

CHATHAM COUNTY-SAVANNAH METROPOLITAN PLANNING COMMISSION

MPC MINUTES

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

January 3, 2006

1:30 PM.

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

Members Not Present: Russ Abolt

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
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 agenda for the benefit of those who were attending the meeting for the first time and stated there will be a small change in procedure. The items on the Consent Agenda will be read but there will no longer be a staff presentation.

II. NOTICES, PROCLAMATIONS AND ACKNOWLEDGMENTS

A. Notices

None at this time.

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

None.

III. CONSENT AGENDA

Chairman Lufburrow stated a request had been made to remove the Text Amendment to the City of Savannah Zoning Ordinance from the Consent Agenda and placed as the first item under Regular Business.

A. Approval of the December 20, 2005 MPC Meeting Minutes and Briefing Minutes.

Mr. Patrick **moved** for approval of the December 20, 2005 MPC Meeting Minutes and Briefing Minutes. Mr. Farmer seconded the motion.

MPC Action: The motion to approve the December 20, 2005 MPC Meeting Minutes and Briefing Minutes carries with none opposed. Voting were Mr. Lufburrow, Mr. Meyer, Mr. Ray, Mr. Luten, Mr. Patrick, Mr. Brown, Mr. Mackey, Mr. Manigault, Ms. Jest, Mr. Farmer, Mr. Todd and Mr. McCumber.

B. Zoning Petition – Map Amendment

MacSumlin/ Alexander, LLC, Petitioner
William Dempsey, Agent
Gary Plumbley, MPC Project Planner
MPC File No. Z-051216-57648-2

Nature of Request: The petitioner is requesting rezoning of property along Ogeechee Road from a C-A (Agricultural Conservation) zoning classification to a P-B-C (Planned Community Business) and I-L (Light-Industrial) classification.

Staff Recommendation: Denial of a P-B-C and I-L classifications, but further recommends **approval** of a P-B-C and P-I-L classifications.

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

MPC ACTION: The motion to approve staff recommendation carried with none opposed. Voting were: Mr. Lufburrow, Mr. Meyer, Mr. Ray, Mr. Luten, Mr. Patrick, Mr. Brown, Mr. Mackey, Mr. Manigault, Ms. Jest, Mr. Farmer, Mr. Todd and Mr. McCumber.

C. Approval of the January 10, 2006 Planning Session Agenda

Mr. Mackey **moved** to have this item placed on the January 10, 2006 Planning Session Agenda for discussion. Mr. Manigault seconded the motion.

MPC ACTION: The motion to place the Approval of the January 10, 2006 Planning Session Agenda on the agenda for discussion at the January 10, 2005 Planning Session Meeting carried with none opposed. Voting were: Mr. Lufburrow, Mr. Meyer, Mr. Ray, Mr. Luten, Mr. Patrick, Mr. Brown, Mr. Mackey, Mr. Manigault, Ms. Jest, Mr. Farmer, Mr. Todd and Mr. McCumber.

D. Resolution Authorizing the Executive Director to Execute forwarding the Public Participation Program and Community Assessment Components of the Chatham County-Savannah Comprehensive Plan to the Georgia Department of Community Affairs and the Coastal Georgia Regional Development Center

Mr. Luten **moved** to approve the motion. Mr. Ray seconded the motion.

MPC ACTION: The motion to approve the Resolution Authorizing the Executive Director to Execute forwarding the Public Participation Program and Community Assessment Components of the Chatham County-Savannah Comprehensive Plan to the Georgia Department of Community Affairs and the Coastal Georgia Regional Development Center carried with none opposed. Voting were: Mr. Lufburrow, Mr. Meyer, Mr. Ray, Mr. Luten, Mr. Patrick, Mr. Brown, Mr. Mackey, Mr. Manigault, Ms. Jest, Mr. Farmer, Mr. Todd and Mr. McCumber

IV. OLD BUSINESS

None.

