



Chatham County - Savannah Metropolitan Planning Commission

Arthur Mendonsa Hearing Room
August 16, 2022 ~ 1:30 PM
Minutes

AUGUST 16, 2022 REGULAR MPC MEETING, 1:30 P.M.

Members Present: Joseph Welch, Chairman
Karen Jarrett, Vice-Chairperson
Travis Coles, Secretary
Laureen Boles
Shedrick Coleman
Joseph Ervin
Jay Melder
Wayne Noha
Jeff Notrica
Dwayne Stephens
Tom Woiwode

Members Absent: Elizabeth Epstein
Michael Kaigler
Malik Watkins, Treasurer

Staff Present: Melanie Wilson, Executive Director
Marcus Lotson, Director of Development Services
Melissa Paul-Leto, Senior Planner
Nirav Gandhi, Planner
Sally Helm, Administrative Assistant
Julie Yawn, Systems Analyst

I. Call to Order and Welcome

II. Invocation and Pledge of Allegiance

III. Approval of Agenda

[1. Approval of Agenda](#)

Motion

Approval of the Agenda

Vote Results (Approved)

Motion: Wayne Noha

Second: Travis Coles

Joseph Ervin - Aye

W. Lee Smith - Not Present

Tom Woiwode - Aye

Travis Coles	- Aye
Joseph Welch	- Aye
Shedrick Coleman	- Aye
Karen Jarrett	- Aye
Dwayne Stephens	- Aye
Wayne Noha	- Aye
Jeff Notrica	- Aye
Laureen Boles	- Aye
Elizabeth Epstein	- Not Present
Malik Watkins	- Not Present
Jay Melder	- Aye

IV. Notices, Proclamations and Acknowledgements

Notice(s)

[2. September 6, 2022 Regular MPC Meeting, 1:30 P.M., Planning Commission, Arthur Mendonsa Hearing Room, 112 East State Street.](#)

[3. NOTE: MEETING DATE CHANGE from Tuesday, September 27th to Thursday, September 29, 2022 Regular Planning Commission Meeting, 1:30 P.M., Arthur Mendonsa Hearing Room, 112 East State Street.](#)

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

[4. MAP AMENDMENT | 543 Washington Ave | File No. 22-003059-ZA](#)

Motion

Postponed until the MPC hears and makes a recommendation for text amendment 22-003718-ZA, which is being explored as an alternative.

Vote Results (Approved)

Motion: Wayne Noha

Second: Travis Coles

Joseph Ervin	- Aye
W. Lee Smith	- Not Present
Tom Woiwode	- Aye
Travis Coles	- Aye
Joseph Welch	- Aye
Shedrick Coleman	- Aye
Karen Jarrett	- Aye
Dwayne Stephens	- Aye
Wayne Noha	- Aye
Jeff Notrica	- Aye
Laureen Boles	- Aye
Elizabeth Epstein	- Not Present

Malik Watkins	- Not Present
Jay Melder	- Aye

[5. MASTER PLAN | Cottonvale Road | 22-002363 | SP-0622-000293](#)

Motion

Postponed to the Planning Commission Meeting on Tuesday, September 6, 2022.

Vote Results (Approved)

Motion: Wayne Noha

Second: Travis Coles

Joseph Ervin	- Aye
W. Lee Smith	- Not Present
Tom Woiwode	- Aye
Travis Coles	- Aye
Joseph Welch	- Aye
Shedrick Coleman	- Aye
Karen Jarrett	- Aye
Dwayne Stephens	- Aye
Wayne Noha	- Aye
Jeff Notrica	- Aye
Laureen Boles	- Aye
Elizabeth Epstein	- Not Present
Malik Watkins	- Not Present
Jay Melder	- Aye

[6. MASTER PLAN AMENDMENT | 1901 Benton Boulevard | 22-003026](#)

Motion

Postponed to the Planning Commission Meeting on Tuesday, September 6, 2022.

Vote Results (Approved)

Motion: Wayne Noha

Second: Travis Coles

Joseph Ervin	- Aye
W. Lee Smith	- Not Present
Tom Woiwode	- Aye
Travis Coles	- Aye
Joseph Welch	- Aye
Shedrick Coleman	- Aye
Karen Jarrett	- Aye
Dwayne Stephens	- Aye

Wayne Noha	- Aye
Jeff Notrica	- Aye
Laureen Boles	- Aye
Elizabeth Epstein	- Not Present
Malik Watkins	- Not Present
Jay Melder	- 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 July 26, 2022 Briefing and Regular Meeting Minutes.](#)

[7-26-2022 MPC BRIEFING MINUTES.pdf](#)

[07.26.2022 meeting minutes.pdf](#)

Motion

Approval of the Briefing and Regular Meeting Minutes.

Vote Results (Approved)

Motion: Wayne Noha

Second: Travis Coles

Joseph Ervin	- Aye
W. Lee Smith	- Not Present
Tom Woiwode	- Aye
Travis Coles	- Aye
Joseph Welch	- Aye
Shedrick Coleman	- Aye
Karen Jarrett	- Aye
Dwayne Stephens	- Aye
Wayne Noha	- Aye
Jeff Notrica	- Aye
Laureen Boles	- Aye
Elizabeth Epstein	- Not Present
Malik Watkins	- Not Present
Jay Melder	- Aye

VIII. Old Business

[8. SPECIAL USE | 2110 West Gwinnett St | File no. 21-006747-ZA](#)

- 📎 [Opposition Letter.pdf](#)
- 📎 [Memo to Applicant Apr 19.pdf](#)
- 📎 [Letter of Opposition - Slay.pdf](#)
- 📎 [Opposition Petition \(96 Signatures\).pdf](#)
- 📎 [Applicant Letter to Neighborhood Assn.pdf](#)
- 📎 [ZONING MAP 21-006747-ZA.pdf](#)
- 📎 [VICINITY MAP 21-006747-ZA.pdf](#)
- 📎 [AERIAL MAP 21-006747-ZA.pdf](#)
- 📎 [Memo Response from Applicant.pdf](#)
- 📎 [Staff Report 3.pdf](#)

Mr. Nirav Gandhi, Planner, said the petitioner is requesting approval of a Special Use pursuant to Section 3.10 of the Savannah Zoning Ordinance to establish a recycling facility. The Special Use process includes review by the Planning Commission and the Savannah City Council. Should the use be approved by Council, a permit will be granted by the City of Savannah which will be governed by the permit enforcement criteria outlined in Article 3 of the Savannah Zoning Ordinance.

The subject property is located on the north side of West Gwinnett St, between I-516 N exit 6 and Collat Avenue. The subject property, approximately 12.7 acres, consists of two undeveloped parcels. The proposed development is a recycling facility with associated office space.

Per the Zoning Ordinance, a recycling plant is permitted in the current zoning (IL, Light Industrial) with a special use permit. This petition was heard by the MPC on April 12, 2022, and was tabled until the petitioner was able to provide a landscape plan, hold another neighborhood meeting, and provide Phase I of an environmental site assessment. The applicant has met these conditions as of August 8, 2022.

Currently the property is zoned IL for light industrial. The petitioner wishes to put a recycling facility on this property which requires a Special Use permit in the IL zoning. The petitioner has attended several neighborhood meetings. The last one, last week with the neighborhood Carver Village. The entire neighborhood has spoken against this petition. There have been many letters and phone calls regarding this. The applicant did provide the things we asked for. Phase one of the environmental site assessment plan, there was nothing noteworthy found. A primary landscape plan and to hold another neighborhood meeting. They have agreed to many of the special conditions that are asked of them.

1. The hours of operation shall be limited to 7 A.M – 5 P.M. Monday – Friday.
2. An architecturally designed solid fence or wall not less than 8-feet in height shall be required along the southern property boundary.
3. Commercial vehicle traffic entering the facility shall travel eastbound along Gwinnett Street and shall exit westbound only.
4. This special use permit shall be non-transferrable.
5. The facility and all recycling facilities shall be completely shielded with a 40-foot-wide landscape buffer and a fence of at least 8 ft in height. The buffer shall consist of vegetation and a berm.
6. All noise-generating activities associated with the facility shall be restricted to the rear portion of the property away from W Gwinnett St.
7. The facility shall be secured during off hours by security gates at all exits and entrances.
8. Any litter, dust, or other emissions generated by the recycling center shall be controlled by the strict application of all federal, state, and local environmental statutes, ordinances, rules, and regulations, and through the implementation of Southern Metals Properties, LLC, or written in-house rules of operation.
9. The site plan and final landscape plan will come to the MPC for review once complete.

Mr. Jim Gerrard, Attorney for the Petitioner, said Brian Felder helped develop the landscaping Site Plan

which was one of the issues that was raised at the last meeting. We are suggesting a 16ft high buffer with a 40ft wide landscape buffer within the fence. There are trees and shrubs within the 40ft.

Mr. Brian Felder, Architect hired by Southern Recycling, said we used some of the tools from Historic District Board of Review drawings to analyze the site. We are proposing not a berm, but a 16ft high steel fence. It will rust a little bit and it will go away. Rather than put a lot of shrubs that wouldn't be taken care of, we have used indigenous and evergreen trees with a few crepe myrtles along the buffer. We have put the fence on the owners side of the buffer so it is behind and people traveling down Gwinnett Street can see the trees. That really will be all you see. There will be a couple of crane heads pop up, but the rest of the operation is shielded from view. This is a very nice buffer for an industrial use park. The operation is very compact on the site. All the material processing areas are paved. We are not moving heavy equipment around on dust to generate more dust. This is a relatively minimal operation. It refines the materials down to smaller pieces where they get loaded into containers, put on trucks, and taken out. We have done everything we think we can including the location of the fence to make it so that its not really visible to the people passing by. We would be willing to look at a berm but I would rather have the row of trees versus a berm. The steel will be of a heavy enough gage to eliminate sound and you wont be able to see through it.

Ms. Lauren Boles, Board member, said I understand the responses from the community and I think I heard this at the last meeting in April. There were concerns about noise pollution, traffic, air and water pollution, and unfortunately, the buffer does not address these issues. It only addresses the visual impact. The buffer is not going to keep the noise from coming over the buffer, it is not going to keep any water pollution, air pollution, or traffic pollution and these are the concerns. From April to August I am not seeing the community concerns being met.

Mr. Gerrard said the traffic was discussed with the MPC staff. One of the conditions of operation is that we limit the number of trucks coming in and out of the property to 25 per day as weekly average and, on any particular day, no more than 50. If the place was being operated as a warehouse or as a freight terminal, which it could be, there would be an unlimited amount of trucks being able to come in and out of here. We are willing to, and can very easily limit the number trucks that are coming in and out to 25, which is minimal. That truck traffic will be routed only to I-516 because of the right-in and right-out trucks will not be able to go toward Carver Village. As far as the noise, one of the conditions of operation is that all the noise generating machinery be placed in the back of this 13acre piece of property next to the railroad. We have to operate within the limits of the Savannah noise ordinance. As far as the pollution goes, there was a comment made at the last public meeting that people were concerned that the operation was going to cause a cancer risk. We have looked into that. My client is an expert in this field. We could find no actual basis for such a remark. The same thing with the steam and the products that are going to be coming off of the operation. This is just water steam that has been tested and does not contain any carcinogenic materials or anything that might be hazardous to health. Those were addressed. We have made them part of this application and basically if we don't comply with it, we are out of business.

Ms. Boles said, so you have done a traffic study?

Mr. Gerrard said no, we do not need to do a traffic study if we are limiting the traffic in and out to 25 trucks. We will do that as part of the site plan, if we are required to do a traffic study. If we are just limiting it to 25 trucks in and out and they go directly to I-516, I just don't see how that would pose a traffic risk.

Ms. Boles said I know that people come down Gwinnett towards I-516 to go to work, so those early morning hours I expect that there will be a traffic impact. During the evening, there are times when they are avoiding Stiles and Gwinnett because of the arena traffic. Again, they are using I-516. That is why I was suggesting that a traffic study might be useful in order to understand what the true impact is on the community.

Mr. Gerrard said, I understand, we are willing to do the traffic study if we are required to do that. The property is already zoned industrial and any industrial use is going to generate traffic. What we have agreed to do is minimize that traffic to lessen what is normally generated by an industrial use. This property could be used as a freight terminal or as a warehouse or manufacturing processing that is going to generate a lot more trucks than 25 a day. One of the things I did want to stress also is the fact that we want the community to be productive. We want it safe. One of the conditions of our operation is that we keep the property secure and we plan on having a security gate and making it safe. We want to make the community safe. We have met with the commissioner for the district in December, as well as the alderman for this district. We agreed that we would put in some type of participation agreement with the community, where we make a commitment to contribute to the safety and productivity of the community. I will draft one, one of the things we will contribute, are 50 jobs. This is a local operation. Mr. Madison is a local person. He has a stake in this. He is going to be on the property managing it. He proposes to employ 48 employees with salaries from \$70,000/yr and up. He is

going to offer those to the people in the community. He wants to contribute to the community, if the community is safe and productive, it is a win win situation for both. He is willing to put his operation on the line and say "if I don't do this, you can put me out of business". I think this is a very fair proposition. I think he has tried to address all of the legitimate concerns to this operation and I think you should give him the chance to carry through on his promises.

Mr. Jay Melder, City Manager, said, you keep referring to 25 car limit. Is that the absolute limit you have agreed to on trucks? I think we need to be very precise with that when we are talking about the truck cap that you have agreed to on this petition. The difference between 25 a day and 50 max a day is exactly double.

Mr. Gerrard said it is 50 maximum a day, 25 average per day each week. This was spelled out in the MPC's operation in the conditions. The average would be 25 and it could not exceed 50.

Mr. Melder said enforcement is the City's issue, it can't be enforced unless it is agreed to. The other issue on lighting, what are your plans to address the lighting as part of the Site Plan to protect the surrounding neighborhood?

Mr. Felder said I can only answer a part of that. The City has requirements for site lighting and the light spill over is zero. Once it reaches the edge of the property it goes to something like 3ft candles or something like that. The property can be lit but we can't spill out into the neighborhood, unless you direct us to design something that would. I would like to address the question about accustics. This is the same type of fence that is going up now on I-95 and I-16. It has enough mass to block sound coming outward. It's not going to stop all of it. The entire site is being paved where the work happens, which will control the dust. They also have a spray system that keeps everything laying down on the ground. Those items have been addressed.

Mr. Melder said another issue of the Special Use permit is the height of stock pile. Process and unprocessed material, will there be stock piles of materials on this site and, if so, what will be the height limit set as a condition?

Mr. Felder said there can be stock piles. The height, given the location on the site, piles generally do not exceed 25 - 30ft tall. At that height, with a wall that we propose to put all the way against the southern border of the property, you would never see them.

Mr. Melder said the issue with the Special Use permit is we are not asking for generalities like the truck traffic, we are needing to cap a certain height. What is the height cap that we need to write in to this Special Use permit, if it is approved?

