



# Chatham County - Savannah Metropolitan Planning Commission

Minutes

## February 6, 2024 MPC MEETING

Members Present: Karen Jarrett, Chairmanwoman  
Travis Cole, Vice Chair  
Laureen Boles  
Coren Ross  
Wayne Noha  
Dwayne Stephens  
Tom Woiwode  
Jeff Notrica  
Traci Amick

Members Absent Joseph Welch  
Michael Kaigler  
Joseph Ervin  
Jay Melder

Staff Present: Melanie Wilson, Executive Director  
Edward Morrow, Director of Development Services  
Brad Clement, Planner, Development Services  
Nykobe Richards, Planning Tech, Development Services  
Sally Helm, Administrative Assistant II, MPC/CORE MPO

### 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. Recombination Subdivision | Warren Ward | 301 E. Bay Street | File No. 23-006231-SUBP](#)

[Application..pdf](#)

[Plat.pdf](#)

[comined public comments.pdf](#)

#### 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
Coren Ross	- Aye
Karen Jarrett	- Aye
Dwayne Stephens	- Aye
Wayne Noha	- Aye
Jeff Notrica	- Aye
Laureen Boles	- Aye
Elizabeth Epstein	- Not Present
Jay Melder	- Not Present
Michael Kaigler	- Not Present
Traci Amick	- Aye

[2. Comprehensive Plan Future Land Use Map Amendment| 4801 Meding St | 24-000287-ZA](#)

[Application..pdf](#)

**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
Coren Ross	- Aye
Karen Jarrett	- Aye
Dwayne Stephens	- Aye
Wayne Noha	- Aye
Jeff Notrica	- Aye
Laureen Boles	- Aye
Elizabeth Epstein	- Not Present
Jay Melder	- Not Present
Michael Kaigler	- Not Present
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 Items Requested to be Withdrawn**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**

[3. Approval of the January 16, 2024 Meeting Minutes](#)

[📎 01-16-2024-mpc-meeting-minutes.pdf](#)

**Motion**

Approval of the minutes

**Vote Results ( Approved )**

Motion: Travis Coles

Second: Wayne Noha

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

[4. General Development Plan | 5731 Ogeechee Road | SP-0124-000427](#)

[📎 Application.pdf](#)

[📎 Site plans.pdf](#)

[📎 MPC Comments - SP-0124-000427 - Waffle House 5731 Ogeechee Road.pdf](#)

**Motion**

Approval of GDP at 5731 Ogeechee Rd

**Vote Results ( Approved )**

Motion: Travis Coles

Second: Wayne Noha

Joseph Ervin	- Not Present
Tom Woiwode	- Aye
Travis Coles	- Aye

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

## VIII. Old Business

### [5. Map Amendment request to rezone from R-2/EO to P-R-A/EO | 9965 Ferguson Ave & 1001 Bethesda | Z-0823-000406](#)

- 📎 [Application.pdf](#)
- 📎 [Site Plan.pdf](#)
- 📎 [Development Standards for R-2 \(Table 1\).pdf](#)
- 📎 [Exhibit 1 - R-2 Uses.pdf](#)
- 📎 [Exhibit 2 - R-A Uses.pdf](#)
- 📎 [Petitioner's Exhibit.pdf](#)
- 📎 [ZONING HISTORY MAP Z-0823-000406.pdf](#)
- 📎 [Staff Report\\_Feb 6 2024.pdf](#)
- 📎 [Public Meeting.pdf](#)

**Mr. Edward Morrow, Director for Development Services, presented the Staff Report. Mr. Morrow stated the Petitioner Donald E. Dyches, Jr., is proposing to rezone a combined +/- 1.4-acres from R-2/EO (Two-Family Residential – Environmental Overlay) to P-R-A (Planned – Residential – Agriculture). The intent for the rezoning is to have a plant nursery use with ancillary storage for the equipment required.**

This map amendment request originated from a Code Enforcement case on the subject property for functioning as a plant nursery/ storage equipment. According to the Petitioner, the business has been active for two years now. The subject properties are located on the west side of Ferguson Avenue approximately 88 feet west of Lehigh Avenue.

The 1001 Bethesda parcel is undeveloped and has never been developed. It is too small for independent use and is more closely related to other parcels that it adjoins. The right-of-way between the two parcels provides access to existing homes. The 9965 Ferguson Avenue parcel currently functions as a laydown/outdoor storage yard for commercial operations. Based upon observation during a site visit, the property contains box trucks, steer loaders and piles of debris. No plants were seen, and no trees are growing on the site for the nursery use. There is black mesh screening over a fence to protect the equipment.

