

CHATHAM COUNTY-SAVANNAH METROPOLITAN PLANNING COMMISSION

MPC MINUTES

ARTHUR A. MENDONSA HEARING ROOM
110 EAST STATE STREET

December 7, 2004

1:30 P.M.

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

MPC Staff Present: Clyde M. Wester, Assistant to the Executive Director
Amanda Bunce, Development Services Planner
James Hansen, Development Services Planner
John Howell, Development Services Planner
Charlotte L. Moore, Director of Development Services
Gary Plumbley, Development Services Planner
Beth Reiter, Historic Preservation Officer
Lee Webb, Historic Preservation Specialist
Tom Wilson, Director of Comprehensive Planning
Brenda Smith, Zoning Secretary
Marilyn Gignilliat, Secretary

Advisory Staff Present: Robert Sebek, County Zoning Administrator
Tiras Petrea, City Zoning Inspector

I. Call to Order

Chairman Mackey called the meeting to order. He explained the agenda for the benefit of citizens who are attending the meeting for the first time.

II. Notices, Proclamations and Acknowledgments

A. Items Requested to be Removed from the Final Agenda

Murray K. Barnard, AIA, Agent
(for Jeffrey Dorsten, Petitioner)
209 E. 40th Street
MPC File No. Z-040921-32472-2

The petitioner has requested that this item be postponed indefinitely.

III. Consent Agenda

A. Approval of the November 16, 2004 MPC Meeting Minutes and Briefing Minutes

Mr. Jones **moved** to approve the minutes. Mr. Ray seconded the motion.

MPC Action: The motion to approve the November 16, 2004 MPC Meeting Minutes and Briefing Minutes carried with none opposed. Voting were Mr. Brown, Mr. Meyer, Mr. Lufburrow, Ms. Stone, Mr. Manigault, Mr. Luten, Ms. McIntosh, Mr. Ray, Mr. Jones, Mr. McCumber, Ms. Jest, Mr. Abolt, and Mr. Patrick.

B. General Development Plans

1. Savannah River Apartments and Townhomes
Harbor Street
Ralph Forbes (Thomas & Hutton Engineering), Agent
PUD-MXU Zoning District
PIN: 2-0006-01-001/003
MPC File No. P-041117-39420-2

Nature of Request: The petitioner is requesting approval of a General Development Plan (General Plan)/Group Development Plan in order to construct an apartment complex and townhouses within a PUD-MXU (Planned Unit Development-Mixed Use) zoning district. No variances are requested.

Staff Recommendation: **Approval** of the General Plan/Group Development Plan with the following conditions: 1) intersection improvements, including the installation of a traffic signal, shall be installed at the intersection of General McIntosh Boulevard and Harbor Street in accordance with the requirements of the Department of Traffic Engineering; 2) the Traffic Engineering Department and Fire Department shall approve the method and design of the controlled vehicular accessways; 3) the concerns of the Fire Department shall be addressed, turning radii and the possible reduction of parking spaces in front of the apartment buildings; 4) the “future access” roads that are east and west of the development shall be constructed at the time of development or an interim measure shall be approved by the Department of Traffic Engineering and the Fire Department to ensure that emergency services will be able to access the apartment buildings; 5) if a permit cannot be obtained from the State to construct the Riverwalk and the five

townhouses are still desired, a variance shall be obtained to allow buildings to be located closer than 25 feet from jurisdictional wetlands;6) the parking calculation shall be revised to show 1.50 parking spaces required for a one bedroom dwelling unit. All related calculations shall be corrected (i.e., required and proposed number of parking spaces); 7) parking spaces for the handicapped shall be provided; 8) a street yard shall be provided along the extent of the future access roadway that is shown in the Bilbo Canal right-of-way; 9) a six foot tall picket fence is not approved. An alternative non-opaque design shall be required that is constructed of materials that will be compatible with the proposed buildings and the context of the master planned development. MPC staff shall approve the fence; 10) with the assistance of MPC staff, the entries to the apartment buildings shall be redesigned to improve pedestrian accessibility from the parking area and the circular driveway; 11) with the assistance of MPC staff, design and access of the area adjacent to the Savannah River shall be refined; and, 12) the compactor shall be moved to a location that is internal to the site.

