



Arthur A. Mendonsa Hearing Room
December 14, 2010 1:30 p.m.
MINUTES

December 14, 2010 Regular MPC Board Meeting

Members Present: J. Adam Ragsdale, Vice-Chairman
Jon Pannell, Secretary
Lacy Manigault, Treasurer
Russ Abolt
Ellis Cook
Ben Farmer
Stephen Lufburrow
Timothy Mackey
Tanya Milton
Susan Myers
Rochelle Small-Toney
Joseph Welch

Members Not Present: Shedrick Coleman
Jon Todd

Staff Present: Thomas Thomson, P.E. AICP, Executive Director
Melony West, CPA, Director, Finance & Systems
James Hansen, AICP, Director, Development Services
Gary Plumbly, Development Services Planner
Marcus Lotson, Development Services Planner
Christy Adams, Director, Administration
Bri Finau, Administrative Assistant

Advisory Staff Present: Robert Sebek, County Zoning Administrator
Randolph Scott, City Zoning Administrator

I. CALL TO ORDER AND WELCOME

II. INVOCATION

III. PLEDGE OF ALLEGIANCE

IV. NOTICES, PROCLAMATIONS and ACKNOWLEDGEMENTS

Swearing-in of MPC Commissioners

1. [January 11, 2011 Swearing-in of MPC Commissioners by Judge John E. Morse, Jr., Chatham County Superior Court](#)

Notice(s)

2. [December 14, 2010 MPC Finance Committee Meeting at 11:30 AM in the West Conference Room, 110 East State Street.](#)
3. [January 11, 2011 Regular MPC Meeting at 1:30 P.M. in the Arthur A. Mendonsa Hearing Room, 112 E. State Street.](#)

V. PRESENTATIONS

VI. 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.

VII. CONSENT AGENDA

Approval of MPC Meeting Minutes and Briefing Minutes

4. [Approval of November 23, 2010 MPC Meeting Minutes and Briefing Minutes](#)

Attachment: [11.23.10 MPC BRIEFING MINUTES.pdf](#)

Attachment: [11.23.10 MINUTES.pdf](#)

Board Action:

Recommend **APPROVAL** of the MPC Meeting and Briefing Minutes as submitted. - PASS

Vote Results

Motion: Stephen Lufburrow

Second: Lacy Manigault

Russ Abolt - Not Present

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
Rochelle Small-Toney	- Aye
Joseph Welch	- Aye

Zoning Petition - Map Amendment

5. 310 West Charlton Street - B-C to RIP-A

Attachment: [AERIAL_MAP.pdf](#)
Attachment: [LAND USE_MAP.pdf](#)
Attachment: [TAX_MAP.pdf](#)
Attachment: [ZONING_MAP.pdf](#)
Attachment: [staff rpt Z-101124-50558-2.pdf](#)

Board Action:

It is recommended that the request to zone the subject property from a B-C zoning classification to an RIP-A classification be approved. - PASS

Vote Results

Motion: Susan Myers
Second: Ellis Cook
Russ Abolt - Not Present
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
Rochelle Small-Toney - Aye
Joseph Welch - Aye

Amended Specific Development Plan

6. 4704 Ogeechee Road - Constantine Tract Borrow Pit

Attachment: [ZONING_MAP.pdf](#)
Attachment: [TAX MAP_MAP.pdf](#)
Attachment: [AERIAL_MAP.pdf](#)
Attachment: [EXISTING DEVELOPMENT PLAN.pdf](#)

Attachment: [PROPOSED AMENDED DEVELOPMENT PLAN.pdf](#)
Attachment: [MAP OF EXPANDED MINING AREA AND LAND USE CHANGE.pdf](#)
Attachment: [12-14-10 STAFF REPORT P-101123-34083-2 Constantine Borrow Pit Amended Specific Development Plan.pdf](#)

Board Action:

The MPC staff recommends **approval** of the petitioner's request. - PASS

Vote Results

Motion: Ben Farmer
Second: Stephen Lufburrow
Russ Abolt - Not Present
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
Rochelle Small-Toney - Aye
Joseph Welch - Aye

Zoning Petition - Text Amendment

7. [Amendment to Chatham County Zoning Ordinance Section 4-5.2](#)

Attachment: [Staff Report Z-101122-00091-1.pdf](#)

Board Action:

It is recommended that the proposed amendment to add cultural facilities as an allowed use in the W-I District be approved. - PASS

Vote Results

Motion: Stephen Lufburrow
Second: Ben Farmer
Russ Abolt - Not Present
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
Rochelle Small-Toney	- Aye
Joseph Welch	- Aye

Zoning Petition - Map Amendment

8. [310 West Charlton Street - B-C to RIP-A](#)

Attachment: [AERIAL_MAP.pdf](#)
Attachment: [LAND USE_MAP.pdf](#)
Attachment: [TAX_MAP.pdf](#)
Attachment: [ZONING_MAP.pdf](#)
Attachment: [staff rpt Z-101124-50558-2.pdf](#)

Board Action:

It is recommended that the request to zone the subject property from a B-C zoning classification to an RIP-A classification be approved. - PASS

