

CHATHAM COUNTY-SAVANNAH METROPOLITAN PLANNING COMMISSION

MPC MINUTES

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

December 6, 2005

1:30 PM.

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

Members not Present: Russ Abolt

Staff Present: Harmit Bedi, AICP, Deputy Executive Director
Charlotte L. Moore, AICP, Director of Development Services
Gary Plumbley, Development Services Planner
Deborah Burke, AICP, Development Services Planner
James Hansen, AICP, Development Services Planner
Marilyn Gignilliat, Executive Assistant
Constance Morgan, Administrative Assistant

Advisory Staff Present: Robert Sebek, County Zoning Administrator

I. Call to Order and Welcome

Chairman Lufburrow called the meeting to order. He explained the process for those attending the meeting for the first time.

II. Notices, Proclamations and Acknowledgments

A. Acknowledgment

Recognition of former Chairman Timothy S. Mackey

Mr. Lufburrow recounted some of Mr. Mackey's accomplishments during his tenure as Chairman of the Metropolitan Planning Commission and presented him a plaque as a token of the Commission's esteem and appreciation for his exceptional diligence to make our community a better place for all residents. Mr. Mackey thanked Mr. Lufburrow, the other commissioners and staff for making his chairmanship such a positive experience. He paid special tribute to John Paul Jones, who was the first African-American to serve as Chairman of the MPC and has devoted many years of service to this body.

III. Consent Agenda

A. Approval of the November 15, 2005, MPC Meeting Minutes and Briefing Minutes.

Mr. Patrick **moved** to approve the November 15, 2005, MPC Meeting Minutes and Briefing Minutes. Mr. Ray seconded the motion.

MPC Action: The motion to approve the November 15, 2005, MPC Meeting Minutes and Briefing Minutes carried with none opposed. Voting in favor of the motion were Mr. Ray, Mr. McCumber, Mr. Todd, Mr. Farmer, Mr. Patrick, Mr. Brown, Ms. Jest, Mr. Luten, Mr. Meyer, Mr. Manigault, Mr. Jones, Mr. Lufburrow. Mr. Mackey was not in the room when the vote was taken.

B. Approval of Authorization for the Executive Director to Execute Agreement between Metropolitan Planning Commission and McMillan and Associates for Consulting and Facilitation Services

Mr. Patrick **moved** to authorize the Executive Director to execute an agreement between the Metropolitan Planning Commission and McMillan and Associates for Consulting and Facilitation Services. Mr. Ray seconded the motion.

MPC Action: The motion carried with none opposed. Voting in favor of the motion were Mr. Ray, Mr. Jones, Mr. Todd, Mr. Patrick, Mr. Luten, Mr. McCumber, Mr. Manigault, Mr. Farmer, Ms. Jest, Mr. Meyer, Mr. Brown and Mr. Lufburrow. Mr. Mackey was not in the room when the vote was taken.

C. Approval of Bank Resolution for Depository Authorization

Mr. Patrick **moved** for approval of the Bank Resolution for Depository Authorization. Mr. Ray seconded the motion.

MPC Action: The motion carried with none opposed. Voting were Mr. Ray, Mr. Jones, Mr. McCumber, Mr. Todd, Mr. Farmer, Mr. Patrick, Mr. Brown, Ms. Jest, Mr. Manigault, Mr. Luten, Mr. Meyer, and Mr. Lufburrow. Mr. Mackey was not in the room when the vote was taken:

D. Zoning Petitions – Map Amendments

1. Great Ogeechee River Preserve, Petitioner
Kern-Coleman and Company, Agent
Jim Hansen, MPC Project Planner
MPC File No. Z-051014-60038-1

Issue: Rezoning approximately 566.67 acres currently zoned R-A (Residential-Agriculture) to a PDR-SM (Planned Development-Reclamation-Surface Mining) classification. The petitioner is also seeking approval of a General Development Plan (MPC File No. P-040114-48815-1) as required by the PDR-SM district regulations.

