



Arthur A. Mendonsa Hearing Room  
October 9, 2012 1:30 P.M.  
MINUTES

**October 9, 2012 Regular MPC Meeting**

**Members Present:** W. Shedrick Coleman, Vice-Chairman  
Ellis Cook, Secretary  
Tanya Milton, Treasurer  
Russ Abolt  
Stephanie Cutter  
Ben Farmer  
Stephen Lufburrow  
Timothy Mackey  
Lacy Manigault  
Murray Marshall  
Susan Myers  
Joseph Welch

**Members Not Present:** J. Adam Ragsdale

**Staff Present:** Thomas Thomson, P.E. AICP, Executive Director  
Melony West, CPA, Director, Finance & Systems  
Gary Plumbley, Acting Development Director  
Amanda Bunce, Development Services Planner  
Christy Adams, Director, Administration  
Bri Finau, Administrative Assistant  
Charlotte Moore, AICP, Director of Special Projects  
Shanale Booker, IT Assistant

**Advisory Staff Present:** Robert Sebek, County Zoning Administrator  
Geoff Goins, City Zoning Administrator

**I. CALL TO ORDER AND WELCOME**

**II. INVOCATION**

**III. PLEDGE OF ALLEGIANCE**

#### IV. NOTICES, PROCLAMATIONS and ACKNOWLEDGEMENTS

##### Notice(s)

1. [October 16, 2012 Metropolitan Planning Commission Planning Meeting at 1:30 P.M. in the Arthur A. Mendonsa Hearing Room, 112 E. State Street.](#)
2. [October 30, 2012 Regular MPC Meeting at 1:30 P.M. in the Arthur A. Mendonsa Hearing Room, 112 E. State Street.](#)

##### Acknowledgement(s)

3. [Welcome of Stephanie Cutter, Interim City Manager](#)

Mr. Coleman welcomed Ms. Cutter and extended MPC staff and board as assistance to her.

#### V. PRESENTATIONS

#### VI. ITEM(S) REQUESTED TO BE REMOVED FROM THE FINAL AGENDA

**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

##### Approval of MPC Meeting Minutes and Briefing Minutes

4. [September 19, 2012 MPC Meeting and Briefing Minutes](#)

Attachment: [09.19.12 MPC BRIEFING MINUTES.pdf](#)

Attachment: [09.19.12 MEETING MINUTES.pdf](#)

##### **Board Action:**

Recommend **APPROVAL** of the MPC Meeting and Briefing Minutes as submitted. - PASS

##### **Vote Results**

Motion: Stephen Lufburrow

Second: Timothy Mackey

Russ Abolt - Aye

Shedrick Coleman - Aye

Ellis Cook - Aye

Stephanie Cutter	- Aye
Ben Farmer	- Aye
Stephen Lufburrow	- Aye
Timothy Mackey	- Aye
Lacy Manigault	- Aye
Murray Marshall	- Aye
Tanya Milton	- Aye
Susan Myers	- Aye
Joseph Welch	- Aye

### Approval of MPC Planning Meeting Minutes

#### 5. [September 11, 2012 MPC Planning Meeting Minutes](#)

Attachment: [09.11.12 PLANNING MEETING MINUTES.pdf](#)

Attachment: [09.19.12 MEETING MINUTES.pdf](#)

#### **Board Action:**

Recommend **APPROVAL** of the MPC Planning Meeting Minutes as submitted. - PASS

#### **Vote Results**

Motion: Ellis Cook

Second: Timothy Mackey

Russ Abolt - Aye

Shedrick Coleman - Aye

Ellis Cook - Aye

Stephanie Cutter - Aye

Ben Farmer - Aye

Stephen Lufburrow - Aye

Timothy Mackey - Aye

Lacy Manigault - Aye

Murray Marshall - Aye

Tanya Milton - Aye

Susan Myers - Aye

Joseph Welch - Aye

### Authorization(s)

#### 6. [Authorize the Executive Director to execute the Chatham County - Savannah Metropolitan Planning Commission FY2013 Federal Transit Administration 5303 Program Contract with GDOT.](#)

