

CHATHAM COUNTY-SAVANNAH METROPOLITAN PLANNING COMMISSION

MPC MINUTES

ARTHUR A. MENDONSA HEARING ROOM
110 EAST STATE STREET

February 20, 2007

1:30 PM

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

Members Not Present: Russ Abolt

Staff Present: Thomas L. Thomson, P. E., AICP, Executive Director
Harmit Bedi, AICP, Deputy Executive Director
Jim Hansen, AICP, Director, Development Services
Debbie Burke, AICP, Development Services Planner
Amanda Bunce, Development Services Planner
Beth Reiter, AICP, Director, Historic Preservation
Carry Smith, Savannah State Intern
Marcus Lotson, Savannah State Intern
Marilyn Gignilliat, Executive Assistant
Lynn Manrique, Administrative Assistant

Advisory Staff Present: Bob Sebek, County Zoning Administrator

I. Call to Order and Welcome

Chairman Lufburrow called the meeting to order and asked everyone to stand for the Pledge of Allegiance and Invocation. He explained the agenda for the benefit of those who were attending the meeting for the first time.

II. Notices, Proclamations and Acknowledgments

A. Notice(s)

Next scheduled Regular MPC Meeting: March 6, 2007, at 1:30 p.m. in the Arthur A. Mendonsa Hearing Room.

B. Acknowledgment(s)

1. Introduction of Mr. Ralph Zezza, Chairman, Savannah Development and Renewal Authority (SDRA).

Chairman Lufburrow introduced Ralph Zezza, Chairman of SDRA. Mr. Zezza gave a brief overview of SDRA's work program. Ms. Myers said that she is a member of the SDRA Board and they are very excited to have Mr. Zezza chairing the organization.

2. Introduction of Dr. Julius S. Scott, Jr., Interim President, Savannah State University – Introducing Interns Carry J. Smith and Marcus Lotson.

Dr. Scott was delayed. Chairman Lufburrow continued with the rest of the agenda until such time as Dr. Scott was available to give his scheduled introduction. (This item is continued on page 3.)

C. Items Requested to be Removed from the Final Agenda

There were three items requested to be removed from the agenda: 1) Chatham Parkway Lexus General Development Plan, 2) Text Amendment to Section 8-3056 of the City of Savannah Zoning Ordinance (Group Development Standards), and 3) Text Amendment to Section 5-5 and 5-5.1 of the Chatham County Zoning Ordinance (Group Development Standards).

Mr. Farmer **moved** to remove three items from the agenda: 1) Chatham Parkway Lexus General Development Plan, MPC File No. P-070205-38111-2, 2) Text Amendment to Section 8-3056 of the City of Savannah Zoning Ordinance (Group Development Standards), MPC File No. Z-060815-56925-2, and 3) Text Amendment to Section 5-5 and 5-5.1 of the Chatham County Zoning Ordinance (Group Development Standards), MPC File No. Z-060815-59524-1. Mr. Ray seconded the motion.

MPC Action: The motion carried with none opposed. Voting were Mr. Lufburrow, Mr. Ray, Mr. Todd, Ms. Myers, Mr. Bean, Mr. Coleman, Mr. Farmer, Mr. Manigault, Mr. Meyer, and Mr. Ragsdale. Mr. Brown and Mr. Mackey were not present for the vote.

III. Recess to Executive Session

Ms. Myers **moved** that the Commission recess to Executive Session to discuss personnel matters. Mr. Ray seconded the motion.

MPC Action: The motion carried with none opposed. Voting were Mr. Lufburrow, Mr. Ray, Mr. Todd, Ms. Myers, Mr. Bean, Mr. Coleman, Mr. Farmer, Mr. Manigault, Mr. Meyer, and Mr. Ragsdale. Mr. Brown and Mr. Mackey were not present for the vote.

When the Executive Session ended, Ms. Myers **moved** to state for the record that this Executive Session was called solely to take action on a personnel matter and that no other business or action was discussed or voted upon by the Commissioners. Mr. Todd seconded the motion.

