



## Chatham County - Savannah Metropolitan Planning Commission

---

Arthur A. Mendonsa Hearing Room  
August 27, 2019 ~ 1:30 PM  
Minutes

### August 27, 2019 REGULAR MPC MEETING

**Members Present:** Joseph B. Ervin, Chairman  
Ellis Cook, Vice-Chairman  
Linder S. Suthers, Secretary  
Joseph Welch, Treasurer  
Karen Jarrett  
Lacy Manigault  
Tanya Milton  
Wayne Noha  
Eula Parker  
Lee Smith  
Tom Woiwode

**Members Not Present:** Thomas Branch  
Travis H. Coles  
Pat Monahan

**Staff Present:** Melanie Wilson, Executive Director  
Pamela Everett, Assistant Executive Director  
Matt Lonnerstater, Development Services Planner  
Marcel Williams, Development Services Planner  
Jessica Hagan, Administrative Assistant  
Julie Yawn, Systems Analyst

**Advisory Staff Present:** Jefferson Kirkland, Chatham County Environmental Program Coordinator

#### I. Call to Order and Welcome

#### II. Invocation and Pledge of Allegiance

#### III. Approval of Agenda

##### [1. Approval of Agenda](#)

The agenda was approved as submitted.

##### **Motion**

Approve the agenda as submitted.

##### **Vote Results ( Approved )**

Motion: Wayne Noha

|                        |       |
|------------------------|-------|
| Second: Linder Suthers |       |
| Ellis Cook             | - Aye |
| Joseph Ervin           | - Aye |
| W. Lee Smith           | - Aye |
| Linder Suthers         | - Aye |
| Tom Woiwode            | - Aye |
| Joseph Welch           | - Aye |
| Lacy Manigault         | - Aye |
| Tanya Milton           | - Aye |
| Karen Jarrett          | - Aye |
| Eula Parker            | - Aye |
| Wayne Noha             | - Aye |

**IV. Notices, Proclamations and Acknowledgements**

**Notice(s)**

[2. September 17, 2019 Regular MPC Meeting, 1:30 P.M., County Commission Chambers, 124 Bull Street, 2nd Floor.](#)

[3. September 24, 2019 Planning Meeting, 1:00 P.M., County Commission Chambers, 124 Bull Street, 2nd Floor.](#)

**Information Item(s) for Board Members**

[4. Development Plans Submitted for Review](#)

[📎 August 27th MPC Meeting Development Log.pdf](#)

**V. Item(s) Requested to be Removed from the Final Agenda**

[5. REZONING MAP AMENDMENT | 2521, 2529 Fort Argyle Rd. and 101 Middle Landing Rd. | R-A \(Residential - Agriculture\) to B-N \(Neighborhood Business\) | Don Dyches, Jr. as agent for Fort Argyle, LLC | Z-190710-00073-1](#)

|   |       |
|---|-------|
| <b>Motion</b>   |       |
| The petitioner has requested that this item be postponed to the September 17th Regular MPC Meeting. |       |
| <b>Vote Results ( Approved )</b>  |       |
| Motion: Ellis Cook  |       |
| Second: Tanya Milton  |       |
| Ellis Cook  | - Aye |
| Joseph Ervin  | - Aye |
| W. Lee Smith  | - Aye |
| Linder Suthers  | - Aye |
| Tom Woiwode   | - Aye |
| Joseph Welch  | - Aye |
| Lacy Manigault  | - Aye |

|               |       |
|---------------|-------|
| Tanya Milton  | - Aye |
| Karen Jarrett | - Aye |
| Eula Parker   | - Aye |
| Wayne Noha    | - Aye |

[6. ZONING MAP AMENDMENT | 4504 Ogeechee Road | Rezone from P-B-G & IL to RM-40 | File no. 19-004404](#)

**Motion**

The petitioner has requested that this item be postponed to the September 17th Regular MPC Meeting.

