



April 12, 2018 City Council Regular Meeting

CITY GOVERNMENT OFFICIAL PROCEEDINGS OF CITY COUNCIL SAVANNAH, GEORGIA

PRESENT: Mayor Eddie W. DeLoach, Presiding

Aldermen Carol Bell, Julian Miller, Brian Foster, Bill Durrence, Van Johnson, II, Tony Thomas, John Hall, and Estella E. Shabazz

Rob Hernandez, City Manager

Brooks Stillwell, City Attorney

Bret Bell, Deputy Assistant to the City Manager

William Shearouse, Assistant City Attorney

The regular meeting of Council was held this date at 2:00 p.m. in the Council Chambers of City Hall. The Pledge of Allegiance was recited in unison followed by the Invocation by Pastor Lolita Hickman, Trinity Baptist Church of Savannah.

Upon motion of Alderman Bell, seconded by Alderman Shabazz, unanimous approval was given for the Mayor to sign an affidavit and resolution on Personnel and Real Estate for an Executive Session held today where no votes were taken.

A RESOLUTION OF THE MAYOR AND ALDERMEN OF THE CITY OF SAVANNAH AUTHORIZING THE MAYOR TO SIGN AFFIDAVIT OF EXECUTIVE SESSION.

BE IT RESOLVED by the Mayor and Aldermen of the City of Savannah as follows:

At the meeting held on the 12th day of April, 2018 the Council entered into a closed session for the purpose of discussing Personnel and Real Estate. At the close of the discussions upon this subject, the Council reentered into open session and herewith takes the following action in open session:

1. The actions of Council and the discussions of the same regarding the matter set forth for the closed session purposes are hereby ratified;
2. Each member of this body does hereby confirms that to the best of his or her knowledge, the subject matter of the closed session was devoted to matters within the specific relevant exception(s) as set forth above;
3. The presiding officer is hereby authorized and directed to execute an affidavit, with full support of the Council in order to comply with O.C.G.A. §50-14-4(b); 17
4. The affidavit shall be included and filed with the official minutes of the meeting and shall be in a form as required by the statute.

ADOPTED AND APPROVED: APRIL 12, 2018 upon motion of Alderman Bell, seconded by Alderman Shabazz, and unanimously carried.

Alderman Thomas: This is a question for the Attorney. On the Executive Session that was just held will the minutes become a matter of public record once any business has been completed?

Attorney Stillwell: They are recorded. What do you mean a matter of public record? They are recorded.

Alderman Thomas: Will they become privy to public record once any business is completed?

Attorney Stillwell: I don't recall, I'd have to look and see. Generally, no.

Alderman Thomas: I'd like an answer on that if you can give me an answer on that by the end of the day.

Attorney Stillwell: I don't think I'll be able to do that.

Alderman Thomas: Well by the end of tomorrow.

APPROVAL OF MINUTES

[1. Motion to Approve the Summary/Final minutes for the City Council Work Session and City Manager's Briefing of March 29, 2018 03.29.18 WS minutes.pdf](#)

Approved upon motion of Alderman Bell, seconded by Alderman Shabazz, and unanimously carried.

[2. Motion to Approve the Summary/Final minutes for the City Council Meeting of March 29, 2018 03.29.18 Minutes.pdf](#)

Approved upon motion of Alderman Bell, seconded by Alderman Shabazz, and unanimously carried.

PRESENTATIONS

[3. Appearance by Representatives from Park Place Outreach to Receive a Proclamation Recognizing April as Child Abuse Prevention Month](#)

Proclamation read by Mayor DeLoach:

Child Abuse Prevention Month

Savannah, Georgia

A PROCLAMATION

“All children deserve great childhoods because our children are our future.”

Whereas, the month of April 2018 has been designated as child abuse prevention month in the City of Savannah, Georgia, and

Whereas, child abuse is one of our nation's most serious public health problems affecting every segment of our community and finding solutions require involvement and action from all citizens; and

Whereas, in the State of Georgia, an estimated 200 incidents of child abuse and neglect are reported daily and, annually, over 100 child deaths resulting from abuse or neglect are reported; and

Whereas, all children deserve to have the safe, stable, nurturing homes and communities they need to foster their healthy growth and development; and

Whereas, child abuse and neglect are a community responsibility affecting both the current and future quality of life of a community; and

Whereas, communities that provide parents with the social support, knowledge of parenting and child development, and concrete resources they need to cope with stress and to nurture their children ensure all children grow to their full potential; and

Whereas, effective child-abuse prevention strategies succeed because of partnerships created among citizens, human service agencies such as Greenbriar Children’s Center and Park Place; schools, faith communities, health care providers, civic organizations, law enforcement agencies, and the business community;

Therefore, I do hereby proclaim April as Child Abuse Prevention Month and call upon all Savannah citizens, community agencies, faith groups, medical facilities, elected leaders and businesses to increase their participation in our efforts to support families, thereby preventing child abuse and strengthening the communities in which we live.

Gena Taylor, Executive Director of Greenbriar Children's Center, Inc., thanked Mayor DeLoach and Council on behalf of Greenbriar and Park Place. She read a poem by Marian Wright Edelman, a world renowned children's advocate and activist, titled "Oh, God, of all Children."

Alderman Shabazz thanked Mayor DeLoach for bringing forth awareness of the month and complemented Ms. Taylor on the tremendous amount of continuous work done at the Center.

Alderman Bell also commended Ms. Taylor for all the work she does at the Center. Ms. Taylor thanked her and stated that Greenbriar was founded by Gamma Sigma Omega chapter of Alpha Kappa Alpha Sorority, Inc. She concluded stating the blue pinwheels given out are a symbol of child abuse awareness.

Alderman Hall asked the public to consider one of these organizations when making their contributions to the United Way.

ALCOHOLIC BEVERAGE LICENSE HEARINGS

[4. Motion to Approve Transfer of Alcohol License from Milin Patel to Dipen Patel of Quick Stop #92](#)

[Alcohol Documents - Quick Stop #9220180330_16110696.pdf](#)

[Measurement Report - Quick Stop #9220180330_16085639.pdf](#)

[Density Map - Quick Stop #9220180405_15075337.pdf](#)

Alderman Johnson: Thank you Mr. Mayor, if I could make some kind of introductory for this. This is in my district. This is a location to which I have some serious concerns. There's a responsibility as it relates to litter, there's a responsibility as it relates to the amount of advertisements that could be on windows, and I think that there are some property maintenance issues that have to be corrected before I could ask you all to support this license. So though this is a public hearing, I certainly don't mind the public comments coming forth, but I'm going to be asking it, this is continued until we are able to get some of these issues resolved.

Mayor DeLoach: Is anybody here from Quick Stop #92 that wants to speak?

Milin Patel: Yes sir. My name is Milin Patel. I'm the landlord. I've been there for 15 years and I'm just transferring my existing license to the tenant.

Mayor DeLoach: Well, since you're here and we're not going to make a motion on this today because we got concerns about the issues at your place. I'm just bringing this to your attention so we can bring it to the attention of every other store that is out there that looks the same way. There's only 10% coverage as a maximum you can have as far as literature on your front glass where you can see in or out. It can't be plastered, completely covered with advertising or whatever. Also, it has to be a neat appearance around the outside. So those two items I think what concerns my colleague down on the end there, Councilman Van Johnson. So if you will take care of that and come back and see us on the next time and we'll see if we can't see what we can do for you.

Alderman Miller: Mr. Mayor before we leave this issue, the next issue also belongs to Mr. Patel and it's in my district. At 7101 Skidaway Road it seems to have the same issues with the windows and we'd like to have those addressed before we can move forward.

Milin Patel: I wish I had known this before I came.

Alderman Johnson: Well, let me go back. I mean, I think the fact is that you're the landlord not the license holder. But I mean there is a responsibility that you understand what's going on with a property that you own. You know the fact is these businesses are in neighborhoods and so they should add to the character of the neighborhood. So when you have a business that has the stores plastered with advertisements that, you know, it gives a blighted approach to it. I mean, it looks like a hood and so we're trying to clean these types of things up. So, I mean, not that I have necessarily a problem with the license, but I think that we have to make sure that we're abiding by the rules. I'm sure Alderman Miller feels the same way.

Alderman Hall: That doesn't stop him from operating, does it?

Mayor DeLoach: No, it doesn't, he can continue to operate, he just can't transfer the license.

Milin Patel: Mr. Mayor I just found this out today. I actually took all the signs out when Miss Judee Jones told me. I got a before and after picture, the signs have been removed. Wish I had known this, I would have prepared for this. This is the first time of me knowing it and I don't have to wait another month to get it rectified.

Alderman Johnson: Not a month, just two weeks.

Hearing closed upon motion of Alderman Johnson, seconded by Alderman Miller, and unanimously carried.

Continued to the meeting of April 26, 2018, upon motion of Alderman Johnson, seconded by Alderman Miller, and unanimously carried.

Alderman Shabazz: Mr. Mayor, before you go on, you made a great point and I don't know how we could address this, but we need to say that this is a word that's going out, not to just this business but to all businesses that have these convenience stores with all the windows covered, with all this advertisement. This is going on in my district also, I think Mr. City Manager, we need to do something to address the situation and put some strict enforcement in making sure that these properties are cleaned up and all this advertisement off of the windows.

Alderman Miller: If I could take just a moment Mr. Mayor. Mr. Patel made a good point. It'd been nice to know this before. Perhaps we can make this a part of the process when we move forward, if the police department can look and see if we have these issues before we get here. I'm not blaming anybody, it's one thing we hadn't thought of before now, but it's a safety issue. People can't see inside the store and if something's happening in there, there's nobody who can come to the rescue. Mr. Patel, we appreciate you putting up with us.

5. Motion to Approve Transfer of Alcohol License from Milin Patel to Dipen Patel of Quick Stop #71

[Alcohol Documents - Quick Stop #7120180330_16450433.pdf](#)

[Measurement Report - Quick Stop #7120180330_16442128.pdf](#)

[Density Map - Quick Stop #7120180405_15064711.pdf](#)

Hearing closed upon motion of Alderman Johnson, seconded by Alderman Miller, and unanimously carried.

Continued to the meeting of April 26, 2018, upon motion of Alderman Johnson, seconded by Alderman Miller, and unanimously carried.

6. Motion to Approve Transfer of Alcohol License from Yash Desai to Hetalen Patel of Savannah Mart

[Alcohol Documents - Savannah Mart20180330_16070036.pdf](#)

[Measurement Report - Savannah Mart20180330_16080337.pdf](#)

[Density Map - Savannah Mart20180404_09264375.pdf](#)

A public hearing was held. No persons came forward to speak either for or against the item.

Alderman Miller: It appears that this store may have the same issue.

Mayor DeLoach: Does it?

Alderman Hall: No.

Alderman Miller: It doesn't?

City Manager Hernandez: With all due respect, Mayor and Aldermen. The information that is in the file, in fact, Code Enforcement, that's how it came to my attention. Code Enforcement flagged it in their review and identified a proliferation of signage on this particular property as well. And it's in the attachments.

Mayor DeLoach: Okay. Well, let's, I'll tell you what, let's do this, this is what we're going to do. So those folks the Patel's still here, just hang loose. I would y'all to consider passing all four of these because apparently everybody's got dirty windows.

Alderman Foster: Chuck E. Cheese is not an issue.

Mayor DeLoach: Going back to it, but can we just pass these three and just say have alcohol, look at them and then if everybody's happy they go forward. If he runs into a problem, we do a Show Cause hearing.

City Manager Hernandez: I'm fine with that and again we will work with our ABC unit.

Alderman Johnson: I don't think they necessarily have a problem. I guess my only concern would be if they're flagged, then maybe they shouldn't come to Council in the first place, if there's an issue.

Attorney Stillwell: Well you cannot contingently approve it. What you could do is one of two things. You could either go ahead and approve the license, in which case you could instruct the Code Enforcement people to go out and enforce the sign ordinance, which they could do.

Alderman Johnson: But the only leverage this body has would be with this alcohol.

Attorney Stillwell: Right, they could cite them to Recorder's Court. But you could continue it as you've done on the first one. You could do that as to all three, but you can't do is say, well it's approved subject to somebody proving later, something or other.

Alderman Johnson: Mr. Mayor I would like to make sure the one in my district is done.

Mayor DeLoach: Okay, well we'll just take number six here and we'll do the same thing since apparently we have the same issue.

Hearing closed upon motion of Alderman Hall, seconded by Alderman Bell, and unanimously carried.