Mr. Elliott, petitioner, said if you need an actual footage, I can go measure it this afternoon. I would guess 35ft.

Mr. Melder said staff began the presentation saying they believe this parcel would be developed at some point as industrial. I understand why some may feel like a petitioner who is wanting to go through a Special Use permit and make all these conditions for the community may be the preferable way and the best way to protect the land use as it currently stands. I would like the staff to address that comment. We have the community in the room and to give a lengthy explanation as to why MPC staff feels like this property will be developed in an industrial use and why staff has made this recommendation in some ways based on what I am assuming you fear, could be on the parcel by right if not through a Special Use permit.

Mr. Gandhi said, one thing that makes this a primary place for industrial operations is that the rail track runs right through the back of the property already. It is primed to have a lot more operation going on than is. That runs out to the central rail line. Every other property around this area, all other industrial properties have been developed. This seems to become the last piece. It is 12 acres. It is already zoned industrial and would be strange if no one ever developed it. It is situated to become a more heavy industrial use. We have an applicant that is willing to work with us, who is not able to do something by right. If somebody does come in by right, there wont be any of this, landscaping plans, the wall, the noise direction stuff. The applicant is willing to work with us and do something that is the least harmful to the community. Yes, it is partially from the idea that somebody will come in here eventually and do something and will not be working with us or with you on how they can mitigate things for the community.

Mr. Melder said, going back to the conditions, there are three use conditions that, as a part of this Special Use permit, are not complete or have not been addressed. We talked about that, the height of the stock piles needs to be confirmed and addressed in the Special Use permit. The lighting needs to be specified and addressed. The traffic impacts need to be specified and addressed and done so, in the Special Use permit if that is what we are going for. If this passes and gets to City Council, if the agreement is that it's no more than an average

of 25 trucks a day and a cap of 50 trucks per day, that needs to be specified in the Special Use permit and becomes part of the City's responsibility to enforce and part of the petitioners responsibility to adhere to otherwise they will not have a business. If there is anything to address with lighting as part of the Special Use, that needs to be specifically addressed as well. We do not have a condition associated to it, we don't have any work done. If we need to have something in the condition that addresses the lighting, it needs to be there. If there is no lighting to spill over the wall, then there is no lights planned. But we need to put that in the condition that there is no spillage.

Mr. Elliott said I want everyone to understand the point of the privacy fence. Mr. Felder said the tower of the shredder is 40ft. You could have an unmanageable 40ft high pile of debris and never see it. I think something in the range of 30-35ft would be reasonable. You would never see it from the neighborhood or the street. The wall is designed for 40ft. If we meet City Ordinance for lighting, it can't spill over at the site. If you want further security, please just tell us what you want us to do.

Ms. Karen Jarrett, Vice Chair, said can you tell me how the right-in right-out is going to work?

Mr. Gerrard said the curbing is only going to be constructed to allow right-in, right-out.

Ms. Jarrett said the other concern is, there is a written condition for a berm. I saw no berm. You mentioned no berm. What other conditions are we not going to adhere to?

Mr. Felder said, I did address the berm and said I would rather not do it. However, we are willing to come back halfway in between if you would like to. I would rather have the trees.

Mr. Dwayne Stephens, Board member, said what exactly did you say this material for the wall would appear as?

Mr. Felder said it is steel. It rusts for a little while and then it stops. I thought that would be a nice brown back tone for all those trees.

Mr. Stephens said I raised concern at the last meeting about said wall being as tall as it is. It becoming an open canvas for graffiti and such, to end up being a visual nuisance in a sense for said community. The next concern is the lighting. I understand that you only require to have lighting and can't have any spillover. However, if you are going to have a 16ft wall, the only way anybody might not put graffiti on it, is if it is lit. I would like to know what you are thinking in regards to that.

Mr. Felder said that is a very good point. That material needs to change. Something like a precast concrete panel that is going up at I-16 and I-95 can be treated with materials to make it graffiti proof. Rusty metal will always be spray paintable.

Mr. Stephens said considering the height, site lines, I am very familiar with the graphic you showed as far as visibility. That graphic only indicates the visibility from a vehicle passing by, of said stacks. My concern there is, the back park is heavily active, there is a lot of football that goes on back there. I am sure you know, the further you back away, the better your visibility is when things are stacked high. People in the park will see it.

Mr. Felder said yes, they will see the tops of the cranes and the top of that piece of machinery from the park and from the community center.

Mr. Stephens said it is a different story for machinery versus stacks of unprocessed and, or processed recycle material. What is the height of the equipment? That will help give the community a gage of what a 35ft stack looks like.

Mr. Felder said the main column of the shredder is 40ft tall. That is the only thing other than the cranes, that should protrude above the fence.

Mr. Stephens asked what the overall length of this solid fence is? I just want the community to understand what they may be seeing. The community deals with heavy flooding. There are some of those issues being resolved with the development of the arena but we still don't know the capacity of the existing infrastructure between that point and the arena site. Will this community be water burdened in the event of heavy rain? I do see the retention ponds and understand there may be a certain capacity. Are those ponds supposed to stay wet or are they going to dry and fill as the rain occurs?

Mr. Felder said it is the entire length of the property. I have not measured the feet. It is approximately 2000ft.

Regarding flooding, the way the code works, we can not charge the system any more than it is now. We are the low point in the neighborhood. I was there for the first neighborhood meeting. We couldn't get to it because there was so much water around the park. The neighborhood made it abundantly clear that this is one of the most important issues to them. All I can say is, we can work with City Engineering to make sure we are not charging and perhaps increase the amount of surcharge we are able to treat and retain. We can make that part of the condition but I am not qualified to tell you what those numbers are, I am just an architect, not a civil engineer.

Mr. Stephens said in regards to the berm that was listed in the conditions. I think the berm was originally proposed by this body in combination of potentially the wall to buffer wall and sound and visuals. That was accepted previously and, if this bodies sees fit to give you approval with conditions, I would highly encourage that berm resurfaces.

Mr. Felder said I would rather have the trees than the berm. If you look at some of the larger berms around town, they are not maintained. Marsh Harbor and Southbridge etc. We thought the trees looked nicer. If the berm is the solution, we will just have to maintain it.

Mr. Melder said you have a 16ft fence plan. Have you discussed this with the city and does current code allow that for airflow issues or is it too high?

Mr. Marcus Lotson, Director of Development Services, said, staff had a conversation about the fence issue, berm issue. Right now the City code permits up to 8ft for a solid fence. The Council, in deliberating on this, would have to approve anything taller than that. We also had a conversation about the berm. Berms look nice but people have to realize from an engineering standpoint, it is a very important addition to an area. It can create issues with stormwater management. We think if a berm is going to be considered, that will need to be addressed during development with your engineering department to make sure it is consistent with your regulations. If these gentlemen were coming in with a development plan and they showed us an 18ft wall, we couldn't approve that. In this case, because it is going to Council, that would be an approval by them for that additional height. Any combination of a berm and a wall that gets proposed will still need to be reviewed and approved. We do want the board to be aware, that is essentially a special approval for that additional wall height and any berm will need to be approved by the City Engineer.

Mr. Melder asked, is there a condition currently that MPC staff recommends around the berm or the wall and how is that worded?

Mr. Lotson said there is not. Right now, the only condition related to either of those is the 8ft wall that is in the report, that was our recommendation. The petitioner originally proposed a taller wall. They were trying to address the site line issues as well as noise and things. That is where the recommendation came from initially. We can only approve an 8ft wall but, of course, the Council in a Special Use can approve a larger wall. As it relates to the berm, frankly we are not qualified to tell you what impacts a berm of that length would have from a stormwater standpoint. That will have to be addressed during the development phase.

Mr. Wayne Noha, Board member, said fences look great when you put them up. Five years later, they are either falling down, trees fallen over on them, or they just degrade. A berm, in my opinion, gives that pleasant view when you are looking at shrubbery and not metal. I mentioned this to staff, on Bryan Woods Road there is a berm that goes 2000ft. You can't even see what is on the other side. You can see maybe one fireplace chimney coming up. Other concerns are there but my biggest concern is the view of a wall, especially 16ft.

Mr. Felder said that was us merely trying to prevent the siteline and offering it. It certainly wasn't necessary unless Council decides so.

Mr. Shedrick Coleman, Board member, said these notes clearly say there is an 8ft high fence and a berm within the 40ft buffer. The way this discussion is going, it appears people think of the berm serving the purpose of blocking what a fence would do. If we are trying to block that view with a berm, you are talking a very significantly high berm with a very big footprint. I don't think you are really thinking about what that visually is going to look like to get a berm that high that is going to be that wide as well. It will take up almost all the 40ft just to get the berm in there. On top of that you say you are going to put an 8ft high fence. We need to really understand what we are discussing here. Visually, the wall could work. A 16ft high wall would have to be engineered. I think the issue of graffiti on a core 10 fence, you are not going to get graffiti to stay on that. It is a rusted wall. Even if you spray painted, it is going to come off easier than a concrete wall that gets spray painted. Whatever combination we are talking about, the berm and the 8ft fence; if you are talking an 8ft high berm with an 8ft high wall, that equates to the 16ft in height and probably something a little more manageable. With Mr. Melder speaking of being definitive, I think we need to define the definition of what that berm is also

and just make that a part in understanding there is probably a combination of the two that needs to happen.

Ms. Boles said, we continue to have a discussion about view sheds and what people are looking at. What people asked about is environmental impact. We still have not seen an environmental impact assessment. We had a discussion about berms and what berms do, stormwater management in an area that is continuously flooding. This needs to be addressed. That is one of the environmental issues that I keep asking about. What I need to understand is that you understand what the community is asking you for in terms of environmental impact assessment.

Ms. Jarrett asked, has an engineer looked at this? An engineer is needed for the drainage. They would need to size the berm, and they would be able to tell you about the traffic.

Mr. Felder said no, in a normal process we would not engage the civil engineers to do all those things to meet the City's requirements without having the use permitted. A traffic study can be a part of this Commission's requirement to get the Special Use, just tell us to do it and we will.

Ms. Jarrett said if the neighborhood is concerned about the drainage as well, wouldn't it be worthwhile to talk to an engineer and find out if you have room on your facility for the detention?

Mr. Felder said we do and the pavement can be turned into pervious. That requires a calculation and a long process.

Ms. Melanie Wilson, Executive Director, said, one of the things I think you need to consider is whether the building code will support this. In industrial areas, the max height is 8ft. In some cases you might go to 10ft. I have never professionally seen anything at 16ft. I think asking the City to approve something at 16ft, when they are not sure if it meets standards is problematic.

Mr. Melder said we are talking about an issue where you are wanting to create and protect the view shed for the community but you are also running up against some stormwater, engineering, and code issues by trying to accommodate the community. I just want to point out that we understand the kind of rub you are caught into and maybe this speaks to the appropriateness of the Special Use permit. If this moves forward from the Board, I want to make sure the conditions and any condition that would have to pass Council, would have to include a review by City Engineering, City Development Services, and City Stormwater to ensure that whatever berm, wall, or solutions are put into place to protect view sheds are also not causing drainage issues or building safety issues for the facility as well.

Mr. Elliott said there is a piece of property that is already zoned industrial. We talked at the last meeting regarding the number of trucks coming in and out, and we were asked to put a cap on that. We have, as was stated, 25 maximum on the average and 50 per day maximum. As far as the drainage, we fully intend on having a drainage plan that needs to be approved by the City, but normally that is done after the use is established and in the Site Plan stage. We fully intend on complying with whatever codes the City has in place. As far as the traffic study, we are willing to do that as well. We did provide an environmental assessment of the property; if we are not operating within one of the conditions, we are out of business. I am confused because a lot of what is being asked for now is usually provided at the Site Plan level instead of at this point. We want to address the concerns of the public. The only concerns we received from the community was the drainage issue. We indicated that we will have to have an approved drainage plan in order to open the doors. As far as the environmental issues, other than a couple of people indicated they did not know what was being generated by the business, and they thought it would cause cancer. There were no facts given to how this could be hazardous. We fully intend on complying with all of the existing laws and ordinances.

Mr. Shedrick Coleman, Board member, said, in the prior meeting I made a comment regarding the fact that the traffic study, relative to this specific site, is not going to provide much information. 50 trucks is 50 trucks. What my concern was is how the overall improvements in that area are being handled on a more regional level. That is what I was hoping the city would get involved in. It is about where all the other traffic is coming in with the improvements to Gwinnett and all these other streets. It is not the responsibility of this particular petitioner to resolve that because it is impossible to look at their simple site and say it is going to go out beyond those 50 trucks. On matter of design of the wall and issues with that, if you are not an architect, you do not know the code to that degree to say something specific. There are some prescriptive heights that are in the code that you can only go but once you get over a certain height of 10ft or whatever, you can engineer whatever height if you can show the engineering is correct. It is not that you have a specific height that the wall can be, if you can show the engineering is correct, the wall can be higher than that. There is a lot of engineering items that would happen later on that we can make sure they are done by their appropriate review bodies if we feel the zoning use is appropriate. If we feel it is not, that is one thing, but we are trying to get into

design issues that are well beyond what this board or the person standing in front of us can resolve but you can make them resolve them as a part of the process. That is the appropriate manner to do it if you decide to move this forward.

Ms. Boles said when we talk about a maximum of 50 trucks per day, that is a truck every 10 minutes in an area that is already impacted by heavy traffic. What is the impact, not just how many trucks are coming in and out, but what is the impact?

Mr. Edward Gresham, Member of the public, said from a community standpoint, the community does not want this. They refuse to talk about the environmental impact as you can see. Conversation always goes to walls and water. The water produced here in one area will run to another area that will carry materials and other things. That area is being breathed in all the time by kids playing football and elderly people living in the neighborhood. Some kind of environmental study or statement from someone that does this type of work, this needs to be talked about and presented. The traffic study, somebody needs to be able to speak to the specifics to what 50 trucks a day will do to that area for people to understand what you are approving. Once you get past certain stages, it just gets pushed through from what I have been able to see. The topic of cancer was a major part of the community conversation. That has been a major part of the request.

Ms. Jarrett said, are you aware that any other light industrial business could come in and develop without coming to us?

Mr. Gresham said, what is the reason they are having to come for a Special Use permit? What is the difference?

Mr. Gandhi said the Special Use permit is required because the Ordinance says a recycling center has to be done as a Special Permit if it is in the light industrial district. If it is in a heavy industrial district, it could be done by right. This being a light industrial district, it is allowed with approval situationally by the Commission. They can look at it on a case by case basis.

Mr. Gresham said the community needs to understand, is there a possibility for rezoning and what the process is for that area if they are trying to hold onto the last parcels of undeveloped land, they should know about that process and how to get that done.

Mr. Gandhi said this property could come before you for rezoning if the owner so wished it. Whoever owns the property needs to want to rezone it to something else. If someone else came in and bought the property from Mr. Elliott and they wanted to rezone it, it would still come back here.

Mr. Noha asked, when was the IL zoning classification placed on this property?

