

CHATHAM COUNTY-SAVANNAH METROPOLITAN PLANNING COMMISSION

MPC MINUTES

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

March 1, 2005

1:30 P.M.

Members Present: Timothy S. Mackey, Chairman
Patricia McIntosh, Vice Chairman
Lacy A. Manigault, Secretary
Robert Ray, Treasurer
Russ Abolt
Michael Brown
Melissa Jest
J. P. Jones
Stephen R. Lufburrow
Alexander S. Luten
Walker McCumber
Freddie B. Patrick

Members not Present: Lee Meyer

MPC Staff Present: Thomas L. Thomson, Executive Director
Clyde M. Wester, Deputy Executive Director
Amanda Bunce, Development Services Planner
James Hansen, Development Services Planner
Charlotte L. Moore, Director of Development Services
Gary Plumbley, Development Services Planner
John Howell, Development Services Planner
Marilyn Gignilliat, Executive Assistant

Advisory Staff Present: Tom Todaro, City Zoning Administrator
Robert Sebek, County Zoning Administrator

I. Call to Order

Chairman Mackey called the meeting to order. He explained the agenda for the benefit of those citizens who are attending the meeting for the first time.

II. Notices, Proclamations and Acknowledgments

A. Items Requested to be Removed from the Final Agenda

Zoning Petition – Map Amendment

Kathryn Hoover, Susan Cavin, Marie Rouleau, Petitioners
Harold Yellin, Agent
1105-1123 Delesseps Avenue
Jim Hansen, MPC Project Planner
MPC File No. Z-050210-42502-2

The petitioner has requested that this item be continued to March 15, 2005

Mr. Manigault **moved** to approve the petitioner’s request. Mr. Luten seconded the motion.

MPC Action: The motion to continue MPC File No. Z-050210-42502-2 to the March 15, 2005 Regular Meeting carried with none opposed. Voting were Mr. Brown, Mr. Lufburrow, Mr. Manigault, Mr. Luten, Ms. McIntosh, Mr. Mackey, Mr. Ray, Mr. Jones, Mr. McCumber, Mr. Abolt, Mr. Patrick, and Ms. Jest.

III. Consent Agenda

A. Approval of the February 15, 2005 MPC Meeting Minutes and Briefing Minutes

Mr. Jones **moved** to approve the minutes. Mr. Ray seconded the motion.

MPC Action: The motion to approve the February 15, 2005 MPC Meeting Minutes and Briefing Minutes carried with none opposed. Voting were Mr. Brown, Mr. Luten, Mr. Lufburrow, Mr. Manigault, Mr. Mackey, Mr. Ray, Mr. Jones, Mr. McCumber, Mr. Patrick, Mr. Abolt, and Ms. Jest.

B. General Development Plan

Envision Eye Care
321 West Montgomery Cross Road
PUD-IS-B 12 Zoning District
PIN 2-0644-01-013
Gary Shuman (Hussey, Gay, Bell & DeYoung), Agent
John Howell, MPC Project Planner
MPC File No. P-050209-55263-2

Nature of Request: The petitioner is requesting approval of a General Development Plan in order to construct an office building within a PUD-IS-B-12 (Planned Unit Development Institutional, 12 Units Per Net Acre) zoning district. A buffer width variance and a variance from the requirement that an opaque fence be installed within the buffer are requested.

Staff Recommendation: **Approval** of the General Development Plan, including the following variances: 1) a 35 foot buffer width variance from the required 50 feet along the eastern property line; and, 2) a metal ornamental security fence six feet in height instead of an opaque fence within the buffer area along the eastern property line.

Speaking about the petition: Ardis Wood, citizen seeking information on the lighting that would be required on the property.

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

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

C. Amended Master Plan/General Development Plan/Group Development Plan

Victory Square
1915 East Victory Drive
B-C Zoning District
PIN 2-0083-03-004
Ronald Bryson (New Plan Excel Realty Trust, Inc.), Agent
Amanda Bunce, MPC Project Planner
MPC File No. P-050209-58861-2

Nature of Request: The petitioner is requesting approval of an Amended Master Plan/General Development Plan/ Group Development Plan in order to construct a retail use and associated improvements within a B-C (Community Business) zoning district. A variance is not requested.

