

# CHATHAM COUNTY-SAVANNAH METROPOLITAN PLANNING COMMISSION

## MPC MINUTES

ARTHUR A. MENDONSA HEARING ROOM  
110 EAST STATE STREET

December 20, 2005

1:30 PM.

**Members Present:**

Stephen R. Lufburrow, Chairman  
Lee Meyer, Vice Chairman  
Alexander Luten, Secretary  
Robert Ray, Treasurer  
Ben Farmer  
Melissa Jest  
J. P. Jones  
Walker McCumber  
Timothy S. Mackey  
Lacy A. Manigault  
Jon N. Todd

**Members Not Present:**

Russ Abolt  
Michael Brown  
Freddie B. Patrick

**Staff Present:**

Thomas L. Thomson, P. E., AICP, Executive Director  
Harmit Bedi, AICP, Deputy Executive Director  
Charlotte L. Moore, AICP, Director of Development Services  
Gary Plumbley, Development Services Planner  
James Hansen, AICP, Development Services Planner  
Deborah Rayman-Burke, AICP, Development Services Planner  
Beth Reiter, AICP, City Preservation Officer  
Sarah Ward, Preservation Specialist  
Marilyn Gignilliat, Executive Assistant  
Lynn Manrique, Administrative Assistant

**Advisory Staff Present:**

Robert Sebek, County Zoning Administrator  
Randolph Scott, City Zoning Inspector

**I. Call to Order and Welcome**

Chairman Lufburrow called the meeting to order. He explained the agenda for the benefit of those who were attending the meeting for the first time.

## II. Notices, Proclamations and Acknowledgments

### A. J. P. Jones' last MPC meeting

Mr. Lufburrow stated that today's meeting will mark the end of the long tenure of J. P. Jones. Mr. Jones has served on the MPC for 20 and a half years. During that time he served as chairman and in many other capacities. This is an incredible record of service to our community. He will be greatly missed by this body.

### B. Items Requested to be removed from the Final Agenda

None known at this time.

## III. Consent Agenda

### A. Approval of the December 6, 2005, MPC Meeting Minutes and Briefing Minutes.

Mr. Todd **moved** to approve the December 6, 2005, MPC Meeting Minutes and Briefing Minutes. Mr. Luten seconded the motion.

Mr. Todd stated that on Page 8 reporting the discussion and action taken on the National Wireless facility at 12915 White Bluff Road, the minutes did not reflect that a motion was made, seconded and a vote taken to approve the staff recommendation. That motion failed. The motion to deny the petition recorded in the minutes followed. He requested that the minutes be corrected to make the original motion for approval part of the record. Mr. Luten agreed to this correction.

Ms. Jest stated that on the Bush Road petition the minutes show that the representative's engineer was able to speak before the vote was taken and that other discussion from the public occurred after the vote was taken. She requested that the minutes accurately reflect the order of the discussion and vote.

**MPC Action:** The motion to approve the December 6, 2005, MPC Meeting Minutes subject to corrections and the December 6, 2005, Briefing Minutes carried with none opposed. Voting were Mr. Lufburrow, Mr. Meyer, Mr. Luten, Mr. Ray, Mr. Farmer, Ms. Jest, Mr. Jones, Mr. McCumber, Mr. Mackey, Mr. Manigault, and Mr. Todd.

**B. Victorian Planned Neighborhood Conservation District Certificate of Compatibility**

E. C. Burnside, Inc., dba Southern Built, Petitioner  
305A and B East Duffy Street  
Beth Reiter, MPC Project Planner  
MPC File No. N-051202-55918-2

**Nature of Request:** The applicant is requesting approval to erect a new two-story freestanding duplex on the lot at 305 East Duffy Street

**Staff Recommendation: Approval.**

Ms. Jest **moved** to accept the staff recommendation for approval. Mr. Ray seconded the motion.

**MPC Action: The motion to approve the staff recommendation carried with none opposed.** Voting were Mr. Lufburrow, Mr. Meyer, Mr. Luten, Mr. Ray, Mr. Farmer, Ms. Jest, Mr. Jones, Mr. McCumber, Mr. Mackey, Mr. Manigault, and Mr. Todd.

