services and Facilities:** The property is served by the Chatham County – Savannah Metropolitan Police Department, City of Savannah fire protection and by City of Savannah water and sanitary sewer. The property is also served by the Chatham Area Transit System with access available nearby on routes 24, 28, and 31, all of which travel along nearby East Broad Street.
8. **Transportation Network:** At present, the site can be accessed via curb cuts on Habersham Street, Gwinnett Street, and Price Street. Access to the site is also available from Gwinnett Lane. The Street Classification Map of Chatham County designates Gwinnett Street as a collector roadway; Price and Habersham Streets are designated as minor arterials. The most recent traffic count information available shows Gwinnett Street with an average daily traffic (ADT) count of approximately 3,300 vehicles per day; Habersham Street with an ADT of approximately 3,200; and Price Street with an ADT of approximately 5,600.
9. The existing development pattern in the area can be described as a mix of commercial and residential uses. Historically, the area was developed residentially; the neighborhood serving commercial uses were mostly developed in the early to mid 1960s'. Most of the dwellings in the area were constructed as multiple family structures, a development and zoning pattern which continues today. If approved, the zoning requested would allow up to 60 units per gross acre. Adjacent lands to the north allow densities of up to 70 units per acre; lands to the south allow up to 43 units per acre.

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 X No ___

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 petitioner is requesting a change in zoning to a residential classification within the Victorian District. Clearly, residential use is appropriate at this location. The proposal is consistent with the existing development and zoning pattern in the area. The Future Land Use Map (FLUM) designates the site as Traditional Commercial. Although this classification allows residential use, it is more appropriate to consider a change in the FLUM to a Traditional Neighborhood category. An amendment to the *Tri-centennial Comprehensive Plan* Future Land Use Map is being processed simultaneously with the zoning request.

RECOMMENDATION:

The MPC staff recommends **APPROVAL** of the request to rezone 800 Habersham Street (PIN 2-0044 -16-001) from a 2-B (Victorian) classification to a 3-R (Victorian) classification.

Table 1: Development Standards for the 2-B and 3-R Zoning Districts (Residential Use)		
	2-B District	3-R District
Minimum Lot Area	N/A	N/A
Minimum Lot Width	20 feet attached and multi-family; 30 feet detached	20 feet attached and multi-family; 30 feet detached
Front Yard Setback	Average of the setback for adjoining developed properties	Average of the setback for adjoining developed properties
Minimum Side Yard Setback	5 feet; 0 feet on attached units	5 feet; 0 feet on attached units
Minimum Rear Yard Setback	35 feet	35 feet
Maximum Height	Average of the block face not to exceed 40 feet	Average of the block face not to exceed 40 feet
Maximum Building Coverage	60 percent	60 percent
Maximum Density	43 units per acre	60 units per acre