V. REGULAR BUSINESS

A. Zoning Petition - Text Amendment

Text Amendment to the City of Savannah Zoning Ordinance
Re: Amend Section 8, Chapter 3, and Article B (Zoning Districts)
Jim Hansen, Project Planner
MPC File No. Z-051214-30962-2

Issue: A petition to amend Section 8-3028(d) of the City of Savannah Zoning Ordinance to add group care homes for the abused or mistreated to the list of permitted uses in the 1-R, 2-R, and 3-R sub districts of the Victorian Planned Neighborhood Conservation 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 Victorian District was designed to promote, through rehabilitation, conservation, and revitalization, one of the premiere historic areas of the community. The retention of the architectural and historic integrity of the area, carried out in part by the rehabilitation and conservation of existing buildings and the introduction of visually compatible new construction in the area, is also a major objective of the district. Accordingly, safeguards were written into the Ordinance that requires review of all new construction, rehabilitation, and structural modification for compatibility with appropriate historic guidelines.

The above review process, coupled with the requirement for Board of Appeals approval and the limitations proposed, offer assurances that any placement of a group home facility within the Victorian District will be assessed for compatibility with the surrounding neighborhood and the greater Victorian District.

Staff Recommendation: Denial of the petitioner's request to amend Section 8-3028(d) to add Use 19 (group home for the abused or mistreated) to the list of uses allowed by right in the Victorian District.

AND

APPROVAL of the request to amend 8-3028(d) to add Use 19 (group home for the abused or mistreated) to the list of allowed uses in the Victorian District and the limitations thereof, subject to approval by the Zoning Board of Appeals in accordance with Section 8-3163 of the Savannah Zoning Ordinance.

Staff further recommends approval with the following conditions: **1)** Provided that such use shall not be permitted within 1,000 feet as measured in any direction from property line to property line of another such care home or other type of care home. Provided further that the following provisions shall apply: **a)** Provided that such use is located on a collector street or greater. **b)** Provided that such use shall be limited to no more than twenty (20) beds and **c)** One off street parking space per employee shall be provided.

Speaking on the petition

Mr. Thomas Mahoney, Agent for Park Place Outreach, requested the Board consider the Text Amendment and allow the use to continue.

Mr. Patrick **moved** to continue this petition to the January 17, 2006 meeting. Ms. Jest seconded the motion.

MPC ACTION: The motion to continue to the January 17, 2006 MPC Meeting carried with none opposed. Voting were: Mr. Lufburrow, Mr. Meyer, Mr. Ray, Mr. Luten, Mr. Patrick, Mr. Brown, Mr. Mackey, Mr. Manigault, Ms. Jest, Mr. Farmer, Mr. Todd and Mr. McCumber

B. General Development Plans

1. The Coastal Bank- Stephenson Avenue
412 Stephenson Avenue
Patrick Shay, Gunn, Meyerhoff, Shat Architects, Agent
R-6 Zoning District
PIN: 2-0145 -05-006
Jim Hansen, MPC Project Planner
MPC File No. P-051208-60577-2

Nature of Request: The petitioner is requesting approval of a General Development Plan (General Plan) in order to construct a bank within a PUD-IS-B (Planned Unit Development-Institutional) zoning district. The petitioner is requesting two variances to reduce the required rear yard buffer and to reduce the required front yard setback.

Staff Recommendation: **Approval** of the General Plan and Approval of the following variances: 1) a reduction of the required buffer along the northern property line from 50 feet to 25 feet. The buffer shall include an eight-foot-tall board-on-board fence. The fence shall include columns that are 20 feet on-center. The exterior materials used the columns shall be consistent with the predominant exterior used for the bank. The buffer shall include sufficient landscaping to create an understory and overstory of vegetation that will screen the bank from the residential area to the north and 2) a reduction of the front yard setback from 35 feet to 26 feet. Other conditions of approval: 1) a type "G" buffer shall be required adjacent to the parking area visible from Stephenson Avenue and 2) the petitioner shall identify how trash removal will be addressed.

