

COMMITTEE AMENDMENT FORM

DATE: 1/29/08

COMMITTEE	<u>CITY UTILITIES</u>	PAGE NUM. (S) <u>1 & 2</u>
ORDINANCE I. D.	<u>#08-O-0203</u>	SECTION (S) <u>1 & 5</u>
RESOLUTION I. D.	<u>#08-R-</u>	PARA. CAPTION

AMENDS THE LEGISLATION BY DELETING 2494 HOGAN ROAD WHEREVER IT APPEARS IN THE LEGISLATION AND REPLACE IT WITH 3494 HOGAN ROAD.

THE LEGISLATION IS FURTHER AMENDED TO CORRECT THE SECTION NUMBERS BY INSERTING SECTION 5 IN BETWEEN SECTIONS 4 AND 6.

AMENDMENT DONE BY COUNCIL STAFF 1/29/08

AN ORDINANCE

08-O-0203

BY COUNCILMEMBER JIM MADDOX

AS AMENDED BY CITY UTILITIES COMMITTEE

AUTHORIZING THE MAYOR OR HER DESIGNEE TO WAIVE THE SIDEWALK REQUIREMENTS OF SECTION 15-09.003 OF THE CITY OF ATLANTA CODE OF ORDINANCES, TO PROVIDE THAT A CERTAIN SUBDIVISION SD-07-26 (3494 HOGAN ROAD, S.W.) APPLICANT DEPOSIT A DOLLAR AMOUNT (\$14,617.00) EQUAL TO THE VALUE OF THE REQUIRED SIDEWALK CONSTRUCTION INTO A DESIGNATED TRUST FUND ACCOUNT FOR DISTRICT 11; AND FOR OTHER PURPOSES.

WHEREAS, pursuant to the application for the subdivision of land submitted by the developer, in compliance with the provisions of Section 15-09.003 to provide sidewalks on both sides of existing as well as proposed street; and

WHEREAS, the construction of sidewalks along the frontage of this subdivision would adversely affect the appearance and character of the neighborhood due to the lack of any existing sidewalks on the streets that contain the proposed subdivided lots to which the sidewalks could connect; and

WHEREAS, the City and area residents would be better served by the construction of sidewalks and pedestrian improvements in the area of said subdivision within District 11.

NOW, THEREFORE, BE AND IT IS HEREBY ORDNANIED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:

SECTION 1: The requirements of Section 15-09.003 of the City of Atlanta Code of Ordinance, which requires that applications for subdivision of land provide sidewalks, are hereby waived for Subdivision SD-07-26 (3494 Hogan Road, S.W.).

SECTION 2: That the waiver of said requirements for the aforementioned application are conditioned upon the agreement of the applicant to pay to the City of Atlanta a dollar amount equal to the value of construction (\$14,617.00) of said sidewalks as required by Section 15-09.003 and as determined by the Commissioner of Department of Public Works.

SECTION 3: That before the Director of Bureau of Buildings issues any building permit for construction within the subdivision sited above, said funds (\$14,617.00) shall be deposited into Trust Fund Account 3P02 424101 Y63T19059999, to be used for pedestrian improvements and sidewalk construction only in Council District 11.

SECTION 4: That in the event the applicant withdraws the subdivision request this ordinance is void and of no further effect.

SECTION 5: That all other requirements of the Code of Ordinances for the subdivision sited above shall remain in full force and effect.

SECTION 6: That all ordinances and parts of ordinances in conflict herewith be and the same are hereby waived for this instance only

City Council
Atlanta, Georgia

**AN ORDINANCE
BY COUNCILMEMBER JIM MADDOX**

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WHEREAS, pursuant to the application for the subdivision of land submitted by the developer, in compliance with the provisions of Section 15-09.003 to provide sidewalks on both sides of existing as well as proposed street; and

WHEREAS, the construction of sidewalks along the frontage of this subdivision would adversely affect the appearance and character of the neighborhood due to the lack of any existing sidewalks on the streets that contain the proposed subdivided lots to which the sidewalks could connect; and

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SECTION 3: That before the Director of Bureau of Buildings issues any building permit for construction within the subdivision sited above, paid funds (\$14,617.00) shall be deposited into Trust Fund Account 3P02 424101 Y63T19059999, to be used for pedestrian improvements and sidewalk construction only in Council District 11.

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CITY OF ATLANTA

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DEPARTMENT OF PUBLIC WORKS
DAVID E. SCOTT, P.E.
Commissioner

M E M O R A N D U M

DATE: November 15, 2007

TO: Nina E. Gentry, AICP
Bureau of Planning

FROM: Madelyn Grant , QOL Deputy Program Mgr.
Department of Public Works

RE: **Various Developers' Sidewalk Cost Estimates**

At your request, we have determined that the estimated developers' costs for sidewalks along the following location.

2256 Pryor Road	SD-07-33	\$ 5,531.00
3494 Hogan Road	SD-07-26	\$14,617.00

Work includes concrete sidewalk and curb construction fronting the listed properties. Please contact this office should you require any additional information.

MG/am

cc: *Sandra D. Jennings, P.E. Department of Public Works*
Femi Fayemi, Department of Public Works
Al Middleton, Department of Public Works
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