

MEETING MINUTES

Unified Zoning Ordinance-Technical Committee Meeting
Metropolitan Planning Commission
Jerry Surrency Room
January 20, 2010
3:00-5:00 PM

Members Present: Rob Brannen, Daniel Carey, Downer Davis, Bill Dawers, Bridget Lidy, Tosca Owens (for MarRonde Lotson), Tiras Petrea (for Randolph Scott), Bob Sebek, Ken Spriggs, Tom Stephens (for Brian White), Ellen Wyatt (for Martin Fretty), Shedrick Coleman

Members Absent: Gregori Anderson, Beth Blalock, Suzanne Cooler, Bill Dempsey, Alderman Jeff Felser, Harvey Gilbert, Lee Grimes, Robin Haddock, Joe Marshall, Peter Shonka, Commissioner Helen Stone, Lise Sundrla, Ryan Thompson, Malik Watkins

Staff Present: Amanda Bunce, Debbie Burke, Geoff Goins, Charlotte Moore, Tom Thomson

I. December Minutes

Bill Dawers made a motion to approve with changes the minutes from December. Bob Sebek seconded the motion.

II. Update on Status

Charlotte Moore updated the Committee on the UZO status. Ms. Moore stated that staff has been meeting with the elected officials to review the maps within their districts. None have had any major issues with what staff is proposing. There are several master plans currently underway. Staff has been in touch with each of the departments responsible in order to keep them aware of the status and content of the UZO. SDRA is providing staff with information regarding the Downtown Master Plan to include in the UZO. Staff is also in contact with the Film and Tourism Bureau regarding the River Street Vision Plan.

Ms. Moore reviewed the proposed timeline for completing the UZO. The Technical Committee will meet for one more month. The Committee won't have reviewed every section, but they will have reviewed almost the entire document. The Advisory Committee will then begin review of the draft. The Advisory Committee will be partially comprised of members appointed by the elected officials. Staff may have to make additional selections since some of the elected officials have not made

appointments. It is anticipated that the Advisory Committee will meet weekly from March until May. The public review period will last approximately four months and will include open house public meetings, neighborhood meetings and meetings with specific groups. Staff intends to try to satisfy as many concerns to the extent possible. The revisions should take approximately a month. Planning Commission review is proposed for November with the Elected Officials' review following in December with anticipation of the new ordinance being effective in January 2011.

Today staff will be going through the Measurements and Exceptions section and the Downtown districts. There are several important districts that staff will present to the Committee next month. The section regarding use standards will not be reviewed by the Technical Committee, but will be taken directly to the Advisory Committee as staff has not completed this section yet. Wetlands and marsh buffers, signage, and residential standards will also be taken directly to the Advisory Committee. The Definitions section will not be taken to any committee, but anybody that is interested can review the definitions and make comments. All of the maps will have been reviewed by the Technical Committee, except the Hutchinson Island map.

Ken Spriggs asked if Ms. Moore has had any luck or interest from the responsible agencies in their coming and giving an overview of any of the ongoing external projects, such as the Waters Avenue corridor project. Ms. Moore stated that she has been trying to meet with them individually, but much of that may take place after the UZO. Mr. Spriggs asked if those agencies will have the opportunity to make comments during the public comment phase. Ms. Moore indicated that they would. Mr. Dawers stated that along Waters Avenue parking will be the big issue that needs to be addressed. Mr. Dawers stated that, in regards to the timeline, it is probably not necessary to have four full months of public hearings. Two may be enough, as long as they are not all in the summer. Four months seems like a long time. Ms. Moore stated that they allotted four months based on previous experiences of time needed. Mr. Dawers stated that it should be sufficient to have one meeting a week for two months. Mr. Spriggs stated that staff will need to go into the community and hold the meetings in the early evening to ensure that all interested can attend. Ms. Moore stated that staff is looking at various ways to get the information out there and elicit public involvement, such as using Facebook, a blog, meeting with various groups, etc.

