City Council
Atlanta, Georgia

01- O -0651

AN ORDINANCE
BY: ZONING COMMITTEE

U-01-19
4/13/01

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

SECTION 1. Under the provisions of Section 16-06.005(1)(c) of the Zoning Ordinance of the City of Atlanta, a Special Use Permit for a **Church** is hereby approved. Said use is granted to **Mount Paran Church of God** and is to be located at **2055 Mount Paran Road, N.w.** to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot **215** of the **17th** District, Fulton County,Georgia, being more particularly described by the attached legal description.

SECTION 2. That this amendment is approved under the provisions of Section 16-25.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Special Use Permits, Procedural Requirements," and the Director, Bureau of Buildings, shall issue a building permit only in compliance with the applicable provisions of this part. The applicable conditional site plan and any other conditions hereby approved does 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 That all ordinances or parts of ordinances in conflict with the terms of this ordinances are hereby repealed.

A true copy,
Rhonda Dauphin Johnson
Municipal Clerk, CMC

ADOPTED by the Council JUL 02, 2001
RETURNED WITHOUT SIGNATURE OF THE MAYOR
APPROVED as per City Charter Section 2-403 JUL 11, 2001

CONDITIONS FOR U-01-19

The conditions applicable to U-01-19 shall be as stated in the attachment to the attached letter, identified as Exhibit A, to John A. Bell, Secretary, Zoning Review Board from Robert L. Zoeckler, Attorney for Paces Civic Association, Inc., dated 7 June and marked received by the Bureau of Planning June 7, 2001. Said document consisting of five (5) pages.

MADDOX, NIX, BOWMAN & ZOECKLER

A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW
945 BANK STREET
POST OFFICE DRAWER 1017
CONYERS, GEORGIA 30012-1017

TELEPHONE: 770-922-7700
FACSIMILE: 770-922-8038
EMAIL: mnbz@mnbzfirm.com

ROBERT W. MADDOX
JOHN ANDREW NIX
THOMAS A. BOWMAN
ROBERT L. ZOECKLER
MARVIN J. HARKINS

ATLANTA OFFICE:
170 MITCHELL STREET, S.W.
ATLANTA, GA 30303
404-524-0700

PLEASE REPLY TO CONYERS OFFICE

7 June 2001

VIA FACSIMILE AND HAND DELIVERY

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JUN - 7 2001
BUREAU OF PLANNING

Mr. John A. Bell, Secretary
Zoning Review Board
City of Atlanta
68 Mitchell Street, S.W., Suite 3350
Atlanta, Georgia 30335

Re: Z-00-81 / U-01-19 – Mt. Paran Church of God

Exhibit A
Page 1 of 5

Dear John:

Thank you for your phone call regarding my letter of 6 June 2001. You stated that condition 20 was unenforceable by City staff and therefore not acceptable as a zoning condition. In addition, you stated that the reference to "City Zoning Administrator" in condition 18 was not appropriate and should be replaced with "Bureau of Building" as the appropriate City zoning enforcement agency.

Changes to reflect your points are acceptable to my client, Paces Civic Association. As a courtesy, I attach two "clean" sets of conditions 1-19, as revised in accordance with your concerns, identified as "Z-00-81 / U-01-19 Zoning Conditions / 7 June 2001", and respectfully ask that these conditions be attached to Z-00-18 and to U-01-19.

Thank you for your attention to this application, and if you could bring these changes to the attention of the Board it would be appreciated.

Very truly yours,

Robert L. Zoeckler
Attorney for Paces Civic Association, Inc.

RLZ/mbc

cc: Zoning Review Board Members via John Bell
Ms. Linda Sessler, Paces Civic Association
Mr. William F. Kennedy, Jr.
Carl E. Westmoreland, Jr., Esq.

Exhibit A

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Page 2 of 5

Z-00-81 / U-01-19
Mt. Paran Church of God
Zoning Conditions
7 June 2001

1. The site plan entitled "Revised Master Plan for Mount Paran Church of God" ("Revised Master Plan") prepared by CDH Partners, Inc. and dated 4 June 2001 shall be made a condition of Zoning Application Numbers Z-00-81 and U-01-19, and all development of the Property shall be fully consistent with said Revised Master Plan except as said Revised Master Plan may be amended in accordance with Paragraph 2 herein.

2. The Church will not request any administrative site plan amendments that seek to change any of the specific conditions addressed in this document unless prior written approval of the President of the Paces Civic Association is secured by the Church. The Church shall be entitled to seek administrative site plan amendments so long as such amendments do not increase the size of the Church facilities or violate any of the provisions of these conditions.

