



Arthur A. Mendonsa Hearing Room
May 5, 2009 1:30 PM

May 5, 2009 Regular MPC Board Meeting

Members Present: Jon Todd, Chairman
Shedrick Coleman, Vice-Chairman
Adam Ragsdale, Secretary
Susan Myers, Treasurer
Russ Abolt,
Michael Brown
Ellis Cook
Ben Farmer
Stephen Lufburrow
Timothy S. Mackey
Tanya Milton
Jon Pannell
Lacy Manigault

Members Not Present: David Hoover

Staff Present: Thomas Thomson, P.E. AICP, Executive Director
Melony West, CPA, Director, Finance & Systems
James Hansen, AICP, Director, Development Services
Marcus Lotson, Development Services Planner
Dennis Hutton, AICP, LEED, Director, Comprehensive Planning
Jackie Teel, LEED, AP, Natural Resource Planner
Bethany Jewell, LEED, AP, Natural Resource Planner
Joanna Bounds, Historic Review Planner
Sabrina Finau, Administrative Assistant
Constance Morgan, Administrative Assistant
Marilyn Gignilliat, Executive Assistant

Advisory Staff Present: Robert Sebek, County Zoning Administrator

Randolph Scott, CityZoning Administrator

I. CALL TO ORDER AND WELCOME

Chairman's Notes

1. Notes for Board Chairman

Minutes:

Chairman Todd called the May 5, 2009 Regular MPC Meeting to order at 1:35 P.M. He asked that everyone stand for the Invocation and the Pledge of Allegiance. He explained the agenda for the benefit of those in attendance for the first time. He asked those present for the meeting to record their attendance on the sign in sheets. Those who wished to speak on a petition before the Board were asked to fill out a blue speaker card and present it to a member of staff.

Mr. Farmer **moved** to suspend the rules in order to hear the petition for the Georgia Skin Care Center (MPC File # P-090402-42560-2) prior to the other items listed under Regular Business. Mr. Lufburrow seconded the motion.

MPC Action: The motion carried with none opposed. The motion was to hear item # 10 under, Regular Business, Georgia Skin and Cancer Center (MPC File #P-090402-42560-2) and to hear the remaining items # 9, 11,12, and 13 as a group since they are related to the same project. Voting were: Mr. Todd, Mr. Coleman, Mr. Ragsdale, Ms. Myers, Mr. Abolt, Mr. Brown, Mr. Cook, Mr. Farmer, Mr. Lufburrow, Mr. Mackey, Mr. Manigault, Ms. Milton, and Mr. Pannell.

II. INVOCATION

III. PLEDGE OF ALLEGIANCE

IV. NOTICES, PROCLAMATIONS and ACKNOWLEDGEMENTS

Swearing-in of MPC Commissioners

2. Superior Court Judge Penny Haas Freeseemann was present to swear in the MPC Board.

Minutes: Superior Court Judge Penny Haas Freeman was present to swear in MPC Board.

Recognition of Out-going MPC Commissioners

3. The MPC Board presented Resolutions to out-going MPC Commissioners, Robert Ray and Doug Bean, in

recognition of their service to the community.

Minutes:

Chairman Todd presented Mr. Robert Ray with a plaque in recognition of his service on the MPC Board and to the Community.

Mr. Ray applauded the MPC Board Members and staff on their service to the community and stated he was happy to be a part of such a selfless group of professionals.

Notice(s)

4. May 19, 2009 Regular MPC Meeting at 1:30 PM in the MPC Arthur A. Mendonsa Hearing Room, 112 East State Street

Minutes:

Ms. Myers **moved** to cancel the May 19, 2009 Regular MPC Meeting due to the lack of petitions requiring Board action. Mr. Coleman seconded the motion.

MPC Action: The motion carried with none opposed. The motion was to cancel the May 19, 2009 Regular MPC Meeting due to the lack of petitions requiring Board action. Voting were: Mr. Todd, Mr. Coleman, Mr. Ragsdale, Ms. Myers, Mr. Abolt, Mr. Brown, Mr. Cook, Mr. Farmer, Mr. Lufburrow, Mr. Mackey, Mr. Manigault, Ms. Milton, and Mr. Pannell,

Information Item(s) for Board Members

5. Information Item(s)

Attachment: May Calendar.pdf

V. ITEM(S) REQUESTED TO BE REMOVED FROM THE FINAL AGENDA

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.

