



SAVANNAH HISTORIC DISTRICT
BOARD OF REVIEW

Arthur A. Mendonsa Hearing Room
March 10, 2010 2:00 p.m.
Meeting Minutes

March 10, 2010 HISTORIC DISTRICT BOARD OF REVIEW REGULAR MEETING

HDRB Members Present: Brian Judson, Chair
Sidney Johnson, Vice-Chair
Reed Engle
Dr. Nicholas Henry
Richard Law, Sr.
James Overton
Linda Ramsay
Ebony Simpson
Robin Williams. Ph.D

HDRB Members Not Present: Ned Gay
Gene Hutchinson

MPC Staff Present: Thomas Thomson, Executive Director
Beth Reiter, Historic Preservation Director, AICP
Melony West, Finance and System Director
Julie Yawn, Systems Analyst
Mary E. Mitchell, Administrative Assistant

City of Savannah Staff Present: Mike Rose, City Building Inspector
Tiras Petrea, City Zoning Inspector

I. CALL TO ORDER AND WELCOME

1. [Order](#)

Chairman Judson called the meeting to order at 2:10 pm.

II. APPROVAL OF MINUTES

2. [February 10, 2010 Meeting Minutes](#)

Attachment: [02-10-10 Minutes.pdf](#)

Board Action:

Approve February 10, 2010 Meeting Minutes. -

Vote Results

Motion: W James Overton
Second: Sidney J. Johnson

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

IV. SIGN POSTING

V. CONTINUED AGENDA

3. [Petition of Richard O. Mitchell - H-09-4196-2 - 625 Tattnall Street - Fence - Continue to March 10, 2010 at petitioner's request](#)

Board Action:

Continue to the meeting of April 14, 2010 at the petitioner's request. - PASS

Vote Results

Motion: Reed Engle
Second: Sidney J. Johnson

Reed Engle	- Aye
Ned Gay	- Not Present
Nicholas Henry	- Aye
Gene Hutchinson	- Not Present
Sidney J. Johnson	- Aye
Brian Judson	- Abstain
Richard Law, Sr	- Aye
W James Overton	- Aye
Linda Ramsay	- Aye
Ebony Simpson	- Aye
Robin Williams	- Aye

4. [Petition of Haberdashery Eco-Fashion Supply-Katie Wells and Ashley Newsome-H-10-4211-2-2 - 225 West Broughton Street-Sign and color - Continue to March 10, 2010 at petitioner's request](#)

Board Action:

Continue to the meeting of April 14, 2010 at the petitioner's request. - PASS

Vote Results

Motion: Reed Engle

Second: Sidney J. Johnson

Reed Engle	- Aye
Ned Gay	- Not Present
Nicholas Henry	- Aye
Gene Hutchinson	- Not Present
Sidney J. Johnson	- Aye
Brian Judson	- Abstain
Richard Law, Sr	- Aye
W James Overton	- Aye
Linda Ramsay	- Aye
Ebony Simpson	- Aye
Robin Williams	- Aye

5. Petition of Stratton and Mary Leopold - H-10-4212-2 - 720-722 Habersham Street - Alteration - Continue to March 10, 2010 at petitioner's request

Board Action:

Continue to the meeting of April 14, 2010 at the petitioner's request. - PASS

Vote Results

Motion: Reed Engle

Second: Sidney J. Johnson

Reed Engle	- Aye
Ned Gay	- Not Present
Nicholas Henry	- Aye
Gene Hutchinson	- Not Present
Sidney J. Johnson	- Aye
Brian Judson	- Abstain
Richard Law, Sr	- Aye
W James Overton	- Aye
Linda Ramsay	- Aye
Ebony Simpson	- Aye
Robin Williams	- Aye

VI. CONSENT AGENDA

VII. REGULAR AGENDA

6. Petition of Dale Echnoz, Architectural Construction Service, Inc. for Starbucks Coffee Company - H- 4207-2 - 1 East Broughton Street - Signs, Awnings and material change

Attachment: [Historic Review Board elevation Model revised drawing.pdf](#)

Attachment: [Staff Recommendation Revised.pdf](#)

Attachment: [Starbucks Plan Review Board Mtg 3-10-10.pdf](#)

Attachment: [Starbucks Write up Review Board Mtg 3-10-10.pdf](#)

Mr. Dale Echnoz was present for the petition.

Ms. Reiter gave the staff report. Revisions are in bold face.

The application is continued from the meeting of February 10, 2010. The applicant requests approval to cover existing cement ceiling over recessed corner seating with random width oak T&G planks (**FSC Character White Oak by Mountain Lumber Company Boone, NC**). **The existing concrete pad at the seating area is to be pressure washed.** Also to install two hanging lanterns in this area with walnut Patina Finish #KP-5-501-40 Basilica Outdoor Lighting by Savoy House Lighting Company.

Install two projecting internally illuminated logo disk signs on Broughton Street and Bull Street facades at either edge of the recessed opening. The signs will be 5 foot diameter circles projecting less than 3 feet from the building elevation.

Eliminate LEED Certificate plaques on outside faces of corner column. **LEED Certificate will not be pursued.**

Recover existing awning frame with Sunbrella black canvas awnings with white block letter "Starbucks Coffee." **Where the existing raised letter signage is removed the wall will be patched and repaired. The entire "band" that the existing lettering is on will be repainted to match the existing color.**

Install interior wood blinds in storefront windows. The blinds in the eastern-most window will be permanently closed to mask a storage room area.

Staff recommends approval of the revised petition.

PETITIONER COMMENTS

Mr. Echnoz said the awnings will be installed higher in order to get the visibility, therefore, they moved the logo disk sign up one band. They will install two illuminating disk signs; one logo disk sign will be on Broughton Street and one will be on Bull Street.

Mr. Judson wanted to know if the tint from the windows were removed from Starbuck's request.

Mr. Echnoz confirmed that the tint from the windows has been removed.

PUBLIC COMMENTS

None.

Board Action:

Approval to replace existing signage with new projecting signs, add lanterns, awnings and ceiling material. Internal shutters. - PASS

Vote Results

Motion: Reed Engle

Second: Linda Ramsay

Reed Engle	- Aye
Nicholas Henry	- Aye
Gene Hutchinson	- Not Present
Sidney J. Johnson	- Aye
Brian Judson	- Abstain
Richard Law, Sr	- Aye
W James Overton	- Aye
Linda Ramsay	- Aye
Ebony Simpson	- Aye
Robin Williams	- Aye
Ned Gay	- Not Present

7. Danielle Williams for McDonald's USA LLC - H-10-4219-2 - 246 West Broughton Street - Alterations, Awnings, signs

Attachment: [COA Photos.pdf](#)

Attachment: [Elevations.pdf](#)

Attachment: [Projecting Sign.pdf](#)

Attachment: [Awning colors.pdf](#)

Attachment: [COA Drawings.pdf](#)

Attachment: [Staff Recommendation.pdf](#)

Ms. Reiter gave the report. The applicant is requesting alterations to 246 West Broughton Street as follows:

- 1.Repair or replace in-kind existing wood double hung windows.
- 2.Replace storefront windows with YKK and impact glazing.
- 3.Projecting principal use sign Pigmented yellow prismatic arch attached to pigmented red background, four square feet. Only the letter "M" will be illuminated by LED's. 17" reverse channel halo illuminated letters, copy: "McDonald's" to be placed on Broughton and Jefferson Street elevations over storefront and walk-up window. Four square foot menu board sign to be placed next to walk-up window.
- 4.Retain original commercial door on Jefferson Street.

5. Projecting Striped awnings over storefronts, side entry and walk-up window. Astrup, Coastline Plus vinyl awnings in alternating stripe of CP2730 Sunrise Saffron and CP2706 Beacon Yellow.

The signage on the lane has been withdrawn from the petition.

Staff recommends approval.

Mr. Engle said the plan shows 4 awnings on the elevation.

Ms. Reiter stated that the awnings on this elevation are to go over the walk-up window, storefront and the pedestrian door at the rear.

Dr. Williams asked if there is a precedent for walk-up windows at any of the restaurants.

Ms. Reiter answered that Lady and Son's had a walk-up window at her earlier establishment on Congress Street near Montgomery Street and we have many ATM's.

PETITIONER COMMENT

Ms. Danielle Williams, Ms. Melissa Peace and Mr. Daryl Walker were present for the petition.

Ms. Williams said as Ms. Reiter has stated the 4th awning on Jefferson Street has been removed because it was not over an actual entrance. According to the ordinance, awnings can only be placed over entrances or public access. An awning will be placed on the rear portion that was not on the original submission. Ms. Williams said they want to make the building more visible from City Market in order to attract pedestrian and foot track to their area. They realized once they submitted the application that the channel letters on Jefferson Street were not visible to any traffic unless it was on Jefferson Street. Therefore, they are requesting that the channel letters be removed and add a projecting sign on the Jefferson Street side.

Ms. Ramsay stated that because of the high visibility from City Market, why are the heat pumps located on the back of the building instead of on the roof?

Ms. Williams said the building was constructed in 1955; therefore, structurally the roof will not stand the weight of the heat pumps. The City of Savannah told them that they are trying to clean up the lane. Therefore, they are not allowed to place anything on the ground. The heat pumps will project 13 inches off the rear of the building.

Ms. Ramsay said she would be concerned with the trash trucks that use this lane as they extend fairly high up when they dump trash into the bins.

Ms. Williams replied they are 17 feet off the ground.

