



Municipal Clerk
Atlanta, Georgia

04-0-0905

AN ORDINANCE
BY: ZONING COMMITTEE

Z-04-40
Date Filed: 4-13-04

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 **563 Memorial Drive, S.E./300 Park Avenue, S.E.** be changed from the C-2 (Commercial Service) District, to the PD-MU (Planned Development-Mixed Use) District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 44 of the 14th 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 Chapter 19A through Chapter 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 That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.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,



Deputy Clerk

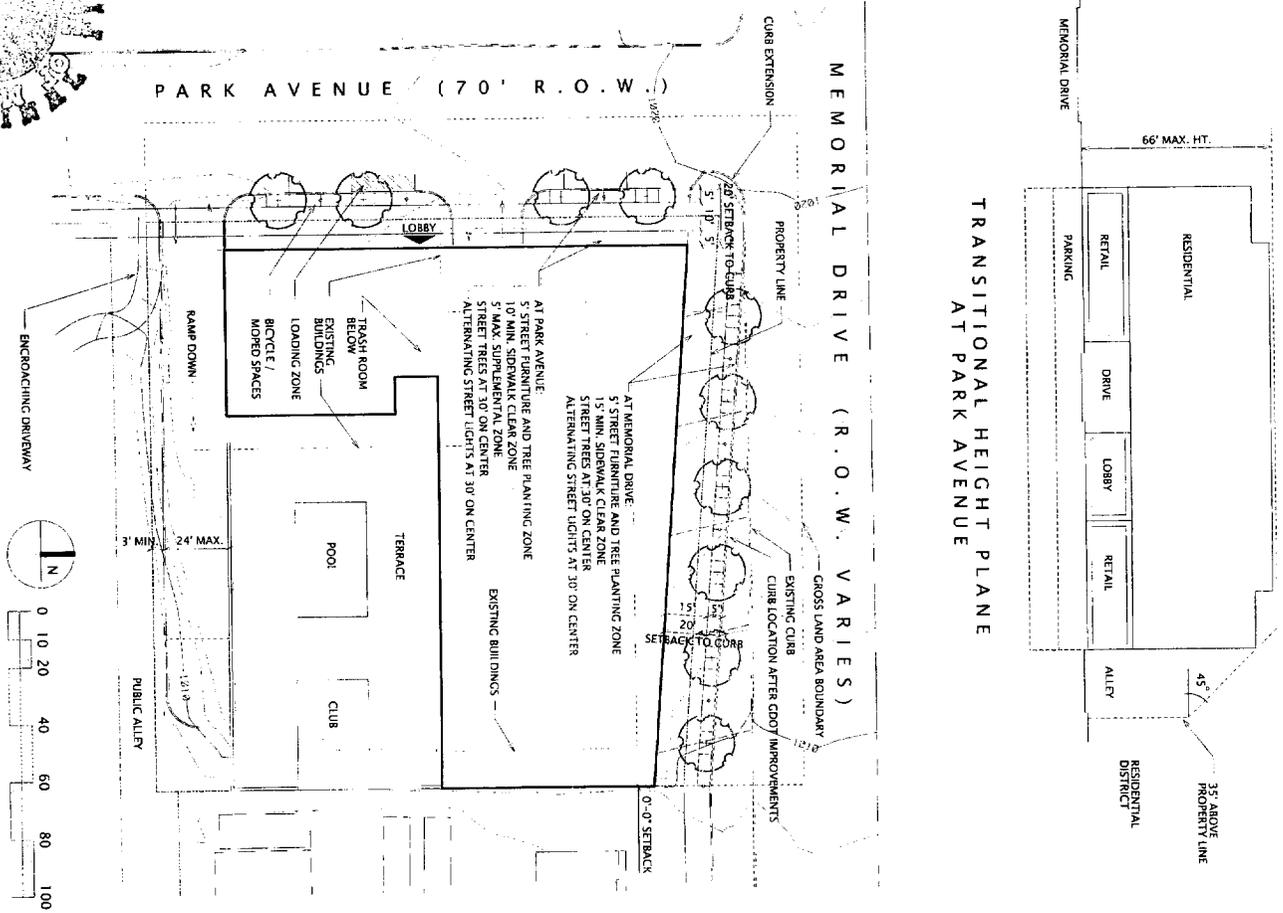
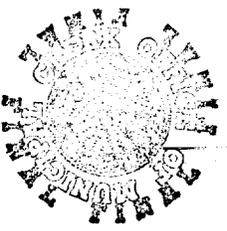
**ADOPTED by the Council
APPROVED by the Mayor**

July 6, 2004
July 14, 2004

Conditions for Z-04-40



1. Site plan entitled "563 Memorial Drive (and 300 Park Avenue), Site Plan Specifications" prepared by Surber, Barber, Choate and Hertlein Architects, Inc. dated 13 April 2004 and marked received by the Bureau of Planning April 13, 2004.



