

CHATHAM COUNTY-SAVANNAH METROPOLITAN PLANNING COMMISSION

MPC MINUTES

ARTHUR A. MENDONSA HEARING ROOM
110 EAST STATE STREET

March 16, 2004

1:30 P.M.

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

Members Not Present: Russ Abolt
Michael Brown

MPC Staff Present: Thomas L. Thomson, Executive Director
Clyde Wester, Assistant to the Executive Director
Charlotte L. Moore, Director of Development Services
John Howell, Development Services Planner
Charlan Owens, Development Services Planner
Lee A. Webb, Historic Preservation Specialist
Mark Wilkes, Director of Transportation Planning
Lynn Manrique, Site Plan and Subdivisions Secretary
Marilyn Gignilliat, Secretary

Advisory Staff Present: Eric Gadsen, 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. Item(s) Requested to be Removed from the Final Agenda

Zoning Petition – Map Amendment

Lewis Cooper, Owner
1325 Dean Forest Road
MPC File No. Z-040226-41508-2

AND

General Development Plan

Dean Forest Road Borrow Pit
Dean Forest Road
R-A Zoning District
MPC File No. P-040225-37098-2

The petitioner has requested that these items be placed on the agenda for the April 6, 2004 MPC meeting.

Ms. Feiler **moved** to approve the petitioner’s request to continue MPC File No. Z-040226-41508-2 and MPC File No. P-040225-37098-2 to the April 6, 2004 MPC meeting. Mr. Ray seconded the motion

MPC Action: **The motion carried with none opposed.** The motion was to approve the petitioner’s request to continue MPC File No. Z-040226-41508-2 and MPC File No. P-040225-37098-2 to the April 6, 2004 MPC meeting. Voting were Ms. Stone, Mr. Meyer, Mr. Manigault, Mr. Luten, Ms. Feiler, Mr. Konter, Mr. Ray, Mr. Jones, Mr. McCumber, and Ms. McIntosh.

Ms. Stone **moved** to hear the discussion of zoning in the Sandfly Community at the beginning of the agenda. Mr. Jones seconded the motion.

MPC Action: **The motion carried with none opposed.** The motion was to hear the discussion of zoning in the Sandfly Community at the beginning of the agenda. Voting were Ms. Stone, Mr. Meyer, Mr. Manigault, Mr. Luten, Ms. Feiler, Mr. Konter, Mr. Ray, Mr. Jones, Mr. McCumber, and Ms. McIntosh.

III. Consent Agenda

- A. Approval of the March 2, 2004 MPC Meeting Minutes and Briefing Minutes.

Mr. Konter **moved** to approve the minutes. Mr. Luten seconded the motion.

MPC Action: **The motion carried with none opposed.** The motion was to approve the March 2, 2004 MPC Minutes and Briefing Minutes. Voting were Ms. Stone, Mr. Meyer, Mr. Manigault, Mr. Luten, Ms. Feiler, Mr. Konter, Mr. Ray, Mr. Jones, Mr. McCumber, and Ms. McIntosh.

- B. Discussion of Zoning in the Sandfly Community

Mr. Thomson stated that several commissioners have attended meetings in the Sandfly area. Residents of an area in Sandfly that is currently zoned I-P have indicated that they would like to have the zoning changed to a residential classification. The appropriate process would be for the Commission to direct staff to prepare a study of the area, which would include community discussions. A staff report would be presented to the Commission for further action.

Ms. Stone **moved** that the Commission direct staff to prepare a study of the area in the Sandfly Community that is presently zoned I-P in order to consider rezoning the property to a residential classification. Mr. Meyer seconded the motion.

MPC Action: **The motion carried with none opposed.** The motion was that the Commission direct staff to prepare a study of the area in the Sandfly Community that is presently zoned I-P in order to consider rezoning the property to a residential classification. Voting were Ms. Stone, Mr. Meyer, Mr. Manigault, Mr. Luten, Ms. Feiler, Mr. Konter, Mr. Ray, Mr. Jones, Mr. McCumber, and Ms. McIntosh.

Chairman Mackey requested that Mr. Luten be informed on the progress of this study.

