

CHATHAM COUNTY-SAVANNAH METROPOLITAN PLANNING COMMISSION

MPC MINUTES

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

July 18, 2006

1:30 PM

Members Present: Stephen R. Lufburrow, Chairman
Lee Meyer, Vice Chairman
Jon Todd, Secretary
Robert Ray, Treasurer
Douglas Bean
Michael Brown
Ben Farmer
Melissa Jest
Walker McCumber
Timothy S. Mackey
Lacy A. Manigault
Susan Myers

Members Not Present: Russ Abolt
W. Shedrick Coleman

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
Amanda Bunce, Development Services Planner
Deborah Rayman-Burke, AICP, Development Services Planner
Courtland Hyser, AICP, Land Use Planner
Sarah Ward, City Preservation Specialist
Marilyn Gignilliat, Executive Assistant
Lynn Manrique, Administrative Assistant

Advisory Staff Present: Robert Sebek, Chatham County Zoning Administrator
Randolph Scott, City Zoning Inspector

I. Call to Order and Welcome

Chairman Lufburrow 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. Master Plan / General Development Plan**

St. Andrews School Unified Campus Plan
601 Penn Waller Road
PUD-IS/EO Zoning District
PIN: 1-0062-01-002
Hussey, Gay, Bell & DeYoung, Inc., Engineer
Steven C. Wohlfeil, PE, Agent
St. Andrews on the Marsh, Inc., Owner/Petitioner
Gary Plumbley, MPC Project Planner
MPC File No. P-060427-48535-1

This item has been requested to be removed indefinitely from the Final Agenda at the petitioner's request.

2. Telecommunications Facility

New Telecommunications Facility
Spring Hill Road
R-6 Zoning District
Hayden Horton (National Wireless Construction, LLC), Applicant
Jonathan Yates, Agent
Jim Hansen, MPC Project Planner
MPC File No. T-060320-57975-2

This item has been requested to be removed indefinitely from the Final Agenda at the petitioner's request.

Mr. Todd **moved** to approve petitioners' requests to indefinitely remove the St. Andrews School Unified Campus Plan and the Spring Hill Road Telecommunications Facility from the Final Agenda. Mr. Ray seconded the motion.

MPC Action: The motion carried with none opposed. Voting were Mr. Lufburrow, Mr. Todd, Mr. Ray, Mr. Bean, Mr. Brown, Mr. Farmer, Mr. Mackey, Mr. Manigault and Ms. Myers. Ms. Jest, Mr. McCumber and Mr. Meyer were not present for the vote.

III. Consent Agenda**A. Approval of the June 20, 2006, MPC Meeting Minutes and Briefing Minutes.**

Mr. Bean **moved** to approve the June 20, 2006, MPC Meeting Minutes and Briefing Minutes. Mr. Ray seconded the motion.

MPC Action: The motion carried with none opposed. Voting were Mr. Lufburrow, Mr. Todd, Mr. Ray, Mr. Bean, Mr. Brown, Mr. Farmer, Mr. Mackey, Mr. Manigault and Ms. Myers. Ms. Jest, Mr. McCumber and Mr. Meyer were not present for the vote.

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

1. Roy Ogletree, Petitioner
Mark Moody and Dion Love, Owners
220 and 222 East Waldburg Street
2-R Zoning District
PIN No. 2-0044-21-006 and 007
Sarah Ward, MPC Project Planner
MPC File No. N-060522-39814-2

Nature of Request: The applicant is requesting approval for New Construction of two semidetached two-family dwellings and a rear carport at 220-222 East Waldburg Street in the Victorian Planned-Neighborhood-Conservation District. The properties will be recombined and then subdivided to create two lots of comparable size and widths. Each lot will contain a semidetached duplex and one contiguous carport straddling the adjoining property lines.

NOTE: A recombination subdivision plat will need to be filed and recorded prior to issuance of a building permit. A two percent lot area building coverage variance from the Zoning Board of Appeals will be required to meet the development standards for each parcel.

Staff Recommendation: Approval with the condition that the carport be eliminated and porch, window and door details be submitted to staff for final approval. A recombination subdivision plat will need to be filed and recorded prior to issuance of a building permit.