Alderman Hall: I strongly disagree with you on number six. Has a case been made or has anybody said anything about the windows.

Mayor DeLoach: The City Manager said it was flagged.

Alderman Hall: The City Manager, okay but while they were there nobody told these people you need to take some of the stuff out of the window. I mean, it's like we set a trap for them to come up here and then tell them no.

Mayor DeLoach: Here's the deal it's like me cutting grass. I have to have a license to do it. I understand what I have to do, to do this. Now I might get sloppy and they might have to come correct me, which is what's happening here because he's transferring the license. Otherwise it would continue on unless one of our guys walked in there and said, hey this is not acceptable, but it's his responsibility, it's not ours.

Alderman Hall: I would agree with that, but since they were there, that is my point, they were there. Why didn't you tell the operator, somebody should have told them.

Mayor DeLoach: I agree with that.

Alderman Johnson: They should have known.

Alderman Hall: But at any rate, they can still operate until they come back next time?

Alderman Johnson: Yes.

Alderman Hall: Fine.

Continued to the meeting of April 26, 2018 upon motion of Alderman Miller, seconded by Alderman Foster, and unanimously carried.

[7. Motion to Approve Transfer of Alcohol License from David Goudreau to Harvey Hansel of Chuck E. Cheese](#)

[Alcohol Documents - Chuck E Cheese20180330 16402045.pdf](#)

[Measurement Report - Chuck E Cheese20180330_16420683.pdf](#)

[Density Map - Chuck E Cheese20180404_09272080.pdf](#)

A public hearing was held. No persons came forward to speak either for or against the item.

Hearing closed upon motion of Alderman Miller, seconded by Alderman Durrence, and unanimously carried.

Approved upon motion of Alderman Miller, seconded by Alderman Bell, and unanimously carried.

ZONING HEARING

8. Motion to Amend the Zoning Ordinance Regarding the Savannah Historic District (Petitioner: Planning Commission)

[Planning Commission Recommendation 20171212 Savannah Historic District Ordinance Text Amendment 17-006200-ZA.pdf](#)

[Planning Commission Recommendation 20180405 Savannah Historic District Text Amendment 17-006200-ZA.pdf](#)

[Draft Ordinance Savannah Historic District Ordinance Text Amendment 17-006200-ZA.pdf](#)

[Draft Ordinance Savannah Historic District Ordinance Text Amendment 17-006200-ZA with highlights.pdf](#)

Hearing closed upon motion of Alderman Durrence, seconded by Alderman Miller, and unanimously carried.

Continued to the meeting of April 26, 2018, upon motion of Alderman Durrence, seconded by Alderman Miller, and unanimously carried.

9. Motion to Amend the Zoning Ordinance Regarding Food Truck Courts (Petitioner: Douglas Kaufman)

[Planning Commission Recommendation Food Truck Court Sec 8-3002 and Sec 8-3025\(b\) Use #49d.pdf](#)

[Food Truck Court Sec 8-3002 and Sec 8-3025\(b\) Use #49d Text Amendment Draft Ordinance.pdf](#)

[Food Truck Court Concept Plan.pdf](#)

Marcus Lotson, Metropolitan Planning Commission, Director of Development Services: Thank you. Mr. Mayor. The item before you is a request to amend the zoning ordinance to establish a new use of food truck court. We were approached several months ago by the petitioner with a site plan that included what he described as a food truck court. And in review of that plan, the City ruled that, that use was different from a mobile vending units, which are food trucks, which you adopted an ordinance for back in 2016 or restaurants. It was ruled that it was different from that in order for him to establish this use. An amendment to the zoning ordinance will be necessary to create the use. So the item before you is an amendment to section 8-3025(b) within article b of the zoning ordinance and the definition section of the zoning ordinance in order to establish the use. The ordinance was designed, the current food truck ordinance that was adopted in 2016 was really designed primarily to regulate individual trucks and trailers that you see parked on City streets and that's been operating for the last almost two years and has done well. So in terms of the food truck court staff did a review of the zoning ordinance and found that use number 49, which is a drive in restaurant that's a current use of the zoning ordinance. We looked at that as a comparison and it is permitted in seven commercial zoning districts. So what the Planning Commission is recommending is that this new food truck court use be established. That it be permitted within those zoning districts, which I'll be happy to go over. Because those districts have far more intense uses currently, such as drive in restaurants, nightclubs, cocktail lounges, and major vehicle repair we believed that these districts were appropriate to have the food truck court use. Those commercial districts include the residential business classification, the highway business classification, neighborhood business, community business, general business, and the light and heavy industrial classifications. We also believe that in establishing the definition which is a food truck court, would be defined as any property or building for which the primary purpose is to allow mobile food service unit vending to occur on site. We recommended that definition and we recommended that it be allowed in the districts that I just described to you. And we also recommended that four conditions be placed on the use when it is established in one of these districts and those conditions are as follows: Condition (a) such use shall comply with the Mobile Food Service Ordinance Article Two, which is the ordinance that you all adopted in 2016; Condition (b) such use shall obtain site plan approval through the City of Savannah site plan review process; Condition (c) such use shall provide permanent restaurant facilities; and Condition (d) is that each mobile food service unit shall be located on a surface, paved with concrete, asphalt or other dust free material. We believe that the uses is appropriate in the zoning districts but we believed also that those particular conditions would help to manage the use as it relates to a food truck court. I will be happy to answer any questions.

Alderman Miller: I've got a couple questions about this. I want to make sure that we're taking care of everything here because a food court/food trucks have gotten popular. I understand that, they don't fit me, but that's all right. But other things kind of go along with it. We tend to and one of my constituents, Ardis Wood pointed a couple of things out to me and I need to agree with her on them. We end up with kind of a carnival atmosphere around some of them at times

with balloons, banners, lights and flashing, kind of extend beyond just having a food truck there. And parking, is this only providing in this one location or is it going to provide more than one location?

Marcus Lotson: The ordinance as proposed would provide for the use to be allowed in those districts that I described to you, in the event that they can meet the conditions. As it relates to some of those issues that you brought up regarding the carnival atmosphere and that is a concern of ours as well, we agree with you on that. We believe that there's other standards within the City code that should address those things as it relates to any activity that takes place on that site, that's not in conjunction with the use of a food truck basically. So in other words, if they've got electronic signage that's moving, for example, that's not permitted so that should be enforced. Things of that nature as it relates to parking I will say that like a lot of uses within the zoning ordinance, we believe that since this will have to get site plan approval through the City of Savannah, that the City will establish the required parking for that use at the time it goes through the review process.

Alderman Miller: Then what department is responsible for enforcing those rules. And are they doing it now?

Marcus Lotson: The Code Enforcement of the City will be responsible, as they are for all uses in the City.

Alderman Miller: Is that something that Code Enforcement is actually engaged in at this time, Mr. City Manager? The concern is that sometimes when we end up with food trucks, we end up with a carnival atmosphere around them with a lot of signs and balloons, noisemakers, bubblers and such, and parking. The answer was that would come under Code Enforcement, but I've gotten complaints that that's not being enforced. Is that something that's on Code Enforcement's radar?

City Manager Hernandez: So, that's something that comes with a training issue. First, we will need to alert Code Enforcement to be aware of these types of issues. But again, we have codes already in place to deal with the noise and to deal with the signage. You know, our Code Enforcement people can't be everywhere. So, if there is a complaint of a carnival type of atmosphere that's becoming a nuisance to the neighborhood, folks can still call 311 and we can get the complaint and send Code Enforcement out. But we will, if there's or similar type of food courts are in place, we will make it, we'll put it on Code Enforcement's radar to address those issues. Did I answer your question?

Alderman Miller: Kind of, sort of, quite often these food trucks are, have positioned on weekends when it might not be easy to file a complaint. The one that comes to mind is one that was brought to us, it was actually parked in front of City Hall with all the banners and everything. If it's not something that is on the radar and I could see where it might not have been because food trucks are somewhat new.

City Manager Hernandez: We'll put it on the radar, now that I know it's a concern in some areas of the City. We will make sure we put it on Code Enforcement's radar screen.

Alderman Thomas: Mr. Miller you said the banners that are on the truck, are you talking about on the Two Cracked Eggs truck?

Alderman Miller: I don't remember which one.

Alderman Thomas: That's a private vehicle.

Alderman Miller: These weren't on the vehicle, they were out in the street. I don't know what you call them but they had the fiberglass poles that bend over and the banners are hanging out in the street.

Alderman Thomas: I haven't seen that when I was just wondering. Okay, thank you sir.

Alderman Shabazz: Mr. Mayor, Mr. Lotson, in reference to these districts that we established back in 2016 when we approved this food truck ordinance. Can you remind me if it's not too lengthy of these districts and where and what they are?

Marcus Lotson: Well the districts that are proposed to permit this use are not related to the amendment that was approved in 2016. These districts are the districts that the Planning Commission believed were appropriate for this use that was being requested today. Within those districts there are already more intense restaurant type uses that are permitted in those districts. So you find these districts primarily along the corridors of the City. In some of the more urban, busier areas. Within these districts that I described to you earlier already are permitted things like fast food restaurants, nightclubs, and bars, and some of the entertainment related uses that are permitted in the zoning ordinance.

Alderman Shabazz: Well, I'm concerned in reference to food trucks, versus restaurant establishments that have buildings. Having these food truck courts in the same area where it could, you know diminish.

Marcus Lotson: There is language in the existing ordinance that you adopted in 2016 that governs that, and anyone who establishes the food truck court use, if this is adopted, would have to meet the standards of that ordinance as well. So, there are separation requirements and things of that nature that exists in the current ordinance that would be applied to this if this were to be established.

Alderman Hall: So, that ordinance if I'm selling fried chicken in my stand alone, brick and mortar, that food truck can't be anywhere near me.

Marcus Lotson: That's right, yes sir. Anyone that establishes this use, if you choose to adopt it, will have to meet the conditions of the current mobile food truck ordinance.

Alderman Bell: It's a distance requirement, right Marcus?

Marcus Lotson: There is a distance requirement.

Alderman Shabazz: You said that the food truck with this new ordinance that's coming before us, that the food truck business, there must be a facility for restrooms?

Marcus Lotson: Yes because this is essentially an open-air business, if you will. We thought it was important to add that as a condition because obviously people are eating and drinking. You want to have some facilities to address that?

Hearing closed upon motion of Alderman Johnson, seconded by Alderman Durrence, and unanimously carried.

Approved upon motion of Alderman Durrence, seconded by Alderman Miller, and unanimously carried.

Alderman Johnson: Mr. Mayor, if I can before Mr. Lotson leaves. I understand he's received a promotion within the MPC and I wanted to congratulate you. Tell us what that title was again, it was something really important.

Marcus Lotson: Well I'll be coming before you just as I always have been and doing the same job I've always been doing. But I've been named the Director of Development Services at the MPC. But nothing here will change for me.

Alderman Johnson: That sounds very important. Congratulations sir.

