



01-0-0057

City Council
Atlanta, Georgia

A SUBSTITUTE ORDINANCE
BY: ZONING COMMITTEE

Z-00-96
2-8-01

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 **165 Marion Place, N.E. (aka 1317 Caroline Street, N.E. and 1310 Hardee Street, N.E.)** be changed from the **RG-2 (Residential General-Sector 2)** District, to the **RG-3-C (Residential General-Sector 3-Conditional)** District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot **209** of the **15th** District, **DeKalb** 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 regulation 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 That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.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 Dauphin Johnson
Municipal Clerk, CMC

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

JUL 02, 2001

JUL 11, 2001



Conditions for Z-00-96

1. The proposed development shall be constructed in accordance with the site plan entitled "Columbia Citihomes: A Timeless Urban Neighborhood", which was prepared by Martin Riley Associates, Architects, P.C. on **June 11, 2001** and was stamped as "RECEIVED" by the Bureau of Planning on **June 22, 2001**. Said site plan shall be revised to show the following:

- a. The proposed FAR of 0.429 shall be labeled on the site plan.
 - b. The entrance gates shall be located a sufficient distance from Marion Place to allow at least two vehicles to wait within each driveway.
 - c. A turnaround exit shall be provided for visitors' vehicles which do not enter the property.
 - d. All handicapped spaces shall meet city dimension requirements.
 - e. The total number of proposed parking spaces shall be stated on the site plan.
 - f. The locations for all new trees to be planted shall be labeled on the site plan as "proposed new trees."
 - g. The proposed detention area shall be labeled on the site plan.
 - h. An acceptable location for a refuse dumpster, with appropriate screening, shall be indicated on the site plan.
2. No more than 84 apartment units shall be constructed on the property.
3. The proposed detention area shall be maintained according to City and State environmental requirements.
4. The attached letter marked Exhibit A, to the members of the Zoning Review Board from Mr. Dennis Hoffarth, Organized Neighbors of Edgewood, dated February 8, 2001 and marked received by the Bureau of Planning February 8, 2001, is considered a condition of this rezoning and its provisions shall be enforced as such.



ORGANIZED NEIGHBORS OF EDGEWOOD

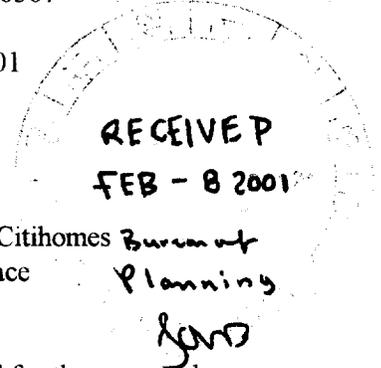


Dennis Hoffarth
Chair, Land Use/Zoning Committee
Organized Neighbors of Edgewood
152 Flora Ave. NE
Atlanta, GA 30307

Z-00-96

February 8, 2001

Members of the Zoning Review Board
Atlanta City Hall
55 Trinity Ave SW
Atlanta, GA 30335



RE: Columbia Cithomes Bureau of
Marion Place

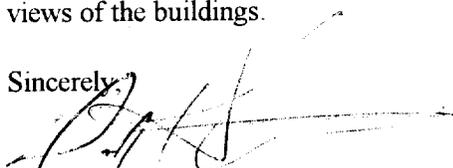
Dear Board Members:

This is to communicate the support of Organized Neighbors of Edgewood for the proposed re-zoning of the referenced property from RG-2 to RG-3, conditioned on the following provisions:

- 1) The number of apartment units will be limited to 84.
- 2) Buffer/screening between apartments and adjoining residential lots - Affordable Housing Partnership (AHP) will provide an elevated berm and evergreen vegetative screening along the fence line separating residential lots along Hardee and Flora Ave. from the apartments. AHP will present the details to Organized Neighbors of Edgewood (ONE) in a site landscape plan and obtain concurrence from ONE before installation.
- 3) Secure fence between apartments and residential lots - AHP will install new chain link fence approximately 8 feet tall between the apartments and the adjacent residential lots, using extra-heavy-duty gage chain link, and including barbed wire or prickly plantings to discourage climbing.
- 4) Lighting - security lighting will be provided by AHP near the fence abutting residential lots. It will be installed so as to avoid glare into windows of nearby homes, using directional lighting. Details will be presented in a site plan for ONE's concurrence before installation.
- 5) The apartment buildings will be no more than 40 feet in height, measured from existing ground level.
- 6) The apartment buildings will be of a craftsman style, including wide roof overhangs, multiple roof lines, multiple gables, and porches.
- 7) AHP will present final details to ONE for concurrence prior to initiating construction of the project, including a final site plan, landscape plan, and architectural drawings of the elevation views of the buildings.

