

11-0-1783
 (Do Not Write Above This Line)

Z-11-33

AN ORDINANCE
 BY: ZONING COMMITTEE

An Ordinance to rezone from the I-1 (Light Industrial) District to the MR-5A (Multifamily Residential) District, property located at **568, 580 and 600 Somerset Terrace, N.E.** fronting approximately 364.5 feet on the south side of North Avenue and at the northeast intersection of Somerset Terrace and North Avenue.
 Property also fronts approximately 98 feet on the north side of Angier Springs Road and is bordered on its western boundary by the Norfolk Southern Railway. Depth: varies. Area: 2.71 acres. Land Lot 18, 14th District, Fulton County, Georgia.
 OWNER: ROBERT S. BRIDGES,
 TSO EASTBELT, LLC AND DHC
 INVESTMENTS, LLC
 APPLICANT: PERENNIAL PROPERTIES
 by AARON GOLDMAN
 NPU N
 COUNCIL DISTRICT 2

As Amended

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

ADOPTED BY COUNCIL

APR 16 2012

Date Referred: 12/5/11

Referred To: Zoning

Date Referred:

Referred To:

Date Referred:

First Reading

Committee Date: APR 30 2012
 Chair: [Signature]
 Referred To: [Signature]

Committee Date: FEB 2012
 Chair: [Signature]

Action Fav, Adv, Hold (see rev. side)
 Other: [Signature]
 Members: [Signature]

Action Fav, Adv, Hold (see rev. side)
 Other: [Signature]
 Members: [Signature]

Refer To

Refer To

Committee Date: APR 28 2012
 Chair: [Signature]

Committee Date: [Signature]

Action Fav, Adv, Hold (see rev. side)
 Other: [Signature]
 Members: [Signature]

Action Fav, Adv, Hold (see rev. side)
 Other: [Signature]
 Members: [Signature]

Refer To

Refer To

Refer To

Refer To

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

CERTIFIED

CERTIFIED
 APR 16 2012
 ATLANTA CITY COUNCIL PRESIDENT
 [Signature]

CERTIFIED
 APR 16 2012
 [Signature]
 MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

APR 25 2012

WITHOUT SIGNATURE
 BY OPERATION OF LAW



City Council
Atlanta, Georgia

11-O-1783

AN AMENDED ORDINANCE
BY: ZONING COMMITTEE

Z-11-33
Date Filed: 11-8-11

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 **568, 580 and 600 Somerset Terrace, N.E.**, be changed from the I-1 (Light Industrial) District to the MR-5A-C (Multifamily Residential-Conditional) District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 18, 14th District, Fulton 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,