Policy Analysis: The 2015 Chatham County Comprehensive Plan indicates that the subject property will be undeveloped. The proposed reclamation of short-term borrow pits would be in accordance with the Comprehensive Plan.

Staff Recommendation: Approval of the request to rezone the subject property from an R-A (Residential Agriculture) classification to a PDR-SM (Planned Development-Reclamation-Surface Mining) classification and a General Development Plan submitted in conjunction therewith.

AND

General Development Plan

Ogeechee River Preserve Borrow Pit
1401 Fort Argyle Road
Rod Spann, Owner
Kern-Coleman & Company, Engineer
Clay Loyless, Agent
R-A Zoning District (proposed PDR-SM District)
PIN: 1-1050-01-002
MPC File No. P-051110-40139-1
Jim Hansen, MPC Project Planner

Nature of Request: The petitioner is requesting MPC approval of a General Development Plan associated with an application for rezoning (MPC File No. Z-051014-60038-1) a portion of the subject property to a PDR-SM (Planned Development-Reclamation-Surface Mining) classification.

Staff Recommendation: Approval of the General Development Plan as part of the Rezoning Map Amendment, subject to the following conditions: 1) A Specific Plan shall be submitted to and approved by MPC staff and County Engineering upon approval of the PDR-SM zoning classification by the Chatham County Commission. The approved Specific Plan shall be recorded in accordance with PDR-SM standards. 2) Five years

after the Specific Plan is recorded, it shall be reviewed and updated as necessary to meet environmental requirements in place at that time.

The Specific Development Plan shall incorporate the General Development Plan conditions of approval and shall include the following: 1) A Landscape Plan, including a Tree Establishment and Tree Protection Plan. The County Arborist shall review the Landscape Plan. 2) A Drainage Plan to be reviewed by the County Engineer.

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

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

2. Claudia Gaughf, Petitioner/Owner
637 and 639 Stephenson Avenue
Debbie Burke, MPC Project Planner
MPC File No. Z-051108-35167-2

Issue: Rezoning of 1.6 acres from an R-6 (One-Family Residential) classification to a PUD-IS-B (Planned Unit Development Institutional) classification.

Policy Analysis: The proposed rezoning is consistent with the adopted City of Savannah Comprehensive Plan Future Land Use Map and is compatible with the existing development patterns in the immediate area.

Staff Recommendation: Approval of the request to rezone the subject property from R-6 (One-Family Residential) to PUD-IS-B (Planned Unit Development Institutional).

Speaking about the petition: Mr. Jay Maupin, Maupin Engineering, Agent, described the current activity on the site. A buffer will also be kept intact to buffer the mobile homes in the back.

Mr. Brown **moved** to approve the staff recommendation to rezone the subject property from R-6 to PUD-IS-B on the condition that the trees and vegetative buffer designated by Mr. Maupin to be saved will be retained. Mr. Farmer seconded the motion.

MPC Action: The motion carried with none opposed. The motion was to approve staff recommendation subject to the condition that one of the large oaks on the front will remain as well as the 36-inch diameter oak on the back of the property would remain and the buffer will be kept intact to buffer the mobile homes to the rear of the subject property. Voting were Mr. Ray, Mr. Jones, Mr. McCumber, Mr. Todd, Mr. Farmer, Mr. Patrick, Mr. Brown, Ms. Jest, Mr. Manigault, Mr. Luten, Mr. Meyer and Mr. Lufburrow, Mr. Mackey was not in the room when the vote was taken.

E. Master Plan

The Highlands – Tract N and portion of Tract M
700 Highlands Boulevard
PUD-C Zoning District
Jim Collins (Thomas & Hutton Engineering Company), Agent
Gary Plumbley, MPC Project Planner
MPC File No. M-051116-56911-2

Nature of Request: The petitioner is requesting approval of a Master Plan for a proposed residential development to be located on both sides of Highlands Boulevard north of Jimmy DeLoach Parkway within a PUD-C (Planned Unit Development-Community) zoning district. The petitioner is also requesting a 10-foot lot width variance (from the required 60 feet) for 210 conventional single-family detached lots.