**Vote Results ( Approved )**

Motion: Ellis Cook  
Second: Tanya Milton

|                |       |
|----------------|-------|
| Ellis Cook     | - Aye |
| Joseph Ervin   | - Aye |
| W. Lee Smith   | - Aye |
| Linder Suthers | - Aye |
| Tom Woiwode    | - Aye |
| Joseph Welch   | - Aye |
| Lacy Manigault | - Aye |
| Tanya Milton   | - Aye |
| Karen Jarrett  | - Aye |
| Eula Parker    | - Aye |
| Wayne Noha     | - Aye |

**VI. Items Requested to be Withdrawn**

The Consent Agenda consists of items for which the applicant is in agreement with the staff recommendation and for which no known objections have been identified nor anticipated by staff. Any objections raised at the meeting will result in the item being moved to the Regular Agenda. At a 12:30 briefing, the staff will brief the Commission on Consent Agenda items and, time permitting, Regular Agenda items. No testimony will be taken from applicants, supporters or opponents, and no votes will be taken at the briefing.

**VII. Consent Agenda**

[7. Approval of the August 6, 2019 Briefing and Regular Meeting Minutes.](#)

[08.06.19 MEETING MINUTES.pdf](#)

[08-6-19 MPC BRIEFING MINUTES.pdf](#)

The August 6, 2019 Briefing and Regular meeting minutes were approved as submitted.

**Motion**

Recommend approval of the Briefing and Regular Meeting Minutes.

**Vote Results ( Approved )**

|                        |       |
|------------------------|-------|
| Motion: Wayne Noha     |       |
| Second: Lacy Manigault |       |
| Ellis Cook             | - Aye |
| Joseph Ervin           | - Aye |
| W. Lee Smith           | - Aye |
| Linder Suthers         | - Aye |
| Tom Woiwode            | - Aye |
| Joseph Welch           | - Aye |
| Lacy Manigault         | - Aye |
| Tanya Milton           | - Aye |
| Karen Jarrett          | - Aye |
| Eula Parker            | - Aye |
| Wayne Noha             | - Aye |

## VIII. Old Business

## IX. Regular Business

### [8. ZONING MAP AMENDMENT | 1032 Mohawk Street - R-6 to P-RM-24 - File Number 19-003923-ZA](#)

- [☞ Maps.pdf](#)
- [☞ Concept Plan - 1032 Mohawk Street.pdf](#)
- [☞ Opposition.pdf](#)
- [☞ Street Context.pdf](#)
- [☞ Staff Report-19-003923-ZA.doc.pdf](#)

**Mr. Marcus Lotson Development Services Director**, stated the petitioner is requesting to rezone property identified as PIN 2-0783-01-014 and 015, also known as 1032 Mohawk Street, from an R-6 (Single-family Residential – 6 units per net acre) zoning classification to a P-R-M-24 (Residential-Multifamily - 24 units per net acre) zoning classification.

The area surrounding the subject site is residential and includes a variety of housing types from predominantly single-family detached, single family attached, two-family residential, and multi-family residential. However, the middle portion of this block, including the petitioned site is occupied by single family detached houses. The scale of the neighborhood in general is single story homes with a very few examples of two story homes or apartments. The proposed multifamily district allows a maximum height of 40 feet, which is a significant departure from the existing character.

Differing types of residential housing provide better housing opportunities to the general public and are encouraged. However, the relationship of the different types of housing must be considered so that the viability of each is not detrimental to the other types of housing. The portion of Mohawk Street where the subject site is located is an existing, single-family neighborhood with large detached lots. The proposed rezoning of the subject site to P-R-M-24 would increase the density three hundred percent of the density allowed within the current R-6 zoning district and 1,100 percent of density of the existing single family residential detached housing located within this block of Mohawk Street. The existing zoning along this portion of Mohawk Street has remained unchanged for the past 35 years. Rezoning the subject site to a P-R-M-24 would adversely impact the existing single-family structures and would also create pressure to further dissolve the fabric of this area by similar requests in the future.

**Mr. Joseph Welch, Board Member**, asked if there were other apartments in the area.

**Mr. Lotson**, stated yes larger ones than what's being proposed here today.

**Mr. Harold Yellin**, representing the petitioner, stated the MPC Board and City Council have approved several other similar developments in this area. We believe this type of development is needed. These lots are 3.08 acres in size, they do not look like small residential lots. We request approval of this petition.

