

CHATHAM COUNTY-SAVANNAH METROPOLITAN PLANNING COMMISSION

MPC REGULAR MEETING MINUTES

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

February 17, 2009

1:30 PM

Members Present: Jon Todd, Chairman
Shedrick Coleman, Vice-Chairman
Susan Myers, Treasurer
Russ Abolt
Michael Brown
Ellis Cook
David Hoover
Stephen Lufburrow
Timothy S. Mackey
Lacy Manigault

Members Not Present: Adam Ragsdale, Secretary
Ben Farmer
Robert Ray

Staff Present: Thomas Thomson, P.E. AICP, Executive Director
James Hansen, AICP, Director, Development Services
Gary Plumbley, Development Services Planner
Geoff Goins, Development Services Planner
Marcus Lotson, Development Services Planner
Jackie Teel, Natural Resources Administrator
Michael Adams, Transportation Planner
Melony West, CPA, Director, Finance & Systems
Marilyn Gignilliat, Executive Assistant
Bri Finau, Administrative Assistant
Constance Morgan, Administrative Assistant

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

I. CALL TO ORDER AND WELCOME

Chairman Todd called the February 17, 2009 Regular MPC Meeting to order at 1:35 PM. He requested everyone to stand for the Invocation and the Pledge of Allegiance. He explained the agenda and asked those present to record their attendance on the sign-in sheet. All who wished to speak on a petition before the Board were asked to fill out a blue speaker card.

II. NOTICES, PROCLAMATIONS AND ACKNOWLEDGMENTS

A. Notice(s)

1. Completed Executive Director Evaluation forms were due today.
2. Personnel Committee will meet Tuesday, March 3, 2009 at 11:00 AM in the West Conference Room.
3. The next Regular MPC Meeting will be held Tuesday, March 3, 2009 at 1:30 PM in the Arthur A. Mendonsa Hearing Room, 112 East State Street.

B. Acknowledgement(s)

There were no acknowledgements.

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

There were no items requested to be removed.

IV. CONSENT AGENDA

A. Approval of October 14, 2008 Planning Meeting Minutes and Briefing Minutes

Mr. Lufburrow **moved** to approve the October 14, 2008 MPC Regular Meeting Minutes and Briefing Minutes as submitted. Ms. Myers seconded the motion.

MPC Action: The motion carried with none opposed. The motion was to approve the October 14, 2008 MPC Meeting Minutes and Briefing Minutes as submitted. Voting were: Mr. Todd, Mr. Coleman, Ms. Myers, Mr. Abolt, Mr. Brown, Mr. Cook, Mr. Hoover, Mr. Lufburrow, Mr. Mackey, and Mr. Manigault.

B. Approval of December 9, 2008 MPC Planning Meeting Minutes and Briefing Minutes

Mr. Lufburrow **moved** to approve the December 9, 2008 Planning Meeting Minutes and Briefing Minutes as submitted. Mr. Manigault seconded the motion.

MPC Action: The motion carried with none opposed. The motion was to approve the December 9, 2008 MPC Planning Meeting Minutes and Briefing Minutes as submitted. Voting were: Mr. Todd, Mr. Coleman, Ms. Myers, Mr. Abolt, Mr. Brown, Mr. Cook, Mr. Hoover, Mr. Lufburrow, Mr. Mackey, and Mr. Manigault.

C. Approval of February 3, 2009 MPC Meeting Minutes and Briefing Minutes

Mr. Lufburrow **moved** to approve the February 3, 2009 MPC Regular Meeting Minutes and Briefing Minutes as submitted. Ms. Myers seconded the motion.

MPC Action: The motion carried with none opposed. The motion was to approve the February 3, 2009 MPC Meeting Minutes and Briefing Minutes as submitted. Voting were: Mr. Todd, Mr. Coleman, Ms. Myers, Mr. Abolt, Mr. Brown, Mr. Cook, Mr. Hoover, Mr. Lufburrow, Mr. Mackey, and Mr. Manigault.

- D. Resolution for the Chatham County - Savannah Metropolitan Planning Commission to enter into an Agreement with Chatham Area Transit for Transit Planning Assistance. This resolution allows the Executive Director to execute the Transit Planning Assistance contract for continuing services between the Chatham County - Savannah Metropolitan Planning Commission and Chatham Area Transit Authority.**

Ms. Myers **moved** to approve the resolution for the Chatham County – Savannah Metropolitan Planning Commission to enter into an Agreement with the Chatham Area Transit for Transit Planning Assistance and continuing service between the two parties. Mr. Manigault seconded the motion.