Ms. Wilson said the industrial zoning for this class was placed on the property when the zoning happened. There is a lot of industrial zoning in that area. It has been industrial for years, the 60's to 70's. They are on the National Register now.

Mr. Jeff Notrica, Board member, said, is this property covered under NewZO?

Mr. Lotson said yes. The NewZO zoning is light industrial, but it was light industrial prior to NewZO as well. The adjacent properties to this property are all light industrial. We would not have recommended changing this property because of the impacts of the adjacent properties that abut this property, the rail access, etc. We feel like it is an industrial property.

Mr. Melder said there are a list of uses that would have to obtain a Special Use permit and need to go before this body and before City Council. It is important for the community to be aware that there are uses that are industrial and would have impacts on the surrounding community that a property owner could do by right. It would never have to come through MPC, would never have to come through City Council, and would never have to go to a community meeting in order to do. There is some thought that a property owner who is wanting to do a use that requires a Special Use permit, that is a better course of action because it allows the community, this body, and the City Council to be able to produce some restrictions on that property and lessen the impacts of that use on the community. I am weighing in the vote here, whether or not the risk of something happening on this property by right, that would have more of a detrimental impact on Carver Village vs. this use.

Ms. Wilson said we have the list of uses in the staff report. It would be important for the neighborhood to see

what is currently allowed by right without having to come before us. Some of those uses are pretty intense. Right now you are in the position where you can talk to the applicant and they are making some concessions, of course you are as well. There are some uses where they are allowed by right, the only review that would occur would be when they submit a Development Plan. As part of that process they would look at drainage and things of that nature.

Mr. Gresham said one of the concerns is that there has already started to be a variance to what is required with what is being asked by this body by people who don't have the authority to move in the varying way. I understand what you are saying and would like you to continue to push the whole thing in getting into some specifics on what the ask is.

Mr. Melder asked, are you in opposition to the Special Use permit being requested today or are you here asking for these conditions to be placed on the Special Use?

Mr. Gresham said I would like to see what happens after you guys get down to what you're asking and what they come with. Given the understanding of what you guys are saying, something else could be developed there but as it stands right now, yes, I am against it. I would like to see more information. I would like to see a traffic study, I would like to see some environmental impacts. I also understand that those things come at different stages, but for a community that is continually being ignored in some ways, they may want to see those things right now.

Mr. Devin Patterson, Member of the public, said today as we plan for the future we must respect the past. I believe that is the moto of the Commission. The major concern today is a new development of the recycling center that would negatively impact the neighborhood and the surrounding area. Building a scrap metal yard would significantly increase commercial traffic, pollution emission, safety, and most importantly, the drainage system. Adding 25-50 trucks per day of commercial trucks will increase noise overall through the neighborhood. It would actually shift the buses that will come up Gwinnett St. going through the neighborhoods going through the east side of Savannah. If you have trucks coming off of I-516, that is going to be very important. The deterioration of the neighborhood asphalt, we already have issues in Carver Village based on the road, how the roads are deteriorating. Pollution emission, commercial trucks will increase pollution with the diesel exhaust fumes. If the road is shut down they will go through the neighborhood to get to where they need to go. Recycling will have toxins that can be absorbed in the the soil, water, air and can be harmful or fatal to human, plants, and wild life. We are not talking about today, but 2-50 year impact will be very different for my grandkids, my great grandkids and stuff of that nature. Arsenic, lead, and chromium, from the OSHA website, metal scrapping safety and health hazard, I quote this; "Many of the metals found in the recycling, do not pose any hazard to people handled for area use. Low levels of these metals are actually needed for human function. However, hazards when these metals are grounded, blasted, roasted, or melted down and fumes or dust are produced and distributed into the air. Each of these metals may create health hazards to the employees and surrounding community with even minimal trace amounts of metals. "

In Carver Village, we have had a huge drainage problem that everyone has been talking about. We have the Enmarket Arena at the far top of the neighborhood. You have the new City Lot at the rear of the neighborhood. The new Gwinnett St. bypass. All of these areas are built up with dirt. Everything pulls back in and rush the water back in on us. He is going to have to build his property up anyway but where is that water going to go at the end of the day? It will go back to our neighborhood. Carver Village wasn't a flood zone but now we are significantly under water. As of now, I oppose this scrap metal yard. I believe this business will further burden our community in growth and development.

Mr. Jerome Irwin, Member of the public, I have lived in Carver Village for over 68 years. I have seen most of what has gone on in Carver Village. Thank you for holding this meeting, I am opposed to this company coming in. They are talking about a 50 truck maximum. We have truck traffic coming up and down Gwinnett Street now at a large number. The emission from the trucks cause people in that neighborhood to have asthma. We have to take a stand, this is suppose to be a Historic Neighborhood. Everything has been dumped on us from the beginning of the origin of Carver Village. They keep dumping stuff on Carver Village. We can't even walked out our doors without smelling ungodly odors from a place up the street that nobody knows what they are smelling. We can't keep doing that. They are talking about grinding the metal up and shipping it out. When you grind metal up, there are particles that will fly in the air, become airborne, we have to think about our families. I am strictly against it and would ask this Council vote against it today.

Ms. Angelia Rawls, Member of the public, said I have been in Carver Village for over 30 years. this is a historic area. When we are moving so many other things in the area, that is taking away from it. I heard them say they are going to hire so may people in that area in their company when it comes in. If the people in our community do not want to work for that company, then outside traffic is coming in also. That will be a problem. I

love Carver Village the way it is. It is quiet, it is peaceful but since all this other stuff has been coming in the traffic is really picking up. To have another industrial company to come in, this will be a problem. I am totally against this.

Ms. Sheila Maxwell, Member of the public, said the first concern I have is when the place caught on fire on Louisville road, it burnt for 5 days. They re-routed the traffic. You couldn't go up or down Louisville Road. You had to take Magazine Avenue which is busy with dust and cars. It was a mess for 5 whole days. If they bring this here and a fire happens, that means it will be even more where we can't go. The trains already hold us up where you can't get to work on time and can't do this and than. That fire nobody expected, but it happened. You have to look at things like that. Another situation is, with all these trucks and you say 10 minutes for each truck, we have a lot of elderly and disabled in Carver Village. There is a lot of ambulance and fire trucks and policeman that have to come to these people. A lot of times they take I-516. When you have all these things going on and all these trucks trying to get off to go there, you are pushing ambulances and police behind if they are in a rush to get to you. This could cost some people their lives if they are not able to get to them in time. You need to look a peoples health, their age, and the community that you are doing this in. There are a lot of trucks using I-516 already. You can't move those big trucks if you need to get in quickly. A lot of accidents happen when they are trying to get through to people. I do not think this is a good thing. The dust particles, they say they have it maintained and controlled, you can't control dust particles from blowing if you get a fire. There is no way to maintain that. It is going to blow. That is not good. The school buses, they are bad enough, kids already can't get to school. Bus drivers come off of I-516 to pick up and drop off kids who go to different schools, that will slow them down. These are things that need to be considered.

Ms. Boles said, is the proposal consistent with the Comp Plan for this particular neighborhood?

Mr. Gandhi said this particular neighborhood is designated by the Comp Plan to continue to be industrially used.

Ms. Boles said, I understand there are some sections in there about improving health across the City. Does this not apply to Carver Village?

Ms. Wilson said anything we do is based on public health, safety and general welfare. I want to make that very clear. The reason that we have the Special Use permit process is there are some uses that require more scrutiny in review. When we look at it, we look at the conditions that are part of the Ordinance. You have a little more leeway then we do. Our decisions are reviewed based on facts and what is recommended in the Comp Plan as well as other things that pertain to the land. Everything we do at the end of the day and decisions made are based on public health, safety in general. Unfortunately, there was a lot of industrial zoning that was placed on this community in the 60's and unfortunately, they have had to deal with it.

Ms. Theta Deloach, Member of the public, said I want to thank the member who addressed the public health concerns regarding Carver Village. That was paramount in my concern. Regarding Special Use permits, one of the things we were worried about in the neighborhood is lead poison dust and radiation that may possibly come from scrap metal retrieving. I can go back in time when Carver Village was used experimentally with the Mosquito project. I can remember as a child running around in the mosquito dust thinking that it was great fun. Later on, finding out there were definitely health deficits that came from that adventure. We don't want to repeat that history. That resulted in a lot of miscarriages in our neighborhood at that time. My mother had one. It also resulted in a lot of other health issues that were suffered from. I want to know, are you going to promise scientifically that we will not have further repercussions coming from an enterprise like this? Are we doing a better FDA study or environmental study or something of that nature? We are vigilant about our health, history, and our future. Years from now I don't want to have to come back and address something went on in our neighborhood because nobody studied it or they just pushed it through.

Ms. Katrina Wheeler, Member of the public, said there should be an implied duty of good faith for this community. This is a community that has already been burdened. We are talking about pre-war zoning laws in a community that was never meant for this industrial burden that it has caused. I understand right now there are ordinances in place and this particular parcel could be used for other uses. That is not what this fight is about right now. This fight is about the recycle center. We don't want to distract or deteriorate what the argument is about. We have an opportunity to consider the citizens in that community. We need to consider the burden and the nuisance that is already being caused in Carver Village. What will happen as a consequence for allowing this particular company to come in as a recycle center? The other thing I want to highlight is there has been a minimization of what the community has stated in front of the applicants here. When we sat in our last community meeting, we did not receive near as many answers as I have heard today. We were minimized, our concerns were minimized, they got frustrated at the community for voicing concerns that we had and we did not receive answers during that meeting. We also were pacified by being offered hula hoops, footballs, and

soccer balls as an opportunity to come together and give back to the community. Who is addressing health issues with elderly and children that are in the community with already a drainage issue and other burdens. The fact that the community was addressed last and not first should also show that these applicants do not care about the community that they are invading right now.

Mr. Chester Ellis, Chatham County Commission Chairman, Carver Village Neighborhood President, said one of the duties and responsibilities you have is value to the community. That is stated in what you are doing now and that is stated in what your calling is. When you look at the project that is being presented to you today, there is no value to the community. There is value to the individual. Let me bring to your remembrance the events of just this past month. On July 11th, the rain and the flooding was so bad until places that had never flood in Carver Village before, had flooded. We have the Arena on our eastern end and it has several retention ponds to it. We have the City Administration Building which is on our west, it has retention ponds. As a part of retention of that water, the land you are talking about is called virgin land because it has not been touched. We were under the impression that it was wetland because it holds water 99% of the time. Because of all of the height/elevations that have happened on the east and west side of Carver Village. Because of all the pavement and asphalt that has been poured, Carver Village is flooding like it has never flooded before on July 11th. Places that were not in a flood zone flooded. Two weeks ago when there was a car accident on I-516 right at I-16. The traffic had to be re-routed going west on I-516 and had to be I-16 which is the part of I-16 and Gwinnett Street. All of the trucks that are presently coming into Carver Village, they all had to take that route. We would up having tractor trailers, dump trucks and other heavy duty cars coming down the middle of the village. Even if they say they are going to use I-516 only, if there is an accident on I-516 and they have to be re-routed, the only way they can get into the village is from the front door which brings them through the middle of the street. The City of Savannah right now is in court with six different cases on an industrial place that was put there that no one can find. The permits and other things where it puts out a stinch daily that covers the village. We have not been told in the last three months except that those 6 cases are still in court. This is another that could wind up in court. Let me remind of the fire that we had right in the back of Carver Village that lasted 7 days. All of the smoke, all of the flames, the flames reached 100ft in the air. The smoke reached even higher in the air. There is no barrier that you can put up for that. When this land is elevated higher and concrete or asphalt is poured in there what will happen is the water that normally settles there will have to go somewhere. It is coming into our homes in the village. Your responsibility, MPC, is to look at the value it brings to the community and if you look at the value, the value stands at zero. We will not accept holla hoops, we will not accept basketballs or football uniforms.

The number of people that live in Carver Village and are elderly people who are not looking for jobs, that means even more traffic with the workers hired, will bring more traffic into the neighborhood. Please do the right thing. The City of Savannah was suppose to take care of the drainage issue before they build the arena, before they moved the elevation of west Gwinnett Street to higher, none of that has been done. There is no barrier, there is nothing you can put up to stop the water. In the plans that were shown at the last meeting, there are three retention ponds, if those retention ponds add to the water coming from the retention pond and the canal that Carver Village is currently covered with, we are going to have three times the amount of water. Some of us will loose our houses to FEMA. When a house floods and you buy it with FEMA property, you can never build on that property again. We live here day by day, no matter what is put on us, we have to adapt to it. This is one thing you can stop from being put on us. Future use, if this is not granted, future use is another fight for another day for us. We are preparing ourselves for that. We know when the rezoning was done, a lot of the property should have been rezoned but it was ignored. It is time for those of us who are in government, those of us who are in decision making to stop ignoring those of us who have to bear the burden of our decision. The petitioner has already started parking his trucks on property that doesn't belong to him. It belongs to another recycling place. Three weeks ago when the recycling place caught on fire, the neighborhoods around there had to be quarantined inside their house, even had to turn off their air conditioners. Can you imagine the people in Carver Village who are in their 70's and 80's having to turn off their air conditioning so the environmental things that will impact this neighborhood will not impact their health. We are at a disadvantage now but you can help us start to better our conditions as we work day to day to better our health and condition here in Carver Village.

Mr. Elliott said a railroad goes right through the property in the back. I doubt that it could be used for any purpose other than an industrial use. As far as going to the community, there is a letter in your package a letter I sent to Chester Ellis in December where I indicated that I contacted Bernetta Lanier, the Commissioner for this district, and Marcus Lotson to meet at my office 2-3 times about our initial plans. In my letter to Chester Ellis, I indicated that and said at the present time my client has pended an application to the MPC for the issuance of a Special Use permit for the proposed facility. To date, we have met with Savannah Alderwoman Lanier and Marcus Lotson about the application. They both suggested to wait until I get clear of Christmas before contacting you about this matter. I was in no way trying to avoid coming to the community and presenting to them what I am presenting to you today. As far as the comments I have heard about the

additional trucks and the trucks traveling through Carver Village. If there was a freight terminal placed on this property which is a use that can be placed as a matter of right. There would be trucks going right through the middle of Carver Village without any type of control and that would be a limitless number of trucks going into that terminal. When you are looking at what could be possibly placed there, there is a tremendous difference. You have the chance of addressing those elements that go along with an industrial use today. You are going to, any time you have an industrial use, have consequences to any close by residential community. There are industrial consequences with a manufacturing plant which would be allowed there, a dry cleaning facility which could be placed on this property as a matter of right. All of those uses produce consequences that could be hazardous to health. There are laws that are now in place that can minimize any type of hazard. In this particular case, my clients use of the property will be governed by environmental laws that he will go through. We have agreed to comply with those laws and minimize those risks that they won't be any type of hazard to public health. My client is interested and willing to make the area safe for the community. He wants to contribute to the community to make it productive.

