

CHATHAM COUNTY-SAVANNAH METROPOLITAN PLANNING COMMISSION

MPC MINUTES

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

April 20, 2004

1:30 P.M.

Members Present: Timothy S. Mackey, Chairman
Lacy A. Manigault, Secretary
Robert L. Ray, Treasurer
Michael Brown
Melissa Jest
J. P. Jones
Stephen R. Lufburrow
Alexander Luten
Walker McCumber
Patricia McIntosh
Lee Meyer
Freddie B. Patrick
Helen L. Stone

Members Not Present: Russ Abolt

MPC Staff Present: Thomas L. Thomson, Executive Director
Charlotte L. Moore, Director of Development Services
John Howell, Development Services Planner
Charlan Owens, Development Services Planner
Lynn Manrique, Site Plan and Subdivisions Secretary
Marilyn Gignilliat, Secretary

Advisory Staff Present: Eric Gadsen, County Zoning Inspector
Tiras W. Petrea, City Zoning Inspector

I. CALL TO ORDER

Chairman Mackey called the meeting to order. He explained the agenda for the benefit of citizens attending the meeting for the first time. He stated that citizens wishing to speak on an item should so note on the sign-in sheet.

II. NOTICES, PROCLAMATIONS AND ACKNOWLEDGMENTS

A. Notice(s)

Chairman Mackey introduced new members of the Planning Commission, Mr. Stephen R. Lufburrow and Mr. Freddie B. Patrick.

B. Community Meetings

1. Silverstone Neighborhood Meeting, Monday, April 26, 2004 6:30 P.M., at Coastal Cathedral, 2208 East DeRenne Avenue.
2. Meeting to Discuss Proposed Residential Subdivision on Terra Firma Hammock, April 28, 2004 at 7:00 P.M. Islands Community Center, 160 Whitemarsh Island Road.

C. Item(s) Requested to be Removed from the Final Agenda

1. Zoning Petition – Map Amendment

Richard W. Collins, Agent
(for Housing Authority of Savannah, Owner)
MPC File No. Z-040402-55623-2

This item has been removed from the agenda at the petitioner's request.

2. General Development Plan

Tiki Hut at Williams Seafood
Tybee Road
W-I Zoning District
Downer Davis, Agent
MPC File No. P-040217-55374-1

This item has been removed from the agenda at the petitioner's request.

III. CONSENT AGENDA

- A. Approval of the April 6, 2004 MPC Meeting Minutes and Briefing Minutes.

Ms. Stone **moved** to approve the minutes. Mr. Jones seconded the motion.

Ms. McIntosh submitted corrections to the Briefing Minutes.

MPC Action: The motion carried with none opposed. The motion was to approve the April 6, 2004 MPC Minutes and Briefing Minutes subject to the corrections that were identified. Voting were Ms. Stone, Mr. Meyer, Mr. Lufburrow, Mr. Patrick, Mr. Brown, Mr. Manigault, Ms. McIntosh, Mr. Luten, Mr. Ray, Mr. Jones, Mr. McCumber, and Ms. Jest.

B. Zoning Petitions — Map Amendments

1. Vinay M. Patel, Owner
5757 Ogeechee Road
MPC File No. Z-040331-62360-1

Issue: Rezoning from B-C (Community Business) and R-A (Residential-Agriculture) zoning districts to a PUD-B-C (Planned Unit Development-Business-Community) zoning district.

Policy Analysis: Rezoning the entire property is not consistent with the County's Future Land Use Plan. Rezoning a portion of the property along Ogeechee Road would be consistent with the County's Future Land Use Plan.

Staff Recommendation: Denial of the request to rezone the entire property from B-C and R-A classifications to a PUD-B-C classification and **approval** of rezoning a portion of the subject property from B-C and R-A classifications to a PUD-B-C classification.

Speaking about the petition: Shelton Hughes, neighboring property owner, seeking information about buffers and setbacks on the subject property.

Ms. Stone **moved** to approve the staff recommendation. Mr. McCumber seconded the motion.

MPC Action: The motion carried with none opposed. The motion was to approve the staff recommendation for denial of the request to rezone the entire property from B-C and R-A classifications to a PUD-B-C classification and approval of rezoning a portion of the subject property from B-C and R-A classifications to a PUD-B-C classification. Voting were Ms. Stone, Mr. Meyer, Mr. Lufburrow, Mr. Patrick, Mr. Luten, Ms. McIntosh, Mr. Brown, Mr. Manigault, Mr. Ray, Mr. Jones, Mr. McCumber, and Ms. Jest.