**Mr. Cord Wilson**, property owner, stated this project will be affordable apartments. They will be two bedroom / two bathroom at \$1000 a month. We would like to provide affordable housing for hard working men and women.

**Ms. Karen Jarrett, Board Member**, asked if they have talked to the surrounding property owners.

**Mr. Wilson**, replied no. He only spoke with one neighbor and he didn't say he had a problem with it.

**Mr. Lotson**, stated staff's recommendation is based off the immediate adjacent properties and those are all single family residential.

**Ms. Milton, Board Member**, asked if the three opposition letters attached to the agenda were the only ones.

**Mr. Lotson** stated yes.

### No Public Comments

#### Motion

The MPC staff recommends denial of the petitioner's request to rezone the property identified as 1032 Mohawk Avenue (PIN 2-0783-01-014 and 015) from its current R-6 zoning classification to a P-R-3-24 classification based on findings identified in the staff report.

#### Vote Results ( Rejected )

Motion: Linder Suthers

Second: Lacy Manigault

|                |           |
|----------------|-----------|
| Ellis Cook     | - Nay     |
| Joseph Ervin   | - Nay     |
| W. Lee Smith   | - Nay     |
| Linder Suthers | - Aye     |
| Tom Woiwode    | - Nay     |
| Joseph Welch   | - Nay     |
| Lacy Manigault | - Aye     |
| Tanya Milton   | - Nay     |
| Karen Jarrett  | - Aye     |
| Eula Parker    | - Abstain |
| Wayne Noha     | - Nay     |

#### Motion

Motion to approve the petitioners request to rezone the subject parcels from R-6 (Single-family Residential – 6 units per net acre) classification to a P-R-M-24 (Residential-Multifamily - 24 units per net acre).

**Vote Results ( Approved )**

Motion: Tanya Milton

Second: Joseph Welch

|                |           |
|----------------|-----------|
| Ellis Cook     | - Aye     |
| Joseph Ervin   | - Aye     |
| W. Lee Smith   | - Aye     |
| Linder Suthers | - Nay     |
| Tom Woiwode    | - Aye     |
| Joseph Welch   | - Aye     |
| Lacy Manigault | - Nay     |
| Tanya Milton   | - Aye     |
| Karen Jarrett  | - Nay     |
| Eula Parker    | - Abstain |
| Wayne Noha     | - Aye     |

[9. REZONING MAP AMENDMENT | 1825 Montgomery Street | TC-1 \(Traditional Commercial - Neighborhood\) to TC-2 \(Traditional Commercial - Corridor\) | File no. 19-003958-ZA](#)

📎 [Application.pdf](#)

📎 [ZONING MAP 19-003958-ZA.pdf](#)

📎 [1825 Montgomery Street Multifamily GDP 6.18.19.pdf](#)

📎 [Maps\\_combined.pdf](#)

📎 [Staff Report 19-003958-ZA.pdf](#)

**Mr. Marcel Williams, Development Services Planner**, stated the petitioner is requesting to rezone a parcel bound by Martin Luther King Jr. Boulevard, Montgomery Street, Kline Street and West 35th Street from the TC-1 (Traditional Commercial - Neighborhood) zoning classification to the TC-2 (Traditional Commercial - Corridor) zoning classification. The petitioner proposes to link this rezoning to a submitted site plan consistent with the “unusual and extraordinary” provisions of section 8-3031(D)(1)(a). The plan includes a variance request to exceed the 10,000 square foot limit on ground floor area.

The subject property consists of a single parcel, comprising approximately 0.85 acres. It is bounded to the east by Montgomery Street, to the West by MLK Boulevard, to the north by Kline Street and to the south by West 35th Street. The entire property is currently zoned TC-1. Roughly two-thirds of the property is occupied by a surface parking lot, while the remainder hosts a retail establishment fronting Montgomery Street.

There are two core components to this rezoning request: the rezoning of the subject property from a TC-1 to a TC-2 zoning classification, and the linking of a submitted multifamily development site plan to this rezoning consistent with 8-3031. In addition, the applicant is requesting a variance with no particular justification.

