

CHATHAM COUNTY-SAVANNAH METROPOLITAN PLANNING COMMISSION

MPC MINUTES

ARTHUR A. MENDONSA HEARING ROOM
110 EAST STATE STREET

August 15, 2006

1:30 PM

Members Present: Lee Meyer, Vice Chairman
Jon Todd, Secretary
Robert Ray, Treasurer
Russ Abolt
Douglas Bean
Michael Brown
W. Shedrick Coleman
Ben Farmer
Timothy S. Mackey
Susan Myers

Members Not Present: Stephen R. Lufburrow, Chairman
Melissa Jest
Walker McCumber
Lacy A. Manigault

Staff Present: Thomas L. Thomson, P. E., AICP, Executive Director
Harmit Bedi, AICP, Deputy Executive Director
James Hansen, AICP, Director, Development Services
Beth Reiter, AICP, Director of Historic Preservation
Dennis Hutton, AICP, Director of Comprehensive Planning
Gary Plumbley, Development Services Planner
Courtland Hyser, AICP, Land Use Planner
Sarah Ward, Preservation Planner
Jackie Jackson, Water Resources Planner
Marilyn Gignilliat, Executive Assistant
Lynn Manrique, Administrative Assistant

Advisory Staff Present: Robert Sebek, Chatham County Zoning Administrator

I. Call to Order and Welcome

Vice Chairman Meyer called the meeting to order and asked everyone to stand for the Pledge of Allegiance and Invocation. He explained the agenda for the benefit of those who were attending the meeting for the first time.

II. Notices, Proclamations and Acknowledgments

A. Notice(s)

None.

B. Items Requested to be Removed from the Final Agenda**1. Victorian Planned Neighborhood Conservation District / Certificate of Compatibility for New Construction**

Geoff Albert, Petitioner
Rosebud Properties, Owner
107 East Waldburg Street
2-R Zoning District
PIN: 2-0044-26-012
Sarah Ward, MPC Project Planner
MPC File No. N-060728-38319-2

This item has been requested to be removed from the Final Agenda at the petitioner's request and rescheduled for the September 5, 2006, Regular Meeting.

Mr. Todd **moved** to approve petitioner's request to remove MPC File No. N-060728-38319-2 from the Final Agenda and reschedule it for the September 5, 2006, Regular Meeting. Mr. Ray seconded the motion.

MPC Action: The motion carried with none opposed. Voting were Mr. Meyer, Mr. Todd, Mr. Ray, Mr. Abolt, Mr. Bean, Mr. Brown, Mr. Coleman, Mr. Farmer, Mr. Mackey and Ms. Myers.

2. General Development Plan / Group Development Plan

Hampton Inn
20 Johnston Street
R-I-P Zoning District
PIN: 2-0130-02-002 (portion of)
Mark Crapps (Kern-Coleman & Company), Agent
NP Savannah Midtown, Owner/Petitioner
Debbie Burke, MPC Project Planner
MPC File No. P-060801-54062-2

This item has been requested to be removed from the Final Agenda at the petitioner's request and rescheduled for the September 5, 2006, Regular Meeting.

Mr. Todd **moved** to approve petitioner's request to remove MPC File No. P-060801-54062-2, from the Final Agenda and reschedule it for the September 5, 2006, Regular Meeting. Mr. Ray seconded the motion.

MPC Action: The motion carried with none opposed. Voting were Mr. Meyer, Mr. Todd, Mr. Ray, Mr. Abolt, Mr. Bean, Mr. Brown, Mr. Coleman, Mr. Farmer, Mr. Mackey and Ms. Myers.

III. Consent Agenda**A. Approval of the August 1, 2006, MPC Meeting Minutes and Briefing Minutes.**

Mr. Farmer **moved** to approve the August 1, 2006, MPC Meeting Minutes and Briefing Minutes. Mr. Ray seconded the motion.

