

# **Chatham County - Savannah Metropolitan Planning Commission**

Chatham County Commission Chambers September 17, 2019 ~ 1:30 PM Minutes

## September 17, 2019 REGULAR MPC MEETING

- Members Present: Ellis Cook, Vice-Chairman Linder S. Suthers, Secretary Joseph Welch, Treasurer Travis H. Coles Karen Jarrett Lacy Manigault Tanya Milton Wayne Noha Eula Parker Lee Smith Tom Woiwode
- Members Not Present: Joseph Ervin, Chairman Thomas Branch Pat Monahan
- Staff Present:Melanie Wilson, Executive Director<br/>Pamela Everett, Assistant Executive Director<br/>Matt Lonnerstater, Development Services Planner<br/>Marcel Williams, Development Services Planner<br/>Jessica Hagan, Administrative Assistant<br/>Julie Yawn, Systems Analyst
- Advisory Staff Present: Gregori Anderson, Director of Building Safety and Regulatory Services Jefferson Kirkland, Chatham County Environmental Program Coordinator

## I. Call to Order and Welcome

## II. Invocation and Pledge of Allegiance

## III. Approval of Agenda

## 1. Approval of Agenda

The September 17, 2019 regular MPC meeting agenda was approved as submitted.

## Motion

Approve the agenda as submitted.

Vote Results ( Approved )

Motion: Travis Coles	
Second: Joseph Welch	
Ellis Cook	- Aye
W. Lee Smith	- Aye
Linder Suthers	- Aye
Tom Woiwode	- Aye
Travis Coles	- Aye
Joseph Welch	- Aye
Lacy Manigault	- Aye
Tanya Milton	- Aye
Karen Jarrett	- Aye
Eula Parker	- Aye
Wayne Noha	- Aye

#### **IV. Notices, Proclamations and Acknowledgements**

#### Notice(s)

2. September 24, 2019 Planning Meeting, 1:00 P.M., County Commission Chambers, 124 Bull Street, 2nd Floor.

<u>3. October 8, 2019 Regular MPC Meeting, 1:30 P.M., County Commission Chambers, 124 Bull Street, 2nd Floor.</u>

#### Information Item(s) for Board Members

4. Development Plans Submitted for Review

September 17th MPC Meeting Development Log.pdf

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

VI. Items Requested to be Withdrawn

The Consent Agenda consists of items for which the applicant is in agreement with the staff recommendation and for which no known objections have been identified nor anticipated by staff. Any objections raised at the meeting will result in the item being moved to the Regular Agenda. At a 12:30 briefing, the staff will brief the Commission on Consent Agenda items and, time permitting, Regular Agenda items. No testimony will be taken from applicants, supporters or opponents, and no votes will be taken at the briefing.

## **VII. Consent Agenda**

5. Approval of the August 27, 2019 Briefing and Regular Meeting Minutes.

@08.27.19 MEETING MINUTES.pdf

@ 08-27-19 MPC BRIEFING MINUTES.pdf

The August 27, 2019 briefing and regular meeting minutes were approved as submitted.

#### Motion

Recommend approval of the Briefing and Regular Meeting Minutes.

## Vote Results (Approved)

Motion: Lacy Manigault	
Second: Joseph Welch	
Ellis Cook	- Aye
W. Lee Smith	- Aye
Linder Suthers	- Aye
Tom Woiwode	- Aye
Travis Coles	- Aye
Joseph Welch	- Aye
Lacy Manigault	- Aye
Tanya Milton	- Aye
Karen Jarrett	- Aye
Eula Parker	- Aye
Wayne Noha	- Aye

## 6. Approval of the August 27, 2019 Executive Session Minutes.

The September 17, 2019 Executive session meeting minutes were approved as submitted.

## Motion

Recommend approval of the Executive Session Minutes.

