

12-0-1319

(Do Not Write Above This Line)

AN ORDINANCE Z-12-01/Z-08-14
 BY: COUNCILMEMBER FELICIA A. MOORE

Felicia A. Moore

AN ORDINANCE CORRECTING ORDINANCE 12-O-0156, ADOPTED BY CITY COUNCIL MAY 21, 2012, APPROVED PER THE CITY CHARTER SECTION 2-403 ON MAY 30, 2012 REZONING PROPERTY LOCATED AT 1185 COLLIER ROAD, N.W., WHICH REZONED SAID PROPERTY FROM THE MR-3-C (MULTIFAMILY RESIDENTIAL-CONDITIONAL) TO THE MR-3-C (MULTIFAMILY SO THAT THE CONDITIONS ARE FURTHER CLARIFIED REGARDING THE PUBLICLY ACCESSIBLE STREETS.

OCT 01 2012

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

Date Referred 9/17/12
 Referred To: Zoning
 Date Referred _____
 Referred To: _____
 Date Referred _____
 Referred To: _____

First Reading
 Committee _____
 Date _____
 Chair _____
 Referred To _____

Zoning
 Date Sept. 26 2012
 Chair A. Moore

Action
 Fav, Adv, Hold (see rev. side)
 Other _____

Members
[Signatures]

Refer To
[Signature]

Committee _____

Date _____

Chair _____

Action
 Fav, Adv, Hold (see rev. side)
 Other _____

Members _____

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
 - Consent
 - V Vote
 - RC Vote

CERTIFIED

CERTIFIED
 OCT 01 2012
 ATLANTA CITY COUNCIL PRESIDENT
[Signature]

CERTIFIED
 OCT 01 2012
Rachel Dunlap
 MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

OCT 1 0 2012

WITHOUT SIGNATURE
 BY OPERATION OF LAW



Municipal Clerk
Atlanta, Georgia

12-O-1319

AN ORDINANCE

Z-12-01/Z-08-14

BY COUNCILMEMBER *Felicia A. Moore* FELICIA A. MOORE

AN ORDINANCE CORRECTING ORDINANCE 12-O-0156, ADOPTED BY CITY COUNCIL MAY 21, 2012, APPROVED PER THE CITY CHARTER SECTION 2-403 ON MAY 30, 2012 REZONING PROPERTY LOCATED AT 1185 COLLIER ROAD, N.W., WHICH REZONED SAID PROPERTY FROM THE MR-3-C (MULTIFAMILY RESIDENTIAL-CONDITIONAL) TO THE MR-3-C (MULTIFAMILY RESIDENTIAL-CONDITIONAL) SO THAT THE CONDITIONS ARE FURTHER CLARIFIED REGARDING THE PUBLICLY ACCESSIBLE STREETS.

WHEREAS, Z-12-01/Z-08-14 was adopted by the City Council on May 21, 2012 and approved per the City Charter Section 2-403 on May 30, 2012 to rezone the property located at **1185 COLLIER ROAD, N.W.** from the MR-3-C (Multifamily Residential-Conditional) to the MR-3-C (Multifamily Residential-Conditional) District for the purpose of a change of conditions; and

WHEREAS, conditions were imposed as a part of the rezoning regarding the publicly accessible streets; and

WHEREAS, the conditions require further clarification to ensure the correct interpretation for the purposes of permitting and operation.

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

SECTION 1. That Ordinance 12-O-0156 (Z-12-01/Z-08-14) adopted by City Council by the City Council on May 21, 2012 and approved per the City Charter Section 2-403 on May 30, 2012 rezoning property from the MR-3-C (Multifamily Residential-Conditional) to the MR-3-C (Multifamily Residential-Conditional) District be corrected to reflect further clarification of Condition 3 (a) such that it reads as follows:

"Condition 3(a) of Ordinance 12-O-0156 is hereby clarified to reflect that the only fully publicly accessible streets required shall be the streets identified as "Fully Publicly Accessible Street A (Private)" and "Fully Publicly Accessible Street B (Private)" on the site plan attached hereto as Exhibit "A". Gating of the northern portion of the site as shown on the site plan attached hereto as Exhibit "A" shall be permitted. "



ALL THAT TRACT or parcel of land lying and being in Land Lots 185 and 186, 17th District, Fulton County, Georgia, being more particularly described by the attached legal description.

