



Chatham County - Savannah Metropolitan Planning Commission

Minutes

May 2, 2023 MPC MEETING

Members Present: Dwayne Stephens, Chairman
Tom Woiwode
Michael Kaigler
Wayne Noha
Karen Jarrett
Travis Coles
Jeff Notrica
Laureen Boles
Joseph Welch
Jay Melder
Joseph Ervin

Members Absent: Shedrick Coleman
Malik Watkins
Elizabeth Epstein

Staff Present: Melanie Wilson, Executive Director
Marcus Lotson, Director of Development Services
Melissa Paul-Leto, Senior Planner
Sally Helm, Administrative Assistant

I. Call to Order and Welcome

II. Invocation and Pledge of Allegiance

III. Approval of Agenda

IV. Notices, Proclamations and Acknowledgements

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

[1. ZONING MAP AMENDMENT | 23-001408 -ZA | 810 E. Broad St.; 613-623 E. Gwinnett St.; 610-614 E. Bolton St. | Rezone from TC-2 to D-X](#)

Motion

Item removed from final agenda.

Vote Results (Approved)

Motion: Travis Coles

Second: Wayne Noha

Joseph Ervin

- Aye

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
Michael Kaigler	- Aye

[2. MAP AMENDMENT | Six \(6\) parcels on DeRenne Avenue | Rezone from RSF-6 to OI-E | 23-000304-ZA](#)

Motion

Item removed from the final agenda.

Vote Results (Approved)

Motion: Travis Coles
 Second: Wayne Noha

Joseph Ervin	- Aye
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
Michael Kaigler	- Aye

[3. ZONING MAP AMENDMENT | 1111 Bradley Boulevard | Z-0423-000373 | Rezone from R-A to B-N](#)

Motion

Item removed from final agenda.

Vote Results (Approved)

Motion: Travis Coles

Second: Wayne Noha

Joseph Ervin	- Aye
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
Michael Kaigler	- 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 Items Requested to be Withdrawn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**VIII. Old Business****4. MAP AMENDMENT | Wild Heron Road | Rezone from A-1 to RMF-1 and RSF-4 With Conditions| 22-002692-ZA**

- 📎 [Staff Report 040223.pdf](#)
- 📎 [Revised Plan 22-397 Fawcett Tract Color Masterplan_50's_4.25.23_with Conditions.pdf](#)
- 📎 [Written Neighborhood Correspondence.pdf](#)
- 📎 [Sign Update.pdf](#)
- 📎 [TIAS Fawcett Tract 90 TH 309 SF Aug 29 2022 \(6\).pdf](#)
- 📎 [Development Standards .pdf](#)
- 📎 [Original 22-397 FAWCETT TRACT CONCEPT PLAN.pdf](#)
- 📎 [County DoE Comments Jan 23.pdf](#)
- 📎 [Typical Street Sections.pdf](#)
- 📎 [Context Aerial.pdf](#)
- 📎 [Maps Combined.pdf](#)
- 📎 [Letter of Opposition from Melanie Jones Regarding Wild Heron Rd.pdf](#)

Mr. Marcus Lotson, Director of Development Services stated that the Petitioner is requesting to rezone the subject property from A-1 (Agriculture) to RSF-5 (Residential Single Family) and RMF-1 (Multifamily residential) on Wild Heron Road, the lot is approximately 105 acres in size. There are two parcels on the site; Tract A will be townhomes, and Tract B will be single-family detached. Tracts C and D belong to the same owners as A and B but will be left as is.

The original concept plan included 400 residential dwelling units, but after the previous MPC meetings, the Petitioners met with community members where residents expressed concerns about traffic, environment, and stormwater impacts, as well as the proposed density of the residential development. Additionally, in the last meeting, issues such as access to Wild Heron Road, density of the site, and the perception of the incompatibility from a land use standpoint with the proposed lot sizes were brought up. The Petitioner has revised the plan, previously RSF 4 Now RSF 5; however, the Petitioner would like to exceed the minimum lot size that's allowed under the RSF-5. The Petitioner has reduced the number of units by 50 and has increased the number of access points for the development.

The Petitioner has had meetings regarding the traffic impact on Wild Heron, King George, and the Service Road. The analysis was that the most significant impact was moving east from Hwy 17 to the Service Road to Wild Heron and then to King George, the choke point is happening at Wild Heron and King George. There were discussions about ways to resolve the traffic issues proposed by the Petitioner.

The Petitioner proposes providing an additional 40 feet of right of way to Chatham County to widen Wild Heron and is proposing to add a vegetative buffer to the frontage of the area.

The Staff's primary concern with the previous design was the residential density, as the proposed lots are not consistent with other lots within Georgetown. The proposed plan would have a minimum lot size of 6,000 square feet. The Petitioner would be at a 3.4 net resident density, which is low. The townhomes would be at 9 units an acre, which is low to mid for townhomes. The project proposal is 350 units in total. This is more constant and compatible with Georgetown.

Issues regarding traffic must be discussed with Chatham County, and stormwater issues have to be discussed with the City. Mr. Lotson asked to leave those matters out of the zoning discussion today.

