



Arthur A. Mendonsa Hearing Room
November 1, 2011 1:30 P.M.
MINUTES

November 1, 2011 Regular MPC Board Meeting

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

Members Not Present: Russ Abolt

Staff Present: Thomas Thomson, P.E. AICP, Executive Director
Melony West, CPA, Director, Finance & Systems
Julie Yawn, Systems Analyst
James Hansen, AICP, Director, Development Services
Gary Plumbley, Development Services Planner
Christy Adams, Director, Administration
Bri Finau, Administrative Assistant
Charlotte Moore, Director of Special Projects
Amanda Bunce, Development Services Planner
Geoff Goins, Development Services Planner
Sarah Ward, Director of Historic Preservation

Advisory Staff Present: Robert Sebek, County Zoning Administrator

I. CALL TO ORDER AND WELCOME

II. INVOCATION

III. PLEDGE OF ALLEGIANCE

IV. NOTICES, PROCLAMATIONS and ACKNOWLEDGEMENTS

Notice(s)

1. [November 1, 2011 MPC Finance Committee Meeting at 11:30 AM in the West Conference Room, 110 East State Street.](#)

Chairman Ragsdale stated the MPC Finance Committee met at 11:30 a.m. on November 1, 2011 at the MPC in the West Conference Room.

Ms. Milton stated the Finance Committee met and accepted the audit and is forwarding the information to the entire MPC Board.

2. [November 15, 2011 Special MPC Meeting - Unified Zoning Ordinance \(UZO\) at 1:30 P.M. in the Arthur A. Mendonsa Hearing Room, 112 E. State Street.](#)

This meeting has been cancelled.

3. [November 22, 2011 Regular MPC Meeting at 1:30 P.M. in the Arthur A. Mendonsa Hearing Room, 112 E. State Street.](#)

Proclamation(s)

4. [Resolution of Appreciation for former Chairman W. Shedrick Coleman](#)

Chairman Ragsdale presented a resolution of appreciation to former chairman W. Shedrick Coleman.

V. PRESENTATIONS

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

Tri-Centennial Comprehensive Plan Amendment - Text Amendment

5. [Tri-Centennial Comprehensive Plan Amendment to the Strategic Plan and Short-Term Work Program](#)

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

6. [Approval of October 11, 2011 MPC Meeting Minutes and Briefing Minutes](#)

Attachment: [10.11.11 MPC BRIEFING MINUTES.pdf](#)

Attachment: [10.11.11 MEETING MINUTES.pdf](#)

Board Action:

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

Vote Results

Motion:

Second:

Russ Abolt	- Not Present
Shedrick Coleman	- Aye
Ellis Cook	- Aye
Ben Farmer	- Aye
Stephen Lufburrow	- Aye
Timothy Mackey	- Aye
Lacy Manigault	- Aye
Murray Marshall	- 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

Amended Preliminary Major Subdivision

7. [Mosswood Plantation - Phase 4 - Mosswood Drive and Burton Road](#)

Attachment: [Plat Mosswode Ph. 4.pdf](#)

Attachment: [Miscellaneous.pdf](#)

Attachment: [Maps.pdf](#)

Attachment: [Staff Report 11-01-11 S-110926-00055-1 Mosswood Subdivision Phase 2 - Preliminary Plan.pdf](#)

Mosswood Drive extended and Burton Road
Site Area: 18.93 Acres
PIN 1-1006-05-023 and 025
Zoning District: R-A
County Commission District: 7
Engineer: Davis Engineering
Petitioner/Agent: Homes of Integrity Construction Co.
Owner: H and L Development

Mr. Gary Plumbley, MPC Project Planner, presented the petitioner's request of approval of an amended Preliminary Plan for a 68-lot major subdivision. The proposed development will be a continuation of Mosswood Plantation, an existing conventional single family detached residential subdivision.

Mr. Plumbley stated the residents and developers did meet again, a meeting that he attended. He stated that in his opinion, they agreed to disagree. He reiterated that staff's recommendation for approval was based solely on the technical application; not delving into appropriateness.

