

10-0-0045

(Do Not Write Above This Line)

AN ORDINANCE  
BY ZONING COMMITTEE Z-09-45

An Ordinance to rezone property from R-4 (Single Family Residential) to C-1 (Community Business), property located at 1187 Hosea L. Williams, Drive, N.E., fronting approximately 50 feet on the south side of Hosea L. Williams Drive, beginning 90 feet from the southeast corner of Moreland Avenue. Depth: approximately 169.51 feet. Area: approximately 0.194 acre. Land Lot 208, 15<sup>th</sup> District, DeKalb County, Georgia.  
OWNER: SUGARMAN ABNEY DEVELOPMENT, LLC  
APPLICANT: ERIC J. KRONBERG  
NP U O  
COUNCIL DISTRICT 5  
AS AMENDED

ADOPTED BY  
MAY 03 2010  
COUNCIL

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

Date Referred 1/4/10

Referred To: ZRB+Zoning

Committee \_\_\_\_\_  
Date \_\_\_\_\_  
Chair \_\_\_\_\_

First Reading

Committee Zoning  
Date 2/8/2010  
Chair Eric J. Kronberg

Action: \_\_\_\_\_  
Fav, Adv, Held (see rev. side) \_\_\_\_\_  
Other: \_\_\_\_\_

Members AS Sugarmabney

Refer To \_\_\_\_\_

Committee \_\_\_\_\_  
Date \_\_\_\_\_  
Chair \_\_\_\_\_

Action: \_\_\_\_\_  
Fav, Adv, Held (see rev. side) \_\_\_\_\_  
Other: \_\_\_\_\_

Members \_\_\_\_\_

Refer To \_\_\_\_\_

Committee \_\_\_\_\_  
Date \_\_\_\_\_  
Chair \_\_\_\_\_

Action: \_\_\_\_\_  
Fav, Adv, Held (see rev. side) \_\_\_\_\_  
Other: \_\_\_\_\_

Members \_\_\_\_\_

Refer To \_\_\_\_\_

COUNCIL ACTION

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

CERTIFIED

CERTIFIED  
MAY 03 2010

ATLANTA CITY COUNCIL PRESIDENT

*Eric J. Kronberg*

CERTIFIED  
MAY 03 2010

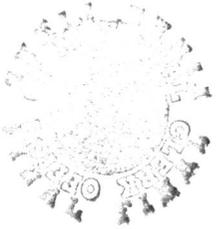
*Rachel Daughkin Johnson*  
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

MAY 11 2010

*Eric J. Kronberg*  
MAYOR



City Council  
Atlanta, Georgia

**10-O-0045**

AN AMENDED ORDINANCE  
BY: ZONING COMMITTEE

**Z-09-45**  
Date Filed: 11-10-09

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 be amended, and the maps established in connection therewith be changed so that the following property located at **10 Moreland Avenue, N.E. and 1187 Hosea L. Williams, Drive, N.E.** be changed from R-4 (Single Family Residential) to C-1-C (Community Business- Conditional), to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 208, 15<sup>th</sup> District, Dekalb County, Georgia being more particularly described by the attached legal description and/or survey.

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 suffix "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

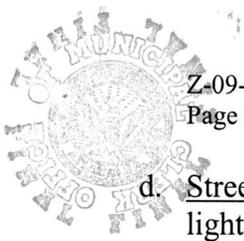
ADOPTED as amended by the Council  
APPROVED by Mayor Kasim Reed

