



Chatham County - Savannah Metropolitan Planning Commission

Minutes
September 26, 2023 1:30pm

September 26, 2023 MPC Meeting

This Agenda and supporting material will be available prior to the meeting date at <https://www.thempc.org/Board/Tpc>.

This is for information only. These items have been received by the deadline to be heard at this meeting. Items are subject to change.

All persons in attendance are requested to sign-in on the "Sign-In Sheet" located on the table outside the entrance of the meeting room. Persons wishing to speak on an agenda item should indicate their intent on a blue speaker card, noting the agenda item by number. Please give speaker cards to a MPC staff member.

It is the intent of the Planning Commission to allow all interested parties to comment on a particular item. To ensure that those present have the opportunity to comment, the Chairman shall reserve the right to set time limits on the debate as per the MPC Procedure Manual and By Laws. Both sides of the issue shall be afforded a total of at least ten [10] minutes but not more than thirty [30] minutes for testimony. Groups are encouraged to designate a spokesperson who should identify him/herself on the speaker card and when coming to the podium. Regardless, the Chairman has the discretion to limit or extend time limits.

The Georgia Conflict of Interest in Zoning Actions Statute (OCGA Title 36 Chapter 67A) requires disclosure of certain campaign contributions (totaling \$250.00 or more) made by applicants or opponents for rezoning actions. Failure to comply is a misdemeanor. More information is available on the internet at www.lexis-nexis.com/hottopics/gacode/default.asp. Forms are available from MPC staff for individuals subject to this disclosure.

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. Comprehensive Plan Future Land Use Map Amendment| 505 E. 54th St | 23-004628-ZA](#)

Motion

Item removed from final agenda

Vote Results (Approved)

Motion: Travis Coles

Second: Wayne Noha

Joseph Ervin

- Not Present

Tom Woiwode

- Aye

Travis Coles

- Aye

Joseph Welch	- Aye
Shedrick Coleman	- Aye
Karen Jarrett	- Aye
Dwayne Stephens	- Aye
Wayne Noha	- Aye
Jeff Notrica	- Not Present
Laureen Boles	- Not Present
Elizabeth Epstein	- Aye
Jay Melder	- Aye
Michael Kaigler	- Aye
Traci Amick	- Aye

[2. Zoning Map Amendment | 505 E. 54th | Rezone RSF-6 to RMF-2 \(25\) | 23-004627-ZA](#)

Motion

Item removed from final agenda.

Vote Results (Approved)

Motion: Travis Coles
Second: Wayne Noha

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

[3. Zoning Map Amendment | 9965 Ferguson Avenue & 10001 Bethesda | Z-0823-000406-MAP](#)

Motion

Item removed from Final Agenda.

Vote Results (Approved)

Motion: Travis Coles

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

[4. Approval of the August 15, 2023 MPC Meeting minutes](#)

📎 [08.15.2023-meeting-minutes.pdf](#)

VIII. Old Business

[5. Map Ammendment | Nine \(9\) parcels on East Broad Street, Gwinnett Street, and East Bolton Street | 23-001408-ZA](#)

- 📎 [Civil Site Plan \(Received Sept 7\).pdf](#)
- 📎 [Gwinnett Street Apartments S-PD 8.30.23.pdf](#)
- 📎 [Traffic Engineering Annotated Site Plan.pdf](#)
- 📎 [1888 Sanborn Fire Insurance Map.jpg](#)
- 📎 [Staff Report.pdf](#)
- 📎 [Letters of Opposition.pdf](#)
- 📎 [Public Comment-FPCA Presentation I 23-001408-ZA 0926.pptx](#)
- 📎 [Letter of Support.pdf](#)

Mr. Edward Morrow, Director of Development Services stated the Petitioner is requesting the rezoning of nine (9) parcels from a TC-2 to a S-PD. The nine parcels are between East Gwinnett Street and East Bolton Street. The Petitioner intends to develop two (2) buildings, including mixed uses with 200 upper-story residential units and commercial on the ground floor. The Petitioner has the ability to reach a similar

development in the current zoning district. It is the Staff's assessment that this request is to subvert some of the requirements in the ordinance. If the Petitioner were to take the parcels as zoned there would be 1.2 acres under his control and with some rough calculations that would allow for 120 apartment units. For the upper story, there is no density requirement but there is a limit on the square footage of a building and maximum height of 3 stories.

Staff stated that the Petitioner doesn't have the legal right to do so since this would impact 10 parcels; one of which the Petitioner does not own, nor has he received permission to rezone.

