



## Chatham County - Savannah Metropolitan Planning Commission

Arthur Mendonsa Hearing Room  
December 20, 2022 - 1:30 pm  
Minutes

### DECEMBER 20, 2022 MPC MEETING

**Members Present:** Dwayne Stephens, Chairman  
Travis Coles, Vice-Chairperson  
Tom Woiwode, Secretary  
Elizabeth Epstein, Treasurer  
Michael Kaigler  
Wayne Noha  
Jeff Notrica  
Laureen Boles

**Members Absent:** Joseph Welch  
Malik Watkins  
Shedrick Coleman  
Joseph Ervin  
Karen Jarrett  
Jay Melder

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

#### I. Call to Order and Welcome

#### II. Invocation and Pledge of Allegiance

#### III. Approval of Agenda

#### IV. Notices, Proclamations and Acknowledgements

[1. December 20, 2022 Personnel Committee Meeting 10:30 am, via GO-TO-Webinar or Jerry Surrency Conference Room, 112 East State Street](#)

[2. December 20, 2022 Finance Committee Meeting, 11:30 am, via GO-TO-Webinar or Jerry Surrency Conference Room, 112 East State Street](#)

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

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

#### Motion

Item requested to be removed from the final agenda.

**Vote Results ( Approved )**

Motion: Travis Coles

Second: Wayne Noha

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

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

**Motion**

Item requested to be removed from the final agenda.

**Vote Results ( Approved )**

Motion: Travis Coles

Second: Wayne Noha

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

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

**Motion**

Item removed from the final agenda.

**Vote Results ( Approved )**

Motion: Travis Coles

Second: Wayne Noha

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

[6. REZONING MAP AMENDMENT | 1800 E. 63rd Street | Rezone from RSF-6 to RMF-2-20 | 22-004421](#)

**Motion**

Item removed from the final agenda.

**Vote Results ( Approved )**

Motion: Travis Coles

Second: Wayne Noha

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

Michael Kaigler - Aye

[7. MAP AMENDMENT | 340 Buckhalter Road | Rezone from R-A \(County\) to RMF-1-12 | 22-005069-ZA](#)

**Motion**

Item removed from the final agenda.

**Vote Results ( Approved )**

Motion: Travis Coles

Second: Wayne Noha

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

**VI. Items Requested to be Withdrawn**

[8. Request to be withdrawn | MAP AMENDMENT | 110 Old River Road | Rezone from R-A to B-N | Z-1122-000331](#)

**Motion**

Item withdrawn.

**Vote Results ( Approved )**

Motion: Travis Coles

Second: Wayne Noha

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

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

### [9. Approval of the November 8, 2022 Meeting Minutes](#)

[📎 11.08.2022 Meeting minutes.pdf](#)

#### **Motion**

Approval of the November 8, 2022 meeting minutes.

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

Motion: Travis Coles

Second: Wayne Noha

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

## VIII. Old Business

## IX. Regular Business

[10. MAP AMENDMENT | 12500 Apache Avenue | Rezone from RSF-E to B-M | 22-004424-ZA](#)

☉ [SITE VISIT.pdf](#)

☉ [Letter of Concern.pdf](#)

☉ [Application, File no. 22-004424-ZA.pdf](#)

☉ [site plans.pdf](#)

☉ [STAFF REPORT.pdf](#)

**Ms. Melissa Leto, Senior Planner, Development Services**, said the petitioner is requesting a rezoning of a parcel from an RSF-E (Residential-Single-Family-Estate) zoning district to a B-M (Maritime Business) district at 12500 Apache Avenue to construct a restaurant and marina. The petitioner is also requesting a Special Use permit to allow for the proposed restaurant with on-site consumption of alcohol. The petitioner has conducted two neighborhood meetings. The first meeting was held on October 29, 2022, at the Bell's Landing Clubhouse. The meeting included both Alderman Purtee and Commissioner Whitely along with twenty-one residents that reside off Apache Avenue. The second meeting was attended via virtually on November 28, 2022. At the second meeting, there were six attendees as well as Alderman Purtee and Commissioner Whitley. The petitioner explained their conceptual plans and mentioned they will provide a neighborhood agreement to the Bell's Landing Condominium residents prior to the petition going to City Council. The parcel is located on riverfront property and addresses the compatible zoning pattern due to where it is located. It is unlikely that there would be existing or changing conditions affecting the use and development of the property. If redeveloped, it would most likely be a restaurant use. The Chatham County-Savannah Comprehensive Plan Future Land Use Map (FLUM) designates the subject parcel as *Commercial - Neighborhood*. The proposed B-M zoning classification is for commercial marine facilities and limited commercial uses, which is compatible with the *Commercial - Neighborhood* future land use designation.

The petitioner is also requesting approval of a Special Use pursuant to Section 3.10 of the Savannah Zoning Ordinance to establish a restaurant with onsite consumption of alcohol and a marina. The Special Use process includes review by the Planning Commission and the Savannah City Council. Should the use be approved by Council, a permit will be granted by the City of Savannah which will be governed by the permit enforcement criteria outlined in Article 3 of the Savannah Zoning Ordinance.

The area, historically operated as a restaurant with a marina called, "Bells Landing". The restaurant and marina were destroyed due to a fire in February of 2006. The petitioner plans to create a neighborhood agreement with the adjacent neighbors prior to City Council. The neighborhood agreement will address any parking overflow, hours of operations, and live music restrictions. Per code, the minimum parking requirements for a restaurant are 1 vehicle parking space per 100 square feet. The proposed restaurant would be approximately 3000sq ft in size. Based on the conceptual site plan, the petitioner is providing 31 vehicle parking spaces. Based on the compatibility with the Comprehensive Plan and the ability to meet the criteria for a Special Use permit, staff recommends approval of the request with conditions.

1. Special Use Permit shall be non-transferable
2. Special Use Permit shall be on-premises alcohol only.

**Mr. Michael Kaigler, County Manager**, said from the County's perspective, we have certain times of the year, Spring and Summer, when that site is used actively for launching boats. There is an issue now with parking. How is the petitioner going to deal with the availability of parking when we have several people parking there to launch their boats?

