

CHATHAM COUNTY-SAVANNAH METROPOLITAN PLANNING COMMISSION

MPC MINUTES

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

August 21, 2007

1:30 PM

Members Present: Stephen R. Lufburrow, Chairman
Robert Ray, Vice Chairman
Jon Todd, Secretary
Susan Myers, Treasurer
Russ Abolt
Douglas Bean
Michael Brown
Shedrick Coleman
Ben Farmer
Freddie Gilyard
David Hoover
Timothy S. Mackey
Lacy Manigault
Adam Ragsdale

Staff Present: Tom Thomson, Executive Director, P.E., AICP
Jim Hansen, AICP, Director, Development Services
Gary Plumbley, Development Services Planner
Constance Morgan, Administrative Assistant
LaToya Bynum, Recorder

Advisory Staff Present: None

I. CALL TO ORDER AND WELCOME

Chairman Lufburrow called the August 21, 2007 meeting to order and asked that everyone 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. He also announced the upcoming retirement of Ms. Brenda Smith, Director of Administrative Services.

II. NOTICES, PROCLAMATIONS AND ACKNOWLEDGMENTS

A. Notice(s)

1. The Educational Workshop and Public Input for Consideration to Allowing Limited Use of Digital Technology for Billboards will be held on Thursday August 23, 2007 at 6:00 PM in the MPC Arthur A. Mendonsa Hearing Room.

2. The MPC Planning Academy Fall 2007 Session will commence on August 28, 2007. Applications are now being accepted for the next session in March of 2008.
3. The next Regular Scheduled MPC Meeting will be September 4, 2007 at 1:30 PM in the MPC Arthur A. Mendonsa Hearing Room, 112 East State Street.

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

1. General Development Plans

Adams Funeral Home
510 Stephenson Avenue
PUD-IS-B Zoning District
1.2 Acres
PIN: 2-0145-13-003
Murray Barnard, Barnard & King Architects, Agent
Dr. E. Bruce Adams, Owner
Jim Hansen, MPC Project Planner
MPC File No. P-070720-40397-2

The petitioner has requested that this item MPC File P-070720-40397-2 be removed from the Final Agenda and rescheduled for the September 4, 2007 Regular Meeting.

Mr. Todd **moved** to approve the petitioner's request to remove MPC File P-070720-40397-2 from the Final Agenda and continue it to September 4, 2007. Mr. Ray seconded the motion.

MPC Action: The motion to approve the petitioner's request to remove MPC File No. P-070720-40397-2 from the final agenda and continued to the September 4, 2007 Regular Meeting carried with none opposed. Voting were Mr. Lufburrow, Mr. Ray, Mr. Todd, Ms. Myers, Mr. Abolt, Mr. Brown, Mr. Mackey, Mr. Ragsdale, Mr. Hoover, Mr. Manigault, Mr. Farmer, Mr. Bean, Mr. Coleman, and Dr. Gilyard.

2. Subdivision/Sketch Plan

Coffee Bluff Marina Subdivision
14915 Coffee Bluff Road
R-10 and PD-M Zoning Districts
3.34 Acres: 6 Dwelling Units
PIN 2-0767 -06-005 and -07-002
Rosso Corsa Enterprises / J.B. Javetz, Owners
Terry Coleman, Kern-Coleman & Co. Engineer/Agent
Gary Plumbley, MPC Project Planner
MPC File No. S-070801-33702-2
MPC Reference File Nos. Z-070522-86999-2, S-040408-52103-2 and S-070517-54579-2.

The petitioner has requested that this item MPC File S-070801-33702-2 be removed from the Final Agenda and rescheduled for September 4, 2007 Regular Meeting.

Mr. Todd **moved** to approve the petitioner's request to remove MPC File S-070801-33702-214915 from the Final Agenda and continue it to September 4, 2007. Mr. Ray seconded the motion.

MPC Action: The motion to approve the petitioner's request to remove MPC File No. S-070801-33702-2 from the final agenda and continued to the September 4, 2007 Regular Meeting carried with none opposed. Voting were Mr. Lufburrow, Mr. Ray, Mr. Todd, Ms. Myers, Mr. Abolt, Mr. Brown, Mr. Mackey, Mr. Ragsdale, Mr. Hoover, Mr. Manigault, Mr. Farmer, Mr. Bean, Mr. Coleman, and Dr. Gilyard.

3. Zoning Petition - Map Amendment

Johnny Mercer Boulevard
Harold Yellin, Agent
MC and Virginia Nettles, Owner
Jim Hansen, MPC Project Planner
MPC File No. Z-070802-31348-1

The petitioner has requested that this item MPC File No. Z-070802-31348-1 be removed from the Final Agenda and rescheduled for September 4, 2007 Regular Meeting.