The property owner would like to utilize the site for an office with associated parking for the seven to eight employees, storage for box trucks and steer loaders, and plants, trees, and turf. The property currently does not have active access to water, or a sewer so is not able to store any plants, trees, and turf. The plants, trees, and turf are currently purchased and delivered to properties that the property

owner serves. Most of the properties the property owner serves are located within the Skidaway Island and Islands communities. However, if approved for the requested zoning, the Applicant would pursue a drilled well and sewer systems and/or try to tie into the County's utilities. The proposed site plan indicates there would be a 3,000 square foot office building, eight parking spaces including one ADA parking space, ten storage bays, and a driveway providing access onto Ferguson Avenue.

MPC staff recommends **approval** of the request to rezone the identified property, 9965 Ferguson Avenue with PIN# 10470 01001 from R-2/EO (Two-Family Residential – Environmental Overlay) to P-R-A (Planned – Residential – Agriculture). The 'planned' R-A plant nursery in this specific instance is recommended by Staff to have the following conditions:

1. There shall be no retail sales on the site (employee use only).
2. There shall be no deliveries or operation of heavy equipment between 6:30 p.m. and 6:30 a.m.
3. All work vehicles, trailers and heavy equipment shall be parked in identified parking areas; other equipment shall be stored indoors or in vehicles/trailers. Landscape materials shall be stored in identified storage areas.
4. There shall be a 15-foot buffer with an opacity of at least 85% surrounding the site. A privacy fence 6' in height shall be placed at the 15' setback. The buffer shall be landscaped where it adjoins improved right-of-way.
5. No composting activity shall be permitted. Debris shall not be permitted to accumulate, and any stored material piles shall not be of a height visible from the rights-of-way or adjoining properties.

MPC staff recommends denial of the request to rezone the identified property, 10001 Bethesda with PIN# 10504 04005 from R-2/EO (Two-Family Residential – Environmental Overlay) to P-R-A (Planned – Residential – Agriculture). The existing zoning of that parcel shall remain the same and shall not be used in association with the requested plant nursery.

**Mr. Don Dyches, Petitioner**, stated when we were originally here in November, there were conditions attached to the Staff Report that we did not get to see until the meeting. This petition was continued at that time so that I could address those. I had a number of the conditions addressed I thought were to the client and the County's satisfaction early on. I am just seeing some of the latest revisions. We agree with all but one. We only want to use the property consistent with the current use as a Landscaping and Plant Nursery. We decided to downzone the property to the R-A zoning. The property is bisected by an unopened ROW the County has. Part of the Code Enforcement action was to close the unopened section that bisects the property. There is an easement road that has been used. The easement has existed since 1958. We have been able to get the parties to sign an easement agreement with a recorded plat. I believe that satisfied the County. We could get a QuitClaim Deed to be able to close the road. It is our expectation that we will be able to close that road at some point in the future. I know Staff is opposed to rezoning the back parcel, but if the MPC has hesitancy at this time, I would ask that it be rezoned on the condition that we close the ROW. We took some time to rework the conditions, the only one we have any disagreement on, is the privacy fence. My client has an existing fence around the property. The fence sits at the property line, it cost \$30,000 to put that fence up. We do not want to be required to relocate that to a different location just to provide a privacy fence. We are not sure that is even needed. There is a homeless encampment and a mobile home park across the street. These are the things we are being asked to put a privacy fence up to block their view into this particular site. We are fine putting a landscape buffer on the Ferguson Avenue ROW.

We have an objection to the privacy fence condition. What we propose is a 15 feet vegetated buffer with an opacity of 85% along Ferguson Avenue and adjoining properties. That will include the easement along the private drive that goes along the south and along Bethesda's property. They would not have a privacy fence but a buffer instead. We do not think the fence is necessary. It will create a lot of additional cost to pull that up and relocate. The only other thing missing is making the buffer along Ferguson a landscape buffer rather than a vegetative buffer of which we are fine with.

**Mr. Wayne Noha, Board Member**, asked, the fence that runs parallel to Ferguson Avenue, are you saying that is on the property line? I pass this property several times a day. How far off the road is the fence?

**Mr. Glen Brisk** stated that at a minimum 15 feet and further down 40-50 feet off the property line along Ferguson Avenue.

**Mr. Noha** asked if the fence that runs along Bethesda's property and along the unopened ROW, that is possibly on the property line or close to it.

**Ms. Lauren Boles, Board Member**, asked, what is the height of the existing fence?

**Mr. Brisk** answered 7 feet.

**Mr. Noha** said, for the record, the address is 10001 Bethesda not 1001 Bethesda.

**Mr. Stephens, Board Member**, asked, for clarity, you stated you have an executed easement with the County, correct?

**Mr. Dyches** answered, not with the County. The unopened road that goes up and then back, when looking at the map there is no road that goes back into those back lots. They are on the other side of a 40 feet unopened ROW. The parties of those parcels had an easement agreement that goes back to 1978, it did not have a map with it. We were able to get the parties to make a written easement agreement and we have attached this plat. They now have an easement that provides them with a legal right of access back to their property. The County does not need to maintain or continue to keep the unopened ROW as legal access. It has never served as a legal access.

