

CHATHAM COUNTY-SAVANNAH METROPOLITAN PLANNING COMMISSION

MPC MINUTES

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

October 3, 2006

1:30 PM

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

Members Not Present: Russ Abolt
Walker McCumber

Staff Present: Thomas L. Thomson, P. E., AICP, Executive Director
Harmit Bedi, AICP, Deputy Executive Director
James Hansen, AICP, Director, Development Services
Dennis Hutton, AICP, Director of Comprehensive Planning
Gary Plumbley, Development Services Planner
Deborah Burke, AICP, Development Services Planner
Amanda Bunce, Land Use Planner
Sarah Ward, Historic Preservation Planner
Jackie Jackson, Water Resources Planner
Bethany Jewell, Water Resources Planner
Marilyn Gignilliat, Executive Assistant
Constance Morgan, Administrative Assistant

Advisory Staff Present: Robert Sebek, Chatham County Zoning Administrator

I. CALL TO ORDER AND WELCOME

Chairman Lufburrow called the meeting to order and asked everyone to stand for the Invocation and the Pledge of Allegiance. 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)

MPC Bylaws Committee will meet Tuesday, October 17, 2006, at 11:00 A.M. in the J. P. Jones Conference Room, at 110 East State Street.

B. Acknowledgment(s)

New Employee: Bethany Jewell

Jackie Jackson introduced Ms. Bethany Jewel, MPC's new Water Resource Planner, and gave a quick background of Ms. Jewell's education and experience. Ms. Jewell thanked the Board Members for their interest and presented a more detailed background of her experiences and education. She stated she looks forward to the application of her experiences at the Metropolitan Planning Commission.

C. Proclamation(s)

Judge John Morse, Jr. asked newly elected officers to stand and raise his/her right hand as he administered the Oath of Office.

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

1. General Development Plan/Group Development Plan

Southern Oaks- Lot 16
145 Southern Boulevard
P-I-L Zoning District
7.79 acres
PIN: 2-0740 -01-017
Chad Zittrouer, Kern-Coleman & Co, LLC, Engineer/Agent
Paul Delevis, Owner
Debbie Burke, MPC Project Planner
MPC File No. P-060914-38636-2

No variances requested.

This item has been requested to be removed from the Final Agenda at the petitioners request until further notice.

Mr. Todd **moved** to approve the petitioner's request to remove MPC File No. P-060914-38636-2 from the agenda until further notice. Ms. Jest seconded the motion.

MPC ACTION: The motion carried with none opposed. The motion was to remove MPC File NO. P-060914-38636-2 from the agenda until further notice. Voting were Mr. Lufburrow, Mr. Ray, Mr. Todd, Ms. Myers, Mr. Bean, Mr. Coleman, Mr. Farmer, Ms. Jest, Mr. Manigault, Mr. Meyer, Mr. Brown, and Mr. Mackey.

2. Comprehensive Plan - Community Agenda Report Additional Revisions

Mr. Farmer **moved** that the Comprehensive Plan – Community Agenda Report Additional Revisions be removed from the Final Agenda. Ms. Jest seconded the motion.

MPC ACTION: The motion carried with none opposed. The motion was to remove the Comprehensive Plan Community Agenda Report Additional Revisions from the final Agenda. Voting were Mr. Farmer, Ms. Jest, Mr. Lufburrow, Mr. Ray, Mr. Todd, Ms. Myers, Mr. Bean, Mr. Coleman, Mr. Brown, Mr. Mackey, Mr. Manigault, and Mr. Meyer.

III. CONSENT AGENDA

A. Approval of the September 19, 2006 MPC Meeting Minutes and Briefing Minutes.

Mr. Todd **moved** to approve the minutes from the September 19, 2006 MPC Meeting Minutes and Briefing Minutes. Mr. Farmer seconded the motion.

