



Arthur A. Mendonsa Hearing Room
April 22, 2014 1:30 P.M.
MINUTES

April 22, 2014 Regular MPC Meeting

Members Present: W. Shedrick Coleman, Chairman
Murray Marshall, Vice-Chairman
James B. Blackburn, Jr., Secretary
Lacy Manigault, Treasurer
Ellis Cook
Stephanie Cutter
Ben Farmer
Tanya Milton
Susan Myers
W. James Overton
J. Adam Ragsdale
Joseph Welch

Members Not Present: Russ Abolt
Timothy Mackey

Staff Present: Thomas Thomson, P.E. AICP, Executive Director
Melony West, CPA, Director, Finance & Systems
Gary Plumbley, Director, Development Services
Marcus Lotson, Development Services Planner
Christy Adams, Director, Administration
Bri Finau, Administrative Assistant
Charlotte Moore, Director of Special Projects

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

I. CALL TO ORDER AND WELCOME

II. INVOCATION and PLEDGE OF ALLEGIANCE

III. APPROVAL OF AGENDA

IV. NOTICES, PROCLAMATIONS and ACKNOWLEDGEMENTS

Notice(s)

1. [May 13, 2014 Regular MPC Meeting at 1:30 P.M. in the Arthur A. Mendonsa Hearing Room, 112 E. State Street.](#)
2. [May 20, 2014 MPC Planning Meeting at 1:00 PM in the Arthur A. Mendonsa Room, 112 East State Street](#)

Information Item(s) for Board Members

3. [Reading of Development Plans Submitted for Review](#)

Attachment: [Review Log April 22.pdf](#)

V. PRESENTATIONS

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

Zoning Petition - Map Amendment

4. [2111 Norwood Avenue Rezoning Request R-1 / TC \(One Family Residential / Towncenter Overlay to P-B-C \(Planned Community Business\)](#)

Board Action:

Postpone Item - to May 13, 2014 Regular MPC Meeting. - PASS

Vote Results

Motion: Ellis Cook

Second: Lacy Manigault

Russ Abolt - Not Present

James Blackburn Jr. - Aye

Shedrick Coleman - Aye

Ellis Cook - Aye

Stephanie Cutter - Aye

Ben Farmer - Aye

Timothy Mackey - Not Present

Lacy Manigault - Aye

Murray Marshall - Aye

Tanya Milton - Aye

Susan Myers - Aye

James Overton - Aye

Adam Ragsdale - Aye

Joseph Welch - Aye

Zoning Petition - Staff Text Amendment

5. [Text Amendment - Section 8-3025\(d\) - Broughton Street Residential Density](#)

Board Action:

Postpone Item - to May 13, 2014 Regular MPC Meeting. - PASS

Vote Results

Motion: Lacy Manigault

Second: Ellis Cook

Russ Abolt - Not Present

James Blackburn Jr. - Aye

Shedrick Coleman - Aye

Ellis Cook - Aye

Stephanie Cutter - Aye

Ben Farmer - Aye

Timothy Mackey - Not Present

Lacy Manigault - Aye

Murray Marshall - Aye

Tanya Milton - Aye

Susan Myers - Aye

James Overton - Aye

Adam Ragsdale - Aye

Joseph Welch - Aye

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

6. [April 1, 2014 MPC Meeting and Briefing Minutes](#)

Attachment: [04-01-14 MPC BRIEFING MINUTES.pdf](#)

Attachment: [04.01.14 MEETING MINUTES.pdf](#)

Board Action:

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

Vote Results

Motion: Ben Farmer

Second: Susan Myers

Russ Abolt - Not Present

James Blackburn Jr. - Aye

Shedrick Coleman - Aye

Ellis Cook - Aye

Stephanie Cutter - Aye

Ben Farmer - Aye

Timothy Mackey - Not Present

Lacy Manigault - Aye

Murray Marshall - Aye

Tanya Milton - Aye

Susan Myers - Aye

James Overton - Aye

Adam Ragsdale - Aye

Joseph Welch - Aye

Authorization(s)

