

**CHATHAM COUNTY-SAVANNAH METROPOLITAN PLANNING COMMISSION**

**MPC MINUTES**

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

**February 19, 2008**

**1:30 PM**

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

**Members Not Present:** Russ Abolt  
Freddie Gilyard

**Staff Present:** Thomas L. Thomson, P. E., AICP, Executive Director  
Jim Hansen, AICP, Director, Development Services  
Gary Plumbley, Development Services Planner  
Geoff Goins, Development Services Planner  
Constance Morgan, Administrative Assistant  
LaToya Bynum, Administrative Assistant  
Marilyn Gignilliat, Executive Assistant

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

**I. CALL TO ORDER AND WELCOME**

Chairman Todd called the February 19, 2008 Regular MPC Meeting to order at 1:35 P.M. 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 MPC Finance Committee Meeting met today at 11:00 A.M. in the Jerry Surrency Room, 110 East State Street.

2. The Savannah Tree Foundation will present two lectures by Dr. Kathleen Wolf. On February 19, 2008 at 7:00 P.M. at the Coastal Georgia Center on the topic of Trees: Growing Stronger and Healthier Communities. February 20, 2008 at 8:00 A.M. at the MPC on the topic of Roadside Urban Trees: Balancing Safety and Community Values.
3. The Regular MPC Meeting will be on March 4, 2008 at 1:30 P.M. in the MPC Arthur A. Mendonsa Hearing Room, 112 East State Street.
4. The MPC Citizens Planning Academy will begin on March 11, 2008 and continue until June 24, 2008. Registrations will be accepted until March 3, 2008. Please call the MPC at 651-1440 or visit the website for further information.

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

**A. Zoning Petitions - Map Amendments**

1. 5657 Ogeechee Road  
Hunter, Maclean, Exley, & Dunn, Agent  
Bashlor Properties, LLC, Owner  
Jim Hansen, MPC Project Planner  
MPC File No. Z-080116-00017-1

The petitioner has requested that 5657 Ogeechee Road, MPC File No. Z-080116-00017-1, be removed from the Agenda and rescheduled for the March 4, 2008 Regular Meeting.

Ms. Myers **moved** to approve the petitioner's request to remove 5657 Ogeechee Road, MPC File No. Z-080116-00017-1, from the Agenda and reschedule it for the March 4, 2008 Regular Meeting. Mr. Ray seconded the motion.

**MPC Action: The motion carried with none opposed. The motion was to remove MPC File No. Z-080116-00017-1, from the Agenda and reschedule it for the March 4, 2008 Regular Meeting.** Voting were: Mr. Todd, Mr. Ray, Mr. Coleman, Mr. Farmer, Mr. Lufburrow, Mr. Ragsdale, Mr. Bean, Mr. Brown, Mr. Mackey, Mr. Manigault, Ms. Myers, and Mr. Hoover.

2. 0 John Carter Road  
Thomas & Hutton Engineering, Co, Agent  
Harry Kitchen, The Foxfield Company, Owner  
Jim Hansen, MPC Project Planner  
MPC File No. Z-080117-38608-2

Staff has requested that 0 John Carter Road, MPC File No. Z-080117-38608-2, be removed from the Agenda and rescheduled for the March 4, 2008 Regular Meeting.

Mr. Ray **moved** to approve staff's request to remove 0 John Carter Road, MPC File No. Z-080117-38608-2, from the Agenda and reschedule it to the March 4, 2008 Regular Meeting. Ms. Myers seconded the motion.

**MPC Action: The motion carried with none opposed. The motion was to approve, MPC File No. Z-080117-38608-2 from the Agenda and reschedule it to the March 4, 2008 Regular Meeting.** Voting were: Mr. Todd, Mr. Ray, Mr. Coleman, Mr. Farmer, Mr. Lufburrow, Ms. Myers, Mr. Ragsdale, Mr. Bean, Mr. Brown, Mr. Mackey, Mr. Manigault, and Mr. Hoover.