MPC ACTION: The motion to approve the minutes from the September 19, 2006 MPC Meeting Minutes and Briefing Minutes carried with none opposed. Voting were Mr. Lufburrow, Mr. Ray, Mr. Todd, Ms. Myers, Mr. Bean, Mr. Coleman, Mr. Farmer, Ms. Jest, Mr. Manigault, Mr. Meyer, Mr. Brown and Mr. Mackey

B. Zoning Petition – Map Amendment

130 Tibet Avenue
Phillip McCorkle, Agent
Jim Hansen, MPC Project Planner
MPC File No. Z-060914-56835-2

Issue: At issue is a request to rezone approximately 1.93 acres of land from an existing R-M-25 (Multi-family Residential-25 Units per acre) to a P-R-I-P (Planned Residential-Institutional Professional) classification.

Policy Analysis: The proposed rezoning is consistent with the City's Future Land Use Plan and will establish a zoning district that is compatible for the surrounding neighborhood. The proposed zoning classification will provide buffer for the nearby residential uses from the more intensive commercial uses east along Abercorn Street.

Staff Recommendation: Approval of the request to rezone the subject property from an R-M-25 zoning classification to a P-R-I-P classification.

Mr. Mackey **moved** to approve the staff recommendation. Mr. Coleman seconded the motion.

MPC ACTION: The motion to approve the staff recommendation carried with none oppose. Voting were Mr. Lufburrow, Mr. Ray, Mr. Todd, Ms. Myers, Mr. Bean, Mr. Coleman, Mr. Farmer, Ms. Jest, Mr. Manigault, Mr. Meyer, Mr. Brown and Mr. Mackey.

C. 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 No. 2-0044 -26-012
Sarah Ward, MPC Project Planner
MPC File No. N-060728-38319-2

Nature of the Request: The applicant is requesting approval for New Construction of a two-story carriage house at the rear of the property at 107 East Waldburg Street. This petition was previously submitted for the August 15, 2006 meeting of the MPC but was withdrawn by the applicant to address concerns of staff. The applicant is requesting the following setback variances from the development standards: 6" side yard setback on the west; 3' side yard setback on the east; and a 2' rear yard setback

Staff Recommendation: Approval for new construction of the two-story carriage house as submitted. **Approval** of setback variances as requested for 6" side yard setback on the west, 3' side yard setback on the east, and 2' rear yard setback.

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

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

D. General Development Plan/Group Development Plan

The Temple of Glory Community Church- Phase 4
1201 Stiles Avenue
B-N Zoning District
0.21 acres
PIN: 2-0050 -17-002, -003
Downer Davis, Davis Engineering, Engineer/Agent
Temple of Glory Community Church, Inc., Owner
Amanda Bunce, MPC Project Planner

Nature of Request: The petitioner is requesting approval of a General/Group Development Plan in order to construct an administrative office building for a church within a B-N (Neighborhood Business) zoning district. No variances requested.

Staff Recommendation: Approval of the General/Group Development Plan with the following condition: 1) the properties shall be recombined with the property to the north 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; 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. When a proposed nonresidential use is adjacent to or across the street from existing residential use, all structures within the nonresidential property shall be compatible with and/or screened from the structures within the residential property; 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 shall review the Signage Plan.

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

MPC ACTION: The motion to approve the staff recommendation carried. Voting in favor of the motion were Mr. Lufburrow, Mr. Ray, Mr. Todd, Ms. Myers, Mr. Bean, Mr. Coleman, Mr. Farmer, Mr. Manigault, Mr. Meyer, Mr. Brown and Mr. Mackey. Ms. Jest voted against the motion.

E. Master Plan

Marina on Turner's Creek
119 Johnny Mercer Boulevard
P-W-I/EO Zoning District
PIN 1-0089 -02-001
EMC Engineering, Engineer
Don Taylor, Agent
Billy Herrin, Owner
Gary Plumbley, MPC Project Planner
MPC File No. M-060913-89298-1

Nature of Request: The petitioner is requesting approval of a maser Plan for a proposed marina to be located adjacent to Turners Creek approximately 300 feet east of Johnny Mercer Boulevard and 450 feet west of Wilmington Island Road within a P-W-I/EO (Planned Waterfront Industry/Environmental Overlay) classification. The petitioner is requesting the following variance; 1) a 92 space off street parking variance from the required 141 spaces; and 2) a 5 foot height variance (from the maximum permitted height of 36 feet) for the proposed boat barns.