**C. General Development Plan**

Sandpiper Supply  
4101 Bull Street  
Mark Crapps (Kern-Coleman & Company), Agent  
B-G-1 Zoning District  
Jim Hansen, MPC Project Planner  
MPC File No. P-051117-60065-2

**Nature of Request:** The petitioner is requesting approval of a General Development Plan in order to construct an office/warehouse facility within a B-G-1 (General Business-Transition) zoning district. No variances are requested.

**Staff Recommendation: Approval** of the General Development Plan with the following conditions: 1) that access to the site is limited to one ingress/egress from Bull Street, and, 2) that if a freestanding sign is desired, said sign shall be a monument style sign not to exceed seven feet in height, including the base, and shall have a maximum area of 125 square feet.

Mr. McCumber **moved** to approve the staff recommendation. Mr. Todd seconded.

**MPC Action: The motion to approve the staff recommendation carried with none opposed.** Voting were Mr. Lufburrow, Mr. Meyer, Mr. Luten, Mr. Ray, Mr. Farmer, Ms. Jest, Mr. Jones, Mr. McCumber, Mr. Mackey, Mr. Manigault, and Mr. Todd.

**D. Master Plans / General Development Plans**

1. Berwick Mini-Storage and Outparcels  
Ogeechee Road (U.S. Highway 17 South) and Berwick Boulevard  
Chad Zittrouer (Kern-Coleman & Company), Agent  
P-B Zoning District  
PIN 1-0991-08-002  
MPC File No. P-051130-48629-1  
Jim Hansen, MPC Project Planner

**Nature of Request:** The petitioner is requesting approval of a Master Plan / General Development Plan in order to construct a self-storage mini-warehouse facility within a P-B (Planned Business) zoning district. No variances are requested.

**Staff Recommendation: Approval** of the Master Plan subject to the following conditions: 1) that one freestanding directory sign shall be allowed for the combined four-parcel development. The sign shall be allowed a maximum height of ten feet, including the base, with a maximum area of 125 square feet. Fascia signage shall be allowed in accordance with the P-B district sign standards; and, 2) that written assurances be received attesting to all parties agreeing to the provisions of the proposed access easement and the proposed paving and parking thereon. Staff further recommends **approval** of the General Development Plan for the mini-storage facility identified on the site plan as Lot 7A with the condition that landscaping, designed to provide a visual break, be provided along the northernmost buildings and the proposed access pavement.

Mr. Todd **moved** to approve the staff recommendation. Mr. McCumber seconded the motion.

**MPC Action: The motion to approve the staff recommendation carried with none opposed.** Voting were Mr. Lufburrow, Mr. Meyer, Mr. Luten, Mr. Ray, Mr. Farmer, Ms. Jest, Mr. Jones, Mr. McCumber, Mr. Mackey, Mr. Manigault, and Mr. Todd.

2. Union Mission – Dutchtown Campus  
9611 Middleground Road  
PIN 2-00751-01-008 thru 2-0751-01-022  
R-4 Zoning District  
Union Mission, Owner  
Letitia Robinson, Agent  
Ward Edwards, Engineer  
Debbie Burke, MPC Project Planner  
MPC File No. M-051201-61335-2

**Nature of Request:** The petitioner is requesting approval of a Master Plan/ General Development Plan for a proposed 48-unit multifamily residential development to be located on Middleground Road within an R-4 (Four-Family Residential) zoning district. The R-4 district allows for 12 units per net acre, with the proposed development resulting in

approximately 11 units to the net acre. The proposed project includes 12 buildings with four units within each building.

**Staff Recommendation: Approval** of the Master Plan / General Development Plan conditioned upon elimination of the dumpster enclosure located closest to Middleground Road, resulting in not more than two dumpsters on site.

Mr. Meyer **moved** to approve the staff recommendation. Mr. Todd seconded the motion.

