



Arthur A. Mendonsa Hearing Room  
October 20, 2009  
MINUTES

**October 20, 2009 Regular MPC Board Meeting**

**Members Present:** Shedrick Coleman, Chairman  
Jon Pannell, Secretary  
Lacy Manigault, Treasurer  
Michael Brown  
Ellis Cook  
Ben Farmer  
Stephen Lufburrow  
Timothy Mackey  
Tanya Milton  
Susan Myers  
Jon Todd  
Joseph Welch

**Members Not Present:**  
Adam Ragsdale, Vice-Chairman  
Russell Abolt

**Staff Present:** Thomas Thomson, P.E., AICP, Executive Director  
Melony West, CPA, Director, Finance & Systems  
James Hansen, AICP, Director, Development Services  
Marcus Lotson, Development Services Planner  
Beth Reiter, AICP, Director, Historic Reviews  
Sarah Ward, Preservation Planner  
Jack Butler, Comprehensive Planner  
Bri Finau, Administrative Assistant  
Mary Mitchell, Administrative Assistant  
Christy Adams, Director, Administration  
Julie Yawn, IT  
Shanale Booker, Administrative Assistant/IT

**Advisory Staff Present:** Randolph Scott, City Zoning Inspector

**I. CALL TO ORDER AND WELCOME**

**II. INVOCATION**

**III. PLEDGE OF ALLEGIANCE**

**IV. NOTICES, PROCLAMATIONS and ACKNOWLEDGEMENTS**

**Swearing-in of MPC Board Officers**

1. [Swearing-In of Officers by Judge James F. Bass, Jr., Chatham County Superior Court](#)

**Notice(s)**

2. [November 10, 2009 Regular MPC Meeting at 1:30 P.M. in the Arthur A. Mendonsa Hearing Room, 112 East State Street.](#)

**V. PRESENTATIONS**

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

**Amended Master Plan**

3. [The Reserve at Savannah Harbor](#)

Attachment: [Vicinity map.pdf](#)

Attachment: [Tax map.pdf](#)

Attachment: [Aerial map.pdf](#)

Attachment: [December 4, 2007 The Reserve Master Plan.pdf](#)

Attachment: [October 20, 2009 The Reserve Master Plan.pdf](#)

Attachment: [B Lots.pdf](#)

Attachment: [C Lots.pdf](#)

Attachment: [D Lots.pdf](#)

Attachment: [E Lots.pdf](#)

Attachment: [F Lots.pdf](#)

Attachment: [Staff Report M-091007-59537-2 The Reserve at Savannah Harbor Amended Master Plan.pdf](#)

**Board Action:**

**The petitioner has requested that this item be removed from the Final Agenda and rescheduled to the November 10, 2009 Regular - PASS**

**Meeting.**

**Vote Results**

Motion: Jon Todd

Second: Tanya Milton

Russ Abolt	- Not Present
Michael Brown	- Aye
Shedrick Coleman	- Aye
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	- Not Present
Jon Todd	- 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**

4. [Approval of September 29, 2009 MPC Meeting Minutes and Briefing Minutes](#)

Attachment: [09.29.09 MPC BRIEFING MINUTES.pdf](#)

Attachment: [09.29.09 MPC Meeting 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
Michael Brown	- Aye
Shedrick Coleman	- Aye

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	- Not Present
Jon Todd	- Aye
Joseph Welch	- Aye

**VIII. ITEMS MOVED FROM CONSENT AGENDA**

**IX. OLD BUSINESS**

**Tower - New Facility/Nonconcealed Freestanding-Monopole**

5. [Uncle Bob's Self - Storage - 10901 Abercorn Street](#)

Attachment: [Withdrawal Letter 10-15-09.pdf](#)

**Board Action:**

**The petitioner has requested that this item be withdrawn from the Final Agenda.** - PASS

**Vote Results**

Motion: Ben Farmer	
Second: Tanya Milton	
Russ Abolt	- Not Present
Michael Brown	- Aye
Shedrick Coleman	- Aye
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	- Not Present
Jon Todd	- Aye
Joseph Welch	- Aye

**Zoning Petition - Text Amendment**

6. [Historic District, Section 8-3030](#)

Attachment: [Draft Historic District Building Map 092109.pdf](#)

Attachment: [Historic Building Map Supplement 92009.pdf](#)

Attachment: [Staff Report.pdf](#)

Attachment: [Draft Historic District Ordinance VERSION XIII.pdf](#)

Sarah Ward presented Section 8-3030 with suggested modifications. Afterwards, the following discussion and public comments were made:

Ms. Myers asked if the historic video could be attached to the MPC website.

Ms. Ward replied it is in progress.

