



CITY COUNCIL  
ATLANTA, GEORGIA

City Council  
Atlanta, Georgia

02-0-0108

AN ORDINANCE  
BY: ZONING COMMITTEE

Z-01-99  
DATE FILED: 12-11-01

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 the **882-966 Marietta Street, N.W.** be changed from the **I-2 (Heavy Industrial)** District, to the **PD-MU (Planned Development-Mixed Use)** District to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lots **81 and 112** of the **14<sup>th</sup>** District, **Fulton** County, Georgia being more particularly described by the attached legal description.

SECTION 2. That this amendment is approved under the provisions of Chapter 19 entitled, "Planned Development District," and Chapters 19A through 19D (as applicable) of the Zoning Ordinance of the City of Atlanta, and the Director, Bureau of Buildings, shall issue a building permit for the development of the above described property only in compliance with the applicable provisions of these Chapters and with the attached conditions.

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.

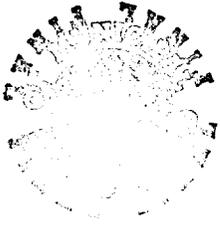
SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

A true copy,

*Rhonda Daughkin Johnson*  
Municipal Clerk, CMC

ADOPTED by the Council  
APPROVED by the Mayor

MAR 18, 2002  
MAR 26, 2002



### Conditions for Z-01-99

1. Site plan entitled "Midtown West Multi-Use Development, Zoning Plan" prepared by ECOS Environmental Design, Inc., dated December 10, 2001, last revised January 29, 2002 and marked received by the Bureau of Planning January 29, 2002.
2. Tree Replacement Plan entitled "Midtown West Multi-Use Development, Tree Replacement Plan" prepared by ECOS Environmental Design, Inc., dated December 7, 2001, last revised January 29, 2001 and marked received by the Bureau of Planning January 29, 2002. Said plan may be revised as required by the City Arborist.
3. Pedestrian benches shall be installed within the "common courtyards" and along the "extra wide sidewalks".
4. Bicycle racks and/or bicycle/moped parking spaces shall be located near the retail uses within the parking lots and parking garages, in accordance with Section 16-28.014(6) of the Zoning Ordinance.

**DESCRIPTION TRACT 1**

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOTS 81 AND 112 OF THE 14TH. DISTRICT OF FULTON COUNTY, GEORGIA AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN LOCATED AT THE INTERSECTION OF THE SOUTHWEST RIGHT-OF-WAY OF MARIETTA STREET (60' R/W) AND THE NORTHWEST RIGHT-OF-WAY OF NORTHSIDE DRIVE (90' R/W). THENCE FROM THE BEGINNING AND CONTINUING ALONG THE SAID SOUTHWEST RIGHT-OF-WAY OF MARIETTA STREET A DISTANCE OF 37.80 FEET TO AN IRON PIN FOUND AND THE POINT OF BEGINNING. THENCE FROM FROM THE POINT OF BEGINNING AND LEAVING THE SAID SOUTHWEST RIGHT-OF-WAY OF MARIETTA STREET S49°44'48"W A DISTANCE OF 136.00 FEET TO A POINT. THENCE RUNNING N37°05'21"W A DISTANCE OF 100.00 FEET TO A POINT. THENCE RUNNING S48°02'51"W A DISTANCE OF 13.40 FEET TO A POINT. THENCE RUNNING N37°22'16"W A DISTANCE OF 148.04 FEET TO A POINT. THENCE RUNNING N58°09'37"E ALONG THE SOUTH LINE OF A 25 FOOT INGRESS\EGRESS EASEMENT A DISTANCE OF 149.94 FEET TO A POINT ON THE SAID SOUTHWEST RIGHT-OF-WAY OF MARIETTA STREET. THENCE RUNNING S37°14'00"E A DISTANCE OF 225.62 FEET TO SAID IRON PIN FOUND AND THE POINT OF BEGINNING.

SAID TRACT OR PARCEL OF LAND CONTAINING 0.779 ACRES OR 33,940± SQUARE FEET.