[10. Motion to Amend the Historic District Zoning Ordinance Regarding Materials on Buildings 5 Stories or Greater \(Petitioner: Phillip McCorkle, for 7 Drayton Hotel, LLC](#)

[Planning Commission Recommendation Historic District Ordinance Sec 8-3030\(l\)\(1\) Text Amendment.pdf](#)

[Historic District Ordinance Sec 8-3030\(l\)\(1\) Draft Ordinance _18-000956-ZA.pdf](#)

Ellen Harris, Metropolitan Planning Commission, Director of Urban Planning and Historic Preservation: Good afternoon. Mr. Mayor, members of Council, Mr. City Manager, before you is a petition to amend the Historic District Ordinance with a text amendment and it would allow the determination from the U.S. Department of the Secretary of Interior to determine consistency with the standards related to visual compatibility design standards and the Secretary of Interior Standards regarding alternate materials on buildings which are five stories or greater. In essence, the intent of the text amendment is to allow double pane aluminum clad windows as replacement windows in historic buildings, in specific circumstances. Just to give you a little bit of background on the history of this petition, it really relates to the American Building, a historic contributing building located at 7 Drayton Street. It was built in 1915 and is considered a contributing building within the Historic District. As you probably know, it's been under renovation for a number of years. Back in 2017, the architect applied to install aluminum clad windows as a replacement to the Historic Review Board. The Historic Review Board subsequently denied the application and the architect applied to the Zoning Board of Appeals, to appeal their decision based on abuse of discretion and request a variance from the specific standard that disallows that. The Zoning Board of Appeals denied the abuse of discretion, as well as the variance. So, the text amendment is the next step in the process that could potentially allow this. There are three sections of the Historic District Ordinance which are related to historic windows. The first is the preservation standards and that's where the ordinance adopts by reference the Secretary of Interior Standards and the Review Board found in 2017 that five of those standards were relevant to this case and three of those standards were not met. Specifically the standard that discusses the replacement of distinctive feature shall match the old in terms of design, color, texture, visual qualities, and where possible materials. There's also the visual compatibility factors, which state that the relationship of the materials, texture and color of the facade of the structure shall be visually compatible with the predominant materials, textures, and colors of contributing resources. The Historic Review Board determined that, that standard was also not met, that the aluminum clad windows are not visually compatible and the new windows do not match the materials or texture of the old windows. The third section of the ordinance that addressed windows states that replacement windows on historic buildings shall replicate the original historic windows in composition, design and material, and the Board determined that that provision was added to the ordinance in 2001, and the Board determined that, that standard was also not met as it does not match the composition and material. The petition has alleged that the Historic Review

Board is abusing its discretion by not allowing aluminum windows. The Review Board does have the discretion to allow alternate materials when they find them to be visually compatible and they regularly do so. For example, they approved composite shutters, to replace wooden shutters because there's been a finding that composite shutters, this is an alternative material, it's a new technology that is an improved technology, and they regularly approve those when they find them to be visually compatible. Same thing with insulated glass and historic windows as a replacement for historic glass, they regularly approved that because it is visually compatible. So, in this particular situation, it's basically a thicker glass than what you would have in your historic glass windows. So, it provides better energy efficiency and noise reduction. It's not double pane, it's just a thicker double pane, it's actually two separate panes with a space in between, this is a single pane still, but it's thicker. So, the Board does approve of alternate materials when it finds that it is visually compatible. In this case, they did not find that this was visually compatible. There also seems to be some implication that what the Review Board is asking for is inconsistent with the Secretary of Interior Standards. Staff did confirm with the National Park Service and the State Historic Preservation Office that what they're asking for, the use of wood windows, is consistent with the Secretary of Interior Standards. In essence, there are multiple ways to meet those standards and the Historic Review Board is asking for a stricter interpretation, but it's not a different interpretation, it's not in conflict with what the Secretary of Interior is requesting. The Historic Review Board also felt that the Secretary of Interior Standards are intended to apply to all National registered historic districts. As you well know, our Historic District is a landmark historic district and so a stricter interpretation of those standards is entirely appropriate. The petitioner has cited a number of reasons and good reasons for wanting to use the double pane aluminum clad windows, in order to reduce noise, energy efficiency and maintenance. Those are all excellent goals to achieve. However, the Review Board and staff contend that there are other ways to meet those goals. For example, using insulated glass, using interior storm windows and things like that, making sure that the wood windows that would be installed are high quality wood windows. If you take the stock pine wood windows off the shelf, then they're probably not going to last as long as the better wood windows. We know that the windows that were in the building were the original windows and lasted from 1910 until they unfortunately disappeared in 2016 or thereabout. So, they had a hundred year lifespan already and when properly maintained, could have another hundred years. Whereas, aluminum clad windows have a 20 year warranty on them. The Board felt that the proposed text amendment would set a precedent for other projects to circumvent the ordinance established to protect the integrity of the Landmark District. The assertion that aluminum clad windows are indistinguishable from wood windows is similar to suggesting that aluminum siding is indistinguishable from real wood siding. It's simply not the case, one can tell the difference. Staff is also concerned with allowing a Federal Agency's interpretation to effectively circumvent and be binding on a local government. The Review Board has the authority to apply and interpret the Standards and the ordinance as adopted by you and the proposed text amendment would disallow that process. I understand there's also some question about why these windows would be allowed on new construction and not on historic buildings. I think that really gets to the key issue. Our historic buildings are what we are trying to protect. For example, the Owens-Thomas House, which is one of our historic gems. It's a stucco building on the same square as the building of the MPC offices, located in the parking garage with our offices on the ground store is also a stucco building. However, if that Owens-Thomas House were proposing to come in, and I'm only using them as an example and this is based on no particular precedent, were to come in and want to restucco their building, we would pay very close attention to what kind of stucco they were using, to make sure that it matched exactly the historic stucco, that it was compatible, et cetera. We'd give it a lot more scrutiny than we would if the parking garage was proposing to restucco that building. We do pay additional scrutiny and attention to our historic buildings in terms of what kind of materials we allow, that is, you know, typical in a historic district that you would have different applications, and different rules for that. So in summary, the Historic Review Board has correctly and consistently and fairly applied these three sections of the Historic District Ordinance which pertained to replacement of windows. The application and interpretation is consistent with the Secretary of Interior Standards and will not jeopardize the tax credits for 7 Drayton Street. Changing the ordinance to allow double pane aluminum windows on historic buildings, even in limited circumstances, sets a dangerous precedent and will undermine the ability of the Review Board to protect the historic integrity of the district. The Metropolitan Planning Commission is recommending denial of the proposed text amendment. I'll be happy to answer any questions.

Alderman Foster: Has there ever been aluminum clad windows that had been approved on historic buildings?

Ellen Harris: Yes sir. Prior to 2001 when that provision was adopted into the ordinance, aluminum clad windows had been approved.

Alderman Foster: Okay, but since 2001 nothing has been approved?

Ellen Harris: Nothing has been approved that I am aware of.

Alderman Foster: Thank you, I just wanted to clarify that.

Alderman Johnson: My question is really about determining and understanding, I'm not in the historic preservation business, but I want to understand it. Because something is modified to make it different, to make it better, to make it in some kind of way more conformed with the actual conditions of where we are. For example, you have a building like this, I mean, I'm sure when it was built, this historic building, right?

Ellen Harris: Yes sir.

Alderman Johnson: Well I'm sure when it was built it did not have air conditioning, I'm sure it did not have lighting, I know it didn't have digital televisions, but the fact that in the world in which we live in, you have those things. So, we put these things in here to make sure that it is being used for the use in which it is intended for. But it doesn't change the fact that this building is still an historic building. So, I guess that's the kind of thought that I have as we talk about things like this. While we have these types of storms that rip these windows out, little types of things, wouldn't there be modifications that would be appropriate, that would still allow it to be historic, yet still making sure that the building is able to withstand the test of time.

Ellen Harris: Absolutely. There are modifications that could be made to the building to give it additional energy efficiency, to additional protection from storms, et cetera. I think the example of the air conditioning is a good one, most of our buildings downtown have incorporated air conditioning systems. However, you know, we try to make sure that they're done in a sensitive and thoughtful way. That they don't for example, have a window unit in every single window of the entire building. So, there are ways to do it and the ordinance is in place to make sure that it's done in a thoughtful, careful way. I'm really using a scalpel, rather than a hammer, and replacing all of the, introducing new windows into a building, a historic building that don't match the original building is a very heavy handed approach.

Alderman Johnson: So, using this would be heavy handed, but then how do you reach those, those aims of being energy efficient and protecting the building. Obviously a building is the entry way and if you have buildings that are too weak, a storm comes and the building is damaged. So, how do you mitigate that?

Ellen Harris: An example would be the use of insulated glass on the windows, you know, would provide you additional energy and efficiency as well as protection from storms because it is a much stronger glass than the thinner glass. Another way to get a similar energy efficiency as double pane windows is to have interior storm windows that also reduces the noise level. So there's different things like that, that can be accommodated.

Alderman Johnson: Thank you.

Alderman Bell: I heard you say that the aluminum clad windows did not meet the visual compatibility feature required by the Department of Interior. How did you make that determination?

Ellen Harris: Well, so the visual compatibility requirements are in our local ordinance, not the National Park Service Standards. They had the Secretary of Interior Standards, our local ordinance has the visual compatibility factors, and the Board has determined that the aluminum clad windows are not visually compatible. As I mentioned earlier, to suggest that one cannot tell the differences between a wood window and an aluminum clad window, I would simply disagree with that. I can tell the difference you know, it's the same as suggesting that aluminum siding looks exactly the same as wood siding, one can tell the difference. They might look similar, but one can tell a difference.

Alderman Hall: You used the words sensible and thoughtful a little while ago. Do you not think that is what the petitioner is trying to accomplish?

Ellen Harris: I think what the petitioner, the goals of the petitioner to increase energy efficiency and reduce noise, I think that those goals are laudable goals and they are sensible goals. My suggestion is that and the Review Board suggestions that they can be achieved without compromising the historic integrity of the building.

Alderman Hall: Is it your opinion that the historical significance or importance of the building would be compromised, with what the petitioner wants to do?

Ellen Harris: Yes sir, I do.

Alderman Hall: And you rely heavily on what the Interior Department, aren't these just mere documents that they create?

Ellen Harris: Well, they are guiding principles for any rehabilitation of a historic building but they are only one part of the argument, I think that's before you today. We have a local ordinance that City Council adopted that also has standards and in place which would not allow what the petitioner is proposing. So, the Secretary of Interior is just one part of that.

Alderman Miller: Ms. Harris, you mentioned the visual compatibility standard is actually a local issue. When was the last time that compatibility, that visual compatibility was upgraded? And I'll tell you the reason I'm asking. I spent an awful lot of time studying this thing and I feel like a judge on American Idol. I don't know how I'm going to vote on this thing. I keep going back and forth, but I actually went out and looked at the windows and I know I'm just a dumb redneck, but I had a whale of a time trying to determine which was wood, which was aluminum clad. They look so much alike and the fact that I had to actually go up and touch it, but none of these are going to be on the first floor, so nobody's going to be able to touch it. At what point was that upgraded? Have we revisited that issue since these new windows have come on the...

Ellen Harris: So, the visual compatibility criteria were added to the ordinance in 1997 and that was after the Chadbourne Study was done and that was really probably the biggest revision to the Historic District Ordinance that we had seen in some time. So, those are the visual compatibility factors are really the guiding principles behind all of the other specific standards. They're fairly, they allow for some interpretation where some of the design standards are very, very specific. The visual compatibility factors add a little bit more discretion. So for example, the height of a building shall be visually compatible with the heights of visually related contributing buildings, things like that. So you know, there is some discretion there in terms of how the Review Board applies that. We feel like that discretion is why the Review Board exists in the first place. If everything were black and white, it would just be a checklist and you wouldn't need a board to be looking at these applications.

Alderman Miller: I agree with what you just said there, but I think I just heard you say the last time we've actually gone and looked at these materials was 1997.

Ellen Harris: That was when they were incorporated. We revisit the ordinance on a regular basis. The last time it was comprehensively updated was 2009 and you know that those, those standards as visual compatibility factors were on the table for discussion for looking at and not proposed to change.

Alderman Bell: When you're making your decisions, Ms. Harris, do you consider the use of the building or if the building's use is changing? Does it matter that this building's use now is going to be or the intended use is a luxury hotel?

Ellen Harris: No ma'am. The Historic Review Board's purview does not include looking at uses, it's at the physical environment of the building itself.

Mayor DeLoach: Over the last few weeks we've been inundated with whether we're going to lose our credibility or historic district label and all that, and theoretically it was coming from the Park Service, is that correct?

Ellen Harris: The Park Service commissioned a study to look at the integrity and the study itself recommended changing the status. The National Park Service has not changed the status of the Landmark District.

Mayor DeLoach: The National Park Service does that though, right?

Ellen Harris: Yes sir.

Mayor DeLoach: And so, have they approved aluminum clad windows, do they give tax credits to the person that's using them?

Ellen Harris: Yes sir, they have. In certain circumstances they have in this particular circumstance...

Mayor DeLoach: Does this gentleman have tax credits for using these compatible windows.

Ellen Harris: Yes sir.

Mayor DeLoach: And they determine whether we're going to be a historic district or not. And yet we don't think they're qualified enough to make that determination. And yet they're the one that's going to determine whether we're going to be a historic neighborhood or not. Is that right?

Ellen Harris: The City Council has the purview to adopt the local ordinance. So, even if the National Park Service were to say take away the landmark district status you all would still be a local district.

Mayor DeLoach: I know we usually can put in an ordinance of our own, but it usually adheres to the State which adheres to the Federal government. If it got down to who's responsible and who has got the most power, it always goes back to the Federal government, which in fact has given this gentleman credit for having these and it has given this person tax credits and actually gave him money and saved him money by doing this. And yet when it comes to us, we determined that it's not good enough. Is that what I'm getting out of this? I don't know. That's what I'm hearing, that's what my understanding is. We were all up in arms two weeks ago because that same group was fixing to take our status as a historic district. And yet they're not qualified to tell us whether the windows we're going to use are qualified.

