

**MEMORANDUM**

**To:** Mayor and Aldermen  
**From:** Michael Brown, City Manager *Michael*  
**Date:** April 2, 2021  
**Subject:** **Salvation Army Petition for Special Use Permit of 2305 Augusta Ave. & Alternative Development Proposal for That Location**

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At the March 11, 2021 Council meeting I requested a deferral of agenda item 33 to review facts associated with the Salvation Army petition and an alternative development proposal prepared by Ivory Bay Community Development Corporation which is associated with Alderwoman Bernetta Lanier. This memorandum reviews those facts.

- As you know, The Salvation Army is petitioning the Mayor and Aldermen for a special use permit to operate a Transition Services Center at 2305 Augusta Avenue on property that The Salvation Army plans to purchase from the Housing Authority of Savannah (HAS) under the authority of the United States Department of Housing and Urban Development.
- When considering a special use permit request, the review authority—which is the Metropolitan Planning Commission (MPC)—considers the following criteria as outlined in Section 3.10.8 of the Zoning Ordinance:
  1. Whether the special use is consistent with the intent, goals, strategies, policies, guiding principles and programs of the Comprehensive Plan and other adopted plans;
  2. Whether specific use standards for the special use, if any, as provided in Article 8.0, Use Standards, can be achieved;
  3. Whether the special use is detrimental to the public interest, health, safety, welfare, function, and appearance of the adjacent uses or general vicinity by reason of any one or more of the following: the number, area, location, height, orientation, intensity (such as traffic, noise, odor, hours of operation), or relation to the neighborhood or other adjacent uses;
  4. Whether the subject property is adequate in shape and size to accommodate the special use;

5. Whether adequate public facilities are available to serve the proposed use, including, but not limited to: water; sanitary sewer; stormwater drainage facilities; public safety and emergency facilities; roadway capacity; vehicular ingress and egress; or, that the applicant will provide adequately for such services and for placement in an appropriate location.
  6. Whether the special use will result in the destruction, loss, or damage of any feature determined by the review authority to be of natural, cultural, scenic or historic importance.
- On September 22, 2020, MPC staff determined that the petitioner met the six criteria and recommended approval of the special use permit. During the meeting, Alderwoman Berretta Lanier requested a postponement of the petition for 30 days. The MPC voted to continue the petition to the November 10, 2020 meeting.
  - At the November 10, 2020 meeting, the MPC unanimously approved the petition and supported MPC staff's recommendation that the property and proposed uses meet the six criteria for special use approval.
  - On December 10, 2020, the petition was first presented to Mayor and Aldermen for consideration. The item was deferred to January 28, 2021 and again to March 11, 2021 to allow City staff to work with the petitioner to seek alternative sites for the facility.
  - On March 10, 2021, the Conceptual Master Plan was presented to the Housing Authority of Savannah on behalf of the Ivory Bay Community Development Corporation. Referred to as the Weeping Time Plaza, the development includes a village market, hotel and residential building. The proposal also states that the Ivory Bay Community Development Corporation would oversee the development and construction of the Weeping Time Plaza.
  - The Georgia Secretary of State reports that the registered agent name for this domestic nonprofit corporation is Bernetta Lanier. It also lists the following persons as officers: Deidre Grim, CEO; Malinda Thornton, Secretary; and Oscar Lanier, CFO

# **CONCEPTUAL MASTER PLAN**

**“THE WEEPING TIME PLAZA”**

**“A Cooperative Village”**

**MIXED USE/MIXED INCOME “**

**HOUSING COMPLEX**

**(16 ACRES)**

**2305 AUGUSTA AVENUE**

**Savannah, Ga 31405**

## **OBJECTIVE:**

To bring the communities from slavery to modern time. These communities have been studied to death with no significant improvement. We have plans to uplift the communities by giving them the opportunities available to all Savannahians. With this project we endeavor to produce engineers, architects, upper-level managers, and not just minimum wage earners. We will have a hands-on approach in planning, designing, and building this project. African Americans have not been given the opportunities and funding that other Savannahians take for granted. We pledge:

