

MEMORANDUM

TO: Mayor and Aldermen
FROM: Heath Lloyd *H. Lloyd*
DATE: September 7, 2021
SUBJECT: Agenda Item: Rezoning of Little Neck Road (Hopeton Landing)

On September 9, Council will consider the petition of Harold Yellin (Agent) on behalf of Alice Keller (Owner) to rezone two parcels on Little Neck Road (21007 01001 and 21007 01002) from the R-A-CO (Residential-Agricultural-County) zoning classification to the PD (Planned Development) zoning classification with the condition that the applicant enter into an agreement with Chatham County regarding issues related to stormwater, traffic, and canal access.

This document provides background information regarding the agenda item which was continued from the July 22, 2021 Council meeting. In addition, the petitioner responded in a separate email to questions pertaining to the cemetery, MPC decision and West Chatham County Watch.

Property Overview

The property consists of approximately 484.90 acres and is located northeast of Little Neck Road between Ogeechee Road and I-95. A Chatham County canal right-of-way divides the two parcels. The property is currently undeveloped with direct frontage along Little Neck Road, a paved two-lane rural street. Little Neck Road currently functions as a minor arterial street, pursuant to the Chatham County-Savannah Comprehensive Plan, between US 17 and US 80. Little Neck Road has an interchange with I-16 north of the subject property. The property does not have access to I-95.

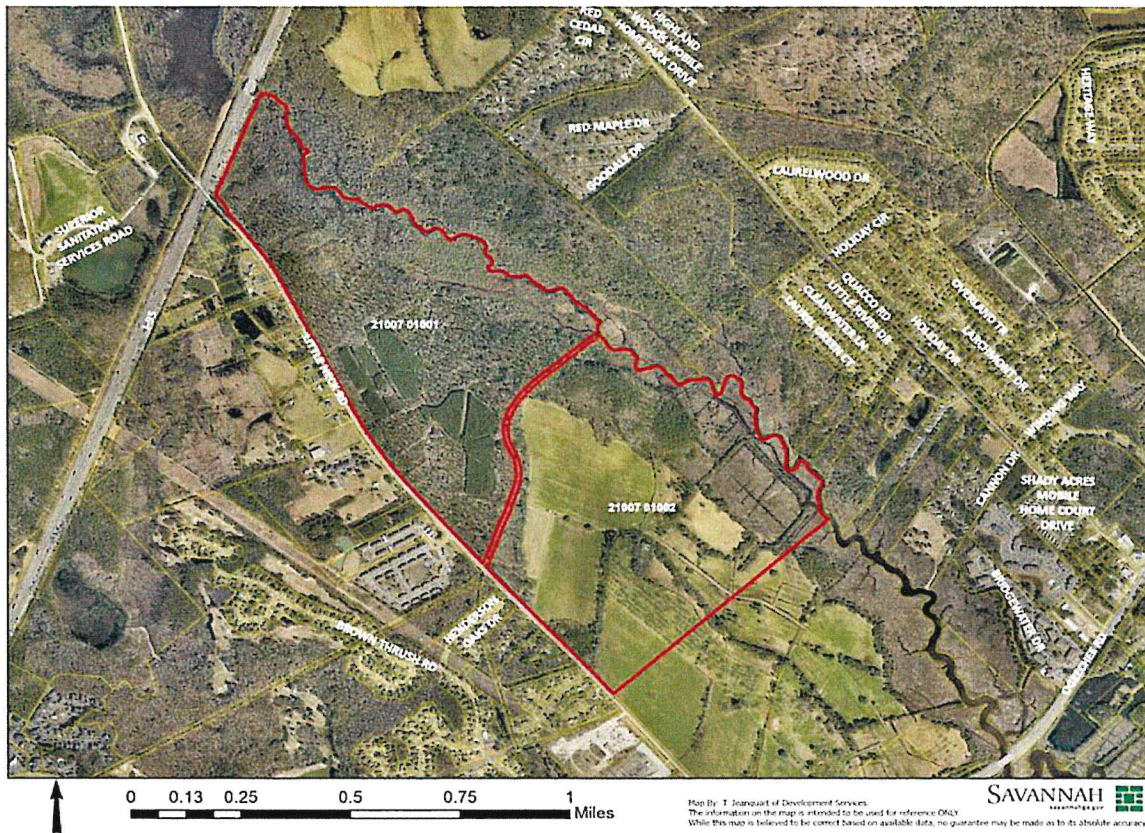
Following the annexation, the property is now served by Savannah Police Department (Southside Precinct), Savannah Fire Rescue (Stations 12 and 15), and the City of Savannah water and sanitary sewer. This may change as future development occurs on the property.

