



City Council
Atlanta, Georgia

01-0-0466

SUBSTITUTE ORDINANCE
BY: ZONING COMMITTEE

Z-01-09
4-5-01

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 **McWilliams Road, SE.**, be changed from the **R-4 (Single Family Residential)** District, to the **RG-2-C (Residential General-Sector 2-Conditional)** District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lots **28 & 37** of the **14th** District Fulton County, Georgia, being more particularly described by the attached legal description.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development," as identified by the use of the suffix "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any zoning district regulations. District regulations variances can be approved only by application to the Board of Zoning Adjustment.

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 That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

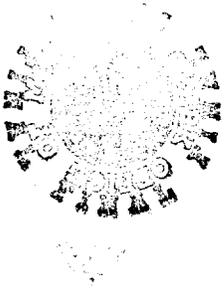
A true copy,

Rhonda Daughin Johnson
Municipal Clerk, CMC

ADOPTED as amended by the Council
RETURNED WITHOUT SIGNATURE OF THE MAYOR
APPROVED as per City Charter Section 2-403

JUN 04, 2001

JUN 13, 2001



CONDITIONS FOR Z-01-09

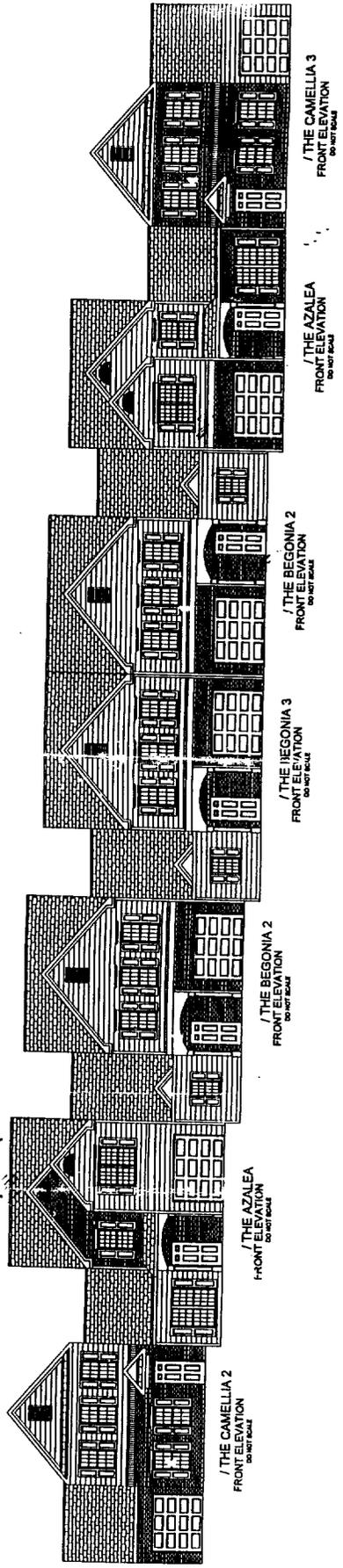
1. Site plan titled, "Zoning Exhibit For McWilliams Road Tract", by Altamira Design and Common Sense, Inc., dated January 18, 2001 and stamped as revised/received by the Bureau of Planning on March 21, 2001.
2. The applicant shall enter into a perpetual conservation easement agreement with the City for all that property lying in the 100-year flood plain and in the 25-foot undisturbed buffer required by the state. The conservation easement would prohibit clearing, paving, or construction of any type with the exception of soft surface footpaths and a publicly owned multi-use trail. In addition the 100-year flood plain and the 25-foot buffer shall remain in a natural, undisturbed and vegetative state.
3. The applicant shall grant the City a 25-foot public access easement through the area protected by the conservation easement for the multi-use trail to be defined and built at an undetermined date by the City. The cumulative trail width would be no more than 12-feet.



All that tract or parcel of land lying and being in Land Lots 28 and 37 of the 14th District of Fulton County, Georgia, and being more particularly described as follows:

Beginning at a point marking the intersection of the East line of Land Lot 37 (also the West line of Land Lot 28) and the South side of McWilliams Road; running thence East along the South side of McWilliams Road, 157.23 feet to a point; thence South 88 degrees 37 minutes 43 seconds East, 57.17 feet to a point; thence South 04 degrees 49 minutes 25 seconds East, 152.92 feet to a point; thence South 04 degrees 47 minutes 14 seconds East, 183.79 feet to a point; thence North 51 degrees 12 minutes 39 seconds East, 184 feet to a point; thence South 11 degrees 28 minutes 45 seconds West, 62.58 feet to a point; thence South 10 degrees 18 minutes 58 seconds West, 570 feet to an iron pin set; thence South 79 degrees 41 minutes 01 seconds East 40 feet to an iron pin set in the centerline of a creek; thence Southwesterly, Southerly and Southeasterly along the centerline of said creek, 1315.4 feet, more or less, to a point in the centerline of South River; thence Northwesterly along the centerline of South River, 610.9 feet, more or less, to a point and City of Atlanta property; thence North 01 degree 07 minutes 30 seconds east along the East line of said City of Atlanta property, 1819.27 feet to an iron pin found on the South side of McWilliams Road; thence East along the South side of McWilliams Road, 365.5 feet to the point of beginning.