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

MPC Action: The motion carried with none opposed. Voting were Mr. Lufburrow, Mr. Todd, Mr. Ray, Mr. Bean, Mr. Brown, Mr. Farmer, Mr. Mackey, Mr. Manigault and Ms. Myers. Ms. Jest, Mr. McCumber and Mr. Meyer were not present for the vote.

2. The J. Hampton Company, LLC, Petitioner/Owner
John H. Summer
521 East Anderson Street
1-R Zoning District
PIN No. 2-0053-21-033
Beth Reiter, MPC Project Planner
MPC File No. N-060627-36395-2

Nature of Request: The applicant is requesting approval of a new single-family residence in a 2-R zone in the Victorian Planned Neighborhood Conservation District.

Staff Recommendation: Approval of a two-foot side yard variance on the West and three-foot side yard variance on the East. **Approval** of the construction of a two-story single-family residence.

Mr. Todd **moved** to accept the Staff Recommendation for approval. Mr. Bean seconded the motion.

MPC Action: The motion carried with none opposed. Voting were Mr. Lufburrow, Mr. Todd, Mr. Ray, Mr. Bean, Mr. Brown, Mr. Farmer, Mr. Mackey, Mr. Manigault and Ms. Myers. Ms. Jest, Mr. McCumber and Mr. Meyer were not present for the vote.

C. Zoning Petitions – Map Amendments

1. 1025 West Gwinnett Street
J. Adam Ragsdale (Kennedy Ragsdale & Associates), Agent
Thomas A. Paxton, Owner
Courtland Hyser, MPC Project Planner
MPC File No. Z-060629-38080-2

Issue: The petitioner is seeking to rezone 23.43 acres of land at 1025 West Gwinnett Street from R-4 (Four-family Residential) and B-C (Community-Business) classifications to a P-B-C (Planned Community-Business) classification.

Policy Analysis. From a land use perspective, this site is well-suited for general commercial development, as two of three sides of the property are bounded by major transportation corridors (Gwinnett Street and I-16) that make residential development at this location less desirable than commercial development. Commercial development would be the best use of the property, provided that the residential uses on the western side of Springfield Canal are adequately screened from the development. Adequate screening should be required as part of the site plan review process.

Staff Recommendation: Approval of the request to rezone the property from R-4 (Four-family Residential) and B-C (Community-Business) to P-B-C (Planned Community-Business).

Mr. Todd **moved** to accept the Staff Recommendation for approval. Mr. Bean seconded the motion.

MPC Action: The motion carried with none opposed. Voting were Mr. Lufburrow, Mr. Todd, Mr. Ray, Mr. Bean, Mr. Brown, Mr. Farmer, Mr. McCumber, Mr. Mackey, Mr. Manigault and Ms. Myers. Ms. Jest and Mr. Meyer were not present for the vote.

2. 116 Keystone Drive
Danny Brown, Owner/Petitioner
Amanda Bunce, MPC Project Planner
MPC File No. Z-060629-40232-2

Issue: The owner is requesting rezoning of 116 Keystone Drive from C-A (Agricultural-Conservation) and R-6 (One-family Residential) zoning classifications to an R-20 (One-family Residential) classification.

Policy Analysis: The proposed rezoning is consistent with the City's Future Land Use Plan and will establish a zoning district that is more compatible for the surrounding neighborhood than the zoning that presently exists.

Staff Recommendation: Approval of the request to rezone the subject property from C-A (Agricultural-Conservation) and R-6 (One-family Residential) zoning classifications to an R-20 (One-family Residential) classification.

Mr. Todd **moved** to accept the Staff Recommendation for approval. Mr. Bean seconded the motion.

MPC Action: The motion carried with none opposed. Voting were Mr. Lufburrow, Mr. Todd, Mr. Ray, Mr. Bean, Mr. Brown, Mr. Farmer, Ms. Jest, Mr. McCumber, Mr. Mackey, Mr. Manigault and Ms. Myers. Mr. Meyer was not present for the vote.