**MPC Action: The motion to approve the staff recommendation carried with none opposed.** Voting were Mr. Lufburrow, Mr. Meyer, Mr. Luten, Mr. Ray, Mr. Farmer, Ms. Jest, Mr. Jones, Mr. McCumber, Mr. Mackey, Mr. Manigault, and Mr. Todd.

**E. Savannah State University Intern Agreement**

Mr. Ray **moved** to adopt the Savannah State University Intern Agreement. Mr. Todd seconded the motion.

**MPC Action: The motion to adopt the Savannah State University Intern Agreement carried with none opposed.** Voting were Mr. Lufburrow, Mr. Meyer, Mr. Luten, Mr. Ray, Mr. Farmer, Ms. Jest, Mr. Jones, Mr. McCumber, Mr. Mackey, Mr. Manigault, and Mr. Todd.

**IV. Old Business**

None

**V. Regular Business**

**A. General Development Plan**

Orchid Isles Townhomes – Phase 2  
102 Prince Royal Lane  
PIN 1-0993-02-022  
PUD-C Zoning District  
C. J. Chance (Hussey, Gay, Bell & DeYoung), Agent  
James C. Wilson, III, Owner  
Gary Plumbley, MPC Project Planner  
MPC File No. P-051121-87585-1  
MPC Reference File No. S-97-11873-C and P-030530-53534-1

**Nature of Request:** The petitioner is requesting approval of a General Development Plan for a proposed residential townhome development to be located at the northern terminus of King George Boulevard within a PUD-C (Planned Unit Development – Community) zoning district. No variances are requested.

**Staff Recommendation: Approval** of the proposed General Development Plan subject to the following conditions: 1) revise the General Development Plan to provide a pedestrian access to Orchid Isles Phase 1; 2) revise the General Development Plan to provide a vegetative visual buffer between the proposed townhome development and the apartment complex. The vegetative buffer shall be not less than 10 feet in width and shall be planted with wax myrtles or other suitable species. In areas where 10 feet is not available, a privacy fence not less than six feet in height may be constructed instead of the vegetative buffer. The purpose of the vegetative buffer(s) in this area and adjacent to Veterans Parkway shall be to diffuse the view of the development and not to totally conceal the development; 3) identify the method by which the residents will receive mail; 4) revise the General Development Plan to show a sidewalk linking the building clusters on both sides of the proposed private drive; 5) identify all areas other than the townhome lots as common area; 6) approval by the County Traffic Engineer of the location and design of the proposed curb cut and the circulation pattern; 7) revise the General Development Plan to note that the concrete wall enclosing the electrical box and the dumpster pad enclosure will be relocated to the King George apartment complex site. The amended Specific Development Plan for the relocated dumpster pad must be approved by the MPC staff; 8) revise the General Development Plan to move the building cluster with units 56 through 59 in an easterly direction to provide unit 56 with a more direct access on the private drive. This may also necessitate a minor modification to the private drive; and, 9) approval by the Chatham County Engineer.

Mr. Todd **moved** to approve the staff recommendation for approval with conditions. Mr. McCumber seconded the motion.

**Speaking about the petition:** Steve Wohlfeil of Hussey, Gay, Bell & DeYoung, said that the drainage concept is to have drainage either in surface flow or caught in a pipe system flowing overland before it gets to the wetlands. There is a 25-foot buffer throughout, between the developed area and the wetlands, for the purpose of filtering the water before it gets to the wetlands.

Corde Wilson, Beacon Builders, said there will be some temporary signage in place during construction, nothing permanent.

Mr. Manigault asked that the record reflect his desire for additional planting within the 35-foot buffer.

**MPC Action: The motion to approve the staff recommendation carried with none opposed.** Voting were Mr. Lufburrow, Mr. Meyer, Mr. Lutten, Mr. Ray, Mr. Farmer, Ms. Jest, Mr. Jones, Mr. McCumber, Mr. Mackey, Mr. Manigault, and Mr. Todd.