MPC Action: The motion to state for the record that this Executive Session was called solely to take action on a personnel matter and that no other business or action was discussed or voted upon by the Commissioners carried with none opposed. Voting were Mr. Lufburrow, Mr. Ray, Mr. Todd, Ms. Myers, Mr. Bean, Mr. Coleman, Mr. Farmer, Mr. Manigault, Mr. Meyer, and Mr. Ragsdale. Mr. Brown and Mr. Mackey were not present for the vote.

IV. Acknowledgment(s)

Introduction of Dr. Julius S. Scott, Jr., Interim President, Savannah State University
Introducing Interns Carry J. Smith and Marcus Lotson.

Chairman Lufburrow introduced Dr. Scott and shared his impressive background and experience prior to being appointed Interim President of Savannah State University.

Dr. Scott thanked the Commission for the opportunity given to Savannah State students to be exposed to urban planning techniques and strategies. He said that the University sends MPC only their best students. He introduced Ms. Smith and Mr. Lotson and acquainted the Board with their background.

Mr. Ray welcomed Dr. Scott on behalf of the Commission.

V. Consent Agenda

A. Approval of the February 6, 2007, MPC Meeting Minutes and Briefing Minutes.

Mr. Todd **moved** to approve the February 6, 2007, MPC Meeting Minutes and Briefing Minutes. Mr. Ray seconded the motion.

MPC Action: The motion to approve the February 6, 2007, MPC Meeting Minutes carried with none opposed. Voting were Mr. Lufburrow, Mr. Ray, Mr. Todd, Ms. Myers, Mr. Bean, Mr. Brown, Mr. Coleman, Mr. Farmer, Mr. Mackey, Mr. Manigault, Mr. Meyer, and Mr. Ragsdale.

B. Victorian Planned Neighborhood Conservation District/Certificate of Compatibility for New Construction

Gerry Cowart, Cowart Coleman Group, LLC, Petitioner
Park Place Outreach, Inc., Owner
514-516 East Henry Street
1-R Zoning District
PIN No. 2-0053-07-007
Beth Reiter, MPC Project Planner
MPC File No. N-070202-37228-2

Nature of Request: The applicant is requesting approval to rehabilitate an existing building and build a connected structure on the adjacent lot. Two small rear porch additions and a one-story concrete masonry unit (CMU) garage structure will be removed.

Staff Recommendation: **Approval** of a six-foot, eight-inch rear yard setback variance; **approval** of renovations to 514 East Henry Street; and **approval** of new construction and connected structure, as submitted, with the condition that the finish of the stucco be a sand finish.

Mr. Meyer **moved** to approve the staff recommendation for **approval** of a six-foot, eight-inch rear yard setback variance; **approval** of renovations to 514 East Henry Street; and **approval** of new construction and connected structure, as submitted, with the condition that the finish of the stucco be a sand finish. Ms. Myers seconded the motion.

Mr. Coleman recused himself due to a possible conflict of interest as he is a member of the firm bringing the petition.

MPC Action: **The motion to approve the staff recommendation carried with none opposed.** Voting were Mr. Lufburrow, Mr. Ray, Mr. Todd, Ms. Myers, Mr. Bean, Mr. Brown, Mr. Farmer, Mr. Mackey, Mr. Manigault, Mr. Meyer, and Mr. Ragsdale. Mr. Coleman abstained.

C. Zoning Petition – Map Amendment

0 Oglethorpe Avenue
Richard D. Guerrard, Jr., Agent
Ronnie Cohen, Cora Bett Thomas, and Walter Carson, Owners
Jim Hansen, MPC Project Planner
MPC File No. Z-070126-39552-2

Issue: At issue is a request to rezone approximately 1.18 acres of land located at the southeast corner of Oglethorpe Avenue and Habersham Street from the existing R-I-P-C (Residential Medium Density) and R-I-P-A (Residential Medium Density) zoning classifications to a consolidated R-I-P-C classification.

Policy Analysis: The proposed rezoning is consistent with the City's Future Land Use Plan and will establish a zoning district that is compatible with the surrounding neighborhood and the zoning pattern that presently exists.

Staff Recommendation: **Approval** of the request to rezone the subject property from an R-I-P-A classification to an R-I-P-C classification.

Mr. Brown **moved** to approve the staff recommendation for approval of the request to rezone the subject property from an R-I-P-A classification to an R-I-P-C classification. Mr. Ray seconded the motion.