Mr. Elliott said there are thousands of these operations running all over this country. They operate in states with much stricter standards than the EPD laws of Georgia. Nothing that we have proposed to do is hazardous to anyone's health. I have been in the metal recycling industry for 20yrs. I work 8-10 hours everyday of the week and I work intimately in the operation and I am perfectly healthy. There is no health risk to what we do. As far as environmental standards, this machinery is manufactured to operate within the standards of any environmental regulation. Again, there is no reason why this is going to be an environmental hazard to anyone in the surrounding area whatsoever. As far as the drainage issues, I am sorry that I am being caught in the middle of the drainage issues, however, we can engineer the site to hold the stormwater on the site. I do not feel we are contributing to the drainage issues that are in Carver Village. There seems to be a lot of concern about catastrophe, I understand when there are fires or accidents that people are inconvenienced and trucks get rerouted and things like that. None of us can control that. We want nothing more than to mitigate the risk of fire at our facility. There will be many controls put in place including a fire truck at the facility. It is in our best interest to mitigate the risk of fire as we intend to spend approximately \$20 million on the site. We have a significant investment that we need to protect as well. As far as the donations to the community, to say that we offered footballs and hula hoops is totally incorrect. The intention of the donations to the neighborhood association are for them to use the money for whatever they see fit. I will be glad to be a part of the community meetings so I can get a feel for what they want and what they need. That was the intention of that. At a minimum, this site will provide 42 jobs with an annual payroll beginning at \$3 million per year. I would like to point out a few good points of this project. Jobs that at a minimum earn \$70,000.00/yr.

Motion

Denial of staff recommends for approval of this special use petition to operate a recycling facility in an I-L (Light Industrial) Zone with the following special conditions:

The hours of operation shall be limited to 7a.m - 5.p.m Monday through Friday

An architecturally designed solid fence or wall not less than 8-feet in height shall be required along the southern property boundary.

Commercial vehicle traffic entering the facility shall travel eastbound along Gwinnett Street and shall exit westbound only.

This special use permit shall be non-transferrable.

The facility and all recycling facilities shall be completely shielded with a 40-foot-wide landscape buffer and a fence of at least 8 ft in height. The buffer shall consist of vegetation and a berm.

All noise-generating activities associated with the facility shall be restricted to the rear portion of the property away from W Gwinnett St.

The facility shall be secured during off hours by security gates at all exits and entrances.

Any litter, dust, or other emissions generated by the recycling center shall be controlled by the strict application of all federal, state, and local environmental statutes, ordinances, rules, and regulations, and through the implementation of Southern Metals Properties, LLC, or written in-house rules of operation.

The site plan and final landscape plan will come to the MPC for review once complete.

Vote Results (Approved)

Motion: Shedrick Coleman

Second: Karen Jarrett

Joseph Ervin	- Aye
W. Lee Smith	- Not Present
Tom Woiwode	- Aye
Travis Coles	- Nay
Joseph Welch	- Aye
Shedrick Coleman	- Aye
Karen Jarrett	- Aye
Dwayne Stephens	- Aye
Wayne Noha	- Aye
Jeff Notrica	- Aye
Laureen Boles	- Aye
Elizabeth Epstein	- Not Present
Malik Watkins	- Not Present
Jay Melder	- Aye

[9. MAP AMENDMENT | 5659 Ogeechee Rd | File No. Z-1221-000211](#)

📎 [22-1001 Zoning Figure 07-15-22.pdf](#)

📎 [County Clearance Letter.pdf](#)

📎 [ZONING MAP Z-1221-000211.pdf](#)

📎 [AERIAL MAP Z-1221-000211.pdf](#)

📎 [VICINITY MAP Z-1221-000211.pdf](#)

📎 [Staff Report 3.pdf](#)

Mr. Nirav Gandhi, Planner Development Services, said at issue is a request to rezone three properties at 5659 Ogeechee Rd from A-T (Agricultural Tourist) and R-A (Residential Agriculture) to B-C (Community Business) and I-L (Light Industrial). The property has previously been used as a used car sales lot. There is a small, paved parking lot on it as well as an office building and a large metal building. The property has only one access point, which leads directly into the small parking lot.

This petition was originally submitted in December 2021 and was heard by the MPC at the January 17, 2022 meeting. The petitioner requested to table the petition and rework their plan with MPC staff. The petition was planned to be heard at the July 5th meeting and when that meeting was canceled was moved to the July 26th meeting. The applicant then requested the petition be tabled until the August 16th meeting.

The petitioner was found in violation of County codes in February and the County requested the petition be tabled until the concerns were addressed. The County Department of Engineering has since found the property to be in compliance with the codes, and confirmation of such is attached.

The Ogeechee Rd corridor is a transitioning area where many formerly agricultural uses are moving

towards Light Industrial and Commercial uses. There is an existing traffic problem on Ogeechee Rd heading North, particularly in morning and evening rush hours, that would likely be exacerbated by 18-wheeler trucks pulling in and out of the small access point into the property. The space between the median and property line across two lanes is narrow and does not have a decel lane; however, the applicant is willing to create a 272 ft decel lane as well as right-in/right out-access only. This will ease the strain on traffic congestion.

B-C is a low-intensity commercial zone that would allow some uses that staff finds compatible with the land (such as small retail shop, restaurants, utilities) but would not allow some uses like truck terminals, industrial mills, container storage, food processing facilities, and other uses that come with higher-intensity zoning. More intense uses in the desired B-C (Business) and I-L (Light Industrial) zoning such as retail, a gas station, warehouses, a club, or sewage treatment facility would likely have the same effect on traffic.

The rest of the Ogeechee Rd corridor between Cottonvale Rd and Buckhalter Rd has been transitioning to light industrial uses over the last decade that do not match the intent of the Comprehensive Plan for the area, which is Suburban Commercial. The proposed I-L use in the back would not match the Comprehensive Plan either, but it would match the existing pattern of development. It should also be noted that several rezonings have taken place in the last few years in this area, including the plant nursery directly to the north becoming Light Industrial, the undeveloped parcels to the north of that becoming multifamily, and the undeveloped lot across Ogeechee Rd which is proposed to be developed into a 252-unit multifamily complex. A few hundred feet to the south of the subject property is a new gas station/convenience store, with a Walgreens and CVS nearby too. Future rezonings in this area should factor in that the pattern of development is moving to a mixture of multifamily developments and lighter commercial uses and should fit that pattern.

Staff recommends approval of the proposed rezoning with the following conditions.

1. The applicant will create the proposed decel lane for the subject property.
2. The applicant will create a right-in/right-out only access.
3. The portions of the subject property that border Residential R-A zoning districts require a 40-foot planted or preserved vegetative buffer.
4. A vegetative buffer will shield the I-L portion of the property from view of the road.

Mr. Jason Ball, Petitioner, said the intent is to maintain the commercial piece in the front and help use that as a buffer so we can use the back as a truck terminal which would be parking trucks. We would get around 50-100 spaces. The trucks will only be there overnight. It will be a dispatch service so in the morning they will all get ready and go over to the port, work until the end of the night, come back and will shut down when the gates are through at Garden City/Ocean Terminal. We have the buffer requirement, we have met that.

Mr. Jay Melder, City Manager, asked, did the petitioner meet with the residential community surrounding the property?

Mr. Ball said, the petitioner did actually buy some of those properties from the local folks that are there. Those are the only residents that are around the property.

Mr. Joseph Welch, Chairman, said, so you're saying he bought all the property surrounding this?

Mr. Ball said no, there are two pieces of property to the south that are owned by Luke and Betty Jean.

Mr. Gandhi said there is no neighborhood association to meet with. All the proper notification letters were sent to everyone who owned property in a 300ft radius. I have received no calls or letters regarding this petition.

Mr. Melder said there are two large residential developments adjoining this property correct?

Mr. Gandhi said no.

Mr. Dwayne Stephens, Board member, said there are quite a few communities in close proximity, they are not immediately adjacent. The part where this property sits is heavily traveled by multiple residential developments down Cottonvale, with the addition of a few more under construction.

Mr. Wayne Noha, Board member, said we approved a multi family development across from this property earlier this year.

Chairman Welch asked if there are hours of operation?

Mr. Ball said it would match up with whatever the Port Authority is. 8-5 M-F with some gate hours on Saturday.

Ms. Karen Jarrett, Vice Chair, said it looks like the vegetative buffer inbetween the commercial area and the truck area, there is a power line easement. Will you be able to put vegetation in there outside of grass?

Mr. Ball said yes, you can put vegetation in that area and use it for a buffer. It will meet the buffer standards for what the County has for their landscape ordinance.

Ms. Jarret said it looks clear here. Is the power company going to come in and cut it down, so they can access their power line?

Mr. Ball said it is a transmission line, so it is a very high line. It is about 70ft to the bottom of the lowest hanging line. There are trees right now under that that are approximately 30ft tall. We have actually had to clear out some of the trees to help with drainage.

Mr. Noha said the power company has the right to remove that at any time, in order to access their power line.

Ms. Jarrett said if there is an issue with the power company, will the vegetative buffer be moved so there is a vegetative buffer?

Mr. Marcus Lotson, Director of Development Services, said, over the years I can remember a few occasions when GA Power has removed things that were required, what usually happens is, if it is in the City or the County, their Engineering Department will work with the applicant to replace what is taken out. Obviously not in the same location but to mitigate that loss of trees, or whatever else, to the site. We do not have a lot of control of what Ga Power can do.

Ms. Jarrett said but we do have control of where the buffer is, correct? We can push the buffer right now.

Mr. Lotson said yes.

Ms. Cheryl Sanderlin, owner of the property next door, said we have a couple of concerns. As mentioned earlier, the land use for this property was Commercial Suburban in the front and Suburban Single Family in the back. On the petition, when asked the petitioner if indicated, that commercial use is compatible. We know the pattern of breath in this area is changing. However that does not always make it acceptable. They indicated that is would create traffic, noise, light, etc. and impact the livability that is inconsistent with the Comprehensive Plan. A truck terminal on the back of this property definitely would be that way. To access this property heading southbound, to get to it, you will have to U-turn at Cottonvale Road which has a CVS, Walgreens, and one of the Kroger exits. You are going to have a huge amount of traffic right there doing U-turns. Once they U-turn and come back to the property to the decel lane, there is a new gas station there and they are just going to be passing that gas station where people have to turn right into the traffic as these trucks are trying to get over into the decel lane to access this property. You are going to have the new gas station traffic coming out as well as the decel lane coming in with tractor trailers. Even our customers have a hard time with traffic at 8am and trying to turn right into our property to get off the lane with cars zooming by. You are going to add to this. Directly across, any traffic that comes that way needs to go back and U-turn when they right turn out of this property. There are two places to U-turn, this is an issue. There is a truck parking lot as well as a used car lot across the street. You will increase traffic by 1/3 at U-turning at that site. To exit in the evenings for us, we have to go down and wait 5-10 minutes, sometimes just to U-turn to leave.

The area across the street that looks like woods cut off, that area has been cleared for a 252 unit apartment complex. As these trucks are U-turning and going, you are going to have that traffic issue there also. No one has contacted us regarding this property. I do not think tractor trailers is the fit for this area. People at Cottonvale already do not adhere to the U-turn traffic. The power line easement is not a thick line. In the last year or so, the power company has come down there and took part of the nursery's trees and part of the trees there because they were blocking the powerlines access. You cannot put vegetation in that area.

Ms. Diane Brannen, Member of the public, said I hear trucks at 3 am in the morning. Tractor trailers coming

and going at all hours from the port. The port is 24/7. I do not think trucks or heavy equipment is compatible any longer if you want to encourage residential applications anywhere within a 2-3 mile radius of this. You already have residential everywhere in sight. I wish the City of Savannah or Chatham County would put a stop on trucking terminals. They are impacting quality of life. The west side is the dumping ground for this. I agree with some of the Commissioners I have heard in the past, there is a place for that but it should not be on the Ogeechee corridor. It needs to stop now. The hours are not limited for trucking, I hear trucks at all hours of the night. I am not in favor of trucking terminals in any way shape or form. We are already being overrun with apartments out here. That will be the next thing you have to very carefully weigh.

Mr. Ball said this is a truck terminal, it is not a truck stacking yard. This will be a parking spot for trucks overnight. All of the traffic happens between different distribution centers and that is not part of this traffic pattern. This will be more for trucks. As far as the traffic goes for this project, that is why I came here today as the engineer, to make sure you can understand the traffic pattern. The reason why it is a right in, right out, is because a tractor trailer cannot do a U-turn in those intersections. It does not have the turning radius to do that. It would crush cars if it did that. The traffic pattern has to be looked at and that is what the right in and right out does. Basically when the trucks are leaving the terminal itself in the morning when they go to marshal up and go to the first distribution center, they would move out onto Chatham Parkway or they would take a right and go to the new development that is off of Veterans Parkway. That is a big development that is going to need trucks to operate and they need to be close by or it won't make sense and support all the other jobs. At the end of the day when they are done, they circle back through and they come back through the right in. That is the actual traffic pattern. That would not be the primary use for this facility every day. The petitioner has commercial use up front right now and has tenants. There are moving people in those buildings that exist to use that. There are cars that are coming in to two curb cuts right now. Those two curb cuts with the future use would be combined into one curb cut reducing the impact to the traffic so they can flow better. That is the overall intent of the entire use of that piece of property.

Chairman Welch asked what business is going to be in front?

Mr. Patel said at this moment it has always been a used car dealership there. I am operating a used car dealership right now in the front. The next lot, we have a standing building as a warehouse as the store is building. We are going to do the remodeling on that building in the front as it may be a small store.

Mr. Dwayne Stephens, Board member, asked exactly how are we planning on the trucks getting to the site? I am very familiar with the area, if they are going right out and the location they are going to is out to the right, how are they looping around to the City to make a right in?

Mr. Ball said they come down Dean Forrest Rd, they take a left and come down to our facility and take a right. These trucks are coming from the port. They will go to the DC, pick up a chassis, take that as an export to the Port Authority, drop it off. They will come back to the site from I-95 and bobtail into the property.

Mr. Stephens said knowing that area, all of the primary thoroughfares are to the east of that entrance. The only way you can approach to make a right hand turn is to be coming from I-95 or you will have to make a U-turn at Cottonvale. You said hours of operation would be consistent with the Port. There is a concern there. If they are knocking off at 5pm and so is most of the families in that area, that puts them in that traffic.

Chairman Welch said no one knows what route they are going to take. The fuel cost for diesel, you are not going to take a long route, they will try to take a quicker route. You don't know if they will have a trailer attached. Has the site been designed? You said there could be 100 parking spots..

Mr. Ball said the design phase has not been done yet. Once we design that we will have to take in consideration drainage and all of those types of things. Based on a normal size facility, yes it could be up to 100 parking spaces.

Chairman Welch said an 18 wheeler rig attached to the cab takes a good portion of land use as well. Those are things that are concerning also. I don't want Ogeechee Road to turn into Jimmy Deloach Parkway either. There is a lot of development for residential.

