

CHATHAM COUNTY-SAVANNAH METROPOLITAN PLANNING COMMISSION

MPC MINUTES

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

January 20, 2004

1:30 P.M.

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

Members Not Present: Lacy A. Manigault, Secretary
Russ Abolt
Jerry Konter

MPC Staff Present: Thomas L. Thomson, Executive Director
Clyde Wester, Assistant to the Executive Director
Charlotte L. Moore, Director of Development Services
Gary Plumbley, Development Services Planner
Charlan Owens, Development Services Planner
Beth Reiter, Historic Preservation Officer
Lee Webb, Historic Preservation Specialist
Lynn Manrique, Site Plan and Subdivision Secretary
Marilyn Gignilliat, Secretary

Advisory Staff Present: Randolph Scott, 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 Acknowledgements

A. Introduction of Thomas L. Thomson, P.E., AICP, Executive Director

Chairman Mackey introduced Mr. Thomson, who is the new Executive Director of the Chatham County-Savannah Metropolitan Planning Commission.

B. Students from Bethesda School

Chairman Mackey acknowledged the students from Bethesda School who were present to film the meeting for broadcast on the Chatham County Government Channel.

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

1. Zoning Petition – Map Amendment

Tamara J. Baggett, Owner
1119 East 71st Street
MPC File No. Z-031212-53829-2

The petitioner has requested that this item be postponed indefinitely.

2. 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 postponed to the February 3, 2004 meeting.

3. Minor Subdivision/Final Plat

Cedar Hammock Subdivision
9108 Ferguson Avenue
Lot 7-A
PIN 1-0424-02-013Y
2 lots – 4.06 acres
R-1-C Zoning District
EMC Engineering Company, Surveyor
Mark R. Usher, Owner
MPC File No. S-031231-42498-1

The petitioner has requested that this item be postponed to the February 3, 2004 meeting.

Mr. Poteet **moved** to approve the petitioners' requests to remove the following items from the agenda: MPC File No. Z-031212-53829-2 (postponed indefinitely); MPC File No. Z-030827-60996-2 (postponed to the February 3, 2004 meeting); and, MPC File No. S-031231-42498-1 (postponed to the February 3, 2004) meeting. Mr. Luten seconded the motion.

MPC Action: **The motion carried with none opposed.** The motion was to approve the petitioners' requests to remove the following items from the agenda: MPC File No. Z-031212-53829-2 (postponed indefinitely); MPC File No. Z-030827-60996-2 (postponed to the February 3, 2004 meeting); and, MPC File No. S-031231-42498-1 (postponed to the February 3, 2004 meeting). Voting Mr. Brown, Ms. Stone, Mr. Luten, Mr. Poteet, Ms. Feiler, Mr. Ray, Mr. Jones, Mr. McCumber, and Ms. McIntosh. Mr. Meyer was not in the room when the vote was taken.

III. CONSENT AGENDA

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

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

MPC Action: **The motion carried with none opposed.** The motion was to approve the January 6, 2004 MPC Minutes and Briefing Minutes. Voting were Mr. Brown, Ms. Stone, Mr. Luten, Mr. Poteet, Ms. Feiler, Mr. Jones, Mr. Ray, Mr. McCumber, and Ms. McIntosh. Mr. Meyer was not in the room when the vote was taken.

B. Zoning Petitions – Map Amendments

1. William Rhangos, Agent
(for Richard Arnold School, LLC)
1810 Bull Street
MPC File No. Z-031231-514412-2

Issue: Rezoning a 1.33 acre site from an R-I-P (Residential-Institutional-Professional) classification to an RIP-B (Medium Density Residential) classification.

Policy Analysis: It is the policy of the City of Savannah to allow multi-family residential and compatible non-residential uses to be established in a mixed land use pattern in areas where there is direct access via an arterial roadway and where less intensive uses such as single family residences will not be adversely impacted.

Staff Recommendation: **Denial** of the request to rezone the subject property from an R-I-P classification to an R-I-P-B classification. **Approval** of an alternate P-R-I-P-B classification.

Ms. Stone **moved** to hear this petition at the end of the agenda in order for the petitioner to be present. Mr. Jones seconded the motion.

MPC Action: **The motion carried with none opposed.** The motion was to hear MPC File No. Z-031231-514412-2 at the end of the agenda in order for the petitioner to be present. Voting were Mr. Brown, Ms. Stone, Mr. Poteet, Mr. Luten, Ms. Feiler, Mr. Jones, Mr. Ray, Mr. McCumber, and Ms. McIntosh. Mr. Meyer was not in the room when the vote was taken.

