



City Council
Atlanta, Georgia

SUBSTITUTE
AN ORDINANCE
BY: ZONING COMMITTEE

01-O-0626
Z-01-16/Z-89-99

AN ORDINANCE TO AMEND ORDINANCE Z-89-99 ADOPTED BY CITY COUNCIL DECEMBER 18, 1989 AND APPROVED BY THE MAYOR DECEMBER 22, 1989, REZONING FROM THE R-4 (SINGLE FAMILY RESIDENTIAL) DISTRICT TO THE R-LC-C (RESIDENTIAL-LIMITED COMMERCIAL-CONDITIONAL) DISTRICT. PROPERTY LOCATED AT **2840-2894 PIEDMONT ROAD, NE AND 2929 NORTH HILL DRIVE, NE** FOR THE PURPOSE OF APPROVING A CHANGE OF CONDITIONS

NPU-B

COUNCIL DISTRICT 7

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

SECTION 1. That the previously approved conditions governing the development of **2846 Piedmont Road, NE** only are hereby amended by rewording conditions 5 and 6 and adding additional conditions 7, 8 and 9 as shown on the attached letter to John Bell from Libba Grace, dated May 23, 2001 and marked received by the Bureau of Planning May 23, 2001, and a conditional site plan entitled "Project Piedmont Road, In Town Community prepared by Stephen Fuller Mosaic Communities, dated February 20, 2001 and last revised May 10, 2001 and marked received by the Bureau of Planning May 15, 2001 is hereby adopted in lieu thereof as the governing condition for 2846 Piedmont Road, NE.

SECTION 2. That all previously adopted conditions shall remain in full force and effect for all other parcels rezoned by Z-89-99. A copy of Z-89-99 is attached for informational purposes only.

SECTION 3. The conditional site plan herein approved does not authorize the violation of any zoning district regulations. District regulations variance can be approved only by application to the Board of Zoning Adjustment.

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 That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

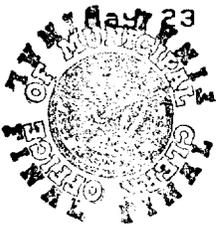
A true copy,

Shonda Douglas Johnson
Municipal Clerk, CMC

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

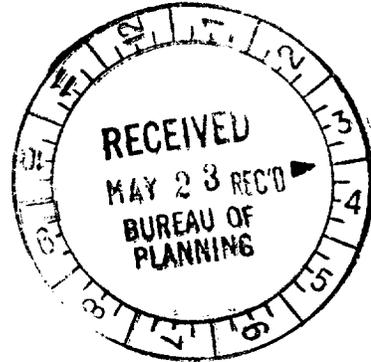
JUL 02, 2001

JUL 11, 2001



Elizabeth B. Grace
2649 Arlene Way NE
Atlanta, Georgia 30305

May 23, 2001



Z-01-16 | Z-89-99

Mr. John Bell
Zoning Administrator
City of Atlanta
55 Trinity Avenue SW, Suite 3350
Atlanta, Georgia 30335

Re: Z-01-16 2846 Piedmont Road NE

Dear Mr. Bell:

The above mentioned property was rezoned from R-4, Single-Family, to RLC-C by Zoning Ordinance Z-89-99. At this time conditions were placed on the property. This was one of twelve lots that fronted on Piedmont between North Hills Drive and East Wesley Road.

The Garden Hills neighborhood would like to request that Conditions #5 & 6 be reworded and Conditions #7, 8 & 9 be added to the original conditions approved at the time of rezoning. We understand these added conditions will only apply to 2846 Piedmont Road.

Condition #5 (re-wording)

No parking permitted in the front yard. All parking shall be limited to behind the 40 foot front yard set-back or face line and east (in front) of the 50 foot undisturbed creek buffer.