3. No building or structure, except the church steeple, shall be over 35 feet in height as measured by the City of Atlanta Zoning Ordinance. Notwithstanding the foregoing, the Church may attempt to secure a variance from the Board of Zoning Adjustment to permit: (i) the roofline of proposed Building E to reach, but not exceed, 52 feet in height (with an additional eight feet for structures which may be needed to visually and acoustically screen roof top mechanical equipment); and (ii) the parking deck to reach, but not exceed, a height of 61 feet, provided that the southwest corner of said deck shall not exceed 28 feet above actual grade now existing at the 20 foot undisturbed buffer line closest to said corner.

4. Total parking shall not exceed 1,032 spaces and all parking spaces shall be located within those areas specified for parking on the Revised Master Plan.

5. Total building square footage shall not exceed a maximum density of 314,750 square feet and all buildings shall be located within those areas specified for buildings on the Revised Master Plan.

6. The property shall be used and continuously maintained only for church purposes within the meaning of the City of Atlanta Zoning Ordinance in effect as of the date first above written. The Church shall not seek, nor authorize any third party to seek, any change to the zoning applicable to the Property except that sought by Zoning Application Number Z-00-81, as amended. No conversion, expansion or use of the Property shall be made for commercial, residential, or office or institutional uses. It is specifically acknowledged and understood that the purpose of this provision is (i) to authorize the rezoning of the Property from the R-1 to the R-4-C zoning classification, and the granting of a special use permit, for church purposes only, being those strictly necessary to the church's ministry,

Exhibit A
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Page 3 of 5

in order to accommodate the expansion of the Church's existing facilities and (ii) to ensure that said rezoning will not result in any other use by the Church or any use otherwise authorized by the R-4 zoning regulations.

7. That portion of existing surface parking shown as "G" that lies within the 35-foot front building setback line of the Master Plan shall be removed, replaced with vegetated greenspace, and continuously maintained. The removal of the parking and the planting of the greenspace shall be completed prior to the issuance of a certificate of occupancy for the new sanctuary. The curb cut connecting existing parking area G to Mount Paran Road shown on the Master Plan shall be eliminated. The Church will construct a continuous sidewalk along the Mount Paran Road frontage of the Property from the new Mount Paran Road driveway south to Old Settlement Road.

8. There shall be only one access point to Mount Paran Road at the location shown on the Master Plan north of parking area G. This ingress and egress point shall be designed and constructed so as to allow only right-in and left-out vehicular turning movements, and construction of this ingress/egress point shall be completed prior to issuance of a certificate of occupancy for the new sanctuary. The exit lane shall be designed and constructed so as to prevent right turns, and signs prohibiting right turn exits shall be posted upon completion of construction of this ingress/egress point.

9. There shall be a 20 foot undisturbed buffer along the southern boundary of the Property. No land disturbance or tree removal shall occur within said undisturbed buffer. In addition to said undisturbed buffer, all areas shown on the Master Plan lying between said undisturbed buffer and the southernmost boundaries of the existing and proposed buildings and parking areas shown on the Revised Master Plan shall be maintained as landscaped greenspace and no structures, parking or vehicular roadways shall be placed within said greenspace area.

10. Parking area lighting along the southern boundary of the Property shall not be increased either in number of lights or intensity of lights over that which is in place as of the date first above written.

11. New building and/or facility lighting, including parking deck lighting, shall be designed, shielded and constructed so as to prevent light spill onto adjoining residential areas.

12. Prior to the commencement of any construction on the Property, a continuous wooden privacy fence not less than six (6) feet in height shall be constructed: (i) so as to traverse the top of the ridgeline beginning at the southeast corner of existing surface parking lot F

Exhibit A
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BUREAU OF PLANNING
page 4 of 5

and running westerly to the southwestern corner of parking lot F; and (ii) along the southern boundary of the Property from the top of the hill above the Family Life Center to the southwest corner of the Property. Said fencing may meander along the top of said ridgeline so as to avoid destruction or injury to mature trees but shall at all times lie outside the 20-foot undisturbed buffer area. Said fencing shall be added to the Revised Master Plan and labeled as required by Paragraph 1 above. All of the fencing contemplated by this paragraph shall be maintained in good condition throughout construction and thereafter.

13. A continuous secure fence not less than six (6) feet in height to prevent access shall be installed and maintained during construction, along the entire south side of parking area G, adjacent to the property now owned by William Curtis.

14. Prior to any blasting activity, the Church shall enter into indemnification and/or other appropriate agreements with all adjacent property owners in a form reasonably satisfactory to said residents, which agreements shall require that the Church take all necessary and prudent precautions with respect to blasting activity and that the Church shall be fully responsible for any and all damage caused by said blasting, including damage to residential structures as well as other structures such as pools and outbuildings.

