

CHATHAM COUNTY-SAVANNAH METROPOLITAN PLANNING COMMISSION

MPC PLANNING SESSION MINUTES

**ARTHUR A. MENDONSA HEARING ROOM
110 EAST STATE STREET**

September 12, 2006

1:00 PM.

Members Present: Stephen R. Lufburrow, Chairman
Lee Meyer, Vice Chairman
Jon Todd, Secretary
Robert Ray, Treasurer
Russ Abolt
Michael Brown
W. Shedrick Coleman
Ben Farmer
Melissa Jest
Timothy S. Mackey
Lacy A. Manigault
Susan Myers

Members Not Present: Douglas Bean
Walker McCumber

Staff Present: Thomas L. Thomson, P. E., AICP, Executive Director
Harmit Bedi, AICP, Deputy Executive Director
James Hansen, AICP, Director, Development Services
Dennis Hutton, AICP, Director, Comprehensive Planning
Charlotte L. Moore, AICP, Director, Special Projects
Marilyn Gignilliat, Executive Assistant
Lynn Manrique, Administrative Assistant

I. Call to Order and Welcome

Chairman Lufburrow called the meeting to order and asked everyone to stand for the Pledge of Allegiance and Invocation.

II. Notices, Proclamations and Acknowledgments

The MPC Bylaws Committee will meet Tuesday, September 19, 2006, at 11:00 a.m. in the J. P. Jones Conference Room.

III. Approval of the July 11, 2006, MPC Comprehensive Planning Meeting Minutes and MPC Comprehensive Planning Meeting Briefing Minutes.

Mr. Todd **moved** to approve the July 11, 2006, MPC Comprehensive Planning Meeting Minutes and MPC Comprehensive Planning Meeting Briefing Minutes. Mr. Farmer seconded the motion.

MPC Action: The motion to approve the July 11, 2006, MPC Comprehensive Planning Meeting Minutes and Briefing minutes carried with none opposed. Voting were Mr. Lufburrow, Mr. Meyer, Mr. Todd, Mr. Ray, Mr. Abolt, Mr. Brown, Mr. Coleman, Mr. Farmer, Ms. Jest, Mr. Mackey, Mr. Manigault, and Ms. Myers.

IV. Old Business

None

V. Regular Business

A. Emergency Access to Gated Communities

Mr. Bedi said that the task before us is to find a unified system to access gated community subdivisions in Chatham County during emergencies.

A meeting was held with gated community representatives. Two vendors were invited to display and describe their products. The responses were mostly positive, even from those whose gates are manned. Representatives from nearby municipalities in the County were also invited to participate.

Bill Brown, representing "Knox Box," and Bob All representing "Click 2 Enter" made presentations to the Planning Commission and information about both systems was included in the meeting packets. Representatives from the Savannah Fire Department and Southside Fire Department were present. Mr. Brown asked to speak first as he had an afternoon flight scheduled out of Savannah. Mr. Bedi emphasized that the staff does not advocate or support one system over the other; the presentations were for information only. Once the Planning Commissioners have heard and reviewed the information, staff will proceed at the direction of the Commission. Currently there is no ordinance that requires a unified emergency access system. Mr. Lufburrow said that most communities who have adopted a mandatory unified system have required that a particular product or technology be employed.

Bill Brown, representing the Knox Company, a 30-year-old company out of Phoenix, Arizona, said that they serve approximately 8,000 communities nationwide as well as international accounts. He demonstrated the Knox key switch, which is available single or double. It has a two-position switch and operates off of a master key. For example, the Savannah Fire Department carries a Knox master key for use on Knox boxes on commercial buildings. Double gate switches allow more than one user; for example, fire department personnel might have access with one key and police officers might use a different key. Separate key codes can be established. The two-position switch allows some things that are unique. If the switch is turned to the right and the key is removed, the gate opens and will remain open. If the key is turned once to the right then back to the left and the key is removed, the gate will cycle once, allow a single vehicle to come in, then

close again. The unit and installation are low cost. A single-gate switch runs about \$60.00 and the double-gate switch costs about \$125.00. Installation is simple and little or no maintenance is required. The switches come with a magnetic dust cover to help prevent dust or foreign objects from getting into the key switch. It is extremely reliable but depends on the gate having electrical current. Products are sold factory direct.

Mr. Manigault asked why fire and police would need different key codes. Mr. Brown explained that the legal requirements for entry into a building are different for the two entities. Should a key be misplaced by law enforcement, for example, perimeter entrance would be compromised but not building entrance.

