

AN ORDINANCE 17-104
ENTITLED

**AN ORDINANCE AMENDING THE ZONING ORDINANCE
AND MAP OF THE CITY OF ALBANY (ORDINANCE NO. 09-102)
SO AS TO CHANGE THE STATUS OF THE PROPERTY
HEREINAFTER DESCRIBED**

BE IT ORDAINED by the Board of City Commissioners of the City of Albany, Georgia, and it is hereby ordained by the authority of same:

SECTION I: That from and after the passage of this Ordinance the official Zoning Ordinance and Map of the City of Albany, Ordinance No. 09-102, adopted January 27, 2009, as amended, and the same hereby is further amended so as to change the status of the property hereinafter described as follows:

CHANGE FROM : C-1 (Neighborhood Mixed-Use Business District)
TO : C-2 (General Mixed-Use Business District) **Conditional**
LOCATION : 609 N. Slappey Blvd. & 1104 Baker Ave.
APPLICANT : Todd Davis & Carl Lee Davis
OWNER : SOWEGA Warehousing, LLC & Carl Lee Davis
ZONING CASE : #17-004

With the following conditions: 1) Due to possible high traffic volume, noise, and/or late hours of operation, the following uses will not be permitted at this location: bar, night club, event centers, and motor vehicle related services; 2) Applicants will engage services by acoustical (sound) professionals to design a sound wall that mitigates sound from the proposed development. The wall will extend along the rear property line of 609 N. Slappey Blvd and the northwestern property line adjoining neighboring property on Baker Ave.; 3) Applicant will engage services of lighting professionals to develop a lighting plan that will ameliorate any adverse effect of lighting on residential lots to the west. The type lighting used should reflect the results of such study. The reasonable discretion of the Director of Planning and Development Services will control.

SOWEGA WAREHOUSING, LLC:

All that tract or parcel of land lying in or being in Land Lot 373 of the First Land District of the City of Albany and Dougherty County, Georgia and being a part of Lots 19, 20, 21, & 22, Block "K", Eugemar Subdivision as per plat recorded in Plat Book 1 Pages 104 & 105 and also being additional lands lying in said Land Lot 373 and being more particularly described as follows: Beginning at an iron pin located at the intersection of the West right-of-way of North Slappey Drive (an 80' wide right-of-way) and the South right-of-way of Baker Avenue (a 60' wide right-of-way); thence South 01 degree 05 minutes 36 seconds East for a distance of 100.11 feet along the West right-of-way of North Slappey Drive to an iron pin; thence South 88 degrees 51 minutes 48 seconds West for a distance of 251.33 feet to an iron pin located on the West line of said Lot 19, Eugemar Subdivision; thence North 11 degrees 22 minutes 45 seconds West for a

distance of 24.56 feet along the West line of said Lots 19 & 20, Eugemar Subdivision to an iron pin; thence North 34 degrees 31 minutes 13 seconds West for a distance of 189.49 feet along the West line of said Lots 20, 21 & 22, Eguemar Subdivision to an iron pin located at the Northwest corner of said Lot 22 Eugemar Subdivision; thence North 38 degrees 44 minutes 36 seconds East for a distance of 67.18 feet along the North line of said Lot 22, Eugemar Subdivision to an iron pin; thence South 34 degrees 34 minutes 47 seconds East for a distance of 178.00 feet across said Lots 22, 21 & 20, Eugemar Subdivision to an iron pin; thence North 48 degrees 46 minutes 04 seconds East for a distance of 96.73 feet to a nail located on the North line of said Lot 20, Eugemar Subdivision; thence North 52 degrees 14 minutes 18 seconds East for a distance of 29.62 feet along the North line of said Lot 20, Eugemar Subdivision and the extension thereof to the South right-of-way of Baker Avenue; thence along a curve to the left having a radius of 220.00 feet and an arc length of 139.92 feet, being subtended by a chord of South 62 degrees 48 minutes 35 seconds East for a distance of 137.58 feet along the South right-of-way of Baker Avenue to the POINT OF BEGINNING. Together with and subject to covenants, easement, and restriction of record said property contains 0.946 acres more or less all according to a plat of survey for Sowega Warehousing, LLC, prepared by Larry Burnsed, Georgia Registered Land Surveyor No. 2634 on the date of March 7, 2016.

CARL LEE DAVIS

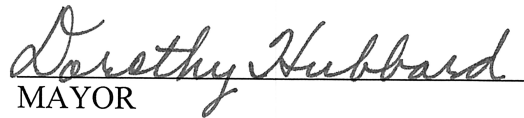
All that tract or parcel of land lying in or being in Land Lot 373 of the First Land District of the City of Albany and Dougherty County, Georgia and being a part of Lost 20 & 21, Block "K", Eugemar Subdivision as per plat recorded in Plat Book 1 Pages 104 & 105 and also being additional lands lying in said Land Lot 373 and being more particularly described as follows: To find the Point of Beginning, commence at an iron pin located at the intersection of the West right-of-way of North Slappey Drive (an 80' wide right-of-way) and the Southwest right-of-way of Baker Avenue (a 60' wide right-of-way); thence along a curve to the right having a radius of 220.00 feet and an arc length of 139.92 feet, being subtended by a chord of North 62 degrees 48 minutes 35 seconds West for a distance of 137.58 feet along the Southwest right-of-way of Baker Avenue to a nail in asphalt paving and the POINT OF BEGINNING of the following described tract: thence South 52 degrees 14 minutes 18 seconds West for a distance of 29.62 feet to a nail in asphalt paving; thence South 48 degrees 46 minutes 04 seconds West for a distance of 96.73 feet to an iron pin, thence North 34 degrees 34 minutes 47 seconds West for a distance of 89.09 feet to an iron pin located on the Northwest line of said Lot 21; thence North 46 degrees 18 minutes 14 seconds East for a distance of 114.59 feet along the Northwest line of said Lot 21 to a drill hole in concrete paving located on the Southwest right-of-way of Baker Avenue; thence along a curve to the right having a radius of 599.82 feet and an arc length of 32.95 feet, being subtended by a chord of South 42 degrees 56 minutes 58 seconds East for a distance of 32.95 feet along the Southwest right-of-way of Baker Avenue to a point; thence South 41 degrees 22 minutes 32 seconds East for a distance of 49.94 feet along the Southwest right-of-way of Baker Avenue to a point; thence along a curve to the left having a radius of 220.00 feet and an arc length of 12.34 feet, being subtended by a chord of South 42 degrees 58 minutes 57 seconds East for a distance of 12.34 feet along the Southwest right-of-way of Baker Avenue to the POINT

#17-004

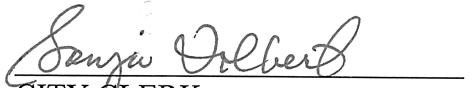
Pg. 3

OF BEGINNING.. Together with and subject to covenants, easements, and restrictions of record said property contains 0.252 acres more or less all according to a plat of survey for Carl Lee Davis, prepared by Larry Burnsed, Georgia Registered Land Surveyor No. 2634 on the date of February 21, 2017 and said plat is incorporated herein by this express reference thereto.

SECTION II: That all Ordinances or parts of Ordinances in conflict herewith be, and the same hereby are repealed.


MAYOR

ATTEST:


CITY CLERK
ADOPTED: *March 28, 2017*