

CHATHAM COUNTY-SAVANNAH METROPOLITAN PLANNING COMMISSION

MPC MINUTES

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

January 6, 2004

1:30 P.M.

Members Present: Timothy S. Mackey, Chairman
Jane A. Feiler, Vice Chairman
Lacy A. Manigault, Secretary
Robert L. Ray, Treasurer
Russ Abolt
Michael Brown
J. P. Jones
Jerry Konter
Alexander S. Luten
Walker McCumber
Patricia McIntosh
Lee Meyer
James Poteet
Helen Stone

MPC Staff Present: Clyde Wester, Assistant to the Executive Director
Charlotte L. Moore, Director of Development Services
Gary Plumbley, Development Services Planner
Charlan Owens, Development Services Planner
Jackie Jackson, Water Resources Planner
Marilyn Gignilliat, Secretary

Advisory Staff Present: Eric Gadson, County Zoning Inspector
Tom Todaro, City Zoning Administrator

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 Acknowledgements

A. Proclamation

1. Resolution Honoring Mrs. Helen L. Stone

Mr. Mackey presented Ms. Stone with a plaque in recognition of her term as Chair of the Planning Commission. This plaque was prepared by Mr. Jones. Chairman Mackey then read a Resolution honoring the work that Ms. Stone has done for the Planning Commission. A copy of this Resolution appears as Attachment A to the Minutes.

2. Swearing-In of New MPC Officers

Judge John E. Morse, Jr., was present to administer the Oath of Office to the new MPC officers. The other members of the Planning Commission were then sworn in.

3. Introduction of New Staff Member, Jackie Jackson

Mr. Wester introduced Ms. Jackie Jackson, who is the new Water Resources Planner.

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

1. Zoning Petition – Text Amendment

Text Amendment to the City of Savannah Zoning Ordinance
Re: Amend Section 8-3025(b), B and I Use Schedule, to Permit
Outdoor Vending in the B-B Zoning District.

Petitioner: Harold B. Yellin, Agent
(for TM2, LLC, Owner)

MPC File No. Z-030827-60996-2

The petitioner has requested that this item be placed on the agenda for the January 20, 2004, MPC meeting.

Mr. Poteet **moved** to approve the petitioner's request. Mr. Ray seconded the motion.

MPC Action: **The motion carried with none opposed.** The motion was to approve the petitioner's request to place MPC File No. Z-040827-60996-2 on the agenda for the January 20, 2004, MPC meeting. Voting were Mr. Brown, Ms. Stone, Mr. Meyer, Mr. Poteet, Mr. Manigault, Mr. Luten, Ms. Feiler, Mr. Konter, Mr. Ray, Mr. Jones, Mr. McCumber, Ms. McIntosh, and Mr. Abolt.

2. Amended Specific Development Plan

Victory Drive Apartments
2323 Downing Avenue
Benjamin E. Gay, P.E., (Hussey, Gay, Bell & DeYoung, Inc.), Agent
PUD-M Zoning District
PIN: 2-0081-09-005A
MPC File No. P-031015-32197-2

The petitioner has requested that this item be postponed indefinitely.

Mr. Poteet **moved** to approve the petitioner's request. Mr. Luten seconded the motion.

MPC Action: **The motion carried with none opposed.** The motion was to approve the petitioner's request to postpone MPC File No. P-031015-32197-2 indefinitely. Voting were Mr. Brown, Ms. Stone, Mr. Meyer, Mr. Poteet, Mr. Luten, Mr. Manigault, Ms. Feiler, Mr. Konter, Mr. Ray, Mr. Jones, Mr. McCumber, Ms. McIntosh, and Mr. Abolt.

III. CONSENT AGENDA

A. Approval of the December 16, 2003, MPC Meeting Minutes and Briefing Minutes.

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

Ms. Feiler identified a typographical error, which was submitted to staff.

