



Chatham County - Savannah Metropolitan Planning Commission

Arthur Mendonsa Hearing Room
September 6, 2022 ~ 1:30 PM
Minutes

SEPTEMBER 6, 2022 REGULAR MPC MEETING, 1:30 P.M.

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

Members Absent: Laureen Boles
Malik Watkins, Treasurer

Staff Present: Melanie Wilson, Executive Director
Marcus Lotson, Director of Development Services
Melissa Paul-Leto, Senior Planner
Nirav Gandhi, Planner
Christy Adams, Director of Administration
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

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	- Not Present
Elizabeth Epstein	- Aye
Malik Watkins	- Not Present
Jay Melder	- Aye
Michael Kaigler	- Aye

IV. Notices, Proclamations and Acknowledgements

[2. 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.](#)

Notice(s)

[3. Thursday, September 29, 2022 Regular MPC Meeting, 1:30 P.M., Planning Commission, Arthur Mendonsa Hearing Room, 112 East State Street.](#)

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

[4. MAP AMENDMENT | Wild Heron Road | Rezone from A-1 to RMF-1 and RSF-4 | 22-002692](#)

Motion	
Postponed to the Planning Commission Meeting on Thursday, September 29, 2022.	
Vote Results (Approved)	
Motion: Wayne Noha	
Second: Travis Coles	
Joseph Ervin	- Aye
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	- Not Present
Elizabeth Epstein	- Aye
Malik Watkins	- Not Present

Jay Melder	- Aye
Michael Kaigler	- Aye

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

Motion

Postponed to the Planning Commission Meeting on Thursday, September 29, 2022.

Vote Results (Approved)

Motion: Wayne Noha

Second: Travis Coles

Joseph Ervin	- Aye
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	- Not Present
Elizabeth Epstein	- Aye
Malik Watkins	- Not Present
Jay Melder	- Aye
Michael Kaigler	- Aye

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

Motion

Postponed to the Planning Commission Meeting on Thursday, September 29, 2022.

Vote Results (Approved)

Motion: Wayne Noha

Second: Travis Coles

Joseph Ervin	- Aye
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	- Not Present
Elizabeth Epstein	- Aye
Malik Watkins	- Not Present
Jay Melder	- Aye
Michael Kaigler	- Aye

[7. MAP AMENDMENT | 1806 Live Oak Street | Rezone from RSF-5 to TR-2 | 22-003746](#)

Motion

Postponed to the Planning Commission Meeting on Thursday, September 29, 2022.

Vote Results (Approved)

Motion: Wayne Noha
Second: Travis Coles

Joseph Ervin	- Aye
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	- Not Present
Elizabeth Epstein	- Aye
Malik Watkins	- Not Present
Jay Melder	- Aye
Michael Kaigler	- Aye

[8. TEXT AMENDMENT | Allow Café in Office Districts | 22-003650](#)

Motion

Postponed to the Planning Commission Meeting on Thursday, September 29, 2022.

Vote Results (Approved)

Motion: Wayne Noha
Second: Travis Coles

Joseph Ervin	- Aye
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	- Not Present
Elizabeth Epstein	- Aye
Malik Watkins	- Not Present
Jay Melder	- Aye
Michael Kaigler	- Aye

VI. Items Requested to be Withdrawn

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

Motion	
Item Withdrawn from the Planning Commission Meeting on Tuesday, September 6, 2022.	
Vote Results (Approved)	
Motion: Wayne Noha	
Second: Travis Coles	
Joseph Ervin	- Aye
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	- Not Present
Elizabeth Epstein	- Aye
Malik Watkins	- Not Present
Jay Melder	- Aye
Michael Kaigler	- Aye

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

[10. Approval of the August 16, 2022 Briefing and Regular Meeting Minutes.](#)

📎 [8-6-2022 MPC BRIEFING MINUTES.pdf](#)

📎 [08.16.2022 Meeting minutes \(1\).pdf](#)

Motion

Approval of the Briefing and Regular Meeting Minutes.

Vote Results (Approved)

Motion: Wayne Noha

Second: Travis Coles

Joseph Ervin	- Aye
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	- Not Present
Elizabeth Epstein	- Aye
Malik Watkins	- Not Present
Jay Melder	- Aye
Michael Kaigler	- Aye

VIII. Old Business

IX. Regular Business

[11. MAP AMENDMENT | 362 Fort Argyle Road | Rezone from A-1 to I-L | 22-003510](#)

📎 [Maps Combined.pdf](#)

📎 [Adjacent to Hill Durrence.pdf](#)

📎 [Street View.pdf](#)

📎 [STAFF REPORT.pdf](#)

Ms. Melissa Leto, Senior Planner, said the petitioner, Terra Williams is requesting a rezoning of a parcel from an A-1 (Agricultural) district to an I-L (Light - Industrial) classification. The subject property is located on Lots 7A, 7B, and 7C in the fifth Municipal District. The municipal address is 362 Fort Argyle Road.