III. Downtown Zoning Districts (Sec.5.13)

Ms. Moore introduced the Downtown Zoning Districts section of the UZO and stated that the current downtown zoning is a patchwork and the proposed changes will be a vast improvement. Amanda Bunce gave an overview of the five downtown districts, including the location and characteristics of each. Ms. Bunce stated that the Downtown Expansion (D-X) district is intended to address the concerns of areas immediately outside of the downtown that have attributes similar to downtown, such as the street grid, that staff believes would benefit from redevelopment in a manner that is similar to the downtown. There are areas outside of the proposed D-X area that would benefit from that classification, but staff does not believe that area should be "pre-zoned" to a downtown district as of yet. An example of such an area is Louisville Road. Ms. Bunce stated that staff has worked with Beth Reiter and Sarah Ward in developing these standards in order to achieve compatibility with existing development. Ms. Bunce stated that the height map will limit density in the D-C district, so there is no reason to limit the lot area per unit for upper story residential uses within that district. Staff used a similar approach for the D-CBD district and did not establish a lot area per unit minimum or maximum for upper story residential. Because staff wants to encourage upper story residential uses with ground floor nonresidential, apartments are required a 600 square foot lot area per unit minimum. There are no caps in the D-W district because upper story residential is the only residential use allowed. In the D-X district the establishment of minimums and maximums is in order to encourage mixed use developments in those areas.

Mr. Dawers asked if these numbers represent as big of a change as they appear to. He asked if the footprint of the overall site will still be limited. Ms. Bunce asked if Mr. Dawers was referring to the footprint or the lot area per unit. Mr. Dawers asked about maximum densities. Ms. Bunce stated that density will vary by housing type and district, as is currently the situation. The building coverage standards are proposed to remain consistent with the current standards. The current Ordinance establishes minimum lot area per unit, not the minimum square footage of the unit. The density is not related to the building size or unit size. Mr. Dawers asked if, in comparing the existing and proposed ordinances, the same size building could get the same number of units in it. Ms. Bunce stated the Ordinance establishes a minimum lot area per unit regardless of the unit size. Ms. Moore stated that proposed Ordinance establishes a minimum unit size of 450 square feet for principal use dwellings. Tiras Petrea stated that the International Building Code covers that. Shedrick Coleman agreed and clarified that the unit size will relate to the floor plate of the building. Mr. Dawers stated that in his opinion, anything that will allow, in targeted areas, higher density

residential is a good thing. None of the current standards allow any kind of density. Drayton Towers would not be permitted under the current ordinance. Geoff Goins stated that under the proposed ordinance Drayton Towers would be conforming because of their ground floor retail. Ms. Bunce stated that there are other developments that will become conforming under the proposed ordinance as well. Mr. Dawers stated that there is one good developer that is trying to do small apartments along Broughton Street and they are only allowed a 75% building coverage. Most of the existing structures exceed that. Mr. Goins stated that the original draft allowed a 100% building coverage, but the Historic Preservation staff wanted the 75% standard because those districts (D-R and D-C) are adjacent to residential uses. Ms. Bunce pulled up the map to show the Committee what areas are proposed to be classified with the D-R and D-C zoning districts. For the most part, the districts are consistent with the existing zoning. Staff tried not to completely redraw the existing lines, although there are a couple areas where the D-C district is proposed to be extended beyond the current B-C line.

Mr. Dawers stated that there will be flashpoints in the area, such as the southeast trust lot on Oglethorpe Square, where the owners will want to do more with their lot than 75% coverage. Ms. Bunce stated that the proposed zoning of that lot would allow for 100% coverage. Mr. Goins stated that the lot currently is allowed up to 75% coverage. Mr. Dawers indicated that there might be some people concerned with that change and asked if that is the site of a project that was contentious. Mr. Spriggs stated that it was and that the project was voted down by the Historic Review Board because it didn't meet parking requirements, there were concerns regarding the trash distribution in the garage, and the massing next to the Owens-Thomas house did not make any sense. The owners wanted one extra floor.

Mr. Spriggs asked if RIP-A zoning classification changed to the D-R district. Ms. Bunce stated that in most cases the RIP-A changed to D-R, except on the west side of Abercorn where it changed to D-C because the D-C is more appropriate. In most other instances the proposed zoning is the equivalent of the existing. The D-CBD district is proposed to be extended to the Civic Center expansion area. To the west of downtown the D-X district is proposed to allow downtown style development because the road network (grid) is already in place.