Staff Recommendation: Approval of a 10-foot lot width variance (from the required 60 feet) for 210 conventional single-family detached lots and the proposed Master Plan subject to the following conditions: 1) revise the Master Plan to increase the buffer along the eastern property line adjacent to Tract K to not less than 30 feet in the area shown as single-family attached and semi-attached lots. Also, identify the 20-foot buffer adjacent to the 50-foot utility easement along the northern portion of the site; 2) notes number 5, 6, and 7 of the Development Summary specify that the size, shape, and number of lots within the development are conceptual only and may be adjusted provided the density and unit total for the individual parcel are not exceeded. One of the purposes of the Master Plan is to show the layout and number of lots being proposed. The approved density and unit count are maximum limits established for individual tracts and are not intended to guarantee a specific number of residential units. Because of this, the approval of the Master Plan as submitted does not approve or imply approval of significant changes, as determined by the MPC staff, including additional lots and/or variances. Minor amendments to the Master Plan may be permitted when such amendments do not significantly alter, as determined by the MPC staff, the development pattern of the proposed residential development and its relationship to adjacent properties; 3) submit an updated Master Plan to reflect the existing and proposed developments including the street pattern and development data. No development or subdivisions will be approved until the updated Master Plan has been submitted to the MPC staff; and 4) approval by the City of Savannah review departments.

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

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

F. Major Subdivision / Preliminary Plan

Cobblestone (formerly Wexford, 203 lots)
450 Bush Road

R-A-CO (Residential-Agriculture, Annexed) Zoning District
Jay Maupin (Maupin Engineering), Agent
Gary Plumbley, MPC Project Planner
MPC File No. M-051020-48446-2

Nature of Request: The petitioner is requesting approval of a Master Plan for a proposed residential development to be located on the west side of Bush Road approximately 1,335 feet west of Scott Stell Park Road within an R-A-CO (Residential-Agriculture, Annexed) zoning district. No variances are requested.

Staff Recommendation: Approval of the proposed Master Plan subject to the following conditions: 1) revise the Master Plan to identify all common area, including the storm water detention ponds, recreation site, and wetlands; 2) revise the Master Plan to show a non-access easement along the entire site, including the common area and the residential lots adjacent to the 20-foot canal trail easement. Also, all fencing constructed on the individual lots adjacent to the canal trail easement shall be a uniform design. Although a fence is not required, it is recommended that such fencing be installed by the developer in conjunction with the development of these lots; 3) approval of the realignment of a portion of Bush Road and the proposed curb cut and location and design by the County Engineer; 4) revise the numbering of all lots to be consecutive in all phases; 5) it appears that some of the lots do not comply with the minimum lot width requirement. Revise the Master Plan to correct this problem; 6) the 20-foot trail easement shall have an at-grade crossing over the entrance road. This may necessitate increasing the easement upon a determination by the City Engineer that the increase is necessary to ensure safe use by pedestrians; and 7) approval by the City of Savannah review departments including the design of the bridge by the City Engineer.

Mr. Todd moved to approve staff recommendation. Mr. Luten seconded the motion.

MPC Action: *The motion to approve the staff recommendation carried. Voting in favor of the motion were Mr. Ray, Mr. Jones, Mr. McCumber, Mr. Todd, Mr. Farmer, Mr. Patrick, Mr. Brown, Mr. Manigault, Mr. Luten, Mr. Meyer and Mr. Lufburrow. Mr. Jest voted against the motion. Mr. Mackey was not in the room when the vote was taken.*

Speaking about the petition: Mr. Thurman Strickland who owns property in the area requested clarification on a previous agreement with property owners.

