

CHATHAM COUNTY-SAVANNAH METROPOLITAN PLANNING COMMISSION

MPC MINUTES

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

June 5, 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
W. Shedrick Coleman
Ben Farmer
David Hoover
Timothy S. Mackey
Lacy Manigault
Adam Ragsdale

Members Not Present: Freddie Gilyard

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

Advisory Staff Present: Robert Sebek, County Zoning Administrator

I. CALL TO ORDER AND WELCOME

Chairman Lufburrow called the June 5, 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.

II. NOTICES, PROCLAMATIONS AND ACKNOWLEDGMENTS

A. Swearing-in of MPC Members

Chairman Lufburrow introduced Judge Penny Haas Freesemann, Superior Court Judge who was present to swear in MPC Board Members. He also welcomed Alderman Tony Thomas who was attending today's meeting and he also noted that Commissioner Freddie Gilyard would be participating in the ceremony by telephone.

Judge Freeseemann asked Board Members to stand as she read the Planning Commissioner's Creed. She asked that Board Members affirm the creed by stating "I do" at the end of the reading.

B. Proclamations

Chairman Lufburrow presented Resolutions of Appreciation to the following departing Board Members; Ms. Melissa Jest, Mr. Lee Meyer, and Mr. Walker McCumber. An award of appreciation was also presented to Ms. Martha Lynn Manrique upon her retirement for her long term service as an Administrative Assistant, specifically with site plans and subdivisions, with the Metropolitan Planning Commission.

C. Acknowledgements

1. Staff Introductions

Mr. Tom Thomson introduced Mr. Noel Perkins, Director of Savannah Area Geographic Information Systems (SAGIS). Mr. Perkins introduced Mr. David Petrillo. David is from Pennsylvania and he comes on board as the new GIS Programmer. Mr. Perkins also introduced Mr. Jason W. Lee, Senior GIS Analyst. Jason is from the University Of Georgia.

Mr. Perkins gave a brief update on the status of SAGIS and its view for the next six months. He added that inter- governmental agreement and new SAGIS bylaws have been adopted. There are now regularly scheduled Technical Advisory Meetings and work on a SAGIS five year plan has begun. He reminded everyone of GIS day which is a National Day that will be celebrated on November 14.

Mr. Thomson added that Mr. Michael Brown and Mr. Russ Abolt are two of the four current SAGIS Board Members along with the Georgia Power Vice President from the Coastal Region. The SAGIS Board has also added a representative Georgia Tech.

2. Administrative Staff

Ms. Brenda Smith, Director of Administrative Services introduced Ms. Ivy Krull, Office Assistant/Receptionist. She asked that everyone welcome Ms. Krull to the Metropolitan Planning Commission.

D. Awards

- 1. The Georgia Trust for Historic Preservation 2007 Georgia Preservation Award
Presented to Chatham County Savannah Metropolitan Planning Commission for Preservation Service, May 19, 2007**

Mr. Thomson stated that the Georgia Trust has honored the Metropolitan Planning Commission by recognizing our staff for their continued service relating to preservation. He acknowledged Ms. Ellen Harris and her hard work in developing the Chatham County Historic Preservation Commission.

2. Pedestrian Advocates of the Coastal Empire (PACE) Setter 2007 Certificate to the MPO – CUTS Policy Committee in Recognition of their unanimous endorsement of Context Sensitive Design Guidelines

Mr. Thomson asked Mr. Mark Wilkes and his staff, Ms. Wykoda Wang and Ms. Jane Love to step forward in order to receive recognition for the PACE Award which was given to honor development on a Context Sensitive Design manual for all future road projects in this area.

E. Notices

The next scheduled MPC Meeting will be held on June 19, 2007 at 1:30 in the MPC Arthur A. Mendonsa Hearing Room, 112 East State Street.

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

None

III. CONSENT AGENDA

A. Approval of May 15, 2007 MPC Meeting Minutes and Briefing Minutes

Mr. Jon Todd **moved** to approve the May 15, 2007, MPC Meeting Minutes and Briefing Minutes. Mr. Ray seconded the motion.