3. I-16 and Old River Road  
Thomas & Hutton Engineering, Co, Agent  
Harry Kitchen, The Foxfield Company, Owner  
Jim Hansen, MPC Project Planner  
MPC File No. 080118-54383-2

Staff has requested that I-16 and Old River Road, MPC File No. 080118-54383-2, be removed from the Agenda and rescheduled for the March 4, 2008 Regular Meeting.

Ms. Myers **moved** to approve staff's request to remove I-16 and Old River Road, MPC File No. 080118-54383-2, from the Agenda and reschedule it to the March 4, 2008 Regular Meeting. Mr. Farmer seconded the motion.

**MPC Action: The motion carried with none opposed. The motion was to remove MPC File No. 080118-54383-2 from the Agenda and reschedule it for the March 4, 2008 Regular Meeting carried with none opposed.** Voting were: Mr. Todd, Mr. Ray, Mr. Coleman, Mr. Farmer, Mr. Lufburrow, Ms. Myers, Mr. Ragsdale, Mr. Bean, Mr. Brown, Mr. Mackey, Mr. Manigault, and Mr. Hoover

4. 2909 and 2913 Bull Street  
Interesting Distinction, LLC, Agent  
Stella Moore, Owner  
Jack Butler MPC Project Planner  
MPC File No. Z-080130-57799-2

Staff has requested that 2909 and 2913 Bull Street, MPC File No. Z-080130-57799-2, be removed from the Agenda and rescheduled for the March 4, 2008 Regular Meeting.

Mr. Ray **moved** to approve staff request to remove 2909 and 2913 Bull Street, MPC File No. Z-080130-57799-2, from the Agenda and reschedule it for the March 4, 2008 Regular Meeting. Mr. Coleman seconded the motion.

**MPC Action: The motion carried with none opposed. The motion was to remove MPC File No. Z-080130-57799-2 from the Agenda and reschedule it for the March 4, 2008 Regular Meeting.** Voting were: Mr. Todd, Mr. Ray, Mr. Coleman, Mr. Farmer, Mr. Lufburrow, Ms. Myers, Mr. Ragsdale, Mr. Bean, Mr. Brown, Mr. Mackey, Mr. Manigault, and Mr. Hoover.

**B. General Development Plans**

Hancock Askew Office Complex  
100 Riverview Drive  
PUD-IS Zoning District  
PIN 1-0235 -02-023  
Phillip McCorkle, Agent  
Blue Heron Savannah, LLC, Owners  
Gary Plumbley, MPC Project Planner  
MPC File No. P-070926-00042-1

The petitioner has requested that 100 Riverview Drive, MPC File No. P-070926-00042-1 be removed from the Agenda and rescheduled for the March 4, 2008 Regular Meeting.

Ms. Myers **moved** to approve the petitioner's request to remove 100 Riverview Drive, MPC File No. P-070926-00042-1, from the Agenda and reschedule it for the March 4, 2008 Regular Meeting. Mr. Ray seconded the motion.

**MPC Action: The motion carried with none opposed. The motion was to remove MPC File No. P-070926-00042-1 from the Agenda and reschedule it for the March 4, 2008 Regular Meeting.** Voting were: Mr. Todd, Mr. Ray, Mr. Coleman, Mr. Farmer, Mr. Lufburrow, Ms. Myers, Mr. Ragsdale, Mr. Bean, Mr. Brown, Mr. Mackey, Mr. Manigault, and Mr. Hoover.

**VI. CONSENT AGENDA****A. Approval of February 5, 2008 MPC Meeting Minutes and Briefing Minutes.**

Mr. Farmer **moved** to approve the February 5, 2008 MPC Meeting Minutes and Briefing Minutes as submitted. Mr. Ray seconded the motion.

**MPC Action: The motion to approve the February 5, 2008 MPC Meeting Minutes and Briefing Minutes as submitted carried with none opposed** Voting were: Mr. Todd, Mr. Ray, Mr. Coleman, Mr. Farmer, Mr. Lufburrow, Ms. Myers, Mr. Ragsdale, Mr. Bean, Mr. Brown, Mr. Mackey, Mr. Manigault, and Mr. Hoover.

