



**CITY COUNCIL
ATLANTA, GEORGIA**

Municipal Clerk
Atlanta, Georgia

04-0-0906

A SUBSTITUTE ORDINANCE
BY: ZONING COMMITTEE

Z-04-41/Z-97-58

An Ordinance to Amend Ordinance Z-97-58 (98-0-0080), adopted as amended by City Council April 6, 1998 and Approved by the Mayor April 13, 1998, Rezoning from the I-2 (Heavy Industrial) District to the C-4-C (Central Area Commercial Residential-Conditional) District, Property located at 1300 Mecaslin St. NW for the Purpose of Approving a Change of Conditions

Owner: Atlantic Station, LLC

Applicant: Same

By: Carl E. Westmoreland, Jr., Attny

NPU-E

Council Districts 2 & 3

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

SECTION 1. That Ordinance Z-97-58 (98-0-0080), Adopted, as amended, by City Council April 6, 1998 and Approved by the Mayor April 13, 1998 Rezoning from the I-2 (Heavy Industrial) District to the C-4-C (Central Area Commercial Residential-Conditional) District, Property located at 1300 Mecaslin St. NW is hereby amended by deleting Condition No. 4, which reads as follows: "4. The developer will work with the City and Home Park to limit cut-through traffic on residential streets perpendicular to and south of 16th Street by means of cul-de-sacs, speed humps, gates, control arms, and other traffic-calming devices. The developer will work with the City and Loring Heights neighborhood to limit cut-through traffic on Bishop Street." In its entirety and substituting in lieu thereof the following language as a new Condition No. 4:
See attached Exhibit 'A' consisting of two (2) pages marked received by the Bureau of Planning June 10, 2004.

SECTION 2. That all ordinance or parts of ordinances in conflict with this ordinance are hereby repealed in their entirety.

A true copy,

Deputy Clerk

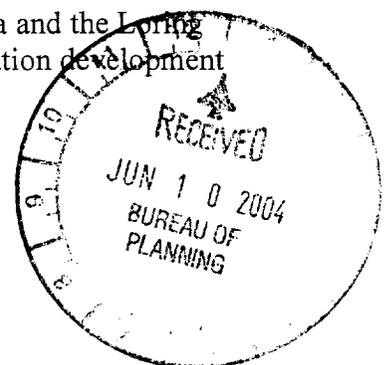
**ADOPTED by the Council
APPROVED by the Mayor**

July 6, 2004
July 14, 2004

The developer will install medians on 16th Street at its intersections with Francis, Holly, Barnes and Atlantic Streets. The developer will replace the existing westbound left turn lane at the 16th Street/State Street intersection with a median and install signs prohibiting southbound left turns from 16th Street onto State Street, and will remove the existing traffic island at 16th and State Streets in order to reduce southbound right turns from eastbound 16th Street onto State Street. The configurations and width dimensions of the medians at the 16th Street/State Street intersection, the location of signage and the elimination of the traffic island at the southwest corner of the intersection are indicated on Exhibit 1, attached hereto and by this reference made a part hereof. On State Street, the developer will install sidewalks within the existing City right-of-way on each side of the street between 16th and 14th Streets, including a grass buffer at the curb, not to exceed 3 feet wide including the curb, and a sidewalk five feet in width on the east side of the street, and six feet on the west side of the street. The developer will narrow State Street between 16th and 14th Streets to a width of 32 feet, curb to curb. If requested by the residents of State Street and approved by the City, the developer will pay for the installation of four speed humps on State Street between 16th and 14th Streets. In determining whether the requisite percentage of homeowners of State Street between 16th and 14th Streets desires the installation of speed humps, if Atlantic Station is the owner of properties on State Street at the time of petition, Atlantic Station will sign on behalf of such properties with the majority of other homeowners. Within two months after the opening of the streets and annually thereafter, the developer shall hire a recognized traffic engineering firm to conduct a traffic survey of State Street, monitoring a 24-hour normal weekday period, taken on a non-holiday workday between Monday and Friday, inclusive. This survey shall be undertaken at the expense of the developer. The developer will provide the results of each such traffic survey to the Home Park Community Improvement Association and the City within ten days of completion for review, and will at the same time make the results available to the Home Park neighborhood and to the general public. In the event the results of any such survey show that traffic exceeds a reasonable threshold on State Street, then the developer or its successor shall install a traffic triangle or island on the south leg of the State Street/16th Street intersection to create a right-in only turn onto State Street from 16th Street, and a right-out only turn onto 16th Street eastbound, from State Street. A "reasonable threshold" is defined for the purposes of this condition as a volume of 3,700 AADT or a peak period threshold of 1,000 vehicles per hour. In the event a majority of residents on State Street living between 16th and 14th Streets requests in writing that the City conduct a traffic volume survey at any other time (between the studies conducted as provided above), the developer will not oppose such additional survey but will not be responsible for the cost thereof. The developer will submit plans to the City for all improvements within 60 days after approval of this condition by the Atlanta City Council and will complete such improvements within 90 days after issuance of all necessary permits by the City. The traffic triangle/island will be installed on a similar schedule if and when it is warranted as provided above. The developer will also work with the City of Atlanta and the Long Heights community to address traffic issues caused by the Atlantic Station development affecting that neighborhood.

Exhibit A
page 1 of 2

Z-04-41/
Z-97-58



RCS# 5870
7/06/04
2:57 PM

Atlanta City Council

Regular Session

MULTIPLE

03-O-1993 04-O-0906 04-O-0907

ADOPT ON SUB

YEAS: 10
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 5
EXCUSED: 0
ABSENT 0

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

MULTIPLE

04-0-0906

(Do Not Write Above This Line)

An Ordinance Z-04-41/Z-97-58
by: Zoning Committee

An Ordinance to Amend Ordinance Z-97-58 (98-0-0080), adopted as amended by City Council April 6, 1998 and Approved by the Mayor April 13, 1998, Rezoning from the I-2 (Heavy Industrial) District to the C-4-C (Central Area Commercial Residential - Conditional) District, Property located at 1300 Mecaslin St. NW for the Purpose of Approving a Change of Conditions
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Council Districts 2 & 3

ADOPTED BY

JUL 06 2004

COUNCIL

substitute

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

Date Referred 5/17/2004
Referred To: ZBI Zoning

First Reading

Committee
Date
Chair

Committee

Date

Chair

Actions

Fav, Adv, Held (see rev. side)

Others

Members

Refer To

Committee

Date

Chair

Actions

Fav, Adv, Held (see rev. side)

Others

Members

Refer To

Committee
Date
Chair

Committee

Date

Chair

Actions

Fav, Adv, Held (see rev. side)

Others

Members

Refer To

Committee

Date

Chair

Actions

Fav, Adv, Held (see rev. side)

Others

Members

Refer To

COUNCIL ACTION

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

CERTIFIED

6
COUNCIL PRESIDENT

MAYOR'S ACTION

APPROVED
MAYOR