7. Authorize the Executive Director to execute the FY 2014 M230 CORE MPO Planning Projects Contract with Georgia Department of Transportation

Attachment: [MPC Board memo PI 10562.pdf](#)

Board Action:

Authorize Executive Director to execute the FY 2014 M230 CORE MPO Planning Project Contract with Georgia Department of Transportation. - PASS

Vote Results

Motion: Ben Farmer

Second: Susan Myers

Russ Abolt - Not Present

James Blackburn Jr. - Aye

Shedrick Coleman - Aye

Ellis Cook - Aye

Stephanie Cutter - Aye

Ben Farmer - Aye

Timothy Mackey - Not Present

Lacy Manigault - Aye

Murray Marshall - Aye

Tanya Milton	- Aye
Susan Myers	- Aye
James Overton	- Aye
Adam Ragsdale	- Aye
Joseph Welch	- Aye

8. Authorize the Executive Director to execute the FY 2014 Savannah Sector 8 Study Supplemental Agreement #1 with Georgia Department of Transportation

Attachment: [MPC Board memo Supplemental Agreement 8607.pdf](#)

Board Action:

Authorize Executive Director to execute the FY 2014 Savannah Sector 8 Study Supplemental Agreement #1 with Georgia Department of Transportation. - PASS

Vote Results

Motion: Ben Farmer
Second: Susan Myers
Stephanie Cutter - Aye
Ben Farmer - Aye
Timothy Mackey - Not Present
Lacy Manigault - Aye
Joseph Welch - Aye
Murray Marshall - Aye
Russ Abolt - Not Present
James Blackburn Jr. - Aye
Shedrick Coleman - Aye
Ellis Cook - Aye
Tanya Milton - Aye
Susan Myers - Aye
James Overton - Aye
Adam Ragsdale - Aye

9. Authorize the Executive Director to execute the FY 2014 Savannah MPO Transportation Study Sector 9 Supplemental Agreement # 1 with Georgia Department of Transportation

Attachment: [MPC Board memo supplementals 8608.pdf](#)

Board Action:

Authorize Executive Director to execute the FY 2014 Savannah MPO Transportation Study Sector 9 Supplemental Agreement #1 with Georgia Department of Transportation. - PASS

Vote Results

Motion: Ben Farmer	
Second: Susan Myers	
James Blackburn Jr.	- Aye
Shedrick Coleman	- Aye
Ellis Cook	- Aye
Stephanie Cutter	- Aye
Susan Myers	- Aye
Adam Ragsdale	- Aye
Joseph Welch	- Aye
Ben Farmer	- Aye
Timothy Mackey	- Not Present
Lacy Manigault	- Aye
Murray Marshall	- Aye
Tanya Milton	- Aye
Russ Abolt	- Not Present
James Overton	- Aye

10. [Authorize the Executive Director to execute a contract with the City of Savannah for local matching funds for the Georgia Department of Transportation contract PI 10562](#)

Attachment: [MPC Board memo PI 10562 city.pdf](#)

Board Action:

Authorize Executive Director to execute a contract with the City of Savannah for local matching funds for the Georgia Department of Transportation Contract PI 10562 - PASS

Vote Results

Motion: Ben Farmer	
Second: Susan Myers	
Russ Abolt	- Not Present
James Blackburn Jr.	- Aye
Shedrick Coleman	- Aye
Ellis Cook	- Aye
Timothy Mackey	- Not Present
Lacy Manigault	- Aye
Tanya Milton	- Aye
Susan Myers	- Aye
James Overton	- Aye
Adam Ragsdale	- Aye
Joseph Welch	- Aye
Stephanie Cutter	- Aye
Ben Farmer	- Aye
Murray Marshall	- Aye

11. [Authorize Executive Director to sign Audit Engagement Letter](#)

Attachment: [Audit Contract Memo 2014.pdf](#)

Board Action:

Authorize Executive Director to sign Audit Engagement Letter. - PASS

Vote Results

Motion: Ben Farmer
Second: Susan Myers
Russ Abolt - Not Present
James Blackburn Jr. - Aye
Shedrick Coleman - Aye
Ellis Cook - Aye
Stephanie Cutter - Aye
Ben Farmer - Aye
Timothy Mackey - Not Present
Lacy Manigault - Aye
Murray Marshall - Aye
Tanya Milton - Aye
Susan Myers - Aye
James Overton - Aye
Adam Ragsdale - Aye
Joseph Welch - Aye

VIII. OLD BUSINESS

Zoning Petition - Text Amendment

12. [Amendment to Section 8-3025\(a\), Conservation and Residential Use Schedule, to Allow a Bed and Breakfast Guest Unit, Use 12, in the R-M \(Residential Multi-family\) District | File No. 13-006395-ZA](#)

Attachment: [Staff Report-April 22-Amended.pdf](#)

Attachment: [R-M District Use List.pdf](#)

Attachment: [R-M District Map.pdf](#)

Attachment: [PowerPoint-April 22.pdf](#)

File No. 13-006395-ZA

Applicant: Vickie L. Weaver

MPC Project Planner: Charlotte Moore

This is a continued item from the January 28, 2014 Regular MPC meeting. Staff recommends **Denial** of the petitioner's request to amendment Sec. 8-3025(a) to add Use 12 (bed and breakfast guest unit) to the R-M district as a matter-of-right. Approval of an alternate text amendment to add the use to the

same section and district as a use requiring Zoning Board of Appeals approval.

Ms. Moore explained the uses permitted in the R-M district and where allowed. A portion of the petitioner's neighborhood is R-M designated as a matter of right. The nature of the petitioner's use is appropriate with the condition of a public hearing through the Board of Appeals and will be limited only to the Cuyler-Brownville area, in addition to its other existing conditions.

Mr. Blackburn, Jr. asked why is it limited to only the Cuyler-Brownville neighborhood.

Ms. Moore stated reducing the limitation may allow this in neighborhoods that don't want it.

Mr. Coleman stated the commission decided the R-M uses will be studied for use throughout the city. It is appropriate to proceed with this petition and modify later if needed.

Ms. Moore stated the difference between a boarding house and a bed and breakfast is that the boarding house use does not require the owner live there.

Ms. Myers asked why is this necessary if they have the right to have boarding houses.

Mr. Geoff Goins, City Zoning Administrator, stated the bed and breakfast is a transient use for less than 30 days. The boarding house use is for non-transient guests and more than 30 days.

Ms. Vickie Weaver, petitioner, stated she did attend the neighborhood association meeting as directed. At that time, she stated she reassured her neighbors that she is not building anything or adding anything to any existing buildings.

Mr. Farmer stated he appreciated the petitioner's last presentation and it answered all of his questions.

Mr. Coleman stated regarding the decision-making process, the statements of users/participants will not affect the qualifying for the use.

Ms. Weaver stated that in discussion with Alderman Van Johnson, they determined that requiring permitting makes it easier to get rid of it if the neighborhood does not want it. She suggests time limiting the permits. The customers are background checked before being accepted to a site by Airbnb. The company also handles disputes. Ms. Weaver presented her support for her business from neighbors and guests.

Reverend G. Lind Taylor, area resident, stated that if the city has guidelines and monitoring of the business, he would be willing to give it an opportunity. It may encourage an entrepreneurial spirit in the community.

Ms. Gloria Williams, president and resident of the Cuyler-Brownville Neighborhood Association, stated the association voted against the amendment request. They do not want an avenue opened for additional businesses in the multi-family neighborhood; they are not comfortable with the screening process, especially with so many elderly residents. They request the petition be denied.

Ms. Myers asked if she was aware of the by-right already existing in the neighborhood.

Ms. Williams replied yes.

Mr. Manigault asked what is the danger to the neighborhood if the owner of the house is living there as well; that is no different than a visiting relative.

Ms. Williams stated the petitioner stated there is a guest longer than a year; that may be a guise for a boarding house. That gave the neighborhood concern.