Ms. Ramsay said she was talking about the heat pumps.

Ms. Williams answered that the heat pumps are 4 feet high and 2.5 feet wide. Cut sheets showing the heat pumps were included in their packets.

Ms. Ramsay said this troubles her as it appears from McDonald's drawings that they are doing structural work inside the building.

Ms. Williams said they are doing work in the building, but it is supported from the lower level, which supports the second floor that supports the roof structure. They are tenants of the lower level and not the upper level. The property owner would be impacted on a financial level additionally if they have to put something on the roof.

Mr. Engle asked if the heat pumps would be screened.

Ms. Williams answered that the heat pumps can be painted.

Mr. Engle stated that the ordinance requires that the heat pumps be screened from public right-of-way view.

Ms. Williams stated that the only hindrance with them is the fact that it is the rear of their building and if there was a building on the adjacent lot behind them, they technically would be screened from view.

Mr. Engle explained that if a building was put on the parking lot, the heat pumps would still be seen from Jefferson Street. The ordinance requires that the heat pumps be screened. Therefore, Ms. Williams is asking for a variance from the ordinance.

Ms. Williams stated that the units that are on the building connected to their building are not screened and they are on the top of the building.

Ms. Ramsay stated that the heat pumps were put on the building prior to enactment of the ordinance.

Mr. Engle stated that an announcement board is being proposed on the Jefferson Street elevation; the ordinance clearly states that announcement boards are allowed, but they cannot exceed 4 square feet.

Ms. Williams said she submitted an adjustment on the announcement board one day prior to the HBR was scheduled to receive their packets.

Mr. Engle said the drawings show 7 square feet.

Ms. Williams said their revision shows 4 square feet.

Mr. Engle said a 4 foot square would be 16 square feet; that is his point.

Ms. Williams said it a 2 square feet by 2 square feet. The total is 4 feet total.

Mr. Engle stated, therefore, the drawing is incorrect.

Ms. Williams said it should be 4 square feet total. Initially, they are trying to combine their announcement sign with the menu board sign as it is a 3 foot announcement sign next

to each point of access that you can state times of service and the types of credit cards accepted. Therefore, they are trying to combine their 3 feet sign and 4 feet sign together to make it one 7 feet sign next to the actual walk-up window. They are allowed an additional 3 square feet of signage to actually state their menu as well.

Mr. Engle said he has concerns with the walk-up window. There are many regulations in the ordinance about dimensions of windows 5.3 relationship; they are to be inset four inches from the face of the building. This is a drive-in window that one will find at most drive-ins. He stated that he felt they would be setting a precedent. Starbucks could come back next month and ask for a walk-up window. We have walk-up windows all over Savannah. This is not like an ATM; at the ATM's you insert your card and make your transaction, but here you will walk up, place and pay for your order and then stand on the sidewalk and wait until your order is prepared. This is a different situation and it is not an historic function. They will be putting a window through an elevation that did not have windows and also would be removing an original historic door and replacing it with a pair of glass doors.

Ms. Williams said they are restoring all the doors.

Mr. Engle told Ms. Williams that if she looks at the Jefferson Street elevations, glass doors are shown.

Ms. Williams stated that the write up that was resubmitted shows that they are restoring all the doors back to their historic preference.

Mr. Engle said there are too many changes that are reflected on the drawings that they don't have.

Ms. Williams said she was told that a write up would be sufficient.

Mr. Engle said the HBR does not have the write up.

Ms. Reiter explained that the changes are in the staff report. Staff felt they were minor and, therefore, did not have the drawings redone.

Ms. Ramsay said they did not get the write up.

Ms. Reiter explained that the write up is contained in the staff report.

Mr. Thomson said he was here to help and what he understood Ms. Reiter to say is that in the words in the report reflected the changes to the drawings, but the drawings they received did not match this.

Ms. Williams said they were told that they did not need to resubmit the drawings.

Mr. Thomson asked Ms. Reiter to clarify.

Ms. Reiter explained that she restated the written changes from the petitioner in the staff report. Sarah informed her that the drawings did not need to be redrawn because they were so minor, i.e, retaining the doors. Therefore, they did not require them to redraw.

Mr. Thomson asked what did the HBR receive?

Ms. Reiter explained that the HBR received the write-up.

Mr. Thomson clarified that the HBR received the write-up that was correct, but the pictures probably did not match.

Mr. Engle disagreed; he said he was looking at the nature of the request and it mentions nothing about an illuminated sign projecting out of the wall on the Jefferson Street side. It does not say that the sign on the lane was eliminated nor the awnings. A lot of the changes are not in the nature of the request.

Ms. Reiter restated that the petition before the HBR is to:

Repair or replace in-kind existing wood double hung windows that are now boarded up. Replace storefront windows with YKK and impact glazing. There will be a projecting principal (that will be on the Brought Street corner) use sign pigmented yellow prismatic arch attached to pigmented red background, four square feet. Only the letter "M" will be illuminated by LED's. There will be 17" reverse channel halo illuminated letters on the Brought Street side, starting "McDonald's" and a four square foot menu board sign to be placed next to walk-up window on Jefferson Street. The petitioner as far as signage, is requesting to amend the petition today to remove the channel letters from the Jefferson Street side and replace with a projecting "M" on the lane corner. The original commercial door on Jefferson Street will be retained. There will be projecting striped awnings over the storefronts, side entry and walk-up window and now they have added this over the pedestrian service door on the lane. Astrup, Coastline Plus vinyl awnings in alternating stripe of CP2730 Sunrise Saffron and CP2706 Beacon Yellow. Ms. Reiter reported that the staff report she just reiterated is what is before the HBR.

Mr. Judson stated that for a point of clarification, he realized that the sign on the corner of Broughton and Jefferson Street is angled at 135 degree from each wall, but he wanted to know if the sign that is proposed at the Jefferson rear of the building is to be parallel with the lane and perpendicular to the Jefferson Street wall.

Ms. Ramsay asked if there has been incidents where they have not had the heat pumps screened.

Ms. Reiter explained the new ordinance requires that the heat pumps be screened. But, we do have many that are not screened.

Dr. Williams wanted to know what was the object protruding above the cornice line.

Ms. Williams stated that this is actually the shaft that is for the existing elevator.

Dr. Williams asked how much vertical clearance above the roof is on the west face of the elevator shaft. He was guessing because presumably it appears that roof is lower than the height of the parapet.

Ms. Williams answered that the rear roof actually spills into a gutter; there is no parapet at the rear.

Dr. Williams stated that the west wall which is the Jefferson Street elevation presumably there is a roof that is below the height of the parapet.

Ms. Williams said it is about four feet lower.

Dr. Williams stated that the height of the elevator shaft rises (it appears about 2 or 3 feet above the height of the parapet) at appropriately 7 vertical feet clearance. He wanted to know whether the heat pump could be moved from the rear elevation to the west south face of the elevator shaft.

Ms. Williams answered that they could do that.

Dr. Williams believed that this would satisfy the screening of the heat pumps by placing on the west and preferably south side of the shaft.

Ms. Williams said the building line separates between both of the buildings. There are two separate occupancies in the building. They only have half of the rear of the building.

Dr. Williams asked if the elevator shaft straddles the property line.

Ms. Williams answered that the elevator shaft is a part of their building.

Dr. Williams said then they could put it on the south face of the elevator shaft (south) facing Broughton Street. He asked if there was an alternative to cutting a hole in the wall to achieve the purpose of a walk-up window.

Ms. Williams answered that is an operation issue, the purpose of putting a walk-up window on this side of the street was to attract pedestrian traffic and flow not only on Broughton Street, but Jefferson Street as well. City Market has benches where individuals wait for the trolleys. As she has stated their purpose is to enhance the foot traffic between the two in order to entice pedestrian movement along Jefferson Street.

Mr. Engle wanted to know if the two doors would be publicly accessible.

Ms. Williams said no. One leads to the second floor and the other to their kitchen area.

Mr. Engle asked if there was a reason they could not take the southern door and make it the walk-up window.

Ms. Williams said Mr. Engle was asking about the double doors at the rear of the building and for operational purposes, they would not want to do so.

Mr. Engle said it is an existing opening and they would not be cutting a hole into the wall.

Ms. Williams said they did explore this, but from an operational point of review they would not want to make the southern door a walk-up window. This is the back of the building and normally they do transfer food that far back.

Ms. Simpson asked if it was not a necessity for McDonald's to have the walk-up window.

Ms. Williams said they believe it is an enhancement for the Jefferson Street side of the building to actually attract foot traffic on this side of the building. Consequently, it would not just be a dormant side of the building where people would walk by and come around the corner, but to actually entice people to be on both street fronts because of all the traffic at City Market only a block away. They are also applying to do cafe sitting in front of the building. Therefore, they felt it would be an attractive element to walk by get a cup of coffee, etc., sit in front on Broughton Street. This will keep the traffic moving around the building.

Mr. Engle said there is a tree well right beside the window.

Ms. Williams said the tree well is not beside the window. It is 8 feet from the walkway.

Dr. Williams stated that he did not know if this is in their purview, but he wanted to know if there is an interior floor plan.

Mr. Judson said the floor plan is shown on page 5 of the drawings.

Ms. Simpson asked if not having a window would take away from the business. She believes that if she wanted to buy a burger she would still go inside if there was not a window.

Ms. Williams said they only thought it would be an enhancement to have the window.