MPC Action: The motion carried with none opposed. The motion was to approve the resolution for the Chatham County – Savannah Metropolitan Planning Commission to enter into an Agreement with the Chatham Area Transit for Transit Planning Assistance and continuing service between the two parties. Voting were: Mr. Todd, Mr. Coleman, Ms. Myers, Mr. Abolt, Mr. Brown, Mr. Cook, Mr. Hoover, Mr. Lufburrow, Mr. Mackey, and Mr. Manigault.

- E. Authorize Executive Director to execute the 2009 Supplemental Contract with the Georgia Department of Transportation for the Planning (PL) Funds.**

Mr. Farmer **moved** to authorize to the Executive Director to execute the 2009 Supplemental Contract with the Georgia Department of Transportation for the Planning (PL) Funds. Mr. Cook seconded the motion.

MPC Action: The motion carried with none opposed. The motion was to authorize Executive Director to execute the 2009 Supplemental Contract with the Georgia Department of Transportation for the Planning (PL) Funds. Voting were: Mr. Todd, Mr. Coleman, Ms. Myers, Mr. Abolt, Mr. Brown, Mr. Cook, Mr. Hoover, Mr. Lufburrow, Mr. Mackey, and Mr. Manigault.

F. Major Subdivision

Barbour Pointe
 702 Derrick Inn Road
 County Commission District 7
 Zoning District: P-R-3-2.5
 Acres: 17.71
 PIN: 1-1029-06-001
 Barbour Pointe, LLC, Owner
 Steve Wohlfeil, Hussey Gay Bell & DeYoung, Agent
 MPC File No.: M-050725-55024-1

Gary Plumbley, MPC Project Planner

Variances are requested.

Nature of Request: The petitioner is requesting approval of a Sketch Plan for a single family residential subdivision located at the eastern terminus of Derrick Inn Road approximately 3,500 feet east of Ogeechee Road within a P-R-3-3 (Planned Residential Multi-Family – 2.5 Units Per Net Acre) zoning district. The petitioner is also requesting the following variances:

- Lot area variances (from the required 6,000 square feet) for 13 lots that vary from 599 square feet to 1,415 square feet;
- Lot width variances (from the required 60 feet) for 15 lots that vary from 2 feet to 28 feet;
- Rear yard setback variances (from the required 25 feet) for 35 lots that vary from 5 feet to 20 feet; and,
- A 36 foot right-of-way width variance (from the required 60 feet) for 4 existing paved private drives.

Recommendation: The Chatham County Health Department recommends **approval** subject to the following condition: all lots must be served by Consolidated Utilities water and sanitary sewer system.

The County Engineer has completed an initial review of the proposed Sketch Plan. No written comments have been received. However, no concerns have been identified that would preclude approval of the proposed subdivision. If such concerns are identified as part of the final review prior to the meeting on Tuesday, February 17, 2009, they will be presented and discussed at the meeting. There were no concerns brought forth.

The staff recommends **approval** of lot area variances (from the required 6,000 square feet) for 13 lots that vary from 599 square feet to 1,415 square feet; lot width variances (from the required 60 feet) for 15 lots that vary from 2 feet to 28 feet; rear yard setback variances (from the required 25 feet) for 35 lots that vary from 5 feet to 20 feet; and, a 36 foot right-of-way width variance (from the required 60 feet) for 4 existing paved private drives based on the previously stated findings. Staff further recommends **approval** of the proposed Major Subdivision and Sketch Plan subject to the following condition: approval by the Health Department and the County Engineer.

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

MPC Action: The motion carried with none opposed. The motion was to approve the staff recommendations subject to the conditions shown in the staff report. Voting were: Mr. Todd, Mr. Coleman, Ms. Myers, Mr. Abolt, Mr. Brown, Mr. Cook, Mr. Hoover, Mr. Lufburrow, Mr. Mackey, and Mr. Manigault.