Mr. Lufburrow reminded the Commission that there have been some issues with emergency access to local gated communities due to the fact that they use a variety of systems. Often minutes or even seconds can mean the difference between life and death. This was the issue that prompted this discussion.

Bob All, speaking for "Click 2 Enter" said that he was speaking on behalf of the factory representative who was unable to be present. Mr. All works with Custom Security of Hilton Head, South Carolina. His company has about a half dozen gates in the Savannah area. Mr. All has worked for about 20 years in gate access control and has used Knox Box systems and others. There are a number of technologies available and there are advantages and disadvantages to each. Mr. All simply wants whatever is best for emergency personnel and will give the fastest, most reliable access. "Click 2 Enter" is an electronic device. Knox Box is a mechanical device, which makes it more reliable under some circumstances. If "Click 2 Enter" takes a direct hit from lightning, it will not work. However, the advantage of "Click 2 Enter" is that with Knox Box, you have to find the key and get out of the vehicle to insert the key. With "Click 2 Enter," emergency personnel simply click their radio transmitter microphone, a light comes on, the gate opens and the vehicle enters. That can save valuable time in an emergency situation. Hilton Head Fire Department ordered these for trial and has been very pleased with the results. Custom Security has found this to be a very good product and has had no service problems. A laptop can be used to program the different frequencies for Fire, EMS, and Police. The product can be programmed to open the gate once, then close it. Hilton Head Fire Department uses this option because it lets the fire vehicle in, but locks out any tailgaters who may come along to see the fire. However, if preferred, the gate can be programmed to open and remain open for a specific period of time. "Click 2 Enter" does not have to be purchased through Custom Security or any other local company. The product can be directly purchased from the factory. A "Click 2 Enter" CD was included in the meeting packet. Mr. All said he is very cautious by nature and recommended using "Click 2 Enter" in conjunction with "Knox Box" to provide an extra measure of safety for reasons outlined previously. "Click 2 Enter" installed costs around \$600.00. Retail price is probably around \$800.00 to \$900.00; installed it probably runs in the \$1,100 to \$1,200 range.

Mr. Todd asked about security advantages between the two systems. He was concerned about a lost key with the Knox system compromising a community's security. Mr. All said with "Click to Enter" you can interrogate the system and get a report as to which agencies came in at what time. If there were ever an incident where law enforcement or the fire

department needed to investigate who came in and why, they could retrieve that information.

Mr. Manigault was concerned about whether the units are operable during power outages. Mr. All said most gate systems have stand-by power. "Click 2 Enter" operates off 12 volts DC. It would be foolish to put in either of these systems without stand-by power on it. All the gate systems installed by Custom Security have back-up power systems that open the gates when the power goes off, leave the gates open until the power is restored, then return to normal operation.

B. Wireless Communications Facilities Workshop

Mr. Bedi presented the second draft of the Wireless Communications Facilities Ordinance. On July 14 a very amicable and productive meeting was held with the service providers. Some of the input from that meeting was included in the second draft.

After Planning Commissioners have reviewed this draft, staff will receive their input and incorporate it into future drafts. Staff will meet again with service providers and City and County Attorneys. Finally, staff will solicit input from the general public. After all input is received and the draft is updated and revised, it will be brought back to the Planning Commissioners for another review.

Ms. Moore provided a PowerPoint presentation and overview of the latest draft.

This ordinance is separate and apart from zoning although neighborhood characteristics were taken into consideration (in the Historic District, for example). The types of facilities allowed in those areas would have to be compatible with the character of the area.

Providers would be required to look at public, government-owned sites before considering commercial and residential sites.

A concealed facility attached to a building must appear architecturally similar to that building. Free-standing facilities must appear to be something other than a wireless telecommunications facility and must fit within the context of that location.

Evergreen trees and shrubs must be planted within a 15-foot perimeter around the facility and must be of such height within one or two years to provide 80 percent opacity. Ground equipment must also be buffered. Maintenance provisions are part of the ordinance and staff is working with our consultant to formulate criteria, but enforcing these standards would require County and City personnel to inspect them periodically. Such enforcement is not part of the current ordinance but should be incorporated into the new one. Perhaps providers could be charged an annual fee to be used to fund code enforcement.

The current ordinance requires space for four collocations but the new one would only require three. Reducing the number of collocations would allow shorter, less visible facilities where feasible.

Any modifications that affect the appearance of the facility must be reviewed. The Executive Director would have some discretion in this in that insignificant changes not likely to be noticed could be approved without going to MPC for review.

If the facility is taken out of service for six or more months, the Executive Director must be notified. If a facility appears to be abandoned, the owner will be contacted. If no response is received within 60 days, the facility will be considered abandoned. It can be reactivated within 120 days. City and County Attorneys are being consulted about the possibility of requiring a bond.