Staff Recommendation: **Approval** of the Amended Master Plan/General Development Plan/Group Development Plan with the following condition: the entity in control of the Master Plan shall be indicated. Unified control of the Master Plan shall be demonstrated. The controller of the Master Plan shall approve the proposed amendments.

Speaking about the petition: Ronald Bryson, agent, stated that everything is above the floodplain and there will not be a problem with drainage.

Mr. Patrick **moved** to approve the staff recommendation. Mr. Ray seconded the motion

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

D. Master Plan Amendment

Highlands Business Park (Tracts 6-A and 6-B)
Benton Boulevard and Highlands Boulevard
PUD-C Zoning District
PIN 2-1016-02-029 (portion of)
Ryan Thompson (Thomas & Hutton), Agent
Amanda Bunce, MPC Project Planner
MPC File No. S-050209-56312-2

Nature of Request: The petitioner is requesting approval of an Amended Master Plan for Tracts 6-A and 6-B of the North Godley Station/Highlands Master Plan, a planned community located at the northeast corner of Benton Boulevard and Highlands Boulevard within a PUD-C (Planned Unit Development-Community) zoning district.

Staff Recommendation: Approval of the Master Plan Amendment with the following conditions: 1) provide a letter of authorization from Jack Wardlaw; 2) the curb cuts for the development shall align with any previously approved curb cuts across the rights-of-way of Benton Boulevard and Highlands Boulevard; 3) the following development standards shall be added to the Master Plan: a) building height: 50' maximum; b) greenspace: 25% minimum; and, c) a 20 foot wide planted buffer shall be provided where schools and daycare centers are adjoined by the other uses allowed by this master plan. The width of the buffer may be reduced to 10 feet if a six foot high solid fence is provided.

Mr. Patrick **moved** to approve the staff recommendation. Mr. Brown seconded the motion.

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

E. Minor Subdivision/Preliminary Plan

Teal Lake Subdivision
Chief O.F. Love Road
R-A Zoning District
PIN 1-1029-02-012
Stuart Abel, III Construction, Owner and Agent
Gary Plumbley, MPC Project Planner

Nature of Request: The petitioner is requesting MPC approval of a Preliminary Plan for a 175 lot Major Subdivision located on the west side of Chief O. F. Love Road approximately 2,150 feet west of Basin Court within an R-A (Residential-Agriculture) zoning district. The petitioner is also requesting a variance from providing sidewalks on the west side of Chief O. F. Love Road.

Staff Recommendation: **Approval** of a variance from providing sidewalks on the west side of Chief O.F. Love Road. Staff further recommends **approval** of the proposed Preliminary Plan subject to the following conditions: 1) revise the Preliminary Plan to create a vegetative buffer not less than 15 feet in width adjacent to Lots 89 through 97 along Chief O.F. Love Road. Also note on the Preliminary Plan that a six foot high privacy fence will be located within the vegetative buffer five feet from the western right-of-way line of Chief O.F. Love Road. The 15 foot vegetative buffer and privacy fence shall be independent of the single family lots and shall be identified as common property to be owned and maintained by the Gateway Village/Teal Lake Homeowners Association; 2) revise the Preliminary Plan to identify all areas other than platted lots and road rights-of-way as common area. Also identify any specific use to located on the common areas such as recreation (active or passive); 3) approval by the City of Savannah review departments including the Drainage Plan by the City Drainage Engineer; and, 4) revise the Preliminary Plan to change the name of Basin Road to Chief O. F. Love Road.

Mr. Patrick **moved** to approve the staff recommendation. Mr. Brown seconded the motion.

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

F. Minor Subdivision/Final Plat

Beverly Farms Subdivision
4130 and 4140 Colt Road
Lots 40 and 41
PIN 1-0841-01-004 and 021
2 lots – 10.021 acres
R-A Zoning District
MPC File No. S-050213-53122-2
Kern-Coleman and Company, Surveyor
Travis Randall, Agent
Tim Wilson and Lou Ann Dolly Wright, Owners
Gary Plumbley, MPC Project Planner

Nature of Request: The petitioner is requesting MPC approval of a two-lot Minor Subdivision (Recombination) located on the north side of Colt Road approximately 817 feet west of Garrard Avenue within an R-A zoning district. The petitioner is requesting a variance from the minimum required width of 100 feet for Tract 1.