Ms. Cutter asked if any nuisance had been reported and if the petitioner has been active in neighborhood meetings.

Ms. Williams replied there have been no reports and the petitioner has attended only once. Membership is always announced and open.

Mr. Ragsdale stated he does not understand the concern because boarding houses are already allowed in the area. A bed and breakfast is a less intensive use; by right, the petitioner has a right to operate a boarding house.

Ms. Williams stated there are two legal boarding houses in the area and the petitioner may be seeking approval for a bed and breakfast but operate differently. There are concerns with people coming in and out of the neighborhood.

Mr. Farmer stated the city zoning administrator is in attendance and he would be the appropriate person to notify of illegal boarding houses.

Mr. Blackburn, Jr. stated the petitioner would have to be approved for bed and breakfast, and if necessary, restrictions placed.

Ms. Tracy Taylor, area resident, stated she supports the petitioner's request. The problems in the neighborhood are not from the boarding houses; it is from the actual residents.

Mr. Jonathan Hanford, guest of the petitioner, stated he will be renting for the next few months.

Ms. Weaver stated joining the neighborhood association was not an easy process. Airbnb screens potential guests, as she does also. She's operated the bed and breakfast from May thru December 2013 with no complaints or

incidents.

Mr. Ragsdale stated there are hundreds of Airbnb clients in the city.

Mr. Farmer asked if she is limited to 30 days.

Ms. Moore stated she could do either in this area; it would be considered as home occupation for long-term and transient for 30 days or less for only one or two people.

Ms. Myers motioned to accept staff recommendation. **Mr. Farmer** seconded the motion.

Mr. Blackburn Jr. motioned to amend for amendment to apply city-wide in all R-M 25 districts. **Mr. Ragsdale** seconded the motion.

Mr. Marshall motioned to amend the amended motion by removing the need for Zoning Board of Appeal approval; allow this use as by-right city-wide in all R-M districts. **Mr. Ragsdale** seconded the motion.

Board Action:

APPROVAL of the petitioner's request to amend Sec. 8-3025(a) to add Use 12 (bed and breakfast guest unit) to the R-M district as a matter-of-right (petitioner's original request). - PASS

Vote Results

Motion: Murray Marshall

Second: Adam Ragsdale

Russ Abolt	- Not Present
James Blackburn Jr.	- Aye
Shedrick Coleman	- Aye
Ellis Cook	- Nay
Stephanie Cutter	- Nay
Ben Farmer	- Aye
Timothy Mackey	- Not Present
Lacy Manigault	- Aye
Murray Marshall	- Aye
Tanya Milton	- Aye
Susan Myers	- Aye
James Overton	- Aye
Adam Ragsdale	- Aye
Joseph Welch	- Aye

IX. REGULAR BUSINESS

Zoning Petition - Text Amendment

13. [Amendment to Sec. 8-3028\(d\)\(6\), Victorian Planned Neighborhood Conservation District to Allow Inns or Apartment Hotels \(not to exceed 15 units\) in the 1-R District | File No. 14-000069-ZA](#)

Attachment: [Staff Report-April 22 - Amended.pdf](#)

Attachment: [Map-Where Inns are Permitted.pdf](#)

Attachment: [PowerPoint-April 22.pdf](#)

File No. 14-000069-ZA

Aldermanic District: 2 (Osborne)

County Commission District: 2 (Holmes)

Existing Zoning District: Victorian Planned Neighborhood Conservation District, 1-R District

Applicant: Ryan E. Williamson

Ms. Charlotte Moore, MPC Project Planner, presented the petitioner's request to amend Sec. 8-3028(d), Victorian Planned Neighborhood Conservation District to permit Use 6, Inns (not to exceed 15 bedrooms) in the 1-R zoning district as a use requiring Zoning Board of Appeals approval with certain conditions.

