

Development Services. Due to traffic safety concerns, the wall was moved back four feet from the curb along the curve at Bacon Park Drive and Club Circle. Staff is now prepared to recommend approval of the encroachment request subject to the following stipulations:

- All liability relative to the presence of the retaining wall shall lie with the petitioner.
- Any future damages to the retaining wall shall be the sole responsibility of the petitioner/property owner.

Recommend advising the petitioner that all liability relative to the presence of the retaining wall shall lie with the petitioner; and that any future damages to the retaining wall shall be the sole responsibility of the petitioner/property owner. Recommend also advising the petitioner that the encroachment conveys no property rights and that, if ever required by the City, the structures shall be removed at the property owner's expense.

~~BE IT RESOLVED AND IT IS HEREBY RESOLVED~~ that the Mayor and Aldermen of the City of Savannah in regular meeting of Council assembled, that the foregoing recommendations are hereby adopted and approved upon motion of Alderman, seconded by Alderman and carried.

ORDINANCES

Ordinance read for the first time in Council, read a second time, placed upon its passage, adopted and approved upon motion of Alderman Felser, seconded by Alderman Sprague and carried.

AN ORDINANCE To Be Entitled

AN ORDINANCE TO REZONE CERTAIN PROPERTY FROM ITS PRESENT B-N AND R-4 ZONING CLASSIFICATION TO A PUD ZONING CLASSIFICATION; 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 a regular meeting of Council assembled and pursuant to lawful authority thereof:

SECTION 1: The following described property be rezoned from its present B-N and R-4 zoning classification to a PUD zoning classification:

Legal Description

Beginning at a point located at the intersection of the centerlines of East 38th Street and East Broad Street, thence proceeding in a southwesterly direction S 16 degrees 23' 0" W along the centerline of East Broad Street for a distance of approximately 232 feet to a point located at the intersection of East 39th Street and East Broad Street , thence proceeding in a southeasterly direction S 72 degrees 11' 12 " E along the centerline of East 39th Street for a distance of approximately 200 feet to a point, thence proceeding in a southwesterly direction S 16 degrees 23' 0" W along a line for a distance of approximately 122 feet to a point, thence proceeding in a northwesterly direction N 72 degrees 11'12" W along a line for a distance of approximately 136 feet to a point, thence proceeding in a southwesterly direction S 16 degrees 23' 0" W along a line for a distance of approximately 20 feet to a point, thence proceeding in a northwesterly direction N 72 degrees 11'12" W along a line for a distance of approximately 64 feet to a point located on the centerline of East Broad Street, thence proceeding in a northeasterly direction N 14 degrees 59'14" E along the centerline of East Broad Street for a distance of approximately 19 feet to a point, thence proceeding in a northwesterly direction N 72 degrees 11'12" W along a line for a distance of approximately 144 feet to a point, thence proceeding in a northeasterly direction N 16 degrees 23'0 "E along a line for a distance of approximately 122 feet to a point located on the centerline of East 39th Street, thence

proceeding in a northwesterly direction N 72 degrees 11'13" W along the centerline of East 39th Street for a distance of approximately 63 feet to a point, thence proceeding in a northeasterly direction N16 degrees 23' 0" E along a line for a distance of approximately 115 feet to a point, thence proceeding in a southeasterly direction S 72 degrees 11'12" E along a line for a distance of approximately 90 feet to a point, thence proceeding in a northeasterly direction N 16 degrees 23' 0" E along a line for a distance of approximately 120 feet to a point located on the centerline of East 38th Street, thence proceeding in a northwesterly direction N 72 degrees 11'15" W along the centerline of East 38th Street for a distance of approximately 11 feet to a point, thence proceeding in a northeasterly direction N 16 degrees 23'0" E along a line for a distance of approximately 109 feet to a point, thence proceeding in a southeasterly direction S 72 degrees 6' 23" E along a line for a distance of approximately 217 feet to a point, thence proceeding in a southwesterly direction S 16 degrees 23' 0" W along a line for a distance of approximately 111 feet to a point located on the centerline of East 38th Street, thence proceeding in a northwesterly direction N 72 degrees 11'12" W along the centerline of East 38th Street to a point, said point being the point of beginning.

The properties are further identified by the Property Identification Number as follows:

P.I.N: 2-0064-40-013,-014,2-0064-43-011,-014thru-017,2-0075-05-011,2-0064-39-012,2-0075-06-002thru-005,and -017

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 6th day of April, 2010, 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

EFFECTIVE DATE: This ordinance shall be effective upon compliance with all of the requirements of Section 8-3031(D) (1) (a) of the City Code as amended by ordinance adopted and approved May 6, 2010 and upon filing the approved plat with the Clerk of Council as recorded in the office of the Clerk of the Superior Court of Chatham County.

ADOPTED AND APPROVED MAY 6, 2010

MPC FILE #Z-091222-62363-2

Ordinance Placed on First Reading:
Bicycle Lanes. An ordinance to amend Appendix I, <i>General Traffic Regulations</i> , to update Section 229, <i>Bicycle paths or sidewalks</i> . River Street from Lincoln Street to Barnard Street is listed as an approved bikeway in Section 229. The list needs to be updated with other streets that currently have bicycle facilities along with Washington Avenue:
River Street from Lincoln Street to Barnard Street.
Lincoln Street from Victory Drive to Perry Lane.
Habersham Street from Victory Drive to Stephenson Avenue.
Washington Avenue from Bull Street to Waters Avenue.
Edgewater Road from Montgomery Street to Duhwoody Drive.
Bee Road from 52 nd Street to Washington Avenue.
52 nd Street from Ogeechee Road to Ward Street.
The Traffic Engineering Report for bicycle lanes on Washington Avenue was approved on April 22, 2010.