

CHATHAM COUNTY-SAVANNAH METROPOLITAN PLANNING COMMISSION

MPC MINUTES

ARTHUR A. MENDONSA HEARING ROOM
110 EAST STATE STREET

October 5, 2004

1:30 P.M.

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

Members Not Present: Russ Abolt
Melissa Jest
Lee Meyer

MPC Staff Present: Thomas L. Thomson, Executive Director
Clyde M. Wester, Assistant to the Executive Director
Charlotte L. Moore, Director of Development Services
Thomas D. Wilson, Director of Comprehensive Planning
Gary Plumbley, Development Services Planner
Alan Bray, Land Use Planner
Amanda Bunce, Development Services Planner
James Hansen, Development Services Planner
Brenda H. Smith, Zoning Secretary
Marilyn Gignilliat, Secretary

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

I. Call to Order

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

II. Notices, Proclamations and Acknowledgments

A. Oath of Office

Chairman Mackey introduced Superior Court Judge James F. Bass, Jr., who administered the Oath of Office to the officers and members of the Metropolitan Planning Commission.

B. Planning Commissioner's Creed

Judge Bass read the Planning Commissioner's Creed.

C. Acknowledgments

Mr. Thomson introduced James L. Hansen, who is has joined the Development Services Division as a planner.

III. Consent Agenda

A. Approval of the September 21, 2004 MPC Meeting Minutes and Briefing Minutes

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

MPC Action: The motion to approve the September 21, 2004 MPC Meeting Minutes and Briefing Minutes carried with none opposed. Voting in favor of the motion were Mr. Brown, Mr. Lufburrow, Mr. Luten, Mr. Manigault, Ms. McIntosh, Mr. Ray, Mr. Jones, Mr. McCumber, and Mr. Patrick. Ms. Stone abstained from voting because she was not present for the meeting.

B. General Development Plan

Fortich Townhomes at Southbridge
770 Southbridge Boulevard
PIN 1-1009C-06-012
3.43 Acres
PUD-C Zoning District
Thomas and Hutton

Nature of Request: The petitioner is requesting approval of a General Development Plan for a proposed nine unit residential townhome development located on the west side of Southbridge Boulevard at its intersection with White Oak Bluff within a PUD-C (Planned Unit Development Community) zoning district. No variances are requested.

Staff Recommendation: **Approval** of the proposed General Development Plan subject to the following condition: approval by the County Engineer.

Speaking about the petition: Amanda Pommerenik, agent for JGD Builders, was unable to address the concerns about filtering run-off from the development into the wetlands.

Mr. Lufburrow **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, Ms. Stone, Mr. Lufburrow, Mr. Manigault, Mr. Luten, Ms. McIntosh, Mr. Ray, Mr. Jones, Mr. McCumber, and Mr. Patrick.

IV. Old Business

A. Minor Subdivision/Final Plat

Parkersburg Road Subdivision
113 Parkersburg Road
PIN 1-0306-08-001
2 lots – 0.58 acres
R-1 Zoning District
MPC File No. S-040730-55551-1
EMC Engineering Company, Surveyor
Murray Marshall, Agent
Vincent Sikorski, Owner

Nature of Request: The petitioner is requesting MPC approval of a two-lot Minor Subdivision located at the southwest corner of Parkersburg Road and Lisbon Court within an R-1 (Single Family Residential) zoning district. The petitioner is requesting the following variances:

- A variance from the requirement to dedicate 15 feet for additional right-of-way on both lots along Parkersburg Road;
- A variance from the requirement to dedicate 22.5 feet for additional right-of-way on both lots along Lisbon Court;
- A 40 foot front yard building setback variance (from the required 60 feet) for both lots along Parkersburg Road; and,
- A variance to allow the creation of Lot 1 as a double frontage lot.

Staff Recommendation: **Approval** of the following variances: 1) a variance from the requirement to dedicate 15 feet for additional right-of-way on both lots along Parkersburg Road; 2) a variance from the requirement to dedicate 22.5 feet for additional right-of-way on both lots along Lisbon Court; 3) a 40 foot front yard building setback variance (from the required 60 feet) for both lots along Parkersburg Road; and, 4) a variance to allow the creation of Lot 1 as a double frontage lot. Staff further recommends approval of the proposed Minor Subdivision 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) show the address of all lots on the Final Plat as follows: Lot 1 – 115 Parkersburg Road; Lot 2 – 113 Parkersburg Road; 4) provide the following note on the Final Plat: “The residential structures on both lots within this subdivision shall be oriented toward Parkersburg Road;” and, 5) approval by the Chatham County Health Department and the County Engineer.