Speaking about the petition: Ralph Forbes, project engineer, addressed the access issue along the proposed River Walk. The petitioner is in agreement with the staff recommendation.

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

MPC Action: **The motion to approve the staff recommendation carried.** Voting were Mr. Brown, Mr. Meyer, Mr. Lufburrow, Ms. Stone, Mr. Manigault, Mr. Luten, Ms. McIntosh, Mr. Ray, Mr. Jones, Mr. McCumber, Mr. Abolt, and Mr. Patrick. Ms. Jest voted against the motion.

[Note: Further discussion about this petition appears on Page 4).

- 2. Village of Vallambrosa
Bradley Pointe South
1180 Bradley Boulevard
PUD-M-8 Zoning District
Chad Zittrouer, Agent
MPC File No. P-041117-40818-2

Nature of Request: The petitioner is requesting approval of a General Development Plan in order to develop a housing project within a PUD-M-8 (Planned Unit Development – eight units per net acre) zoning district. No variances are requested.

Staff Recommendation: **Approval** of the General Development Plan subject to the following conditions: 1) the U. S. Army Corps of Engineers shall review the delineation of wetlands; 2) the plan shall comply with the requirements of the City of Savannah infrastructure departments; and, 3) sidewalks shall be provided along both sides of all streets.

Mr. Brown **moved** to approve the staff recommendation subject to the condition that the wording contained in Staff Recommendation #1 be changed to reflect language that was discussed in the Pre-Meeting. Mr. Ray seconded the motion.

MPC Action: **The motion carried with none opposed.** The motion was to approve the General Development Plan subject to the following conditions: 1) the developer must obtain the necessary permits from the appropriate regulatory agencies; 2) the plan shall comply with the requirements of the City of Savannah infrastructure departments; and, 3) sidewalks shall be provided along both sides of all streets. Voting were Mr. Brown, Mr. Meyer, Mr. Lufburrow, Ms. Stone, Mr. Manigault, Mr. Luten, Ms. McIntosh, Mr. Ray, Mr. Jones, Mr. McCumber, Mr. Abolt, Ms. Jest, and Mr. Patrick.

[Note: There was a discussion as to whether the Specific Development Plan for the Savannah River Apartments and Townhomes (MPC File No. P-041117-39420-2) should return to the Commission for review and approval. Chairman Mackey stated that the Specific Development Plan will be reviewed at the staff level. If staff noted anything unusual that would require action by the Commission, the plan would be brought back at that time. This was acceptable to the Commission.]

C. General Development Plan/Group Development Plan

Chatham Center Office Park
21 Chatham Center South
P-B-G Zoning District
Clay Loyless, Agent
MPC File No. P-041118-55449-2

Nature of Request: The petitioner is requesting approval of a General Development Plan/Group Development Plan for a proposed office development to be located at the south end of Chatham Center South within a P-B-G (Planned General Business) zoning district. No variances are requested.

Staff Recommendation: Approval of the proposed General Development Plan/Group Development Plan subject to the following conditions: 1) revise the General Development Plan to show a Type G buffer along the portions of the off-street parking lot that can be viewed from adjoining properties and/or a street right-of-way. In addition, provide additional planting within the northern 10 foot portion of the vegetative buffer to increase the density of the buffer. The planting shall be of such density, as determined by the City Arborist, to provide an adequate visual buffer for the purpose of diffusing the view of the rear portion of the office buildings; and, 2) approval by the City of Savannah review departments.

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

MPC Action: **The motion to approve the staff recommendation carried with none opposed.** Voting were Mr. Brown, Mr. Meyer, Ms. Stone, Mr. Lufburrow, Mr. Luten, Mr. Manigault, Ms. McIntosh, Mr. Ray, Mr. Jones, Mr. McCumber, Mr. Patrick, Ms. Jest, and Mr. Abolt.

D. Amended Specific Development Plan/Group Development Plan

Something to Talk About Salon
7850 East Highway 80
Denae Curry, Agent
T-B Zoning District
PIN: 1-0046-01-007
MPC File No. P-041102-53838-1

Nature of Request: The petitioner is requesting approval of an Amended Specific Development Plan/Group Development Plan in order to construct a beauty salon within a T-B (Tourist Business) zoning district. A variance is not requested.

