

CHATHAM COUNTY-SAVANNAH METROPOLITAN PLANNING COMMISSION

MPC MINUTES

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

August 2, 2005

1:30 PM.

Members Present: Timothy S. Mackey, Chairman
Lacy A. Manigault, Vice Chairman
Stephen R. Lufburrow, Secretary
Robert Ray, Treasurer
Michael Brown
Russ Abolt
Ben Farmer
Melissa Jest
John P. Jones
Alexander Luten
Walker McCumber
Lee Meyer
Freddie B. Patrick
Jon N. Todd

Staff Present: Thomas L. Thomson, P. E., AICP, Executive Director
Harmit Bedi, AICP, Deputy Executive Director
Charlotte L. Moore, AICP, Director of Development Services
Gary Plumbley, Development Services Planner
Amanda Bunce, Development Services Planner
James Hansen, AICP, Development Services Planner
Beth Reiter, AICP, City Preservation Officer
Constance Morgan, Administrative Assistant
Marilyn Gignilliat, Executive Assistant

Advisory Staff Present: Robert Sebek, County Zoning Administrator

I. Call to Order

Chairman Mackey called the August 2, 2005 Metropolitan Planning Commission meeting to order. He explained the agenda for the benefit of those citizens attending the meeting for the first time

II. NOTICES, PROCLAMATIONS AND ACKNOWLEDGMENTS

A. Notice(s)

None.

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

1. Amended General Development Plan

Hope VI – Phase 5 (Senior Housing)
Anderson Street
PUD-M-16 Zoning District
Cliff Kennedy (EMC Engineering), Engineer
Marsha Verdree (Housing Authority), Agent
Amanda Bunce, MPC Project Planner
MPC File No. P-050317-49784-2

Variances requested.

The petitioner has requested that this item be continued until August 16, 2005.

Mr. Todd **moved** to approve the petitioner's request to continue the petition to the August 16, 2005 Regular MPC Meeting. Mr. Luten seconded.

MPC Action: **The motion to continue the petition MPC File No. P-050317-49784-2 carried with none opposed.** Voting were Mr. Mackey, Mr. Manigault, Mr. Ray, Mr. Lufburrow, Mr. Abolt, Mr. Brown, Mr. Meyer, Mr. Patrick, Ms. Jest, Mr. Jones, Mr. Luten Mr. McCumber, Mr. Farmer, and Mr. Todd.

2. General Development Plan/Specific Development Plan / Group Development Plan

Sam's Club and Sam's Gas Station/Car Wash
1975 East Montgomery Cross Road
PUD-B-C / EO Zoning District
Thomas Cetti (Thomas & Hutton Engineering), Engineer
Phillip McCorkle, Agent
Amanda Bunce, MPC Project Planner
MPC File No. P-050713-34772-1

The petitioner has requested that this item be continued until August 16, 2005.

Mr. Lufburrow **moved** to approve the petitioner's request to continue MPC File No. P-050713-34772-1 to the August 16, 2005 Regular Meeting. Mr. Meyer seconded the motion.

MPC ACTION: The motion carried with none opposed. The motion was to continue MPC File No. P-050713-34772-1 until the August 16, 2005 Regular Meeting. During the continuance staff was requested to meet with the Sandfly residents to discuss the proposed project. Voting were Mr. Mackey, Mr. Manigault, Mr. Ray, Mr. Lufburrow, Mr. Abolt, Mr. Brown, Mr. Meyer, Mr. Patrick, Ms. Jest, Mr. Jones, Mr. Luten Mr. McCumber, Mr. Farmer, and Mr. Todd.

III. CONSENT AGENDA

A. Approval of the July 19, 2005 MPC Meeting Minutes and Briefing Minutes.

Mr. Luten **moved** to approve the July 19, 2005 MPC Meeting Minutes and Briefing Minutes. Mr. Ray seconded the motion.

MPC Action: The motion to approve the July 19, 2005, MPC meeting Minutes and Briefing Minutes carried with none opposed. Voting were Mr. Mackey, Mr. Manigault, Mr. Ray, Mr. Lufburrow, Mr. Abolt, Mr. Brown, Mr. Meyer, Mr. Patrick, Ms. Jest, Mr. Jones, Mr. Luten, Mr. McCumber, Mr. Farmer and Mr. Todd.