Mr. Dawers asked if Lise Sundrla has been made aware of this. Ms. Moore stated that she has been and staff will meet with her again regarding this area. Mr. Spriggs asked if the D-R district will allow "local business" in residential areas. Ms. Bunce stated some nonresidential uses would be allowed in that district. The D-R district has additional

use conditions to ensure that there is compatibility in residential districts.

Ms. Moore asked the Committee to go back to Sec. 5.14.8, Additional Requirements Applicable to the Downtown Districts. Ms. Moore stated that it is unique to the downtown districts to have these additional standards. She specifically pointed out the standard for Broughton Street and River Street, which states that only commercial uses shall be permitted on the ground floor. Mr. Dawers asked if the ground floor is River Street or Bay Street or both for structures located on River Street. Mr. Moore stated that River Street is considered the ground floor in that instance. Mr. Spriggs asked if a residential use would be permitted on the Factor's Walk level. Ms. Moore stated that residential, as well as any other use permitted in the district, would be allowed on the Factor's Walk level. Ms. Moore stated that these are preliminary standards that staff has drafted.

Mr. Spriggs asked if Sec. 5.14.8.e.iv.2 (Max block perimeter: 1600 linear feet) means all around. Mr. Coleman stated that the maximum block perimeter might cause problems. Ms. Moore stated that staff needs to work with someone that has urban design experience to help develop appropriate standards. Staff's concern is that people may want to do suburban style development in an urban area and staff would then have to negotiate the design. The process needs to be predictable. Mr. Spriggs asked if there will be a definition for block face. Ms. Moore stated that there is. Mr. Dawers agreed that there is a problem dealing with this. He stated that if somebody wanted to put a cineplex in that area, he would be all for it even though it would not be consistent with the existing development. Ms. Moore stated that there is a way to do it correctly. There are other places that have done redevelopment well. Staff will continue to work to try to establish the appropriate standards. Mr. Spriggs stated that it is better to deal with the redevelopment of a site like the old Wal-Mart site now when staff can be proactive, rather than later when they have to be reactive.

Mr. Dawers asked if the 60' multiple use rule (Sec. 5.14.8.c) only applies to Broughton Street in the D-CBD. Ms. Moore stated that it also applies to River Street in the D-W district and may be in the overlay district. Mr. Dawers stated that the staff should consider extending the district to other areas.

IV. Traditional Commercial Zoning Districts (Sec. 5.12) and Traditional Neighborhood Zoning Districts (5.11)

Ms. Moore gave an overview of the Traditional Commercial and Traditional Neighborhood Zoning districts. She stated that this section

was brought before the Committee about a year ago for their review and not much has changed with the intent statement. Staff has added a TN-3 district, which allows limited nonresidential neighborhood serving uses. Mr. Goins stated that the district was created to address nonconforming uses, allowing them to continue on as valuable uses in those residential areas. There are limitations on the uses. Daniel Carey asked if Bland's Corner Store, at the corner of Barnard and Anderson, is one that you could live over. Mr. Carey asked if that property is proposed to be zoned TN-2. Ms. Bunce stated that the property is proposed as TN-1. She asked if that property is currently used for retail purposes. Mr. Carey stated that it has been existing retail with residential above. Ms. Bunce stated that the predominant nonresidential use in this area of property zoned that way is office. Mr. Carey stated that his company owns that property so he does not want to misrepresent what can happen on that property.