Speaking about the petition: Murray Marshall, agent, stated that access is not known at this point. Trees are a tremendous value to anyone buying a house.

Dave Norris, 15 Avenue of Pines, concerned that no site plan has been submitted. Opposed to the requested variances.

Jane Coslick, Parkersburg Road resident, stated that she objects to the requested variances and that no site plan has been submitted.

Ondra Morgan stated that she is currently building a house on Lisbon Street. She objects to the requested variances.

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

Mr. Brown amended the motion to ask for a plan of the proposed development, which in this case would be the building footprint and a driveway.

Mr. McCumber accepted the amendment.

MPC Action: The motion carried with none opposed. The motion was to continue the petition in order for the petitioner to submit a plan of the proposed development, which in this case would be the building footprint and a driveway. Voting were Mr. Brown, Mr. Lufburrow, Mr. Luten, Mr. Manigault, Ms. Stone, Ms. McIntosh, Mr. Ray, Mr. Jones, Mr. McCumber, and Mr. Patrick.

B. Staff Study – Map Amendment

Map Amendment to the City of Savannah Zoning Ordinance
Re: Sandfly Rezoning
MPC File No. Z-040521-54003-2

Issue: The rezoning of 51 properties in the vicinity of Montgomery Cross Road, Skidaway Road, and Varnedoe Drive, known as the Sandfly Community.

Staff Recommendation: **Approval** of the July 6, 2004 MPC recommendation with the following exceptions: 1) remove the lot identified as PIN 2-049-01-015 from the study area; 2) retain the I-P classification for the lots identified as PINs 2-0429-01-029/031/032; and, 3) rezone four lots identified as PINs 2-0429-01-046/048/051/ and 052 to R-4 instead of R-6.

Ms. Stone **moved** to approve the staff recommendation subject to the condition that the “P”, Planned, designation is added to the I-P zoning district. Mr. Ray seconded the motion.

Speaking about the petition: Herbert Kemp, Sandfly Betterment Association, stated that the group is in agreement with staff recommendation.

Catherine Dreissen, 7251 Skidaway Road, stated that the property off of Montgomery Cross Road is in front of her property. She is in agreement with adding the “P” designation P-I-P.

Donald Dyches, Dyches Construction Company, stated that he is in agreement with the staff recommendation, including application of the “P” designation to the I-P.

Harold Yellin, agent for William and Muriel Wallace, stated that his clients are pleased that their property has been removed from the proposed rezoning.

MPC Action: **The motion carried with none opposed.** The motion was to approve the July 6, 2004 MPC recommendation with the following exceptions: 1) remove the lot identified as PIN 2-049-01-015 from the study area; 2) add P designation to the I-P classification for the lots identified as PINs 2-0429-01-029/031/032; and, 3) rezone four lots identified as PINs 2-0429-01-046/048/051/ and 052 to R-4 instead of R-6. Voting were Mr. Brown, Mr. Lufburrow, Mr. Luten, Mr. Manigault, Ms. Stone, Ms. McIntosh, Mr. Ray, Mr. Jones, Mr. McCumber, and Mr. Patrick.

Mr. Patrick asked that staff provide information about the P designation in writing to the Sandfly Betterment Association and the affected property owners.

- C. Thomas Square Land Use Plan and Rezoning
Metropolitan/Thomas Square/Baldwin Park Neighborhoods
No Action is Required

Mr. Wilson presented an update on the Thomas Square Land Use Plan. The status of activities with the Plan and zoning recommendations were outlined.

Speaking about the issue: Floyd Adams, former Mayor of Savannah, was seeking information about boundaries of the proposed land use plan, notification, and composition of the Leadership Group.

Mary Osborne, Alderman District 2, asked to see a comprehensive rezoning plan that involves the entire city.

Virginia Mobley, resident of Thomas Square, stated that the Leadership Group included an equal number from neighborhoods involved but attendance dwindled.

Chairman Mackey stated that the matter is scheduled to be heard by the Mayor and Aldermen on October 14, 2004. No action is necessary at this time.

V. Regular Business

A. Staff Study

One Savannah: Report of the Gentrification Task Force and Staff Recommendation

Mr. Wilson stated that the task force was the result of early discussions in a roundtable format. The Mayor and Aldermen and the MPC agreed that this was a useful process. The Task Force was formalized and charged with identifying specific issues related to gentrification and reporting to the MPC and to the Mayor and Aldermen on these issues. A vision statement, definition of gentrification, and recommendations to counter the negative aspects of gentrification were offered. A report from the task force was included in the Commissioner's pre-meeting materials.