Based upon the existing zoning pattern and character of the area, as well as the review criteria, Staff recommends approval of the request to rezone the subject property from A-1 to RSF-5 and RMF-1 with the following conditions:

- 1.) Total dwelling units do not exceed 350.
- 2.) 40' R/W dedication for widening of Wild Heron Road.
- 3.) Install sidewalk along project frontage.
- 4.) Provide connectivity through development.
- 5.) Contribution to Chatham County for Wild Heron and King George Intersection Improvements.
- 6.) Minimum lot size of 6,000 square feet.

Mr. Jack Wardlaw, the Petitioner, stated, there have been two public meetings with surrounding Neighbors. The two major issues that arose were traffic and density. A lot of time was spent on analyzing the traffic issues and it's a failing intersection. Half of the traffic is coming from outside of the county. The Petitioners want to put a roundabout at King George and Wild Heron Road. There will be a contribution to the City to assist in making that roundabout. The lots will be 6,000 square feet. They will be 50 feet wide but 120 feet deep, to appeal to residents who want larger backyards. He stated that with all the changes he has made everything is compatible with the surrounding area.

Ms. Karen Jarrett, Board Member, asked if there was any possibility of making a road connection to the west of the lot on a road labeled "Road not Opened".

Mr. Wardlaw stated that there are some presumed ownership issues pertaining to the road, but he has not reached out to the owners.

Mr. Jay Melder, City Manager, acknowledged that the Petitioner made some significant changes to heed to the Board's request.

(Chairman Stephens had to step out so Vice Chairman Travis Coles took over as chairman and continued with the public comment portion of the meeting)

PUBLIC COMMENT:

Mr. Henry Smalls is opposed due to traffic Concerns.

Ms. Debbie Debrower is opposed due to traffic concerns, the possibility of lowering property value, and because the property doesn't match what's across the street.

Ms. Debbie Walker is opposed due to traffic. Additionally, she stated Mr. Wardlaw did not meet with anyone from the community.

Mr. Joseph Lane stated that Mr. Wardlaw did not meet with the community. He gave the rest of his time to Michael Toma.

Dr. Michael Toma stated he would like the zoning to be RSF-6, to add a 50-foot buffer and a standardized brick fence.

Ms. Lisa Lovech is opposed and gave the rest of her time to Debbie Walker.

Ms. Walker expressed concerns about the quality of houses and traffic.

Mr. Jay Maupin is opposed as the zoning classifications aren't compatible with the surrounding area.

Ms. Karen Lowe is opposed one concern expressed was on street parking prevention.

Mr. Robert Myer is opposed due to traffic concerns.

Mr. Mark Morris is opposed due to flooding with the new construction, lack of sidewalks, and few police services.

Ms. Margaret Ellison is opposed as the Developers didn't speak to the public and she expressed concerns with traffic due to railroads, EMS services, and the size of the road.

Mr. Clark Nahmias is opposed due to the danger of kids walking in the street through the traffic, and the fact there are only two entrances.

Ms. Tracy Lea (online) is opposed and concerned about rezoning after the Petitioner was not willing to discuss what was happening with the surrounding residents.

Mr. Jack Wardlaw, the Petitioner, stated most of the comments were related to traffic and that the concern has been addressed with the rotary. He addressed the spot zoning of the townhomes and stated that there are other townhomes across Georgetown and even across the street. The housing that abuts Wild Heron Road will be inside the development and will require fencing. They will provide greenery. He addressed the 50-foot buffer, but he wasn't sure how that was going to be accomplished.

Mr. Jay Melder, City Manager, asked if the Petitioner could speak on the sidewalks that are planned.

Mr. Wardlaw stated that the City of Savannah requires sidewalks on each side of the street so every house will have a sidewalk.

Mr. Michael Kaigler, County Manager, asked if there will be fencing along Wild Heron Road.

Mr. Wardlaw stated that there will be fencing all along Wild Heron Road.

Mr. Kaigler asked if the petitioner would be open to RSF-6.

Mr. Wardlaw said no, they have already changed the lots and that they are standard.

Mr. Kaigler asked is the fence going to be along the individual parcel line.

Mr. Wardlaw stated it's going to be on the property line.

Mr. Kaigler asked how tall the fences were going to be.

Mr. Wardlaw said 5 feet but was open to 6.

Ms. Karren Jarrett, Board member, asked if there was going to be a sidewalk on Wild Heron Road and who was going to upkeep it.

Mr. Wardlaw answered yes, and it will be maintained by the homeowner.

Ms. Jarrett asked, when is the fence going to be built and if they are willing to build the fence on the front end.

Mr. Wardlaw answered that when the individual home is built, they can build the fence now.

Mr. Wayne Noha, Board Member, stated they are looking for quality over quantity and the fence should be built first, he also suggested that it would look better as a brick. He also expressed concern since there was no community meeting and would like to see that happen.

Mr. Wardlaw stated that they will build the fence and that they had already spoken with community members twice and met with staff as well.

Mr. Jay Melder, Board Member, stated that the fencing commitment should be added to the conditions, and there should be another community meeting before the City Council meeting.

Mr. Travis Coles, Vice Chairman, stated that he appreciates the changes the Developer has made to accommodate these changes, but traffic should fall on the City, County, and State. He also recommended that the Developer meets with the community again.

Mr. Michael Kaigler, County manager, stated that the County will meet regarding the traffic before this goes before the City Council.

Mr. Melder asked the Staff to see the conditions of the recommendation.

Mr. Lotson went over the conditions stated in the Staff report.