- 2. Shane Baesmann, Agent
(for George Montis, Owner)
2202 Barnard Street
MPC File No. Z-040401-40670-2

Issue: Rezoning from an R-I-P (Residential-Institutional-Professional) zoning classification to a P-RIP-B (Residential, Medium Density) classification with a site plan.

Policy Analysis: The requested zoning will allow rehabilitation of an existing structure while providing sufficient protection for adjacent properties under the plan review provisions of Section 8-3031(D)(1)(a).

Staff Recommendation: **Approval** of the request to rezone the subject property from an R-I-P classification to a P-RIP-B (Planned Residential, Medium Density) classification under the provisions of Section 8-3031(D)(1)(a).

Mr. Meyer **moved** to approve the staff recommendation. Mr. Luten seconded the motion.

MPC Action: **The motion carried with none opposed.** The motion was to approve the staff recommendation for approval of the request to rezone the subject property from an R-I-P classification to a P-RIP-B (Planned Residential, Medium Density) classification under the provisions of Section 8-3031(D)(1)(a). Voting were Mr. Brown, Mr. Meyer, Mr. Lufburrow, Mr. Manigault, Ms. McIntosh, Mr. Luten, Mr. Ray, Mr. Jones, Mr. McCumber, Mr. Patrick, and Ms. Jest.

C. Major Subdivision/Preliminary Plan

Mills Run Subdivision
118 Mills Run Drive
Phase 3
PIN 1-0788-04-046
17 lots – 5.51 acres
R-1 Zoning District
Kern-Coleman Engineering, Inc., Engineer
Terry Coleman, Agent
Coastal Georgia Development Group, Owner
MPC Reference File No. S-020130-49839-1
MPC File No. S-040408-32223-1

Nature of Request: The petitioner is requesting MPC approval of a Preliminary Plan for a 17 lot Major Subdivision located on the north side of Louis Mills Boulevard approximately 130 feet east of Mills Run Drive within an R-1 (Single Family Residential) zoning district. No variances are requested.

Staff Recommendation: Approval of the proposed Preliminary Plan subject to the following conditions: 1) revise the Preliminary Plan to show sidewalks on the north side of Louis Mills Boulevard; 2) approval of the extension of the water and sewer lines by the City Water and Sewer Planning Director; and, 3) approval by the Chatham County Engineer.

Ms. McIntosh stated that at the Briefing the Commission talked about the fact that there is only one way in and one way out of the subdivision. Is it correct that this would be addressed in future petitions?

Mr. Thomson requested that the Commission consider discussing this at the May 11, 2004 Planning Meeting. Staff could provide guidance from the Subdivision Ordinance where it states that if there is a threshold of so many lots in a subdivision a second entryway should be provided for emergency access and for potential distribution of the traffic on the transportation network. Chairman Mackey concurred with the suggestion.

Ms. Stone **moved** to approve the staff recommendation. Mr. McCumber seconded the motion.

MPC Action: **The motion carried with none opposed.** The motion was to approve the staff recommendation for approval of the proposed Preliminary Plan subject to the following conditions: 1) revise the Preliminary Plan to show sidewalks on the north side of Louis Mills Boulevard; 2) approval of the extension of the water and sewer lines by the City Water and Sewer Planning Director; and, 3) approval by the Chatham County Engineer. Voting were Mr. Brown, Mr. Meyer, Mr. Lufburrow, Mr. Manigault, Mr. Luten, Ms. Stone, Mr. Ray, Mr. Jones, Mr. McCumber, Mr. Patrick, and Ms. Jest.

D. General Development Plan

Feehley Office Warehouse
774 King George Boulevard
PUD-CC Zoning District
John Kern, Agent
MPC File No. P-020324-56656-1

Nature of Request: The petitioner is requesting approval of a General Development Plan/Group Development Plan in order to construct three warehouse/office buildings within a PUD-C (Planned Unit Development-Community) zoning district. No variances are requested.

Staff Recommendation: **Approval** of the General Development Plan/Group Development Plan with the following condition: record a Final Plat showing the 60 foot wide access easement.

Mr. McCumber **moved** to approve the staff recommendation. Mr. Ray seconded the motion.

