



Arthur A. Mendonsa Hearing Room
July 7, 2009 1:30 PM
Meeting Minutes

July 7, 2009 Regular MPC Board Meeting

Members Present: Jon Todd, Chairman
Shedrick Coleman, Vice-Chairman
Adam Ragsdale, Secretary
Susan Myers, Treasurer
Russ Abolt
Ellis Cook
Ben Farmer
Timothy S. Mackey
Tanya Milton
Lacy Manigault

Members Not Present: Stephen Lufburrow
Jon Pannell
Michael Brown
David Hoover

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
Shanale Booker, Administrative Assistant
Bri Finau, Administrative Assistant
Marilyn Gignilliat, Executive Assistant
Dennis Hutton, AICP, LEED, Director, Comprehensive Planning
Jackie Teel, LEED, AP, Comprehensive Planner
Jack Butler, Comprehensive Planner
Beth Reiter, AICP, Director, Historic Review
Ellen Harris, LEED, Preservation Planner

Advisory Staff Present: Tiras Petrea, City Zoning Inspector

I. CALL TO ORDER AND WELCOME

II. INVOCATION

III. PLEDGE OF ALLEGIANCE

IV. NOTICES, PROCLAMATIONS and ACKNOWLEDGEMENTS

Notice(s)

1. [July 28, 2009 Regular MPC Meeting at 1:30 P.M. in the Arthur A. Mendonsa Hearing Room, 112 E. State Street](#)
2. [July 28, 2009 MPC Finance Committee Meeting at 11:30 A.M. in the West Conference Room, 112 East State Street](#)

Acknowledgement(s)

3. [SAA Cooper is recognized for their outstanding response to community planning initiatives in Hudson Hill Neighborhood](#)

Attachment: [MPC Thomson SSA Cooper 070209.pdf](#)

Attachment: [SAA Cooper Fence Before and After.pdf](#)

Minutes:

Dennis Hutton, Director of Comprehensive Planning for the MPC, informed the Board of the progress made with the Hudson Hill Neighborhood because of the collaboration with SAA Cooper. Mr. John Walsh, representative of SAA Cooper, was thanked by the Board for his efforts. Mr. Mackey also thanked SAA Cooper for their contribution to the Savannah community and the country.

Mr. Hutton showed 'before and after' pictures of the area.

Mr. Walsh thanked the MPC Board and Staff for the appreciation and acknowledgement of their services.

4. [Healthy Savannah - Dennis Hutton, Director of Comprehensive Planning; Diana Morrison, Chairman of the Savannah Area Chamber of Commerce](#)

Attachment: [MPC Thomson Healthy Savannah 070209.pdf](#)

Minutes:

In consideration of Ms. Morrison's schedule, the Board agreed to move Item 10 to Item 4.

Dennis Hutton introduced Ms. Diana Morrison, Chairman of the Savannah Area Chamber of Commerce and owner of Advertising Specialty Services. Ms. Morrison presented a slide show of the Healthy Savannah initiative is working to improve the health of Savannah citizens since its inception in 2008 by Mayor Otis Johnson. Healthy Savannah is comprised of over sixty local agencies focused on the community's environment, nutrition, physical activities, and health disparities. The organization also works with the Board of Education and has received a grant to incorporate into the civic master plan for Beach High school to become a year-round activity center for the neighborhood. Healthy Savannah is also working with the Board of Education to include community bike trails and athletic fields in new schools.

Ms. Morrison encouraged support of local fresh-air markets, more fresh-food alternatives versus 'convenience' foods to be easily accessed in neighborhoods.

The MPC staff is working with the Woodville Neighborhood Association, the City of Savannah, Tompkins High School, and EPA's Community Action for a Renewed Environment (CARE) program to establish a community garden in Woodville. Participants in the CARE program are working with the MPC staff and Healthy Savannah to resolve conflicts between industrial and residential uses in the Hudson Hill neighborhood and to develop a land use and rezoning plan that promotes health, physical activity, economic development.

The MPC Board thanked Ms. Morrison and MPC staff for their work in supporting the Healthy Savannah initiative.