**Mr. Josh Yellin**, representing the petitioner, said as you are aware, the news article from 1987, when it was Belles Landing Restaurant and Tavern, the restaurant and tavern opened somewhere around 1980. Prior to that, it was an existing commercial fish camp that had been in operation since the turn of the century. It operated until 2006. For close to 40 years, this site was a commercial establishment. Prior to burning down in 2006, it was much larger than what we are proposing today. It encompassed 4 buildings plus the covered marina. In 2006 it did burn down, some of the remnants are still there. Until NewZO was passed in 2019, the site was zoned P-B-M, It was Maritime Business, the same zoning classification that we are looking for today. NewZO made this an estate lot. The Future Land Use Map and the City's Comprehensive Plan continue to show this site as Neighborhood Commercial. It never reverted back to a residential classification. Our rezoning request today is to restore this commercial use. To bring back the Belles Landing bar and tavern and to provide an amenity for the surrounding neighborhood.

We did hold two separate neighborhood meetings. The first, we had an excellent turnout, 23 persons were in attendance. Commissioner Whitley, Alderman Purtie, and Representative Stephens attended as well. We did hear some concerns as residents but we also heard overwhelming support for this application provided that we can make this restaurant a neighborhood amenity. We want this place, where the residents living across the street, can come. We want this to be a place where they hang out, have their anniversary parties, and a place they stop in on a weekly basis. As we went through those neighborhood meetings, we discussed the concept of a good neighbor agreement which would be an executable document that would be signed by the homeowners association, the property owners, along with, Alderman Purtie as the representative of this district. We saw the concerns from an adjacent residents, primarily concerned about buffers, parking, and noise. A lot of those issues were issues which we were planning on addressing in the neighborhood agreement. We were planning on limiting our hours to 10pm, 9pm during the week and 10pm on the weekends. Live music, we were going to restrict to those hours as well. We want to put a condition in that agreement that we would adhere to all of the City of Savannah's noise ordinances, which are very restrictive. From the property line, police and code enforcement would be able to show up any day of the week with a decimal meter reader. We do have some adjacent property next to the parking lot. We would like to explore using that as overflow parking only. As we did the site plan, the restaurant will be 3000sq ft. We put more than enough parking in under the City of Savannah Zoning Ordinance. We do understand the concern from the County. If there is open area that can be utilized, we are open to having that as overflow parking.

We heard the concerns at the neighborhood meeting about this functioning too much like a bar and not a restaurant. The owner went back and reduced the bar seating at the restaurant and added more table side seating. At every step of this process, we have been trying to listen to the concerns. We know we can not address all concerns but we are proud of the plan we are presenting and we think this will be in keeping with the criteria for a rezoning. This will be a neighborhood amenity and the Special Use request is warranted.

**Mr. Kaigler** said, this is a good idea. I want to make sure, over time, that area is getting utilized more and more by people trying to launch a boat. We have had issues in the past where, on a good sunny summer day, there are a lot of boat trailers being parked there. I want to make sure we do not have a conflict between people using the restaurant and the boats using the boat ramp and parking trailers there.

**Mr. Yellin** said, yes sir, under the prior ownership with the County boat ramp, the owner put up gates, or wires across the property. People utilizing the County boat ramp were coming onto the private property and parking their trailers there. We are not trying to cause any conflict with the County. If there is a way for us to work together and try and get more parking in this area and solve the overflow parking, we are happy to do that. The house at the rear of the property, which was mentioned to be slated for demolition, it is currently uninhabitable. There was concern from the residents that the homeless population had taken up occupancy here. We are trying to address that and do that in the best way possible. If this site remains vacant, that problem is not going to correct itself. Representative Ron Stephens stated this fact at our community meeting.

**Ms. Lauren Boles, Board Member**, asked, beyond the property that is to be demolished, that is an existing residence?

**Mr. Yellin** said yes. I believe that was the resident that wrote the letter to Ms. Leto. We have been in constant communication with her and her family. They did operating the Belles Landing. One of the concerns that came up from her letter was specifically related to the buffer that would be present between her home and this property. Mr. Lotson was on that neighborhood meeting call and we did our best to explain that as part of the Site Plan review process, because this would be a commercial use, now adjacent to a residential use, the City does in fact have a very specific buffer requirement. I think it is a 25ft vegetated buffer and a 6 ft fence or heavily vegetated and without the fence. We are willing to adhere to that standard. We think once that home is demolished and this area gets more of an enhanced buffer in accordance with the City of Savannah's Ordinance, that will greatly mitigate any of the noise concerns. Related to that, she also brought up Stormwater. We fully believe, through the new Site Plan approval process, by us coming in and redeveloping this site, it will vastly improve the runoff verses this site which is simply a foundation with no trees and no onsite retention systems. We do think the concerns in this letter will be alleviated by this project going forward.

**Ms. Christy Edenfield, member of the public**, said just because a restaurant was there previously does not mean it is a good idea now. It is zoned as an RSFE and it should not change. A lot has changed since Belles Landing on the River was burned down in a suspicious fire in 2006. There have been a lot of changes since then including significant road deterioration, climate change, rising water, and tides with a river and our marsh and a fragile echo system. County improvements to the boat ramp have caused increase to trucks and boats being parked down both sides of Apache Avenue. Right now we can not get a firetruck down the road when boat trailers are parked there on both sides. An increase in vehicle accidents on Apache Avenue and Warlock Drive have been caused because of this. A number of dog walkers have been nearly hit going up and down this road. Adding a bar, restaurant, marina, would only add an additional burden to this part of the City. Rezoning this parcel would cause undue burden to Riverhouses at Belles Landing. It will lower our property values, increase traffic on the river, which would put a burden on the dock, it would increase traffic on the roads putting a burden on our gated community. It would increase foot traffic and people walking into our gated community. While we only have 42 townhomes in our community. In June, we had 34 911 calls, July 56, August 25, September 67, and October 35. We are averaging approximately 250 911 calls in the past 6 months in this small little community. Savannah police are already over burdened by our small little community. Adding a bar marina would only add to the already high crime rates. Some people have memories of being able to stumble home after drinking at Belles Landing. For each person that stumbled home when there was a restaurant there before, there are hundreds more that are drunk driving. Other residents have memories of increase noise, light pollution, crime, fighting, people urinating in their yards, danger to pedestrians and dog walkers. We do not want to go back to that. It would cost the City over a million dollars to wind that road and put a traffic light at Apache Avenue and Roger Warlock Drive. 12500 is zoned as RSFE property and it should stay that way until the City can pay for the complete expense of infrastructure improvements that would be needed to accommodate a bar, restaurant, and marina. According to many national transportation and urban planning organizations, a road should be 10ft wide but 11ft if there are delivery trucks, which would be needed to support a bar, restaurant, and marina. Additional 7-9ft should be added for side parking. There are trucks and boat trailers parked up and down both sides. The average boat trailer is 8 1/2 ft. We would need the 9ft added. The typical US residential street is 50ft wide. Right now, the lanes are only 8ft each. The City would need to widen the road 12ft on each side for the safety to support a bar, restaurant, and marina. To widen the road you would need to cut down all of the trees along the marsh, move all of the electric poles, and fill the marsh and wetlands. It would cost the City well over a million dollars and it would cause irreparable harm to the echo system. If the bar, restaurant, and marina were built with the current road situation it would cause traffic accidents and be a risk to bike and pedestrians. For the safety of your constituents and the people of Savannah, I encourage you not to rezone this small piece of property for the use of a bar, restaurant, and marina.