Mr. Todd **moved** to approve the petitioner's request to remove MPC File No. Z-070802-31348-1 from the Final Agenda and continue it to September 4, 2007. Mr. Ray seconded the motion.

MPC Action: The motion to approve the petitioner's request to remove MPC File No. Z-070802-31348-1 from the final agenda and continued to the September 4, 2007 Regular Meeting carried with none opposed. Voting were Mr. Lufburrow, Mr. Ray, Mr. Todd, Ms. Myers, Mr. Abolt, Mr. Brown, Mr. Mackey, Mr. Ragsdale, Mr. Hoover, Mr. Manigault, Mr. Farmer, Mr. Bean, Mr. Coleman, and Dr. Gilyard.

III. CONSENT AGENDA

A. Approval of August 7, 2007 MPC Meeting Minutes and Briefing Minutes.

Mr. Todd **moved** to approve the August 7, 2007 MPC Meeting Minutes and Briefing Minutes as submitted. Mr. Ray seconded the motion.

MPC Action: The motion to approve the August 7, 2007 MPC Meeting Minutes and Briefing Minutes carried with none opposed. Voting were Mr. Lufburrow, Mr. Ray, Mr. Todd, Ms. Myers, Mr. Abolt, Mr. Brown, Mr. Mackey, Mr. Ragsdale, Mr. Manigault, Mr. Hoover, Mr. Farmer, Mr. Bean, Mr. Coleman and Dr. Gilyard.

B. Zoning Petitions - Text Amendments

1. Text Amendment to the City of Savannah Zoning Ordinance
Re: Text Amendment to Article K, Section 5.6.2.f
(Principal Uses in the TN-2 District)
Jim Hansen, MPC Project Planner
MPC File No. Z-070719-51802-2

This item MPC File No. Z-070719-51802-2 was requested to be removed from the consent agenda and be heard as the first item under Regular Business.

2. Text Amendment to the Chatham County Zoning Ordinance
Re: Text Amendment to Section 4-6.612
(Planned Unit Development Institutional (PUD-IS-B))
Jim Hansen, MPC Project Planner
MPC File No. Z-070810-57322-1

The staff recommends **approval**.

Mr. Todd **moved** to approve staff recommendation to expand the uses in the PUD-IS-B to be consistent with the City of Savannah Ordinance. Mr. Ray seconded the motion.

MPC Action: The motion to approve staff recommendation for MPC File No. Z-070810-57322-1 carried with none opposed. Voting were Mr. Lufburrow, Mr. Ray, Mr. Todd, Ms. Myers, Mr. Abolt, Mr. Mackey, Mr. Ragsdale, Mr. Manigault, Mr. Hoover, Mr. Farmer, Mr. Bean, Mr. Coleman and Dr. Gilyard. Mr. Brown was not in the room when the vote was taken.

3. Text Amendment to the Chatham County Zoning Ordinance
Re: Amend Section 5-6, When Site Plans are required
Charlotte Moore, MPC Project Planner
MPC File No. Z-070814-49202-1

Issue: Adding Section 5-6 (When a Site Development Plan is Required).

Policy Analysis: The proposed amendment will provide more clarity as to when a site development plan is required. Instead of relying on a variety of circumstances, the site plan requirement will be based only on two types of uses—non-residential and multi-family. This approach will eliminate confusion about the existing circumstances and allow for greater review consistency.

Staff Recommendation: To add Section 5-6 (When a Site Development Plan is Required) to the Chatham County Zoning Ordinance.

Mr. Todd **moved** to approve staff recommendation for an Amendment to be made to section 5-6 to clarify when site development plans are required. Mr. Ray seconded the motion.

MPC Action: The motion to approve staff recommendation for MPC File No. Z-070814-49202-1 carried with none opposed. Voting were Mr. Lufburrow, Mr. Ray, Mr. Todd, Ms. Myers, Mr. Abolt, Mr. Mackey, Mr. Ragsdale, Mr. Manigault, Mr. Hoover, Mr. Farmer, Mr. Bean, Mr. Coleman and Dr. Gilyard. Mr. Brown was not in the room when the vote was taken.

B. Requesting Approval to Authorize the Executive Director to Sign the GDOT Contract for Transportation Planning

Mr. Todd **moved** to approve the Authorization for the Executive Director to Sign the GDOT Contract for Transportation Planning. Mr. Ray seconded the motion.