Attachment: [Thomson Planning Commission Authorization FY 2013 Federal Transit Administration 5303 Program Contract 100412.pdf](#)

#### **Board Action:**

Authorize Executive Director to execute the Chatham County-Savannah Metropolitan Planning Commission FY2013 Federal Transit Administration 5303 Program Contract with GDOT. - PASS

**Vote Results**

Motion: Stephen Lufburrow  
Second: Timothy Mackey  
Russ Abolt - Aye  
Shedrick Coleman - Aye  
Ellis Cook - Aye  
Stephanie Cutter - Aye  
Ben Farmer - Aye  
Stephen Lufburrow - Aye  
Timothy Mackey - Aye  
Lacy Manigault - Aye  
Murray Marshall - Aye  
Tanya Milton - Aye  
Susan Myers - Aye  
Joseph Welch - Aye

**VIII. ITEMS MOVED FROM CONSENT AGENDA**

**IX. OLD BUSINESS**

**X. REGULAR BUSINESS**

**Amended Master Plan**

7. [Berwick Plantation - 5700 Ogeechee Road](#)

Attachment: [Maps.pdf](#)  
Attachment: [Master Plan.pdf](#)  
Attachment: [Miscellaneous.pdf](#)  
Attachment: [Staff Report.pdf](#)

Berwick Plantation Master Plan Amendment  
5700 Ogeechee Road  
PIN 1-1008-02-086  
Agent: Stephen Mack  
Engineer: Hussey, Gay, Bell, and DeYoung, Steve Wohlfeil  
Developer: STM Acquisition and Development, Inc.  
Owner: Realty Corporation, LLC, Dan E. Bruce  
County Commission District: 7  
Zoning District: PUD-C  
MPC File Number: M-120807-00040-1

**Mr. Gary Plumbley**, MPC Planner, presented the petitioner's request for consideration of an Amended Master Plan for a Planned Development known as Berwick Plantation located on the north side of Ogeechee Road at the intersection with Berwick Boulevard. The purpose of the Amended Master Plan is to change the land use designation of a 16.37 acre parcel of land from its current Commercial/Retail to Multi-Family Residential with a maximum gross density of 13 units per acre.

The petitioner is also requesting a 30 foot variance from the required 50 foot external vegetative buffer along the northern portion of the site which is also the perimeter of Berwick Plantation and an 85 foot variance from the required 100 foot internal vegetative buffer along the northern and western portions of the site adjacent to the commercial tract (Lot 10).

The MPC staff recommends **approval** of the proposed Amended Master Plan. Staff further recommends **denial** of two buffer variances as requested but **approval** of two amended buffer variances: a 25 foot variance instead of a 30 along the northern side of the property and a 75 foot variance instead of an 85 foot variance along the interior property variance. Mr. Plumbley stated there has been no opposition to the petition.

**Mr. Steve Wolfheil**, petitioner, stated he could answer any questions.

**Board Action:**

The MPC staff recommends **approval** of the proposed Amended Master Plan. Staff further recommends **denial** of two buffer variances as requested but **approval** of two amended buffer variances. - PASS

**Vote Results**

Motion: Russ Abolt

Second: Ellis Cook

Russ Abolt - Aye

Shedrick Coleman - Aye

Ellis Cook - Aye

Stephanie Cutter - Aye

Ben Farmer - Aye

Stephen Lufburrow - Aye

Timothy Mackey - Aye

Lacy Manigault - Aye

Murray Marshall - Aye

Tanya Milton - Aye

Susan Myers	- Aye
Joseph Welch	- Aye

## XI. OTHER BUSINESS

### 8. Information

Attachment: [Q&A Matrix Sept 11.pdf](#)

Attachment: [PlanningCommission Thomson UZO Briefing 121005.pdf](#)

**Ms. Moore** mentioned several matters relating to the Unified Zoning Ordinance before beginning the scheduled presentation.

