



City Council  
Atlanta, Georgia

04-0-1301

AN ORDINANCE  
BY: ZONING COMMITTEE

Z-04-72  
6-8-04

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, Georgia be amended and the maps established in connection therewith be changed so that the following property located at **Phipps Boulevard, N.E./Lenox Road, N.E.** be changed from the **R-3 (Single-Family Residential)** District to the **PD-H (Planned Development-Housing)** District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot **44/45** of the **17th** District of **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, "PD 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 That all ordinances or parts of ordinances that are in conflict with the terms of this ordinance are hereby repealed.

A true copy,

*Rhonda Daughin Johnson*  
Municipal Clerk, CMC

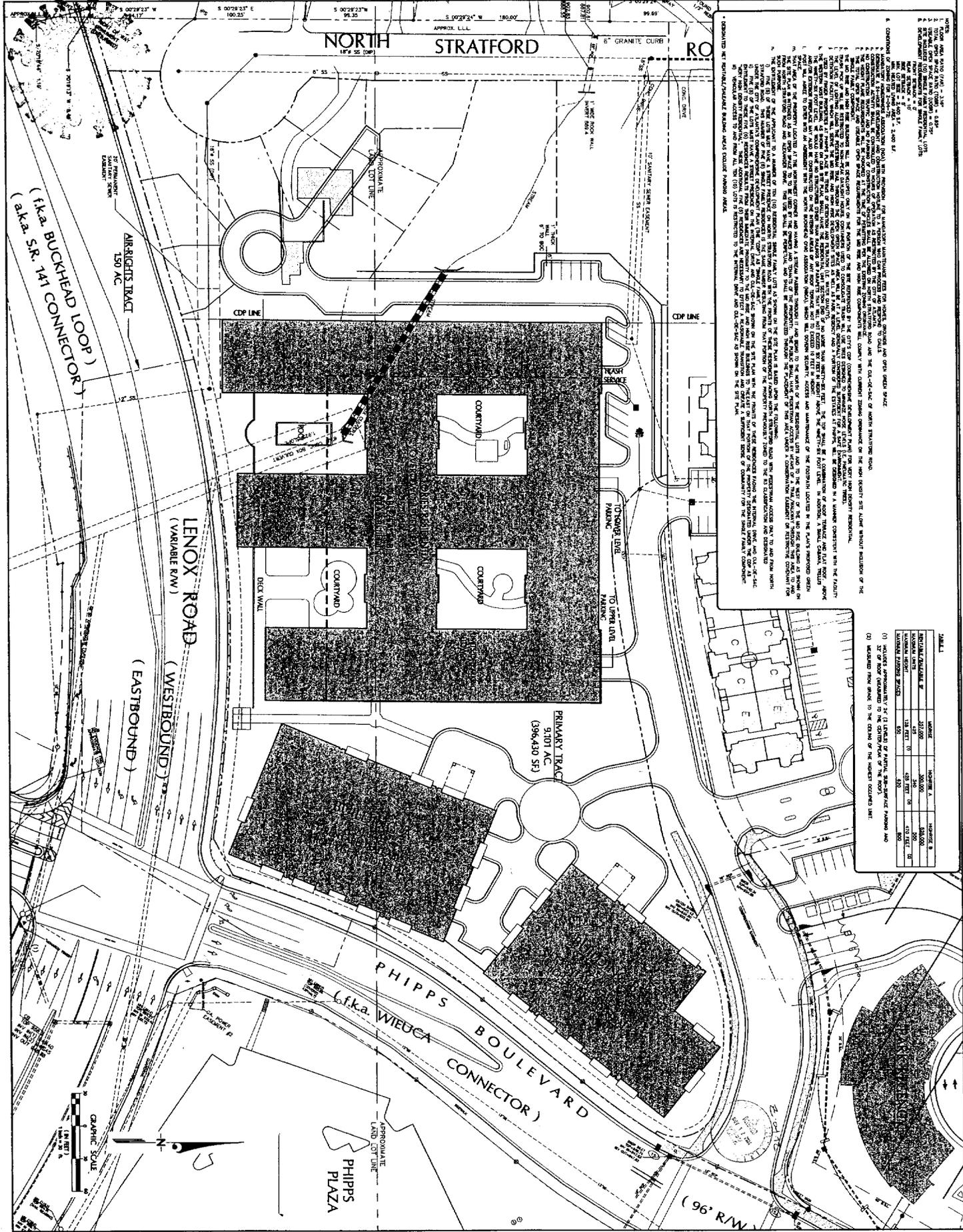
ADOPTED as amended by the Council  
APPROVED by the Mayor