MPC ACTION: The motion to approve the May 15, 2007 MPC Meeting Minutes and Briefing Minutes carried with none opposed. Voting were Mr. Lufburrow, Mr. Ray, Mr. Todd, Ms. Myers, Mr. Abolt, Mr. Bean, Mr. Coleman, Mr. Farmer, Mr. Hoover, Mr. Mackey, Mr. Manigault and Mr. Ragsdale. Mr. Brown was not in the room when the vote was taken.

B. Zoning Petition - Text Amendments

1. Text Amendment to the Chatham County Zoning Ordinance
Re: "Yard" Definition for HVAC Encroachment
Jim Hansen, MPC Project Planner
MPC File No. Z-070507-33815-1

Issue: It is proposed that an amendment to the Chatham County Zoning Ordinance be made that modifies the definition of "Yard" to accommodate the location of air-conditioning (HVAC) compressors.

Policy Analysis: Over the years it has become increasingly challenging for home builders and developers to locate HVAC equipment on a site in an unobtrusive position. It is desirable to locate such equipment away from sleeping areas and other quiet spaces within the dwelling. With the development of small lot subdivisions the challenge is increasing. Based upon an interpretation by the Zoning Administrator, current yard setback provisions in the Ordinance do not allow HVAC equipment within the setback area. For such equipment to be located in the yard could represent a potential hazard if emergency response or septic tank maintenance were to be required in either the side or rear yard. The proposed amendment recognizes said potential and provides design standards to alleviate conflicts

Staff Recommendation: Approval of the petitioner's (Chatham County) request to amend Section 2-81 (Definition of Yard) to accommodate the location of air-conditioning (HVAC) compressors.

Mr. Todd **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. Ray, Mr. Todd, Ms. Myers, Mr. Abolt, Mr. Bean, Mr. Coleman, Mr. Farmer, Mr. Hoover, Mr. Mackey, Mr. Manigault and Mr. Adam Ragsdale. Mr. Michael Brown was not in the room when the vote was taken.

2. Text Amendment to the Chatham County Zoning Ordinance
Re: Text Amendment to Section 4-5 C & R Use Schedule
(weddings)
Jim Hansen, MPC Project Planner
MPC File No. Z-070517-62058-1

This item was requested to be removed from the Consent Agenda and placed as the first item under Regular Business

3. Text Amendment to the City of Savannah Zoning Ordinance
Re: Text Amendment Regarding Child Care Facilities
Jim Hansen, MPC Project Planner
MPC File No. Z-070521-33003-2

Issue: The text amendment proposed is intended to clarify ambiguities found in the present Ordinance relating to day nurseries, kindergartens, and child care centers, and to strengthen the requirements for establishment thereof.

Policy Analysis: Amending the Ordinance as proposed will remove existing ambiguities relating to day nurseries, kindergartens and child care centers, and will also strengthen the requirements and standards for the same

Staff Recommendation: Approval of the text amendment as proposed.

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

MPC Action: the motion to approve staff recommendation carried with none opposed. Voting were Mr. Stephen R. Lufburrow, Mr. Robert Ray, Mr. Jon Todd, Ms. Susan Myers, Mr. Russ Abolt, Mr. Douglas Bean, Mr. Shedrick Coleman, Mr. Ben Farmer, Mr. David Hoover, Mr. Timothy Mackey, Mr. Lacy Manigault and Mr. Adam Ragsdale. Mr. Michael Brown was not in the room when the vote was taken

4. Text Amendment to the City of Savannah Zoning Ordinance
Re: Text Amendment to allow Scooter Shops as a use in the R-B-C District
Jim Hansen, MPC Project Planner
MPC File No. Z-070521-32723-2

Issue: It is proposed that an amendment to the use section of the Savannah Zoning Ordinance be made that will allow motorcycle and motor scooter sales and service and bicycle and moped sales and service to be uses allowed by right in the R-B-C (Residential-Business-Conversion) zoning classification.

Policy Analysis: Text amendments are applicable city-wide. Therefore, the potential impacts of proposed amendments must be considered on a city-wide basis. While the impact to or from a single property may not be deemed detrimental, it is imperative to consider all properties the amendment would affect.