MPC Action: **The motion carried with none opposed.** The motion was to approve the December 16, 2003, MPC Minutes and Briefing Minutes subject to correction of the typographical error that was identified. Voting were Mr. Brown, Ms. Stone, Mr. Meyer, Mr. Poteet, Mr. Manigault, Mr. Luten, Ms. Feiler, Mr. Konter, Mr. Ray, Mr. Jones, Mr. McCumber, Ms. McIntosh, and Mr. Abolt.

B. Major Subdivision/Preliminary Plan

Southbridge Tract F
Phase 2
735 Southbridge Boulevard
PUD-C Zoning District
Ralph Forbes, Agent
MPC File No. Z-031204-54001-1

Nature of Request: The petitioner is requesting MPC approval of a Preliminary Plan for a 147 lot Major Subdivision located on both sides of Southbridge Boulevard extended, within a PUD-C zoning district. There are no variances requested.

Staff Recommendation: **Approval** of the Preliminary Plan subject to the following condition: approval by the Chatham County Health Department and the County Engineer.

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 Preliminary Plan subject to the following condition: approval by the Chatham County Health Department and the County Engineer. Voting were Mr. Brown, Ms. Stone, Mr. Meyer, Mr. Manigault, Mr. Luten, Ms. Feiler, Mr. Konter, Mr. Ray, Mr. Jones, Mr. McCumber, Ms. McIntosh, and Mr. Abolt.

IV. REGULAR BUSINESS

A. Zoning Petition – Map Amendment

Resource Development Group, LLC, Owner
Old River Road
MPC File No. Z-031217-62937-1

Issue: Rezoning from an R-A (Residential-Agricultural) classification to a PDR-SM (Planned Development-Reclamation-Surface Mining) classification.

Policy Analysis: The Chatham County Comprehensive Plan indicates this site to be used for residential development. The proposed reclamation of short term borrow pits would allow future development in accordance with the Comprehensive Plan.

Staff Recommendation: **Approval** of the request to rezone the subject property from an R-A (Residential-Agricultural) classification to a PDR-SM (Planned Development-Reclamation-Surface Mining) classification.

Speaking about the petition: Walter Sparks, resides on Old River Road near the borrow pit. Seeking information on possible restrictions of noise and hours of operation.
Lewis New, owns lots 20 and 21, adjacent to the borrow pit. Seeking information about the residential development proposed for the subject property.
Chance Raehn, project engineer, Thomas & Hutton Engineering Co., stated that the operator would abide by the conditions of all permits.

Mr. Meyer **moved** to approve the staff recommendation subject to the condition that work be conducted from sunrise to sunset and that no work be conducted on Sundays. 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 request to rezone the subject property from an R-A (Residential-Agricultural) classification to a PDR-SM (Planned Development-Reclamation-Surface Mining) classification subject to the condition that work is conducted from sunrise to sunset and that no work is conducted on Sundays. Voting were Mr. Brown, Ms. Stone, Mr. Meyer, Mr. Manigault, Mr. Luten, Ms. Feiler, Mr. Konter, Mr. Ray, Mr. Jones, Mr. McCumber, Ms. McIntosh, and Mr. Abolt.

AND

General Development Plan

Old River Road Borrow Pit
PIN 1-1046-01-001
Old River Road
105.2 Acres
R-A (Existing) and PD-R-SM (requested)
Resource Development Group, LLC, Owner
MPC File No. P-031217-33260-1
MPC Reference File No. Z-031217-62937-1

Nature of Request: The petitioner is requesting MPC approval of a General Development Plan to be associated with an application for rezoning (MPC File No. Z-031217-62937-1) to PDR-SM (Planned Development-Reclamation – Surface Mining).

Staff Recommendation: **Approval** of the General Development Plan as part of the Rezoning Map Amendment, subject to the following condition: a Specific Plan shall be submitted to and approved by MPC staff and County Engineering upon approval of the PDR-SM zoning classification by the Chatham County Commission. The approved Specific Plan shall be recorded in accordance with the PDR-SM standards.