**B. Zoning Petitions- Text Amendments/Map Amendment**

1. Text Amendment to the County Zoning Ordinance  
RE: Repeal Section 11-3. Actions to be taken if plans of Property Owners are not Implemented Within Specified Time Limits  
Jim Hansen, MPC Project Planner  
MPC File No. Z-080204-00029-1

**Issue:** Amend Section 11-3, Action to be Taken if Plans of Property Owners Are Not Implemented Within Specified Time Limits, by repealing this provision of the, Chatham County Zoning Ordinance.

**Policy Analysis:** Zoning actions should be based on the County Land Use and not on specific actions presented to support a rezoning that may introduce an improper zoning classification to support a single use.

**Staff Recommendation:** That Alternative 1 be adopted and that Section 11-3 of the Chatham County Zoning Ordinance be amended as follows:

Repeal

Section 11-3 Actions to be Taken If Plans of Property Owners Are Not Implemented Within Specified Time Limits.

For any zoning map amendment for which the Board of Commissioners is not the applicant, and upon which property no development permit, building permit or certificate of occupancy has been issued within 24 months of the date of approval of said zoning amendment, the Zoning Administrator shall review the status of the proposed development in relation to the zoning district classification of the property and report the status to the Board of Commissioners. The schedule for reporting to the Board shall be on a semiannual basis. In the event that the Board decides the zoning is an appropriate one and no action is taken, the Zoning Administrator shall remove said property from the semiannual list and schedule. The Board of Commissioners shall review the report and determine if, due to the lack of development on the properties, any of the properties should be considered for rezoning. When the Commissioners shall be the applicant and the normal rezoning process shall be followed.

Ms. Myers **moved** to approve staff recommendation for MPC File No. Z-080204-00029-1. Mr. Ray seconded the motion.

**MPC Action: The motion to approve MPC File No. Z-080204-00029-1 carried with none opposed.** Voting were: Mr. Todd, Mr. Ray, Mr. Coleman, Mr. Farmer, Mr. Lufburrow, Ms. Myers, Mr. Ragsdale, Mr. Bean, Mr. Brown, Mr. Mackey, Mr. Manigault, and Mr. Hoover.

2. 382 Canebrake Road  
Phillip McCorkle, Agent  
Montgomery B. Hazzard & Carolyn B. Hazzard, Owner  
Gary Plumbley, MPC Project Planner  
MPC File No. Z-071128-00074-1

The petitioner is requesting rezoning of property at 382 Canebrake Road from an R-A (Residential- Agriculture) zoning classification to a P-B-C (Planned Community-Business) classification.

**Issue:** Rezoning of an R-A (Residential Agriculture) classification to a P-B-C (Planned Community-Business) classification.

**Policy Analysis:** The proposed rezoning is consistent with the Future Land Use Plan as well as the existing zoning on adjacent properties.

**Recommendation:** Approval of the petitioner's request to rezone the property known as 382 Canebrake Road (PIN -1-1029 -04-003) from an R-A classification to a P-B-1 classification.

Mr. Manigault **moved** to approve staff recommendation for MPC File No. Z-071128-00074-1. Mr. Ray seconded the motion.

**MPC Action: The motion to approve 382 Canebrake Road, MPC File No. Z-071128-00074-1, carried with none opposed.** Voting were: Mr. Todd, Mr. Ray, Mr. Coleman, Mr. Farmer, Mr. Lufburrow, Ms. Myers, Mr. Ragsdale, Mr. Bean, Mr. Brown, Mr. Mackey, Mr. Manigault, and Mr. Hoover.

### **C. Amended Master Plan/General Development Plan**

Brighton Square  
663 Little Neck Road  
PUD-M-6 Zoning District  
PINs: 1-1028-01-005A,-035,-036,-037,-038  
Three Sisters of Savannah, Owner  
Tom Cawthon/BP Barber, Agent  
Gary Plumbley, MPC Project Planner  
MPC File No. P-080129-00028-1

**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 1, 625 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 variance: 1) a 25/30 foot buffer width variance (from the required 50 feet) along all portions of the site with the exception of the portion abutting Little Neck Road; and, 2) a 10 foot right-of-way width variance (from the required 60 feet) or five proposed streets.