No detrimental effects would be anticipated by allowing the sales and service of motorcycles and scooters to occur within properties zoned R-B-C. Subject to the development standards contained within the existing Ordinance, the proposed use can be and is compatible with the other uses presently allowed in the district.

Staff Recommendation: Approval of the petitioner's request to amend Section 8-3025 (b) Use 52(a) and 52(b) to allow motorcycle and motor scooter sales and service and bicycle and moped sales and service to be uses allowed by right in the R-B-C (Residential-Business-Conversion) zoning classification.

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

MPC Action: the motion to approve staff recommendation carried with none opposed. Voting were Mr. Stephen R. Lufburrow, Mr. Robert Ray, Mr. Jon Todd, Ms. Susan Myers, Mr. Russ Abolt, Mr. Douglas Bean, Mr. Shedrick Coleman, Mr. Ben Farmer, Mr. David Hoover, Mr. Timothy Mackey, Mr. Lacy Manigault and Mr. Adam Ragsdale. Mr. Michael Brown was not in the room when the vote was taken.

5. Text Amendment to the City of Savannah Code of Ordinances
Re: Text Amendment to City Code to Create Gated Communities Ordinance
Harmit Bedi, MPC Project Planner
MPC File No. Z-070523-60227-2

Issue: At issue is a proposed amendment to the City of Savannah's Code of Ordinances (Part 3, Chapter 6) to incorporate emergency access requirements for gated communities and to establish unified standards for access to gated communities during emergencies by emergency personnel and vehicles.

Policy Analysis: The proposed text amendment to the City of Savannah's Code of Ordinances addresses safety and health concerns of the citizens residing in gated communities within city limits. The proposed emergency access requirements to gated communities will provide unified standards to access gated communities to avoid delays during emergency.

Staff Recommendation Approval of an amendment to the City of Savannah's Code of Ordinances (Part 3, Chapter 6) to incorporate Emergency Access Requirements for Gated Communities.

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

MPC Action: the motion to approve staff recommendation carried with none oppose. Voting were Mr. Stephen R. Lufburrow, Mr. Robert Ray, Mr. Jon Todd, Ms. Susan Myers, Mr. Russ Abolt, Mr. Douglas Bean, Mr. Shedrick Coleman, Mr. Ben Farmer, Mr. David Hoover, Mr. Timothy Mackey, Mr. Lacy Manigault and Mr. Adam Ragsdale. Mr. Michael Brown was not in the room when the vote was taken.

6. Text Amendment to the Chatham County Code of Ordinances
Re: Text Amendment to County Code to Create Gated Communities Ordinance
Harmit Bedi, MPC Project Planner
MPC File No. Z-070523-61409-1

Issue: At issue is a proposed amendment to the County Code of Ordinances to incorporate emergency access requirements for gated communities and to establish unified standards for access to gated communities during emergencies by emergency personnel and vehicles.

Policy Analysis: The proposed text amendment to the County Code of Ordinances addresses safety and health concerns of the citizens residing in gated communities in the unincorporated Chatham County. The proposed emergency access requirements to gated communities will provide unified standards to access gated communities to avoid delays during emergency.

Staff Recommendation: Approval of an amendment to the County Code of Ordinances to incorporate Emergency Access Requirements for Gated Communities.

Mr. Todd **moved** to approve staff recommendation. Mr. Ray 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. Abolt, Mr. Bean, Mr. Coleman, Mr. Farmer, Mr. Hoover, Mr. Mackey, Mr. Manigault and Mr. Ragsdale. Mr. Brown was not in the room when the vote was taken

C. Revised Master Plan/ General Development Plan

Little Neck Road Subdivision
653 Little Neck Road
PUD-M-6 Zoning District
PIN 1-1028 -01-004
Kern-Coleman & Co., Engineer
Jamie Csizmadia, Agent
Donald Dugger, Owner
Gary Plumbley, MPC Project Planner
MPC File No. M-070524-50954-1

This item has been requested to be removed from the Consent Agenda and placed under Regular Business