**HONESTY --- INTEGRITY---- PROFESSIONALISM**

**=**

**EMPLOYMENT—EDUCATION-- ENTREPRENEURSHIP**

**FEBRUARY 24, 2021**

# CONCEPTUAL MASTER PLAN

2305 Augusta Ave

- ① **VILLAGE MARKET**  
Restaurant (100 seats)  
Performance Stage  
Vending Spaces
- ② **HOTEL & EVENT SPACE**  
4 Stories  
12,000sf Ground / 6,400sf Total  
Underground Parking Garage
- ③ **COMMUNITY PARK**  
200' x 350' Square  
10' Sidewalks / Running Path  
Amenities  
Playground  
Gazebo  
Swimming Pool
- ④ **MIXED USE**  
3 Stories  
Retail Spaces First Floor  
Residential Upper Floors
- ⑤ **BUSINESS SPACES**  
Office Spaces
- ⑥ **COMMUNITY GARDEN**  
44,500sf (1.1ha)

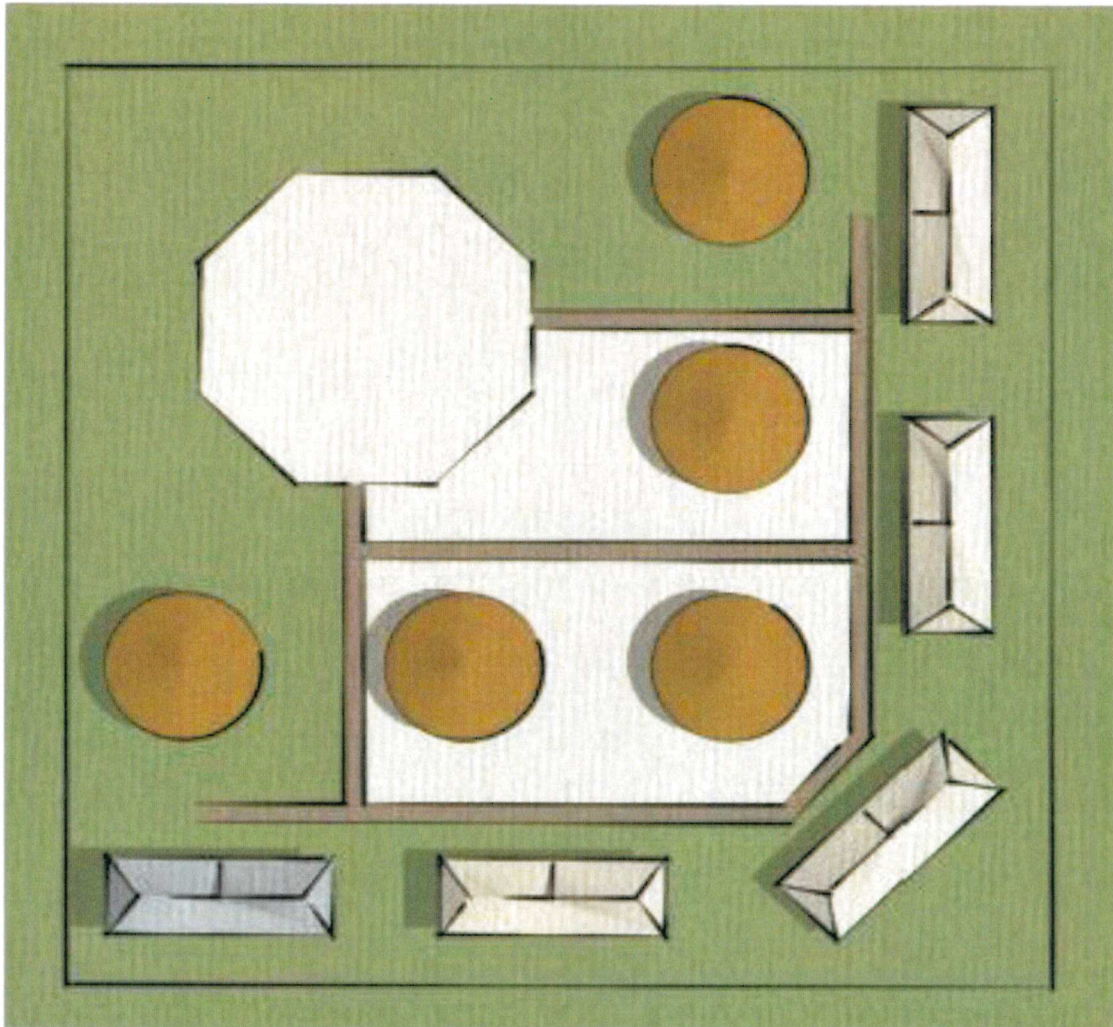


# THE VISION

The best use of the site is ideally suited specifically to improve the economic condition for the Woodville, Hudson Hill and West Savannah African American communities. The community is interested in purchasing the site and putting in businesses which would conform to the historical aspect of the area which was destroyed during so-called Urban Renewal Era and the decision to construct I-16 and I-516 right through the community. This would afford the community the opportunity to do that and we don't see that as a loss. We see that as a win/win for everybody because the property will go to its highest and best use which helps upgrade the area in the manner that people want to see. It will also put the property back on the tax roll because it is a valuable piece of property. This has been the driving force in trying to bring this to a reality. Despite doubts by many, we believe that the acquisition of this site by the community is their utmost desire for restoration.

The African Americans in Savannah have a rich and proud heritage and culture. This heritage and culture need to be preserved and nurtured. Additionally, we should also prosper from our culture and provide jobs and businesses within our community. *It should not be European or African American history but should be the history of Savannah period. Tour operators should recognize it as such and talk about our ancestors and their contribution to the building of the City.*

The "*Weeping Time Plaza*" will bring into reality the awareness of the 436 men, women and enslaved children sold on that sad day March 2<sup>nd</sup> and 3<sup>rd</sup>, 1859. It should be given recognition as other historical monuments are recognized and placed throughout the City.



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### ***The Village Market***