V. OLD BUSINESS

A. Minor Subdivision

Lands of John B. Demere
2120 Turner's Road (Whitemarsh Island)
County Commission District 4
Zoning District R-1-A/EO
Acres: 169
PIN: 1-0112-01-001Y and 001Z
John B. Demere, Owner
Phillip McCorkle, Agent
MPC File No.: S-081125-60016-1

Gary Plumbley, MPC Project Planner

Nature of Request: The petitioner is requesting approval of a Final Plat for a Minor Subdivision located on the east side of Turner's Rock Road approximately 1,475 feet south of Johnny Mercer Boulevard within an R-1-A/EO (Single Family Residential – 3.5 units per net acre/Environmental Overlay) zoning district. The petitioner is also requesting a variance to allow the creation of additional lots on an unpaved substandard access way.

Staff Recommendation: The MPC staff recommends **denial** of a variance to allow the creation of additional lots on an unpaved substandard access way based on the previously stated findings. Staff further recommends **approval** of a variance to allow the creation of additional lots on a paved substandard access way and the proposed minor subdivision subject to the following conditions:

1. Turner's Rock Road must be improved to provide an 18 foot pavement width (2 lanes 9 feet in width) and shoulders not less than 2 feet in width from the private gate on Turner's Rock Road to the southern property line of the petitioned site as a condition of Final Plat approval.
2. Submit an Environmental Site Assessment to the County Engineer for review and approval as a condition of Final Plat approval.
3. Approval by the Chatham County Health Department and the County Engineer.

Chairman Todd read the recommendation of Jonathan Hart, County Attorney, into the record. The recommendation was: *"The proposed three lot minor subdivision, given the unique circumstances, unusual road, marsh and land conditions along with the recommendation of the County Engineer, would make strict design compliance as set forth in the Ordinance impractical. The MPC shall allow only this subdivision a variance as to the standards regarding road upgrades. The MPC shall require that any future subdivision of land in the area of Turners Rock be compliant with the Subdivision Ordinance or be pursuant to a comprehensive development plan for the Turners Rock area with roads compliant with the recommendations of the County Engineer."*

Speaking on the Petition:

Philip McCorkle, agent for the petitioner, stated he and his client concur with the recommendation.

Harold Yellin, representing several of the Turner's Rock residents, stated they are in agreement with Mr. McCorkle for a three-lot subdivision. He and Mr. McCorkle will work diligently to come up with a declaration, which would address issues such as architectural review and construction, minimum set backs, maintenance and repair of existing roads. He stated they will return before the MPC with a Master Plan.

Mr. Abolt **moved** to adopt the recommendation of Jonathan Hart, County Attorney. Mr. Lufburrow seconded the motion.

MPC Action: The motion carried with none opposed. The motion was to adopt the County Attorney's recommendation. Voting were: Mr. Todd, Mr. Coleman, Ms. Myers, Mr. Abolt, Mr. Brown, Mr. Cook, Mr. Hoover, Mr. Lufburrow, Mr. Mackey, and Mr. Manigault.

B. Zoning Petition - Text Amendment

Text Amendment to the City of Savannah Zoning Ordinance

Re: Savannah Gardens Planned Unit Development

MPC File No.: Z-081231-40739-2

Jim Hansen, MPC Project Planner

Issue: At issue is an ordinance to establish uses, development standards and procedures for the Savannah Gardens Planned Unit Development. This ordinance is proposed in conjunction with a request to rezone the property from an R-4 (Four-family Residential) zoning classification to a PUD (Planned Unit Development) classification.

Policy Analysis: The PUD will provide a unified, coordinated, and phased development based on available facilities. The PUD will also encourage flexibility, diversity and integration of uses and development standards that would not otherwise be allowed by the Zoning Ordinance.

Recommendation: The MPC staff recommends **approval** of the Planned Unit Development master plan and ordinance for Savannah Gardens in conjunction with approval of the rezoning to a PUD zoning classification.

Speaking on the Petition:

Rochelle Small-Toney, City of Savannah Assistant City Manager, outlined the meetings were held with residents to discuss concerns. Traffic studies regarding Foster Street were conducted. All that MPC staff has presented is correct with the exception that Foster Street is now to remain closed.

Darrell Daise, director of Community Housing Services Agency, stated the concerns of the Twickenham residents were incorporated into the Master Plan for Savannah Gardens, specifically relating to two-story single family pods and allowing Foster Street remain closed. These changes are reflected in "Plan B".

Eddie Johnson, Jr., a Savannah Garden resident, asked for additional information on how emergency vehicles enter in a timely manner if Foster Street remained closed?

Mr. Todd responded there are several other entrances. All appropriate personnel have reviewed the plans and have no objections to what is proposed.