MPC Action: **The previous motion for approval applies to this petition also.**

B. Zoning Petition – Map Amendment

Tamara J. Baggett, Owner
1110 East 71st Street
MPC File No. Z-031212-53829-2

Issue: Rezoning from an R-6 (One-Family Residential) classification to any zoning classification that allows an office.

Policy Analysis: The proposed rezoning is not consistent with the City’s Future Land Use Plan and would establish a zoning district that is not compatible with the surrounding neighborhood.

Staff Recommendation: **Denial** of the request to rezone the subject property from an R-6 classification to an unspecific classification that allows an office.

Speaking about the petition: T. J. Baggett, petitioner, requesting a parking lot and possible expansion. She was uncertain of an appropriate zoning classification for these improvements.

Mr. Abolt **moved** to continue the petition until the January 20, 2004, MPC Meeting in order for the petitioner to meet with staff to refine the request. Mr. Luten seconded the motion.

Mr. Brown requested that the fascia sign on the subject building be addressed.

MPC Action: **The motion carried with none opposed.** The motion was to continue the petition until the January 20, 2004, Regular Meeting in order for the petitioner to meet with staff to refine the request. Voting were Mr. Brown, Ms. Stone, Mr. Meyer, Mr. Manigault, Mr. Luten, Ms. Feiler, Mr. Konter, Mr. Ray, Mr. Jones, Mr. McCumber, Ms. McIntosh, and Mr. Abolt.

B. Staff Study – Map Amendment

Map Amendment to the City of Savannah Zoning Ordinance
Re: Richfield Subdivision Rezoning
MPC File No. Z-031217-38393-2

Issue: The rezoning of 196 residential properties within Richfield Subdivision from an R-6 (Single-Family Residential) classification to an R-20 (Single-Family Residential) classification.

Policy Analysis: The requested residential zoning district for the subject properties would be consistent with the Future Land Use Plan.

Staff Recommendation: **Approval** of rezoning from an R-6 classification to an R-20 classification.

Speaking about the petition: Ernestine J. Jones, President of the Liberty City, Richfield, Southover Community Improvement Association, in favor of proposed rezoning to the larger lot sizes.
Royal Jackson, owner of several lots in Richfield Subdivision, seeking information.
Juanita Scott, owner of a lot in Richfield Subdivision. She would like the property to remain R-6 in order to subdivide her property in the future.

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

MPC Action: **The motion carried with none opposed.** The motion was to approve rezoning the subject area from an R-6 classification to an R-20 classification. Voting were Mr. Brown, Ms. Stone, Mr. Meyer, Mr. Manigault, Mr. Luten, Ms. Feiler, Mr. Konter, Mr. Ray, Mr. Jones, Mr. McCumber, Ms. McIntosh, and Mr. Abolt.

C Minor Subdivision/Final Plat

Richfield Subdivision
4407 Meadow Street
Lot 12 – Block 3
PIN 2-0641-09-007 and 07A
3 lots - .51 acres
R-6 Zoning District
Stuckey Land Surveying, Surveyor
Annie Bell Green, Maxine Green Jinks, Nathaniel Brown, Vivian Akins,
Herbert Green, and Jackie Green, Owners

Nature of Request: The petitioner is requesting MPC approval of a three lot Minor Subdivision located at the northwest corner of Arcadian Street and Meadow Street within an R-6 zoning district.

Staff Recommendation: **Approval** of the proposed Minor Subdivision subject to the following conditions: 1) show the signature of a Georgia Registered Land Surveyor (across the State of Georgia Seal) and the owner(s) or authorized agent on the Final Plat; 2) demonstrate to the satisfaction of the City Engineer that the site of the proposed subdivision does not contain a landfill; 3) show the address of all lots on the Final Plat as follows: Lot A – 4407 Meadow Street; Lot B – 4507-A Meadow Street; Lot C – 4505 Meadow Street. The address of Lot B can be established as 4507 provided that the owner of Lot A will agree to

change their address to 4409; and, 4) approval by the Chatham County Health Department and the City Engineer.