D. Subdivision / Concept Plan

Lee Ward Recombination Subdivision
544 East Waldburg Street
1-R Zoning District
Lots 66 and 67 - 0.28 Acres
PIN 2-0043 -11-002
Michael Adams, Owner
Gary Plumbley, MPC Project Planner
MPC File No. S-070524-58651-2

Nature of Request: The petitioner is requesting approval of a Concept Plan for a two lot Minor Subdivision (recombination) located at the northwest corner of East Waldburg Street and East Broad Street within a 1-R (Victorian Planned Neighborhood Conservation) zoning district. The petitioner is also requesting the following variance: 1) a 10 foot rear yard variance (from the required 35 feet) for Lot B; and 2) a 30 foot rear yard variance (from the required 35 feet) for Lot A.

Staff Recommendation: Approval of a 10 foot rear yard variance (from the required 35 feet) for Lot B, a 30 foot rear yard variance (from the required 35 feet) for Lot A, and the proposed Concept Plan for a Minor Subdivision (Recombination) subject to the following conditions:

1) show the address of Lot B as 915 East Broad Street; 2) the existing structure on Lot B must be razed prior to the issuance of a building permit; and 3) approval by the City Review departments.

Mr. Todd **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. Ray, Mr. Todd, Ms. Myers, Mr. Abolt, Mr. Bean, Mr. Coleman, Mr. Farmer, Mr. Hoover, Mr. Mackey, Mr. Manigault, and Mr. Ragsdale. Mr. Brown was not in the room when the vote was taken.

IV. OLD BUSINESS

None known at this time.

V. Regular Business

1. Text Amendment to the Chatham County Zoning Ordinance
Re: Text Amendment to Section 4-5 C & R Use Schedule
(weddings)
Jim Hansen, MPC Project Planner
MPC File No. Z-070517-62058-1

Issue: It is proposed that a text amendment to the use section of the ordinance be made to permit a wedding chapel as an allowed use within the R-1 (One Family Residential) zoning district. The petitioner has suggested several factors to be considered as conditions of approval.

Policy Analysis: The current Ordinance is silent as to the location of where or if a wedding chapel may be permitted. Similar in nature to a church, a wedding chapel, properly sited with appropriate development standards, would not be expected to pose an imposition on neighboring properties. The proposed amendment includes such restrictions so as to limit or eliminate possible detrimental impacts.

Staff Recommendation: Approval of an Amendment to Section 4-5.1 (Provisions Regarding Use in C-Districts and R-Districts) to allow a Wedding Chapel as a Permitted Use in the R-1 zoning classification subject to conditions of approval.

Speaking on the Petition

Rudy LoManaco, Petitioner stated that his goal was to provide a memorable wedding ceremony primarily for the military personnel in the Savannah area that do not have a church affiliation or relatives nearby. He presented a list of signatures in favor of this service. He asked that the Commission vote in favor of the petition.

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

Mr. Brown stated that the Commissioners need to be cautious in Board proceedings making wedding chapels equivalent to churches. Chapels and churches differ both legally and functionally. This is one of those areas in which it should not be said that the City and County Zoning Ordinance will be made equivalent.

MPC Action: The motion to approve staff recommendation was denied. Voting in favor of the motion were: Mr. Lufburrow, Mr. Todd, Mr. Abolt and Mr. Ray. Voting against the motion were: Mr. Mackey, Mr. Brown, Mr. Manigault, Mr. Bean, Mr. Farmer, Mr. Hoover, Mr. Coleman, Mr. Ragsdale, and Ms. Myers.

2. Little Neck Road Subdivision
653 Little Neck Road
PUD-M-6 Zoning District
PIN 1-1028 -01-004
Kern-Coleman & Co., Engineer
Jamie Csizmadia, Agent
Donald Dugger, Owner
Gary Plumbley, MPC Project Planner
MPC File No. M-070524-50954-1

Nature of Request: The petitioner is requesting approval of an Amended Master Plan for a proposed residential development to be located on the west side of Little Neck Road approximately 400 feet west of Henderson Oaks Drive within a PUD-M-6 (Planned Unit Development-Multi-family 6 units per net acre) zoning district. The petitioner is also requesting the following variances: 1) a 10 foot lot width variance (from the required 60 feet) for all single family detached lots; 2) a 15 foot front yard building setback variance (from the required 25 feet) for all single family detached lots; 3) a 10 foot height of way width variance (from the required 60 feet) for five proposed streets; and 4) a lot area variance (from the required 6, 00 square feet) for all lots that varies from 1,500 square feet to 1,700 square feet.