**Staff Recommendation:** The Chatham County Engineer offers the following comments: 1) the applicant must provide a traffic study which includes impacts (if any) to Little Neck Road including the intersection with Bush Road and Highway 17. The addition of a turn lane and a traffic signal are currently under design at Highway 17. The applicant should contact this office to include those improvements in the traffic study. The applicant is responsible for any additional required improvements. The traffic study and improvements must be approved prior to the issuance of a Land Disturbing Activities Permit; 2) specify whether the road rights-of-way are public or private;

3) a 10' utility easement and 10' tree easement are required for all 50' rights-of-way; 4) a 20' drainage and maintenance access easement is required around all storm water detention ponds; 5) demonstrate adequate rights (i.e. easement) to use and maintain the existing pond which is partially located on the adjacent property for storm water detention; 6) the applicant must obtain a land disturbing activities permit prior to performing any land disturbing activities on the site; 7) the review of these documents does not relieve the owner/developer, designer (s) and contractor (s) nor their representatives from their individual or collective responsibility to comply with the applicable provisions of the local, state, and/or federal regulations. This review of the submitted documents is not to be construed as a check of every item in the submitted documents and does not prevent Chatham County officials from hereafter requiring corrections and /or omissions in the submitted documents and/or construction.

The MPC staff recommends **approval** of a 10 foot right-of-way width variance (from the required 60 feet) for two proposed streets and a 25-30 foot buffer width variance (from the required 50 feet) along all portions of the site with the exception of the portion abutting Little Neck Road. Staff further recommends approval of an Amended Master Plan and General Development Plan subject to the following conditions: 1) identify all buffers as enhanced vegetative buffers.

Ms. Myers **moved** to approve staff recommendation for MPC File No. P-080129-00028-1, subject to conditions as outlined in the staff report. Mr. Ray seconded the motion.

**MPC Action: The motion to approve MPC File No. P-080129-00028-1, carried with none opposed.** Voting were: Mr. Todd, Mr. Ray, Mr. Farmer, Mr. Lufburrow, Ms. Myers, Mr. Ragsdale, Mr. Bean, Mr. Brown, Mr. Mackey, Mr. Manigault, and Mr. Hoover. Mr. Coleman abstained from the vote. He submitted a Conflict of Interest form to be placed in the file.

## **VII. OLD BUSINESS**

None.

## VIII. REGULAR BUSINESS

### A. Zoning Petition- Text Amendments

Text Amendment to the City of Savannah Zoning Ordinance  
RE: Amendment to Section 8-3181  
(Initiation of Amendments)  
Jim Hansen, MPC Project Planner  
MPC File No. Z-071212-33961-2

**Issue:** At issue is a proposal to amend Section 8-3181 (Initiation of Amendments) of the City of Savannah Zoning Ordinance to clarify how amendments to the Zoning Ordinance are enacted.

**Policy Analysis:** No ordinance should contain ambiguities. It is the intent of this amendment to remove ambiguities that currently exist. Furthermore, the amendment will clarify and affirm that the Council, as the duly elected legislative body, shall have the final voice in whether and to what extent amendments are made to the Savannah Zoning Ordinance. In accordance therewith, the amendment will allow the Mayor and Aldermen to make changes to a proposed amendment without the requirement of referral to the MPC for further recommendation.

**Recommendation:** **Approval** of the requested text amendment.

Mr. Thomson commented that the County Attorney is in agreement with this language and would like to have a similar recommendation forwarded to the County Commission.

Mr. Brown **moved** to approve staff recommendation for MPC File No. Z-071212-33961-2. Mr. Lufburrow seconded the motion.

**MPC Action:** **The motion to approve staff recommendation for MPC File No. Z-071212-3396-2 carried with none opposed.** Voting were: Mr. Todd, Mr. Ray, Mr. Coleman, Mr. Farmer, Mr. Lufburrow, Ms. Myers, Mr. Ragsdale, Mr. Bean, Mr. Brown, Mr. Mackey, Mr. Manigault, and Mr. Hoover.