IV. OLD BUSINESS

A. Zoning Petition – Map Amendment

David Fritts, Owner
Gary Sanders (Ciphers Design Co.), Agent
Jim Hansen, MPC Project Planner
MPC File No. Z-050519-86472-2

Nature of Request:: At issue is the rezoning of approximately 0.20 acres from a TN-2 (Traditional Neighborhood) classification to a TC-1 (Traditional Commercial-Neighborhood) classification.

Policy Analysis: The proposed rezoning is inconsistent with the City's Future Land Use Plan and will establish a zoning district that allows intensive commercial uses to be developed. The current TN-2 zoning classification is more compatible with the existing uses found in the surrounding neighborhood than the TC-1 zoning classification proposed.

Staff Recommendation: **Denial** of the request to rezone the subject property from a TN-2 (Traditional Neighborhood) zoning district to a TC-1 (Traditional Commercial-Neighborhood) zoning classification.

Speaking on the Petition: Gary Sanders, Agent, explained why the upper floor could not be rented. He stated rezoning would be the only vehicle to provide use of the upper floor space.

Mr. Patrick **moved** to approve the staff recommendation for denial of the petitioner's request. Mr. Todd seconded the motion.

MPC Action: The motion carried. The motion was to approve the staff recommendation for denial. Voting in favor of the motion were Mr. Mackey, Mr. Manigault, Mr. Todd, Mr. Jones, Mr. Ray, Mr. Brown, Mr. Lufburrow, Mr. Luten, Ms. Jest, Mr. Patrick, and Mr. Abolt. Voting against the motion were Mr. Meyer, Mr. McCumber, and Mr. Farmer.

V. REGULAR BUSINESS

A. Zoning Petition – Map Amendment

First Cousins Realty & Development, Petitioner
Steve Wohlfeil, HGBD Engineering, Agent
Gary Plumbley, MPC Project Planner
MPC File No. Z-050615-52793-1

Issue: Rezoning of a 10 acre site from R-1 (Single Family Residential – 5 Units Per Net Acre) and R-A (Residential Agriculture) zoning classifications to a P-R-3-10 (Planned Residential Multi-Family Residential – 10 units per net acre) classification

Policy Analysis: The proposed P-R-3-10 classification would rezone the site to a zoning district that permits multi-family residential uses at a density that is not compatible with the general development pattern along Garrard Avenue. The proposed P-R-3-10 classification is not consistent with the Chatham County Future Land Use Map, which calls for Single-Family Residential. However, an alternate P-R-3-7.5 classification would provide alternative low to medium density single family residential housing opportunities that would be more compatible with the zoning pattern in the general area.

Staff Recommendation: Denial of a P-R-3-10 classification but further recommends approval of a P-R-3-7.5 classification.

Mr. Patrick **moved** to continue the petition to the August 16, 2005 regular MPC Meeting to allow staff to present their proposal to the residents of the area. Mr. Meyer seconded the motion.

Speaking on the Petition: Lawrence Rogers, neighborhood resident, requested that the County address flooding issues prior to development.

William Manson, owner, stated he has given a presentation at previous neighborhood meetings. He is in agreement with staff's recommendation and he believes the concept plan does not have to change.

MPC Action: The motion to continue the petition until the August 16, 2005 Regular Meeting carried. During the continuance, staff was requested to present the proposal to the residents in the area. Voting in favor of the motion were Mr. Mackey, Mr. Manigault, Mr. Ray, Mr. Lufburrow, Mr. Jones, Mr. Luten, Mr. Farmer, Ms. Jest, Mr. Meyer, Mr. Patrick, and Mr. Luten. Voting against the motion were Mr. Todd and Mr. McCumber. Mr. Brown was not in the room when the vote was taken.

**B. Victorian Planned Neighborhood Conservation District
Certificate of Compatibility**

503 & 505 East Park Avenue Residences
1-R Zoning District
Wayne Anderson and Rick Little, Petitioners
Beth Reiter, Project Planner
MPC File No. N-050630-55492-2

Nature of Request:: The applicant is requesting Part 1 Height and Mass and Part II Design Detail approval for two two-story frame single family residences at 503 and 505 East Park Avenue, including a two story frame garage for each residence. Variances have been requested for each lot in order to reduce the five foot side yard building setback requirement.