She stated that the UZO team met again with the Savannah Auto Dealers Association in September. It was a follow-up to their concerns regarding Draft 2. The revisions that were made as a result of the initial meeting were shared at the meeting.

Meetings with the members Savannah Area Chamber of Commerce are close to being scheduled, possibly for the beginning of November.

The Question and Answer Matrix that identifies questions and concerns from past UZO review meetings is available for reference. Ms. Moore showed the Commission how to access the matrix on the Unified Zoning Ordinance website.

**Mr. Mackey** requested for Ms. Small-Toney's questions and concerns from city staff to be forwarded to the Interim City Manager to determine the necessity of following through on those items. He also requested that an audiotape copy of the May 8, 2012 Planning Meeting be submitted to Ms. Cutter. That meeting outlined the purview of the UZO per the City and County attorneys.

### 9. Unified Zoning Ordinance (UZO) Draft 2 Review

Attachment: [Article 6.0 Special Zoning Districts.pdf](#)

Attachment: [Article 7.0 Historic & Other Overlay Districts.pdf](#)

#### **Planned Development District (Sec. 6.1):**

**Ms. Moore** introduced the intent of the Planned Development District. This district is considered to be flexible to encourage innovative development and to provide opportunities that base districts may not be able to provide. It is especially useful for mixed-use developments when the standards for base districts may be too restrictive. The approved master plan becomes the zoning district for the property. It is not anticipated that Planned Districts will be used frequently because there is an expense involved with providing the required master plan.

**Mr. Farmer** stated having additional cost imposed on developer concerns him.

**Ms. Moore** stated that it would likely be used for larger, mixed use developments that

would require more flexibility than a base district could provide. The flexibility is often worth the additional expense for developers. Staff determined that a minimum two (2) acre threshold for a Planned District would be required, which is small comparative to other communities.

**Mr. Abolt** asked if it has to be within the character of the area. Ms. Moore replied yes, that area character would be a part of the evaluation. Like a base district rezoning, it would have to be approved by City Council (or County Commission).

**Mr. Farmer** stated he is concerned that a developer may not know enough about the guidelines. He feels it will be a case-by-case basis and wonders how can one invest the time and money to come up with a concept because so many things are wide open and left to interpretation.

**Ms. Moore** responded there are some basic minimums they will have to abide by.

**Mr. Thomson** stated that the request for Planned District originates from the property owner.

**Mr. Marshall** stated that a developer is starting with a clean slate. It is on the developer's shoulder to provide the standards they would like to see in place on this piece of property.

**Ms. Moore** replied that the statement was correct. New Hampstead is an example of a PD where standards were created specifically for that development because they were not available in the existing zoning ordinance that applied.

**Mr. Marshall** asked about the properties that are proposed to be zoned PD...how are they zoned now.

**Ms. Moore** responded that the proposed PDs, 42 of them, are identified in the UZO appendix. It may be necessary to contact some property owners for feedback.

**Mr. Thomson** stated that some PUDs are built-out and would convert into a base district.

**Mr. Marshall** expressed concern the conversion and asked if it would it remove the flexibility, or the declarant rights.

**Mr. Thomson** replied that this will be discussed with all of the appropriate legal entities.

**Mr. Mackey** stated he wanted to remind all of the direction the city and county attorneys suggested regarding the language of the ordinance: what it says now and what is being proposed to say. We need to see this exactly; some of it is expectedly confusing. He stated he heard the statement that it has to be run by 'legal'. He asked if the city and county attorneys have blessed the document.

**Ms. Moore** stated they have received Drafts 1 & 2, but we have not received comments from them. We are working to schedule a meeting with Mr. Stillwell, the new city attorney. They will have to review this document before it moves to City Council.

**Mr. Coleman** stated they (the attorneys) have to review the document before it moves past

the Planning Commission.

