

00-0-0682

(Do Not Write Above This Line)

AN ORDINANCE Z-00-31  
BY: ZONING COMMITTEE

AN ORDINANCE TO REZONE FROM THE R-5 (TWO-FAMILY RESIDENTIAL) DISTRICT AND THE C-1 (COMMUNITY BUSINESS) DISTRICT TO THE PD-H (PLANNED DEVELOPMENT-HOUSING) DISTRICT, PROPERTY LOCATED AT 1040 RICE STREET, N.W., FRONTING 170.08 FEET ON THE WEST SIDE OF RICE STREET BEGINNING 160 FEET NORTH FROM THE NORTHWEST CORNER OF NILES AVENUE. DEPTH: VARIES; AREA: 3.4 ACRES; LAND LOT 190, 17TH DISTRICT, FULTON COUNTY, GEORGIA.

OWNER: NEW NEIGHBORS, LLC  
APPLICANT: THOMAS E. COLQUITT  
NPU-K COUNCIL DISTRICT 3

7/17/00 - Board's Substitute Motion to Refer CARRIED without Objection

REFERRED BY MAY 15 2000  
CITY COUNCIL

FILED BY OCT 02 2000  
CITY COUNCIL

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER

Date Referred 5/15/00  
Referred To: Z.B. & Zoning  
7/17/00 Zoning

First Reading

Committee 5-9-00  
Date 5-9-00  
Chair Deborah Starns

Committee ZONING  
Date 6-27-00  
Chair Deborah Starns  
Actions Held (see rev. side)  
Others

Members  
Refer To

Committee ZONING  
Date 9-26-00  
Chair Deborah Starns  
Actions Held (see rev. side)  
Others

Members  
Refer To

COUNCIL ACTION

- 2nd
- 1st & 2nd
- 3rd
- Readings
- Consent
- V Vote
- RC Vote

CERTIFIED

CERTIFIED  
OCT 03 2000

Richard Douglas Johnson  
MUNICIPAL CLERK

CERTIFIED  
OCT 2 2000  
ATLANTA CITY COUNCIL PRESIDENT  
Richard A. Pate

MAYOR'S ACTION

City Council  
Atlanta, Georgia

00- 0 -0682

AN ORDINANCE  
BY: ZONING COMMITTEE

Z-00-31  
4-11-00

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA,  
GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended and the maps established in connection therewith be changed so that the following property located at **1040 Rice Street, N.W.** be changed from the **R-5 (Two-Family Residential)** District and the **C-1 (Community Business)** District to the **PD-H (Planned Development-Housing)** District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot **190** of the **17<sup>th</sup>** District, Fulton County, Georgia, being more particularly described by the attached legal description.

SECTION 1. That this amendment is approved under the provisions of Chapter 19 entitled, "PD Planned Development District," and Chapters 19A through 19D (as applicable) of the Zoning Ordinance of the City of Atlanta, and the Director, Bureau of Buildings, shall issue a building permit for the development of the above described property only in compliance with the applicable provisions of these Chapters and with the attached conditions.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

Conditions for Z-00-31

1. Site plan entitled "Zoning Plan, South West Connector, New Neighbors, LLC" prepared by Reece Hoopes & Fincher, Land Planners, Landscape Architects, dated April 11, 2000, last revised June 8, 2000 and marked received by the Bureau of Planning June 8, 2000.
2. Sidewalks shall be constructed within the development.
3. The attached letter from Patrick A. Detwiler, Secretary, Howell Station/Knight Park Neighborhood Association, dated June 7, 2000, marked received by the Bureau of Planning June 8, 2000 and identified as Exhibit A shall be considered a condition of this rezoning and its provisions shall be enforced as such.

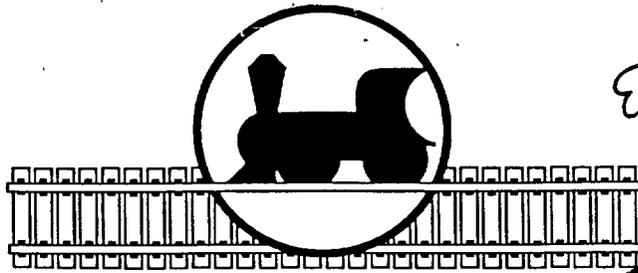
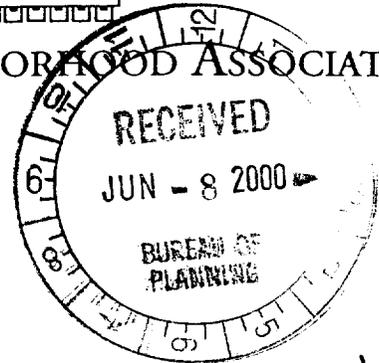