**Mr. Stephens** stated the easement appears to cross through your property.

**Mr. Dyches** stated the 15 feet begins at the property line and runs away from the property.

**Mr. Stephens** asked, has there been conversations regarding the 15 feet being enough for emergency access in the event there is need?

**Mr. Dyches** stated it has been that particular width for the last 45 years.

**Mr. Brisk** stated there is frequent use from Chatham Fire. They drive fire trucks up and down that road. There is a fire hydrant in the back, they have access back there. They patrol the area on a regular basis. In that area a lot of people burn things, they monitor this area very well. Apparently, there is somewhere to turn around there because I see them going up and down there all the time.

**Mr. Noha** stated, as a former Fire Chief, we have been back there, at the Christianson home, there is enough turn around on that roadway. My question was about the 15 feet recorded easement now. What is the minimum required easement width to any subject property in the County?

**Mr. Morrow** stated, it is the least per emergency services according to the subdivision regulations, 20 feet with an 18 feet surface for driving.

**Mr. Noha** asked, has the County seen and approved this 15 feet?

**Mr. Dyches** stated no. Their objection was they did not see a legal right of access in order to get rid of the unopened ROW.

**Ms. Boles** stated there is confusion regarding the language used. The language might satisfy County, but the condition still needs approval.

**Mr. Dyches** stated the County's concern was that they did not have a legal right of access. That was what was expressed, they never expressed that they needed a minimum for safety

purposes. We still have to go through the process with the County to do that. This is not a done deal but they have indicated that this satisfies the concern that engineering had.

**Mr. Travis Coles, Board Member**, stated, my concern is that the last time we heard this it was continued because the unopened ROW was not deeded over. We are still, you are still saying, "the County is working on it and we will get there", but we are not there. My concern is that we are putting the cart before the horse and the frontage on Ferguson, you say there does not need to be a privacy fence there. By your own photo shown, you can see into that lot and see into the background, landscaping equipment. There needs to be a privacy fence there, at least on the Ferguson side.

**Mr. Noha** stated there is plenty of room for a buffer.

**Mr. Coles** stated both are needed, a buffer and a privacy fence. The photos shown were taken in the winter months and you can clearly see right through this chain-link fence. A vegetative buffer is not a buffer in the winter months.

**Mr. Dyches** stated, my recollection, this item was continued because County had come up with conditions and we attempted to talk through them, and then were told to work through them and come back.

**Ms. Karen Jarrett, Chairwoman**, stated the conditions are not worked out at this point and time.

**Mr. Dyches** stated the MPC staff has proposed conditions, we were in agreement with all but number 4. The privacy fence is the one we have an issue with. We are proposing to have a vegetative buffer that would have over 85% opacity to conceal it.

**Mr. Stephens** asked who will be maintaining the area?

**Mr. Dyches** stated the owner is responsible for maintaining the easement. This does not place any burden on the County to maintain.

**Mr. Morrow** stated, for the record, this is an existing 15 ft easement. Currently that is substandard. I would like to revise the previous statement. The current minimum width for a new subdivision is a 30ft easement with 18ft drivable surface. It is our understanding that emergency services will accept 20ft but for any new subdivision, the minimum for private vehicular access would be 30ft.

**Mr. Dyches** stated the easement was not required as part of this. We are trying to get the County to say what they have is surplus. They have a legal right of access. When the property was sold and subdivided in 1978 there was an easement agreement. The agreement was because they did not have access through this unopened area at Lehigh so they did the easement agreement. This has been in there for 35 years. What they did not have was a good description of it. We had a survey and plat done to show the easement. This is not a new subdivision that we are trying to get approved with the new standards this is existing.

**Mr. Noha** stated the GDP was presented by the Petitioner. The corner that is most visible through fence is where the stormwater will be cleared out for a retention pond. What is the current height requirement or restriction on the frontage of property along the roadway?

**Mr. Morrow** stated this is a residentially zoned parcel, the maximum fence height is 6 feet.

**Ms. Jarrett** asked, when you negotiate with the County, are you going to pay for the ROW that they own?

**Mr. Dyches** stated the County has a process by which they evaluate unopened roads. They have Engineering make a determination whether or not it is surplus property. Once it is surplus property, there is a procedure in which the County requires a vote by the Commission. Then it has to be purchased at fair market value for the unopened road. I have spoken to the County

Attorney, they said they will move forward now because there is an alternate means of access for the property owner.