- C. Zoning Petition – Map Amendment

Walter Strong, III, Agent
(for Albert Epstein and Associates, Owner)
2502 Bull Street
MPC File No. Z-040217-58993-2

Issue: Rezoning from a B-C (Community Business) zoning classification to an R-I-P (Residential-Institutional-Professional) classification.

Policy Analysis: The proposed rezoning will allow stand-alone residential infill development, which is the predominant use on East 41st Street between Bull Street and Drayton Street.

Staff Recommendation: **Approval** of the request to rezone the subject property from a B-C classification to an R-I-P classification. **Approval** of a Planned Overlay District.

Mr. Meyer **moved** to approve the staff recommendation subject to the condition that the site plan return to the Commission.

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 a B-C classification to an R-I-P classification and approval of a Planned Overlay District. The motion further included the condition that the site plan return to the Commission. Voting were Ms. Stone, Mr. Meyer, Mr. Manigault, Mr. Luten, Ms. Feiler, Mr. Konter, Mr. Ray, Mr. Jones, Mr. McCumber, and Ms. McIntosh.

D. Certificate of Compatibility
Victorian Planned Neighborhood Conservation District

1109 Lincoln Street
Paul Bush, Agent for C.C. Griffin
MPC File No. N-040303-51075-1

Nature of Request: The applicant seeks to add a second story to a one story cottage and to square off the rear building elevation by infilling between existing rear additions.

Staff Recommendation: **Approval** to add a second story to the building at 1109 Lincoln Street with the condition that the pitch of the east elevation porch roof is lowered so that there is a minimum of the width of one clapboard between the bottom of the gable window and the top of the porch.

Speaking about the petition: Paul Bush, agent, stated that stucco would be applied to the bottom portion of the house on all four sides; agreed to a one year time limit to complete the project. Gretchen Ernest, president of Historic Victorian Neighborhood Association, stated that the neighbors are concerned about the timeliness of the restoration work and the probability of the finished project meeting the approved plan.

Ms. Stone **moved** to approve the staff recommendation subject to the condition that the project be completed within one year. Mr. Meyer seconded the motion.

MPC Action: **The motion carried with none opposed.** The motion was to approve the staff recommendation for approval to add a second story to the building at 1109 Lincoln Street subject to the following conditions: 1) that the pitch of the east elevation porch roof is lowered to that there is a minimum of the width of one clapboard between the bottom of the gable window and the top of the porch; 2) stucco is to be applied to the bottom portion of the house on all four sides; and, 3) the project is to be completed within one year. Voting were Ms. Stone, Mr. Meyer, Mr. Manigault, Mr. Luten, Ms. Feiler, Mr. Konter, Mr. Ray, Mr. Jones, Mr. McCumber, and Ms. McIntosh.

E. Master Plan

Mosswood Subdivision
 Little Ogeechee Landing
 Burton Road
 PIN: 1-1006-05-008
 86.1 Acres – 100 Lots
 R-A Zoning District
 Davis Engineering, Engineer
 Downer Davis, Agent
 Coastal Leasing Associates LP, Owner
 MPC File No. M-040225-51956-1

Nature of Request: The petitioner is requesting approval of a Master Plan for a proposed residential development located on the northwest side of Burton Road approximately 1,200 feet east of Ogeechee Road (U. S. Highway 17 South) within an R-A (Residential-Agriculture) zoning district. A lot width variance is requested.

Staff Recommendation: **Approval** of the Master Plan and approval of the following variance: an eight foot lot width variance for the southernmost lot located on the Mosswood Drive cul-de-sac. Subject to the following conditions: 1) sidewalks will be required on both sides of all streets; 2) approval by the Chatham County Health Department and the County Engineer; 3) approval by the County Traffic Engineer; and, 4) add parcel identification numbers to the plan: 1-1005A-01-003, -004, -005, and -006.

Ms. McIntosh **moved** to approve the staff recommendation subject to the additional condition that the General Plan return to the Commission if the plan shows direct outflow to the wetlands. Ms. Stone seconded the motion.

