

**CHATHAM COUNTY-SAVANNAH METROPOLITAN PLANNING COMMISSION**

**MPC MINUTES**

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

**September 18, 2007**

**1:30 PM**

**Members Present:** Stephen R. Lufburrow, Chairman  
Robert Ray, Vice Chairman  
Jon Todd, Secretary  
Susan Myers, Treasurer  
Douglas Bean  
Michael Brown  
Shedrick Coleman  
Ben Farmer  
Freddie Gilyard  
David Hoover  
Timothy S. Mackey  
Lacy Manigault  
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  
Gary Plumbley, Development Services Planner  
Amanda Bunce, Development Services Planner  
Debbie Burke, AICP, Development Services Planner  
Constance Morgan, Administrative Assistant  
LaToya Bynum, Administrative Assistant

**Advisory Staff Present:** Robert Sebek, County Zoning Administrator

**I. CALL TO ORDER AND WELCOME**

Chairman Lufburrow called the Sept. 18, 2007 meeting to order and asked that everyone stand for the Pledge of Allegiance and the Invocation. He explained the agenda for the benefit of those attending the meeting for the first time.

**II. NOTICES, PROCLAMATIONS AND ACKNOWLEDGMENTS**

**A. Notice(s)**

1. The next scheduled Planning Academy Session will be September 25, 2007 at 6:00 PM in the MPC Arthur A. Mendonsa Hearing Room, 112 East State Street
2. The next scheduled Regular MPC Meeting will be October 2, 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. Major Subdivision / Sketch Plan**

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-070426-59734-2

The petitioner has requested that 222 Rose Dhu Road, MPC File No. S-070426-59734-2 be removed from the Final Agenda and rescheduled for the October 2, 2007 Regular Meeting.

Mr. Todd **moved** to approve the petitioner's request to remove 222 Rose Dhu Road from the Final Agenda and continue it to the October 2, 2007 Regular Meeting. 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 continue it to the October 2, 2007 Regular Meeting carried with none opposed.** Voting were Mr. Lufburrow, Mr. Ray, Mr. Todd, Ms. Myers, Mr. Brown, Mr. Bean, Mr. Coleman, Mr. Farmer, Mr. Hoover, Mr. Manigault, Mr. Mackey, Dr. Gilyard, and Mr. Ragsdale.

**2. Minor Subdivision / Final Plat**

Grimbal Park Subdivision  
14 Hopecrest Avenue  
R-1-A Zoning District  
2 Lots – 0.69 Acres  
PIN 1-0266 -02-015  
Catherine Bingham, Owner  
Williams and Associates, Surveyor  
Gary Plumbley, MPC Project Planner  
MPC File No. S-070612-33477-1

The petitioner has requested that this item be removed from the Final Agenda and rescheduled for the October 2, 2007 Regular Meeting.

Mr. Todd **moved** to approve the petitioner's request to remove Grimbal Park Subdivision MPC File No. S-070612-33477-1 from the Final Agenda and reschedule it for the October 2, 2007 Regular Meeting. Mr. Ray seconded the motion.

**MPC Action: The motion to approve the petitioner's request to remove Grimbal Park Subdivision MPC File No. S-070612-33477-1 from the Final Agenda and reschedule it for the October 2, 2007 Regular Meeting carried with none opposed.**

Voting were: Mr. Lufburrow, Mr. Ray, Mr. Todd, Ms. Myers, Mr. Brown, Mr. Bean, Mr. Coleman, Mr. Farmer, Mr. Hoover, Mr. Manigault, Mr. Mackey, Dr. Gilyard, and Mr. Ragsdale.

**3. Zoning Petition – Text Amendment**

- a. Text Amendment to the City of Savannah Zoning Ordinance  
Re: Text Amendment to Section 8-3112(c) – Restricted Signs  
Jim Hansen, MPC Project Planner  
MPC File No. Z-070517-57005-2

The petitioner has requested that MPC File No. Z-070517-57005-2 be removed from the Final Agenda and rescheduled to the October 2, 2007 Regular Meeting.

Mr. Todd **moved** to approve the petitioner's request to remove MPC File No. Z-070517-57005-2 from the Final Agenda and continue it to the October 2, 2007 Regular Meeting. Mr. Ray seconded the motion.