MPC Action: **The motion carried with none opposed.** The motion was to approve the staff recommendation for approval of the General Development Plan/Group Development Plan with the following condition: record a Final Plat showing the 60 foot wide access easement. Voting were Mr. Meyer, Mr. Lufburrow, Mr. Manigault, Ms. McIntosh, Mr. Luten, Mr. Ray, Mr. Jones, Ms. Stone, Mr. McCumber, Mr. Patrick, and Ms. Jest.

E. Amended Specific Development Plan/Buffer Plan

St. Joseph's/Candler Hospital
5353 Reynolds Street
PIN 2-0113-20-001
27.58 acres – Total Site Area
PUD-IS Zoning District
Carl Walker, Inc., Architect
Saussy Engineering, PC Engineer
Harold Yellin, Agent
St. Joseph's/Candler Hospital, Owner
MPC Reference File, No. P-040116-61298-2
MPC File No. P-0-40211-37122-2

Nature of Request: The petitioner is requesting MPC approval of an Amended Specific Development Plan (Buffer Plan) for a proposed parking garage for the St. Joseph's/Candler Hospital Complex that is located on the southeast corner of East DeRenne Avenue and Reynolds Street within a PUD-IS (Planned Unit Development-Institutional) zoning district. No variances are requested.

Staff Recommendation: **Approval** of the proposed amendment to the Specific Development Plan (Buffer Plan). The amendment is as shown on the Amended Specific Plan (Buffer Plan): a six foot tall shadow box fence with masonry columns shall replace the approved six foot tall masonry wall directly across the garage ingress/egress. The composite wood shall match the color of the principal building. the fence shall be placed behind the back of the curb adjacent to parking spaces and shall extend a length of 120 feet. A chain link fence shall be erected on both sides of the wooden fence and shall extend the length of the remainder of the property. Bamboo shall be planted between the fencing and the property line for the entire length of the property.

MPC Action: **The motion carried with none opposed.** The motion was to approve the staff recommendation for approval of the proposed amendment to the Specific Development Plan (Buffer Plan). The amendment is as shown on the Amended Specific Plan (Buffer Plan): a six foot tall shadow box fence with masonry columns shall replace the approved six foot tall masonry wall directly across the garage ingress/egress. The composite wood shall match the color of the principal building. the fence shall be placed behind the back of the curb adjacent to parking spaces and shall extend a length of 120 feet. A chain link fence shall be erected on both sides of the wooden fence and shall extend the length of the remainder of the property. Bamboo shall be planted between the fencing and the property line for the entire length of the property. Voting were Mr. Brown, Mr. Meyer, Mr. Lufburrow, Mr. Manigault, Mr. Luten, Ms. Stone, Ms. McIntosh, Mr. Ray, Mr. Jones, Mr. McCumber, Mr. Patrick, and Ms. Jest.

IV. **Old Business**

A. Zoning Petitions – Map Amendments

1. Simon Helman, Agent
 (for LSYMAR, LLC, Owner)
 708 Gwinnett Street
 MPC File No. Z-040308-53268-2

Issue: Rezoning from a P-R-4 (Planned Four Family Residential) zoning classification to an I-L (Light Industrial) classification.

Policy Analysis: Rezoning to a P-I-L-T classification will allow reuse of existing buildings while providing sufficient protection for adjoining properties under the plan review provisions of Section 8-3031 (D)(1)(a).

Staff Recommendation: **Denial** of the petitioner's request to rezone the subject property from a P-R-4 zoning classification to an I-L classification but further recommends approval of rezoning to an alternate P-I-L-T classification under the provisions of Section 8-3031(d)(1)(a) and approval of an amendment to the City of Savannah Future Land Use Plan from Public/Institutional to Industrial.

Ms. Stone **moved** to approve the staff recommendation. The motion further directed staff to write to the neighborhood organization to explain future options for the property should the shoe factory cease to exist. Mr. Ray seconded the motion.

Speaking about the petition: Earl Gallovitch, Delta Electric, working on this property for the petitioner.

MPC Action: **The motion carried with none opposed.** The motion was to approve the staff recommendation for denial of the petitioner's request to rezone the subject property from a P-R-4 zoning classification to an I-L classification but further recommends approval of rezoning to an alternate P-I-L-T classification under the provisions of Section 8-3031(d)(1)(a) and approval of an amendment to the City of Savannah Future Land Use Plan from Public/Institutional to Industrial. The motion further directed staff to write to the neighborhood organization to explain future options for the property should the shoe factory cease to exist. Voting were Mr. Brown, Mr. Meyer, Mr. Lufburrow, Mr. Manigault, Ms. McIntosh, Mr. Lutten, Mr. Ray, Mr. Jones, Mr. McCumber, Mr. Patrick, and Ms. Jest.