[Note: Further action on this petition appears on Page 9]

2. Tim Wilson and Don Lindner, Agents
(for Annette Oberry, Owner)
321 West Montgomery Cross Road
MPC File No. Z-031226-33162-2

Issue: Rezoning a 1.3 acre parcel of land from the present R-6 (One-Family Residential) classification to a PUD-IS-B (Planned Unit Development-Institutional) classification.

Policy Analysis: It is the policy of the City of Savannah to protect residentially zoned properties from the adverse effects of incompatible business activities. The PUD-IS-B-12 classification would allow limited non-residential development and would be consistent with the existing development pattern within the general area.

Staff Recommendation: Approval of rezoning the subject property from an R-6 zoning classification to a PUD-IS-B-12 classification and approval of an amendment to the City of Savannah Comprehensive Plan Future Land Use Map from Multi-Family Residential to Office Commercial.

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

MPC Action: The motion carried with none opposed. The motion was to approve the staff recommendation for rezoning the subject property from an R-6 zoning classification to a PUD-IS-B-12 classification. The motion included approval of an amendment to the City of Savannah Comprehensive Plan Future Land Use Map from Multi-Family Residential to Office Commercial. Voting were Mr. Brown, Ms. Stone, Mr. Poteet, Mr. Luten, Ms. Feiler, Mr. Jones, Mr. Ray, Mr. McCumber, and Ms. McIntosh. Mr. Meyer was not in the room when the vote was taken.

C. Approval of 2004 MPC Budget and Program of Work

Ms. Stone **moved** to approve the 2004 MPC Budget and Program of Work. Mr. Jones seconded the motion.

MPC Action: The motion carried with none opposed. The motion was to approve the 2004 MPC Budget and Program of Work. Voting were Mr. Brown, Ms. Stone, Mr. Poteet, Mr. Luten, Ms. Feiler, Mr. Jones, Mr. Ray, Mr. McCumber, and Ms. McIntosh. Mr. Meyer was not in the room when the vote was taken.

D. Authorization for Executive Director to Contract with Integrated Science and Engineering to Prepare a Model Stormwater Management Plan.

Mr. Poteet **moved** to approve the authorization. Mr. Jones seconded the motion.

MPC Action: The motion carried with none opposed. The motion was to approve the authorization for the Executive Director to contract with Integrated Science and Engineering to prepare a Model Stormwater Management Plan. Voting were Mr. Brown, Ms. Stone, Mr. Luten, Mr. Poteet, Ms. Feiler, Mr. Jones, Mr. Ray, Mr. McCumber, and Ms. McIntosh. Mr. Meyer was not in the room when the vote was taken.

IV. OLD BUSINESS

A. Minor Subdivision/Final Plat

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: Approval of a variance from the requirement that an access easement that serves more than three lots be paved, based on the unusual condition associated with the current use of the paved road adjacent to the Savannah and Ogeechee Canal by several property owners in this general area. Staff further recommends **approval** of the proposed Final Plat subject to the following conditions: 1) demonstrate to the satisfaction of the County Engineer that the site of the proposed subdivision does not contain a landfill; 2) revise the Final Plat to identify the Savannah and Ogeechee Canal as a fee simple property owned by the city of Savannah instead of a right-of-way; 3) show the signature of the owner on the Final Plat; 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) provide the following note on the Final Plat: *“The legal access to the properties within this subdivision will be the existing 40 foot private vehicular access and utility easement extending from Quacco Road through the adjacent lot identified as Fulton Love (PIN 1-1025-01-002) for a distance of approximately 2,167 feet to the adjacent lot identified as Love and Armstrong (PIN 1-1025-01-002). The approval of this subdivision is not based on the approval or the implied approval of crossing the Savannah and Ogeechee Canal. The owners of both lots within the subdivision agree to utilize the existing 40 foot private vehicular access easement as ingress/egress to their properties and to hold the City of Savannah harmless if access across the Savannah and Ogeechee Canal is eliminated;”* and, 7) approval by the Chatham County Health Department and the County Engineer.

Mr. Jones **moved** to approve the staff recommendation subject to the condition that the language in Condition No. 6 be changed to reflect the comment of Mr. Brown. The comment of Mr. Brown was that the last sentence in Condition No. 6 be changed to read: “The owners of both lots within this subdivision agree to utilize the existing 40 foot private vehicular access

easement as ingress/egress to their properties and further agree that they have no perpetual rights to cross the Savannah and Ogeechee Canal.” Mr. Poteet seconded the motion.

Speaking about the petition: David Lane, petitioner, stating that he is in agreement with the change in language in Condition No. 6.

Mr. Plumbley stated that the changes to the last sentence in Condition No. 6 mean that the legal access will be the parallel 40 foot access and utility easement. The owners also agree that they have no perpetual rights to cross the Savannah and Ogeechee Canal.