Calum Crampton, a Twickenham resident, stated he is in favor of the development and thinks it will be an improvement to the neighborhood. He is concerned if the connector off of Vinson will be curbed and be made a true connector to Crescent Drive. He stated he would not be opposed to raised brick to slow drivers down.

Mr. Todd stated any street or opening would adhere to the city code.

Meredith Sutton, a Twickenham resident, states the driveways in the new area will be in the back, which will hinder neighborhood connectivity.

Clyde Martin, a Twickenham resident, he supported "Plan B" and appreciated the City and CHSA proposing it.

Mr. Todd expressed his gratitude to the residents coming together to amicably agree on the project with the City and CHSA.

Mr. Hoover asked Mr. Daise if Mosely Street, Hanson Street, and Vinson Avenue, from a safety standpoint, if raised pavers could be utilized in those entrances to the neighborhood.

Mr. Daise replied that this is something that could be taken into consideration.

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

MPC Action: The motion carried with none opposed. The motion was to approve the petitioner's Planned Unit Development master plan and ordinance for Savannah Gardens in conjunction with approval of the rezoning to a PUD zoning classification. Voting were: Mr. Todd, Mr. Coleman, Ms. Myers, Mr. Brown, Mr. Cook, Mr. Hoover, Mr. Lufburrow, Mr. Mackey, and Mr. Manigault. Mr. Abolt was not in the room when the vote was taken.

C. Zoning Petition – Map Amendment

Savannah Gardens
601 Crescent Drive
Aldermanic District 3
County Commission Districts 2 and 3
Zoning District: R-4 to PUD
PINs: 2-0039-02-005 and 006
CHSA Development, Owner
Darrel Daise, Agent
MPC File No.: Z-081231-40739-2

Jim Hansen, MPC Project Planner

Policy Analysis: The proposed zoning is consistent with the Tricentennial Comprehensive Plan Future Land Use Map. Zoning to a PUD will allow redevelopment of the site to be unified, coordinated and phased based on available facilities. A PUD classification will also encourage flexibility, diversity and integration of uses and development standards that would not otherwise be allowed by the Zoning Ordinance.

Staff Recommendation: The MPC staff recommends **approval** of the request to rezone the subject property from an R-4 (Four-family Residential) classification to a PUD (Planned Unit Development) classification in conjunction with approval of a Master Plan and an ordinance to establish uses, development standards and procedures.

Mr. Cook **moved** to approve the staff recommendation for Master Plan “B”. Ms. Myers seconded the motion.

MPC Action: The motion carried with none opposed. The motion was to approve the staff recommendation to approve the petitioner’s “Plan B” Master Plan, to rezone the property from an R-4 (Four-family Residential) zoning classification to a PUD (Planned Unit Development) classification in conjunction with approval of a Master Plan and an ordinance to establish uses, development standards and procedures. Voting were: Mr. Todd, Mr. Coleman, Ms. Myers, Mr. Brown, Mr. Cook, Mr. Hoover, Mr. Lufburrow, Mr. Mackey, and Mr. Manigault. Mr. Abolt was not in the room when the vote was taken.

VI. REGULAR BUSINESS

A. Zoning Petition - Text Amendment

Text Amendment to the Savannah Zoning Ordinance
 Re: Amend Section 8-3112(c)(5)(c) (Restricted Sign)
 Victory Drive Deliverance Temple, Petitioner
 203 W. Victory Drive
 MPC File No. Z-090112-46906-2

Geoff Goins, MPC Project Planner

Issue: It is proposed that an amendment be made to Section 8-3112(c)(5)(c) (Restricted Sign) of the Savannah Zoning Ordinance to permit announcement signs with copy scrolled by electronic or mechanical means within the R-B (Residential – Business) 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.

The Zoning Ordinance differentiates between intense business/industrial zoning classifications and residentially compatible zoning classifications with respect to announcement signs with copy scrolled by electronic means. They are permitted in B-H, B-G, B-C, B-G-1, I-L, and I-H, but are not permitted in R-B-1, R-B, B-N, B-N-1. The R-B zoning classification is the least intense suburban business zoning classification in the City of Savannah Zoning Ordinance. To permit this type of sign in the R-B zoning classification would dictate that it is appropriate in all (B) business zoning classifications outside of a Historic District. This would jeopardize the quality of life for residences that are within close proximity or adjacent to these zoning classifications.