Mr. Spriggs stated that, historically, the nonresidential uses needed to be in those areas to be able to "make a go of it". They needed the residential around them to be successful. Now some of those uses are relocating because of parking issues. Mr. Goins asked if personal services should be allowed in those areas. Mr. Spriggs stated that they should because it gives the area character. Mr. Dawers stated that, historically, things just "happen" in Savannah. Zoning is changed without anybody knowing. At some point his home was zoned to B-C, even though it has always been a house. Mr. Dawers stated that there might be other things on Henry and Anderson that would make the TC-1 zoning more appropriate. Ms. Bunce asked the Committee if they feel that personal services or other retail uses should be permitted on corner lots within the TN-1 district. Mr. Dawers stated that is a tricky question. Mr. Spriggs stated that it is good to allow those types of uses on corner lots, but problematic mid-block because it breaks up the grouping of houses. Ms. Bunce asked if TC-1 should be applied just certain corners or if the TN-1 district should be amended to add certain uses with additional standards. Mr. Petrea suggested that language similar to the TN-2 corner lot language in the current Ordinance could be used. Downer Davis stated that, if those uses are allowed on corner lots, the corner lots should not be allowed to "grow". Mr. Davis also suggested that those types of uses maybe should just be allowed on corner lots that are on arterial or greater road in order to keep them from popping up on every corner. Ms. Bunce stated that the uses for corner lots would be handled similar to how they are handled in the current Ordinance for those uses in the TN-2 district. Mr. Davis stated that having foot traffic in a residential neighborhood keeps it safer. Allowing corner stores is a great idea.

Mr. Petrea cited a specific example of a commercial property midblock on Bolton Street where Building & Life Safety limited the use of the upper story residential to the same individual that is operating the commercial use on the ground floor. Ms. Moore asked if she understood correctly that there is something in the Building Code that requires the owner of the building to live above the nonresidential use. Mr. Petrea explained that there are some additional standards when converting existing structures to accommodate mixed uses in one building, such as the installation of firewalls between the residential and commercial uses.

Mr. Dawers stated that he did not realize that the existing zoning was as restrictive as it is. He stated that there are several examples of commercial uses south of the Park. There is a lot of business activity existing and proposed in that area. Mr. Dawers does not see that area as all TN as proposed. He stated that there is a lot of parking that could accommodate retail in that area and anybody that is looking at developing in that area is probably going to want more commercial than the TN district allows. Tom Thomson stated that the only gap of commercial in the Bull Street corridor is in the Park area. Staff may want to focus on this area. Ms. Moore stated that the area near the Sears Building is a different development pattern than the rest of the area. It could be a hub. Staff needs to study that area more than can happen at this point. Mr. Spriggs stated that the Sears property is very tempting because it is already assembled, but in reality there should be smaller shops in this area rather than a large structure. The best thing to do would be to disassemble the site. Mr. Carey stated that corner properties have historically been "corner stores", hence the name. He hates to limit commercial uses to just corners but there is precedent for that more than for midblock. It will be easier to pitch the idea with the premise of the "corner store".

Mr. Dawers stated that the building at Barnard and Waldburg has always been used as a business and has never been a residence. Now to say that it is TN and has to be residential does not seem right. Ms. Moore stated that staff may need to revisit the TN-1 district and come up with a solution to these concerns. Mr. Dawers offered to ride around one afternoon with a staff member to point out all the problem properties. Ms. Bunce stated that staff does have a GIS layer that the Savannah State students did where they cataloged all the existing uses in this area. Mr. Petrea stated that the proposed ordinance could require that the owner live in the residential unit above a commercial use in these districts. Ms. Bunce stated that it is complicated to do that.

Ms. Bunce stated that the changes in the development standards in the TC districts are very limited, although some of the densities have been

bumped up. There are some buildings zoned TC-2 that exceed the maximum allowable footprint. Originally staff thought of creating a TC-3 district, but has since abandoned that idea and is proposing that a larger footprint is permissible through the special use permit process (Sec. 5.13.8). A specific example of this would be the grocery store proposed on MLK. Mr. Petrea asked if it would have to go through the HRB for a recommendation. Ms. Bunce stated that it is in the Landmark District so it would. Mr. Spriggs stated that the problem with a grocery store is the parking necessary and nobody is going to do underground parking.

Mr. Carey asked if the TC-2 extends to East Broad Street. Ms. Bunce stated that the zoning on East Broad is TC. Mr. Carey stated that he has heard arguments from the residents in the East Broad areas regarding one-way streets versus two-way streets and the concern that two-way streets allow more big box uses. This is the concern from the neighborhood. Does the TC-2 zoning feed that concern? Mr. Dawers stated that it's more the businesses than the standards. The big box uses do not want to be located on a one-way street.