Mr. Cook asked how the Juliette Gordon Low/Corps of Engineers Building related to this.

Ms. Ward stated it is a non-historic Federal property and is not bound by these guidelines, unless it is demolished.

Larry Lee, representative of the Historic District residents, stated the current ordinance gave the HRB no discretion to decide if new construction or additions was visually compatible with adjacent structures. He referenced page 21, Visual Compatibility, item M states ". . . the following factors shall be considered in deciding whether to allow a building or not." Under height it states ". . . new construction or additions to existing structures shall be permitted to build to the number of stories as shown on the Historic District Height Map." It then states ". . . the height of a building and the height of individual components of a building shall be visually compatible to the contributing structures to which it is visually related." The issue is the importance of putting a document before the HRB that can be clearly understood. It appears to say one can build up to the height, while weakly adding "and it has to be visually compatible." He suggests it read as one "can build up to the height, but it has to be visually compatible" or " provided that it is otherwise visually compatible."

Mr. Lee also commented on page 24, which has another definition of height. At the bottom of the main paragraph in the middle of the page, ". . . the number of stories shown on the Historic District Height Map, illustrated in Figure 3, shall be permitted." Period. There is no reference to any visual compatibility at that point. The concern is that one should be able to build to the height map and be visually compatible. Twice it is mentioned to build to the height map but once about being visually compatible. It would seem stronger and clearer to the review board if it said "but it must be visually compatible."

Jerry Lominack, member of the Historic District Revisions Committee, stated it's not a perfect ordinance, the consensus of the Committee is that this ordinance is a vast improvement over the current one. The Committee urges

adoption of the revised ordinance as recommended for City Council. As an architect, he believes it encourages a higher level of design while granting leeway for creativity.

Henry Morgan, citizen, stated his concern was with the visual compatibility factors, as to why they are not eligible for appeal. The house near Taylor Street, near the Red Cross building that used to be purple. It stayed purple for approximately 10 years. If one puts a building on land on Selma Street, and the HRB shows up that day with a quorum of seven of the eleven, and four may rule in a particular manner. Is that fair to the people next door, when a few may have received notice and a few may not have seen the sign? If they read the sign and see it is not appealable though it may be during an appeal period. Mr. Morgan stated he would like to hear a better reason; especially, presumably, it was all procedurally done right.

Mr. Morgan was further concerned with the additional stories and putting the machinery into the story. If money is spent into habitable, expensive space, then will the roof have to be removed to get the machinery out? It appears discriminatory. What if the Girl Scout Building wanted to go up another story? Their air conditioning unit is on top of their building; they would have to put it in their habitable space, which is expensive. Maintenance will be an additional expense in addition to removing the roof. To his understanding of the height map, the machine can go on top because it is not a story. To put it on top of the building, it will lower the height. If it is regulated so that the air conditioners sit on a certain part of the roof, within a margin, it could be done by percentages. In that way, one could still have their extra story and the machinery not be counted as a story.

Randy Kulp, president of Downtown Neighborhood Association, praised the communication and openness of the process. His organization asks that the intent of the ordinance that height and visual compatibility be equally considered when projects are presented before the HRB. They recommend page 21, Section M, Visual Compatibility Factors, (1) Height to read as: "New construction shall be permitted to be built to the number of stories as shown on the Historic District Height Map, but the height of a building and the height of individual components of a building shall be visually compatible to the contributing structures to which is visually related." There is a big difference between 'and' and 'but'.

Mr. Kulp referred to page 24, Section N where height is addressed again in Design Standards, (2), ". . . the number of stories shown on the Historic District Height Map, illustrated in Figure 3, shall be permitted." The DNA feels that statement falls flat and leaves it open to interpretation. They suggest it read: "Height - the number of stories determined to be visually compatible to the contributing structures, to which the proposed construction is visually related, shall be permitted provided that the upper limit of the number of stories is consistent the provisions of the Historic District Height Map, illustrated in Figure 3. Provided, however . . ."

Mr. Daniel Carey, resident & CEO of the Savannah Historic Foundation, stated his organization is pleased with the respectful process. They support the ordinance as proposed. He is in agreement with Mr. Lee's and Mr. Kulp's comments in regard to wordsmithing the provision; it aids in clarification. A good balance was achieved in providing something prescriptive and allowing discretion. He encourages the City and MPC to provide training opportunities for the HRB and staff after enactment of the ordinance. The document, though improved, is large and complex. The education and training enable the members to make good decisions. It would also be beneficial for the City Attorney's office to provide the legal counsel and oversight, especially in the early days. The initial decisions will become precedents. The Historic District must always have good decisions made to protect it in its fragile state.