**Mr. Yellin** said, yes, there was concern at the neighborhood meetings. The overwhelming majority of the people who attended the meetings were in support of this petition believing that it would be an amenity to the community. Part of what we see time and time when we see these Rezoning's and Special Uses, particularly when it comes to crime, is about a concept of eyes on the ground. Putting a restaurant here and having people coming and going, does in fact, deter crime. It is no longer a vacant lot where people can freely come and go and hide out at night in a dilapidated and abandon home. It will be a well lit restaurant with security cameras and people present. We see this as a positive in a way that does bring crime down. The Future Land Use map designates this site as commercial. The planners for the City of Savannah, Chatham County, and MPC, when looking at this site determined that Neighborhood Commercial was the appropriate designation for this site and should be the use for this site going forward from policy standpoints. Some of the other concerns are unfortunately outside of our control. I can not control global warming with this restaurant. We can do the best we can as part of this restaurant to make is an amenity to the community to limit the hours, the noise, and to make it a place that we are hopeful everyone can come to enjoy and appreciate once it can get off the ground.

**Mr. Wayne Noha, Board member**, asked do you know when the boat ramp area was improved? Was it post burn or pre burn?

**Mr. Yellin** said post burn.

**Mr. Travis Coles, Vice Chairman**, said from the pictures shown, I do not see any no parking signs. At the very least, I would reach out to the City if it's a City street and have them put those up. Maybe then they could start enforcing giving parking tickets along there.



**Ms. Elizabeth Epstein, Board member**, asked, does the boat ramp keep particular hours? Is it closed after dark or anything?

**Mr. Kaigler** said it is normally from dawn to dusk the boat ramp is open. As indicated, after the restaurant burnt down and the townhomes being that are there, there are more and more people using it. That is a big issue. There are going to be parking problems. People park on both sides of the street when it is crowded. Even parking tickets will not fully resolve the issue.

**Mr. Yellin** said we want to affirm our committment to working with the County. We know that because of the vacant site for so long, people have taken advantage of the vacant land. We do not want to put that strain on everyone. This project will take some time to build out. It is not a restaurant overnight. We do want to commit to you, if there is something we can do by way of overflow parking, we will have our paved restaurant parking area, but if we need to work together to get people off the street and into a place that is safer for everyone, we are happy to do that.

### Motion

Approval of the request to rezone 12500 Apache Avenue from RSF-E to B-M.

### Vote Results ( Approved )

Motion: Wayne Noha

Second: Travis Coles

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

### [11. SPECIAL USE PERMIT | 12500 Apache Avenue | Request for an accessory alcohol sale by the drink within a marina restaurant | 22-004426-ZA](#)

📎 [Application, File no. 22-004426-ZA.pdf](#)

📎 [COMBINED MAPS.pdf](#)

📎 [Proposed site plans](#)

📎 [SITE VISIT.pdf](#)

📎 [Letter of Concern.pdf](#)

📎 [Staff Report.pdf](#)

See item 22-004424-ZA 12500 Apache Avenue for rezoning.

The two petitions were presented together.

**Motion**

Approval of the Special Use request with conditions:

The Special Use permit shall be nontransferable.  
The Special Use permit shall be on-premises alcohol only.  
Include the Neighborhood agreement to go to City Council

**Vote Results ( Approved )**

Motion: Wayne Noha

Second: Tom Woiwode

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

[12. MAJOR SUBDIVISION | 241 BROADWATER LANE | 1122 - 000327](#)

📎 [241 Broadwater Existing Residences.pdf](#)

📎 [Broadwater Lane Entrance.pdf](#)

📎 [Staff Report 0327.pdf](#)

📎 [Broadwater Lane Exhibits.pdf](#)

📎 [Aerial.pdf](#)

**Mr. Marcus Lotson, Director of Development Services**, said the petitioner is requesting a variance from Sec 602.02(a) of the Chatham County Subdivision Regulations pursuant to the approval of a Final Plat for a Minor Subdivision located off Broadwater Lane, an unimproved right of way which intersects with the south side of Hwy 204 (Fort Argyle Road), approximately one mile east of Highgate Boulevard. The proposal includes the creation of a 2-acre residential lot. And a variance to allow the creation of one additional lot on an unimproved right of way.

On May 24, 2022 a request was made by the petitioner to rezone a 2-acre portion of property at 241 Broadwater Lane from PDR-SM (Surface Mining) to R-A (Residential Agriculture) with the intention of establishing a single-family residence. The subject property had previously been used as a borrow pit. On April 19, 2022, the owners received approval from Georgia DNR to reclaim 42 acres of land, including the

2 acres in question, from the surface mining operation to be used for development. Concurrently, a minor subdivision was submitted to create the 2 -acre parcel.

In review of the subdivision request, it was determined that the number of existing lots which area accessed by Broadwater Lane exceeds the number allowed by Chatham County on an unimproved access. Based on these findings, the subdivision was denied. Broadwater Lane is a dirt road within a 30 foot private vehicular access and utility easement. Per Sec 601.02(a) *Design Specifications for Streets: Except as hereinafter provided, where a major subdivision abuts on an unpaved street which does not meet the design requirements of this chapter, the subdivider shall cause the street to be upgraded to meet the right-of-way, drainage and surface condition requirements of this chapter.* A major subdivision is defined as 4 or more lots of record. Currently, Broadwater Lane provides access to five lots not including the proposed 2-acre parcel. There appear to be six existing residences which use Broadwater Lane for vehicular access. The access road is unpaved and is approximately 3,600 linear feet from the Hwy 204 intersection to the furthest residence served. In March of 2022, the petitioner placed approximately 413 acres, or 85% of the overall +/- 490 – acre site, in a Perpetual Conservation Easement. This action will prohibit further development in the areas conserved. However, existing residences and the proposed 2-acre site (residence) are served by an unimproved access, which is a concern particularly as it relates to safe ingress / egress and emergency services.