Staff's evaluation of a small Plan Development, is governed by Section 6.1.15 of the Zoning ordinance. The ordinance requires that certain things must be more or less fleshed out before approval is given to a Planned Development. This is not standard carte blanche zoning where we go through a specific site development plan later to determine details for a Planned Development request. Certain details of that development are laid out at the point of rezoning in determining whether or not the applicant met these requirements. In this review, concerning outlining the proposed uses, there were no justifications that were given for what in essence is sort of, tampering with the permitted uses under the zoning ordinance. In this particular petition, Staff observed that the Petitioner had chosen particular uses and made them by right uses, or had included them where they might otherwise not be permissible.

Other items need reviewing, such as requirements regarding utilities, transportation, circulation, off-street parking, landscaping, and things of that nature. MPC Staff submitted the petition through the City's Site Plan Review and each of the reviewing departments expressed concerns. There has been no firm parking plan that has been submitted. Another concern is that the rezoning would allow for conflicting uses such as cannabis dispensaries along with a childcare facility.

MPC Staff recommends denial of the request, as there is ample development opportunity of the property as presently zoned. If the Commission is inclined to support such a proposal, the present request should be denied, and a new application accepted for review only upon receipt of a complete submission.

Mr. Jay Melder, City Manager asked if the application considered the use of a medical cannabis dispensary at the site.

Mr. Morrow stated it is not a part of the current proposal.

Mr. Melder asked in Mr. Morrow's professional opinion what pieces of the application wouldn't fit into the TC-2.

Mr. Morrow answered the Petitioner is seeking greater density. The total they can have right now is 120. As well as the maximum height.

Mr. Melder so aside from those two what other issues are they trying to gain with the PD vs the TC?

Mr. Morrow answered a general relaxation on some of the development standards. The Petitioner is asking for development standards that would allow in essence, 100% lot coverage.

Mr. Melder stated this is a parcel that sits adjacent to downtown. How do planners draw a line? What does staff feel is the most appropriate density, not considering the ordinance?

Mr. Morrow stated that the most current density is appropriate. The FLUM identifies this as downtown transition, so it recognizes that its adjacent to downtown, but doesn't consider it downtown.

Mr. Melder asked if Mr. Morrow thought that TC is more closely related to downtown urban density. Is it somewhere in the middle of that transitional gradient or is it closer to suburban development?

Mr. Morrow stated that the intent is to be in the middle, so there is some flexibility.

Mr. Melder asked where do you feel there's flexibility between TC-2 and PD, specifically in this corridor?

Mr. Morrow stated he thinks there is some flexibility he just couldn't necessarily say where that lands. The density may be just a little too intense considering single-family and duplexes that are in the area.

Mr. Melder asked if there are any exceptions the Petitioner is asking for in terms of parking.

Mr. Morrow stated that they have kind of put themselves in a parking-exempt zone. Attempting to limit it to the Victorian District standards. He feels the Petitioner is creating his own burden.

Mr. Melder asked why Mr. Morrow went through the site plan review at City level so early on.

Mr. Morrow stated that it is encouraged since this is a pre-development meeting.

Mr. Shedrick Coleman asked if the Petitioner is trying to use some sort of DX as a guide for where they are going with this and if he could explain to the Commission what the DX zone stands for.

Mr. Morrow stated it means Downtown Expansion.

Mr. Coleman asked if DX is typically used for an area, not a single plot.

Mr. Morrow stated context matters. A lot of the west side is considered reclamation, with some of the areas being blighted. He thinks this petition will be the setting for the area.

Mr. Coleman stated the 10,000 Sq. ft limit isn't for a single building it's for the entire footprint, so if you had multiple buildings they would have to stay under that limit. There is a lot more nuances to the site.

Ms. Karen Jarrett asked if the FLUM showed a DX zoning.

Mr. Morrow stated no.

Ms. Jarrett asked if the small PUD would fit within those uses if it was a manageable size.

Mr. Morrow answered if there is a cap, then yes.

Ms. Jarrett asked even if the petition were requesting a parking reduction there still haven't been plans presented to accommodate the parking.

Mr. Morrow answered in the affirmative.

Mr. Melder wanted to clarify that the Petitioner is not seeking DX.

Mr. Morrow answered in the affirmative.