Staff Recommendation: Denial of a 92 space off-street parking variance from the required 141 spaces and the proposed Master Plan based on the previously stated findings. Staff further recommends approval of a 5 foot height variance from the maximum permitted height or 36 feet for the proposed boat barn(s) and an amended Master Plan subject to the following conditions:

1) revise the Master Plan to include Phase 1 only including: 1) the western boat barn, 2) the northernmost proposed docks (the existing dock at this location will be removed); 3) the office building; 4) the concrete staging and boat launch area; 5) utilization of the existing southernmost docks for wet-slip rental; and the proposed private drive and off-street parking spaces. 2) revise the parking area(s) to provide not less than 110 spaces. This can be done by utilization of the existing paved area where the future boat barn is located and by establishing more spaces along the northernmost drive aisle serving the Phase 1 boat barn. Because of the uncertainty of the actual number of spaces that will be needed, 30 percent of the spaces (33) may be shown as reserved spaces. This will eliminate the need to create additional paving unless the spaces are needed. 3) approval by the Georgia Department of Natural Resources and the County Engineer.

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

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

F. Approval of Professional Services Agreement for Unified Zoning Ordinances

Mr. Meyer **moved** to approve the Professional Services Agreement for Unified Zoning Ordinance as presented. Ms. Jest seconded the motion

MPC ACTION: The motion to approve the Professional Services Agreement for Unified Zoning Ordinance carried with none opposed. Voting were Mr. Lufburrow, Mr. Ray, Mr. Todd, Ms. Myers, Mr. Bean, Mr. Coleman, Mr. Farmer, Ms. Jest, Mr. Manigault, Mr. Meyer, Mr. Brown, and Mr. Mackey.

IV. REGULAR BUSINESS

A. Zoning Petitions – Map Amendments

1. 1108 East Henry Street
Steven Horner, Owner
Debbie Burke, MPC Project Planner
MPC File No. Z-060824-50597-2

Issue: The petitioner is requesting rezoning of property at 1108 East Henry Street from an R-4 (Four-Family Residential) classification to an R-I-P-B Residential, Medium Density) classification.

Policy Analysis: The proposed rezoning is inconsistent with the City's Future Land Use Plan and will allow for an increase in density and commercial uses that could negatively impact an established single family residential area

Staff Recommendation: Denial of the request to rezone the subject property from an R-4 classification to an R-I-P-B classification.

Speaking on the Issue

Darrin Friend, 1108 East Henry Street gave a brief historical background of the subject property. He asked that the historical significance of the property, its location to the adjoining business and the need for community improvement be given consideration.

Lynette Guilbeaux, 1101 E. Duffy Street, stated the neighborhood association has worked diligently to enhance the neighborhood. She stated she had not decided whether this new bed and breakfast would be an improvement to the neighborhood but would leave that decision making process in the hands of the experts. She also voiced her concern if the Inn does not succeed, what options would there be for this site.

Rosemary Banks, 1110 E. Henry Street, stated her concerns regarding spot zoning and rezoning R-I-P-B and R-4. She also stated she supports the petitioner's investment 100% and asked that the Board Members reconsider staff recommendation and vote in favor of this petition.

Ardis Wood, Neighborhood Resident, reiterated what happens if the proposed establishment leaves.

John Fleming, Neighborhood Resident stated he was in favor of the petitioner's request and asked that the rezoning be allowed.

Larcinia Stephens, Henry Street resident asked that the petitioner be allowed to add flavor to the neighborhood. She is in favor of the petitioner.