## Vote Results ( Approved )

Motion: Tanya Milton	
Second: Lacy Manigault	
Ellis Cook	- Aye
W. Lee Smith	- Aye
Linder Suthers	- Aye
Tom Woiwode	- Aye
Travis Coles	- Aye
Joseph Welch	- Aye
Lacy Manigault	- Aye
Tanya Milton	- Aye
Karen Jarrett	- Aye
Eula Parker	- Aye
Wayne Noha	- Aye

## VIII. Old Business

#### **IX. Regular Business**

7. NEW CONSTRUCTION: VICTORIAN HISTORIC DISTRICT | 19-004833-COA | Address: 1210 Drayton Street |

Petition of Chu's Convenience Mart

- Ø Submittal Packet.pdf
- Sanborn Maps.pdf
- 19-004833-COA Staff Recommendation.pdf

Letter of Objection 2.pdf

**Mrs. Leah Michalak, Director of Historic Preservation,** stated the applicant is requesting approval for demolition of two existing buildings and for new construction of a 1-story convenience store and gas station for the property located at 1210 Drayton Street. All signage and the gas pump island are not a part of this review.

1210 Drayton Street was constructed in 1959; 108 East Henry Street was constructed in 1975. Neither are contributing buildings within the Savannah Victorian National Register Historic District or the local Planned-Neighborhood-Conservation District.

Fuel stations are permitted in the 2-B zoning district provided that approval is obtained from the Zoning Board of Appeals and that "gasoline pumps and other service facilities shall be setback not less than 12 feet behind a required front yard setback."

Mr. Mark Cadman, representing the peitioner, stated he agreed with staff's recommendation.

#### **Public Comments:**

**Mr. Gary Guthrie**, spoke in opposition. He stated the Victorian district already has enough convenience stores. Littering and loitering are already a problem with the stores we have. The neighbors are trying to restore the tree lawn and a gas station at that intersection wouldn't allow us do it here.

**Mr. John Brown**, spoke in opposition. He agreed with all that Mr. Guthrie stated. He also added the problems with traffic in that area.

**Ms. Trudy Herod**, spoke in opposition. She read a letter from Mr. Ryan Madson, President of the Victorian Neighborhood Association. Mr. Madson stated in the letter that the proposed convenience store is incompatible with a walkable, pedestrian and bicycle oriented neighborhood. The parcel is not presently zoned for a fuel station. There are already two convenience stores in the neighborhood. There is a struggle with ongoing litter and waste generated from customers at the El Cheapo.

## Motion

Approval for demolition of two existing buildings and for new construction of a 1-story convenience store and gas station for the property located at 1210 Drayton Street with the following conditions to be submitted to staff with the building permit drawings for final review and approval because the proposed work is otherwise visually compatible and meets the standards:

- 1. Obtain approval from the Zoning Board of Appeals for Fuel Station use in the 2-B zoning district;
- 2. Submit signage and gas pump island for a Certificate of Appropriateness;
- 3. Provide at least two off-street spaces for safely securing a bicycle;
- 4. Ensure that service loading and unloading is provided only through the lane entrances; the Henry Street entrance shall only be used for customers;
- 5. Provide specifications for:
- Scuppers and downspouts: ensure they are metal.
- Building light fixtures.

- Site light fixtures: revise from the proposed cobra-head type.

Vote Results ( Approved )	
Motion: Joseph Welch	
Second: W. Lee Smith	
Ellis Cook	- Aye
W. Lee Smith	- Aye
Linder Suthers	- Nay
Tom Woiwode	- Aye
Travis Coles	- Nay
Joseph Welch	- Aye
Lacy Manigault	- Aye
Tanya Milton	- Aye
Karen Jarrett	- Aye
Eula Parker	- Aye
Wayne Noha	- Aye

8. REZONING MAP AMENDMENT | 2521, 2529 Fort Argyle Rd. and 101 Middle Landing Rd. | R-A (Residential - Agriculture) to B-N (Neighborhood Business) | Don Dyches, Jr. as agent for Fort Argyle, LLC | Z-190710-00073-1

- Exhibit A Maps.pdf
- Exhibit B Limits of Rezoning.pdf
- @ Staff Report Z-190710-00073-1.pdf
- Revised Boundaries 2505 FT ARGYLE REZONE BOUNDARY 9-11-19.pdf

## @ 2505 FT ARGYLE RECOMBINATION 9-13-2019.pdf

**Mr. Matt Lonnerstater, Development Services Planner**, stated the petitioner is requesting to rezone two parcels and a portion of a third parcel from the R-A (Residential-Agriculture) zoning classification to the B-N (Neighborhood Business) zoning classification.