Speaking about the petition: Ernestine J. Jones, President of the Liberty City, Richfield, Southover Community Improvement Association, clarified the sequence of the proposed subdivisions in this area. Annie Bell Green Lloyd, petitioner, requesting the subdivision in order to create new lots for family members.

Mr. Konter **moved** to deny the subdivision based upon the finding that the proposed subdivision does not meet the requirements of Section 8-2005(c) of the City Subdivision Regulations. Mr. Jones seconded the motion.

MPC Action: **The motion carried with none opposed.** The motion was to deny the subdivision based on the finding that the proposed subdivision does not meet the requirements of Section 8-2005 (c) of the City Subdivision Regulations. Voting were Mr. Brown, Ms. Stone, Mr. Meyer, Mr. Poteet, Mr. Manigault, Ms. Feiler, Mr. Konter, Mr. Ray, Mr. Jones, Mr. McCumber, Ms. McIntosh, and Mr. Abolt.

B. Minor Subdivision/Sketch Plan

Lane Subdivision
123 Canal Bank Court
Lot 1
PIN 1-1025-01-002A
2 lots – 3.0 acres
R-A Zoning District
Coastal Surveying Company, Inc., Surveyor
David and Arlene Lane, Owners
MPC File No. S-031212-39198-1

Nature of Request: The petitioner is requesting MPC approval of a Final Plat for a two lot Minor Subdivision located 112 feet north of Canal Bank Road approximately 1,796 feet west of Quacco Road within an R-A (Residential-Agriculture) zoning district. The petitioner is also requesting a variance from the requirement that a private vehicular access and utility easement serving more than three lots must be paved.

Staff Recommendation: **Denial** of a variance from the requirement that the access easement be paved based on the finding that a waiver of paving requirement is not justified because there are no unusual conditions associated with the tract of land being subdivided or the existing access easement. Staff further recommends **approval** of the proposed Final Plat subject to the following conditions: 1) show the signature of the owner on the Final Plat; 2) demonstrate to the satisfaction of the County Engineer that the site of the proposed subdivision does not contain a landfill; 3) the private vehicular access and utility easement shall be paved in accordance with the minimum standards as required by the County Engineer. Construction drawings for the grading and paving must be submitted to the County

Engineer for review and approval; 4) show the address of each lot on the Final Plat as follows: Lot 1-A – 129 Canal Bank Court; Lot 1-B – 123 Canal Bank Court; 5) revise the Final Plat to show a front yard setback on both lots not less than 25 feet; 6) approval by the Chatham County Health Department and the County Engineer.

Speaking about the petition: David Lane, petitioner, stated that he is requesting this subdivision in order to make a home for his mother-in-law.

Mr. Brown **moved** to continue the petition to the next meeting for additional analysis as to how the petitioner may have appropriate access to a right-of-way. The motion further requested that City and County staff try to figure out a way for access that is reasonable for the petitioner. Ms. Stone seconded the motion.

Mr. Abolt requested that when the petition returns to the Commission, he would like a finding as to whether the proposal is consistent with the S&O Canal Master Plan.

MPC Action: **The motion carried with none opposed.** The motion was to continue the petition within the next meeting for additional analysis as to how the petitioner may have appropriate access to a right-of-way. The motion further requested that City and County staff try to figure out a way for access that is reasonable for the petitioner. Voting were Mr. Brown, Ms. Stone, Mr. Meyer, Mr. Manigault, Mr. Luten, Ms. Feiler, Mr. Konter, Mr. Ray, Mr. Jones, Mr. McCumber, Ms. McIntosh, and Mr. Abolt.

Mr. Brown **moved** that staff prepare a report within 60 to 90 days about the rights of access, the methods of access, and future plan for the S&O Canal. This is to be a planning guidance document for landowners and other interested persons to describe the land uses there and the potential uses of the canal and how conflicts might be reconciled. Ms. Stone seconded the motion.