Mr. Brown **moved** to continue the petition until the next scheduled MPC Meeting, October 17, 2006 subject to conditions. Mr. Meyer seconded the motion.

MPC ACTION: The motion to continue the petition until the next scheduled MPC Meeting October 17, 2006 subject to conditions carried. The condition were for the specific purpose of coming up with a Planned district and applying additional standards to the site plan that are sufficiently restrictive to allow an Inn at this site but no other commercial uses. Voting were Mr. Lufburrow, Mr. Manigault, Mr. Meyer, Ms. Myers, Mr. Ray, Mr. Bean, Mr. Farmer, Mr. Todd, Mr. Brown and Mr. Mackey. Mr. Coleman and Ms. Jest voted against the motion.

2. 604 Wilmington Island Road
Cliff Kennedy, Agent
Gary Plumbley, MPC Project Planner
MPC File No. Z-060914-57351-1

Issue: The petitioner is requesting rezoning of property at 604 Wilmington Island Road from an R-1-A/ EO (One-Family Residential/ Environmental Overly) classification to a P-R-3-8/ EO (Planned Multi-Family Residential, 8 units per acre/ Environmental Overlay) classification.

Policy Analysis: The proposed P-R-3-8/EO classification would allow residential development at a higher density than the existing residential development in close proximity to the petition site. An alternate P-R-3-4.25/EO district would be consistent with Chatham County's Future Land Use Plan and would establish a zoning district that would ensure the continuation of a low density residential development pattern in the general area and would also provide a transition from the adjacent non-conforming commercial use.

Staff Recommendation Denial of a P-R-3-8/EO classification but further recommends **Approval** of rezoning to an alternate P-R-3-4.25/EO classification.

Speaking on the Petition

Richard Guerard, Agent stated the subject property has diminished because of the industrial use of the property next door. He feels his property is being unfairly used as a buffer. He would like to construct 8 units on the subject property but may be willing to compromise and build the 6 units.

Donald Munn, 530 Wilmington Island Road, stated he was in favor of the 6 unit design as long as the construction was of such design that it does not impact the value of his property. He also voiced his concerns if the zoning is changed and the units are limited to a maximum of 6 units but the petitioner decides this is not a viable economic venture for him what can the residents expect in this area.

Lynn Page, 516 Wilmington Island Road, stated she feels the density for the subject property has been set a long time ago and it should be adhered to.

Maryann Hines, Wilmington Island resident stated she would not like to see the zoning changed.

Dennis Chandler, 526 Wilmington Island Road stated he would like the zoning district to remain the same. He asked that the petitioner's request be denied.

Richard Long, adjacent property owner, stated he was in favor of the 6 unit plan and feels this would be the perfect use for said property. He agreed he would also work with the developer to maintain a good buffer between the properties.

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

MPC ACTION: The motion to approve the staff recommendation carried. Voting in favor of the motion were Ms. Myers, Mr. Ray, Mr. Lufburrow, Mr. Farmer, Mr. Coleman, Ms. Jest, Mr. Brown, Mr. Manigault, Mr. Todd, Mr. Coleman, and Mr. Bean. Mr. Mackey voted against the motion.

B. General Development Plan/ Group Development Plan

Abercorn Terrace, Phase 1
4634 Abercorn Street
R-M-25 Zoning District
7.22 acres
PIN: 2-0106 -04-002
Cliff Kennedy, Kennedy, Ragsdale & Associates, Inc., Engineer/Agent
Ivy Partners, LLC., Owner
Amanda Bunce, MPC Project Planner
MPC File No. P-060914-36531-2

Nature of Request The petitioner is requesting approval of a General/Group Development Plan in order to construct 124 condominium units within an RM-25 (Multifamily Residential, 25 units per acre) zoning district. The petitioner is requesting a height variance for a portion of the building.

Staff Recommendation: Approval of a ten foot, eight inch height variance for the five three-story over parking buildings. **Approval** of the General/Group Development Plan.