This is a conceptual plan for the 2305 Augusta Ave “Cooperative Village”. It will be a Mixed-Use/Mixed Income complex with 300 +/- 1,2 and-3-bedroom residential family units with commercial spaces of various sizes and location on the 16-acre site. It will also have a 200 +/- room hotel with banquet and catering facilities for 50-300 persons. Woodville High School, which is nearby, will provide hospitality training for students and staff. It is expected to provide 50-75 managerial and service positions. The hotel will have underground parking for 100 + cars.

SALE OF  
**440 NEGROES!**

PERSONS DESIRING TO INSPECT THESE

**NEGROES**

WILL FIND THEM AT THE

**RACE COURSE,**

WHERE THEY CAN BE SEEN

From 10 A. M. to 2 P. M.,

UNTIL

DAY OF SALE.

**J. BRYAN,**

AGENT

JOHNSON SQUARE.

**FOR SALE.**



A STYLISH NORTHERN

HORSE eight years old, sound, and

gentle in single or double harness. Can

be seen at C. STEBBINS' Stable, cor-

ner of Whitaker and President streets. Feb 26 - 51\*

*"One small plaque in a remote West Savannah park doesn't nearly do justice to the memory of the people who were bought and sold so many years ago. Our country—particularly the south—is full of these hidden histories and if we as citizens don't labor to remember these admittedly ugly episodes of our past, we're doing not just ourselves a disservice, but we're desecrating the memory of the enslaved people who helped build this country.*

*The Ten Broeck Race Course has since been obliterated and there's now a lumber company on most of its former site. An elementary school sits on one corner of the former racetrack, but there's not a single trace left of the old course and it's probably safe to assume that very few, if any, of the children who*

*attend classes there even know what happened on those grounds a century and a half ago".*

**KRISTOPHER MONROE** is a writer based in Savannah, Georgia, and the arts editor at Inside Philanthropy.

The community has been continually below the poverty line since slavery. This project will employ local residences and reduce the overall poverty rate by 50%. This in turn will significantly reduce the prevalence of crime in the community. This project will save the City much more than it costs. The youths will become involve and hopefully will remain in the community after completing school and get a job in the local shops or businesses. Hopefully, they will be able to live, work, and learn in the community. ALL businesses will be encouraged to move here.