Recommendation: The MPC staff recommends **denial** of the petitioner’s request to amend Section 8-3112(c)(5)(c) (Restricted Sign) to allow announcement signs with copy scrolled by electronic means within the R-B (Residential Business) zoning classification along Victory Drive between Barnard and Montgomery Streets.

Speaking on the Petition:

Theodore Jackson, pastor of the church, stated this was presented before City Council and requested that an amendment be written to pertain just to this block.

Mr. Hoover stated that appears the easiest resolution may be to retrofit the sign to be changed manually.

Mr. Manigault asked how would the sign affect the church and its activities.

Mr. Jackson responded that the previous sign was old and in disrepair. The new sign was purchased as new and would have to go back to Braddy Electric to remove it. We were ignorant to the Ordinance as to what it would allow. He stated the building will be a re-entry/transitional housing, house a computer lab for the children in the neighborhood and it is an asset to the residential part of the community.

Mr. Manigault stated someone at the City had to bring this to someone's attention. Now, we have to look at it and send it back to the City. Once it goes back to the City, we should be in a position to have agreed with your community to do what is right according to the rules and regulations and not have to take it to the City again. He stated he did not see how the MPC could avoid the City saying we did not look at the right side of it.

Mr. Hoover stated he is very sensitive to the plight of this issue. He stated whomever installed this should have been aware of the regulations, and they were. Again, he suggested reaching an agreement with the installer to retrofit this to a regular letter sign or take it away and resell it. The petitioner does appear to have some line of recourse with the installer for going down the wrong path. Though someone would have to go out and change the letters, the problem goes away and could still get messages out to the public.

Mr. Coleman explained the zoning laws are to be transparent to anyone looking at them, not tweaked for anyone's particular purpose. The Planning Commission has to look beyond the church, to the law itself.

Mr. Brown asked where, in the area, could such a sign be permitted?

Mr. Jackson stated it permitted two blocks to the east of us and three blocks to the west of us. (Mr. Goins displayed a map to further explain the area zoning.)

Mr. Brown stated the problem is that long ago R-B was a blanket zoning and it is now causing problems. This zoning is going away, slowly, and if electronic reading boards are allowed, then they will be everywhere. His concern is that text amendment would lead to spot zoning.

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

MPC Action: The motion carried with none opposed. The motion was to approve the staff recommendation to deny the petition. Voting were: Mr. Todd, Mr. Coleman, Ms. Myers, Mr. Brown, Mr. Cook, Mr. Hoover, Mr. Lufburrow, Mr. Mackey, and Mr. Manigault. Mr. Abolt was not in the room when the vote was taken.

B. General Development / Group Development

Continental Self Storage
639 East Park Avenue
Aldermanic District 2
County Commission District 2
Zoning District: P-B-G-2
Acres: 1.95
PIN: 2-0054-02-005
Continental Self Storage Inc., Owner
Downer Davis, Davis Engineering, Agent
MPC File No.: P-090127-50245-2

Marcus Lotson, MPC Project Planner

Variances are requested.

Nature of Request: The petitioner is requesting approval of a General Development Plan/ Group Development in order to develop a self storage facility within a P-B-G-2 (General Business - Transition) zoning district. The petitioner is requesting a five percent green space variance.

Policy Analysis: The site is currently developed with a single, climate controlled warehouse. Developed prior to the adoption of current standards, the existing site does not meet the green space requirements of the Ordinance. Twenty percent green space is required – the existing development provides only four percent. The petitioner proposes a redevelopment which, by removing existing non-pervious surfaces, will result in an increase in green space to 15 percent. The proposed green space is a marked improvement over that which currently exists. Though a variance is necessary, the improvement in green space justifies said variance.

Recommendation: The MPC staff recommends **approval** of the General Development Plan / Group Development and **approval** of the five percent green space variance request.

The Specific Development Plan shall be in compliance with the approved General Development Plan and shall include the following:

- ***Landscape Plan, including a Tree Establishment and Tree Protection Plan.***
The City Landscape Architect shall review the Landscape Plan.
- ***Water and Sewer Plan.*** *The City Water and Sewer Engineer shall review the Water and Sewer Plan.*
- ***Drainage Plan.*** *The City Stormwater Engineer shall review the Drainage Plan. The detention pond must be sodded or hydro-seeded.*
- ***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. When a proposed nonresidential use is adjacent to or across the street from existing residential use, all structures within the nonresidential property shall be compatible with and/or screened from the structures within the residential property.*

- **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.
- **Signage Plan.** MPC staff shall review the Signage Plan. The location of any freestanding signage shall be shown on the Specific Plan.
- **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.

