



Arthur A. Mendonsa Hearing Room
May 14, 2013 1:30 P.M.
MINUTES

May 14, 2013 Regular MPC Meeting

Members Present: J. Adam Ragsdale, Chairman
W. Shedrick Coleman, Vice-Chairman
Ellis Cook, Secretary
Tanya Milton, Treasurer
Stephen Lufburrow
Lacy Manigault
Murray Marshall
Joseph Welch

Members Not Present: Russ Abolt
Stephanie Cutter
Ben Farmer
Timothy Mackey
Susan Myers

Staff Present: Thomas Thomson, P.E. AICP, Executive Director
Melony West, CPA, Director, Finance & Systems
Gary Plumbley, Acting Development Director
Christy Adams, Director, Administration
Bri Finau, Administrative Assistant
Amanda Bunce, Development Services Planner

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. [May 14, 2013 MPC Finance Committee Meeting at 11:30 AM in the West Conference Room, 110 East State Street.](#)
2. [June 4, 2013 Regular MPC Meeting at 1:30 P.M. in the Arthur A. Mendonsa Hearing Room, 112 E. State Street.](#)

Information Item(s) for Board Members

3. [Reading of Development Plans Submitted for Review](#)

Attachment: [Development Review Case Log May 14.pdf](#)

4. [FERC: ELBA Liquefaction and EEC Expansion Projects](#)

Attachment: [FERC: ELBA Liquefaction and EEC Expansion Projects 050913.pdf](#)

V. PRESENTATIONS

5. [Legislative Update - Lee Hughes](#)

Mr. Lee Hughes introduced himself as being with Hughes Public Affairs and as Legislative Liaison for Chatham County.

Mr. Hughes stated over 1,000 bills were introduced. He highlighted several that were passed and signed by the governor of Georgia as they may pertain to zoning.

Georgia Tourism Development Act: This act was initially passed in 2011; it passed this year with revisions. It included tax incentives for tourism-related projects; in order to large projects like a water park, convention centers and convention center hotels. Each project still requires a minimum investment of \$1 million.

Comprehensive Planning Revisions: The revisions streamline requirements and must be vetted by local government associations. It revises the comprehensive planning requirements and makes it optional for local governments to factor in additional items.

Used Tire and Scrap Tire Laws: This has been a problem in the county with a lot of illegal dumps of tires. This makes it easier for local law enforcement to enforce state laws. It exempts local governments from having to be a part of registration system for tire hauling.

Create Opportunity Zones: This is significant because of the military bases. Areas near military bases tend to have a high poverty rate. These incentives are for development in those areas.

Value Engineering Study: This requires Georgia Department of Transportation to perform a value engineering study on any project over \$50 million, with exception of design build projects. The threshold was \$10 million. **Mr. Thomson** added that the threshold was increased so that fewer projects will get into that level of review.

Mr. Manigault stated this is all after the fact; everything is passed. He asked would it not be proactive of us to be briefed on these things prior to approval, for the benefit of those that do not keep up with all the changes. At this point, constituents have no say; they cannot even discuss with their representatives.

Mr. Hughes agreed with Mr. Manigault; he stated it is up to this board to determine how involved it chooses to be with what is going on in Atlanta. Mr. Thomson and staff are very diligent in keeping up with developing items. The City of Savannah has a legislative liaison at the Capital.

Sale of Beer and Wine Near University of Georgia Stadium: There were prohibitions against having stores that sold beer or wine within 100 yards of the college campus. This potentially removes that if there is a local ordinance enacted by local governments to remove prohibition; with the stipulations that 85% of store floor space must be dedicated to the sale of food and other non-alcoholic items, and all sales must be conducted within the store.

Property Registry to include Foreclosed Properties: This is a revision to the previous law that required the only way a foreclosure could be put on the registry was if a land use disturbance permit was filed and obtained by owners of the property. That has been removed; any foreclosed property will be added to that registry.

Drug Free Zones: This extends felony designation to a drug crime if it occurs within a drug-free commercial zone. It must be adopted by a county by July 1, 2013.

Mr. Hughes continued with some bills that were not passed.

6. [Elba Island - Update](#)

Amy Hughes, of Hughes Public Affairs representing Kinder Morgan, introduced some of the Kinder Morgan staff representatives.

Ryan McCreary, Regional Government Affairs Director/Manager of Public Affairs of Kinder Morgan, gave an overview of the public company, the third largest mid-stream energy company which, owns approximately 80,000 miles of pipeline. Kinder Morgan does not own any of the product; simply a transportation/tow-away system.

