

CITY COUNCIL  
ATLANTA, GEORGIA  
Municipal Clerk  
Atlanta, Georgia

**04- 0 -1841**

**AN AMENDED ORDINANCE  
BY ZONING COMMITTEE**

Z-04-109/Z-84-71  
Date Filed: 9-13-04

AN ORDINANCE TO AMEND ORDINANCE Z-84-71 WHICH REZONED PROPERTY FROM THE RG-2 (RESIDENTIAL GENERAL-SECTOR 2) DISTRICT TO THE RG-3-C (RESIDENTIAL GENERAL-SECTOR 3-CONDITIONAL) DISTRICT FOR THE PURPOSE OF A SITE PLAN AMENDMENT PROPERTY LOCATED AT 2289 VIRGINIA PLACE , N.E. AND FOR OTHER PURPOSES.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS:

SECTION 1. That the previously approved site plan be substituted with a new plan:

ALL THAT TRACT or parcel of land lying and being in Land Lot 102 of the 17<sup>th</sup> District, County, Georgia, being more particularly described by the attached legal description.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

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 That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.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 Daughin Johnson*  
Municipal Clerk, CMC

ADOPTED as amended by Council  
APPROVED by the Mayor

March 21, 2005  
March 25, 2005



**Conditions for Z-04-109/Z-84-71  
For  
2289 Virginia Place, N.E.**

1. Conditioned on site plan titled "Peachtree Hills Apartments Redevelopment Plan", dated December 7, 2004 and marked received by the Bureau of Planning on January 22, 2005.
2. The park on the corner of Virginia and Peachtree Hills Avenue, the three Parks along the north side of Peachtree Hills Avenue and the Nature Trail located in the conversation easement area are intended for public use.
3. All utilities on site shall be underground. Public utilities in the R/W may be above ground.
4. The Health Care building shall be limited to 36 units (36 beds).
5. Activities in the conversation easement area shall be limited to walking trails, viewing decks on patios, fencing, and related amenities and certain storm and/or sanitary sewer lines, detention areas, and other utilities in connection with the initial construction of the CCRC that may need to be located in such area as is reasonably necessary for construction and operation of the CCRC.
6. Independent living units per tract shall be limited to the numbers shown on the legend of this plan.
7. Building heights shall be limited to that shown on this plan. All building heights are from finished grade on at least one side with parking below except Tract II which may require parking at or partially below finished grade.
8. The Owner shall provide a community bulletin board kiosk in the park on the corner of Virginia Place and Peachtree Hills Avenue.
9. No walls or fences shall be constructed along the right-of-way except at points of entry for architectural and signage purposes. Gates may be permitted at the rear drive on parcel I and entry drives for parcels II and III as well as all parking area points of entry behind and under permitted. Fencing for mutual privacy or security along off street property lines may be permitted. The nature trail may be gated to allow it to close at dark in deemed necessary for safety and security.

2-04-109

**LEGAL DESCRIPTION TRACT II**

All that tract or parcel of land lying in Land Lot 102, 17th District, Fulton County, Georgia and being more particularly described as follows:

BEGINNING AT A POINT, said point being an iron pin set at the intersection of the easterly line of Land Lot 102 with the southerly margin of the right-of-way of Peachtree Hills Avenue (60 foot right-of-way); Thence running along the easterly line of Land Lot 102, South 00 degrees 22 minutes 53 seconds West, a distance of 860.25 feet to a 1 inch open top pipe found; Thence leaving said easterly line of Land Lot 102 and running South 61 degrees 06 minutes 04 seconds West, a distance of 476.59 feet to an iron pin set; Thence North 79 degrees 32 minutes 00 seconds West, a distance of 213.25 feet to a 1 inch open top pipe found; Thence North 51 degrees 52 minutes 55 seconds East, a distance of 119.88 feet to an iron pin set on the southerly margin of Kinsey Court (50 foot right-of-way); Thence running along the margin of the right-of-way of Kinsey Court along a curve to the left an arc distance of 141.61 feet (said arc being subtended by a chord bearing of South 88 degrees 14 minutes 40 seconds East, a chord distance of 110.96 feet and having a radius of 60.00 feet) to an iron pin set; Thence leaving said Kinsey Court and running North 82 degrees 55 minutes 12 seconds East, a distance of 152.57 feet to an iron pin set; Thence North 01 degrees 12 minutes 39 seconds East, a distance of 122.90 feet to an iron pin set; Thence North 55 degrees 23 minutes 58 seconds West, a distance of 249.17 feet to a 5/8 inch reinforcing rod found; Thence South 88 degrees 11 minutes 18 seconds West, a distance of 31.87 feet to a 5/8 inch reinforcing rod found; Thence North 89 degrees 32 minutes 54 seconds West, a distance of 105.88 feet to a 1/2 inch reinforcing rod found; Thence North 89 degrees 42 minutes 19 seconds West, a distance of 228.96 feet to a 1/2 inch clamp top pipe found; Thence South 89 degrees 30 minutes 03 seconds West, a distance of 74.78 feet to a 1/2 inch open top pipe found on the easterly margin of the right-of-way of Virginia Place (50 foot right-of-way); Thence running along the easterly margin of the right-of-way of Virginia Place the following courses and distances: North 00 degrees 40 minutes 50 seconds East, a distance of 602.18 feet to an iron pin set; Thence along a curve to the right an arc distance of 157.96 feet (said arc being subtended by a chord bearing of North 45 degrees 29 minutes 27 seconds East, a chord distance of 142.35 feet and having a radius of 101.00 feet) to an iron pin set at the intersection of the southeasterly margin of Virginia Place with the southerly margin of the right-of-way of Peachtree Hills Avenue; Thence running along the southerly margin of the right-of-way of Peachtree Hills Avenue, South 89 degrees 42 minutes 04 seconds East, a distance of 811.37 feet to an iron pin set on the easterly line of Land Lot 102 and the TRUE POINT OF BEGINNING.