Mr. Judson said his thoughts are the people will be thinking whether they would get served faster inside or at the window. If they only have the one option it would not deter them from going in.

Mr. Engle wanted to see the site plan. The second awning from the right is the walk-up window. The tree well is right here. As a landscape architect, he knows that a tree here will be stomped down in about one year. If they are going to have a walk-up window, it should be away from the tree lawn.

Dr. Henry asked Ms. Reiter if she said that the Lady & Son's at one time had a walk-up window and she mentioned someone else.

Mr. Judson said they were talking about Zunzies, but their configuration is different as their exterior door is open and they have a walk-up counter.

Dr. Henry asked if it would be correct to conclude that this would be unique.

Mr. Engle said this would be the beginning of the flood gate.

Ms. Williams stated that the restaurant called, "Sweet Melissa" has a walk-up window.

Dr. Henry asked if there is a walk-up window that exists.

Ms. Williams stated that they feel the walk-up window is a vital part of their operations.

Mr. Judson stated that he heard McDonald's would be willing to revisit the position of the heat pumps. He asked Ms. Williams if he was correct in his understanding that they are saying that the walk-up window is a make or break situation.

Ms. Williams answered yes.

Dr. Williams wanted to know if the walk-up window could be moved.

Ms. Williams said it would be an operations issue because their kitchen is set up a certain way to achieve maximum production. There are certain distances within their operations that have to be met. Putting the walk-up window at the rear of the restaurant at the service point would not be an option. No one would want their food to be brought through the storage room.

Dr. Williams asked if moving the walk-up window closer to the mid point between the two tree wells would not be an option.

Mr. Johnson wanted to know if the heat pump situation was resolved. They said that the heat pumps had to be screened because of the ordinance, but now they are visible.

Mr. Judson clarified that they are in a discussion mode now and that the petitioner has indicated some flexibilities.

Ms. Williams stated that they are flexible in trying to relocate the heat pumps. The City of Savannah has warned them about locating them too close to the ground and projecting too far out in the lane. Their first option was to have them much lower on the building where they could screen them, but the city is trying to clean up the lane.

Mr. Judson explained that when a motion is made this could be stipulated and they have an expression from the petitioner that there are some flexibilities. His intent is to establish whether they have any flexibility about the walk-up window.

Mr. Engle asked what is the size of the overall window.

Ms. Williams answered that the walk-up window is 20 square feet or less. There are various options that they can use for this.

Mr. Engle said the ordinance states that it should be a 5.3 relationship and it should be inset 3 or 4 inches from the brick face.

Ms. Williams replied that their window will probably be 3 to 4 inches because of the width of the wall.

Mr. Engle asked if it will meet those proportions.

Ms. Williams answered yes.

Dr. Williams asked if Sweet Melissa had a walk-up window.

Mr. Judson asked if the walk up window faces Whitaker Street or Congress Street.

Ms. Williams said she did not know which street the walk-up faces.

Mr. Judson stated that Sweet Melissa is glass from corner to the other. He is not aware that there is a solid wall here nor aware that they have a walk-up window.

Dr. Williams asked if this building sits directly across the street from the Lady and Son's restaurant.

Ms. Williams answered yes.

Dr. Williams said he was looking at a google map picture of this building and he did not see a walk-up window. However, he did not know how recent the photo is. Therefore, he did not know if they would be creating a precedent.

Mr. Walker clarified that there is a walk-up window of some sort. It may not be exactly Sweet Melissa, it is possible that it's one door over and belongs to someone other than Sweet Melissa. However, they do operate various things out of the doorway.

Mr. Judson asked if this was on the Congress Street side.

Mr. Walker said yes. He said with reference to the walk-up window that Ms. Williams is suggesting, if someone wanted a burger and walked inside and there were 3 or 4 lines and only two people outside, the person would leave anyway. He believes the business would be able to serve 2/3 to 3/4 as much food if not twice as much if they had the walk-up window. There will not be a great deal of seating inside, therefore, he believes the idea is to get their food and go. Some people will sit, but some will pick up their food and leave. Therefore, the secondary serving location is going to be important for the business sales. Otherwise, they will have a lot of money invested and not enough profit in return.

Ms. Simpson said in the building doorway across the street from the Lady and Son's restaurant tickets are sold for one of the trolley companies.

Mr. Engle said this is not a take-out service.

PUBLIC COMMENTS

Mr. Daniel Carey of Historic Savannah Foundation stated that he had a couple of comments and a couple of questions. Their architectural review committee reviewed this petition yesterday and generally was favorable towards it with a couple of questions. Certainly, the walk-up was one of the questions. Mr. Carey said he could appreciate if there is a precedent for the walk-up window although he would distinguish it as a walk-in not a walk-up. Sweet Melissa is still to be determined. He said he raised an issue about precedence and staff reminded him that precedents are not really considered as each case is considered on its own merits. Mr. Carey said he was not sure if an existing walk-up window is necessarily pertinent to what's before them today. He believes a decision needs to be made based on this building, the location, this use and so forth. It appears that the

need for the walk-up window was outlined as attracting people to the restaurant. But, it would seem that with as much signage that is going to be allowed, the awnings and just the aroma of McDonald's wafting through downtown, he believes there will be plenty opportunities for everyone to recognize the restaurant for what it is. Mr. Carey said he was concerned that the sidewalk could become congested with people waiting in line for food; pedestrians needing to move north/south along Jefferson Street on the east side of the street. Consequently, he believes the walk-up window is troubling. He asked if there will be any use on the second floor. Will it be storage? The petitioner identified the building as being built in 1955, but they believe the building could be a little older. They are interested in the interior features of the building. As a preservationist interest, would any of the materials or elements in the building be retained either in the restaurant level or on the second floor? They recognize the need for the YKK glazing on the storefront windows; he was informed by one of the architect members on the ARC that this is a high impact glass and is sturdier, but they are concerned that the aluminum framing would be wider and more substantial, where historically a narrower or more delicate sort of framework would be more suitable. They were concerned that the wider frame would detract from the building; they do not know if a thinner or narrower framing might be possible to use.

Mr. Walker said presently he does not have a tenant for the second floor. Some of what McDonalds will do will make the second floor better and from this point he will have to build out certain parts of it to determine what he will do with the space. He is trying to get McDonalds to lease it, but that has not occurred yet. As with the tree well and the walk-up, a solution would be to move the kitchen and invert it to the left of the tree well closer to the second awning. Mr. Walker said another possibility and without putting any impetus on the city to do anything, the tree could be moved forward about 10 to 15 feet in between the two front awnings. Basically just as a compromise. He realizes that the HBR is concerned about people standing in line, individuals trying to get by and there is a tree. They will have to walk out into the street and this could cause congestion. Another solution is that there are benches all along for buses and trolleys, there could be a bench either placed against the wall or sort of in between the two trees on Jefferson Street for people to sit while they are waiting on their order. It appears to him that all these matters could be worked out; it is just a matter of how.

Ms. Williams said, in an answer to Mr. Carey's questions, currently inside the building is just masonry walls and the floor. There is no interior of historic significance to preserve. The YKK storefront is a requirement by the City of Savannah. They don't have a choice.

Mr. Judson asked Ms. Williams if this applied to the frame also.

Ms. Williams stated that there is a minimum on the depth of the frame. She sent the cut sheets for the frames, but it is a requirement of the City of Savannah. They cannot do so; it will be a liability issue on their part and also on the City of Savannah if they allowed them to do so if a hurricane came and blew the glass out on someone.

Dr. Williams asked if McDonald's has done an analysis as to what percentage they expect to achieve from the restaurant versus from the walk-up window.

Ms. Williams answered no.

Dr. Williams asked does the window represents 5% of the business or 50%; unless the assessment has been done, the essentialness of the window would be predicated on a certain percentage of the business.

Dr. Henry believes he heard Mr. Walker say it would be as much as twice as much with the window.

Ms. Peace stated that it is not necessarily about attracting more people. They want to be able to serve their customers quickly. This building is not as large as their traditional business and will not have a drive-through. At their other facilities they see about 60% through their drive-through. This is pertaining to people who don't want to get out of their cars and come in. Therefore, they cannot correlate the cars with the walk-up window. It appears to her as being more about serving people upfront and on the side. Their counter upfront will not be as large as the others and they don't have as much space inside to serve the customers. Since she is the bottom line of the P and L (Profit and Loss), she can tell them that she needs to serve as many people out of this to make the finances work for their investment and it is not a traditional store. Ms. Peace said she will not get as many customers as they normally get because they don't have the drive-through. Frankly, she knew that this is not what the HBR makes their decisions on.

Mr. Judson said this is an internal operation of the business and the HBR should limit their discussion at this point and focus on the design issue. Mr. Judson wanted to remind the HBR that how McDonalds makes their decisions is not a part of the HBR's purview.

Dr. Williams asked Ms. Peace if they had any idea of leasing the 2nd floor. He stated that he grew up in a large city and their McDonald's in the downtown section was narrower than this building. They had three floors; the orders were placed on the ground level and the upper levels were for seating. There is a vacant story above.

Ms. Peace said if the community had enough density and population she would love to be able to occupy the 2nd floor. This would be ideal, but in regard to the trade area she is looking at, she is not sure. Most of their storefronts are in cities such as New York and Chicago. She believes the smallest area they have is New Orleans.