MPC Action: **The motion carried with none opposed.** The motion was that staff prepare a report within 60 to 90 days about the rights of access, the methods of access, and the future plan for the S&O Canal. This is to be a planning guidance document for landowners and other interested persons to describe the land uses there and the potential uses of the canal and how conflicts might be reconciled. Voting were Mr. Brown, Ms. Stone, Mr. Meyer, Mr. Manigault, Mr. Luten, Ms. Feiler, Mr. Konter, Mr. Ray, Mr. Jones, Mr. McCumber, Ms. McIntosh, and Mr. Abolt.

C. General Development Plan

Memorial Medical Office
Bryan Woods Professional Center
Lots 2 and 3
1001 Memorial Lane
PIN 1-0115-01-001C
2.0 Acres
PUD-IS Zoning District
EMC Engineering Company, Inc., Engineer
Triece Ziblut, Attorney/Agent
Memorial Health University Physicians, Owner
MPC File No. P-031126-50157-1
MPC Reference File No. M-020626-60096-1

Nature of Request: The petitioner is requesting MPC approval of a General Development Plan for a proposed professional office complex located at the southwest corner of U. S. Highway 80 East and Bryan Woods Road within a PUD-IS (Planned Unit Development-Institutional) zoning district. No variances are requested.

Staff Recommendation: **Approval** of the proposed General Development Plan subject to the following conditions: 1) approval of the internal circulation design and proposed curb cut location and design by the County Traffic Engineer; 2) revise General Note 11 to restrict the building height to a maximum of 36 feet above grade or the 100 year base flood elevation, whichever is higher; 3) revise the General Development Plan to increase the vegetative buffer/development setback on Lot 2 along U. S. Highway 80 East to not less than 23 feet (10 percent of the depth of Lot 2) in accordance with the Environmental and Town Center Overlay Districts For the Islands and Southeast Chatham Communities, Section 4-12e; 4) a minor recombination subdivision plat of Lots 2 and 3 must be recorded as a condition of approval. The drive aisles and off-street parking spaces on both lots shall be identified as common and shall be for use by the owners and patrons of both lots; 5) no freestanding principal use signs will be allowed for this development. The freestanding signs for the entire Bryan Woods Professional Center is limited to a monument style directory sign adjacent to each of the two curb cuts on U. S. Highway 80 East and adjacent to the curb cut on Bryan Woods Road. Fascia signage will be permitted on the individual buildings; and, 6) approval by the County Engineer.

Speaking about the petition: Jeanne Valentine, Islands Citizens for Logical Growth, stated that the community group would like for the area to appear as rural as possible. Harold Yellin, agent, stated that his client is in agreement with the staff recommendation except the requirement for a 23 foot setback. He would add to the list of declarations that no restaurants would be built on the property.

Mr. Poteet **moved** to approve a three foot corridor buffer variance (from the required 23 feet) on Lot 2 along U. S. Highway 80 East. The motion further approved the proposed General Development Plan subject to the following conditions: 1) approval of the internal circulation design and proposed curb cut location and design by the County Traffic Engineer; 2) revise General Note 11 to restrict the building height to a maximum of 36 feet above grade or the 100 year base flood elevation, whichever is higher; 3) a minor recombination subdivision plat of Lots 2 and 3 must be recorded as a condition of approval. The drive aisles and off-street parking spaces on both lots shall be identified as common and shall be for use by the owners and patrons of both lots; 4) no freestanding principal use signs will be allowed for this development. The freestanding signs for the entire Bryan Woods Professional Center is limited to a monument style directory sign adjacent to each of the two curb cuts on U.S. Highway 80 East and adjacent to the curb cut on Bryan Woods Road. Fascia signage will be permitted on the individual buildings; and, 5) approval by the County Engineer.

Mr. Meyer seconded the motion.