MAY 03, 2010  
MAY 11, 2010



## Conditions for Z-09-45 for 10 Moreland Avenue, N.E. and 1187 Hosea Williams Drive, N.E.

- 1) Site Plan: A conceptual site plan similar to the plan prepared by Kronberg and stamped “received” by the Bureau of Planning on April 5, 2010. This site plan is conceptual and is not intended to prohibit application of parking layout requirements by the City of Atlanta’s Department of Public Works. In addition, no left turn movements into and out of the Moreland Avenue driveway shall be permitted. A variance/special exception will be required for a reduction in the number of queuing/stacking spaces required for the car wash as shown on the plan. The plan may also be modified to add additional parking provided on-site at such time as the car wash use is converted to another permitted use. Final site plan to be approved by the Bureau of Planning.
- 2) Landscape Plan: A conceptual landscape plan similar to the plan prepared by Kronberg Wall dated December 29, 2009 and stamped “received” by the Bureau of Planning on January 08, 2010 (the “Landscape Sketch”). This plan is conceptual and modifications are permitted as required by the City of Atlanta arborist. The requirements of City of Atlanta Code of Ordinances, Chapter 158 Vegetation, Article II Tree Protection, Section 30 Parking Lot Requirements shall apply to the entire parking lot regardless of size.
- 3) Building elevations: Conceptual building elevations similar to the drawings prepared by Kronberg Wall dated January 13, 2010 and stamped “received” by the Bureau of Planning on March 3, 2010. These elevations are conceptual and may be modified in terms of storefront fenestration, building entries, signage, canopies, and other limited modifications. Final building elevations to be approved by the Bureau of Planning.
- 4) Building materials: Exterior Insulation and Finish Systems (EIFS), clapboard, vinyl or hardiplank siding shall not be permitted.
- 5) Streetscape requirements along both street frontages:
  - a. Street furniture and tree planting zone: shall be located immediately adjacent to the curb and shall be continuous. Said zone shall have a minimum width of eight and one-half (8.5) feet along Moreland Avenue and five (5) feet along Hosea L. Williams.
  - b. Sidewalk clear zone: shall be located immediately contiguous to the street furniture and tree planting zone and shall be continuous. Said zone shall be hardscape, and shall be unobstructed for a minimum height of eight feet and for a minimum width of ten (10) feet along Moreland Avenue and six (6) feet along Hosea L. Williams tapering down to match the width of the adjacent sidewalk east of the driveway .
  - c. Street Trees: Street trees are required and shall be planted in the ground a maximum of 30 feet on center within the street furniture and tree planting zone and spaced equal distance between street lights. All newly planted trees shall be single-stem and have a minimum of three inches in caliper measured 36 inches above ground, shall be a minimum of 12 feet in height, shall have a minimum mature height of 40 feet (unless there are existing overhead utilities), and shall be limbed up to a minimum height of seven feet. Trees shall have a minimum planting area of 50 square feet. All plantings, planting replacement and planting removal shall be approved by the City Arborist. The area between required plantings shall either be planted with evergreen ground cover such as mondo grass or liriope spicata or shall be paved as approved by the Director of Planning.



- d. Street lights: a minimum of two street lights shall be required along both street frontages. Said light fixtures shall be a combination of the cobraheads painted black and the Atlanta Type "C" lights as approved by the Bureau of Planning.
  
- 6) Lighting of parking lot:
  - a. A minimum of two light poles shall be located in the parking area.
  - b. All lighting including that in the parking lot and any lit canopies shall reduce light spillage onto adjacent properties by providing cutoff luminaries that have a maximum 90 degree illumination.
  
- 7) Dumpster: shall be enclosed with opaque fencing or walls a minimum of seven (7) feet in height, so as not to be visible from the street or adjacent residential property.
  
- 8) Signage: any illuminated signage shall be lit only during the hours of operation for each business establishment.
  
- 9) Grease traps for future use of property: installation of grease traps shall be required and installed at the time of the initial building permit to enable the future conversion of the car wash use to an eating and drinking establishment.
  
- 10) Hours of operation of the semi-automatic car wash establishment: The car wash use shall be limited to the hours of 7am through 8pm, seven days a week.