DEC 06, 2004  
DEC 10, 2004



**Conditions for Z-04-72**  
**3595 & 3605 N. Stratford Road and 3751 (rear) N. Stratford Road, N.E.**

1. Site plan entitled "ALEXANDER TRACT" last revised 11-29-04, prepared by Long Engineering, Inc. and marked received by the Bureau of Planning November 29, 2004.
2. Maximum number of multi-family residential units shall be 1,315
3. No more than six (6) single-family homes shall be constructed on the area of the property with a land use of Single-Family Residential which is the area west of the CDP line shown on the site plan and fronting on N. Stratford Road.
4. No stand alone commercial uses shall be allowed in the multi-family buildings.



1. THE DEVELOPER HAS OBTAINED ALL NECESSARY PERMITS FROM THE CITY OF ATLANTA AND FROM OTHER AGENCIES.

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TABLE

APPROXIMATE # OF UNITS	APPROXIMATE # OF UNITS	APPROXIMATE # OF UNITS	APPROXIMATE # OF UNITS
100	200	300	400
500	1000	1500	2000
2500	5000	7500	10000
15000	30000	45000	60000
75000	150000	225000	300000
375000	750000	1125000	1500000
1875000	3750000	5625000	7500000
9375000	18750000	28125000	37500000
46875000	93750000	140625000	187500000
234375000	468750000	703125000	937500000
1171875000	2343750000	3515625000	4687500000
5859375000	11718750000	17578125000	23437500000
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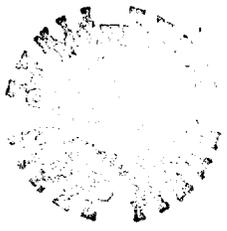


EXHIBIT B

Legal Description

ALL THAT TRACT OR PARCEL of land lying and being in the City of Atlanta, in Land Lots 44 and 45 of the 17th District of Fulton County, Georgia, and being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING, commence at an iron pin found on the southerly right-of-way line of Longleaf Drive (50-foot right-of-way), which iron pin found is located North 85 degrees 48 minutes 28 seconds East, as measured along said southerly right-of-way line of Longleaf Drive, a distance of 225.00 Feet from the intersection of said southerly right-of-way line of Longleaf Drive with the easterly right-of-way line of North Stratford Road (50-foot right-of-way); Thence running South 00 degrees 37 minutes 54 seconds West, and leaving said right-of-way line of Longleaf Drive, a distance of 738.80 Feet to an iron pin found, said iron pin found being the TRUE POINT OF BEGINNING; FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED, Thence running South 00 degrees 37 minutes 54 seconds West a distance of 53.00 Feet to a point; Thence running South 89 degrees 14 minutes 25 seconds East a distance of 108.00 Feet to a point; Thence running northeasterly and following a curve to the left with a radius of 1,029.31 Feet, a chord bearing of North 88 degrees 11 minutes 31 seconds East, and a chord distance of 92.34 Feet, an arc length of 92.37 Feet to a point;

Thence running northeasterly and following a curve to the left with a radius of 1029.31 feet, a chord bearing of North 79 degrees 53 minutes 46 seconds East, and a chord distance of 205.19 feet, an arc length of 205.53 feet to a point; Thence running North 74 degrees 10 minutes 38 seconds East a distance of 121.94 Feet to a point; Thence running southeasterly and following a curve to the right with a radius of 339.24 Feet, a chord bearing of South 85 degrees 08 minutes 18 seconds East, and a chord distance of 239.67 Feet, an arc length of 244.95 Feet to a point;