Staff Recommendation: Approval of 1) a variance to reduce the required side yard setback from five feet to three feet to allow both residences to encroach two feet into the setback; and, 2) a variance to reduce the required side yard setback from five feet to zero feet to allow the easternmost garage to encroach five feet into the setback. This variance shall be allowed only if construction and maintenance easement can be obtained from the adjacent property owner. The easement shall be by recorded deed or amended plat.

Mr. Patrick **moved** to continue the petition to the August 16, 2005 Regular Meeting. Ms. Jest seconded the motion.

Speaking on the Petition: John Mitchell, President of Dixon Park Neighborhood Association voiced his concerns regarding the Gothic style and the orientation of the Gables on the houses in this area. He stated he would like to have more time to speak with the developer on these issues.

MPC Action: **The motion to continue the petition to the August 16, 2005 Regular MPC Meeting carried.** During the continuance, staff was requested to meet with the Dixon Park Neighborhood Association to review the proposed project. Voting in favor of the motion were Mr. Mackey, Mr. Manigault, Mr. Lufburrow, Mr. Ray, Mr. Lutten, Mr. Jones, Mr. Meyer, Mr. Patrick, Ms. Jest, Mr. Abolt, and Mr. Farmer. Voting against the motion were Mr. McCumber, Mr. Brown, and Mr. Todd.

D. Major Subdivision/Preliminary Plan

The Enclave, Phase 3
100 Enclave Boulevard
PUD-C Zoning District
PIN 1-1008-02-051
Cristi Lawrence, Agent
Gary Plumbley, MPC Project Planner
MPC File Number S-050422-51082-1

Nature of Request: The petitioner is requesting approval of a Preliminary Plan for a 99 lot Major Subdivision located on both sides of Enclave Boulevard extended west of Berwick Boulevard approximately 2,990 feet north of Stonebridge Drive within a PUD-C (Planned Unit

Development – Community) zoning district. The petitioner is requesting the following variances. 1) A 10 foot lot width variance (from the required 48 feet) for Lot 214; 2) a 6 foot lot width variance (from the required 48 feet) for Lot 215; and 3) a 5 foot rear yard setback variance (from the required 25 feet) for 50 single family detached patio lots.

Staff Recommendation: **Denial** of a 5 foot rear yard setback variance (from the required 25 feet) for lots 201 through 214 and Lots 240 through 253. **Approval** of a 5 foot rear yard setback variance (from the required 25 feet) for Lots 215 through 232 and Lots 235 through 239, a 10 foot lot width variance (from the required 48 feet) for Lot 214, a 6 foot lot width variance (from the required 48 feet) for Lot 215, and Preliminary Plan subject to the following condition: Approval by the Chatham County Health Department and the County Engineer.

Mr. Todd **moved** to approve the staff recommendation. Mr. Abolt seconded the motion.

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

E. Telecommunications Facility

National Wireless Construction, LLC
12915 White Bluff Road
R-6 Zoning District
Jonathan Yates, Agent
MPC File No. T-050517-48692-2

Nature of Request: The petitioner is requesting approval of a general development Plan inn order to construct a stealth telecommunications tower within an R-6 (One-Family Residential) district,. The petitioner also seeks approval of an antenna collocation for Cingular Wireless. All new wireless telecommunications towers including tower farms and stealth towers require approval by the MPC.

Staff Recommendation: **Approval** of the General Development Plan for a 150 foot stealth tower with the following conditions: 1) provide a recorded a copy of an amended plat or a deed showing the proposed access and utility easements; 2) the City engineer shall determine if improved access will be necessary. If improvements are required, the Specific Plan shall reflect this; 3) the concrete monument block shall be painted in a earth tone to match the church building. The paint color shall be identified on the Specific Plan; and, 4) provide a revised Landscape Plan that shows that tree and Landscape Quality Points to be provided and how the proposed vegetation will be irrigated. **Approval** of the Cingular Wireless collocation on the 150 foot tall stealth tower.

