

CHATHAM COUNTY-SAVANNAH METROPOLITAN PLANNING COMMISSION

MPC MINUTES

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

April 3, 2007

1:30 PM

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

Members Not Present: Russ Abolt

Staff Present: Thomas L. Thomson, P. E., AICP, Executive Director
Harmit Bedi, AICP, Deputy Executive Director
Jim Hansen, AICP, Director, Development Services
Debbie Burke, AICP, Development Services Planner
Amanda Bunce, Development Services Planner
Marilyn Gignilliat, Executive Assistant
Constance Morgan, Administrative Assistant

Advisory Staff Present: Robert Sebek, County Zoning Administrator
Tom Todaro, City Zoning Administrator
Carl Palmer, Executive Director, Chatham Area Transit Authority

I. Call to Order and Welcome

Chairman Lufburrow called the meeting to order. He 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)

1. Next Regular Scheduled MPC Meeting will be April 17, 2007 at 1:30 PM in the MPC Arthur A. Mendonsa Hearing Room.

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

None at this time.

III. CONSENT AGENDA

A. Approval of March 20, 2007 MPC Meeting Minutes and Briefing Minutes.

Mr. Meyer **moved** to approve the March 20, 2007 MPC Meeting Minutes and Briefing Minutes. Mr. Todd seconded the motion.

MPC ACTION: The motion to approve the March 20, 2007 MPC Meeting Minutes and Briefing Minutes carried with none opposed. Voting were Mr. Lufburrow, Mr. Ray, Mr. Todd, Ms. Myers, Mr. Brown, Mr. Coleman, Mr. Farmer, Mr. Meyer, Mr. Manigault, Mr. Ragsdale, and Mr. Bean. Mr. Mackey was not in the room when the vote was taken.

B. Zoning Petition - Text Amendment

Text Amendment to the Chatham County Zoning Regulations
Re: Amend Section 4.5 .1 Provisions Regarding Use in C-Districts and R-Districts to permit "Honey production and distribution of honey and honey related products" as a use
Harold Yellin, Agent for the Savannah Bee Company
Jim Hansen, MPC Project Planner
MPC File No. Z-070315-38709-1

Issue: The petitioner is proposing that the Zoning Ordinance be amended to specifically allow honey production and distribution of honey and honey related products as matter of right within the C-A (Agriculture Conservation), R-A (Residential Agriculture), and R-A1 (Residential Agriculture-Limited) zoning districts.

Policy Analysis: Text amendments are applicable countywide. Therefore, the potential impacts of proposed amendments must be considered on a countywide basis. While the impact from a single property may not be deemed detrimental, it is imperative to consider all properties the amendment would affect. No detrimental effects are expected to be associated with honey production and distribution. Such usage should, however, be subject to development criteria that prevent possible disturbances to adjacent and adjoining neighbors. The amendment offered by the petitioner with the development criteria suggested will provide the necessary assurances. Additionally, because the proposed amendment requires the use to be located on a collector or higher classified street, development of such a site must adhere to the site plan requirements of Section 4-6.5 (Planned District) of the Chatham County Zoning Ordinance.

Staff Recommendation: Approval of the petitioner's request to amend Section 4-5.1 Provisions Regarding Use in C-Districts and R-Districts to permit honey production and the distribution of honey and honey related products in the C-A, R-A, and R-A-1 districts.

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

MPC ACTION: The motion to approve staff recommendation to amend Section 4-5.1 Provisions Regarding Use in C-Districts and R-Districts carried with none opposed. Voting were Mr. Lufburrow, Mr. Ray, Mr. Todd, Mr. Meyer, Ms. Myers, Mr. Coleman, Mr. Bean, Mr. Farmer, Mr. Manigault, Mr. Ragsdale and Mr. Brown. Mr. Mackey was not present when the vote was taken.

C. Revised Master Plan

Highlands Crossing
125 Highlands Boulevard
PUD-C Zoning District
Ryan Thompson, Thomas & Hutton Engineering Co., Agent
Genesis Real Estate Group LLC, Owner
Amanda Bunce, MPC Project Planner
MPC File No. M-070228-38242-2

Nature of Request: This petition was continued at the March 20, 2007 MPC meeting at the request of the petitioner. The petitioner is requesting approval of an amended Master Plan for a residential development located at the southwest corner of Highland Boulevard and Benton Boulevard within a PUD-C (Planned Unit Development-Community) zoning district. No variances are requested.

Staff Recommendation: Approval of the proposed Master Plan Amendment.

Mr. Bean stated that he would abstain from voting on this petition. He submitted a conflict of interest form for the file.

