

## MEETING MINUTES

Unified Zoning Ordinance-Technical Committee Meeting  
Metropolitan Planning Commission  
Arthur Mendonsa Hearing Room  
July 15, 2009  
3:00-5:00 PM

**Members Present:** Daniel Carey, Downer Davis, Bill Dawers, Paul Featheringill (for Lise Sundria), Alderman Jeff Felser, Ellen Wyatt (for Martin Fretty), Lee Grimes, Tiras Petrea (for Randolph Scott), Pete Shonka, Commissioner Helen Stone, Ken Spriggs, Ryan Thompson, Brian White

**Members Absent:** Gregori Anderson, Beth Blalock, Rob Brannen, Suzanne Cooler, Bill Dempsey, Harvey Gilbert, Robin Haddock, Bridgit Lidy, MarRonde Lotson, Joe Marshall, Robert Sebek, Jon Todd, Malik Watkins

**Staff Present:** Amanda Bunce, Debbie Burke, Geoff Goins, Charlotte Moore

### I. June Minutes

Several corrections were made to the June minutes.

Daniel Carey pointed out a typo and requested that the word "stringent" be added to a statement attributed to him on page two. Mr. Carey also clarified that what he did not agree with was the "amount of the density bonus proposed" not the "density bonus" in the Cluster Development Standards (page six in the minutes) and asked that that be corrected.

Bill Dawers made a motion to approve the minutes from June. Mr. Carey seconded the motion.

### II. Update on Status

Charlotte Moore provided a status update. She mentioned that staff had a telephone conference with the UZO consultant earlier in the day regarding the Planned Development District, Cluster Development and Open Space sections.

Mr. Dawers asked what level of scrutiny the Planning Commission had given the UZO thus far. Ms. Moore stated that they have been given a general overview of the information. Mr. Dawers asked what their reaction was. Ms. Moore stated that they gave a favorable response and asked questions. Mr. Dawers asked what exactly is a "protected

roadway"? Ms. Moore stated that those are roads that need to be protected from road widening or other such improvements because of significant features worth preserving such as the tree canopy. Those roads may have adjusted setbacks or signage, etc. depending on the road and its characteristics. Mr. Carey asked how the protected roadways are being identified. Ms. Moore indicated that a methodology will need to be developed. Mr. Carey recommended looking at the Georgia Scenic Byways Program criteria, which may be helpful.

Ms. Moore stated that staff is trying to have a draft of the complete UZO by the end of September. Staff is attempting to have the draft in as complete/correct form as possible before presenting it, so it may be after September when it is done. Mr. Dawers asked whether anybody had reached out to Virginia Mobley. Ms. Moore stated that she may be a good candidate for the Advisory Committee.

### **III. Review of Drive-thru Facilities (Sec 9.9)**

Debbie Rayman-Burke introduced the purpose of this section and summarized the applicable regulations. Bill Dawers asked if other cities treat all drive-thru uses equally or do they separate uses such as banks and restaurants? Ms. Burke stated that most treat them all the same.

Ms. Burke asked the Committee its opinion about which zoning districts, if any, should not permit drive-thrus. She noted that the current TN-2 and TC-1 Mid-City districts already prohibit drive-thrus of any type. She asked if the prohibition should continue in some or all of the proposed Downtown districts. Mr. Dawers stated that he thought it would be problematic to eliminate drive-thrus in downtown because of the lack of convenient parking and that this may cause some banks to lose customers. He also stated that the drive-thru lanes convert well to parking after bank hours. Mr. Dawers did express concerns about drive-thru restaurants in more residential areas of downtown because of the hours of operation and noise.

Mr. Carey stated that drive-thru lanes waste prime real estate in downtown. He would prefer to see downtown businesses do business according to the downtown plan [Oglethorpe Plan]. He said that there are several banks in downtown that are successful even without a drive-thru.

Lee Grimes asked if the purpose of the UZO was to bring harmony to the interests of both commercial and residential uses. Ms. Moore responded that both aspects of the community are considered in every aspect of drafting this ordinance.

Ms. Bunce stated that design standards for drive-thrus are an option if the use is permitted. Mr. Carey stated that creating design standards rather than prohibiting drive-thrus in the downtown area is like encouraging them.

Mr. Dawers stated that new drive-thru uses are more likely to appear on the fringe of downtown or in the Thomas Square vicinity, rather than the downtown core.

Downer Davis also expressed concern about outlawing drive-thrus completely in the downtown.

Ryan Thompson questioned how long a nonconforming use can be vacant/unoccupied before it loses its nonconforming status. Tiras Petrea stated that under the existing ordinance, the time is one-year. However, if a building was designed for a non-conforming use, there is no time limit.

Ms. Moore expressed that another concern of drive-thrus in downtown is the loss of street trees due to the drive-thru lane curb cut. She cited the example of the Capitol City bank on Martin Luther King, Jr., Blvd.

Mr. Carey stated that proper design standards will be crucial if drive-thrus are permitted downtown. He said that parking garages are an example of a good standard in that the entrance/exit points/lanes are contained within the footprint of the building.

Mr. Davis questioned why drive-thru stacking length for banks is half of that for restaurants. Ms. Bunce stated that banks typically have more than one drive-thru lane to accommodate customers while restaurants typically only have one lane.