MPC Action: The motion to approve the Authorization for the Executive Director to Sign the GDOT Contract for Transportation Planning carried with none opposed. Voting were Mr. Lufburrow, Mr. Ray, Mr. Todd, Ms. Myers, Mr. Abolt, Mr. Mackey, Mr. Ragsdale, Mr. Manigault, Mr. Hoover, Mr. Farmer, Mr. Bean, Mr. Coleman and Dr. Gilyard. Mr. Brown was not in the room when the vote was taken.

IV. OLD BUSINESS

A. Zoning Petitions - Map Amendments

1. 1405 Price Street

Dragosh Negrea, Agent
Negrea Enterprises, LLC, Owner
Jim Hansen, MPC Project Planner
MPC File No. Z-070625-59787-2

Issue: At issue is a requested rezoning of .04 acres of land located south of the southwest corner of Anderson and Price Streets from the existing 1-R (Victorian District) classification to a 1-B (Victorian District) classification.

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

Staff Recommendation: Denial of the request to rezone the subject property from a 1-R classification to a 1-B classification.

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

MPC Action: The motion to approve staff recommendation for MPC File No. Z-070625-59787-2 carried with none opposed. Voting were Mr. Lufburrow, Mr. Ray, Mr. Todd, Ms. Myers, Mr. Abolt, Mr. Mackey, Mr. Ragsdale, Mr. Manigault, Mr. Hoover, Mr. Farmer, Mr. Bean, Mr. Coleman and Dr. Gilyard. Mr. Brown was not in the room when the vote was taken.

V. REGULAR BUSINESS

A. Zoning Petition – Text Amendment.

1. Text Amendment to the City of Savannah Zoning Ordinance
Re: Text Amendment to Article K, Section 5.6.2.f
(Principal Uses in the TN-2 District)
Jim Hansen, MPC Project Planner
MPC File No. Z-070719-51802-2

Mr. Todd **moved** to continue MPC File No. Z-070719-51802-2 to the MPC Regular Meeting, September 18, 2007, to allow for further staff review. Mr. Farmer seconded the motion.

MPC Action: The motion to continue MPC File No. Z-070719-51802-2 to the September 18, 2007 Regular Meeting carried with none opposed. Voting were Mr. Lufburrow, Mr. Ray, Mr. Todd, Ms. Myers, Mr. Abolt, Mr. Mackey, Mr. Ragsdale, Mr. Manigault, Mr. Hoover, Mr. Farmer, Mr. Bean, Mr. Coleman and Dr. Gilyard. Mr. Brown was not in the room when the vote was taken.

B. Subdivisions/Sketch Plans

1. Rose Dhu Road Subdivision
222 Rose Dhu Road
R-10 Zoning District
4 Lots – 2.01 Acres
PIN 2-0684-01-051Y and 051Z
Buddy Martin, Owner
Tanya Mandel, Kennedy, Ragsdale & Associates, Agent/ Engineer
Gary Plumbley, MPC Project Planner
MPC File No. S-070426-59734-1

Speaking on the Petition

Mikell Shuman, agent, requested that this item be removed from the agenda and continued to the September 18, 2007 MPC Regular Meeting.

Mr. Todd **moved** to approve the petitioner's request to remove MPC File No. S-070426-59734-1 from the Final Agenda and continue it to September 18, 2007. Mr. Ray seconded the motion.

MPC Action: The motion to approve the petitioner's request to remove MPC File No. S-070426-59734-2 from the final agenda and continued to the September 4, 2007 Regular Meeting carried with none opposed. Voting were Mr. Lufburrow, Mr. Ray, Mr. Todd, Ms. Myers, Mr. Abolt, Mr. Brown, Mr. Mackey, Mr. Hoover, Mr. Manigault, Mr. Farmer, Mr. Bean, Mr. Coleman, and Dr. Gilyard. Mr. Ragsdale abstained from voting on the petition. He submitted a conflict of interest form and stepped down from dais.

2. Old Montgomery Road Subdivision
8628 Old Montgomery Road
R-1/ EO Zoning District
15 Lots – 4.23 Acres
PIN: 1-0476 -06-025
Randy Boatwright, Owner
Mikell Shuman, Petitioner
Tanya Mandel, Kennedy, Ragsdale & Associates, Agent/ Engineer
Gary Plumbley, MPC Project Planner
MPC File No. S-070806-36136-1

Nature of Request: The petitioner is requesting approval of a Sketch Plan for a proposed single family residential development to be located on the east side of Old Montgomery Road at its intersection with Rosewood Drive within an R-1 (Single Family Residential – 5 units per net acre/Environmental Overlay) zoning district. No variances are requested.