Ellen Harris: We feel that the Historic Review Board is well within their purview to have a higher standard than the National Park Service.

Mayor DeLoach: What I want to do next is get everyone who is for the MPC and Historic Review Board's request to come forward.

The following individuals appeared in support of the MPC's recommendation for denial.

Kenneth Zapp: Hi my name is Ken Zapp, I taught finance for over 40 years. I'm also a resident of the Landmark District. My wife and I renovated five houses here, three in the historic districts, one house we won the Tybee Island Historical Society Award for the best preservation in that year. I say this because I think we, I know what's going on. When a person or a company buys a property in the Historic District, that buyer is responsible for understanding the existing codes, regulations, and requirements. Therefore, as a finance person, I'm assuming that the buyer of this property, given the existing codes requirements, guidelines, assumed he or she could make a profit within the existing codes and guidelines. Therefore, any attempt to change the existing codes or guidelines simply is aimed at increasing that already acceptable profit for the buyer. I don't think it's our job to sacrifice some of our standards here in order to increase beyond what already the buyer thought was a normal return. This is important. That's not the job of government to increase the profit. It is to protect the integrity of our Landmark District. In a market economy we know that regulations are harmful when the regulations have deleterious effect on the economy. Let's look at the Landmark

District, is there any dearth of renovation and building going on? There's so much building and renovation going on it's almost impossible to hire a contractor. This regulation is not deterring economic development or business. Therefore, there is no objective reason to eliminate or amend the existing regulation. As a resident of the Landmark District, I want you to know that approving this amendment would be an insult to the thousands of property owners in the Landmark District who accept the existing regulations because we believe in the integrity of the Landmark District. Please do not put up a sign that the soul of Savannah is for sale. Please reject this amendment.

Steve Merriman: Mr. Mayor and members of Council, Steve Merriman, I'm former Chairman of the Historic Review Board and local businessman. I want y'all to imagine if you will, that you had a 1927 model Ford, there's a catalog you can buy every piece and part and nut and bolt for that car. Now, if you had that car and you were driving down the road and knocked the side view mirror off of it, you wouldn't go to Auto Zone and buy a one size fits all side-view mirror and bolt it on. You know, this building is a 1915 building, putting 2018 windows in it. It's not the same building as it once was, it's a contributing building, which means that as such as contributing to every part of the Historic District. Every little thing you take away from it, changing the windows, different things like that is not contributing as much as it used to. And it'd come a time when it won't be contributing anything at all. The petitioner, they've received their due process. They've been before the Historic District Board of Review, ZBA, MPC, and the preservation officer has reviewed this. These guys are your team, y'all appoint these folks. One reason is because there's no way that y'all could do everything that y'all do and everything that they do. And plus nobody can be an expert on all the things you need to have knowledge on all at the same time. So, what I'm saying today is that these guys are your team. They've all rejected this and I'm asking you to trust your team. Trust your team. Thank you very much.

Michael Brown: My name is Michael Brown and I've been involved in the historic preservation business since 1975. I have won awards in Washington, DC, Baltimore, City of Savannah numerous times, and from the State of Georgia, and from the State of Washington. So, I think I have a pretty good knowledge of an alternative to this proposal. These are quick quotes from various agencies from the government. This is from the Department of Energy, aluminum window frames conduct heat very rapidly, which makes metal a very poor insulated material, wood window frames insulate relatively well, International Association of Certified Home Inspectors, material expectancy window and aluminum clad windows, 15 to 30 years, wood it's 30 plus years. Typically higher end aluminum clad windows come with a 15 year warranty on their finish, while builder's grade aluminum windows has a much shorter span, The International Improvement Center. The traditional wood-frame material is wood because it available and easy to mill into complex shapes required to make windows. Wood is favored by many residential applications because of its appearance. Traditional place in housing designed and there's a figure number from the thermal point of view. Wood-frame windows perform well and better than aluminum with a value youth of 0.3 and 0.5 btu's energy efficient and thermal performance. Wood-framed windows are excellent in inhibiting the transmission of cold and heat from the outside that's condensation. Vapor pressure can force the moisture easily through wood, thermal breaks not needed for wood because it is solid non-conductive material. U.S. Department of Interior Parks Service Cultural Resources. When the replacement is necessary, the new windows should match the historic ones in design, detail material, this Old House Magazine, not a government agency, obviously. Wood frame windows are still considered the gold standard by many professional installers and homeowners, they're strong, beautiful and relatively energy efficient, this is from the Aluminum Window Manufacturing Organization. Aluminum windows and aluminum clad windows have an average guaranteed material period of 7 years. In Savannah, we've restored 297 wood sashes in all of our projects. The vast majority of the windows age is 138 years. Our first renovation was the Kress Building in 1996. Our first repaint was 2017, so they lasted 21 years without a repaint. This is to answer your question, Mayor, we use a wood now called red grandis, it has a very high density. It is totally rot resistant, it's plantation grown, and it's renewable sustainable. We route a half inch to a 9/16th inch to accept double insulated glass, which you were talking about, the insulated glass. We route into the gradis wood and it makes the wood dense. So, it's denser and better than aluminum. Interesting fact on the other corner, the U.S. Customs Building, built in 1848, still maintains its original windows, 170 years of hurricanes, weather, wars, and it is still sound. The proposal is in direct conflict with the City's employed preservation experts. So, it's also in opposition of the nationally respected Historic Review Foundation, National Trust for Historic Preservation, U.S. Department of Energy, and most importantly the unanimous public opinion. This is in exchange for a single financial benefit of one developer and opens the door to degrading 35 other important Savannah buildings that fall under this amendment. The outcome of this vote would be most interesting to witness.

David Altschiller, Historic District Board of Review, member: David Altschiller, I'm a long-term resident of the historic districts. Renovated three houses here. I renovated up north, over 20, and received some awards for them. And I'm on the Historic Review Board. My presentation will be with a little more passion and a little less specificity, but if you'll allow me. Savannah is architecturally special, we all know that that's the reason why millions of visitors come here. It's why my wife and I came here and it's why many of the people in the room are here. Savannah will suddenly become a city that was once great. It'll become, it'll lose its greatness, little by little. Its architectural significance will be lessened, piece by piece, compromise by compromise, and window by window. The reason that we're here today is the notion of putting aluminum clad windows on a significant historic building which would turn into yet another hotel. There are safe guards if we attempt to demolish the building. They're very obvious and self-evident, rather we're here today to consider the defacing of the building, defacing not demolition. While aluminum windows, may be modern heat efficient they are utterly and completely visually inappropriate. That's the strong consensus of most people in town and certainly of the Review Board. It's easily seen, if you look at the difference between them within any kind of attempt to discern one from the other. Some people will know it instantly, some people will just sense it, and they'll just feel it. But what will happen is a historical building will have lost its integrity and we in turn will have lost a little bit of ours. One day soon if this were to happen, aluminum windows would become the new standard for smart buildings, much in the same way as bonus floors have become the new standard for new construction of hotels. So I ask how many years will it take before Savannah ceases to be Savannah? If by little increments we allow these things to happen. Before visitors stop coming and marveling at the place because it just doesn't seem as special as it once did. How did that happen you wonder? One morning you wake up and it's gone. Putting aluminum windows on historic buildings makes them formally historic buildings and not quite the same, and it would be the significant step in the architectural decline of this City.

Connie Pinkerton: Good afternoon. I'm Connie Pinkerton. I'm a resident of the City and part owner of a local business that's located just a couple blocks from the building in question. Just this week we celebrated 19 years in our historic building in a landmark district and very excited about that. First I want to thank Ellen Harris for being here and giving such a thorough explanation of what the situation is and what the question really comes down to. I think today what we

really need to discuss is who gets to make these decisions and for whom. In 1966, the National Historic Preservation Act was passed. At that first day it created these state level entities to manage historic preservation in the states because the State of Georgia, Ohio, and New York have very different preservation needs from each other. When the Georgia Historic Preservation Act was passed in 1980, it created, it again kind of threw police power past that responsibility to the local government so that we could pass an ordinance which the City of Savannah did. Following that same hierarchy, we have the Secretary of the Interior and the National Park Service Standards and the guidelines that go along with them. So, you know, we've heard a little bit about the standards and so the Park Service has the standards and the guidelines, which is that first level of interpretation. For example, changing the appearance of windows that contribute to historic character of the building by replacing materials, finishes or colors which noticeably change the sash, et cetera is not recommended. So, that, you know, the first level of interpretation that goes down to the state level. The states allow the cities to do this, to interpret these guidelines. And what the Savannah ordinance has done is interpreted these guidelines specifically for our Landmark District to say that these windows need to be replaced with wood. The character defining features of Savannah if you want to find out what they are, they're in the ordinance, and you can look at them and read them. And I think by doing that we'll understand why. You know, this room is air conditioned, but it hasn't affected the historic character of this building, changing all the windows probably would. The ordinance and this information has been carefully crafted by the people with this expertise and those in associated fields. The ordinance has been amended over the years through exhaustive and inclusive processes. It's exhausting, I don't know if you've ever watched it happen. My argument today is that any amendment, any new amendment to this preservation ordinance, as the earlier speaker said, was we entrust that to the experts that we have already entrusted the City to. I think that any amendment must follow the proper procedure in the hands of the proper experts and should not be decided on the floor of City Council.

Nan Taylor, Historic District Board of Review, member: I'm Nan Taylor and I'm also a member of the Historic District Board of Review. Windows are an important character defining feature of historic buildings and although the originals are gone in this particular building, the replacement should be compatible in design and material with other contributing historic buildings in the district. Aluminum clad windows are an inappropriate substitute that will diminish not only the historic integrity of this particular building, but the surrounding historic buildings in the district as well. And I have concerns about this text amendment for several reasons, and they're mainly precedent setting reasons. It will set a precedent for other historic property owners to request the same in five years, there will be a lot of aluminum clad windows. It'll become more of a norm. It'll also set a precedence for property owners to request other inappropriate substitute vinyl materials, excuse me, building materials. Such as maybe vinyl clad windows, because they're going to go through the same procedure. It'll also set a precedent for other property owners, sellers and/or buyers to remove existing historic architectural elements such as doors, corbels, or trim, and claiming that they too qualify for a new and inappropriate substitute. What's to keep a property owner from doing this and how will we manage it? Finally, it will set a precedence regarding the review process. If future property owners don't get what they want, they will seek the same process of drafting a text amendment. What's the point in having our local review boards, if they will be regularly sidestepped with text amendments? Most importantly, how will our historic districts be preserved and protected in the future if our review boards have been disabled? This is not just about aluminum windows, it's about precedence setting and the long-term effect its decision will have on Savannah's historic authenticity. Why do we want to jeopardize it with this one decision?

Daniel Carey, Historic Savannah Foundation: Thank you, Mr. Mayor, members of Council, Daniel Carey representing Historic Savannah Foundation. I'll be brief, but believe it or not, this is the first time I've come before you and if I've earned any extra seconds or minutes since you haven't had to endure me before, just bear that in mind. Thank you. I do want to underscore a couple of things that the previous speakers have said about local rule, about honoring and respecting the very boards that you have appointed, the Historic District Board of Review, the Zoning Board of Appeals, and the Metropolitan Planning Commission who not only each but each unanimously have rejected this. Let's also bear in mind that this is a text amendment. This isn't just about one building, this is going to affect more than 30 buildings. So, let's be really careful about what we decide today. Because it isn't just trying to help one person, it's helping a lot, but in what kind of a way and is it the way that we should be doing things? Now, I'm sorry that the Alderman Shabazz is not here, but I'll ask Alderman Johnson and Alderman Thomas and Alderman Hall, if you remember 2 years ago when this came up regarding hardy plank. You were all in office and you were sitting right there when you heard this argument by a property owner who sought to change the ordinance to allow hardy plank as a substitute material for wood siding, and it was unanimously rejected. Each of you spoke why that was rejected and it all boiled down to authenticity. And that's the same case here, this isn't any different. This is a proposed substitute material, it's inauthentic and you should vote against it. I would just about count that each of you who voted that way last time, I don't know how you'll be able to rationalize or justify any other vote today. Now, for the rest of you who are new, there was a new process in town, isn't there? When we have text amendments, it's called gathering stakeholders. Have we done that? No, we have not received a phone call, an email, a request for a meeting, to do anything about this text amendment. Haven't been consulted, haven't been conferred with. How did we change the hotel map? Stakeholder meetings, right? How did we, how did we get the historic preservation ordinance as far as we've gotten thus far? Stakeholder meetings. This is not a casual approach to things. This is something that early each of you has said, this is the way we need to do things in Savannah. Get the key parties around the table, let them work things out and then it'll come to us, but we haven't done that here and that's, that is not acceptable. That or you have a double standard and you'll have to explain that. So, we absolutely support the Planning Commission's recommendation of denial, for those reasons I cited and I appreciate you hearing this, but I really implore you at a minimum to continue this so that we can at least get the stakeholders together.