MPC Action: **The motion carried with none opposed.** The motion was to approve the staff recommendation for approval of the Master Plan and approval of the following variance: an eight foot lot width variance for the southernmost lot located on the Mosswood Drive cul-de-sac. Subject to the following conditions: 1) sidewalks will be required on both sides of all streets; 2) approval by the Chatham County Health Department and the County Engineer; 3) approval by the County Traffic Engineer; 4) add parcel identification numbers to the plan: 1-1005A-01-003, -004, -005, and – 006; and, 5) that the General Plan return to the Commission if the plan shows direct outflow to the wetlands. Voting were Ms. Stone, Mr. Meyer, Mr. Manigault, Mr. Luten, Ms. Feiler, Mr. Konter, Mr. Ray, Mr. Jones, Mr. McCumber, and Ms. McIntosh.

F. Master Plan Revision
 Signage and Setbacks

Bryan Woods Professional Center
Formerly Turner Lakeside Walk
5035 U. S. Highway 80 East
17.02 Acres
PIN 1-0115-01-00C
PUD-IS Zoning District
Davis Engineering Company, Engineer
Phillip McCorkle, Attorney/Agent
Billy Herrin, Owner
MPC Reference File No. M-020626-60096-1
MPC File No. M-040310-35532-1

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

Staff Recommendation: **Approval** of an amended Master Plan subject to the following conditions: **Setbacks.** The setbacks and buffers for all lots within this development shall be as follows: The development setback on all lots along Bryan Woods Loop and Memorial Lane, with the exception of Lot 4 (lots 1 through 3 and lots 5 through 11), shall be 20 feet in conjunction with the following side and rear yard setbacks: (1) a 10 foot rear yard and side yard building setback; and, (2) a five foot rear yard and side yard development setback. The front yard development setback on all lots along Bryan Woods Loop and Memorial Lane shall be not less than 30 feet if any approved setback is modified. The development setback on Lot 4 along Bryan Woods Loop shall be reduced to 10 feet if the structure on Lot 4 is oriented toward Bryan Woods Road. **Signage.** All signs shall conform to the following standards: The freestanding signage approved for the Bryan Woods

Professional Center shall be limited to three directory signs (two along U.S. Highway 80 East and one along Bryan Woods Road) and one principal use sign for each lot. Directory signs shall be permitted one half square foot of sign area per linear foot of lot frontage, up to a maximum of 125 square feet. The directory signs shall be monument style signs with a height not to exceed eight feet including the base. If the directory signs are internally lighted, the signs must be a reverse silhouette design. The portion of the sign panel that is intended to restrict all light shall be 100 percent opaque. Freestanding principal use signs, when used in conjunction with directory signs, shall be limited to a maximum size of 25 square feet. Such signs shall be monument style, shall be non-lighted, and shall not exceed five feet in height.

Mr. Meyer **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 an amended Master Plan subject to the following conditions:

Setbacks. The setbacks and buffers for all lots within this development shall be as follows: The development setback on all lots along Bryan Woods Loop and Memorial Lane, with the exception of Lot 4 (lots 1 through 3 and lots 5 through 11), shall be 20 feet in conjunction with the following side and rear yard setbacks: (1) a 10 foot rear yard and side yard building setback; and, (2) a five foot rear yard and side yard development setback. The front yard development setback on all lots along Bryan Woods Loop and Memorial Lane shall be not less than 30 feet if any approved setback is modified. The development setback on Lot 4 along Bryan Woods Loop shall be reduced to 10 feet if the structure on Lot 4 is oriented toward Bryan Woods Road.

Signage. All signs shall conform to the following standards: The freestanding signage approved for the Bryan Woods Professional Center shall be limited to three directory signs (two along U.S. Highway 80 East and one along Bryan Woods Road) and one principal use sign for each lot. Directory signs shall be permitted one half square foot of sign area per linear foot of lot frontage, up to a maximum of 125 square feet. The directory signs shall be monument style signs with a height not to exceed eight feet including the base. If the directory signs are internally lighted, the signs must be a reverse silhouette design. The portion of the sign panel that is intended to restrict all light shall be 100 percent opaque. Freestanding principal use signs, when used in conjunction with directory signs, shall be limited to a maximum size of 25 square feet. Such signs shall be monument style, shall be non-lighted, and shall not exceed five feet in height. Voting were Ms. Stone, Mr. Meyer, Mr. Manigault, Mr. Luten, Ms. Feiler, Mr. Konter, Mr. Ray, Mr. Jones, Mr. McCumber, and Ms. McIntosh.