VI. CONSENT AGENDA

Approval of MPC Meeting Minutes and Briefing Minutes

6. Approval of April 21, 2009 MPC Meeting Minutes and Briefing Minutes.

Attachment: 04.21.09MPCBRIEFINGMINUTES.pdf

Attachment: 04.21.09MPC Meeting Minutes.pdf

Minutes:

Mr. Lufburrow **moved** to approve the April 21, 2009 MPC Meeting Minutes and Briefing Minutes as submitted. Mr. Coleman seconded the motion.

MPC Action: The motion carried with none opposed. The motion was for approval of the April 21, 2009 MPC Meeting Minutes and Briefing Minutes as submitted. Voting were:
Mr. Todd, Mr. Coleman, Mr. Ragsdale, Ms. Myers, Mr. Abolt, Mr. Brown, Mr. Cook,
Mr. Farmer, Mr. Lufburrow, Mr. Mackey, Mr. Manigault, Ms. Milton, and Mr. Pannell.

Motions:

Motion to approve the April 21, 2009 MPC Minutes and Briefing Minutes as submitted. - PASS

Vote Results

Motion: Stephen Lufburrow

Second: Shedrick Coleman

Russ Abolt	- Aye
Michael Brown	- Aye
Shedrick Coleman	- Aye
Ellis Cook	- Aye
Ben Farmer	- Aye
Stephen Lufburrow	- Aye
Timothy Mackey	- Aye
Lacy Manigault	- Aye
Tanya Milton	- Aye
Susan Myers	- Aye
Jon Pannell	- Aye
Adam Ragsdale	- Aye
Jon Todd	- Aye

Authorization(s)

7. Adoption of the Resolution to Endorse the Study of a High Speed Rail Link between Macon and Savannah

Attachment: MPC Board Thomson HSR Resolution 042709 (2).pdf
Attachment: MPC Resolution for High Speed Rail.pdf

Minutes:

Mr. Coleman **moved** to adopt a Resolution to endorse the Study of a High Speed Rail Link between Macon and Savannah. Mr. Abolt seconded the motion.

MPC Action: The motion carried with none opposed. The motion was for the adoption of a Resolution to endorse the Study of a High Speed Rail Link between Macon and Savannah. Voting were: Mr. Todd, Mr. Coleman, Mr. Ragsdale, Ms. Myers, Mr. Abolt, Mr. Brown, Mr. Cook, Mr. Farmer, Mr. Lufburrow, Mr. Mackey, Mr. Manigault, Ms. Milton, and Mr. Pannell.

Motions:

Motion for approval of adoption of the Resolution to endorse the Study of a High Speed Rail Link between Macon and Savannah.

Vote Results

Motion:

Second:

Amended Master Plan

8. Highlands and Willow Point

Attachment: Existing Highlands Master Plan.pdf
Attachment: Existing Willow Point Master Plan.pdf
Attachment: Proposed Highlands Master Plan.pdf
Attachment: Proposed Willow Point Master Plan.pdf
Attachment: STAFF REPORT 05-05-09 M-090423-38699-2 THE HIGHLANDS MASTER PLAN REVISION TRACTS I AND M-2 (WILLOW POINT).pdf

Minutes:

Nature of Request: The petitioner is requesting approval of a Master Plan amendment for Willow Point, a residential development located within the Highlands on the south side of Highlands Boulevard approximately 1.35 miles (7,125 feet) west of Benton Boulevard within a PUD-C (Planned Unit Development-Community) zoning district. No variances are requested.

Staff Recommendation: Approval of the amended Willow Point Master Plan and the amended Highlands Master Plan subject to the following conditions; approval by the City review departments including the City Engineer.

Motions:

Approval of the amended Williw Point Master Plan and the amended Highlands Mater Plan subject to conditions. - PASS

Vote Results

Motion: Stephen Lufburrow

Second: Russ Abolt

Russ Abolt	- Aye
Michael Brown	- Aye
Shedrick Coleman	- Aye
Ellis Cook	- Aye
Ben Farmer	- Aye
Stephen Lufburrow	- Aye
Timothy Mackey	- Aye
Lacy Manigault	- Aye
Tanya Milton	- Aye
Susan Myers	- Aye
Jon Pannell	- Aye
Adam Ragsdale	- Aye
Jon Todd	- Aye

VII. OLD BUSINESS

VIII. ITEMS MOVED FROM CONSENT AGENDA

IX. REGULAR BUSINESS

Tri-Centennial Comprehensive Plan Amendment - Map Amendment

9. Comprehensive Plan Map Amendment - 800 Habersham Street

Attachment: comp plan amend.pdf

Minutes:

Staff Recommendation: Approval of an amendment to the Future Land Use Map to change this property from the Traditional Commercial classification to the Traditional Neighborhood classification.