Mr. Noha said the U-turn at Cottonvale can be governed by adjusting a light and giving tractor trailers more time to turn. There is a decel lane not very far from a right out from a new development two properties down. We have a bigger concern there then how many trucks and how they will get out. They will find a way. If we approved this, would it go before the County Engineering Dept. for traffic to decide whether or not that would even require a decel lane? We need to be spot on with what we know will happen and not the what ifs.

Mr. Ball said we did provide that to the County. County Engineering reviewed it, and initially has concurred with it. We still have to go through the site design process which is the next level. This is more for the use.

Ms. Jarrett asked what the Comp Plan calls for here?

Mr. Gandhi said the front of the property calls for Commercial Suburban and the back calls for Single Family residential.

Mr. Jeff Notrica, Board member, said we recently approved a multi family project near this. Is the traffic count going to be taken into account as far as we are going to have a huge mix of new traffic coming between the multi family and adding this in?

Mr. Lotson said anytime a traffic analysis is done, projects that are on the books are considered as part of what the potential impacts could be. Usually what you are getting is the trip generation for the use that is proposed, that the study is about and whatever improvements might be needed to mitigate the impacts of those trips. That is where we got into the decel lane conversation with this applicants site. Overall it is no question that the Ogeechee Road corridor is the growth area. Both for the multi family sector and the industrial sector because of the availability of large parcels. Those large parcels are more available in West Chatham than they are in the rest of the county right now. The uses that are coming in are going to create more volume. Right now we are talking about a 4-lane divided highway essentially. There is not a lot more that you can do to deal with that capacity. That is a short term fix. We have to evaluate them as they come in to try to determine whether or not his project will impact traffic to the extent that it will become significantly worse. Every new use will bring more trips but that doesn't mean we should say we wont build anything else on highway 17. It is a bigger problem than we can deal with on an individual petition. The problem is there in terms of volume on that street on that highway.

Mr. Notrica asked if these use types could co-exist?

Mr. Lotson said yes. The smaller scale industrial uses and heavy commercial can co-exist in areas. This is a corridor there are several types of commuter traffic. The side streets where there are several residences like in the Berwick community, along Cottonvale Road, along Derrick Road. There are a lot of subdivisions that have been built. They all use Highway 17. They can use the same types of roads. This is not heavy industrial uses which are looked at differently in terms of compatibility.

Motion

Denial of the application

Vote Results (Approved)

Motion: Karen Jarrett

Second: Joseph Ervin

Joseph Ervin	- Aye
W. Lee Smith	- Not Present
Tom Woiwode	- Nay
Travis Coles	- Nay
Joseph Welch	- Aye
Shedrick Coleman	- Nay
Karen Jarrett	- Aye
Dwayne Stephens	- Aye
Wayne Noha	- Nay
Jeff Notrica	- Aye
Laureen Boles	- Aye
Elizabeth Epstein	- Not Present

Malik Watkins	- Not Present
Jay Melder	- Nay

10. MAP AMENDMENT | 1712 Ogeechee Road | File No. 22-003056-ZA

- ☉ [AERIAL MAP 22-003056-ZA.pdf](#)
- ☉ [FLU MAP 22-003056-ZA.pdf](#)
- ☉ [LABEL MAP 22-003056-ZA.pdf](#)
- ☉ [TAX MAP 22-003056-ZA.pdf](#)
- ☉ [VICINITY MAP 22-003056-ZA.pdf](#)
- ☉ [ZONING MAP 22-003056-ZA.pdf](#)
- ☉ [Front View.pdf](#)
- ☉ [Lane View.pdf](#)
- ☉ [Left Side View.pdf](#)
- ☉ [Rear-Left Side View.pdf](#)
- ☉ [July 25th letter of support Rich Fergersen 1.pdf](#)
- ☉ [Letter of Opposition 1.pdf](#)
- ☉ [Staff Report 1712.pdf](#)

Mr. Nirav Gandhi, Planner, said the petitioner is requesting to rezone the subject parcel from TR-1 to TC-1 for the purpose of redeveloping the property as an art studio gallery/museum. The subject property is an undeveloped parcel northeast of the intersection of Ogeechee Road and Lavinia Street. Lavinia Street provides vehicular access to the subject property. Ogeechee Road has a width of 31 feet and has two-lanes. The property has a total area of 0.11 acres. The zoning was changed from Multifamily Residential-25 units per net acre/ Planned Neighborhood Conservation to Traditional Residential in 2019 with the update of the New City Zoning Ordinance (NewZO).

The petitioner is requesting to rezone the property from the TR-1 classification to the TC-1 classification. The existing zoning is designed for residential areas in close proximity to downtown or in outlying historically settled areas. This category includes non-residential uses that are compatible with the residential character of neighborhoods. The developmental pattern of the district is primarily residential with a mixture of single-family residences, duplexes, and apartments. Although, there are areas zoned as Traditional Commercial in the vicinity, it is not a desirable scenario due to conflicts in land use and development standards including buffers, screening, and setbacks.

Staff finds that the subject property would more appropriately be developed under Traditional Neighborhood (TN-1) zoning. TN-1 allows a balanced mixed-use of residential and light commercial uses such as: museum, art/photo studio, gallery, retail, etc. while preserving the integrity of the district. Based upon the site concerns and character of the area, as well as the review criteria, staff recommends denial of the rezoning request as submitted. Although staff recommends denial of the petitioner's request, as outlined in the Analysis, should the Commission move to recommend approval of a rezoning, the TN-1 zoning district would be more appropriate.

Mr. Richmond Ferguson, Petitioner, said I originally submitted a TC-1. I am anticipating putting an African American Cultural and Arts Center. One of the things I plan to bring to the community is the drone saca program. Why I chose TC-1 is, it allowed for an inhouse sports facility. This enhances the STEM program. It allows the participants generally from 13-18 years of age to develop their skills. This is a very intense program where the students have to build the drone, even if you are an aircraft pilot, you can't fly these drones. You have to be taught. What this does in that small 10x20x12 facility, it allows them to build a drone, they have make it mechanically work. When they play the game, it is very intense so the drone is damaged. They have to have a team of 10, they develop skills as far as making the drone work. Right now I am working out of Atlanta with the Stone Crest Fest. I was very surprised at how the parents there

were very happy with the program. A couple of the kids were ready to drop out of school but once they got into this program, they improved. In addition, Auburn University is the only University in the southern hemisphere that owns Aircraft. They own 21, but are in control of 95. The kids will be able to go to that program at Auburn. When they become 16, they will get a 107 FAA license, then they become commercial and are able to fly it. The field gives them an opportunity in the aeronautical field to become mechanics, air traffic controllers, or even aircraft pilots. This is an educational program that goes through the Board of Education. As far as Cuyler Brownville, the African American male, which I am very concerned with, my proposal said I would like to attempt to reduce incarceration and a conflict among the youth. I have been working with the youth for quite a while. I am sure we can make this work.

The youth participate and work with each other. They have a thing called frienemy during the competition. During that time, they are not friends and they are not enemies. Even though I appreciate the recommendation of TN-1, I would prefer TC-1. I met with the community, there are issues with the youth. I have been a part of this community for years. I want to give these youth an opportunity to come together and succeed. We have an opportunity to bring this program to Savannah.

Mr. Jay Melder, City Manager, said I would support wholeheartedly the focus on youth. My concern as a Commissioner on MPC is whether or not the commercial designation is the right thing for Cuyler Brownville in the future regarding what may come after and whether or not there is a more appropriate zoning designation that preserves the nature of the neighborhood and allows you to do the things you would like to do. That is why I was excited about staffs recommendation for a more transitional usage. My question is whether or not some of your planned activities would fit in the staffs recommendation for a Traditional Neighborhood designation or if you truly needed that commercial designation to do the types of activities that you are looking to do.

Mr. Ferguson said there is a church across the street and a restaurant that is open 7 days a week. The building just sits in the corner and is considered a principle dwelling, but is not a principle resident.

Mr. Melder asked, would the Traditional Neighborhood designation allow the types of programming that you are looking for?

Mr. Ferguson said the only difference, does it allow indoor sports activity? We would need to be in-doors in addition we would like to invite other teams. Atlanta and Alabama and others, when we invite them for practice, we would need facilities.

Mr. Gandhi said the in-door sports facility, which is how we classify what he is describing, would only be allowed in the TC-1 district. However, if you wanted to go for the museum that he was talking about earlier, that is something that would be allowed in the TN-1 district and we think would be more appropriate for the use of that land.

Ms. Karen Jarrett, Vice Chair, asked, would the indoor sports facility be allowed in a civic use? Could he work with a church to do this?

Mr. Marcus Lotson, Director of Development Services, said it depends on the nature of the activity. If what Mr. Ferguson is describing is going to be the principle use in the business, then it would have to abide by the zoning. If it was something he was doing as a program with a church or a school, then I think he could easily do that within one of their facilities.

Mr. Gandhi said unlike a Special Use permit, when we are talking about a rezoning, we are not really considering just one specific thing the petitioner is saying they are going to do, we need to take a holistic look at all the things that could happen with that property.

Mr. Melder said we have to classify it as it is a game with drones correct? We are classifying that as an indoor athletic use. Could the MPC, if we were not in agreement with the commercial use and wanted to adopt something more appropriate for Cuyler Brownville like the Traditional Neighborhood one, could we include an allowance that would allow this?

Mr. Gandhi said yes, it would be classified that way. We would need to see how it is listed to see if this was allowed.

Mr. Lotson asked, are you asking if there is a way to allow what has been described within the TN-1 zoning

classification?

Mr. Melder said, I am uncomfortable with the commercial designation. I am supportive of what the petitioner is wanting to achieve. I am looking for what is best for the area. This is a zoning issue. My instinct is to ask the petitioner to go back to the community and back to staff and try to find a zoning designation that is a better fit that isn't commercial and doesn't allow the types of commercial uses. As you said Mr. Ferguson, there is a church across the street. Those things could change. I am not sure we have the right zoning solution here.

Mr. Lotson said there are probably two paths that could be taken; one, which we have kind of looked at is to consider an alternative zoning classification. We did look to see, based on what we understood about the proposal. This is probably the only district that would work as currently written. The other way we could go is to look possibly at some form of a text change that might permit something within a different zoning district. Outside of that, some other classification of the use would be the only other thing that would be a possibility to address the zoning issue.

Mr. Dwayne Stephens, Board member, said my biggest concern is changing the zoning to a TC-1 given the uses that could subsequently come, in the event that you sell your property. I am in full support of the programing, the idea, you made mention of black men in the community. As a product of Savannah Ga, I agree the kids needs something to do that is going to give the kids some exposure to some other opportunities that could grow them and go into other industries. I agree with Mr. Melder in some kind of text amendment that would give you what you need and still protect the community from people, that may not be as well intended as you are with the use of the property.

Ms. Jarrett said I endorse your idea, but the other concerns I have are things like parking. That is a pretty small lot there. If you tried to do indoor, you would have parking issues outside. If you tried to do it outside, there would still be the parking issues. That is a concern. If there is anyway it can be incorporated with one of the institutions like a church or something like that, I think it would be a very viable organization. A good thing to see kids getting into.

Mr. Ferguson said if we do, in the future, need another classification, I don't want to spend another \$4000 on a rezoning application.

Ms. Laureen Boles, Board member, asked, is using the parking lot at the church a possibility? Maybe having a partnership with them, that might address the parking issue.

Mr. Gandhi said as it is now, they would need to have on-site parking. There is a parking table in the Ordinance showing what use needs how many parking spots. That is another reason we had found this to be incompatible with the TC-1 zoning. Generally, most of the uses in there are not going to have the parking capacity on this lot.

Mr. Lotson said I think we all agree Mr. Ferguson's idea needs some opportunity. This may not be the site but maybe there are other ways to work something out. We have looked at some other ways from a zoning standpoint but maybe there is an opportunity to go further, possibly involve City staff and have the discussion about how we can help him operate what he is proposing but not necessarily through the zoning process on this property.

Mr. Wayne Noha, Board member, said staff indicated they have heard a lot more today than they have heard this entire process. I would like to continue this to a later time, so that Mr. Ferguson does not incur any further cost and try to get to a solution that is best for everyone.

Mr. Lotson said if the Board agrees to take that action, we will work immediately with Mr. Ferguson to start the process.

Chairman Welch said we have approved business recently that have shared parking lots across the street or right next door.

Mr. Lotson said those conditions exist in the Zoning Ordinance so we can do that.

Mr. Melder asked, do we have to continue it to a date certain? How much time would staff need to work with Mr. Ferguson on a solution that may work?

Mr. Lotson said, I would suggest we continue to the September 29th meeting. Depending on what progress we make between now and then, we will either come to the Board with an idea or update to where we are.

Mr. Stephens said if we have not garnered the necessary support or the best path forward at that time, are we limited to the amount of continuances that are allowed in the event that he needs to continue again so that we can try to gain the ground necessary?

Mr. Lotson said there is a provision in the Zoning Ordinance that states "an applicant can only request two continuances" however, if the board moves to continue it, those don't count against the applicant.

Mr. Ferguson said I withdraw my objection to change the zoning so we can work something out in the future.

Motion

Item continued to the September 29, 2022 Planning Commission Meeting.

Vote Results (Approved)

Motion: Wayne Noha

Second: Travis Coles

Joseph Ervin	- Aye
W. Lee Smith	- Not Present
Tom Woiwode	- Aye
Travis Coles	- Aye
Joseph Welch	- Aye
Shedrick Coleman	- Not Present
Karen Jarrett	- Aye
Dwayne Stephens	- Aye
Wayne Noha	- Aye
Jeff Notrica	- Aye
Laureen Boles	- Aye
Elizabeth Epstein	- Not Present
Malik Watkins	- Not Present
Jay Melder	- Aye

IX. Regular Business

[11. MAP AMENDMENT | 6089 Ogeechee Road | 22-002358-ZA](#)

📎 [COMBINED MAPS.pdf](#)

📎 [Application, File no. 22-002358-ZA.pdf](#)

📎 [STAFF REPORT.pdf](#)

Ms. Melissa Leto, Senior Planner, said the petitioner, Robert L. McCorkle, III, agent for Development Associates Partners, LLC, is requesting a rezoning of a parcel from an R-A-CO (Residential – Agricultural - Annexed) district to a I-L (Light - Industrial) classification. The property, 14.585 acres, is bounded by 6083 Ogeechee Road which faces south of Ogeechee Road, The Villages at Vallambrosa Subdivision, zoned RSF-5 (Residential – Single – Family -5) is south of the subject property, R-A (Residential – Agricultural) zoned parcels to the rear of the subject property along Sylvania Road and to the west of the subject parcel is a P-I-L (Planned – Light -Industrial) classification. The property identification number is 11029 05014.