Condition #6 (re-wording)

No sign shall be higher than 6 feet above ground level. Only one (1) sign, not exceeding 20 square feet in sign area and not nearer than 10 feet to the street property line (facing Piedmont Road only) shall be permitted. Because four units will occupy this property does not multiply by four the sign allowance. There is one total sign allowance for this property.

Condition #7

Maximum FAR allowed is 0.348, as defined in 16-28.010 (3).

Condition #8

Office space in each unit is limited to 500 square feet.

Page 1 of 2



Condition #9

No Special Exception for a Reduction of Parking allowed.

These conditions are necessary in order to maintain the 50 foot buffer on the east side of the creek that runs through this property. This leaves a depth of 160 feet. The lot has a 60 foot front on Piedmont.

The Garden Hills neighborhood would like to be assured that the development on this property can adequately handle the parking spaces zoning code requires. With the changes and additions to the conditions, we think our concerns have been addressed. Our residential neighborhood should not become an overflow parking lot for this development.

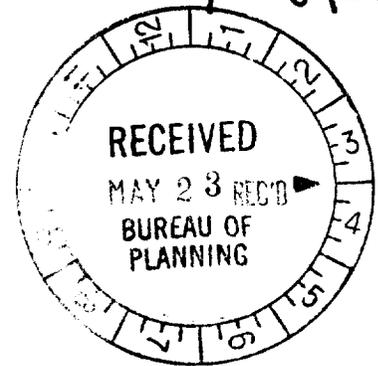
I would hope the ZRB, the Zoning Committee on Council and the City Council understand and agree with our concerns and would approve the changes and additions we have requested to the conditions on this property.

Sincerely yours,

**Libba Grace
Garden Hills**

**Cc: Lee Morris
Jim Brown**

Z-01-16/2-89-99



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AN ORDINANCE TO REZONE FROM R-4
(SINGLE-FAMILY-RESIDENTIAL) TO
R-LC-C (RESIDENTIAL-LIMITED-
COMMERCIAL-CONDITIONAL) PROPERTY
LOCATED AT 2840, 2846, 2852, 2858,
2860, 2862, 2870, 2878, 2884, 2890
2894 PIEDMONT ROAD, N.E. AND 2929
NORTH HILLS DRIVE, N.E., FRONTING
775 FEET ON THE WEST SIDE OF PIEDMONT
ROAD BEGINNING 249.5 FEET NORTH FROM
THE NORTHWEST CORNER OF ALPINE ROAD.
DEPTH: VARIES; LAND LOT 60, 17TH
DISTRICT, FULTON COUNTY, GEORGIA.

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

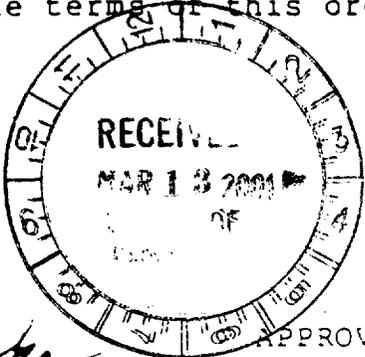
SECTION 1. That the 1982 Zoning Ordinance of the City of Atlanta, as amended, is hereby further amended by rezoning from R-4 (Single-Family Residential) to RLC-C (Residential-Limited Commercial-Conditional) property located at 2840, 2846, 2852, 2858, 2860, 2862, 2870, 2878, 2884, 2890, 2894 Piedmont Road, N.E. and 2929 North Hills Drive, N.E. fronting 775 feet on the west side of Piedmont Road beginning 249.5 feet north from the northwest corner of Alpine Road. Depth: Varies; Land Lot 60, of the 17th District, Fulton County, Georgia as shown on the attached map marked "Exhibit A"

SECTION 2. That this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta entitled "Conditional Development" and the Building Inspector shall issue a building permit for the development of the above described property only in compliance with the following conditions which are described on Exhibit "B" of this ordinance.