Vote Results

Motion: Susan Myers
Second: Ellis Cook
Russ Abolt - Not Present
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
Rochelle Small-Toney - Aye
Joseph Welch - Aye

VIII. ITEMS MOVED FROM CONSENT AGENDA

IX. OLD BUSINESS

X. REGULAR BUSINESS

Amended Master Plan

9. [178 Enclave Boulevard - The Enclave Subdivision](#)

Attachment: [TAX MAP MAP.pdf](#)

Attachment: [AERIAL MAP.pdf](#)

Attachment: [INITIAL ENCLAVE MASTER PLAN.pdf](#)

Attachment: [PROPOSED ENCLAVE PH. 3 MASTER PLAN AND PHASING.pdf](#)

Attachment: [BERWICK PLANTATION MASTER PLAN THE ENCLAVE PH. 3 HIGHLIGHTED.pdf](#)

Attachment: [THE ENCLAVE PHASES COLOR CODED.pdf](#)

Attachment: [12-14-10 STAFF REPORT M-101206-00095-1 THE ENCLAVE AMENDED MASTER PLAN.pdf](#)

178 Enclave Boulevard

Site Area: 228 Acres

PIN 1-1008-02-051

Engineer/Surveyor: Thomas and Hutton Engineering Company

Agent: Wade Seyle

Petitioner/Developer: Landmark 24, LLC

Owner: Wachovia National Bank/Wells Fargo Bank

Zoning District: PUD-C

MPC File Number: M-101206-00095-1

MPC Project Planner: Gary Plumbley

Mr. Plumbley stated the petitioner is requesting consideration of an Amended Master Plan for The Enclave subdivision. The purpose of the Amended Master Plan is to increase the number of single family lots in Phase 3 from 99 to 114. Added to the lot approved in Phases 1 & 2, 139 and 83 respectively, the increase is still well below the 450 permitted in the original Master Plan. All of the lots in Phase 3 are to be conventional, with 25 foot front and rear yard setbacks each and 5 feet on each side. No variances are being requested. The petitioner has met twice with area residents; in July and December 2010. The MPC staff recommends approval of the Amended Master Plan.

Mr. Jack Wardlaw, of Landmark 24 Homes representing Wells Fargo, stated there is a contract to buy the lots over the next few years. He stated they are trying to abide by the requirements and have come to an agreement with the current residents.

Mr. John Gerwels, current Enclave resident, stated that in order to increase the lot amount, frontage will have to be reduced. This type of development is out of character for the executive style homes The Enclave is supposed to offer. Mr. Gerwels asked for the Commission to require The Enclave Phase 3 to maintain its intended standard as indicated in Phases 1 & 2. Mr. Gerwels expressed disapproval of Phase 3 having the ability to have vinyl siding on its homes; there are none in the subdivision and was not planned to be in the subdivision. He stated Wells Fargo said they would not have the vinyl in the first five homes, but the market place will dictate that. He stated Wells Fargo will have their own architectural review board and it is as if they are policing themselves and the current residents are not aware of the new requirements

and standards or the contractual agreements.

Mr. Manigault asked Mr. Gerwels if he was aware of the difference in the lots; from 99 to 114.

Mr. Gerwels stated the residents were told the lots were modified from 60- to 80-foot lots.

Mr. Manigault asked how would the new pricing affect the current residents with the price they've paid already.

Mr. Gerwel stated the area was designed for homes from \$300,000 to \$1 million.

Mr. Mackey asked Mr. Thomson what is the specific charge before this Commission in respect to this petition.

Mr. Thomson responded that it is to authorize an additional 15 lots in Phase 3.

Mr. Lufburrow explained to Mr. Gerwels that though the Commission is sympathetic to the residents issues and concerns, those concerns are not within the pervue of this Board. He stated if plans are submitted that are in complete harmony with the critireria, the Commission is bound to adhere to it.

Mr. Wardlaw stated that Wells Fargo asked Landmark 24 to make improvements in the subdivision. He stated the residents concerns were understood by them and they are sympathetic to them. They are trying to make the new homes blend in with the first two phases.

Ms. Small-Toney asked if this is the final phase or if additional phases would be forthcoming.

Mr. Wardlaw stated this is the final phase. He also stated the newer homes would be in the back of the development.

Board Action:

The MPC staff recommends **approval** of the Amended Master Plan. - PASS

Vote Results

Motion: Ben Farmer

Second: Tanya Milton

Russ Abolt - Not Present

Ellis Cook - Aye

Ben Farmer - Aye

Stephen Lufburrow - Aye

Timothy Mackey	- Nay
Lacy Manigault	- Aye
Tanya Milton	- Aye
Susan Myers	- Aye
Jon Pannell	- Aye
Adam Ragsdale	- Aye
Rochelle Small-Toney	- Aye
Joseph Welch	- Nay

XI. OTHER BUSINESS

XII. ADJOURNMENT

10. [Submittal](#)

There being no further business to come before the Commission, the December 14, 2010 Regular MPC Meeting adjourned at 2:00 PM.

Respectfully Submitted,

Thomas L. Thomson
Executive Director

/bf

Note: Minutes not official until signed.

XIII. DEVELOPMENT PLANS SUBMITTED FOR REVIEW