D. General Development Plans / Group Development Plans

1. Barnard Village
3121 Barnard Street
Harold Yellin, Agent
Patrick Livingston (Ward Edwards), Engineer
Urban Campus Environments, LLC, Owner
P-I-L Zoning District
PIN: 2-0074-47-001, 2-0084-74-003
Debbie Burke, MPC Project Planner
MPC File No. P-060705-36241-2

Nature of Request: The petitioner is requesting approval of a General Development Plan for a proposed 72-unit apartment complex to be used by a college (mixed use) to be located on Barnard Street within a P-I-L (Planned-Light-Industrial) zoning district. The proposed project includes three buildings with 24 four-bedroom units within each building and a clubhouse.

Staff Recommendation: Approval of the General Development Plan with the following conditions: 1) The two parcels will need to be combined prior to Specific Development Plan approval or a cross access easement will be required for the two parcels. 2) Provide correct square footage of greenspace.

The Specific Development Plan shall include the following: a) A Landscape Plan, including a Tree Establishment and Tree Protection Plan. The City Arborist shall review the Landscape Plan. b) A Water and Sewer Plan. The City Water and Sewer Engineer shall review the Water and Sewer Plan. c) A Drainage Plan. The City Stormwater Engineer shall review the Drainage Plan. d) Building Exterior Elevations. New and refurbished buildings shall be compatible with adjacent or surrounding development in terms of building orientation, scale and exterior construction materials, including texture and color. e) A Lighting Plan. MPC staff shall review the Lighting Plan. The Lighting Plan shall identify the location of all exterior light standards and fixtures. All exterior lights shall utilize fully shielded fixtures to minimize glare on surrounding uses and rights-of-way. "Fully shielded fixtures" shall mean fixtures that incorporate a structural shield to prevent light dispersion above the horizontal plane from the lowest light-emitting point of the fixture. f) A Signage Plan. MPC staff shall review the Signage Plan. The Signage Plan shall include the signage standards (placement, size and quantity) for all phases of the development. g) A Dumpster Plan. The dumpster enclosure shall be of the same material as the primary building unless alternate materials are approved by the MPC or the MPC staff. Gates shall utilize heavy-duty steel posts and frames. A six-foot by twelve-foot

concrete apron shall be constructed in front of the dumpster pad in order to support the weight of the trucks. Metal bollards to protect the screening wall or fence of the dumpster shall be provided.

Mr. Todd **moved** to accept the Staff Recommendation for approval subject to conditions. Mr. Ray seconded the motion.

MPC Action: The motion carried with none opposed. Voting were Mr. Lufburrow, Mr. Todd, Mr. Ray, Mr. Bean, Mr. Brown, Mr. Farmer, Ms. Jest, Mr. McCumber, Mr. Mackey, Mr. Manigault and Ms. Myers. Mr. Meyer was not present for the vote.

2. Bouganvillea Bluff Townhomes
11330 White Bluff Road
PUD-M-14 Zoning District
PIN 1-0585-01-010
Holmes Bell (Hussey, Gay, Bell & DeYoung), Agent
Beacon Builders, Owner
Gary Plumbley, MPC Project Planner
MPC File No. P-060622-41207-2

Nature of Request: The petitioner is requesting approval of a General Development Plan for a proposed residential townhome development to be located approximately 100 feet south of Wilshire Boulevard and 500 feet east of White Bluff Road within a PUD-M-14 (Planned Unit Development-Multifamily-14 Units per Net Acre) zoning district. No variances are requested.

Staff Recommendation: Approval of the proposed General Development Plan subject to the following conditions: 1) Revise the address identifying this development. The correct address is 11330 White Bluff Road. Use this address on all future submittals. 2) Revise the Plan to identify the 25-foot setback adjacent to the salt marsh as a 25-foot marsh buffer. 3) Revise the Plan to show all proposed fencing including the fencing around the patios, if applicable. 4) Revise the Plan to note that the proposed development will have individual trash pick-up instead of a dumpster pad. 5) Approval by the Chatham County Health Department and the City of Savannah review departments.