**Mr. Coles** asked if the County has accepted that?

**Mr. Dyches** said no, they could still come back with something bigger. The purpose in bringing up the easement is we believe we can close the unopened ROW and work things out with the County. We believe we can purchase it from them and will be able to recombine those lots. Rather than coming back at a later date, we would request that rather than denying that tract, we ask Staff to approve.

**Mr. Stephens** stated we have to look at this as a whole. The only access, just clarified, is not on your property, is 15 feet which is substandard.

**Mr. Noha** stated, in my opinion, the 15 feet easement has nothing to do with this Petition. That is something they will take up with County Commission and the County Attorney.

**Mr. Coles** stated, while we are not talking about the unopened ROW for this specific one, we are, because we are conditioning the future based on changes to that unopened ROW. Again, I still believe we are putting the cart before the horse if we are going to have conditions in this particular petition that are speculating on what future actions that County may take.

**Ms. Jarrett** stated a continuance is in order. We did not solve all of the questions in the last continuance.

**Mr. Morrow** stated Staff's recommendation at present, is contingent upon only the current configuration. Once a plat is approved, access is a requirement. The access that exists would have been for the use of the parcel in the configuration proposed at the time of approval. This is something that is putting the cart before the horse. In essence you are truncating access that was supposed to be for future uses. Approval in the way recommended would give the Petitioner the opportunity to proceed as he is currently situated and at some point, to come back and readdress that.

## Motion

Item continued until the March 19th 2024 Planning Commission Meeting.

## Vote Results ( Approved )

Motion: Travis Coles

Second: Wayne Noha

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



Michael Kaigler	- Not Present
Traci Amick	- Aye

## IX. Regular Business

### 6. Special Use Requesting a Bar/Lounge use within TC-1 zoning district | 2501 Bull St | 24-000227-ZA.

📎 [Application..pdf](#)

📎 [Streetcar Contributing Resources Map.jpg](#)

📎 [Bar\\_Tavern Definition.pdf](#)

📎 [AERIAL MAP - SP - 24-000227-ZA.pdf](#)

📎 [Staff Report.pdf](#)

**Mr. Edward Morrow, Director of Development Services**, presented the Staff Report. Mr. Morrow stated that the Petitioner requests approval of a Special Use pursuant to Section 3.10 of the Savannah Zoning Ordinance to establish a Bar/Tavern Use in the TC-1 (Traditional Commercial -1) zoning district. The Special Use process includes review by the Planning Commission and the Savannah City Council. Should the request be approved by City Council, approval and issuance of an alcohol license will still be required for the sale of alcoholic beverages. The scope of the present review includes only those criteria established by the Zoning Ordinance regarding appropriateness of the use at the requested location.

The structure at 2501 Bull Street is a noncontributing building in the Streetcar Local Historic District, constructed originally in 1960 and measuring approximately 2,869 sf in area. It is located within a mixed-use, but increasingly commercial, area at the southwest corner of the intersection of West 41st and Bull Streets.

The subject parcel is a conforming double-frontage lot within the TC-1 zoning district. It consists of 0.137 acres (5,990.4 sf) in lot area and having 57.6 feet of frontage on both Bull Street and Desoto Avenue. The parcel is situated within the Streetcar and Victorian parking reduction area. Nonresidential uses are parking exempt up to 3,000 sf of floor area.

The Petitioner intends to establish a bar/tavern use in the existing structure on the parcel. Per the Zoning Ordinance, this is described as *“an establishment devoted primarily to the dispensing of alcoholic beverages for consumption on the premises. While such use may also provide food sales, more than 50% of its annual gross food and beverage sales income is derived from the sales of alcoholic beverages. This use may include entertainment. This term does not include nightclub.”*

In initial conversation with MPC Staff, the Petitioner indicated the use could possibly be associated with the adjoining Sey Hey Lounge at 2505 Bull Street. The structure at 2501 Bull Street does not presently have kitchen facilities. Extension of the lounge use could possibly enable food service along with alcohol sales at the new location. MPC Staff recommends approval of the requested Special Use with the condition: The Special Use Permit shall be nontransferable.

**Ms. Tess Latta, Owner**, stated Sey Hey has been a bar and lounge in the area for over 70 years. It is a family bar and lounge that welcomes everyone. What we are trying to do is expand to another building for the elderly in the community. Ms. Chelsey Williams stated they have built a good rapport with Starland as well as the community. We have letters from Starland and the community leader for support of the petition. We are trying to give that family-oriented feel in the community.