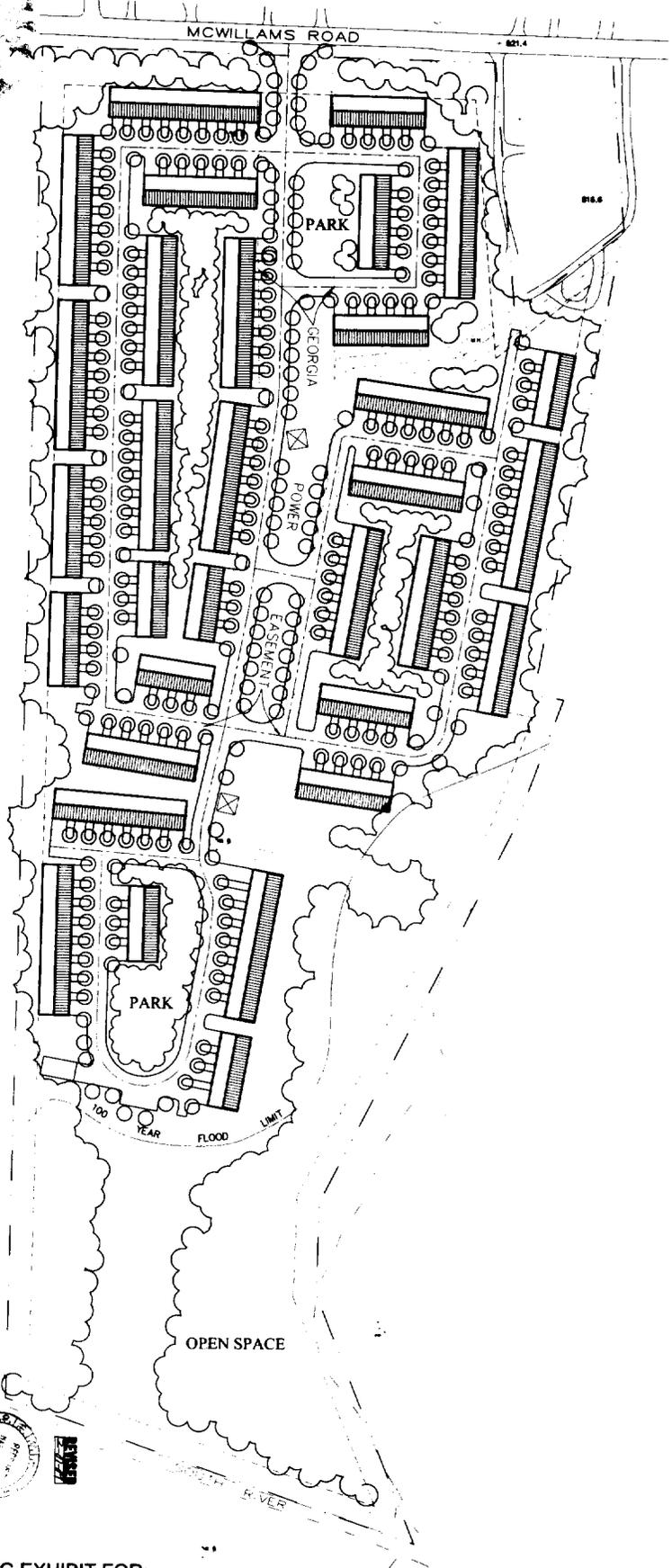
Z-01-09



P.O. Box 45161 • Atlanta, Georgia 30320

BILL RIVERS
Broker

Office: 678898-5467
 Nextel: 23-22342
 Home: 770966-3745



Mc Williams Road Tract
Site Summary: RGZ

Gross Residential Land Area = 1,144,779.4 s.f.
 Residential Floor Area = 326,000 s.f.
 Maximum Residential Floor Area = 326,538.33 s.f.
 Total Open Space = 964,779.4 s.f.
 Minimum Total Open Space Required = 646,798.74 s.f.
 Usable Open Space = 646,798.74 s.f.
 Minimum Usable Open Space Required = 515,128.72 s.f.
 Parking Provided = 688 Spaces
 Minimum Parking Required = 368 Spaces
 Floor Area Ratio = 0.28