The petitioned site is located off Fort Argyle Road. The parcel measures approximately 5.35 acres, or 233,046 square feet, in lot area and contains approximately 357.9-feet of frontage along Fort Argyle Road. The area has traditionally been rural in use with large lot sizes.

The property is currently zoned A-1 (Agricultural). The petitioner states in their application that the purpose of the rezoning request to the I-L (Light - Industrial) zoning classification is due to many of the surrounding properties that have been or are being rezoned to a Light-Industrial zoning classification. The

subject parcel's current uses have been affected by the changes to their property due to the construction of a deceleration lane for tractor trailers, off Fort Argyle Road. The petitioner's driveway access has been blocked for the residential properties. The pet resort facility's driveway was poorly reconstructed due to the lane construction road improvements regarding raising the road as well as the slope. The construction for the lane received a permit by GDOT and has taken over a year to construct.

The subject sites are developed properties where the following buildings are located: Lot 7A includes a one-story single-family residence, Lot 7B also includes a one-story single-family residence, and Lot 7C includes the pet resort facility and one (1) caretakers' home to the rear of the property. Across Fort Argyle Road from the subject site there is a heavily wooded parcel. The lot adjacent to the subject parcel has warehousing uses in the I-L (Light Industrial) district. The lot east of the subject parcel at 0 Fort Argyle Road has been rezoned from A-1 (Agricultural) to B-C (Business-Commercial) in the front of the parcel, I-L-T (Light -Industrial-Transition) in the middle of the parcel, and I-L (Light-Industrial) to the rear of the parcel.

The area around the subject property is no longer rural and does include many small commercial and industrial sites. The zoning proposal is not compatible with the present zoning pattern. Many of the adjacent parcels, that are zoned I-L in the area are larger. The subject site is smaller in size and more compatible with A-1 and/or B-C zoning classification. Based upon the existing zoning pattern and character of the area, as well as the review criteria. Staff recommends denial of the request to rezone from A-1 to I-L. However, if there was an alternative zoning classification to recommend, staff recommends the Community Business zoning classification. It would provide a much needed use for food oriented retail, general retail, and upper residential uses. The surrounding community needs this. If it is rezoned to I-L, it will still need road improvements due to truck use or commercial uses.

Ms. Tara Williams, Petitioner, said the property was purchased in 2019. It was zoned Residential Agriculture. It has residential homes on the property that we were renting out. When the neighbors came in and put the decel lane in, they did not leave us with a usable driveway. That has taken out any way for us being able to use lots A and B as residential at this point. We are currently surrounded on all four sides because the decel lanes comes in the front and covers almost the entire 350ft of the front road frontage. Every other corner that is surrounding us is Industrial Light. We are trying to figure out how we survive with our 5 acre lot surrounded by these big industrial companies. We are looking toward the future as to what we can do with our property. As we purchased it and as it was intended to be used, can no longer be used for that purpose with the exception of the Doggie Daycare. That facility is still being used.

Ms. Karen Jarrett, Vice Chair, asked, have you considered using the Doggie Daycare drive to access the other two properties?

Ms. Williams said that would be a commercial mixing with residential. If the two residential homes were to use that same driveway, they would be accessing their property through the rear which is where the septic tanks and drainage fields are. Our worry would be the parking and driving on top of that.

Mr. Jay Melder, City Manager, asked, did you consider a B-C classification of zoning? The parcel directly to the south of yours was recently rezoned to B-C.

Ms. Williams said we had not considered B-C. That is something we would have to look into. We were looking for as much conformity to what was surrounding us that we were just looking for the best option to be able to do with the property.

Mr. Melder said I understand why the MPC has made the recommendations that it has considering the size of your parcels and it being immediately adjacent to that B-C. Would you consider a B-C zoning?

Ms. Williams said yes, we would need to look into what options we would have with that zoning classification. Our original thought was with the I-L around us, doing something that would fit into that mold.

Mr. Melder asked, did staff look into the Community Business zoning? What would the recommendations have been if this was requested to be B-C?

Ms. Leto said yes. We did look into it, we would have approved that zoning classification.

Motion

Continue to the September 29, 2022 Planning Commission Meeting.

Vote Results (Approved)

Motion: Karen Jarrett

Second: Travis Coles

Joseph Ervin	- Aye
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	- Not Present
Elizabeth Epstein	- Aye
Malik Watkins	- Not Present
Jay Melder	- Aye
Michael Kaigler	- Aye

[12. MAP AMENDMENT | 8020 Waters Avenue & 1104-1106 Corinth Avenue | Rezone from RSF-6 to O-I | 22-003744](#)

📎 [Application, File no. 22-003744-ZA.pdf](#)

📎 [Maps Combined.pdf](#)

📎 [Corinth Avenue Photos.pdf](#)

📎 [Staff Report 2.pdf](#)

Mr. Nirav Gandhi, Planner, said the petitioner is requesting to rezone a property at the intersection of Corinth Avenue and Waters Avenue from RSF-6 (Residential Single Family) to OI (Office Institutional).