**Mr. Mackey** agreed. Their blessing needs to be given before we go through it. For us to go through it again without their comments is putting the cart before the horse.

**Mr. Coleman** stated it is a working document; it may be premature to request their blessing but we do need to keep them up-to-date while the process is going on because we are in a review stage. We need to keep in mind their comments from the May 8, 2012 Planning Meeting and keep them in the loop as it evolves. We should be done by the time they give their blessing.

**Mr. Mackey** stated he will not be comfortable with it until the attorneys are comfortable with it. This is a living, legal document. It is a very important piece of legislation that is going to come before City Council and County Commission. He stated the attorneys have to be comfortable before he can be comfortable.

**Ms. Cutter** asked if, at the beginning, were there certain portions of the existing ordinance that posed ongoing problems. If so, what were they and are they an area of focus in the UZO, or is the UZO strictly from scratch.

**Ms. Moore** stated the Zoning Assessment Report is a helpful document to provide background on why the zoning update was necessary. It outlines the areas in which the existing ordinances are problematic and suggestions for revisions.

**Mr. Coleman** suggested one-on-one update sessions with staff.

**Ms. Cutter** said that staff has tried to get onto her calendar and she is looking forward to being brought up-to-date.

**Mr. Thomson** reassured the Board that the attorneys have committed to making time to review and comment on the draft and to address their issues. He also mentioned that he will plan for a new member orientation to include background on the UZO.

**Mr. Abolt** stated that if the expectation is that the attorneys will do the work before we do, it is insurmountable. We can't defer deliberation until it's blessed.

**Mr. Manigault** stated there is no need to slow down; we have much work ahead. We can't wait for the attorneys.

**Mr. Marshall** stated he would like to be notified of the meetings with the legal counsel. He would like to make time to listen and participate. He encourages the Board to do so as well.

**Mr. Farmer** recommends getting with them quarterly. He understands they are busy, but having them on a regularly scheduled basis may be beneficial.

**Mr. Thomson** stated they did request to have proposed questions collected so they are aware prior to meeting attendance. Those questions would be the agenda for the day. Issues needing attorney attention are being highlighted.

**Mr. Coleman** stated all have to review the draft. No one's time is more valuable than

another's. We need to keep this going, but remember we are not under a timeline.

**Military Installation District (Sec. 6.2):**

**Ms. Moore** explained the intent of Military Installation District, including that it was created specifically for Hunter Army Air Field. It is located in the city limits and is currently zoned R-6. If any portion of the property is conveyed for private ownership, the property would require rezoning.

**Mr. Marshall** asked about a Coast Guard post on Skidaway Island and whether or not it and other military installations are being treated similarly.

**Ms. Moore** stated that she would check to see if that is State property and it may be shared with another use.

**Mr. Marshall** stated that we need to be sensitive to all military post related properties. He requested that staff check on that.

**Article 7 – Historic and Other Overlay Zoning Districts:**

**Ms. Moore** introduced the purpose of the article. She explained that the proposed overlay districts fall into one of three categories: The first is special purpose areas, which includes the Airport, Airfield Overlay District; the Manufactured Home Overlay District; and, the Historic Properties Overlay District. The second category is for small area and redevelopment plans. The third category includes the local historic overlay districts, all of which presently exist.

*Mr. Abolt left at 2:40.*

**Airport/Airfield Overlay District (Sec. 7.2):**

**Mr. Plumbley** stated that he wanted to go back to Mr. Marshall's concerns regarding the MI district. He asked if properties like the Air National Guard and Army Reserves could be included in that as well.

**Mr. Marshall** stated that he's not familiar with exactly what it proposed for the MI district, but if we're setting up a district to be sensitive to the military, then we need to look at all of them.

**Ms. Bunce** stated that the primary intent of giving the MI district to Hunter to assist planners as we analyze the zoning in the county. It helps to recognize that a significant amount of land area is devoted to a military base that wouldn't be found anywhere else. The other smaller uses are going to be exempt from zoning anyway.