Attorney J. B. Blackburn, Jr., one of the owners next door to the property, stated having a use in this property would greatly improve the entire block. They are in favor of the use and do not object to the exterior improvements. The only thing he questions is the perpendicular sign at the rear of the property. The corner sign is at an angle where it can be seen on Jefferson Street and Broughton Street. From the standpoint of being on the other side, he does not have an opinion about the walk-up window. Attorney Blackburn said they are not approving the design concept regarding having tables on front on the sidewalk. He said his other comments would be regarding the interior as it affects the building next door, which really is a part of the same building. There are no fire walls in this building; otherwise they believe this is a great improvement over what has been here for the past 20 years.

BOARD DISCUSSION

Mr. Engle stated that if there will be a walk-up window, he believes a new layout on the kitchen needs to be done so that the walk-up would go to the back. The impression from the corner is that the walk-up window really intrudes on the historic architecture. If the awnings and the window were pushed back, he believes it might be acceptable. He asked Ms. Williams if he heard her say they could move the kitchen.

Ms. Williams answered that she said did not say they could move the kitchen. But, they might be able to slide it up a little.

Mr. Walker stated that he said they might be able to move the kitchen, but if McDonald's is saying that they cannot, apparently there is some standard design that they have. If this is the case and they can move it just a little, the tree will still be in the way. He remembers when there was not a tree here. The City put the tree here. Mr. Walker stated that he was not sure if there is a reason why the tree is exactly where it is and he was sure that between McDonald's and himself if this happens, they will be happy to pay the City to relocate the tree a little further up so that it will not cause the problem that it is seemingly apparent now.

Mr. Judson pointed out that the HBR's purview is limited to the design of the building. When they start considering those questions, they are back to a comprehensive planning procedure that other agencies of the city handle. There may be some good reasons why the tree cannot be moved or put closer to the corner, but the HBR does not know. Mr. Judson stated that he believes there is a tremendous resistance to the walk-up window by the HBR. They have discussed that the heat pumps could be moved. He explained to the petitioner that generally in their procedure they get to the point where they approve or disapprove the request. He was not speaking for the entire board nor trying to predict the future, but he senses that they may end up in an impasse. The petitioner has been clear in expressing that the walk-up window is a make or break deal. Mr. Judson expressed to Attorney Blackburn and others who are business owners on Broughton Street that the viability of Broughton Street is certainly what the HBR wants to see and they support it. He explained to the petitioner that the HBR cannot move to continue an item; therefore, it is at the discretion of the petitioner to ask for a continuance. This would allow McDonald's the opportunity to revisit some of the items; see if there is flexibility in the interior layout that could accommodate the HBR's concerns about the walk-up window as well as come back with some specifics about the heat pump that he believes will not be an insurmountable issue.

Mr. Thomson reiterated that the HBR should focus on issues of visual compatibility that will apply to the heat pumps as well as the cutting into the historic building for the walk-up window. Mr. Thomson stated that if it comes to a vote and the HBR chooses not to approve the walk-up window, they need to cite why the window is not visually compatible and have specific standards because if the HBR gets challenged in court, the reason for disapproval needs to be stated.

Ms. Williams asked if the HBR had concerns with the historic relevance of the window, location of the window or the window itself. She requested a continuance.

Mr. Judson stated that he would ask that the HBR answer Ms. Williams question; however, he knows that a lot of it focuses on the logistics of the window's proximity to the

tree. Mr. Engle has raised the question of whether or not a new aperture in the building is appropriate. He asked the HBR to elaborate on Ms. Williams' concern.

Dr. Williams stated that ordinance contains a lot of information about affecting the historic character of a building and modifying buildings. With regard to apertures, he asked the staff if it is a variance and is it permissible under the ordinance to cut a hole in the wall.

Ms. Reiter stated that it is permissible to cut a hole in the wall. They would need to look at it to see if its is visually appropriate, but they would not need a variance.

Mr. Judson asked if this is a rated historic structure.

Ms. Reiter stated that the building is a rated historic structure. She believes it was built in the late 1920s.

Mr. Engle stated that the if the HBR looks on page 27, it specifically states that "windows facing the street shall be double or triple hung. All windows facing the street, exclusive of storefronts, basements or top story windows shall be rectangular and shall have a vertical or horizontal ratio of not less than 5 to 3." He said the ordinance contains an entire section on windows. A drive-in window does not meet any of them.

Mr. Judson stated that when it defines specific dimensions and materials it is not talking about use and it does not say that it cannot be opened for use. Therefore, if the petitioner can satisfy the other criteria then it does not exclude the use of walk-up windows.

Mr. Engle stated that it does not meet any of the visual standards.

Mr. Judson asked Mr. Engle if he was talking about the current proposal.

Mr. Engle replied yes.

Mr. Overton wanted to know if he misunderstood what the Executive Director, Mr. Thomson, said if the HBR votes to disapprove this petition that they need a legally supported reason or could face a lawsuit. He asked for clarification on this statement.

Mr. Judson stated that he does not believe that this is what the Executive Director meant. He explained that last year he attended the State's training in Milledgeville. The title of the training was, "Making Defensible Decisions." The HBR can make a motion that is not supported by specifics, but in reality a petitioner or anyone else in the community has the right to go to court or go to a higher authority. Therefore, in order to make a strong and binding statement with one of their decisions whether it be for or against; now the verbiage is there for the "for" because it is compatible, but when they move to vote against something and there is a specific reason that they do not feel it is compatible, the clearer they can be, the more defensible their decisions are.

Dr. Henry asked what is their responsibility to clarify a negative vote.

Ms. Ramsay said they would need to quote the part of the ordinance that it disagrees with such as the 5 to 3 window ratio or the screening of the heat pumps.

Board Action:

Continue to the meeting of April 14, 2010 per petitioner. - PASS

Vote Results

Motion: Robin Williams

Second: Sidney J. Johnson

Reed Engle	- Aye
Ned Gay	- Not Present
Nicholas Henry	- Aye
Gene Hutchinson	- Not Present
Sidney J. Johnson	- Aye
Brian Judson	- Abstain
Richard Law, Sr	- Aye
W James Overton	- Aye
Linda Ramsay	- Aye
Ebony Simpson	- Aye
Robin Williams	- Aye

8. Petition of Shannon Lancaster - H-10-4220-2 - 322 East Harris Street Lane - Demolition and New Construction of a carriage house

Attachment: [Aerial 2.2007.pdf](#)

Attachment: [HBR A-1 322 E Harris.pdf](#)

Attachment: [HBR A-2 322 E Harris.pdf](#)

Attachment: [HBR APP 322 E Harris.pdf](#)

Attachment: [Revised staff recommendation.pdf](#)

Ms. Reiter gave the staff report.

322 East Harris Street rear is a two story carriage house built ca. 1869. The carriage house has been vacant for a number of years and is a shell with considerable deterioration of the walls and roof. The City of Savannah has condemned the building as unsafe. A structural report has been submitted. The applicant is requesting to demolish the carriage house, and reuse the salvaged brick on the lane elevation of a new carriage house to be built on the same footprint. It is proposed to rebuild a new carriage house on the footprint of the existing carriage house. General plans have been submitted for the design of the new carriage house reusing the salvaged brick on the lane elevation. Although the applicant's current application did not request approval for the new carriage house it is inferred from

the drawings submitted that that was the intent. However, there is insufficient data at this point.

The Historic District Ordinance states that:

1. A Certificate of appropriateness for demolition of a structure rated as historic shall be issued by the Board only when one of the following conditions has been established by clear and convincing evidence pursuant to criteria established herein.
 - i. The demolition is required to alleviate a threat to public health or public safety.
 - ii. The demolition is required to avoid exceptional practical difficulty or undue hardship upon any owner of any specific property. If the difficulty or hardship claimed is economic, the applicant shall be required to submit sufficient evidence to demonstrate that the application of the standards and regulations of this section deprives the applicant of a positive economic use or return on the subject property.
2. A certificate of appropriateness for demolition of a structure rated as historic shall not be issued by the Board until a Certificate of Appropriateness has been issued approving the replacement structure.

Ms. Reiter reported that staff finds that the condition for demolition has been met and recommends approval of the demolition pending approval of the replacement building. Staff recommends waiving the requirement for a model and a continuation in order to receive the complete application for the new construction.

Mr. Judson explained that the HBR will be faced with two motions. One motion is to approve the demolition which is by ordinance contingent on approval of a design.

Ms. Reiter stated that Mr. Judson is correct and from the staff's point they feel that the condition does warrant demolishing the carriage house and rebuilding it.

Mr. Judson stated that it's a moot point whether they approve the demolition at this point because it will be pending the approval of the redesign application.

Mr. Engle said of interest to him is that the building is still being used for parking. Therefore, he was wondering how imminent is the collapse. What he is concerned with is the other half of the carriage house, which is also a rated building. Without plans in place, he did not know that the demolition is not going to damage the other structure which is being lived in. They share a party wall and a common roof. Mr. Engle said, therefore, without architectural drawings showing what is going to be built, how do they know it's not going to damage the next structure?

Ms. Reiter explained that the HBR is not voting today, but only discussing this. The architect is present and needs to know the drawings that the HBR wishes to see pertaining to the new construction.

Mr. Engle asked if the demolition could be done first.

Ms. Reiter stated that the approval of demolition cannot be given until the HBR approves the new construction. Therefore, if the HBR has specific things they want to see, the petitioner should be told today in order for them to submit the data.