- -2521 Fort Argyle Rd. (0.75 acres)
- -2529 Fort Argyle Rd. (0.66 acres)
- -101 Middle Landing Rd. (4.7 acres) northern half subject to rezoning request (2.34 acres)

The petitioner proposes to rezone the entirety of 2521 and 2529 Fort Argyle Rd. and the northern half of 101 Middle Landing Rd. to B-N. 2521 and 2529 Fort Argyle Road are currently improved with single-family structures. 101 Middle Landing Road is vacant but contains significant vegetation and wetlands.

The Suburban Single-Family designation is intended for single-family detached residential dwellings at a density not to exceed five (5) units per acre. The proposed commercial rezoning is not consistent with the proposed future land use designation.

MPC staff advises against split-zoning parcels without a formal survey delineating the boundaries of the rezoning. While the petitioner has provided an informal map showing the rezoning boundaries, a survey has not been provided.

While the subject sites are immediately adjacent to an existing B-N-zoned parcel at the intersection of

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Fort Argyle Road and Middle Landing Road, the convenience store use on this parcel has been in existence for an extended period of time and likely predates modern land use and zoning policy. Further, while commercial uses are planned along Fort Argyle Road as part of the New Hampstead PUD, the commercial-suburban future land use designation is entirely restricted to the northern side of the road. A Neighborhood-Business designation on the southern side of Fort Argyle Road could negatively impact the existing rural residential character and could set a negative precedent for future commercial rezoning requests. The rezoning request is not consistent with the Suburban Single-Family Future Land Use designation along the southern side of Fort Argyle Road.

The B-N district permits a range of retail uses, package stores, self-storage facilities, auto parts stores and laboratories. Development standards require a 10-foot side-yard and 30-foot rear-yard buffer from adjacent residential uses, but do not specify a limitation on height or lot coverage. If the subject parcels were to be rezoned to B-N and subsequently recombined, the resulting acreage could permit commercial development at a scale that is incompatible with the rural-residential areas to the south and west.

MPC staff finds that the proposed B-N zoning classification is incompatible with the existing rural residential character on the southern side of Fort Argyle Road and is inconsistent with the Chatham County Future Land Use Map. Further, staff is hesitant to offer a split-zoning recommendation without clear boundaries delineated and defined on a formal survey.

**Mr. Don Dyches , representing the petitioner**, stated the corner lot of Fort Argyle Road and Middle Landing Road has an existing convenience store. The store has a curb cut all the way along the frontage. It's an outdated store, so the petitioner would like to redevelop it. Due to the shape of the lot, it's hard to do anything. The adjoining parcels would give that one parcel enough room to be redeveloped into something that is more useful for the future development of that area.

**Ms. Melanie Wilson, Director of Metropolitan Planning Commission**, stated the only thing being considered today are the three parcels in the back. The front portion of the parcel that includes the convenience store is not included in the request.

**Mr. Jay Maupin, the petitioner's Engineer**, stated the original application was to include all the high ground in the back. We will need additional acreage for the septic system. The septic system will need to be on the property with the development. The wetlands and the cemetery will serve as a buffer.

## No Public Comments

## Motion

MPC staff recommends denial of the request to rezone the parcels at 2521 and 2529 Fort Argyle Road and a portion of the parcel at 101 Middle Landing Road from R-A to B-N.

## Vote Results (Rejected)

Motion: Karen Jarrett	
Second: Tanya Milton	
Ellis Cook	- Nay
W. Lee Smith	- Nay
Linder Suthers	- Aye
Tom Woiwode	- Nay
Travis Coles	- Nay
Joseph Welch	- Nay
Lacy Manigault	- Aye
Tanya Milton	- Aye
Karen Jarrett	- Aye

Eula Parker	- Nay
Wayne Noha	- Nay

## Motion

Motion to approve the request to rezone the parcels at 2521 and 2529 Fort Argyle Road and a portion of the parcel at 101 Middle Landing Road from R-A to B-N.