Thence running southeasterly and following a curve to the right with a radius of 339.24 feet, a chord bearing of South 63 degrees 57 minutes 49 seconds East, and a chord distance of 5.27 feet, an arc length of 5.27 feet to a point; Thence running North 54 degrees 34 minutes 51 seconds East a distance of 84.00 Feet to an iron pin found; Thence running South 09 degrees 41 minutes 00 seconds West a distance of 102.09 Feet to an iron pin placed; Thence running South 51 degrees 32 minutes 38 seconds West a distance of 224.55 Feet to an iron pin found; Thence running South 20 degrees 46 minutes 56 seconds West a distance of 122.90 Feet to a point on the right-of-way line of Buckhead Loop (a variable width right-of-way); Thence running along the northerly right-of-way line of Buckhead Loop North 69 degrees 04 minutes 26 seconds West a distance of 45.74 Feet to a point; Thence running along the northerly right-of-way line of Buckhead Loop South 20 degrees 56 minutes 24 seconds West a distance of 100.00 Feet to a point; Thence running along the northerly right-of-way line of Buckhead Loop South 20 degrees 24 minutes 48 seconds West a distance of 17.73 Feet to a point; Thence running along the northerly right-of-way line of Buckhead Loop South 62 degrees 52 minutes 24 seconds West a distance of 3 8.07 Feet to a point; Thence running along the northerly right-of-way, line of Buckhead Loop and following a curve to the left with a radius of 1,029.93 Feet, a chord bearing of North 81 degrees 44 minutes 49 seconds West, and a chord distance of 77.90 Feet, an arc length of 77.92 Feet to a point; Thence running along the northerly right-of-way line of Buckhead Loop and following a curve to the left with a radius of 1,024.93 Feet,, a chord bearing

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of North 88 degrees 47 minutes 24 seconds West, and a chord distance of 200.82 Feet, an arc length of 201.15 Feet to a point; Thence running along the northerly right-of-way line of Buckhead Loop and following a curve to the left with a radius of 1,024.93 Feet, a chord bearing of South 79 degrees 20 minutes 25 seconds West, and a chord distance of 223.07 feet, an arc length of 223.51 feet to a point; Thence running along the northerly right-of-way line of Buckhead Loop South 74 degrees 28 minutes 47 seconds West 221.33 Feet to a point; Thence running along the northerly right-of-way line of Buckhead Loop North 01 degree 18 minutes 34 seconds East a distance of 48.21 Feet to a point on the southerly right-of-way line of North Stratford Road; Thence running along the southerly and easterly right-of-way line of North Stratford Road and following a curve to the left with a radius of 62.00 Feet, a chord bearing of North 08 degrees 13 minutes 34 seconds East, and a chord distance of 123.29 Feet, an arc length of 208.06 Feet to a point; Thence running along the northeasterly right-of-way line of North Stratford Road North 45 degrees 44 minutes 46 seconds West a distance of 18.83 Feet to a point; Thence running along the easterly right-of-way line of North Stratford Road North 02 degrees 51 minutes 27 seconds East a distance of 58.19 Feet to an iron pin found; Thence running along the easterly right-of-way line of North Stratford Road North 00 degrees 16 minutes 28 seconds East a distance of 269.01 Feet to an iron pin placed; Thence running South 89 degrees 14 minutes 25 seconds East, and leaving the easterly right-of-way line of North Stratford Road, a distance of 225.06 Feet to the iron pin found at the TRUE POINT OF BEGINNING, being shown as . 8.29556 aggregate acres on Boundary Survey for "The Sterling Group, Inc., Pope & Land Enterprises, Inc., TAP Associates, LP and Ticor Title Insurance Company," prepared by Woolley & Associates, Inc., under the seal and certification of James W. Woolley, Georgia Registered Land Surveyor No. 1478, dated August 6, 1990, last revised September 12, 1996.

LESS AND EXCEPT from the above-described tract of land those portions thereof located within the publicly dedicated right-of-way of Phipps Boulevard (f/k/a Wieuca Connector).