Mr. Melder made a motion to approve Staff recommendations with the addition of a condition, a six-foot fence being built to the frontage of Wild Heron Road, and a recommendation that the Petitioner meets with community members before the City Council meeting.

Mr. Noha seconded with a friendly amendment that the fence be built at the beginning of development and that it be maintained by the HOA.

Motion

Approval of the request to rezone the subject property from A-1 to RSF-5 and RMF-1 with the following conditions:

- 1.) Total dwelling units not to exceed 350.
- 2.) 40' R/W Dedication for widening of Wild Heron Road.
- 3.) Install sidewalk along project frontage.
- 4.) Provide connectivity through development.

5.) Contribution to Chatham County for Wild Heron and King George Intersection Improvements.

6.) Minimum lot size of 6,000 square feet.

7.) 6 ft fence built to the frontage of Wild Heron Rd, (be built at the beginning of the development and maintained by the HOA).

Vote Results (Approved)

Motion: Jay Melder

Second: Wayne Noha

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

[5. ZONING TEXT AMENDMENT | Accessory Dwelling Units| 22-005883](#)

📎 [Staff Report 050223.pdf](#)

📎 [ADU Survey .pdf](#)

📎 [ADU Council Workshop.pdf](#)

📎 [Savannah Transit Stops.pdf](#)

📎 [May 2 MPC agenda item 5 letter of support.pdf](#)

Mr. Marcus Lotson, Director of Development Services, stated the proposed amendments to the Savannah Zoning Ordinance related to changes to the requirements associated with Accessory Dwelling Units, defined terms, and development standards. In November of 2022, the City of Savannah staff made a presentation to the Mayor and Aldermen during the Council Workshop specific to information on Accessory Dwelling Units (ADU's). The purpose of the presentation was to give Council information on the benefits, history, and current ordinances that govern ADU's. In addition, to discuss how revisions to the current standards could support the City's larger affordable housing efforts within the Housing Savannah Action Plan, and to share the results of a public input survey that had been conducted earlier that year.

Beginning in April 2022, City staff conducted a series of six neighborhood outreach meetings in order to get feedback from stakeholders regarding the current ADU regulations and what, if any, changes should be made. After the meetings concluded, staff deployed the survey which had a range of questions dealing

with development standards like height, parking, and architectural compatibility.

The survey captured 690 responses and the survey data along with other research done by City staff resulted in a series of proposed amendments to the current ADU regulations. The proposed revisions are in two categories, development standards, and definitions.

These proposed amendments are designed to make incremental changes to the rules which govern ADU's, to make them feasible housing options in more areas of the city, and to protect adjacent properties from the impacts of over-building. In addition to proposed changes in development standards, there are also proposed changes to definitions.

During the process of adopting the current zoning ordinance (NewZO), accessory dwellings were one of the topics discussed at great length with City Council members and residents. Because it was a new use being added to the Ordinance, there was some desire to limit the allowance to areas that historically had development patterns that included accessory dwellings. Since that time, the interest in accessory dwellings has increased and the use has become accepted as a viable housing option for those outside of the traditional neighborhoods.

Many of the standards that were put in place with NewZO were chosen with concern that single-family neighborhoods, that did not historically include accessory dwellings, might be negatively impacted by allowing them. NewZo also created Caretaker's Residential Units which are accessory to nonresidential use. Due to its similarity with ADU's, it could be removed from the ordinance. The proposed changes would still limit ADU's in more suburban residential areas; but take another step toward broader allowance with conditions related to lot dimensions, building size and height. In review of the proposed changes, MPC staff finds that there are opportunities to further improve the ordinance by managing the scale of ADU's in infill scenarios, limiting the amount of variance that can be requested, and by addressing parking when requirements have not been otherwise satisfied for a residence.

As the City continues to address housing needs, accessory dwellings will likely be a part of increasing availability and diversity of housing options and providing a more affordable alternative in the marketplace. If ADU's are going to be more widely permitted, the regulations must assure that existing residents are not impacted by issues related to building placement, scale or the provision of off-street parking.

Mr. Travis Coles, Vice Chairman, stated he had concerns with height, particularly if you have a single-story home you should be able to do a two-story dwelling unit for parking a car underneath to get cars off of the road.

Mr. Lotson stated that would be something that would be brought up at the City Council meeting to let them know that's a concern of the Board.

Ms. Lauren Boles, Board member asked, if Mr. Lotson recalled where the six meetings were held.

Mr. Lotson, stated they were for the aldermanic district meetings so there is no particular neighborhood.

PUBLIC COMMENT:

Mr. Andrew Rosen stated that he supports the amendment, and his only concern is the parking requirement exemption.

Mr. Lotson responded that the example transit route is just a "moving target" as Savannah continues to grow, so will the routes.

Mr. Steve Edwards stated he is in support of the amendment.

