

OFFICIAL PROCEEDINGS OF SAVANNAH CITY COUNCIL MEETING 03/21/2013

William Usher of the Park and Tree Department was recognized for grabbing and holding in a headlock a loose pit bull that was charging a woman walking her small dogs, until she could get help. Keith Ford is the crew chief who reported the incident. Bureau Chief Joe Shearouse said Mr. Usher went above and beyond the call of duty. Council members and Mayor Jackson thanked him and said the City has many workers who go beyond the call of duty.

LEGISLATIVE REPORTS

ALCOHOL BEVERAGES LICENSE HEARING

As advertised, the following alcoholic license petitions were heard. No one appeared in objection to the issuance of the licenses. Upon a motion by Alderman Johnson, seconded by Alderman Sprague and unanimously carried the petitions were approved per the City Manager's recommendations:

Harry Smith Mathews, Jr. for Southbound Brewing Co., LLC t/a Southbound Brewing Co., requested a beer (brewer) license at 107 E. Lathrop Avenue, which is located between Bay and Kane Streets in Dist. 1.

Timothy M. Strickland for River Street Restaurant Group, LLC t/a The Shrimp Factory, requested to transfer a liquor, beer and wine (drink) license with Sunday sales from Cheryl Power at 313 E. River Street, which had a 2013 liquor, beer and wine (drink) license with Sunday sales and is located between Lincoln Street Ramp and East Broad Street Ramp in Dist. 1.

ZONING HEARINGS

As advertised - Darcey O'Conner for Firefly Café (13-000478-ZA), requested a text amendment to Section 8-3134(l)iii and 8-3134(l)iv to repeal the provisions that require wine to be served or dispensed from a preparation area or service station not available to patrons and to change the hour at which wine service can begin from noon to 11:00 a.m. The Metropolitan Planning Commission (MPC) recommended approval to repeal the requirement that wine be served or dispensed from a preparation area or service station not available to patrons. MPC also recommended changing the hour at which wine service can begin from noon to 11:00 a.m. except on Sundays when the service beginning time shall be 12:30 p.m. (State law does not permit Sunday sales of alcohol, including wine, until 12:30 p.m.) These changes and retaining the remaining conditions will provide protection to the surrounding area.

Marcus Lotson with MPC presented their position. Dr. Nick Henry stated the Downtown Neighborhood Association had no issues with any of the Zoning petitions presented this date. Upon a motion by Alderman Johnson, seconded by Alderman Osborne and unanimously carried, the public hearing was closed. Upon a motion by Alderman Johnson, seconded by Alderman Sprague and unanimously carried the request was approved. Ordinance to cover at the next meeting of Council.

As advertised - Harold Yellin, Agent for Richard Mika, Petitioner/Owner (13-000506-ZA), requesting to rezone 1800 E. 63rd Street from R-6 (Single Family Residential - 6 units per net acre) to P-RM-6 (Planned Multi-Family Residential - 6 units per net acre). MPC recommends

LEGAL DESCRIPTION

Starting at a point, [X: 976,123.917 ft Y: 716,700.945 ft] located at the approximate intersections of the centerlines of White Bluff Road and Heritage Park Drive; thence proceeding in a direction N 13-38-32 E, along the centerline of the White Bluff Road for approximately 208.202 ft. to a point [X: 976,173.0233 ft Y: 716,903.272 ft], with said point being, THE POINT OF BEGINNING; thence proceeding in a direction: N 13-40-4 E, along the centerline of the White Bluff Road for approximately 118,167 ft. to a point thence proceeding in a direction: N 67-5-46 W, along a line for an approximate distance of: 590.41 ft. to a point, thence proceeding in a direction: S 77-20-1 W, along the approximate centerline of Cedar Grove Road for an approximate distance of: 200 ft. to a point, thence proceeding in a direction: S 67-4-22 E along a line for an approximate distance of: 772.058 ft. to a point, [X: 976,173.0233 ft Y: 716,903.272 ft], with said point being, THE POINT OF BEGINNING

This property is further identified by the Property Identification Number as follows:

P.I.N.: 2-0653-03-007B

SECTION 2: That the requirement of Section 8-3182(f)(2) of said Code and the law in such cases made and provided has been satisfied. That an opportunity for a public hearing was afforded anyone having an interest or property right which may have been affected by this zoning amendment, said notice being published in the Savannah Morning News the 1st day of March, 2013, a copy of said notice being attached hereto and made a part hereof.

SECTION 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

ADOPTED AND APPROVED: APRIL 4, 2013.