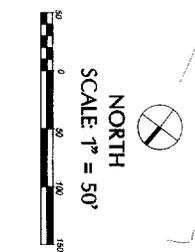
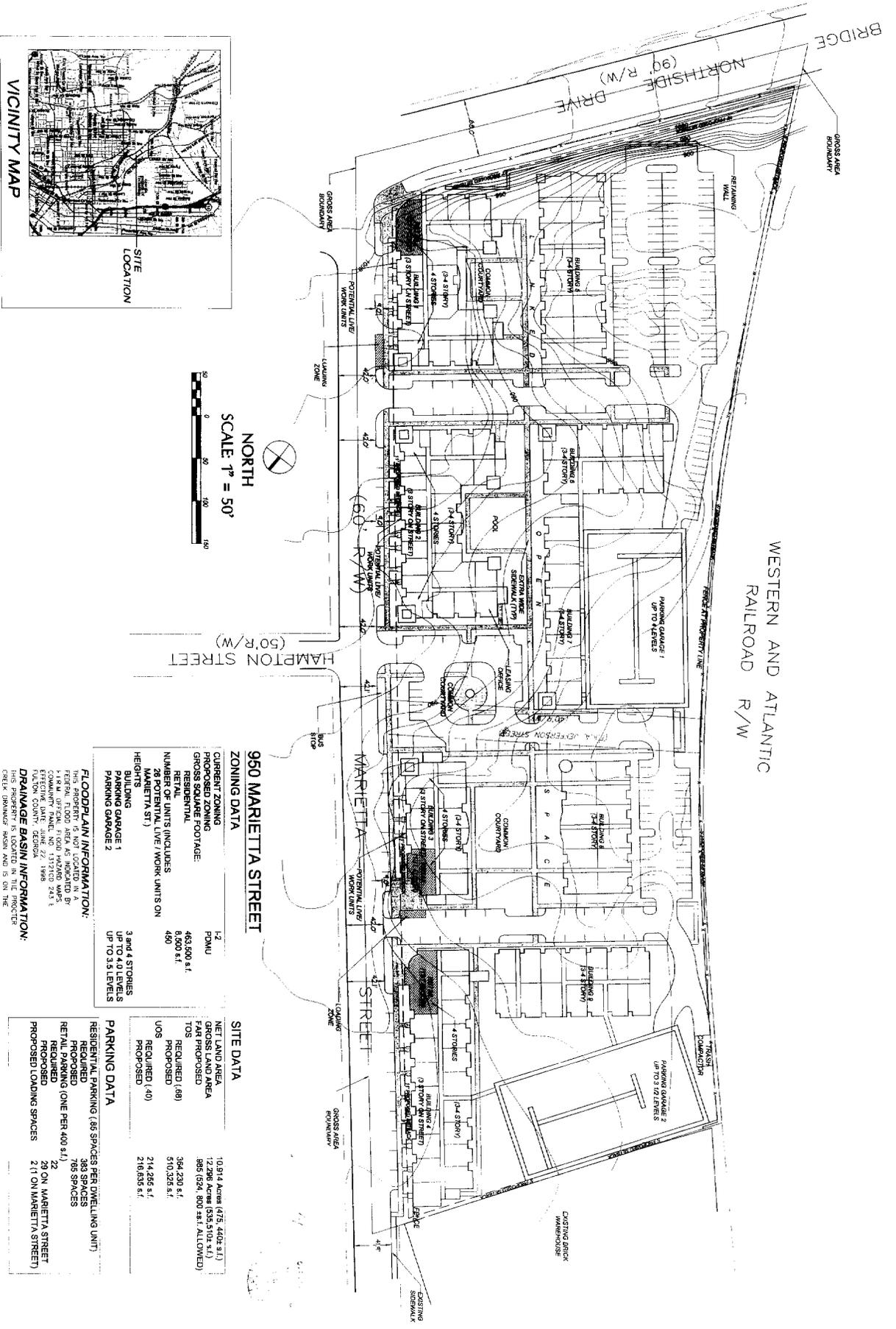
**DESCRIPTION TRACT 2**