Exhibit A

Z-00-31

## HOWELL STATION/KNIGHT PARK NEIGHBORHOOD ASSOCIATION



June 7, 2000

To whom it may concern,

The board of the Howell Station/Knight Park Neighborhood Association has voted to support application **Z-00-31** to rezone property at 1040 Rice Street NW from R-5 and C-1 to PD-H as developer Thomas Colquitt, on behalf of New Neighbors, LLC, has agreed to the following conditions:

- No more than 23 single, unattached houses will be built on the property.
- While blending with the historic character of the neighborhood, the houses to be built will be of varying design and floor plan.
- The developer will plant at least 25% more trees in the development than required by the City to include a substantial landscape screen between the development and the adjoining properties. This planting shall include hardwoods and other varieties in appropriate diameter.
- The developer will make good faith efforts to plant screening across from the entrance to the development on Rice Street to soften the impact of traffic on adjoining properties.

This vote of support is based on the preceding conditions being included with the zoning in an **enforceable** manner.

If you have any questions you may reach me at 770-991-8286 (days) or 404-799-1420 (evenings). Thank you in advance for your attention to this matter.

Sincerely,

Patrick A. Detwiler  
Secretary

Page 1 of 1

Legal Description of South West Connector:

BEGINNING at an iron pin located at the southwest corner of the intersection of Marietta Boulevard (a 70' right of way) and Randall Street (a 30' right of way-closed); thence running S 03°03'42" E for a distance of 319.32 feet to an iron pin, thence running N 86°45'18"E a distance of 230.04 feet to a iron pin on the right of way of the west side of Rice Street; thence running S 01°31'57" E a distance of 170.08 feet along the west side of right of way of Rice Street to an iron pin; thence running S 86°48'52"W a distance of 325.50 feet to an iron pin, thence running S 05°46'01" E a distance of 67.93 feet to an iron pin, thence running S 89°16'08"W a distance of 321.85 feet to an iron pin located on the east side of Marietta Boulevard; thence running N 31°48'32" E a chord distance of 181.54 feet (following the curvature of Marietta Boulevard, an arc distance of 181.93 feet) to a point, thence running N 38°19'04" E a distance of 324.62 feet to a point, thence running N 30°21'25" E a chord distance of 181.57 (following the curvature of Marietta Boulevard, an arc distance of 181.81 feet) to an iron pin at the BEGINNING; said tract being in land lot 190 of the 17<sup>th</sup> District of Fulton County, Ga.

REC'D MAY - 9 2000

Z-00-31

RCS# 2280  
10/02/00  
3:20 PM

Atlanta City Council

Regular Session

00-O-0682

Z-00-31; Rezone from R-5 & C-1 to PD-H  
property at 1040 Rice St., NW  
File

YEAS: 12  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 2  
EXCUSED: 0  
ABSENT 2