**B. Zoning Petition – Map Amendment**

Shardaben & Lakshmikant Patel, Petitioner  
8402 Arrow Street  
R-6 Zoning District  
Debbie Burke, MPC Project Planner  
MPC File No. Z-051201-34762-2

**Issue:** Rezoning of 0.18 acres from an R-6 (One-family Residential) classification to a P-I-P (Planned Institutional-Professional) classification.

**Policy Analysis:** The proposed rezoning is consistent with the City's Future Land Use Plan. However, the proposed rezoning could result in the encroachment of commercial development that is not compatible with the existing residential development in the immediate neighborhood.

**Staff Recommendation:** **Denial** of the request to rezone the subject property from R-6 (One-Family Residential) to P-I-P (Planned Institutional-Professional).

Ms. Jest **moved** to approve the staff recommendation for denial. Mr. Mackey seconded the motion.

**Speaking about the Petition:** Vijay Patel said he purchased this property in 1998 and has been conducting a bookkeeping, tax and accounting business. The business has grown from a small local business to a nationwide enterprise. It has become necessary to expand the office to employ more workers. They started with two employees but now require at least 10 or 12. They do tax software and sales and support. Their business is conducted on the web so they will not bring traffic into the neighborhood. There are only 15 companies in the entire U. S. that do this. The office location is already zoned P-I-P. The property requested to be rezoned is adjacent to the office site and is currently being used as a residence.

Mr. McCumber **moved** to continue the petition until the January 17, 2006, MPC meeting. Mr. Farmer seconded the motion. A motion to continue takes precedence over any other motion on the floor.

**MPC Action: The motion to continue the petition until January 17, 2006, failed.**

Voting in favor of the motion were Mr. McCumber, Mr. Meyer, Mr. Todd, Mr. Farmer, and Mr. Lufburrow. Voting against the motion were Mr. Mackey, Ms. Jest, Mr. Manigault, Mr. Luten, Mr. Jones, and Mr. Ray.

The motion to approve the staff recommendation was still on the floor. Mr. Mackey restated the motion.

**MPC Action: The motion to approve the staff recommendation for denial carried.**

Voting in favor of the motion were Mr. Lufburrow, Mr. Meyer, Mr. Luten, Mr. Ray, Ms. Jest, Mr. Jones, Mr. Mackey, Mr. Manigault. Voting against the motion were Mr. Farmer, Mr. Todd, and Mr. McCumber.

**C. City of Savannah – Mid-City Certificate of Appropriateness Demolition**

Albert M. Faragalli, Petitioner  
2229 Whitaker Street  
TN-2 (Traditional Neighborhood) Zoning District  
Lot 18 of Solomons Ward  
Sarah Ward, MPC Project Planner  
MPC File No. N-051207-33324-2

**Nature of Proposed Work:** The petitioner is requesting to demolish the two-story building located at 2229 Whitaker Street. Demolition of this building is requested because the physical integrity of the structure has been compromised to such a degree that it is no longer salvageable. The applicant intends to reconstruct the historic building using as much salvaged materials as possible on the same site.

**Staff Recommendation: Approval** to demolish the building upon approval of a Certificate of Compatibility for the replacement structure with the condition that any salvageable materials be retained and incorporated into the new building.

Mr. Meyer **moved** to accept the staff recommendation. Mr. Ray seconded the motion.

**Speaking about the petition:** Virginia Mobley, Thomas Square Neighborhood Association, questioned the effect of replicating a neighborhood. She desires to see the house restored, not rebuilt. She wants to protect the original structures.

Albert Faragalli, petitioner, says he is not in the business of tearing down buildings, but this structure presents unsafe working conditions. Other than one stairwell, everything in the house is either fire damaged or water damaged. There is no roof on the building. The back of the structure has collapsed inward. The brick piers on the end are gone. One whole corner of the building is being held up by a pressure-treated 6X6.

**MPC Action: The motion to approve the staff recommendation carried.** Voting in favor: of the motion were Mr. Lufburrow, Mr. Meyer, Mr. Luten, Mr. Ray, Mr. Farmer, Mr. Jones, Mr. McCumber, Mr. Mackey, Mr. Manigault, and Mr. Todd. Ms. Jest voted against the motion.