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

Tower - New Facility/Concealed Freestanding

5. [Harvest Church of the Nazarene - 5995 Waters Avenue](#)

Minutes:

5995 Waters Avenue
New Cellular WTF at Harvest Church of the Nazarene
Aldermanic District: 4
County Commission District: 1
Zoning District: R-6
Acres: 1.46
PIN: 2-0132-02-015
Harvest Church of the Nazarene, Owner
Fred Womble, SBA Network Services, Agent
MPC File No. T-090223-36211-2

Jack Butler, MPC Project Planner

Request to construct a "light pole" flush-mounted 100-foot wireless telecommunications facility behind a church in a residential neighborhood.

Motions:

Staff has requested remove this item from the July 7, 2009 Regular MPC Meeting and postpone to the July 28, 2009 Regular MPC Meeting. - PASS

Vote Results

Motion: Adam Ragsdale

Second: Shedrick Coleman

Russ Abolt	- Aye
Michael Brown	- Not Present
Shedrick Coleman	- Aye
Ellis Cook	- Aye
Ben Farmer	- Aye
Timothy Mackey	- Aye
Lacy Manigault	- Aye
Tanya Milton	- Aye
Susan Myers	- Aye
Adam Ragsdale	- Aye
Jon Todd	- Aye

Tower - New Facility/Nonconcealed Freestanding-Monopole

6. [Bob's Storage -10901 Abercorn Street](#)

Minutes:

10901 Abercorn Street
New Cellular WTF at Bob's Storage
Aldermanic District: 6
County Commission District: 6
Zoning District: PUD-BN
Acres: 5.3

PIN: 2-0693-05-003
Savannah Storage Associates, Owner
Fred Womble, SBA Network Services, Agent
MPC File No. T-090402-41934-2

Jack Butler, MPC Project Planner

Request to construct a non-concealed 195-foot wireless telecommunications facility behind a self-storage facility.

Motions:

Staff has requested remove this item from the July 7, 2009 Regular MPC Meeting and postpone to the July 28, 2009 Regular MPC Meeting. - PASS

Vote Results

Motion: Susan Myers

Second: Russ Abolt

Tanya Milton	- Aye
Susan Myers	- Aye
Adam Ragsdale	- Aye
Russ Abolt	- Aye
Jon Todd	- Aye
Michael Brown	- Not Present
Shedrick Coleman	- Aye
Ellis Cook	- Aye
Ben Farmer	- Aye
Timothy Mackey	- Aye
Lacy Manigault	- Aye

Zoning Petition - Map Amendment

7. [216 Felt Drive request to rezone from an R-10 zoning classification to an R-20 zoning classification](#)

Attachment: [AERIAL MAP.pdf](#)

Attachment: [SITEMAP.pdf](#)

Attachment: [TAX MAP.pdf](#)

Attachment: [ZONING.pdf](#)
Attachment: [216 felt drive use schedule.pdf](#)

Minutes:

216 Felt Drive
Request to rezone property from R-10 to R-20
Aldermanic District: 6
County Commission District: 6
Zoning District: R-10
Acres: 9.73
PIN(s): 2-0763-01-026, 027, 028, 034
Lokesh Patel, Owner
Harold Yellin, Agent
MPC File No. Z-090618-33134-2

Marcus Lotson, MPC Project Planner

At issue is a request to rezone approximately 9.73 acres located at 216 Felt Drive from an R-10 zoning classification to an R-20 zoning classification.

Motions:

The petitioner has requested to remove this item from the July 17, 2009 Regular MPC Meeting and postpone to the July 28, 2009 Regular MPC Meeting. - PASS

Vote Results

Motion: Adam Ragsdale

Second: Timothy Mackey

Russ Abolt	- Aye
Michael Brown	- Not Present
Shedrick Coleman	- Aye
Ellis Cook	- Aye
Ben Farmer	- Aye
Timothy Mackey	- Aye
Lacy Manigault	- Aye
Tanya Milton	- Aye
Susan Myers	- Aye

Adam Ragsdale	- Aye
Jon Todd	- 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.

