

Michael if he understood when he purchased the property on Smart Street that it was not zoned for his particular use. Mr. Michael replied yes, but he did not understand how the transfer would occur or how the funding would be done. He has written numerous letters and has not received adequate information. He stated this process began in 2006, he requested advance information and funding but no one knew what to do or where to go when he contacted them in reference to the issue. He was advised not to enter into any financial obligations or activities prior to his moving. He stated when he received the letter to vacate he was given two weeks to get out, which caused him to move in haste to find a place to store his equipment.

Maurice Johnson came forward on behalf of his parents. He stated he grew up on Smart Street and over the years several businesses have come into the neighborhood that they were in objection to. They oppose the zoning changes to allow Mr. Michael to operate his funeral home on Smart Street.

Mayor Jackson read a letter from the Hudson Hill Community Association with several signatures on it in favor of Mr. Michael operating his business on Smart Street.

Hearing closed upon motion of Alderman Johnson, seconded by Alderman Shabazz and unanimously carried. Alderman Johnson stated Mr. Michael is a respected business man in the West Savannah Community. He stated Mr. Michael was aware of what would be occurring on Bay Street and understood when he acquired the property on Smart Street that it was in the I.L. district. Alderman Johnson continued stated Mr. Michael went to the Metropolitan Planning Commission and requested "spot zoning" the MPC changed the petition to make it city wide. He stated if the petition is approved today, it could happen in any of the Council members communities. He asked that the City of Savannah assist Mr. Michael find a suitable location for him to operate his business, not finances but properties. Upon motion of Alderman Hall, seconded by Alderman Johnson and unanimously carried the request was denied. Alderman Johnson added an amendment to the motion that City staff assists Mr. Michael with finding a location in the area. A board vote was taken with the following voting in favor of the denial. Aldermen Bell, Bordeaux, Thomas, Johnson, Hall, Sprague and Shabazz. Alderman Osborne stated because of her family ties with Mr. Michael she would recuse herself from the vote. Mayor Jackson recused herself because her brother lives in the Hudson Hill community.

Metropolitan Planning Commission (File No. 15-000333-ZA), recommending amendments to Article B (Zoning Districts), Section 8-3030(d)(6) (Quorum), Section 8-3030(i)(1) (Preservation of Historic Structures), Section 8-3030(n)(8) (Awnings), Section 8-3030(n)(10) (Balconies, Stairs, Stoops, Porticos, and Porches), Section 8-3030(n)(14) (Parking Areas- Structured Parking Setback, Curb Cuts), Section 8-3030(n)(18) (Character Areas- Factor's Walk), Section 8-3030(p)(4) (Variances - Public Hearing Processes), Section 8-3119 Broughton Street Sign Ordinance (Encroachment process), Section 8-3120 River Street Sign Ordinance (Encroachment and enforcement process), and Section 3121 Historic District Sign Ordinance (Encroachment process) of the City of Savannah Zoning Ordinance. Recommend approval of the Planning Commission's recommendation. Marcus Lotson, MPC briefly described what each change would consist of. Alderman Sprague asked what Directory Sign was. Mr. Lotson replied they are the signs that are commonly located between Bay Street and Factors Walk. Hearing closed upon motion of Alderman Hall, seconded by Alderman Sprague and unanimously carried. Approved upon motion of Alderman Thomas, seconded by Alderman Sprague and unanimously carried.

Darcy O'Connor, Petitioner (File No. 15-000222-ZA), requesting an amendment to Article F (Nonconforming Uses), Section 8-3134(g)(1)vii to amend a provision that prohibits live music

within a nonconforming sit-down restaurant in the RIP-A1 (Residential Urban) zoning district. Recommend approval of the Planning Commission's recommendation. Hearing closed upon motion of Alderman Johnson, seconded by Alderman Sprague and unanimously carried. Approved upon motion of Alderman Johnson, seconded by Alderman Thomas and unanimously carried.

PETITIONS

Allan S. Brezel, CFO of the John Marshall Law School – Petition 140500, requesting that the City approve an encroachment for stairs, drains, and up-lights (surface-mounted flush with the sidewalk) onto the Huntingdon Street right-of-way. The law school is located at 516 Drayton Street. The encroachment is along Huntingdon Street, between Drayton and Abercorn Streets near Forsyth Park.

The petition has been reviewed by Real Property Services, Public Works and Water Resources, and Development Services. Approval is subject to the Property Owner: 1) entering into the City's standard Revocable License Encroachment Agreement, and 2) obtaining all applicable City issued permits.