In 2019, the subject parcel and the front parcel (facing Ogeechee Road), 6083 Ogeechee Road were annexed into the City of Savannah from Chatham County. The front portion after annexation was

approved for a rezoning request from R-A (Residential – Agricultural) to B-N (Neighborhood – Business) zoning classification. The B-N portion at 6083 Ogeechee Road consists of 5.02 acres. The northwest rear portion, 6089 Ogeechee Road is zoned R-A-CO (Residential – Agricultural – County) zoning classification. The parcel traditionally has been rural in use and heavily wooded.

The applicant conducted the following two (2) neighborhood meetings at 7 Dunnoman Drive (clubhouse) to discuss the rezoning request;

- June 28, 2022 – The meeting was held at 3:00 p.m. to the nearby neighborhood association, Bradley Point. A total of nine (9) residents from Bradley Point South Area Neighborhood Association attended the meeting. MPC staff requested the applicant host a 2nd neighborhood meeting at a 6:00 p.m. time slot so that more residents may attend and to specifically invite the Villages of Vallambrosa property owners that would directly be impacted by the proposed I-L zoned area. There are several parcels where their rear yards are adjacent to the proposed I-L zoned area.
- August 10, 2022 – The 2nd meeting was held at 6:00 p.m. One person attended and that property owner is a resident of the Villages of Vallambrosa and has property where the rear yard abuts 6089 Ogeechee Road. The resident was concerned about the applicant providing a sufficient buffer between her rear yard and the proposed I-L use. The applicant assured her there would be more than what is required for a buffer and will provide a fence.

The petitioner is requesting to rezone the subject property to an I-L classification for the purpose of creating warehouses. The development of 14.585 acres of Light Industrial zoned property would create impacts that the petitioner will need to address. Staff believes these issues can be addressed during the development review phase. Based upon the existing zoning pattern and character of the area, as well as the review criteria. Staff recommends approval with a condition of the request to rezone from R-A-CO to I-L. A general development plan shall be reviewed and approved by the MPC prior to permitting.

Mr. Robert McCorkle, Petitioner, said the 14.58 acre property is currently owned by Thankful Baptist Church. As mentioned, the front portion of the property was rezoned prior to being annexed into the City of Savannah to attach to the water and sewer services of the City of Savannah at the site. The rear portion of the property was left as RA which is essentially un-zoned almost under a County standards. It has never been developed. There are trees and woods. When the property was divided into two pieces, there is a Tractor Supply store with outdoor storage and the light at the front of the property, along all the frontage of the property except for an access road which would provide access to our property in the rear. As noted by staff, the shape of the property doesn't lend itself to be a residential property. It access this property through an easement provided through the Tractor Supply property and also all of the property is accessed onto Ogeechee Road through a frontage road that is used by multiple commercial businesses as well as heavy commercial industrial businesses that are on this frontage road. Only those uses are on that road. Not any other residential uses at all. The property is not visible from the road in the back so we do not think this will be seen by anyone when they are driving down Ogeechee Road. We believe it is consistent with the zoning pattern in the area. It is worth noting as was mentioned by staff that the property immediately adjacent to us is already zoned industrial. We are aware that it is under contract and will be moving forward with either some type of warehousing or truck yard facility on this site.

We had a conceptual site plan we provided in connection with what we are doing. What we are proposing is three small warehouses on this site. The total of the three warehouses together is less than 100,000sq ft. The idea is to have small flex space warehouses of about 30,000sq ft each. The anticipation is that the users of these properties will be small local suppliers or local distribution. We anticipate, on a project this size and with the product we intend to provide, that we will have more box trucks than we will have tractor trailers. There is an adjacent residential neighborhood, we believe that any impacts are mitigated by what we are proposing. We have worked with staff to get to that position. The Villages of Vallambrosa have a platted undisturbed buffer that runs around the entire neighborhood. We are showing an additional 40ft buffer, which is what we are required to show, plus an 8ft fence. We will have a 90ft buffer between us and the residential plus an 8ft fence. We will also use downcast directional lighting to make sure we don't have lighting pollution. The entrance to their neighborhood is some 2500 ft down Ogeechee Road, away from us, through a stop light. There is significant separation between them and us.

As mentioned, we did have two meetings. At first we were requested to have one meeting with Bradley Point South. The reason then, they are the only association in the immediate area that has a registered homeowners association. We had that meeting at 3pm. There are approximately 400 houses there, notice was sent to everyone by the HOA and property managers. There were only 9 people in attendance. The main issue voiced was traffic on Ogeechee Road and wanting to know what we were doing there. Since there was voiced concern that we had this meeting in the daytime so that no one could attend, staff recommended that we have another meeting and specifically invite the entire neighborhood of the Villages of Vallambrosa. We invited again through the HOA the entire neighborhood of 400 homes. This meeting was held at 6pm. There was only one person who showed. I want to note, we invited both neighborhoods to this one, a total of 800 homes invited to a 6pm meeting. We had one person show up.

We have a median cut directly in front of our property making it a full service entrance. Left and right hand turns are available at this entrance, the circulation is not an issue. Additionally, the excel and decel lanes are already in place on this property. Both lanes lead to the shared access road. Particularly important is we have an industrial zoned property immediately adjacent to us. We believe what we are proposing is in fact consistent with the immediately adjacent properties.

Ms. Karen Jarrett, Vice Chair, asked, how much of the 40ft buffer can you leave natural?

Mr. McCorkle said the majority should be able to be left natural. The only thing that wont be left natural is the slope that is going to come off of the access road we are going to have to build.

Ms. Laureen Boles, Board member, asked, has stormwater been discussed once those trees come down that could be an issue?

Mr. McCorkle said yes, that will come later. We have City stormwater and sewer on this site. There is a proposed pond in the rear of this site which will handle the stormwater. We can't discharge any stormwater out that wasn't already there.

Mr. Melder, City Manager, said, I appreciate the outreach to the community and the buffer. I am supportive of MPC staff recommendation. When this property was annexed into the City, the plan at the time from the developer was that it would be residential, could you go into more detail about why that plan was changed from a residential development to an industrial development?

Mr. McCorkle said the plan, when it went through, was not done by a developer. It was done by the Thankful Baptist Church. The property was already zoned R-A. They entered into a contract to sell the front porch on the property to Tractor Supply. I think the mindset going through was, we're not developers, we have somebody that wants to buy this piece of property from us so we are going to rezone the front B-N which is what they need, and just leave the back as it is. I think there was some thought that under the current zoning it probably would be residential, frankly, as far as why it has changed, I just don't think residential makes sense with this particular access coming around the Tractor Supply and then sharing a shared access road with all these other kind of heavy commercial uses. If this was done as apartment complexes or some type of residential, it would probably put more traffic as far as trips per day onto the road and through this access drive. That is from our perspective as to why it has changed.

Ms. Jaqualine Tomlin, Liaison for Thankful Baptist Church, Owner of the property, said the property was R-A. The front 5 acres was designated B-N for Tractor Supply Company. There was a lot of back and forth in terms of getting water and sewer for the property with Tractor Supply. The church decided to go ahead and annex it into the City, so that the next developer that came forward would not have to go through that process. It was never so that it could remain R-A, which was grandfathered R-A into the City but never to develop more housing.

Motion

Approval with a condition of the request from R-A-CO to I-L.

Vote Results (Approved)

Motion: Shedrick Coleman	
Second: Dwayne Stephens	
Joseph Ervin	- Aye
W. Lee Smith	- Not Present
Tom Woiwode	- Aye
Travis Coles	- Aye
Joseph Welch	- Aye
Shedrick Coleman	- Aye
Karen Jarrett	- Aye
Dwayne Stephens	- Aye
Wayne Noha	- Aye
Jeff Notrica	- Aye
Laureen Boles	- Aye
Elizabeth Epstein	- Not Present
Malik Watkins	- Not Present
Jay Melder	- Aye

[12. MAP AMENDMENT | 925 and 1301 East President Street as well as a portion of Tybee Depot | 22-002294-ZA](#)

- 📎 [COMBINED MAPS.pdf](#)
- 📎 [Application, File no. 22-002294-ZA.pdf](#)
- 📎 [Development Agreement - Riverview President Street LLC.pdf](#)
- 📎 [Exhibits - Riverview President Street LLC.pdf](#)
- 📎 [List of Uses for I-L.pdf](#)
- 📎 [List of Uses For D-CBD.pdf](#)
- 📎 [areas-zoned-d-cbd.pdf](#)
- 📎 [Photos.pdf](#)
- 📎 [Staff Report 2294.pdf](#)

Mr. Marcus Lotson, Director of Development Services, said the petitioner is requesting to rezone the subject parcels from I-L (Light Industrial) to the D-CBD (Downtown Central Business) zoning classification for the purpose of establishing a yet to be determined mixed-use development. The hearing was continued from the June 24th meeting to allow staff and the applicant to discuss alternatives to the proposed rezoning to the D-CBD (Downtown Central Business District) zoning classification. Staff recommended to the applicant that due to the size, location, and prominence of the subject property, a Master Plan be created to guide the development of this important gateway. The petitioner indicated that the uncertainty around how the development will build out prohibits them from doing so, but offered to limit height on a portion of the property and to include the following as potential language as a condition of approval: *“A general master plan, which may be done in phases, shall be required to come back to the Metropolitan Planning Commission prior to a site development plan approval. The MPC shall approve the master plan upon a finding that the use is permitted and that the project conforms to the applicable development standards.”* Staff finds that this language is inadequate to address the primary issues, which are that the property is not within the Downtown Core, and because the property is outside the Historic District as well, the development standards of the Historic Overlay do not apply, leaving many unknowns about how the site will develop.

The properties are on the south side of President Street, between Randolph Street and the Bilbo Canal. The easternmost property is vacant, but had most recently been developed with a congregate living

facility which was demolished in 2015. The center parcel, and largest of the three, had been used as an industrial site but is now also vacant. The westernmost parcel is a portion of the former Tybee Depot property which was owned by the City of Savannah. The applicant recently entered into a development agreement with the City of Savannah (attached) in which a portion of the westernmost property would be involved in a property exchange, so that the City could gain property on the easternmost site for the purposes of canal improvements important to the Bilbo drainage basin. They would also then have perpetual access for maintenance of the improved canal. In addition to the land swap, the agreement ends litigation between the parties related to condemnation and blight on the subject property.

The area has access to the City's public water, sewer, and stormwater systems. Infrastructure improvements, including retention, would need to be provided to support development of the property. Transit is available near the intersection of East Broad Street and Oglethorpe Avenue. Currently, there are no stops along East President Street. However, should the property be built out as a mixed-use development, transit stops should be considered in a location convenient to this site. The proposed zoning will allow a development pattern that is similar to the pattern seen in the Landmark district. It would allow a mix of residential and nonresidential uses to include retail, restaurants, apartments, lodging facilities and entertainment. The D-CBD zoning district was created upon the adoption of the Zoning Ordinance in 2019. The stated description of the district is as follows: "***The D-CBD district is established to reinforce downtown Savannah's position as the commercial hub of the metropolitan region. The district is intended to ensure harmonious development, redevelopment, and rehabilitation of uses in the historic downtown core by integrating an appropriate mix of retail, office, entertainment, civic and residential uses.***" The subject properties are not within the historic downtown core and are not contiguous with the traditional Central Business district. However, the uses allowed in the D-CBD district are allowed in other Downtown districts and may be appropriate at this site.

The D-CBD zoning district allows, either by right or through the special use process, all the uses that are common in the downtown core. These include single and multifamily residential, hotels, retail, restaurants, offices, and entertainment. These uses can be appropriate at this location and compliment the uses on the north side of President Street. Because the D-CBD district was established in the existing downtown, and is intended to exist within the core, alternative districts that allow similar uses and development patterns should be considered. The Downtown districts do not include some of the typical development standards such as height, building coverage and setbacks because they are typically governed by the historic overlay. The lack of development standards for properties outside the overlay creates concern. The applicant may not be the developer of the property and the entire property may not be developed as one project. No site plan or master plan has been submitted; therefore, staff cannot comment on the potential development with any level of detail.

As previously mentioned, if impacts to adjacent properties are created through the development of the site, they are likely to be on the adjacent church and existing residential uses. Because of the lack of standards in the Downtown districts when located outside of the historic overlay, staff has recommended potential limitations to protect adjacent properties. In review of the permitted uses in the Downtown districts, staff found that uses that are potentially problematic, such as nightclubs, bars and retail alcohol establishments, are already restricted by separation from residential and church properties, hours of operation and the Special Use process. The conditions recommended by staff are related to the development process and building height. Staff finds that these are potentially the most problematic issue for adjacent properties. The maximum height permitted in the adjacent, residentially zoned property is 50 feet. Staff finds that there should be a transition between adjacent properties and the subject property. In the event a much taller structure is proposed, such as a hotel or high-rise apartment building, this transition will provide additional protection to adjacent developed properties. Staff further finds that because the subject properties are outside the downtown core, the D-C (Downtown Commercial) district is more appropriate. The permitted uses are essentially identical, and the intent of the D-C

district is to "...accommodate commercial, residential, and mixed-use development in areas of the downtown that have a business focus but are outside of the Central Business District and Waterfront areas."

Staff further finds that due to the importance of the property as a gateway, a Master Plan, consistent with the requirements of Ordinance Sec. 6.1.17 *Items to be Provided on a General Master Plan*, should be approved by the Planning Commission prior to the adoption of a zoning change.

Based upon the review criteria and land use pattern, staff recommends denial of the rezoning as submitted and alternatively recommends approval to rezone the property to the D-C (Downtown-Commercial) zoning district with the following conditions:

1. Approval by the Planning Commission, prior to adoption of a zoning change, of a General Master Plan as defined in Ordinance Sec 6.1.17
2. No building taller than Five (5) stories or Fifty (50) feet in height shall be constructed within 100 feet of a property line shared with a residential or institutional use existing at the date of zoning adoption. This area shall also serve as a buffer consistent with Sec. 9.5 of the Savannah Zoning Ordinance, Screening and Buffers to include screening of mechanical areas.

