

CHATHAM COUNTY-SAVANNAH METROPOLITAN PLANNING COMMISSION

MPC MINUTES

ARTHUR A. MENDONSA HEARING ROOM 110 EAST STATE STREET

May 6, 2008

1:30 PM

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

Members Not Present: Freddie Gilyard
Russ Abolt
Adam Ragsdale

Staff Present: Thomas L. Thomson, P. E., AICP, Executive Director
Jim Hansen, AICP, Director, Development Services
Melony West, Finance and Systems Director
Gary Plumbley, Development Services Planner
Jack Butler, Development Services Planner
Geoff Goins, Development Services Planner
Constance Morgan, Administrative Assistant
Shanale Booker, Administrative Assistant
Marilyn Gignilliat, Executive Assistant

Advisory Staff Present: Bob Sebek, County Zoning Administrator
Randolph Scott, City Zoning Administrator

I. CALL TO ORDER AND WELCOME

Chairman Todd called the May 6, 2008 Regular MPC Meeting to order at 1:30 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. An MPC Personnel Committee Meeting was held on May 6, 2008 at 11:30 A.M. in the J. P. Jones Conference Room, 110 East State Street.

2. The Historic District Ordinance Revisions Committee will meet on May 12, 2008 at 4:00 P.M., in the Arthur A. Mendonsa Hearing Room, 112 East State Street.
3. The next Planning Academy Session will be held on May 13, 2008 at 6:00 P.M. in the MPC Arthur A. Mendonsa Hearing Room, 112 East State Street.
4. The next Regular MPC Meeting will be on May 20, 2008 at 1:30 P.M. in the MPC Arthur A. Mendonsa Hearing Room, 112 East State Street.

B. Acknowledgement(s)

None.

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

1. Zoning Petitions - Map Amendments

8502 Hurst Avenue
Annette Hickey, Agent
Ray and Varietta Williams, Owner
Jim Hansen, MPC Project Planner
MPC File No Z-080326-34784-2

The staff has requested that MPC File No Z-080326-34784-2 be removed from the Agenda and rescheduled for the May 20, 2008 Regular Meeting.

Mr. Coleman **moved** to approve the request to remove MPC File No Z-080326-34784-2 from the Final Agenda and reschedule it to the May 20, 2008 Regular MPC Meeting. Mr. Ray seconded the motion.

MPC Action: The motion carried with none opposed. The motion was to approve the request to remove MPC File No Z-080326-34784-2 from the Final Agenda and reschedule it for the May 20, 2008 Regular Meeting. Voting were: Mr. Todd, Mr. Ray, Ms. Myers, Mr. Coleman, Mr. Lufburrow, Mr. Brown, Mr. Manigault, Mr. Bean, Mr. Hoover, Mr. Farmer, and Mr. Mackey.

2. General Development Plan

New Office/Residential Center
6620 Johnny Mercer Boulevard
PUD-IS-B/TC Zoning District
PIN: 1-0059-01-003A,-043
Mark Boswell, Boswell Design, Agent
Barry Brown, Property Owner
Amanda Bunce, MPC Project Planner
MPC File No. P-080311-00047-1

The petitioner has requested that MPC File No. P-080311-00047-1 be removed from the Agenda and rescheduled for the June 3, 2008 Regular Meeting.

Mr. Coleman **moved** to approve the request to remove MPC File No. P-080311-00047-1 from the Final Agenda and reschedule it for the June 3, 2008 Regular MPC Meeting. Mr. Ray seconded the motion.

MPC Action: The motion carried with none opposed. The motion was to approve the request to remove MPC File No. P-080311-00047-1 from the Final Agenda and reschedule it for the June 3, 2008 Regular Meeting. Voting were: Mr. Todd, Mr. Ray, Ms. Myers, Mr. Coleman, Mr. Lufburrow, Mr. Brown, Mr. Manigault, Mr. Bean, Mr. Hoover, Mr. Farmer, and Mr. Mackey.