G. Major Subdivision/Final Plat

Coffee Point Subdivision
13903 Coffee Bluff Road
PUD-M-3.3 Zoning District
Scott Monson, Agent
MPC File No. S-040219-63375-2

Nature of Request: The petitioner is requesting approval of a Final Plat for a 181 lot Major Subdivision located on the west side of Coffee Bluff Road approximately 640 feet south of Felt Drive within a PUD-M-3.3 zoning district. The petitioner is also requesting approval of lot width variances for six lots.

Staff Recommendation: Approval of a 13 foot lot width variance (from the required 60 feet) for Lot 47; a 19 foot lot width variance (from the required 60 feet) for Lot 50; a seven foot lot width variance (from the required 60 feet) for Lot 51; a 17 foot lot width variance (from the required 60 feet) for Lot 52; a 17 foot lot width variance (from the required 60 feet) for Lot 60; and, a 20 foot lot width variance (from the required 60 feet) for Lot 61. Staff further recommends **approval** of the Final Plat subject to the following conditions: 1) a two foot setback variance from the required 25 foot front yard setback and the 15 foot side yard setback on corner lots is approved for all lots abutting the landscaped islands on the east/west streets only if the variance is necessary to accommodate the proposed structure on the affected lot(s) and/or to provide a three foot green area between the edge of the curb and the required four foot-wide sidewalk; 2) revise the Final Plat to identify the front yard setback line on all lots. In addition, revise the front yard setback line on all lots abutting the landscaped islands to not less than 23 feet; 3) approval by the City Arborist of a detailed Landscape Plan including the enhanced vegetative buffer(s) along the northern and southern property lines. The purpose of the vegetative buffers shall be to provide a visual screen to diffuse the view of the adjacent properties. The buffers shall not be required to totally screen the adjoining properties; 4) revise the Final Plat to change the scale on Sheets 2 through 7 to one inch equals 60 feet instead of one inch equals 300 feet; 5) approval of an Environmental Site Assessment by the City Engineer; 6) compliance with the Tree Quality Points (1,600 points per acre); 7) revise the Final Plat to identify the recreation site as an active recreation site; 8) revise the paving plans to extend the sidewalks along the divided entrance of Coffee Pointe Drive to intersect with the sidewalks on the west side of Coffee Bluff Road; 9) approval by the appropriate City review departments; and, 10) approval by the Chatham County Health Department, the City Engineer, and the Mayor and Aldermen.

Ms. Stone **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 a 13 foot lot width variance (from the required 60 feet) for Lot 47; a 19 foot lot width variance (from the required 60 feet) for Lot 50; a seven foot lot width variance (from the required 60 feet) for Lot 51; a 17 foot lot width variance (from the required 60 feet) for Lot 52; a 17 foot lot width variance (from the required 60 feet) for Lot 60; and, a 20 foot lot width variance (from the required 60 feet) for Lot 61. The motion further recommends approval of the Final Plat subject to the following conditions: 1) a two foot setback variance from the required 25 foot front yard setback and the 15 foot side yard setback on corner lots is approved for all lots abutting the landscaped islands on the east/west streets only if the variance is necessary to accommodate the proposed structure on the affected lot(s) and/or to provide a three foot green area between the edge of the curb and the required four foot-wide sidewalk; 2) revise the Final Plat to identify the front yard setback line on all lots. In addition, revise the front yard setback line on all lots abutting the landscaped islands to not less than 23 feet; 3) approval by the City Arborist of a detailed Landscape Plan including the enhanced vegetative buffer(s) along the northern and southern property lines. The purpose of the vegetative buffers shall be to provide a visual screen to diffuse the view of the adjacent properties. The buffers shall not be required to totally screen the adjoining properties; 4) revise the Final Plat to change the scale on Sheets 2 through 7 to one inch equals 60 feet instead of one inch equals 300 feet; 5) approval of an Environmental Site Assessment by the City Engineer; 6) compliance with the Tree Quality Points (1,600 points per acre); 7) revise the Final Plat to identify the recreation site as an active recreation site; 8) revise the paving plans to extend the sidewalks along the divided entrance of Coffee Pointe Drive to intersect with the sidewalks on the west side of Coffee Bluff Road; 9) approval by the appropriate City review departments; and, 10) approval by the Chatham County Health Department, the City Engineer, and the Mayor and Aldermen. Voting were Ms. Stone, Mr. Meyer, Mr. Manigault, Mr. Luten, Ms. Feiler, Mr. Konter, Mr. Ray, Mr. Jones, Mr. McCumber, and Ms. McIntosh.