Speaking on the Petition:

Jonathan Yates, Agent stated the diesel generators will not be used at this location; all trees will be left in tact and there will be access off White Bluff Road. The tower separation meets all criteria of the ordinance.

Greg Knight, Radio Frequency Engineer, stated the existing tower is too far from the subject site to be used by Cingular.

Tony Thomas, Alderman District 6, questioned the need for tower at the subject site when neighboring tower has no collocations. He stated he and the residents in this area are opposed to the construction of this tower in their backyard. He requested that a Master Plan be prepared to show cell towers in the community.

Mr. Meyer **moved** to continue the petition for 120 days (December 06, 2005) in order to eliminate the confusing definition of stealth towers and for the legal departments to review the conditions under which cell towers could be constructed in residential areas. Mr. Patrick seconded the motion.

MPC Action: The motion to continue MPC File No. T-050517-48692-2 for 120 days (December 6, 2005) carried During the continuance staff is to facilitate a discussion with the City and County Attorneys and the telecommunications consultant in order to clarify the ordinance as it relates to stealth towers and towers in residential areas carried. Voting in favor of the motion were Mr. Mackey, Mr. Manigault, Mr. Ray, Mr. Brown, Mr. Meyer, Mr. Patrick, Ms. Jest, Mr. Jones, and Mr. Luten. Voting against the motion were Mr. Todd, Mr. Farmer, Mr. McCumber, and Mr. Lufburrow. Mr. Abolt was not in the room when the vote was taken.

Mr. Thomson stated that staff would pursue the issues addressed by Mr. Brown. Those issues include: the development of a need-based process; the demand patterns and service deficits; development of a technology Certificate of Need; as part of the due diligence process, exhaustion of every commercial collocation; and, a definition of stealth.

F. Appointment of Nominating Committee

Chairman Mackey appointed a Nominating Committee, which consists of Mr. Jones, Mr. McCumber, and Mr. Luten.

Mr. Meyer **moved** to have the existing officers remain in place until the end of the year. Voting in favor of the motion were Mr. Brown, Mr. Meyer, Mr. Patrick, Ms. Jest, Mr. Lufburrow, Mr. Manigault, Mr. Luten, Mr. Mackey, Mr. Ray, Mr. Jones, Mr. McCumber, Mr. Abolt. Voting against the motion were Mr. Todd and Mr. Farmer.

VI. OTHER BUSINESS

Discussion: Eastside Neighborhood and Design Review

Ms. Jest excused herself from the dais address the Commission.

Speaking about the issue: Melissa Jest, Neighborhood Coordinator, Historic Savannah Foundation thanked the Commission and staff for their work on this matter. She participated in the meetings where the design review process was discussed.

Mr. Brown stated his concerns regarding the design requirements in the area. Predictability is crucial. What results are we attempting to achieve in the neighborhood.

The discussion was for information only and no action was taken at this time.

VII. Discussion: Board Members only Retreat

Mr. Mackey stated that he would like the Commission to have a retreat for Board Members only.

Mr. Patrick stressed the need for a tight agenda.

Mr. Todd stated six of the present Board Members terms end this year therefore; it may be more prudent to wait till the beginning of the following year to schedule the retreat.

Mr. Brown stated that a short, one-day retreat could be beneficial; however, he was concerned about excluding staff. He suggested that the Board Members provide written comments about the timing of the retreat and the content to be presented. He then **moved to request that a retreat for Board Members only** be scheduled by the end of the year and to have the Board Members provide written comments by the next meeting. Mr. Patrick seconded the motion.

MPC Action: The motion carried. The motion was to schedule a retreat for Board Members by the end of the year and for Board Members to provide written comments by the next meeting. Voting in favor of the motion were Mr. Mackey, Mr. Manigault, Mr. Ray, Mr. Lufburrow, Mr. Brown, Mr. Abolt, Mr. Meyer, Mr. Patrick, Mr. Lutten, Ms. Jest, Mr. Jones, Mr. Farmer, Mr. McCumber. Voting against the motion was Mr. Todd.

ADJOURNMENT

There being no further business to come before the Commission, the August 2, 2005 Regular Meeting was adjourned.

Respectfully submitted,

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

Note: Minutes not official until signed