



CITY COUNCIL  
ATLANTA, GEORGIA

A RESOLUTION  
BY: ZONING COMMITTEE

02- *ℓ* -0183

A RESOLUTION EXTENDING INTERIM DEVELOPMENT CONTROL FOR THE PROPOSED LANDMARK BUILDING OR SITE KNOWN AS THE MEDICAL ARTS BUILDING, FROM 120 TO 180 DAYS; TO REPEAL CONFLICTING RESOLUTIONS; AND FOR OTHER PURPOSES.

WHEREAS, Section 16-20.005(c)(2) of the Code of Ordinances of the City of Atlanta, as amended, known as the City of Atlanta Historic Preservation Ordinance provides that interim development controls governing properties which have been nominated for designation to a category of historic protection may be extended by resolution of council from 120 to 180 days when said extension is due to delay in the legislative process; and

WHEREAS, the Atlanta Urban Design Commission began the nomination process for the Medical Arts Building on October 21, 2001; and

WHEREAS, the interim development control of 120 days would only protect this proposed property until February 19, 2002; and

WHEREAS, legal representation for the owner requested two deferrals of this item's hearing before the Urban Design Commission (see attachments);

WHEREAS, said legal representation understood that requesting such deferrals might require the extension of the interim development controls and agreed to support such a resolution;

WHEREAS, it is anticipated that the City Council will be able to vote on this designation no sooner than April 1, 2002 due to its normal meeting schedule; and

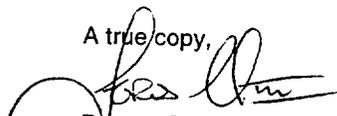
WHEREAS, an extension from 120 days to 180 days for said interim control has been anticipated,

NOW THEREFOR BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATLANTA, as follows:

SECTION 1. That the period of interim development control governing the proposed Medical Arts Building Landmark Building or Site, authorized by Section 16-20.005(c)(2) of the Code of Ordinances of the City of Atlanta, as amended, is hereby extended from 120 days to 180 days.

SECTION 2. That all resolutions or parts of resolutions in conflict with this resolution are repealed.

A true copy,

  
Deputy Clerk

**ADOPTED** by the Council  
**APPROVED** by the Mayor

FEB 04, 2002  
FEB 12, 2002

LONG ALDRIDGE  
& NORMAN<sup>LLP</sup>  
ATTORNEYS AT LAW

M. HAKIM HILLIARD  
(404) 527-8329

EMAIL ADDRESS  
hhilliard@lanlaw.com

December 11, 2001

VIA FACSIMILE AND U.S. MAIL

Karen Heubner, Executive Director  
City of Atlanta Urban Design Commission  
55 Trinity Avenue, SW  
Atlanta, Georgia 30335

Re: Medical Arts Building - 384 Peachtree Street

Dear Ms. Huchner:

Thank you for your immediate response to my letter. Per our conversation this afternoon, this letter is prepared to formally state that my client will support any action required by the City of Atlanta to maintain interim controls for the above-referenced property until the proposed nomination of 384 Peachtree Street has been acted upon by the Atlanta City Council. In this regard, I understand that Section 16-20.005(c)(2) of the City Code limits the initial period for interim controls to 120 days from the date of nomination. An additional 60 day period is permitted only by a resolution of the City Council. In the event you deem additional time to be necessary to consider the proposed nomination, my client will support the extension. The requests for deferral thus far have been at the request of Mr. Gelber and he has no intention that these delays frustrate the intent of the ordinance.

I hope that, with the commitment to support the continuation of interim controls until the Atlanta City Council has considered the nomination, you can support a request for deferral of this proposed nomination from the December 12, 2001 agenda of the Urban Design Commission. Please call me if you have any questions.

RECEIVED

DEC 11 2001

ATLANTA URBAN  
DESIGN COMMISSION

303 PEACHTREE STREET • SUITE 6300  
ATLANTA, GEORGIA 30308  
404 527-4000 • FACSIMILE 404 527-4198

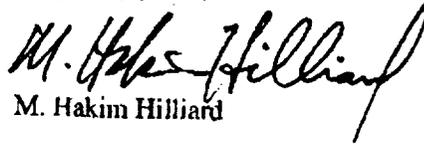
WASHINGTON, D.C. OFFICE  
701 PENNSYLVANIA AVENUE, N.W. • SUITE 600  
WASHINGTON, D.C. 20004  
202 624-1200 • FACSIMILE 202 624-1299

ATLANTA:4370578.1

ATTACHMENTS

Karen Heubner, Executive Director  
December 11, 2001  
Page 2

Very truly yours,

  
M. Hakim Hilliard

MHH:mhh

cc: Mr. Harold E. Gelber  
Steven J. Labovitz, Esq.