**Ms. Karen Jarrett, Chairwoman**, asked, are you combining the use of Sey Hey and this building as well?

**Ms. Latta** stated no they are separate bars.

#### PUBLIC COMMENT

**Mr. Valerian Sottile**, stated I have been a property owner in the historic Starland design district for

24years now. I am pro development. Starland is a mixed-use neighborhood. It is residential and commercial. It is imperative that we maintain balance of both of these residential and commercial uses. As a neighborhood we have young children living and growing up in the immediate area. To permit a Bar/Lounge in that area to double its size and to sell alcohol past 10pm is irresponsible and potentially dangerous for neighborhood residents and the public alike. I speak as a property owner, to not permit alcohol sales past the hour of 10pm on any given day. How has parking been resolved? Currently the Sey Hey attendees find very creative parking spots all throughout our residential neighborhoods. In many events, because of the quantity of people, the parking decisions makes it nearly impossible to park or even sometimes access streets. My concern is at the attempts to expand and connect with existing use, this should activate parking requirements and only exacerbate this issue.

**Mr. Stephens, Board Member**, asked, are there any other establishments that sell alcohol in that area past 10pm?

**Mr. Morrow** stated yes, Two Tides Brewery closes at midnight on Friday and Saturday. The Wormhole closes at 2:30am every night.

**Mr. Stephens** stated it would be unethical to not allow this business the same privileges as the surrounding businesses have.

**Mr. Coles, Board Member**, stated, we just approved the Jinx that is right around the corner and that is an event venue that will have live music, etc. with later hours.

**Ms. Lauren Boles, Board Member**, asked for clarification on the expansion of the business.

**Mr. Morrow** stated the Sey Hey as it currently exists is just under the threshold, this new building, as it exists independently, is just under the threshold. In order to put those together, you would need to meet the off-street parking requirement for everything in excess of 300 square feet for the combined square footage of the two.

**Mr. Coles** stated since this was a separate building/business, that would also require a new liquor license which would have to go before the City Council to determine appropriateness as well as opening and closing times.

**Mr. Stephens** stated I want to be mindful in looking at the whole area, making sure the parking is good with the ordinance requirements. There are always challenges to parking.

**Ms. Coren Ross, Board Member**, asked if anything resembling a site plan or plat with the proposed use provided?

**Mr. Morrow** stated no, there is no need for one at this time.

**Ms. Traci Amick, Board Member**, asked is there any outside entertainment anywhere?

**Mr. Morrow** stated currently no. If the Petitioner chose to do that, a site plan would be required to show how they were going to expand the building and how they will meet off street parking and all other departments.

#### **Motion**

Approval of the requested Special Use with the following condition:

The Special Use Permit shall be nontransferable.

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

Motion: Travis Coles

Second: Dwayne Stephens

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

[7. Map Amendment request to rezone from R-2-A/EO to P-D-N/TC | 6703 Johnny Mercer Blvd | Z-0224-000435](#)

[Application.pdf](#)

[combined maps.pdf](#)

[Staff Report Z-1207-000201 \(6703 Johnny Mercer BLVD\).pdf](#)

**Mr. Brad Clement, Planner, presented the Staff Report. He stated the Petitioner, Whitney Owens, is proposing to rezone a +/- 0.35 acre parcel from R-2-A/TC (Two - Family Residential – Town Center) to P-D-N/TC (Planned Development for Nonconforming Uses – Town Center). The intent for the rezoning is to allow the Petitioner to reuse an existing commercial structure located at the address as a Counseling Center.**

The subject property is located on Johnny Mercer Boulevard near the intersection with Penn Waller Road. The 6703 Johnny Mercer parcel is a total lot area of 0.35, or 15,246 square feet and is zoned R-2-A/TC. The existing one-story 2,256 sf building on the property was built in 1997 per Chatham County Board of Assessor Records. The property adjacent to 6703 Johnny Mercer Boulevard is currently indicated as 0 Johnny Mercer Boulevard. This parcel has a total lot area of 0.54 acres, or 23,522 square feet and is zoned P-D-N/TC. The one-story 2,991 square foot commercial building on the property was originally constructed between 1971 and 1980. In the course of several years the two parcels have been transferred several times under common ownership between approximately 1982 until 2003 when ownership splits. There is no definitive public history of the common uses of these parcels over time, but it appears that commercial use of the subject property is well established.

MPC staff recommends approval of the request to rezone from R-2-A/TC (Two-Family Residential Limited – Town Center) to P-D-N/TC (Planned -Development Rezoning for Certain Nonconforming Uses – Town Center) With the following two (2) conditions:

1. The existing building is not to be enlarged or otherwise significantly modified except for exterior aesthetics, changes to meet ADA compliance or similar access/safety requirements (repaving/resurfacing), or any interior modifications to facilitate the business to function.
2. The Petitioner will provide for the record a shared parking agreement with a surrounding property owner and provide for a safe means of pedestrian access from that property to the new business.