Ms. Michelle Henderson, representative of Homes of Integrity, the intended purchaser of the property, stated the purpose of being before the MPC is whether or not the vehicular access will be permitted; not whether or not the former Cedar Walk property will be a part of the Mosswood Subdivision - that has already been accomplished. Also not for discussion is whether the residents of the new phase will have access to the existing amenities nor access to the existing road through Mosswood. The intention of the developer is to install a gate, if this is approved, on the existing Cedar Walk Phase IV end. The residents will have access to the gate by code.

Ms. Henderson stated that a list of the homeowners' concerns were presented prior to the meeting with them. She stated the basic concerns were regarding the covenants and the interpretation of them, declarant rights, future actions, and they don't want a cut-through. She feels there is little common ground. She stated she could not advise about the covenants, but that the covenants in place do grant expansive powers to the declarant, such as to add to the property. Section 10.3 it gives the declarant a 'right of access and use of an easement over and upon all of the common area for the purpose of making, constructing and installing such improvements to the common area as it deems appropriate in its sole discretion . . . Every person that acquires interest in the property acknowledges that the property is a master plan community, the development of which is likely to extend over many years and agrees not to protest, challenge, or otherwise object to changes in uses or density in property or changes in the master plan.' Ms. Henderson continued that the covenant also gave the declarant 'the right in the purpose of developing the property under consideration, where or not the such property is made subject to the declaration, an easement includes but not limited to a right of ingress and egress over the common area for construction of roads and for connecting and installing utilities on the

property.' Ms. Henderson further stated the document by which the residents took their title, did contemplate future development and gave expansive rights to the declarant to development in manner the declarant saw fit.

Mr. Pannell asked if the area where the road is proposed to connect is considered 'common'.

Ms. Henderson replied there is a small portion of it considered common area. She stated the area in question, the recreation site, is still under ownership of H & L Developers. It has not been conveyed to a homeowners association yet; it is still encumbered by a banks security deed. It is a portion of the common area that will impact some of the lots that aren't presently occupied; it will potentially do away with one of them.

Mr. Pannell asked if it will not impact of the current homeowners.

Ms. Henderson replied no.

Chairman Ragsdale asked if the additional lot is still owned by the developer.

Ms. Henderson replied yes and it will be made part of the right-of-way.

Mr. Farmer asked would a layperson be able read the covenant and interpret it to mean that the developer would have the authority to give access to another subdivision.

Ms. Henderson replied that it did contemplate that; the developer owns the former Cedar Walk property that is part of the additional property referred to on the covenants that has been made subject to the covenants. It has always been a part of the additional property that may be subjected to the covenants.

Mr. Farmer asked if Mr. Miltiades owns the Mosswood and the other property.

Ms. Henderson replied yes; Mosswood and what is intended as Mosswood Phase IV.

Mr. Farmer asked if the owners of Mosswood are the owners of the common area.

Ms. Henderson replied no; they simply have association rights. It has not yet been turned over to the association; there was no fee simple ownership in their own lot and a tenancy-in-common ownership with the common area. It is granted with membership in the homeowners association.

Mr. John Miltiades, development owner, stated the bank assisted them in finding a buyer for the development property. It was always the intention to merge Mosswood IV with Mosswood II. It is reflected on an approved master plan. They were uncertain if they would separate, but preliminary approval was

obtained some years ago. The pool is large so the amenities center would be large enough for a 180 lot subdivision; it is on five acres of land. It was not kept a secret and complaints were received. But joining the two has always been the intention.

Mr. Farmer asked about who owns what.

Mr. Miltiades stated he (H & L Developing) owns it all.

Mr. Farmer asked if it was initially planned to be one contiguous subdivision, what was the reason for putting the cul-de-sac in and not the cut-through.

Mr. Miltiades stated the idea of one or separate was vacillated; they wanted to do what they thought would sell the best. Some years ago plans were submitted to the County Engineer and it shoed the cut-through. He stated he believes they obtained preliminary approval. He stated they put it in the covenant that they had their choice as to how they would move forward.

Mr. Farmer stated had it been presented that way from the beginning, there would be no point of contention now.

Chairman Ragsdale asked he has a master plan showing this.

Mr. Miltiades responded the master plan actually does show two separate communities.

Chairman Ragsdale asked about the document showing connectivity.

Mr. Miltiades stated he does not have it with him.

Chairman Ragsdale asked if a master plan showing connectivity was ever submitted to the MPC.