Mr. Judson clarified that as chairperson of the HBR, his role is to try to get as much out of the meetings as they can given that they have the petitioner here. He believes it is a moot point whether or not they approve the demolition or wait and approve both of them on the same day. Nevertheless, since the petitioner is present he wants the petitioner to address them so that the HBR's concerns could be raised so that when she comes back with the full plans for the reconstruction, she will have the benefit of the HBR's questions and concerns.

Dr. Williams asked whether, theoretically, they could approve the design petition and then later deny the demolition permit.

Mr. Judson answered no. They will be in an order; there is a petition for an approval of demolition which cannot be approved until there is an approval of the design for the new building. It is the staff's recommendation that this be continued. However, at this point it is left to the petitioner to ask for a continuance. Whether or not the HBR votes on the demolition today or when the petitioner returns, in either case, but the process cannot be inverted.

Dr. Williams stated that, therefore, today the HBR will discuss the merits of the design proposal.

Mr. Judson answered when it comes before the HBR, but today it is not before them.

PETITIONER COMMENTS

Ms. Shannon Lancaster stated that she was present on behalf of Ed Wiggins and Associates, an architecture firm in Hilton Head, SC. The property is owned by Mr. & Ms. Wiggins. Ms. Lancaster said to address the concern of the building's condition, when she was posting the signs she actually talked to the tenant who told her that she is afraid to go in the back. It must be another tenant that is parking his/her car there. The carriage house next door is presently vacant. The owner of the carriage house next door is currently attempting to sue Mr. Wiggins. This is one of the reasons they are trying to improve the property and improve the party wall.

Mr. Judson stated that he noticed two stories are here and the windows are boarded above. He said that in the staff report Ms. Reiter mentioned that it would share the same footprint. Mr. Judson asked the petitioner if they intend to have a second story with some use.

Ms. Lancaster said yes. There will be an apartment on the second floor and a garage will be on the first floor and a storage area.

Mr. Johnson asked Ms. Lancaster if she had designs.

Ms. Lancaster answered no. They plan to submit a design for the next meeting.

Mr. Thomson explained that today the petition is before the HBR to help the petitioner know if there are any issues regarding the demolition. The design comes later. If the HBR has concerns with the demolition, he believes the petitioner would want to hear them so

they could be answered. Mr. Thomson said if the HBR agrees with staff report along with the city staff who have looked at this building and states it is appropriate to demolish it, then the next time when the plans are here for the replacement of the building, there will be one or two appropriate actions at that time that the HBR will act on.

Mr. Judson asked if he was correct in his thinking that it's a moot point whether or not they approve the demolition today. If the petitioner asks for a continuance today and when the petitioner comes back, the HBR could vote on both at the same time. He said it appears to him that an approval of demolition pending plans is same as waiting and approving at the same time.

Mr. Thomson answered yes.

Dr. Williams stated that it seems from the photos provided by the petitioner the part of the building that is structurally compromised is the part closest to the lane, but photo 3 shows cracks in south wall.

Ms. Lancaster explained if you are in courtyard, you would see the cracks in the south wall.

Mr. Judson stated that the south wall faces away from the lane.

Ms. Lancaster replied yes; this is away from the courtyard.

Dr. Williams asked if what they see beyond this is the neighbor's house.

Ms. Lancaster said yes, this has been compromised too because of the party wall

Dr. Williams asked if any parts of the carriage house are sound a part from the party wall. He asked Ms. Lancaster if they have three walls of a structure and they can't tear down the party wall.

Ms. Lancaster said they will keep the party wall and build another wall stabilizing the party wall. But there are cracks on all three of the other sides.

Dr. Williams asked if a part of the wall has already been removed and a steel beam is holding up the brick.

Mr. Engle said this was a drive-through.

Dr. Williams asked if they are saying the carriage house was designed this way.

Mr. Engle said yes. If they look next door, they will see where the same openings were walled in and the beam is still in place.

Ms. Ramsay stated visually it appears that the west wall is in fairly good shape, but she heard Ms. Lancaster said there are cracks in the south wall.

Ms. Lancaster said in the structure report, Frank Martin mentioned that the tree roots have uplifted the wall and have compromised the foundation. With their new construction they

plan to reuse the bricks. It is just that the foundation has been compromised because of the trees nearby.

Ms. Ramsay said it would be good to try to save at least one wall, but the foundation has to be done.

Dr. Williams asked if any of the wood is salvageable. He asked her to do as much as she can to find out what was the original character of the building. If there is a question, just dismantling and rebuilding. He is not familiar with drive-through carriage houses, but he was sure the south wall would have originally been a door. However, this is not an issue presently.

Dr. Henry wanted to know what is actually being proposed. He asked if this is a duplex carriage house.

Ms. Lancaster answered that the Wiggins own one-half of the carriage house and the other half is owned by someone else.

Mr. Judson asked Ms. Lancaster if she has received input from the HBR that she feels will help her in the design.

Ms. Lancaster requested a continuance.

PUBLIC COMMENTS

Mr. Daniel Carey of Historic Savannah Foundation (HSF) stated this appears to be an incomplete application because if plans are needed to approve the demolition and the plans were not submitted, the decision could have been made that the application was not ready for discussion. May be this will help the petitioner when they submit another petition. Mr. Carey said he understands that this was up for a demolition permit eight (8) years ago and nothing was done. Yet, the building continued to be neglected and fell into this state of disrepair. This is a case of demolition by neglect. The building is in use; he did not know whether it is by the owners or not, but he has been by this location twice and there is a car parked underneath the carriage house. Therefore, he does not know the imminence of a threat to public safety. He said he spoke with Frank Martin of RWP Engineers yesterday as HSF wanted to inspect the building and have him render an opinion. He does not question Mr. Martin's professional opinion. He says there are structural deficiencies with the building; but these deficiencies did not occur over night. HSF objects to the demolition of this historic building. Mr. Carey said he believes that the building is repairable and the two conditions, two criteria alleviate a threat to public health and safety. May be this is debatable, although it should not be in use for parking or any other reason if it is that dangerous. But, the other is to avoid exceptional practical difficulty or undue hardship upon any owner of any specific property. However, he believes that it is incumbent upon the petitioner or owner to meet that threshold. What is the exceptional practical difficulty? When he spoke with Mr. Martin, they talked about a practical challenge in rehabilitating or repairing the building. But, this is not insurmountable. They have seen buildings throughout this city that many individuals would say were beyond rehabilitating. However, the buildings were able to be rehabilitated. Mr. Carey believes that they should look at this building very carefully, especially in light of the fact

that it is attached to another building that could be negatively impacted. He appreciates the opportunity to put these comments into the record which might help the petitioner and applicant prepare their case so that an informed decision may be made the next time this comes before them.

Mr. Judson stated that a general comment on the issue of "demolition by neglect" comes before them and again it highlights the fact that they have many agencies all trying to work together. It is not necessarily under HBR's purview to decide what does or does not get demolished before it comes before them. He told Ms. Lancaster that the comments coming from HSF would be helpful to her in moving forward.

Board Action:

Continue to the meeting of April 14, 2010. - PASS

Vote Results

Motion: Robin Williams

Second: Sidney J. Johnson

Reed Engle	- Aye
Ned Gay	- Not Present
Nicholas Henry	- Aye
Gene Hutchinson	- Not Present
Sidney J. Johnson	- Aye
Brian Judson	- Abstain
Richard Law, Sr	- Aye
W James Overton	- Aye
Linda Ramsay	- Aye
Ebony Simpson	- Aye
Robin Williams	- Aye

9. Petition of Patrick Shay and Lisa High - H-10-4221-2 - Lot bound by President, Price and York Streets - Raised planter box

Attachment: [Staff Recommendation.pdf](#)

Attachment: [Aerial 2.2007.pdf](#)

Attachment: [HRB application.pdf](#)

Present for the petition were Mr. Patrick Shay and Ms. Lisa Lee-High.

Ms. Reiter gave the staff report. The applicant is requesting approval to erect a raised planter box on the vacant lot bound by President, Price and York Streets. The box will be constructed of recycled wood plank siding and will be placed parallel to the sidewalk on the York Street side. The box will be approximately three feet high and 20 feet long (width not given). It will have solar panels on south side of the planter.

The staff is asking that the petitioner provide the colors, information on solar panels and width of the planter. The staff recommends approval, but with the condition that this information be submitted to staff.

Ms. Ramsay asked Ms. Reiter if she is aware of any other three foot high planters with this length in the city. This seems awfully high for a planter.

Ms. Reiter answered that there are other planter boxes around parking lots, but she does not know their exact height. The requested planter is to be like an urban garden and urban farm on a vacant piece of property.

Dr. Williams stated that he remembers when they discussed the ordinance regarding the use of solar panels on buildings, at least historic building, that they should be screened from view such as the hot water heaters. He asked Ms. Reiter if these solar panels will be facing York Street.

Ms. Reiter stated that this is why the staff asked for additional information on what exactly they will be so that they can make an informed decision. This is something new.

Dr. Williams asked what are the solar panels for.

Ms. Reiter said the petition is present and he will be answer this question.