Per Chatham County regulations, a 20-foot paved access with appropriate stormwater conveyance would constitute compliance in this manner. The applicant has stated that they are not equipped to complete a task of this scale and that the existing access road has adequately served the residents. A 2003 recorded plat (previous owner) stated in the notes that no further subdivision of land shall occur until the access was improved to County standards. The petitioner’s agent has stated that the current owner did not complete a title search prior to acquiring the property. Therefore, they were unaware of this requirement.

The site of the proposed new 2-acre parcel is west of Broadwater Lane approximately 500-feet into the property. The pending zoning action to rezone the property was tabled by Chatham County until the resolution of the subdivision variance. If rezoned, the property would meet the lot area requirements for the R-A zoning district.

**Variance:** The petitioner is requesting a variance to allow the creation of an additional lot on a substandard right of way. The Chatham County Subdivision Regulations, Section 804, provides that when a peculiar shape, or the topography of a tract of land, or other unusual condition makes it impractical for a developer to comply with the literal interpretations of the design requirements of the Chatham County Subdivision Regulations, the Metropolitan Planning Commission shall be authorized to vary such requirements, provided, however, that in doing so the intent and purposes of the Chatham County Subdivision Regulations would not be violated.

Per the request, there would be six total lots on Broadwater Lane, three more than are allowed to be served by unimproved access. It appears that the first homes were built on Broadwater Lane in the mid 1990s, therefore, all the residences have been built over the last thirty years with the existing access. The proposed additional parcel could accommodate one additional single-family dwelling.

The intent of the subdivision regulations as it relates to Sec 602.02(a) is to ensure adequate access after development reaches a certain point. The 2003 recorded plat stated clearly that no additional lots should be created until access was improved. While it may be that one additional lot will not be determinate relative to the quality of ingress / egress on Broadwater Lane, variances to the standards must be justifiable. The regulations state that the Planning Commission may vary these standards in such cases where a “peculiar shape, or the topography of a tract of land, or other unusual condition makes it impractical for a developer to comply with the literal interpretations of the design requirements.” Such authorization is allowed as long as it does not violate the intents and purposes of the Ordinance. Staff does not find that such justification has been shown.

The MPC staff recommends denial of a variance to allow the creation of one additional lot on an unpaved substandard access way based on the previously stated findings.

**Mr. Stewart Wallace, Representing the Petitioner,** said we have the opportunity today to help a dedicated and caring mother get one step closer to occupying her home here in Savannah. Several years

ago Ms. Sandra Burnsed suggested that our client, Ms. Hampton, move her family from Tennessee down to Savannah. Ms. Burnsed offered Ms. Hampton this 2-acre parcel before you today. This parcel is along the banks of a pond formed out of a borrow pit on Ms. Burnsed's property. Ms. Hampton who was expecting to occupy this land, made the move down to Savannah in reliance on promise. In October of 2021, Ms. Hampton approached Chatham County to learn more about what would be required to subdivide the land and record the deed from Ms. Burnsed. Around that time, Scott Sellers at Chatham County Engineering told her to go ahead and file a subdivision petition with MPC. It was during Engineering's initial review of that petition that Ms. Hampton was made aware of the subdivision regulation that is being discussed today. Harold Yellin was before you in May to rezone this property talked about a three step process. The first thing is to close the surface mine with Georgia DNR. Second the property needs to be rezoned from PDR-SM to Residential Agricultural. Third would be to obtain subdivision approval. Step one was completed in April. We have made strides of completing step two in May of this year when this body approved our request to rezone the property, with MPC staff noting in the report that residential zoning will allow for the best use of the land, lessen the impact of potential uses on the neighborhood, County, and public services. After receiving that approval, we waited for several weeks to hear from Chatham County on our rezoning hearing. It was tabled, at that time that Chatham Engineering brought up the subdivision regulation issue as it concerns the road. After much back and forth with their team and Chatham's assistant attorney's office, we were instructed that while a strict application of the regulation may appear harsh in this case, they felt that any deviation from that regulation should come in the form of a variance. It is for that reason we stand before you today again. We believe a variance is appropriate in this case.

Our application and request is based on four key considerations. The first being, the grant of approximately 414 acres to the federal government for its conservation easement program which makes the development of the land surrounding the property into a traditional residential subdivision. It prohibits structures from being built on the subject land removing the development potential from a vast portion of Ms. Burnsed's land. Second, Ms. Hampton has heard no concerns about the safety or navigability of that road from Chatham County. Ms. Burnsed has heard from Chatham's employees traveling up and down the road that the condition of the road poses no safety risk and can accommodate emergency services, and has in the past year. Third, the nature and characteristics of this road. Fourth and finally, with all the applications, legal fees, and local housing costs incurred by Ms. Hampton, she is simply unable to fund the improvements Chatham County is asking her to make in this case. Based on a recent cost estimate, she is looking at nearly \$140,000.00 to pave this road to the County standard. If this petition is denied, Ms. Hampton will not be able to occupy the land gifted to her by Ms. Burnsed and the family will continue to be without their home.

**Mr. Harold Yellin, Representing the Petitioner**, said, I was asked to come today to speak about two previous petitions. In both cases, MPC staff recommended denial and in both cases the MPC approved a subdivision. The best way to describe it is, under the Ordinance, there is a subdivision ordinance that talks about four or more lots being a major subdivision not a minor one. That line could have been five or six but under the County Ordinance it is four. I was standing before you not very long ago, the property in front of you is at the end of Island Drive. In that particular case, they were looking to go from six lots to seven lots. There was no paved road. Given the facts and circumstances, there was not an issue with seven people on this substandard road. I also stood before the Planning Commission for Turner's Rock. There are 25 lots out there, one of the property owners also wanted to subdivide there. In that particular case, that is an even worse road than Isle of Hope yet there was not an issue with this particular body stepping up and saying, "there is no harm in having this subdivision done". I bring these to your attention, the only thing I would take issue with in the presentation by my associate, I was recently at a meeting with engineers telling me in today's world of product and availability, it is now \$800 per linear foot. I think the dollar amount is \$400,000 not \$150,000. It would cost \$400,000 to build a road to County spec for the privilege of having one more lot. So much of this land has already been given away for conservation, the likelihood that this could ever become Isle of Hope, or ever become Turners Rock, is not likely. We understand why staff has recommended denial because of the Ordinance. We think if ever there is a case for a variance to be warranted, this is the case.