Land Use Intensity Calculations

*All calculations are based on The City of Atlanta Zoning Ordinance, Section 16.26.000

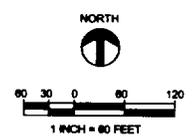
Table 1

Row #	Floor Area (s.f.)	Residential Open Space (s.f.)	Usable Open Space (s.f.)	Parking Provided (Spaces)	Minimum Parking Required (Spaces)
1	326	37	26	33	12
2	326	37	26	33	12
3	326	37	26	33	12
4	326	37	26	33	12
5	326	37	26	33	12
6	326	37	26	33	12
7	326	37	26	33	12
8	326	37	26	33	12
9	326	37	26	33	12
10	326	37	26	33	12
11	326	37	26	33	12
12	326	37	26	33	12
13	326	37	26	33	12
14	326	37	26	33	12
15	326	37	26	33	12
16	326	37	26	33	12
17	326	37	26	33	12
18	326	37	26	33	12
19	326	37	26	33	12
20	326	37	26	33	12
21	326	37	26	33	12
22	326	37	26	33	12
23	326	37	26	33	12
24	326	37	26	33	12
25	326	37	26	33	12
26	326	37	26	33	12
27	326	37	26	33	12
28	326	37	26	33	12
29	326	37	26	33	12
30	326	37	26	33	12
31	326	37	26	33	12
32	326	37	26	33	12
33	326	37	26	33	12
34	326	37	26	33	12
35	326	37	26	33	12
36	326	37	26	33	12
37	326	37	26	33	12
38	326	37	26	33	12
39	326	37	26	33	12
40	326	37	26	33	12
41	326	37	26	33	12
42	326	37	26	33	12
43	326	37	26	33	12
44	326	37	26	33	12
45	326	37	26	33	12
46	326	37	26	33	12
47	326	37	26	33	12
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49	326	37	26	33	12
50	326	37	26	33	12
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73	326	37	26	33	12
74	326	37	26	33	12
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96	326	37	26	33	12
97	326	37	26	33	12
98	326	37	26	33	12
99	326	37	26	33	12
100	326	37	26	33	12

- Gross Residential Land Area = 1,144,779.4 s.f.
 [Site (1,133,181.4 s.f.) + Right of Way of McWilliams Road (11,598 s.f.)]
- Residential Floor Area = 326,000 s.f.
 [Total floor area used for habitations and residential access]
- Maximum Residential Floor Area = 326,538.33 s.f.
 [FAR (0.28) x Gross Residential Land Area (1,144,779.4)]
- Total Open Space = 964,779.4 s.f.
 Gross Residential Land Area (1,144,779.4 s.f.) - residential floor area at ground floor only (140,000 s.f.)
- Minimum Total Open Space Required = 646,798.74 s.f.
 [TOSR (0.73) x Gross Residential Land Area (1,144,779.4)]
- Usable Open Space = 646,798.74 s.f.
 Total Open Space (964,779.4) - Roadway (217,980.66) - Driveways (100,000)
- Minimum Usable Open Space Required = 515,128.72 s.f.
 [UOSR (0.45) x Gross Residential Land Area (1,144,779.4)]
- Parking Provided = 688 Spaces
 Number of Units (200) x Parking Spaces per Unit (3)
- Minimum Parking Required = 368 Spaces
 Parking per Dwelling Unit (1.8) x Number of Units (200)

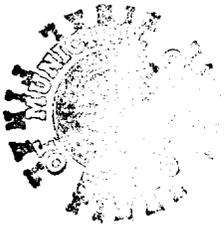
ZONING EXHIBIT FOR:
MCWILLIAMS ROAD TRACT
RIVERS REALTY CONSTRUCTION COMPANY

January 18, 2001



Atlanta, Georgia

ALTAMIRA
 DESIGN AND COMMON SENSE, INC.
Land Planning, Architecture, Interiors & Urban Design
201 N. Peachtree Street, Suite 2000, Atlanta, Georgia 30308



REC'D JUN - 4 2001

May 31, 2001

Zoning Review Board
City Hall
Suite
55 Trinity Avenue
Atlanta, Georgia 30335

RE: Z-01-09

Dear Board Members:

NPU-Z met at its regularly scheduled meeting on Monday, May 31, 2001 and voted to concur with the recommendation of the Browns Mill Community Association for the approval of proposal, **Z-01-09** contingent upon approval of the written conditions attached to the legislation.

Sincerely,

Rozel Fann,
Chair, NPU-Z

RF/ps



Browns Mill Rd, S.E. Community Assoc.



