

**CHATHAM COUNTY-SAVANNAH METROPOLITAN PLANNING COMMISSION**

**MPC PLANNING SESSION MINUTES**

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

**November 14, 2006**

**1:00 PM.**

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**Members Present:** Stephen R. Lufburrow, Chairman  
Jon Todd, Secretary  
Robert Ray, Treasurer  
Douglas Bean  
Ben Farmer  
Melissa Jest  
Timothy S. Mackey  
Lacy A. Manigault

**Members Not Present:** Russ Abolt  
Michael Brown  
W. Shedrick Coleman  
Walker McCumber  
Lee Meyer, Vice Chairman  
Susan Myers

**Staff Present:** Thomas L. Thomson, P. E., AICP, Executive Director  
Harmit Bedi, AICP, Deputy Executive Director  
James Hansen, AICP, Director, Development Services  
Charlotte L. Moore, AICP, Director, Special Projects  
Amanda Bunce, Development Services Planner  
Deborah Burke, AICP, Development Services Planner  
Marilyn Gignilliat, Executive Assistant  
Lynn Manrique, Administrative Assistant

**Advisory Staff Present:** Robert Sebek, Chatham County Zoning Administrator  
Peter Shonka, P. E., City Engineer  
Mike Weiner, P. E., City Traffic Engineer  
Suzanne Cooler, P. E., Civil Engineer 2, County Engineering  
Nathaniel Panther, Civil Engineer 1, County Engineering  
Robert Drewry, Director, Public Works and Parks

**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.

## II. Notices, Proclamations and Acknowledgments

The MPC By-Laws Committee will meet Tuesday, November 21, 2006, at 11:00 a.m. in the J. P. Jones Conference Room.

## III. Approval of the September 12, 2006, MPC Comprehensive Planning Meeting Minutes and MPC Comprehensive Planning Meeting Briefing Minutes.

Mr. Todd **moved** to approve the September 12, 2006, MPC Comprehensive Planning Meeting Minutes and MPC Comprehensive Planning Meeting Briefing Minutes. Mr. Farmer seconded the motion.

**MPC Action: The motion to approve the September 12, 2006, MPC Comprehensive Planning Meeting Minutes and Briefing minutes carried with none opposed.** Voting were Mr. Lufburrow, Mr. Todd, Mr. Ray, Mr. Bean, Mr. Farmer, Ms. Jest, Mr. Mackey, and Mr. Manigault.

## IV. Old Business

None

## V. Regular Business

### A. Presentation by City Engineer and County Engineer regarding Drainage, Water/Sewer, and Traffic Items.

Peter Shonka, City Engineer, presented an overview of the City's plan review process.

Mr. Manigault asked how MPC should handle situations where City Engineering approves a plan but when it comes before the Planning Commission for review, members of the public come forward with complaints about drainage. Mr. Lufburrow confirmed that MPC regularly sees citizens asking that MPC not approve new development in their area because they either have an existing drainage problem or fear a future drainage problem. MPC usually takes the position that these issues fall under the purview of other County, City or State agencies. Still, if there is an existing problem, we are concerned about compounding that problem by approving additional development.

Mr. Shonka said that Stormwater Management ultimately has the final say regarding review and acceptance of drainage plans. The City is currently involved in an extensive Capital Improvement Program (CIP). Part of that program addresses draining issues in areas identified by Stormwater Management as problem areas. Stormwater Management is actively involved in plan review from design to construction. When unforeseen problems arise with drainage from a development, City Engineering tries to work with the developer in solving the problem.

Speaking as a developer, Mr. Lufburrow believes the City and County do a very good job of reviewing internal stormwater issues. However, the way an internal system functions depends on existing external drainage infrastructure provided by the City or County. He

asked if there are times when development is halted or restricted because there is not adequate infrastructure to support the stormwater runoff. Mr. Shonka said the standard is that the post-construction runoff rate cannot exceed the pre-construction runoff rate. If there is a problem at the boundary, you cannot make that problem worse. Development has been restricted based on these issues, but Mr. Shonka does not remember any being totally halted. Sometimes a piece of property is not developed because the developer himself looks at the ordinances and regulations and realizes that the proposed development cannot be achieved on that particular site.

Mr. Manigault asked if there is a regular schedule in place for cleaning drainage ditches. Mr. Shonka said Engineering tries to clear all of the ditches of debris annually and mow or spray herbicides several times a year. There are a few ditches that have to be hand cleaned. There has also been a problem finding enough people to fill those positions.