**Ms. Whitney Owens, Petitioner,** stated she is looking forward to having a counseling center in the area that is in need.

**Mr. Wayne Noha, Board Member**, asked, is it non-conforming because it was not in use for more than one year? If any business would have come in prior to one year, would it have been able to just be transferred from one to the other?

**Mr. Clement** said yes.

**Mr. Brooks Cail, Senior Pastor at First Baptist Church of the Islands**, stated we are excited about having Waters Edge Counseling right next to us. This is an improvement and a need in our community. Our church has been there for a long time and our desire is to see that community enhanced. In the event, down the road, if Waters Edge moves, what would this rezoning allow in that space? We have a vested interested in certain types of businesses taking residence there. In the event that someone that was detrimental to the community moved in, what recourse would we have?

**Mr. Clement** stated with the "P" in front of the designation, anything that should move in subsequent, that use and the intensity would have to be approved by the Board just as this is being approved today.

### Motion

Approval of the request to rezone from R-2-A/TC (Two-Family Residential Limited – Town Center) to P-D-N/TC (Planned -Development Rezoning for Certain Nonconforming Uses – Town Center) With the following two (2) conditions;

1. The existing building is not to be enlarged or otherwise significantly modified except for exterior aesthetics, changes to meet ADA compliance or similar access/safety requirements (repaving/resurfacing), or any interior modifications to facilitate the business to function.
2. The Petitioner will provide for the record a shared parking agreement with a surrounding property owner and provide for a safe means of pedestrian access from that property to the new business.

### Vote Results ( Approved )

Motion: Travis Coles

Second: Wayne Noha

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

- ④ [Updated Site Plan \(Ex. 1\).pdf](#)
- ④ [fayetteville8.pdf](#)
- ④ [Staff Report - Z-1207-000201- 5792 Ogeechee Road.pdf](#)
- ④ [AERIAL MAP \(5792 Ogeechee Rd.\).pdf](#)
- ④ [FLU MAP \(5792 Ogeechee Rd.\).pdf](#)
- ④ [5786, 5782, 5792 Ogeechee Rd AUGUST 31, 2021.pdf](#)

**Mr. Edward Morrow, Director of Development Services**, presented the Staff Report. Mr. Morrow stated, that the Petitioner is requesting approval of a Rezoning/Map Amendment and acceptance of a General Development Plan. The rezoning from R-3-13 (Multi-Family Residential 13 unit per acre) to P-B-C (Planned Community Business) is for the construction of a three story 143,400 SF building with a mini-warehouse/self-storage use designation. The subject property consists of 1.7-acres of undeveloped land. The lot is situated on a corner with side frontage on Ogeechee Road and building-orientation frontage on the shared access and utility easement/right-of-way with Slate Apartments and other neighboring commercial uses.

MPC Staff recommends approval of the requested Zoning Map Amendment and acceptance of the proposed General Development Plan as they are consistent with and satisfy the requirements of Section 4.5.61.b General Development Review Process. Furthermore, Staff finds the rezoning of this parcel is consistent with the intent of the Future Land Use Map.

**Mr. Josh Yellin, Agent for the Petitioner**, stated we are on the third iteration that has been seen by MPC Staff in order to make sure this is a good product and fit for the area. We know the concern with traffic, in my estimation, this is the lowest use impactfully that you could potentially put on the site. The zoning use being R-3-13, that is a multifamily use that would permit up to 26 multifamily units on this site, by right. Twenty-six multifamily units generate far more traffic than a modern self-storage mini warehouse facility. If the site were to be B-C, you put in a retail center or any other commercial use, all of those uses generate higher traffic than self-storage mini warehouses. We have access at this site, we are not proposing a new curb cut, the access is already in place. We think this is the most appropriate you for this site. This is a planned B-C, the GDP has been submitted to Nick Milionis with County Engineering. Staff has recommended approval of this plan, and we respectfully request you do the same.

**Mr. Wayne Noha, Board Member**, asked how many stories will this be? Will there be a fence put up?

**Mr. Yellin** stated it is a 3-story product. No, we are not in favor of putting up a fence as it will block the view of traffic.

**Mr. Chris Keenan, Developer**, stated the design that we have planned will be in accordance with the Master Plan development who is also the seller and owner for the land. It will be along the same lines as the one on Little Neck as well as the example in Fayetteville. We do not build to sell; we build to hold. We have a higher quality of construction that we hold ourselves to.

**Ms. Karen Blanz, Member of the Public**, stated, I live across the street from the property. I would like to see a tall fence, there is so much light coming now from the gas station across the street on to my property. We have had to put up blinds and shutters. Any kind of light pollution coming from that side of the street is distracting. I am in favor of a tall fence.