The “*Weeping Time Plaza*” is important for many reasons: \_It represents an inspiration and hope for the African American culture and their contribution to the building and maintenance of the City of Savannah. It gives the youths hope and something to look forward to and feel a sense of pride to strive for greatness in their formative years.

It will provide an economic “*shot in the arm*” for the community and help reduce the more than 30% poverty rate. The dollar does not turn over once in the community due to the lack of services. We are hoping to have the dollar turn over many times and stay in the community longer.

This project will re-establish the historical aspect of the communities and bring it back to the people who lived, worked, and prospered here. It will also serve to unify the African American community around a common cause for which we can see and believe. It will be good for the African American community and especially beneficial for the entire city, county, and region.

- *Ivory Bay Community Develop Corporation (CDC): will oversee the development and construction of the Plaza. African Americans still own most of the vacant parcels .*
- *Instrumental in providing a training environment for future scholars, architects, engineers, managers, and craftsmen.*
- The CDC will be the overall glue that holds the community together and stabilize the escalation and speculation on land prices along the corridor.
- Working towards reducing the negative aspect of I-16 and I-516.
- Dedicated funds from its operation will be provided to sustain and educate the residences about the concept of Highest and Best Use to achieve maximum return and value.

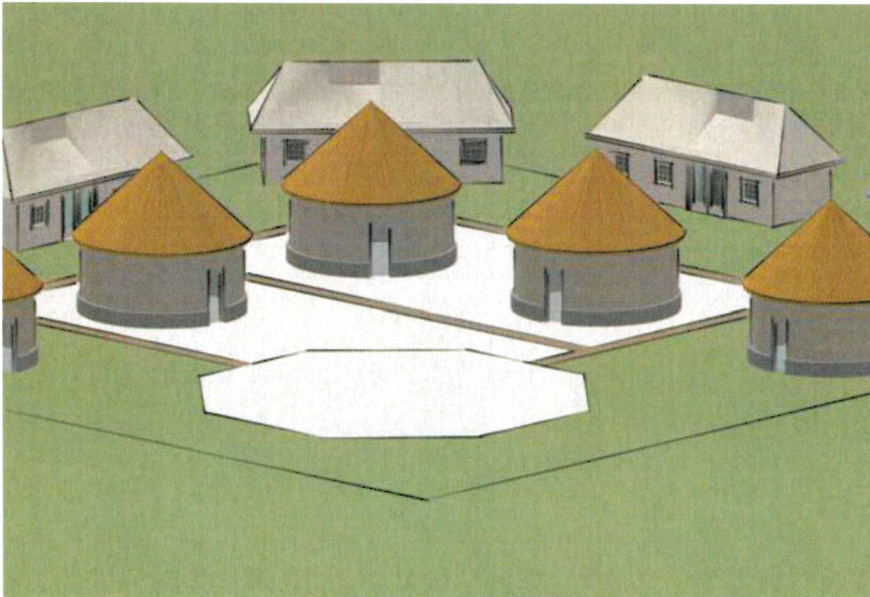


The proposed "Weeping Time Plaza" will be a "Smart Growth" sustainable mixed-use/mixed-income community. The project will feature an African American owned and operated independent hotel. The complex will also be the home to some of the extensive collection of African Americans artifacts by notables, such as historian W.W. Law. It will also include retail shops, a full-service restaurant, underground parking, and Class "A" office space. The "Village Market" will have a 100-seat African style restaurant and coffee shop.