Mr. Bean pointed out that of all the review agencies involved in City reviews, MPC is the only agency where public input is solicited. He asked if there were some way concerned citizens could make their concerns known earlier in the process. Mr. Shonka said that Stormwater does receive and respond to calls from concerned citizens.

Mr. Bean and Mr. Lufburrow said that understanding the standards applied and passing that information along to concerned citizens might alleviate some of their fears.

Mr. Farmer said that with the improved engineering techniques available today, the goal should not be to make a flood-prone area no worse than it already is; it should be to make a flood-prone area better.

Mr. Shonka said Engineering tries to maintain a level playing field for developers by not making someone pay for an infrastructure problem that already exists. The CIP can help in some of those problem areas. It is Mr. Shonka's personal goal to ensure that homes and businesses are not flooded and to keep streets accessible up to a reasonable design storm. He noted that while stormwater technology has improved greatly over the years, in a gravity sewer or gravity stormwater system where water runs downhill and there's not much of a hill, there is a limit to what technology can do. In some of the larger developments now in the planning stage, like Godley and New Hampstead, we have the opportunity to get out in front of the problem and apply new techniques available before the land is developed.

Mr. Todd believes many of our drainage problems are maintenance issues rather than design problems. Mr. Shonka agreed, saying part of the problem is that in many areas of the City the pipes are too narrow and it does not take much to clog them. The minimum pipe required is 15 inches and City Engineering prefers 18 inches where possible. The City has stormwater personnel and equipment on call 24 hours a day, seven days a week. There is a regular maintenance schedule, but there is no way to guard against a homeowner stuffing yard debris into a drain and backing it up. Citations are issued when someone is caught. Mr. Farmer suggested that the public be better informed as to the fact that putting trash and debris into a storm sewer violates a City ordinance. Mr. Shonka said mailers were sent out targeting primarily the landscaping industry.

Mr. Bean said the bottom line is that there is little MPC can do to affect drainage. Drainage plan approvals, design standards and maintenance all reside with other departments. All we can do is explain what the ordinance requires and accept it.

Suzanne Cooler and Nathaniel Panther represented County Engineering. Ms. Cooler said the review process for the County is very similar to the City's. However, the entire review process (stormwater, traffic, soil erosion, etc.) is handled within Engineering, rather than being sent to other departments for comments.

There is open communication between MPC staff and Engineering staffs. County and City both hold plan review meetings where MPC staff is present. Ms. Cooler urged Commissioners to refer any County complaints received from citizens to County Engineering. Engineering receives inquiries from citizens all the time. They listen and often meet with them. They relay legitimate complaints to the developer's engineer and ensure that they be taken into consideration during the design process. Ms. Cooler said the County, like the City, requires that post-development runoff not exceed pre-development runoff. In addition, the County makes the developer demonstrate anything coming offsite and requires the developer to demonstrate adequate downstream conveyance. Developments cannot discharge pre-development rates to an inadequate system. If the system is inadequate, the developer must pay his pro-rata share to upgrade the system.

Ms. Jest asked what happens when a drainage problem has been created by a State project (Garrard Avenue-Veterans Parkway overpass, for example). Nathaniel Panther said the County does not review State plans for drainage or roadway projects. Most drainage problems brought to the County's attention are civil matters. A citizen adversely affected by a State project could bring suit against the State. Ms. Cooler said there is a SPLOST project underway in the Garrard Avenue area that will alleviate some of the drainage issues there.

The County is currently rewriting its Stormwater Management Ordinance. The State mandates that water quality issues now be addressed, particularly with regard to turbidity. The water quality standards will embrace best management practices.

Robert Drewry, Chatham County Director of Public Works and Park Services, said that citizens with questions or concerns are welcome to contact him. The County has long-range plans under a Capital Improvement Program similar to the City's.

Mike Weiner, City Traffic Engineer, said his department works very closely with MPC through Chatham Urban Transportation Study (CUTS). There is a long-range transportation plan that Tom Thomson heads. Long-range plans are produced by developing traffic projections for 25-year and 30-year intervals and then determining what roadway systems are needed to accommodate the projected traffic. Short-range projects are developed in cooperation with the Georgia Department of Transportation (GDOT) and federal funding is requested through the Transportation Improvement Program (TIP). This is a budgeted four-year plan. The City has a five-year plan. SPLOST projects are determined by the voters.