**Mr. Marshall** asked if not zoning the other properties MI would affect notification to the military of plans within 3,000 ft of an installation.

**Ms. Bunce** clarified that the notification requirement referenced is state law and is not related to zoning district. She stated that staff would follow up on the zoning for the military properties other than Hunter.

**Mr. Farmer** stated that all city, county, state and federal owned property is exempt from zoning.

**Ms. Bunce** began reviewing the Airport, Airfield Overlay District and summarized that in the existing city and county codes there is a reference to a height map. That map identifies height as the only restriction on properties surrounding the airport and the Hunter Army Airfield. We've updated the map based on the most recent information provided by the Airport and Hunter. This overlay district will also include standards for noise. A slide was referenced to show the noise contours around Hunter, and the purpose of the noise standards was explained.

**Mr. Farmer** thought restrictions has already been added through the JLUS [Joint Land Use Study] process.

**Ms. Bunce** explained that JLUS was our commitment to provide such standards. The overlay is the tool that follows through on the commitment.

**Mr. Farmer** asked how the additional standards would affect the Rockingham Farms area.

**Mr. Thomson** said we had to be careful about the word "additional." The standards that were identified in JLUS are being put in the code.

**Mr. Farmer** asked if we were putting more restrictions

**Mr. Thomson** indicated no. Additional refers only to the JLUS standards.

**Ms. Bunce** mentioned that officials at Hunter and the Airport have reviewed the standards that the feedback was good. She then mentioned the helicopter transition routes are also shown between Hunter and Ft. Stewart, adding that she did receive clearance to include the map in the ordinance. She mentioned that there is some noise associated with this route.

**Mr. Coleman** had a question about the future runway at the Airport. These standards seem to reflect the height but not the noise.

**Ms. Bunce** says that the noise map is not shown for the runway because the Airport has not yet conducted a noise study to collect the needed data. The map reflects the best available data.

**Mr. Coleman** responded that record should reflect that staff tried to obtain this information in case there is a question in the future.

**Ms. Bunce** says when the runway is built that there will have to be a map to show the noise contours.

**Mr. Coleman** will like for the planning body to be ahead of the curve.

**Mr. Thomson** said that was a good point and should be discussed with airport officials. Just a quick note: the levels are based on the type of aircraft. We'll follow up.

**Mr. Farmer** added that it's important in case it is questioned in the future.

**Mr. Coleman** said the runway would happen at some point; it should be understood that the Commission had the foresight to ask about this.

**Mr. Mackey** added that with the Airport being under the auspices of an Authority that anything that happened at the airport or around the airport would be under its authority.

**Ms Bunce** responded that the boundaries extend off of the airport property. The impact area extends off of airport property, just as with Hunter.

**Mr. Mackey** said in the past that Mr. Blackburn made it know that the Authority had responsibility.

**Mr. Thomson** said that he remembered that comment very well. The Airport Commission is under the City of Savannah, and the underlying land is owned by the City I believe. None of this airport stuff is regulating what the airport does on its property. The overlay is intended to let nearby developers know what development impacts there might be for their properties given the proximity to the airport; it serves as a safeguard for the airport. I attended a meeting with military officials who were very pleased with the local efforts that have been undertaken to protect installations.

**Ms. Bunce** said that there was one minor amendment to the overlay regarding height. Height is to be measured from mean sea level rather than average sea level.

**Manufactured Home Overlay District (Sec. 7.3):**

**Ms. Bunce** said the purpose of this district to establish areas where manufactured homes on fee-simple lots are permitted where the base zoning district may not allow it. It is intended to apply to areas where there is a mix of manufactured homes and stick-built homes. The base zoning district will address the development standards, such as setbacks and lot areas. The overlay prevents us from having to create several zoning districts that allow this use and account for varying lot sizes. The overlay district is what allows the use; it also sets the minimum design standards. An example for Bush Road was shown to illustrate the purpose of this district.