Mr. Ragsdale stated that the Unified Zoning Ordinance is moving to gross versus net in all the districts; he questioned the change and asked what is the goal.

Mr. Hansen responded that this is being done to remove the confusion and ambiguity that is now existing with the term "net". He proceeded to read a section from the ordinance that explained this. He added that as a part of the UZO staff is; a) changing the way that density is calculated from net to gross; b) examining the density regulations that are currently in place; and c) recommend adjustments on those upward numbers.

Motions:

Approval of an amendment to the Future Land Use Map to change this property from the Traditional Commercial classification to the Traditional Neighborhood classification. * - PASS

Vote Results

Motion: Shedrick Coleman

Second: Michael Brown

Russ Abolt	- Not Present
Michael Brown	- Aye
Shedrick Coleman	- Aye
Ellis Cook	- Not Present
Ben Farmer	- Aye
Stephen Lufburrow	- Aye
Timothy Mackey	- Not Present
Lacy Manigault	- Aye
Tanya Milton	- Aye
Susan Myers	- Aye
Jon Pannell	- Aye
Adam Ragsdale	- Not Present
Jon Todd	- Aye

General Development Plan / Group Development Plan

10. Georgia Skin and Cancer Center

Attachment: OrthoZoningImagery.pdf
Attachment: SiteMapStructures.pdf
Attachment: Vicinity.pdf
Attachment: STAFF REPORT.pdf
Attachment: GDP-GA SKIN AND CANCER.pdf

Minutes:

Nature of Request: The petitioner is requesting approval of a General Development Plan/Group Development in order to construct a 9,892 square foot building addition onto an existing medical office building, a 3,800 square foot storage building, and a 7,500 square foot office building/laboratory, along with associated parking facilities to bring the total number of parking spaces to 142. A residential structure existing on the property is proposed to remain.

Staff Recommendation: Approval of the General Development Plan/Group Development for Georgia Skin & Cancer Center with the following conditions: 1) a Landscape Plan, including a Tree Establishment and Tree Protection Plan. The City Landscape Architect shall review the Landscape Plan; 2) a Water and Sewer Plan; 3) a Drainage Plan: The City Stormwater Engineer shall review the Drainage Plan. Detention ponds must be sodded or hydro-seeded; 4) 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 residential property. A buffer plan shall be provided to screen the residential structure from the medical facility addition, dedicated access to the residential structure and separate from access to all medical uses shall be provided; 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 fixtures" shall mean fixtures that incorporate a structural shield to prevent light dispersion above the horizontal plane from the lowest light-emitting point of the fixture. Exterior light posts higher than 15 feet must not be located on the same island as canopy trees; 6) a Signage Plan; MPC staff shall review the Signage Plan; the location of any freestanding signage shall be shown on the Specific Plan; and 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 on the Petition: Mr. Mark Crapps, Agent, stated that he concurs with staff and respectfully requests approval of the petition.

Motions:

Approval of the General Development Plan/Group
Development for Georgia Skin&Cancer Center with
conditions: - PASS

Vote Results

Motion: Stephen Lufburrow

Second: Russ Abolt

Russ Abolt	- Aye
Michael Brown	- Aye
Shedrick Coleman	- Aye
Ellis Cook	- Aye
Ben Farmer	- Aye
Stephen Lufburrow	- Aye
Timothy Mackey	- Aye
Lacy Manigault	- Aye
Tanya Milton	- Aye
Susan Myers	- Aye
Jon Pannell	- Aye
Adam Ragsdale	- Aye
Jon Todd	- Aye

Zoning Petition - Text Amendment

11. Petition to amend section 8-3025 (46) City of Savannah Zoning Ordinance

Attachment: Staff Report.pdf

Attachment: ice_machine photo 1.pdf

Attachment: ice_house photo 2.pdf

Minutes:

Issue: The petitioner is proposing a text amendment to section 8-3025 (46) of the City of Savannah Zoning Ordinance in order to accommodate free standing ice vending machines which produce and distribute ice to customers on site.