Mr. Bean and Mr. Ragsdale recused themselves to avoid a possible conflict of interest. The petitioners are clients of both.

MPC Action: **The motion to approve the staff recommendation carried with none opposed.** Voting were Mr. Lufburrow, Mr. Ray, Mr. Todd, Ms. Myers, Mr. Brown, Mr.

Coleman, Mr. Farmer, Mr. Mackey, Mr. Manigault, and Mr. Meyer. Mr. Bean and Mr. Ragsdale abstained.

D. Amended Master Plan

Spring Lakes (The Highlands, Tract K-2)
2119 Benton Boulevard
PUD-C Zoning District
PIN No. 2-1016-02-021
Kern-Coleman & Company, LLC, Engineer
Travis Burke, Agent
North Godley Development Group, Owner/Petitioner
Amanda Bunce, MPC Project Planner
MPC File No. M-040428-50548-2

Nature of Request: The petitioner is requesting approval of a revision to the Spring Lakes Master Plan, a residential development located 1,150 feet south of Highlands Boulevard and 1,925 feet west of Benton Boulevard within a PUD-C (Planned Unit Development – Community) zoning district. The petitioner is also requesting approval of a variance from the minimum 18-foot lot width required by the PUD-C zoning district.

Staff Recommendation: Approval of a one-foot lot width variance for 29 townhome lots and a 1.17-foot lot width variance for 10 townhome lots and **approval** of the amended Master Plan for Spring Lakes (Tract K-2 of The Highlands) subject to the following conditions: 1) Approval of the construction plans, including the grading and drainage plan, by the City review departments. 2) Provide the following notes on the Final Plat: a) “All common area, including the stormwater detention pond, the identification sign, buffers and recreation area shall be owned and maintained by the (insert the name) Homeowners Association.” b) “The greenspace located within the public street rights-of-way, excluding the portion abutting individual lots, shall be maintained by the (insert the name) Homeowners Association.” c) “All wetlands are under the jurisdiction of the Corps of Engineers and/or State of Georgia Department of Natural Resources. Lot owners and the developer are subject to penalty by law for disturbance to these protected areas without proper permit applications and approval.” d) “Prior to the issuance of Certificate of Occupancy Permits, the building permit applicants for all lots shall be required to install a sidewalk along their respective lots on all streets in accordance with the City of Savannah Subdivision Regulations.” e) “The developer shall install sidewalks on the portions of all streets abutting all property other than platted single-family lots in accordance with the City of Savannah Subdivision Regulations.” 3) All buffers shall contain adequate vegetation as deemed appropriate by the City Arborist. The purpose of the vegetative buffers is to visually enhance the development and not to totally screen the development from the adjacent properties. 4) Submit an Environmental Site Assessment to the City Engineer for review and approval as a condition of Final Plat approval. 5) Approval by the Chatham County Health Department, the City Engineer, and the Mayor and Aldermen.

Mr. Farmer **moved** to approve the staff recommendation for approval subject to conditions. Mr. Meyer seconded the motion.

Mr. Todd disclosed that there is a principal with the North Godley Development Group who is a client of his but not on this development and he feels that would not affect his judgment on the petition under consideration.

Mr. Bean recused himself to avoid a possible conflict of interest as his firm is providing the signage for this development.

MPC Action: The motion to approve the staff recommendation for approval subject to conditions carried with none opposed. Voting were Mr. Lufburrow, Mr. Ray, Mr. Todd, Ms. Myers, Mr. Brown, Mr. Coleman, Mr. Farmer, Mr. Mackey, Mr. Manigault, Mr. Meyer, and Mr. Ragsdale. Mr. Bean abstained.

VI. Old Business

None.

VII. Regular Business

A. Zoning Petition – Map Amendment

0 Fort Argyle Road
Jimmy Wilson, Cottontop Associates, LLC, Agent
Cottontop Associates, LLC, Owner
Jim Hansel, MPC Project Planner
MPC File No. Z-070126-33968-1

Issue: At issue is the requested rezoning of a 154.5-acre tract of land from an existing R-A-W-T (Residential-Agriculture, Wireless Overlay) zoning classification to a PDR-SM (Planned Development Reclamation-Surface Mining) zoning classification.