**Mr. Wayne Noha, Board member**, asked, has there been any communication with emergency services about gaining access down this dirt road?

**Ms. Sandra Burnsed, Owner of the property**, said this land has been in my family since the late 1800's. These are the same original roads. There have never been any issues with them. John Glover, from the

County, their County line runs on our property as well. He states to me that my road is in better shape than their dirt road that runs on the County. I gave my best friend Twalene, 2-acres of land so we could be here as a family. She has elderly parents and will be able to be home with them to care for them. They are counting my plot as two places, one is a lake but they are saying that is a plot, my homestead, that's a plot, my cousin Gary and the 7-acres he bought. They are saying all of these are different people living at each of these. The Rugosoes have 3-acres. There are actually only 3 houses that have ever been on this property up until they gave Ms. Hampton the permit to move her stuff in (and later revoked it). As for emergency issues, there have never been issues. I have seven ponds total. They come out and use the water to put out fires. Station 12, less than a 1/4 mile away, we donated them their property to put a substation there. We have had river rescues where they come in with 5 and 6 firetrucks, EMS, and all the rescue teams with no issues having in and out access. Yes, there is one way in and one way out. I do (and always have) take care of the road personally because it is a private road. We have a motor grader and a tractor. People have stated that my road is in better shape than what the County road is in.

**Ms. Twalene Hampton, Petitioner**, said, my best friend gave me property so I could move down here and take care of my parents. I have three grandchildren that I am raising. I sold my house in Tennessee, moved down here, put a double wide trailer big enough for all of us on it thinking I was going to be able to spend the rest of my life down here. If I would have known that it was going to turn into this, I would never have done it. I would have bought a house somewhere else. I have a beautiful home, I just can't live in it. My children can't live in it. We have been pretty much homeless for 16 months now. We are living with my parents in their 1200 sq ft house, mind you I have three kids. If you can't help me with this, I am stuck with property and a house that I can't do anything with but look at. That was our home, my kids were looking forward to living there next to their aunt Sandy, spending time with their cousins, being able to go 4-wheeling and just being kids. Now, it is up to you guys to decide if I get to do that. I have done everything I can possibly do.

**Mr. Noha** asked, when was the mobile home placed on the property? Was there a permit?

**Mr. Wallace** said around October 2021. Yes, there was a permit issued but then subsequently revoked.

**Ms. Elizabeth Epstein, Board member**, asked, are any of the lots described, do any of them have the same ownership? There seems to be discrepancy as to how many lots are on the property.

**Ms. Sandra Burnsed**, said my cousin, Gary Douglas, he and I share the road rights. We both signed off for Twalene to have road access to her home. The other owners are the Rugosos and mine. Twalene will make the fourth owner. I have the conservation, this is my family's heritage. I do not want any subdivisions, I do not want to lose the land. I want it to be where our family and friends can come enjoy the place, where there are not a lot of houses and things. It is grandfathered in, even if I sell the land, no one can ever develop this due to the federal government.

**Ms. Elizabeth Epstein** asked, are there any other reasons other than emergency access for that condition?

**Mr. Marcus Lotson, Director of Development Services**, said that is the primary reason that portion of the Ordinance exists. For access for residents as well as emergency services.

**Mr. Travis Coles, Vice Chair**, asked, if this variance were granted, is there a way to put an end stop on this so that 30 yrs from now somebody can't say, well we just added one more. Is there a way to include that in the variance?

**Mr. Lotson**, said that is where we are today. It has been stopped through legal documents, through the plat I showed you earlier which there was notation saying no more subdivision. The variance process exists for Boards to hear cases like this. So, could someone come back next year or twenty years from now and ask for another variance, sure. It would be up to a Board to make that determination. I do not believe there is any way to more strongly restrict additional lots than what has already been done, in terms of making notation on the plat but that doesn't prevent a future petitioner from requesting a variance to that. Some of the actions that have taken place by the property owner in terms of the conservation easement and things of that nature, will probably be a limiting factor as well that did not exist earlier this year. There is more in place today than was in place in 2003 when the last subdivision was done.

**Mr. Coles** said, what I am pushing for is this being a recorded and very public session as opposed to being a note on a plat. I think the next time this is revisited, there is an actual audio recording of this conversation happening. Hopefully, we could clarify that this is the very last, last.

**Mr. Lotson** said, I think that, should someone on the Board make a motion to allow the variance, perhaps there is language within that that states the Boards position today very strongly. I think that is the best that could be done in a circumstance like that.

**Ms. Melanie Wilson, Executive Director**, said the other thing that could and should be done. If you approve this, then on the plat there needs to be another note regarding future subdivision of the property. This is a recorded legal document that they are asking you to vary from. All of that will need to be updated if they are granted this variance. You can be very explicit on the plat regarding any future subdivisions. The conservation area should be recorded on the new plat. The road needs to be identified as well. Who takes care of the road if something happens to the primary property owner that is doing maintenance? The applicants might want to have some agreement recorded as to who is going to be responsible for sharing in the cost of the road improvements. Maybe there is something that can be done to widen the road.

**Mr. Dwayne Stephens, Chairman**, said I want to state for the record, the petitioner completely and fully understands that in the event the variance is granted and emergency vehicles can not get back there the way they should, you guys wholeheartedly understand the liability you assume for the individuals that are back there that may not get a timely response due to potential road conditions. I wanted to state that so you do have that in mind.

**Mr. Noha** asked, what is the current zoning?

**Mr. Lotson** said PD-R-SM. That is related to the surface mine operation that was on this site. The zoning pending change is residential agricultural which, would permit single family residential.

**Mr. Noha** asked would that also permit a hardship mobile home case on one parcel of property?

**Mr. Lotson** said it certainly could if approved by the County Commission. I do not know what the specifics are of a hardship case but that is an avenue. The property could be subdivided to create a lot and under the pending zoning, a mobile home could be permitted on that property. It is not zoned for multiple mobile homes.

**Mr. Michael Kaigler, County Manager**, said most of the property is wet. There is not room to subdivide any further, this will max out the property based on the amount of uplands that are on the parcel.