**TC-1 to TC-2 Rezoning:**

The subject property is located within the MLK/Montgomery Street Urban Redevelopment Area. Per section 8-3216(4), properties zoned TC-2 within this area are exempt from residential density standards and the maximum height is increased to four (4) stories or 55 feet up to 150 feet from the right-of-way of Montgomery Street. A minimum unit size of 450 square feet still applies. In rezoning the property to TC-2, the petitioner would be entitled to these provisions, which exceed the base standards of TC-2 elsewhere.

The requested map amendment has been filed under the current zoning ordinance. However, under NewZO, which will go into effect on September 1st, 2019, the subject property will be zoned TC-2, a district with similar—though not identical—development standards compared to TC-2 under the current ordinance. The core provisions of the MLK/Montgomery Street URA have been maintained under NewZO, implying that if no action were taken on this request the petitioner could take advantage of these standards beginning in September.

**Site Plan under 8-3031:**

The petitioner has submitted a general development plan indicating a multifamily residential structure with an associated parking deck and proposes to link this site plan to the rezoning under the provisions of section 8-3031(D)(1)(a). Where there are “unusual or extraordinary conditions associated with an application for rezoning” this provision enables the general development plan to become the sole approved use for the site, including any variances or deviations from the base requirements of the Ordinance. Any changes then require review by the MPC and approval by City Council.

It is unclear whether the proposed development meets the standard of “unusual or extraordinary.” The attached plan is a conventional 4-story multifamily development wrapping a parking structure, which is consistent with other proposed and approved multifamily developments elsewhere along the Montgomery corridor. In the past, this provision has typically been applied in cases where a petitioner sought a specific use that was not otherwise permitted in the district and a rezoning to another base district would not be appropriate. This enabled the desired use but limited its form and operation to the precise conditions of the approval. Apartments are a permitted use by right in both TC-1 and TC-2, so it does not appear that 8-3031(D)(1)(a) should apply in this case.

There have been several other proposals for large multifamily projects within the Montgomery/MLK corridor and none were rezoned in conjunction with a general development plan. Instead, several projects were the subject of site-specific text amendments that relaxed or waived development standards on an ad hoc basis. Examples include the property bounded by MLK, Montgomery, 31st and 32nd streets and the property between 31st and Anderson Street between Jefferson and Montgomery. It is unclear why this proposal has not followed a similar approach.

The proposal to link this rezoning to the submitted site plan could undermine the future Certificate of Appropriateness (COA) review by permitting a structure inconsistent with the standards and visual compatibility criteria of the Mid-City Ordinance. The attached site plan requests a variance from the ground-floor area requirements of the TC-2 district, which limits the footprint of individual structures to 10,000 square feet. Ordinarily, this variance would be considered in conjunction with the COA and the historic preservation staff would issue a recommendation either to the ZBA or the MPC. If approved as part of a site plan-linked rezoning, historic staff would not have the opportunity to conduct such a review and could be forced to later accept the larger footprint during the COA process, even if it failed to meet the criteria in the Ordinance.

The issue of height raises an additional concern. The MLK/Montgomery URA provisions limit the height increase to 4 stories/55 feet in areas within 150 feet of the Montgomery Street right-of-way. The submitted site plan makes no indication of this requirement and simply states an overall building height of 52 feet, despite about 40% of the site lying more than 150 feet from Montgomery. Linking the site plan to the rezoning as proposed could then be construed as a tacit approval of the extra height throughout the property.

Staff finds that it is critical to have concurrent review of the site plan and COA so that one set of plans does not undermine the other. Granting variances or other approvals, in this case, seems premature considering the applicant has yet to file for a Certificate of Appropriateness.

**Ms. Karen Jarrett, Board Member**, asked what is the difference between TC-2 now and after NewZO becomes effective.

**Mr. Williams**, stated use definition will change and a few requirements regarding buffers, variances, parking requirements.

**Mr. Joshua Yellin, representing the petitioner,** stated he requested to remove the Site Plan specific from the request, so that the rezoning request could move forward.

**Mr. Tom Woiwode, Board Member,** asked what's the difference rezoning now or after September 1st.

**Mr. Yellin,** replied that they need the project to keep moving forward in order for us to stay under contract for the site and the other is to keep the development standards as they are now.