Municipal Clerk

ADOPTED as amended by the Council
APPROVED as per City Charter Section 2-403

APR 16, 2012
APR 25, 2012



Conditions for Z-11-33 for 568, 580, and 600 Somerset Terrace, NE

1. Building massing and sight lines: The development shall maintain at least one "sight line" through the building, to allow for a view through the development from Somerset Terrace to the Atlanta Beltline Corridor. Such a sight line will not include the ground plane of the Atlanta Beltline Corridor due to terrain elevation changes and the view will also include horizontal pedestrian bridges at each level. The width, height and design of the sight line shall be subject to the approval of the Director of the Office of Planning prior to the issuance of a Special Administrative Permit.
2. Building heights: For the building frontage along Somerset Terrace, the building height shall not exceed an elevation of 1035 feet. For all other frontages, the building height shall not exceed an elevation of 1025 feet.
3. Building façade materials, treatments, and windows:
 - a. Buildings shall provide a sidewalk-level Storefront Treatment at the street intersection with North Avenue and Somerset Terrace. Said treatment shall extend along Somerset Terrace on the building facade for a minimum linear distance of 100 feet. The said treatment shall extend along North Avenue on the building facade for a minimum linear distance of 40 feet. For the Storefront Treatment along North Avenue and for the first 40 feet of along Somerset Terrace, the floor-to-floor height shall be a minimum of 14 feet for a minimum depth of 26 feet. Non-structural elements that do not affect the ability to easily convert the Storefront Treatment portion of the building to retail or restaurant space, such as a mezzanine or loft level, may be approved through Administrative Variation in conjunction with a Special Administrative Permit.
 - b. Except for portions of a sidewalk-level façade that have a Storefront Treatment, along all streets and the Atlanta BeltLine Corridor, buildings shall provide a sidewalk-level Residential Treatment. As used herein, Residential Treatment shall:
 - i. Provide doors and vertical windows arranged horizontally at the sidewalk level,
 - ii. Provide porches or a stoop at each Sidewalk-level entrance where grade permits, and
 - iii. Not allow garage doors opening onto the street except in the case of commercial compactors which are screened from view by roll-up doors.
 - c. All exterior facades of the buildings shall be brick, stone, cast stone, metal, poured-in-place concrete, hard-coat stucco, or cementitious siding.
 - d. The following materials shall be prohibited on all building facades: exposed pressure-treated wood; vinyl siding; vinyl railing; and exterior insulation finished systems (EIFS).
 - e. The use of cementitious siding on buildings that face public streets, or the Atlanta BeltLine Corridor, shall not exceed 35 percent of the facade facing said public area. At courtyards, cementitious siding on buildings shall not exceed 75 percent of the facade facing the courtyard.
 - f. A minimum of 50 percent of the residential window units in each building shall be operable.



- g. All windows shall include window frames that are recessed a minimum of two inches along Angier Springs Road, Somerset Terrace, North Avenue and the Atlanta Beltline Corridor, except at recessed balcony conditions.
 - h. Paired windows that are grouped together shall have center mullions that are two inches wider than the side of the visible window frame not including trim.
 - i. Flat, "snap-in" muntins, and muntins that are sandwiched between layers of glass are prohibited.
 - j. Exterior chimneys shall extend to the ground.
 - k. Exterior columns shall have a minimum width of five and one-half inches.
 - l. Foundations, walls and site walls visible from a street or the Atlanta BeltLine Corridor shall be faced in brick, terracotta, stone, poured-in-place rubbed concrete or hard coat stucco.
4. Porches, balcony and site work:
- a. Sidewalk edges: A fence, retaining wall, curb or hedge with a minimum height of six inches shall be provided at the edge of the sidewalk adjacent to the supplemental zone located in front of a sidewalk-level residential unit, except at access points to steps, drives or pedestrian walkways.
 - b. No exterior stairs seen from the street shall be made of wood, and risers and ends shall be enclosed.
 - c. Porches shall be a minimum of four feet in depth and six feet in width.
 - d. Balconies shall be a minimum of four feet in depth. Juliette balconies are acceptable only in locations where site constraints prohibit true balcony applications and will be minimized to the greatest extent possible.
 - e. Fences that are located adjacent to a street shall be of painted or stained wood, stone, composite wood materials, masonry, or metal. The finished sides (i.e., "fronts") of one-sided fences shall face the street or Atlanta BeltLine Corridor. Barbed wire, razor wire, or chain link fence shall not be visible from any street, the Atlanta BeltLine Corridor, or sidewalk-level outdoor dining area.
 - f. Asphalt paving shall be prohibited for walkways, sidewalks, patios, plazas and supplemental zones.
5. Restricted uses:
- a. Buildings fronting on the Atlanta BeltLine Corridor or fronting on portions of streets adjacent to the Atlanta BeltLine Corridor shall have a residential or active nonresidential uses at the sidewalk-level, but not parking or storage areas.
 - b. Dumpsters, loading docks, surface parking lots, HVAC, mechanical, and electrical equipment shall not be visible from any adjacent public streets or the Atlanta BeltLine Corridor.
6. Street improvements:
- a. On-street parking with bulbouts at the intersections shall be provided along the west side of Somerset Terrace, per the approval of the Department of Public Works.