**Mr. Lotson** said yes, the upland is limited and as Mr. Wallace indicated earlier, there is now a conservation easement on the lane share of the property that exists now. Keep in mind, even if they wanted to, they would have to come back to this body to start that process again.

**Mr. Tom Woiwode, Board member**, said on the plat, right above where it said this could not be done unless the road was improved. All of the owners are jointly required to maintain the roads. Private vehicular access utility easement shall be for the use of and maintained by the owners of the land not just Ms. Burns. All parties would have to maintain it. Did I hear correctly that emergency vehicles are already using this property, these roads?

**Mr. Wallace** said yes, that is correct. The fire trucks are easily able to access and pass through timely and using the water there.

**Ms. Lauren Boles, Board Member**, asked how much land is actually left not included in the conservation. What is developable? If this variance was granted, could this possibly actually be the last time?

**Mr. Wallace** said, in terms of the actual upland acreage, I don't know that we have a final exact calculation of the remaining.

**Motion**

Approve the petitioners request for a variance. With the stipulation that it will be notated on the plat that no further subdivisions, once again, shall happen until the road is improved beyond this one variance.

**Vote Results ( Approved )**

Motion: Travis Coles

Second: Jeff Notrica

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

[13. REZONING MAP AMENDMENT | 0 Merrydell Drive| Rezone from RSF-6 to OI-E | 22-005457](#)

[📎 Maps Combined.pdf](#)

[📎 SCDSMasterPlanFinal\\_DRAFT2022-08-18.indd.pdf](#)

[📎 Staff Report 5457.pdf](#)

[📎 Site Photos.pdf](#)

**Mr. Marcus Lotson, Director of Development Services**, said the petitioner is requesting to rezone the subject property from RSF-6 (Residential Single Family) to OI-E (Office Institutional -Extended). The property is adjacent to the Savannah Country Day School and the school intends to combine the property into the overall campus. The subject property is an undeveloped parcel located at the intersection of Merrydell Drive and Cedar Grove. The adjacent school campus was established in 1955 and the suburban neighborhoods that currently exist were primarily developed later around the campus. The property in question is on the boundary between the school campus and the residential neighborhood east of the site. The immediately adjacent developments include a congregate care facility and outdoor recreation facilities associated with the school. Ongoing improvements on the campus include the intent to relocate the current entrance at Cedar Grove and to create a dedicated driveway from White Bluff Road to the school without entering the neighborhood or using local streets. The applicant held a neighborhood meeting on November 14th with members of the association to discuss the proposed rezoning as well as the schools overall Master Plan and plans to make changes to the vehicular circulation around the neighborhood and the school.

The school has two primary access points, Stillwater Drive and Cedar Grove. Because the traffic occurs in concentrated time frames and, consists primarily of individual commuters not buses, there have historically been impacts on local traffic. The applicant would prefer to close the access point adjacent to the subject property and replace it with a new drive that would traverse the school's property and intersect with White Bluff Road. While this proposal would require approval by the City of Savannahs Traffic

Engineer and is not specifically connected to the zoning, the school has been in ongoing discussion about this alternative with the neighborhood.

Staff received between the pre-meeting and the meeting, a petition from members of the adjoining neighborhoods. This was not attached to the agenda since we just received it. It states; "We, the undersigned, are concerned citizens who urge our leaders to act now to not allow the residential zoning to OI-E Savannah County Day School has 65-acres. They want to turn the lot into a part of the lower school or a maintenance yard. We are ok for them to rezone their current acreage and they terminated the contract to purchase the lot from Nicholsonboro Baptist via Edgar Sans in 2020. Mr. and Mrs. James Williams bought the property in September 2021 and sold it to SCDS this year. There was a meeting about what was going to be done and now they want to rezone again. The undersigned includes 68 names, addresses, and dates for signature". We will add this to the record.

**Mr. Wayne Noha, Board member**, asked, on the Master Plan, the road that was pointed to along Heritage Park, that does not exist today, correct?

**Mr. Lotson** said correct. That would be a private driveway that would intersect along White Bluff road.

**Mr. Noha** said, and take all of the traffic off of City streets, Cedar Grove and Wellwood and the others.

**Mr. Lotson** said in terms of the reasonable use of the property, we think that the location is although usable for single family, is probably a little less desirable than some of the others in the area because of the adjacency to the current schools entrance. Other non-residential uses are unlikely to develop on that property as it exists now just due to the size of it. It is inadequate for a stand alone non-residential use. We think it is too small to accommodate that. As was mentioned in the petition, the applicant sought rezoning of the school campus to the current OI-E zoning, the MPC recommended approval and the Mayor and Alderman adopted the change. The school was previously zoned RSF-6 as it had existed prior to zoning in Savannah. The OI-E district has also been applied to other neighborhood private schools including Benedictine Military School, Memorial Day School and Calvary Day School. The subject property is unique in the neighborhood and could likely serve either a residential or institutional use. However, based on the size and location of the property, the highest and best use is likely in association it with the school campus, and for it to serve as a buffer between the uses.

As a land use matter, the property has never been developed. It has not been deemed feasible to construct single family residential, and it is not appropriate for a standalone nonresidential use with frontage on Merrydell or Cedar Grove. With rezoning and incorporation into the campus, it can become an asset and improvement for the neighborhood as well as the school.

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 RSF-6 to OI-E with the following conditions.

1. The subject property shall be recombined with the school campus prior to approval of a development plan.
2. The proposed access identified on the schools Master Plan shall be approved by the City of Savannah Traffic Engineer.