### No Public Comments

#### Motion

Staff recommends denial of the General Development Plan and denial of the ground floor area variance for 1825 Montgomery Street. In an effort to review the entire development as a unified whole, staff also recommends denial of the rezoning from TC-1 to TC-2. When the applicant submits all parts of the proposal, a comprehensive review will be possible.

#### Vote Results ( Approved )

Motion: Tanya Milton

Second: Karen Jarrett

|                |       |
|----------------|-------|
| Ellis Cook     | - Aye |
| Joseph Ervin   | - Aye |
| W. Lee Smith   | - Nay |
| Linder Suthers | - Aye |
| Tom Woiwode    | - Nay |
| Joseph Welch   | - Nay |
| Lacy Manigault | - Aye |
| Tanya Milton   | - Aye |
| Karen Jarrett  | - Aye |
| Eula Parker    | - Aye |
| Wayne Noha     | - Nay |

### [10. AMENDED GENERAL DEVELOPMENT PLAN | Downtown East | 120 Riverview Dr. | Jay Maupin | M-190717-00078-1](#)

📎 [Exhibit A - Maps.pdf](#)

📎 [Exhibit C - Previously-Approved Plans.pdf](#)

📎 [Exhibit B - Amended GDP.pdf](#)

📎 [Application.pdf](#)

📎 [M-190717-00078-1 Staff Report - Downtown East GDP Amendment - 120 Riverview Drive.pdf](#)

**Mr. Matthew Lonnerstater, Development Services Planner,** stated the petitioner is requesting MPC approval of an amended General Development Plan/Group Development Plan for the Downtown East office complex located at the southwest corner of East President Street and Runaway Point Road within a PUD-IS (Planned Unit Development – Institutional) zoning district.

The purpose of the amendment is to increase the number of buildings from two to three and to modify the parking arrangement. The petitioner is requesting a variance to permit off-street parking within the required 25 ft.-wide vegetative buffer.



Access to the site is provided from River View Drive via a 25 ft.-wide paved access easement. The paved drive is private and is maintained by the owner of the development. Access to the southern parcel is proposed via a paved drive aisle that traverses the 30 ft.-wide unopened Causton Bluff right-of-way. County approval will be required to develop within the unopened right-of-way. Alternatively, the developers may petition Chatham County to quit-claim the unopened right-of-way.

Required parking for the total development is 239 spaces based on the requirement of one space for every 200 square feet of leasable area (approx. 47,745 sq. ft.). The amended GDP depicts a total of 256 spaces, including 11 ADA spaces, exceeding the minimum requirement. Approximately eight of the spaces are proposed within the required 25 ft.-wide vegetative buffer along the southwest property line. Because the site is over-parked, staff recommends that these eight spaces be removed to maintain the required buffer. Driveway width may be reduced to 20 ft. when not adjacent to parking.

**Mr. Jeff Kirkland, Chatham County Engineering**, stated that the County Engineering hasn't seen the request to quit-claim the unopened right-of-way. The request was sent straight to the County Attorney's office but Engineering should have received it first.

**Ms. Alexine Diouf**, representing the petitioner, asked the Board to continue this petition until the Oct 8, 2019 MPC Meeting.

### No Public Comments

#### Motion

Petitioner requested this item be continued until the October 8, 2019 MPC Meeting.

#### Vote Results ( Approved )

Motion: Wayne Noha

Second: Joseph Welch

|                |       |
|----------------|-------|
| Ellis Cook     | - Aye |
| Joseph Ervin   | - Aye |
| W. Lee Smith   | - Aye |
| Linder Suthers | - Aye |
| Tom Woiwode    | - Aye |
| Joseph Welch   | - Aye |
| Lacy Manigault | - Aye |
| Tanya Milton   | - Aye |
| Karen Jarrett  | - Aye |
| Eula Parker    | - Aye |
| Wayne Noha     | - Aye |

### [11. PUD AMENDMENT | East Broad Market Lofts PUD | Petition of Giki, LLC | 19-004410-ZA](#)

📎 [Exhibit A - Maps.pdf](#)

📎 [Exhibit B - Existing East Broad Market PUD.pdf](#)

📎 [Application.pdf](#)

📎 [Staff Report 19-004410-ZA - East Broad Market Lofts PUD - Text Amendment.pdf](#)

**Mr. Matthew Lonnerstater, Development Services Planner**, stated the petitioner is requesting to amend Section 8-3398 of the East Broad Market Lofts Planned Unit Development (PUD) to permit microbreweries as a permitted use within the Mixed-Use (MU) district.