Motion

Approval of Staff's recommendation

Vote Results (Approved)

Motion: Travis Coles

Second: Wayne Noha

Joseph Ervin	- Aye
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
Michael Kaigler	- Aye

6. Zoning Map Amendment Fountain Road Z-0622-000286[📎 Maps.pdf](#)[📎 Street Views.pdf](#)[📎 Fountian Rd.pdf](#)[📎 Staff Report 050223.pdf](#)

Mr. Marcus Lotson, Director of Development Services stated the subject property is an undeveloped parcel near the south side of Fountain Road and Keller's Flea Market Drive. The property abuts undeveloped lots on each side and is across the street from commercial sites including heavy equipment sales and rental and an automatic carwash. Fountain Road provides vehicular access to the subject property and is the primary entrance into Keller's Flea Market. The property has a total area of 2.17 acres. It does not appear that any zoning actions have taken place on this property since zoning was adopted in Chatham County. A zoning petition was heard previously in which the County Commission remanded the item back to MPC for staff to consider buffer options for the site.

The Petitioner is requesting to rezone the property from the R-A classification to the B classification. The existing zoning district was established to promote rural residential development and protect certain rural highway roadside areas against strip development, which can lead to traffic congestion, hazards, and roadside blight. The parcels north of Fountain Road are zoned for commercial use, and the development pattern in the vicinity is changing. The proposed zoning district promotes commercial and certain industrial-like activities. The Petitioner's proposed use is work vehicle and equipment storage. Fountain Road has an extremely low traffic volume other than on weekends. Business uses allowed under the proposed zoning are likely to primarily operate during weekday business hours.

The Petitioner is the owner of an asphalt company and his intention is to store his vehicle on site. The County expressed concerns with a buffer; however, after further examination there is no thru traffic with the exception of people attending the flea market. The site is very isolated from residents and other businesses. It could be properly buffered by a type E buffer.

Based upon the findings outlined in the report and the review criteria Staff recommended approval of the request to rezone the property from R-A to B with the following conditions: A Type E buffer shall be

established prior to the issuance of a business license. A Type E buffer consists of an 8-foot fence and a 40-foot preserved vegetative width adjacent to residential zoning districts.

Mr. Wayne Noha asked if there were any additional comments from neighbors.

Mr. Lotson stated no.

The Petitioner was not present

Motion

Approval of the request to rezone the property from R-A to B with the following conditions:

A Type E buffer shall be established prior to the issuance of a business license. A Type E buffer consists of an 8-foot fence and a 40-foot preserved vegetative width adjacent to residential zoning districts.

Vote Results (Approved)

Motion: Travis Coles

Second: Wayne Noha

Joseph Ervin	- Aye
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
Michael Kaigler	- Aye

IX. Regular Business

[7. SPECIAL USE PERMIT | 2602 Whitaker St | 23-000865-ZA | Restaurant w/ Alcohol Sales](#)

- 📎 [Staff Report 050223.pdf](#)
- 📎 [Jinx - Whitaker - Letters of Support - Additional 107.pdf](#)
- 📎 [Whitaker - Letters of Support.pdf](#)
- 📎 [2602 Whitaker Plans.pdf](#)
- 📎 [Maps.pdf](#)
- 📎 [Jinx.Letter.MPC.pdf](#)
- 📎 [Jinx letter to MPC from nearby homeowner.pdf](#)

Mr. Marcus Lotson, Director of Development Services, stated the Petitioner is requesting approval of a Special Use Permit to operate a restaurant with on-site alcohol consumption in a TC-1 (Traditional Commercial) zoning district. The subject property is located on Whitaker Street between West 42nd Street and West 43rd Street. The site is approximately 1/3 of an acre in size and is an existing nonconformity due to the fact that both a commercial building (which is intended to become the restaurant) and an occupied residential duplex exist on the same parcel. The commercial building was originally constructed in 1915 and substantially renovated in 2006, and the duplex was built in 1935 and substantially renovated in 1960. Both buildings are under the same ownership. The owner has indicated that an application has been made to the City of Savannah to convert the duplex from a full-time residence to a short-term vacation rental. The Petitioner's intention is to convert the commercial building into a restaurant/bar. Both restaurants and alcohol sales in this zoning district require a special use permit to be granted by the City of Savannah.

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. The zoning ordinance's definition of the TC-1 district is as follows:

The TC-1 district was established to ensure the vibrancy of historic mixed-use neighborhoods with traditional development patterns characteristic of Savannah during the streetcar and early automobile eras. The district provides for commercial areas that are developed at a mass and scale harmonious with nearby residential neighborhoods.

In review of the circumstances and the Special Use criteria, it appears that the proposed use is likely to create a level of land use intensity that may not be able to be accommodated without creating offsite impacts.

The current zoning district, TC-1, is meant for commercial uses that mix well with nonresidential uses. Staff found that this use is likely to have offsite impacts and is therefore incompatible with the intent of the zoning district. Staff also found that the property and proposed use do not meet the criteria for Special Use approval. Staff, therefore, recommends' denial.

Mr. Wayne Noha, board member if the petition was regarding just the alcohol sale.

Mr. Lotson stated yes, but the review is about the impact of the use of this building.

Ms. Karen Jarrett, Board Member, asked, if they could have live music anyways without the alcohol use already.

Mr. Lotson said yes.

Mr. Josh Yellin, Attorney, stated he received 207 letters of support and people are excited about this project. He showed the current state of the building and has already gone through the approval process with the historic preservation commission and is only seeking approval for the restaurant with the use of alcohol sales. The location is near multiple restaurants and supply stores. The residents of the duplex next door have expressed excitement about the new restaurant. The Petitioner has also spoken with other communities regarding this. Only two parking spots would only be required for this building under the City ordinance and the establishment offers a total of 8 parking spots. He stated they are not the first restaurant to come before the Board with a similar request. He proposed limiting the hours of operation which would be Sunday – Thursday they would shut down at midnight and Friday- Saturday they would shut down at 1:00 am.