Steve Heard, Elba Island Facilities Director of Kinder Morgan, presented an overview of the Elba Island Project. The facility was originally built in 1978; and expanded in 2006 and 2010. A joint venture with Southern LNG and Shell yielded Elba Liquefaction Company. The goal is a maximum of two trucks of liquid per day to be exported. Additional facility expansion is anticipated to be completed in 2016.

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

Zoning Petition - Text Amendment

7. [Text Amendment to add Use 29, Assembly Hall in the RIP-B, RIP-C & RIP-D districts | Savannah Zoning Ordinance Sec. 8-3025\(a\) C & R Use Schedule | 13-002021-ZA](#)

Attachment: [13-002021-ZA Assembly Hall Staff Report.pdf](#)

Attachment: [Map of RIP-B, RIP-C, RIP-D districts.pdf](#)

Board Action:

APPROVAL to remove from the Final Agenda at the petitioner's request and postponed for June 4, 2013 Regular Meeting. - PASS

Vote Results

Motion: Stephen Lufburrow

Second: Shedrick Coleman

Russ Abolt	- Not Present
James Blackburn	- Aye
Shedrick Coleman	- Aye
Ellis Cook	- Aye
Stephanie Cutter	- Not Present
Ben Farmer	- Not Present
Stephen Lufburrow	- Aye
Timothy Mackey	- Not Present
Lacy Manigault	- Aye
Murray Marshall	- Aye
Tanya Milton	- Aye
Susan Myers	- Not Present
Adam Ragsdale	- Aye
Joseph Welch	- Aye

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

8. [April 23, 2013 MPC Meeting and Briefing Minutes](#)

Attachment: [04.23.13 MPC BRIEFING MINUTES.pdf](#)

Attachment: [04.23.13 MEETING MINUTES.pdf](#)

Board Action:

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

Vote Results

Motion: Shedrick Coleman

Second: Ellis Cook

Russ Abolt - Not Present

James Blackburn - Aye

Shedrick Coleman - Aye

Ellis Cook - Aye

Stephanie Cutter - Not Present

Ben Farmer - Not Present

Stephen Lufburrow - Aye

Timothy Mackey - Not Present

Lacy Manigault - Aye

Murray Marshall - Aye

Tanya Milton - Aye

Susan Myers - Not Present

Adam Ragsdale - Aye

Joseph Welch - Aye

VIII. ITEMS MOVED FROM CONSENT AGENDA

IX. OLD BUSINESS

X. REGULAR BUSINESS

Zoning Petition - Text Amendment

9. [Add Use 10q, Hospitals and Long-term Care Facilities to the B-C, B-G and B-H Zoning Districts | Savannah Zoning Ordinance Article B, Sec. 8-3025\(b\) B & I Use Schedule | 13-002015-ZA](#)

Attachment: [Staff Report 13-002015-ZA.pdf](#)

Ms. Charlotte Moore, presented the petitioner-initiated amendment to Article B (Zoning Districts), Section 8-3025(b) of the City of Savannah Zoning Ordinance to establish a hospital and long-term care facility use (Use 10q) as a matter-of-right within the B-C (Community Business), B-G (General Business) and B-H (Highway Business) zoning districts.

Staff recommends approval of an amendment to Article B (Zoning Districts), Section 8-3025(b) of the City of Savannah Zoning Ordinance to establish a hospital and long-term care facility use (Use 10q) as a matter-of-right within the B-C (Community Business), B-G (General Business) and B-H (Highway Business) zoning districts.

Board Action:

Approval of an amendment to Article B (Zoning Districts), Section 8-3025(b) of the City of Savannah Zoning Ordinance to establish a hospital and long-term care facility use (Use 10q) as a matter-of-right within the B-C (Community Business), B-G (General Business) and B-H (Highway Business) zoning districts. - PASS

Vote Results

Motion: Stephen Lufburrow
Second: James Blackburn

Russ Abolt	- Not Present
James Blackburn	- Aye
Shedrick Coleman	- Aye
Ellis Cook	- Aye
Stephanie Cutter	- Not Present
Ben Farmer	- Not Present
Stephen Lufburrow	- Aye
Timothy Mackey	- Not Present
Lacy Manigault	- Aye
Murray Marshall	- Aye
Tanya Milton	- Aye
Susan Myers	- Not Present
Adam Ragsdale	- Aye
Joseph Welch	- Aye

Zoning Petition - Map Amendment

10. [1010 East Duffy Street | R-4 \(Four-family Residential\) to RB-1 \(Residential Business, Limited\)](#)

Attachment: [MAPS.pdf](#)
Attachment: [PHOTOS.pdf](#)
Attachment: [ZBA Use Approval 6-24-08.pdf](#)
Attachment: [Staff Report.pdf](#)