Mr. Miltiades replied no.

Ms. Megan Mowry, vice president and co-owner of Homes of Integrity, stated it is her wish to be able to work with the homeowners and have a good name in the community. She stated she wants to do what is right for the community. The additional gate is of considerable expense to them, but it is their effort to show they are trying to work with the current residents.

Mr. Farmer asked in what way is it costing more.

Ms. Mowry replied because of the gate; it is an additional expense.

Mr. Farmer asked how would the gate work; what is it's purpose.

Ms. Mowry stated it will make the entire community gated.

Ms. Myers asked where would the gate be located.

Ms. Mowry replied it would be where the entrance of Burton Road meets the entry of the new phase.

Mr. Lufburrow asked if the existing Mosswood already has a gate.

Ms. Mowry replied yes.

Mr. Lufburrow stated the offer for the new gate only affects the residents.

Ms. Mowry stated with the pass-through all of the residents, current and future, will have a second entrance.

Mr. Lufburrow said he had a question about true disclosure regarding concept of the addition of the new property and adding the road; he wanted to know how clear was it.

Ms. Mowry stated she was not a part of the community at that time; she recently signed the contract in the past few weeks. She stated the covenants Ms. Henderson shared still stands.

Mr. Farmer asked if the gate would separate the two properties.

Ms. Mowry stated it would not.

Mr. Farmer asked if the pass-through was not opened, Mosswood would not need another gate.

Ms. Mowry stated they are not there because it is a requirement to have a second gate. The preliminary plan was approved with the new community having a separate entrance without a gate.

Chairman Ragsdale asked what is the intended benefit of connecting the two communities with a road.

Ms. Mowry stated she never heard of exiting a community to get vehicular access to the amenities. Those buying homes in the new phase would be at a clear disadvantage by having to exit and re-enter at a separate gate. Secondly, safety is a benefit if the entrance is blocked to have an additional entrance.

Chairman Ragsdale asked why not utilize the existing easement and add a driveway from the cul-de-sac to the amenities.

Ms. Mowry stated it isn't a vehicular access. It is a storm drain access and it says utility easement. She stated she will not challenge that there may be some way it could be done, but she disagrees that it is the best way to do the community; to have a separate entrance for one group and another for the other group. She stated they do not want to discriminate against future or current owners.

Mr. Lufburrow asked why not put in an access that connects the amenities to the new phase without having to connect the two roads together. The residents of the newer phase would not have to leave that phase to get access to the amenities and still provide for connectivity for emergency vehicle purposes. Many communities have emergency back gates that are used in emergency purposes only and avoid the two-way flow of traffic.

Ms. Mowry stated of the residents written concerns, only one was about traffic. She stated the majority of their concerns were architectural, covenant related, questions about amenity fees, development rights, etc. She believes this forum is being used as an outlet for frustrations. Ms. Mowry stated that concerns her because purpose for being at the MPC is specific to the pass-through and they have worked with staff to come up with something that meets all of the criteria and no variances are being requested. She informed they have made a number of suggestions, none of which were accepted by the homeowners. One resident suggested different gate codes, but the majority of the residents stated they do not want to compromise.

Mr. Farmer stated stated the emergency access concern could be addressed with a gate in the back; a ten-foot easement would not be a problem for an emergency vehicle. Many communities have emergency access; that is not a strong argument. He also stated that vehicular access to the amenities could be accomplished in other ways; that appears to be a benefit that was promoted. The downside of it all is the increased traffic to the original neighborhood, and that needs to be the weight of the matter. He stated he has heard traffic being the main issue. He asked if there would be negative impact on her sales without the pass-through.

Ms. Mowry replied no. She stated what was presented is what they believe to be the best way to do the total parcel the right way.

Mr. Pannell asked if the amendment is denied, would the developer then utilize the existing access route to get the future development connected.

Ms. Mowry stated she could not answer that.

Mr. Pannell stated the 60-feet of the development to the common areas was contemplative. He questioned why would it be there if access is not being given to the common areas.

Ms. Mowry stated she is not sure if that would make the residents happy because it will still allow a pass-through.

Mr. Pannell stated that may be the compromise; the covenant allows giving access to the common areas. He asked if that was ever considered between the developer and the current residents.

Ms. Mowry stated they have not consulted with the engineer regarding that.