Staff Recommendation: Approval of a 10 foot lot width variance (from the required 60 feet for all single family detached lots; a 15 foot front yard building setback variance (from the required 30 feet) for all single family detached lots; a 10 foot right of way width variance (from the required 60 feet) for five proposed streets; a lot area variance (from the required 6,000 square feet) for all lots that varies from 1,500 square feet to 1,700 square feet; a 5 foot rear yard building setback variance (from the required 25 feet) for all single family detached lots and, the proposed Master Plan subject to the following conditions: 1) approval by the County Engineer of a traffic study. The traffic study shall provide the maximum peak hour and daily traffic counts that will be generated by this development at the maximum permitted densities. The primary purpose of the traffic projections is to make sure the intersection of the entrance road at Little Neck Road will function at an acceptable level as determined by the County Engineer at build out of the development; 2) approval by the Chatham County Health Department and the County Engineer.

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

Mr. Ragsdale expressed concerns that his reasons were not to kill this project but that his license to practice is based on a minimal competency to protect the health, safety and welfare of the public. He suggested a design improvement that will accommodate this. He stated that he does not feel that this is a safe development.

Mr. Brown stated that a new model for parking should be added to the new Comprehensive Plan and the Planning Agenda. He added that the developers may need to be encouraged to put in transit or pedestrian facilities in order to create better neighborhoods. He asked that this be added to the motion and added to the planning agenda.

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

Mr. Brown moved that staff look at the parking component of the Comprehensive Plan as applied to these type of developments to see if there is another way to avoid future parking problems but allow for neo traditional developments with sustainability including parking and mobility. Mr. Farmer seconded the motion.

MPC Action The motion carried with none opposed. The motion was to have staff look at the parking component of the Comprehensive Plan as applied to these type of developments. Voting were Mr. Lufburrow, Mr. Ray, Mr. Todd, Ms. Myers, Mr. Abolt, Mr. Bean, Mr. Coleman, Mr. Farmer, Mr. Hoover, Mr. Mackey, Mr. Manigault, Mr. Ragsdale and Mr. Brown

Mr. Abolt requested that staff also follow up on Mr. Brown's comments regarding transit and pedestrian accommodations.

3. General Development Plan

Parkway Plaza
1669 Chatham Parkway
PUD-B-R Zoning District
4.96 Acres
PIN: 2-0834 -01-002
Tanya Mandel, Kennedy, Ragsdale & Associates, Agent/ Engineer
Southern Land Company, Owner
Amanda Bunce, MPC Project Planner
MPC File No. P-070518-33472-2

Nature of Request: The petitioner is requesting approval of a General Development Plan / Group Development in order to construct a complex to include mini-warehouse storage, indoor climate controlled storage and outdoor RV parking, within a PUD –B-R (Planned Unit Development-Regional Business) zoning district. The petitioner is requesting a setback variance.

Recommendation: Approval of a variance to reduce the required setback along the southern property line to 25 feet and **Approval** of the General Development Plan/ Group Development subject to the following condition: 1) the freestanding sign shall be a monument style sign that will not exceed 10 feet in height and 80 square feet in sign area.

Mr. Farmer stated that he was the actual owner of this property and stepped down from the dais. Mr. Ragsdale stated that he was Mr. Farmer's agent and he stepped down also.

Speaking on the Petition: Tanya Mandel, agent stated this would be a good development.

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

MPC Action: The motion to approved staff recommendation carried with none opposed. Voting were: Mr. Lufburrow, Mr. Ray, Mr. Todd, Ms. Myers, Mr. Abolt, Mr. Bean, Mr. Coleman, Mr. Hoover, Mr. Mackey, Mr. Manigault, and Mr. Brown. Mr. Farmer and Mr. Ragsdale abstained from the vote.