VI. CONSENT AGENDA

Approval of MPC Meeting Minutes and Briefing Minutes

8. [Approval of April 14, 2009 Planning Meeting Minutes and Briefing Planning Minutes](#)

Attachment: [04 14 09 MPC PlanningMeetingMinutes \(2\).pdf](#)

Attachment: [04.14.09MPCPLANNINGBRIEFINGMINUTES.pdf](#)

Motions:

Recommend APPROVAL of April 14, 2009
Planning Meeting Minutes and Briefing Planning Minutes. - PASS

Vote Results

Motion: Adam Ragsdale

Second: Shedrick Coleman

Russ Abolt	- Aye
Michael Brown	- Not Present
Shedrick Coleman	- Aye
Ellis Cook	- Aye
Ben Farmer	- Aye
Timothy Mackey	- Aye
Lacy Manigault	- Aye
Tanya Milton	- Aye
Susan Myers	- Aye
Adam Ragsdale	- Aye
Jon Todd	- Aye

9. [Approval of June 16, 2009 Meeting Minutes and Briefing Minutes](#)

Attachment: [06.16.09 MPC BRIEFING MINUTES.pdf](#)

Attachment: [06.16.09 MPC Meeting Minutes.pdf](#)

Motions:

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

Vote Results

Motion: Adam Ragsdale

Second: Shedrick Coleman

Russ Abolt - Aye

Michael Brown - Not Present

Shedrick Coleman - Aye

Ellis Cook - Aye

Ben Farmer - Aye

Timothy Mackey - Aye

Lacy Manigault - Aye

Tanya Milton - Aye

Susan Myers - Aye

Adam Ragsdale - Aye

Jon Todd - Aye

Authorization(s)

10. [Memorandum of Understanding with the City of Savannah for Management of Funds](#)

Attachment: [MPC Thomson MOU re I 16 Flyover Removal Feasibility Study 070209.pdf](#)

Attachment: [MOU between City of Savannah and MPC re I16 Flyover 070209.pdf](#)

Minutes:

Memorandum of Understanding with the City of Savannah for Management of Funds for I-16 Flyover Removal Feasibility Study.

Motions:

Recommend APPROVAL of memorandum as submitted. - PASS

Vote Results

Motion: Ben Farmer

Second: Lacy Manigault

Russ Abolt - Aye

Michael Brown - Not Present

Shedrick Coleman - Aye

Ellis Cook - Aye

Ben Farmer - Aye

Timothy Mackey - Aye

Lacy Manigault - Aye

Tanya Milton - Aye

Susan Myers - Aye

Adam Ragsdale - Aye

Jon Todd - Aye

11. Authorize the Executive Director to Execute a Contract with the Georgia Department of Transportation (GDOT) for the Transportation Planning Grant (PL) for Fiscal Year 2010.

Attachment: [Contract Approval for CORE MPO Planning Grants.pdf](#)

Minutes:

Authorize the Executive Director to Execute a Contract with the Georgia Department of Transportation (GDOT) for the Transportation Planning Grant (PL) for Fiscal Year 2010.

Motions:

Recommend approval for the Executive Director to Execute a Contract with the Georgia Department of Transportation (GDOT) for the Transportation Planning Grant (PL) for Fiscal Year 2010. - PASS

Vote Results

Motion: Adam Ragsdale	
Second: Timothy Mackey	
Russ Abolt	- Aye
Michael Brown	- Not Present
Shedrick Coleman	- Aye
Ellis Cook	- Aye
Ben Farmer	- Aye
Timothy Mackey	- Aye
Lacy Manigault	- Aye
Tanya Milton	- Aye
Susan Myers	- Aye
Adam Ragsdale	- Aye
Jon Todd	- Aye

VII. OLD BUSINESS

Zoning Petition - Text Amendment

12. [Petition to Amend Section 8-3025 \(46\) Adding ice vending as a use by right](#)

Attachment: [historic district boundaries.pdf](#)

Attachment: [Staff Report3.pdf](#)

Attachment: [abercorn & victory radius.pdf](#)

Attachment: [Ice House Pic2.pdf](#)

Attachment: [Ice House Pic.pdf](#)

Minutes:

Text Amendment to the City of Savannah Zoning Ordinance

Re: Amend Section 8-3025 sub section 46 (B & I use schedule). Amend text to include ice vending as a use by right under the guidelines of the above referenced section.