MPC Action: The motion to approve the minutes carried with none opposed. Voting were Mr. Meyer, Mr. Todd, Mr. Ray, Mr. Abolt, Mr. Bean, Mr. Brown, Mr. Coleman, Mr. Farmer, Mr. Mackey and Ms. Myers.

B. Victorian Planned Neighborhood Conservation District/Certificate of Compatibility for New Construction

Hansen Architects, Petitioner
Mr. and Mrs. Joe Palumbo, Owners
17 West Park Avenue
2-R Zoning District
PIN No. 2-0044-31-008
Beth Reiter, MPC Project Planner
MPC File No. N-060802-55834-2

Nature of Request: The applicant is requesting approval of a two-story garage with a dwelling unit above.

Staff Recommendation: Approval of a two-story garage with a dwelling unit above.

Mr. Farmer **moved** to accept the staff recommendation for approval. Mr. Todd seconded the motion.

MPC Action: The motion to accept the staff recommendation for approval carried with none opposed. Voting were Mr. Meyer, Mr. Todd, Mr. Ray, Mr. Abolt, Mr. Bean, Mr. Brown, Mr. Coleman, Mr. Farmer, Mr. Mackey and Ms. Myers.

C. Zoning Petition – Text Amendment

Text Amendment to the City of Savannah Zoning Ordinance
RE: Amendment to Section 8-3025(b) (19) to allow, subject to Zoning Board of Appeals, cultural facilities in the I-L (Light Industrial) zoning district.
Jim Hansen, MPC Project Planner
MPC File No. Z-060721-31276-2

Issue: At issue is a petition to amend Section 8-3025(b) (19) of the Savannah Zoning Ordinance to allow, subject to Zoning Board of Appeals approval, cultural facilities in the I-L (Light Industrial) zoning district.

Policy Analysis: Text amendments are applicable citywide. Therefore, the potential impacts of proposed amendments must be considered on a citywide basis. While the impact from a single property may not be deemed detrimental, it is imperative to consider all properties the amendment would affect.

The purpose of the I-L district is to create and protect areas for those industrial uses which do not create excessive noise, odors, smoke and dust and which do not possess other

objectionable characteristics which might be detrimental to surrounding neighborhoods or to the other uses permitted in the district.

Clearly there are instances where the establishment of cultural facilities in an I-L district may be warranted, and such use would not be detrimental to surrounding or future development. Such usage should, however, be limited in its application and should be subject to development criteria that prevent a proliferation of such uses from occurring and, over time, changing the area's character. The amendment offered by the petitioner offers the protections necessary by making the use allowable only with the approval of the Zoning Board of Appeals.

Staff Recommendation: Approval of the petitioner's request to amend Section 8-3025(b) (19) of the Savannah Zoning Ordinance to allow, subject to Zoning Board of Appeals approval, cultural facilities in the I-L (Light Industrial) zoning district.

Mr. Todd **moved** to accept the staff recommendation for approval. Mr. Farmer seconded the motion.

MPC Action: The motion to accept the staff recommendation for approval carried with none opposed. Voting were Mr. Meyer, Mr. Todd, Mr. Ray, Mr. Abolt, Mr. Bean, Mr. Brown, Mr. Coleman, Mr. Farmer, Mr. Mackey and Ms. Myers.

D. Approval of the Second Quarter Report

Mr. Todd **moved** to approve the Second Quarter Report. Mr. Ray seconded the motion.

MPC Action: The motion to approve the Second Quarter Report carried with none opposed. Voting were Mr. Meyer, Mr. Todd, Mr. Ray, Mr. Abolt, Mr. Bean, Mr. Brown, Mr. Coleman, Mr. Farmer, Mr. Mackey and Ms. Myers.

IV. Old Business

A. Status and Schedule of Adoption of Tricentennial Comprehensive Plan Community Agenda

Dennis Hutton reported that a letter of approval had been received from Regional Development Center (RDC) noting that the Community Agenda portion of the Comprehensive Plan meets the requirements for comprehensive planning and has been approved. There was one comment received from Hunter Army Airfield and the changes requested by the Army have been made. A few refinements were made to bring the Community Agenda up to date with regard to re-zonings that have been approved and errors that needed to be corrected. The RDC has determined that these were minor changes and that another public hearing or further RDC review is not required. Ms. Myers has requested that the definition of neo-traditional development be added to the glossary and that will be done.