Exhibit A

Sincerely,


Dennis Hoffarth

page 1 of 1



Legal Description
Combined Tracts 1 & 2

All that tract or parcel of land lying and being in Land Lot 209 of the 15th District of DeKalb County, Georgia and being more particularly described as follows. To reach the true point of beginning, commence at a point being the intersection of the easterly Right-of-Way of Moreland Avenue and the southerly Right-of-Way of Caroline Street (70' R/W); thence along said Right-of-Way of Caroline Street in a easterly direction a distance of 1188.9 feet to a point being the intersection of the centerline of Marion Place (no recorded R/W found) with the southerly Right-of-Way of said Caroline Street and the TRUE POINT OF BEGINNING, from point thus established and continuing along said Right-of-Way of Caroline Street and running South 89° 58' 25" East a distance of 234.15 feet to a point; thence leaving said Right-of-Way of Caroline Street and running South 00° 27' 57" East a distance of 1027.73 feet to a point on the northerly Right-of-Way of Hardee Street; thence along said Right-of-Way South 88° 57' 07" West a distance of 207.93 feet to a point; thence leaving said Right-of-Way and running North 01° 22' 29" West a distance of 149.99 feet to a point, thence South 88° 56' 44" West a distance of 113.41 feet to a point; thence North 01° 23' 43" West a distance of 136.76 feet to a point; thence North 88° 42' 46" East a distance of 55.13 feet to a point; thence North 01° 17' 14" West a distance of 93.81 feet to a point; thence North 09° 44' 40" West a distance of 13.45 feet to a point on the face of the curb of Wrenwood Drive and Marion Place; thence along said face of curb and running along a curve to the left an arc distance of 39.45 feet (said curve having a radius of 25.00 feet, a chord distance of 35.48 feet and a chord bearing of North 44° 41' 35" East) to a point; thence North 00° 13' 43" West a distance of 613.52 feet to a point on the southerly Right-of-Way of aforementioned Caroline Street, thence along said Right-of-Way and running South 89° 58' 25" East a distance of 12.47 feet to the true POINT OF BEGINNING. Said tract containing 6.032 acres.

2-00-96

RCS# 2979
7/02/01
4:44 PM

Atlanta City Council

Regular Session

MULTIPLE

0057; 0233; 0234; 0467; 0630; 0470
0464; 0627
ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 1