Alderman Johnson: Mr. Mayor, Mr. Carey, thank you for your words. I want to make sure that you're clear that this is this body's decision to make. Even though the Metropolitan Planning Commission, it is our opportunity and responsibility.

Daniel Carey: It is, you are correct. I think what I'm trying to point out as Ms. Taylor did, it's as much about the process as it is the product. And let's bear in mind it's not just one building, it's more than 30 buildings. Where are they?

Alderman Miller: Mr. Carey, I just do want to point out to you, don't know how much work this body has been doing behind the scenes and you were consulted. I called you, I texted you, and I emailed you yesterday trying to get information. Unfortunately you weren't able to do it, you had other things. But this group has spent an awful lot of time meeting with people and trying to really understand the thing. I don't want that to get lost.

Daniel Carey: Well, that was the case with the hotel map, and that was the case with the proposed changes to the historic preservation ordinance, but it also got pulled back several times to bring more stakeholders together and that was at your insistence.

Alderman Miller: And we do that when we think we need to do it well, but don't discount the work this body is doing.

Daniel Carey: It just seems like it's a double standard.

Alderman Miller: Well it might seem to you, but you're not sitting in these chairs.

Daniel Carey: Well, I consider myself a stakeholder and I wasn't consulted.

Alderman Miller: Except for the phone call, the texts and the email.

Daniel Carey: Which I replied to and you understood why I was not able to get back to you, but you're not the petitioner. The petitioner is the one that should have reached out and gotten all the parties together to talk this through. Who knows where we might be? We could be standing here in support of this, but we don't know because we weren't involved.

Alderman Bell: Daniel, that got my attention. That you did not have an opportunity, that the petitioner did not call stakeholders together. Now I understand that it's gone through all of the regulatory.

Mayor DeLoach: Let's not assume anything until it's over. Let's just talk to everybody and then we'll make a decision.

Melinda Allen, Downtown Neighborhood Association, President: Good afternoon, Mayor, City Manager, Council. Melinda Allen, President of the Savannah Downtown Neighborhood Association, which serves the Landmark District of Savannah. I would like you to keep in mind that windows are in fact an architectural element and windows are by far the most endangered architectural element of historic buildings nationwide. There is a reason that Savannah has chosen over time to have a higher standard for our contributing historic structures, we are a Landmark District. We have strived to have higher standards than just a typical historic district. New and future owners must do their homework and understand their responsibilities prior to purchase and that preservation ordinances are put in place not only to protect their investment, but that of the authenticity of the district and greater community as a whole for present and future generations. This is a precedent and a text change that once you reduce the restrictions will be much harder or nearly impossible to reverse. This should be a community based and expert led decision, not an outside driven directive for one individual to save a few dollars. This is about local decision making and our community. You are the last line of local defense for protecting the integrity of the Landmark District. Now we absolutely must maintain in kind of replacement and let's not fall into the trap that new is better. I'm probably part of the Walmart generation where you know, everyone likes to throw things away and buy new, buy new, but new is not always better, particularly when it comes to windows. I'm not a builder and I'm not a building expert, but I do know that in my house, my 1853 windows are still going strong and the double pane windows that were put on in an addition in 2001, are all failing. So, let's not forget that the average lifespan of a replacement window is at most guaranteed for 20 years and does not transfer with the bill of sale.

Mayor DeLoach: Melinda, on your addition did you use the original windows in your house?

Melinda Allen: It was an addition?

Mayor DeLoach: Did you use the originals, like what came from that original time, you know, to make sure that everything was up to standard? Did you use something other than a standard that was on your front porch or on your back porch or whatever that was authentic or original to the design of the home?

Melinda Allen: Yes, the addition that was done by the previous owner before I bought the house were wood windows, double pane glass, Marvin Windows.

Mayor DeLoach: Double pane though, right?

Melinda Allen: And they're all failing, so new is not always better. As a matter of fact, how many hurricanes have we gone through and most of the original, virgin wood windows are still standing.

The following individual appeared in opposition of the MPC recommendation.

Attorney Phillip McCorkle, Attorney for the Petitioner: My name is Philip McCorkle, I'm here on behalf of 7 Drayton, LLC. The principle of the entity trying to restore the old American Building as a luxury hotel was also present. I'll be somewhat brief, I think. I think Ellen was good at describing the issue. The issue is whether it makes sense for my client to be able to put modern, aluminum clad windows in this hotel. Now these aren't just aluminum windows, they're wooden windows that have aluminum clad, double insulated, and of course noise reduction, reduction of heat transfer, but the most important thing is maintenance. And I'll talk a little more about maintenance in a couple of minutes here. A lot about the National Park Service today and let me point out then their guidelines, which interestingly, nobody has brought this up, has been here in opposition to this petition. In their guidelines they say in certain large and tall buildings, that was the multiple windows does sometimes appropriate to allow aluminum clad windows. The National Park Service recognizes that it's a big deal to maintain windows in a tall building or a large building. This building has 147 windows, unlike most people's houses. So it's a major undertaking. Not only that, the National Park Service has approved these particular windows, Anderson Windows, which are only approved by the way for new construction in the Historic District. But these specific windows were approved and I don't want people to think that just because you asked the National Park Service to approve a clad window, they will every time, this is a large tall building. They also had specific requirements on the windows. They said the Anderson Windows are fine. We want to make sure you put brick mold when you have them manufactured and we don't want any lugs in the windows unless the original windows would have had lugs. Don't ask me what a lug is, but people will understand that in the window business. So they were very specific that these windows look like the original windows that had been in the building and they approved them with that in mind. Let's remember also that it has been alluded to that the National Park Service is the entity that decides whether we retain our landmark status. It's also the entity that gave us 10 standards which have been incorporated by reference into our ordinance and in a meeting 2015. Alderman Sprague asked Ms. Harris what these standards mean. And the response was the National Park Service standards are best practices. They are best practices, number one. So, the National Park Service, who has decided that these windows are fine, then obviously has done so with their best practices standard in mind. We do have an ordinance, of course, the Historic District Ordinance. It was revised in 2009 after 2 years of work and there's a new standard or a new paragraph put in about design standards which said if you have a situation where an alternate material, alternative material performs well in the local environment and is not listed as prohibited and is visually compatible, then the Historic District Board of Review could approve those windows. Well these windows are not prohibited, there are certain windows that are prohibited like snap in mounts and things of that nature, can't put those in under any circumstances. There's no question that they perform well on the local environment and the fact that the National Park Service itself has said that these windows or can be used because they meet the design and they are compatible obviously means that they're visually compatible in the information that I sent each one of you within the last week or two, I asked you to stand on Saint Julian Street if you had a chance to do so and look to your left at the Realty Building, look to the right at Planters Inn, the Reality Building has aluminum clad windows, Planters Inn has wooden windows, you can't tell the difference. I mean people can stand there all day long and say you can tell the difference. I can't tell the difference, I don't see how anybody can tell the difference? The National Parks Service certainly doesn't think there is a difference. What I have found and I thought, well this shouldn't be that hard the National Park Service has already approved the windows. They give us our landmark status, they know what they're doing, and they've approved the windows. And our ordinance says you to use alternative materials on these circumstances. So, I go to the Historic District Board of Review and to the Zoning Board of Appeals and what I found was I was lectured by the Historic District Board of Review. They don't care what the ordinance says, they've never approved an alternative window with aluminum clad, double insulated window, and they don't do it. I said that's got to be a use of discretion because the ordinance says you can and has circumstances where you should approve these windows. And the response I got was stony silence and disdain frankly, that they're asking for such a thing. So, I go to the Board of Appeals with the assumption that they would agree the Historic District Board of Review had abused its discretion. And what I got from them was a lecture from one of the board members who you all know who's name I will not call out, that we're batting a thousand percent we don't allow aluminum clad windows in the Historic District. So, we went through the process to the Historic District Board of Review, Zoning Board of Appeals and we got nowhere. So, the alternative is go to court, which takes years, lots of money, not a viable remedy, frankly, or ask for an amendment to the ordinance, which is why we're here today. The application of this ordinance is limited, I made it as limited as I could. Keeping in mind that the National Park Service said that these types of windows can be appropriate in tall buildings and having a tall building myself. Other than the buildings on River Street, which are all tall, there are 12 other than my client's building, 12 buildings in the Landmark District of five stories or more. Seven of those buildings have all metal windows already, 7 of the 12, including the Realty Building, and what I call the Manger Hotel, it has functional one over one aluminum windows itself, but 7 of the 12 one has a wood windows with aluminum storm shutters on the outside, just horrible. The other has a mix of windows, both wood and metal, and then there's 3 buildings with wood windows that are five stories or more. Planters Inn, and 2 buildings owned by SCAD. So, it has limited application considering what already exists and it does the amendment that I requested does in fact give relief to my client. Now we've already I thought I was going to go first and so I had a category here. Things you may hear that you've heard them already, but let me respond to two or three things. Wood windows are as good as a clad windows. You know, we just all know that's not true. We just know aluminum clad wood windows are superior. I'll give you an example. Cuyler/Brownsville is a historic district and so when Mercy Hospital was renovating the Florance Street School, they were required to put in wood windows that was in 2002, last year the windows had rotted out to such an extent they all had to be replaced. They lasted 15 years. The saying that things aren't made like they used to be is a true statement. It could be that some of the wood windows in these old buildings are still working, you know, the woods still good. But what you get now is not the same. So, Mercy Hospital, and the Florance Street School were finally allowed to put in some clad windows. I have a homeowner, Chatham Square, I put in mahogany windows 20 years ago. I paint them every 3 years, it's a constant fight to the death to keep the windows in there and they rot. I mean, there's always a problem with them. I would hate to think about having a 147 windows to fight, and that's what these folks are asking you to put on my client or require of my client. I thought we'd hear that allowing these windows could impact landmark status, but I don't think anybody has the nerve to go there after what's been revealed about this controversy over the last couple of weeks. But at the MPC meeting, Mr. Carey, who was so vehement and eloquent in his opposition to this completely misled the MPC. He said, and I quote, I went back and listened to the tape I was stunned when I heard what he said, we have been in the watch phase for many years. That's not true. We've been in the satisfactory phase. We're now priority one threatened status. That's not true. The study recommends that, but it'll be 90 days of review and public comment before that's ever determine, if it is ever determined. Then he said part of the reason that it's been reduced to a threatened status is the integrity of the materials in the district. So I had not read that study at that meeting, I was surprised by all that. I've read it 3 times, there's not one word about integrity of materials, not one public comment about integrity of materials. That a red herring and it's accurate and inappropriate for him to have made that statement when he said that the MPC sat back in his chair and they were stunned, by the prospect of approving this amendment could result in the loss of our landmark status. We all know that's not true. The National Park Service that approves

landmark status has approved these windows. The amendment that I've asked for gives my client relief but has limited application in this city and I ask that you would approve it. I'll be glad to answer any questions.

Mayor DeLoach: I want to say one thing and I hope that everybody will follow on this lead. The one thing, everything has been said today, the one thing that was said that made the difference in the fact that I'm not going to vote in favor of this today is the fact that you have not met with the local stakeholders and talked about it, and had a meeting. As far as I'm concerned, it's not going anywhere. I'm not saying it won't pass later, but when I go and I go to this stakeholders meeting, I better see the windows that are going in. I better understand whether I agree with the people that are, were against or whether I agree with the developer will be my determination after I look at that piece of material and determine whether I think it's okay. I understand the strong feelings of the people that live in the Historic District. I don't have a problem with that, but my concern is there has been no meeting and as far as I'm concerned, there will be no vote by me today to approve this unless we have meetings and we have stakeholders at that meeting and I hope everybody would agree with that.

Alderman Thomas: Let me ask a question. If these folks do have a meeting, are they going to be assured on the 26th agenda that this Council will take a vote on this issue?

Mayor DeLoach: I would say yes. If you can set up a meeting and have all that material there and then these folks that are out here can be at that meeting. It'd be great to have anybody and everybody can be there.

Alderman Thomas: There's no reason that he can't have a meeting set up, with Phil McCorkle. Phil McCorkle can set up a meeting, invite them, but if they don't come and they come back up here in 2 weeks and complain about it, that's nobody's fault. But can you set up a meeting?