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOTS 81 AND 112 OF THE 14TH. DISTRICT OF FULTON COUNTY, GEORGIA AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN LOCATED AT THE INTERSECTION OF THE SOUTHWEST RIGHT-OF-WAY OF MARIETTA STREET (60' R/W) AND THE NORTHWEST RIGHT-OF-WAY OF NORTHSIDE DRIVE (90' R/W) (SAID IRON PIN BEING THE POINT OF BEGINNING). THENCE FROM THE POINT OF BEGINNING RUNNING SOUTHWESTERLY ALONG THE SAID NORTHWEST RIGHT-OF-WAY OF NORTHSIDE DRIVE AND FOLLOWING THE ARC OF A CURVE TO THE RIGHT AND ARC DISTANCE OF 52.72 FEET (SAID ARC HAVING A CHORD BEARING OF S25°44'00"W AND A CHORD DISTANCE OF 52.72 FEET AND A RADIUS OF 117.33 FEET) TO A POINT; THENCE RUNNING S38°36'23"W ALONG THE SAID NORTHWEST RIGHT-OF-WAY OF NORTHSIDE DRIVE A DISTANCE OF 452.09 FEET TO AN IRON PIN LOCATED ON THE NORTHEAST RIGHT-OF-WAY OF WESTERN AND ATLANTIC RAILROAD; THENCE LEAVING THE SAID NORTHWEST RIGHT-OF-WAY OF NORTHSIDE DRIVE AND RUNNING NORTHWESTERLY ALONG THE SAID NORTHEAST RIGHT-OF-WAY OF WESTERN AND ATLANTIC RAILROAD THE FOLLOWING; N24°33'28"W A DISTANCE OF 165.84 FEET TO A POINT; THENCE N24°33'28"W A DISTANCE OF 8.69 FEET TO A POINT; THENCE N25°42'51"W A DISTANCE OF 164.83 FEET TO A POINT; THENCE N28°23'35"W A DISTANCE OF 113.61 FEET TO A POINT; THENCE N28°23'35"W A DISTANCE OF 16.37 FEET TO A POINT; THENCE RUNNING N31°00'18"W A DISTANCE OF 118.12 FEET TO A POINT; THENCE RUNNING N33°51'37"W A DISTANCE OF 164.41 FEET TO A POINT; THENCE RUNNING N35°25'11"W A DISTANCE OF 40.02 FEET TO A POINT; THENCE RUNNING N36°25'21"W A DISTANCE OF 68.88 FEET TO A POINT; THENCE RUNNING N38°23'24"W A DISTANCE OF 91.76 FEET TO A POINT; THENCE RUNNING N39°52'23"W A DISTANCE OF 91.84 FEET TO A POINT; THENCE RUNNING N41°21'49"W A DISTANCE OF 104.05 FEET TO A POINT; THENCE RUNNING N41°53'41"W A DISTANCE OF 77.15 FEET TO AN IRON PIN; THENCE LEAVING THE SAID NORTHEAST RIGHT-OF-WAY OF WESTERN AND ATLANTIC RAILROAD AND RUNNING N35°10'53"E A DISTANCE OF 395.50 FEET TO AN IRON PIN LOCATED ON THE SAID SOUTHWEST RIGHT-OF-WAY OF MARIETTA STREET; THENCE RUNNING SOUTHEASTERLY ALONG THE SAID SOUTHWEST RIGHT-OF-WAY OF MARIETTA STREET THE FOLLOWING; S38°17'40"E A DISTANCE OF 220.63 FEET TO AN IRON PIN; THENCE S38°10'24"E A DISTANCE OF 355.50 FEET TO A POINT; THENCE RUNNING S39°58'39"E A DISTANCE OF 40.25 FEET TO AN IRON PIN; THENCE RUNNING S37°14'00"E A DISTANCE OF 320.31 FEET TO AN IRON PIN LOCATED ON THE SOUTHEAST CORNER OF A 25 FOOT INGRESS\EGRESS EASEMENT. THENCE LEAVING THE SAID SOUTHEAST RIGHT-OF-WAY OF MARIETTA STREET AND RUNNING S58°09'37"W A DISTANCE OF 149.94 FEET TO A POINT. THENCE RUNNING S37°22'16"E A DISTANCE OF 148.04 FEET TO A POINT. THENCE RUNNING N48°02'51"E ALONG THE SAID SOUTHEAST PROPERTY LINE OF THE SAID CITIZENS AND SOUTHERN NATIONAL BANK A DISTANCE OF 13.40 FEET TO A POINT LOCATED ON THE SOUTHWEST PROPERTY LINE OF THE SAID CITIZENS AND SOUTHERN NATIONAL BANK; THENCE RUNNING S37°05'21"E ALONG THE SAID SOUTHWEST PROPERTY LINE A DISTANCE OF 100.00 FEET TO A POINT LOCATED ON THE SOUTHEAST PROPERTY LINE OF THE SAID CITIZENS AND SOUTHERN NATIONAL BANK; THENCE RUNNING N49°44'49"E ALONG THE SAID SOUTHEAST PROPERTY LINE OF THE SAID CITIZENS AND SOUTHERN NATIONAL BANK A DISTANCE OF 136.00 FEET TO AN IRON PIN LOCATED ON THE SAID SOUTHWEST RIGHT-OF-WAY OF MARIETTA STREET; THENCE RUNNING S37°14'00"E ALONG THE SAID SOUTHWEST RIGHT-OF-WAY OF MARIETTA STREET A DISTANCE OF 37.80 FEET TO AN IRON PIN AND THE POINT OF BEGINNING.

SAID TRACT OR PARCEL CONTAINING 441,500± SQUARE FEET OR 10.135 ACRES. (INCLUDING 25 FOOT INGRESS\EGRESS EASEMENT)

Z-01-99



**ZONING DATA**

CURRENT ZONING: I-2  
 PROPOSED ZONING: PDMU  
 GROSS SQUARE FOOTAGE: 483,590 s.f.  
 RETAIL UNITS (INCLUDES 28 POTENTIAL LIVE/WORK UNITS ON MARIETTA ST.): 480  
 HEIGHTS: 3 and 4 STORIES UP TO 3 1/2 LEVELS  
 BUILDING: 3 and 4 STORIES  
 PARKING GARAGE 1: UP TO 4 LEVELS  
 PARKING GARAGE 2: UP TO 3 1/2 LEVELS