Mr. Thomson said the Plan will be on the City Council Agenda for August 17, 2006, and the County Commission Agenda for August 25, 2006, for final approval.

Mr. Todd asked that on the Community Agenda Report on Appendix B, Page A-4, Paragraph 1, that the date September, 2005, be added to identify the date of the Fort Stewart-Hunter Army Airfield Joint Land Use Study (JLUS).

Mr. Todd **moved** to accept the requested changes to the Community Agenda portion of the Tricentennial Comprehensive Plan. Mr. Farmer seconded the motion.

MPC Action: The motion to accept the requested changes to the Community Agenda portion of the Tricentennial Comprehensive Plan carried with none opposed. Voting were Mr. Meyer, Mr. Todd, Mr. Ray, Mr. Abolt, Mr. Bean, Mr. Brown, Mr. Coleman, Mr. Farmer, Mr. Mackey and Ms. Myers.

V. Regular Business

A. Master Plan

Gladney Subdivision
855 Chevis Road
R-A Zoning District
PIN 1-1003B-01-007
Dan Fischer (EMC Engineering Company), Agent
Michelle Gladney, Owner
Gary Plumbley, MPC Project Planner
MPC File No. M-050718-32536-1

Nature of Request: The petitioner is requesting approval of a Master Plan for a proposed single-family residential development located on the west side of Chevis Road at its intersection with Gertrude L. Green Drive and on the north side of Hill Road approximately 835 feet west of Chevis Road within an R-A (Residential Agricultural) 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 show five feet dedicated for additional right-of-way on Lot 1 along Chevis Road. This requirement may be omitted upon a finding by the County Engineer that the additional right-of-way is not needed. 2) Revise the Master Plan to show a non-access easement on Lot 1 along Chevis Road. 3) Identify the stormwater detention site as common area. A Homeowners Association will be required in conjunction with this development for the purpose of owning and maintaining the stormwater detention pond. 4) Identify the drainage canal as a 50-foot drainage canal right-of-way. Also identify the ownership of the canal. 5) Show the property line dividing Lot 14 from the common detention area. The proposed access easement must be included as part of the detention area and not part of Lot 14. 6) Verification to the County Engineer that the City of Savannah can provide water to the proposed development. 7) Revise the Master Plan to show a vegetative buffer not less than 25 feet in depth adjacent to Lot 15 along Hill Road. The vegetative buffer shall be owned and maintained by a Homeowners Association and will not be part of Lot 15. 8) Approval by the Chatham County Health Department and the County Engineer. The Chatham County Health Department recommends **approval** subject to the condition that all lots must be served by either the City of Savannah or Chatham County water sanitary sewer system.