Annexation

On September 12, 2019, Council acknowledged the receipt of the annexation petition for the property. Since the land is undeveloped, the annexation was sought by the owner to access municipal utilities provided by the City. The cost of providing water and sewer

service will be fully covered by connection fees and service fees charged to benefiting parcels in the area parcel.

On November 7, 2019, Council held a zoning hearing and approved the zoning of the property from R-A (Residential-Agriculture) under Chatham County's zoning classification to the City under the same zoning classification by adding the suffix "-CO" (for County) to the zoning district. At the same meeting, Council also approved an ordinance to annex the property into the City.



Water and Sewer Agreement

On February 13, 2020, Council authorized the City Manager to execute a Water and Sewer Agreement with the Little Ogeechee Partners, LLC for Hopeton Landings for 521 residential units (includes 172 single family and 349 multi-family units). The water and sewer systems have adequate capacity to serve 449 equivalent resident unit developments. The agreement states that the City will reimburse the developer for an amount not to exceed \$3,081,156 million for the actual costs of design and construction of off-site water and sewer infrastructure required to serve the area.

Revenue for the City of Savannah

Based on the Hopeton Landing Master Plan, the proposed uses, population and tax revenues for the development, the annual tax revenue is projected to be \$805,863. The details of this analysis are below.

No.	Type of Use	Square ft	No. of Units	Projected Residents	Projected Annual Tax Revenue
1	Assisted Living/Office	64,000			\$ 39,494
2	Assisted Living/Office	26,000			16,044
3	Commercial	30,000			18,513
4	Commercial	48,000			29,620
5	Assisted Living/Office	116,000			71,582
6	Mixed use residential	64,000	40	100	27,975
7	Multi-family residential	279,200	349	873	122,039
8	Multi-family residential	247,500	275	688	108,183
9	Single Family residential	60,000	30	75	26,226
10	Single Family residential	200,000	100	250	87,421
11	Single Family residential	396,000	198	495	173,093
12	Single Family residential	36,000	18	45	15,736
13	Single Family residential	160,000	80	200	69,937
				2,725	\$ 805,863

Rezoning

The property, comprised of two parcels, is proposed to be rezoned from the R-A-CO (Residential-Agricultural-County) zoning classification to the PD (Planned Development) zoning classification. Planned Development (PD) districts are permitted in the Zoning Ordinance and allow projects that would not otherwise be permitted under the Ordinance because of the strict application of zoning district development standards or general site standards. PD districts are intended for sites where a developer proposes, and the Mayor and Aldermen desire, to achieve a certain mix of uses, appearance, land use compatibility and/or apply special sensitivity to the character of the site and surrounding area.

The intent of the proposed PD zoning classification is to develop the Hopeton Landing Master Plan to include single and multifamily residential uses, commercial, institutional, office uses and land set aside for future development. The proposed Master Plan identifies where each land use would be permitted, as well as the location of access points, amenity areas, use buffers, existing wetlands, and residential density for each proposed tract of land.

When the petition was initially presented to the Planning Commission on February 2, 2021, the Planning Commission voted to continue the item to allow the petitioner to address issues identified by MPC staff related to the proposed Master Plan and PD text. In addition, the County Engineer's Office also expressed concerns about traffic, stormwater, canal access and use, and the widening of Little Neck Road. The continuation provided time for the petitioner to meet with MPC staff and the County Engineer to ensure the proposed Master Plan and PD text address the possible impacts of the future development.

On June 29, 2021, the Planning Commission considered the rezoning petition and approved the rezoning request from R-A-CO to PD based on the Planned Development with the condition that Hopeton Landing enter into an agreement with Chatham County regarding issues related to stormwater, traffic and canal access.

Based on the attached email from the Petitioner, Hopeton Landing has confirmed with Chatham County that they will not drain stormwater into the existing County canal and will allow full access to the canal. In addition, it was confirmed with the developer that the Little Ogeechee River is the receiving waters for the proposed Hopeton Landing project. To mitigate any impacts from stormwater runoff generated from the proposed development, on-site stormwater detention facilitates, water quality features, and best management practices will be provided on the individual parcels as they are developed. The stormwater design and management for Hopeton Landing shall be in accordance with the City of Savannah Stormwater Management Ordinance and with the Georgia EPD – Coastal Stormwater Supplement to the Stormwater Management Manual which address Stormwater runoff reduction, Stormwater quality protection, Aquatic Resource protection, and Overbank and extreme flood protection. The on-site drainage conveyance systems will also be designed and constructed in accordance with the City of Savannah Stormwater Design Manual, providing conveyance of the 25-year storm event and flood protection from the 100-year storm event.