**Mr. Farmer** asked for the definition of 'manufactured home'. There is a home in his neighborhood where truck after truck came bringing parts of a home that were pre-manufactured.

**Ms. Bunce** said that definition was in Article 13 and added that manufactured homes are different from modular homes. Modular homes are classified as stick-built; manufactured homes are akin to mobile homes.

**Mr. Farmer** asked if this applied to modular homes.

**Ms. Bunce** stated it did not. More discussion about the differences followed.

**Mr. Mackey** asked if he understood correctly that a manufactured home had to be on an acre.

**Ms. Bunce** said in the particular area for Bush Road, yes. The base zoning district requires one acre. In another area where the overlay is proposed, the lot size is 10,000 square feet. This overlay doesn't apply to manufactured home parks.

**Mr. Mackey** asked if this would be new language.

**Ms. Bunce** said the one acre size is separate from the overlay. The overlay allows the manufactured home use on fee simple lots in particular areas where the base zoning district would not permit it. The overlay sets minimum design standards for how the home looks, is arranged on the site, etc.

**Mr. Mackey** asked again if the one acre was required, and if it was a change.

**Ms. Bunce** replied that the overlay is the change. The problem is that there are areas where some manufactured homes are appropriate but they are nonconforming. This overlay will help them become conforming.

**Mr. Marshall** wanted clarification regarding manufactured homes. They are built at a factory and then trucked to a site. Someone then said that's not always the case; Mr. Marshall said that's why he wanted clarification. You can build them in the factory and then they break them down into sections that are transportable on the highway and bolted back together on the site.

**Ms. Bunce** read the definition of manufactured home from the UZO.

**Mr. Marshall** said that the key is the use of the word 'chassis' He asked that the definition of modular home be read.

**Ms. Bunce** replied that there is no definition because the word 'modular' does not appear in the ordinance.

**Mr. Marshall** said he thought there should be a definition.

**Mr. Mackey** mentioned that there is a modular development on Habersham and Waldburg. If you look at it, you can't tell. He would agree that there needs to be definition of modular somewhere.

**Mr. Coleman** stated that won't be necessary because the definition of it being on a chassis is what it is about. Trucking a modular home on a flat bed does not make it more than a component that is being put on a site. When it is on a permanent chassis and can be moved to another site, that is what makes it a manufactured home. There is no reason to go into another definition. If it doesn't have a permanent chassis; it becomes just another building. We are taking this to a level that we don't need to.

**Ms Bunce** said that was staff's intent.

**Mr. Coleman** said the modular component has to meet the building code.

**Mr. Farmer** asked if both had to go through the same permitting process.

Discussion continued for a few minutes about the chassis, if removing it resulted in a manufactured home becoming a modular home.

**Mr. Marshall** said the part about the chassis in the manufactured home definition should be moved towards the beginning of the definition so that it is more apparent.

**Ms. Bunce** said she would see what she could do.

**Mr. Mackey** stated it does need to be defined because there is dissention in Tremont Park based on this very issue. There is a trailer that has been there for years and people are complaining about. It is not seen in the \$300,000 home areas, but in less affluent areas it is seen and it does not matter because of its locale. I'm going to continue to speak up for people who can't speak for themselves. I'm going to always do that. These folks in Tremont Park live it.

**Ms. Bunce** stated that is an area that this overlay will not be proposed. Any mobile homes in that area will remain nonconforming.

**Islands/South-East Chatham Community Overlay District (Sec. 7.4):**

**Ms. Bunce** stated that the overlay is a merger of the Environmental Overlay and the Town Center Overlay into one district. Some current standards have been moved to other sections of the proposed ordinance. Sign standards have been moved to the sign section, for example. The boundaries, existing building height limitations, and minimum design standards all remain as is. There's not much to say because we've taken the existing ordinance and reformatted it.