Speaking on the petition

Mr. Patrick Shay, Agent for Coastal Bank, presented the revised plan. He stated he would be willing to make further revisions to the plan as suggested by the residents of the neighborhood but that would require the removal of the Oak Trees along Stephenson Avenue that his client would like to save. He would however work to provide continuity of the fencing along the property and design an arched wall to act as a buffer for sound transmission

Mr. Sandy Hollander, Neighborhood Resident, asks that the vegetation remain as is or additional plants added. He also voiced concerns regarding the lighting and requested a buffer to prevent its illumination from streaming over to residential property.

Neil James, President of Jackson Park Neighborhood Association, voiced his concerns regarding the cut through that will allow crossing onto private property.

Mr. Ray **moved** to approve the petition based on the new outline. Ms. Jest seconded the motion.

MPC ACTION: The motion to approve the new outline subject to conditions carried with none opposed. The conditions were that an addition arched wall is built to buffer the sound and bank transactions, an 8ft fence to provide continuity of the fencing along the property and a buffer to prevent the illumination from the lighting. Voting were Mr. Lufburrow, Mr. Meyer, Mr. Ray, Mr. Luten, Mr. Patrick, Mr. Brown, Mr. Mackey, Mr. Manigault, Ms. Jest, Mr. Farmer, Mr. Todd and Mr. McCumber.

2. Southeastern Orthopedic Center- Phase 2
210 East DeRenne Avenue
Daniel E. Gay, Jr., Thomas & Hutton Engineering, Agent
PUD-IS-B Zoning District
PIN: 2-0113 -21-005
Gary Plumbley, MPC Project Planner
MPC File No. P-051215-87529-2

Nature of the Request: The petitioner is requesting approval of a General Development Plan for a medical office located at her northeast corner of East DeRenne Avenue and Habersham Street within a PUD-IS (Planned Unit Development- Institutional) zoning district. The petitioner is also requesting the following variance: A 134 space off-street parking variance (from the required 471 spaces).

Staff Recommendation: Denial of a 134 space off-street parking variance (from the required 471 spaces) and the proposed General Development Plan based on the findings

Speaking on the petition

Michael Kline, CEO of Southeastern Orthopedic Center stated he would like to build the infra-structure to accommodate the future expansion for the next five years. The facility is a specialty facility and will not be sold. He requested approval of the plan.

Mr. Meyer **moved** to continue the petition to the January 17, 2006 Regular MPC Meeting. Mr. Todd seconded the motion.

MPC ACTION: The motion to continue the petition to the January 17, 2006 meeting in order to solicit the opinions of the zoning administrator on separating zoning uses carried. Voting in favor of the motion were Mr. Lufburrow, Mr. Meyer, Mr. Ray, Mr. Luten, Mr. Patrick, Mr. Brown, Mr. Mackey, Mr. Manigault Mr. Farmer, Mr. Todd and Mr. McCumber. Ms. Jest opposed the motion.

C. Approval of an Agreement Between the Metropolitan Planning Commission and CityScape Consultants, Inc. – Wireless Communication Facilities

Mr. Ray **moved** for approval of the Agreement Between the Metropolitan Planning Commission and CityScape Consultants, Inc. – Wireless Communication Facilities. Mr. Meyer seconded the motion.

MPC ACTION: The motion for approval of the Agreement between the Metropolitan Planning Commission and CityScape Consultants, Inc-Wireless Communication Facilities carried. Voting in favor of the motion were Mr. Lufburrow, Mr. Ray, Mr. Luten, Mr. Patrick, Mr. Brown, Mr. Mackey, Mr. Manigault Mr. Farmer, Ms. Jest, Mr. Todd and Mr. McCumber. Mr. Meyer opposed the motion.

VI. OTHER BUSINESS

None

VII. ADJOURNMENT

There being no other business to come before the Board the January 3, 2006 Regular MPC Meeting was adjourned.

Respectfully submitted,

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

Note: Minutes not official until signed