Ms. Small-Toney stated the issue is connectivity. If there is a way for both communities to access the common areas, there is no need for connectivity. She stated it appears practical to utilize the easement that is already there for access to the recreation areas. That would satisfy both groups.

Ms. Mowry stated that may be a possibility, but she needs to be sure that is property that her company owns. She stated she has never discussed it with her engineer. She also stated if there were a second access, it would still connect the communities.

Mr. Cook asked would not a gate be needed on the other end of Burton Road, since there is a gate on the Mosswood end.

Mr. Marshall stated from what he's heard, the developer/property owner has every legal right to make the connection, regardless of where it will be made. He stated the covenants states the rights and it does not belong to this body to change what has been written.

Mr. Pannell asked Mr. Miltiades if the communities were going to be separate, as was contemplated, what would have been the access route to the amenities.

Mr. Miltiades stated they were two communities on the master plan. He stated he owns the amenities area but the other property owner has access rights.

Mr. Mackey asked Mr. Plumbley to clarify what the charge is for the MPC board; what is the question they are to answer on this petition.

Mr. Plumbley replied they are charged with approving or denying preliminary subdivision plans and final plats in conjunction with the Chatham County Subdivision Regulations. There has been an approved preliminary plan for this development; the approved plan did not include the vehicular connection with Moss creek Drive. Their question is can they amend the master plan that was previously approved to allow that vehicular connection.

Mr. Farmer stated had it been shown from the beginning, there would be no conversation at this time.

Mr. Marshall stated that if the petition is denied, then the residents that currently have a gated community will no longer enjoy the privilege. The other community would have no gate which would leave the entire area unsecured. He stated his opinion would be to accept what the developer is offering.

Mr. Nathan Long, resident of Mosswood Plantation, agreed that the residents and developer agreed to disagree at their meeting. The original master plan did show more than one connection for the community, but it did also include the existing cul-de-sac in Mosswood Plantation. The second master plan and current recorded master plan, does show the cul-de-sac but does not show a roadway for connectivity between the two communities. This recorded master plan and the covenants were presented upon purchase; therefore he believes

they have a responsible right of expectation as presented when they purchased their home. The cul-de-sac was not intended as a temporary turn-around. Mr. Long stated the new lots would be half the size of his, therefore, his property value would decrease with a vehicular pass-through. The composition of the new phase would compromise the visual character of the existing neighborhood. They have no concerns with developer exercising their rights, but a gate would be required because the pool would be open to all.

Board Action:

The MPC staff recommends **approval** subject to the following conditions:

1. Approval of revised construction plans, including a Drainage Plan, to accommodate the amended Preliminary Plan.
2. A portion of the existing common area in Mosswood Plantation Phase 2 must be converted - to a right-of-way to extend Mosswood Drive to the proposed new development. This will require amending the recorded Final Plat for Mosswood Plantation Phase 2 as a condition of approval for the Mosswood Phase 4 Final Plat.
3. Approval by the Chatham County Health Department and County Engineer.

Vote Results

Motion:

Second:

Board Action:

The MPC Board recommends of accepting staff recommendation of amending the master plan WITH THE EXCEPTION OF ITEM 2:

1. Approval of revised construction plans, including a Drainage Plan, to accommodate the amended Preliminary Plan.
2. A portion of the existing common area in Mosswood Plantation Phase 2 must be converted - FAIL to a right-of-way to extend Mosswood Drive to the proposed new development. This will require amending the recorded Final Plat for Mosswood

Plantation Phase 2 as a condition of approval for the Mosswood Phase 4 Final Plat.

3. Approval by the Chatham County Health Department and County Engineer.

Vote Results

Motion: Stephen Lufburrow

Second: Joseph Welch

Russ Abolt	- Not Present
Shedrick Coleman	- Nay
Ellis Cook	- Nay
Ben Farmer	- Nay
Stephen Lufburrow	- Nay
Timothy Mackey	- Nay
Lacy Manigault	- Nay
Murray Marshall	- Nay
Tanya Milton	- Nay
Susan Myers	- Nay
Jon Pannell	- Nay
Adam Ragsdale	- Nay
Rochelle Small-Toney	- Nay
Joseph Welch	- Nay

Board Action:

DENY STAFF RECOMMENDATION of the petitioner's request to amend the master plan. - PASS

Vote Results

Motion: Ben Farmer

Second: Rochelle Small-Toney

Russ Abolt	- Not Present
Shedrick Coleman	- Nay
Ellis Cook	- Aye
Ben Farmer	- Aye
Stephen Lufburrow	- Aye
Timothy Mackey	- Aye
Lacy Manigault	- Aye
Murray Marshall	- Nay
Tanya Milton	- Aye
Susan Myers	- Aye
Jon Pannell	- Nay
Adam Ragsdale	- Aye
Rochelle Small-Toney	- Aye

Joseph Welch

- Aye

X. REGULAR BUSINESS

Zoning Petition - Text Amendment

8. [Text Amendment to the Historic Building Map to remove the "historic" classification from 720-722 Habersham Street](#)

Attachment: [Photos 10-18-11.pdf](#)

Attachment: [Aerial Map.pdf](#)

Attachment: [Vicinity Map.pdf](#)

Attachment: [Tax Map.pdf](#)

Attachment: [Staff Report \(2\) 102711.pdf](#)

Ms. Sarah Ward, Director of Historic Preservation, presented the petitioner's request for an amendment to the Historic Building Map (established in Section 8-3030(f), *Historic District, Classification of structures*, of the City of Savannah Zoning Ordinance) to remove the "historic" classification from the property located at 720-722 Habersham Street. The structure is requested to be classified as "non-historic" as provided in the section listed above.

MPC staff recommends approval of the petitioner's request to amend the Historic Building Map, as referenced in Section 8-3030(f) of the Savannah Zoning Ordinance because the building no longer possesses the historic integrity required to convey its significance. By the removal of historic fabric, it has most likely precluded its eligibility for the state and federal tax credit program and historic designation.

Mr. Harold Yellin, representative of the petitioner, provided the petitioner's request to no longer have historic designation to the subject property. Though the petitioner originally requested historic designation in 2007, the current petition will allow the petitioner greater latitude and reduced taxes. They believe there is no historical significance to the property after the extensive renovations. The chimney is the only original part of the 1890 structure. In 2011, the building lost its preferential assessment for historic properties.

Ms. Myers asked why was the tax project abandoned.

Mr. Stratton Leopold, petitioner, replied that he abandoned the tax project when the federal regulations came in. It was too costly to do a lot of the federal work in order to gain the tax credit.

Ms. Myers asked why did he not proceed to restore but not to the standard of the tax. The tax requires the interior and she assumed that is where the problem came in; why not simply do the exterior.

Mr. Leopold replied none of the original structure remains with exception of the chimney.

Ms. Myers stated it has existed as a good example of a corner store. She inquired as to why were all of the siding and windows removed and discarded.

Mr. Leopold stated the windows were falling out of the building; two actually fell out and there were liability concerns.

Ms. Myers stated she believes the idea is being given that if one does not want to live up to the standards for the historic district, rip everything out and throw it away and deal with the consequences later.

Mr. Daniel Carey, of the Historic Savannah Foundation, opposes the MPC staff recommendation. Approving the petition will open the way for many to seek release of the historic privilege; an 'opt in/opt out' approach. It questions the standards and decisions of the deciding bodies and yields to spot zoning. The social history of the Leopold family and the ice cream store in Savannah are significant, therefore worthy of the designation.

Chairman Ragsdale asked would not the action of bringing the building into historic designation be the same as spot zoning, if it is to remove it.

Mr. Carey stated no, it was brought in by strategic process; it's in the district. Though it may have been previously overlooked for historic designation, others could have been designated at the time this structure was; it just happened to be singularly designated at that time.

Chairman Ragsdale stated it was never determined as historic until the petitioner requested designation.

Mr. Carey stated professionals designated the building as historic and their decision should stand.

Mr. Farmer stated the petitioner opted in when many try to opt out. However, it took seven requests to obtain the designation. There is no precedent being set and he should have to option to be delisted.

Mr. Marshall asked if there were designated buildings where the Kroger on Gwinnett Street is located. He stated he grew up in that area that contained many historically significant buildings. Mr. Leopold is asking to take the building from its current unusable status in order to make it a viable part of the community.