Cadie McEachin, Petitioner

Meredith Gaunce, Agent

MPC File No.: Z – 090420-38821-2

Marcus Lotson, MPC Project Planner

Issue: The petitioner is proposing a text amendment to Section 8-3025 (46) of the City of Savannah Zoning Ordinance in order to accommodate free standing ice vending units which produce and distribute ice to customers on site at any

time.

Policy Analysis: Evolving technologies require us to consider matters that are not expressly delineated in our municipal codes. The proposed use can be a valuable asset to a retail or commercial location and a convenience to the neighborhood as long as it does not detract from the neighborhoods character by, for example, decreasing parking or impeding public rights-of-way. The ice vending unit must meet the development standards set forth in the Zoning Ordinance for the district in which it resides. This amendment will allow a use that will likely become more common throughout our community while regulating location and impact.

RECOMMENDATION: DENIAL of the petitioner's request to amend section 8-3025(46) of the City of Savannah Zoning Ordinance by adding the language "retail sale (limited manufacturing permitted with no off-site delivery of ice products." It is further recommended that the following alternative amendment be **APPROVED: ENACT**

Section 8-3002 Definitions: Ice Vending Unit. A freestanding, unmanned, self-contained machine or facility designed to store and/or manufacture ice for the purpose of dispensing the same on-site at any time.

Section 8-3025(b) Provisions Regarding Use in B Districts and I Districts

(46a) Ice Vending Unit [allowed in BH, BC, BG, BG -2, IL, IH and PD-M Districts]

- a. Such units shall be not less than 30 or more than 250 square feet in size, and shall be considered principal use structures.
- b. Such units shall only be allowed on a site occupied by another principal use; and further, such units shall be located immediately adjacent to the other principal use as allowed by applicable building codes and ordinances.
- c. The use shall front an arterial or collector roadway.
- d. A site plan shall be submitted for review according to Section 8-3031.
- e. No ice vending unit shall be located on or in required parking spaces attributable to another principal use.
- f. Ice vending units shall provide a minimum of two off-street parking spaces.
- g. Signage shall be permitted on any two sides of the unit only and shall not exceed one square foot for each lineal foot of unit wall as measured along the longest wall. In no case shall permitted signage exceed 20 square feet per side.
- h. Not more than one ice vending unit shall be allowed on any single parcel.
- i. No ice vending unit shall be located within a 300 foot radius of an existing ice vending unit.
- j. Ice vending units shall not be allowed within the boundaries of the Savannah National Historic Landmark District.
- k. By receipt of permit, the owner shall authorize the City of

Savannah to remove any ice vending unit upon abandonment or discontinuation of use after a period of forty-five (45) consecutive days as determined by the Building Official. If removed at the City's expense, a lien shall be placed on the property charged to the owner.

Section 8-3025(b) Provisions Regarding Use in B Districts and I Districts

Mr. Farmer requested the lien be placed on the equipment, not the property.

Mr. Mackey asked how many ice machines currently exist in the City and how did they come to be in operation?

Mr. Lotson responded two to his knowledge; Abercorn at Victory and Abercorn at Largo. The Abercorn at Victory unit is the newest was permitted by the zoning administrator. It is believed the one on Abercorn at Largo was placed some time ago without permitting. They are not held by the same owner. The petitioner before you today is the owner of the Abercorn at Victory unit that was legally placed.

Mr. Mackey asked if they are freestanding units.

Mr. Lotson stated they are, however staff recommends the units be placed adjacent to building facing the street. Two spaces of parking would have to be provided for the unit as part of the provision.

Mr. Thomson reiterated two additional spaces of parking would be required to the initial parking requirement of the primary use to place the unit on the site. If a primary use site is already deficient in parking, a request to add this type of ice machine would probably not be approved without a variance.

Mr. Farmer requested that item (C) state 'higher' should be inserted since the use could affront a highway. He asked if the illegally placed unit would meet the requirements and if not, would it be grandfathered in?

