

AN ORDINANCE BY



08-0-2029

COUNCILMEMBER HOWARD SHOOK

AN ORDINANCE TO AMEND ORDINANCE 04-O-2031; TO AMEND THE DATE BY WHICH THE DEDICATION OF THE STREET MUST OCCUR; AND FOR OTHER PURPOSES

WHEREAS, in 1999-2001 the City of Atlanta, through the Bureau of Planning, worked with a task force of neighborhood residents and property owners in the Lindbergh/Piedmont area to prepare the Lindbergh Transit Station Area Development Study (the "Lindbergh Study"), which made recommendations for redevelopment of the Lindbergh area of northeast Atlanta; and

WHEREAS, to implement the recommendations of the Lindbergh Study, the City adopted Ordinance No. 01-0-0544 in July 2001 establishing a new zoning district, SPI-15-Lindbergh District Regulations; and

Whereas, the stated intent and purpose of the SPI-15 district includes the goals of retrofitting the existing automobile-oriented commercial strip into a transit and pedestrian-oriented mixed use and multi-family urban neighborhood and creating a grid of streets to improve access and reduce congestion; and

WHEREAS, the Subarea 8 Master Plan Map depicting a plan for redevelopment of the Lindbergh Residential District was adopted as part of the SPI-15 Ordinance (the "Master Plan Map"); and

WHEREAS, Northmoor Associates, Ltd. ("Northmoor") owns certain properties located within the Subarea 8 Lindbergh Residential District that are currently developed with apartment buildings (the "Northmoor Properties"); and

WHEREAS, the Master Plan Map calls for redevelopment of Subarea 8, including the Northmoor Properties, and reconfiguration of the existing streets to create a new grid of streets; and

WHEREAS, in order to make this redevelopment and street reconstruction possible, Northmoor petitioned the City to abandon the existing streets so that the Northmoor Properties could be redeveloped in a coordinated and comprehensive manner in accordance with the Master Plan Map; and

WHEREAS, by Ordinance 03-O-1652, adopted by the City Council on November 3, 2003 and approved by the Mayor on November 10, 2003, the City authorized the abandonment of Morosgo Place, N. E. and Morosgo Way, N. E. to Northmoor as the abutting property owner, and

WHEREAS, Ordinance 04-0-2031, authorized the TRANSFER by quitclaim deed the subject property and the dedication of the new streets to the City, and

WHEREAS, Ordinance 04-0-2031, waived certain provisions of Section 2-1578 and 138-2 of the Code of Ordinances and required the payment of Fair Market Value of the parcels only if the dedication of the new streets did not occur before December 31, 2010.

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

Section 1. That the Section 6 of Ordinance 04-0-2031 be amended to change the date that the dedication must occur before from December 31, 2010 to December 31, 2015.

Section 2. That all the remaining sections of Ordinance 04-O-2031 remain in full force and effect.

Section 3. That all code sections, ordinance and part of code section or ordinances in conflict with this ordinance are hereby waived to the extent of the conflict for the purposes of this ordinance and this ordinance only.

#4

08-0-2029

(Do Not Write Above This Line)

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COUNCILMEMBER HOWARD SHOOK

Handwritten initials/signature

AN ORDINANCE TO AMEND
ORDINANCE 04-0-2031; TO
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PURPOSES

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

Date Referred 10/6/08
 Referred To: City Oblivies
 Date Referred _____
 Referred To: _____
 Date Referred _____
 Referred To: _____

First Reading
 Committee _____
 Date _____
 Chair _____
 Referred To _____

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

Committee _____
 Date _____
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 Members _____

Refer To _____

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

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

Refer To _____

Refer To _____

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

CERTIFIED

MAYOR'S ACTION