The subject property consists of three residentially zoned lots at the corner of Corinth Ave and Waters Ave. Corinth Ave is a dead-end street with seven occupied homes and one unoccupied home along it, and across Corinth Ave on the other corner is a church. These properties are also located across Waters Ave from South University. The subject property has 212 feet of frontage on Corinth Ave and 140 ft of frontage on Waters Ave, with one access already cut on the Corinth Ave side. The same owner applied for a rezoning to O-I at this location in 2020. The owner continued the petition and eventually withdrew it without the MPC ever hearing it.

Staff finds that a rezoning to OI would not necessarily be appropriate while these properties could be used to the fullest potential with the current zoning. With 122 ft of width along Waters Ave and 29,600 sq ft of area, these properties could easily be used for their intended use as Single-Family Residences. The character of Corinth Avenue is purely residential, and the property is found to be situated on that road rather than Waters Avenue.

Per the Zoning Ordinance, the proposed zoning district is created to:

“...allow office uses as well as a limited number of other uses that are compatible with an office environment. The OI district is intended to be located in close proximity to Nonresidential districts and may be used as a transition between such areas and Residential districts.”

The preceding definition does not fit the scenario for the subject property. Staff finds that a rezoning to OI would not be appropriate and may have a negative impact on the existing single-family residential neighborhood due to the range of uses permitted in the district.

Additionally, OI has a parking area setback requirement of 15 ft from collector or arterial street rights-of-way. Businesses in OI districts require on-site parking. As this is a corner lot, it would require the parking to be set farther back from the Waters Avenue side and closer to the homes next door, which would be detrimental to the homeowners in the residential district on Corinth Avenue. Staff is recommending denial of the proposed rezoning.

Robert McCorkle, Attorney for the Petitioner, said as described by staff, the subject property consists of three lots on the corner of Waters Avenue and Corinth. One of them does in fact have a Waters Avenue address. The other two have Corinth addresses. They do have numbers on the system but they have never been actually been used. For all the years that those lots have existed, there is residential lots. All of the other houses on the street were being built in the 50's. These lots have remained vacant for more than 70yrs since that time. The purpose of this rezoning is to put an office on the property. There is demand in the area for small office space. We chose O-I as the zoning for this because the purpose of O-I as it exists, and as it was put in the ordinance years ago before NewZO, was to provide areas with offices and similar low impact uses immediately adjacent to residential areas that are in transitional areas. They may not have been in transitional areas when they were originally constructed, or layed out, but as time has changed and staff mentioned, as traffic has been added and Waters Avenue has been widened to five lanes, these areas have changed and transitioned into something different that what they may have originally been planned at.

The O-I is established to allow a limited number of office uses as well as a limited number of other uses that are compatible with an office environment. The O-I district is intended to be located: 1). in close proximity to non-residential districts. 2). as a transition between such areas in a residential district. I have been before you several times with properties being rezoned to O-I. Most of those are along Waters Avenue, Skidaway, Montgomery Crossroads, and others. Staff believes that this is a very residential area. It is very compatible for single family residential houses. The report says that staff finds the rezoning of O-I would not necessarily be appropriate for these properties. This is something we disagree about. We believe that the property has no viable use as single family residential property along Waters Avenue. The purpose of this rezoning is to create a viable use. We also believe that not only are we creating a viable use, but what we are asking for is consistent with the zoning pattern along Waters Avenue in this area and the entire character of the surrounding area.

When you travel down Mall Blvd to Montgomery Crossroads, as go down Waters, there are four residential streets that exist in this corridor. Shannon, Madrid, Sherwood, and Corinth. All of those are dead end streets. There are large shopping centers, office buildings, South University, Carey Hilliards, gas station, and other commercial uses. This is B-C, O-I-T, and O-I with residential behind it. On the other side of the street you have B-N with residential behind it and more O-I with residential behind it. Many of these businesses have primary or secondary access into their businesses on the residential streets that they are on the front of. A lot of these businesses have residential, dead end street access. Every time I access the Carey Hilliards I turn onto Shannon, which is a residential street. Immediately adjacent to that is the Farm Bureau office. It does not have any access onto Waters Avenue. There is a parking lot in the rear, which is on a residential, dead end street, and is soley access on a residential dead end street. This property is zoned O-I. As you go down toward Madrid, on the corner is Islands Interior and Salon 1184 which are also zoned O-I. They have access and parking on a residential, dead end street. Antioch Baptist Church's access is on a residential street. There are only two residences that still exist. 8110 Waters, built in 1978 and 1 Sherwood, built in 1961. Across the street between Montgomery Cross Rd and Mall Blvd, there are only five residences that are adjacent to Waters Avenue. Those five unfortunately have driveways on Waters Avenue and were all constructed in 1955. Consistent with that pattern, the house immediately adjacent to us on Corinth, built in 1955. Waters Avenue was certainly not five lanes wide in 1955 and 1959. This gives an idea of the specific piece of property and what the zoning pattern is in the immediate area that we are in.