PETITIONER COMMENTS

Mr. Patrick Shay explained that last year as a firm they planted a garden and used the land that was available to them at L. Scott Stell Park about twenty-five miles from downtown. They learned that doing row gardening 25 miles from where you live is very difficult to manage. They did more research and found that urban planter gardens that are planted very densely are actually equally productive in many ways to row gardening in the rural areas. Therefore, they decided to pursue having an a raised planter across the street from their office so they could be a watchful eye on it every night and be able to tend to it and water it. They came up with doing this particular project in the way that he has it drawn. Mr. Shay said that with regards to the question about the solar panels although he believes they are handsome to look at it, are also very valuable; they cost about \$700.00 each. They decided to change from crystalline solar panels which is what is illustrated on the screen to the product that is on display which is an emulsion thin film solar material. It will be a long linear application that will go along one side of the planter and will probably be closer at the top. Mr. Shay explained that this particular type of solar collector works even if it is not at the appropriate tilt and angle. Therefore they believe that they will be able to use this to make twelve volt DC electricity.

Dr. Williams asked Mr. Shay to elaborate on why they need the solar panel.

Mr. Shay said the materials that they are proposing are actual wood that they would like to purchase from Ramsey Khalidi which is recycled from the pilings that are being extracted from the Savannah River in the vicinity of what some people refer to as Savannah River Landing. They are resawn from cypress that is literally hundreds of years old. The posts are also resawn from those cypress pilings and are probably 16 inches by 16 inches. With the twelve volt DC electricity, occasionally they want to use lights such as Christmas lights in the planter so that they can be lit up for decorations.

Dr. Henry asked Mr. Shay to expound more on his statement regarding the lights in the

planter.

Mr. Shay explained that they are tiny light bulbs.

Dr. Henry wanted to know where these lights would be placed.

Mr. Shay stated the lights will be in the planter garden among the tomatoes, carrots, and flowers that they are going to plant in the garden.

Dr. Henry asked if these vegetables and flowers can be watered with the lights inside the planter.

Mr. Shay answered absolutely.

Dr. Henry asked how wide is this proposed planter.

Mr. Shay answered that they would like for it to be approximately four feet wide. This is the optimum width so that a person could stand on either side and get their hands at least about halfway deep into the planter. He said he could not give an exact dimension because the planks are fairly long and they don't want to waste any of the valuable recycled wood. Therefore, their plan is use the ends for the end cuts of the board when they have to cut them off in order to stagger the sodding and have it go over the columns. It will be no more than four feet, but he did not want to quote an exact dimension because it depends upon the lengths of the remnant ends.

Ms. Ramsay asked what is the purpose of the post projecting above the siding.

Mr. Shay answered that he did not know if it has a specific purpose other than as he made it clear when he illustrated it. The planter will sit on the existing pavement that is there now which is pervious. This is not going to be a perfect crafted case work as it will be uneven. It might not be perfectly rectangular.

Ms. Ramsay said she still has trouble with it being three feet high. She looked up planters before the meeting and they are 18 inches. Three feet is as high as a kitchen cabinet.

Mr. Shay said the reason is functional because they don't want to do all the gardening on their hands and knees. They want to literally plant into the planter very densely and be able to do their gardening standing up. One of the things they learned about doing row gardening out in the countryside is (although Lisa is young, he is not as young as she is) getting on his hands and knees and weeding proved to be a daunting challenge for him.

Ms. Ramsay explained that visual compatibility is what she is speaking of.

Mr. Engle asked if a row of shrubs is not on York Street now.

Mr. Shay stated that it is illustrated correctly; there is a row of shrubs here, but this side is only three concrete wheels stop.

Mr. Engle said from the aerial photograph it appears that shrubs are all along York Street.

Mr. Shay said he looks at this everyday and park in this spot himself. There are no shrubs on York Street side.

Mr. Johnson wanted to know how the gardening will get watered.

Mr. Shay explained that hose bib is in a little area that is in the front of his office building across York Street. Just as the shrubbery they planted several years ago, they literally unrolled the hose, took it across the street and watered the shrubbery. They will either do this or just as they do the planter boxes that are in the windows in the front of their office, they fill up a watering can and water the plants. Nevertheless, the water is available.

Mr. Johnson asked if they would be doing this three feet high.

Mr. Shay said they will do the watering with a hose when necessary and with a watering can where it is too delicate on the flowers.

PUBLIC COMMENTS

Mr. Bill Steube, downtown resident, said he is very concerned about a structure as this being imposed upon the public's right-of-way and in full visibility. What will happen when the people are tired of gardening and the planter is filled with weeds and debris. Mr. Steube believes this a misguided concept for downtown Savannah Historic District.

BOARD DISCUSSION

Dr. Williams asked where does this fall under the ordinance. Is it structure or something close to a fence, trellis or wall?

Ms. Reiter answered that it is a garden structure, but it does not have a roof.

Ms. Ramsay stated that she remembers when they had a petition from Zunzies and they wanted to put something in the parking lot. From her recollection it was similar to this request and the HBR had them put in movable planters.

Mr. Judson explained that Zunzies intentions were different. They were wanting to screen the parking lot from their dining area and the HBR did not approve a permanent structure, but instead talked with them about something they could take in and out. He said obviously they are not approving a shed or building and it doesn't fall under the section dealing with fences.

Mr. Thomson said this clearly falls under the HBR's purview because it is visible from the street or lane. It is new construction and if he was to class this, he would class it more like a wide wall with a green roof. The HBR needs to look at this and make a decision whether it is visible compatible with the neighborhood or not. It is a fairly residential area around this square with some offices, but these are in structures that look more residential. Therefore, it is the HBR's call to make a decision.

Dr. Henry said green is probably a good thing, but he is unsure about lights.

Dr. Williams stated that Mr. Shay has passed around to the HBR wood that is in its raw condition. He asked if the wood would be painted or left natural.

Mr. Shay said the wood will be natural.

Dr. Williams said the samples shown to the HBR is aesthetic fairly rustic, granted it is local harvested wood that was from a dock, but the aesthetic of this area of Savannah is one of fairly refined traditional architecture forum. He said there are two parts to his concern. Firstly, the appropriateness of rustic structure on this site and secondly, the visual compatibility. He asked if the planter would extend the entire 20 foot structure.

Mr. Shay answered this is what they would like.

Dr. Williams asked if the black semi-satin material would be mounted somehow to the front of the planter.

Mr. Shay answered correct.

Dr. Williams asked if it will be hung or glued.

Mr. Shay said it is self-adhesive. What the HBR is looking at is a full size, full scale model. He said if the HBR prefer, they can white wash the fence, but he loves the way the wood looks.

Dr. Williams said he was just raising issues that may be of concerns for the HBR. He said of the two issues aesthetically the appearance of the solar panels is concern. He cannot help but feel that this will compromise the visual appeal of the wood. It does not seem as if this will be integrated in an aesthetically resolved way. The solar panels do not strike him as adding to the appeal of the structure. He said, therefore, for him he could imagine separating the two issues, one is the planter and the other is the solar panels as a quite significant component of the design.

Mr. Shay said he did not have a problem separating the two if this what the HBR would like to do so.

Mr. Engle said if they consider this a fence, trellis or wall, the standard says that "wood fences shall be painted or stained." He said also from an aesthetic standpoint, a concern is it is just sitting there and it does not complete an elevation even if it ran across the entire top of the parking lot. He hates to say this, but it in a way it acts like an environmental dumpster. It is a 20 yard dumpster in scale. It will be green.

Mr. Shay explained that York Street is where they pull into the lot and this is where his employees park.

Mr. Engle stated that he was talking about the top of the parking lot where there is a row of shrubs now.

Mr. Shay said this is not York Street; it is another site.

Dr. Henry asked if the planter will cover the entire length.

Mr. Shay said it will go from that corner to to the point where the curb cut starts.

Dr. Williams asked if this is roughly about two-thirds of the 30 foot lot.

Mr. Shay answered 20 out of the 30 feet. Therefore, actually providing that visual screen on the third side of the surface parking lot.

Dr. Henry asked Mr. Shay if he said he could separate the panel from the planter.

Mr. Shay said they would like to have the planter even if the HBR cannot live with the solar film.

Dr. Henry said it is such handsome wood that he believes it would look better without it.

Dr. Williams asked if the planter would be inset a foot or so from the sidewalk.

Mr. Shay said yes approximately.

Dr. Williams asked if there was a rationale for inseting it so that they would be standing on the sidewalk when watering the gardening.

Mr. Shay said this was done to ensure that the water that comes out of the bottom of the planter would be absorbed by the pervious pavement that is here now rather than getting it all over the sidewalk.

Dr. Williams said he was wondering as a design issue if it would be more compatible if it aligned with the buildings on the block. This is something for the HBR to consider from a design point of view.

Mr. Engle said it also specifies that it has to be on line if it is a fence. The standard says that it has to be on line with the elevation of the buildings.

Mr. Shay said this is fine; they will be happy to build it in line.

Dr. Henry asked if this has to be entire 30 feet length or just along the sidewalk.

Mr. Engle said it would need to be if the other buildings are aligned.

Mr. Shay said if they drew a line on the ground where the buildings and the carriage house meets the ground, then they will put the planter on that same line approximately.

Dr. Williams believes this would help for it to fit into the setting.

Mr. Engle said he still has a concern as the ordinance clearly states that it is supposed to be painted or stained. How do they say that this fence does not have to be painted or stained because they like the wood and someone else puts up a fence and says that he does not have to paint or stain their fence?

Mr. Judson answered that the painting or staining is certainly a purview of the HBR and he believes that the petitioner said they would be willing to painting it.

Mr. Shay stated that they have no problem with painting or white washing it.

Dr. Williams stated that depends upon whether it is a fence.

Mr. Johnson stated that he believes the wood is cedar. He asked Mr. Shay if he was going to paint cedar.