Speaking about the issue:

Gwen Glover, City of Savannah Economic Development Department and Task Force member, stated that the group thought in terms of what the City has planned for housing and community development objectives to mitigate gentrification.

Bernetta Anderson, Chair of the Gentrification Task Force, stated that the committee represented a diverse spectrum of the community.

Jackie Ogden, President of the Gordonston Neighborhood Association, stated that recommendations from this Task Force would benefit other areas in the community.

Floyd Adams, former Mayor of Savannah, stated that economics is a major key for gentrification.

Mr. Brown **moved** to adopt and approve the task force recommendations subject to the condition that MPC staff work with City staff to prepare a document that would address some of the concerns that were raised by Ms. Jest. These concerns, or any other concerns that might be heard this week, could be addressed before this report goes to the Mayor and Aldermen. Mr. Ray seconded the motion.

MPC Action: **The motion carried with none opposed.** The motion was to adopt the recommendations from the Gentrification Task Force subject to the condition that MPC staff work with City staff to prepare a document that would address some of the concerns that were raised by Ms. Jest. These concerns, or any other concerns that might be heard this week, could be addressed before this report goes to the Mayor and Aldermen. Voting were Mr. Brown, Mr. Lufburrow, Ms. Stone, Mr. Manigault, Ms. McIntosh, Mr. Luten, Mr. Ray, Mr. Jones, Mr. McCumber, and Mr. Patrick.

B. Zoning Petitions – Map Amendments

1. Valerie Hinesley, Agent
 Robert and Faye Mix, Owners
 Tom Cobernus, Petitioner
 1224 and 1222 Navajo Road
 MPC File No. Z-040917-60004-2

Issue: The rezoning of 2.2 acres from a P-B-C (Planned Community Business) zoning classification to a P-R-M-25 (Planned Multi-family Residential-25 units per net acre) classification.

Policy Analysis: The proposed rezoning is not consistent with the city’s Future Land Use Plan which call for single family residential along Navajo Road. However, the existing P-B-C district is more intensive P-R-M-15 district recommended by staff. The P-R-M-15 district will establish a zoning district that is more compatible for the surrounding neighborhood than the zoning that presently exists.

Staff Recommendation: **Denial** of the request to rezone the subject property from a P-B-C (Planned Community Business) classification to a P-R-M-25 (Planned Multifamily Residential-25 units per net acre) classification. **Approval** of an alternate zoning classification to rezone the property from a P-B-C classification to a P-R-M-15 (Planned Multi-family Residential-15 units per net acre) classification. **Approval** of a change of the Future Land Use Map designation from single Family Residential to Multifamily Residential.

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

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

- 2. Zoning Petition of William and Muriel Wallace, Teresa Rodewolt
2002 Gladstone Street (Sandfly)
MPC File No. Z-040917-54601-2

Mr. Thomson stated that this is for a matter of information. The petition would be heard at the October 19, 2004 MPC meeting.

C. General Development Plans

Navajo Road Townhomes
12226 Navajo Road
P-RM-25 Zoning District
Valerie Hinesley, Agent
MPC File No. P-040917-48894-2

Nature of Request: The petitioner is requesting approval of a General Development Plan (General Plan) in order to construct a 15 unit townhome development within a P-R-M-25 (Planned Multifamily Residential-25 units per net acre) zoning district. The petitioner is requesting five foot and 7.5 foot front yard building setback variances.

Staff Recommendation: **Denial** of a five foot front yard building setback variance at Unit 1 and **approval** of a 7.5 foot front yard building setback variance at Unit 15 and **approval** of the General Development Plan with the following conditions: 1) correct the width of the drainage easement in Note 8; 2) indicate on the plan that the hedge within the Type "A" buffer will be six feet high; 3) a Type "B" buffer must have a six foot high fence and a 15 foot wide preserved or planted area. The General Plan must be revised to show a 15 foot wide planted or preserved area and a six foot high fence or a variance must be requested; 4) proposed sewer and water utilities must be at least 10 feet from proposed trees and landscaping and cannot be located within a required undisturbed buffer. The proposed storm drain line is within 10 feet of landscaping and Unit 1; 5) approval shall be received from the State to provide a concrete walking path within the marsh setback. The location of the path shall be shown on the plan or the reference to it removed from the site plan notes; 6) show the location where individual trash containers will be placed for pickup. The City Sanitation Department must approve the location; and, 7) the Specific Development Plan shall be approved by the MPC.

Speaking about the petition: Valerie Hinesley, agent, stated that the petitioner is in agreement with the staff recommendation.