Built using the NUDURA Integrated Building Technology will allow the complex to be stronger, more energy efficient, and environmentally friendly. This Insulated Concrete Wallform (ICF) system will be able to withstand winds of up to 200 mph, have superior soundproofing between units, termite, mold, and mildew resistance. NUDURA also provides substantial green building benefits and contribute to the LEED (Leadership in Energy and Environmental Design) Program. Un-employed and under-employed workers from the community will undergo training and certification by Nudura to work on ICF projects. **Nudura certification promotes uniformity, increases proficiency, and ensures adherence to OSHA safety guidelines. LEED guidelines will be utilized to achieve maximum site utilization. Energy Star appliances, solar/geothermal heating and cooling will reduce overall maintenance and operating costs. We will plan, design, and build the project as an educational and learning tool for the youths of the community and be beneficial to all.**

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### **The Village Market (3D)**



The Woodville Community was developed in the 1870's. It was originally a part of the Bartow Plantation and was originally a part of unincorporated Chatham several plans but have County. It has had remained a poverty ridden community for African Americans. Numerous amounts of monies have gone towards studies, if placed into economic development, would have brought the community up to the same standards as other communities. It was improved somewhat during reconstruction, however, due to jim crow, segregation, and job discrimination, it has remained below the poverty line. The time of studying is over, it is now time for action. The cooperative form of ownership will allow wealth creation through jobs and businesses owned, operated and beneficial to the community. The "Weeping Time Plaza" will do that, and monies collected will go towards uplifting the residents and community.

This is a conceptual plan which will go through many changes; however, it will do for the community what a lot of studies have not done. This is a community driven plan, by and for the people. One bank will be selected to serve the entire community with personal, business checking, savings accounts, mortgages, payroll, project managerial accounts, 24-hour secured ATM, insurance, investment and other services. A good investment for the right banking partner. The project will have a 24-hour security staff. We will utilize 6--hour work shifts to provide maximum employment opportunities for residences.

AS ANY PROJECT, progress will depend on financing and participation of African Americans throughout the diaspora and the local populace.

**RF**



GEORGIA  
CORPORATIONS  
DIVISION

GEORGIA SECRETARY OF STATE  
BRAD RAFFENSPERGER

[HOME \(/\)](#)

## BUSINESS SEARCH

### BUSINESS INFORMATION

**Ivory Bay Community Development Corporation**  
 Business Name: **Development Corporation** Control Number: **16030626**  
 Business Type: **Domestic Nonprofit Corporation** Business Status: **Active/Owes Current Year AR**  
 Business Purpose: **NONE**  
 Principal Office Address: **2129 A Weldon Street, Savannah, GA, 31415, USA** Date of Formation / Registration Date: **2/12/2016**  
 State of Formation: **Georgia** Last Annual Registration Year: **2020**

### REGISTERED AGENT INFORMATION

Registered Agent Name: **Bernetta Lanier , B.**  
 Physical Address: **2123 weldon St. , Savannah, GA, 31415, USA**  
 County: **Chatham**

### OFFICER INFORMATION

Name	Title	Business Address
Deidre Grim	CEO	136 Spinnaker Walk, Savannah, GA, 31410, USA
Malinda Thornton	Secretary	1512 Cathy Street, Savannah, GA, 31415, USA
Oscar Lanier	CFO	2123 Weldon Street, Savannah, GA, 31415, USA

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Office of the Georgia Secretary of State Attn: 2 MLK, Jr. Dr. Suite 313, Floyd West Tower Atlanta, GA 30334-1530,  
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# STATE OF GEORGIA

## Secretary of State

Corporations Division

313 West Tower

2 Martin Luther King, Jr. Dr.

Atlanta, Georgia 30334-1530

### Annual Registration

\*Electronically Filed\*

Secretary of State

Filing Date: 05/01/2020 23:39:23

#### BUSINESS INFORMATION

**BUSINESS NAME** : Ivory Bay Community Development Corporation  
**CONTROL NUMBER** : 16030626  
**BUSINESS TYPE** : Domestic Nonprofit Corporation  
**ANNUAL REGISTRATION PERIOD** : 2020