Mr. Herman Lee who lives on Bush Road approximately one quarter mile south of this property questioned the drainage plans for the proposed development.

Jay Maupin (Maupin Engineering), Agent, provided additional information on the proposed drainage plan.

Mr. Brown asked that the topic of the purpose today of the Savannah and Ogeechee Canal corridor be addressed at an upcoming MPC Planning Session. The public will be made

aware in order to participate in that discussion.

IV. Old Business

A. General Development Plan

National Wireless Construction Stealth Telecommunications Facility
12915 White Bluff Road
R-6 Zoning District
Jonathan Yates (Nelson, Mullins, Scarborough LLP) Agent
Charlotte Moore, Project Planner
MPC File No. T-05051-48692-2

Nature of Request: The petitioner is requesting approval of a General Development Plan in order to construct a stealth telecommunications facility within an R-6 (One Family Residential) district. The petitioner also seeks approval of an antenna collocation for Cingular Wireless. All new wireless telecommunications facilities, 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 copy of an amended plan 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 an earth tone to match the church building. The paint color shall be identified on the Specific Plan; 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; and 5) the illegal shipping containers shall be removed before a building permit is issued. Staff further recommends approval of the Cingular Wireless collocation on the 150 Foot tall stealth tower.

*Mr. Todd **moved** to approve staff recommendation subject to the condition the applicant posts a removal bond for the removal of the tower at a later date as required by the City Ordinance. Mr. McCumber seconded the motion.*

Speaking about the petition

Mr. Jonathan Yates, Agent for Cingular Wireless, stated That he has met the requirements of the ordinance.

Mr. Greg Knight, Radio Frequency Engineer, addressed the concerns regarding the area coverage.

Wally Wasden, Agent, stated this application has to be decided upon based upon the rules that are in effect today. If the ordinance is changed before another application is filed for another tower that tower and it's passage by this body will be based on the ordinance that was in effect at the time the application was filed.

Ms. Ruby Hines, Neighborhood Resident, stated she was opposed to the cell tower in this area.

Ms. Eleanor Green, Property owner, is also opposed to the stealth tower. She stated the residents are afraid of the unknown regarding the towers.

Mr. Henry Harris, Resident, stated he is opposed to the tower in this area.

Senator Regina Thomas asked that the ordinance be revisited.

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

Chairman Lufburrow stated we must give a reason for the denial.

Mr. Mackey (verbatim) I do not agree with that. That's if the motion is made to approve it. We've gone through this before. I'm going on record that I do not agree with that.

Mr. Brown **moved** to deny the petition because the dimensions of the pole are not stealth and it is not screened enough by the trees for the Greenbriar residential area. Mr. Patrick seconded the motion.

MPC Action: The motion to deny the petition carried. Voting in favor of the motion were Mr. Brown, Mr. Mackey Ms. Jest, Mr. Patrick, Mr. Manigault, Mr. Jones, Mr. Luten, and Mr. Meyer. Voting against the motion were Mr. McCumber, Mr. Lufburrow, Mr. Ray, Mr. Todd, and Mr. Farmer.

V. Regular Business

A. Zoning Petitions-Map Amendments

Mr. & Mrs. Mike Davis, Petitioner
Jay Maupin (Maupin Engineering), Agent
Gary Plumbley, MPC Project Planner
MPC File No. Z-051110-51079-2

Issue: Rezoning from a PUD-IS-B classification with a General Plan approved in accordance with the "unique and unusual" provision of Section 8-3031 (D) (1)(a.) and an R-6 (One-Family Residential) an R-6 (One-Family Residential) classification to a PUD-IS-B (Planned Unit Development-Institutional) classification in accordance with the "unique and unusual" provision of Section 8-3031(D)(1)(a.).