Criteria, whether the range of uses permitted by the proposed zoning district is more suitable than the range of uses that is permitted by the current zoning district. We believe they are. We believe this property is more suited for office use given its location than it is for residential use. Partially evident by the fact that those residential lots have been there for decades and decades and have had no houses built on them (over a 70 yr period). Second criteria is whether the proposed zoning district addresses a specific need in the County or City. There is a specific need for small office. There is a specific need for free standing small offices for the uses I talked about for realtors, lawyers, doctors, and many other. My client is in the business of building, selling, and leasing office space. They know what is needed and what is not, in the area. Next, whether the zoning proposal will adversely affect the existing or usability of existing use or usability adjacent to the property. This seems to be where there was an issue in the staff recommendation. Staff mentions that it may be less valuable. The properties may be deemed less valuable because of this development. I don't believe that a single 4000 sq. ft. office space on this site is going to render the properties that are immediately accessed on Waters Avenue with all that is constructed around it, less valuable. There is no evidence, look at the tax values on the properties on the other three streets, which are dead end streets and all have commercial in front of them. The houses on the street are not worth more because they don't have commercial in front of them now and I don't think they will be worth less when they have commercial in the front. Whether the zoning proposal is compatible with the present pattern and conforming uses of nearby properties and the character of the surrounding area, is my main point. It is exactly consistent with the surround area. We do not believe this property has a reasonable use as currently zoned. We believe, given its location, I don't think anyone is going to want to build a single family residence immediately adjacent to Waters Avenue in that location. These properties have sat vacant for 70 years, they are going to sit vacant for another 70 years if they remain residential. The property essentially has no use. There is a residence being constructed at the very dead end of the street on the back end of the street. I am not suggesting to you that this is not a residential street, or that there will not be future houses potentially built on the street. I do not believe they will be built up on Waters Avenue as seems to be consistent with the only houses on Waters Avenue, were built in the 50's. This zoning was specifically put here to allow this to be done without offending the residential uses. The purpose of the O-I is to allow office uses as well as a limited number of other uses that are compatible with an office environment. It is intended to be located in close proximity to non-residential districts and may be used as a transition between such areas in residential districts. This is what we are here to do, my client wants to build an office building on the property. The depth on the site is consistent with the other properties that are rezoned along the frontage. It also gives us enough room to have satisfactory buffer and distance away from that other property. The cars that we access on that property will not be way down in the road. We are not deep into the parcel. They will be able to come in and get out right there on Waters Avenue, hopefully without effecting the neighbors. I did send an email out, I have an email list of the residents on the street. There is no Neighborhood Associations for this street, so we are not required to have a neighborhood meeting. I was asked to reach out to the neighbors. I did send out an email on August 29th. I received one response. They asked if we would be interested in having a meeting. I reached back out to the person, they did not respond back to me.

Mr. Jay Melder, City Manager, asked, of the properties you described that have been zoned Office or Office Transitional along Waters Avenue, Skidaway, and Montgomery Crossroads, are you aware of any of those rezoning's in which there involved new construction or vacant properties as opposed to existing buildings?

Mr. McCorkle said, I was not involved in any of these specific ones. I know the Farm Bureau office clearly was an old residence that was added onto at some point. On the other side of Montgomery, I know there are some "newish" office buildings that are built along there that are zoned in the O-I district. I do not know of any specific ones in this section that were new construction post rezoning.

Mr. Melder asked, did you or your client give any thought to O-I and what do you see as the difference between Office and Office Transitional as it relates to these properties?

Mr. McCorkle said, one of the concerns was that the Office Transitional, from my perspective, was that the Office Transitional requires Special Use for an office which was the specific use we are coming to you for. Which would require us to get it rezoned and immediately go back to Council to get a Special Use approval. If you want to remove the Event Venue, as a use, even though it is a Special Use, me or my clients, have no issue with anything like that. The intent here is to have an office constructed on site.

Mr. Joseph Welch, Chairman, asked, are you familiar with Marcus Place? There are three businesses there.

Two Daycares and another business there, all on the corner. That is in the middle of that neighborhood. Waters Avenue is becoming what Montgomery Crossroads is, there are no homes. The homes across the street, those are rentals. All of this is becoming commercial, which is the future.

Ms. Karen Jarrett, Vice Chair, asked, is there a greater need for O-I or a greater need for residential?

Mr. Gandhi said, to my knowledge, there is a great need for both. We are experiencing a housing shortage right now.

Mr. Wayne Noha, Board member, asked, is there any property on Waters Avenue between Montgomery Crossroad and Eisenhower, that faces Waters Avenue on the side of the road, (other than residential) that is not office or greater density?

Mr. Marcus Lotson, Director of Development Services, said, I believe that every property from Eisenhower to Montgomery Crossroads, on the East side, is an Office or Commercial Zoning classification, other than Multifamily, that exists on that side of the street.

Mr. Shedrick Coleman, Board Member, said we have been told this is residential use, but this area has not been developing in any way for all these years. Other than the house that is under construction now, when was the last house constructed on that street? Just because you can build it doesn't mean you will build it. I do believe that corner is very undesirable for anyone residentially to put a house there. While it may be great to say hey, there is a housing shortage, if no one is going to put a house there, it doesn't really matter. I think we need to have thought as to what the realities are relative to how the development pattern is. Everything else along that street is commercial in some way. This may help buffer and provide an opportunity to protect those houses further up the street. Something is going to be built there and it probably won't be a house.