Attorney McCorkle: I can.

Alderman Thomas: Alright, I'll support that.

Hearing closed upon motion of Alderman Durrence, seconded by Alderman Bell, and unanimously carried.

Continued to the meeting of April 26, 2018, with the expectation that a meeting is held and an example of what the window looks like brought to the meeting. The motion was made by Alderman Durrence, seconded by Alderman Miller, and unanimously carried.

Attorney McCorkle: The best way for me to suggest this and I guess inform people that might be interested is through the Downtown Neighborhood Association and Historic Savannah.

Mayor DeLoach: That's all you need. Put it out there and tell them to come.

Attorney McCorkle: We'll get a meeting at the MPC, hopefully in the big room.

[11. Motion to Amend the Zoning Ordinance Regarding the East Broad Market Lofts PUD \(Petitioner: Robert Isaacson\)](#)

[East Broad Market Lofts PUD Text Amendment and 613 E 39th St Rezoning Planning Commission Recommendation](#)

[East Broad Market Lofts PUD Text Amendment Draft Ordinance.pdf](#)

[East Broad Market Lofts PUD 20100422 City Council Minutes Zoning Hearing for Rezoning.pdf](#)

[East Broad Market Lofts PUD 20100506 City Council Minutes 1st and 2nd Readings Rezoning.pdf](#)

[EAST BROAD MARKET LOFTS PLANNED UNIT DEVELOPMENT 2010.pdf](#)

[E 39th St Apartments Concept Plan.pdf](#)

Marcus Lotson: Fortunately, items 11 and 12 are related, they are not separate items, but they will require, you can vote on them... So, Mr. Mayor, these subject properties are, well let me tell you this, the petitioner has requested to rezone 613 East 39th Street from R-4 to the PUD designation. This is part of the existing East Broad Market Lofts Planned Unit Development that this body adopted in 2010. These properties are in the southeast quadrant of the intersection of East Broad Street and East 39th Street and they include 4 parcels that were a part of the PUD that was adopted back in 2010. The petitioner is requesting a number of amendments to the existing PUD and they're also requesting that the property at 613 East 39th Street be added to the boundaries of the PUD. The amendments that they are requesting are that a maximum of 36 dwelling units be permitted on parcel 7, as identified on the master plan and they're also requesting to replace the existing approved parking standards with the parking standards from the Mid-City Zoning Ordinance. The Planning Commission recommended approval of the request to rezone 613 East 39th Street, and they also recommended approval to amend the PUD master plan to permit the dwelling units on parcel 7, with the

condition that the maximum ground floor area for buildings on that parcel be no more than 5,000 square feet. And they recommend denial of the request to replace the existing parking standards with the standards from the Mid-City zoning district. The petitioner requested that in order to establish a more liberal parking requirement for these properties, these properties are not within the Mid-City district, but the Mid-City district is known as one that has the most flat flexible parking requirement. So, we believe that the parking should be addressed for this development as it goes forward, so that's why it was recommended for denial. There are a number of ways in which we think the petitioner can address his parking needs including remote parking, the zoning appeal process, et cetera. So, part of the request that he made with regard to parking, we recommended denial for. But we did recommend approval for the rest of the amendments

Alderman Foster: I'd like to hear from Mr. Isaacson who I spent the better part of the day with to address all those issues along with Alderman Durrence. I think he has some ways that it's been addressed and the neighborhood involvement in this over the past two years has been phenomenal. So, I think we should hear that.

Bob Isaacson: Thank you Mr. Mayor and Council. I'm here just asking for a request that we rezone the PUD that you granted us in 2010. We appreciate that MPC had approved the request that we increase the density and so that we can do these apartments that we have across the street. We've seen a lot of transition in the neighborhood over the years. We've worked on this neighborhood for over 15 years. We have a short window to do this because of the funding that we have from HUD, that allows us to do mixed use development. The PUD restrictions that we have now allowed the retail commercial use that we're requesting, but the PUD requirements have a, we think an onerous parking requirement that goes along with it. The PUD that was granted to us in 2010 was modeled after the Mid-City zoning ordinance before it was adopted and it's immediately adjacent to us to the east. So what we're trying to do is develop a live, work, play mixed use area that has some dining and retail where people can walk to, and bike to. We don't want to have a lot of vacant surface parking lots and that's what we're trying to avoid. We have enough parking for all the residents. We feel like we have less parking than is currently required that we're the ones taking the risk on that from a commercial standpoint by not having the parking. But we just think it's better for the neighborhood to reduce the level of parking. And along with this request to change, we were saying that we would come back to Council, come back to MPC with a master plan showing where the parking would be, how it'd be landscaped, where the buildings would be, how they would be designed. But for us to move forward, to get the financing that we need to do this, we have to get at least a conditional zoning approval and then we're under a gun to kind of move very quickly because of this financing condition.

Alderman Miller: Mr. Isaacson, you can live with the conditions and with the denial of the parking requirements?

Mr. Isaacson: No, if you deny the parking requirements, then we couldn't do the retail that was approved. So it's kind of, we have a disconnect there because they approved the retail use. What we want to do is put a Huey's restaurant, and a pizza restaurant and a small produce/green grocer and all those are permitted under our PUD. But the parking requirements are really pretty stringent for that, for those uses. So, even though they approved the use, if we have to live under those parking, it would require an additional 20 spaces that we just don't have. We wouldn't be able to do the use as permitted, if we have to live by that parking.

Alderman Foster: Let me make a comment that I think be important to all of you. I didn't know anything about this until Bill asked me to go and I was so... here's what impresses me. We've got a building there on the corner, with two walls, with a bunch of steel, there's been homeless, and there's a spray painting everywhere, there were drugs there, and that's going to be turned into a very nice apartment multifamily kind of complex. He's got landscaped parking where he's already bought houses and done apartments down the street and he's got a major investment in that whole neighborhood which is going to tie in to Baldwin Park and it will absolutely take out an incredible eye sore right in the middle of our City. You're going to have commercial in the bottom of this apartment building because people will walk there to the market and get green grocers. What he's going to do is put commercial in that requires more parking under the ordinances that we have in place. But if you went one block away to Mid-City, it wouldn't require, or if you took the commercial out, which is what we want in there. But all the people in Baldwin Park and he's got nice apartments across the street where we have firemen and policemen living in there. Because affordable rent and he's going to do affordable rent on this corner because he can get the last one of these HUD financing projects 40 years at a low interest rate. It's going to go away. Everybody knows prime rate just went up. It's going up two more times this year and we need to approve this because we won't get another chance to do it.

Alderman Miller: I'm still unclear on the work. So, you can do this without the parking or you cannot do it without the parking, what are we supposed to approve here?

Mr. Isaacson: We would not be able to do the retail that's permitted that we want to do, the restaurants, under the existing parking. We wouldn't have enough room to do that. We have enough room for the parking, for a Mid-City ordinance parking requirements, but not for the PUD parking requirement that we have.

Alderman Hall: Is that the building right there on the corner that's detached from the rest of the stuff.

Mr. Isaacson: It used to be the Dub's Grocery Store. We tried for years to save it. We've done everything. We've spent tens of thousands of dollars to try to renovate it, but we cannot get the structural engineering that the City asked us to do and we couldn't get a structural engineer to sign off on any of this steel membrane. There's nothing we can do with this building. We went to, we met with Baldwin Park.

Daniel Carey: To the question of the eyesore, and a reintroduction Daniel Carey, Historic Savannah Foundation. We helped the owner about 8 years ago stabilize the eyesore Weiner Grocery because it is a historic building, it was the first supermarket in Savannah. The intent was to try to save it and then adaptively use it and everybody gave it a fair shot, but that did not come to pass. We hold an easement on this building, but we're willing to extinguish that easement so that this

project can go forward and we don't get into issues of parking Alderman Miller, but I would say we are supportive of the project as proposed by the petitioner, because we think the greater good here is going to be accomplished by sort of repopulating that area even at the expense of losing one shell of a historic house.

Alderman Foster: Let me finish on the parking. The parking that he has already done and put in place at the apartments across the street and he owns the houses on the side street, which he had renovated and improved dramatically. The parking is landscape it's pervious and he's done everything that we would want him to do as a City. You can tell I got excited about it because this is an area I wouldn't go into and renovate. I promise you, but he's put a lot of money into it. And the folks in Baldwin Park and the neighborhood all the way down Broad Street are excited and it's going to help redevelop and renovate.

Alderman Durrence: I'm fully on board with Brian on this. There are two or three other points about it. One, the previous apartment construction that was done, there was a parking lot created for that nobody's using essentially. I mean they're using street parking or don't need parking or whatever. So, there's not the high demand for parking that the code might seem to indicate that we need. That intersection at 39th and East Broad, the City actually put a good bit of money in it, \$265,000 into a streetscape work there to make that a much nicer area. The thing that is most appealing about this project to me is that it will give us something that we've been talking about a lot and that's workforce housing. The apartments that are there now because of the low interest loan that they're operating under or they've been able to maintain an \$825 a month rent for those apartments with a waiting list for those apartments. The current design for the new apartments will probably be in an under \$100,000 range, probably. I'm not going to make you sign a commitment to that Bob, but we're getting something that we've been asking for is housing that is closer to the urban core, it's easily commuting to downtown with bicycles. So, there's just a lot of benefits to this.

Hearing closed upon motion of Alderman Durrence, seconded by Alderman Bell, and unanimously carried.

Marcus Lotson: Mr. Mayor, I just wanted to say in terms of the motion that the simplest way to probably put a pin in it would be to recommend that the petitioner's request be approved versus the Planning Commission's recommendation.

The petitioner's request was approved upon motion of Alderman Foster, seconded by Alderman Hall, and unanimously carried.

[12. Motion to Rezone 613 E 39th St to the East Broad Market Lofts PUD \(Petitioner: Robert Isaacson\)](#)

[613 E 39th St Rezoning Draft Ordinance.pdf](#)

[East Broad Market Lofts PUD Text Amendment and 613 E 39th St Rezoning Planning Commission Recommendation](#)

Hearing closed upon motion of Alderman Durrence, seconded by Alderman Bell, and unanimously carried.

The petitioner's request was approved upon motion of Alderman Foster, seconded by Alderman Hall, and unanimously carried.

[13. Motion to Amend the Zoning Ordinance Regarding the Savannah Gardens PUD \(Petitioner: Harold Yellin for CHSA Development, Inc.\)](#)

[Savannah Gardens PUD Text Amendment Planning Commission Recommendation.pdf](#)

[Savannah Gardens 20090326 Neighborhood Redevelopment Plan.pdf](#)

[Savannah Gardens PUD 2009 Approved Master Plan and Conceptual Land Design.pdf](#)

[Savannah Gardens PUD 2012 Concept Plan.pdf](#)

[Savannah Gardens PUD 2018 Proposed Master Plan and Concept Plan.pdf](#)

[Savannah Gardens PUD Text Amendment Draft Ordinance.pdf](#)

Marcus Lotson: You did get somewhat of a brief presentation on this item during the workshop. So, I'll be brief and Mr. Yellin can follow up if there's anything I leave out. But essentially these are two requests which are related to the Savannah Gardens PUD, the first item is a motion to amend the existing PUD ordinance and to bring it into the current zoning ordinance. Back when it was originally adopted, it was approved by you all, but it was never actually added to the zoning ordinance. So that's one part of this. The second part of this is to rezone 0 and 2021 East Gwinnett Street, the property or the former grocery store in the parking lot, rezone those properties and bring those properties in to the Savannah Gardens PUD.

Hearing closed upon motion of Alderman Hall, seconded by Alderman Foster, and unanimously carried.

Approved upon motion of Alderman Hall, seconded by Alderman Shabazz, and unanimously carried.

14. Motion to Rezone 0 and 2021 E Gwinnett Street from P-R-B-1/P-B-C to the Savannah Gardens PUD

[2021 and 0 E Gwinnett St Rezoning Planning Commission Recommendation.pdf](#)

[2021 and 0 E Gwinnett St Rezoning Draft Ordinance.pdf](#)

[2021 and 0 E Gwinnett St Existing Zoning Map.pdf](#)

Hearing closed upon motion of Alderman Hall, seconded by Alderman Shabazz, and unanimously carried.

Approved upon motion of Alderman Hall, seconded by Alderman Shabazz, and unanimously carried.