Mr. Shay answered that it is cedar and is over 100 years old and has been under water for most of these hundred years. He believes that the HBR does not want it to be raw wood that it some kind of pigmented surface.

Mr. Johnson said that staining would be more appropriate.

Mr. Shay said, therefore, they will stain it.

Dr. Henry stated that it is beautiful wood and it appears to him that if it is stained it would not destroy the natural aesthetics.

Mr. Engle said the color would be brought out more if it is stained.

Board Action:

Approval with condition that the solar panel be eliminated from the design, the box be moved to the property line and that a clear surface finish be submitted to staff. - PASS

Vote Results

Motion: Robin Williams

Second: Nicholas Henry

Reed Engle

- Aye

Ned Gay

- Not Present

Nicholas Henry

- Aye

Gene Hutchinson

- Not Present

Sidney J. Johnson

- Aye

Brian Judson

- Abstain

Richard Law, Sr

- Aye

W James Overton

- Nay

Linda Ramsay	- Nay
Ebony Simpson	- Nay
Robin Williams	- Aye

10. Petition of Pat Shay - H-10-4222-2 - 701 Martin Luther King, Jr. Boulevard - Demolition and New Construction

Attachment: [Revised Staff Report.pdf](#)
Attachment: [Adjacent vacant lot to the South.pdf](#)
Attachment: [HRB cover letter.pdf](#)
Attachment: [Kayton Homes.pdf](#)
Attachment: [Revised Massing.pdf](#)
Attachment: [McKelvey Powell Building.pdf](#)
Attachment: [Site looking north at Carver Bank.pdf](#)
Attachment: [revised W&S elevations.pdf](#)
Attachment: [Revised N&E elevations.pdf](#)
Attachment: [HRB Cover Letter I.pdf](#)
Attachment: [Carver Commons HRB photos.pdf](#)
Attachment: [Revised site plan.pdf](#)

Present for the petition was Mr. Patrick Shay.

Mr. Judson explained that this is a two part presentation involving both demolition and new construction design. It has been some time since they have had a large scale project and most of the projects they have had before them have only had one motion to consider. The HBR will consider the petition in two parts. Part 1 concerns the height and mass approval which basically considers the footprint and scale of the project. It will then be revisited by the HBR for the Part 2 design consideration. Mr. Judson explained that they will only be considering the demolition and will consider height 1 part and mass, but the design consideration will not be a part of today's petition.

Ms. Reiter gave the staff report.

The grocery store has a ground floor footprint of 25,018 square feet and is defined as Large-Scale Development within the Historic District Section (8-3030) of the City of Savannah Zoning Ordinance. Staff has met with the applicant and his clients three times to discuss the application with regards to the revised regulations for large scale development. Based on their meetings and site plan review comments, the applicant has made a number of requested revisions which included the moving of a trash compactor from the Martin Luther King side to coincide with the loading dock on the west side of the property. The space where the trash compactor originally was located can be used in the future as an officer retail site.

The demolition is for the existing building at 701 Martin Luther King Jr. Blvd and was constructed sometime after 1975. It is occupied by Carver State Bank. It is not listed as a rated structure in the historic district and does not meet the criteria for listing due to its age. St. Phillip AME Church is a very historic church building to the north of the site. They are also a part of the development team elements of the historic Star Theater that was formerly on MLK. The design of the grocery store was designed based on historic references along MLK.

Carver Bank will occupy the MLK side of the property. The grocery store will actually face the parking lot on the side of the church building. Ms. Reiter explained that the requirement for two-story construction along the street frontages is met. The percentage of glazing requirement has been met on both the first and second stories. She pointed out that the glazing in both the doors and the windows on the Morris Brown side will be like the CVS Pharmacy windows. It is transparent, but there will be a wall on the inside that can be used for displays. For the layout of the store and security measures for use of the grocery store these will not be "see thru" into the building. In the future if this was ever to be used for another use, the building can be subdivided into separate retail spaces. To meet the requirements for entries along the street frontage on Morris Brown, the entry into the grocery store through the side entrances, you then go into the main entry from the parking lot side. This has been extended by a colonnade to the Morris Brown Street frontage and there will be signage at the Morris Brown edge so that residents coming from the west will see that this is an entrance. Staff feels that this meets the intent of the ordinance which is to have a second entrance on Morris Brown by extending the portico to the street. The entrance requirements are met along MLK with a corner entrance. There are a number of smaller pedestrian doors and two storefront doors to the southern end of the property. The building is built to the lot line; there is no setback requirement in this particular zone. The segmentation of massing would apply along MLK and Morris Brown and these standards have been met. It has been segmented by roof line variation as well as change in material and horizontal segmentation has been achieved through the use of awnings and change in the window scale and shade. There are no findings of fact or variances required. All the visual compatibility standards can be met.

The staff's recommendation is approval to demolish the non-historic Carver State Bank and approval of Part I Height and Mass for a grocery store and bank building with a condition that the large lintels on the Morris Brown side be reduced or eliminated and replaced with glass to the point that the 55% glazing can be achieved. It is slightly below 55% now. The staff has outlined some things for the architect to consider in the Part II design detail.

PETITIONER COMMENTS

Mr. Partick Shay stated that he was present on behalf of Mr. Robert James, II. Mr. Shay introduced Coastal Legacy Development, the developer of the project. Also present were Pastor John Foster of St. Phillip AME Church, partners in the development of the parking lot; Mr. Robert James, President of Carver State Bank; Lisa Lee-High, his business manager; and Frederica Turnier, graduate student who is working with Mr. Shay on another project.

Mr. Shay stated that corner entrances are very common in this area. When they were trying to develop an approximate architectural vocabulary for the design of this large scale building, one of the challenges was that there is little historic fabric left in this area. The beautiful St. Phillip AME Church is here, but it is hard to take the architectural of a church and apply it to a retail/commercial office building. The Mckelvey Powell building is located here, but it is a three-story building. Therefore, with a lot of research and voluntary help, they were able to secure photos of some of the buildings that had once existed along this front. He said that the one that struck him as being the most relevant turns out that it is actually the Savannah Development and Renewal Authority (SDRA) building. Twenty-first

(21st) Century grocery stores are large foot print buildings. This grocery store is actually considerably smaller than the standard Food Lion footprint. Their standard footprint is approximately 35,000 square feet and this grocery store is about 25,000 square feet. This was done in an effort to fit onto a tight urban site and still retain the features that are so vitally important for this neighborhood. This store will have extensive fresh produce and other features as full-service grocery stores. The people who live here who do not have access to their own private automobiles do not have ways to get to the stores with the fine produce. The bank will have a second story that could be used later. The windows are functional. The bank lobby in the corner will actually be a two-story space. The exit from the grocery store on MLK is actually an important functionally in that it is a vestibule and in the evening when the grocery store closes out the registers they will be able to enter the vestibule and make the night deposits into Carver State Bank without going back out into the street. As Ms. Reiter stated, the garbage compactor has been removed to the loading dock side for a lot of functional and safety reasons. They are proposing storefronts that will have glazing here. Presently, there is no tenant proposed and will be used for bank storage, but at some point in the future as MLK begins to be resurgent, it may become another independent storefront at that time. The north elevation shows the part of the building that is referenced to the old Star theater using the arch shape and the two taller pilasters that frame a little bit of roof overhang. The corner goes into the Carver State Bank and there are a series of canopies that go around the building. The entrance into the grocery store actually faces MLK, but you would come across the parking lot and turn the corner and enter into the building. Once on the inside of the building, take a left to go into the Food Lion. If you are a pedestrian you might walk along Morris Brown, enter through the portal and then into the actual entrance to the store. A part of the reason that the entrance vestibule is configured this way is because of pedestrian safety. The other reason is they want to have the shopping carts located on the inside of the building instead of stacking them outside on the street.

Mr. Judson stated that Ms. Reiter in her staff report referred to a slight change in the percentage of glazing in the 3rd, 4th and 5th segment from MLK. He asked Mr. Shay if this was an issue with him.

Mr. Shay answered that the elevation he is talking about now does not face the public street. Therefore, it is not held to the same standard. He believed that what Ms. Reiter was talking about is the elevation that faces Morris Brown which is a public street. The lintels are a little fat and at the design detail they would have no problem adding more glazing to the head area of the transom in order to meet the 55% standard.

The loading dock and trash compactor area has a continuous screen which will have a barn door so that when it is in the open position, it will slide along the track. No groceries will be unloaded until they are behind the secured area as they want to ensure that the drivers are completely safe. The trash compactor is not a dumpster, but a compacting machine; the garbage will probably be removed from the site once a week. There will be no odor. Mr. Shay stated that the remaining elevation faces about three (3) feet away from the property line. It varies a little because the the side property line is not exactly perpendicular to the two street right-of-ways. They want to use the three foot space to plant fig ivy and let it grow along the wall. It is their hope that the owners of the adjacent property will be successful in securing a developer to build something on their property.

Mr. Engle asked if the site plans would come under the next meeting.

Mr. Shay said they would be glad to hear Mr. Engle's comments now about the site plan.

Mr. Engle said the other grocery store has trees planted in its parking lot, but this grocery store is lacking vegetation. He asked if there is a reason for this.