Policy Analysis: As indicated in the Grove Park Study, approval of nonresidential zoning along the arterial roadway should occur only where current standards for development can adequately protect residential properties. The PUD-IS-B zoning district with a General Development Plan in accordance with Section 8-3030(D)(1)(a.) for a non-retail specialty business provides adequate protection to the adjacent properties and will not adversely impact the traffic flow along Waters Avenue.

Staff Recommendation: Approval of the request to rezone the property from a PUD-IS-B with a General Plan approved in accordance with the “unique and unusual” provision of Section 8-3031(D)(1)(a.) and an R-6 (One-Family Residential) to a PUD-IS-B (Planned Unit Development-Institutional) classification with a General Plan approved in accordance with the “unique and unusual” provision of Section 8-3031(D)(1)(a.) and approval of an amendment to the Future Land Use Map from Single Family Residential to Retail/Office/Commercial.

AND

Amended General Development Plan

Mr. & Mrs. Mike Davis, Petitioner
Jay Maupin (Maupin Engineering), Agent
Gary Plumbley, MPC Project Planner
MPC File No.P-051118-41890-2

Nature of Request: The petitioner is requesting MPC approval of an amended General Development Plan for a proposed specialty business (rental facility) to be located at the northwest corner of the intersection of Waters Avenue and Cranman Drive. The petitioner is also requesting the following variances 1) a 40 foot buffer width variance (from the required 50 feet) along the western property line; 2) a 10 front development setback variance (from the required 30 feet) along Cranman Drive and 3) a 10 foot development setback variance (from the required 35 feet) along Waters Avenue.

Staff Recommendation: Approval of a 40 foot buffer width variance (from the required 50 feet) along the western property line; a 10 front development set back variance (from the required 30 feet) along Cranman Drive; and, a 10 foot development setback variance (from the required 35 feet) along Waters Avenue. Staff further recommends **approval** of the proposed General Development Plan subject to the following conditions; 1) revise the General Development Plan to show a Type G buffer adjacent to the off street parking lot on the western portion of the site; 2) revise the General Development Plan to locate the proposed fence five feet from the property line; 3) approval by the City of Savannah review departments and the Chatham County Health Department; 4) revise the General Development Plan to relocate the proposed building to a point not less than eight feet from the northern property line. This area must be landscaped to include plant materials to mitigate the impact of proposed building on the adjacent smaller structure; and 5) approval of the rezoning of the subject site to a PUD-IS-B classification, including the proposed use and General Development Plan, by the Mayor and Aldermen.

AND

Special Use

**Mr. & Mrs. Mike Davis, Petitioner
Jay Maupin (Maupin Engineering), Agent
Gary Plumbley, MPC Project Planner
MPC File No. Z-051122-51105-2**

Issue: Request for a specialty business rental facility as a special use within a proposed PUD-IS-B (Planned Unit Development-Institutional) zoning district. The rezoning request for the PUD-IS-B district (MPC File No. 051110-51079-2) will be reviewed on the same day.

Policy Analysis: The proposed non-retail specialty business, as shown on the submitted General Development Plan provides adequate protection to the adjacent properties and will not adversely impact the traffic flow along Waters Avenue.

Staff Recommendation Approval of a specialty business rental facility at 8113, 8115 and 8117 Waters Avenue as a special use.

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

MPC Action The motion to approve staff recommendation carried. Voting in favor of the motion were Mr. Ray, Mr. McCumber, Mr. Todd, Mr. Farmer, Mr. Patrick, Mr. Brown, Mr. Manigault Mr. Luten, Mr. Meyer and Mr. Lufburrow. Voting against the motion were Mr. Jones and Ms. Jest. Mr. Mackey was not in the room when the vote was taken.

VI. Other Business

Discussion of Zoning Board of Appeals Decision on Saint Pius Cell Tower

There was no discussion from the Board at this time

VII. Adjournment

There being no further business to come before the Commission, the December 6, 2005, Regular Meeting was adjourned.

Respectfully submitted,

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

Note: Minutes not official until signed