IV. CONSENT AGENDA

A. Approval of April 15, 2008 MPC Meeting Minutes and Briefing Minutes.

Mr. Brown **moved** to approve the April 15, 2008 MPC Meeting Minutes and Briefing Minutes as submitted. Mr. Coleman seconded the motion.

MPC Action: The motion carried with none opposed. The motion was to approve the April 15, 2008 MPC Meeting Minutes and Briefing Minutes as submitted.

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

B. Adoption of the Authorizing Resolution for the Section 5303 Transit Planning Grant for Federal Fiscal Year 2008 and State Fiscal Year 2009. This Resolution allows the Executive Director to Execute the Application for the Section 5303 Grant.

Ms. Myers **moved** to approve the Adoption of the Authorizing Resolution for the Section 5303 Transit Planning Grant for Federal Fiscal Year 2008 and State Fiscal Year 2009. Mr. Ray seconded the motion.

MPC Action: The motion carried with none opposed. The motion was to approve the Adoption of the Authorizing Resolution for the Section 5303 Transit Planning Grant for Federal Fiscal Year 2008 and State Fiscal Year 2009.

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

C. Zoning Petition - Map Amendment

2065 East 42nd Street
Harold Yellin, Agent
Ronald Cohen, Property Owner
Geoff Goins, MPC Project Planner
MPC File No: Z-080416-56278-2

Issue: The petitioner is requesting the rezoning of 2065 East 42nd Street from an R-6 (One-Family Residential) zoning classification to an R-B-1 (Residential-Business) classification.

Policy Analysis: The requested rezoning is consistent with the Future Land Use Map of the Tricentennial Comprehensive Plan. The R-B-1 district does allow multi-family residential development, which would conflict with the R-6 district's intent of protecting the single family residences in this area from depreciating effects of more densely developed residential uses. However, the R-B-1 classification would serve as a buffer or transitional zone between the existing single family residences to the west and commercial development to the east. Thus, the requested rezoning would establish a zoning district that is more compatible with the surrounding area than the zoning that presently exists.

Staff Recommendation: Approval of the request to rezone the subject property from an R-6 zoning classification to an R-B-1 classification.

Mr. Brown **moved** to approve staff recommendation for MPC File No Z-080416-56278-2 subject to conditions. Mr. Bean seconded the motion.

MPC Action: The motion carried with none opposed. The motion was to approve staff recommendation for MPC File No Z-080416-56278-2 subject to conditions. The conditions were: the Site Plan would include buffering and fencing along the western boundary of the property that is adjacent to a residential neighborhood. Voting were: Mr. Todd, Mr. Ray, Ms. Myers, Mr. Coleman, Mr. Lufburrow, Mr. Brown, Mr. Manigault, Mr. Bean, Mr. Hoover, Mr. Farmer, and Mr. Mackey.

D. Zoning Petition - Special Use

639-B Stephenson Avenue
James Paul Cleckler, Agent
Claudia Gaughf, M.D., Property Owner
Jack Butler, MPC Project Planner
MPC File No: Z-080416-59517-2

Issue: At issue is a request to permit the establishment of a service use (Beauty Salon) in a PUD-IS-B (Planned Unit Development Institutional) classification at 639-B Stephenson Avenue.

Policy Analysis: The proposed Special Use request is consistent with the Tricentennial Comprehensive Plan Future Land Use Map and will not violate the intent of the district or the character of the uses presently existing in the neighborhood.

Staff Recommendation: Approval of a Special Use at 639-B Stephenson Avenue to permit the establishment of a service use (Beauty Salon) of up to 1,300 square feet in a PUD-IS-B (Planned Unit Development Institutional) classification.

Mr. Coleman **moved** to approve staff recommendation for MPC File No Z-080416-59517-2. Mr. Ray seconded the motion.

MPC Action: The motion carried with none opposed. The motion was to approve staff recommendation for MPC File No Z-080416-59517-2. Voting were: Mr. Todd, Mr. Ray, Ms. Myers, Mr. Coleman, Mr. Lufburrow, Mr. Brown, Mr. Manigault, Mr. Hoover, Mr. Farmer, and Mr. Mackey. Mr. Bean **abstained** from the vote and submitted a Conflict of Interest form to be placed in the file.