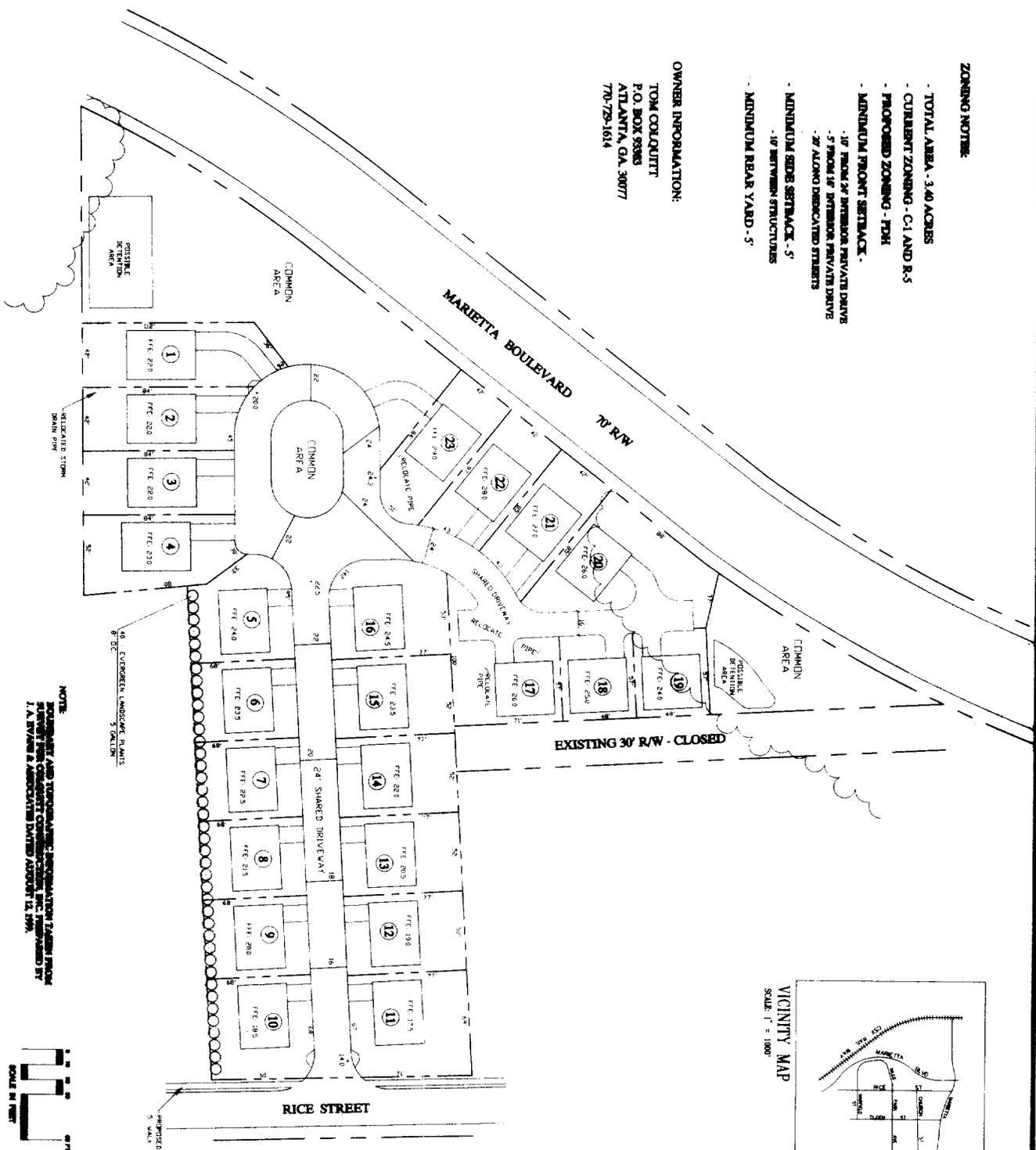
|           |           |           |             |
|-----------|-----------|-----------|-------------|
| Y McCarty | B Dorsey  | Y Moore   | Y Thomas    |
| Y Starnes | Y Woolard | B Martin  | Y Emmons    |
| Y Bond    | Y Morris  | NV Maddox | Y Alexander |
| Y Winslow | Y Muller  | Y Boazman | NV Pitts    |

00-O-0682

**ZONING NOTICE:**

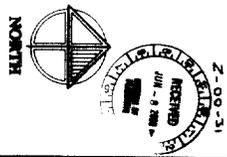
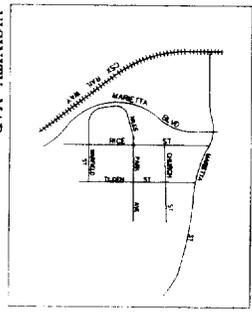
- TOTAL AREA - 3.40 ACRES
- CURRENT ZONING - C-1 AND R-5
- PROPOSED ZONING - PDH
- MINIMUM FRONT SETBACK -
- 10' FROM 24' INTERIOR PRIVATE DRIVE
- 5' FROM 10' INTERIOR PRIVATE DRIVE
- 20' ALONG DEDICATED STREETS
- MINIMUM SIDE SETBACK - 5'
- 10' BETWEEN STRUCTURES
- MINIMUM REAR YARD - 5'

**OWNER INFORMATION:**  
 TOM COQUITT  
 P.O. BOX 5585  
 ATLANTA, GA. 30377  
 770-725-1614



**NOTE:**  
 DIMENSIONS AND TOLERANCES INDICATED THROUGHOUT THIS PLAN SHALL BE CONSIDERED APPROXIMATE. THIS PLAN IS PREPARED BY J.A. SWANER & ASSOCIATES, INC. APPROX. 12, 1994.

**VICINITY MAP**  
 SCALE: 1" = 1000'



**ZONING PLAN**  
**SOUTH WEST CONNECTOR**  
 NEW NEIGHBORS, LLC.

PERMITS AND RECORDS SECTION  
 CITY OF ATLANTA  
 150 W. AVENUE, S.W.  
 ATLANTA, GA. 30334  
 (404) 522-2200