#### BUSINESS INFORMATION CURRENTLY ON FILE

**PRINCIPAL OFFICE ADDRESS** : 4602 Oxford Drive, Evans, GA, 30809, USA  
**REGISTERED AGENT NAME** : Bernetta Lanier , B.  
**REGISTERED OFFICE ADDRESS** : 2123 weldon St. , Savannah, GA, 31415, USA  
**REGISTERED OFFICE COUNTY** : Chatham

OFFICER	TITLE	ADDRESS
Bernetta Bryant Lanier	CEO	2123 Weldon Street, Savannah, GA, 31415, USA
Malinda Thornton	Secretary	1512 Cathy Street, Savannah, GA, 31415, USA
PATRICK BENTLEY	CFO	1801 LLOYD STREET, Savannah, GA, 31405, USA

#### UPDATES TO ABOVE BUSINESS INFORMATION

**PRINCIPAL OFFICE ADDRESS** : 2129 A Weldon Street, Savannah, GA, 31415, USA  
**REGISTERED AGENT NAME** : Bernetta Lanier , B.  
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Oscar Lanier	CFO	2123 Weldon Street, Savannah, GA, 31415, USA

#### AUTHORIZER INFORMATION

**AUTHORIZER SIGNATURE** : Bernetta B. Lanier  
**AUTHORIZER TITLE** : Chairperson of the Board of Directors

**§ 36-30-6. Voting upon questions by interested councilmembers**

It is improper and illegal for a member of a municipal council to vote upon any question brought before the council in which he is personally interested.

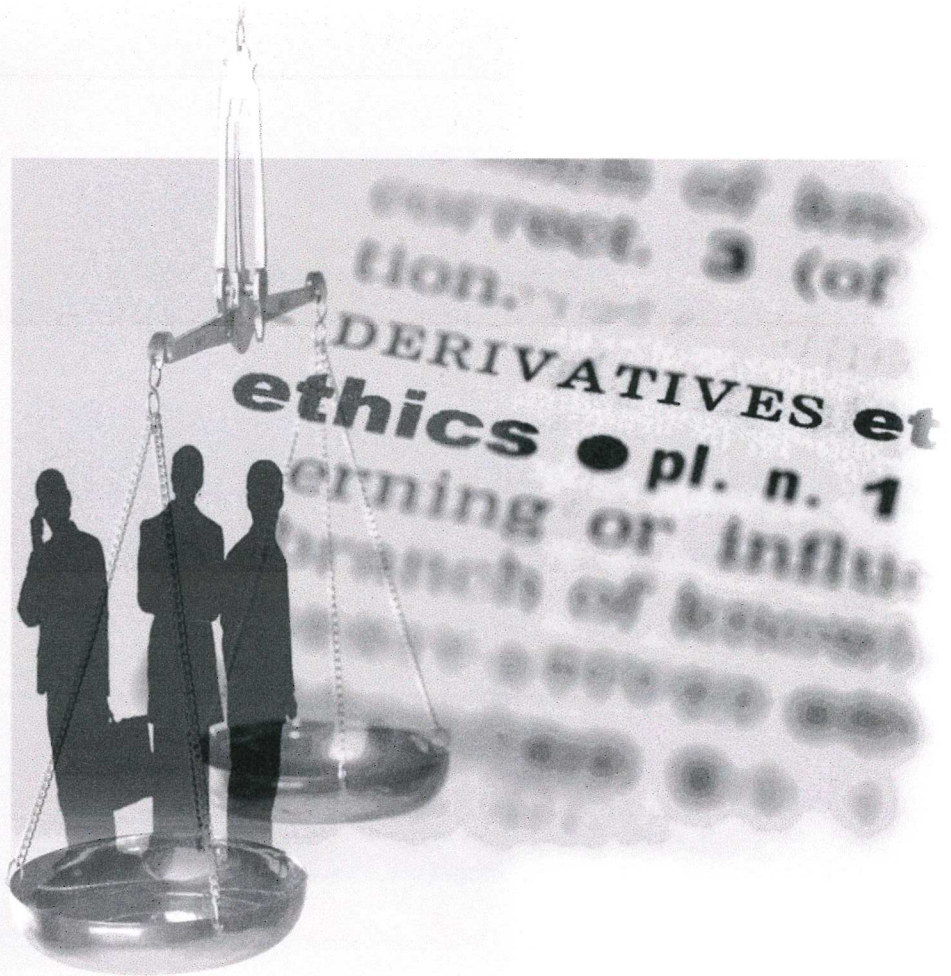
History Civil Code 1895, § 751; Civil Code 1910, § 900; Code 1933, § 69-204.