The following conditions must be addressed in conjunction with the Specific Development Plan: 1) Approval by the City Landscape Architect of a detailed Landscape and Tree Plan including the 50-foot vegetative buffer on the northern portion of the site adjacent to the single-family residential structures. The 50-foot buffer shall include evergreen plants of sufficient density and height to provide a suitable visual screen. The Landscape Plan shall also include suitable vegetation, as determined by the City Landscape Architect, adjacent to all privacy fences, if applicable. 2) Approval by the City Review Departments including approval of the Grading, Paving, and Drainage Plans. 3) Approval by the U.S. Army Corps of Engineers of all required permits regarding the wetlands, if applicable. A copy of all such permits must be submitted to the City Engineer. 4) Approval by the City Water and Sewer Planning Director of the extension of the water and sewer lines including all applicable fees. 5) Approval by the MPC staff of a Lighting Plan including a photometric sheet. MPC staff shall review the Lighting Plan. The Lighting Plan shall identify the location of all exterior light standards and fixtures. All exterior lights shall utilize fully shielded fixtures to minimize glare on surrounding uses and rights-of-way. "Fully shielded fixtures" shall mean fixtures that incorporate a structural shield to prevent light dispersion

above the horizontal plane from the lowest light-emitting point of the fixture. 6) Approval of the mail delivery system by the United States Postal Service. 7) Approval of the Development Identification Sign by the MPC staff. 8) Approval of all building elevations by the MPC staff.

The following conditions shall be addressed in conjunction with the Final Subdivision Plat: 1) All other areas other than the fee simple building parcels shall be identified as common area. 2) Provide the following notes on the Final Plat: a) "The vegetative buffer(s) shall not be cleared or encroached upon by the property owners, with the exception of normal maintenance to remove weeds, undesirable vegetation such as poison ivy, vines, etc., and trash". b) "All common areas including the vegetative buffers, sign, common parking spaces, recreation area, and private vehicular access easements shall be owned and maintained by the Property Owners Association (insert the appropriate name) and shall not become the responsibility of the City of Savannah." 3) Show the address of each unit on the Final Plat. The addresses and the street name must be approved by the MPC staff.

Speaking about the petition: **Lynn Rivers** lives near the proposed development. She said she did not wish to speak but had some questions. Deliberation on the petition was delayed so that Mr. Plumbley could step outside and meet with Ms. Rivers. After their discussion, Ms. Rivers confirmed that her questions and concerns had been addressed satisfactorily. The petition was then placed back on the Consent Agenda for consideration.

Mr. Brown **moved** to accept the Staff Recommendation for approval subject to conditions. Mr. Todd seconded the motion.

MPC Action: The motion carried with one opposed. Voting in favor: Mr. Lufburrow, Mr. Meyer, Mr. Todd, Mr. Ray, Mr. Bean, Mr. Brown, Mr. Farmer, Ms. Jest, Mr. McCumber, Mr. Mackey and Ms. Myers. Opposed: Mr. Manigault.

E. Authorization for Executive Director to Sign Contract Renewal with Pictometry

Mr. Todd **moved** to authorize the Executive Director to sign the Contract Renewal with Pictometry. Mr. Ray seconded the motion.

MPC Action: The motion carried with none opposed. Voting were Mr. Lufburrow, Mr. Todd, Mr. Ray, Mr. Bean, Mr. Brown, Mr. Farmer, Ms. Jest, Mr. McCumber, Mr. Mackey, Mr. Manigault and Ms. Myers. Mr. Meyer was not present for the vote.

IV. OLD BUSINESS

There was some discussion among Commissioners as to which petition should be heard first, the Zoning Petition, Text Amendment to the City of Savannah Mid-City Ordinance or the Zoning Petition, Map Amendment for 18 East 34th Street. It was decided to follow the prepared Agenda.

A. Zoning Petition – Text Amendment

Text Amendment to the City of Savannah Mid-City Ordinance
Re: Amend Section 8, Chapter 3, and Article K (TN-2 Zoning Classification)
Jim Hansen, MPC Project Planner
MPC File No. Z-060629-34390-2

Issue: At issue is a petition to amend Part 8, Chapter 3, Article K, and Sections 5.6.2 and 6.3.8 of the Savannah Zoning Ordinance to allow an office to occupy the upper floors of a structure in a TN-2 (Traditional Neighborhood) district on an interior lot provided that certain conditions are met.