Mr. Lufburrow **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. Lufburrow, Mr. Manigault, Ms. Stone, Mr. Luten, Ms. McIntosh, Mr. Ray, Mr. Jones, Mr. McCumber, and Mr. Patrick.

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

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:

- A five foot buffer width variance (from the required 20 feet) along the northern property line (adjacent to an existing multi-family structure on Pennsylvania Avenue); and
- A seven foot buffer width variance (from the required 20 feet) along the western property line (adjacent to an existing single family house on Hale Street).

Staff Recommendation: **Approval** of a five foot buffer width variance (from the required 20 feet) along the northern property line adjacent to the existing multi-family structure on Pennsylvania Avenue and a seven foot buffer width variance (from the required 20 feet) along the western property line adjacent to the existing single family house on Hale Street. Staff further recommends **approval** of the proposed General Development Plan subject to the following conditions: 1) revise the General Development Plan to extend the privacy fence along the northern and western portions of the site adjacent to the single family residences. The fence shall extend from the dumpster enclosure not less than five feet from the property lines to the eastern right-of-way line of Vinson Avenue; 2) identify the 13 foot wide and 15 foot wide portions of the site along the northern and western property lines adjacent to the residential properties as a vegetative buffer; and, 3) approval by the City of Savannah review departments.

Speaking about the petition: Jackie Ogden, President of the Gordonston Neighborhood Association, questioned whether the proposed development would complement the east side of Pennsylvania Avenue. Requested continuance until all neighbors have been notified in order to review a site plan.

Cecile Hilbert, lives in a house behind the subject property. She submitted a petition of 82 signature of residents opposed to the proposed Family Dollar store. The dumpster for the proposed store would be in front of her house. Requested continuance in order to obtain additional information.

Clinton Williams, owner of property behind the store, stated that he was notified last week about of the proposed development.

John Farmer, project engineer, stated that the property was posted at least two months ago. The best layout for the project is before the MPC.

Jim Spies, First City Properties, stated that he represents Family Dollar. The developer attended every meeting that MPC arranged to discuss the proposed project. The proposed project could be a catalyst for the neighborhood to spur growth in the area.

Robert Cooper, Gordonston resident, stated that he learned of the proposed development yesterday afternoon. There are no provisions for pedestrian access or egress on the site.

Ms. Stone **moved** to continue the petition until November 2, 2004, in order for staff to facilitate a meeting between the developer and the neighbors. Mr. Patrick seconded the motion.

MPC Action: **The motion carried.** The motion was to continue the petition until November 2, 2004 in order for staff to facilitate a meeting between the developer and the neighbors. Voting in favor of the motion were Mr. Brown, Ms. Stone, Mr. Manigault, Mr. Luten, Ms. McIntosh, and Mr. Ray. Mr. Jones and Mr. McCumber voted against the motion. Mr. Patrick and Mr. Lufburrow were not in the room when the vote was taken.

3. National Wireless Construction, LLC
 705 East Anderson Street
 Hayden Horton (National wireless Construction, LLC), Applicant
 Jonathan Yates, Agent
 R-4 Zoning District
 PIN: 2-0054-12-0016
 MPC File No. T-040702-53685-2

Nature of Request: The petitioner is requesting approval of a General Development Plan in order to construct a stealth telecommunications tower within an R-4 (Four-Family Residential) district. The petitioner also seeks approval of an antenna collocation.

Staff Recommendation: **Denial** of the stealth tower because it does not comply with the definition of "stealth."

Speaking about the petition: Mary Osborne, Alderman, District 2, stated that she is in support of the proposed stealth tower.

Jonathan Yates, National Wireless Construction, stated that in order for four carriers to operate at this site, it was agreed that a flagpole design would work.

Greg Knight, engineer for Cingular Wireless, addressed the technical issues associated with the projects.

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

MPC Action: **The motion to approve the petitioner's request failed.** Voting in favor of the motion were Mr. McCumber, Mr. Ray, Mr. Manigault, and Mr. Luten. Voting against the motion were Mr. Brown, Ms. Stone, Ms. McIntosh, and Mr. Jones. To break a tie vote, Mr. Mackey voted against the motion. Mr. Patrick and Mr. Lufburrow were not in the room when the vote was taken.

[Further action on this petition appears on Page 12]

4. Cingular Wireless and National Wireless Construction, LLC
125 West DeRenne Avenue
Hayden Horton, Agent
Jonathan Yates, Attorney
B-H Zoning District
MPC File No. T-040702-53114-2

Nature of Request: The petitioner is requesting approval of a Specific Development Plan/Group Development in order to construct a monopole wireless telecommunications tower 130 feet in height on a portion of a parking lot for an auto parts store located on the southeast corner of West DeRenne Avenue and Montgomery Street within a B-H (highway Business) zoning district. A variance is requested.