**D. General Development Plan / Group Development Plan**

Enmark and Mayes  
204 Johnny Mercer Boulevard  
PIN 1-0078-01-002  
P-B-C / TC Zoning District  
Harold Yellin, Agent  
Enmark Stations, Inc., and Jerral Lee Mayes, Sr., Owners  
Gary Plumbley, MPC Project Planner  
MPC File No. P-051130-56392-1

**Nature of Request:** The petitioner is requesting approval of a General Development Plan/Group Development for a proposed commercial development to be located on the north side of Johnny Mercer Boulevard at its intersection with Wilmington Island Road within a P-B-C (Planned Community Business/Town Center) zoning district. The following variances are requested: 1) a variance to allow two freestanding principal use signs (one is permitted) on Parcel 1; and, 2) a four- to eight-foot drive aisle width variance (from the required 25 feet) along the westernmost seven off-street parking spaces on Parcel 2.

**Staff Recommendation: Denial** of a variance to allow two freestanding principal use signs on Parcel 1, a four- to eight-foot drive aisle width variance (from the required 25 feet) along the seven westernmost spaces on Parcel 2, and the General Development Plan/Group Development. Staff further recommends that a Revised General Development Plan/Group Development be submitted. The Revised Plan should address the following: 1) revise the Plan to eliminate the panhandle portion of Parcel 2; 2) eliminate one of the two freestanding principal use signs on Parcel 1. An alternative would be a joint-use principal use sign. This sign is limited to a monument style with a maximum size of 101 square feet (based on the 202-foot width of Parcel 1) and a maximum height of eight feet;. 3) revise the General Development Plan to eliminate a portion of the asphalt pavement on Parcel 2 and establish a five-foot vegetative buffer along the eastern lot line of both parcels; 4) revise the General Development Plan to reduce the size of the proposed building on Parcel 2 and eliminate the substandard drive aisle including the spaces served by said drive aisle. All off-street parking spaces must be accessible to the general public. Two parallel spaces could be established near the eastern property line south of the proposed structure by shifting the private vehicular access and utility easement to the west; 5) revise the General Development Plan to show a physical barrier adjacent to the 25-foot marsh buffer on Parcel 2. The barrier along the off-street parking spaces and drive aisles shall be a decorative fence (such as a picket style or ornamental iron) not less than three feet in height. The fence shall be located along the southern limits of the drive aisle and not more than two feet (to allow bumper overhang) north and west of the off-street parking spaces. The barrier along the remaining portions of the buffer shall be wax myrtles or other evergreen medium shrub. These plants shall be spaced to provide a solid hedge at maturity with no gaps; 6) revise the General Development plan to identify the method of trash disposal for Parcel 2; and, 7) approval by the County Engineer.

Mr. Meyer **moved** to continue the petition until the January 17, 2006, MPC meeting. Mr. Farmer seconded the motion.

**Speaking about the petition:** Harold Yellin, agent, said that this property has been a gas station of one sort or another since 1950. There are three buildings on the property. Petitioner wants to turn the gas station operation over to Enmark and keep the auto repair shop at the back of the property. The existing buildings will be torn down and replaced with two brand new buildings doing the same function as the buildings existing there now. He explained the reasons for the variance requests, which are based on the shape of the property and the proposed uses. As for the sign variance, the two proposed signs would replace four that exist on the site now.

**MPC Action: The motion to continue the petition until the January 17, 2006, MPC meeting carried.** Voting in favor of the motion were Mr. Lufburrow, Mr. Meyer, Mr. Luten, Mr. Ray, Mr. Farmer, Mr. Jones, Mr. McCumber, Mr. Manigault, and Mr. Todd. Voting against the motion were Ms. Jest and Mr. Mackey.