B. Zoning Petition - Map Amendment

14915 Coffee Bluff Road
Rosso Corsa Enterprises/ J.B. Javetz, Owner
Gary Plumbley, MPC Project Planner
MPC File No. Z-070517-54579-2

Issue: Rezoning from a P-D-M (Planned Development Marina) classification to an R-10 (Single Family Residential) classification.

Policy Analysis: The proposed rezoning is not consistent with the City of Savannah's Comprehensive Future Land Use Plan. However, rezoning the site to an R-10 classification would allow the site to be redeveloped as single family detached residential which would be consistent with the development pattern of the surrounding properties and the entire Coffee Bluff area.

Staff Recommendation: Approval of the petitioner's request to rezone the property known as 14915 Coffee Bluff Road (PIN -2-0767-06-009 and 2-0767-07-002) from a P-D-M (Planned Development Marina) classification to an R-10 (Single-Family Residential) classification.

Major Subdivision / Amended Concept Plan

Coffee Bluff Marina Subdivision
14915 Coffee Bluff Road
R-10 (proposed) Zoning District
3.34 Acres - 6 Dwelling Units
PIN 2-0767- 06-005 and -07-002
Rosso Corsa Enterprises / J.B. Javetz, Owner
Kern-Coleman & Co., Engineer
Gary Plumbley, MPC Project Planner
MPC File No. S-070517-54579-2
MPC Reference File Nos. Z-070522-86999-2 and S-040408-52103-2

Nature of Request: The petitioner is requesting approval of an Amended Master Plan for a proposed residential development to be located on the west side of Little Neck Road approximately 400 feet west of Henderson Oaks Drive e within a PUD-M-6 (Planned Unit Development – Multi-Family -6 units per net acre) zoning district. The petitioner is also requesting the following variances: 1) a 10 foot lot width variance (from the required 60 feet) for all single family detached lots; 2) a 15 foot front yard building setback variance (from the required 30 feet) for all single family detached lots; 3) a 5 foot rear yard building setback variance (from the required 60 feet) for five proposed streets; and 4) a lot area variance (from the required 6, 000 square feet) for all lots that varies from 1,500 square feet to 1, 700 square feet.

Staff Recommendation: Approval of a 10 foot lot width variance (from the required 60 feet for all single family detached lots; a 15 foot front yard building setback variance (from the required 30 feet) fro all single family detached lots; a 10 foot right –of –way width variance (from the required 60 feet) for five proposed streets; a lot area variance (from the required 6,000 square feet) for all lots that varies from 1,500 square feet to 1,700 square feet; a 5 foot rear yard building setback variance (from the required 25 feet) for all single family detached lots and, the proposed Master Plan subject to the following conditions: 1) approval by the County Engineer of a traffic study. The traffic study shall provide the maximum peak hour and daily traffic counts that will be generated by this development at the maximum permitted densities. The primary purpose of the traffic projections is to make sure the intersection of the entrance road at Little Neck Road will function at an acceptable level as determined by the County Engineer at build-out of the development 2) approval by the Chatham County Health Department and the County Engineer

Speaking on the Petition: Terry Coleman, Agent stated he was in agreement with staff recommendation and echoed a few points previously made by staff.

Cletus Bergen, resident of Coffee Bluff stated that the population in this area is increasing and now is not the time to take this marina from the general public.

Colette Williamson, 14802 Lee Street presented a copy of a letter from Attorney Harold Yellin which listed the items agreed upon by Mr. Javetz in exchange for the community agreeing to allow the eastern portion of the marina to be rezoned during the previous re-zoning of the subject property. She read an excerpt from the June 14, 2004 City Council minutes. She requested that Mr. Javetz be compelled to abide by the agreement approved by City Council in the previous approval for this entire neighborhood.

John Scarborough, 218 Rose Dhu Road and member of the Coffee Bluff Marine Rescue Squadron. He stated that he feels the new development will not be compatible with the Marine Rescue Squad and its operations.

Denis Robertson, Coffee Bluff resident asked if there was another type zoning this development would come under other than the R-10 zoning classification that would allow restrictions to protect adjacent property owners.