Ms. Susan Warnercross, Owner, stated that the previous location opened in 2003, and have a very low incident rate at the club. While open they had many local, national, and international touring bands. When the pandemic hit, they were forced to close. She stated that many of the patrons live in the area and would prefer the new location, so they don't have to fight the downtown traffic.

Mr. Karen Jarrett, Board Member, asked if the roofline would affect the trees.

Mr. Kevin Rose, the Architect, stated he is going to do everything he can to keep the tree. There will be an arborist involved to tend to the trees.

Mr. Jay Medler, City Manager, asked what the occupancy is going to be.

Mr. Rose stated that the occupancy limit is going to be roughly 200 people.

PUBLIC COMMENT:

Patrick Richey expressed support of the Petitioner’s request.

Jason Combs expressed support of the Petitioner’s request.

Gill Cruz expressed support of the Petitioner’s request.

Rachael Shaner expressed support of the Petitioner’s request.

Lili Mae expressed support of the Petitioner’s request.

John Clayton expressed support of the Petitioner’s request.

Ava Panienne expressed support of the Petitioner’s request.

Jim Reid expressed support of the Petitioner’s request.

Jonathan Cushions expressed support of the Petitioner’s request.

Jay Maupin expressed support of the Petitioner’s request.

Jacob Tatum expressed support of the Petitioner’s request.

Daniel Malone expressed support of the Petitioner’s request.

Cala Brown expressed support of the Petitioner’s request.

Mr. Jay Melder motioned to approve Petitioner’s request, and Mr. Coles seconded.

(The Board motioned for and approved a five-minute recess)

Motion

Denial of staffs request and Approval of the petitioner's request for a Speical Use Permit to operate a restaurant with on-site alcohol consumption in a TC-1 (Traditional Commercial: zoning district.

Vote Results (Approved)

Motion: Jay Melder

Second: Travis Coles

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

Wayne Noha	- Aye
Jeff Notrica	- Abstain
Laureen Boles	- Aye
Elizabeth Epstein	- Not Present
Malik Watkins	- Not Present
Jay Melder	- Aye
Michael Kaigler	- Aye

[8. MAP AMENDMENT | 309, 311, 313, 315, 323, 325, 331, 335, and 343 Buckhalter Road | Rezone from RA-CO to I-L | 23-000304-ZA](#)

- 📎 [Application.pdf](#)
- 📎 [combined.maps.pdf](#)
- 📎 [Signed annex 52.860 acres off Buckhalter rd.pdf](#)
- 📎 [Ordinance.pdf](#)
- 📎 [Sound Wall Agreement.pdf](#)
- 📎 [I-L.pdf](#)
- 📎 [Existing R-A List of Uses.pdf](#)
- 📎 [Dev Standards-R-A.pdf](#)
- 📎 [Letter of Support for Approval #2.pdf](#)
- 📎 [Letter of Support for the Approval #1.pdf](#)
- 📎 [Staff Report.pdf](#)
- 📎 [FW_ Buckhalter Road Rezoning.pdf](#)
- 📎 [FW_ May 2nd Map Amendment vote.pdf](#)

Ms. Melissa Leto, Senior Planner stated the petitioner, John D. Northup III, Agent for Capital Development Partners, is requesting a rezoning of ten (10) parcels that recently were annexed by the City of Savannah from an R-A-CO (Residential – Agriculture - Annexed) district to an I-L (Light Industrial). The ten parcels face Buckhalter Road. The Petitioner’s intent is to allow the proposed I-L parcels to be developed as a part of the Rockingham Farms Industrial Development, which is already being developed on adjacent parcels to the south, on parcels that have already been annexed into the City of Savannah.

The subject properties consist of approximately 52.86 acres, is located southwest of Buckhalter Road, and a little more than a half mile from the Veterans Parkway ramp. The property identification numbers are the following: 10942 01003, -01002A, -01002B, -01002C, -01002D, -01002F, -01002E, -01007, -01008, and -01009.

- The proposed I-L zoning parcels have frontage to Buckhalter Road. The rear of the subject parcels back up to an approximately 100-acre parcel zoned as M-CO (Manufacturing-Annexed) which is considered the Rockingham Farms Industrial Development.
- A site plan for the proposed I-L portion of the parcels has not been submitted by the Petitioner.

Ms. Leto explained that in reviewing the Future Land Use Map as part of the criteria, the property does not comply with the future land use classification which is one of the main issues. The Petitioners have an agreement with the City regarding the installation of a sound wall. The agreement states the sound wall must be built if the Developer does not purchase Phase One and Phase Two within 24 months of the completion of the proposed building, the Developer must have a completion bond within 30 days, the bond must be \$500,000 if Phase Two properties haven’t been acquired and \$1,000,000 if both Phases

haven't been acquired. The building should be completed within one year.

The Petitioner has made the purchase of the Phase II properties contingent upon the rezoning being approved. Staff stated that the Petitioner can purchase the property at any time but chooses to wait until the rezoning is approved.