Policy Analysis: The proposed rezoning is consistent with Chatham County's Future Land Use Plan and will, in the future, provide an amenity feature for the eventual development of the area with residential uses.

Staff Recommendation: Approval of the request to rezone the subject property from an R-A-W-T classification to a PDR-SM classification.

It was noted that there are some environmental issues of concern to the Commissioners but those issues do not fall within the purview of the MPC.

Mr. Brown **moved** to approve the staff recommendation to rezone the subject property from an R-A-W-T classification to a PDR-SM classification. Mr. Mackey seconded the motion.

Mr. Todd disclosed that the petitioner for the Fort Argyle Road zoning petition and the Saxon Mine General Development Plan is a client of his but not on this development and he feels that would not affect his judgment on the petitions under consideration.

MPC Action: The motion to approve the staff recommendation carried with none opposed. Voting were Mr. Lufburrow, Mr. Ray, Mr. Todd, Ms. Myers, Mr. Bean, Mr. Brown, Mr. Coleman, Mr. Farmer, Mr. Mackey, Mr. Manigault, Mr. Meyer, and Mr. Ragsdale.

B. General Development Plan

Saxon Mine Tract Surface Mine
Fort Argyle Road
PD-R-SM Zoning District (proposed)
Cottontop Associates, LLC, Owner
Steve Wohlfeil (Hussey, Gay, Bell & DeYoung), Agent/Engineer
Jim Hansen, MPC Project Planner
MPC File No. P-070125-43173-1

Nature of Request: The petitioner is requesting approval of a General Development Plan in order to establish a surface mining operation on a site located along Fort Argyle Road approximately 1-1/2 miles east of John Carter Road. No variances are requested.

Staff Recommendation: The MPC staff recommends **approval** of the General Development Plan subject to the following conditions: 1) The petitioner shall be responsible for maintaining Fort Argyle Road in regards to any impacts (including dirt and dust removal) associated with the surface mining activity, and 2) approval by the County Engineer.

Mr. Bean **moved** to approve the Staff Recommendation for approval subject to conditions. Mr. Ray seconded the motion.

MPC Action: The motion to approve the Staff Recommendation for approval subject to conditions carried with none opposed. Voting were Mr. Lufburrow, Mr. Ray, Mr. Todd, Ms. Myers, Mr. Bean, Mr. Brown, Mr. Coleman, Mr. Farmer, Mr. Mackey, Mr. Manigault, Mr. Meyer, and Mr. Ragsdale.

C. General Development Plan/Group Development Plan

Villa Marie Spiritual Center
6 Dolan Drive
R-1-C/EO Zoning District
23.9 acres
PIN Nos. 1-0245-01-001 and 1-0267-03-006
Scott Barber (Lott Barber Architects), Architect/Agent
Catholic Diocese of Savannah, Owner
Debbie Burke, MPC Project Planner
MPC File No. P-070209-39596-1

Nature of Request: The petitioner is requesting approval of a General Development Plan/ Group Development Plan in order to construct three new structures for a church summer day camp within an R-1-C/EO (One-family Residential/Environmental Overlay) zoning district.

Staff Recommendation: **Approval** of the General Development Plan/Group Development Plan subject to the following conditions: 1) Revise setback information adjacent to Grimboll Point Road to indicate that the setback is 67.5 feet from the centerline of the road, not 55 feet from the centerline as shown; 2) show the Type "B" buffer as required where the proposed use abuts single-family residential uses, and 3) provide parking area Tree Quality Points.

The Specific Development Plan shall be in compliance with the approved General Development Plan and shall include the following: 1) A landscape Plan, including a Tree Establishment and Tree Protection Plan. The County Arborist shall review the Landscape Plan. 2) A Sewer Plan. The City Water and Sewer Engineer shall review the Sewer Plan. 3) A Drainage Plan. The County Engineer shall review the Drainage Plan. 4) 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. 5) A 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 fixture" 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. 6) A Signage Plan. MPC staff shall review the Signage Plan. The location of any freestanding signage shall be shown on the Specific Plan. 7) A 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 about the petition: **Scott Barber**, Agent, said that the development plan is designed with noise abatement in mind. The property slopes toward the marsh with the lowest part having eight and ten-foot elevations. The dining hall and parking will be placed on the higher part of the property. The pool, playground and open-air pavilion will be sited in what is now an open field. Every effort was made to keep all of the live oak trees. Autos will be kept in the area closest to the road with the interior of the property near the marsh being more passive. Most activity will be to the front and middle of the property, away from the marsh.