P.O. Box 12616
Atlanta, GA 30315
E-mail - tmiddleb@bellsouth.net
(404) 622-3515

April 23, 2001

The Browns Mill Road Community Association goes on record as supporting the McWilliams Road Development project. The McWilliams Road project will be located within the Neighborhood Planning Unit-Z, Mrs. Rosel Fann, Chair. Listed below are the terms and conditions that were agreed upon between the Browns Mill Community and the developer. If these terms and conditions are not followed the NPU and the Browns Mill Community will not hesitate to stop this project.

- A 5 feet wrought iron fence will be placed along the front of the property. The wrought iron fence will be erected on a 2 feet brick wall. An 8 feet heavy-duty chain-link fence will run parallel to the Jonesboro South apartments. Heavy greenery will be placed at the side of said development to provide a buffer.
- Security cameras will be placed at the entrance and sides to monitor the property.
- Numeric indicators will be displayed on the drawing. There will be a minimum setback 20 feet side yard setback along east property line (the property line that is closest to Jonesboro South). A landscape package will be included with the project. No heavy greenery will be placed that will obscure the view of the golf course.
- Photographs are attached showing style or elevation of the proposed units that are to be built.
- The developer will draw up a homeowner covenant for this property. When the covenant is prepared a copy will be submitted to the Browns Mill community.
- The area along Browns Mill Road that runs parallel to the golf course will be landscaped.
- No portion of the property located within the 100 years flood plan shall be disturbed as part of the McWilliams Development.

By signing here, you acknowledge that you have read the items above and agree to the terms.

Mr. Larry Beard

Larry Beard Associate 4/24/01
(Signature & Title) (Date)

Mr. Bill Rivers

Bill Rivers 4-24-01
(Signature & Title) (Date)

Mrs. Theresa Middlebrooks

Mrs. Middlebrooks 04/24/01
(Signature & Title) (Date)

Shirley Jackson, 1st Vice President

Verna Huguley, Secretary

Johnnie Story, Attorney-at-Law

Shirley Jackson
Verna Huguley
Johnnie Story



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(Signature & Title) 4/24/01

(Date)

Mr. Bill Rivers

Bill Rivers

(Signature & Title) 4-24-01

(Date)

Mrs. Theresa Middlebrooks

Mrs. Theresa Middlebrooks

(Signature & Title) 04/24/01

(Date)

Shirley Jackson, 1st Vice President
Verna Huguley, Secretary
Johnnie Story, Attorney-at-Law

Shirley Jackson
Verna Huguley
Johnnie Story

RCS# 2937
6/04/01
5:31 PM

Atlanta City Council

Regular Session

MULTIPLE 01-O-1447/U-00-28; 01-O-0466/Z-01/09

ADOPT/SUB/AMEND

YEAS: 10
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 3

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

MULTIPLE

01-0-0466

(Do Not Write Above This Line)

AN ORDINANCE Z-01-09
BY: ZONING COMMITTEE

AN ORDINANCE TO REZONE FROM THE R-4 (SINGLE-FAMILY RESIDENTIAL) DISTRICT TO THE RG-2 (RESIDENTIAL GENERAL-SECTOR 2) DISTRICT, PROPERTY LOCATED AT MCWILLIAMS ROAD, S.E., FRONTING APPROXIMATELY 600 FEET ON THE SOUTH SIDE OF MCWILLIAMS ROAD BEGINNING APPROXIMATELY 1,300 FEET WEST FROM THE SOUTHWEST CORNER OF JONESBORO ROAD. DEPTH: 1,819.27 FEET; AREA: 25.624 ACRES; LAND LOTS 28 AND 37, 14TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: R AND J ENTERPRISES, INC. APPLICANT: WILLIAM G. RIVERS NPU-Z COUNCIL DISTRICT 1

5/21/01 - Referred to Zoning Without Objection

ADOPTED BY
JUN 0 4 2001
COUNCIL

Substitute As Amended

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

Date Referred 3/19/01
Referred To: ZRBT Zoning
5/21/01 - Zoning

Committee Zoning
Date 5/15/01
Chair Deborah Stearns

Committee Zoning
Date 5-15-01
Chair Deborah Stearns
Action: ON Substitute
Fav, Adv, Held (see rev. side) AS FOR MEMBERS
Other: [Signature]
Refer To: [Signature]

Committee Zoning
Date 6/4/01
Chair Deborah Stearns
Action: [Signature]
Fav, Adv, Held (see rev. side) AS FOR MEMBERS
Other: [Signature]
Refer To: [Signature]

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

CERTIFIED

CERTIFIED
JUN 4 2001
ATLANTA CITY COUNCIL PRESIDENT
[Signature]

CERTIFIED
JUN 0 4 2001
Ruthie Doughton Johnson
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

JUN 1 3 2001
WITHOUT SIGNATURE
BY OPERATION OF LAW