SEE ATTACHED CONDITIONS
MARKED "EXHIBIT B"

SECTION 3. That the maps referred to, now on file in the Office of the Clerk of Council, 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.



Z-01-16
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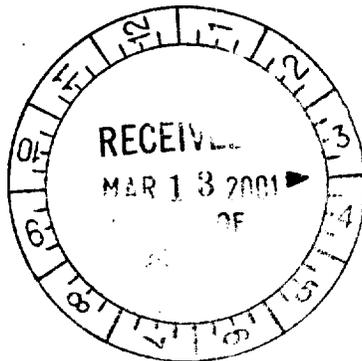
Alinda Parks



EXHIBIT "B"

CONDITIONS FOR Z-89-99

1. The use of premises and structures shall be limited to the following:
 - a) offices, studios, clinics (other than veterinary), chemical laboratories
 - b) Single-Family dwellings
2. Bulk limitations for any non-residential use shall not exceed an amount equal to .25 times the net lot area.
3. In addition to the minimum yard requirements of the R-LC district, there shall be maintained a fifty (50) foot totally undisturbed buffer along the rear (western) property line or a fifty (50) foot totally undisturbed buffer east of the center line of the creek at the rear of the properties whichever is a greater buffer area.
4. All trees of a six (6) inch caliper or larger shall be left undisturbed within the building setback and required buffer areas of all properties included with the exception of proven diseased, dying or irreparably storm damaged trees. The City Arborist shall be responsible for granting a permit for the removal of these protected trees as well as removal of any trees within the buffer area for like causes.
5. All parking shall be limited to the rear yard, which is that portion of the property between the rear of the structures and the undisturbed buffer.
6. No sign shall be higher than 6 feet above ground level. Only one (1) sign, not exceeding 20 square feet in sign area and not nearer than 10 feet to the street property line (facing Piedmont Road only) shall be permitted.



Z-01-16

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RCS# 2987
7/02/01
4:59 PM

Atlanta City Council

Regular Session

MULTIPLE

01-O-0231; 01-O-0545
01-O-0626; 01-O-0544
ADOPT ON SUB

YEAS: 11
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 4
EXCUSED: 0
ABSENT 1

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

MULTIPLE

01-0-0626

(Do Not Write Above This Line)

An Ordinance Z-01-16/
by: Zoning Committee Z-89-99

An Ordinance to Amend Ordinance Z-39-99 Adopted by City Council December 18, 1989 and Approved by the Mayor December 22, 1989, Rezoning from the R-4 (Single Family Residential) District to the R-LC-C (Residential-Limited Commercial-Conditional) District. Property located at 2840-2894 Piedmont Rd., NE and 2929 North Hills Dr. NE for the purpose of Approving a Change of Conditions

NPU-B Council District 7

ADOPTED BY
JUL 02 2001
COUNCIL

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

Date Referred 5/7/01

Referred To: ZRB & Zoning

First Reading

Committee _____
Date 5/11/01
Chair Deborah Starnes

Committee _____
Date _____
Chair _____
Action: _____
Fav, Adv, Held (see rev. side) _____
Others _____
Members _____

Committee _____
Date 6-27-01
Chair _____
Action: _____
Fav, Adv, Held (see rev. side) _____
Others _____
Members _____
On Substantive _____

Committee _____
Date _____
Chair _____
Action: _____
Fav, Adv, Held (see rev. side) _____
Others _____
Members _____

Committee _____
Date _____
Chair _____
Action: _____
Fav, Adv, Held (see rev. side) _____
Others _____
Members _____

COUNCIL ACTION

2nd 1st & 2nd 3rd
Readings

Consent V Vote RC Vote

CERTIFIED

CERTIFIED
JUL 2 2001
ALLANTA CITY COUNCIL PRESIDENT

CERTIFIED
JUL 02 2001
Randy Daughlin Johnson
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

JUL 11 2001

WITHOUT SIGNATURE
BY OPERATION OF LAW