Said tract or parcel of land containing 16.992 acres.

**Spannoster**  
**Associates, inc.**  
 Engineering & Development Consultants  
 Planners Engineers Landscape Architects  
 275 VILLAGE PARKWAY  
 MARIETTA, GA 30067  
 770-955-2421

**LEGAL DESCRIPTION TRACT I**

DRAWN BY APR
CHECKED BY JL
DATE 07-08-04
SCALE NONE
JOB NO. 03063
CAD FILE 3063LEGAL
PLOT DATE 07-08-04

**PARK SPRINGS II**

L.L. 102, 17th DISTRICT, FULTON COUNTY, GEORGIA

Isakson Barnhart  
25 Technology Parkway South #201  
Norcross, Georgia 30092  
770-417-1788

**Tract II - Single-Story Residential:**

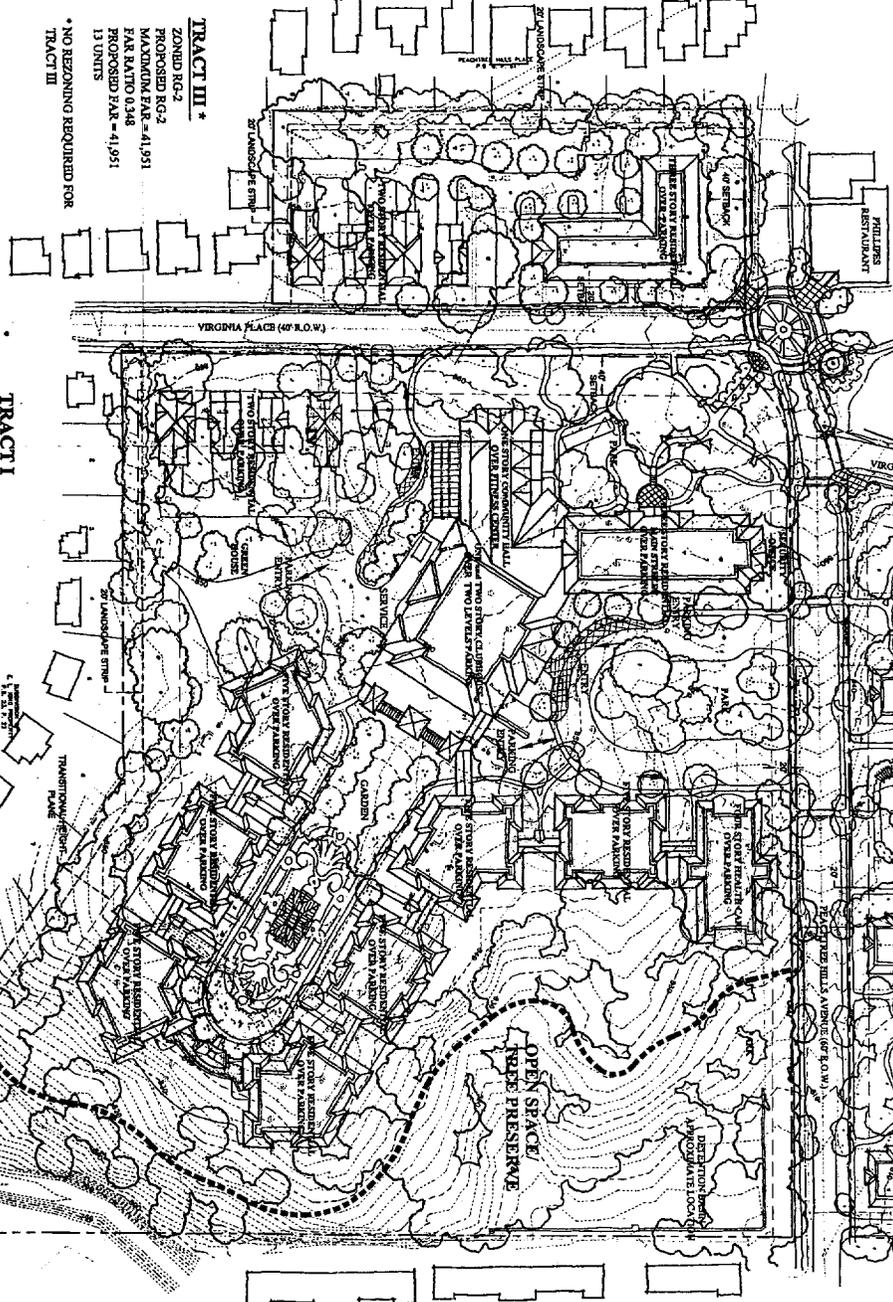
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 100. Proposed Zoning: RG-2 & R-4