V. OLD BUSINESS

A. General Development Plan/Group Development Plan

1800 East Victory Drive
B-H Zoning District
PIN: 2-0078-10-021, 2-0078-10-021A
Tanya Mandel, KRI & Associates, Agent
Morley Investment Group LLC, Property Owner
Jack Butler, MPC Project Planner
MPC File No. P-080317-38389-2

Nature of Request: The petitioner is requesting approval of a General Development/Group Development Plan for the redevelopment and improvement of an existing shopping center/retail center located at the northwest corner of the intersection of Victory Drive and the Truman Parkway. The property is zoned a BH (Highway Business) zoning classification. The petitioner is also requesting the following variances: 1) to provide 14 percent greenspace instead of the 20 percent greenspace required; and, 2) to allow a reduction from 341 required parking spaces to 306 parking spaces.

Staff Recommendation: The MPC staff recommends **approval** of the variances to provide 14 percent greenspace as opposed to the 20 percent greenspace required, and to allow a reduction from 341 required parking spaces to 306 parking spaces, as well as **approval** of the General Development/Group Development Plan subject to approval of the plans by the Chatham County Health Department and the City Engineer.

Ms. Myers **moved** to set aside the vote that was taken at the April 15, 2008 Regular Meeting for MPC File No P-080317-38389-2 and to open the floor for additional discussion and a new vote. Mr. Lufburrow seconded the motion.

MPC Action: The motion carried with one opposed. The motion was to set aside the vote that was taken at the April 15, 2008 Regular Meeting for MPC File No P-080317-38389-2 and to open the floor for additional discussion and a new vote.

Voting in favor of the motion were: Mr. Todd, Mr. Ray, Ms. Myers, Mr. Lufburrow, Mr. Brown, Mr. Manigault, Mr. Bean, Mr. Hoover, Mr. Farmer, and Mr. Mackey. Mr. Coleman voted against the motion.

Speaking on the Petition

Brandy Wall, Agent for the Petitioner, stated that there would be no objection to the addition of more greenspace.

Discussion

Mr. Brown expressed his concerns regarding the fifteen parking spaces that are proposed and would be placed directly along Victory Drive. He explained that there should be a reduction of six spaces, which would allow for an expansion of the tree island; two spaces in the middle and two spaces at each end, equaling the six reduced spaces. He stated that with the addition of more greenspace, this would greatly improve the visuals for the project.

Mr. Coleman voiced his concerns regarding the parking variance. He stated that this request could open the way for future requests for similar parking variances.

Mr. Bean stated that additional green space would be important and where it should be placed is just as important.

Mr. Thomson went to the podium to outline a possible solution to the parking along Victory Drive.

Mr. Brown **moved** to approve staff recommendation for MPC File No P-080317-38389-2 to include the changes as indicated on the amended Site Plan. Mr. Ray seconded the motion.

MPC Action: The motion carried with none opposed. The motion was to approve staff recommendation for MPC File No P-080317-38389-2 to include the changes as indicated on the amended Site Plan. Voting were: Mr. Todd, Mr. Ray, Ms. Myers, Mr. Lufburrow, Mr. Brown, Mr. Manigault, Mr. Bean, Mr. Hoover, Mr. Farmer, Mr. Mackey, and Mr. Coleman.

VI. REGULAR BUSINESS

A. General Development Plans

Riverview Health and Rehabilitation Center, Phase 1
6711 LaRoche Avenue
PUD-M-15/EO Zoning District (proposed), 32.16 Acres
PIN 1-0363-01-001 and 002
Thomas and Hutton Engineering Company, Engineer
Riverview Health and Rehabilitation Center, Inc., Owner
Attorney Dana Braun, Agent
Gary Plumbley, MPC Project Planner
MPC File Number P-080312-00050-1

Nature of Request: The petitioner is requesting approval of a General Development Plan for the first phase of a proposed congregate care and nursing home facility located at 6711 LaRoche Avenue (the west side of LaRoche Avenue approximately 225 feet south of Nottingham Drive) within a PUD-M-15 (Planned Unit Development – Multi-Family – 15 units per net acre) zoning district. No variances are requested in conjunction with the first phase of development.