# LEGAL DESCRIPTION

All that tract or parcel of land lying and being in the City of Atlanta, in Land Lot 208 of the 15th District of DeKalb County, Georgia, being Lot 3, Block "C", of the Moreland Heights Subdivision, according to plat recorded in Plat Book 8, Page 50, of the DeKalb County Records, and being more particularly described as follows:

COMMENCING at a point on the south side of Boulevard Drive, 100 feet east of the southeast corner of Boulevard Drive and Moreland Avenue, as measured along the south side of Boulevard Drive, and running thence easterly along the south side of Boulevard Drive, 50 feet to the northwest corner of Lot 4 of said Block and Subdivision; thence south along the west line of said Lot 4, 171 feet to the southwest corner of said Lot 4; thence westerly 50 feet to the southeast corner of Lot 2 of said Block and Subdivision; thence northerly along the east line of said Lot 2, 170.4 feet to the point of beginning; being improved property known as No. 1187 Boulevard Drive, S. E., according to the present system of numbering houses in the City of Atlanta.

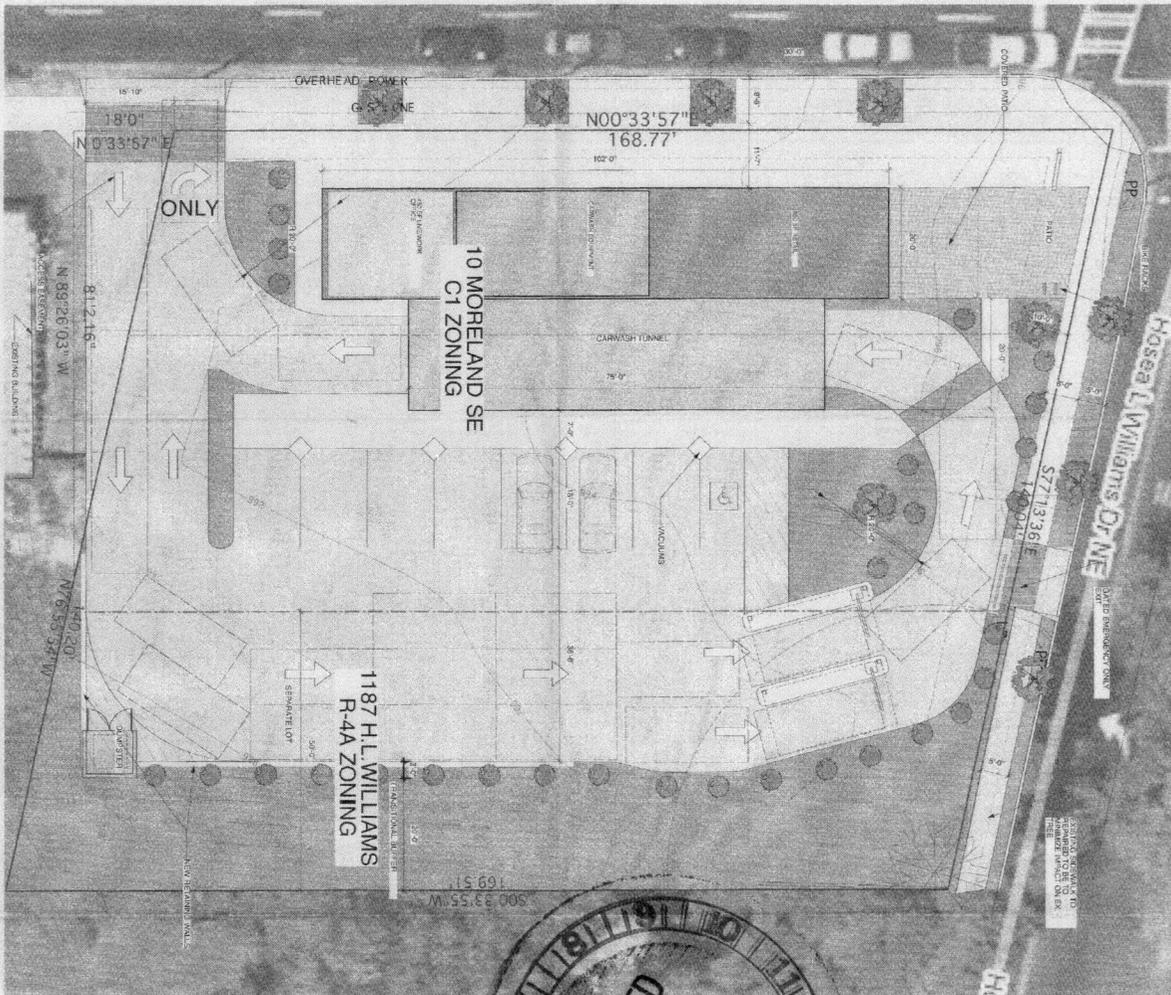
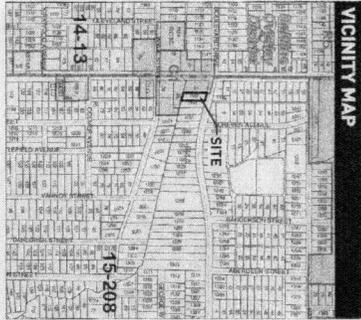
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Bureau of  
Planning  
2-04-015