Mr. Robert McCorkle, Attorney for the Petitioner stated that they have been fully cooperative with Staff, they just haven't been able to come to an agreement, but the Staff report says otherwise. The goal of today was to get Board comments on the project. They requested DX back in March, but it seemed as if Staff didn't want to do DX since there are no defined standards. The General Plan hasn't changed since May. He understands that the design standards do not meet TC-2 standards, which is what the purpose of the rezoning is. This whole process has been to meet a middle ground between TC-2 and DX.

He gave a timeline of the last 2-weeks where Staff emailed asking if the property was going to be used as apartments or condos. On the Sunday before September 12th, they received an email stating that they needed to apply for a FLUM amendment, which they were previously told they met the FLUM. The SPR meeting occurred on Thursday, and they had no idea it was happening. He also made note that there haven't been pictures to show even where the location is.

He stated that their theory is to assist with the housing crisis. The City decided that the west side of Savannah would be a good area for large housing and their project essentially mirrors that. He said its outside of the historic district and any sites and needs redevelopment. He gave examples of the City building similar structures right next to single and two-story buildings.

He explained that there are industrial areas on both the left and right and back up to a railroad. They have very few neighbors. One of which is in the process of getting redeveloped as a multifamily housing. He explained that they don't have access to Gwinnett and shouldn't cause traffic. Additionally, they have

received letters of support from surrounding owners and stated that they aren't included on the agenda. There was talk about taking away the Church's access, but that isn't true. They want to move it to where it historically was since it is currently not legal access. He showed pictures of people parking on the street, where there was a max of 4 cars at night. He stated that there are many amenities within walking distance.

They have tried to address Staff's concerns with height and density. They reduced the 5th story to a 4th story of 49 feet, which is 4 feet taller than the allowed height. And reduced the total height of the other 5th story to just 15 feet over the allowed amount. The 200 units is a cap that they put on themselves; however, this isn't the actual number of units that may end up being on the property. They added 10 off-street parking spaces.

He pulled up a list of the allowed businesses in the TC-2, and he stated that the check marks are the that are similar to the TC-2 rules. When NewZo was adopted there were zoning that belonged in downtown sprinkled throughout the City so now there are inconsistencies in areas. They believe that their application is complete. They have actually provided a parking plan. There are going to be 189 spaces on site plus 15 on the surface. The Board will approve a set of design standards today not parking, which is what will control the density but that will be a part of the Master Plan approval.

Ms. Jarrett asked have they asked the City about obtaining the right of way.

Mr. McCorkle stated yes, they have as well as obtaining the City lot. They are in the process of signing the contract with the City for the lot.

Ms. Jarrett stated that she sees no plan for parking.

Mr. McCorkle stated that he did submit a parking plan to Staff but for some reason, it was not listed.

Ms. Jarrett asked what the church's concern was about the access road.

Mr. McCorkle stated they just wanted to make sure to have access to the Church still.

There was some discussion about where the church would access their property to which Mr. McCorkle clarified they are going to provide a cut and explained how the church was going to turn onto the road.

Ms. Jarrett asked what the drainage plan was.

Mr. McCorkle stated when they get to specific plan approval that is when that will be discussed.

Ms. Jarrett asked if anyone has looked at the burden the building will take on the wall that runs along Gwinnett.

Mr. Travis Stringer, Petitioner, stated that part of the reason the made changes to underground parking was to consider the tie backs and they will avoid it completely.

Mr. Dwayne Stephens asked when the parking plan was submitted to Staff.

Mr. McCorkle answered somewhere in the second week of September. The application was filed in February, so they met the deadline.

Mr. Stephens asked if there was a particular reason as to why they didn't get invited to the SPR.

Mr. McCorkle answered No.

Mr. Travis Coles commented there has been a lot of "he said she said". Instead of these statements, provide documentation. If there is an issue with Staff they need documentation to address that.

Mr. McCorkle stated that all he is doing is just responding to questions he has been asked, he's not pointing fingers at people. Part of the reason for getting on the agenda is to get more information on how they should proceed. He understands that what they are requesting is not in line with the ordinance but he has been trying to find a compromise that feasible.

Mr. Melder stated that he wanted to point out the difference between Requirements and appropriateness.

Mr. McCorkle stated that they did add the 2500-foot setback.

Mr. Melder stated that the central zoning issue is height and mass. He wanted to hear more about where they feel there is room in development to get closer to TC-2 as it relates to density, mass, and height.

Mr. McCorkle stated it's a policy decision. They sought the DX and 8 stories but reducing it to 5 and 4 stories was a compromise that they made. They are trying to make a viable project to use the lot that he says has been sitting empty for a while.