Dolly Chisholm, representative of the Beehive Foundation, stated the wording on page 21 and page 24 be changed to 'provided that' where previously suggested because left as is, it will be open to interpretation arguments.

Mr. Brown stated we should adopt it as its been stated except consult the City Attorney and ask does it matter whether it should be "and" or "but". He believes the intent of each one of the standards is that it has to be met on its face including the height standards, which, in this case makes more sense to translate it into stories which are height. He suggested to go ahead and adopt the ordinance and have an ongoing process, having to meet with staff regularly and other necessary parties every two to four years and update the ordinance as needed.

**Board Action:**

Approval of the

1. Text amendment to the Historic District, Section 8-3030 of the City of Savannah Zoning Ordinance (proposed deletions, additions, and amendments) and;
2. Historic Building Map in Section 8-3030, - PASS

both with the proviso that Staff and City Attorney are consulted to ensure that a building has to meet the height, map, and be visually compatible as defined by a number of factors.

**Vote Results**

Motion: Michael Brown

Second: Susan Myers

Russ Abolt - Not Present

Shedrick Coleman - Aye

Ben Farmer - Not Present

Michael Brown - Aye

Stephen Lufburrow	- Aye
Timothy Mackey	- Not Present
Lacy Manigault	- Aye
Tanya Milton	- Aye
Susan Myers	- Aye
Jon Pannell	- Aye
Adam Ragsdale	- Not Present
Jon Todd	- Not Present
Joseph Welch	- Aye
Ellis Cook	- Aye

## X. REGULAR BUSINESS

### General Development Plan

#### 7. [Rogers Street Lab](#)

- Attachment: [Rogers St. Site Plan.pdf](#)
- Attachment: [Lathrop view.pdf](#)
- Attachment: [Rogers Street Lab Staff Report.pdf](#)
- Attachment: [Rogers St Context OPT.pdf](#)
- Attachment: [Rogers st lab area OPT.pdf](#)
- Attachment: [Rogers st proposed site OPT.pdf](#)

Rogers Street Lab  
1096 Rogers Street  
Aldermanic District: 1  
County Commission District: 8  
Zoning District IL  
Acres .77  
PIN: 2-0020-10-011  
Maupin Engineering, Architect/Engineer  
Jay Maupin, Agent  
Philly Express, LLC. Property Owner

Mr. Lotson informed that the petitioner is requesting a 20 foot front yard setback variance from the 40 foot requirement along Lathrop Aveue and a 15 foot side yard setback variance from the 25 foot requirement along Rogers Street and Jay Street.

Jay Maupin, introduced himself to the Board as representative of the petitioner.

Mr. Brown stated Mr.Mackey, who left prior to petition being heard, requested a better description of the operation at the site.

Mr. Maupin replied they are below the fire code ratings, below the 250 gallon storage material limit; everthing will be internalized to the building. HVAC systems and scrubbing systems are in place. Only small amounts of petroleum will be tested for viscosity and other parameters.



Mr. Brown asked for assurance for the public that no exterior observation will be had of the interior activities at the site.

Allen D'Arcy, petitioner, stated small quantities of petrochemicals will be tested at the site. Everything is contained in the facility and all of OSHA requirements have been met. An approximate maximum of 100 to 200 quart samples will be on site for storage for U. S. Customs for about 120 days. Those samples will later be deposited and held in a reservoir until retrieved by a different company for recycling for fuel. There may be a FedEx truck weekly and all deliveries will be at the back of the building.

Mr. Manigault asked what is the detention area behind the site for?

Mr. Maupin stated it was for stormwater water quality purposes; none of the testing products would be in the detention area.

**Board Action:**

Staff recommends APPROVAL - PASS

**Vote Results**

Motion: Stephen Lufburrow

Second: Ellis Cook

Russ Abolt - Not Present

Michael Brown - Aye

Shedrick Coleman - Aye

Ellis Cook - Aye

Ben Farmer - Not Present

Stephen Lufburrow - Aye

Timothy Mackey - Not Present

Lacy Manigault - Aye

Tanya Milton - Aye

Susan Myers - Aye

Jon Pannell - Aye

Adam Ragsdale - Not Present

Jon Todd - Not Present

Joseph Welch - Aye

**XI. OTHER BUSINESS**

8. [Finance Committee Members Appointment Announcement](#)

Chairman Coleman announced Adam Ragsdale, Tanya Milton, and Ellis Cook as joining

Mr. Manigault on the Finance Committee.

**XII. ADJOURNMENT**

9. [Business Complete](#)

Being no further business to discuss, the meeting was adjourned at approximately 4:00 p.m.

10. [Submittal](#)

Respectfully submitted,

Thomas L. Thomson

Executive Director

**NOTE: Minutes not official until signed.**

11. [Business Complete](#)