Staff Recommendation: **Denial** of the Specific Development Plan/Group Development Plan and **denial** of the variance from the requirement that a tower site be a minimum of 300 feet from a protected roadway.

Speaking about the petition: Jonathan Yates, National Wireless, modified the proposed pole to a stealth pole with equipment for four carriers inside; offered a flagpole design.

Dorothy Bowden, President of Poplar Place Homeowner's Association, stated that the residents are opposed to the proposed tower. She submitted a petition signed by residents who are opposed to the proposed tower.

Ms. Stone **moved** to continue the petition until November 2, 2004, in order obtain additional information. Mr. Brown seconded the motion.

MPC Action: **The motion carried with none opposed.** The motion was to continue the petition until November 2, 2004, in order to obtain additional information. Voting were Mr. Brown, Ms. Stone, Mr. Manigault, Mr. Luten, Ms. McIntosh, Mr. Ray, Mr. Jones, and Mr. McCumber. Mr. Lufburrow and Mr. Patrick were not in the room when the vote was taken.

Mr. Brown **moved** to reconsider MPC File No. T-040702-53685-2 on November 2, 2004 in order to look at an algorithm to say what is least intrusive and what will protect the residential and the view corridor the most. Mr. Mackey seconded the motion.

The motion further asked that the petitioner look at whether these are the only sites that could be used to get the coverage; would the petitioner explore other options for the Anderson Street site; and, what are the minimum and the best placements in order to provide coverage to this community.

MPC Action: **The motion carried.** The motion was to reconsider MPC File No. T-040702-53685-2 on November 2, 2004 with the purpose of looking at an algorithm to say what is least intrusive and what will protect the residential and the view corridor. The motion further asked that the petitioner look at whether these are the only sites that could be used to get the coverage; would the petitioner explore other options for the Anderson Street site; and, what are the minimum and the best placements in order to provide coverage to this community. Voting in favor of the motion were Mr. Brown, Mr. Luten, Ms. Stone, Ms. McIntosh, Mr. Ray, and Mr. McCumber. Mr. Manigault and Mr. Jones voted against the motion. Mr. Lufburrow and Mr. Patrick were not in the room when the vote was taken.

D. General Development Plan./Group Development Plan

38th Street Condominiums
406 and 412 East 38th Street
Jay Maupin, EMC Engineering Services, Agent
Roy Heitmann (Heitmann Associates Architects), Architect
R-B Zoning District
PIN: 2-0064-41-006, -007 and -008
MPC File No.: P-0400902-58142-2

Nature of Request: The petitioner is requesting approval of a General Development Plan/Group Development Plan in order to construct two buildings with a total of nine condominium units within an R-B (Residential-Business) zoning district. The petitioner is requesting parking and buffer variances.

Staff Recommendation: **Approval** of the General Development Plan/Group Development Plan including an off-street parking variance of six parking spaces and a variance to eliminate the fence from the Type "A" buffer along the western property line with the following conditions: 1) provide a Type "A" buffer along the western property line; 2) provide an exhibit that shows that the front yard setback requirements of Section 8-3054 are met; and, 3) the Traffic Engineer must approve the proposed access.

Speaking about the petition: Jay Maupin, project engineer, stated that there is no possibility of renovating the existing structures. The petitioner met with the property owners across the street, who wants to see something done to improve the area.

Virginia Mobley, Thomas Square Neighborhood, seeking information about the notification requirements for petitions requiring variances. She also stated that the proposed design is not conducive to family living.

Mr. Brown **moved** to approve the staff recommendation. The motion further recommended that staff carefully monitor what is going on in these block faces in order to determine whether or not the densities are too high. Staff is also watch to see which parking densities may not be workable. Ms. McIntosh seconded the motion.

MPC Action: **The motion carried.** The motion was to approve the staff recommendation. The motion further recommended that staff carefully monitor what is going on in these block faces in order to determine whether or not the densities are too high. Staff is requested also to watch to see which parking densities may not be workable. Voting in favor of the motion were Mr. Brown, Ms. Stone, Mr. Luten, Ms. McIntosh, Mr. Ray, and Mr. McCumber. Mr. Jones and Mr. Manigault voted against the motion. Mr. Lufburrow and Mr. Patrick were not in the room when the vote was taken.

VII. Adjournment

There being no further business to come before the Commission, the October 5, 2004 Regular Meeting was adjourned.

Respectfully submitted,

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

Note: Minutes not official until signed