Mr. Melder stated that he understood both Staff's and Petitioner's sides. He asked if they could provide a similar project that they looked at.

Mr. McCorkle stated that there wasn't a specific project. He made note that on almost all of them the Staff recommend denial, but now they are in much better shape than before. It wasn't limited to a single project. They felt that this project was just a good location in general.

Mr. Coleman stated that the West Side Corridor goes all the way to Victory Drive and has greater implications than the individual projects, which is why the City Council allowed some difference in the zoning classification. Going from TC-2 to a DX is pretty extreme. The Board needs to look beyond this one property and look at the City as a whole. He asked if there been a good study on the westside to make help the Petitioner get to a middle ground.

Mr. McCorkle Stated that he is unaware of any studies. There is a need for development in the corridor of the property, they feel it's very similar to the west side. He clarified that they never asked for 8 stories they only asked for five in the DX.

Mr. Coleman stated that even though there are buildings there that has been the case with the Westside Corridor. The buildings were in disrepair, he's not against height but it should be similar to the surrounding area.

Mr. Stephens stated he would like the application to be as clean as possible so the Board can make a sound decision. The back and forth has created too much of a mess to make a decision right now.

PUBLIC COMMENTS

Jim Hundsrucker stated that he is against the development due to issues with height.

Denis Flojo stated that she is against the development because of the parking issues and traffic flow.

Stephen Theccanat is against the development with issues about the density and parking.

Ed Pearch stated that the submittal is incomplete.

Andrew Jones stated that he is against the petition with issues concerning height, and density.

Mr. McCorkle, Petitioner, stated he understood the comments about the height, but they are not inside any kind of historic district, but they have had communication with people from different historic groups. They continue to take the position that if they are limited to three stories there is never going to be a cure of the housing crisis. He stated that he would like for the petition to be continued so they can speak with Staff.

Mr. Stephens asked if they feel October 17th is enough time to work everything out.

Mr. McCorkle stated that they are okay with the 17th but then they are okay with moving it to November.

Mr. Travis Coles stated the public is open to development they just have an issue with density. In his mind, it would be ideal to set it back to 4 stories to make both parties happy.

Mr. Coleman asked is the Board going to see a site plan document or a zoning document?

Ms. Jarrett asked if the Board has the authority to grant a variance.

Mr. Morrow stated that his request is for the Board to deny the petition so that it can be brought back as one single document and done properly.

Mr. Coleman asked is an SPR review required for a Planned Development.

Mr. Morrow answered what the Petitioner is asking for is set out clearly in the ordinance. The most practical way to process this is to send it through the SPR, so he believes that it is necessary and based on the ordinance it is required.

There was some discussion about the ordinance and section 6.1.17 which set the guidelines for the zoning and conditional zoning vs planned development.

Mr. Morrow stated that he is more than happy to help the Petitioner go back to the DX phase if that is what they feel is need to proceed with this development.

Mr. Melder stated his issue is that this is about the process step and not outcomes since this is a very important policy-setting development. This Petition has been working for almost a year and at some point there was approval from the MPC staff, but he is trying to find a way to address the meat of the concern.

Mr. Stephens urged the parties to figure out those processes.

Motion to continue the Petition to the November 7, 2023 MPC meeting. Coles / Seconded Noha

Motion

Item continued until the November 7th Planning Commission Meeting.

Vote Results (Approved)

Motion: Travis Coles
 Second: Wayne Noha

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

IX. Regular Business

X. Presentations

XI. Other Business

6. CERN - Building a Network for Regional Resilience

📎 [CERN-2023-09-20-MPC-FINAL.pdf](#)

Ms. Anna McQuarrie explained what CERN was and that a grant was applied for with the GADNR CRD in 2020 which is what started the program at the MPC. She explained CERN is beneficial to the community since it allows collaboration to promote resilience, creates a forum for information, data and experiences to promote resilience, and strengthens the ability of a region to prepare, adapt, and respond to complex climate and weather-related challenges.

She gave a timeline of CERN from 2020 to 2023 including events such as establishing a Steering Committee, hosting meetings, releasing activity books, and working with partners.

7. Election of Officers for 2024

Elections of Officers

Mr. Dwayne Stephens stated the nominations as follows:

Chairman: Dwayne Stephens, Karen Jarrett

Vice-Chair: Travis Coles

Secretary: Wayne Noha, Tom Woiwode

Treasurer: Laureen Boles

Results of the vote are listed

XII. Executive Session

8. 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.