**E-64-109**  
**2-64-110**  
**U-04-23**

**TRACT II**  
 EXISTING ZONING: RG-2  
 PROPOSED ZONING: RG-3  
 MAXIMUM FAR ALLOWED = 141,529.94 SQ. FT.  
 FAR RATIO = 0.696  
 PROPOSED FAR = 141,529 SQ. FT.  
 44 UNITS

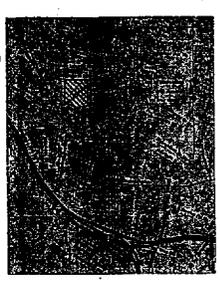
**Tract II - Other Area Specifications:**

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**TRACT III \***  
 ZONED RG-2  
 PROPOSED RG-2  
 MAXIMUM FAR = 41,951  
 FAR RATIO 0.348  
 PROPOSED FAR = 41,951  
 13 UNITS  
 \* NO REZONING REQUIRED FOR TRACT III

**TRACT I**  
 EXISTING ZONING: RG-3-C & R-4  
 PROPOSED ZONING: RG-3-C & R-4  
 MAXIMUM FAR ALLOWED = 522,790.7 SF.  
 FAR RATIO = 0.696  
 PROPOSED FAR = 522,790.7 SF.  
 247 UNITS



**LOCATION MAP**  
 NOT TO SCALE

**Peachtree Hills Apts.**  
 Redevelopment Plan  
 2278 Peachtree Ave NE  
 Atlanta, GA 30305

**FOLEY DESIGN ARCHITECTS ASSOCIATES INC.**  
 1155 Peachtree Street, N.W., Suite 1200  
 Atlanta, Georgia 30304  
 Tel: (404) 525-1200

DATE: 11/11/03  
 DRAWN: C. 441  
 CHECKED: C. 441  
 SCALE: AS SHOWN

ZP-01

RCS# 6568  
3/21/05  
2:41 PM

Atlanta City Council

Regular Session

MULTIPLE

04-O-1640,Z-04-93 04-O-1841,Z-04-109/  
04-O-1843,Z-04-110 04-O-1842,U-04-23  
ADOPT AS AMEND

YEAS: 12  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 1  
ABSENT 2

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

MULTIPLE

**04-0-1841**

(Do Not Write Above This Line)

AN ORDINANCE Z-04-109/Z-84-71  
BY: ZONING COMMITTEE

An Ordinance to amend Ordinance Z-84-71, as amended, adopted by City Council October 1, 1984 and approved by the Mayor October 3, 1984 rezoning from the RG-2 (Residential General-Sector 2) District to the RG-3-C (Residential General-Sector 3-Conditional) District, property located at **2289 Virginia Place, N.E.** for the purpose of approving a revised site plan and for other purposes. Land Lot 102, 17<sup>th</sup> District, Fulton County, Georgia

OWNER: PEACHTREE HILLS  
APARTMENT CORP.  
APPLICANT: ISAKSON/BARNHART  
DEVELOPMENT CO., LLC  
BY: LARRY M. DINGLE, ESQ.  
NPU-B COUNCIL DISTRICT 7

*AD-04-01-0350*

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

Date Referred 10-18-2004

Referred To: ZRB & Zoning

Date Referred

Referred To: **ADOPTED BY**

Date Referred

MAR 2 1 2005

Referred To:

**COUNCIL**

First Reading  
 Committee Zoning  
 Date 10/13/2004  
 Chair [Signature]  
 Referred To ZRB & Zoning

Committee

Date

Chair

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

Other

Members

Refer To

Members  
 [Signatures]  
 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

MAR 2 1 2005

*[Faint stamp]*

MAYOR'S ACTION

*[Signature]*