BEST ACADEMY, NANCY ISAACSON, AGENT
True Light Pentecostal Church, Owner
Aldermanic District: 2
County Commission District: 2
1010 E. Duffy Street
MPC FILE NO. 13-002026-ZA

Mr. Jack Butler, MPC Project Planner, presented the petitioner's request

for rezoning of approximately 37,780 square feet (0.87 acres) of land from an R-4 (Four-family Residential) zoning classification to an R-B-1 (Residential-Business, Limited) zoning classification. The school currently has 40 students and has been in operation since 2008. The petitioner would like to increase enrollment to 85 students; rezoning is required. All property owners within 200 feet have been notified; there have been meetings with the neighborhood associations by the school; no opposition has been received.

MPC staff recommends **approval** of the request to rezone the subject property from an R-4 classification to an RB-1 classification.

Mr. Blackburn asked how much of the property does the school occupy in relation to the church.

Mr. Butler stated it is all on traditional 30' lots; the school is roughly half.

Ms. Nancy Isaacson, petitioner, stated they have received support for their proposed plans.

Mr. Marshall asked if it works if only the portion of the block to where the school is located, Waters Avenue west to where school operates is zoned commercial.

Ms. Isaacson replied yes; they occupy from the center to the east. There is a 12,000 square foot playground and an organic garden.

Mr. Manigault asked if the expansion goes completely to the lot line.

Ms. Isaacson replied close to it.

Mr. Blackburn stated the church needs no rezoning, other than the fact that it is part of the same property.

Mr. Butler agreed. The church use is permitted by-right in an R-4 district.

Board Action:

APPROVAL of staff recommendation and request sufficient legal description be developed so that the zoning line between the existing school building and the existing church building is clearly known before being sent to City Council. - PASS

Vote Results

Motion: Murray Marshall
Second: Stephen Lufburrow
Russ Abolt - Not Present
James Blackburn - Aye
Shedrick Coleman - Aye

Ellis Cook	- Aye
Stephanie Cutter	- Not Present
Ben Farmer	- Not Present
Stephen Lufburrow	- Aye
Timothy Mackey	- Not Present
Lacy Manigault	- Aye
Murray Marshall	- Aye
Tanya Milton	- Aye
Susan Myers	- Not Present
Adam Ragsdale	- Aye
Joseph Welch	- Aye

Tower - Reconstruction or replacement

11. [100 Wayne Shackleford Boulevard | Replacement for SEPCO WTF on East Bay](#)

Attachment: [Staff Report.pdf](#)

Attachment: [MAPS AND IMAGES.pdf](#)

Petitioner/Agent: Southern Communications Services,
SouthernLINCWireless/Wayne Rayburn (agent)

Owner: Georgia Power

PIN: 1-0433-01-001

County Commission District: 3

MPC File No.: T-130314-00012-1

Mr. Jack Butler, MPC Project Planner, presented the petitioner's request. In accordance with Section 16 (Wireless Telecommunication Facilities) of the Chatham County Zoning Ordinance, the applicant is seeking approval to erect a 150-foot monopole Wireless Telecommunications Facility ("WTF") with external, low-profile antennae in the compound of a Georgia Power Substation at 100 Wayne Shackleford Boulevard on Hutchinson Island. Notification has been sent to all property owners in the vicinity and the flying community. No negative comments have been received. It is proposed on the northeast corner of the substation compound. It will 150 feet tall and have positions for up to 5 carriers. It will be lighted and have reflective tape installed every 10 feet for visibility.

Mr. Ragsdale asked if the equipment is on an elevated platform higher than the opaque fence installed to hide the equipment.

Mr. Butler stated the equipment will be about half-way the height of the fence.

Mr. Ragsdale stated the details show the top of the fence at the base of the platform.

Mr. Wayne Rayburn introduced himself as an agent for Southern Link Wireless.

Mr. Clay Brogdon, stated he is manager for engineering and construction for Southern Link Wireless. He agreed it may look worse to try to elevate the fence to cover and equipment shelter.

Mr. Manigault stated he likes the idea of trees.

Board Action:

Approval of the development of a freestanding non-concealed 150-foot monopole with the following conditions: 1) all antennae shall be mounted on low-profile mounts; 2) positions shall be available for five wireless telecommunications carriers; 3) all feed lines shall be located within the barrel of the support structure; 4) the enclosure fencing made opaque to conceal all ground equipment.