Mr. Robert McCorkle, Attorney for the Petitioner, said my client, prior to me being involved over the last 7 years, has been involved with trying to get this property developed and trying to work with the City to reach a development agreement for over 15 years. We have been through multiple City Managers, City Attorneys, and multiple City Councils. With the help of Jay Melder and many others at the city, last year we were able to negotiate a final version of our development agreement. City Council adopted and approved that development agreement for this parcel in February of this year. The intro of that development agreement says "whereas to develop a PS property as a mixed use development featuring both residential and commercial components which may include but would not be limited to retail, office, multi family, hotel, senior living, and or assisted living together with open space for the use and benefit of the PS project. The PS project will serve as a part of the Eastern Gateway entrance to the City's Historic District and the development of the property will be in the best interest of the citizens of the city". This development agreement as it currently sits is important to both the City and to my client. It provides for the conveyance from my client to the City of additional land and easements necessary for construction of the Bilbo Canal. This will improve stormwater drainage for a 1200 acre portion of downtown. It also provides for my client to make contribution towards the construction of that canal. It provides for an easement across our property to help facilitate the City's current force main project which is ongoing now. It provides a portion of the Tybee Depot, it allows for 20 acres of land in downtown Savannah to be removed out of the flood plain. When Presidents Street was redone, it is significantly higher than it was. As of now, my clients property is significantly below that line. Part of what will happen in the development of this property is, that property being brought up to the height of the street which will have another effect which will also allow for the completion of the two complete intersections, lighted, signaled intersections at General Macintosh and the one directly across from Eastern Warf. It also provides for the dismissal of multiple lawsuits between the city and my client and between my client and the City. There were various issues involving previous condemnations and other issues. The development anticipates the downzoning of this property to remove it from a light industrial zoning and to change that zoning. This property currently being zoned light industrial, a few permitted uses by right are shelter transitional, all detention and correctional facilities, indoor fire ranges, consumer fireworks retail facility, heavy equipment, heavy vehicle sales, rentals and leasing, vehicle sales, all adult oriented businesses, boat yards, container storage yards, outdoor storage yards, warehousing, salvage yards, junk yards, recycling collection facilities, as well as vehicle and freight terminals.

In drafting the development plan, we specifically looked at, obviously no one in the City wants any of those uses to be on this site. No matter what this property gets rezoned to through what we are doing, those uses are going to go away which is a positive thing. This area is great, it is becoming an extension of downtown, which is why it is in the Downtown Expansion District. It was the intent to pull downtown into this area to make an incredibly positive change to this important area of downtown. We chose D-CBD for that purpose. The ordinance says, each D district promotes a predominant land use activity, commercial,

entertainment, residential, while still allowing for others uses to locate in the district. The D districts are intended to be used within the downtown Savannah Historic District and Downtown Expansion areas which this is.

There were two issues that were raised while going through this with staff. The first before those two issues was there was a request by MPC staff that we do a PUD and we completely design the site in advance of going through the zoning. We can't do that; my client is going to develop portions of this property, but it is going to be done in phases and parts are probably going to be developed by other individuals or partners so we don't know what is going to go there. The main concern was the height immediately adjacent to the Housing Authority and the church. We agreed to the City's requirement and provided an exhibit to be specific to where that 100ft limitation would be. The requested no buildings within a 100ft and that area right there be over 50ft or 5 stories which we agreed to. The other concern was the due to the prominence of the location of property that we have some type of Master Plan review that would come back to the MPC after the zoning for you to have another public hearing to talk about landscaping and how the drive aisles are going to work and how it is going to fit together. We agree that this is a prominent site and we understand the desire to make sure that it flows well and looks good for everybody driving by, although whatever happens out there is going to be a drastic improvement of what is there now. We fully intend to have a first class mixed use development on this property. We agreed in that process to come back after the zoning for a Site Plan review. I believe this body and Council just did the exact same recommendation with a property that was rezoned by my colleague Harold Yellin on Ft. Argyle Road because they weren't sure exactly how all the uses were going to fit together. We met with the City Manager and with Bridgett Lidy, worked and discussed these concerns to come up with this specific language. That is what our request is, is what is front of you now. The original application was just D-CBD without the conditions. We have added these conditions through this process, which has been long.

When we received the staff report on Friday, we were a little dismayed at staff's recommendation. First is suggested we use D-C instead of D-CBD basically on the fact that D-CBD says in the Ordinance it will be used in the Central Business District. The Central Business District is not a defined term in the Ordinance. When we saw that requirement, we didn't know what the Central Business District was. We saw language that says all the D Districts are permitted in the downtown expansion which is what we went with. We believe this project is within the Downtown Expansion District and the D-CBD allows us a great deal of flexibility for the base zoning to move forward on what we want to do. Similar to what is on Eastern Wharf across the street. Staff mentions in the report that in terms of capatibility, some of the adjacent nearby properties are zoned in a way that allows similar uses to request and include multi family residential and mixed use commercial. That is exactly what we want to propose.

What is important for my client is to be zoned to D-C. What is removed is a hotel over 75 rooms, we are on a piece of property that doesn't have a height limitation but we can't have a hotel with more than 75 rooms. It removes event facility and it removes continuing care facility. In the development agreement we specifically talked about the fact, there was a chance that might be on this site. Although no height is discussed, there is no height restrictions in either of those districts. This is essentially the only differences in the two districts that are being recommended. We do not believe that the differences are significant enough to deny D-CBD just because it references a Central Business District. More concerning with that is the two conditions that are placed on it by staff which sound like they are the same as what we recommended, but they are not. The height is basically agreed to. The only difference between theirs and ours is, we wanted to attach an exhibit. The other recommendation is. It says, "approval by the Planning Commission prior to adoption of a zoning change of a general Master Plan as defined in the ordinance section 6.1.17". Our concern is that Ordinance section really relates to plan developments and PUDs. What this essentially does it put us back into being a PUD which is how we ended up where we were. I read that to mean, though we have a recommendation for approval D-C, it is really not an approval. What it means is, we are not rezoned until after we get a Master Plan approved. So the idea is, we would come here with a Master Plan, which we do not know what it will look like yet, without knowing what our zone it, and then you would approve the Master Plan. Then it triggers our D-C zoning. That does not work, none of the downtown districts require a Master Plan. We already have to come back for a General Development Plan. We still agreed that we would come back for a Master Plan after it was rezoned. I do not see how what is suggested would work. It is not possible.

The project is important to the City and it is important to my client. The development of this site, the expansion of the canal along with the removal of the property out of the flood zone, the increase of the

Bilbo Canal to serve 1200 acres of downtown is important. We are only trying to establish what the base zoning will be to allow what the uses are on the site. Based on the staff report, they don't really object to any use except for a night club. Once we get the property rezoned, it will allow us to nail down what we are going to do, market the property and do all the things that need to be done. Right now, we would be marketing a piece of property that is industrial, which I don't think anybody wants.

Mr. Jay Melder, City Manager, said I know you are asking for the underlying zoning to be addressed and that is the topic but really there are three issues. One of the issues is, how you are going to be coming back with the general Master Plan and what you are going to do in terms of height restriction for the properties adjoining the residential. I am glad to see that you and the petitioner have agreed to the building heights. For the underlying zoning, we have talked about the Central Business District zoning, we have talked about D-C. You mentioned Downtown Expansion. I want to ask what is the difference and whether or not we considered a Downtown Expansion designation for this use and whether or not that cures your issues for the uses that you might want to keep available in your parcel.

Mr. McCorkle said, when I talked about Downtown Expansion, I was talking about future land use which is the downtown uses are suppose to be put in the Downtown Expansion Future Land Use areas. The areas that are designated for Downtown Expansion which is what this is. As I understand it, within that area there is a D-C, D-CBD, and a D-W, D-X and others. They are all specifically designed to be in either the Historic District or the Downtown Expansion.

Mr. Melder said from staffs prospective, Mr. Lotson, the difference between D-C and D-CBD, are there availabilities to include the three uses that the petitioner wanted in the D-C, and if so, are there any reasons from a planning perspective that we wouldn't want to include those uses?

Mr. Lotson said, in terms of the uses, we were not as concerned with the differences in the two districts from a use standpoint. The uses that Mr. McCorkle identified, the primary difference is that in the D-CBD, they are allowed by right. In the D-C, they are allowed through the Special Use process. Although based on the D-C district, he would not have those uses by right. He or a future developer would have to go through a Special Use request in order to obtain those uses. However, considering what the uses are, all things being equal, I do not believe a hotel is an issue on this property for example.

Mr. Melder said, I think the petitioner makes a valid point with regards to the Master Plan. The City is very excited about the development. This is a prime gateway property. The City does have an interested stake in what happens there and making sure that it goes through the proper process. What the petitioner is requesting is not unreasonable to have a phased Master Plan approach knowing that all the pieces are not going to be together and we perhaps want to get this started sooner rather than later. Even without knowing what is going to come down the pipe later on. What would be staffs answer to the request of the petitioner's phased Master Plan approach?

Mr. Lotson said the phasing is not as much of a concern for us as to there being a Master Plan. When we looked at this and had discussions with the applicant, understanding the City's position on this property more largely, we believe the Master Plan issue is a very important issue for this property. I do not think somebody coming in absent all the things that surround this issue, other than the zoning, and saying, we are requesting a downtown district on this property with no idea of how it would develop out would be a concern for us because of the amount of things that are permitted and the lack of standards outside the Historic District. While across the street there is a 12 story hotel, The Thompson. A 12 story hotel on this property at the right location will probably be fine. But if somebody built ten 12 story hotels, that might be more of a concern in which they theoretically could do without some document determining the layout of this property. I think it is unusual for us to recommend the Master Plan be done prior to a zoning action, but we thought that was important in this case. There have been recent examples where we recommended a Master Plan be provided just prior to development.

Mr. Melder asked, of those three uses the petitioner has requested to add in, are all three of those uses allowed through a Special Use Permit? The petitioner is saying only one of the three items has an avenue to have a Special Use Permit granted there. If we adopted a D-C for this property and the petitioner is either planning on or wants to keep open the ability to have a large hotel, a continuing care facility, and an event space, the petitioner would only have a process by which to get a Special Use Permit for the large hotel. They would be not allowed, under any process, to have an event space or continuing care under the current regulations.

Mr. Lotson said, I will look into that. Those type of uses, from a Land Use standpoint, do not concern us at this location. It is not really about those three uses being allowed or not allowed here. We would likely, under the right circumstance, support a Special Use if it came before us. Under the current regulations your statement is correct unless the zoning were adopted and those additions were allowed in the zoning process. That could be done.

Mr. Melder asked, could the Board adopt a D-C zoning designation for this property and also adopt an allowable use on this property would an event venue, a continuing care facility, and a large hotel?

Mr. Lotson said yes, the Council could do that, the Commission could not. This Commission could recommend that.

Mr. Melder asked, if this Commission were able to adopt the language that you have suggested around the phased Master Plan, adopt the language that you have suggested but is also verbatim with the staff recommendation on the height restrictions on certain parts of the parcel, and this Commission made a recommendation that City Council also allow in this zoning a large hotel, a continuing care facility, and an event space, would the petitioner be supportive of that action?

Mr. McCorkle said yes. What you are suggesting is what the alternative to what we proposed is. The way the staff report is currently written and my understanding of the Master Plan is that, the Master Plan as was the previous project we talked about, is to come back after the zoning would be complete. Then we would come back with the Master Plan so that we could have another public hearing to discuss that Master Plan. We can't have the language that says "The Master Plan has to be approve BEFORE the zoning takes affect". We have to have a base zoning district.

Mr. Melder said, I asked about the Downtown Expansion. Is the Downtown Expansion a zoning designation and if so, has staff looked at the downtown zoning district as an appropriate zoning district?

Mr. Lotson said yes, it is. We did look at the more commercial downtown districts as it relates to this property. Our feeling was that the downtown commercial district was the most appropriate for that site.

Ms. Karen Jarrett, Vice Chair, said one of the things I love about the fact that Savannah is the way it is, is the fact that we had a planner way back who actually planned the development before he ever even stepped foot on the land. Given that, the roads in the downtown area are all connected. Will you connect all of the roads that are yours? I see Oglethorpe has a little stub out there. The more connections we have, the easier it is for people to get around.

Mr. McCorkle said that is something that we would address in the Site Plan and Master Plan as we go through this process. There has been discussion about connectivity.

Ms. Jarrett said, If you will be in the flood plane here, that water is going somewhere, do we know where that water is going?

Mr. McCorkle said part of the agreement with this property is to expand the Bilbo Canal. The canal will not only drain our site, it will drain 1200 acres of downtown and be a vast improvement to the entire area of downtown.

Motion

Deny the petitioners request and Approve the staff recommendation of a D-C with the conditions that this body recommend to the Savannah City Council to add the additional uses of a large hotel, a continuing care facility, and an event space as well as to adopt the phased Master Plan language suggested by the petitioner and to adopt staff recommendations around the height restrictions surrounding the current residential properties.

Vote Results (Approved)

Motion: Jay Melder

Second: Travis Coles

Joseph Ervin	- Aye
W. Lee Smith	- Not Present
Tom Woiwode	- Not Present
Travis Coles	- Aye
Joseph Welch	- Aye
Shedrick Coleman	- Aye
Karen Jarrett	- Aye
Dwayne Stephens	- Aye
Wayne Noha	- Aye
Jeff Notrica	- Aye
Laureen Boles	- Aye
Elizabeth Epstein	- Not Present
Malik Watkins	- Not Present
Jay Melder	- Aye

[13. ZONING MAP AMENDMENT | Northside of Ogeechee Road, East of Canebrake Road - PIN 11029-04022C | File No. Z-0622 000290](#)

📎 [Application, File no. Z-0622-000290.pdf](#)

📎 [COMBINED_MAPS.pdf](#)

📎 [Pointe Grand Savannah \(Georgetown\) - Zoning Concept Plans - 1-10-2022.pdf](#)

📎 [Approximate Boundary With Context.pdf](#)

📎 [Staff Report .pdf](#)

Mr. Marcus Lotson, Director of Development Services, said the petitioner is proposing to rezone a 45-acre tract of land from P-B-C to R-3 and B-C. The subject property is located on the north side of Ogeechee Road, approximately 1,000 feet east of Canebrake Road in Unincorporated Chatham County. The tract is approximately 45 acres in size and is bounded by Highway 204 on the north side. It is undeveloped and, based on the mature trees and available aerial imagery, appears to have never been developed with an active use.

The petitioner is requesting to rezone the subject properties to the R-3 and B-C classification for the purpose of creating a mixed-use residential apartment community and a commercial outparcel. The proposal includes rezoning the majority of the lot and maintaining the commercial zoning adjacent to Ogeechee Road. Commercial and residential development in the Ogeechee Road corridor has increased in recent years as the western portion of Chatham County continues to grow. There have been at least seven rezoning requests for multifamily residential in the corridor over the last 3 years. This is due, in part, to the availability of large tracts of land and the overall growth of the area. The subject property is currently zoned commercial, which would allow uses such as grocery stores, hotels, restaurants, auto dealers and retail, all of which could be developed on the property. Staff has expressed to the applicant concerns about the overall number of dwelling units that would be permitted (+/- 400) and the lack of alternative access points to accommodate the daily trips, as well as potential need for emergency access. Based on the information provided to date, the full impact of the development of this property is unknown. However, assumptions can be made based on the applicant's concept plan and the overall scale. Under multifamily zoning, the property could produce a number of average daily trips that negatively impact the area at large from a traffic and safety standpoint.

Based upon the potential impact of development that could occur under the proposed zoning and the character of the area, as well as the review criteria; staff recommends denial of the request to rezone the identified property from P-B-C to R-3. We understand this property is currently zoned commercial, it's 45 acres, it could be a lot of things. Not many things drive as many car trips on a daily basis as residential. That is a big reason, along with the access that we are making this recommendation. We understand that the property or portions of it, can be and should be developed, we just didn't feel the R-3 zoning at that number of units was appropriate at this time in terms of the kinds of impacts we think it might have on the overall area.