563 MEMORIAL DRIVE (& 300 PARK AVENUE)

SITE PLAN SPECIFICATIONS



2-04-10

CURRENT ZONING: PROPOSED ZONING:	C-2 PMU (RESIDENTIAL/RETAIL)
NET LOT AREA:	38,368 SF
GROSS LAND AREA:	53,310 SF
FLOOR AREA RATIO	3.0 (BASED ON NLA)
RESIDENTIAL FAR ALLOWED PER PROPOSED SPI:	0.696 (BASED ON CLA)
RESIDENTIAL FAR ALLOWED PER CURRENT C-2:	1.8 (BASED ON NLA, 1.3 ON CLA)
RESIDENTIAL FAR PROPOSED:	
NON-RESIDENTIAL FAR ALLOWED PER PROPOSED SPI:	1.0
NON-RESIDENTIAL FAR ALLOWED PER CURRENT C-2:	3.0
NON-RESIDENTIAL FAR PROPOSED:	0.3
MAX. ACHIEVABLE COMBINED FAR PER PROPOSED SPI:	3.5
MAX. ACHIEVABLE COMBINED FAR PROPOSED:	2.1
SQUARE FOOTAGE	
RESIDENTIAL ALLOWED PER PROPOSED SPI:	115,104 SF
RESIDENTIAL ALLOWED PER CURRENT C-2:	37,104 SF
RESIDENTIAL PROPOSED:	76,000 SF
NON-RESIDENTIAL ALLOWED PER PROPOSED SPI (FAR):	38,368 SF
NON-RES. ALLOWED PER SPI (MAX. 1/3 OF RES. SPI):	25,333 SF
NON-RESIDENTIAL ALLOWED PER CURRENT C-2:	115,104 SF
NON-RESIDENTIAL PROPOSED:	12,000 SF
NUMBER OF UNITS:	70 MAX.
BUILDING HEIGHT (PER PROPOSED SPI ZONING)	35' ABOVE MEMORIAL DRIVE
MINIMUM:	66' ABOVE HIGHEST POINT
MAXIMUM:	
OTHER DEVELOPMENT CONTROLS (PER PROPOSED SPI)	
MAX. BUILDING COVERAGE (% OF NLA):	85%
NON-RESIDENTIAL PUBLIC SPACE REQMT. TOS REQUIRED:	15%
RESIDENTIAL UOS REQUIRED:	NONE
(NO TOS OR UOS REQUIRED BY CURRENT C-2 ZONING)	15% FLOOR AREA OR 80% LOT AREA
PARKING	
RESIDENTIAL PARKING REQUIRED PER PROPOSED SPI:	1 SPACE PER UNIT
RESIDENTIAL PARKING REQUIRED PER CURRENT C-2:	0.99 SPACES PER UNIT
RESIDENTIAL PARKING PROPOSED:	1.5 SPACES PER UNIT
RETAIL PARKING REQUIRED PER PROPOSED SPI:	NOT SPECIFIED
RETAIL PARKING REQUIRED PER CURRENT C-2:	1 SPACE PER 300 SF
RETAIL PARKING PROPOSED:	1 SPACE PER 300 SF
RESTAURANT PARKING REQUIRED PER PROPOSED SPI:	NOT SPECIFIED
RESTAURANT PARKING REQUIRED PER CURRENT C-2:	1 SPACE PER 100 SF
RESTAURANT PARKING PROPOSED:	1 SPACE PER 100 SF
LOADING SPACES PROPOSED:	1 (ON-STREET)