Policy Analysis: Evolving technologies require us to consider matters that are not expressly delineated in our municipal codes. The proposed structures can be a valuable asset to a retail or commercial location and a convenience to the neighborhood as long as they do not detract from its character by, for example, decreasing parking or impeding public rights of way. These accessory structures must meet the development standards set forth in the Zoning Ordinance for the district in which it resides.

This amendment will allow a use that will likely become more common throughout our community.

Staff recommendation: Approval of the petitioner's request to amend section 8-3025(46) of the City of Savannah Zoning Ordinance by adding the language "retail sale" (limited manufacturing permitted with on off-site delivery of ice products).

Motions:

To continue to June 2, 2009 Regular MPC Meeting in order to allow staff to review design criteria for these structures. - PASS

Vote Results

Motion: Susan Myers

Second: Michael Brown

Russ Abolt	- Aye
Michael Brown	- Aye
Shedrick Coleman	- Aye
Ellis Cook	- Aye
Ben Farmer	- Aye
Stephen Lufburrow	- Aye
Timothy Mackey	- Aye
Lacy Manigault	- Aye
Tanya Milton	- Aye
Susan Myers	- Aye
Jon Pannell	- Aye
Adam Ragsdale	- Aye
Jon Todd	- Aye

12. Text Amendment to the Savannah Zoning Ordinance

Attachment: staff rpt.pdf

Minutes:

Issue: It is proposed that an amendment to the Victorian Planned Neighborhood Conservation District land use districts 1-R, 2-R, and 3-R be enacted to change the residential density calculation criteria from the current "net acre" to "gross acre".

Policy Analysis: Most ordinances, and in particular the Zoning Ordinance, are not static documents.

They need, from time to time, to be amended to reflect changing community values, changing land use trends, or to remove or clarify provisions which are ambiguous, unclear, or confusing. The amendment proposed by the petitioner is designed to clarify confusing language that is subject to interpretation and to make the calculation of density a straight forward number based upon a site's gross acreage. The proposal is consistent with the recommendations proposed as a part of the Unified Zoning Ordinance update. Furthermore, the amendment will provide for better use opportunities for undeveloped and underutilized properties.

Staff Recommendation: Approval of the petitioner's request to amend Sections 8-3028(c)(4) 8-3028(c)(5) and 8-3028(c)(6) of the Savannah Zoning Ordinance.

Speaking on the Petition: Meredith Gaunce, Agent for the petitioner, stated that she is in agreement with staff recommendation. She feels that the rezoning will be beneficial to this area.

Motions:

Continue to June 2,2009 Regular MPC Meeting. - PASS

Vote Results

Motion: Susan Myers

Second: Michael Brown

Russ Abolt - Not Present

Michael Brown - Aye

Shedrick Coleman - Aye

Ellis Cook - Not Present

Ben Farmer - Aye

Stephen Lufburrow - Aye

Timothy Mackey - Not Present

Lacy Manigault - Aye

Tanya Milton - Aye

Susan Myers - Aye

Jon Pannell - Aye

Adam Ragsdale - Not Present

Jon Todd - Aye

Zoning Petition - Map Amendment

13. 800 Habersham Street

Attachment: 800 Habersham Aerial Photo.pdf
Attachment: ZONING.pdf
Attachment: TAX MAP.pdf
Attachment: SITEMAP.pdf
Attachment: staff rpt.pdf
Attachment: AERIAL MAP.pdf

Minutes:

Issue: At issue is a request to zone an approximate 0.61 acre site from a 2-B (Victorian District) classification to a 3-R (Victorian District) classification.

Policy Analysis: The petitioner is requesting a change in zoning to a residential classification within the Victorian District. Clearly, residential use is appropriate at this location. The proposal is consistent with the existing development and zoning pattern in the area. The Future Land Use Map (FLUM) designates the site as Traditional Commercial. Although this classification allows residential use, it is more appropriate to consider a change in the FLUM to a Traditional Neighborhood category. An amendment to the Tri-Centennial Comprehensive Plan Future Land Use Map is being processed simultaneously with the zoning request.

Staff Recommendation: **Approval** of the request to rezone 800 Habersham Street from a 2-B (Victorian) classification to a 3-R (Victorian) classification.