15. Exterior construction activity shall be limited to Monday through Friday between the hours of 7:00 a.m. and 6:00 p.m. The Church shall make every effort to utilize areas of the Northside Parkway portion of the property for construction staging activities and shall minimize construction staging and traffic on the Parian Ridge side of the Property. Undisturbed buffer areas shall be fenced off during construction.

16. No vehicular roads shall be constructed that are not shown on the Revised Master Plan.

17. Stormwater drainage engineering shall meet or exceed City of Atlanta and State of Georgia standards. The rate of stormwater run-off to adjoining residences shall not be increased over that currently existing. Stormwater run-off resulting from new construction shall be engineered so as to be directed toward Northside Parkway and away from Parian Ridge Road, subject to approval of state and local agencies.

18. All new air-conditioning units shall be located on the north side of the buildings or on the roof as close to the north side of the Property as possible. Compliance with this requirement shall be determined by the Bureau of Buildings prior to the issuance of a building permit for said buildings. Walls shall be installed around all new air-

Exhibit A
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conditioning units and around the two existing sets of air-conditioning units located at the rear of the Family Life Center building. Walls surrounding the two existing sets of air-conditioning units shall be designed and constructed so as to provide visual screening and acoustical screening that minimizes noise from said units reaching the southern boundary of the Property. Walls surrounding all new air-conditioning units shall be designed and constructed so as to provide visual screening and acoustical screening that results in a sound level that does not exceed the maximum permitted sound level dB(A) of 45 at the southern boundary line of the Property. A decibel is a measure of a unit of sound pressure. Since sound waves having the same decibel level sound louder or softer to the human ear depending upon the frequency of the sound wave in cycles-per-second (i.e., whether the pitch of the sound is high or low) an A-weighted filter constructed in accordance with the specifications of the American National Standards Institute, which automatically takes account of the varying effect on the human ear of different pitches, shall be used on any sound level meter taking measurements under this Section. Accordingly, all measurements are expressed in dB(A) to reflect the use of this A-weighted filter. The standard of 45 decibels established in this paragraph is expressed in terms of the Equivalent Sound Level (Leq), which must be calculated by taking 100 instantaneous A-weighted sound levels at 10-second intervals and computing the Leq, both in accordance with a noise measurement data sheet and a computational work sheet which shall be promulgated by a registered acoustical engineer. Impact noise generated that does not operate more than one minute in any one-hour period is permissible up to a level of 10 dB(A) in excess of the figure of 45 listed above, except that this higher level of permissible noise shall not apply from 7 p.m. to 7 a.m. The impact noise shall be measured using the fast response of the sound level meter. Sound level shall be measured with a sound meter and associated octave band filter manufactured according to standards prescribed by the American Standards Association.

19. All new dumpsters on the Property shall be located on the north side of the parking deck or buildings along Northside Parkway. All dumpsters shall be emptied and/or serviced on Monday through Friday between the hours of 7:00 a.m. and 6:00 p.m.

LEGAL DESRIPTION

All that tract or parcel of land lying and being in Land Lot 215, 17th District, Fulton County, Georgia, and being more particularly described as follows:

To find the Point of Beginning, commence at a point located near the intersection of the northwestern margin of the right-of-way of U.S. Highway No. 41 (said right-of-way varies) and the northern margin of the right-of-way of Mt. Paran Road (said right-of-way being 50' in width) marked by a 5/8 inch rebar set; thence running in a southeasterly direction along the western margin of the aforesaid right-of-way of Mt. Paran Road Road the following 2 courses and distances: South 13 degrees 56 minutes 09 seconds East a distance of 271.20 feet to a point, South 13 degrees 51 minutes 55 seconds East a distance of 153.12 feet to a point; thence leaving the western margin of the aforesaid right-of-way of Mt. Paran Road and running North 83 degrees 05 minutes 19 seconds West a distance of 1,452.85 feet to a point marked by a one-half inch rebar found; thence running North 07 degrees 09 minutes 21 seconds East a distance of 513.73 feet to a point; thence running South 77 degrees 02 minutes 39 seconds East a distance of 485.84 feet to a concrete right of way marker found; thence running North 13 degrees 10 minutes 11 seconds East a distance of 25.33 feet to a concrete right of way marker found; thence running South 75 degrees 51 minutes 39 seconds East a distance of 128.03 feet to a point, thence running South 76 degrees 51 minutes 19 seconds East a distance of 691.00 feet to a point, said point being the Point of Beginning; the above tract containing 14.406 acres, more or less, and being shown and delineated on that master plan entitled "Master Plan for Mt. Paran Church of God" dated May 14, 2000 prepared by CDH Partners Inc., William E. Chegwidden, State of Georgia Registered Architect No.3060, of CDH Partners Inc., which site plan is incorporated herein by reference thereto.