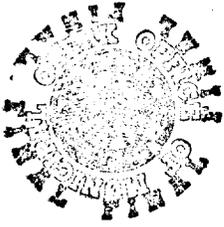
* PROPOSED SPI ZONING* REFERS TO THE PROPOSED "MEMORIAL DRIVE/MARTIN LUTHER KING JR. DRIVE CORRIDOR SPECIAL PUBLIC INTEREST DISTRICT" REGULATIONS CURRENTLY BEING REVIEWED/PROCESSED



13 APRIL 2004

SURBER BARBER
CHOATE & HERTLEIN
ARCHITECTS, INC.
A PROFESSIONAL SERVICE CORPORATION
1000 WOODBURN AVENUE, SUITE 400
MEMPHIS, TENNESSEE 38103-4000
TELEPHONE 901.527.1000 FAX 901.527.1001

Professional Engineer Seal for James W. A. H. The State of Tennessee, No. 10000, expires 12/31/04. This seal is not valid unless the engineer is duly licensed and the work is within the scope of his/her license. The State of Tennessee, No. 10000, expires 12/31/04.



7 04-40

LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 44 OF THE 14TH DISTRICT OF FULTON COUNTY, GEORGIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY OF PARK AVENUE (70' R/W WIDTH) AND THE SOUTHERLY RIGHT-OF-WAY OF MEMORIAL DRIVE AKA S.R. 154 (R/W VARIES);

THENCE SOUTH 84 DEGREES 45 MINUTES 38 SECONDS EAST ALONG THE SAID SOUTHERLY RIGHT-OF-WAY OF MEMORIAL DRIVE FOR A DISTANCE OF 200.16 FEET TO A POINT;

THENCE DEPARTING THE SAID SOUTHERLY RIGHT-OF-WAY OF MEMORIAL DRIVE SOUTH 01 DEGREE 04 MINUTES 15 SECONDS WEST FOR A DISTANCE OF 184.40 FEET TO A POINT ON THE NORTH SIDE OF AN ALLEY;

THENCE NORTH 89 DEGREES 13 MINUTES 50 SECONDS WEST ALONG THE SAID NORTH SIDE OF THE ALLEY FOR A DISTANCE OF 199.63 FEET TO A POINT ON THE SAID EASTERLY RIGHT-OF-WAY OF PARK AVENUE;

THENCE NORTH 01 DEGREE 04 MINUTES 15 SECONDS EAST ALONG THE SAID EASTERLY RIGHT-OF-WAY OF PARK AVENUE FOR A DISTANCE OF 200.00 FEET TO THE POINT OF BEGINNING.

SAID PROPERTY CONTAINS 0.88080 ACRES OR 38,368 SQUARE FEET.

04-0905
 (Do Not Write Above This Line)

AN ORDINANCE 2-04-40
 BY: ZONING COMMITTEE

AN ORDINANCE TO REZONE FROM THE C-2 (COMMERCIAL SERVICE) DISTRICT TO THE PD-MU (PLANNED DEVELOPMENT-MIXED USE) DISTRICT, PROPERTY LOCATED AT 563 MEMORIAL DRIVE, S.E./300 PARK AVENUE, S.E. FRONTING APPROXIMATELY 200 FEET ON THE SOUTH SIDE OF MEMORIAL DRIVE BEGINNING AT THE SOUTHEAST CORNER OF PARK DRIVE.
 DEPTH: 200 FEET
 AREA: 0.88080 ACRE
 LAND LOT 44, 14TH DISTRICT, FULTON COUNTY, GEORGIA
 OWNER: D & S ACQUISITIONS GROUP, LLC
 APPLICANT: URBAN REALTY PARTNERS, LLC

NPU 'W' COUNCIL DISTRICT 1
ADOPTED BY
 JUL 06 2004

- CONSENT REFER
- REGULAR REPORT REFER **COUNCIL**
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred 5/17/2004

Referred To: ZRB & Zoning

Date Referred

Referred To:

Date Referred

Referred To:

First Reading
 Committee Date 5/17/2004
 Chair Referred To

Zoning Committee
 Date 30/2004
 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

Committee

Date

Chair

Action Fav, Adv, Hold (see rev. side)
 Other

Members

Refer To

FINAL COUNCIL ACTION
 2nd 1st & 2nd 3rd
 Consent V Vote RC Vote

CERTIFIED

CERTIFIED
 JUN 6 2004
 COUNCIL PRESIDENT PROTEM

JUL 06 2004
 MAYOR'S ACTION

APPROVED
 MAYOR