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

MPC ACTION: The motion to approve staff recommendation of the proposed Master Plan Amendment carried with none opposed. Voting were Mr. Lufburrow, Mr. Todd, Mr. Ray, Ms. Myers, Mr. Coleman, Mr. Farmer, Mr. Manigault, Mr. Meyer, Mr. Ragsdale and Mr. Brown. Mr. Bean abstained from the vote. Mr. Mackey was not present when the vote was taken.

D. Authorize Executive Director to Execute Contract with GDOT for Congestion Management Process (CMP) L230 Planning Funding

Mr. Todd **moved** to authorize Executive Director to Execute Contract with GDOT for Congestion Management Process (CMP) L230 Planning Funding. Mr. Ray seconded the motion.

MPC ACTION: The motion to approve to Authorize Executive Director to Execute Contract with GDOT for Congestion Management Process (CMP) L230 Planning Funding carried with none opposed. Voting were Mr. Lufburrow, Mr. Ray, Mr. Todd, Ms. Myers, Mr. Bean, Mr. Farmer, Mr. Coleman, Mr. Brown, Mr. Ragsdale, Mr. Manigault and Mr. Meyer. Mr. Mackey was not present when the vote was taken.

IV. REGULAR BUSINESS

A. Zoning Petitions - Map Amendments

1. 321 Montgomery Street
Harold Yellin, Agent
321 Montgomery Street LLC, Owner
Jim Hansen, MPC Project Planner
MPC File No. Z-070316-41752-2

Issue: At issue is the request to rezone approximately .32 acres of land located at 321 Montgomery Street from a B-C (Community Business) classification to a B-C-1 (Central Business) classification.

Policy Analysis: The proposed rezoning is consistent with the Tricentennial Future Land Use Plan and will establish a zoning district that is more typical of the type and density of development in the general vicinity.

Staff Recommendation: **Approval** of the request to rezone the subject property from a B-C zoning classification to a B-C-1 zoning classification.

Mr. Mackey entered the room at this point.

Speaking on the Issue: Harold Yellin Agent, stated that this petition was inspired by a previous petition brought before this Board and approved by City Council. He explained the differences and the similarities between the B-C and the B-C-1 district. He added that the rezoning to a B-C-1 would allow his client the flexibility he needs for this project. He requested that the petition be approved by the Board.

Ms. Myers **moved** to deny the staff recommendation. The motion failed due to the lack of a second. Mr. Todd **moved** to approve staff recommendation. Mr. Mackey seconded the motion.

MPC ACTION: The motion to approve staff recommendation to rezone the subject property from a B-C zoning classification to a B-C-1 zoning classification carried. Voting in favor of the motion were Mr. Lufburrow, Mr. Todd, Mr. Mackey, Mr. Brown, Mr. Ray, Mr. Farmer, Mr. Coleman, Mr. Bean, Mr. Manigault, and Mr. Ragsdale. Ms. Myers voted against the motion. Mr. Meyer was not in the room when the vote was taken.

2. 307 West Harris Street
Harold Yellin, Agent
307 West Harris Street LLC, LLC, Owner
Jim Hansen, MPC Project Planner
MPC File No. Z-070316-42685-2

Issue: At issue is the proposed rezoning of approximately 0.1 acres of land located at 307 West Harris Street from a B-C (Community Business) classification to a B-C 1 (Central Business) classification

Policy Analysis: The proposed rezoning is consistent with the Tricentennial Future Land Use Plan and will establish a zoning district that is more typical of the type and density of development in the general vicinity.

Mr. Meyer returned to the room.

Staff Recommendation: Approval of the request to rezone the subject property from a B-C zoning classification to a B-C-1 zoning classification.

Speaking on the Issue: Alicia Hyde Downtown Resident, stated she would like to know what's to be developed on this site prior to the zoning change. She stated concerns that the new development may cause more vehicular congestion. She questioned whether or not the B-C 1 zoning would allow the height and mass to change also.

Harold Yellin Agent, stated the density impact at this location would be minimal. Under the existing B-C zoning district a restaurant can be constructed and grandfathered in under the existing parking. He submitted certain commercial uses which are already permitted uses in the B-C could be potentially more difficult more undesirable from a parking perspective. He asked for the opportunity to put more residents in the building.

Mr. Bill Stube, Historic Savannah Foundation, voiced his concerns regarding the increase in density and parking caused by this project.

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

MPC ACTION: The motion to approve the staff recommendation to rezone the subject property from a B-C zoning classification to a B-C-1 zoning classification **carried**. Voting in favor of the motion were Mr. Lufburrow, Mr. Ray Mr. Todd, Mr. Farmer, Mr. Bean, Mr. Mackey, Mr. Brown, and Mr. Manigault. Mr. Meyer, Ms. Myers, and Mr. Coleman voted against the motion.