**E. Amended General Development Plan / Group Development Plan**

Hancock Askew Office Complex  
100 Riverview Drive  
PIN 1-0235-02-023  
PUD-IS Zoning District  
EMC Engineering Company, Engineer  
Brandy Leighton, Agent  
Gary Plumbley, MPC Project Planner  
MPC File No. P-051129-40394-1  
MPC Reference File No. P-031001-56980-1 and P-040702-39189-1

**Nature of Request:** The petitioner is requesting approval of an Amended General Development Plan / Group Development Plan for an office complex located at the southwest corner of East President Street and Runaway Point Road within a PUD-IS (Planned Unit Development-Institutional) zoning district.

**Staff Recommendation: Approval** of the Amended General Development Plan / Group Development Plan subject to approval by the Chatham County Engineer.

Special Finding. The revised Landscape Plan, including the paved walkway, the privacy fence, and the plant materials must be completed prior to the issuance of a Certificate of Occupancy Permit for the next office building.

**Speaking about the Petition:** Phillip McCorkle, Agent, said that this is only the General Development Plan. Petitioner will have to come back for approval of the Specific Development Plan. This property was zoned light industrial about three years ago. The office use should be good news for Runaway Point. The residents asked for access to the nearby recreational area from Runaway Point without having to drive to that area. People had been walking across the Hancock Askew property to reach the area. The County will put in an asphalt or concrete pathway across Hancock Askew's property, for which Hancock Askew will grant an easement without compensation. Under the new General Development Plan, the southern extension of land formerly slated for parking, will now have a two-story building, which is allowed and for which no variance is required. However, the buffer planned to buffer the parking lot will not adequately buffer a two-story building; therefore, Mr. McCorkle suggests that the entire 50-foot buffer area be planted. The ordinance tells how much buffer is required between uses. One section requires a buffer between residential and office of a combination of a six-foot-high fence and 15 feet of planting or natural landscape buffer. Another section of the ordinance which applies to the PUD-IS zone requires a 50-foot buffer or whichever one is most restrictive. The 50-foot buffer is most restrictive, so is required in this situation.

Wayne Jones, President, Runaway Point Association, was not notified about the meeting that took place with residents. The proposed two-story building will look down into nearby residences. When they came with the first proposal, this area was to be a park, a sitting area for employees. Residents object to placing a two-story building so close to residences.

Tonya Scott Pilcher said her biggest issue is the buffer between her property and the two-story building. She has a clear view of the existing buildings. She was under the impression that the property on which the pedestrian pathway is located belonged to the County. This brings up the question of cutting and maintaining the path.

Phillip McCorkle said that Hancock Askew owns the property that abuts Ms. Pilcher's property. The path had been used without any kind of formal agreement. The path will be part of an easement negotiated with the County. The 50-foot buffer includes the path. If

residents prefer extra planting to a pedestrian pathway, that is agreeable to Hancock Askew, but they cannot have a path plus a 50-foot buffer.

Tyrone Pilcher said that residents were misled about who owned the property where the path will go and that some of their agreements were based on that false information. He does not think increasing the buffer from 50 to 58 feet to accommodate the path and a 50-foot buffer is asking too much from the developer and it would mean a great deal to the residents. He, too, is concerned about who will maintain the pathway.

County Commissioner Patrick Shay was made aware even before he was elected that there was a lot of controversy about this pathway. There are many people in the Runaway Point subdivision, especially young people, who use this path as a shortcut to the recreation area to avoid a long, unsafe walk. The County has made a good faith attempt to formalize that pathway. The delay in establishing the buffer when the first General Development Plan was approved has cost valuable growing time. For the developer to contend that this constitutes a no-harm, no-foul situation is a bit of an overstatement. Had the buffer been established at that point, there would now be a healthy stand of trees. The County's desire is to fulfill the resident's need for access to the neighborhood park and that has been delayed, tangled up in this controversy. If the petition is delayed, perhaps the County can sit down with the developer to work out ownership and maintenance responsibility. He is aware that the General Development / Group Development permit that was issued before was originally based upon the promise or prospect of no building in the southern part of the property, which served to relieve the residents' concerns about encroachment into their neighborhood. He is also concerned that it may be irresistible for the developer who builds on that southern parcel to ask for a curb-cut on Runaway Point Road. He requests that MPC and the County take measures to ensure that never happens.