Staff Recommendation: **Approval** of the Amended Specific Development Plan/Group Development Plan and the Building Elevation Plan with the condition that the handicapped parking spaces be relocated farther north.

Speaking about the petition: Denae Curry, agent, stated that she is satisfied with the lighting currently in the area.

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

MPC Action: **The motion to approve the staff recommendation carried.** Voting in favor of the motion were Mr. Brown, Mr. Meyer, Mr. Lufburrow, Ms. Stone, Mr. Manigault, Mr. Lutten, Mr. Ray, Mr. Jones, Mr. McCumber, Mr. Patrick, and Mr. Abolt. Ms. Jest and Ms. McIntosh voted against the motion.

IV. Old Business

A. General Development Plans

1. Family Dollar Store
795 Pennsylvania Avenue
PIN 2-0039-02-007
0.88 acres
P-R-B-1 Zoning District
John Farmer, Agent
EMC Engineering Company, Engineer
Southern Development of Mississippi, Inc., Owner
MPC File No. P-040818-64631-2

Nature of Request: The petitioner is requesting approval of a General Development Plan for a proposed department store to be located at the northwest corner of Pennsylvania Avenue and East Gwinnett Street within a P-R-B-1 (Planned Residential-Business) zoning district. The petitioner is also requesting the following variances: 1) a seven foot buffer width variance (from the required 20 feet) along the northern property line adjacent to the existing multi-family structure on Pennsylvania Avenue; 2) a 13 foot buffer width variance (from the required 20 feet) along the western property line adjacent to the

existing single family house on Hale Street; and, 3) a three space off-street parking variance (from the required 31 spaces).

Staff Recommendation: **Approval** of a seven foot buffer width variance (from the required 20 feet) along the northern property line adjacent to the existing multi-family structure on Pennsylvania Avenue, a 13 foot buffer width variance (from the required 20 feet) along the western property line adjacent to the existing single family house on Hale Street, and a three space off-street parking variance (from the required 31 spaces). Staff further recommends **approval** of the proposed General Development Plan subject to the following conditions: 1) a quit claim of the 15 foot lane right-of-way (north-south) adjacent to the proposed structure by the Mayor and Aldermen to the petitioner; 2) revise the General Development Plan to reduce the width of the service lane to 15 feet. The remaining three feet shall be used to construct the privacy fence with a maintenance area; 3) revise the General Development Plan to eliminate the rolling gates across the lane rights-of-way. The masonry privacy fence shall be constructed at these locations.

Speaking about the petition: Bobby Walters, Southern Development of Mississippi, displayed a sample of the material that would be used on the outside of the building.

Chris Todd, regional real estate manager for Family Dollar, addressed the hours of operation for the Family Dollar store.

Ardis Wood, area resident, asked if the Commission had considered the source of the lighting on this property.

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

MPC Action: **The motion to approve the staff recommendation carried with none opposed.** Voting were Mr. Brown, Mr. Meyer, Mr. Lufburrow, Mr. Manigault, Mr. Luten, Ms. McIntosh, Mr. Ray, Mr. Jones, Mr. McCumber, Mr. Patrick, Ms. Jest, and Mr. Abolt. Ms. Stone was not in the room when the vote was taken.

- 2. Augusta Avenue Convenience Store
1315 Augusta Avenue
R-B Zoning District
Marlon Jackson, Agent
MPC File No. P-041013-41014-2

Nature of Request: The petitioner is requesting approval of a General Development Plan in order to construct a neighborhood convenience store within an R-B-1 (Residential Business) district. Variances are requested. The local neighborhood association (West Savannah) was notified of the request.

Staff Recommendation: **Approval** of the General Development Plan and approval of the following variances: 1) a front yard setback variance of 30 feet; 2) a side yard setback variance of 15 feet; 3) a rear yard setback variance of five feet; and, 4) a parking variance of two spaces. Subject to the following conditions: 1) the City Arborist shall approve the Landscaping Plan; 2) the plan shall comply with the requirements of the City of Savannah infrastructure departments.

Speaking about the petition: Marlon Jackson, agent, stated that the proposed signage would meet the requirements of the Sign Ordinance. The proposed sign would not be painted on the building.