Mr. Brown proposed that the properties bounded by MLK Boulevard, Liberty, Barnard, and Gaston Streets be studied to determine appropriate land uses, density and parking requirements.

Mr. Brown **moved** that staff analyze the aforementioned area with a goal of creating sustainable neighborhoods that protect adjacent residential areas.

Mr. Farmer seconded the motion.

Mr. Palmer suggested that transit is an element that should be taken into consideration to balance parking and land use factors and limited space.

MPC ACTION: The motion to commission a pilot land use and planning analysis from Liberty to Gadsden and from Barnard to MLK with consideration to appropriate land uses residential densities, business types and parking with some type of traffic analysis carried with none opposed. Voting were Mr. Lufburrow, Mr. Ray, Mr. Meyer, Mr. Todd, Ms. Myers, Mr. Manigault, Mr. Brown, Mr. Coleman, Mr. Bean, Mr. Ragsdale, and Mr. Mackey.

B. General Development Plan

Motel at Mall Way
304 Mall Way
B-C Zoning District
1.69 Acres
PIN: 2-0533 -03-012
Jamie Csizmadia, Kern-Coleman & Co., Agent
Ganeshji Properties, LLC, Mike Patel, Owner
Debbie Burke, MPC Project Planner
MPC File No. P-070323-32570-2

Nature of Request: The petitioner is requesting approval of a General Development Plan in order to construct a 79 room motel within a B-C (Community Business) zoning district. The petitioner is requesting a height variance

Staff Recommendation: **Approval** of the 35 foot height variance and **approval** of the General Development Plan subject to the following conditions; 1) a traffic impact analysis must be submitted for review and approval prior to specific development plan approval; and 2) the signage for the site shall be limited to a monument style sign with a maximum height of eight feet, including the base, and a maximum area of fifty square feet.

Mr. Mackey left the room.

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

MPC ACTION: The motion to approve staff recommendation carried with none opposed. Voting were Mr. Lufburrow, Mr. Todd, Mr. Ray, Ms. Myers, Mr. Farmer, Mr. Bean, Mr. Coleman, Mr. Manigault, Mr. Ragsdale, and Mr Meyer. Mr. Mackey was not in the room when the vote was taken.

C. Specific Development Plan

Wal-Mart - 14030 Abercorn Street
14030 Abercorn Street
PUD-B-C Zoning District
25.62 Acres
PINs: 2-0862-01-017A, -013, 2-0860A-03-008, 2-0862-02-004, -005, -006,
007, -008
Michael Blinn, BRR Architecture, Architect
Tom Cetti, Thomas & Hutton Engineering Co., Engineer/Agent
Wal-Mart Stores East, LP, Property Owner
Amanda Bunce, MPC Project Planner
MPC File No. P-070314-39217-2

Nature of Request: The petitioner is requesting approval of a Specific Development Plan in order to construct a commercial building within a PUD-BC (Planned Unit Development-Community Business) zoning district. The plan also involves the relocation of a portion of Fulton Road. The petitioner is requesting the following variance: 1) a 15 foot development setback variance from the required 30 feet along a portion of Fulton Road; and 2) a variance to reduce the required parking ratio from 5.0 spaces /1,000 square feet to 4.67 spaces/1,000 square feet.

Staff recommendation: Approval of the following variances: 1) a variance to reduce the required parking ratio from 5.0 to 4.67 spaces per 1,000 square feet of leasable area; 2) a variance to reduce the required development setback along a portion of Fulton Road from 30 feet to 15 feet; and **approval** of the Specific Development Plan including the exterior Building Elevations and Signage Plan subject to the following conditions; 1) approval from the other City Review Departments; and 2) the recombination and subdivision plats required by the site layout and relocation of Fulton Road shall be approved prior to the issuance of a Certificate of Occupancy.

Speaking on the petition: Phillip McCorkle Agent, stated this will be the first store of this type built by Wal-Mart. He added it will include a \$125,000.00 water purification system for Stormwater leaving the site.

very Virgil Cordray Saturn of Savannah, stated that he is pleased with the new Wal-Mart development.

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

Mr. Brown asked Mr. McCorkle to officially inquire of Wal Mart their plans for the vacant property at Highway 17 and Interstate 516. Mr. McCorkle responded that Wal-Mart is actively entertaining offers to sell the property.

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. Farmer. Mr. Coleman, Mr. Manigault, Mr. Ragsdale, and Mr. Brown. Mr. Mackey was not in the room when the vote was taken

V. OTHER BUSINESS

None.

VI. ADJOURNMENT

There being no further business to come before the Commission, the April 3, 2007 Regular Meeting was adjourned

Respectfully submitted,

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

Note: Minutes not official until signed