When Traffic receives a plan for review, they want to be sure that the traffic generated by the proposed development will not downgrade the transportation system. Intersections are rated according to volume of traffic and time required to transit the intersection. If a development will downgrade an intersection to an intolerable degree, the developer is told that a solution must be found to address the congestion created. A traffic study is required to develop mitigation. The developer can be required to contribute toward that mitigation.

Mr. Manigault said that his area (Coffee Bluff) is undergoing considerable growth and development which will add traffic to an already busy roadway. What can be done to address this problem? Mr. Weiner said they would need to determine if someone adding another 25 houses in that area would justify a full-fledged traffic study that would cost the developer \$30,000, especially in view of the fact that a roadway-widening project is already on the books that will address the congestion on Coffee Bluff Road. SPLOST funding is available for that project but there has been a lot of opposition from the neighborhood. The majority of the citizens of that area are opposed to a four-lane road. In response, County and City staff changed the concept of that project and have submitted a revised plan. It is currently going through the environmental process.

Mr. Farmer asked about improvements to Abercorn and White Bluff Road necessitated by development in the Fresh Market area and Savannah Tech Expansion. Mr. Weiner said the City, County, and MPC are working together now to address east-west traffic impacting DeRenne Avenue, White Bluff Road and Abercorn Street. Short-term, this problem will only get worse.

Mr. Thomson said the MPO will try to provide more information to Board members on traffic planning and projects.

Mr. Weiner said one of his biggest problems is parking. A variance for two or three parking spaces when the street can accommodate that is not a problem. Bigger variances can present a serious problem.

Mr. Thomson said the corridors coming into and out of the Savannah area are also experiencing severe congestion. We need to work with the State and surrounding counties to develop regional traffic plans that reach beyond county and state lines.

## **B. Review of Proposed Changes to MPC By-Laws**

Mr. Farmer, Chairman of the By-Laws Committee, said much of what is in the By-Laws is fine just as it is. There were some areas the County Commission wanted reviewed and other areas that needed scrutiny. This will be on the agenda of the next regularly scheduled MPC meeting at which time the changes will be presented. There will also be another meeting of the By-Laws Committee. Anyone wishing to make suggestions or discuss changes with the Committee is welcome to attend. He expressed appreciation to Mr. Ray and the Finance Committee for their involvement in formulating some of the changes and to Mr. Thomson, Ms. Jest and Ms. Myers for getting input from some of the other MPC boards as to how they handle things.

Mr. Lufburrow thanked the Committee members for their time and effort.

Mr. Mackey questioned allowing the Executive Director to approve contracts not to exceed \$25,000.00. The City Manager and Department Heads do not have that authority and he feels it might not be appropriate for MPC to implement such a policy. He believes that some of the language under Appendix C, Media Relations is vague, unclear and unnecessary. The Board already has a policy that any communications with the media must come from the Chairman, the purpose being to safeguard the Commission from being placed in a litigious situation. He would require some clarification on the Media Relations proposal before he could support it. He also believes that if the By-Laws need to be revised, they should be revised entirely, not piecemeal--a section or two at a time.

Mr. Lufburrow asked Mr. Mackey to put his concerns and suggestions in writing for review by the By-Laws Committee. It was Mr. Lufburrow's desire to have the By-Laws revisions completed by the end of 2006. The By-Laws Committee realized that it could not possibly revise the entire document by that date and, therefore, specific areas were targeted. Mr. Lufburrow believed it would be better to place this task in the hands of members who have served for a time on the Commission and are familiar with its work and mission rather than hand it off to newly appointed and inexperienced members next year.

Mr. Farmer said the process was first to get input from the seven Committee members as to areas of concern in the By-Laws. Identified sections were divided among the members for their study. It was decided to work only on the problem areas because it was thought better to complete work on those sections rather than start work on the entire By-Laws and not be able to finish any of it before some members' terms expire. There was much discussion of areas other than the ones recommended for revision. More was left unchanged than was recommended for changes. The Committee believes each item should be considered and voted on separately. There will be another meeting before the final draft comes before the Commission to give the Committee another chance to consider and respond to input from the Commissioners. The two major concerns identified by Mr. Mackey—media relations and procurement—will be looked at again, although the procurement policy has been carefully vetted by Mr. Ray and the Finance Committee.

Mr. Ray said that with reference to the procurement policy, the Finance Committee did not look at the policies of other City and County departments external to MPC, they only looked at the practices of the other MPC Boards.

Mr. Manigault, a member of the Finance Committee, did not remember discussing the under-\$25,000 authority for the Executive Director. He believes if there have been no problems with the current policy, there is no reason to change it.