- b. Granite curbing shall be used when replacing or resetting curbing along all streets.
 - c. Two-way bicycle sharrow markings shall be provided in Angier Springs Road and Somerset Terrace between the Atlanta BeltLine Corridor and North Avenue, per the approval of the Department of Public Works.
7. Parking decks:
- a. All parking decks that face or are located adjacent to a public street or the Atlanta BeltLine Corridor shall be screened by a liner building for the full height of the deck.
 - b. The height of any parking deck shall not exceed the height of the immediately adjacent or adjoining residential or mixed-use building or structure.
8. The number of units shall not exceed 240.

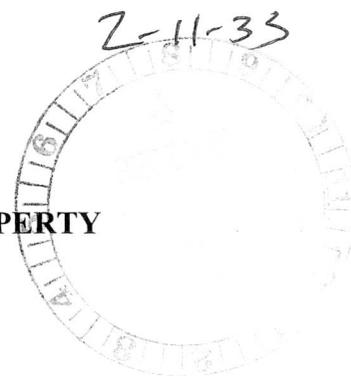


EXHIBIT A

PERENNIAL PROPERTIES, INC.

NORTH AVENUE AND SOMERSET TERRACE PROPERTY

OVERALL LEGAL DESCRIPTION



All that tract or parcel of land lying and being in Land Lot 18, 14th District, City of Atlanta, Fulton County, Georgia being more particularly described as follows:

Beginning at a 5/8" rebar found at the southwestern corner of the intersection of the southerly right-of-way of North Avenue (70 foot right-of-way) and the westerly right-of-way of Somerset Terrace (50 foot right-of-way), which is the **POINT OF BEGINNING**. From the Point of Beginning thus established, thence traveling southwesterly along the westerly right-of-way of Somerset Terrace South 06 degrees 48 minutes 27 seconds West a distance of 460.34 feet to a concrete nail set at the intersection of the westerly right-of-way of Somerset Terrace and the northerly right-of-way of Angier Springs Road (50 foot right-of-way); thence traveling southwesterly along the northerly right-of-way of Angier Springs Road South 45 degrees 43 minutes 27 seconds West a distance of 98.10 feet to a concrete nail set on the easterly right-of-way of property of Atlanta Beltline, Inc. (200 foot right-of-way); thence leaving the northerly right-of-way of Angier Springs Road and traveling northwesterly along the easterly right-of-way of Atlanta Beltline, Inc. along the arc of a curve to the right (radius = 2,778.79 feet) a distance of 283.28 feet to a 5/8" rebar found, said arc being subtended by a chord bearing North 26 degrees 32 minutes 44 seconds West and having a chord length of 283.15 feet; thence traveling northwesterly along the arc of a curve to the right (radius = 2,778.79 feet) a distance of 171.07 feet to a 5/8" rebar found, said arc being subtended by a chord bearing North 21 degrees 51 minutes 42 seconds West and having a chord length of 171.04 feet; thence traveling northwesterly along the arc of a curve to the right (radius = 2,778.79 feet) a distance of 151.68 feet to a point on the southerly right-of-way of North Avenue (70 foot right-of-way), said arc being subtended by a chord bearing North 18 degrees 32 minutes 03 seconds West and having a chord length of 151.66 feet; thence traveling southeasterly along the southern right-of-way of North Avenue South 85 degrees 14 minutes 18 seconds East 364.50 feet to the **POINT OF BEGINNING**.

Said tract, containing approximately 2.71 acres (118,187 square feet) is shown as Tracts 1 and 2 (600 Somerset Terrace) and Tract 3 (568 Somerset Terrace) on a survey by Armstrong Land Surveying, Inc., C. Travis McDonald, Ga. RLS No. 3111, for "City Realty Advisors, LLC", dated April 8, 2011 (Job no. 11-031).

RCS# 1876
4/16/12
3:45 PM

Atlanta City Council

11-O-1783

REZONE 568,-580 AND 600 SOMERSET TERRACE
FROM I-1 TO MR-5A; Z-11-33; NPU-N; CD-2
ADOPT AS AMNDED

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 4
EXCUSED: 0
ABSENT 0

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

11-O-1783