Mr. Harold Yellin, Attorney for the Petitioner, said the petition before you today is to rezone a parcel of land on Ogeechee Road from it's current P-B-C to an R-3. What has not been mentioned is that our density is 9, it actually comes out to 9.02. If this were a single family residential, in Chatham County you often see neighborhoods which are 6-8 units per acre, we are at 9. That is how close we are to single family residential. We are confused by staff recommendation. The staff recommendation is based upon additional factors that were not considered or presented to you. Based upon prior petitions that have been brought before you in the past, we see very different findings and we see very different recommendations being brought to you.

We are aware this is an unusual shape property. In the current B-C zoning, there are a host of commercial uses that are permitted. I don't see commercial going on this 45 acre parcel. I don't think we should be encouraging commercial uses between Southwest Elementary and the Bamboo Farm. It seems somehow we got spot zoned. I do not know how or why we ended up commercial. Everything else around us is residential or multi family residential. We are fully aware of the challenges of this site. We petitioned specifically for a low density, multi family zoning classification, and that is why we have reached an agreement with Chatham Emergency Services. Mr. Lotson mentioned that, but in the staff report there is no mention of our agreement with Chatham Emergency Services. Not only are we going to donate the land, we are going to actually build the fire station. We have letters recommending approval of the request of building a fire station within the multi family development. We are among the first, if not the first, we are working with the City of Savannah on a water/sewer agreement. This property is located in Chatham County, but we have been working with the City Manager and with the City Attorney to allow water and sewer to be delivered by Chatham County to this site, even though we are in Chatham County. This does not happen very often. For the longest time it was the policy, you don't annex, you don't get water, you don't get sewer. We are on the cutting edge of all of this. We have a little more to go with the City Attorney. We will be paying taxes to Chatham County and we will be paying taxes to the City of Savannah, with the end result as we will be paying a higher tax rate than anyone else.

When we met with staff for the second time and we told them about the fire station and the agreement, there seemed to be some genuine excitement that we were doing exactly that. We were asked to please amend our petition so that all of you would know that. You can see on July 21st, I did in fact amend our petition to let you know we were doing both the fire station and working toward the development agreement. In November of 2016, there was a petition filed that was heard by this Commission. 25 Gateway Blvd, 51.79 acres was rezoned for multi family. Parcels larger than ours. They have one access road and that one access road is close to 2500 feet long, longer than our access road. It was zoned R-M-12. A higher density than our density. There was a very different MPC staff conclusion to that. A policy analysis for that property was, "rezoning the site to a less intense residential district with specific development standards would encourage a much more appropriate use of this site. It would also help ensure better protection of the existing wetland amenities". We also have wetlands on our site. "By constructing multi residential family units in this location, surrounding businesses and future development could benefit by having potential employees near work. Surrounding businesses could also benefit by having more customers near by". April of 2021 there was a petition at 5651 Ogeechee Rd. 18 acres, smaller size, R-3-15, even greater density on one road to this site. At that time, the policy analysis in support of that petition was, "in unincorporated Chatham the maximum density for multi family is 40 dwelling units per acre. The Ogeechee Road corridor is a transitioning area where former rural resident properties are converting to non-residential uses and multi family development. It is one of the growth areas of Chatham County. The proposed zoning at 15 units per acre is at the low end of multi family residential density and at this density over 50% of the property would remain open space. Multi family residential continues to be a successful housing type and the tracts of land needed to accommodate this type of development are typically in the outlying areas. The proposed density is less than the density found in similar complexes on Ogeechee Rd". We are baffled at why we wouldn't downzone 45 acres of

commercial property right next to an elementary school to multi family residential. It is as if we are being penalized because the property is so large. As was mentioned earlier, what is before you today is a zoning petition, this is not a site plan. We do always submit for your review a concept plan. That is done for illustrative purposes only.

Ms. Karen Jarrett, Vice Chair, asked, how solid is the fire station? This is a zoning petition, you can go back and do whatever you want after the zoning.

Mr. Yellin said, we have to come back with the Site Plan, we already have an agreement with Chatham Emergency Services. The agreement is to donate the land, we are going to build the station. I don't know how many fire trucks will be there, I do not have that level of detail. It is on the Site Plan for illustrative purposes.

Ms. Lauren Boles, Board member, asked, what is the recommendation from the Comp Plan?

Mr. Lotson said it was a Future Land Use designation. It is Commercial Regional, which really supports the existing zoning. The B-C zoning. The Commercial Regional is typically large scale shopping facilities, regional draws from a retail standpoint. I think it is a legitimate point that was brought up regarding this particular piece of property and the zoning that is established on this property. It is the current zoning and the Commercial Regional classification land use designation based on the current zoning and the size of the property match.

Motion

Deny staff recommendation and Approve the petitioners request.
The original motion to approve staff recommendation was denied.

Vote Results (Approved)

Motion: Travis Coles

Second: Jeff Notrica

Joseph Ervin	- Nay
W. Lee Smith	- Not Present
Tom Woiwode	- Not Present
Travis Coles	- Aye
Joseph Welch	- Aye
Shedrick Coleman	- Nay
Karen Jarrett	- Aye
Dwayne Stephens	- Aye
Wayne Noha	- Aye
Jeff Notrica	- Aye
Laureen Boles	- Aye
Elizabeth Epstein	- Not Present
Malik Watkins	- Not Present
Jay Melder	- Aye

[14. SPECIAL USE | 1501 East Broad Street | File No. 22-003392-ZA](#)

[COMBINED MAPS.pdf](#)

[APPLICATION, FILE NO. 22-003392-ZA.pdf](#)

[1410 EAST BROAD STREET_1501 EAST BROAD STREET.pdf](#)

[STAFF REPORT.pdf](#)

Ms. Melissa Leto, Senior Planner, said the petitioner is requesting approval of a Special Use pursuant

to Section 3.10 of the Savannah Zoning Ordinance to establish a parking facility for Hearse Tours Inc. The Special Use process includes review by the Planning Commission and the Savannah City Council. Should the use be approved by Council, a permit will be granted by the City of Savannah which will be governed by the permit enforcement criteria outlined in Article 3 of the Savannah Zoning Ordinance. The parcel fronts approximately 90-feet on the south side of East 31st Street and begins 100-feet from the southwest side of East Broad Street. It is located in the Streetcar Historic Overlay District, and the Traditional-Commercial-1 zoning district, Council District 2. The petitioned site is located near the southwest corner of East Broad Street and East 31st Street and is developed with a one-story commercial building. It appears that the building was last used as a storage warehouse but is currently vacant and boarded. The applicant seeks to repair the contributing building and utilize it as an indoor garage to house the applicant's tour vehicles (hearses). The applicant's drivers will continue parking across the street at 1410 East Broad Street, which is the current parking facility for the business. The special use provisions of the Savannah Zoning Ordinance are designed to allow the reviewing authorities to consider the establishment of uses in zoning districts, where the use may be appropriate but should not be allowed by right. The review criteria outlined in Section 3.10.8 are the standards for considering a special use. This Special Use request is for a parking facility use. Staff has found that the use and location are compatible with the character and scale of the adjacent neighborhoods and is located along a corridor that offers a range of commercial and institutional uses. The building will be used to store and retrieve the ghost tour vehicles for their evening ghost tours. The customers are picked up at the Savannah Visitor Center and the trolley stop at the Owen-Thomas House & Slave Quarters. Once customers are dropped off at either of the two locations, the driver would return the ghost tour vehicle at 1501 East Broad Street and walk to 1410 East Broad Street to pick up the driver's personal vehicle. In review of the standards, it appears that the subject property and proposed use meet the requirements.

Based upon the criteria for a Special Use permit; Planning Commission recommends approval of the request with the following conditions at 1501 East Broad Street.

1. The Special Use permit shall be nontransferable.
2. There shall be no vehicular cleaning (washing) and/or repairs on premises.

Ms. Carol Higgins and Russ Lee, Co-Owners of Ghost Coast Tours, said we are building new cars. We are replacing the fleet, updating the fleet and we want to protect that fleet.

Mr. Jay Melder, City Manager, asked, do you have any plans for the building? We need to add the condition to the use that the vehicles will not be washed or repaired at this site.

Ms. Higgins said to try and restore the building as much as possible. We do not own the building, we will restore the windows and take that plywood down. We will only use this for parking the fleet. All washing of vehicles and any mechanical issues will be off site.

Mr. Dwayne Stephens, Board member, asked, do you own the building? I am sure the HPC will handle any petitions on how you treat the entry for the vehicles to come in and out. Is this the entry that comes out on 31st Street?

Ms. Higgins said we do not own the building. We were asked if we wanted to buy it but we wanted to wait to see the zoning. Yes, the traditional entry is to 31st Street. There will be no store front to this property. All booking is done on line, the guests are picked up downtown. The dispatchers work out of their homes. There is no guests that will show up to the site.

Motion

Approval of the request with conditions.

The Special Use permit shall be nontransferable.

No Washing and no mechanics occur on site.

Vote Results (Approved)

Motion: Karen Jarrett

Second: Travis Coles

Joseph Ervin	- Aye
W. Lee Smith	- Not Present
Tom Woiwode	- Not Present
Travis Coles	- Aye
Joseph Welch	- Aye
Shedrick Coleman	- Aye
Karen Jarrett	- Aye
Dwayne Stephens	- Aye
Wayne Noha	- Aye
Jeff Notrica	- Aye
Laureen Boles	- Aye
Elizabeth Epstein	- Not Present
Malik Watkins	- Not Present
Jay Melder	- Aye

[15. TEXT AMENDMENT | Nonconforming Uses and Structures | File No. 22-003718-ZA](#)

📎 [Revisions to 11.4.pdf](#)

📎 [Staff Report - 22-003718-ZA.pdf](#)

Mr. Nirav Gandhi, Planner, said this is a petition to amend Section 11.4 to allow damaged or destroyed structures with nonconforming uses to be rebuilt to their pre-damaged state by right. There are currently four local Conservation Districts in the City of Savannah that would be affected by this amendment: Ardsley Park – Chatham Crescent, Ardmore, Parkside, and Historic Carver Village/Flatman Village Conservation Districts.

In July 2022, MPC received a rezoning petition from the property owner of 543 Washington Avenue to rezone the building from single-family residential to multifamily. The owner was concerned that if the property were to be damaged, since it is nonconforming, it would not be able to be rebuilt by right.

The multifamily contributing structure is in a single-family residential district, but has been used continuously as a multifamily (four unit) apartment building since 1913. Upon further investigation, MPC staff found that this issue was not exclusive to the aforementioned property, and this proposed amendment is a holistic approach to fixing the issue for several properties.

The historic portions of Savannah that have not qualified as Local Historic Districts are mostly located within the four established Conservation Districts, preventing structures therein from being demolished without approval from the Historic Preservation Commission.

If one of these historic buildings were to be damaged or destroyed, as the Ordinance currently reads, the applicant would have to apply for a Special Permit from the Savannah Zoning Board of Appeals to be able to rebuild it.

The text proposed to be amended is in **bold** and underline as follows:

For nonconforming residential uses within a Local Conservation District that are damaged or destroyed beyond 75% of the replacement cost, approval by the Zoning Board of Appeals shall not be required. The new structure shall not, however, exceed the height, building footprint, or number of dwelling units of the damaged or destroyed building.

Mr. Wayne Noha, Board Member, asked, why is it not across the board and only in the local conservation districts?

Mr. Gandhi said this came to us from somewhere in the Chatham Crescent area and the study only consisted of the Conservation districts and how much of an issue this was. Our current idea was that in the interest of conserving the nature of that district and the aesthetics of the district, it would make sense for those people to not have to come back for a Special Permit. However, if you are in the rest of the Savannah area and you are not inside one of these conservation districts, the building gets destroyed, it's legally non-conforming, you could still have it rebuilt. You would just have to come and get a Special Permit from the Zoning Board of Appeals.

Mr. Marcus Lotson, Director of Development Services, said one of the other considerations was that development patterns within conservation districts are a little different. It is not unusual to have different housing types. In the more traditional, particularly single family districts, where you may have some non-conforming uses, there are a lot of areas where the intent of the non-conforming status is for that thing to go away at some point. We didn't want to open it up necessarily citywide for something like that. We do view the conservation districts differently. You do want to maintain those housing types, even if they are different within those neighborhoods.

Mr. Jay Melder, City Manager, asked, was any outreach done to the impact communities, Ardsley Park, Chatham Crescent, Ardmore Parkside, Historic Carver Village, and Flatman Village Conservation districts? If not, I recommend if this moves forward, staff reaches out to these communities to make them aware, prior to coming to City Council.

Mr. Dwayne Stephens, Board member, said going forward, if they do not have an ordinance, legally we can't bind a petitioner to deliver a certain typology. My concern there is if there is no ordinance in place to protect the character, where does this put us?

Mr. Lotson said you are right, we do not have any control over what the building looks like due to lack of ordinances. I think the same, to a certain extent is true within these other districts, in terms of design. Our intention with this, if approved, is to make sure we get the form back to that particular piece of property whether it be a multifamily building, like the one Mr. Gandhi described at Washington Avenue, or if it is a duplex within a neighborhood of single family houses. We were focusing more on the form.

Mr. Jeff Notrica, Board member, said it is a huge benefit for the property owner from an insurance standpoint. By eliminating this, it will help people to get a lower cost on their insurance.

Motion

Amend Section 11.4, Nonconforming Uses and Structures as follows:

For nonconforming residential uses within a Local Conservation District that are damaged or destroyed beyond 75% of the replacement cost, approval by the Zoning Board of Appeals shall not be required. The new structure shall not, however, exceed the height, building footprint, or number of dwelling units of the damaged or destroyed building.

Vote Results (Approved)

Motion: Travis Coles

Second: Wayne Noha

Joseph Ervin	- Aye
W. Lee Smith	- Not Present
Tom Woiwode	- Not Present
Travis Coles	- Aye
Joseph Welch	- Aye
Shedrick Coleman	- Aye
Karen Jarrett	- Aye

Dwayne Stephens	- Aye
Wayne Noha	- Aye
Jeff Notrica	- Aye
Laureen Boles	- Aye
Elizabeth Epstein	- Not Present
Malik Watkins	- Not Present
Jay Melder	- Aye

X. Presentations

XI. Other Business

[16. Report from Nominating Committee](#)

Mr. Wayne Noha, Nominating Committee member, asked board members, please get any names to the nominating committee (myself, Mr. Stephens, and Ms. Epstein) no later than August 22nd. Those names will be reported on September 6th to be voted on at the last meeting in September (a Thursday).

XIII. Adjournment

[17. Adjourn](#)

There being no further business to present before the Board, the August 16, 2022 Regular Metropolitan Planning Commission Meeting adjourned.

Respectfully submitted,

Melanie Wilson
Executive Director

MW/sh

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.