**MPC Action: The motion to remove MPC File No. Z-070517-57005-2 from the Final Agenda and reschedule it to the October 2, 2007 Regular Meeting carried with none opposed.** Voting were Mr. Lufburrow, Mr. Ray, Mr. Todd, Ms. Myers, Mr. Brown, Mr. Bean, Mr. Coleman, Mr. Farmer, Mr. Hoover, Mr. Manigault, Mr. Mackey, Dr. Gilyard, and Mr. Ragsdale.

- b. 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

The petitioner has requested to remove MPC File NO. Z-070719-51802-2 from the Final Agenda and reschedule it to the October 2, 2007 Regular Meeting.

Mr. Todd **moved** to approve the petitioner's request to remove MPC File No. Z-070719-51802-2 from the Final Agenda and continue it to the October 2, 2007 Regular Meeting. Mr. Ray seconded the motion.

**MPC Action: The motion to approve the petitioner's request to remove MPC File No. Z-070719-51802-2 from the Final Agenda and continue it to the October 2, 2007 Regular Meeting carried with none opposed.** Voting were Mr. Lufburrow, Mr. Ray, Mr. Todd, Ms. Myers, Mr. Brown, Mr. Bean, Mr. Coleman, Mr. Farmer, Mr. Hoover, Mr. Manigault, Mr. Mackey, Ms. Gilyard, and Mr. Ragsdale.

**III. CONSENT AGENDA**

**A. Approval of September 4, 2007 MPC Meeting Minutes and Briefing Minutes.**

Mr. Todd **moved** to approve the September 4, 2007 MPC Meeting Minutes and Briefing Minutes as submitted. Mr. Ray seconded the motion.

**MPC Action: The motion to approve the September 4, 2007 MPC Meeting Minutes and Briefing Minutes as submitted carried with none opposed.** Voting were: Mr. Lufburrow, Mr. Ray, Mr. Todd, Ms. Myers, Mr. Brown, Mr. Bean, Mr. Coleman, Mr. Farmer, Mr. Hoover, Mr. Manigault, Mr. Mackey, Dr. Gilyard, and Mr. Ragsdale.

**B. Interlocal Agreement between the Chatham Area Transit System and the MPC for Preparation of the Coordinated Public Transit Human Services Transportation Plan**

Mr. Todd **moved** to approve the Interlocal Agreement between the Chatham Area Transit System and the MPC for preparation of the Coordinated Public Transit Human Services Transportation Plan. Mr. Ray seconded the motion.

**MPC Action: The motion to approve the Interlocal Agreement between the Chatham Area Transit System and the MPC carried with none opposed.** Voting were: Mr. Lufburrow, Mr. Ray, Mr. Todd, Ms. Myers, Mr. Brown, Mr. Bean, Mr. Coleman, Mr. Farmer, Mr. Hoover, Mr. Manigault, Mr. Mackey, Dr. Gilyard, and Mr. Ragsdale

**C. Authorize Executive Director to Execute 2007 Planning Supplemental Agreement Between the Department of Transportation and the Chatham County-Savannah Metropolitan Planning Commission**

Mr. Todd **moved** for approval to Authorize the Executive Director to Execute 2007 Planning Supplemental Agreement between the Department of Transportation and the Chatham County Savannah Metropolitan Planning Commission. Mr. Ray seconded the motion.

**MPC Action: The motion for approval to Authorize Executive Director to Execute 2007 Planning Supplemental Agreement between the Department of Transportation and the Chatham County-Savannah Metropolitan Planning Commission carried with none opposed.** Voting were: Mr. Lufburrow, Mr. Ray, Mr. Todd, Ms. Myers, Mr. Brown, Mr. Bean, Mr. Coleman, Mr. Farmer, Mr. Hoover, Mr. Manigault, Mr. Mackey, Dr. Gilyard, and Mr. Ragsdale.

**IV. OLD BUSINESS**

**A. Subdivision/Sketch Plan**

Coffee Bluff Marina Subdivision  
14915 Coffee Bluff Road  
R-10 and PD-M Zoning Districts  
3.34 Acres - 5 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

**Nature of Request:** The petitioner is requesting approval of an amended Concept Plan for a proposed residential development and marina located on the south side of Back Street at its intersection with Coffee Bluff Road within R-10 (One-Family Residential) and P-D-M (Planned Development Marina) zoning districts. The petitioner is also requesting the following variances: 1) a 15 foot front yard building setback variance (from the required 25 feet) for Lot 1; 2) a 15 foot rear yard variance (from the required 25 feet) for Lots 2, 4, and 5; 3) a 20 foot public street right-of-way variance (from the required 60 feet) for Coffee Bluff Road extended; and, 4) a seven foot pavement width variance (from the required 27 feet, including curb and gutter).