## Vote Results ( Approved )

Motion: Wayne Noha	
Second: Joseph Welch	
Ellis Cook	- Aye
W. Lee Smith	- Aye
Linder Suthers	- Nay
Tom Woiwode	- Aye
Travis Coles	- Aye
Joseph Welch	- Aye
Lacy Manigault	- Nay
Tanya Milton	- Aye
Karen Jarrett	- Nay
Eula Parker	- Aye
Wayne Noha	- Aye

9. ZONING MAP AMENDMENT | 6078 Ogeechee Road | Rezone from R-A (Residential Agriculture) to B-N (Neighborhood Business

- @ Maps.pdf
- Survey.pdf
- Concept Plan.pdf
- **ØUS-17 Road Context.pdf**

## Staff Report Z-190820-00088-1.pdf

**Mr. Marcus Lotson, Director of Development Services**, stated the petitioner is requesting to rezone a 5.02-acre portion of a 19.64-acre parcel from the R-A (Residential-Agriculture) zoning classification to the B-N (Neighborhood Business) zoning classification. The property under consideration for this rezoning request is located on the southside of Ogeechee Road between Bradley Boulevard and Bamboo Farm Drive. A portion of the property is developed with a vacant residence.

The petitioner proposes to rezone a 5.02 portion of the subject property. The property has approximately 438 feet of frontage on Ogeechee Road and has an average depth of approximately 575 feet. The boundaries identified in the survey are the boundaries of the proposed rezoning. In the event the zoning change is adopted, the remaining portion of the site will retain the R-A zoning designation.

The B-N district permits commercial uses including neighborhood scale retail and personal services, shopping centers, restaurants and offices. MPC staff finds that the proposed B-N zoning classification is compatible with the existing development pattern on the south side of Ogeechee Road and is consistent with the Chatham County Future Land Use Map. Additionally, staff finds that the uses permitted in the B-N district are appropriate for the subject property.

**Mr. Ed Farmer, representing the petitioner**, stated they would like to rezone the property to build a Tractor Supply.

**Mr. Boddy Jones, Pastor of the Thankful Baptist Church**, stated he supports the rezoning. With the development of this property, it will bring in property and business tax along with jobs that will be reinvested in the community.

#### Motion

MPC staff recommends approval of the request to rezone the identified portion of 6078 Ogeechee Road from R-A to B-N

#### Vote Results (Approved)

Motion: Wayne Noha	
Second: Travis Coles	
Ellis Cook	- Aye
W. Lee Smith	- Aye
Linder Suthers	- Aye
Tom Woiwode	- Aye
Travis Coles	- Aye
Joseph Welch	- Aye
Lacy Manigault	- Aye
Tanya Milton	- Aye
Karen Jarrett	- Aye
Eula Parker	- Aye
Wayne Noha	- Aye

## 10. ZONING MAP AMENDMENT | 4504 Ogeechee Road | Rezone from P-B-G & IL to RM-40 | File no. 19-004404

- Petitioners Exhibit.pdf
- Maps.pdf
- B-G Permitted Uses.pdf
- @ I-L Permitted Uses.pdf
- Context Aerial.pdf

## Staff Report-19-004404-ZA-MAP SEP17.pdf

**Mr. Marcus Lotson, Director of Development Services**, stated the petitioner, Robert L. McCorkle, III, as Agent for Classic Development Company LLC, is requesting approval to rezone property located at 4504 Ogeechee Road from an I-L (Light Industrial) and P-B-G (Planned General Business) district to an R-M-40 (Multi-Family Residential-40 units per net acre) district. Under the proposed zoning, an approximate maximum of 300 dwelling units could be developed.

The subject site is 9.14 acres in size and is located on the north side of Ogeechee Road between Chatham Parkway and Heathcote Circle. The property is split zoned, approximately 2 acres of the frontage is zoned P-B-G (Planned General Business) and the remaining +/- 7 acres is zoned I-L (Light Industrial). It appears that the split occurred when zoning was established because there is no record of zoning action on the property. The former retail store on the front of the property was constructed in 1960. The existing manufactured home park also dates to the 1960s.

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The Ogeechee Road corridor, between Chatham Parkway and the Garden City Boundary, exhibits a variety of heavy commercial and industrial land uses. The zoning in this area currently allows land uses which are intensive in terms of traffic and noise, which is not characteristic of residential areas. The prevailing land uses in the area produce significant commercial truck traffic, in addition to the commuter traffic. Introducing high density residential into the area is not consistent with the likely development pattern going forward and is not compatible with the heavy industrial nature of this portion of Ogeechee Road. While there are nearby multifamily developments on Chatham Parkway, Chatham Parkway is characterized by office and commercial uses, which are compatible with apartment living.