H. General Development Plan

Thomas and Hutton Engineering Company Office
30 Park of Commerce Way
PUD-B Zoning District
Ralph Forbes, Agent
MPC File No. P-040211-31689-1

Nature of Request: The petitioner is requesting approval of a General Development Plan for a proposed office building to be located in the Savannah Park of Commerce development within a PUD-B-R (Planned Unit Development – Business-Regional Center) zoning district. A setback variance is requested.

Staff Recommendation: **Approval** of the General Development Plan including the following variance: a 14 foot variance to allow proposed parking within the development setback area along Park of Commerce Way. Subject to the following conditions: 1) indicate surrounding land uses and buildings within 100 feet of the property lines on the plan; and, 2) provide Type “G” buffer (a hedge a minimum of three feet in height within a three foot wide planted area) to screen parking spaces abutting Park of Commerce Way.

Speaking about the petition: Dan Gay, Thomas and Hutton, stated that he would approach the developer of the subdivision about landscaping around the pond.

Ms. Feiler **moved** to approve the staff recommendation subject to the additional condition that staff is informed of the agreement to landscape the edge of the detention pond behind the new construction as well as the original site. Mr. Manigault 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 including the following variance: a 14 foot variance to allow proposed parking within the development setback area along Park of Commerce Way. Subject to the following conditions: 1) indicate surrounding land uses and buildings within 100 feet of the property lines on the plan; 2) provide Type “G” buffer (a hedge a minimum of three feet in height within a three foot wide planted area) to screen parking spaces abutting Park of Commerce Way; and, 3) staff is to be kept informed of the agreement to landscape the edge of the detention pond behind the new construction as well as the original site. Voting were Ms. Stone, Mr. Meyer, Mr. Manigault, Mr. Luten, Ms. Feiler, Mr. Konter, Mr. Ray, Mr. Jones, Mr. McCumber, and Ms. McIntosh.

IV. Old Business

A. Master Plan Revision

Branded Hearts Ministries
5030 Laroche Avenue
R-6 Zoning District
Agent: Mark Boyles
MPC File No. M-040305-53085-2

Nature of Request: The petitioner is requesting approval of a Master Plan/General Development Plan/Group Development Plan to construct phased building and site improvements for a proposed church facility on property located at 5030 Laroche Avenue, north of Semken Avenue and west of the Placentia Canal. Setback and buffer variances are requested.

Staff Recommendation: **Approval** of the Master Plan/General Development Plan/Group Development Plan, including the following variances; 1) a 15 foot setback variance for the proposed parking along Semken Avenue; and, 2) a 30 foot buffer variance along the property lines abutting single-family and multi-family residential lots, except for where the property lines abut the Buffer property, subject to the following conditions: a) the 15 foot wide area behind the fence within the 20 foot wide buffer shall consist of preserved or planted vegetation sufficient to provide screening above the six foot high opaque fence. The preservation of existing vegetation is preferred; and, b) in Phase 3, remove the existing six foot high chain link fence and existing rail fence located along the north property line.

Speaking about the petition: Joseph Young, representing Branded Hearts Ministry, stated that he met with the neighboring property owner to try to satisfy his concerns.
Michael Butler, adjoining property owner, stated that he could probably live with a 50 foot buffer that was proposed at the meeting.
Barbara Cogdell, agent, stated that they are trying to maintain as many of the existing trees as possible.
Mark Boyles, Saussy Engineering, project engineer, stated that a tree survey shows mostly sweet gum trees, which are often mistaken for live oak trees.
Daniel Brown, Cogdell and Mendrala, clarified the proposed traffic flow from the site onto LaRoche Avenue.

Mr. Konter **moved** to approve the staff recommendation with the exception of the Laroche Avenue access. The Laroche Avenue access is to return to the Planning Commission. Ms. Feiler seconded the motion.