Ms. Leto explained that 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. The zoning ordinance's definition of the TC-1 district is as follows. The TC-1 district was established to ensure the vibrancy of historic mixed-use neighborhoods with traditional development patterns characteristic of Savannah during the streetcar and early automobile eras. The district provides for commercial areas that are developed at a mass and scale harmonious with nearby residential neighborhoods. In review of the circumstances and the Special Use criteria, it appears that the proposed use is likely to create a level of land use intensity that may not be able to be accommodated without creating offsite impacts. The current zoning district, TC-1, is meant for commercial uses that mix well with nonresidential uses. Staff finds that this use is likely to have offsite impacts and is therefore incompatible with the intent of the zoning district.

Based upon the existing zoning pattern and character of the area, as well as the review criteria. Staff recommends the denial of the request to rezone from R-A-CO to I-L.

If the MPC Board decides to approve the requested map amendment, then Staff requested the following conditions:

1. The Petitioner applies for an amendment to the Comprehensive Plan prior to moving this agenda item to the City Council for final approval.
1. A 200-foot densely landscaped buffer around the residentially zoned properties.
1. A recombination plat would be required.

Ms. Karen Jarrett, Board member, asked if the Comprehensive Plan has to change in order to do this.

Ms. Leto answered, Yes and that is why Staff asked to postpone this request.

Mr. Jay Melder, City Manager, stated his understanding is that the ability of the Developers to purchase the property was a best-case scenario. His question was is the Comp Plan the main thing pushing the denial? If the Comp Plan amendment came before MPC would the Board accept it?

Ms. Melanie Wilson, Executive Director, stated that the Comp Plan and rezoning would both be handled at the same time, but that the Comp Plan amendment would just have to appear in the agenda first. Additionally, she stated that she wouldn't be able to answer what the outcome would be until it comes before the MPC but there is a high likelihood that it would, and it wouldn't be limited to the single parcel it would be the whole area.

Mr. Melder asked if based on the ordinance could the amendment to the Comp Plan occur at the same time as the rezoning.

Ms. Wilson stated that the Petitioner could have the amendment first and then the rezoning after. The Buckhalter Road to the east is still residential so that would be something that would be reviewed in the amendment to ensure that things are consistent.

Mr. Melder and **Ms. Wilson** engaged in a lengthy discussion regarding the process needed for the rezoning and the amendment to the Comprehensive Plan.

Mr. John Northup, Attorney for the Petitioner, asked the people in support of the petition to stand up. Before he started he wanted to clarify the boundaries and stated that all 10 parcels will be fronting Buckhalter Road and backed up to the northern edge of the CDP (Capitol Development Partners).

Currently, CDP is building a 1.45m square foot warehouse on track one. In January 2022, CDP was able to come to terms with purchasing 10 parcels. Their goal is annexed, once you Annex a property, it bears the same zoning classification as it did in the county, under the city ordinance. So, it's still governed by the county ordinance, but it gets the suffix of CO that's why these are all RACO there were residential, and agricultural under the county. The idea was to get Phase One Rezoned followed by rezoning Phase Two within 18-24 months. The proposed use would be for "overflow" such as trailer parking and container stacking.

He stated that there will be no increased traffic due to the rezoning. There will be no access to the property from Buckhalter Road, complying with the City and SEDA's agreement. General concerns seem to be coming from Staff and not owners from surrounding areas. He received an email from surrounding homeowners in support of the rezoning. He said that he understands Staff's concern with increased noise and light and that he spoke with the City to come up with the Sound Wall Agreement, which stated that the Petitioner has two years to purchase both Phases otherwise the sound wall will be built to mitigate the noise and light. He commented that CDP plans to use the buffers that are in the City of Savannah ordinance instead of the recommended 200-foot vegetative buffer by the MPC. He stated that a Type E buffer is required by the city which is an 8-foot fence followed by a 40-foot vegetative buffer which the petitioner is happy to put in. If they decide to use the land for container stacking, they are going to use a much bigger buffer that would be 350-foot next to any residential boundary.

He stated he understands the issue with the future land map use as well, if he can file an amendment not to slow down the process, he would be happy to do that, but he doesn't feel as if the current residents will be okay with that unless the petitioner can guarantee the properties will be purchased. He states that the current property owners are in limbo on what is going to happen, so he respectfully asks that the rezoning be approved. He stated it is not very realistic to buy the property until the petitioner gets their entitlements.

Mr. Joseph Ervin, board member, stated there is nothing that would stop them from purchasing the property, correct?

Mr. Northup, stated, nothing would stop them from purchasing the property without having a rezone.

Mr. Ervin asked if the Petitioner could get the homeowners in Phase Two to enter an option agreement.

Mr. Northup answered yes If they could come to primary terms on everything.

Mr. Ervin stated that it might be wise to speak to the owners in Phase Two, not to get consent but to get a consensus on what direction they're going in. That way the Board can take another look at the application and know the direction it's going in. He said the Board might be more inclined when there is a global resolution for everyone. As a Board, they must be mindful not just only for the neighbors who want to sell but also of the ones who have yet to decide.

Mr. Northup stated it's a tall order to get all 20 owners to agree in one fell swoop to do anything. They decided to move forward because they had a pretty good consensus with the 10 parcels.

Mr. Travis Coles Board member asked if there was a buffer at the Montessori School.

Mr. Northup stated that the map is preliminary. It depends on what the land is going to be used for if it's container stacking, it'll have to be 350 feet. If it's not container stacking, it'll just have to be that 40-foot vegetative plus an 8-foot fence.