Ms. Small-Toney stated that in a practical sense it is better to grant the petition than to leave the building to sit as it currently is.

Mr. Carey stated that is the basis for his cause for concern. If buildings are allowed to sit and deteriorate, then removed from historic status to prevent blight, a precedent is being set. More cases like this will be incurred.

Mr. Henry Reed, president of the Downtown Neighborhood Association,

stated the majority of his organization's members own the downtown historic properties. This ordinance denied or restricted some renovation project of almost each historic property at some time or another. Yet the owner's complied because they know it is in the best interest of maintaining the overall fabric of the Savannah historic area. He stated he feels Mr. Leopold 'gamed' the system: he sought the designation for financial advantage, and when that did not materialize, he is now requesting delisting. He requested the Board to follow the criteria outlined in the ordinance since it was correctly designated and the achieved criteria did not change. He believes it sets a negative precedent of encouraging neglect which would yield to delisting.

Ms. Cornelia Hartridge, resident, stated she is concerned about the amount of buildings being neglected.

Mr. Mackey stated he does not want it to be implied that the building was willfully neglected.

Ms. Myers questioned if the building meets the criteria of being historic, how can the board say it's not.

Chairman Ragsdale asked if the building applied for historic designation in its current status, would it meet the requirements.

Ms. Ward stated she believed if the building was considered in its current state, she does not believe it would be deemed as having historic integrity to convey any historical significance.

Mr. Coleman stated the building was considered for demolition in 2000, which predates the petitioner's attempts for designation. If demolition was the petitioner's intent, that would have been the time to do it. Obviously, the petitioner wanted to save and improve the building. In that effort, with tax credits, it was not financially viable; the petitioner is trying to lessen the requirements in order to restore the building, which would require the removal of historic designation. The stringent national requirements would be alleviated which would allow him to meet the local requirements because it is still located in the historic district. It is to our advantage to allow the petitioner to do so in order not to lose the historic fabric of the area.

Board Action:

Approval of the petitioner's request to amend the Historic Building Map, as referenced in Section 8-3030(f) of the Savannah Zoning Ordinance, to remove the "historic" classification from the property located 720-722 Habersham Street from the Historic Buildings Map because the building no longer possesses the historic integrity required to convey its significance. By the removal of historic

fabric, it has most likely precluded its eligibility for the state and federal tax credit program and historic designation.

Vote Results

Motion: Ben Farmer

Second: Tanya Milton

Russ Abolt	- Not Present
Shedrick Coleman	- Aye
Ellis Cook	- Aye
Ben Farmer	- Aye
Stephen Lufburrow	- Not Present
Timothy Mackey	- Aye
Lacy Manigault	- Not Present
Murray Marshall	- Aye
Tanya Milton	- Aye
Susan Myers	- Nay
Jon Pannell	- Not Present
Adam Ragsdale	- Aye
Rochelle Small-Toney	- Aye
Joseph Welch	- Aye

XI. OTHER BUSINESS

9. [Unified Zoning Ordinance \(UZO\) Draft Discussion - Charlotte Moore](#)

Mr. Ragsdale stated that the Chamber (Savannah Chamber of Commerce) and SEDA (Savannah Economic Development Authority) made four recommendations:

- "1) That the MPC provide a business sector by sector review of the ordinance while outlining the changes between the current ordinance and the proposed UZO. This could be accomplished by inviting the community to various workshops where a specific sector would be reviewed. We will assist you in targeting certain businesses and attend appropriate workshops. So we suggest that the MPC quickly review the following sectors: industrial uses, commercial/retail sales, educational facilities and related ancillary uses, lodging facilities, restaurants, residential and commercial development;
- 2) The MPC extend the public comment period in order to allow more time for the MPC to compile the sector-by-sector analysis and necessary comparison between the current zoning ordinance and the UZO;
- 3) The UZO website have links and tabs that citizens can enter their topics of concern so the website can direct where specific topics exist in UZO;
- 4) That the revisions be shown as a redline copy so that readers can identify revisions made to the text since being introduced to the public."

Mr. Ragsdale stated it is prudent to reassure the public that all of their concerns have been

heard.

Mr. Mackey suggested the MPC Board reinstitute the planning meetings to be used as a forum for the UZO draft.

