

CHATHAM COUNTY-SAVANNAH METROPOLITAN PLANNING COMMISSION

MPC MINUTES

ARTHUR A. MENDONSA HEARING ROOM
110 EAST STATE STREET

September 21, 2004

1:30 P.M.

Members Present: Timothy S. Mackey, Chairman
Lacy A. Manigault, Secretary
Robert Ray, Treasurer
Russell Abolt
Michael Brown
Melissa Jest
J. P. Jones
Stephen R. Lufburrow
Walker McCumber
Lee Meyer
Freddie B. Patrick

Members Not Present: Patricia McIntosh, Vice Chairman
Alexander S. Luten
Helen L. Stone

MPC Staff Present: Thomas L. Thomson, Executive Director
Clyde M. Wester, Assistant to the Executive Director
Charlotte L. Moore, Director of Development Services
Gary Plumbley, Development Services Planner
Amanda Bunce, Development Services Planner
Lynn T. Manrique, Site Plan and Subdivisions Secretary
Marilyn Gignilliat, Secretary

Advisory Staff Present: Tom Todaro, City Zoning Administrator

I. Call to Order

Chairman Mackey called the meeting to order.

Mr. Meyer **moved** to recess to Executive Session for the purpose of obtaining legal advice.
Mr. Patrick seconded the motion.

MPC Action: **The motion carried with none opposed.** The motion was to recess to Executive Session for the purpose of obtaining legal advice. Voting were Mr. Meyer, Mr. Lufburrow, Mr. Manigault, Mr. Ray, Mr. Patrick, Ms. Jest, and Mr. Abolt. Mr. Brown, Mr. McCumber, and Mr. Jones were not in the room when the vote was taken.

II. **Recess to Executive Session**

Mr. Abolt **moved** to adopt an affidavit and to indicate that no motions were made and no business was conducted during the Executive Session. Mr. Ray seconded the motion.

MPC Action: **The motion carried with none opposed.** The motion was to adopt an affidavit and to indicate that no motions were made and no business was conducted during the Executive Session. Voting were Mr. Meyer, Mr. Lufburrow, Mr. Manigault, Mr. Ray, Mr. McCumber, Mr. Patrick, Ms. Jest, and Mr. Abolt. Mr. Brown, Mr. McCumber, and Mr. Jones were not in the room when the vote was taken.

III. **Notices, Proclamations, and Acknowledgments**

Mr. Mackey explained the agenda for the benefit of those attending the meeting for the first time. He stated that persons wishing to speak should so note on the sign in sheet.

A. Notices

Mr. Mackey introduced Mr. Francis X. Hayes, who was present to inform the Commissioners of the activities that are scheduled to celebrate the Pulaski Jubilee, 2004/2005.

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

1. Minor Subdivision/Final Plat

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

The petitioner has requested that this item be continued to the October 5, 2004 MPC meeting.

2. General Development Plan

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-040702-52437-2

The petitioner has requested that this item be continued to the October 5, 2004 MPC meeting.

Mr. Ray **moved** to approve the petitioners' requests. Mr. Manigault seconded the motion.

MPC Action: The motion carried with none opposed. The motion was to approve the petitioners' requests to remove MPC File No. S-040730-55551-1 and T-040702-52437-2 to the October 5, 2004 MPC meeting. Voting were Mr. Brown, Mr. Meyer, Mr. Lufburrow, Mr. Manigault, Mr. Ray, Mr. Jones, Mr. McCumber, Mr. Patrick, Ms. Jest, and Mr. Abolt.

IV. Consent Agenda

- A. Approval of the September 7, 2004 MPC Meeting Minutes and Briefing Minutes

Mr. Manigault moved to approve the minutes. Mr. Ray seconded the motion.

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

- B. Zoning Petition - Map Amendment

Hal Evans, EM Commercial, LLC, Agent
(for Kern-Coleman and Company, Owner)
5616 Ogeechee Road
MPC File No.Z-040818-34882-1

Issue: The rezoning of a 5.43 acre portion of a 9.0 acre tract of land from an R-A (Residential-Agriculture) zoning classification to a P-B (Planned Business) zoning classification.

Policy Analysis: The proposed rezoning is inconsistent with Chatham County's Future Land Use Plan and will expand a zoning district that is not compatible with the surrounding neighborhood. The proposed rezoning will also allow uses that will adversely impact the residential uses in the general area and will not be consistent with the long term redevelopment of properties along the Ogeechee Road corridor.

Staff Recommendation: **Denial** of the petitioner’s request but **approval** of an alternate P-B-N (Planned Neighborhood Business) district.