Mr. Ryan Williamson, petitioner, stated they planned on living in his property in the Victorian district, but had to move. He put his property on the internet for rental (BRBO) and allowed an agency to manage the property. Because the agency said they could manage the property, they did not realize they were not in zoning compliance, especially since other homes in view were able to rent their homes/bedrooms.

Mr. Marshall asked what type of parking would to be provided.

Mr. Geoffrey Goins, City Zoning Administrator, stated he would need to have one space for each room the petitioner wants to rent out.

Mr. Blackburn, Jr. motioned to approve the staff recommendation, but limit the number of bedrooms to 5 in the 1-R districts.

Mr. Marshall seconded the motion. There was discussion regarding parking.

Board Action:

Approval of the proposed amendment to Sec. 8-3028(d), Victorian Planned Neighborhood Conservation District to permit Use 6, Inns (not to exceed 15 bedrooms) in the 1-R zoning district as a use requiring Zoning Board of Appeals approval - PASS with certain conditions. AMEND TO RESTRICT

BEDROOMS TO FIVE IN 1-R.

Vote Results

Motion: James Blackburn Jr.

Second: Murray Marshall

Russ Abolt	- Not Present
James Blackburn Jr.	- Aye
Shedrick Coleman	- Aye
Ellis Cook	- Nay
Stephanie Cutter	- Aye
Ben Farmer	- Aye
Timothy Mackey	- Not Present
Lacy Manigault	- Aye
Murray Marshall	- Aye
Tanya Milton	- Aye
Susan Myers	- Aye
James Overton	- Aye
Adam Ragsdale	- Aye
Joseph Welch	- Aye

Master Plan / General Development Plan

14. [Amended Master Plan/General Development Plan - Cottages at Autumn Lake](#)

Attachment: [Maps.pdf](#)

Attachment: [Photos.pdf](#)

Attachment: [Building Elevations.pdf](#)

Attachment: [Master Plan.pdf](#)

Attachment: [Staff Report M-140409-00043-1.pdf](#)

Amended Master Plan/General Development Plan
Cottages at Autumn Lake
Berwick Boulevard at Autumn Lake
PIN 1-1008-02-030 and 034
Acreage: 17.4 acres
County Commission District 7
MPC File Number M-140409-00043-1
Engineer-Surveyor: Thomas and Hutton Company
Agent: Jeff Halliburton
Owner: Bouy Brothers Builders, Inc.

Mr. Gary Plumbley, MPC Project Planner, presented the petitioner's request for consideration of an amendment to an existing Master Plan for the purpose of changing the composition of single family semi-attached lots and single family detached lots, as well as a reduction in the total number of residential units. The MPC staff recommends **Approval** of the petitioner's request of an

Amended Master Plan. The petitioner is not requesting approval of any new variances. However, the proposed Amended Master Plan will retain the previously approved 10 foot front yard building setback variance for all lots. The detached units will have the same square footage as the semi-attached units and there are covenants in the neighborhood.

Mr. Jeff Halliburton, representative of the petitioner, stated the new plan is to go from two buildings with four units, to three single units, based on market trends. The approved utility, storm water, and erosion permits from years ago have expired, but they are in the process of reinstatement.

Mr. Bill Glass, consultant for the petitioner, stated MPC staff recommended presenting the plan to the current residents. This was done, and the plans were submitted for review. The plans were later discussed with almost 100% of the neighboring residents; the resident members majority-approved the plan by vote (14 for and 12 against). The proposed change will result in a reduction in density.

Mr. Farmer stated the Bouy brothers still own an overwhelming majority of the lots. They have a good reputation in producing a quality product, and because of majority ownership, they can do whatever they want as long as the MPC approves it.

Mr. Glass stated the change will result in a decrease from 99 to 91 units; approximately one-third single family detached units and two-thirds duplex units. The approved plan was five single family detached units and the rest would be semi-attached single family units.

Mr. Marshall asked when will the developer relinquish control of the covenants.

Mr. Glass replied after the majority of the lots are sold.

Mr. Manigault and **Mr. Blackburn, Jr.** expressed concerns as to how the new plans will affect the existing properties.