Ms. Bunce stated that the TN-2 standards are consistent with the existing standards. The TN-1 district was developed to be consistent with the existing development patterns. Mr. Dawers asked why the setbacks are highlighted and stated that they seem very large. Ms. Bunce stated that they are highlighted because staff is uncertain as to what those setbacks should be. Mr. Petrea stated that the large rear yard setback is needed because that is the area that is designed to be the parking area. The current Ordinance requires parking in the rear.

Ms. Bunce pointed out that the requirements of Sec. 5.12.8.c.ii have been carried over from the existing Ordinance. This standard was an amendment to the original adopted language that pertains to corner lots and the combination of lots to obtain uses permitted on corner lots. Mr. Carey asked if the 60 foot distance is measured in both directions. Ms. Bunce stated that is. Mr. Dawers asked if there are any substantive changes in the proposed Ordinance. Ms. Moore stated that staff has kept the proposed language very consistent with the existing ordinance. There have been some changes made based on problems that have been seen by staff since the implementation of the Mid-City Ordinance. Ms. Bunce stated that the TN-1 language was structured from the existing TN-2 language.

V. **Zoning Map #24 (Landmark District / Victorian District / Boundary Street)**

Staff reviewed this map primarily during the discussion of the D, TC and TN districts.

VI. **Measurements and Exceptions (Sec. 4.0)**

Ms. Moore introduced the Measurements and Exceptions section of the UZO. The current Ordinance does not have a measurements section. Having a measurements section should ensure consistency in how things are interpreted and measured. The proposed measurement of density is based on gross acreage, not net as it currently is. This section will provide graphics to illustrate some standards. The section will identify visibility triangles as a requirement, but will leave the actual standards regarding the clear zone to the engineers.

Mr. Spriggs asked if these standards are for all districts, such as the historic districts. Ms. Bunce stated that they are. Mr. Dawers asked if these measurement standards will be picked up by other departments, such as the Revenue Department. Ms. Moore stated that the UZO should "trump" all but the Building Code.

Ms. Moore stated that staff is uncertain as to how to deal with antennas. Currently the proposed language exempts broadcast transmission towers exceeding a certain height from the maximum height limits of the district or height map. Mr. Carey stated that it is not just the height that is a concern, the width is important as well. The wider it is, the more noticeable it is. Ms. Moore stated that staff will need to relook at that and maybe require a variance if the antenna exceeds a certain height.

Mr. Davis asked why staff is proposing to round down on densities and round up with parking fractions. The present policy is to round up if the fraction is 0.5 or greater and round down if it is 0.49 or less. Mr. Spriggs stated that it is easier for accounting purposes. Ms. Moore stated that staff had discussed the issue and had agreed that the proposed method is simpler. Ms. Bunce clarified that it has always been the case that densities have been rounded down. Mr. Davis asked why round up with some and down with others. Mr. Goins stated that if it is something that you want, you round up and if it is something that you don't, you round down. Ms. Bunce stated that when determining the number of plantings required in a buffer results in a fraction, 0.75 is the point where the number is rounded up instead of 0.5 in order to ensure adequate planting area.

Mr. Davis stated that the lot area definition needs to be fixed to include utility easements along with the right-of-way that is not included in the lot area calculations. Mr. Davis stated that there are several properties he has worked on that have no right-of-way contained on the lot, but there are utility easements on the site which are treated as right-of-way. This has reduced the lot area of the property. An example is a piece of property located on the east side of Estes Avenue that half of is covered with a power easement.

Mr. Davis stated that the graphic for façade is somewhat confusing. The shading doesn't include the side walls, but the language says "all walls". This needs to be clearer. Mr. Carey agreed that the diagram makes the sides look like they could be part of the "façade". If there was a road there, then those walls would be a façade too. Mr. Davis stated that the definition doesn't match the graphic. Mr. Coleman stated that the graphic is pretty clear and the structure has to be shown at an angle in order to be able to show the side walls that would not be included as part of the façade. If the structure was drawn directly facing, there would not be any sides to demonstrate what is not included in the façade. Mr. Davis stated that the definition needs to be clarified then.

Mr. Davis stated that, in Sec. 4.7.a.i, "minimum floor areas" should be changed to "minimum floor elevations". Mr. Coleman agreed and Ms. Bunce made the change to the language.

