

CHATHAM COUNTY-SAVANNAH METROPOLITAN PLANNING COMMISSION

MPC REGULAR MEETING MINUTES

**ARTHUR A. MENDONSA HEARING ROOM
110 EAST STATE STREET**

March 3, 2009

1:30 PM

Members Present: Jon Todd, Chairman
Shedrick Coleman, Vice Chairman
Susan Myers, Treasurer
Adam Ragsdale, Secretary
Russ Abolt
Michael Brown
Ellis Cook
Ben Farmer
David Hoover
Stephen Lufburrow
Timothy Mackey
Lacy Manigault

Members Not Present Robert Ray

Staff Present Thomas Thomson, P.E. AICP, Executive Director
James Hansen, AICP Director, Development Services
Melony West, Director of Finance and Systems
Marilyn Gignilliat, Executive Assistant
Marcus Lotson, Development Services Planner
Dennis Hutton, Director Comprehensive Planning
Constance Morgan, Administrative Assistant
Sabrina Finau, Administrative Assistant
Julie Yawn, Systems Analyst

Advisory Staff Present Randolph Scott, City Zoning Administrator

I. CALL TO ORDER AND WELCOME

Chairman Todd called the March 3, 2009 Regular MPC Meeting to order at 1:40 PM. He asked that everyone stand for the Invocation and the Pledge of Allegiance. He explained the agenda for the benefit of those attending the meeting for the first time.

II. NOTICES, PROCLAMATIONS AND ACKNOWLEDGMENTS

A. Notice(s)

- 1. MPC Personnel Committee Meeting met on March 3, 2009, at 11:00 AM in the West Conference Room, 110 East State Street**
- 2. MPC Finance Committee Meeting met on March 3, 2009, at 11:30 AM in the West Conference Room, 110 East State Street**
- 3. The Regular MPC Meeting scheduled for March 17, 2009 will be postponed until March 24, 2009 due to the St. Patrick's Day celebration.**
- 4. The next Regular MPC Meeting is scheduled for March 24, 2009 at 1:30 P.M. in the MPC Arthur A. Mendonsa Hearing Room located at 112 East State Street. (Note: further action on this notice appears on Page 8)**

III. Items Requested to be Removed from the Agenda

A. Zoning Petition – Map Amendment

Nicholas C. Hale, Owner
5419 LaRoche Avenue
Aldermanic District 4
County Commission District 3
Zoning District R-6 to P-RM-12
Acres 1.95
PIN: 2-0138-01-044
Phillip McCorkle, Attorney
MPC File No. Z-080826-28558-2

Gary Plumbley, MPC Project Planner

(Two separate actions)

- 1. Consideration of Tricentennial Comprehensive Plan Amendment Relating to the Zoning Request.**

2. The petitioner is requesting rezoning of property at 5419 LaRoche Avenue of a 1.95 acre site from an R-6 (One - Family Residential – 6 Units Per Net Acre) classification to a P-RM-12 (Planned Multi-Family Residential – 12 units per net acre) classification.

AND

B. General Development Plan / Group Development

The Residences on LaRoche Avenue
5419 LaRoche Avenue
Aldermanic District 4
County Commission District 3
Existing Zoning District R-6
Proposed Zoning District P-RM-12
Acres 1.95
PIN: 2-0138-01-044
Phillip McCorkle, Agent
MPC File No. P-080918-55791-2

Gary Plumbley, MPC Project Planner

The petitioner has requested that this item be removed from the Agenda and postponed to the April 7, 2009 Regular Meeting.

Ms. Myers **moved** to postpone this item until further notice, subject to the condition that the petitioner re-advertises the petition prior to the meeting. Mr. Manigault seconded the motion.

MPC Action: The motion carried with none opposed. The motion was to postpone MPC File No.'s Z-080826-28558-2 and P-080918-55791-2 until further notice subject to the condition that the petitioner re-advertises this petition prior to the meeting date. Voting were: Mr. Todd, Mr. Coleman, Ms. Myers, Mr. Ragsdale, Mr. Abolt, Mr. Brown, Mr. Cook, Mr. Farmer, Mr. Hoover, Mr. Lufburrow, Mr. Mackey, and Mr. Manigault.

IV. CONSENT AGENDA

A. Approval of February 17, 2009 MPC Meeting Minutes and Briefing Minutes

Mr. Coleman **moved** to approve the February 17, 2009 MPC Meeting Minutes and Briefing Minutes as submitted. Mr. Manigault seconded the motion.