In addition, Hopeton Landing conducted a traffic impact analysis (TIA) to determine the existing volume and flow patterns in the study area, then a compounded future growth rate was used to project future traffic volumes, and finally the project generated traffic was added to the specific access points corresponding to the proposed future uses. The results of the TIA indicated that the proposed development at full build-out, with no improvements to Little Neck Road, would create an unacceptable Level of Services ("LOS"). However, with the planned widening of Little Neck Road and some additional improvements at US 17 and at Henderson Oaks Drive, the LOS would be acceptable. The TIA also determined the amount of development that could occur prior to the widening of Little Neck Road that would continue to provide acceptable LOS at the analysis points. Per the TIA, this development would include Tracts 1, 8, and 9 which consists of single family residential

and institutional/office uses. The findings of the TIA are consistent with Hopeton Landing's plans to develop the property in phases with completion scheduled for 2030.

City and County Intergovernmental Relationship

For the last six months, the petitioner has been working to address the development's infrastructure issues. Through this process it has become clear that many of these concerns related to stormwater, the widening of Little Neck Road, and canal maintenance pertain to the intergovernmental relationship between the City and County. The City is in the process of formalizing these arrangements in good faith with the County through intergovernmental agreements.

Public Notification Requirements

Based on O.C.G.A. 36-66-4 and Section 3.2 of the City's Zoning Ordinance, public notification requirements have been met when the petition was initially heard on July 22, 2021. This includes placing an advertisement in the *Savannah Morning News*, posting signs on the subject property, and mailing notices to property owners within 300 feet of the subject property.

When the Mayor and Aldermen decided to continue a zoning hearing to a date certain, as they did on July 22, the public notification process occurs when they announce the date during the Council meeting. Since this is an existing petition and not considered a new one, the public notification process does not need to reoccur. Although not necessary, the City followed the same public notification process using the newspaper, property owner mailings and sign postings to alert the public of the zoning hearing on September 9.

Since the July 22 zoning hearing, the petitioner and MPC staff have reached out to the West Chatham Coalition to schedule a meeting about the proposed Master Plan and PD rezoning. A summary of the petitioner's outreach is included in the attachment.

Recommendation

The City Manager recommends approval of the rezoning of Little Neck Road from R-A-CO (Residential-Agricultural-County) to PD (Planned Development) with no additional conditions. Through the rezoning process, the petitioner has addressed the development concerns raised by the County and MPC staff related to stormwater, traffic, and canal access. The City will continue to work with the County on a long-term agreement to address the widening of Little Neck Road as well as provide maintenance to the canal.

Emily Davis

From: Harold Yellin <HYellin@HunterMaclean.com>
Sent: Thursday, September 2, 2021 10:33 AM
To: Heath Lloyd
Cc: Bridget Lidy; Terry Coleman; Travis Burke
Subject: [Caution - External Email] Hopeton Landing

Heath: The following responds to issues raised by City Council at its last meeting.

Cemetery. The Keller family purchased the Hopeton site in 1922. At the time of the purchase, there was an existing cemetery in the southwest corner of the parcel consisting of approximately 2 +/- acres. The oldest grave on-site dates back to approximately 1870. The Keller family permits descendants of those buried to continue to be buried on site. Members of the Keller family are also buried in this cemetery. Hopeton Landing will continue to allow descendants to be buried at this site until all plots have been used. At that time, the cemetery will be formally closed pursuant to Georgia law. The Hopeton Landing master plan identifies the cemetery and provides for continued access to the site.

MPC Decision. The MPC recommendation is for approval to rezone the parcel from R-A (Residential-Agricultural) which is a County zoning district to PD (Planned Development) which is a Savannah zoning district, with a condition that Hopeton Landing enter into an agreement with Chatham County regarding stormwater and canal access, and traffic.