MPC FILE NO.: 12-002055-ZA

Ordinances read for the first time in Council April 4, 2013, then by unanimous consent of Council read a second time April 4, 2013, placed upon its passage, adopted and approved upon a motion by Alderman Sprague seconded by Alderman Bell and unanimously carried.

AN ORDINANCE TO AMEND SECTION 8-3112(g) (1) OF THE CODE OF THE CITY OF SAVANNAH (2003) PERTAINING TO PLANNING REGULATION OF DEVELOPMENT-CHANGES IN NONCONFORMING USES; TO REPEAL ALL ORDINANCES IN CONFLICT HERewith; AND FOR ALL OTHER PURPOSES.

BE IT ORDAINED by the Mayor and Aldermen of the City of Savannah, Georgia, in regular meeting of Council assembled and pursuant to lawful authority thereof:

SECTION 1: That Section 8-3112(g)(1) of the Code of the City of Savannah, Georgia (2003), herein after referenced as "Code", be amended as follows:

REPEAL

Section 8-3112(g)(1) in its entirety

ENACT

(g) Nothing in this section shall prevent the addition of an incidental nonconforming use to an existing nonconforming principal use when approved by the Mayor and Aldermen.

(1) The sale or serving of wine from a sit down restaurant, by the drink, for consumption on the premises, shall be allowed within the RIP-A1 district subject to:

- (i) The restaurant shall front onto a street classified as an arterial or collector on the city street classification map.
- (ii) Wine shall be served and consumed only as a part of a full service meal. Alcoholic beverages and malt beer shall be prohibited.
- (iii) Wine sales shall be limited to the hours between 11:00 a.m. and 10:00 p.m. except on Sundays when the beginning service time shall comply with Sec. 6-1212(b) (Sale of Alcohol Beverages on Sunday), as amended, of the City Code.
- (iv) Wine shall not be sold for take-out consumption.
- (v) No display or advertisement for the sale of wine shall be visible from the exterior of the structure.
- (vi) Deliveries and pickups shall be accomplished in a manner so as not to block access to adjacent residential properties.
- (vii) Pool tables, amusement games and videos, live music and karaoke shall not be permitted. Loudspeakers and music speaker systems shall not be permitted on any public property adjacent to the restaurant use.
- (viii) Trash and waste generated from the restaurant shall utilize only household trash receptacles. No dumpsters shall be permitted.
- (ix) An area dedicated as a bar area or serving as a bar area shall not be permitted.
- (x) This section shall only apply to existing restaurants that are nonconforming due to zoning map amendment or text amendments. The restaurant building shall not be greater than 2,500 square feet and shall not have more than 50 chairs.

SECTION 2: That the requirement of Section 8-3182(f)(2) of said Code and the law in such cases made and provided has been satisfied. That an opportunity for a public hearing was afforded to anyone having an interest or property right which may have been affected by this zoning amendment, said notice being published in the Savannah Morning News, on the 2nd day of March, 2013, a copy of said notice being attached hereto and made a part hereof.

OFFICIAL PROCEEDINGS OF SAVANNAH CITY COUNCIL MEETING 04/04/2013

SECTION 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

ADOPTED AND APPROVED APRIL 4, 2013

MPC FILE NO. 13-000478-ZA

Ordinances read for the first time in Council April 4, 2013, then by unanimous consent of Council read a second time April 4, 2013, placed upon its passage, adopted and approved upon a motion by Alderman Sprague seconded by Alderman Bell and unanimously carried.

AN ORDINANCE TO AMEND APPENDIX I, SECTION 209 OF THE CODE OF THE CITY OF SAVANNAH, GEORGIA (2003), PERTAINING TO SECTION 7-1024 OF SAID CODE, TO PROVIDE THAT THE STREET NAMED HERIN SHALL BE DESIGNATED A THROUGH STREET; TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH AND FOR OTHER PURPOSES

BE IT ORDAINED by the Mayor and Aldermen of the City of Savannah, Georgia, in regular meeting of Council assembled and pursuant to lawful authority thereof:

SECTION 1: That Appendix I, Section 209 of the Code of the City of Savannah, Georgia (2003), pertaining to Section 7-1024 of said Code, as amended, shall be amended as follows:

AMEND SECTION 209, THROUGH STREETS

DELETE

Reynolds Street from 40th Street to the southern city limits except its intersection with Washington Avenue to Columbus Drive.

SECTION 2: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

ADOPTED AND APPROVED APRIL 4, 2013.

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