**PROJECT INFO**

<b>LOCATION:</b>	10 MORELAND AVE SE & 1187 H.L. WILLIAMS DRIVE
<b>ADDRESS:</b>	
<b>COUNTY:</b>	DEKALB
<b>DISTRICT:</b>	C-11 (PREVIOUSLY C-11) (PREVIOUSLY C-11)
<b>PROPOSED ZONING:</b>	REZONING
<b>CURRENT LAND USE:</b>	RESIDENTIAL
<b>LOT AREA:</b>	10 MORELAND 1187 H.L. WILLIAMS
<b>AREA OF IMPROVEMENT:</b>	2844 SF 2300 SF
<b>MAXIMUM PERMITTED:</b>	2844 SF 2300 SF
<b>MAXIMUM FLOOR AREA:</b>	2844 SF 2300 SF
<b>MAXIMUM HEIGHT:</b>	10 FT 10 FT
<b>MAXIMUM NUMBER OF UNITS:</b>	1 1
<b>OFFICE OF PROJECT:</b>	1229 SF 0
<b>TOTAL OF PROJECTS:</b>	1229 SF 0
<b>OPEN SPACES:</b>	NA NA
<b>TOTAL:</b>	NA NA
<b>REMARKS:</b>	
<b>PREPARED BY:</b>	10/10
<b>DATE:</b>	10/10
<b>APPROVED BY:</b>	
<b>DATE:</b>	
<b>SCALE:</b>	1" = 20' SEE SEPARATE DRAWINGS