- (1) Please be advised that Hopeton Landing has confirmed with the County that it will not drain storm water into the existing County canal. Chatham County will continue to have full access to the canal.
- (2) With respect to traffic, Hopeton Landing held a “Scoping Meeting” with the Chatham County Engineering Department on May 22, 2021 to discuss traffic impacts to the surrounding roadway network. Access is planned via four new connection points along Little Neck Road which is the subject of a Chatham County widening project that extends from US 17 to I-95. The proposed project widens Little Neck Road to a multi-lane cross-section with planned access management strategies. A traffic impact analysis (“TIA”) was conducted to determine the existing volume and flow patterns in the study area, then a compounded future growth rate was used to project future traffic volumes, and finally the project generated traffic was added to the specific access points corresponding to the proposed future uses. The results of the TIA indicated that the proposed development at full build-out, with no improvements to Little Neck Road, would create an unacceptable Level of Services (“LOS”). However, with the planned widening of Little Neck Road and some additional improvements at US 17 and at Henderson Oaks Drive, the LOS would be acceptable. The TIA also determined the amount of development that could occur prior to the widening of Little Neck Road that would continue to provide acceptable LOS at the analysis points. Per the TIA, this development would include Tracts 1, 8, and 9 which consists of single family residential and institutional/office uses. The findings of the TIA are consistent with Hopeton Landing’s plans to develop the property in phases. The anticipated full build-out of Hopeton Landing will not occur until approximately 2030.

Meeting with West Chatham County Community Watch. Although the West Chatham County Community Watch is not a neighborhood group that is recognized by the City of Savannah under NewZo, Hopeton Landing agreed to meet with this watch group.

- (1) On August 12, 2021, Hopeton Landing (via its attorney) e-mailed Ms. Kerrie Bieber and requested a convenient time to meet so that petitioner could coordinate a meeting with MPC Staff and the petitioner.
- (2) On August 20, 2021, *eight days later*, having not heard from the watch group, Hopeton Landing e-mailed again and asked when they would like to meet with MPC Staff and the petitioner.

- (3) On August 22, 2021, instead of agreeing to a meeting, the watch group responded that the meeting was supposed to take place prior to the MPC meeting, so in the words of the watch group, the “meeting is moot.”
- (4) On August 23, 2021, Hopeton Landing explained that a neighborhood meeting is only required for neighborhood associations registered with the City of Savannah; however, a meeting was offered as both a courtesy to the watch group and at the request of City Council. The watch group was further informed that MPC Staff was available for a meeting on August 25th after 2:00 p.m. and August 26th after 2:00 p.m.
- (5) On August 31, 2021, *eight days later*, Ms. Bieber responded to Alderwoman Linda Wilder-Bryan and to Marcus Lotson that she wanted to meet.
- (6) On Wednesday, September 1, 2021, Ms. Bieber requested a meeting for Friday, September 3rd at 6:00 p.m. In light of this being the Friday of Labor Day weekend, the petitioner may not be available for this meeting, but every effort will be made to have a representative present for the meeting.

Harold B. Yellin
Attorney

HunterMaclean

200 E. Saint Julian Street | P.O. Box 9848 | Savannah, GA 31412-0048

Main: 912.236.0261 | Fax: 912.236.4936

[Firm Website](#) | [My Bio](#) | [vCard Download](#) | HYellin@huntermaclean.com

WARNING: Wire fraud and email hacking/phishing attacks are on the increase. ALL of our wire instructions will be sent via an encrypted email. We do not change wire instructions once sent. If you have an escrow or closing transaction with us and you receive a non-encrypted email containing wire transfer instructions, or an email changing wire instructions, even if it appears to come from our Firm, **DO NOT RESPOND TO THE EMAIL**. Also, do not wire funds to our office without first confirming the wire instructions by calling our office using a verified phone number from an independent source. Additionally, we require independent authentication of any email requests to make a change to an original wire instruction. You must confirm our wire instructions by calling our office, using a verified phone number from an independent source.

Confidentiality Notice: This email has been sent from a law firm. It may contain privileged and confidential information intended for the use of the person(s) named above. If you are not an intended recipient, you are hereby notified that any dissemination or duplication of the email is prohibited, and that there shall be no waiver of any privilege or confidence by your receipt of this transmission. If you have received this email in error, please notify us by collect telephone call and immediately delete this email.

Thank You.
Hunter, Maclean, Exley & Dunn, P.C.
Savannah Office Telephone: 912.236.0261
Saint Simons Office Telephone: 912.262.5996

Warning: This email originated outside the City of Savannah. Do not reply, click links, or open attachments unless you are certain you recognize the sender's name, telephone number, and email address. Please report suspicious email to ITSSecurity@Savannahga.Gov