Staff Recommendation: **Approval** of a 40 foot lot width variance (from the minimum required width of 100 feet) for Tract 1. Staff further recommends **approval** of the proposed recombination subdivision subject to the following conditions: 1) show the right-of-way width of Colt Road. If the right-of-way is less than 60 feet wide, revise the Final Plat to dedicate one half of the deficit amount as additional right-of-way on both lots along Colt Road. This requirement may be waived upon a finding by the County Engineer that the additional right-of-way is not needed; 2) revise the Final Plat to show a front yard building

setback line on Tract 2 55 feet from the centerline of Colt Road but not less than 25 feet from the property line. Show a front yard building setback line on Tract 1 parallel to and 199.72 feet north of Colt Road; 3) revise Note 2 to include the total acreage; 4) revise Note 7 to read as follows: "Each lot within this subdivision will be served by a private well and individual septic tank system.";5) revise the Final Plat to show the address of each lot as follows: Tract 1 – 4140 Colt Road, Tract 2 – 4130 Colt Road; 6) show the signature of a Georgia Registered Land Surveyor (across the State of Georgia Seal) and the owner of both lots; and, 7) approval by the Chatham County Health Department and the County Engineer.

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

MPC Action: The motion to approve the staff recommendation carried with none opposed. Voting were Mr. Brown, Mr. Lufburrow, Mr. Manigault, Mr. Luten, Ms. McIntosh, Mr. Mackey, Mr. Ray, Mr. Jones, Mr. McCumber, Mr. Patrick, Ms. Jest, and Mr. Abolt.

G. Approval of 2005 MPC Budget

Mr. Ray stated that the Finance Committee recommends approval of the proposed 2005 MPC Budget.

Mr. Patrick **moved** to approve the Finance Committee recommendation. Ms. McIntosh seconded the motion.

MPC Action: The motion to approve the 2005 MPC Budget carried with none opposed. Voting were Mr. Brown, Mr. Lufburrow, Mr. Manigault, Mr. Luten, Ms. McIntosh, Mr. Mackey, Mr. Ray, Mr. Jones, Mr. McCumber, Mr. Patrick, Ms. Jest, and Mr. Abolt.

IV. Old Business

General Development Plan

National Wireless Construction, LLC
705 East Anderson Street
R-4 Zoning District
PIN 2-0054-12-0016
Hayden Horton (National wireless Construction, LLC), Applicant
Jonathan Yates, Agent
Charlotte Moore, MPC Project Planner
MPC File No. T-040702-52437-2

Nature of Request: The petitioner is requesting approval of a General Development Plan in order to construct a stealth telecommunications tower within an R-4 (Four-Family Residential) district. The petitioner also seeks approval of an antenna collocation for Cingular Wireless. All new wireless telecommunications towers, including tower farms and stealth towers, require approval by the MPC.

Staff Recommendation: **Denial** of the 120 foot stealth tower. **Approval** of the General Development Plan with a 90 foot stealth tower, and the following conditions: 1) the ground equipment shall be located in an accessory building that includes a roof, and that conceals all equipment from the view of the public. The building shall be shown on a Specific Development Plan, and building elevations must be provided; 2) provide a recorded copy of an amended plat or a deed showing an access and utility easement from the leased area to Atlantic Street prior to the Specific Plan approval; 3) the City Engineer shall determine if improved access will be necessary because the access easement transects a swale; 4) provide a revised Landscape Plan that shows the Tree and Landscape Quality Points to be provided; and, 5) a flag shall not be flown from the tower pole. Staff further recommends **approval** of a variance to allow the stealth tower to be constructed with only two antenna collocations.

Speaking about the petition: Jonathan Yates, agent, stated that it is necessary to have a tower that would allow four collocations, and at a height of 120 feet. He is in agreement to return with the 2005 and 2006 build-out plan for telecommunications towers.

Greg Knight, Radiofrequency Engineer, identified the carriers that could operate at 90 feet.

Ardis Wood, resident, urged the Board to look at the issue of telecommunications towers as whole.