**Mr. Noha** asked, as long as the light pollution is addressed, would that be appropriate enough?

**Ms. Blanz** stated yes.

#### **Motion**

Approval of the requested Zoning Map Amendment and acceptance of the proposed General Development Plan with a lighting plan submitted for approval. As they are consistent with and satisfy the requirements of Section 4.5.61.b General Development Review Process.

**Vote Results ( Approved )**

Motion: Travis Coles

Second: Wayne Noha

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

**9. SDP with Variance for gravel surface |390 Fort Argyle Rd | 23-006442-ZA**

📎 [Application.pdf](#)

📎 [AERIAL MAP 23-006442-ZA.pdf](#)

📎 [ZONING MAP 23-006442-ZA.pdf](#)

📎 [Site Plan \(Ex 2\).pdf](#)

📎 [SDP \(sediment, erosion, pollution control\) Ex 3.pdf](#)

📎 [Ch 3 Part 1 Stormwater Mgmt\\_2ed \(Ex 1\).pdf](#)

📎 [Staff Report 23-006442-ZA 390 Fort Argyle\\_.pdf](#)

**Mr. Brad Clement, Planner presented the Staff Report.** Mr. Clement, stated the Petitioner requests approval of a Site Development Plan for a vehicle impound lot with a variance to permit gravel storage areas where impervious pavement would otherwise be required. The relief sought is in favor of a more 'Low Impact Development' utilizing Georgia Stormwater Conservation Commission's (GSWCC) "Green Infrastructure Practices." The subject property consists of 1.59-acres of undeveloped land currently zoned I-L (Light Industrial). The lot is situated approximately 1,000 feet from Fort Argyle Road along a paved two-lane private drive. The Petitioner's lot is surrounded by like-zoned lots and parcels, many currently undeveloped.

Staff finds the incongruencies with the proposed use, intensity, and proposed operations with respect to the appropriate sections of code to be of sufficient complexity to warrant special consideration when reviewing the site development plan. The subject lot is surrounded by I-L zoning so that buffering and parking pad/storage pad setback beyond what are necessary to facilitate safe and efficient site and internal mobility and access may not be appropriate. However, six-foot screening fence as related to Outdoor Storage of Vehicles, as proposed in the provided plans, both warranted and appropriate to the unique use. In addition, signage beyond that which is required for safe site navigation, employee parking calculations, etc. may not be appropriate per the unique use.

Staff recommends approval of Site Development Plan and the Variance to allow for 'Low Impact Development' and 'Green Infrastructure' practices with the following conditions:

1. The Applicant follows the significant erosion control and site maintenance strictures as outlined in the submitted site plan.
2. The Applicant continues to maintain the site in accordance with the submitted plan so as not to deviate from the proposed 'Green Infrastructure' plan proposed.
3. Any change in conditions of operations, intensity, or expansion will require the submittal and possible approval of additional development plans prior to seeking required permits.

**Mr. Trent Long, TR Engineering**, stated this is a reposition yard. These are operable vehicles; they are there for a short period of time before they are moved to another location. There will be little in and out of the area. We are trying to make sure we meet the green infrastructure, stormwater requirements, and keep the cost of this type of activity down.

**Mr. Wayne Noha, Board Member**, asked, what is the number of vehicles?

**Mr. Long** stated, 80-100.

**Mr. Noha** asked for explanation of the word "expansion" under number three.

**Mr. Long** stated our view when the report was written was, the addition of the building and permanent employee parking. We are talking about the expansion of the business, not the number of vehicles.

**Mr. Lauren Boles, Board Member**, asked if other sites were considered.

**Mr. Long** said yes, they been on a site that is adjacent to this the past 10 month. It is a dirt site now; we are trying to move to a site that is ours to utilize.

**Ms. Boles** asked if the previous site was a green site.

**Mr. Long** stated no, it was dirt.

### **Motion**

Approval of Site Development Plan and the Variance to allow for 'Low Impact Development' and 'Green Infrastructure' practices with the following conditions:

- 1.The applicant follows the significant erosion control and site maintenance strictures as outlined in the submitted site plan.
- 2.The applicant continues to maintain the site in accordance with the submitted plan so as not to deviate from the proposed 'Green Infrastructure' plan proposed.
- 3.Any change in conditions of operations, intensity, or expansion will require the submittal and possible approval of additional development plans prior to seeking required permits.