MPC Action: **The motion carried with none opposed.** The motion was to approve the staff recommendation for approval of a variance from the requirement that an access easement that serves more than three lots be paved based on the previously stated findings. The motion further approves the proposed Final Plat subject to the following conditions: 1) demonstrate to the satisfaction of the County Engineer that the site of the proposed subdivision does not contain a landfill; 2) revise the Final Plat to identify the Savannah Ogeechee Canal as a fee simple property owned by the City of Savannah instead of a right-of-way; 3) show the signature of the owner on the Final Plat; 4) show the address of each lot on the Final Plat as follows: Lot 1-A – 129 Canal Bank Court, and, 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) provide the following note on the Final Plat: *“The legal access to the properties within this subdivision will be the existing 40 foot private vehicular access and utility easement extending from Quacco Road through the adjacent lot identified as Fulton Love (PIN 1-1025-01-002) for a distance of approximately 2,167 feet to the adjacent lot identified as Love and Armstrong (PIN 1-1025-01-002). The approval of this subdivision is not based on the approval or the implied approval of crossing the Savannah and Ogeechee Canal. The owners of both lots within this subdivision agree to utilize the existing 40 foot private vehicular access easement as ingress/egress to their properties and further agree that they have no perpetual rights to cross the Savannah and Ogeechee Canal;”* and, 7) Approval by the Chatham County Health Department and the County Engineer. Voting were Mr. Brown, Ms. Stone, Mr. Luten, Mr. Poteet, Ms. Feiler, Mr. Jones, Mr. Ray, Mr. McCumber, and Ms. McIntosh. Mr. Meyer was not in the room when the vote was taken.

V. REGULAR BUSINESS**A. General Development Plan**

Bull Street Baptist Church/College Ministry Center
17 East 31st Street
R-I-P Zoning District
MPC File No. P-031202-53197-2

Nature of Request: The petitioner is requesting approval of a General Development Plan (General Plan) in order to construct a college ministry center (eleemosynary) within B-C (Community-Business) and R-I-P (Residential-Institutional-Professional) zoning districts. The petitioner is requesting a variance to reduce the front yard setback requirement. (Parking)

Staff Recommendation: Denial of a variance to reduce the front yard setback and denial of the General Development Plan. The following items must be addressed: 1) the orientation and building elevation shall be redesigned to show compatibility with the intent of the Planned Development District; 2) the mechanical equipment location shall be identified on the Specific Plan and shall be screened from public view; 3) a copy of the lease agreement between the Bull Street Baptist Church and the Police Department shall be provided to determine the number of parking spaces leased by the Police Department; and, 4) the petitioner shall provide a copy of the current parking space configuration for the subject property and for the Bull Street Baptist Church property to confirm that required parking spaces for the main church campus will not be diminished.

Speaking about the petition: Peter Calandrucio, project architect.
Elizabeth Hoyt-Thetford, 101 East 31st Street, lives directly across the street from the proposed building. She is concerned about parking, use of metal building materials, and noise. She is opposed to the project as proposed.
Diana Snipes, 111 East 31st Street, stated that what is proposed does not fit into the neighborhood. She is opposed to the project as proposed.
Michelle Gladney, 105 East 31st Street, the building as proposed is not consistent with the community. She is opposed to the project as proposed.
Luke Hellkamp, SCAD architectural student and member of Bull Street Baptist Church, in favor of the design as proposed.
Sula Altman, Savannah resident, stated that we have to live in the present while preserving the past.
Keith Berry, Vice Chairman of the Administration Committee for Bull Street Baptist Church. Stated that church members are present in support of the proposed building.
Virginia Mobley, Thomas Square Neighborhood Association, opposed to the project as proposed.

Melissa Jest, Historic Savannah Foundation, opposed to the project as proposed.

Lessie Bryce, College Minister, Bull Street Baptist Church, stated that the church has looked at sites throughout the city. The project as proposed expresses the mission of the College Ministry.

Mr. Poteet **moved** to continue the petition until the next Regular Meeting in order for the petitioner to address several outstanding issues. Mr. Jones seconded the motion.

Mr. Brown asked that the petitioner specifically address the building setback, the parking, and the compatibility of the proposed building materials and the columns.

Mr. Poteet accepted these items. Mr. Jones accepted these items.

MPC Action: **The motion carried with none opposed.** The motion was to continue the petition until the next Regular Meeting in order for the petitioner to specifically address the building setback, the parking, and the compatibility of the proposed building materials and the columns. Voting were Mr. Brown, Ms. Stone, Mr. Poteet, Ms. Feiler, Mr. Jones, Mr. Ray, Mr. Meyer, Mr. McCumber, and Ms. McIntosh. Mr. Luten was not in the room when the vote was taken.