Mr. Larry Goodman, area resident, stated the petitioner's plan does not respect the feelings of the existing owners. There were 19 votes to replace Mark Bouy as director; the Bouys won because they are majority holders of unimproved lots; woods don't get votes. They worked out a plan but the Bouys did not adhere to the plan that was agreed upon in exchange for the votes. The homeowners have no protection; they need this from the MPC. He believes all of the existing homeowners were not noticed and the actions of the Bouys are in violation of the covenant. The new units are significantly smaller than the existing homes the original owners purchased.

Mr. Plumbley stated all property owners in accordance with the tax digest were noticed. Mr. Coleman stated for any one not noticed to give their information to MPC staff.

Mr. Roger Haneline, area resident, stated he owns the first detached unit. He stated all home values have dropped because of the economy and he voted with the Bouys. He does not find them to be out of compliance with the covenants. The price of the house is based on the options one requests; the footprint and building elevation are the same and they will all look the same.

Mrs. Rita Haneline, area resident, stated she is pleased with what the Bouy brothers have done for their single house that they purchased.

Mr. Gordon Rayner, area resident, stated he is happy with his home. He stated all the homes look the same from the outside.

Mr. Richard Falcone, area resident, presented letters of opposition. He stated he is the only homeowner that is a member of the homeowner's association. He stated he had concerns that each of the unimproved lots that the Bouy's owned are allotted three votes each. The homeowner's stated they would accept single family units but not three in a row. Phases two and three were not presented for review. He has a four-bedroom unit and does not like 12 single-family detached units next to his; he would like phase one to continue in the pattern started and buffer between it and phases two and three. Existing homeowners are looking for like-type houses; they are relying on the master plan approved in 2005 and the MPC to uphold it.

Mr. Farmer stated if a new developer came in with the majority of the votes, they would have the same rights of the original owner. Because of being majority vote holders, they need no approval from the residents.

Mr. Falcone stated they did good for the Bouys with the understanding the Bouys would do good for them. That's not what happened.

Mr. Mark Bouy, petitioner, stated they had to modify the Master Plan because of the economy. They did their best to keep the same level of home and cost in the area. The banks are not loaning money to do as they would like.

Mr. Farmer asked if the homeowners were accurate in their statement of lack of adherence to an agreed plan.

Mr. Bouy stated they came to a stalemate, therefore it went to a vote and this is the result. They are adhering to the covenant.

Mr. Glass stated all of the needed votes were obtained in Phase 1; all amendments were done by vote approval in December 2013.

Mr. Blackburn, Jr. asked if the petitioner had the privilege of voting for the unimproved land as if it were subdivided lots.

Mr. Bouy replied yes.

Board Action:

Approval of the petitioner's request of an Amended Master Plan. - PASS

Vote Results

Motion: Tanya Milton

Second: Joseph Welch

Russ Abolt - Not Present

James Blackburn Jr. - Aye

Shedrick Coleman - Aye

Ellis Cook - Aye

Stephanie Cutter - Aye

Ben Farmer - Aye

Timothy Mackey - Not Present

Lacy Manigault - Aye

Murray Marshall - Aye

Tanya Milton - Aye

Susan Myers - Aye

James Overton - Aye

Adam Ragsdale - Aye

Joseph Welch - Aye

XI. OTHER BUSINESS

15. [Executive Session](#)

The MPC Board went into Executive Session at 4:42 p.m. The meeting reconvened at 5:14 p.m.

There were no votes during the Executive Session.

XII. ADJOURNMENT

16. [Adjournment of April 22, 2014 Regular MPC Meeting](#)

There being no further business to come before the Board, Chairman Coleman entertained a motion to adjourn the April 22, 2014 MPC Meeting at 5:16 p.m.

Respectfully submitted,

Thomas L. Thomson

Executive Director

TLT/bf

Note: Minutes not official until signed.

XIII. DEVELOPMENT PLANS SUBMITTED FOR REVIEW

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

Attachment: [Review Log April 22.pdf](#)