

12-0-0847

(Do Not Write Above This Line)

AN ORDINANCE Z-12-23
BY: ZONING COMMITTEE

An Ordinance to rezone from the C-2 (Community Services) District and PDMU (Planned Development-Mixed Use) District and HC-20L- SA3 (Inman Park Historic) District and Beltline Overlay District to the C-2 (Community Services) District and HC-20L- SA3 (Inman Park Historic) District and Beltline Overlay District, property located at 280 Elizabeth Street and 885 North Highland Avenue, N.E., fronting approximately 284 feet on the north side of Lake Avenue at the northwest intersection of Lake Avenue. Depth: varies. Area: approximately 3.309 acres. Land Lots 10 and 14. 14th District, Fulton County, Georgia.
OWNER: PETER HAND
AND MUHA, LLC
APPLICANT: JPX WORKS, LLC
NPU N
COUNCIL DISTRICT 2

AUG 2 0 2012

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

Date Referred 8/18/12
 Referred To: ZRB + Zoning
 Date Referred _____
 Referred To: _____
 Date Referred _____
 Referred To: _____

First Reading
 Committee Date 8/20/12
 Chair John Smith
 Referred To ZRB + Zoning

Committee Date <u>8/20/12</u> Chair <u>John Smith</u> Action Fav, Adv, Hold (see rev. side) <u>As Amended</u> Other _____ Members _____	Committee Date _____ Chair _____ Action Fav, Adv, Hold (see rev. side) _____ Other _____ Members _____
Refer To _____	Refer To _____

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
 AUG 2 0 2012
 ATLANTA CITY COUNCIL PRESIDENT
[Signature]

CERTIFIED
 AUG 2 0 2012
Rick Dunlap Johnson
 MUNICIPAL CLERK

MAYOR'S ACTION
 APPROVED
 AUG 2 0 2012
 WITHOUT SIGNATURE
 BY OPERATION OF LAW



City Council
Atlanta, Georgia

12-O-0847

Z-12-23

Date Filed: 5-8-12

AN AMENDED ORDINANCE
BY ZONING COMMITTEE

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 **280 Elizabeth Street and 885 North Highland Avenue, N.E.**, be changed from the C-2 (Community Service) District and PDMU (Planned Development-Mixed Use) District and HC-20L- SA3 (Inman Park Historic) District and Beltline Overlay District to the C-2-C (Community Service-Conditional) District and HC-20L- SA3 (Inman Park Historic) District and Beltline Overlay District, to wit:

ALL THAT TRACT or parcel of land lying and Land Lots 10 and 14, 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,

Rhonda Daughin Johnson
Municipal Clerk

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

AUG 20, 2012
AUG 29, 2012



Conditions for Z-12-23 for 290 Elizabeth Street and 885 North Highland Avenue, N.E.

1. New sidewalks, ramps, curb, gutter, and driveway aprons along all property frontages should be upgraded to current Americans with Disabilities Act and City of Atlanta standards.
2. Driveways should be constructed as urban dust-pan-style aprons as narrow as permitted by code.
3. A six-foot-wide MUTCD-compliant on-street eastbound bicycle lane between the travel lane and the on-street parking lane on North Highland Avenue will be constructed by the applicant. Further the applicant will be responsible for design, permitting and funding and will consult with the DPW-Office of Transportation prior to initiating design.



280 ELIZABETH STREET NE
APN NO. 14-0019-0014-025
TRACT DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING OR BEING IN LAND LOT 14 OF THE 14th LAND DISTRICT, CITY OF ATLANTA, FULTON COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN FOUND (ONE HALF INCH REBAR) AT THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF ELIZABETH STREET (HAVING A 50 FOOT WIDE RIGHT-OF-WAY) AND THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF NORTH HIGHLAND AVENUE (HAVING A 50 FOOT WIDE RIGHT-OF-WAY), THENCE FROM THE **POINT OF BEGINNING** AS THUS ESTABLISHED, DEPARTING THE SAID SOUTHEASTERLY RIGHT-OF-WAY LINE OF NORTH HIGHLAND AVENUE AND ALONG THE SAID WESTERLY RIGHT-OF-WAY LINE OF ELIZABETH STREET SOUTH 03 DEGREES 38 MINUTES 41 SECONDS EAST A DISTANCE OF 431.10 FEET TO A NAIL FOUND IN PAVEMENT ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF LAKE AVENUE (HAVING A 60 FOOT WIDE RIGHT-OF-WAY); THENCE DEPARTING THE SAID WESTERLY RIGHT-OF-WAY LINE OF ELIZABETH STREET AND ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE OF LAKE AVENUE THE FOLLOWING TWO COURSE AND DISTANCES: ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 1,014.19 FEET, AN ARC LENGTH OF 185.27 FEET, BEING SUBTENDED BY A CHORD BEARING OF SOUTH 47 DEGREES 04 MINUTES 40 SECONDS WEST AND A CHORD DISTANCE OF 185.01 FEET TO A POINT; THENCE SOUTH 39 DEGREES 05 MINUTES 04 SECONDS WEST A DISTANCE OF 98.69 FEET TO A IRON PIN FOUND (ONE HALF INCH REBAR); THENCE DEPARTING THE SAID NORTHWESTERLY RIGHT-OF-WAY LINE OF LAKE AVENUE NORTH 45 DEGREES 38 MINUTES 13 SECONDS WEST A DISTANCE OF 110.88 FEET TO A IRON PIN FOUND (ONE HALF INCH REBAR) ON THE LAND LOT LINE COMMON TO LAND LOTS 14 AND 19; THENCE ALONG THE SAID LAND LOT LINE COMMON TO LAND LOTS 14 AND 19 NORTH 00 DEGREES 03 MINUTES 51 SECONDS EAST A DISTANCE OF 390.86 FEET TO A IRON PIN FOUND (ONE HALF INCH REBAR) ON THE SAID SOUTHEASTERLY RIGHT-OF-WAY LINE OF NORTH HIGHLAND AVENUE; THENCE ALONG THE SAID SOUTHEASTERLY RIGHT-OF-WAY LINE OF NORTH HIGHLAND ROAD NORTH 56 DEGREES 34 MINUTES 25 SECONDS EAST A DISTANCE OF 298.50 FEET TO THE **POINT OF BEGINNING**.