The proposed production limits stem from Georgia State Bill 85 (SB 85) which allows breweries to sell up to 3,000 barrels (31 gallons per barrel) at the site of production. Per Section 8-3002, *Definitions*, of the Savannah Zoning Ordinance, a microbrewery is defined as, “*any brewery designed to accommodate the processing of fewer than 15,000 barrels of beer or ale within any consecutive 12-month period.*” Article S does not provide an alternate definition for microbreweries.

The proposed amendment to the existing East Broad Market Lofts PUD (Article S) would permit microbreweries as a permitted use within the MU, Mixed-Use districts. While the proposed amendment would not change the general purpose or intent of the PUD, the petitioner is requesting that microbreweries be permitted by-right without additional special use review. The existing PUD language permits restaurants with alcohol sales as a special use subject to approval by the Zoning Board of Appeals. MPC staff recommends that microbreweries be reviewed and approved under the same special use process as restaurants with alcohol sales. As such, staff recommends that the proposed amendment be modified to state, “*microbrewery limited to a production of less than 3,000 barrels (or 93,000 gallons) of craft beer and/or ale per year subject to approval by the Zoning Board of Appeals.*”

**Mr. Bob Isaacson, representing the petitioner,** stated he agrees with staff’s recommendation.

**No Public Comments**

**Motion**

Staff recommends approval of an alternative amendment to the East Broad Market Lofts PUD, as follows:

Section 8-3398 Permitted Uses

(2)MU – Residential; artist studio, gallery; convenience store (no gas sales); general or medical offices; restaurant without alcohol sales; restaurant with alcohol sales subject to approval by the Zoning Board of Appeals; neighborhood and general retail; microbrewery limited to a production of less than 3,000 barrels (or 93,000 gallons) of craft beer and/or ale per year subject to approval by the Zoning Board of Appeals; and veterinarian clinic (excluding dog runs).

**Vote Results ( Approved )**

Motion: Ellis Cook

Second: Joseph Welch

|                |       |
|----------------|-------|
| Ellis Cook     | - Aye |
| Joseph Ervin   | - Aye |
| W. Lee Smith   | - Aye |
| Linder Suthers | - Aye |
| Tom Woiwode    | - Aye |
| Joseph Welch   | - Aye |
| Lacy Manigault | - Aye |
| Tanya Milton   | - Aye |
| Karen Jarrett  | - Aye |
| Eula Parker    | - Aye |
| Wayne Noha     | - Aye |

**X. Presentations**

## XI. Other Business

### 12. Election of Officers for 2019 - 2020

Mr. Ellis Cook stated the slate for the election of Officers is as follows: Joseph Ervin - Chairman, Ellis Cook - Vice Chairman, Karen Jarrett - Secretary, Joseph Welch - Treasurer.

The slate of candidates was unanimously approved.

### 13. EXECUTIVE SESSION - The MPC Board may adjourn to Executive Session for the purposes that may include litigation or personnel matters. Motion to recess to Executive Session.

The Commission Board convened into Executive Session at 2:48 p.m. There were no votes taken or public testimony heard.

The Commission Board reconvened into the Regular Meeting at 3:15 p.m.

## XII. Adjournment

### 14. Adjourn

There being no further business to present before the Board, the August 27, 2019 Regular Metropolitan Planning Commission Meeting adjourned at 3:15 p.m.

Respectfully submitted,

Melanie Wilson  
Executive Director

MW/jh

## XIII. Development Plans Submitted for Review

***The Chatham County - Savannah Metropolitan Planning Commission provides meeting minutes which are adopted by the respective Board. Verbatim transcripts of minutes are the responsibility of the interested party.***