### B. General Development Plan / Group Development Plan

Montgomery Crossroads Shopping Center Outparcel 2  
1935 Montgomery Cross Roads  
PUD-B-C Zoning Districts  
PIN: 1-0428-02-023  
William L. Grainger; Richard Zittrouer, Owner  
Kern-Coleman & Co, Agent  
Geoff Goins, MPC Project Planner  
MPC File No P-080129-34095-1

**Nature of Request:** The petitioner is requesting approval of a General Development Plan/Group Develop for a proposed development within outparcel #2 of the Wal-Mart at



Montgomery Crossroads Master Planned area located east of Truman Parkway and south of Montgomery Crossroads within a PUD-BC (Planned Unit Development Business – Community Center) zoning district.

**Staff Recommendation: Approval** of the General Development Plan/Group Development subject to the following condition: Approval by the appropriate County review departments. As of February 14, staff has not received comments from the County review departments.

**Speaking on the Petition:**

Jamie Ciszmadia, Agent for the petitioner, stated that the petitioner would be willing to relocate the dumpster to the western side of the subject site. She added regarding the buffer, that the Master Plan that was approved does show a 50 foot required vegetative buffer on the out parcel to the east of Outparcel 2. The approved plan does not show a required vegetative buffer. It does show a 35 foot setback. The client would like to develop his property in a consistent manner with the approved Master Plan.

Phillip McCorkle, Attorney stated that there was an arrangement agreed to that there would not be a buffer placed to prevent seeing into the center from Truman Parkway or Montgomery Crossroads. To force his clients to put in a buffer at this point would go against the original agreement.

**Board Discussion**

Mr. Bean stated that it would cause significant financial harm to restrict the visibility of this center more than required by the Site Plan or the original Master Plan.

Ms. Myers asked if Board Members could listen to the tapes from the original meeting in order to clarify any misinterpretations.

Mr. Lufburrow said that to listen to the tapes again at this point would be futile. The final vote has been taken on the approved Master Plan.

Mr. Farmer agreed. He stated at this point it would not be fair to compel the developers to adhere to something that the Board would like to change.

Mr. Brown stated that the discussion at the original meeting did not include that the buffer there was to consist of a two inch tall turf. The Board did not intend to approve a parking setback. There was no reference made to a parking setback. Clearly there were to be trees, landscaping, and additional tree planting. Since that time the right-of-way has been denuded. The developers are making a gigantic commercial mistake and violating the many hours Board Members spent trying to have this development look as good as it should. To have the developers just apply grass and save two or three specimen trees is going to be a disservice to the community and violate the purpose and intent of the Master Plan. He stated the minutes should be reviewed to verify that a parking setback area was not discussed. This plan was not approved in the form of a map. The map was prepared in a subsequent meeting. He concluded that there should be a review of the general development plan that would provide for some visual screening and landscaping of this area.

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

Ms. Myers requested that the landscaping plan comes back before the MPC Board for approval.

**MPC Action: The motion carried with none opposed.** The motion was to approve the General Development Plan/Group Development subject to the following conditions: 1) approval by the appropriate County review departments; 2) relocation of the dumpster to the west side of the subject property; 3) final approval from traffic engineering on the access location; and, 4) that the Landscaping Plan and Specific Development Plan return to the MPC Board for approval. Voting were: Mr. Ray, Mr. Coleman, Mr. Farmer, Mr. Lufburrow, Ms. Myers, Mr. Ragsdale, Mr. Bean, Mr. Brown, Mr. Mackey, Mr. Manigault, and Mr. Hoover. Mr. Todd abstained from the vote. He submitted a Conflict of Interest form to be placed in the file.

#### **IX. OTHER BUSINESS**

None.

#### **X. ADJOURNMENT**

There being no further business to come before the Commission the February 19, 2008 Regular Meeting was adjourned at 2:55 P.M.

Respectfully Submitted,

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

**Note: Minutes not official until signed**