Mr. Lotson stated any existing ice machine unit would not meet the requirements of this amendment and would be grandfathered in.

Mr. Mackey asked in reference to item (D), where shall new site plans be submitted?

Mr. Lotson replied to the MPC Board for approval because adding an ice machine would then be a group development.

Mr. Manigault asked that the owner be made aware of his responsibility maintenance and care.

Speaking on the Petition: **Meredith Gaunce**, of Futuristic Innovations and representative of the petitioner, stated the previous requirements requested by the Board and Staff have been met and they agree with all current requests. She stated there are three existing ice machine units and they were all approved by the previous zoning

administrator, Tom Todaro and the current, Randolph Scott. The third site is at Eisenhower and Skidaway. Ms. Gaunce stated the units are independently owned, not necessarily by the owner of the primary use.

Virginia Mobley, resident, requested clarity regarding information from Randolph Scott, that the allowed use of the units in residential areas because it was light manufacturing. If it is light manufacturing, they are not allowed in several zones that are being approved with no overseeing. She stated at the last meeting, approval of a B-G-2 classification at the corner of Waldburg and East Broad - a commercial use and one of these units could go on that location if the use is passed as it is now. She requested to know is it manufacturing or business use? Ms. Mobley also referred to the units of Highways 21 and 17. She stated because those units are free standing, they look unkept because of the excess garbage. She stated she would like consideration for what is being opened up to the historical, commercial, and residential neighborhoods.

Mr. Todd stated he was not aware of it being classified as light manufacturing. He stated it is a vending machine, much like one dispensing drinks.

Ms. Mobley said Mr. Scott stated light manufacturing.

Mr. Thomson stated the machine itself manufactures ice. He stated perhaps the wording should be changed.

Mr. Coleman stated the way items (A) and (B) are written, the ice units cannot be placed on a site alone. He stated the wording is to be sure each case is reviewed because the vending machine would be a principle use structure that would have to be with another principle use which would yield a group development which would yield a site plan and have to come before the Board. The wording is to establish an ordinance so that each unit would be reviewed and determined by the MPC Board if the site is appropriate.

Mr. Manigault stated he agreed with Ms. Mobley that those areas can become unsightly.

Mr. Todd stated the owner of the property should maintain the area.

Mr. Farmer stated that would be one of the benefits of requiring it to be with another principle use structure because the owner of the property would be able to maintain and/or enforce maintenance of the property. Also, that is why item (K) should be modified to the lien being placed on the equipment, not the property.

Ardis Wood, resident, asked what would be the ramifications of the this being approved? Will it leave room for more unsightly things in the civic area?

Mr. Todd stated it come before the MPC Board to be sure these things are reviewed before approval.

Mr. Farmer motioned to approve with amendments to items (C), (D), & (K).

Motions:

RECOMMENDATION: DENIAL of the petitioner's request to amend section 8-3025(46) of the City of Savannah Zoning Ordinance by adding the language "retail sale (limited manufacturing permitted with no off-site delivery of ice products." It is further recommended that the following alternative amendment be

APPROVED: ENACT Section 8-3002 Definitions Ice Vending Unit. A freestanding, unmanned, self-contained machine or facility designed to store and/or manufacture ice for the purpose of dispensing the same on-site at any time. Section 8-3025(b) Provisions Regarding Use in B Districts and I Districts (46a) Ice Vending Unit [allowed in BH, BC, BG, BG -2, IL, IH and PD-M Districts] a. Such units shall be not less than 30 or more than 250 square feet in size, and shall be considered principal use structures. b. Such units shall only be allowed on a site occupied by another principal use; and further, such units shall be located immediately adjacent to the other principal use as allowed by applicable building codes and ordinances. c. The use shall front an arterial or collector roadway OR HIGHER. d. A site plan shall be submitted for review according to Section 8-3031 THAT REQUIRE REVIEW AND ACTION BY PLANNING COMMISSION. e. No ice vending unit shall be located on or in required parking spaces attributable to another principal use. f. Ice vending units shall provide a minimum of two off-street parking spaces. g. Signage shall be permitted on any two sides of the unit only and shall not exceed one square foot for each lineal foot of unit wall as measured along the longest wall. In no case shall permitted signage exceed 20 square feet per side. h. Not more than one ice vending unit shall be allowed on any single parcel. i. No ice vending unit shall be located within a 300 foot radius of an existing ice vending unit. j. Ice vending units shall not be allowed within the boundaries of the Savannah National Historic Landmark District. k. By receipt of permit, the owner shall authorize the City of Savannah to remove any ice vending unit upon abandonment or discontinuation of use after a period of forty-five (45) consecutive days as