**Mr. Josh Yellin, representing Savannah Country Day School**, said part of what we are trying to achieve here is kind of a split process which makes this site unique. Both in terms of the fact that it is an existing campus with existing constraints that pre date the neighborhood which now surrounds it. We are all trying to find a way to squeeze this into the site that we have. When an opportunity like this does present itself in terms of acquiring the adjacent parcel that is vacant, it is in the schools best interest to try and figure out a way to bring this into the campus and bring it into the Master Plan. I do think that the Master Plan is very important. For those of you who were on the Board when we had the property rezoned in 2020, part of the consideration for this rezoning both from this Board and from City Council, was that the school go out and develop a Master Plan. For so long they have been operating in a bubble without connectivity to the surrounding areas without letting neighbors know what was going on. This Master Plan is a result of the prior rezoning so we can go out and discuss the campus, discuss the limitation that we have, and try and find a way to make everything work. What is unique about this



campus plan and might be missing from some of the discussion, a lot of these improvements are labeled as new. In order to make this property work, in order to design a space and to close off that drive, which we know has been causing some issues, there is a realignment internally of the campus. It's not just close it off and see what we can do. There are a lot of moving pieces that go into it that we are all trying to make happen. Unlike the public schools in the City, we do have to abide by the ordinances of the City of Savannah and by Chatham County. We can't just go out and build. I get complaints all the time about people around Charles Ellis parking in peoples yards waiting for drop offs and pick ups etc. Here, we have an opportunity to try and address these concerns. The opportunity was through purchasing this adjacent lot. Country Day was under contract to purchase this property previously. Part of the reason that no one could develop this site for so long and part of the reason why Country Day was in the unique position to in fact purchase and develop the site, is that for over 150 years it was deeded to the Nicholsonboro Baptist Church. Somehow the County records had it labeled as a cemetery. Anyone looking at this site was under the assumption that it was a cemetery. On our advise, Country Day went out and actually spent the money, did the due diligence to ensure this was never used as a cemetery. There was ground penetrating radar, there was archaeological visits, there was significant research and significant cost that went in to ensure that we were not intruding upon what should be a sacred site. As Mr. Lotson mentioned, while today's rezoning is to go from RSF-6 to the OI-E, we are trying to look at this in whole, as a way we think can better the greater neighborhood by taking some of the traffic off of these streets, where we know it is an issues, and building a much larger entrance down the way. The second factor that is limiting here other than the existing campus which predates the neighborhood, is in fact some of the limitations of NewZO. Frankly, I don't think this site was looked at when the rezoning's were happening. When we came in to do the OI-E, we are really just doing some zoning cleanup. We do think this OI-E zoning designation, bringing this site into the campus Master Plan, which then restricts it's use to school purposes, is a great process for the neighborhood. We do think it will alleviate some of the concerns.

**Mr. John Perry, Member of the Public**, said I live at 58 Merrydell Drive which is right next to this. I want to add a few things, I am the one that went out and collected the signatures. I collected 68 signatures, that is 100% response rate from every single person I was able to make contact within a three day period. I think it is about 50% of the neighborhood. We have a history in this Board approved the sale of a part of Cedar Grove on October 4, 1985 to Savannah Country Day. I realize it predates everything, anyone here today. We were 100% in favor of the rezoning in 2020 as long as this portion was not included. We understand what has already happened. I understand them wanting to get as much out of their property, but there is still history there. On October 4, 1985 the Board approved a part of the sale of part of Cedar Grove. The contingency, written in the record, was that the neighborhood kids would forever, as long as they both exist, the neighborhood and campus, would be able to use that as a walk through. When that happened, we lost one of our access points in the neighborhood. We are down to one access point. We have two roads but they are 100 ft apart so we essentially have one access point at White Bluff Road. My wife was born and raised in the neighborhood, one time went to visit her grandmother who lived in the neighborhood, she walked through, there was no gate, she came back home, there is a gate. From then on, when anyone ever wanted to go some place, they literally had to crawl through this gate that wasn't even suppose to be there. The people here in this neighborhood are generational homes, its not just single family. Approximately 1/4 of the places are rentals now. Even those rentals are owned by people who grew up in the neighborhood. People remember this is not a great relationship to be next to Savannah Country Day, especially two times a day when school is in session. Try coming down Cedar Grove twice a day, if you are worried about emergency vehicles. My goodness, people can't get in and out of their own homes. They keep talking about, this is going to improve traffic, they are not contingent upon each other, look at the map, they own that land already that goes to White Bluff road. The use of this land is not contingent upon building a road that access's White Bluff. Instead, what they are doing is pushing further into the neighborhood. I noticed they have not mentioned particularly what it is going to be used for. They mentioned possibly a daycare if they are able to purchase even more property, or a maintenance yard. I already hear the blowers every morning at 6am. You think living next to a leaf blower is bad, imagine one of those giant ones they drive around going off at 6am every morning. This is pushing into the neighborhood. In 1985, it took a little slice, the kids lost the ability to go walk around and have connection to other neighborhoods. We have no connection to any other neighborhood. There are fences all around us already. Now, here we are, another slice being taken off. One of the number one things everyone is afraid of, they will want more land. This has been going on for years now, they will want more land, they will be trying to buy our houses. It seems to be the number one selling point, it's going to fix the traffic, cool, fix the traffic. You don't need to come in the neighborhood to fix the traffic.

**Mr. Dwayne Stephens, Chairman**, asked, with this parcel, does this indeed impede Cedar Grove and cut off? How I originally read this was, that parcel was off to the side and did not impede the street. You were basically internalizing the traffic by closing off that gate so there will be access to Cedar Grove that wraps around to the other street.

**Ms. Elizabeth Schminke, Architect for the project**, said one of the main reasons and components of this Master Plan was to try and alleviate the burden that Cedar Grove carries. What this parcel enabled us to do is to re-route the traffic through a new road that connects to White Bluff. The way we could achieve that was gaining back some land to reallocate some of the functions that currently operate. Some of these elements need to be shifted, that is not part of the road right now. There are some aspects of their athletic program and other maintenance equipment that currently occupy that extension. In some of this re-allocation of space and this new parcel, that would enable us to connect to White Bluff and thereby eliminate the load currently burdening Cedar Grove.

**Mr. Stephens** said my question was more directed towards the new maintenance building. Is that parcel the parcel that would potentially obstruct traffic flow around that back side on Cedar Grove and Merrydell?

**Mr. Yellin** said there is currently City ROW there. Through acquisitions of this property, we could then close off the road so the circulation would just be through Merrydell and close off this portion of Cedar Grove. Part of the reason for this rezoning is that the current classifications and current use designations under NewZO would not allow a true use of this site. We are here to ask for the rezoning. Even if it is a Little School, a Daycare, or a maintenance shed. The use of the property by Country Day necessitates the rezoning. It is all a ripple effect, we have to pick our starting point somewhere for trying to get the traffic off the roads into the neighborhood. The property has been acquired, we need to rezone the property, and we need to work with the City on the surplus property acquisition. We need to work with the City of Savannah's traffic engineers to then ensure this access point can meet City standards. This is all part of the steps we are taking to make sure we can be a better neighbor and not repeat the unfortunate mistakes that happened in 1985 long before any of us were involved. We are trying to correct some of those mistakes and be more open and transparent. We are trying to present the Master Plan but do need to start somewhere. These things take time but we need to start now so we can alleviate some of the pressures.