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U-00-19

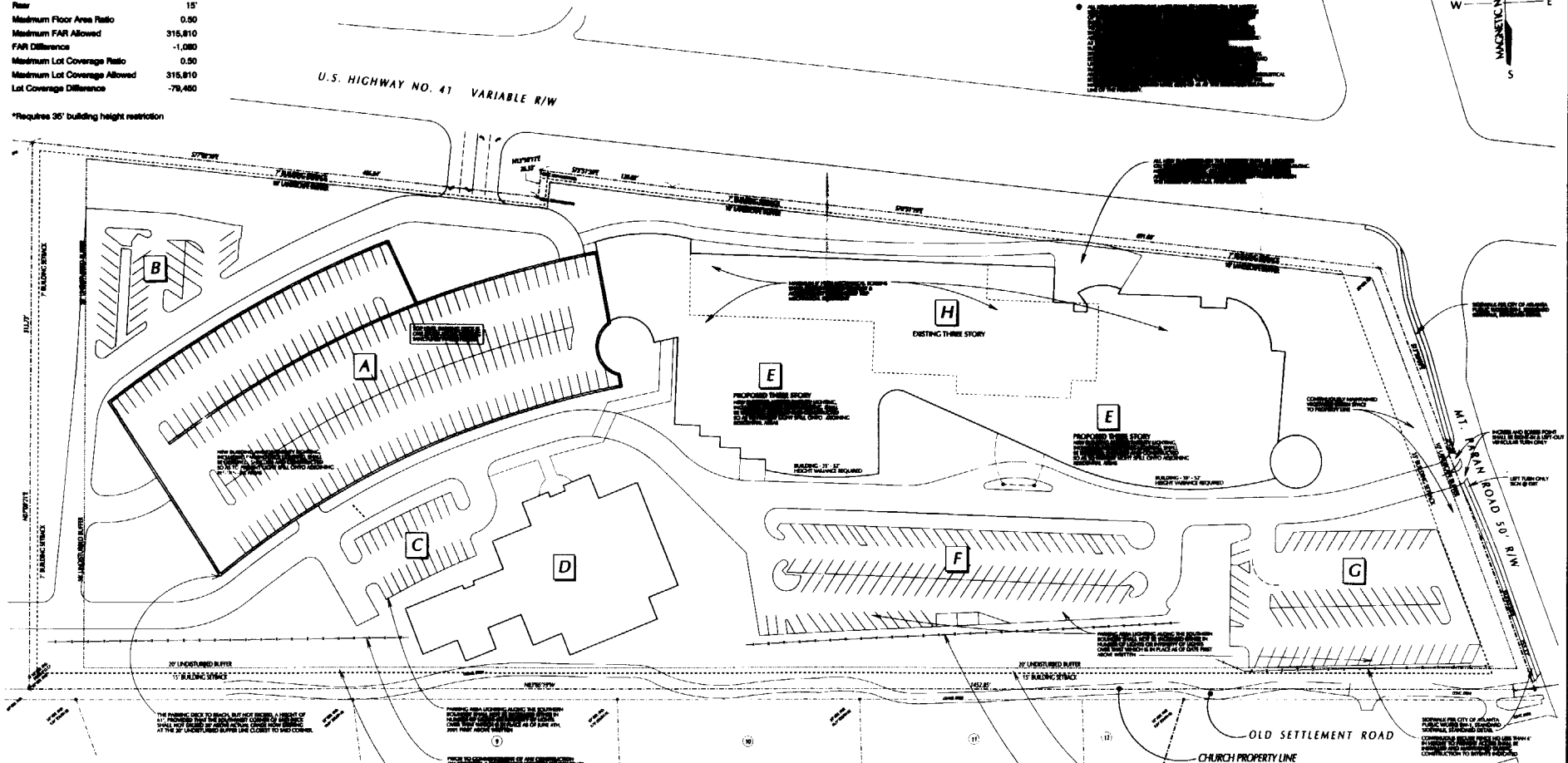
F.A.R. CALCULATIONS

Site Area	631,880
Proposed Floor Area	314,750
Proposed Lot Coverage	236,360

	R-4*
Front(Mt. Paran Road)	35'
Side(U.S. Highway 41)	7'
Side	7'
Rear	15'
Maximum Floor Area Ratio	0.50
Maximum FAR Allowed	315,810
FAR Difference	-1,050
Maximum Lot Coverage Ratio	0.50
Maximum Lot Coverage Allowed	315,810
Lot Coverage Difference	-79,450