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 TN-2 District was designed to promote and ensure the vibrancy of historic residential neighborhoods with traditional development patterns. While the district focuses primarily on residential development, it also includes limited nonresidential uses that are deemed compatible with the surrounding neighborhood.

Clearly there are instances where total usage of a structure for general offices may be appropriate on interior lots. 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 character of the mid-city area. The amendment offered by the petitioner, as modified, does offer the protections necessary.

Staff Recommendation: **Denial** of the petitioner's request to amend Part 8, Chapter 3, Article K, and Sections 5.6.2 and 6.3.8 as submitted and **approval** of an alternate amendment to the same sections containing modified development standards and subject to conditions set forth in the "Enact" section of the staff report.

Speaking about the petition: **Phillip McCorkle**, Agent, understands the reluctance to change an ordinance, especially when the text amendment proposed will only affect one house. He spent three hours driving the entire district, wrote down a list of all the houses that appeared to be near 5,000 square feet and checked the tax records. There are no other houses in the area that meet the requirements of the proposed text amendment. Those that are larger than that are already zoned some type of TC-1, which allows offices in the whole building or are located on corners. The only change being proposed is to allow offices on the second floor as opposed to only allowing them on the ground floor. His client has a lovely, major structure that she does not want to tear up into apartments or put exterior stairs or do anything else that would compromise the architectural integrity of the structure and adversely impact the area. The choice is to save this piece of property and make it a lovely office

throughout, or turn it from a single-family home into apartments. To imply that because this ordinance was recently adopted there should be no changes is inappropriate; no plan is perfect. Those who worked on this plan went lot by lot to do everything possible to fairly accommodate every structure in the appropriate zone. There are nine places on this map where spot zoning for commercial uses already exists. The residential zone where his client's house is located is surrounded by commercial and civic zoning. He pointed out a number of large, major houses in the area that are zoned in such a way to allow use as an office. He believes a map amendment would have been the best way to go, but will be happy to accept the proposed text amendment. He asked, however, that the last sentence under **Section 6.3.8 Office, General** be corrected to read "An office shall not be permitted on an upper floor of an interior lot in the TN-2 District unless said structure shall meet the conditions of approval as listed in Section 5.6.2, or except as a home occupation in accordance with Section 6.4.2." (Staff agreed that the use of the word "and" in this sentence should be replaced with "or.")

Stephanie Bock, Vice President of the Historic Victorian Neighborhood Association, which is part of the MLK Corridor, said that she is concerned that by promoting more intensive uses mid-block, this text amendment may adversely impact her organization and neighborhood as they move toward zoning.

Ardis Wood said it is a fallacy to believe that people who buy property are automatically entitled to a good return on their investment. If a person buys stock and it diminishes in value, no one owes him anything. Investments are a calculated risk. No one should be exempted from zoning that went into place after long, difficult deliberation solely to protect his investment. Adults are responsible for their decisions. Offices can be very different from each other. Does allowing a law office mid-block mean that the same space can later be occupied by a doctor's office? The impact on parking and traffic is very different from legal practice to medical practice. Mr. Meyer replied that a doctor's office in that location could not meet the requirements in place for parking. Mr. Hansen added that the TN-2 District allows a number of very specific professional office uses (law offices, architects, accountants, etc.) Medical offices are excluded.

Virginia Mobley, representing the Thomas Square Association, said that the businesses in this

neighborhood, the law office next to this house and the realtors office in the next block pointed out by Mr. McCorkle are businesses that have been in existence in excess of 18 years at their present locations. Since the new zoning went into effect, no new business uses have come into this area. In fact, two of the structures pointed out by Mr. McCorkle as being commercial structures have been renovated as single-family homes. There were more than 120 meetings held to discuss the Mid-City Plan. There was not one single meeting where the issue of preserving the residential use and the residential integrity of a block was not discussed. This was a major issue that was not resolved until the last few months before the Plan went to City Council for adoption. This issue is strongly felt in this neighborhood. This Text Amendment will affect 1900 residential properties in the Mid-City district. She disagreed with Mr. McCorkle that only this one house would be affected, saying there are other large structures in mid-block locations that could qualify for upper floor offices under this text amendment.