Speaking on the Petition:

Freddie Patrick, president of the Eastside Concerned Citizens Neighborhood Association, introduced Cynthia Kennedy as the president-elect. The City approached the neighborhood association in 1999 to develop a neighborhood plan for the area, which is 97% residential. He stated the outer boundaries would be most appropriate for business, with the interior area restricted to residential. He stated they do not believe that is the most appropriate site as they would like to move forward to make this a residential site. The association has no objection is to new business, which would increase traffic flow. He asked that the neighborhood plan be consulted.

Ms. Myers stated the petition is not for use; they already have the right to do this. The only thing that can be asked is to not to modify the green space.

Mr. Patrick stated they are aware of this and if nothing can be done, they are hoping it is something that can be done to benefit to the neighborhood and not detract the property value. They would like whatever is done is to be to the beautification of the neighborhood. He also asked if the owners should move, what will happen to the property and how will it affect the neighborhood?

Mr. Manigault stated he was concerned about the five percent. He stated that seemed to him a prime example of property that will be over-built. He stated it was a concern because it is in a residential area and five percent is not enough space.

Mr. Thomson stated is the concept is to use the wall of the building as a barrier. What is critical what is the wall going to look like. Previous examples show visual improvements. The Specific Plan will have elevations.

Mr. Todd stated the Board would like to see the Specific Development Plan.

Mr. Brown requested to find out how much additional planting would be done and consult with Park and Tree Services.

Mr. Lufburrow **moved** to approve staff recommendation with the conditions that the Specific Development Plan return to the MPC and that staff work with Park and Tree. Mr. Manigault seconded the motion.

MPC Action: The motion carried with none opposed. The motion was to approve the staff recommendations after viewing the Specific Development Plan and consult with Park and Tree. Voting were: Mr. Todd, Mr. Coleman, Ms. Myers, Mr. Brown, Mr. Cook, Mr. Hoover, Mr. Lufburrow, Mr. Mackey, and Mr. Manigault. Mr. Abolt was not in the room when the vote was taken.

C. Zoning – Map Amendment

Cedar Hammock Office Park
51 Johnny Mercer Boulevard
County Commission District 4
Zoning District: PUD-IS-B (Use Approval)
Acres: 2.85
PIN: 1-0139-01-002
Gladys Wise, Owner
MPC File No.: Z-090202-00006-1

Jim Hansen, MPC Project Planner

Existing Zoning: PUD-IS-B (Planned Unit Development-Institutional-Business)

Requested Zoning: Special use approval of a fitness center (limited); photography studio; specialty shop; and the teaching of music, voice and dance within the existing PUD-IS-B district

Future Land Use Plan Designation: Commercial Suburban

Policy Analysis: The proposed use approvals are consistent with the Future Land Use Map designation and are compatible with the existing development pattern at the project site. Limitations on size and hours of operation further enhance compatibility.

Recommendation: The MPC staff recommends **approval** of the request to grant use approval for the following specified uses: limited use fitness center, photography studio, specialty shops, and the teaching of music, voice and dance. Said uses shall be limited in size to no more than 1,200 square feet of gross floor area, and further, a fitness center shall be limited to hours of operation between 7:00 a.m. and 7:00 p.m.

Speaking on the Petition

Gladys Wise, petitioner, stated she was in agreement with the staff recommendation.

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

MPC Action: The motion carried with none opposed. The motion was to approve the staff recommendation subject to conditions. Voting were: Mr. Todd, Mr. Coleman, Ms. Myers, Mr. Brown, Mr. Cook, Mr. Hoover, Mr. Lufburrow, and Mr. Manigault. Mr. Abolt and Mr. Mackey were not in the room when the vote was taken.

VII. OTHER BUSINESS

- A. Proposed Stormwater Regulations for Construction Sites (Presented for Information Only)

Ms. Teel presented a PowerPoint presentation to update the Board on Stormwater Regulations pending comment from the Environmental Protection Agency.

- B. Non-major contract with Assistance For You

Mr. Thomson noted that this was presented for information. A similar contract for administrative assistance was approved last year.

VIII. ADJOURNMENT

Being no further business to come before the Commission, the February 17, 2009 Regular Meeting adjourned at 3:27 PM.

Respectfully Submitted,

Thomas L. Thomson
Executive Director

Note: Minutes not official until signed.