Ettajane Robbins, a 12-year resident of 107 Runaway Point Road, supports the comments made thus far in opposition to this plan. She also asked that residents be included in future relevant discussions. When you turn from President onto Runaway Point Road, the proposed

building will be to your immediate right. It will be an eyesore and intrusion into this residential area.

Mae Price is opposed to this development and disagrees with Mr. McCorkle that the Hancock Askew complex is an asset to Runaway Point. She views it as a cancer that continues to grow.

Al Lipsey, Deputy Director for Chatham County Public Works & Park Services, said it is true that the County does not own the property on which the pathway is located, but it has an easement through the property. Hancock Askew approved the path at the County's expense. As to previous allegations that the County has removed some of the vegetation between Hancock Askew and the surrounding property, Mr. Lipsey said that the County has not removed any vegetation. The installation of the walkway has been delayed by the ongoing construction.

Mr. McCorkle said that after discussing the buffer situation with the engineer and architect, Hancock Askew will give another ten feet to make a 60-foot buffer, to accommodate both the pathway and a 50-foot buffer. Mr. Plumbley pointed out that in the area near the existing foot bridge, there is not enough room for a 50-foot buffer so that this buffer cannot run the entire length of the property line.

Wayne Jones said that he is more concerned about the two-story building than the buffer.

Mr. McCorkle said that petitioner would be willing to move the parking area now located in front of the building to the rear, which would move the building approximately 50 feet to the north, further away from concerned residents.

Mr. Mackey **moved** that the petition be continued to the January 17, 2006, MPC meeting so that the developer can meet with the County and possibly some resident representation to discuss who owns what and who's responsible for maintaining the pedestrian pathway. Mr. Ray seconded the motion. Ms. Jest also would like the parties to discuss a non-access easement along Runaway Point Road. Mr. Mackey and Mr. Ray agreed.

**Speaking about the Petition:** Mr. McCorkle asked that the Commission be cognizant of the fact that this property is zoned for this use and no variances are requested. All buffer requirements are being met. Petitioner cannot be asked to make a concession on access to a public road. Two reasonable concessions have been made here today: ten feet more on the buffer and moving the building. There is no question about who owns the property—the petitioner does. They would be willing to deed ten feet to the County for the pathway. It does not matter to Hancock Askew whether the County owns the path or merely has an easement for it. The County's owning it would decrease liability for Hancock Askew. Petitioner is asking for something they are entitled to and it will be a real impediment to his business to not be able to move forward for another 30 days. They would appreciate a vote today.

Wayne Jones said that there are 80 to 88 homes in the area. None of them are two-story. A two-story building will be an eyesore.

**MPC Action: The motion to continue this petition until January 17, 2006, carried.**  
Voting in favor: of the motion were Mr. Lufburrow, Mr. Luten, Mr. Ray, Mr. Jones, Mr. Mackey, Mr. Manigault. Voting against the motion were: Mr. Farmer, Ms. Jest, Mr. McCumber, Mr. Todd. Mr. Meyer was not present for the vote.

#### **F. Comprehensive Plan Review Presentation / Discussion of Community Assessment; Introduction to Community Agenda**

Due to the lateness of the hour, this presentation was postponed to the January 3, 2006, MPC meeting.

#### **VI. Other Business**

Mr. Jones addressed some farewell remarks to his fellow commissioners. His tenure on the Commission is the longest in MPC history, beginning with his appointment on June 6, 1985. He was the first Afro-American to chair the MPC and also served at various times as Vice-Chairman, Secretary and Treasurer. He expressed pride in the many accomplishments of the Commission during his tenure. Mr. Jones urged Commissioners to heed the advice found in the Biblical book of John: "Come let us reason together..." and to work together for the wellbeing of all people.

Mr. Luburrow told Mr. Jones that he will be sorely missed.

**VII. Adjournment**

There being no further business to come before the Commission, the December 20, 2005, Regular Meeting was adjourned.

Respectfully submitted,

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

**Note: Minutes not official until signed**