The following comments shall be addressed in conjunction with the Preliminary Plan and Final Plat: 1) Approval of the construction plans, including the grading and drainage plan, by the County Engineer. 2) Provide the following notes on the Final Plat: a) "The common area, including the stormwater detention pond and the 25-foot vegetative buffer, shall be owned and maintained by the (insert the name) Homeowners Association" (if applicable). b) "All wetlands are under the jurisdiction of the Corps of Engineers and/or State of Georgia Department of Natural Resources. Lot owners and the developer are subject to penalty by law for disturbance to these protected areas without proper permit applications and approval." c) "The 22-foot access easement shall be for the purpose of providing vehicular access to Lots 15 and 16; shall be owned by the (insert the name) Homeowners Association and the owner of Lot 16; and shall be maintained by the owners of Lots 15 and 16 and shall not become the responsibility of Chatham County." d) "The building permit applicant shall install a sidewalk along their prospective lot on the proposed road (insert the name approved by the MPC staff) and the west side of Chevis Road in accordance with the Chatham County Subdivision Regulations prior to the issuance of a Certificate of Occupancy Permit." e) "The subdivider shall install a sidewalk on the proposed road (insert the name approved by the MPC staff) along all areas other than platted single-family lots in accordance with the Chatham County Subdivision Regulations." 3) Verification by the County Arborist of compliance with the Tree Quality Points (1,600 points per acre), including the required streetscape trees. Also, the 25-foot vegetative buffer shall be enhanced as determined by the County Arborist to provide an adequate visual screen along Hill Road. 4) Show the name of the proposed road (as approved by the MPC staff) and the address of all lots on the Final Plat as follows: Lot 1, 102 Unnamed Road; Lot 2, 104 Unnamed Road; Lot 3, 106 Unnamed Road; Lot 4, 108 Unnamed Road; Lot 5, 110 Unnamed Road; Lot 6, 112 Unnamed Road; Lot 7, 114 Unnamed Road; Lot 8, 109 Unnamed Road; Lot 9, 111 Unnamed Road; Lot 10, 113 Unnamed Road; Lot 11, 115 Unnamed Road; Lot 12, 117 Unnamed Road; Lot 13, 119 Unnamed Road; Lot 14, 120 Unnamed Road; Lot 15, 118 Unnamed Road; Lot 16, 116 Unnamed Road.

Mr. Plumbley emphasized that the issue of ownership does not fall under the purview of the MPC. Today's hearing is only to review the Master Plan. The ownership dispute will need to be resolved in a civil action under the proper legal jurisdiction.

The County Engineer has commented that 1) the proposed road would have to line up with the Gertrude L. Greene Road on the opposite side of Chevis Road and 2) if the petitioner wishes to cross the 50-foot drainage canal, a drainage study would have to be undertaken by the petitioner to ensure that the drainage canal will not be adversely impacted.

Speaking about the petition: **Rodney Smith**, nearby property owner, had questions about limiting access from Hill Road. He wanted to be assured that such limited access would not interfere with access to his land. Mr. Plumbley said the proposed development would not affect Mr. Smith's access to his property.

Mr. Bean **moved** to accept the staff recommendation for approval subject to conditions. Mr. Farmer seconded the motion.

MPC Action: The motion to accept the staff recommendation for approval subject to conditions carried with none opposed. Voting were Mr. Meyer, Mr. Todd, Mr. Ray, Mr. Abolt, Mr. Bean, Mr. Brown, Mr. Coleman, Mr. Farmer, Mr. Mackey and Ms. Myers.

VI. Other Business

A. Presentation on Tax Incentive Workshop for Energy Efficient Buildings

Jackie Jackson gave a presentation on this workshop to be held August 23, 2006, at the Coastal Georgia Center. MPC is helping to sponsor this event to acquaint the public with the tax incentives available for both commercial and residential energy-saving construction and improvements. These workshops are being held in various parts of the country and this is one of two being presented in Georgia. Chairman Lufburrow will introduce Senator Eric Johnson who will make the opening remarks.

B. Update on By-Laws

Mr. Farmer said the By-Laws Committee met today and is close to having final recommendations ready for review by MPC. The Committee will meet again in September and October and hopes to make its presentation to the November 14, 2006, Planning Session. Copies will go to the City and County attorneys for review no later than the end of October. The attorneys will be invited to the November 14 Planning meeting. Any Commission member who so desires may have a copy at the same time the recommendations go to the attorneys.

C. Savannah Actors Theater

Ryan McCurdy, Development Director for Savannah Actors Theater, a new repertoire center for performing arts and other artistic endeavors, introduced Sky Whitcomb, Finance Director, and Jennipher Murphy, Theater Manager. His group will benefit from the text amendment approved earlier in the meeting to allow cultural facilities in the I-L zoning district with Zoning Board of Appeals approval. Mr. McCurdy just wanted to introduce the group to the Commission and say that they welcome the opportunity Savannah presents.

VII. Adjournment

There being no further business to come before the Commission, the August 15, 2006, Regular Meeting was adjourned.

Respectfully submitted,

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

Note: Minutes not official until signed