**Mr. Farmer** asked if this will change any of the discussion on the trees in front of the shopping centers.

**Ms. Bunce** said it would not affect anything in the right-of-way. There are certain streets that require some buffering to preserve existing trees...the language is too complicated to recall...it applies on private property and it is existing language.

**Broughton Street Overlay District (Sec. 7.5):**

**Ms. Bunce** indicated that this overlay is based on the Broughton Urban Redevelopment Area Plan. The Plan identified use restrictions in the redevelopment area. There were certain types of use districts within the area—office, furniture retail, for example. These standards eliminate that but the prohibited uses would carry over. The table in the ordinance shows those uses that are proposed to be prohibited on the ground floor or upper floors.

**Mr. Coleman** asked if a blockface applied to both sides of the street or one side of the street.

**Ms Bunce** replied that it is one side of the street.

**Mr. Farmer** asked how long a blockface was.

**Ms. Bunce** responded that it was located between two intersecting streets.

**Ms. Bunce** stated that for bars, the proposed requirement is that there shall be no more than one such establishment per blockface on the ground floor, which shall not exceed 2,700 square feet of floor area. It does not affect the basement or upper stories above the ground floor.

**Ms. Myers** asked if this applied to restaurants.

**Ms. Bunce** responded that it did not.

**Ms. Myers** mentioned that that when SDRA [Savannah Development and Renewal Authority] was functioning, they also recommended elimination of the concentrated use districts like the furniture district.

**Ms. Bunce** responded that the proposed standards incorporated a lot of SDRA's suggestions, including work from 2002 to reevaluate the plan. That work was very helpful to create the proposed standards. She added that the restriction for bars applies to nightclubs as well. This is to keep a block from becoming a 'dead area' in the day time, and for there to be activity at night.

*Mr. Coleman stated the time was 3:00 p.m. and the meeting would become open for public comment at 3:15 p.m.*

**Martin Luther King, Jr. Boulevard/Montgomery Street Overlay District (Sec. 7.6):**

**Ms. Bunce** stated that this overlay district covers a redevelopment area extending from Jones Street to 52<sup>nd</sup> Street. The Downtown Master Plan, which went before Council, recommended extending that district north all the way to the river. There were four recognized character areas where the prohibited uses change by area. For example the area between the river to Jones is very different from the south southern boundary character area, from Victory to 52<sup>nd</sup>. We've taken a look at what uses should be prohibited based on the character.

**Ms. Myers** asked if this was mainly use.

**Ms. Bunce** replied that this was addressed only land use standards not design standards.

**Mr. Mackey** asked if there is a land use difference between from Jones to Gwinnett as opposed to Gwinnett and Victory?

**Ms. Bunce** replied they are very similar; about four or five differences between the two. For example, certain vehicle sales are found between Jones and Gwinnett, but between Gwinnett and Victory any new vehicle sales use be prohibited. The ones currently in existence legally will not be considered nonconforming as shown in the table footnote.

**Mr. Mackey** stated the centerline of Jones and Gwinnett looks different from the centerline from Gwinnett to Victory. Since it all falls under the Martin Luther King, Jr. Overlay, the same protection given to River Street to Jones to Gwinnett...why cannot the same be extended from Gwinnett to Victory to 52<sup>nd</sup>?

**Ms. Bunce** replied the for the most part, most use prohibitions are consistent in all four character areas, with minor differences. We did not want to create a lot of nonconforming uses. While a nightclub is appropriate between River and Jones Streets, it may not be appropriate in the area between Gwinnett and Victory.

**Mr. Mackey** stated he believes since it all falls under the same overlay, and there are two different socio-economic areas from one end to the other, in all fairness, it needs to be same. The standards in one area of the overlay district should be the same in other others of the district.

**Ms. Bunce** asked for clarification. Did Mr. Mackey mean the prohibition of a use in a character area should apply to all character areas?