Recommend approval of an encroachment onto the Huntingdon Street right of way for stairs, drains, and up-lighting for the John Marshall Law School as requested by Allen Brezel through Petition 140500. (A drawing is attached.) Recommend approval subject to the conditions noted. Approved upon a motion by Alderman Thomas, seconded by Alderman Bell and unanimously carried, per the City Manager's recommendation.

Angela Bean (Petitioner) on Behalf of the First African Baptist Church (Property Owner) and Savannah Slow Ride (Tenant) – Petition 140550, requesting encroachment within the Bryan Street right-of-way. The purpose of the request is to install a sign at the property located at 420 W. Bryan Street. The sign will be sized 4.5 feet by 6.5 feet for a total of 29.25 square feet, and will provide 15 feet of vertical clearance from the sidewalk.

This request has received a Certificate of Appropriateness (COA) from the Historic District Board of Review. The petition has been reviewed by Real Property Services, Public Works and Water Resources, and Development Services. Approval is subject to the Property Owner: 1) entering into the City's standard Revocable License Encroachment Agreement, and 2) obtaining all applicable City issued permits.

Recommend approval of an encroachment within the Bryan Street right-of-way for the installation of a sign located at 420 West Bryan Street as requested by Angela Bean through Petition 140550. (An aerial map is attached.) Recommend approval subject to the conditions noted. Approved upon a motion by Alderman Thomas, seconded by Alderman Bell and unanimously carried, per the City Manager's recommendation.

Alderman Johnson stated he has been getting an increasing amount of calls in reference to the SlowRide, it has become louder and has begun to impede on the residents in the community. Alderman Thomas stated a closer look needs to be taken at the SlowRide individuals are taking kegs on it, and the noise level is becoming a problem. Alderman Sprague agreed she also stated

SECTION 3: Upon the effective date of the ordinance all ordinances or parts of ordinances in conflict herewith are hereby repealed.

ADOPTED AND APPROVED: March 19, 2015

**AN ORDINANCE
To Be Entitled**

AN ORDINANCE TO AMEND PART 8, CHAPTER 3, ZONING PERTAINING TO SIGNS IN THE PUBLIC RIGHT-OF-WAY OF THE HISTORIC DISTRICT; TO REPEAL ALL OTHER 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 Part 8, Chapter 3, Zoning of the Code of the City of Savannah, Georgia (2003) hereinafter referenced as "Code," be amended as follows:

ENACT

XI. Article E. (Signs), Sec. 8-3121 (Historic Sign District Created)

[No change to 8-3121(A) thru (B)(15)]

(16) *Signs within the public right-of-way.*
Signs within the public right-of-way shall be required to obtain an encroachment license from the City of Savannah.

(17) *Discontinued use signs.*
[Reserved.]

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, on the 12th day of February, 2015, a copy of said notice being attached hereto and made a part hereof.

SECTION 3: Upon the effective date of the ordinance all ordinances or parts of ordinances in conflict herewith are hereby repealed.

ADOPTED AND APPROVED: March 19, 2015

Ordinance read for the first time in Council March 19, 2015, then by unanimous consent of Council read a second time, placed upon its passage, adopted and approved upon a motion by Alderman Thomas, seconded by Alderman Sprague and unanimously carried.

Live Music within a Nonconforming Sit-Down Restaurant in the RIP-A1 Zoning District (File No. 15-000222-ZA).

AN ORDINANCE TO AMEND ARTICLE F (NONCONFORMING USES), SECTION 8-3134(G)(1)VII TO AMEND A PROVISION THAT PROHIBITS LIVE MUSIC WITHIN A NONCONFORMING SIT-DOWN RESTAURANT IN THE RIP-A1 (RESIDENTIAL URBAN) ZONING DISTRICT.

AN ORDINANCE
To Be Entitled

AN ORDINANCE TO AMEND PART 8, CHAPTER 3, ZONING PERTAINING TO LIVE MUSIC AS A CONDITION OF A NONCONFORMING SIT-DOWN RESTURANT THAT SELLS WINE BY THE DRINK; TO REPEAL ALL OTHER 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 Part 8, Chapter 3, Zoning of the Code of the City of Savannah, Georgia (2003) hereinafter referenced as "Code," be amended as follows:

ENACT

XII. Article F. (Nonconforming Uses), Sec. 8-3134(g)(1)vii. (Changes in Nonconforming Uses)

Pool tables, amusement games and videos, live music that is not acoustical and karaoke shall not be permitted. Loudspeakers and music shall not be permitted on any public property adjacent to the restaurant use.

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, on the 12th day of February, 2015, a copy of said notice being attached hereto and made a part hereof.

SECTION 3: Upon the effective date of the ordinance all ordinances or parts of ordinances in conflict herewith are hereby repealed.

ADOPTED AND APPROVED: March 19, 2015