Mr. Patrick **moved** to continue the petition to the April 5 Regular Meeting in order for staff to review potential sites outside the search area including the East Gwinnett Street area, in order to determine how adequate coverage could be provided. Mr. Manigault seconded the motion.

MPC Action: **The motion carried with none opposed.** The motion was to continue the petition to the April 5 Regular Meeting in order for staff to review potential sites outside the search area including the East Gwinnett Street area, in order to determine how adequate coverage could be provided. Voting were Mr. Brown, Mr. Lufburrow, Mr. Manigault, Mr. McIntosh, Mr. Mackey, Mr. Ray, Mr. Jones, Mr. McCumber, Mr. Patrick, and Ms. Jest.

V. Regular Business

Major Subdivision/Preliminary Plan

Champion Street Subdivision
1810 Champion Street
PIN 2-0642-01-055 and 056
5 lots – 1.57 acres
R-6 Zoning District
MPC File No. S-050206-41444-2
Boswell Design Services, Inc., Engineer
Mark a. Boswell, P.E., Agent
Mr. Benjamin Eichholz, Owner
Gary Plumbley, MPC Project Planner

Nature of Request: The petitioner is requesting approval of a Preliminary Plan for a five-lot Major Subdivision located on both sides of Champion Street extended, approximately 500 feet east of Liberty Parkway within an R-6 (Single Family Residential – Six Units Per Net Acre) zoning district. No variances are requested.

Staff Recommendation: **Approval** of the Preliminary Plan subject to the following conditions: 1) approval by all City review departments, including the Drainage Plan and the construction drawings for all infrastructure; 2) approval of the proposed turnaround by the City Traffic Engineer; and, 3) approval by the Chatham County Health Department and the City Engineer.

Speaking about the petition: Dale Yawn, agent, stated that he was hired to prepare a survey of the subject property. Additional questions would have to be addressed either to the engineer or to the owner.

Ernestine J. Jones, president of the Liberty City, Richfield, Southover Community Association, expressed concern about the size of the proposed lots. She asked that the developer meet with the residents to discuss the type of homes that are proposed for the area.

Deborah Daniels, 1812 Champion Street, expressed concern that the proposed lots would be smaller than the existing lots on the street.

Mrs. Tommie Milton, Champion Street resident, stated that she was opposed to the proposed subdivision. She did not want sidewalks.

Mr. Louis Shields, 1705 Vassar Street, was seeking additional information about drainage issues in the area.

Mr. Ray **moved** to continue the petition to the April 5 Regular Meeting in order for the developer to meet with the neighborhood to discuss details of the proposed development. Staff was asked to facilitate this meeting. Ms. Jest seconded the motion.

MPC Action: **The motion carried.** The motion was to continue the petition to the April 5 Regular Meeting in order for the developer to meet with the neighborhood to discuss details of the proposed development. Staff was asked to facilitate the meeting.. Voting were Mr. Brown, Mr. Lufburrow, Mr. Manigault, Ms. McIntosh, Mr. Mackey, Mr. Ray, Mr. Jones, Mr. Patrick, and Ms. Jest. Mr. McCumber and Mr. Abolt were not in the room when the vote was taken.

B. Zoning Petitions – Map Amendments

Carver State Bank, Petitioner
Harold Yellin, Agent
7110-71114 Skidaway Road and 2109-2111 Beaumont Road
Jin Hansen, MPC Project Planner
MPC File No. Z-050210-52002-2

Issue: Rezoning of 1.16 acres of land from R-6 (One-Family Residential) and P-B-N (Planned Neighborhood Business) classifications to a P-B-N classification.

Policy Analysis: An alternate P-BN-1 zoning district will establish a limited commercial district that will be more compatible with the adjacent residential area than the proposed P-BN district.

Staff Recommendation: **Denial** of the request to rezone the subject property from R-6 (One-Family Residential) and P-B-N (Planned Neighborhood Business) classifications to a P-B-N classification. **Approval** of an alternate P-BN-1 (Planned Neighborhood Business-Limited) classification.

Speaking about the issue: Harold Yellin, agent, requested the BN zoning classification with the opportunity to return with a site plan for approval.

Ms. Betty Zace, 2115 Beaumont Drive, was concerned about traffic.