**Recommendation:** The Chatham County Health Department recommends approval subject to the following condition: 1) all lots must be served by the City of Savannah water and sanitary sewer system. The City of Savannah review departments has completed an initial review of the proposed Concept Plan. At this stage of the review no concerns have been identified that would preclude approval of the development. If such concerns are identified as part of the final review prior to the meeting on Tuesday, September 18, 2007, they will be presented and discussed at the meeting. The MPC staff recommends **approval** of a 15 foot front yard building setback variance (from the required 25 feet) for Lot 1; a 15 foot rear yard variance (from the required 25 feet) for Lots 2, 4, and 5, a 20 foot public street right-of-way variance (from the required 60 feet) for Coffee Bluff Road extended, a seven foot pavement width variance (from the required 27 feet including curb and gutter). The MPC staff further recommends **approval** of the proposed Concept Plan that includes five single family detached residential lots, a marina office/clubhouse, and public marina areas subject to the following conditions: 1) revise the Concept Plan to include sidewalks along Lots 3 and 6 on Back Street; 2) revise the Concept Plan to show the entire turnaround as part of the Coffee Bluff Road right-of-way; 3) the residential structures on all residential lots (Lots 1 through 4 and Lot 6) shall be oriented with the typical front/rear (including front and rear doors and garage openings) toward Forest River and Back Street; 4) approval of the existing commercial docking as community docking for the proposed subdivision by the Department of Natural Resources; 5) a property owners association shall be created in conjunction with the proposed development. The association shall be responsible for the maintenance of the unpaved portion of the Coffee Bluff Road right-of way, the existing docks and boat hoist, the existing fuel tank, the sidewalks located within the access easements, Park Place East and Park Place West, and the 20 foot private vehicular access and utility easements; 6) approval by the City review departments; 7) the proposed subdivision shall no in any way restrict public access to property owned by the City of Savannah including the Coffee Bluff Road right –of –way and the area between the proposed Coffee Bluff Road turnaround and the Forest River. The proposed development shall not in any way restrict the right of use by the Falligant Subdivision residents of Rose Dhu Park East and Rose Dhu Park West; 8) approval of the revised Concept Plan by the Mayor and Aldermen; and, 9) submit a corrected approved plan to MPC staff to be recorded in accordance with the P-D-M development standards.

Chairman Lufburrow acknowledged Alderman Tony Thomas for the 6<sup>th</sup> District who was in attendance at the meeting.

**Speaking on the petition:**

Dana Braun, agent for the petitioner, submitted documentation on the Georgia and United States Constitutional Rights that prohibit the taking of private property without just compensation. The original plan has been compromised by cutting back from six residents to five residents and allowing the marina to stay open. He added that the marina will be open for operation from four to five days a week depending on the use and that the petitioner is also committed to keeping the boat hoist and adequate parking.

Aldermen Tony Thomas yielded his time so that other members of the public would have the opportunity to speak and stated that he would reserve his comments for City Council.

Clete Bergen, representing the Falligant Subdivision population, stated that this is an attempt to frustrate the purpose of the P-D-M zoning classification. He asked that the Board deny the petitioner's request.

John Scarborough, Coffee Bluff Resident, yielded his time to give his fellow neighbors the opportunity to speak.

Colette Williamson, Coffee Bluff resident, stated that the current proposal takes 2/3 of the land that is zoned Planned Development Marina and converts it to residential. This eliminates the classification of a Planned Development Marina. If a residence is allowed on the riverfront lot, what will become of the gas pump, underground gas storage and the boat hoist and who's going to be liable for them? She asked that the petition be voted down.

Dennis Roberson, adjacent property owner, stated that his property would be the most affected by this proposal. He requested that fencing and buffers be placed in this plan and he asked if the P-D-M would be revisited.

Bill Stephens, Coffee Bluff resident, asked that the Commissioners consider the issue before them carefully and not approve this plan.

Thomas Dunn, Coffee Bluff resident, stated it would be a crime to change the purpose for which this property is used and asked that the attitude of City Council be continued.

Mr. Braun, agent for the petitioner, stated in rebuttal that the subject property zoned P-D-M has always allowed residential uses. There has never been any change in the zoning that says no residential use on this marina portion. He described what was not allowed in the P-D-M district and explained that the subject property is not a real marina. It does not have the amenities of a marina and this is why it is zoned P-D-M.