- 2. Harold B. Yellin, Agent
(for Rosso Corsa, Inc., Owner)
14915 Coffee Bluff Road
MPC File No. Z-040212-86742-2

Issue: Rezoning of property from P-D-M (Planned Development Marina) and R-10 (One-Family Residential) classifications to an R-10 classification. This item was continued from the March 2, 2004 meeting to allow the petitioner an opportunity to prepare a site plan.

Policy Analysis: The proposed rezoning will establish a zoning district that is compatible with the surrounding residential neighborhood.

Staff Recommendation: **Approval** of rezoning the subject property from P-D-M (Planned Development Marina) and R-10 (One-Family Residential) Classification. Approval of a Future Land Use Map reclassification from Retail/Office/Commercial to Single Family Residential.

Speaking about the petition: Harold Yellin, agent
Clete Bergen, agent for Falligant Subdivision Property Owners Association, opposed to the proposed rezoning and development.
Colette Williamson, 14802 Lee Street, Falligant Subdivision Property Owners Association, opposed to the proposed rezoning and development.
Jerry Case, DVM, 7 East Back Street, opposed to the proposed rezoning and development.
Tony Strozso, 12802 White Bluff Road, concerned about adequate parking on the proposed development.
Denis Robertson, 7 West Back Street, seeking information.
Harold Javetz, petitioner.
Tony Thomas, Alderman for the 6th District, seeking information.

Mr. Meyer **moved** to deny the petition. Mr. Jones seconded the motion.

MPC Action: **The motion carried.** The motion was to deny the petition. Voting in favor of the motion were Mr. Meyer, Ms. McIntosh, Mr. Manigault, Mr. Luten, Mr. Ray, Mr. Jones, Mr. Patrick, and Ms. Jest. Voting against the motion were Mr. Brown, Mr. Lufburrow, Mr. McCumber, and Mr. Mackey. Ms. Stone was not in the room when the vote was taken.

AND

Major Subdivision/Sketch Plan

Coffee Bluff Marina Subdivision
14915 Coffee Bluff Road
PIN 2-0767-06-005 and 2-0767-07-002
PD-M and R-10 Zoning Districts
Kern-Coleman Engineering Company, Engineer
Harold Yellin, Agent
Rosso Corsa, Owner
MPC Reference File No. Z-030610-57105-2
MPC File No. Z-040408-52103-2

Nature of Request: The petitioner is requesting approval of a Sketch Plan for proposed residential development located on the south side of Back Street at its intersection with Coffee Bluff Road within P-D-M (Planned Development Marina) and R-10 (One-Family Residential) zoning districts. The petitioner is requesting the following variances:

- An 11 foot front yard building setback variance (from the required 16 feet) for Lots 1 and 5
- A 25 foot rear yard variance (from the required 35 feet) for Lots 2, 4, and 5
- A five foot front yard building setback variance (from the required 25 feet) for Lots 3 and 6
- A five foot side yard variance (from the required 10 feet) along the eastern portion of Lot 6
- A 20 foot public street right-of-way variance (from the required 60 feet) for Coffee Bluff Road extended
- A seven foot pavement width variance (from the required 27 feet, including curb and gutter)

Staff Recommendation: **Denial** of a five foot front yard building setback variance (from the required 25 feet) on Lots 3 and 6 along Back Street. Staff further recommends: **approval** of an 11 foot front yard building setback variance (from the required 16 feet) for Lots 1 and 5; a 25 foot rear yard variance (from the required 35 feet) for Lots 2, 4, and 5; a five foot side yard variance (from the required 10 feet) along the eastern portion of Lot 6; a 20 foot public street right-of-way variance (from the required 60 feet) for Coffee Bluff Road extended; a seven foot pavement width variance (from the required 27 feet including curb and gutter); and, the proposed Sketch Plan

subject to the following conditions: 1) revise the Sketch Plan to include sidewalks along Lots 3 and 6 on Back Street; 2) revise the front yard setback on Lots 3 and 6 on Back Street to not less than 25 feet; 3) revise the Sketch Plan to show the entire turnaround as part of the Coffee Bluff Road right-of-way. In addition, remove the three parking spaces shown within the turnaround; 4) revise the Sketch Plan to show the site of the MRS as a fee simple lot and identify the lot as Lot 7; 5) the residential structures on all residential lots (Lots 1 through 6) shall be oriented with the typical front/rear (including front and rear doors and garage openings) toward Forest River and Back Street; 6) approval of the rezoning of the entire site to an R-10 zoning classification; and, 7) a property owners association shall be created in conjunction with the proposed development. The association shall be responsible for maintenance of the unpaved portion of the Coffee Bluff Road right-of-way, the existing docks and boat hoist (in conjunction with the implementation of Phase 2), the sidewalks located within the access easements, Park Place East and Park Place West, and the 20 foot private vehicular access and utility easements.