ORDINANCES - FIRST AND SECOND READING

15. Motion to Rezone 0, 1210, and 1212 Wheaton Street from I-L/R-M-25 to R-M-40 (Petitioner: Robert L. McCorkle, III for Live Oak Landing LLP)

[MPC Recommendation Packet 18-000497-ZA.pdf](#)

[Draft Ordinance 18-000497-ZA.pdf](#)

[Planning Commission Recommendation 18-000497-ZA.pdf](#)

Ordinance read for the first time in Council April 12, 2018, then by unanimous consent of Council read a second time, placed upon its passage, adopted and approved upon a motion by Alderman Bell, seconded by Alderman Hall, and unanimously carried.

Ordinance in its entirety is on file in the Office of the Clerk of Council.

16. Motion to Amend the Zoning Map Regarding the Conservation Overlay Districts (Petitioner: The Planning Commission)

[Planning Commission Recommendation 18-000225-ZA Map.pdf](#)

[MPC Recommendation Packet 18-000225-ZA Map.pdf](#)

[Draft Ordinance 18-000225-ZA - Map.pdf](#)

Ordinance read for the first time in Council April 12, 2018, then by unanimous consent of Council read a second time, placed upon its passage, adopted and approved upon a motion by Alderman Miller, seconded by Alderman Bell, and unanimously carried.

Ordinance in its entirety is on file in the Office of the Clerk of Council.

17. Motion to Amend the Zoning Ordinance Regarding the Conservation Overlay Districts (Petitioner: Ardsley Park-Chatham Crescent-Ardmore Neighborhood Association)

[Planning Commission Recommendation 17-007079-ZA Article Q Text.pdf](#)

[Draft Ordinance 17-007079-ZA Article Q Text.pdf](#)

Ordinance read for the first time in Council April 12, 2018, then by unanimous consent of Council read a second time, placed upon its passage, adopted and approved upon a motion by Alderman Miller, seconded by Alderman Bell, and unanimously carried.

Ordinance in its entirety is on file in the Office of the Clerk of Council.

18. Motion to Amend the Zoning Ordinance Regarding the Victorian District Historic Buildings Map (Petitioner: Planning Commission)

[Planning Commission Recommendation 18-000419-ZA.pdf](#)

[Draft Ordinance 18-000419-ZA.pdf](#)

Ordinance read for the first time in Council April 12, 2018, then by unanimous consent of Council read a second time, placed upon its passage, adopted and approved upon a motion by Alderman Bell, seconded by Alderman Johnson, and unanimously carried.

Ordinance in its entirety is on file in the Office of the Clerk of Council.

[19. Motion to Rezone 407, 409 West 31st Street; 1501, 1503 Montgomery Street; and 410, 412 W 32nd Street from B-G/B-C to TC-2 \(Petitioner: Harold and Josh Yellin for River East Management, LLC\)](#)

[Planning Commission Recommendation 18-000496-ZA.pdf](#)

[Draft Ordinance 18-000496-ZA.pdf](#)

Ordinance read for the first time in Council April 12, 2018, then by unanimous consent of Council read a second time, placed upon its passage, adopted and approved upon a motion by Alderman Bell, seconded by Alderman Durrence, and unanimously carried.

Ordinance in its entirety is on file in the Office of the Clerk of Council.

[20. Motion to Amend the Zoning Ordinance Regarding the TC-2 Zoning District within the MLK/Montgomery URA and the Boundaries of the Mid-City District \(Petitioner: Harold and Josh Yellin for River East Management, LLC\)](#)

[Planning Commission Recommendation 18-000495-ZA.pdf](#)

[MLK, Jr. Boulevard and Montgomery Street Corridor Urban Redevelopment Plan](#)

[TC-2 within MLK-Montgomery URA Draft Text Amendment 18-000495-ZA.pdf](#)

Ordinance read for the first time in Council April 12, 2018, then by unanimous consent of Council read a second time, placed upon its passage, adopted and approved upon a motion by Alderman Bell, seconded by Alderman Durrence, and unanimously carried.

Ordinance in its entirety is on file in the Office of the Clerk of Council.

[21. Motion to Amend the Zoning Ordinance Regarding the CIV Zoning District \(Petitioner: Robert L. McCorkle, III for Forum Development, LLC\)](#)

[Planning Commission Recommendation 18-000592-ZA.pdf](#)

[Draft Ordinance 18-000592-ZA 20180302.pdf](#)

Ordinance read for the first time in Council April 12, 2018, then by unanimous consent of Council read a second time, placed upon its passage, adopted and approved upon a motion by Alderman Bell, seconded by Alderman Miller, and carried with the following voting in favor: Mayor DeLoach, Aldermen Bell, Miller, Foster, Durrence, Johnson, Thomas, and Hall. Alderman Shabazz voted against the approval.

Ordinance in its entirety is on file in the Office of the Clerk of Council.

[22. Motion to Approve Supplemental Amendments to the 2017 Budget Ordinance](#)

[Final 2017 Budget Amendment Ordinance.pdf](#)

[FY2017 Closeout Information.pdf](#)

Withdrawn per the City Manager's recommendation.

[23. Motion to Approve Supplemental Amendments to the 2018 Budget Ordinance](#)

[FY18 Q1 Operating Amendment Details.pdf](#)

[FY18 Q1 Amendment Ordinance.pdf](#)

[fy17-closeout-information_1.pdf](#)

[FY18 April Capital Amendment.pdf](#)

Withdrawn per the City Manager's recommendation.

RESOLUTIONS

[24. Motion to Adopt Resolution to Provide for the Issuance of City of Savannah Fire System Revenue Bond, Series 2018](#)

[Bond issuance details projected - 4-3-2018.pdf](#)

[res-bond \(v3\) 04-06-18 \(with Exhibit A\).pdf](#)

Withdrawn per the City Manager's recommendation.

SAVANNAH AIRPORT COMMISSION ACTION ITEMS

[25. Motion to Approve Annual Service Contract with Convergent Technologies](#)

[Convergent Proposal 5-5-2017.pdf](#)

[Pages from Assignment Assumption to Convergent 9-20-2017.pdf](#)

Approved upon motion of Alderman Bell, seconded by Alderman Johnson, and unanimously carried per the City Manager's recommendation.

[26. Motion to Approve Task Work Order No. 7 with Michael Baker International, Inc. for Common Rental Car Facility Improvements](#)

[Michael Baker contract fully signed 12-4-2013.pdf](#)

[Task Order No. 7 - Michael Baker International.pdf](#)

Approved upon motion of Alderman Bell, seconded by Alderman Johnson, and unanimously carried per the City Manager's recommendation.

[27. Motion to Approve Savannah Facility Modification Other Transactional Agreement Grant with Transportation Security Administration](#)

[70T04018T9CAP1080 SAV FacMod.pdf](#)

Approved upon motion of Alderman Bell, seconded by Alderman Johnson, and unanimously carried per the City Manager's recommendation.

[28. Motion to Approve Change Order No. 4 with Holland and Holland, Inc. on the Automated Outbound Baggage Handling System](#)

[H&H Spare Parts List and Cost.pdf](#)

Approved upon motion of Alderman Bell, seconded by Alderman Johnson, and unanimously carried per the City Manager's recommendation.

[29. Motion to Approve Change Order No. 5 with Holland and Holland, Inc. on the Automated Outbound Baggage Handling System](#)

[Holland and Holland Quote \\$4,104,360.00.pdf](#)

Approved upon motion of Alderman Bell, seconded by Alderman Johnson, and unanimously carried per the City Manager's recommendation.

[30. Motion to Approve Amendment No. 4 to Task Order No. 3 with RS&H for On-Site Project Representative Construction Phase 2 Upgrades to the Outbound Baggage Handling System](#)

[Amendment No. 4 to Task Order No. 3 - RS&H.pdf](#)

[RSH Contract Fully signed 2-28-2014 Basic Agreement.pdf](#)

Approved upon motion of Alderman Bell, seconded by Alderman Johnson, and unanimously carried per the City Manager's recommendation.

[31. Motion to Approve Amendment No. 5 to Task Work Order No. 3 with RS&H, for Construction Administration Services of Phase 2 Baggage Handling System Upgrades](#)

[Amendment No. 5 to Task Order No. 3 - RS&H.pdf](#)

[RSH Contract Fully signed 2-28-2014 Basic Agreement.pdf](#)

Approved upon motion of Alderman Bell, seconded by Alderman Johnson, and unanimously carried per the City Manager's recommendation.

[32. Motion to Approve Payment of Utility Service Fees to the City of Savannah for Jumbo General Aviation Federal Inspection Service Facility](#)

[City of Savannah ERU Calculation.pdf](#)

Approved upon motion of Alderman Bell, seconded by Alderman Johnson, and unanimously carried per the City Manager's recommendation.

[33. Motion to Approve Field Order No. 1 with EE Reed Construction, LP for the Jumbo General Aviation Federal Inspection Service Facility](#)

Approved upon motion of Alderman Bell, seconded by Alderman Johnson, and unanimously carried per the City Manager's recommendation.

BIDS AND CONTRACTS

[34. Motion to Approve Contract Amendment No. 1 for the Springfield Basin Model Calibration Design with Thomas & Hutton Engineering \(Event No. 5381\)](#)

[Purchasing Summary.pdf](#)

[Springfield Basin Design Funding.pdf](#)

[Amendment Form.pdf](#)

Approved upon motion of Alderman Johnson, seconded by Alderman Durrence, and unanimously carried per the City Manager's recommendation.

[35. Motion to Approve Contract Amendment No. 2 for Program Management with CHA Consulting, Inc. \(Event No. 2124\)](#)

[Purchasing Summary.pdf](#)

[PM for Cultural Arts Funding.pdf](#)

[03132018 Program Managment Consultant Services Extra Work Authorization #2.pdf](#)

Alderman Miller: As I understand this concerns the Cultural Arts Center. It's over budget? How much over budget is it? This thing seems to keep going.

City Manager Hernandez: To my knowledge, it is not over budget. We have a slight delay in when we expect for the building to be substantially complete. What this item does is it retains the services of our consulting firm as the construction manager, and extends their contract from June 1st through I think December 31st. Because their contract currently expires on May 31st. So, we know that the project is going to be substantially complete in November and we'll be moving in sometime around late November. So, we need the services of the construction manager to remain with us until we take full delivery of the building.

Alderman Miller: So the project is not over budget?

City Manager Hernandez: The project is not over budget. So, the other item that we withdrew talked about putting in \$2,000,000 to round out the budget. Remember as we explained today, the program budget for that project when it was developed, took into account revenue from potential real estate sales and also contributions from within department operating budgets. It was roughly about \$2,000,000, a little less than that. I don't like that approach, I'm uncomfortable with it, and my proposal was to use some of the surplus money to make that project whole.

Alderman Miller: So, it has nothing to do with this?

City Manager Hernandez: Well it's somewhat related because you know, the project isn't done yet. We do have a delay, mostly related to weather, so we need to extend the services [inaudible] which represents us.

Approved upon motion of Alderman Miller, seconded by Alderman Foster, and unanimously carried per the City Manager's recommendation.

[36. Motion to Approve Contract Modification No. 1 for Wall West of Abercorn Repairs with Savannah Construction & Preservation \(Event No. 5174\)](#)

[Abercorn Wall Repairs Funding Verification.pdf](#)

[Purchasing Summary.pdf](#)

[01450 - Contract Change Order 1 Summary.doc](#)

Approved upon motion of Alderman Johnson, seconded by Alderman Durrence, and unanimously carried per the City Manager's recommendation.

[37. Motion to Procure Modular Office Trailer from Hurd Construction Management \(Event No. 5870\)](#)

[Bid Tabulation.pdf](#)

[Purchasing Summary.pdf](#)

[Scope.pdf](#)

[Greenwich Modular Office Trailer Funding Verification.pdf](#)

Approved upon motion of Alderman Johnson, seconded by Alderman Durrence, and unanimously carried per the City Manager's recommendation.

[38. Motion to Procure One Ton Flatbed Truck from J.C. Lewis Ford \(Event No. 5806\)](#)

[Purchasing Summary.pdf](#)

[Scope.pdf](#)

[One Ton Flat Bed Funding Verification.pdf](#)

[Bid Tabulations.pdf](#)

Approved upon motion of Alderman Johnson, seconded by Alderman Durrence, and unanimously carried per the City Manager's recommendation.

[39. Motion to Renew Annual Contract for ShotSpotter with ShotSpotter, Inc. \(Event No. 5991\)](#)

[ShotSpotter Funding Verification.pdf](#)

[Purchasing Summary.pdf](#)

Approved upon motion of Alderman Johnson, seconded by Alderman Durrence, and unanimously carried per the City Manager's recommendation.