Ms. Karen Jarrett, Board Member, asked staff what type of buffer is required for Rockingham.

Ms. Melanie Wilson, Executive Director, stated when the residents initially came out, they wanted a 200-foot buffer.

Mr. Marcus Lotson, Director of Development Services, stated there is a 40-foot buffer.

Ms. Jarrett asked if that was what the Board ended up approving.

Ms. Wilson stated the Board ended up approving a 100-foot buffer as a compromise.

Ms. Jarrett asked Mr. Northrup if it ever occurred to him to change the Comp Plan.

Mr. Northrup stated that to his understanding it is not binding, it's something that needs to be looked at when rezoning. He further answered that his client is not averse to changing the plan, it just wasn't discussed. He stated his concerns are that he can't speak for Phase Two but is happy to do it for Phase One as long as it doesn't delay the process.

(The Public was asked to stand if they opposed the rezoning)

Mr. Ervin asked if the Comp Plan gets changed will it impact property value and how difficult it would be to amend.

Ms. Wilson stated no; however, the Petitioner would have to apply or make the request to the Comp Plan. The Board's Bylaws state that they could call a special meeting on Tuesday to discuss only the comp plan amendments.

Mr. Ervin asked if changing the Comp Plan would make it easier to rezone the area as a whole.

Ms. Wilson answered Yes.

Mr. Jay Melder, City Manager, stated that the Comp Plan can also be amended by the Mayor and City Council and engaged in a discussion with Ms. Wilson regarding the processes for the MPC Board or the City Council to make the revisions and the timelines.

PUBLIC COMMENT:

John Smith, and Dorie Clark yielded their time to Helen Hester.

Sandra Howl yielded her time to Lara Mackey.

Ms. Helen Hester represents Red Gate Farm and is opposed to the rezoning.

Ms. Lara Mackey, Red Gate Farms owner, is opposed to the rezoning.

Chard Howard, Nearby Homeowner, is opposed to the rezoning.

Eva Papert is in favor of the rezoning.

Zane Brock is in favor of the rezoning.

Mr. Henry Whitfield stated he just hopes the Board does what's right for the surrounding area.

In response to public comment Mr. John Northrup, Attorney for the Petitioner, wanted to clarify that Helen Hester doesn't represent everyone in Red Gate Farms and there is support from some homeowners in Red Gate for the rezoning. He stated that Ms. Hester's concern about the multifamily home is not a part of their rezoning request and that an industrial rezoning will not contribute to any traffic on Buckhalter Road. He also stated that the Mackey's and Woodfield's properties are further removed from the location.

Mr. Jay Melder, City Manager, asked if the Board approved the Petition if the City Council could address the Comp Plan issue at the same time with a report and a recommendation from the MPC.

Mr. Joseph Ervin, Board Member, stated that he doesn't believe that would be binding on the City Council.

Ms. Karen Jarrett stated she is still concerned with the 40-foot buffer and that with Rockingham Farms the MPC Board went to great lengths to find a resolution.

Ms. Jarret made a motion to continue the Petition.

Mr. Melder stated that if the MPC Board motioned to continue, then the MPC needs to do whatever it can to construct a Comp Plan as soon as possible, and then call a special call meeting if everything is completed before the next normal MPC meeting. He asked what the procedure is to kick off a land map amendment review.

Ms. Melanie Wilson, Executive Director, explained the process for the Comprehensive Plan Amendments and dates. She also inquired whether it would be for the entire area or just the site.

Mr. Dwayne Stephens stated it should be the full area.

Mr. Ervin asked if it was possible to get a date certain today.

Ms. Wilson, stated it would be best to come back on June 13th to allow staff to do the analysis, the review, and due diligence to allow the amendment and rezoning to be done at the same time.

Mr. Melder stated that this matter would not be on the City Council's agenda until July to allow time to process the application and notify the proper people.

Ms. Karen Jarett restated her motion. There was a detailed discussion of when the rescheduled date would be. Mr. Ervin called for a point of order to remind everyone there was a motion on the floor that needed to be seconded. There was no second and the motion failed.

Mr. Ervin asked with respect to item one the applicant applies for an amendment to the Comprehensive Plan prior to the item moving to City Council, will that still put the applicant in place to move forward in an expeditious manner? If the Board goes ahead and approves the Applicant's request with conditions one, two, and three as listed and the Applicant applies for an amendment will there still be enough time for them to still be done timely?

Mr. Stephens stated he thinks that is where all the hang-up is happening.

Mr. Ervin made a motion to approve the requested map amendment with the following condition:

1. Applicant applies for an amendment to the Comprehensive Plan prior to moving to City Council
2. a 200-foot densely landscaped buffer around the residential zoned properties
3. A recombination plat would be required.

Mr. Stephens asked if Mr. Ervin's motion is the condition that staff outlined with approval.

Mr. Ervin stated yes.

Mr. Melder stated the issue is that the applicant cannot submit a map amendment application because the applicant doesn't have control of the properties.

Mr. Ervin withdrew his motion and stated with respect to the properties that the applicant owns can he make a motion regarding those. He's concerned about Phase Two and asked, can the Board move this forward with an amendment to the Comprehensive Plan that would be compatible for Phase One and Phase Two.