MPC Action: **The motion carried.** The motion was to approve the staff recommendation for approval of the Master Plan/General Development Plan/Group Development Plan, except for the access to Laroche Avenue. The following variances are approved: 1) a 15 foot setback variance for the proposed parking along Semken Avenue; and, 2) a 30 foot buffer variance along the property lines abutting single-family and multi-family residential lots, except for where the property lines abut the Butler property, subject to the following conditions: The 15 foot wide area behind the fence within the 20 foot wide buffer shall consist of preserved or planted vegetation sufficient to provide screening above the six foot high opaque fence. The preservation of existing vegetation is preferred. In Phase 3, remove the existing six foot high chain link fence and existing rail fence located along the north property line. The General Development Plan including the access to Laroche Avenue shall return to the MPC. An analysis of possible improvements to the intersection of Semken Avenue and Laroche Avenue versus installation of the proposed Laroche Avenue access shall be provided to justify the proposed Laroche Avenue access and to determine the impacts of additional traffic on Laroche Avenue. Voting in favor of the motion were Ms. Stone, Mr. Meyer, Mr. Manigault, Mr. Luten, Ms. Feiler, Mr. Konter, Mr. Ray, and Mr. McCumber. Mr. Jones and Ms. McIntosh voted against the motion.

V. Regular Business

A. Master Plan Revision

Camoose Landing
 (Terra Firma Hammock)
 160 Johnny Mercer Boulevard
 PIN 1-0078-01-007A
 13.34 Acres – 34 Dwelling Units
 PUD-CC-24/TC Zoning District
 Ward Edwards Engineering Company, Engineer
 Harold Yellin, Agent
 Concord Development, Inc., Developer
 A. J. & C. Garfunkel, et al, Owner
 MPC File No. M-040225-5798-1

Ms. McIntosh stated that she would **abstain** from this petition. Her husband has interests in an adjacent development. She stepped down from the dais.

Nature of Request: The petitioner is requesting approval of a Master Plan for a proposed residential development located on the north side of Johnny Mercer Boulevard

between the Wilmington Island Townhomes and the salt marsh of Turners Creek within a PUD-CC-24/TC (Planned Unit Development-Commercial Center-24 Units Per Net Acre-Town Center) zoning district. The petitioner is also requesting the following variances: a 25 foot marsh setback variance (from the required 50 feet) for all lots; a 10 foot marsh buffer variance (from the required 35 feet) for all lots; a 10 foot right-of-way width variance (from the required 50 feet) for a private road; a 15 foot building setback variance (from the required 35 feet) for all lots; and, a variance from the requirement that sidewalks be constructed on both sides of the entire length of all roads.

Staff Recommendation: **Approval** of the proposed Master Plan, including the following variances: a marsh setback variance ranging from 1 to 25 feet (from the required 50 feet) for all lots with the exception of Lots 3, 4, 9, 27, 28, 29, and 33; a marsh buffer variance ranging from 1 to 10 feet (from the required 35 feet) for all lots with the exception of Lots 1, 2, 3, 4, 5, 9, 27, 28, 29, and 33; a 10 foot right-of-way width variance (from the required 50 feet) for a proposed private road; and a 15 foot building setback variance (from the required 35 feet) for all lots. Staff further recommends **approval** of a variance from providing sidewalks on: the south side of the entrance road; the north side of the easternmost road from Lot 1 to its intersection with the entrance road; the south side of the easternmost road from Lot 9 to Lot 10 and from Lot 12 to Lot 13; and, the north side of the middle east to west road between Lot 26 and Lot 33, subject to the following conditions: 1) revise the Master Plan to identify the portion of Lot 22 between the western end of the bulkhead and the western lot line and an area five feet wide on each side of the 10 foot pedestrian access on Lot 13 as common area. The will provide a means to establish a visual buffer if necessary; 2) compliance with all conditions identified in conjunction with the bridge permit approved by the Georgia Coastal Marshlands Protection Committee; 3) rezoning the site from its current PUD-CC-24/TC classification to a PUD-M-3.5 classification; 4) approval of the proposed community dock and walkway by the Department of Natural Resources, including all required permits; 5) revise the Master Plan to include the turnaround area of the entrance road as part of the road right-of-way; 6) revise the Master Plan to show not less than 30 percent greenspace; 7) the bridge shall be constructed with a 24 foot bi-directional travel lane (back-of-curb to back-of-curb) and a six foot wide sidewalk on the east side of the entire length of the bridge. The sidewalk shall continue on the east side of the 40 foot private vehicular access and utility easement on the CVS site to its intersection with Johnny Mercer Boulevard; 8) revise the Master Plan to show all streets with a 24 foot pavement width (back-of-curb to back-of-curb). The pavement width of the streets and the bridge may be reduced upon a finding by the County Engineer that a narrower width would adequately handle the anticipated vehicular traffic; 9) approval by the Department of Natural Resources including the issuance of all necessary permits; and, 10) approval by the County Engineer.