Staff Recommendation: **Approval** of a variance to allow the removal of the easternmost existing pine tree within the Corridor Buffer. Staff further recommends **approval** of the proposed General Development Plan and building elevations subject to the following conditions: 1) approval by the County Engineer including any improvements to LaRoche Avenue that may be required. Such improvements, if any, will be required in conjunction with the approval of a Specific Development Plan, and 2) approval of the rezoning of this site to a PUD-M-10 district by the Chatham County Board of Commissioners.

Speaking on the Petition

Dana Braun, Attorney for the Petitioner, stated that he agreed with the statements that were made by Gary Plumbley, MPC Project Planner, and that there were no objections.

Mr. Lufburrow **moved** to approve staff recommendation for MPC File No P-080312-00050-1. Mr. Mackey seconded the motion.

MPC Action: The motion carried with none opposed. The motion was to approve staff recommendation for MPC File No P-080312-00050-1. Voting were: Mr. Todd, Mr. Ray, Ms. Myers, Mr. Coleman, Mr. Lufburrow, Mr. Brown, Mr. Manigault, Mr. Bean, Mr. Hoover, Mr. Farmer, and Mr. Mackey.

B. Specific Development Plan

Hollow Oak Inert Landfill
2841 Fort Argyle Road
P-D-R Zoning District
PIN: 1-1048-01-001A
Thomas J. Mahoney, Jr., Agent
James H. Wrenn, Property Owner
Jim Hansen, MPC Project Planner
MPC File No: P-080310-00045-1

Nature of Request: The petitioner is requesting approval of an Amended Specific Development Plan in order to continue utilizing the property as a borrow pit / inert landfill within a P-D-R (Planned Development-Reclamation) zoning district.

Staff Recommendation: Approval of the Amended Specific Development Plan with the following conditions: 1) the revised Amended Specific Development Plan shall be recorded in accordance with the requirements of the P-D-R requirements, 2) relevant conditions of the MPC Decisions of December 6, 1988 (1, 3, 4, 5, and 10), December 18, 1990 (1 and 2), and March 7, 2006 (6, 7, and 8) shall continue to be enforced (See Attached Decisions), 3) the land fill operations shall be completed and the landfill area closed out with all necessary state and local approvals by May 15, 2009, 4) the applicant shall be responsible for maintaining Fort Argyle Road in regards to any impacts associated with the borrow pit or landfill activities. The petitioner shall, on the date the revised plan is submitted for recording, submit a photographic record of the condition of Fort Argyle Road. Said photographic record shall be used to identify impacts to the roadway caused as a result of the landfill activities, 5) the applicant shall disclose the fact that the subject property was utilized as a landfill on any recorded subdivision plat or deed associated with the property or part thereof, and 6) the approval is subject to approval by the County Engineer.

Mr. Lufburrow **moved** to continue MPC File No P-080312-00050-1 to the May 20, 2008 Regular Meeting to allow time for the notification of the adjacent property owners. Mr. Farmer seconded the motion.

MPC Action: The motion carried with none opposed. The motion was to continue MPC File No P-080312-00050-1 to the May 20, 2008 Regular Meeting to allow time for the notification of the adjacent property owners. Voting were: Mr. Todd, Mr. Ray, Ms. Myers, Mr. Coleman, Mr. Lufburrow, Mr. Brown, Mr. Manigault, Mr. Bean, Mr. Hoover, Mr. Farmer, and Mr. Mackey.

VII. OTHER BUSINESS

Jane Love, Transportation Planner, gave a brief status update on the Coastal Commuter Program. She explained the activities that had been taking place, including the press conference that was held on April 18, 2008. She stated that they are currently working to reach out to employers to get the information out about the Coastal Commuter Program.

VIII. ADJOURNMENT

There being no other business to come before the Commission the May 6, 2008 Regular Meeting was adjourned at 2:15 P.M.

Respectfully Submitted,

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

Note: Minutes not official until signed