# TROUTMAN SANDERS LLP

A T T O R N E Y S A T L A W  
A LIMITED LIABILITY PARTNERSHIP

BANK OF AMERICA PLAZA  
600 PEACHTREE STREET, N.E. - SUITE 5200  
ATLANTA, GEORGIA 30308-2216  
www.troutmansanders.com  
TELEPHONE: 404-885-3000  
FACSIMILE: 404-885-3900

CHARLES F. PALMER  
charles.palmer@troutmansanders.com

Direct Dial: 404-885-3402  
Direct Fax: 404-962-6647

November 14, 2001

Ms. Karen Huebner  
Executive Director  
City of Atlanta Urban Design Commission  
City Hall South, Suite 3400  
55 Trinity Avenue, SW  
Atlanta, GA 30335-0331

RECEIVED

NOV 14 2001

ATLANTA URBAN  
DESIGN COMMISSION

Re: Medical Arts Building - 384 Peachtree Street

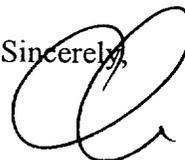
Dear Ms. Huebner:

In accordance with the recent discussions I have had with you and members of your staff, I am writing to respectfully request a one month deferral by the Urban Design Commission of the referenced nomination. The property owner is attempting to evaluate the possible tax implications of possible landmark designation, and has made initial contact with Mr. Jim Borders and Mr. Rick Skelton in this regard. It may be that the property owner would welcome landmark designation upon learning more about possible tax and other implications. However, as I am sure the Urban Design Commission can appreciate, historical designation may have significant impact on a property, and it takes some time to fully understand the possible benefits and effects.

It is my understanding from our discussions that a deferral would have no impact on the overall schedule for designation of this property. Accordingly, I would respectfully request that a one month deferral be granted in order to allow the owner of the property to fully evaluate and understand the proposed designation.

If you should have any questions or desire further information with regard to this request, please do not hesitate to call me. I greatly appreciate the cooperation and assistance of you and your staff in this matter.

Sincerely,



Charles F. Palmer

CFP/dpo

cc: Mr. Harold G. Gelber

RCS# 3436  
2/04/02  
2:36 PM

Atlanta City Council

Regular Session

02-R-0183

Extend Interim Development Control for  
Proposed Landmark Bldg.; 120 to 180 days  
ADOPT

YEAS: 15  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 0  
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Boazman	NV Woolard

02-R-0183

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(Do Not Write Above This Line)

AN ORDINANCE  
BY: ZONING COMMITTEE

A RESOLUTION EXTENDING INTERIM DEVELOPMENT CONTROL FOR THE PROPOSED LANDMARK BUILDING OR SITE KNOWN AS THE MEDICAL ARTS BUILDING, FROM 120 TO 180 DAYS; TO REPEAL CONFLICTING RESOLUTIONS; AND FOR OTHER PURPOSES.

ADOPTED BY  
FEB 04 2002  
COUNCIL

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

Date Referred

Referred To:

First Reading

Committee \_\_\_\_\_  
Date \_\_\_\_\_  
Chair \_\_\_\_\_

Committee

Date

Chair

Actions

Fav, Adv, Held (see rev. side)

Other

Members

Refer To

Committee

Date

Chair

Actions

Fav, Adv, Held (see rev. side)

Other

Members

Refer To

Committee

Date

Chair

Actions

Fav, Adv, Held (see rev. side)

Other

Members

Refer To

Committee

Date

Chair

Actions

Fav, Adv, Held (see rev. side)

Other

Members

Refer To

COUNCIL ACTION

2nd  1st & 2nd  3rd  
Readings

Consent  V Vote  RC Vote

CERTIFIED

CERTIFIED  
FEB 04 2002  
ATLANTA CITY COUNCIL PRESIDENT  
*Robert L. Woodard*

CERTIFIED  
FEB 04 2002  
*Paul Davidson Johnson*  
MUNICIPAL CLERK

MAYOR'S ACTION

*APPROVED*  
*Andy*  
FEB 12 2002  
AYC