Ms. Small-Toney stated she is happy to hear the process is slowing down. She stated she would like further clarification as to how suggestions/questions are informed to the board members. She also would like to know the resolution of all public and board comments and suggestions, as whether they are being considered, incorporated, etc.

Mr. Thomson stated that after numerous discussions with staff, commission members, and others, he has about five or six points he would like to present with the idea that at the next meeting that we start seeing where the Board's consensus on this. It is important to have consensus on how staff moves forward so we know where and how to move forward. Good intentions were intended at the start.

- 1) More time is needed to accomplish this. We would like to keep a schedule so that completion of the project is had. The extension of the public comment period from a January 31, 2012 to a date, perhaps six months later as a target. What we will be doing in that time frame, we will be and have been listening. MPC staff deserves great credit; this was a lot of work, 229 meetings were held in addition to countless hours of time to compose the draft. They should be thanked for their effort. However, based on comments heard, perhaps we were a little too enthusiastic about doing certain things; we need to take another look at things based in lights of comments we've been getting. What we would like to do is polish or scrub the draft that we have out there and take what we are hearing, will hear, and will continue to hear and make changes.
- 2) Strikethroughs and underlines will be done with the current ordinance; changes will be posted possibly monthly for cohesiveness. The public will be notified where the changes are located.
- 3) Many feel the draft is too big to comprehend collectively. Several ideas are being considered to issue in logical yet explicable manner; examples will be presented in the future.
- 4) The public dialogue has be successful and we would like it to continue; the marinas, property owners, etc. Soon, modifications to the draft will be based on those interactions. We would like to expand that exercise.
- 5) Staff needs more time. We need defer dialogue about the draft toward the end of the timeframe extension. However, present questions and comments with MPC staff and those comments and answers will be presented to all of the Commission.
- 6) Cancel special meetings and future UZO draft discussion at the regular MPC meetings. Special planning meetings will be incorporated into 2012's schedule of meetings.

Mr. Thomson continued by stating the problem with a comparison of a re-write is that if someone wants to take it very literal, we will always be wrong. If we say 'this was in the old ordinance but its all different wording but it means the same thing', there will be someone who will point to the old ordinance and says 'that is not what it says'. When we do this, the caveat of it all is that we can't be too literal. This is about what it was before; it's similar,

very close. If the number is different, we can highlight the number and say the number is different. If someone is going to give it the presidential vetting test, it will be hard to defend.

Mr. Ragsdale stated that some look at it as it's an existing 400-something page document but now being given a 500-something page document. That has to be taken with a grain of salt because we have two existing 400-something page documents, each, that are being streamlined into one. Many graphics and tools are being added that will help in understanding zoning. Right now, there are over 400 allowable uses in the unincorporated county and city of Savannah. The new list of uses is about 140, but none of them ignore the existing 400; it's just a language change because one thing is called five different things. It's not an elimination of uses and rights, it's just a restructuring how an ordinance has been prepared.

Mr. Marshall stated he does not agree. Since there is an ordinance reinforced by law, it is not up to the MPC to change it.

Chairman Ragsdale stated it is a draft to present to City Council and County Commission. At this point, we are stopping to regroup, based on feedback received.

Board Action:

Extend public comment period to a date not certain. Cancel upcoming UZO draft special meetings (November 15 and December 6, 2011). - PASS

Vote Results

Motion: Ben Farmer
Second: Tanya Milton
Russ Abolt - Not Present
Shedrick Coleman - Aye
Ellis Cook - Aye
Ben Farmer - Aye
Stephen Lufburrow - Not Present
Timothy Mackey - Not Present
Lacy Manigault - Not Present
Murray Marshall - Aye
Tanya Milton - Aye
Susan Myers - Aye
Jon Pannell - Not Present
Adam Ragsdale - Aye
Rochelle Small-Toney - Aye
Joseph Welch - Aye

XII. ADJOURNMENT

XIII. DEVELOPMENT PLANS SUBMITTED FOR REVIEW

10. [Development Plans Submitted for Review](#)

Attachment: [DEVELOPMENT REVIEW CASE LOG 110111.pdf](#)

The Chatham County - Savannah Metropolitan Planning Commission provides meeting summary minutes which are adopted by the respective Board. Verbatim transcripts of minutes are the responsibility of the interested party.