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

MULTIPLE

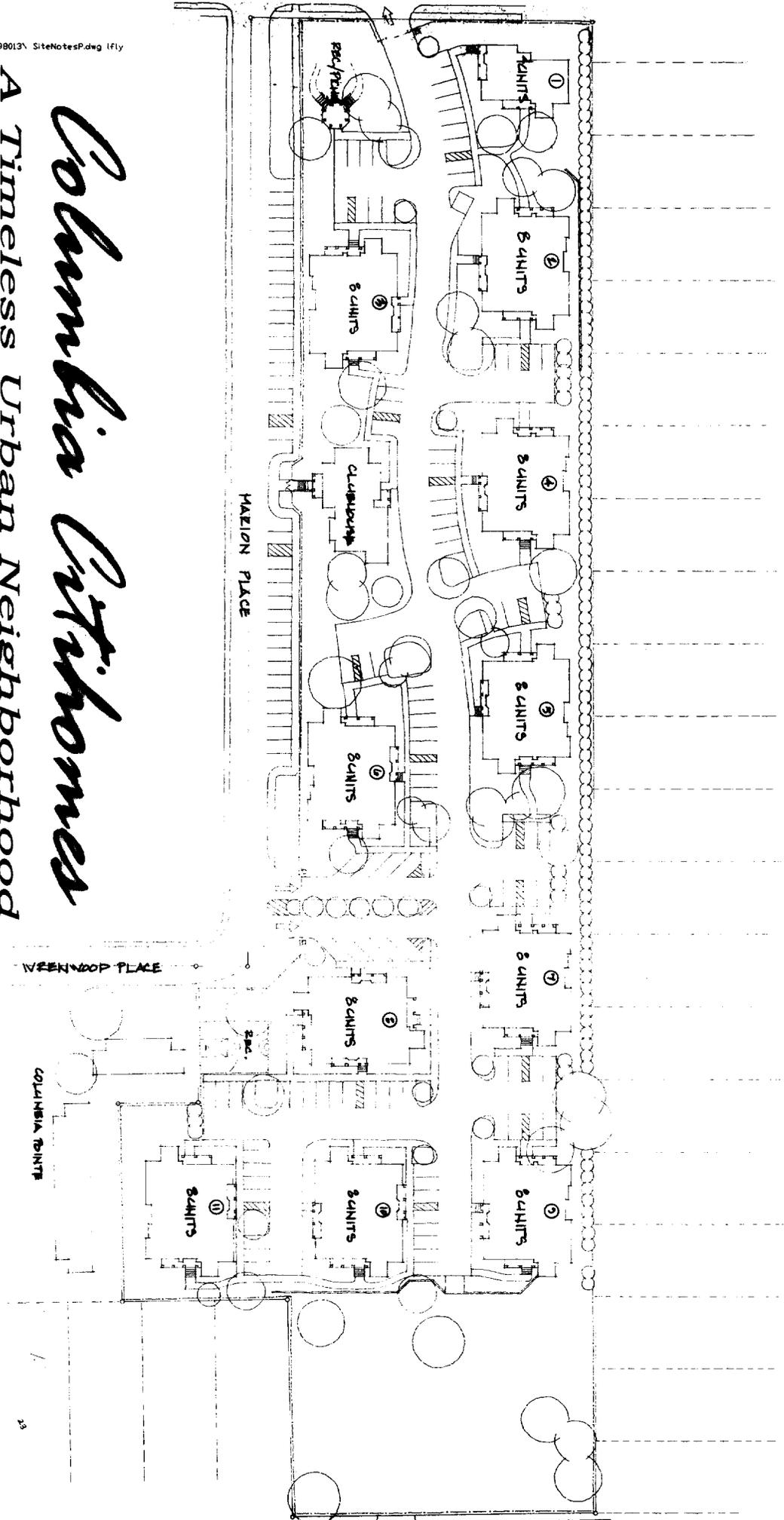
Columbia Citihomes

A Timeless Urban Neighborhood

in Atlanta, Georgia

in Atlanta, Georgia

A gated complex with 84 new two-bedroom, two-bath rental units on 6.032 acres.
 Parking is provided at 1 2/3 spaces per unit; 102 gated and 38 at Marion Place. The current zoning is RG-2.



MARION REEVE ASSOCIATES - ARCHITECTS, P.C.
 25 CANTON STREET, SUITE 200, DECATUR, GEORGIA 30030-5000
 404-579-2800
 404-579-2801
 WWW.MARIONREEVE.COM

SITE PLAN

01-0-0057

(Do Not Write Above This Line)

AN ORDINANCE Z-00-96
BY: ZONING COMMITTEE

AN ORDINANCE TO REZONE FROM THE RG-2 (RESIDENTIAL GENERAL-SECTOR 2) DISTRICT TO THE RG-3 (RESIDENTIAL GENERAL-SECTOR 3) DISTRICT, PROPERTY LOCATED AT 165 MARION PLACE, N.E. (AKA 1317 CAROLINE STREET, N.E. AND 1310 HARDEE STREET, N.E.), FRONTING APPROXIMATELY 675 FEET ON THE EAST SIDE OF MARION PLACE BEGINNING AT THE SOUTHEAST CORNER OF CAROLINE STREET. DEPTH: 234 FEET; AREA: 6.032 ACRES; LAND LOT 209, 15TH DISTRICT, DEKALB COUNTY, GEORGIA.
OWNER: COLUMBIA COURT, L.P.
APPLICANT: NOEL F. KHALIL
NPU-0 COUNCIL DISTRICT 5

ADOPTED BY
JUL 0 2 2001

COUNCIL

REFERRED BY JAN 16 2001
CITY COUNCIL *Substantive Amendment*

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

Date Referred *01/16/01*
 Referred To *Zoning*
 Date Referred
 Referred To
 Date Referred
 Referred To

Committee *Zoning*
 Date *2-27-01*
 Chair
 Referred to *Zoning*

Committee
 Date
 Chair
 Actions
 Fav, Adv, Held (see rev. side)
 Others
 Members
 Refer To

Committee
 Date
 Chair
 Actions
 Fav, Adv, Held (see rev. side)
 Others
 Members
 Refer To

FINAL COUNCIL ACTION
 2nd Reading
 1st & 2nd Reading
 3rd Reading
 Consent Vote
 RC Vote

CERTIFIED
 JUL 2 2001
 ATLANTA CITY COUNCIL PRESIDENT
Robert H. Pitts

CERTIFIED
 JUL 0 2 2001
 DEPUTY MUNICIPAL CLERK
Frank

MAYOR'S ACTION
 APPROVED
 JUL 1 1 2001
 WITHOUT SIGNATURE
 BY OPERATION OF LAW

LARGE ATTACHMENT:

DOCUMENT(S),

MANUAL(S)

OR

MAP(S)

NOT COPIED,

PULL ORIGINAL

FOR COPY OR TO VIEW