Ms. Wilson stated if the Board moves forward and the Applicant asks for an amendment to the Comprehensive Plan for the subject property staff will look at all surrounding properties not just the applicants.

Mr. Ervin stated his motion is back on the table that the Board approves the request map amendment for parcel one with the recommendations from staff stated previously.

Mr. Stephens clarified the motion stating that the Board approves Phase One of the petition with Staff's

conditions outlined in the staff report.

Mr. Coles had a question for clarity. The applicant stated that they can't do this on Phase Two but they can on Phase One?

Mr. John Northup, Attorney for Petitioner, stated he can't do it with phase two. He doesn't understand if he makes an amendment to the Comprehensive Plan as to Phase One how does that affect Phase Two?

Ms. Wilson clarified that when there is a Comprehensive Plan amendment the MPC looks at the parcel that is impacted but also looks at the surrounding area, if the area is consistent with the request the MPC changes the Land Use Plan for the entire area.

Mr. Coles seconded the motion.

Mr. Stephens clarified that the motion made by Mr. Ervin is to approve the petition for Phase One with the conditions that are outlined by Staff's recommendation. He asked if the MPC finds that changing the Comprehensive Plan is feasible; what is the notification process for the property owners in phase two.

Ms. Wilson stated if this were to move forward the MPC would analyze a half-mile circle and if it is appropriate to change the zoning then the MPC will do that in the area. The MPC will also revisit properties to the north of Buckhalter Road. The reason she asked for more time is so that staff could have the appropriate time to notify owners.

Mr. Stephens stated that was the basis of his question. He wanted to ensure property owners get the proper notification but if the Comprehensive Plan is changed, then what does that look like for the Phase Two owners? He doesn't want the property owners to feel handcuffed and must sell their property.

Ms. Wilson stated that Mr. Stephens may be concerned about non-conforming which would be one thing of concern, however, there are a lot of non-conforming conditions in Savannah. Amending the Comprehensive Plan wouldn't force the current property owners to sell their property nor would it prevent them from selling it, just as long as the future use were to remain as a Single-Family Resident. The Comprehensive Plan shows what type of zoning is compatible with the area and wouldn't change current property owners' zoning classifications.

Motion

Based upon the existing zoning pattern, The MPC Board motions to approve the applicants requested map amendment for Phase One with the following conditions:

- 1.The applicant applies for an amendment to the Comprehensive Plan prior to moving this agenda item to the City Council for final approval.
- 2.A 200-foot densely landscaped buffer around the residentially zoned properties.
- 3.A recombination plat would be required.

Vote Results (Approved)

Motion: Joseph Ervin

Second: Travis Coles

Joseph Ervin	- Aye
Tom Woiwode	- Aye
Travis Coles	- Aye
Joseph Welch	- Aye
Shedrick Coleman	- Not Present

Karen Jarrett	- Nay
Dwayne Stephens	- Nay
Wayne Noha	- Aye
Jeff Notrica	- Nay
Laureen Boles	- Nay
Elizabeth Epstein	- Not Present
Malik Watkins	- Not Present
Jay Melder	- Aye
Michael Kaigler	- Aye

[9. Zoning Text Amendment | Sec 3.2 Public Notice Procedures | 23-001583](#)

📎 [GA House Bill 1405.pdf](#)

📎 [Ordinance Section with amendments.pdf](#)

📎 [Application.pdf](#)

📎 [Staff Report - 22-001583-ZA.pdf](#)

Mr. Marcus Lotson, Director of Development Services, stated during the 2022 legislative session the Georgia State Legislature adopted HB 1405 which resulted in changes to the Zoning Procedures Law that are applicable to local governments. The City of Savannah engaged an outside land use attorney to review the amended rules and apply them to the City's ordinance. The proposed text is in red and underlined and is in addition to the existing public notice section. While these proposed additions address the immediate need to be consistent with recent state-level changes, a comprehensive review of public notice procedures is also needed.

Two proposed additions to the ordinance reflect changes to the Zoning Procedures Law that are related to published notice requirements. The first change affects (Sec 3.2.5 c. 3.) and is related to the timing of published notice requirements. The new language (below) requires certain applications to have a published notice at least 30 days prior to the date of the public hearing. This change will require revisions to internal procedures related to the applications identified below. This will lengthen the process so the boards involved will need to change their meeting dates to comply with state law.

The second change relates to required notice when municipalities propose a zoning change from a single-family residential zoning district to a district that allows multifamily zoning, or when single-family zoning is proposed to be eliminated. These provisions do not apply to zoning applications submitted by a property owner or their representative but do apply to certain zoning actions that are initiated by the City of Savannah. This provision will not require MPC procedural changes.

MPC Staff recommends approval of the proposed amendments to Sec 3.2 Public Notice to address changes in the state Zoning Procedures Law.

Mr. Wayne Noha, asked does this apply to county governments as well.

Mr. Lotson answered yes.

PUBLIC COMMENT:

None

Mr. Ervin Motioned to approve, and Mr. Coles Seconded the motion.

Motion

Approval of the text amendment

Vote Results (Approved)

Motion: Joseph Ervin

Second: Travis Coles

Joseph Ervin	- Aye
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
Michael Kaigler	- Aye

X. Presentations**XI. Other Business****XII. Executive Session****XIII. Adjournment**

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.