[Continuation from Page 4]

William Rhangos, Agent
(for Richard Arnold School, LLC)
1810 Bull Street
MPC File No. Z-031231-514412-2

Speaking about the petition: William Rhangos, petitioner, stated that he is in agreement with the staff recommendation.

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

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 an R-I-P classification to an R-I-P-B classification and approval of an alternate P-R-I-P-B classification. Voting were Mr. Brown, Ms. Stone, Mr. Poteet, Ms. Feiler, Mr. Meyer, Mr. Jones, Mr. Ray, Mr. McCumber, and Ms. McIntosh. Mr. Luten was not in the room when the vote was taken.

B. Amended Master Plan/General Development Plan/Group Development Plan

Abercorn Commons (Abercorn Plaza)

7804 Abercorn Street

PINs: 2-0560-01-001, -003, -004, -005, -006, -008, -009, -009A, -009B, -009C, -009D, -010, -013, -014, -015, and 2-0590-04-002, -007, -008

B-C Zoning District

Jay Maupin, Agent (EMC Engineering Services, Inc.)

MPC File No. P-021202-37229-2

Nature of Request: The petitioner is requesting approval of an Amended Master Plan/General Development Plan/Group Development Plan to create an outparcel and to construct additional buildings and associated improvements on property located at 7804 Abercorn Street. The property is bounded by Abercorn Street, White Bluff Road, and Fairmont Avenue. Further variances from the required number of parking spaces, the required number of loading spaces, and the parking setback are requested.

Staff Recommendation: **Approval** of the Amended Master Plan/General Development Plan/Group Development Plan, including the following variances: 1) a five foot to 12 foot setback variance for the proposed parking along Abercorn Street; 2) a 13 foot setback for the proposed parking along White Bluff Road (previously approved); 3) an eight foot to 10 foot setback variance for the proposed drive maneuvering aisle along Fairmont Avenue (previously approved); 4) a reduction in the number of required parking spaces from 1,071 to 957 spaces; and, 5) a reduction in the number of required loading spaces from 13 to seven (previously approved). Subject to the following conditions: a) Unified control of the Master Plan will be required prior to Specific Plan approvals. Sign-off on amendments to the Master Plan by the unified controller will be required; b) Remove “kiosks” and “outdoor sales” from the Landscape Plan; and, c) Provide two loading spaces previously shown behind the 15,500 and 12,000 square foot tenant units and a loading space for the 14,000 square foot future building adjacent to Abercorn Street.

Speaking about the petition: Jay Maupin, agent, stated that he is in agreement with the staff recommendation except the requirement for a loading space for the 14,000 square foot future building adjacent to Abercorn Street.

Mr. Poteet **moved** to approve the staff recommendation subject to eliminating the requirement for a loading space for the 14,000 square foot future building adjacent to Abercorn Street. Mr. Brown seconded the motion.

MPC Action: **The motion carried with none opposed.** The motion was to approve the staff recommendation for approval of the Amended Master Plan/General Development Plan/Group Development Plan, including the following variances: 1) a five foot to 12 foot setback variance for the proposed parking along Abercorn Street; 2) a 13 foot setback for the proposed parking along White Bluff Road (previously approved); 3) an eight foot to 10 foot setback variance for the proposed drive maneuvering aisle along Fairmont Avenue (previously approved); 4) a reduction in the number of required parking spaces from 1,071 to 957 spaces; and, 5) a reduction in the number of required loading spaces from 13 to seven (previously approved). Subject to the following conditions: a) Unified control of the Master Plan will be required prior to Specific Plan approvals. Sign-off on amendments to the Master Plan by the unified controller will be required; b) Remove “kiosks” and “outdoor sales” from the Landscape Plan; c) Provide two loading spaces previously shown behind the 15,500 and 12,000 square foot tenant units. Voting were Mr. Brown, Ms. Stone, Mr. Poteet, Ms. Feiler, Mr. Jones, Mr. Ray, Mr. Meyer, Mr. McCumber, and Ms. McIntosh. Mr. Luten was not in the room when the vote was taken.

VI. OTHER BUSINESS

A. Committee Appointments

Chairman Mackey announced the following committee appointments: Personnel Committee- Mr. Mackey, Ms. Feiler, Mr. Ray, Mr. Manigault, and Ms. Stone; TriCentennial/Comp Plan Committee- Ms. Stone, Ms. Feiler, Mr. Jones, and Mr. Mackey; Finance Committee- Mr. Ray, Mr. Konter, Mr. Manigault, and Ms. McIntosh; and, Bylaws Committee- Mr. Poteet, Mr. Meyer, and Mr. Luten.

VIII. ADJOURNMENT

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

Respectfully submitted,

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

Note: Minutes not official until signed