MPC Action: **The motion carried with none opposed.** The motion was to approve a three foot corridor buffer variance (from the required 23 feet) on Lot 2 along U. S. Highway 80 East. The motion further approved the proposed General Development Plan subject to the following conditions: 1) approval of the internal circulation design and proposed curb cut location and design by the County Traffic Engineer; 2) revise General Note 11 to restrict the building height to a maximum of 36 feet above grade or the 100 year base flood elevation, whichever is higher; 3) a minor recombination subdivision plat of Lots 2 and 3 must be recorded as a condition of approval. The drive aisles and off-street parking spaces on both lots shall be identified as common and shall be for use by the owners and patrons of both lots; 4) no freestanding principal use signs will be allowed for this development. The freestanding signs for the entire Bryan Woods Professional Center is limited to a monument style directory sign adjacent to each of the two curb cuts on U.S. Highway 80 East and adjacent to the curb cut on Bryan Woods Road. Fascia signage will be permitted on the individual buildings; and, 5) approval by the County Engineer. Voting were Mr. Brown, Ms. Stone, Mr. Meyer, Mr. Manigault, Mr. Lutten, Ms. Feiler, Mr. Konter, Mr. Ray, Mr. Jones, Mr. McCumber, and Ms. McIntosh. Mr. Abolt was not in the room when the vote was taken.

F. Amendment to the By-Laws: Article VI, Section 4.E., Voting

Mr. Brown **moved** that the Commission take no action on this issue. Mr. Ray seconded the motion.

MPC Action: **The motion carried with none opposed.** The motion was that the Commission take no action on this issue. Voting were Mr. Brown, Ms. Stone, Mr. Meyer, Mr. Manigault, Mr. Luten, Ms. Feiler, Mr. Konter, Mr. Jones, Mr. Ray, Mr. McCumber, and Ms. McIntosh. Mr. Abolt was not in the room when the vote was taken.

G. Approval of Agenda Items for the January 13, 2004, Comprehensive Planning Meeting.

Mr. Mackey requested that Mr. Wilson present a brief overview of the Comprehensive Plan, as well as a discussion of the issue of setbacks and buffers.

Ms. Feiler added that the Commission might want to consider another lighting workshop, either at SEPCO or during a future Planning Session. She added that the new Executive Director might request additional items to be on the agenda.

Mr. Mackey stated that he would appoint a subcommittee to educate the elected officials about the Tricentennial Plan.

Ms. Feiler further suggested that the City and County Arborists could be present at the Planning Session to make a presentation and to discuss the issue of definitions for buffers and setbacks.

Mr. Mackey asked staff to arrange for a lighting presentation by SEPCO at the March Planning Session.

Ms. Stone requested that the Commission hear a presentation from the Roadway Amenities Committee at the January Planning Session.

H. Other Business

1. Georgia Municipal Association Winter Meeting

Mr. Poteet stated that the GMA holds a meeting in Atlanta each winter when a variety of classes are offered for public service officials. This would be an opportunity to send the newly elected Chairman and Vice Chairman to take courses on parliamentary procedure.

It was the consensus of the Committee that these officers attend a workshop on parliamentary procedure.

2. Proclamation for Bethesda School

Mr. Jones **moved** that the Commission draft a proclamation to acknowledge the efforts of Bethesda to thank them for using their class time and students to film the MPC meetings. Ms. Feiler seconded the motion.

MPC Action: **The motion carried with none opposed.** The motion was that the Commission draft a proclamation to acknowledge the efforts of Bethesda School to thank them for using class time and students to film the MPC meetings. Voting were Mr. Brown, Ms. Stone, Mr. Meyer, Mr. Manigault, Mr. Luten, Ms. Feiler, Mr. Konter, Mr. Ray, Mr. McCumber, and Ms. McIntosh. Mr. Abolt was not in the room when the vote was taken.

VIII. ADJOURNMENT

There being no further business to come before the Commission, the January 6, 2004, Regular Meeting was adjourned.

Respectfully submitted,

Clyde M. Wester
Assistant to the Executive Director

Note: Minutes not official until signed