MPC Action: The motion to approve the February 17, 2009 MPC Meeting Minutes and Briefing Minutes as submitted carried with none opposed. Voting were: Mr. Todd, Mr. Coleman, Ms. Myers, Mr. Ragsdale, Mr. Brown, Mr. Abolt, Mr. Cook, Mr. Farmer, Mr. Hoover, Mr. Lufburrow, Mr. Mackey, and Mr. Manigault.

B. Tricentennial Comprehensive Plan Amendment

Amend Appendix B of the Chatham County-Savannah Tricentennial Comprehensive Plan.

MPC File No. F-080107-37833-2

Dennis Hutton, MPC Project Planner

Mr. Lufburrow **moved** to amend Appendix B of the Chatham County – Savannah Tricentennial Comprehensive Plan. Mr. Coleman seconded the motion.

MPC Action: The motion carried with none opposed. The motion was to amend Appendix B of the Chatham County – Savannah Tricentennial Comprehensive Plan. Voting were: Mr. Todd, Mr. Coleman, Ms. Myers, Mr. Ragsdale, Mr. Brown, Mr. Abolt, Mr. Cook, Mr. Farmer, Mr. Hoover, Mr. Lufburrow, Mr. Mackey, and Mr. Manigault.

C. Memorandum of Understanding

Recommendation to Enact a Memorandum of Understanding (MOU) between Fort Stewart/Hunter Army Airfield, the Mayor and Aldermen of the City of Savannah, and the Commissioners of Chatham County, Georgia.

MPC File No. F-080107-37833-2

Dennis Hutton, MPC Project Planner

Mr. Manigault **moved** to approve the staff recommendation to enact a Memorandum of Understanding between Fort Stewart/Hunter Army Airfield the Mayor and Aldermen of the City of Savannah and the Commissioner of Chatham County, Georgia. Mr. Coleman seconded the motion.

MPC Action: The motion carried with none opposed. The motion was to approve the recommendation to enact a Memorandum of Understanding (MOU) between Fort Stewart/Hunter Army Airfield, the Mayor and Aldermen of the City of Savannah, and the Commissioners of Chatham County, Georgia. Voting were: Mr. Todd, Mr. Coleman, Ms. Myers, Mr. Ragsdale, Mr. Brown, Mr. Abolt, Mr. Cook, Mr. Farmer, Mr. Hoover, Mr. Lufburrow, Mr. Mackey, and Mr. Manigault.

D. Victorian Planned Neighborhood Conservation District / Certificate of Compatibility

408 East Waldburg Street
Joe Jones, for
J.P. Jones Construction
Aldermanic District 2
Commissioner District 2
Zoning District 1-R
PIN: 2-0044-23-005
Mr. & Mrs. Mayo, Owner
MPC File No.: N-090223-55721-2

Sarah Ward, MPC Project Planner

Nature of Request: The applicant is requesting approval for a 3 foot rear yard setback variance from the 35 foot rear yard setback standard.

Staff Recommendation: **Approval** of the 3 foot rear yard setback variance.

Mr. Coleman **moved** to approve the staff recommendation. Mr. Cook seconded the motion.

MPC Action: **The motion to approve the staff recommendation carried with none opposed.**
Voting were: Mr. Todd, Mr. Coleman, Ms. Myers, Mr. Ragsdale, Mr. Brown, Mr. Abolt, Mr. Cook, Mr. Farmer, Mr. Hoover, Mr. Lufburrow, Mr. Mackey, and Mr. Manigault.

V. OLD BUSINESS

None.

VI. REGULAR BUSINESS

A. Zoning Petition - Map Amendment

Elvin & Emmie Sims Family, Owner
115 E. Lathrop Street (West Savannah area)
Aldermanic District 1
County Commission District 8
Zoning District RB-1 to BG-2
Acres 1.2
PIN: 2-0019-08-013
MPC File No.: Z-090211-89964-2
Dennis Hutton, MPC Project Planner

Issue: At issue is a request to rezone approximately 1.2 acres from a RB-1 (Residential – Business) classification to a BG-2 (General Business, Transitional) classification.

Policy Analysis: The purpose of the General Business, Transitional (BG-2) district is "to create and protect older mixed use residential/commercial areas of the City in which compatible business and industrial-like activities are permitted in proximity to residential uses". The proposed rezoning acknowledges that in many older areas of the City, industrial and residential uses exist and will continue to exist side by side, even though this may not be optimal for either party.

Staff Recommendation: **Approval** of the request to rezone the subject property from an RB-1 (Residential Business) classification to a BG-2 (General Business–Transition) classification.