Mr. Lotson said, you are correct. Other than the house that was recently completed, there has not been any housing constructed on Corinth in years.

Mr. Melder said I agree that this parcel will be pressured into something other than a residential use. How is the best way in which we govern that?

Mr. Marlon Favors, Member of the Public, said my house is the house that was the last house built on that block. I completed the house about a year and a half ago. As we speak now, there is another house being built in the middle of the block that is already in process for that area. I am speaking on behalf of the residents. We drove down that block on a Sunday morning. We saw a lot of small children outside just playing back and forth. Being from Savannah, being outside and playing on the street. There wasn't a lot of traffic, misfits, or negative things. I have a lot of grandkids and would like them to be able to grow up in that area. There is a house on one of the corners. There is not a business on every corner. The reason I am here, the other residents don't have time to come due to work. I want to try to keep the integrity of the block. There are only six of us on the block. It's nice and quiet. The kids are able to go out and play. I am a developer myself. There is a need for housing. I am getting calls for Section 8 all the time. People are being misplaced and need somewhere to go. I think that corner would be a nice area to put houses. If I had the opportunity, I would build houses there to keep that a nice residential area.

Mr. Melder asked, is there any other use you could see on those parcels other than residential that you think would be an appropriate use?

Mr. Favors said no.

Mr. Melder asked, do you have any insight, both as a developer and a neighbor, as to why those parcels have not been developed in seven decades?

Mr. Favors said, to be honest, no one knew it was for sale. Once I started building my home, then I noticed other areas with signs up for sale.

Ms. Diane Kessler, Member of the Public, said, I represent the seller. I am a realtor. There is an apartment complex pool that is beside the lots. According to Mr. Deloach there is pool noise. He does not feel that would be conducive to a residential home going there due to that. Mr. Favor said the property across the street was not for sale but it has been for sale. I actually sold two of the lots at the end of the street for residential. There is a drainage issue with the large tract. It goes down to the water there, a lot of fill will be required before the property across the street from Mr. Favors could be developed. We feel the highest and best use of this property is commercial.

Mr. Noha asked the property where the church is, has there been any discussion with the MPC regarding the development of that in the last 6-8 months?

Mr. Lotson said there has been no discussion regarding that property.

Mr. McCorkle said we do agree this will provide a buffer for the residences. We are not trying to prevent further residences from being constructed. There is no reason at all that any of the traffic would go past the driveway into this entrance and go further down into the area where there would be kids playing.

Mr. Dwayne Stephens, Board Member, said, I do not argue that residential is maybe the best use, especially right there at Waters Avenue considering the depth of the other lots. Has it been considered to maybe do the first two parcels as the designation that you are requesting and creating an even further buffer so that you do not encroach any further into the residential area?

Mr. McCorkle said that has not been specifically considered. The property that my client has under contract is for all three lots to be used as one development.

Ms. Jarrett asked, given the discussion we have had today, would your client be interested or willing to look at Office Transitional rather than just O-I.

Mr. McCorkle said our preference would be O-I but at the same time, O-I-T is better than no rezoning at all.

Mr. Noha said this property has been vacant for over 70 years. If it was going to be developed, even multi family, or anything residential, it would have already been done.

Motion

Denial of petitioner's request. Approval to rezone to O-I-T.

Vote Results (Approved)

Motion: Travis Coles

Second: Shedrick Coleman

Joseph Ervin	- Aye
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	- Not Present
Elizabeth Epstein	- Aye
Malik Watkins	- Not Present
Jay Melder	- Aye
Michael Kaigler	- Aye

[13. TEXT AMENDMENT | Medical Marijuana Dispensary | 22-003953](#)

☎ [29. SIGNED_Temporary Stay on Medical Marijuana for 180 Days_res-stay-medical-marijuana-dispensaries-jnh12132021-03112022.pdf](#)

[Staff Report - 22-003953-ZA.pdf](#)

Mr. Marcus Lotson, Director of Development Services, said proposed amendments to the Savannah Zoning Ordinance related to a proposed “Medical Cannabis Dispensary” use. To add such use in the Table of Permitted Uses, to create a definition for such use and to establish conditions required to establish such use. In July of 2021, the State of Georgia passed legislation to allow treatment with and the delivery of medical cannabis, provisions related to dispensing low-THC products and State licensing procedures for cannabis producers. This action followed a series of other legislative actions beginning in 2015 which included creating a patient registry for those with qualifying conditions, expanding access to hospice patients, and provision for in-state cultivation to be overseen by the Georgia Access to Medical Cannabis Commission.