Speaking about the petition: Harold Yellin, agent
Will Berson, Policy Analyst, Georgia Conservancy,
opposed to the proposed development.
Marianne Heimes, Islands Citizens for Logical Growth,
requested a continuance to obtain information on the
proposed bulkhead system for this project.

Mr. Jones **moved** to approve the staff recommendation subject to the additional condition that the greenspace requirement be met. 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 proposed Master Plan, including the following variances: a marsh setback variance ranging from 1 to 25 feet (from the required 50 feet) for all lots with the exception of Lots 3, 4, 9, 27, 28, 29, and 33; a marsh buffer variance ranging from 1 to 10 feet (from the required 35 feet) for all lots with the exception of Lots 1, 2, 3, 4, 5, 9, 27, 28, 29, and 33; a 10 foot right-of-way width variance (from the required 50 feet) for a proposed private road; and a 15 foot building setback variance (from the required 35 feet) for all lots. The motion further recommends approval of a variance from providing sidewalks on: the south side of the entrance road; the north side of the easternmost road from Lot 1 to its intersection with the entrance road; the south side of the easternmost road from Lot 9 to Lot 10 and from Lot 12 to Lot 13; and, the north side of the middle east to west road between Lot 26 and Lot 33, subject to the following conditions: 1) revise the Master Plan to identify the portion of Lot 22 between the western end of the bulkhead and the western lot line and an area five feet wide on each side of the 10 foot pedestrian access on Lot 13 as common area. The will provide a means to establish a visual buffer if necessary; 2) compliance with all conditions identified in conjunction with the bridge permit approved by the Georgia Coastal Marshlands Protection Committee; 3) rezoning the site from its current PUD-CC-24/TC classification to a PUD-M-3.5 classification; 4) approval of the proposed community dock and walkway by the Department of Natural Resources, including all required permits; 5) revise the Master Plan to include the turnaround area of the entrance road as part of the road right-of-way; 6) revise the Master Plan to show not less than 30 percent greenspace; 7) the bridge shall be constructed with a 24 foot bi-directional travel lane (back-of-curb to back-of-curb) and a six foot wide sidewalk on the east side of the entire length of the bridge. The sidewalk shall continue on the east side of the 40 foot private vehicular access and utility easement on the CVS site to its intersection with Johnny Mercer Boulevard; 8) revise the Master Plan to show all streets with a 24 foot pavement width (back-of-curb to back-of-curb). The pavement width of the streets and the bridge may be reduced upon a finding by the County Engineer that a narrower width would adequately handle the anticipated vehicular traffic; 9) approval by the Department of Natural Resources including the issuance of all necessary permits; and, 10) approval by the County

Engineer. Voting were Ms. Stone, Mr. Meyer, Mr. Manigault, Mr. Luten, Mr. Konter, Mr. Jones, Mr. Ray, and Mr. McCumber. Ms. McIntosh abstained from voting on this petition.

AND

Zoning Petition – Map Amendment

Harold B. Yellin, Agent
(for A.J. & C. Garfunkel, LLC, and Harold Black, Owners)
MPC File No. Z-040225-42859-1

Issue: Rezoning from a PUD-CC-24/TC Planned Unit Development – Commercial Center-24 Units Per Net Acre – Town Center) classification to a PUD-M-3.5 (Planned Unit Development Multi-Family – 3.5 Units Per Net Acre Classification).

