

AN ORDINANCE

To Be Entitled

AN ORDINANCE TO REZONE CERTAIN PROPERTY FROM A R-M-25 (MULTIFAMILY RESIDENTIAL 25 UNITS PER ACRE) ZONING DISTRICT TO THE P-R-M-40 (PLANNED RESIDENTIAL MULTI FAMILY UP TO 40 UNITS PER ACRE) AND I-L (LIGHT INDUSTRIAL) ZONING DISTRICTS IN CONJUNCTION WITH THE SITE PLAN, APPLYING THE "EXTRAORDINARY AND UNUSUAL" PROVISION OF SEC. 8-3031(D)(1)(A) AND APPROVAL OF HEIGHT AND PARKING VARIANCES WITH CONDITIONS; 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, 401 Carolan Street and 0 Cleland Street, be rezoned from its present R-M-25 Zoning District to a P-R-M-40 Zoning District:

Multifamily Parcel A

All that tract or parcel of land, being a portion of The Clearview Townhomes property, located in Brantley Ward, City Of Savannah, Chatham County, Georgia, and being more particularly described as follows:

Commence at a point located at the intersection of the westerly right of way line of Carolan Street and the northerly right of way line of Clearview Avenue, said point being depicted on that certain ALTA/ACSM Survey as it is recorded at Plat Record Book 48-P, Page 200 in the records of the Clerk of Superior Court of Chatham County;

Thence with the northerly right of way line of Clearview Avenue the following courses and distances:

N 72°50'24 W, a distance of 86.72 feet to a point;

Thence with a curve to the right, said curve having a radius of 247.92 feet, a chord length of 84.74 feet bearing N 58°55'23" W, thence 85.16 feet along the arc of said curve to a point; thence N 49°09'56" W a distance of 151.43 feet to a point, said point being the POINT OF BEGINNING;

Thence continue with the northerly right of way line of Clearview Avenue the following courses and distances:

Thence N 49°09'56" W a distance of 19.87 feet to a point;

Thence with a curve turning to the left, said curve having a radius of 680.18', a chord length of 171.32 feet bearing N 56°37'21" W, thence along the arc of said curve 171.78 feet to a point:

Thence N 63°54'35" W a distance of 182.73 feet to a point;

Thence N 63°52'31" W a distance of 241.63 feet to a point;

Thence N 63°52'16" W a distance of 89.92 feet to a point;

Thence N 63°53'54" W a distance of 330.39 feet to a point on the easterly right of way line of Cleland Street;

Thence with the easterly right of way line of Cleland Street N 28°58'57" E a distance of 78.47 feet to a point;

Thence N 28°58'57" E a distance of 237.53 feet to a point; thence N 28°58'57" E a distance of 25.26 feet to a point;

Thence leave the easterly right of way line of Cleland Street and run the following courses and distances:

Thence S 52°48'03" E a distance of 338.13 feet to a point;

Thence S 52°51'47" E a distance of 72.82 feet to a point;

Thence S 52°47'20" E a distance of 246.34 feet to a point;

Thence S 52°45'55" E a distance of 418.92 feet to a point;

Thence S 39°53'55" W a distance of 165.06 feet to the POINT OF BEGINNING; said tract or parcel of land having an area of 253,104 square feet, or 5.81 acres, more or less.

The property is further identified by the Property Identification Numbers (PINs) as follows:

PINs: 2-0021 -02-047 (portion).

Multifamily Parcel B

All that tract or parcel of land, being a portion of The Clearview Townhomes property, located in Brantley Ward, City Of Savannah, Chatham County, Georgia, and being more particularly described as follows:

Commence at a point located at the intersection of the westerly right of way line of Carolan Street and the northerly right of way line of Clearview Avenue, said point being depicted on that certain ALTA/ACSM Survey as it is recorded at Plat Record Book 48-P, Page 200 in the records of the Clerk of Superior Court of Chatham County;

Thence along the westerly right of way line of Carolan Street S 17°04'00" W a distance of 60.00 feet to a point at the intersection of the westerly right of way line of Carolan Street and the southerly right of way line of Clearview Avenue;

Thence leave the westerly right of way line of Carolan Street and run with the southerly right of way line of Clearview Avenue the following courses and distances:

N 72°50'24" W a distance of 86.82 feet to a point, thence with a curve turning to the right, said curve having a radius of 307.92 feet, a chord length of 109.34 feet bearing N 59°23'28" W, thence 109.93 feet along the arc of said curve to a point;

Thence N 49°09'56" W a distance of 134.36 feet to the POINT OF BEGINNING;

Thence leave the southerly right of way line of Clearview Avenue and run the following courses and distances:

Thence S 39°53'55" W a distance of 130.85 feet to a point;

Thence S 16°58'59" W a distance of 100.34 feet to a point;

Thence N 72°54'22" W a distance of 58.23 feet to a point;

Thence N 16°58'59" E a distance of 44.68 feet to a point;

Thence N 17°10'53" E a distance of 60.00 feet to a point;

Thence N 72°55'54" W a distance of 287.54 feet to a point;

Thence N 72°57'31" W a distance of 244.67 feet to a point;

Thence N 72°55'59" W a distance of 72.37 feet to a point;

Thence N 72°58'03" W a distance of 372.33 feet to a point on the easterly right of way line of Cleland Avenue;

Thence with the easterly right of way line of Cleland Avenue N 28°58'57" E a distance of 254.03 feet to a point;

Thence N 28°58'57" E a distance of 61.20 feet to a point on the southerly right of way line of Clearview Avenue;

Thence with the southerly right of way line of Clearview Avenue the following courses and distances:

S 63°53'54" E a distance of 333.40 feet to a point;

Thence S 63°52'04" E a distance of 89.90 feet to a point;

Thence S 63°53'10" E a distance of 241.73 feet to a point;

Thence S 63°53'49" E a distance of 182.61 feet to a point;

Thence with a curve turning to the right, said curve having a radius of 620.15 feet, a chord length of 156.21 feet bearing S 56°37'21" E, thence 156.62 feet along the arc of said curve to a point;

Thence S 49°09'56" E a distance of 36.71 feet to the POINT OF BEGINNING; said tract or parcel of land having an area of 243,139 square feet, or 5.58 acres, more or less.