Speaking on the Petition

Adam Ragsdale, Agent, stated a community meeting has been held to discuss concerns regarding this project. The result of that meeting was positive.

Ardis Wood, neighborhood resident, stated she had concerns regarding the parking and the comment made regarding the reconfiguration of the street parking. She would also like to ensure that the tree lanes remain.

Mr. Brown **moved** to approve the staff recommendation. Mr. Mackey seconded the motion.

MPC ACTION: The motion to approve the staff recommendation carried. Voting in favor of the motion were Mr. Brown, Mr. Mackey, Mr. Lufburrow, Mr. Ray, Mr. Meyer, Mr. Farmer, Ms. Myer, Mr. Bean, Mr. Coleman, Mr. Manigault, and Mr. Todd. Ms. Jest voted against the motion.

C. Subdivision/Sketch Plan

Norwood Manor- Lot 11 and the Southeast Portion of Lot 10
2328 Norwood Avenue
R-1/EO Zoning District
24 Lots – 6.02 Acres
PIN: 1-0360 -03-003 -004
Smith & Herrin Construction, Inc., Owner
Downer Davis, Davis Engineering, Agent
Amanda Bunce, MPC Project Planner
MPC File No. S-060913-58376-1

Nature of Request: The petitioner is requesting approval of a Concept Plan (Sketch Plan) for a 24-lot Major Subdivision located on the northwest side of Norwood Avenue, northeast of Baker's Crossing within an R-1/EO (One-Family Residential/Environmental Overlay) zoning district. No variances are requested.

Staff Recommendation: Approval of the proposed Major Subdivision Sketch Plan with the following conditions: 1) approval by the Chatham County Health Department and the County Engineer; 2) the Environmental Site Assessment shall be submitted to the County Engineer; and 3) an opaque fence at least six feet in height shall be provided between the common area and Lots 23 and 24 along Lansing Avenue.

Speaking on the Petition

Downer Davis, Davis Engineering Agent, stated he is working with Chatham County to relocate Palm trees in an effort to preserve trees. Under staff recommendations he will provide the fencing required between the common areas. He is also proposing to provide a small passive recreation area in the common areas.

Dana Braun 2405 Easy Street stated concerns regarding the impact this development would have on the area. He feels this is not good planning for this area and is opposed to this development.

Freya Zipperer, 2325 Norwood Avenue, briefly stated her concerns regarding excessive traffic, poor drainage, tree conservation and the inconsistency of development in the area. She offered possible solutions to remedy these concerns such as building fewer houses in the development and putting in curved roads.

Charlie Milmine, neighborhood resident, addressed his concern regarding the incompatibility of the vision statement for this area. He referred to it as creeping cul-de-sac. He stated it had been decided by the Board Members there would be no additional revisions to the Comprehensive Plan. However, the Island Plan was tweaked. He requested this plan not be tweaked.

Ms. Diane Lyon, neighborhood resident, stated she should not have been impacted by this new development. However there has been no improvement in drainage. Her family home has almost flooded twice. She questioned what recourses she and area residents have.

Anthony Mitchell, 2 Baker Crossing, stated he has heard rumors the new development will infringe on the existing subdivision. This infringement would necessitate the removal of existing homes in the area. He also stated the neighborhood covenant does not allow the construction of two or more story houses and wanted assurance this construction would not be allowed in the new development.

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

MPC ACTION: The motion to approve the staff recommendation carried. Voting in favor of the motion were Mr. Farmer, Mr. Todd, Mr. Coleman, Mr. Bean, Mr. Ray, Mr. Myers, and Mr. Manigault. Ms. Jest voted against the motion. Mr. Brown, Mr. Meyer and Mr. Mackey were not in the room when the vote was taken.

VI. OTHER BUSINESS

Mr. Lufburrow announced that County Commissions will meet on October 6, 2006, at 9:00a.m. He encouraged all Commissioners to be in attendance to support the Comprehensive Plan.

VII. ADJOURNMENT

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

Respectfully submitted,

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

Note: Minutes not official until signed