Medical cannabis dispensary means a business or organization that is granted a license for the sale and distribution of medicinal cannabis products, as defined in O.C.G.A. § 16-12-190 and elsewhere regulated by the State of Georgia. Included “Medical Cannabis Dispensary or Medical Marijuana Dispensary” as a use. Identify "B-C" as the zoning district where a Special Use Permit is required. The Medical Cannabis Dispensary or Medical Marijuana Dispensary shall not be closer than 2,000 feet to:

1. Civic Uses (botanical garden, arboretum, cemetery, community garden, park (general), wildlife refuge).Community Services (library/community center, museum, post office, police/fire station or substation, EMS substation/ambulance service, shelter (emergency), shelter (transitional), soup kitchen)Day Care Services (child/adult day care home, child/adult day care center, child/adult care home (24 hour), child/adult care center, 24 hour)Educational (College/university/seminary, educational building used by a college/university/seminary, school/public or private (K-12), school/trade/vocational/business)Places of WorshipClub or Lodge (Private club/lodge)Detention and Correctional Facilities (All detention and correctional facilities, correctional transitional facility)Heath Care Facilities (Substance recovery facility)Eating and Drinking Establishments (Package stores)

At the time of application, the Petitioner shall submit the following information:

1. Information on the proposed structure the facility will be located including total square footage, security installations/security plan including type of security system and plans to address operations when security and surveillance system malfunction and building code compliance.Hours of operation.

A licensee may be required to revise and resubmit its public safety plan, to include implementation of additional public safety measures, which may include, without limitation, the installation of security cameras with technical capabilities as specified by the police chief, where it appears that the operation of the licensee's business has resulted in an extraordinary expenditure of public safety resources. The failure of a licensee or its employees, agents, and servants to adhere to the terms and conditions of an approved public safety plan shall constitute a violation of this article, in addition to any other applicable statute, ordinance or regulation, and subject the licensee to the penalty provisions set forth in Sec. 12, as amended.

- d. No flashing lights, search lights, spotlights, or other similar lighting systems may be used on the exterior of the building.
- e. Electronic message boards and temporary signs not allowed.
- f. Hours of operation are 6:00 a.m. until 10:00 p.m.
- g. This use shall be in a stand-alone building.
- h. Facility may not conduct any sales or distribution of cannabis other than as authorized by State law.
- i. Onsite consumption of cannabis by the public shall not be allowed on the premises.
- j. The use shall be prohibited in Alcohol Density Overlay Districts.

The proposed language and conditions are consistent with other Ordinances in the State and address the public health and safety needs that City Council identified in the adopted resolution. In review of the language and conditions, MPC staff is also recommending that language be considered to require the following:

- Required security plan shall include the presence of onsite security personnel.
- Hours of operation be revised to be 7:00 a.m. to 8:00 p.m.
- Signage shall be limited to one fascia sign and one freestanding sign consistent with the requirements of Article 9 Sec 9.9 Signs and shall not include pictorial representations of marijuana.

MPC staff recommends approval with proposed additions of the amendments to Sections **13.2, 5.4, 9-3.1 and 8.4 (new use 8.4.51)** as identified in the staff report.

Mr. Shedrick Coleman, Board Member, asked, is there a correlation between the dispensary size being discussed here and a production facilities which are a Class II with 50,000 sq. ft. and Class I at 100,000 sq ft. where they have these very comprehensive security plans that are required? Do we really need the level of security plans that are outlined in a facility that is in the 1,500 - 2,000 sq. ft. range? Has this been fully studied to make sure we are doing the appropriate security measures for a dispensary vs. production facility?

Mr. Lotson said there is a difference between what is required for a production facility and dispensary facility. Essentially what the City is saying is, the applicant, based on this language, has to provide a plan. The City will make a determination as to the adequacy of that plan.

Mr. Coleman said this is very non-specific. This is so generalized. If we are going to require this in the Ordinance, there needs to be some concrete language.

Mr. Jeff Notrica, Board Member, said the size of a dispensary needs to be capped. As much time and effort has been put into this, I can't imagine any scenario in which these should be larger than 1000ft of retail with a maximum of 25% of ancillary use or a cap of 1250sq ft. Clearly, by the base of the language and the way it is treated, these are a public nuisance. Obviously, everyone is very concerned about regulation which I understand and agree with. I think not, to limit the size of these is a grave misstep.

Mr. Dwayne Stephens Board Member, said, I think it is prudent that we align whatever the State requirements are from a size standpoint. I know the Board of Pharmacy requires a certain square footage for that type of use inside whatever spaces.

Mr. Coleman, said we consider alcohol to be semi nuisance when it comes to liquor stores. Which is why we have the overlay districts etc. We see these liquor stores have major sizes, what makes the Cannabis Dispensary in and of itself, a nuisance relative to the alcohol abuse out there that is created by the liquor stores? Why aren't we limiting the size of those? There are ways to create rules and regulations, Economics itself, will limit the size of these stores.

Mr. Lotson said the City is not recommending a minimum or maximum building size at this time. Some of the thought behind this was that some of these establishments would be repurposing existing commercial buildings. The major limiting factor here is the separation requirements. This will cut down a lot of opportunities even within the commercial districts where this will be permitted.