If providers wish to improve a facility (by replacing a lattice type with a monopole, for example) and it can be shown that the modification is beneficial to the public, the provider could be allowed to add 20 feet of height to the existing structure.

A pre-application conference will be required but this requirement can be waived by the Executive Director. Collocations rarely require such a conference. A completeness review of the application by staff will be required within 15 days. Incomplete items will be identified and applicant will have an additional 15 days to provide information required to complete the submittal. The review responsibilities will vary, depending on the type of facility requested.

Fifteen-day notification to property owners within a 300-foot radius of the proposed facility will be mandatory.

Staff decisions will be appealed to the MPC and MPC decisions will be appealed to City Council or County Commission.

Jonathan Yates, National Wireless, said that cell towers fared well during Hurricane Katrina. The damage that occurred was caused by flying missiles such as large boats hitting the structures. Cingular Wireless was able to get crews in very quickly and was fortunate that most sites possessed back-up power sources. Towers are over designed, especially in high wind load areas like Savannah and Chatham County.

Evidence of need will be reviewed by our consultant, who may ask for additional information from the applicant.

Mr. Yates said it is his hope that the new ordinance will be crafted and designed to avoid confusion and prevent the kinds of protracted discussions that have taken place over the last 24 months. He wants a road map that everyone concerned can read. He is proud of the St. Pius site, which was a source of fierce controversy. He hopes that lessons learned from the placement of this facility will be applied going forward. The wireless industry believes its goal is in sync with the residents of Savannah. They want to provide the same level of access to communication services and emergency services that is available nationwide. Their customer base has expanded rapidly in the last ten years increasing the demand for coverage. There is a need to get into the residential districts to allow people to be able to use their phones in their homes. Mr. Yates will continue to work closely with staff, but simply barring providers from residential areas unless they can install concealed facilities might not work. That works in large urban areas where streets are lined with tall

buildings suitable for placing antennas. Savannah does not have tall buildings. In many areas the tallest building may be three-story residential. A more pragmatic approach coupled with appropriate safeguards might produce the right formula. He urged Commissioners to ask themselves if the proposed ordinance facilitates coverage to users not only driving to and from work but in their own homes as well. He does not believe that it does.

Mr. Todd recently read about a company providing wireless service to subdivisions by putting a shorter main tower and placing small antennas on structures. Mr. Yates said that providers are looking at any and all alternatives. There has been a lot of interest in stealth technology. Columbia, South Carolina, has gone forward with what they call "low and high profile," a monopole with all of the equipment inside, identical to the St. Pius tower. In some areas higher towers are allowed while in more sensitive areas there is a lower minimum height. Based on his personal experience in Georgia and North and South Carolina, Mr. Yates believes the best fix would be short monopoles in residential areas utilizing flush mounting or housing the equipment inside. The St. Pius installation is a 120-foot stealth pole with minimal visual impact. Rather than trying to model our ordinance on others, we have the opportunity to be a pioneer and find our own solutions. He believes the right height, without air navigation lights and with the equipment either flush mounted or concealed can work in residential areas.

Mr. Brown said the work done so far is good, but we are not yet where we need to be in the residential areas. We should take some recent or hypothetical cases and see how applying the proposed ordinance would affect the outcome. Our consultant can probably show us areas that have some residential or vehicular density but don't have towers. Our consultants are objective third parties who can inform us regarding available technology, demand, how the demand can be met and the practical ways we can find a site that meets those needs. We want the best-case and least-obtrusive ordinance possible. We should identify the tree cluster areas that might be most amenable to tower installations. There may be times when we have a residential area with a tree cluster and we actually put the facility in the residential area so that it's not out on a main artery. That will need to be done carefully because of objections from residents. The goal is to find the least-intrusive visual scenario. We need to look at this draft as a process and run some cases through it to see what would happen at various stages. Let's condense all of the technical findings, maybe even have staff hearings on that information similar to administrative depositions. Let's shorten the process and make it as efficient as possible. We have many 80-foot-tall pine trees and in a residential area with tree clusters it might be better to place three 90 footers that reach ten feet above the treeline rather than one 160-foot tower. That would require selling the idea to residents on the basis that by law providers are limited to being no more than ten feet above the trees and that the residents are the ones who need the service. We need to determine exactly how engineering and design standards would apply. Neither the current ordinance nor the one proposed could have stopped Southside Fire Department (SSF) from doing what it did. SSF used the public-safety, Trojan-horse method and we don't want that to happen again. We want an ordinance that protects the arteries and the visual view corridors, especially in residential areas, but even in commercial areas. St. Pius might be a good case to run since it is no longer contentious. Mr. Yates is arguing (and he may be correct) that making use of the tree cover is good. There is a concern when the tree cover is provided by some adjacent property owner over

whom we have no control or if that tree cover is beyond half its life cycle so that in five or 10 years it will be gone. Mr. Yates and the industry probably do not have any arguments with the standards suggested today except as it affects cost. The City is in the utility business and sometimes we do things that are very expensive because it's just the cost of doing business. We go to great lengths to mitigate the visual impact of City facilities.