Mr. Farmer **moved** to deny the petitioner's request. Mr. Ragsdale seconded the motion.

**MPC Action: The motion to deny the petitioner's request of MPC File No. Z-070522-86999-2 carried.** Voting in favor of the motion were: Mr. Farmer, Mr. Bean, Mr. Mackey, Mr. Ragsdale, Mr. Hoover, Mr. Manigault, Mr. Ray, and Ms. Myers. Voting against the motion were Dr. Gilyard, Mr. Todd, Mr. Coleman, Mr. Brown, and Mr. Lufburrow.

## **V. REGULAR BUSINESS**

### **A. Zoning Petition – Map Amendment**

1827 East Montgomery Cross Road  
Cliff Kennedy, Kennedy, Ragsdale & Associates, Agent  
Devon Patel, Owner  
Amanda Bunce, MPC Project Planner  
MPC File No. Z-070905-30521-1

Consideration of Comprehensive Plan Amendment Relating to the Zoning Request

**Issue:** The petitioner is requesting rezoning of property at 1827 Montgomery Cross Road from an R-1/EO (One-Family Residential / Environmental Overlay) zoning classification to a PUD-IS/EO (Planned Unit Development-Institutional / Environmental Overlay) classification.

**Policy Analysis:** The proposed rezoning is not consistent with the Tricentennial Plan. However, due to the conditions of the land, adjacent land uses and location on a major arterial street near the Truman Parkway interchange, it is unlikely that the property can be developed under the current single family land use category. The proposed land use change and rezoning will not negatively affect the adjacent properties or the surrounding community

**Recommendation: Approval** of the request to rezone the subject property from an R-1/EO zoning classification to a PUD –IS classification.

**Speaking on the petition**

Steve Housh, agent for Devon Patel stated that the requested zoning will be a fit for this area and asked that the petition be approved.

Frank Mason, neighborhood resident, voiced his concerns regarding the rezoning of the subject property. He stated that this is an example of spot zoning. He asked that the petition be denied.

Stan Bowman, neighborhood resident, asked that the zoning of the subject property remain the same.

Vickie Graham, neighborhood resident, voiced concerns regarding the traffic surrounding the lake and the loss of trees. She stated she would like the area to remain as it is and asked that this petition be denied.

Mr. Farmer **moved** to approve staff recommendation of the Comprehensive Plan.  
Mr. Ray seconded the motion.

**MPC Action: The motion to approve staff recommendation of the Comprehensive Plan MPC File No. Z-070829-00018-1 carried.** Voting in favor of the motion were Mr. Farmer, Mr. Mackey, Mr. Hoover, Mr. Manigault, Dr. Gilyard, Mr. Todd, Mr. Ray, Ms. Myers Mr. Brown, and Mr. Lufburrow. Voting against the motion were Mr. Bean and Mr. Coleman. Mr. Ragsdale abstained from voting. He submitted a Conflict of Interest form for the file.

Mr. Farmer **moved** to approve staff recommendation for the rezoning of 1827 Montgomery Cross Road. Mr. Ray seconded the motion.

**MPC Action: The motion to approve staff recommendation for the rezoning of 1827 Montgomery Cross Road MPC File No. Z-070829-00018-1 carried.** Voting in favor of the motion were: Mr. Farmer, Mr. Mackey, Mr. Hoover, Mr. Manigault, Dr. Gilyard, Mr. Todd, Mr. Ray, Ms. Myers Mr. Brown, and Mr. Lufburrow. Voting against the motion were Mr. Bean and Mr. Coleman. Mr. Ragsdale abstained from voting. He submitted a Conflict of Interest form for the file.



**B. General Development Plan - Amended**

Carver State Bank  
7110 Skidaway Road  
P-B-N Zoning District  
Jay Maupin, Maupin Engineering, Engineer/Agent  
Coastal Legacy Development, Owner  
Jim Hansen, MPC Project Planner  
MPC File No. P-070829-58954-2

**Nature of Request** The petitioner is requesting approval of an amended Development Plan in order to complete construction of a bank/office within a P-B-N (Planned Neighborhood Business) zoning district. A ten foot rear yard setback variance from the 25 foot rear yard setback requirement is requested.

**Staff Recommendation:** **Approval** of the Amended Development Plan and **Approval** of the following variance: that the rear yard setback requirement is reduced to 15 feet subject to the condition that a ten foot high privacy fence be installed and that planting be made in concert therewith.