SAID TRACT OR PARCEL OF LAND CONTAINS 2.843 ACRES (BEING 123,847 SQUARE FEET), INCLUDING ALL EASEMENTS. *Z-72-023*





855 NORTH HIGHLAND AVENUE NE
APN NO. 14-0019-LL-029
TRACT DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING OR BEING IN LAND LOT 19 OF THE 14TH LAND DISTRICT, CITY OF ATLANTA, FULTON COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN FOUND (ONE HALF INCH REBAR) AT THE INTERSECTION OF THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF NORTH HIGHLAND AVENUE (HAVING A 50 FOOT WIDE RIGHT-OF-WAY) AND THE LAND LOT LINE COMMON TO LAND LOTS 14 AND 19, THENCE FROM THE **POINT OF BEGINNING** AS THUS ESTABLISHED DEPARTING THE SAID SOUTHEASTERLY RIGHT-OF-WAY LINE OF NORTH HIGHLAND AVENUE AND ALONG THE SAID LAND LOT LINE COMMON TO LAND LOTS 14 AND 19 SOUTH 00 DEGREES 03 MINUTES 51 SECONDS WEST A DISTANCE OF 314.91 FEET TO A POINT; THENCE DEPARTING THE SAID LAND LOT LINE COMMON TO LAND LOTS 14 AND 19 NORTH 89 DEGREES 55 MINUTES 51 SECONDS WEST A DISTANCE OF 62.19 FEET TO A POINT; THENCE NORTH 00 DEGREES 03 MINUTES 51 SECONDS EAST A DISTANCE OF 120.00 FEET TO A POINT; THENCE SOUTH 89 DEGREES 56 MINUTES 12 SECONDS EAST A DISTANCE OF 8.80 FEET TO A POINT; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 4.50 FEET, AN ARC LENGTH OF 9.70 FEET, BEING SUBTENDED BY A CHORD BEARING OF NORTH 28 DEGREES 17 MINUTES 33 SECONDS EAST AND A CHORD DISTANCE OF 7.93 FEET TO A POINT; THENCE NORTH 56 DEGREES 31 MINUTES 53 SECONDS EAST A DISTANCE OF 12.06 FEET TO A POINT; THENCE NORTH 33 DEGREES 28 MINUTES 42 SECONDS WEST A DISTANCE OF 73.32 FEET TO A POINT; THENCE NORTH 33 DEGREES 28 MINUTES 07 SECONDS WEST A DISTANCE OF 56.00 FEET TO A POINT ON THE SAID SOUTHEASTERLY RIGHT-OF-WAY LINE OF NORTH HIGHLAND AVENUE; THENCE ALONG THE SAID SOUTHEASTERLY RIGHT-OF-WAY LINE OF NORTH HIGHLAND AVENUE NORTH 56 DEGREES 34 MINUTES 25 SECONDS EAST A DISTANCE OF 133.14 FEET TO **POINT OF BEGINNING**.

SAID TRACT OR PARCEL OF LAND CONTAINS 0.466 ACRES (BEING 20,303 SQUARE FEET), INCLUDING ALL EASEMENTS.



RCS# 2218
8/20/12
4:15 PM

Atlanta City Council

MULTIPLE

12-O-0701/12-O-0702/11-O-0541
AND 12-O-0847
ADOPT AS AMNDED

YEAS: 11
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 1
ABSENT 1

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

MULTIPLE