Speaking on the Petition:

Phillip McCorkle, agent, stated that the property owner had not received notification of the current rezoning and was not aware of the zoning change. As a result she is requesting to rezone the subject property from the existing RB-1 zoning classification to a BG-2 classification.

Pamela Oglesby, Vice President West Savannah Neighborhood Association, stated that the rezoning in this area was publicized on the news as well as through the regular notification procedures. The neighborhood association is willing to accept the BG-2 classification.

Ms. Myers **moved** to approve the staff recommendation. Mr. Lufburrow seconded the motion.

Mr. Mackey requested a substitute motion to have the City Attorney make a ruling on whether or not the Board acted properly in its efforts to notify the petitioner at the initial point of the rezoning.

Mr. Lufburrow stated that he felt the Board should vote either in favor of or in opposition to the motion at this time. Due to the fact that there has been previous discussion regarding proper notification of rezoning, he felt that the Board should revisit this topic in the future.

MPC Action: The substitute motion failed. The motion was to have the City Attorney make a ruling on whether or not the Board acted properly in its efforts to notify the petitioner at the initial point of the rezoning. Voting in favor of the motion was: Mr. Mackey. Voting against the motion were: Mr. Farmer, Mr. Ragsdale, Mr. Coleman, Ms. Myers, Mr. Abolt, Mr. Brown, Mr. Todd, Mr. Manigault, Mr. Hoover, Mr. Cook, and Mr. Lufburrow.

MPC Action: The original motion carried. The motion was to approve staff recommendation to rezone the subject property from an RB-1 to a BG-2 classification. Voting in favor were: Mr. Farmer, Mr. Ragsdale, Mr. Coleman, Ms. Myers, Mr. Abolt, Mr. Brown, Mr. Todd, Mr. Manigault, Mr. Hoover, Mr. Cook, and Mr. Lufburrow. Voting against the motion was: Mr. Mackey.

B. General Development Plan / Group Development

Parcel 3A Warehouse
101 Erickson Drive
Aldermanic District 1
County Commission District 8
Zoning District M-CO
Acres 2.0
PIN: 2-0594-01-002
Jamie Csizmadia, Kern – Coleman & Co., LLC, Agent
L.E. Enterprises LLC. Owner
MPC File No. P-090213-35368-2

Marcus Lotson, MPC Project Planner

Nature of Request: The petitioner is requesting approval of a General Development Plan/Group Development in order to construct a 22,000 square foot warehouse including 1,584 square feet of office space within an M-CO (Manufacturing) zoning district. The petitioner is requesting an 18 space parking variance from the 55 foot requirement and 15 foot side yard variance from the 25 foot requirement.

Staff Recommendation: Staff recommends approval of the General Development Plan/Group Development including the eighteen space parking variance, the 20 foot front yard setback variance and the 25 foot side yard setback variance.

Speaking on the Petition: **Jamie Csizmadia**, agent, was present to answer questions from the Board. There were no questions.

Mr. Cook **moved** to approve staff recommendation. Mr. Abolt seconded the motion.

MPC Action: The motion carried with none opposed. The motion was to approve the General development Plan/Group Development including the eighteen space parking variance, the 20 foot front yard setback variance and the 25 foot side yard setback variance. Voting were: Mr. Todd, Mr. Coleman, Ms. Myers, Mr. Ragsdale, Mr. Brown, Mr. Abolt, Mr. Cook, Mr. Farmer, Mr. Hoover, Mr. Lufburrow, Mr. Mackey, and Mr. Manigault.

IX. OTHER BUSINESS

Mr. Todd stated that of the development plans currently in the MPC office there are none requiring Board action. Therefore, he would entertain a motion to cancel the March 24, 2009 MPC meeting.

Mr. Lufburrow **moved** to cancel the March 24, 2009 Regular MPC Meeting. Mr. Cook seconded the motion.

MPC Action: The motion carried with none opposed. The motion was to cancel the Regular MPC Meeting scheduled for March 24, 2009 due to the lack of petitions requiring Board action. Voting were: Mr. Todd, Mr. Coleman, Ms. Myers, Mr. Ragsdale, Mr. Abolt, Mr. Brown, Mr. Cook, Mr. Farmer, Mr. Hoover, Mr. Lufburrow, Mr. Mackey, and Mr. Manigault.

XI. ADJOURNMENT

There being no further business to come before the Commission, the March 3, 2009 Regular Meeting adjourned at 3:07 PM.

Respectfully Submitted,

Thomas L. Thomson P.E. AICP
Executive Director

Note: Minutes not official until signed

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