Mr. Davis also wanted to ensure the valet parking will be required to be on-site and not within the right-of-way. Mr. Dawers noted a couple of downtown business who use several on-street spaces for valet parking. Mr. Petrea noted that Parking Services is dealing with this issue.

Ms. Moore stated that she will follow up with the Historic Preservation Planners on staff regarding possible design standards for drive-thrus downtown and in other historic areas.

Mr. Spriggs questioned why a drive-thru would be prohibited on a property like the old Sears lot. Ms. Bunce stated that a prohibition may not extend that far out of downtown.

Ms. Burke questioned whether one of the main issues is the noise associated with this use. The standards of the noise ordinance were summarized and would apply to drive-thrus. Pete Shonka stated that the noise ordinance is difficult to enforce because ambient (background) noise is often as loud or louder than the use in question. Mr. Petrea stated that buffers between drive-thrus and less intense uses should be emphasized.

#### IV. Review of Permanent Outdoor Storage and Display Area (Sec. 9.7)

Ms. Burke summarized the intent and standards for this section of the ordinance. She also gave examples of uses that typically fit into this category and explained the difference between Temporary, Accessory and Permanent Outdoor Storage and Display Areas.

Mr. Shonka stated that he did not believe that there should be absolutely no outdoor storage and display areas within floodplain areas as this would affect a lot of land area within the City and County. He stated that some storage may be acceptable and added that parking is currently allowed in the floodplain. Mr. Davis questioned what the concerns were with regard to storage in the floodplain. Mr. Shonka stated that the displacement of volume is more of a concern than with items that may float. Ms. Bunce added that some items being stored could also leak.

Mr. Thompson asked if the buffer referenced in Sec. 9.7.4.iii.2 will be defined. He stated that it should be defined here or referenced in the buffer section. Ms. Bunce stated that she had just started working on the buffer section. Mr. Petrea asked for clarification on the meaning of "solid vinyl" in regards to appropriate fencing materials.

Mr. Davis expressed concern that a prohibition of display between the parking setback and the right-of-way may be difficult to enforce because of readily knowing where that area is, but thought it was a good standard to keep in the draft ordinance. He also asked why the maximum driveway width into a landscaped display area was only 20 feet and not 24 feet. Mr. Shonka believed that 20 feet is probably sufficient—the Fire Department requires 20 feet--but that he would have to check. He said that the width should be consistent with driveway widths elsewhere.

Mr. Petrea asked if display areas in the center of a site (out of view from the right-of-way) would be allowed to be gravel. Ms. Burke stated that display areas for vehicles would have to be paved. Vehicle storage areas, however, may be allowed to be gravel but would have to be fully screened.

Brian White asked if the storage areas would be exempt from landscaping. Ms. Burke stated that they would be exempt from the parking lot landscaping requirements of Sec. 9.5 but they would be required to screen the area with an opaque wall or fence.

Mr. Davis questioned why everything other than plants at a plant nursery would have to be screened or within a building. Alderman Jeff Felser did express concern with the mounds of landscaping materials that are stored in the front yard area in places like a nursery on Montgomery Cross Road. Mr. Shonka agreed and stated that only packaged materials should be allowed to be located in a display area. It was stated that the first sentence of Sec.9.7.4.d.i. should be removed and that "bulk" should be added so that the second sentence starts with "All bulk materials..."

Mr. Petrea questioned the permitted height of storage and was concerned that the new standards are proposed to be less restrictive than the current standards. He cited the Bay Street (West Savannah) area as an example. Ms. Burke clarified the intent of the standards and stated that storage areas would have to be located to the side or rear of a building.

#### **V. Review of Zoning Map**

Because of limited time, only one zoning map (of the four scheduled for review) was discussed. Geoff Goins presented Map #18 (Ardsley Park / Candler / Memorial). He gave an overview of the proposed districts for this area.

Mr. Petrea asked about the B-L property on Waters Avenue. Ms. Bunce indicated that is Business-Limited and that it was approved with a site plan. Ms. Moore stated that staff will need to look at that property. Mr. Dawers stated that some of the areas at the beginning of the map, on Pearl Street, are quite residential especially on the Bull Street side. Mr. Goins stated that the TC-1 designation allows residential uses. Mr. Dawers questioned whether it should be a TN district instead. Ms. Moore stated that is a tough area. Currently there is a TN-1 and TN-2 district, but those are for the Thomas Square and Victorian districts. Maybe there needs to be a TN-3 district. Mr. Petrea stated that it depends on what we want that area to become, if we want it to become a TC use or remain residential.

Mr. Dawers asked about the Guerry Lumber site. Ms. Moore stated that area is nonconforming and is ripe for redevelopment. Mr. Dawers stated that it makes sense as residential use rather than commercial in the future. Ms. Moore asked whether they should consider creating an

overlay for the triangle of property in order to protect some of the older buildings in that area from demolition. Mr. Dawers stated that he would hate to see too many of the little lots in that area "eaten up" into a bigger lot. Mr. Petrea asked whether the TC-2 district allows auto repair. Ms. Moore indicated that she believes it does. Mr. Dawers stated that this whole area is ripe for redevelopment. Mr. Goins stated that the TC-2 designation would not preclude the area from redevelopment. Mr. Dawers stated that he understood that but expressed concerns regarding the impacts that converting a couple of lots in that area would have on the area.

**Next Meeting: Wednesday, August 19, at 3:00 PM.**

DRAFT