**Mr. Mackey** said not necessarily the same uses but the same protections.

**Mr. Thomson** stated that standards are probably the same.

**Ms Bunce** replied that where there are certain uses that have use standards, they would apply regardless of the character area.

**Mr. Mackey** stated that, in other words, like the Jones Street area, if you can't have bars or liquor stores, then I don't want to see bars or liquor stores at Gwinnett Street or Victory Drive.

**Ms Bunce** said right.

**Mr. Mackey** They are two different socio-economic areas, but the same overlay district...I want to see the same fairness.

**Ms. Myers** stated that she was on the committee that worked on some of this. Some areas are more residential and more commercial...the difference is that there are more bars, restaurants in the northern districts because the residential nature is not there. A great deal of attention was placed on protecting the residential...I think that's what you are asking.

**Mr. Mackey** responded that he wanted to make certain that the same protection in the north was provided in the southern portion. If a fish house can't go on Jones Street, don't bring one on 52<sup>nd</sup>.

**Ms. Myers** added that a great deal of time was put into this by the residents.

**Ms. Milton** wanted clarification regarding those businesses that are proposed to be prohibited but are already existing...will they be given the right to remain?

**Ms. Bunce** said that was correct.

**Mr. Coleman** suggested reviewing the use chart and bring forward any discrepancies to understand the rationale behind the conclusion.

**Mr. Farmer** stated if you start naming overlays districts after streets, that may cause a problem because of some street lengths, crossing different zoning and use areas. They

should be differentiated by north and south when they are too diverse to be encompassed in one.

**Ms. Bunce** stated the boundaries are set and described in the overlay district, based on the existing Broughton Redevelopment Area. They are named after the primary street that runs the district as an identifier of the location.

**Mr. Marshall** said that this discussion was for MLK and Montgomery Street; however, from Gwinnett Street to 52<sup>nd</sup> Street on Montgomery is whole different animal than the same segment on MLK, but the overlay is the same. I wasn't on the body that drew all that up, but I think we are trying to integrate something that is not appropriate. The two streets have different character now...

**Ms. Bunce** replied that the redevelopment plan identified those streets together. It did not distinguish between the two.

**Mr. Marshall** wonders what was being looked at.

**Ms. Bunce** said that this is just the overlay. The base zoning districts will set the uses; the overlay imposes more restrictions. The two work together. When you see the zoning map, I think you'll get a better picture of what we are attempting to do.

**Mr. Marshall** asked if the property owners were aware of these restrictions, especially Montgomery Street.

**Ms. Bunce** said definitely...they've been waiting on this for some time. She added that SDRA partnered with the MPC to develop these standards.

**Ms. Myers** said care was taken to consider the needs of all. There were two years of meeting with residents. We had meeting after meeting, went to churches...up and down the neighborhood...it was an incredible process that didn't put one interest over another.

**Mr. Coleman** said that this would be the stopping point. He noted that a SCAD professor, Ryan Madsen was present with his class. He welcomed any feedback.

**Mr. Madsen** came forward and explained the purpose of his class.

10. [Public Comment](#)

**Mr. Coleman** opened the meeting to public comment.

**XII. ADJOURNMENT**

11. [Adjournment of October 9, 2012 Regular MPC Meeting](#)

There being no further business to come before the Board, Vice-Chairman Coleman entertained a motion to adjourn the October 9, 2012 MPC Meeting at 3:30 p.m.

Respectfully submitted,

Thomas L. Thomson  
Executive Director

TLT/bf

**Note: Minutes not official until signed.**

### **XIII. DEVELOPMENT PLANS SUBMITTED FOR REVIEW**

12. [Development Plans Submitted for Review](#)

Attachment: [DEVELOPMENT REVIEW CASE LOG 100912.pdf](#)

*The Chatham County - Savannah Metropolitan Planning Commission provides meeting summary minutes which are adopted by the respective Board. Verbatim transcripts of minutes are the responsibility of the interested party.*