Mr. Meyer **moved** to support the Staff Recommendation for **approval** of an alternate amendment containing modified development standards subject to the following revisions and conditions. Office usage on upper floors of structures located on interior lots shall only be allowed provided that said structure 1) was originally constructed as a single-use building; 2) is a historically contributing structure; and 3) when originally constructed contained no less than 6,000 square feet of usable space excluding porches and decks. The language in the last sentence under **Section 6.3.8 Office, General** shall be changed to read, "An office shall not be permitted on an upper floor of an interior lot in the TN-2 District unless said structure shall meet the conditions of approval as listed in Section 5.6.2, or except as a home occupation in accordance with Section 6.4.2." Mr. Ray seconded the motion.

MPC Action: The motion carried with three opposed. Voting in favor: Mr. Lufburrow, Mr. Meyer, Mr. Todd, Mr. Ray, Mr. Bean, Mr. Brown, Mr. Farmer, Mr. McCumber and Mr. Mackey. **Opposed:** Ms. Jest, Mr. Manigault and Ms. Myers.

B. Zoning Petition – Map Amendment

18 East 34th Street
Phillip McCorkle, Agent
Thomas Square Associates, LLC, Owner
Jim Hansen, MPC Project Planner
MPC File No. Z-060601-35903-2

Issue: At issue is the requested rezoning of a parcel of land located at 18 East 34th Street containing approximately 12,268 square feet from its existing TN-2 (Traditional Neighborhood) classification to a TC-1 (Traditional Neighborhood) classification.

Policy Analysis: The proposed rezoning is inconsistent with the City's Future Land Use Plan and will establish a spot zoning district that is incompatible with the surrounding

neighborhood. Because the subject property is located on a side street interior lot, rezoning to a more commercial use will establish a precedent that is unwarranted and unnecessary.

Staff Recommendation: Denial of the request to rezone the subject property from a TN-2 classification to a TC-1 classification.

Speaking about the petition: **Phillip McCorkle**, Agent, asked that this petition be continued for 60 days to give the Text Amendment to the Mid-City Ordinance time to work its way through City Council. If that Text Amendment as approved by MPC is adopted by City Council, this petition will be dismissed.

Mr. Ray **moved** to continue the petition for 60 days. Mr. Farmer seconded the motion.

MPC Action: The motion carried with two opposed. Voting in favor: Mr. Lufburrow, Mr. Meyer, Mr. Todd, Mr. Ray, Mr. Bean, Mr. Brown, Mr. Farmer, Mr. McCumber, Mr. Mackey and Mr. Manigault. Opposed: Ms. Jest and Ms. Myers.

V. REGULAR BUSINESS

A. General Development Plan / Group Development Plan

Burroughs Street Townhomes
525 West 31st Street
R-M-25/PNC (Cuyler-Brownsville) Zoning District
PIN 2-0066-09-002A, 005, 006, 007, 008, 010, 011, 012, 013
Bob Norman, Architect/Agent
Glenn Williams, Owner
Amanda Bunce, MPC Project Planner
MPC File No. P-060705-59051-2

Nature of Request: The petitioner is requesting approval of a General Development Plan/ Group Development Plan in order to construct townhomes within an R-M-25/PNC (Multifamily Residential-25/Planned Neighborhood Conservation-Cuyler Brownsville) zoning district. The petitioner is requesting buffer and lot area variances.

Staff Recommendation: Approval of a 15-foot buffer variance and a 1,461-square-foot lot area variance. **Approval** of the General Development Plan/Group Development Plan subject to the condition that a Certificate of Compatibility shall be received prior to Specific Development Plan approval.