**VICINITY MAP**



1 SITE PLAN Scale: 1"=10'



**10 MORELAND AVE SE**  
**ATLANTA, GA 30317**

**REZONING**  
 SITE PLAN

**A-1.0**

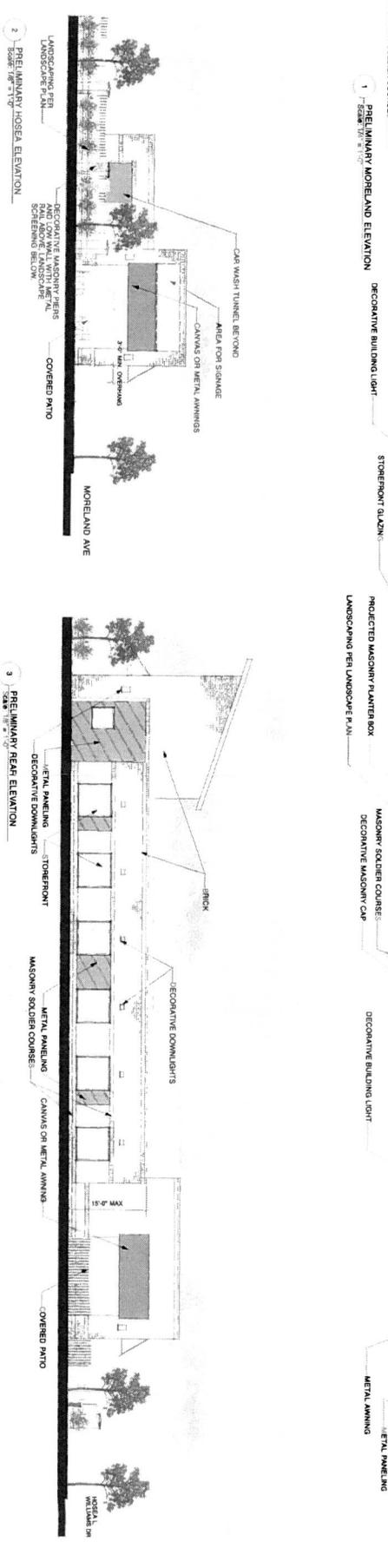
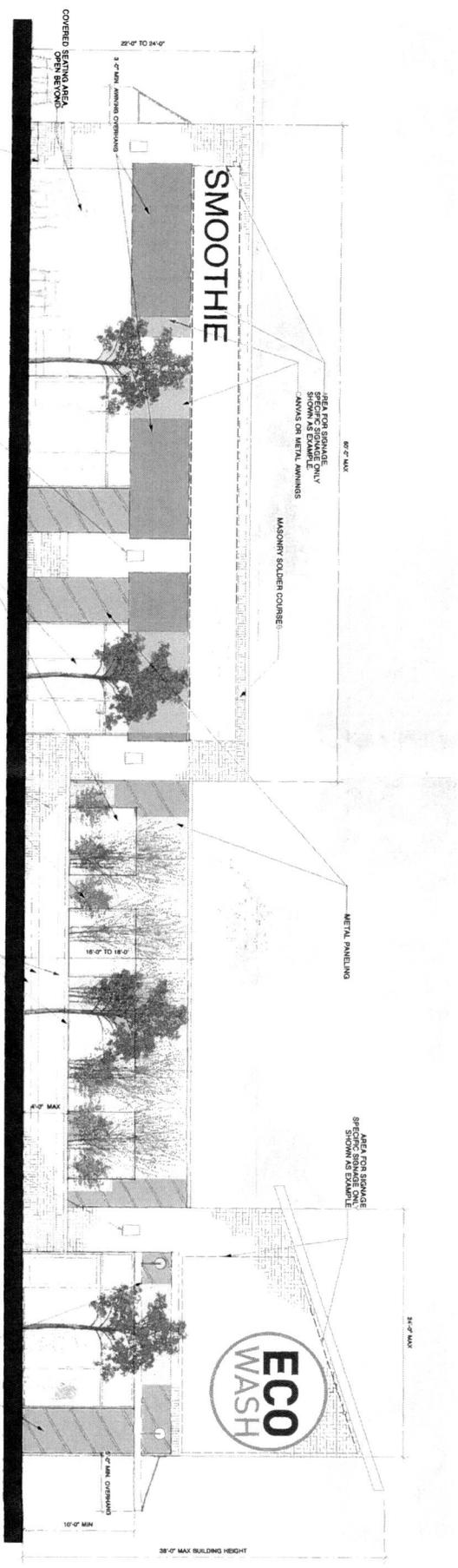
**KRONBERG WALL**  
 ARCHITECTS/PLANNERS



1359 La France St, Unit A Atlanta, GA 30307 tel 404/653/0553 fax 404/653/0025



**10 MORELAND & 1187 HOSEAL WILLIAMS**  
**PROJECT REDEVELOPMENT**  
 ATLANTA, GA 30307



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**KRONBERG WALL**  
 ARCHITECTS PLANNERS

1389 Le France St. Unit A Atlanta, GA 30307 Tel: 404/530/553 Fax: 404/530/0025  
 01/13/10



RCS# 217  
5/03/10  
2:46 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE

10-O-0323, 10-O-0405, 10-O-0025, 10-O-0045

ADOPT AS AMEND

YEAS: 13  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 0  
ABSENT 2

Y Smith	Y Archibong	Y Moore	B Bond
Y Hall	Y Wan	Y Martin	Y Watson
Y Young	Y Shook	Y Bottoms	Y Willis
B Winslow	Y Adrean	Y Sheperd	NV Mitchell

MULTIPLE