Speaking on the petition: Robert James, President of Carver State Bank requested that the variance be approved in order to begin operating the banking facility.

Mr. Bean **moved** to approve staff recommendation. Mr. Manigault seconded the motion.

**MPC Action: the motion to approve staff recommendation on MPC File No. P-070829-58954-2 carried with none opposed.** Voting on the motion were: Mr. Lufburrow, Mr. Ray, Mr. Todd, Ms. Myers, Mr. Brown, Mr. Manigault, Mr. Hoover, Mr. Mackey, Mr. Bean, Mr. Farmer, and Mr. Coleman. Dr. Gilyard and Mr. Ragsdale abstained from voting. They submitted a Conflict of Interest form for the file.

**C. Specific Development Plan**

**W.W. Williams Storage Yard**  
**14 Westgate Boulevard**  
**P-B-C Zoning District**  
**Dan Fischer, EMC Engineering Services, Engineer/ Agent**  
**W.W. Williams Company, Owner**  
**Debbie Burke, MPC Project Planner**  
**MPC File No. P-070705-55562-2**

**Nature of Request:** The petitioner is requesting approval of a Specific Development Plan in order to construct a storage yard at an existing business within a P-B-C (Planned Community Business) zoning district. The petitioner is requesting a variance from the requirement that the storage area be enclosed by an architecturally designed fence.

**Staff Recommendation:** Denial of the variance from the requirement that the storage area be enclosed by an architecturally designed fence and approval of the specific Development Plan subject to the following condition: 1) the applicant enclosed the storage area with an architecturally designed fence. The Specific Development Plan shall be in compliance with the approved General Development Plan and shall include the following: 1) a Landscape Plan, including a tree establishment and tree protection plan. The City Arborist shall review the Landscape Plan; 2) a Water and Sewer plan. The City Water and Sewer Engineer shall review the Water and Sewer Plan; 3) a Drainage Plan; the City Stormwater Engineer shall review the Drainage Plan; the detention pond must be sodded or hydro-seeded; 4) 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; 5) 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; 6) a Signage Plan; MPC staff shall review the Signage Plan. The location of any freestanding signage shall be shown on the Specific Plan; 7) a dumpster plan; the dumpster enclosure shall be of the same material as the primary building unless alternate materials are approved by the MPC or the MPC staff. Gates shall utilize heavy-duty steel posts and frames. A six foot by twelve foot concrete apron must be constructed in front of the dumpster pad in order to support the weight of the trucks. Metal bollards to protect the screening wall or fence of the dumpster must be provided.

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

**MPC Action: The motion to approve staff recommendation of MPC File No. P-070705-55562-2 subject to conditions carried with none opposed.** The conditions were; 1) the fence shall be a black powder coated chain link fence and, 2) a row of hedges must be installed in the required buffer. Voting were: Mr. Lufburrow, Mr. Ray, Mr. Todd, Mr. Hoover, Mr. Ragsdale, Mr. Manigault, Mr. Mackey, Mr. Brown, Dr. Gilyard, Mr. Coleman, Mr. Bean and Mr. Farmer. Ms. Myers was not in the room when the vote was taken.

## VI. OTHER BUSINESS

### a. Chairman's Outgoing Remarks

Mr. Lufburrow thanked his fellow Board Members and MPC staff for their support, professionalism and efficiency during his tenure as Chairman of the Board. He told the group though it has been said that there is no compensation for this duty he felt as though the compensation he has received is priceless for he has been given a better understanding of how this process works and he has gained friendships.

Mr. Mackey commended Mr. Lufburrow on the duty he has performed as Chairman and thanked him for doing such a great job.

Mr. Brown also thanked Mr. Lufburrow for serving on what is sometimes a very thankless job that requires a lot of work, time and responsibility. He commended him on doing such a fine job.

Mr. Thomson also took the opportunity on behalf of staff and himself to thank Mr. Lufburrow for his service.

### b. Recognition of New Officers

Mr. Lufburrow recognized Mr. Coleman and Mr. Todd as new officers on the MPC Board. Mr. Coleman will serve as Secretary and Mr. Todd will serve as Chairman.

## VII. ADJOURNMENT

There being no other business to come before the Commission the September 18, 2007 Regular Meeting was adjourned.

Respectfully Submitted,

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

**Note: Minutes not official until signed.**