Further, the Wireless Telecommunications - PASS Facilities Ordinance requires that all wireless telecommunications facilities between 100 and 199 feet AGL shall be equipped with: 1) red lights (L-864) for nighttime (only) and medium intensity flashing white lights (L-865) for daytime and twilight use; and, 2) white reflective tape/sheeting installed at 20 feet above ground level and continuing upward at ten foot intervals.

Vote Results

Motion: Stephen Lufburrow

Second: James Blackburn

Russ Abolt	- Not Present
James Blackburn	- Aye
Shedrick Coleman	- Aye
Ellis Cook	- Aye
Stephanie Cutter	- Not Present
Ben Farmer	- Not Present
Stephen Lufburrow	- Aye
Timothy Mackey	- Not Present
Lacy Manigault	- Aye
Murray Marshall	- Aye
Tanya Milton	- Aye
Susan Myers	- Not Present
Adam Ragsdale	- Aye

Zoning Petition - Staff Text Amendment

12. Amend Use 26 Cultural Facility in the Chatham County Zoning Ordinance Section 2 Definitions and Section 4-5.2 B&I Use Schedule

Attachment: [Z-130429-00029-1 Staff Report.pdf](#)

Chatham County Zoning Ordinance Text Amendment
Section 2 Definitions
Section 4-5.2 B&I Use Schedule
Amend Use 26 Cultural Facility
MPC File No. Z-130429-00029-1
Ellen Harris, MPC Project Planner

Ms. Bunce presented the proposed text amendment. The Chatham County Zoning Ordinance has an existing use entitled Cultural Facility (Use 26) which does not have a definition in the Definition Section and does not specifically state whether alcohol is permitted. The proposed staff initiated text amendment seeks to add a definition for cultural facilities to allow for facility rentals, and to clarify where these facilities may serve alcohol, subject to alcohol licensing and other regulations.

Mr. Blackburn requested explanation of the requirement to end use at midnight.

Ms. Bunce stated many times event rental facilities are outdoor venues and some are in residential areas. Staff suggests if the Planning Commission has a the concern with the hours of operation limit, the limitation could be applied only when the property is adjacent to a residential zoning district. If it is in the middle of a commercial area, the hours of operation limit are unnecessary.

Mr. Marshall asked why doesn't the current sound ordinance cover this, rather than make a new law to tell you to obey a law already on the books now.

Mr. Manigault asked why not use the County's ordinance that governs that.

Mr. Bob Sebek stated the reason this came up is because the ordinance currently states only one special event every six months that serves alcohol can be had. We are trying to help these venues have more events of that sort.

Ms. Milton stated there is a house right next to the property.

Mr. Scott Smith, Director of the Coastal Heritage Society, stated his organization manages the Pin Point property for the owners. He stated the people that live on the property actually have a residence nearby and the house will revert to the museum. He expressed concern about the condition regarding

no outdoor amplified entertainment.

Ms. Helen Stone, County Commissioner, stated she has spoken with some of the residents in the area. She is aware of no objections to this petition.

Ms. Melissa Witherspoon-Ralph, citizen, stated amplification between 8 a.m. and 12 a.m. is insanity at a cultural facility. She believes it should be a string quartet at the most from 7 p.m. to 10 p.m. at the latest on a Friday and Saturday night.

Board Action:

AMEND: APPROVE WITHOUT SECTIONS 4B & 4D

The MPC staff recommends that Section 2 Definitions and Section 4-5.2 B&I Use Schedule of the Chatham County Zoning Ordinance be amended to include a definition for Cultural Facility, allow for facility rentals, and clarify where alcohol may be served, as outlined in the staff report. - PASS

Vote Results

Motion: James Blackburn
Second: Stephen Lufburrow
Tanya Milton - Aye
Russ Abolt - Not Present
James Blackburn - Aye
Shedrick Coleman - Aye
Ellis Cook - Nay
Stephanie Cutter - Not Present
Ben Farmer - Not Present
Stephen Lufburrow - Aye
Timothy Mackey - Not Present
Lacy Manigault - Aye
Murray Marshall - Aye
Susan Myers - Not Present
Adam Ragsdale - Aye
Joseph Welch - Aye

XI. UNIFIED ZONING ORDINANCE (UZO)

XII. OTHER BUSINESS

XIII. ADJOURNMENT

13. [Adjournment of May 14, 2013 Regular MPC Meeting](#)

There being no further business to come before the Board, Chairman Ragsdale entertained a motion to adjourn the May 14, 2013 MPC Meeting at 3:20 p.m.

Respectfully submitted,

Thomas L. Thomson
Executive Director

TLT/bf

Note: Minutes not official until signed.

XIV. DEVELOPMENT PLANS SUBMITTED FOR REVIEW

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.