Launey E. Hiers III, Coffee Bluff resident, yielded his time to Cletus W. Berger.

Cletus Berger noted that should be more access points to the marina and not less.

Robert Jones, 631 Rose Dhu Road, questioned whether or not changing this zoning to an R-10 would serve the citizens of the City of Savannah and Chatham County at large in terms of access to recreational boating. .

Mr. Terry Coleman agent replied that the surfaces Ms. Williamson referred to in the original approval will be honored. The surfaces will be grass and pervious. He also noted that the gas tanks are private. When this project is turned over to a residential subdivision permitting is going to be required through EPD and through the City of Savannah. The removal of the tanks is also a possibility. He also noted that the rescue squad's operation should not be interrupted in any way. He also stated that Mr. Javetz' property owner rights allow him to close the marina and redevelop it as a single family subdivision. He requested approval of the petition.

Mr. Todd **moved** to approve staff recommendation of an amendment to the Future Land Use Map to change this property from the Commercial-Marina classification to the Residential Suburban Single Family classification. Mr. Farmer seconded the motion.

Mr. Brown stated that there are three issues; 1) land use, 2) the zoning and 3) the site plan. He said procedurally it is the obligation of the Board to take some action on the land use. He added that he had the City minutes before him and highlighted what was presented to the Mayor and Aldermen on the zoning action and the site plan that occurred three years ago.

MPC Action: The motion to approve staff recommendation to amend the Future Land Use Plan carried with none opposed. Voting were

Mr. Lufburrow, Mr. Ray, Mr. Todd, Ms. Myers, Mr. Abolt, Mr. Bean, Mr. Coleman, Mr. Farmer, Mr. Hoover, Mr. Mackey, Mr. Manigault, Mr. Brown and Mr. Ragsdale.

Mr. Brown stated "referring back to the previous action take by the Commission and by City Council" he would like to make a motion that was two fold.

Mr. Brown **moved** to delay the petition for two weeks based on the following rezoning and site plan components: 1) the property would be rezoned back to R-10 as it was previously rezoned residential; 2) site plan would clearly specify: that the city right of way would be unencumbered including encumbrances by curb and gutters and that there would be a clear planting plan and driveways of the residential property would be clearly delineated and that they too would not encumber the right of way.

The Falligant Ward property owner's rights of access and use would be preserved. Also so delineated on the site plan the fee simple ownership of the Marine Rescue Squad would be preserved and their right of access would be preserved but not their right to do anything other than their basic public safety function.

The site plan should specify the fencing (including a 6 foot fence), and vegetative buffers and it should spell out any variances from the set backs. (The variances from any set backs should be presented at the next meeting); 3) the staff should prepare a site map for the meeting that show each of these components and any variances and give a clear demarcation of those variances. Included in that site plan is a stipulation of "no" commercial marina activity and including "no" commercial fuel storage.

4) the size, shape, and location of the docks should be specified; 5) during and at the conclusion of the public hearing, it would be staff's role to both inform and facilitate so that at the conclusion of the meeting, the Board would receive a report from staff on points of agreement and points of disagreement, that are germane to the rezoning and site plan; and 6) we would come back in two weeks with that and as efficiently as possible reconsider that and make a vote at that meeting to be recommended to the Mayor and Aldermen. Mr. Mackey seconded the motion.

MPC Action: The motion carried. The motion was to continue MPC File No. Z-070517-54579-2 and MPC File No. S-070517-54579-2 until the next Regular Meeting subject to conditions. Voting in favor of the motion were Mr. Lufburrow, Mr. Abolt, Mr. Brown, Mr. Manigault, Mr. Farmer, Mr. Ray, Mr. Hoover, Mr. Mackey, and Ms. Myers. Voting against the motion were Mr. Bean, Mr. Coleman, Mr. Ragsdale and Mr. Todd.

VIII. OTHER BUSINESS

None

IX. ADJOURNMENT

There being no other business to come before the Commission the June 5, 2007 Regular Meeting was adjourned.

Respectfully submitted,

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

Note: Minutes not official until signed