Ms. Karen Jarrett, Board Member said, you are required to have a prescription for this so I don't understand why this cannot be sold in the pharmacies? My concern here is the additional security request in the recommendations for onsite security personnel. For a 100,000sq ft. growing facility, they do not require an onsite person. They require 24hr video surveillance, which I think is good. That is where we should be focusing our attention on security, meeting the requirements of the State.

Mr. Lotson said, we wanted to bring that to the Board as more of a discussion point in this meeting so you could make a determination as to whether or not to use any specific language when making a recommendation to the Council.

Mr. Jay Melder, City Manager, said, I think some of the issues we need to consider around security may

not be so much from a nuisance perspective, but that this is a cash only business. Security will be paramount. Are there ways in the Ordinance where we can incentivize placing these facilities in our medical districts which tend to be less residential. If this is for medicinal use, this would correlate with those medical purposes as well.

Mr. Joseph Ervin, Board Member, said we do have some hemp dispensaries in Savannah, correct?

Mr. Lotson said, CBD, yes.

Mr. Ervin said you are looking at something that a doctor has to prescribe. It appears that not only does a physician have to prescribe, logic would dictate that one would go to a pharmacy to get it.

Mr. Lotson said, that would be logical. Based on State law, a stand alone business that is not a pharmacy, can be established as a dispensary. This is essentially a one product pharmacy.

Ms. Melanie Wilson, Executive Director, said, there is a limit to the number of permits that can be given based on the population. Our area is looking at approximately four.

Ms. Bridgett Lidy, City of Savannah, said in reference to the efforts in crafting the language. We worked directly with the Savannah Police Department, the Chief of Police Office. This would assist them as well as our community in protecting our residents. They did a lot of outreach to some entities in Atlanta. We specifically looked at Alpharetta, Doraville, Dekalb County and others. They said there were not a lot of issues but they did want to have certain language in the Ordinance as conditions to address a Public Safety Plan. As mentioned, this is a primarily cash business which is a big concern. Having that Public Safety condition was very important to them. The language is mimicked off of the Alcohol Ordinance. We have additional language in here asking for any kind of revisions and the license must provide those revisions to us. In reference to capping the size, of the actual structure itself, the Savannah Police Department had conversations with their peers, they did not see a need to limit the size of the facility. There will probably not be a lot of other retail items for sale so the spaces will probably gravitate to a smaller size space. I will say, we have had a lot of individuals that have contacted our office and are very interested in having one of these licenses from the State. Banks seem to be the perfect type of operation since they are downsizing due to electronic banking. You have the facility already designed in a way where safety is paramount and there is a vault in the facility.

Mr. Travis Coles, Board member, said, with regards to having security personnel on the property, I understand this being a higher cash volume business. I don't think we require that of pawn shops, correct?

Ms. Lidy said no.

Mr. Coles said, I am not clear as to why we are including that specific requirement. I think that is more of a business owners discretion than governmental enforcement. The other question, have you identified corridors or properties that would fit all of the requirements that we have in this? There are a lot of things that it can't be within 2000ft of, which narrows down where it actually can be.

Ms. Lidy said, we have created a map that identifies the B-C zoning district. With that, identified residential zoned land. We have also looked at community facilities that are around there. The one challenge with the medical facilities piece and trying to steer them to the medical facilities. Those areas are typically zoned O-I and that is where we see a lot of our schools. There is a conflict with that. Healthcare facilities is a category within the use table. We are calling out specifically a substance recovery facility. We are not calling out those facilities that would potentially serve as a pharmacy or a hospital.

Mr. Melder said I think we would all agree this would be better done at a pharmacy but until the federal government changes it's policy on cannabis, then pharmacies that have to comply with Medicaid regulations will not be able to adopt the sale of this. That is why there is a carve out specifically.

Motion

Approval staff recommendation with the exception of the recommendation for an on-site personnel security personnel.

Vote Results (Approved)

Motion: Karen Jarrett

Second: Travis Coles

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

X. Presentations

[14. City of Savannah Impact Fee Program / Capital Improvement Elements](#)

📎 [Savannah CIE draft.pdf](#)

📎 [Savannah METHODOLOGY.pdf](#)

Ms. Bridgett Lidy, Planning and Urban Design Director, City of Savannah, said many have issues with infrastructure not being in place and public facilities not being ready to serve the growth and population that we are experiencing. The City, late last year approved a contract with Ross and Associates in order to proceed with a Impact Fee Program. We are here to introduce you to this program, as well as ask for your assistance. Part of this process ties into the Comprehensive Plan as an amendment. It is important that we have that relationship with the Planning Commission, in order to ensure that everything is moving forward as a package.

An Impact Fee is a one time charge to new land development to fray costs of our expanding capital facilities in reference to growth that is coming down the pipeline. The new development pays for its fair share of the public facilities needed to serve future growth. As far as the state of Georgia, we have a very regimented State code that tells us how we need to go ahead and proceed with setting up an Impact Fee Program. The impact fee only allows jurisdictions to charge for certain public facilities. The funds, once they are collected, cannot be used for regular maintenance or operational expenses. That all has to be handled by our general fund. 3% of the fees collected can be used to administer the programs. Within the City of Savannah, we have identified, out of those seven categories, four key areas that we are focusing on to collect impact fees. Parks and Recreation, Fire Protection, Law Enforcement, and Road Improvements. As part of the state code, it requires us to setup an Impact Fee Development Committee. We have an active website that has minutes from the meetings, as well as general updates of what we have been working on.