- PASS

determined by the Building Official. If removed at the City's expense, a lien shall be placed on the EQUIPMENT charged to the owner.

Vote Results

Motion: Ben Farmer

Second: Tanya Milton

Russ Abolt	- Aye
Michael Brown	- Not Present
Shedrick Coleman	- Aye
Ellis Cook	- Aye
Ben Farmer	- Aye
Timothy Mackey	- Nay
Lacy Manigault	- Aye
Tanya Milton	- Aye
Susan Myers	- Aye
Adam Ragsdale	- Aye
Jon Todd	- Aye

Motion Minutes:

VIII. ITEMS MOVED FROM CONSENT AGENDA

IX. REGULAR BUSINESS

Victorian District - New Construction

[13. 315 East Park Avenue - New construction of a detached single family dwelling and side yard setback variance.](#)

Attachment: [Location and elevations.pdf](#)
Attachment: [Location and color photos.pdf](#)
Attachment: [Staff Report.pdf](#)
Attachment: [Site plan.pdf](#)

Minutes:

315 East Park Avenue
Victorian PNC New Construction
Aldermanic District: 1
County Commission District: 8

Zoning District: 2-R
PIN: 2-0053-02-019
JSRB Ventures
John Sumner
MPC File No: N-090605-56746-2

Beth Reiter, MPC Project Planner

The petitioner requests approval to construct a one-story single family dwelling with a 4.5 foot side yard setback variance.

Mr. Farmer recommended an agreement between the neighboring owners to regarding easements because of the extremely limited space between the two structures.

Speaking on the Petition: **Read Brennan**, representative for the petitioner, stated regardless of the agreement, the issue will be the same. However, he will try to obtain an easement agreement with the other property owner.

Mr. Manigault asked why vote on something in which there is an unresolved issue?

Mr. Brennan stated due to the sub-standard lot, the alternatives are minimal.

Mr. Coleman stated the Board is creating a condition that could have possible legal issues in the future.

Mr. Farmer stated he'd like to continue the item to give the owners an opportunity to negotiate with the neighbors on an easement (cross or access) agreement or to come up with another alternative.

Motions:

Postpone Item to July 28, 2009 Regular MPC Meeting to allow petitioner to obtain easement agreement or develop another plan, due to extreme limited space between existing and proposed structures. - PASS

Vote Results

Motion: Ben Farmer

Second: Lacy Manigault

Russ Abolt - Not Present

Michael Brown - Not Present

Shedrick Coleman	- Aye
Ellis Cook	- Aye
Ben Farmer	- Aye
Timothy Mackey	- Aye
Lacy Manigault	- Aye
Tanya Milton	- Aye
Susan Myers	- Aye
Adam Ragsdale	- Aye
Jon Todd	- Aye

X. OTHER BUSINESS

14. Information and Background on the US Army Corps of Engineers Permitting Processes

Attachment: [MPC Thomson Regional General Permits 070209.pdf](#)

Attachment: [Regional General Permits.pdf](#)

Attachment: [MPC Presentation re USCOE Permits Overview 070709.pdf](#)

Minutes:

Erik Alford of Ecological Solutions and Jackie Jackson-Teel, Natural Resource Planner for the MPC, presented information on the topic of Regional General Permits.

The Savannah District of the US Army Corps of Engineers (USACE) has started a Regional General Permit (RGP) process. The goal is to establish an avenue for expedited review of publically funded projects which are assumed to meet the basic goals of the American Recovery and Reinvestment Act.

Ms. Teel discussed the RGP process and outlined the effects that this will have on our local area.

XI. ADJOURNMENT