*Requires 35' building height restriction

PROJECT REQUIREMENTS



PROJECT DATA

TOTAL ACREAGE: 14.406 ACRES

ROAD FRONTAGE:
MT. PARAN ROAD: 424.32 (FRONT)

PARKING:
PROVIDED PARKING: 800 SPACES-PARKING DECK
232 SPACES-SURFACE PARKING
TOTAL SPACES PROVIDED: 1032 SPACES

REQUIRED PARKING @ 1 SPACE PER 4 SEATS. 2400 SEATS/4 = 600 PARKING SPACES REQUIRED.

ZONING:
R-4 WITH SPECIAL USE PERMITS U-65-18-a & U-77-51

BUILDING SQUARE FOOTAGE:
TOTAL FOR SITE: 314,750 SQ. FT.

IMPERVIOUS AREA SQUARE FOOTAGE:
TOTAL FOR SITE: 236,360 SQ. FT.

CERTIFICATION:
I, WILLIAM E. CHRISTENSEN,
STATE OF GEORGIA CERTIFICATE NO. [illegible]
CERTIFY THAT THIS MASTER PLAN HAS BEEN PREPARED TO THE BEST OF MY ABILITY IN COMPLIANCE WITH THE CITY OF ATLANTA ZONING ORDINANCE DISTRICT AND GENERAL REGULATIONS.

SITE LEGEND

- A PARKING DECK: SEVEN LEVELS - 800 SPACES
- B EXISTING SURFACE PARKING: 26 SPACES
- C EXISTING SURFACE PARKING: 24 SPACES
- D EXISTING FAMILY LIFE CENTER 57,000 SQ. FT.
- E PROPOSED BUILDING: 200,610 SQ. FT.
- F EXISTING SURFACE PARKING: 105 SPACES
- G EXISTING SURFACE PARKING: 77 SPACES
- H EXISTING BUILDING 63,200 SQ. FT.

RECEIVED JUN 27 2001 PLANNING & ZONING

CDH PARTNERS INC.
ARCHITECTURE & PLANNING

PROJECT NO:
CAD FILE:
DATE: 06/04/2001

REVISION	DATE

MASTER PLAN FOR
MT. PARAN CHURCH OF GOD
2055 MT. PARAN ROAD, N.W.
ATLANTA, GEORGIA 30327

DRAWING NUMBER
MP01
OF

SHEET TITLE
MASTER PLAN

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BrownDN 14:04:45 04 JUN 2001

RCS# 2984
7/02/01
4:54 PM

Atlanta City Council

Regular Session

01-O-0651 U-01-19; 2055 Mount Paran Rd.,NW (A-8)
Church
ADOPT

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

01- 0 -0651

(Do Not Write Above This Line)

AN ORDINANCE U-01-19
BY: ZONING COMMITTEE

AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR A CHURCH (SECTION 16-06.005(1)(c), PROPERTY LOCATED AT **2055 MOUNT PARAN ROAD, N.W.**, FRONTING 424.32 FEET ON THE WESTERLY SIDE OF MOUNT PARAN ROAD BEGINNING AT THE SOUTHWEST CORNER OF NORTHSIDE PARKWAY. DEPTH: 1452.85 FEET; AREA: 14.406 ACRES; LAND LOT 215, 17TH DISTRICT, FULTON COUNTY, GEORGIA.
OWNER: MOUNT PARAN CHURCH-OF-GOD
APPLICANT: SAME
BY: CARL E. WESTMORELAND, JR., ATTORNEY
NPU-A COUNCIL DISTRICT 8

ADOPTED BY
JUL 0 2 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 Zoning
Date 5-1-01
Chair Debi M Starnes

Committee	Committee
Zoning	
Date	Date
6-29-01	
Chair	Chair
Debi M Starnes	
Action: Fav, Adv, Held (see rev. side)	Action: Fav, Adv, Held (see rev. side)
Other:	Other:
Members	Members
Refer To	Refer To

Committee	Committee
Date	Date
Chair	Chair
Action: Fav, Adv, Held (see rev. side)	Action: Fav, Adv, Held (see rev. side)
Other:	Other:
Members	Members
Refer To	Refer To

COUNCIL ACTION

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

CERTIFIED

JUL 2 2001
ATLANTA CITY COUNCIL PRESIDENT
Robert J Pitts

CERTIFIED
JUL 0 2 2001
Rhonda Dauphin Johnson
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED
JUL 1 1 2001
WITHOUT SIGNATURE
BY OPERATION OF LAW