Charlie Vandenbulck owns neighboring property which has been in his family since the early 1900's. He would prefer traffic from the development not exit onto Waite Road because of the additional traffic that would be generated. He is also concerned about noise and believes situating the activity closer to the existing

bishop's house along Dolan Drive would better serve to prevent noise intruding into the neighborhood. There is already a noise problem created by the activities that take place on this property. He fears this development will only worsen that situation.

Victoria Oliver, 48 Grimboll Point Road, lives about 250 feet from the proposed building and activity. When activities were previously held in that area of the property, she could not enjoy her backyard and sometimes was disturbed even inside her house. She was unable to take a nap or read. She was able to tolerate it only because this activity was not a daily occurrence. She shares Mr. Vandenbulck's concerns about traffic. Waite Drive is the only access to Dutch Island for those going to and from work and one must be extremely careful turning out into Grimboll Point Road. She agrees with Mr. Vandenbulck that a site near the bishop's house would be a better, quieter location. This area could be accessed from the very end of Dolan Drive where there is no traffic. Traffic could also enter and exit off of Hopecrest, which is easier to maneuver than narrow Waite Drive. The property widens at the river and is on a high bluff with a concrete berm. There are many trees and natural buffer there.

Scott Barber, Agent, responding to concerns of several Commissioners that neighbors may not have been informed by the developer as this project progressed, said the Diocese has had dialog with neighbors in the past. There were two meetings for this particular project to which area residents were invited and comments were received. The current plan reflects some of those comments. One reason they did not move the development closer to the Bishop's house as suggested by Mr. Vandenbulck and Ms. Oliver is because they did not want to bring traffic into that area. It also would increase the disturbed area and require removal of more trees.

Bob Sebek, County Zoning Administrator, advised Board members concerned about noise that the County Code Section 24-304 includes noise limitations for various times of the day for different types of activities. In residential neighborhoods the sound between 7:00 a.m. and 10:00 p.m. can be not above 60 decibels measured at the property line. There has been some discussion between Police and Building Safety and Regulatory Services as to whose responsibility it is to enforce the

code regarding noise. This section of the code is under review to see if it can be rewritten in such a way as to make it easier to enforce.

Mr. Meyer **moved** to continue the petition until the March 6, 2007, Regular Meeting, with the request that the developer meet with nearby residents to address their concerns. Mr. Mackey seconded the motion.

MPC Action: The motion to continue failed. Voting in favor were Mr. Mackey, Mr. Manigault, Mr. Meyer, and Ms. Myers. Voting in opposition were Mr. Lufburrow, Mr. Ray, Mr. Todd, Mr. Bean, Mr. Brown, Mr. Coleman, Mr. Farmer, and Mr. Ragsdale.

Mr. Brown **moved** to approve the staff recommendation to approve the General Development Plan/Group Development Plan subject to the conditions set forth in the recommendation with the added condition that the Specific Development Plan come back to the Planning Commission for review and approval. Mr. Mackey seconded the motion.

MPC Action: The motion to approve the staff recommendation to approve the General Development Plan/Group Development Plan subject to the conditions set forth in the recommendation and with the added condition that the Specific Development Plan come back to the Planning Commission for review and approval passed with none opposed. Voting were Mr. Lufburrow, Mr. Ray, Mr. Todd, Ms. Myers, Mr. Bean, Mr. Brown, Mr. Coleman, Mr. Farmer, Mr. Mackey, Mr. Manigault, Mr. Meyer, and Mr. Ragsdale.

VIII. Other Business

None.

IX. Adjournment

There being no further business to come before the Commission, the February 20, 2007, Regular Meeting was adjourned.

Respectfully submitted,

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

Note: Minutes not official until signed