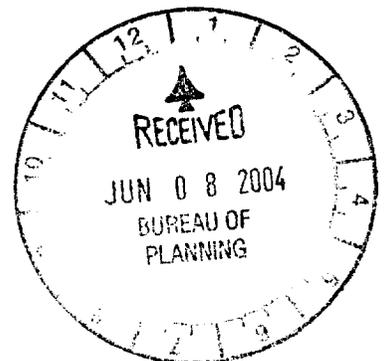
TOGETHER WITH: the above-described tract of land that portion thereof located within a private roadway, said roadway being more particularly described as follows:

ALL THAT TRACT OR PARCEL of land lying and being in the City of Atlanta, in Land Lot 44 of the 17th District, Fulton County, Georgia, arid being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING of the tract of land herein described, commence at the intersection of the eastern right-of-way line of North Stratford Road (50-foot right-of-way) with the southern right-of-way line of Longleaf Drive (50-foot right-of-way); running thence along said right-of-way line of Longleaf Drive, north 85 degrees 54 minutes 39 seconds east a distance of 224.75 feet to a point; thence leaving the-southern right-of-way, line of Longleaf Drive, and running south 00 degrees 33 minutes 32 seconds west a distance of 181.54 feet to a 1/2-inch rebar; running thence south 00 degrees 32 minutes 38 seconds west a distance of 559.59 feet to a 1/2-inch rebar; running thence south 89 degrees 27 minutes 39 seconds east a distance of 128.86 feet to an iron pin set; running thence south 89 degrees 29 minutes 10 seconds east a distance of 10.79 feet to a point located on the northern right-of-way line of a Private Roadway Tract (right-of-way width varies), said point being the TRUE POINT OF BEGINNING; FROM THE TRUE POINT OF BEGINNING thus established, running thence along said right-of-way

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line the following courses and distances: south 89 degrees 29 minutes 10 seconds east 6.32 feet to an iron pin set; northeasterly along the arc of a curve to the left, said arc being subtended by a chord line having a bearing of north 84 degrees 38 minutes 35 seconds east and a length of 165.96 feet, said curve having a radius of 811.60 feet, an arc distance of 166.25 feet to an iron pin set; north 78 degrees 46 minutes 22 seconds east 112.05 feet to an iron pin set; northeasterly along the arc of a curve to the left, said arc being subtended by a chord line having a bearing of north 65 degrees 31 minutes 56 seconds east and a length of 76.49 feet, said curve having a radius of 167.00 feet, an arc distance of 77.18 feet to an iron pin set; along an offset in said right-of-way line, north 14 degrees 06 minutes 39 seconds west 4.35 feet; north 52 degrees 48 minutes 03 seconds east 55.37 feet to a point; northeasterly along the arc of a curve to the right, said arc being subtended by a chord line having a bearing of north 89 degrees 20 minutes 53 seconds east and a length of 232.15 feet, said curve having a radius of 272.00 feet, an arc distance of 239.84 feet to a point; northeasterly along the arc of a curve to the left, said arc being subtended by a chord line having a bearing of north 69 degrees 58 minutes 36 seconds east and a length of 50.59 feet, said curve having a radius of 36.00 feet, an arc distance of 56.09 feet to a point; and south 64 degrees 38 minutes 38 seconds east 4.00 feet to a brass cap found at the intersection of the northern right-of-way line of the Private Roadway Tract with the northwestern right-of-way line of Phipps Boulevard (right-of-way width varies); running thence along said right-of-way line of Phipps Boulevard, south 25 degrees 21 minutes 22 seconds west a distance of 92.09 feet to a brass cap found; continuing thence along said right-of-way line, south 28 degrees 31 minutes 51 seconds west a distance of 64.58 feet to a point located at the intersection of the southerly right-of-way line of the Private Roadway Tract with the northwestern right-of-way line of Phipps Boulevard; thence leaving the northwestern right-of-way line of Phipps Boulevard, and running along said southerly right-of-way line of the Private Roadway Tract the following courses and distances: north 58 degrees 17 minutes 39 seconds west 3.00 feet; northwesterly along the arc of a curve to the left, said arc being subtended by a chord line having a bearing of north 17 degrees 49 minutes 09 seconds west and a length of 56.29 feet, said curve having a radius of 37.00 feet, an arc distance of 63.96 feet to a point; southwestly along the arc of a curve to the left, said arc being subtended by a chord line having a bearing of south 88 degrees 22 minutes 19 seconds west and a length of 158.75 feet, said curve having a radius of 193.00 feet, an arc distance of 163.61 feet to a point; south 64 degrees 05 minutes 12 seconds west 63.39 feet to a point; southwestly along the arc of a curve to the right, said arc being subtended by a chord line having a bearing of south 71 degrees 25 minutes 47 seconds west and a length of 51.89 feet, said curve having a radius of 203.00 feet, an arc distance of 52.03 feet to a point; south 78 degrees 46 minutes 22 seconds west 143.33 feet to a point; southwestly along the arc of a curve to the right, said arc being subtended by a chord line having a bearing of south 82 degrees 27 minutes 46 seconds west and a length of 111.25 feet, said curve having a radius of 864.30 feet, an arc distance of 111.33 feet to a point; and northwesterly along the arc of a curve to the right, said arc being subtended by a chord line having a bearing of north 54 degrees 27 minutes 31 seconds west and a length of 87.98 feet, said curve having a radius of 69.32 feet, an arc distance of 95.31 feet to a point, said point being the TRUE POINT OF BEGINNING; according to ALTA/ACSM Land Title Survey for "Estates at Phipps Limited Partnership, Lawyers Title Insurance, and New York Life Insurance Co.," dated May 31, 1996, revised June 5, 1996, prepared by Post, Buckley, Schuh & Jemigan, Inc., under the seal and certification of Julian D. Grace, Georgia Registered Land Surveyor No. 2679; said tract of land containing 0.9967 acre (43,417 square feet) and designated as "Proposed Roadway Tract" according to said survey, which survey is incorporated herein by reference.

