



CITY COUNCIL  
ATLANTA, GEORGIA

01-O-1094

AN ORDINANCE

BY: COUNCILMEMBER DEBI STARNES

AN ORDINANCE TO SUBSTITUTE THE SIDEWALK REQUIREMENTS OF SECTION 138-97 OF THE CODE OF ORDINANCES AS A CONDITION OF CONSTRUCTION WITHIN ZONING DISTRICTS IN WHICH MULTI-FAMILY RESIDENTIAL, COMMERCIAL OR INDUSTRIAL USES ARE PERMITTED, FOR THE CONSTRUCTION AT 800 EAST AVENUE, NE, SO AS TO EXEMPT THE PROPERTY OWNER, TMG MANAGEMENT, FROM THE REQUIREMENT TO CONSTRUCT SIDEWALKS ALONG THE FRONTAGES OF THAT PROPERTY ON EAST AVENUE, NE, AND FOR OTHER PURPOSES.

WHEREAS, pursuant to the provisions of Section 138-97 of the Code of Ordinance, TMG Management is required to provide sidewalks along its frontages on East Avenue, NE, as a condition of a building permit for construction within a zoning district which permits multi-family residential, commercial or industrial uses; and

WHEREAS, the construction of such sidewalks would result in the installation of one (1) isolated section of sidewalk not contiguous or abutting any existing pedestrian facilities; and

WHEREAS, the TMG Management will repair or replace City of Atlanta standard curbs and driveway aprons along their frontage on East Avenue, NE, and upgrade the existing deficient edges of the travel way.

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, that the requirements of Section 138-97 of the Code of Ordinances are hereby **substituted** for the construction at 800 East Avenue, NE, so as to exempt the property owner, TMG Management from the requirement to provide sidewalks along its frontage of that property on East Avenue, NE. **As a substitute for the above requirement, the owner of 800 East Avenue, NE will assume the responsibility of maintaining the City's right-of-way, on East Avenue, that leads to the Freedom Park path, which runs directly behind said property.**

BE IT FURTHER ORDAINED that all other requirements of the Code of Ordinances for such construction shall remain in full force and effect.

OMC – Amendment Incorporated by tcp 8-14-01

A true copy,

*Rhonda Daughia Johnson*  
Municipal Clerk, CMC

ADOPTED as amended by the Council  
APPROVED by the Mayor

AUG 06, 2001  
AUG 13, 2001

RCS# 3038  
8/06/01  
3:31 PM

Atlanta City Council

Regular Session

01-O-1094            Waive Sidewalk Construction Condition  
                      Requirements for 800 East Ave/TMG Man.  
                      ADOPT AS AMEND

YEAS: 14  
NAYS: 1  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 0  
ABSENT 0

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

01-O-1094

01-1094

(Do Not Write Above This Line)

AN ORDINANCE

BY: COUNCILMEMBER DEBI STARNES

AN ORDINANCE TO WAIVE THE SIDEWALK REQUIREMENTS OF SECTION 9-3092 OF THE CODE OF ORDINANCES AS A CONDITION OF CONSTRUCTION WITHIN ZONING DISTRICTS IN WHICH MULTI-FAMILY RESIDENTIAL, COMMERCIAL OR INDUSTRIAL USES ARE PERMITTED, FOR THE CONSTRUCTION AT 800 EAST AVENUE, NE, SO AS TO EXEMPT THE PROPERTY OWNER, TMG MANAGEMENT, FROM THE REQUIREMENT TO CONSTRUCT SIDEWALKS ALONG THE FRONTAGES OF THAT PROPERTY ON EAST AVENUE, NE, AND FOR OTHER PURPOSES.

7/16/01 - Referred back to Committee Without Objection; Cnchr. Starnes Later Moved to Reconsider the Referral. Notice carried by roll call vote.

As Amended ADOPTED BY COUNCIL AUG 06 2001

- CONSENT REFER
- REGULAR REPORT REFER 7/16/01
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER 7/2/01

Date Referred 07/02/01

Referred To: City Utilities

Date Referred 07/16/01

Referred To: City Utilities (Without Objection)

Date Referred

Referred To:

First Reading

Committee \_\_\_\_\_  
Date \_\_\_\_\_  
Chair \_\_\_\_\_  
Referred to \_\_\_\_\_

Committee City Utilities  
Date 7-10-01  
Chair Debi Starnes  
Action: \_\_\_\_\_  
Fav, Adv, Hold (see rev. side) \_\_\_\_\_  
Other: As Amended  
Members NO RECOMMENDATION  
Debi Starnes  
Tommy Mack  
Debi Starnes  
Refer To \_\_\_\_\_

Committee City Utilities  
Date 8-6-01  
Chair Debi Starnes  
Action: \_\_\_\_\_  
Fav, Adv, Hold (see rev. side) \_\_\_\_\_  
Other: As Amended  
Members Debi Starnes  
Tommy Mack  
Debi Starnes  
Refer To \_\_\_\_\_

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

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

FINAL COUNCIL ACTION

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

CERTIFIED

CERTIFIED  
AUG 6 2001  
ATLANTA CITY COUNCIL PRESIDENT  
*Richard A. Pitts*

CERTIFIED  
AUG 06 2001  
*Ronald Douglas Johnson*  
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED  
AUG 13 2001  
*[Signature]*  
MAYOR