The Specific Development Plan shall be in compliance with the approved General Development Plan and shall include the following: a) A Landscape Plan, including a Tree Establishment and Tree Protection Plan. The City Arborist shall review the Landscape Plan. b) A Water and Sewer Plan. The City Water and Sewer Engineer shall review the Water and Sewer Plan. c) A Drainage Plan. The City Stormwater Engineer shall review the Drainage Plan. d) Building Exterior Elevations. The exterior elevations of the buildings must be consistent with the Cuyler-Brownsville PNC district and must receive a Certificate of Compatibility. e) A Lighting Plan. MPC staff shall review the Lighting Plan. The Lighting Plan shall identify the location of all exterior light standards and fixtures. All

exterior lights shall utilize fully shielded fixtures to minimize glare on surrounding uses and rights-of-way. "Fully shielded fixtures" shall mean fixtures that incorporate a structural shield to prevent light dispersion above the horizontal plane from the lowest light-emitting point of the fixture. Exterior light posts higher than 15 feet must not be located on the same island as canopy trees. f) A Signage Plan. MPC staff shall review the Signage Plan. g) A Dumpster Plan. The dumpster enclosure shall be of the same material as the primary building unless alternate materials are approved by the MPC or the MPC staff. Gates shall utilize heavy-duty steel posts and frames. A six-foot by twelve-foot concrete apron must be constructed in front of the dumpster pad in order to support the weight of the trucks. Metal bollards to protect the screening wall or fence of the dumpster must be provided.

Speaking about the petition: **Robert Norman**, Architect/Agent, addressing concerns about height, said he tried to determine what buildings around the site would be affected. To a large extent, the site is surrounded by churches, some with high steeples. There are no other buildings of this nature close by and no other residential units other than a few strips along 31st Street. The property along 32nd Street is all church property with a high steeple. They could design a two-story building but have tried to address parking by putting two-car garages under the building. This design reserves the area in the rear for landscaping. MPC Historic Review staff advised that a 2-1/2 foot height above grade must be maintained for the first floor of the building. Putting the garage in the rear and building 2-1/2 feet above grade would result in more than a 10-foot ceiling. That would add about two feet to the height of the building. Many houses in Cuyler-Brownsville do not have first floors 2-1/2 feet above grade. He tried to follow the design requirements for Cuyler-Brownsville. There is a wide variety of architectural styles throughout the area.

Mr. Todd **moved** to accept the Staff Recommendation for approval subject to conditions. Mr. McCumber seconded the motion.

MPC Action: The motion carried with one opposed. Voting in favor: Mr. Lufburrow, Mr. Meyer, Mr. Todd, Mr. Ray, Mr. Bean, Mr. Farmer, Mr. McCumber, Mr. Mackey, Mr. Manigault and Ms. Myers. Opposed: Ms. Jest. Mr. Brown was not present for the vote.

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

Stephen Brannen for Brannen Construction, Petitioner
Bob Schole, Owner
115 East Park Avenue
2-R Zoning District
PIN No. 2-0044-33-017
Beth Reiter, MPC Project Planner
MPC File No. N-060601-35885-2

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

Staff Recommendation: Denial of the garage as presented based on incompatible mass and scale; shutters permanently affixed and lack of design detail for windows. Staff further recommends a continuation for the applicant to resubmit a revised petition for review as stated in items 1 and 4 in the memo of June 12, 2006, that is reduced in size, together with appropriate shutter and window details.

Ms. Reiter advised the Commissioners that the petitioner was not interested in a continuation as recommended by staff.

Mr. Brown **moved** to accept the Staff Recommendation for denial. Ms. Jest seconded the motion.

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

VI. Other Business

Mr. Farmer, Chairman of the By-Laws Committee, has asked the Finance and other committees to bring to his attention anything that they believe should be reviewed for possible changes to the By-Laws. Any proposed rewrite of the By-Laws will come to the full Commission for consideration as well as to the City and County counsels. One subject discussed was the signing of contracts and Mr. Ray, Chairman of the Finance Committee, was asked for his input and has already given his recommendations in that regard.

Mr. Mackey had some questions about the SPLOST Transportation Project Priorities memo from Mr. Thomson to Al Bungard, Chatham County Engineer. He asked who determines which local priority projects are not likely candidates for federal funds. He is specifically concerned about SR 25 Bay Street from I-516 to Bay Street viaduct, which was identified in the memo as one of those projects. Mr. Thomson clarified that this project is in the queue for federal funds but will be ready to build before federal money is available. To build it earlier, SPLOST funds can be applied.

VII. Adjournment

There being no further business to come before the Commission, the July 18, 2006, Regular Meeting was adjourned.

Respectfully submitted,

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

Note: Minutes not official until signed