Mr. Robert Helmly, Hialeah Circle, was concerned about crime and alcohol issues.

Mr. John Micken, Hialeah Circle, was concerned about traffic

Ms. Anne Stumpf, 7104 Hialeah Circle, stated that a 25 foot buffer would reduce the buildable area on the lot.

Ms. Wilma Hamilton, Beaumont Drive, was seeking information about the proposed development.

Ms. Ellen Calloway Driggers, asked that her property be included in the zoning.

Ms. Sabrina E. Green Kent, President of the Nottingham woods Neighborhood Association, was concerned about the residents adjacent to the subject property.

Mr. Robert E. James, II, Carver State Bank, stated that the site plan would be designed to be considerate of the neighbors. He intends to meet with the area residents.

Mr. Jones **moved** to approve the staff recommendation. Mr. Brown seconded the motion.

MPC Action: The motion to approve the staff recommendation carried with none opposed. Voting were Mr. Brown, Mr. Lufburrow, Mr. Manigault, Mr. Luten, Ms. McIntosh, Mr. Mackey, Mr. Ray, Mr. Jones, Mr. McCumber, Mr. Patrick, and Ms. Jest. Mr. Abolt was not in the room when the vote was taken.

Mr. Mackey requested that staff facilitate a meeting with the neighbors when the Site Plan is submitted.

C. Specific Development Plan/Group Development Plan

Cingular Wireless and National Wireless Construction, LLC
101 West DeRenne Avenue
Hayden Horton (National wireless Construction, LLC), applicant
Jonathan Yates, Agent
B-C Zoning District
MPC File No. T-050124-38385-2

Nature of Request: The petitioner is requesting approval of a Specific Development Plan/Group Development Plan in order to construct a monopole wireless telecommunications tower 110 feet in height. The tower is proposed to be located on a portion of the rear yard of a commercial property which is located on the south side of West DeRenne Avenue between Montgomery Street and White Bluff Road within a B-C (Community Business) zoning district. A variance is requested to reduce the minimum allowed height.

Staff Recommendation : **Approval** of the Specific Development Plan./Group Development Plan and **approval** of a variance of 70 feet in height to allow a 110 foot high tower instead of the required minimum 180 foot high tower.

Speaking about the issue: Jonathan Yates, agent

A. Wesley Allen, 109 Lindon Drive, concerned about the health hazards of the proposed tower. He submitted a petition signed by residents who are opposed to the proposed tower.

Ulysses Burrell, 108 Lindon Drive, stated that he was opposed to the proposed cell tower near his back yard.

Eddie Johnson, 104 Lindon Drive, was seeking information on health effects of the towers on humans and birds.

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

MPC Action: The motion to approve the staff recommendation carried. Voting in favor of the motion were Mr. Brown, Mr. Lufburrow, Mr. Manigault, Mr. Luten, Mr. Mackey, Mr. Ray, Mr. Jones, and Mr. McCumber. Ms. Jest and Ms. McIntosh voted against the motion. Mr. Patrick and Mr. Abolt were not in the room when the vote was taken.

D. Approval of Agenda for March 8, 2005 Planning Meeting

Mr. Brown requested that revisions to the Telecommunications Tower Ordinance be discussed at the Planning Meeting.

Mr. Jones **moved** to approve the agenda subject to the condition that revisions to the Telecommunications Tower Ordinance be added to the agenda. Ms. McIntosh seconded the motion.

MPC Action: The motion carried with none opposed. The motion was to approve the agenda for the March 8, 2005 Planning Meeting subject to the addition of discussion of the revisions to the Telecommunications Tower Ordinance. Voting were Mr. Brown, Mr. Lufburrow, Mr. Manigault, Mr. Luten, Ms. McIntosh, Mr. Mackey, Mr. Ray, Mr. Jones, Mr. McCumber, and Ms. Jest. Mr. Patrick and Mr. Abolt were not in the room when the vote was taken.

VI. Other Business

Ms. Jest thanked staff for sending out information packages and zoning maps to the neighborhood associations.

VII. ADJOURNMENT

There being no further business to come before the Commission, the March 1, 2005 Regular Meeting was adjourned.

Respectfully submitted,

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

Note: Minutes not official until signed