Pamela Howard Oglesby, resident of West Savannah, stated that she was seeking information about details of the proposed project. She is not opposed to the proposed development.

Kenneth Dunham, president of West Savannah Neighborhood Association, stated that the proposed development would benefit the neighborhood.

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

MPC Action: **The motion to approve the staff recommendation carried with none opposed.** Voting were Mr. Brown, Mr. Lufburrow, Mr. Meyer, Ms. Stone, Mr. Manigault, Mr. Luten, Ms. McIntosh, Mr. Ray, Mr. Jones, Mr. McCumber, Mr. Patrick, Ms. Jest, and Mr. Abolt.

V. Regular Business

- A. Text Amendment to the City of Savannah Zoning Ordinance
 - Re: Amend Section 8-3030, Historic District, Subsection(k) Development Standards, Subsection (l) Design Standards and Subsection (m) Definitions
 - MPC File No. Z-040219-56939-2

Issue: Amend the Savannah Zoning Ordinance, Section 8-3030, Historic District, to add new sections and to clarify the text.

Policy Analysis: Taking no action will enable any historic structure to be demolished simply by the owner waiting a year after the Board denies the demolition. The proposed revisions give criteria that need to be discussed to make a case for demolition. Demolition by neglect has the ultimate adverse effect on a historic structure. The revisions provide another tool to bring neglected structures into compliance with the City’s codes. Taking no action on the design standard revisions would threaten historic structures with inappropriate treatments such as additions that are larger in mass than the original structure.

Staff Recommendation: Amend Section 8-3030 in order to preserve community character and to encourage quality new design.

Speaking about the petition: Mark C. McDonald, Executive Director, Historic Savannah Foundation, stated that HSF is in support of the proposed amendments.

Patrick Shay, architect and Commissioner-elect for the 3rd district, stated that he was a member of the Revisions Committee. He supports the proposed revisions.

Gloria Horstman, chairman of the Revisions Committee, stated that the committee has worked diligently for three years to draft these revisions.

State Senator Regina Thomas, member of the Live Oak Neighborhood Association, seeking information on the process for a neighborhood to receive historic status.

Mr. Brown **moved** to approve the staff recommendation. Ms. Jest seconded the motion.

MPC Action: The motion to approve the staff recommendation carried with **none opposed**. Voting were Mr. Brown, Mr. Lufburrow, Mr. Luten, Mr. Meyer, Ms. Stone, Mr. Manigault, Ms. McIntosh, Mr. Jones, Mr. Ray, Mr. McCumber, Mr. Patrick, Ms. Jest, and Mr. Abolt.

B. Master Plan

Palmetto Row Subdivision
2502 Norwood Avenue
PIN 1-0361-06-005
3.1 acres – 8 lots
R-1 Zoning District
John Larroude, Agent
Compass Design, LLC, Owner
MPC File Number M-041117-38408-1

Nature of Request: The petitioner is requesting approval of a Master Plan for proposed residential development located on the north side of Norwood Avenue approximately 475 feet west of Gilliam Avenue within an R-1 (One-Family Residential – 5 Units Per Net Acre) zoning district. The following variances are requested: 1) a 20 foot front yard building setback variance (from the required 40 feet) for all lots; 2) a 10 foot right-of-way width variance (from the required 30 feet) for the northern 268 feet of the proposed private street; and, 3) a variance from the sidewalk requirements to allow construction of a sidewalk on the east side only of the section of Palmetto Row with a 30 foot right-of-way and to waive the requirement for sidewalks on both sides of the portion of Palmetto Row with a 20 foot right-of-way.

Staff Recommendation: **Approval** of a 20 foot front yard building setback variance (from the required 40 feet) for all lots, a ten foot right-of-way width variance (from the required 30 feet) for the northern 268 feet of the proposed private street, and a variance from the sidewalk requirements to allow construction of a sidewalk on the east side only of the section of Palmetto Row with a 30 foot right-of-way and to waive the requirement for sidewalks on both sides of the portion of Palmetto Row with a 20 foot right-of-way. Staff further recommends **approval** of the proposed Master Plan subject to the following conditions: 1) revise the Master Plan to show a five foot dedication for additional right-of-way on the entire width of the site along Norwood Avenue; and, 2) approval by the County Engineer.