Staff Recommendation: The MPC staff recommends **approval** of the proposed Sketch Plan subject to the following conditions; 1) Revise the Sketch Plan to identify each lot with a number. The numbering should start with the number 1 and should begin at the northwest corner and proceed in a counterclockwise direction. 2) Revise the Sketch Plan to increase the setback line on Lots 1 and 15 along Old Montgomery Road to not less than 20 feet. This will result in a developable area of 35 feet on these lots. If a greater developable area is desired and the greenspace cannot be diminished, all of the lots can be shifted in an easterly direction as needed to satisfy the desired buildable area. The area between Lots 1 and 15 and Old Montgomery Road would be established as greenspace; and 3) Approval by the Chatham County Engineer.

Speaking on the Petition

Mikell Shuman, petitioner and Craig Brewer, agent, stated that they are trying to save as much vegetation as possible. Mr. Brewer added that a tree survey had already been done on this site.

Robert Poleman, 8553 Heatherwood Drive, questioned the environmental overlay district. He voiced his concerns regarding the pricing of the proposed homes and how it will affect the value of the pre-existing properties. He also questioned the accuracy of the position of the property line on the map submitted by the petitioner. He requested a continuance to allow adequate time for additional fact-finding.

Marilyn Redmond, 8617 Old Montgomery Road, expressed her concerns regarding the increasing traffic and speeding violations that a new subdivision would bring to the area.

Teresa Ruiz, 8704 Old Montgomery Road, asked questions concerning the removal of historic trees and the displacement of the wildlife that inhabits this area. She requested that a continuance be given to allow the existing property owners to discuss their concerns with the developers.

Mariela Torres, 1622 Rosewood Drive, stated that she did not receive a notice. She also requested a continuance.

Craig Brewer, agent, confirmed that the acreage of the proposed lots were correct. He stated that because of development schedules and financial commitments, a continuance should not be granted.

Board Discussion:

Mr. Abolt suggested that the MPC members give the community an extension in order to gain clarity regarding this issue.

Ms. Myers asked the agents if they would like to meet with the community to discuss the project. She agreed that this meeting would be helpful to all the parties involved either directly or indirectly with this particular petition. She suggested a request be made for the County Arborist to be in attendance at the next meeting scheduled concerning this issue.

Mr. Farmer stated that this petition meets all requirements and a continuance would not be necessary.

Mr. Brown **moved** to approve a two week delay based on the fact that the offset requirement was not met. He suggested a continuance in order to address the concerns regarding historic vegetation and wildlife. He proposed that in such developments when lot size including designated open space of the proposed development is less than 75% of the average adjacent lot sizes, it will meet the fencing requirements. Mr. Abolt seconded the motion.

Mr. Lufburrow also felt that a meeting with the community would be beneficial to all parties involved. He also pointed out that the MPC does not have purview over the heavy traffic and speeding, density, the protection of wildlife or trees. He stated that Chatham County will handle those concerns.

MPC Action: The motion to continue MPC File No. S-070806-36136-1 to the September 4, 2007 Regular Meeting carried. Voting in favor of the motion were Mr. Lufburrow, Mr. Ray, Ms. Myers, Mr. Abolt, Mr. Brown, Mr. Mackey, Mr. Hoover, Mr. Manigault, and Dr. Gilyard. Voting against the motion were Mr. Todd, Mr. Bean, Mr. Farmer, and Mr. Coleman. Mr. Ragsdale abstained from voting on the petition. He submitted a conflict of interest form and stepped down from dais.

Mr. Thomson answered questions regarding MPC notice prior to meetings and hearings. He explained the process of sending out notices as required for each particular type of application that is submitted to the MPC. He stated that the County Code does not require a notice to be sent out until the petition is scheduled to come before the County Commission.

B. Report of Nominating Committee

Mr. Lufburrow appointed Mr. Bean to announce the Nominating Committee's recommendations. He then stated that the elections would be held as called for in the MPC Committee By-Laws at the next regularly scheduled MPC Meeting September 4, 2007. He noted that at that time other nominations would be accepted from the floor.

Mr. Bean announced the Nominating Committee's recommendations as follows:
Secretary - Mr. Shedrick Coleman
Treasurer – Ms. Susan Myers
Vice-Chairman – Mr. Robert Ray
Chairman – Mr. John Todd

VI. OTHER BUSINESS

None

VII. ADJOURNMENT

There being no other business to come before the Commission the August 21, 2007 Regular Meeting was adjourned.

Respectfully Submitted,

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

Note: Minutes not official until signed.