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

Motion: Wayne Noha

Second: Travis Coles

Joseph Ervin - Not Present

Tom Woiwode - Aye

Travis Coles - Aye

Joseph Welch - Not Present

Coren Ross - Aye

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

#### [10. Recombination Subdivision | Meldrim Ward | 515 W. 31st St | File No. 22-003409-SUBP](#)

[📎 Application..pdf](#)

[📎 Plat.pdf](#)

[📎 22-003409-SUBP - EM - Recomb of Lots Meldrim Ward.pdf](#)

**Mr. Edward Morrow, Director of Development Services**, presented the Staff Report. Mr. Morrow stated that the Petitioner requests MPC's approval of a Final Plat for a recombination of 8 lots into 1 lot at 515 W 31st Street. This Petition has been before the Commission previously to allow the Petitioner time to consult with the Tax Assessor's office. During the last meeting the Petitioner made the claim that he wished to administratively combine these lots for the purpose of getting fewer tax bills. Since that time, Staff has come to the understanding, after working with Mr. Kemp from the Tax Assessor's office, the administrative recombination process is not for this purpose. They are able to re-establish lots that have been previously approved. It is the staff's understanding after talking with the Tax Assessor, administratively recombining for a new configuration such as that which is proposed in this recombination, that is not something they will be able to assist the Petitioner with.

While it is in Staff's purview to approve such a request, Mr. Morrow stated he felt it was appropriate to bring this before the Planning Commission. While recombined properties must not necessarily have the same zoning classification, in most cases, the parcels to be recombined are not as dissimilar in their zoning as the present request. Most such cases go through a rezoning, ideally with conceptual site plan, and at that point recombination and subdivision in accordance could be expected.

The Subdivision Ordinance alludes to this same expected order of events in 8-2043 as it states that "Until the construction plans of a proposed subdivision have been approved by the MPC and the City Engineer, a developer shall not grade, scrape..." Granted this is not a request for land disturbing activity, the point remains it is expected that under such circumstances, the local governing authority would have some understanding of what type of development is planned.

The Future Land Use Map indicates that traditional commercial use is expected here, however, a request to rezone and an associated concept plan have not been submitted for review. To approve a recombination in this case could be conveyed as tacit support for a nonconforming development. To avoid any detrimental reliance, it is best that either a request to rezone be presented first or site plans demonstrating a proposal that meets the requirements of the current zoning districts present on the lots be submitted for review. MPC Staff recommends denial of the proposed lot recombination.

**Mr. Jim Huntsrucker, Member of the Public**, stated Cyler-Brownville is being considered for the hotel, no expansion the City has proposed. Hotels are being proposed in these districts and the people of voiced opinion of not wanting hotels.

**Ms. Ellie Isaacs, Director of Historic Savannah Foundation**, stated the main concern was not necessarily in the realm of hotels, but of apartment buildings. There are apartment buildings that take up the entire block directly across MLK. That is my concern, to yield warning when recombining lots in Cyler-Brownville, in the future.



**Motion**

Denial of the proposed lot recombination.

**Vote Results ( Approved )**

Motion: Travis Coles

Second: Jeff Notrica

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

#### [11. Amendment to Existing Approved Master Plan| 224 Basswood Dr | 23-006295-PLAN](#)

📎 [Application.pdf](#)

📎 [24956 Master Plan Amendment Exhibit - 12.2023\\_2.2.24 Update.pdf](#)

📎 [Staff Report - 224 Basswood - 23-006295-PLAN.pdf](#)

📎 [Highlands Park Commercial - Morrow Memo 12-8-23.pdf](#)

**Mr. Edward Morrow, Director of Development Services**, presented the Petition. Mr. Morrow stated the Petitioner is requesting approval of an amendment to the Master Plan for Highlands Commercial Park within the Godley Station North PUD. Highlands Park is a mixed-use development located at the intersection of Benton Boulevard and Highlands Boulevard within the larger PUD-zoned development. *The proposed change amends only the text of the PUD, and does not change any designated land uses.* The Highlands Park Commercial development is part of the larger Godley Station North Planned Development. This is a mixed-use development. The administrative action being requested updates and most significantly impacts future commercial development adjacent to Benton and Highlands Boulevard. The changes proposed bring a ‘commonality’ along the corridor that may have otherwise been impacted by requirements established in the original Planned Development Master Plan.

The proposed amendment is in keeping with the overall development and previous iterations of the plan. This proposed amendment reflects ‘Best Professional Planning Practices’ and is respectful of all involved parties. MPC Staff recommends approval of the requested Master Plan amendment to permit application of Savannah Zoning Ordinance ‘B-N’ district development standards to the eleven (11) parcels identified.

**Mr. Ryan Smith, Petitioner for Highlands Park Commercial**, stated Godley Station goes back several years. Staff has done a great job. I am here to provide any clarity. The parcels already have the B-N land use that was approved by the Planning Commission. We are simply applying the City's NewZo to those lots.

**Motion**

Approval of the requested Master Plan amendment to permit application of Savannah Zoning Ordinance 'B-N' district development standards to the eleven (11) parcels identified.

**Vote Results ( Approved )**

Motion: Travis Coles

Second: Wayne Noha

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