6590

GMA  
Legal  
Report  
July 2010



# Ethics in Government: Charting the Right Course



A Georgia Municipal Association  
Publication



standing statutory provision is derived from an 1888 court case,<sup>9</sup> and “personal interest” has been subsequently construed by the courts to mean a financial interest.<sup>10</sup> A public officer should never take any official action with regard to any matter under circumstances in which the officer knows of any possible financial interests he or she may have in the matter if this action has the potential of benefiting the officer to a greater extent than that available to the public-at-large.

The prohibition on the use of office for personal financial gain to the public officer, his or her business interests, members of his or her household, or his or her clients is the most common prohibition contained in ethics codes around the country.<sup>11</sup> A majority of these codes call for the disqualification of the public officer from participating in the government’s deliberation of the matter in which he or she has an interest. Some ethics codes go further, prohibiting the public officer from conducting any business with the government, period, whenever the officer has a personal interest in the matter. These stricter regulations can handicap local governments by precluding some otherwise reliable sources from transacting with the government; this problem arises especially in smaller communities due to the limited number of alternative sources. These considerations require additional balancing to determine the extent to which a municipality’s representatives should be allowed to transact business with the government without violating the public trust.

At the other end of the spectrum, some ethics codes do not completely proscribe the officer from engaging in the performance of duties regarding matters in which he or she has a personal interest. Public disclosure of whatever interest the officer may have is sometimes considered an adequate safeguard of the public’s interest in these situations.

Transactional disclosure, where the public officer is required to disclose any personal interest he or she may have in the matter being considered by the governmental entity, is usually considered the most effective method. This procedure is based on the rationale that increased public scrutiny will insure accountability while at the same time allowing the public officer to share his or her distinctive insight into the matter in the formulating of governmental decisions and policies. Those officers having only an indirect interest in the matter, such as a member of a zoning board who is a real estate agent and would likely receive commissions based on the sale of new houses if a proposed development were to receive zoning approval, may be allowed to participate in the process.<sup>12</sup> This interest would be considered indirect only if the officer’s public capacity placed him or her in no greater position to profit from the zoning decision than any other real estate agent in the community at large.

Whether a particular situation calls for disqualification or disclosure depends in large part upon a value judgment, balancing efficient provision of governmental services with the harmful effects of the appearance of impropriety. These values are determined by the individual public official, the governmental body, and, most importantly, the members of the public. Often the mere threat of the appearance of impropriety suggests that the public official should be disqualified even though he or she may be the best available source for a particular product or service.

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<sup>9</sup> Daly v. Georgia S. and F.R.R., 80 Ga. 793, 7 S.E. 146 (1888).

<sup>10</sup> See Story v. City of Macon, 205 Ga. 590, 54 S.E.2d 396 (1949).

<sup>11</sup> See Carpinello, “Designing Municipal Ethics Codes,” Urban, State, and Local Law Newsletter, Vol.16, No.1, Fall 1992, p.6.

<sup>12</sup> Id.