2-04-72



RCS# 6314  
12/06/04  
5:30 PM

Atlanta City Council

Regular Session

MULTIPLE

04-O-1830 04-O-1840 04-O-1132 04-O-1406  
04-O-1641 04-O-1849 04-O-1301, 1410 1839  
ADOPT AS AMEND

YEAS: 11  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 5  
EXCUSED: 0  
ABSENT 0

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

MULTIPLE

**04-0-1301**  
 (Do Not Write Above This Line)

AN ORDINANCE Z-04-72  
 BY: ZONING COMMITTEE

AN ORDINANCE TO REZONE FROM THE R-3 (SINGLE-FAMILY RESIDENTIAL) DISTRICT TO THE PD-H (PLANNED DEVELOPMENT-HOUSING) DISTRICT, PROPERTY LOCATED AT PHIPPS BOULEVARD, N.E./LENOX ROAD, N.E., FRONTING APPROXIMATELY 503.89 FEET ON THE NORTHWESTERLY SIDE OF PHIPPS BOULEVARD BEGINNING AT THE NORTHWEST CORNER OF LENOX ROAD (FORMERLY KNOWN AS THE BUCKHEAD LOOP). DEPTH: VARIES; AREA: APPROXIMATELY 9.1 ACRES; LAND LOTS 44 AND 45, 17<sup>TH</sup> DISTRICT, FULTON COUNTY, GEORGIA.  
 OWNER: TAP ASSOCIATES, L.P.  
 APPLICANT: FINGER DEVELOPMENT COMPANY  
 BY: NATHAN V. HENDRICKS III, ESQ  
 NP-U-B COUNCIL DISTRICT 7

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

Date Referred: 7/19/2004  
 Referred To: Zoning

Date Referred: \_\_\_\_\_  
 Referred To: \_\_\_\_\_

Date Referred: \_\_\_\_\_  
 Referred To: DEC 06 2004

First Reading  
 Committee: Zoning  
 Date: 7/19/2004  
 Chair: Nathan V. Hendricks III  
 Referred To: Zoning

Committee: Zoning  
 Date: 7/19/2004  
 Chair: Nathan V. Hendricks III  
 Action: AS Adopted  
 Fav, Adv, Hold (see rev. side)  
 Members: Nathan V. Hendricks III, Esq., Nathan V. Hendricks III, Esq., Nathan V. Hendricks III, Esq.

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

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

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

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

CERTIFIED  
 DEC 06 2004  
 ATLANTA CITY COUNCIL MEMORANDUM  
 Nathan V. Hendricks III

MAYOR'S ACTION  
 APPROVED  
 Nathan V. Hendricks III  
 DEC 10 2004  
 MAYOR

COUNCIL