[40. Motion to Award Annual Contract for Emergency Medical Technician Training to Carol Crockett, LLC \(Event No. 5814\)](#)

[SFES EMT Training Funding Verification.pdf](#)

[Scope.pdf](#)

[Purchasing Summary.pdf](#)

Alderman Johnson: Thank you Mr. City Manager, this is an annual contract for emergency medical technician training. Is this for the fire department?

City Manager Hernandez: It is.

Alderman Johnson: Okay, how does this go in terms of our long-term strategic plan to have a BLS on our fire, at least with some of our fire units?

City Manager Hernandez: You've adopted in your Strategic Plan one of the delivery areas is that, I think, within the next five years we're going to incorporate BLS response within the fire department. I think in 8 years its Advanced Life Support. In order to get there this is the first step, EMT training is the first line of training for our staff. And so, this is that first step.

Alderman Johnson: So, this is in support of working towards that goal?

City Manager Hernandez: Yes.

Approved upon motion of Alderman Johnson, seconded by Alderman Miller, and unanimously carried per the City Manager's recommendation.

41. Motion to Renew Annual Contract for Structural Welding at Dean Forest Landfill with L&H Welding (Event No. 4961)

[Structural Welding Purchasing Summary.pdf](#)

[Funding Verification.pdf](#)

[Structural Welding Bid Tab.pdf](#)

[Structural Welding Scope.pdf](#)

Approved upon motion of Alderman Johnson, seconded by Alderman Durrence, and unanimously carried per the City Manager's recommendation.

42. Motion to Award Annual Contract for Grounds Maintenance for Public Rights of Way to J Corbett Enterprises, Inc. (Event No. 5860)

[Purchasing Summary.pdf](#)

[Grounds Maintenance Bid Tab.pdf](#)

[Grounds Maintenance Scope.pdf](#)

[Funding Verification.pdf](#)

Alderman Shabazz: The contractor is a DBE, am I correct Mr. City Manager?

City Manager Hernandez: That is correct, 100% DBE.

Alderman Shabazz: Yes, I just wanted to make that point that we are working at...

Mayor DeLoach: A strong DBE.

Alderman Shabazz: Absolutely, and that's the point I wanted to make that the program is moving, the new ordinance that we put in effect on January 1st, our contractors are coming forward and we're doing business, more business, reaching out to our Disadvantage Business Enterprise Businesses.

Approved upon motion of Alderman Johnson, seconded by Alderman Durrence, and unanimously carried per the City Manager's recommendation.

MISCELLANEOUS

43. Motion to Declare Property Located at 916 Martin Luther King Jr. Boulevard as Surplus and Available for Sale.

[Map 916 MLK Boulevard .pdf](#)

Alderman Johnson: This is the Savannah Pharmacy building. Despite our best attempts, originally for those of you who were here to remember, we thought we would be able to restore that building. When we got into the building we realized the building was not standing on anything and it had no rebar. The building was a hazard and had to be knocked down. We looked at other uses for the project. I want to make sure though that the money because this was a SPLOST project, I want to make sure that the money remains in that corridor and in my district, because that's where it started off at.

City Manager Hernandez: Well my proposal to you and one of the items we'll bring back is, my plan is to reallocate those SPLOST funds to the Central Precinct project and also the restoration of, I'm going to call the Police Cottage or caretakers of property which is right next door. So, that's my proposal for the reallocation. Now once the property is sold, those revenues that are generated as a result of that need to go back into SPLOST. And since it is a District 1 sponsored project, we will allocate to another project.

Alderman Johnson: I do think though that this is a great opportunity particularly because of that corridor. If maybe we had not a straight bid or request for proposal so that we can kind of help to see what would go there. I mean it might be a great opportunity for community business or a community business incubator for maybe several businesses that might, you know, small businesses that need that opportunity, need to be a busy corridor but would not be able to afford it otherwise. I think it's a great community development tool for us.

City Manager Hernandez: Typically when we sell a property such as this, or attempt to sell, we look, we're more concerned about the redevelopment potential of a parcel rather than just doing an outright property sale. We will definitely take that into account.

Alderman Bell: A request Alderman Johnson, would you please engage the neighborhood associations in that because the Past President of the Cloverdale Neighborhood Association was very interested in that transaction and what was going to happen with those funds. So every month. Thank you though.

Alderman Johnson: I do so every month. Thank you though.

Approved upon motion of Alderman Johnson, seconded by Alderman Miller, and carried per the City Manager's recommendation with the following voting in favor: Mayor DeLoach, Aldermen Bell, Miller, Foster, Durrence, Johnson, and Hall. Aldermen Thomas and Shabazz voted against the motion.

44. Motion to Authorize the City Manager to Remit Implementation Fee Payments to the Georgia Department of Community Affairs

[DCA HMIS Invoice Chatham County CoC 1 August 2017.pdf](#)

[DCA HMIS Invoice Chatham County CoC 2 Aug 2017.pdf](#)

Alderman Miller: City Manager is there a time element on this?

City Manager Hernandez: [Referred to Kerri Reid, Human Services Director, who responded yes it is a time sensitive item.]

Alderman Miller: I'm asking is there a time element in this? There's a lot we don't know that's going on with the Homeless Authority. I was wondering if we could have time to have the Homeless Authority come present to us, what's going on with the Homeless Authority. We're accused of never funding anything over there and here we are funding something else again, out of other funds that we have.

Kerri Reid: These funds were awarded to them in September of this year for this very purpose to purchase the Homeless Management Information System. The agency at this time is just not available, they don't have the funds available to make that purchase up front. So, we're going to make that purchase for them with your approval and then take those funds back from the grant that was awarded to them.

Alderman Miller: So, it's important that this be done now before they can come to present to us?

Kerri Reid: I can definitely ask them if they'll be able to come in and make a presentation. But this is something that is required for them in order to operate the system.

Alderman Miller: So they need this now?

Kerri Reid: I would think so, yes sir.

Approved upon motion of Alderman Miller, seconded by Alderman Foster, and unanimously carried per the City Manager's recommendation.

City Manager Hernandez: So, Alderman Miller we will definitely ask them if they'll be able to come in and make a presentation. But if you don't mind please move forward with this item.

COMMENTS

Alderman Thomas: I need a couple updates on a few things and I know I'm not going to be able to get them today, but they're directed to a few different people. First of all, I need to know where we are as a Council on the search for a Clerk of Council for the City.

Mayor DeLoach: I got that, we're looking at it along with the possibility of combining the two units of the other. We have a study. We need to do a workshop. I'm ready to do the workshop but didn't want to load it on today and just really look at. We can do it next meeting.

Alderman Thomas: Combine two units, what do you mean by that?

Mayor DeLoach: Just look at the... we'll do it and you look at it and then tell me whether you want to do it or not. Because it's a combination of things to reduce the overall cost of doing the operations. Can we do it the 26th?

Alderman Thomas: Well, can we get the information on that?

Mayor DeLoach: Yeah, I'll have it sent up. I just got it back. They did a study on it, and I just haven't got it out yet. What day can we do it?

Alderman Bell: Can we do it May 5th or May 10th whatever the first meeting is in May?

Mayor DeLoach: We're going to do it May 10th workshop.

Alderman Thomas: I just want to be sure we'll get the information in time to really look at it and explore it.

Mayor DeLoach: Yes, a week before.

Alderman Thomas: This next issue is for the City Attorney. Mr. Attorney, I need the legal costs year to date to include all outside litigation, a line item for all those expenses for this year, from January until now. I would like that by the next meeting if possible.

Alderman Thomas: This one's for the City Manager because I'm getting a lot of questions about this. I'm getting a lot of churches and institutions that are reaching out to me wanting to know what their cost is going to be on this fire fee that's expected in September. I've actually sent you an email and I have not gotten a response from you for one particular church, it's a sanctuary that's in my district. But when are these churches and other institutions going to be able to find out what the cost is going to be that they're going to be required to pay in September? And that is a budget issue for them.

City Manager Hernandez: We will be issuing letters to all non-single family properties this month. So, by the time May 1st rolls around, they will have a letter. I'm giving them an estimate.

Alderman Thomas: That's fair.

City Manager Hernandez: Actually if they call 311, I believe the system is up and running. If they call 311, the individuals that answer the phone have access to a database that we've created and as long as they provide that individual with either an address, or property identification number, we're actually able to bring it up real time.

Alderman Hall: All 311 calls, that's the same number that you can call for fire fee information?

City Manager Hernandez: Yes we have cross trained our 311 personnel and provided them the database for that reason. You know 311 is that first point of entry for City service, so they have the information and they can provide that to the public.

Alderman Hall: All I'm asking and I believe all of us are asking the same thing. When we roll this out, we want to roll this out and we want to be right. As less glitches as possible.

City Manager Hernandez: So do we.

Alderman Hall: Because we are going to be in the direct line of fire.

Alderman Thomas: Continuing on that Mr. City Manager this is for you. In No Man's Land across the river on the Vernon River Bridge on Truman - Phase 5. Heath Lloyd and I have had a slight conversation on this, but I need something in writing as to who's going to maintain that? It's littered up on the eastbound lane and the westbound lane. I would like that plan to include some kind of maintenance and beautification plan on what's going on at the end of Truman Parkway where it comes into Abercorn. It's already building up with litter and it's starting from Whitfield, and it goes over. So, it's in an area that's over a river.

City Manager Hernandez: I think I can answer that question now and Mr. Lloyd, please go ahead and chime in if I'm incorrect. We are currently working with the County on a preliminary agreement. Because I think that's in Phase 5 of Truman, where the County will be responsible for Phases 3, 4, and 5. We would be responsible for Phases 1 and 2, that's what we're proposing. I have issues with us being responsible for Phases 1 and 2, I think the County should be responsible for the whole Truman Parkway, but anyway, that's what we're dealing with right now.

Alderman Thomas: I really would like to see something in writing, because the grass growing season is beginning, the litter at one point last year was just unbelievable at the amount that was allowed to build up on there

Heath Lloyd, Chief Infrastructure and Development Officer: That's what we're working towards. We actually met with the County about three weeks ago.

Alderman Thomas: I appreciate that and I'll be looking forward to seeing what we do get from them.

My final point here is I called you a few days ago about a curb at Barnard and Bay Street. I see that we put a saw horse there. What I don't understand is that didn't just happen, that curve had rebars sticking out of it two rebar pipes or iron stakes that were sticking out of it and cars constantly running over the top of it. I know you probably know what I'm talking about Heath

Heath Lloyd: I actually went out to look at it and turned it in.

Alderman Thomas: It's in deplorable condition. I saw it, I was standing on that corner the other night walking back from dinner and saw two cars hit it. And I mean, we've got to do something with that corner.

City Manager Hernandez: We will address it.

Alderman Thomas: One of the problems I want to bring to light, is that there is no light there. I mean it is dark at that corner so you can't see that curve to begin with and it's kind of an odd kind of curve and then it has a curb cut on the north side and the curb cut on the east side and just the hump. So, basically the car hits it, goes across it, grinds out and I've seen cars bust their head lights out on that thing. So, it's a very dangerous curve and it's a pedestrian dangerous curves. So, I'm asking if we can take an evaluation and look at that.

Alderman Hall: Concerning the Truman, let's put a schedule together from the beginning to the end of it, because it can't be cleaned up, this area, and neglecting another area.

City Manager Hernandez: Right, but understand that we don't have jurisdiction for the entire Truman Parkway.

Alderman Hall: Who has jurisdiction for the Anderson and Bee Road area?

Heath Lloyd: So, Anderson and Bee Road is actually in Phase 1. So, that would be us. Under the short term agreement that we're trying to work out.

Mayor DeLoach: We're supposed to have a retreat on May 4th, that's a Friday.

City Manager Hernandez: That's our plan. We have time on your calendars.

Mayor DeLoach: Okay, that's on my calendar. Everybody remember we got May 4th there will be a retreat for the Council and Mayor, May 4th. Don't forget it.

City Manager Hernandez: Probably 9 to 3. I will let you know where the location is going to be.

Alderman Bell: What's the deadline for applying for the fire fee discount?

City Manager Hernandez: June 1st is the deadline.

There being no further business, Mayor DeLoach declared this meeting of Council adjourned.

The video recording of the Council meeting can be found by copying and pasting the below link in your url:

<https://savannahgovtv.viebit.com/player.php?hash=mEF1MBjK0XTA>

Luciana M. Spracher, Acting Clerk of Council