If there are tree clusters that are on public or undesignated private property, why not go in and buy an 80-foot-radius tree easement and put the tower there and buy permanent rights to the vegetative cover? The City could help facilitate this.

C. Tricentennial Plan Issues Raised by City Manager

Mr. Brown said that early in the Tricentennial Plan process he identified the issues of concern to him. Some of these issues have now come forward to the Historic District. We still have residential versus commercial intersection in the Thomas Square mid-city area. Given today's urban environment, we will have people asking to have shops and restaurants and cafes and the question is what is the Comprehensive Plan going to say about that. Alcohol is part of that question. Somehow, once we have adopted these things we tend to generate the myth that we will never have another rezoning application. All of us now realize that is simply not going to happen. We should coordinate with the Savannah Development and Renewal Authority, who is doing a master plan that could mesh nicely with MPC's Comprehensive Plan. In every one of our commercial corridors, we will have new commercial requests and some will be good. We debated the one on Abercorn near Victory and what's going in there now is a good fit. Some did not want the old grocery store torn down. Those are signs of vitality, not signs of a problem. As our neighborhoods mature, some of the things residents want begin to mature as well. Soon, it won't be just the cleaners and a restaurant. It will be doctors offices and other facilities that we did not originally envision being in that neighborhood.

Mr. Thomson said MPC staff has coordinated with Lisa Sundrla at SDRA on the Downtown Master Plan, particularly with regard to lot coverage and density in the downtown Historic District. He believes every issue mentioned by Mr. Brown is addressed in the rewrite of the zoning.

Ms. Jest said that in terms of creating a better fit between commercial and residential she believes that we too often relax the buffering and separation standards, which are really necessary if we are going to facilitate a better mix of commercial and residential. She understands that we cannot say, "no variances ever," but she believes we need to strengthen our stand in this respect. There has also been discussion about easing off on certain parking requirements that tend to follow a more suburban pattern than an urban pattern. We must educate the public and bring them along in that process. In terms of future changes and modifications to the Plan, she wants to understand what the criteria will be when changes are required, especially to the Future Land Use Map, and connecting that with the Plan. What will empower us to say "no" to changes that will not take us in the direction we need to go? In her opinion, there have been some questionable developments that have come before MPC for approval and it often comes down to, "it's their property; they have the right." She believes that property owners also have the responsibility to plan something compatible with the overall public interest. She is in favor

of training and clarifying the relationship between the various boards and what items or petitions go where. For instance, when do items go to Zoning Board of Appeals rather than MPC? She looks forward to opportunities to engage the public. She fears that holding one hearing about everything involved in the rewrite will not be sufficient. Staff has been very open about going out into the neighborhoods and meeting with residents. She does not want us to rush too quickly past the public with something so detailed.

Mr. Brown said there should be some evening workshops including the drop-in kind where there is a briefing and then people can go to a table and say whatever they want. We'll take their name, answer questions, give them information, and take their input. Mr. Brown finds it disturbing to go to a meeting and have some very outspoken person dominate the entire meeting. He suggested holding these drop-in meetings from 4:00 to 6:30 or 7:00. Maybe every hour there could be a briefing with a half-hour period in between for small groups or for people who are timid about speaking up in public to stop by and say whatever they want. That way when we go to City Council or County Commission we can affirm that this process has been as democratic and inclusive as possible.

Mr. Thomson said that staff already has plans to host the kind of drop-in meetings Mr. Brown has described for both the Tricentennial Plan and the Telecommunications Ordinance. Staff will do everything possible to reach out to the public and get them engaged early in the process in order to utilize public input in the best way possible.

VI. Other Business

Mr. Lufburrow reminded the Commissioners of a memo in the meeting packets regarding the Georgia Planning Association Fall Conference. Funds are available to send two commissioners to a training session on October 12. He encourages anyone interested to let Mr. Thomson or staff know.

VII. Adjournment

There being no further business, the September 12, 2006, MPC Planning Session was adjourned.

Respectfully submitted,

Thomas L. Thomson, P.E., AICP
Executive Director

Note: Minutes not official until signed