Speaking about the petition: John Larroude, agent, stated that Lot #1 is smaller than the other lots in order to meet the greenspace requirements for the proposed development.

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

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

C. General Development Plan

Comfort Suites at Gateway Savannah
Al Henderson Boulevard
P-B-C Zoning District
Trent Long, Agent
MPC File No. P-040811-49038-1

Nature of Request: The petitioner is requesting approval of a General Development Plan in order to construct an 88 room hotel within a P-B-C (Planned Community Business) zoning district. Parking lot and building setback variances and buffer variances are requested.

Staff Recommendation: **Denial** of the General Development Plan, including the requested variances for the rear of the hotel and the northern parking lot, as follows: 1) a 15 foot wide buffer area; and, 2) 45 foot parking lot and 95 foot building setback variances.

Speaking about the petition: Trent Long, T. R. Long Engineering, stated that the plans are for the hotel to have 80 rooms. He would like to request variances for the parking lot and building setbacks. Other requirements can be met.

George Ivin, consulting architect, stated that design criteria was already established by the time his firm became involved with the project.

Mr. McCumber **moved** to continue the petition until the January 4, 2005 MPC Meeting in order for the petitioner to revise the plan to meet buffer requirements. Mr. Jones seconded the motion.

MPC Action: **The motion carried.** The motion was to continue the petition until the January 4, 2005 MPC Meeting in order for the petitioner to revise the plan to meet buffer requirements. Voting in favor of the motion were Mr. Brown, Mr. Meyer, Mr. Lufburrow, Mr. Manigault, Mr. Luten, Ms. McIntosh, Mr. Ray, Mr. Jones, Mr. McCumber, and Mr. Patrick. Ms. Jest voted against the motion. Mr. Abolt and Ms. Stone were not in the room when the vote was taken.

D. Sign Plan

P & V Food Mart
1402 Stiles Avenue
R-4 Zoning District
Hitendra Patel, Owner
MPC File No. P-041117-57899-2

Nature of Request: The petitioner is requesting approval of a fascia sign painted on the front of a commercial building at 1402 Stiles Avenue, within an R-B (Residential-Business) zoning district.

Staff Recommendation: Approval of a principal use fascia sign 80 square feet in area that is painted on the building.

Speaking about the petition: Hitendra Patel, owner, stated that the sign was painted on the building when he was out of town.

Mr. Brown **moved** to continue the petition until the following conditions are met: 1) that the sign painter be identified and warned not to paint signs on buildings any more. This is not permitted within the City of Savannah; 2) all other signs on the building be brought into compliance, including painting over the signs; 3) all other portable signs be removed; 4) the landscaped area shall be planted; 5) shipping containers removed; and, 6) enclose the trash receptacle. These improvements must be done before the petition returns to the Commission for consideration. Ms. Jest seconded the motion.

MPC Action: **The motion carried with none opposed.** The motion was to continue the petition until the following conditions are met: 1) that the sign painter be identified and warned not to paint signs on buildings any more. This is not permitted within the City of Savannah; 2) all other signs on the building be brought into compliance, including painting over the signs; 3) all other portable signs be removed; 4) the landscaped area shall be planted; 5) shipping containers removed; and, 6) enclose the trash receptacle. These improvements must be done before the petition returns to the Commission for consideration. Voting were Mr. Brown, Mr. Meyer, Mr. Lufburrow, Mr. Manigault, Mr. Luten, Ms. McIntosh, Mr. Ray, Mr. Jones, Mr. McCumber, Mr. Patrick, and Ms. Jest. Mr. Abolt and Ms. Stone were not in the room when the vote was taken.

E. Status Report: Thomas Square Streetcar Historic District Land Use and Zoning Study

Chairman Mackey stated that this item is for information only.

Mr. Wilson offered an update on the public hearings that have been held on the Thomas Square Streetcar Historic District Land Use and Zoning Study. This study was forwarded to the Mayor and Aldermen over a year ago. The issue is scheduled to be heard by the Mayor and Aldermen on Thursday, December 9, 2004.

VII. Adjournment

There being no further business to come before the Commission, the December 7, 2004 Regular Meeting was adjourned.

Respectfully submitted,

Clyde M. Wester
Assistant to the Executive Director

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

Note: Minutes not official until signed