Mr. Shay stated this was done so that they could maximize the number of parking spaces. They have worked hard to preserve all the monumental live oaks that are along MLK somewhat in detriment to the interior of the store. However, because there is such little historic fabric left in the buildings, they decided that one thing they knew was historic were the existing trees. They also have committed to creating a tree lawn where there is none now in the City's right-of-way. Mr. Shay knew that this is not HBR's purview, but there will be a tree lawn and trees planted along the outside. There will also be a landscaped hedge along the edge of the parking lot in conformance with the ordinance. Presently, the parking for the St. Phillip AME Church is in surface areas that are not well defined, but as a part of this, they will come forward with design detail that will show some brick and metal fencing that will be added to the two sides of the church so they can become more enclosed and well defined courtyards. While they don't have tree islands in the center of the parking lot, they do feel that they are considerably enhancing the amount of tree canopy that is in the immediate vicinity or preserving the best part of the tree canopy that is here now. He said since they are talking now about the site plan, as in the staff report, they will ensure that the sidewalks are continuous, level and that the curb cuts are no more than 20 feet as the ordinance requires.

Dr. Henry asked Mr. Shay if they would be open to adding trees in the parking lot.

Mr. Shay answered that this is not his decision. They have met with approximately 15 agencies to arrive at a consensus site plan that is beautiful. Therefore, he could not commit to the HBR that they would make changes to the site plan based on the recommendation from the HBR due to the fact that 14 other parties are involved with this plan.

Mr. Judson stated that the decision on the site plan is not the HBR's purview.

PUBLIC COMMENTS

Mr. Judson said he sensed that there were quite a number of people present who wished to speak on behalf of this petition. He asked that there be a limited amount of redundancy. If they all are in agreement, they don't need to hear from everyone. He asked that the comments be kept at a minimum.

Pastor Cheryl Pearce of St. Matthew's Episcopal Church at 1401 MLK spoke in support of the project.

Mr. Robert James stated that he has been the president of Carver State Bank since 1971. He actually built the building that is being requested to be demolished. They are extremely excited about the possibility. For approximately 15 years, he has heard requests from various city agencies, city government officials even as far back as to the late Assistant City Manager, Henry Moore. They were told to try to bring a grocery store to this neighborhood. Times have changed for banking; therefore, they have a large building

that does not fit what they are presently doing. Everyone is using the Internet, ATMs and so forth. Consequently, their banking operation would be enhanced by this new development. In addition, people who live in this neighborhood as has been emphasized do not have the transportation and this building will offer additional security to the neighborhood. Mr. James informed Dr. Henry that they could not have low hanging shrubbery in the parking lot. The reality of the neighborhood says this would be destroyed easily. They learned this in 1974. He urged HBR to expeditiously approve the project. Pastor Pearce met with about five (5) or six (6) other churches in the neighborhood and they unanimously voted in favor of the project.

Pastor John Foster of St. Phillip AME Church stated that his church is a part of the team that is being looked at for this project. They have presented the project to the church and they are enthusiastically in favor of this project. It will significantly change the way that they are able to operate by giving them access to share the parking lot facilities.

Dr. Clifford Hardwick stated that he is delighted to see this movement. He served for 7 1/2 years on City Council and to see the change that will take place on what use to be called West Broad Street is very timely. Dr. Hardwick wanted to assure the HBR without hesitation that once this project moves forward, they will see the other part of MLK move forward. They have lost the Savannah Pharmacy and many other things that were related to the African-American community. He urged the HBR's support on this project. From 37th Street past the Union Station, African-Americans were in business. This was a mixed neighborhood. The Union drugstore was here, Modern Hat shop and many things were more diverse even during the days when there was segregation.

Ms. Lise Sundrla, Executive Director of SDRA, stated that it is no surprise how excited her Board of Directors and the 200 plus volunteers that work with their committees and task forces are about this project. Securing a full scale grocer along the MLK corridor has been an integral part of their redevelopment vision for more than 15 years as stated by Mr. James. They join together with everyone present today in urging the HBR to please approve this project. SDRA was an integral part in bringing Food Lion to the table some four years ago and they came and signed on for this project and have continued to commit to the vision and the redevelopment goals of this corridor. Ms. Sundrla believes and Ms. Reiter pointed out, it is critical that they reemphasize the fact that Food Lion has been a good partner through this process. Not only have they stuck with it for a number of years through various partners, site potential along this corridor, but they have committed to following the redevelopment goals and and the design strategies, and ensuring that they are going to be bringing a quality business to this corridor that will not only provide something for the residents who live in the public housing adjacent to the corridor, but also as Dr. Hardwick said, be a catalyst for further and future development in this area.

Mr. Robert James, II thanked the HBR for their consideration and thanked them for the civic education they gave them while waiting to hear their petition. Mr. James wanted to especially acknowledge and thank Ms. Beth Reiter for her contributions and constructive suggestions to help them get into compliance with the ordinance. He said that they have a large number of persons representing the community at-large who desperately want this development and want to see the progress on MLK. He, too, urged that the HBR expeditiously approve their proposal to allow them to move forward with the development.

Mr. Judson stated that he could not agree with everyone more as he believes this is a vital project for the entire City. He asked the HBR to narrow its points especially to the Height and Mass portion of the petition.

Mr. Shay said they have met and heard the comments from the Historic Savannah Foundation. They look forward to working with Sarah, but Beth will certainly be missed. They will continue to work with people who want to give them constructive criticisms.

BOARD DISCUSSION

Mr. Engle said that he was pleased to see this new development is embracing the street and has not been shoved back with parking in front of it. He was not criticizing the previous Carver State Bank building, but something happened in the 1960s and 1970s where buildings stopped embracing the street and everything was shoved back with acres of asphalt in front. He believes this is really an important precedent as it is bringing the buildings back on MLK.

Mr. Judson explained that the SDRA has a vision and plan for MLK that takes into consideration a lot of the points that have been made. He encouraged those who had not reviewed the plan to do so. He believes that this project certainly has the potential for being an exciting element of the plan.

Ms. Simpson asked if she should abstain from participating in this petition because of her past affiliation with SDRA.

Mr. Judson informed Ms. Simpson that he does not believe that her past association has an influence economic or otherwise on her vote.

Ms. Ramsay pointed out that she is on the SDRA's Executive Committee.

Mr. Judson stated that Ms. Ramsay is serving on SDRA's Executive Committee in a voluntary position.

Board Action:

Approval of Part I Height and Mass for a grocery Store and Bank Building with the condition that the large lintels on the Morris Brown Boulevard side are reduced or eliminated and replaced by glass to that 55% glazing can be achieved on the ground floor in the northernmost segments. - PASS

Vote Results

Motion: Reed Engle
Second: Sidney J. Johnson
Reed Engle - Aye
Ned Gay - Not Present
Nicholas Henry - Aye

Gene Hutchinson	- Not Present
Sidney J. Johnson	- Aye
Brian Judson	- Abstain
Richard Law, Sr	- Aye
W James Overton	- Aye
Linda Ramsay	- Aye
Ebony Simpson	- Aye
Robin Williams	- Not Present

VIII. REQUEST FOR EXTENSIONS

IX. APPROVED STAFF REVIEWS

11. [Petition of Coastal Canvas for Heidi and Joe Berkeley - H-10-4213\(S\)-2 - 440 Bull Street - Awning Covering and Logo Change](#)

Attachment: [Staff Decision.pdf](#)
Attachment: [Submittal Packet.pdf](#)
Attachment: [Submittal Packet -2.pdf](#)

12. [Petition of Joel Harn for Tanner's Pizza Place - H - 10-4215\(S\)-2 - 21 East Broughton Street - Sign Face Change](#)

Attachment: [Staff Decision.pdf](#)
Attachment: [Submittal Packet.pdf](#)

13. [Petition of Chad Brock - H - 4216\(S\)-2 521 East York Street - Color](#)

Attachment: [Staff Decision.pdf](#)
Attachment: [Submittal Packet.pdf](#)

14. [Petition of April Mundy for James W. Buckley Associates - H -10- 4217\(S\)-2 - 529 East Liberty Street - Awnings, Windows-Doors Replacement](#)

Attachment: [Submittal Packet.pdf](#)
Attachment: [Submittal Packet 2.pdf](#)
Attachment: [Submittal Packet 3.pdf](#)
Attachment: [decision.pdf](#)

15. [Petition of Andrew Lynch - H - 10 - 4223\(S\)-2 - 423 East River Street - Store Front Entry Change and Awning Recover](#)

Attachment: [Staff Decision.pdf](#)
Attachment: [Submittal Packet.pdf](#)

X. WORK PERFORMED WITHOUT A CERTIFICATE OF APPROPRIATENESS

XI. NOTICES, PROCLAMATIONS, and ACKNOWLEDGEMENTS

Acknowledgements

16. [Ms. Beth Reiter Retiring](#)

The HBR extended congratulations to Ms. Reiter upon retiring in April 2010. She has made an incredible contribution to the City of Savannah. Today is her last meeting. They wished her well in all her future endeavors.

Ms. Reiter invited everyone to attend an event given by the Historic Savannah Foundation on Thursday, March 11, 2010 at St. Michael's Church on Waters Avenue and Washington Avenue at 6:30 p.m. She will speak on the the "First 100 Years of Ardsley Park in Chatham County" at 7:00 p.m.

XII. OTHER BUSINESS

XIII. ADJOURNMENT

17. [Adjourned](#)

There being no further business to come before the HBR, Chairman Judson adjourned the meeting at 5:00 p.m.

Respectfully Submitted

Beth Reiter
Preservation Director

BR:mem

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.