We worked on a methodology report earlier this year. The methodology report primarily focuses on projections and forecasting population growth through 2045. We are looking at the growth trends we will see and where geographically this growth will occur in order to identify what needs we need to start going after. For example, if there is a hotel use, there is going to be a dollar fee set aside that will be charged per room. If there is an industrial property, there will be a square footage rate for the amount of industrial property that is going to be

developed on the formula that we have. This is all in phase one. Those things are done. We have not set that fee yet. That is something that will be determined by our Mayor and City Council with guidance from the City Manager. Phase two is the Capital Improvements Element Plan. This is part of the Comprehensive Plan, once it gets adopted. This will be set up for the next five years showing what those capital projects would be. It will highlight the Impact Revenue Fee that comes in as well as other fees needed to support the development of those public facilities. We will be presenting this to Mayor and Council on Thursday asking for a recommendation to go ahead and transmit this to the Regional Development Council in Darrien, as well as DCA. Simultaneously as the CIE is going through the process, we will be drafting an Ordinance with guidance from Mayor and Council to figure out what the maximum fees charged will be. That fee schedule would be adopted as we proceed adopting the CIE.

Ms. Karen Jarrett, Vice Chair, said, I did notice that schools, sewer and water were not included in the four areas picked.

Ms. Lidy said, that is correct. The State law states what the requirements are for the list. Libraries and related facilities are on that list but that is something that the City did not pursue. As far as water, we already have an impact program that is set up with the Tap In fees. In addition to that, we are also looking at other funding mechanisms to help with maintenance of our water facilities. That might come in the form of a Stormwater Utility Fee, but not now, later in the future.

Mr. Jeff Notrica, Board member, asked, what is a current Impact Fee for a single family home? When we are done with this, we will have a water and sewer fee and a tap in fee. It looks like for a single family home is about \$3,100, the police department \$1,000, and \$1,200 for fire. Just those will put an impact for a single family home at over \$5,000.

Ms. Lidy said, within the methodology report, there is a table that outlines different uses. Depending on what your use is that you are constructing, there will be a fee associated with that. I believe for the single family residential, the fee is under \$5,500 per unit.

Mr. Notrica said, it seems with the price for a single family home, the price for a hotel is extremely underweighted.

Ms. Lidy said those fees for the hotels are per room. That will add up quickly. When we met with our Impact Fee Committee, there was a lot of discussion about why certain uses were not included in the table, ie; hotels. We went back and revised that.

Mr. Jay Melder, City Manager, asked, can you clarify the difference between the maximum fee described in the methodology report and then the fee that the Alderman and Mayor, may choose to adopt and how they are able to scale that up?

Ms. Lidy said currently in the methodology report you have a list with those uses of the maximum fee that could be charged for that particular use. What happens, when this goes in front of Mayor and Council for the adoption of the Ordinance, there will be discussion as far as, what is that level we need to charge the user? Is it going to be at that maximum rate or will it be at a lower rate that could potentially be changed later down the road by Mayor and Council? Even though there is a maximum fee that is listed in the methodology report, that is not what has been adopted or approved. That still has to go through a vetting process and in many cases, communities will go ahead and adopt half of the maximum fee moving forward in order to ensure they are able to deliver the program.

Mr. Notrica asked, is there any specific section addressing adaptive reuse versus new construction?

Ms. Lidy said, I am not sure but will check into that. Typically, this is for new development.

Ms. Karen Jarrett, Vice Chair, asked, if the roads in many of the subdivisions were interconnected throughout the subdivision and surrounding area, would our road fee be reduced?

Ms. Lidy said, I will have to look into that. Generally our road fees are generated by trips.

Mr. Melder asked, Ms. Jarrett, are you suggesting that the impact fee could incentivize connectivity by reducing an impact fee?

Ms. Jarrett said yes.

XI. Other Business

15. Report from Nominating Committee

Mr. Wayne Noha, Board Member, said, on behalf of the nominating committee, we met at length with good discussion as to where we were, where we have been, and where we need to go. The nomination slate of officers is as follows:

Chair- Dwayne Stephens
Vice Chair- Travis Coles
Secretary- Tom Woiwode
Treasurer- Elizabeth Epstein

Mr. Joseph Welch, Chairman, said, I will now take nominations on the floor. I will start with one. Vice Chair - Wayne Noha.

Mr. Jeff Notrica, Board Member, said, I would like to nominate Joseph Welch for another term as Chair.

With no further discussion, Mr. Wayne Noha made a motion to close the nominations. Mr. Shedrick Coleman seconded the motion with none opposed. This will be voted on at the next Planning Commission Meeting on September 29, 2022.

XIII. Adjournment

16. Adjourn

There being no further business to present before the Board, the September 6, 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.