The new zoning ordinance, which went into effect on September 1st, identifies the subject property and all the properties east to Chatham Parkway as BC (Community Business). Although some of these properties are underdeveloped, based on the traffic counts and the existing development pattern, staff found that the most likely future development would be commercial in nature. The BC zoning district would permit a wide array of uses that could be appropriate for the site.

The proposed rezoning is also inconsistent with the Comprehensive Plan, which identifies the subject property and the area around it as Commercial Suburban. The Future Land Use Map should be used as a guide and is one of the factors to consider when making zoning decisions.

**Mr. Robert McCorkle, representing the petitioner**, stated the property is currently a mobile home park with about 40 mobile homes and a couple of permanent brick and mortar residential structures. There is a commercial piece of property at the front that sells a variety of things. The property is on the Garden City side of Chatham Parkway. The surrounding properties are industrial types of development. There is a new multi-family development right behind this property towards Chatham Parkway. There are several successful multi-family developments in this area and we believe this development could benefit the neighborhood and be successful.

## **No Public Comments**

## Motion

Motion to approve the request to rezone 4504 Ogeechee Road from I-L (Light Industrial) and P-B-G (Planned General Business) to R-M-40 (Multifamily Residential, 40 units per net acre).

## Vote Results ( Approved )

- Aye
- Aye

11. REZONING MAP AMENDMENT | 1545 East Montgomery Cross Road | P-R-B-1/EO (Planned Residential Business - Environmental Overlay) to B-N (Neighborhood Business) | File no. Z-190808-00086-1

@ Maps\_combined.pdf

Ø Application.pdf

#### Staff Report 190808.pdf

#### ø pictometry.pdf

**Mr. Marcel Williams, Development Services Planner**, stated the petitioner is requesting to rezone a split-zoned single parcel on the south side of Montgomery Cross Road near the intersection with Cresthill Avenue from the P-R-B-1/EO (Residential Business – Environmental Overlay) and R-1/EO zoning classifications to the B-N (Neighborhood Business) zoning classification.

The subject property consists of one parcel, comprising approximately 0.46 acres. It is split-zoned with the western approximately 40% falling within the R-1 (One-Family Residential) zone, while the remaining 60% is within the P-R-B-1/EO classification. Approximately 75% of the existing commercial strip center falls within P-R-B-1/EO zoning classification. EO signifies an environmental overlay applicable to areas within Chatham County that are near marshlands or other sensitive features; it does not affect which uses are permitted within the base R-B-1 district. The P- prefix indicates that a site plan is required for any future redevelopment.

The petitioner has requested a base B-N zoning classification, which would permit a much greater range of commercial uses than are currently allowed within the RB-1 classification. These include automobile-related uses such as service stations, medical laboratories, restaurants, bars, and convenience stores with package sales, among others. While some of these uses are subject to special use approval by the County Board of Appeals, they are entirely prohibited in the R-B-1 district. As noted above, many of these uses have the potential for significant adverse impacts on adjacent residences.

The Chatham County Ordinance defines the R-B-1 district as "an area in which certain types of convenience-shopping-retail sales and service uses can be established and at the same time prevent nuisances or hazards...detrimental to adjacent residential development." This accurately captures the situation of the subject property with its proximity to single-family residences. The B-N district, by contrast, is intended "for convenient shopping facilities consisting of convenience goods and personal services," and does not have the same sensitivity to impacts on adjacent neighborhoods.

The existing R-B-1 zoning already permits commercial uses ranging from retail and offices to restaurants and child care centers. It explicitly excludes uses that are least compatible with nearby housing. Development standards within B-N are more permissive, allowing additional height and lot coverage beyond the standards in R-B-1, which could render adjacent residential property less desirable. Since the existing zoning appears to be the most appropriate designation for the property, it is difficult to justify the more intense B-N classification.