Speaking about the petition: Hal Evans, petitioner, stated that there is a need for this storage facility. The storage facilities that he operates in another community are well maintained.

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

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

C. General Development Plan/Group Development Plan

Chatham Corporate Center
1700 Chatham Parkway
PIN 2-0835-01-001
10.233 Acres
PUD-B-R Zoning District
Thomas and Hutton Engineering Company, Engineer
Cristy Lawrence, P.E., Agent
Genesis Real Estate Group, Owner/Developer
MPC File Number M-040902-41578-2

Nature of Request: The petitioner is requesting approval of a General Development Plan/Group Development Plan for a proposed office and commercial development to be located on the north side of Ogeechee Road and the east side of Chatham Parkway within a PUD-B-R (Planned Unit Development – Business-Regional Designation) zoning district. No variances are requested.

Staff Recommendation: **Approval** of the proposed General Development Plan/Group Development Plan subject to the following conditions: 1) revise the General Development Plan to show a dumpster pad or provide verification that the proposed office development will not require a dumpster pad. The dumpster pad must be located so as to provide suitable access and maneuvering area for large trucks to service the dumpster. If a dumpster pad is not proposed, provide verification to the MPC staff that the dumpster pad is not needed; 2) revise the General Development Plan to show a Type G buffer along the perimeter of the off-street parking lots; and, 3) approval by the City of Savannah review departments.

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

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

D. Mayor Subdivision/Final Plat

Huntingdon Subdivision
528-544 East Huntingdon Street
Davis Ward
PIN 2-0033-06-034
14 Lots - .61 Acres
R-I-P-A Zoning District
Vincent Helmly, Surveyor
Fred S. Stringer, Owner
MPC File No.S-040902-56951-2

Nature of Request: The petitioner is requesting approval of a Final Plat for a 14 lot Major Subdivision located on the north side of Huntingdon Street 113 feet west of East Broad Street within an R-I-P-A (Residential-Institutional-Professional-Amended) zoning district. The following variance is requested: a three foot variance (from the minimum required width of 20 feet) for a private vehicular access and utility easement.

Staff Recommendation: **Approval** of a three foot variance (from the minimum required width of 20 feet) for a proposed private vehicular access and utility easement and the proposed subdivision subject to the following conditions: 1) approval by the Savannah Zoning Board of Appeals of lot width variances ranging from 4.43 feet to 5.4 feet (from the required 20 feet) for 10 lots and building coverage variances ranging from six percent to 20 percent (from the maximum permitted coverage of 75 percent) for eight lots; 2) revise the Final Plat to show the paved portions of Lots 10 through 14 with the existing porches as a private vehicular access and utility easement; 3) show the signature of the owner and a Georgia Registered Land Surveyor (across the State of Georgia Seal) on the Final Plat.; 4) provide the following note on the Final Plat: "The private vehicular access and utility easement shall be for the use of and maintained by the owners of all lots within this subdivision and shall not become the responsibility of the City of Savannah." "The common area shall be owned and maintained by the owner of all lots within this subdivision and shall not become the responsibility of the City of Savannah. In addition, the off-street parking spaces shall be common to all lots within this subdivision." 5) revise the Final Plat to change the name of Bowen Street to Blair Street; 6) show the address of each lot on the Final Plat as follows: Lot 1 – 528 East Huntingdon Street; Lot 2 – 530 East Huntingdon Street; Lot 3 – 532 East Huntingdon Street; Lot 4 – 534 East Huntingdon Street; Lot 5 – 536 East Huntingdon Street. Lot 6 – 538 East Huntingdon Street; Lot 7 – 540 East Huntingdon Street; Lot 8 – 542 East Huntingdon Street; Lot 9– 544 East Huntingdon Street; Lot 10 – 530 Blair Street; Lot 11 – 532 Blair Street; Lot 12 – 534 Blair Street; Lot 13 – 536 Blair Street; Lot 14 – 538 Blair Street; and, 7) approval by the Chatham County Health Department, the City Engineer and other City Review Departments, and the Mayor and Aldermen.

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

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

V. Old Business**A. Parking Variance**

Eisenhower Medical Center
310 Eisenhower Drive
Anesthesiology Associates and Rouse Properties, LLC
The Spriggs Group, P.C., and the CFP Group, LLC, Architects
P-I-P Zoning District
MPC File No. M-040827-38633-2

Nature of Request: The petitioners are requesting a variance of 43 off-street parking spaces in order to build an addition onto an existing medical building and to construct a new medical building within a P-I-P (Planned Institutional-Professional) zoning district.

Staff Recommendation: **Approval** of a 43-space parking variance to allow development of the remaining lots within the Eisenhower Medical Center.