**FLOODPLAIN INFORMATION:**  
 THIS PROJECT IS NOT LOCATED IN A FEDERAL FLOOD AREA AS INDICATED BY A FIRM. OFFICIAL FLOOD HAZARD MAPS ARE AVAILABLE FROM THE FLOOD INSURANCE RATE MAPS DIVISION, FEDERAL EMERGENCY MANAGEMENT AGENCY, WASHINGTON, D.C. EFFECTIVE DATE: JUNE 22, 1988  
 FULTON COUNTY, GEORGIA

**DRAINAGE BASIN INFORMATION:**  
 THE PROJECT IS LOCATED IN THE PROCTER CREEK SANITARY SEWER TRUNK LINE.

**960 MARIETTA STREET**

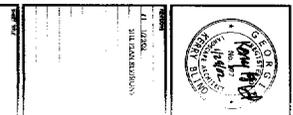
**SITE DATA**

NET LAND AREA: 10,914 Acres (475,440 s.f.)  
 GROSS LAND AREA: 12,286 Acres (535,510 s.f.)  
 FAR PROPOSED: 885 (524,800 s.f. ALLOWED)  
 TOS REQUIRED: (88)  
 PROPOSED: 564,230 s.f.  
 UOS REQUIRED: 570,325 s.f.  
 PROPOSED: 214,255 s.f.  
 UOS REQUIRED: 216,535 s.f.

**PARKING DATA**

RESIDENTIAL PARKING (88 SPACES PER DWELLING UNIT): 368 SPACES  
 REQUIRED: 368 SPACES  
 RETAIL PARKING (ONE PER 400 s.f.): 22  
 PROPOSED: 29 ON MARIETTA STREET  
 PROPOSED LOADING SPACES: 2 (1 ON MARIETTA STREET)

DATE	10/11/01
BY	J. L. WILSON
FOR	ECOS
PROJECT	MIDTOWN WEST MULTI-USE DEVELOPMENT
LOCATION	ATLANTA, GEORGIA
SCALE	1:01



**MIDTOWN WEST**  
 MULTI-USE DEVELOPMENT  
 ATLANTA, GEORGIA

**ECOS**  
 ENVIRONMENTAL DESIGN, INC.  
 30 ELIZABETH STREET, SUITE A-808  
 ATLANTA, GEORGIA 30308  
 (404) 251-2500



RCS# 3597  
3/18/02  
1:59 PM

Atlanta City Council

Regular Session

02-O-0108

Z-01-99; 882-966 Marietta St., NW  
from I-2 to PD-MU  
ADOPT

YEAS: 12  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 2  
EXCUSED: 0  
ABSENT 2

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

02-O-0108

02-0-0108

(Do Not Write Above This Line)

AN ORDINANCE Z-01-99  
BY: ZONING COMMITTEE

AN ORDINANCE TO REZONE FROM THE I-2  
(HEAVY INDUSTRIAL) DISTRICT TO THE  
PD-MU (PLANNED DEVELOPMENT-MIXED USE)  
DISTRICT. PROPERTY LOCATED AT  
882-966 MARIETTA STREET, N.W., FRONTING  
APPROXIMATELY 1159 FEET ON THE  
SOUTHWESTERLY SIDE OF MARIETTA STREET  
BEGINNING AT THE SOUTHWEST CORNER OF  
NORTHSIDE DRIVE. DEPTH: VARIES;  
AREA: 10.914 ACRES; LAND LOTS 81 & 112,  
14TH DISTRICT, FULTON COUNTY, GEORGIA.  
OWNER: BYRON KOPMAN AND MARK COHEN  
APPLICANT: DAVID P. BAYCURA  
BY: CARL E. WESTMORELAND, JR.  
NPU-E COUNCIL DISTRICT 3

ADOPTED BY

MAR 18 2002

COUNCIL

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

Date Referred 2/4/02  
Referred To: Zoning

Committee Zoning  
Date 1/14/02  
Chair Dennis M. Starns

Committee Zoning  
Date FEB. 27 2002  
Chair

Actions:  
Fav, Adv, Held (see rev. side)

Members

Refer To

Committee Zoning  
Date 3/13/02  
Chair Dennis M. Starns

Actions:  
Fav, Adv, Held (see rev. side)

Members  
David P. Baycura  
Carl E. Westmoreland, Jr.  
H. J. Staley

Refer To

COUNCIL ACTION

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

CERTIFIED

CERTIFIED

MAR 18 2002

ATLANTA CITY COUNCIL PRESIDENT  
Catherine W. Woodward

CERTIFIED

MAR 18 2002

Randy Daughlin Johnson  
MUNICIPAL CLERK

MAYOR'S ACTION

MAR 26 2002

Randy Daughlin Johnson