**Mr. Stephens** said, I am assuming that with you getting with Traffic Engineering, if this is approved, for that White Bluff access to be signalized?

**Mr. Yellin** said we would not necessarily be pushing for it but those conversations have started and that is an item that's on the table, to explore the signalization of that intersection. There is an existing ROW on the opposite side of White Bluff and this was actually planned to align with Vernonburg Road, directly across the street.

**Mr. Tom Woiwode, Board member**, said, I see several things that need to happen. The first being this piece of land and the rezoning, then the acquisition of the property of the surplus road, the clearing of that column of land there to reallocate it, pave it, and then get a ROW onto White Bluff.

**Mr. Yellin** said yes and it is not prudent for Country Day to even explore this access drive until we know that we can start moving the emcombensess that are on it to another portion of the campus.

**Mr. Woiwode** asked, is there any insurance that you could provide that if this first part does come together and we actually have factual acquisition of this rezoning and taking of that, that the remaining steps will happen?

**Mr. Yellin** said we have already started the conversations with the City regarding acquiring a ROW for surplus property.

**Ms. Lauren Boles, Board Member**, asked, can someone please explain the traffic pattern and the new road on the site?

**Mr. Yellin** said, Heritage Park Drive does not actually exist. It is shown on SAGIS as a private drive for the Pruitt Health facility but it is not actually a ROW and there is no improvement there. This would be lining up with Vernonburg. The current traffic pattern there is access coming in from Merrydell with the

gate that services Country Day. The intent of this is to close that portion of the ROW so that traffic will circulate through White Bluff and use this existing main gate for the site as well which is already in effect.

**Ms. Boles** asked what happens to that traffic on Merrydell?

**Mr. Yellin** said it would still circulate through Cedar Grove.

**Mr. Lotson** said the current traffic pattern would continue to loop around Cedar Grove to Merrydell. There is still vehicular connectivity.

**Mr. Wayne Noha, Board member**, said one of the main concerns I heard repeated was traffic, not being able to get in and out of driveways etc. This is a large school, I can assume that there is queuing of vehicles down Cedar Grove. Is there also queuing of vehicles on Merrydell? You have to get a lot of cars off of White Bluff to que up. The proposal is to remove all of that traffic and make a single and private entrance. There would be no traffic that would go through a neighborhood to the school.

**Mr. Stephens** said that is what I understand.

**Mr. Lotson** said there is a primary entrance off Stillwood that would remain.

**Mr. Noha** said I am talking about the one we have 65 people signed up that don't want it to happen. It is taking every bit of school traffic out of the neighborhood onto its own private road that may or may not be signalized but that would be left to the City's Traffic Engineering, and get it out of the neighborhood.

**Mr. Stephens** said that is correct.

**Mr. John Perry** said no, there is not currently queuing. They do block off the road constantly and we have exit traffic that goes at very high rates of speed through the neighborhood. I want to be clear, we are not opposed at all to the road. We would love that, in fact I was offered that. What if we did the road first before we do anything in the neighborhood.

**Mr. Stephens** said, let me be clear, the community's issues are not that you guys are in favor of the road and pulling the traffic out of the community. It's the maintenance yard being pushed into the neighborhood.

**Mr. Perry** said yes, they are pushing the maintenance yard in our neighborhood. We were told, they were not contingent upon each other. The offer was made, do you think it would get some goodwill to do the road first and now we are seeing the bait and switch.

**Mr. Noha** asked, it appears that it is drawn on the Master Plan but are there set buffer guidelines, etc. for this parcel whatever it is going to be?

**Mr. Lotson** said yes, if they are going to combine this property with the existing school campus and build something here, there will be required buffers between them and any residentially zoned property.

**Mr. Noha** said it appears currently there might be a tree here or there but it doesn't appear that the buffer requirements were adhered to or they were non-existent when they developed. This will be more buffered than the rest of the neighborhood.

**Mr. Stephens** said it would require either a fenced buffer or a vegetative buffer now.

**Ms. Laureen Boles** asked, would the petitioner be open to some type of agreement or good faith effort with the community?

**Mr. Yellin** said yes, that was part of the process through the original rezoning as well. There are restrictive covenants on the property from the prior rezoning. This property would be brought into that which requires the Master Plan and the covenant that we would then use it for school purposes.

**Ms. Boles** said I was speaking specifically about the road.

**Mr. Yellin** said yes, I do believe from talking to Mr. Wilson, we could agree to not start construction on the

Merrydell property until we know that the road is approved. We can't build it if we need to start construction on that property to get it going to move the items around inside of the bubble.

**Mr. Stephens** said, logistically within the parameters of what the school currently functions in, you would need to move a function in order to craft that road.

**Mr. Yellin** said the Master Plan shows at least 6 or 7 different new items that are coming that all need to happen to ensure that we can provide the access. We would agree not to use that site until the road is approved.

**Mr. Noha** asked, is there any plan in that buffer to put some type of noise buffer, fence, or anything other than just some shrubs?

**Mr. Yellin** said, I believe the requirement here, when it's an institutional use against a residential use, is 25ft. I believe it has to be planted. I am not sure about the fence requirement. We did discuss buffers at the neighborhood meeting. I believe there is an existing chainlink fence that surrounds the site.

**Mr. Noha** asked, how many people were at the neighborhood meeting?

**Mr. Yellin** said the Perry's were there, along with the neighborhood presidents. There are some dueling neighborhood associations here. The presidents from those associations were there along with Alderman Purtee.

#### **Motion**

Approval of the request to rezone the subject property from RSF-6 to OI-E with the conditions staff recommended, as well as encourage some dialogue for some type of noise buffer along that property.

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

Motion: Wayne Noha

Second: Jeff Notrica

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

#### **X. Presentations**

#### **XI. Other Business**

#### **XII. Executive Session**

#### 14. Executive Session

Mr. Wayne Noha motioned to enter into Executive Session, seconded by Mr. Travis Coles.

The Board entered into Executive Session.

Mr. Wayne Noha motioned to return from Executive Session, seconded by Mr. Travis Coles.

Mr. Dwayne Stephens, Chairman said in the Executive Session we discussed personell matters. Nothing was voted on.

A motion to adjourn was made by Mr. Travis Coles, seconded by Mr. Wayne Noha.

#### **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.***