Speaking about the petition: Ken Spriggs, agent, described the expansion that is planned for the site. The parking issue may be solved internally.

Vicki Bruner, Morrison Dental Associates, displayed a parking survey to document the use of spaces in the complex. There may be internal parking issues to be resolved. Opposed to the variance.

John Marrero, manager of SouthCoast Medical facility on the property, stated that the current parking demands do not take into account that his facility is only 30 per cent occupied. There are plans to expand. Opposed to the variance.

Winnie Walker, administrator for Savannah Oncology Center, stated that the office needs to have parking as close to the building as possible.

Mr. Meyer **moved** to approve the staff recommendation. The motion also includes the recommendation that the owners of the lots within the Eisenhower Medical Center formulate a plan to provide additional parking within the common area if the parking demand exceeds the available parking. Mr. Ray seconded the motion.

MPC Action: **The motion carried with none opposed.** The motion was to approve the staff recommendation of a 43-space parking variance to allow development of the remaining lots within the Eisenhower Medical Center. The motion also includes the condition that the owners of the lots within the Eisenhower Medical Center formulate a plan to provide additional parking within the common area if the parking demand exceeds available parking. Voting were Mr. Brown, Mr. Meyer, Mr. Lufburrow, Mr. Manigault, Mr. Ray, Mr. Jones, Mr. McCumber, Mr. Patrick, Ms. Jest, and Mr. Abolt.

VI. **Regular Business**

A. Zoning Petition – Map Amendment

Harold B. Yellin, Agent
(for Sharon Stinogel and Lisa Carr, Owners)
321 Habersham Street
MPC File No. Z-040903-39011-2

Issue: Rezoning of property from an RIP-A (Residential Urban) classification to an RIP-D (Medium Density Residential) classification.

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

Staff Recommendation: **Denial** of the request to rezone the subject property from an RIP-A (Residential Urban) classification to an RIP-D (Medium Density Residential) classification.

Speaking about the petition: Harold B. Yellin, agent, stated that the petitioner wants to serve only wine with a meal.

Ron Berry, 22 Habersham Street, representing Residents for the Protection of Downtown Neighborhoods, opposed to the proposed rezoning.

Donald Zerwer, owner of Foley House, which is located on Chippewa Square. The change is necessary for growth.

Dian Brownfield, President of the Downtown Neighborhood Association, submitted a letter in opposition to the proposed change in zoning.

Jerold Cohen, 316 Habersham Street, resides directly across the street from the subject property. He is in favor of the proposed rezoning.

Ms. Lee Alexander attends the Unitarian church, which is

across the street from the subject property. The church has no problem with the proposed rezoning.

Rob Cunningham, 318 Habersham Street, resides directly across the street from the subject property. He is in favor of the proposed rezoning.

Nita Williams opposed to the proposed rezoning because of the Section 6-1210, which includes distance requirements for sale of wine and beer.

Ken Sirlin, 408 E. Jones Street, stated that the decision of the DNA Board to oppose the proposed rezoning was not unanimous. He is in favor of the proposed rezoning.

Mr. Shannon Scott, resident of the Historic District and founder of Savannah Walking Tour Association. The proposed rezoning would help an exceptional restaurant to serve a larger clientele.

Suzanne Anderson-Kern, stated that she is in support of the proposed rezoning to allow the café to serve only wine.

Bud Rosser, Beach Historic Neighborhood Association, stated that the Association is in support of the proposed rezoning.

Lila Critz, resident of the Historic District, stated that she is opposed to the proposed rezoning because of crime issues.

Sharon Galin, local tour guide, stated that she is in support of the proposed rezoning.

Sharon Stinogel, owner of the Firefly Café, stated that the request is to serve only wine with a meal.

Fran Connerat, resident of the Historic District, asked what would happen if the zoning were changed to allow wine to be served and then the restaurant leaves the area.

Dian Brownfield stated the concern is about changing the rules rather than observing the existing regulations.

Mr. Patrick **moved** to approve the staff recommendation for denial. Ms. Jest seconded the

motion.

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

B. Election of Officers

Mr. Jones stated that the report of the Nominating Committee was accepted at the September 7, 2004 MPC meeting. There were no nominations from the floor. The ballots were distributed, collected, and tabulated.

The following officers were elected : Timothy S. Mackey, Chairman; Patricia McIntosh, Vice Chairman; Robert L. Ray, Treasurer; and, Lacy A. Manigault, Secretary.

VII. Adjournment

There being no further business to come before the Commission, the September 21, 2004 Regular Meeting was adjourned.

Respectfully submitted,

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

Note: Minutes not official until signed