Speaking on the Petition: Meredith Gaunce, Agent for the petitioner stated that she is in agreement with the staff recommendation. She feels that the rezoning of this property will be beneficial to the neighborhood.

Motions:

Continue to June 2, 2009 Regular MPC Meeting - PASS

Vote Results

Motion: Stephen Lufburrow

Second: Jon Pannell

Russ Abolt - Not Present

Michael Brown - Aye

Shedrick Coleman - Aye

Ellis Cook - Not Present

Ben Farmer - Aye

Stephen Lufburrow - Aye

Timothy Mackey	- Not Present
Lacy Manigault	- Aye
Tanya Milton	- Aye
Susan Myers	- Aye
Jon Pannell	- Aye
Adam Ragsdale	- Not Present
Jon Todd	- Aye

Victorian District - New Construction

14. 800 Habersham Street

- Attachment: Existing Site Plan.pdf
- Attachment: Existing floor plan.pdf
- Attachment: Elevations.pdf
- Attachment: Aerial.pdf
- Attachment: Photos.pdf
- Attachment: Staff Report May 5.pdf
- Attachment: Proposed Site plan.pdf

Minutes:

Nature of Request: The applicant requests approval of a three story apartment building to be built on the footprint of the former Rite Aid building on the lot bound by Habersham, Gwinnett and Price Streets. The lot is located in the Victorian Planned Neighborhood Conservation District. The Victorian District Zoning Ordinance stipulates that the MPC Board must approve requests for new construction.

Staff Recommendation: **Approval** of the design as submitted with the condition that a buffer is placed between the parking and the sidewalk at a minimum along Gwinnett Street to comply with Section 8-3082(g) buffer required when adjoining property is residential. If the rezoning and text amendment actions result in alterations to the exterior design, the amended project would need to be resubmitted for further design review.

Ms. Myers **moved** to continue this item to the June 2, 2009 MPC Meeting.
Ms. Milton seconded the motion.

Mr. Brown requested that as continuances are granted that it is added to the record what it is that staff wishes to accomplish before the petition is brought back to the Board. This will inform the petitioner of the policy issues that need to be addressed. In this case the issues are: 1) the building placement on the lot; 2) the desirability under this particular area (Victorian District) that commercial buildings have a zero lot line; 3) that parking does not occupy the corner position; and 4) the building is segmented so that it does not resemble a warehouse. These are the questions he would like to have answered prior to the petition coming back before the Board.

MPC Action: **The motion carried with none opposed.** The motion was to continue MPC File

No.N-09324-61210-2 to the June 2, 2009 Regular MPC Meeting subject to Mr. Brown's request as explanatory of the continuance. Voting were: Mr.Todd, Mr. Coleman, Ms. Myers, Mr. Brown, Mr. Farmer, Mr.Lufburrow, Mr. Manigault, Ms. Milton and Mr. Pannell. Mr. Abolt, Mr. Ragsdale, Mr. Cook, and Mr. Mackey were not present for the vote.

Motions:

Continue to June 2, 2009 Regular MPC Meeting - PASS

Vote Results

Motion: Susan Myers

Second: Tanya Milton

Russ Abolt - Not Present

Michael Brown - Aye

Shedrick Coleman - Aye

Ellis Cook - Not Present

Ben Farmer - Aye

Stephen Lufburrow - Aye

Timothy Mackey - Not Present

Lacy Manigault - Aye

Tanya Milton - Aye

Susan Myers - Aye

Jon Pannell - Aye

Adam Ragsdale - Not Present

Jon Todd - Aye

X. OTHER BUSINESS

15. The Chatham Environmental Forum (CEF) - "A Road Map for Chatham County"

Attachment: MPC CEF Board Presentation May 5th - Board Copy.pdf

Attachment: MPC CEF Goal Comparison Report with Memo.pdf

Minutes:

Tom Thomson introduced Mr. Larry Miles, Chairman of the Chatham Environmental Forum (CEF).

Mr. Miles gave a brief history of the Chatham Environmental Forum and proceeded with a presentation of their plan, "A Road Map for Chatham County".

Bethany Jewell, Natural Resource Planner, followed with the MPCs' analysis comparing the Comprehensive Plan that the MPC Board, the City of Savannah, and Chatham County passed a few years ago, with the Chatham Environmental Forum work showing the linkages and where the MPC is currently addressing the issues raised in both the Comprehensive Plan and the Forum Report.

XI. ADJOURNMENT

16. Adjournment