Policy Analysis: The proposed rezoning is not consistent with Chatham County’s Future Land Use Plan. However, rezoning the property to a PUD-M-3.5 Classification and amending the Future Land Use Plan to Residential Single-Family will establish a zoning district that allows low density residential development on an environmentally sensitive hammock.

Staff Recommendation: **Approval** of the request to rezone the subject property from a PUD-CC-24/TC (Planned Unit Development-Commercial Center-24 Units Per Net Acre-Town Center) Classification to a PUD-M-3.5 (Planned Unit Development Multi-Family-3.5 Units Per Net Acre) classification and approval of an amendment to the Chatham County Future Land Use Map to change the designation of the site from Commercial Retail to Residential Single-Family.

Mr. Jones **moved** to approve the staff recommendation for approval of the request to rezone the subject property. Mr. Konter 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 a PUD-CC-24/TC (Planned Unit Development-Commercial Center-24 Units Per Net Acre-Town Center) Classification to a PUD-M-3.5 (Planned Unit Development Multi-Family-3.5 Units Per Net Acre) classification and approval of an amendment to the Chatham County Future Land Use Map to change the designation of the site from Commercial Retail to Residential Single-Family. Voting were Ms. Stone, Mr. Meyer, Mr. Manigault, Mr. Luten, Ms. Feiler, Mr. Konter, Mr. Ray, Mr. Jones, and Mr. McCumber. Ms. McIntosh abstained from voting on this petition.

Mr. Jones announced that the Sierra Club of the Coastal Area has scheduled a workshop on Thursday April 15, 2004 that features a speaker on marsh hammock preservation. The workshop would be held at the First Presbyterian Church, 520 East Washington Avenue.

Ms. Heimes added that the Georgia DNR is holding a meeting on the topic of marsh hammocks on Tuesday, April 13 at the Islands Community Center on Whitemarsh Road at 7:00 PM.

B. Master Plan

Oemler Subdivision
14 Morningside Drive
PIN 1-0034-01-001, 001A and 1-0035-01-008A
4.1 Acres – 9 Lots
R-1-A Zoning District
Thomas & Hutton Engineering Company, Surveyor/Engineer
Nick Stanley, Agent
Habersham Group, Owner
MPC File Number M-040226-52470-1

Nature of Request: The petitioner is requesting approval of a Master Plan for proposed residential development located on the north side of Morningside Drive approximately 500 feet east of Oemler Loop within an R-1-A (One-Family Residential 3.5 Units Per Net Acre) zoning district. The petitioner is not requesting variances.

Staff Recommendation: **Approval** of a 10 foot front yard building setback variance (from the required 40 feet) for all lots. Staff further recommends **approval** of the proposed Master Plan subject to the following conditions: 1) revise the Master Plan to show a 30 foot front yard setback on all lots along the proposed road; 2) approval of the proposed dock and walkway by the Georgia Department of Natural Resources; and, 3) approval by the County Engineer.

Speaking about the petition: William Baugh, 40 Morningside Drive, concerned about native wildlife in the area and opposed to the proposed project.
Louis Lee, 12 Morningside Drive, adjoining property owner, concerned about drainage.
Robert Boatwright, 23 Morningside Drive, adjacent property owner, stated that the original development pattern is long, narrow lots.
Garrett Weeks, 42 Morningside Drive, stated that drainage is a concern and the number of lots proposed is also a concern.
Mike Bolan, petitioner, stated that he has not met with the residents. He is in agreement with a continuance.

Mr. Jones **moved** to continue the petition until April 6, 2004 in order for the petitioner to meet with residents. The motion further requested that staff assist with facilitating the meeting. Mr. Ray seconded the motion.

MPC Action: **The motion carried with none opposed.** The motion was to continue the petition until April 6, 2004 in order for the petitioner to meet with residents. The motion further requested that staff assist with facilitating the meeting. Voting were Ms. Stone, Mr. Meyer, Mr. Manigault, Mr. Luten, Ms. Feiler, Mr. Konter, Mr. Ray, Mr. Jones, Mr. McCumber, and Ms. McIntosh.

VI. Adjournment

There being no further business to come before the Commission, the March 16, 2004 Regular Meeting was adjourned.

Respectfully submitted,

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

Note: Minutes not official until signed