Mr. Davis stated that Figure 4-10.1 should show the visibility triangle from the property line, not the right-of-way line. Mr. Spriggs asked if that line does go with the property line. Ms. Bunce stated that it does. Mr. Coleman asked how that would impact urban areas where structures are built to the property line. Mr. Petrea stated that certain areas are exempt from that. Mr. Davis agreed and asked if it is correct that the Traffic Engineer has the authority to exempt certain properties from this requirement. Ms. Moore stated that is correct. The standard is written so that it is up to the Traffic Engineer, allowing them to consider the area, type of development, etc. rather than basing it on zoning district.

Mr. Davis stated that the current Ordinance does not require that a side yard setback be measured from any vehicular access easement, when applicable. That is a great improvement in the proposed UZO that the side street setback requires the measurement be taken from such an easement. Mr. Davis stated that he has seen several situations where people have not taken in to consideration that the access easement is there and may be used in the future and they build their home immediately adjacent to the easement. At some point the easement becomes active and then they have headlights shining in their bedroom windows at night.

Mr. Davis stated that the language in Sec. 4.4.b should say that “parallel to the property line”, not “along the chord”. Mr. Goins stated that standard is regulating the lot width, not the front setback. The measurement is along the chord, not parallel to it.

Mr. Davis commented on how the current Subdivision Ordinance handles lot width on curvilinear streets.

[From County Subdivision Ordinance: The minimum lot width of all single family detached lots located along a permanent turnaround or along a *horizontal curve with a degree of curvature of 74 or more (this equates to the outside of a road curvature 100 degrees or less)* may be reduced up to 20 percent provided that the front yard building setback line shall be located on the lot at a point where the lot meets or exceeds the minimum required lot width.]

He stated that the front yard setback should be measured parallel to the property line. Ms. Bunce indicated that the proposed language in Sec. 4.5.b.vii requires that the front setback on a cul-de-sac is measured parallel to the arc of the street. This standard is in order to avoid skinny lots with the front yard covered mostly with concrete.

Mr. Coleman stated that the setbacks along the cul-de-sac would vary if it is measured as staff is proposing. If measured as Mr. Davis is proposing, they would all be consistent. Mr. Goins clarified that the setback is the minimum setback, not the required setback.

Mr. Davis stated that he has never seen anywhere before where the setback line is not measured parallel to the property line. Ms. Bunce stated that is what is being proposed. She reiterated that staff is trying to avoid front yards from being all concrete. Mr. Coleman asked how this will change that.

Mr. Davis stated that as long as a developer has the density worked out, meets the minimum side yard setbacks, has minimum lot access, that standard should be left alone. He asked if staff is trying to encourage cul-de-sacs. Mr. Bunce stated that staff is not.

Mr. Spriggs stated that the argument against cul-de-sacs relates to connectivity. If there is a grocery store behind your property and you live on a cul-de-sac, you have to drive all around to get to the property right behind you. Through streets provide better access.

Mr. Coleman stated that the graphic is saying setback, not lot width. Ms. Bunce stated that is correct and that a better graphic is needed. Mr. Spriggs suggested that it might be better to debate the standard when

staff has a better graphic. Ms. Moore stated that staff could bring the information to next month's meeting.

Mr. Thomson asked why not make the minimum lot width on cul-de-sacs a percentage of the minimum. Ms. Bunce stated that is what the current standard is now and it is resulting in a lot of locations where the front lot is completely covered in concrete.

Mr. Coleman stated the measurement does need to be standardized, that there needs to be some fixed point from which the measurement is taken, whether it is the chord or something else.

Mr. Spriggs stated that the fact of the matter is that if a developer has to get every dime out of the property, then they will try to make the smallest sized lots possible and squeeze as many lots in around the cul-de-sac as possible. The cul-de-sac should be required to be larger.

Mr. Davis stated that there are standards for cul-de-sacs. He suggested that the standard should say that no front property line along the cul-de-sac should be less than 2.5 times the width of the driveway.

Mr. Thomson stated that the typical driveway is 12 feet wide, then add the flares. He suggested that a minimum radius for cul-de-sacs might be a better approach. Mr. Davis stated that there already are minimums in place. Mr. Thomson stated that the issue is at the street and that the important measurement is at the street.