Mr. Lufburrow stated that the suggested amendments are scheduled for presentation to the Board at the first meeting in December for further discussion. According to the By-Laws, proposed amendments must be presented at one meeting and voted on at a subsequent meeting. The document has been sent to the City and County Attorneys for their recommendations to ensure that the proposed amendments follow the proper procedures for our type organization and are legally sound.

Mr. Farmer said that after looking over the document in today's packet, he can understand Mr. Mackey's concern about the media section because the draft included in today's packet is not the version agreed upon by the Committee. The Media Relations section approved by the Committee had little or no changes to the current policy. Mr. Lufburrow asked that Mr. Farmer and MPC staff get together to be sure that Commissioners and City and County Attorneys receive the correct draft of the Media Relations section. Mr. Farmer assured him that will be done immediately.

Mr. Manigault asked that no vote be taken until response is received from the City and County Attorney. Mr. Lufburrow assumes a response will be received from both, but if that does not happen, then the Commission will have to decide as a body how to proceed. Mr. Farmer said that he has personally contacted both Attorneys and solicited their participation.

Mr. Mackey will put his concerns in writing and forward them to Board members, the County Attorney, the City Attorney, County Commissioners, and City Aldermen.

### **C. WTF Ordinance Fee Schedule and Master Plan Information**

Mr. Bedi presented an update on the Wireless Telecommunications Facilities Ordinance. MPC held an open-house meeting on November 8, 2006, from 6:00 p.m. to 7:30 p.m. Mr. Ray and Mr. Todd attended as did County Commission Chairman Pete Liakakis. The meeting was attended by a number of service providers. There was healthy discussion and exchange of information and an informational display for the public.

In addition to updating the Ordinance, the plan is also to update the fee schedules because City and County have different schedules. Consultants have suggested a three-step process: 1) base fees ranging from \$2,100 to \$5,000 based on the type of petition, 2) a \$1,000 fee per application to recover the cost of preparation of the master plan and updating the ordinance, and 3) a \$3,500 fee for a third-party review where one is required.

The cost recovery fee is designed to recoup the funds provided by the City for this project. The City estimates that it would take about five years to recover its cost.

The schedule will be reviewed by the City and County Attorneys, Finance Departments and other appropriate personnel. The Commission will be kept up to date as input is received from these other entities.

Ms. Jest said there had been previous discussion about enforcement and fees required to cover that function, bonds to address abandoned towers and an evidence of need report. She asked how all that fits into the new Ordinance. Mr. Thomson said at this point each of those issues is addressed in the Ordinance itself, not in the fee schedule. The County Attorney recommends a lien alternative rather than a bond requirement. Under this plan a property owner would ultimately be liable for removal of an abandoned tower. Staff is also continuing to look at the other two issues. He added that the current fee structure is woefully inadequate to cover the cost of reviewing telecommunications applications, particularly in the City. Mr. Lufburrow said that what would probably happen in a lien versus bond situation, is that the landowner would require a bond from the service

provider, removing the City and County from that process. Mr. Bedi said the County Attorney's issues with bonds were that surety bonds usually have a lifespan of 12 to 18 months whereas these facilities may be in place for many years and that cash bonds are a liability for the County or City to maintain and update.

Mr. Lufburrow said that one of the problems for the Planning Commission over the years was not having the expertise to evaluate the technical information provided by the petitioners. The result was that many of these petitions were continued meeting after meeting, eating up deliberation time for the Commission and causing delays for the service providers and consumers needing the service. The proposed fee structure will support the ongoing use of a consultant who will interact with the telecommunications industry and support the Commission by digesting the technical data and making informed recommendations regarding the merit and disposition of petitions. This will streamline the process and make it more objective.

Ms. Jest asked if, after the City recovers its cost, the cost recovery fee could remain in place and be used to address maintenance. Mr. Lufburrow believes that once the City recovers the cost, the cost recovery fee should expire. The maintenance issue should be addressed separately and the Ordinance should include language to cover it. Mr. Thomson said we are looking at a fee to fund City Inspections' enforcement of tower maintenance.

**VI. Other Business**

Ms. Jest thanked Tom Thomson and Beth Reiter for speaking at a Historic Neighborhood Council Workshop on Veterans Day. They did a wonderful job.

**VII. Adjournment**

There being no further business, the November 14, 2006, MPC Planning Session was adjourned.

Respectfully submitted,

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

**Note: Minutes not official until signed**