The property is further identified by the Property Identification Numbers (PINs) as follows:

PINs: 2-0021 -02-044 (whole) & 2-0021 -02-048 (portion).

**SECTION 2:** The following described property, 401 Carolan Street, be rezoned from its present R-M-25 Zoning District to an I-L Zoning District:

Commercial Parcel A

All that tract or parcel of land, being a portion of The Clearview Townhomes property, located in Brantley Ward, City Of Savannah, Chatham County, Georgia, and being more particularly described as follows:

Commence at a point located at the intersection of the westerly right of way line of Carolan Street and the northerly right of way line of Clearview Avenue, said point being depicted on that certain ALTA/ACSM Survey as it is recorded at Plat Record Book 48-P, Page 200 in the records of the Clerk of Superior Court of Chatham County, said point being also the POINT OF BEGINNING;

Thence proceed along the northerly right of way line of Clearview Avenue thence N 72°50'24" W a distance of 86.72 feet to a point;

Thence with a curve turning to the right, said curve having a radius of 247.92 feet, a chord length of 84.74 feet bearing N 58°55'23" W, thence along the arc of said curve 85.16 feet to a point;

Thence N 49°09'56" W a distance of 151.43 feet to a point;

Thence leaving the northerly right of way line of Clearview Avenue and running the following courses and distances:

Thence N 39°53'55" E a distance of 165.06 feet to a point;

Thence S 52°45'55" E a distance of 259.39 feet to a point on the westerly right of way line of Carolan Street;

Thence with the westerly right of way line of Carolan Street S 17°04'00" W a distance of 144.39 feet to the POINT OF BEGINNING; said tract or parcel of land having an area of 48,401 square feet, or 1.11 acres, more or less.

The property is further identified by the Property Identification Numbers (PINs) as follows:

PINs: 2-0021 -02-047 (portion).

Commercial Parcel B

All that tract or parcel of land, being a portion of The Clearview Townhomes property, located in Brantley Ward, City Of Savannah, Chatham County, Georgia, and being more particularly described as follows:

Commence at a point located at the intersection of the westerly right of way line of Carolan Street and the northerly right of way line of Clearview Avenue, said point being depicted on that certain ALTA/ACSM Survey as it is recorded at Plat Record Book 48-P, Page 200 in the records of the Clerk of Superior Court of Chatham County;

Thence proceed S 17°04'00" W a distance of 60.00 feet to a point at the intersection of the westerly right of way line of Carolan Street and the southerly right of way line of Clearview Avenue; said point being the POINT OF BEGINNING;

Thence proceed along the westerly right of way line of Carolan Street S 17°04'00" W a distance of 141.22 feet to a point;

Thence leave the westerly right of way line of Carolan Street and run the following courses and distances:

N 72°54'22" W a distance of 366.72 feet to a point;

Thence N 16°58'59" E a distance of 100.34 feet to a point;

Thence N 39°53'55" E a distance of 130.85 feet to a point on the southerly right of way line of Clearview Avenue;

Thence with the southerly right of way line of Clearview Avenue S 49°09'56" E a distance of 134.36 feet to a point;

Thence with a curve turning to the left, said curve having a radius of 307.92 feet, a chord length of 109.34 feet bearing S 59°23'28" E, thence along the arc of said curve 109.93 feet to a point;

Thence S 72°50'24" E a distance of 86.82 feet to the POINT OF BEGINNING; said tract or parcel of land having an area of 60,284 square feet, or 1.38 acres, more or less.

The property is further identified by the Property Identification Numbers (PINs) as follows:

PINs: 2-0021 -02-048 (portion).

SECTION 3: That the subject parcels be rezoned in conjunction with the site plan dated October 3, 2018, applying the “Extraordinary and unusual” provision of Sec. 8-3031(D)(1)(a). The site plan is currently in review under Site Development Permit No. 18-08811-SITE and Plan No. 18-005979-PLAN;

SECTION 4: That the following two variances be approved in conjunction with the rezoning of the subject parcels and the site plan dated October 3, 2018:

Variance 1: A 4-foot height variance from the 40-foot maximum in the R-M Zoning District. The proposed multifamily residential structures are 44 feet at the highest point;

Variance 2: A 59-space parking variance for the proposed residential component, including the allowance of 76 on-street parking spaces be counted toward required parking, with the condition that the parking variance applies only to the proposed residential uses and that the proposed nonresidential uses provide the required off-street parking spaces for each parking use classification.

SECTION 5: That the requirements of Section 8-3182(f)(2) of said Code and the law in such cases made and provided has been satisfied. 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 \_\_\_\_ day of \_\_\_\_\_, 2018, and the \_\_\_\_ day of \_\_\_\_\_, 2018, a copy of said notice being attached hereto and made a part hereof.

SECTION 6: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

EFFECTIVE DATE: This ordinance shall be effective as of the date hereof.

ADOPTED AND APPROVED: \_\_\_\_\_, 2018.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CLERK OF COUNCIL

FILE NO.: 18-005515-ZA