Mr. Jones **moved** to deny the petition. Ms. Jest seconded the motion.

MPC Action: **The motion carried.** The motion was to deny the petition. Voting in favor of the motion were Mr. Meyer, Mr. Lufburrow, Ms. McIntosh, Mr. Manigault, Mr. Luten, Mr. Ray, Mr. Jones, Mr. Patrick, and Ms. Jest. Mr. McCumber and Mr. Brown voted against the motion. Ms. Stone was not in the room when the vote was taken.

V. Regular Business

A. General Development Plan

Dilligaf Tattoo Studio
2602 Montgomery Street
PIN: 2-0074-21-001
B-C Zoning District
MPC File No. P-040401-36970-1

Nature of Request: The petitioner is requesting approval to establish a tattoo studio within an existing two-unit shopping center located at the southwest corner of Montgomery Street and West 42nd Street, north of Victory Drive. A variance from the plan submittal requirements of the Planned Development District is requested.

Staff Recommendation: **Denial** of the tattoo studio at 2602 Montgomery Street, including a variance from the Planned Development District submittal requirements.

Speaking about the petition: Harold Yellin, agent
Gwendolyn Fortson-Waring, President of the
Metropolitan Neighborhood Association, opposed to
the proposed rezoning.

MPC Action: **The motion carried.** The motion was to deny the petition. Voting in favor of the motion were Mr. Brown, Mr. Meyer, Ms. McIntosh, Mr. Manigault, Mr. Lufburrow, Mr. Luten, Mr. Ray, Mr. Jones, and Ms. Jest. Mr. McCumber voted against the motion. Ms. Stone and Mr. Patrick were not in the room when the vote was taken.

B. Specific Development Plan – Sign Plan

Whitmarsh Island Properties, LLP
111 Jazie Drive
P-B-N Zoning District
PIN: 1-0115-01-035
MPC File No. P-040319-36832-1

Nature of Request: The petitioner is requesting approval of fascia signage on the front of an existing building within a P-B-N (Planned Neighborhood Business) zoning district. A variance of 136 square feet of additional fascia sign area is requested to allow 235 square feet of fascia sign area on the front of a building.

Staff Recommendation: **Approval** of a variance of 136 square feet of fascia sign area to allow 236 square feet of fascia sign area on the front of the building, provided that fascia signage on the sides of the building shall be limited to 32 square feet of sign area on each side.

Mr. Meyer **moved** to approve the staff recommendation. Mr. McCumber seconded the motion.

MPC Action: **The motion carried with none opposed.** The motion was to approve the staff recommendation for approval of a variance of 136 square feet of fascia sign area to allow 236 square feet of fascia sign area on the front of the building, provided that fascia signage on the sides of the building shall be limited to 32 square feet of sign area on each side. Voting were Mr. Brown, Mr. Meyer, Mr. Lufburrow, Mr. Manigault, Ms. McIntosh, Mr. Luten, Mr. Ray, Mr. McCumber, and Ms. Jest. Ms. Stone, Mr. Patrick, and Mr. Jones were not in the room when the vote was taken.

C. Report of the Nominating Committee

Mr. Jones stated that the Nominating Committee recommends Ms. McIntosh for the position of Vice Chairman of the Planning Commission.

Mr. Brown **moved** that the nominations be closed and that the nomination be accepted as presented. Ms. Jest seconded the motion.

MPC Action: **The motion carried with none opposed.** The motion was that the nominations be closed and that the nomination be accepted as presented. Voting were Mr. Brown, Mr. Meyer, Mr. Lufburrow, Ms. McIntosh, Mr. Manigault, Mr. Luten, Mr. Ray, Mr. Jones, and Ms. Jest. Ms. Stone and Mr. Patrick were not in the room when the vote was taken.

VII. Adjournment

There being no further business to come before the Commission, the April 20, 2004 Regular Meeting was adjourned.

Respectfully submitted,

Thomas L. Thomson, P.E., AICP
Executive Director

Note: Minutes not official until signed