Approving the B-N designation for the subject property would result in a highly fragmented land use pattern in the area, with a small remaining portion of R-B-1 to the south, a larger area zoned R-B-1 to the east, and an area zoned B-N-1 slightly farther east. A consistent zoning classification is desirable for this area of neighborhood-scale commercial uses. Since individual property owners are unlikely to request such changes, the planning commission may consider a staff-initiated rezoning in order to unify the zoning pattern.

**Mr. Julio Arrieta, petitioner,** stated they would like to rezone the property so they can sell alcohol at the restaurant that currently exist on the property.

**Mr. Joseph Welch, Board Member**, stated there are a couple of schools located within 200 feet of this property and alcohol sells are prohibited within 200 feet of schools.

## No Public Comments

## Motion

Staff recommends denial of the request to rezone the subject property from the P-R-B-1/EO and R-1/EO classifications to the B-N classification.

## Vote Results ( Approved )

Motion: Karen Jarrett	
Second: Joseph Welch	
Ellis Cook	- Aye
W. Lee Smith	- Aye
Linder Suthers	- Aye
Tom Woiwode	- Aye
Travis Coles	- Nay
Joseph Welch	- Aye
Lacy Manigault	- Aye
Tanya Milton	- Aye
Karen Jarrett	- Aye
Eula Parker	- Aye
Wayne Noha	- Aye

# 12. REZONING MAP AMENDMENT | 2327 E. DeRenne Ave. | RM-25 to B-C | Linda Sims | 19-004860-ZA and 19-004893-CPA

- Exhibit A Maps.pdf
- Exhibit B NewZO Map.pdf
- Streetview 2327 E. DeRenne Ave.pdf
- @ Application.pdf

## Staff Report 19-004860-ZA.pdf

**Mr. Matt Lonnerstater, Development Services Planner,** stated the petitioner is requesting to rezone one parcel from its existing RM-25 (Multi-Family Residential, 25 dwelling units per acre) zoning classification to the B-C (Community Business) zoning classification.

The property under consideration for this rezoning request consists of a single parcel, 2.26 acres in area, located on the south side of E. DeRenne Ave. east of Emory Dr.

The property is currently zoned RM-25 (Multi-family Residential – 25 dwelling units per acre). Per the application, the petitioner requests the B-C (Community Business) zoning district to enable the construction of a contractor's office.

Under NewZO, the subject parcel is zoned RSF-6, Single-Family Residential. The proposed B-C district is not consistent with the Suburban Single-Family future land use designation planned for the subject site and immediate vicinity and is not compatible with adjacent single-family residential land uses. The B-C zoning district permits a wide range of commercial and light-industrial land uses which could exert detrimental impacts (i.e. noise, visual blight, traffic, odors) on adjacent residential uses. While the petitioner is requesting the rezoning to permit a contractor's office, the following uses are permitted by right within the B-C zoning district: hotels, major vehicle repair, self-storage facilities, indoor amusement facilities, and fuel stations.

MPC staff finds that the proposed B-C zoning classification is incompatible with the existing residential character along this portion of East DeRenne Ave. and is inconsistent with the Future Land Use Map.

## **No Public Comments**

## Motion

MPC staff finds that the proposed B-C zoning classification is incompatible with the existing residential character along this portion of East DeRenne Ave. and is inconsistent with the Future Land Use Map. MPC staff recommends denial of the request to rezone the parcel at 2327 E. DeRenne Ave. from RM-25 to B-C

Vote Results ( Approved )	
Motion: Travis Coles	
Second: Joseph Welch	
Ellis Cook	- Aye
W. Lee Smith	- Aye
Linder Suthers	- Aye
Tom Woiwode	- Aye
Travis Coles	- Aye
Joseph Welch	- Aye
Lacy Manigault	- Aye
Tanya Milton	- Aye
Karen Jarrett	- Aye
Eula Parker	- Aye
Wayne Noha	- Aye

## X. Presentations

## XI. Other Business

## XII. Adjournment

## 13. Adjourn

There being no further business to present before the Board, the September 17, 2019 Regular Metropolitan Planning Commission Meeting adjourned at 3:24 p.m.

Respectfully submitted,

Melanie Wilson Executive Director

MW/jh

The Chatham County - Savannah Metropolitan Planning Commission provides meeting minutes which are adopted by the respective Board. Verbatim transcripts of minutes are the responsibility of the interested party.