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 suffice "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,

Deputy Municipal Clerk

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

October 01, 2012
October 10, 2012



City Council
Atlanta, Georgia

12-0-0156

AN AMENDED ORDINANCE
BY: ZONING COMMITTEE

Z-12-01/Z-08-14
Date Filed: 1-10-2012

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 **1185 Collier Road, N.W.**, be changed from the MR-3-C (Multifamily Residential Conditional) District to the MR-3-C (Multifamily Residential Conditional) District, for the purpose of a site plan amendment, to wit:

ALL THAT TRACT or parcel of land lying in Land Lots 185 and 186, 17th 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,

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

May 21, 2012
May 30, 2012

Rhonda Dauphin Johnson
Municipal Clerk



CONDITIONS FOR Z-12-01/Z-08-14 FOR 1185 COLLIER ROAD, N.W.

APPROVAL, conditioned upon the following:

1. Site Plans/Amendments:

a. The site shall be developed in compliance with the site plan entitled "Reserve at Collier Hills Zoning Plan" prepared by J. Lancaster Associates, Inc. dated January 27, 2012 shown stamped received by the Office of Planning on March 28, 2012 as attached hereto (the "Site Plan"), which is allowed to be modified only as provided in part below:

b. The applicant shall notify the Chairpersons of NPU's C and D of all minor site plan amendments as defined by Sec. 16-02.003(7) of the City's Zoning Ordinance as subject to the limitations described therein which is either requested by the applicant or requested by the Office of Planning as part of Special Administrative Permit (SAP) process.

c. The developer shall provide "Tree Save Areas" as shown on site plan. Within these areas no trees shall be removed except those that may be found to be diseased or dying with the City Arborist to have the final determination of this matter. The developer shall provide appropriate fencing and transitional landscaping along the boundary of the adjacent Carlyle and DeFours Glen condominiums in accordance with the landscape plan entitled "Conceptual Buffer Planting Plan", prepared by J. Lancaster Associates, Inc. dated February 1, 2012 shown stamped received by the Office of Planning on March 28, 2012 as attached hereto (the "Landscape Plan"). The developer shall provide parking lot trees as shown on the Landscape Plan.

2. The site shall include only residential uses at a maximum floor area ratio (FAR) not to exceed 0.696 and having no more than a sum total of 378 dwelling units developed on the site.

a. This sum total includes not more than 298 stacked flat units within Land Lot 186 shown as buildings A and B. These buildings A and B shall be limited to four stories in height plus a basement/terrace and shall include 5% to 15% 3-bedrooms units, 33% to 43% 2-bedrooms, which includes traditional two bedroom layouts and one bedroom den units; and 50% to 60% 1-bedroom units (including studio units) with the size of these units to exceed 825 square feet.

b. This sum total includes not more than nine (9) units per acre or not more than 44 single-family homes within Land Lot 185. These townhomes or single-family homes shall be limited to 35 feet in height. These townhomes shall exceed 1,600 square feet or these single-family homes shall exceed 2,600 square feet.

3. As coordinated with the Department of Public Works - Office of Transportation:

a. Prior to the issuance of the first certificate of occupancy, the developer shall provide fully publicly accessible streets (unrestricted by gates or other barriers) as shown on the Site Plan. An easement or covenant to ensure that such future connectivity is provided shall be binding upon all successors and assigns of the Developer and shall be recorded prior to issuance of any site development permit for the project. Also, such streets nearest external property lines shall have signage reading "Future Street Connection".

b. The central round-about (at the connection of two publically accessible streets) as shown on the site plan shall have 2009 MUTCD compliant signage and pavement markings.

c. Street curbing along Collier Road shall be relocated to provide bulb-outs to protect adjacent on-street parking while maintaining the 5' wide bicycle lane.

d. The developer shall provide support in writing of appropriate legislation to require any impact fees generated from this development to be used for the cost of area traffic management improvements.

4. All utilities other than those required for storm water shall be underground.
5. A minimum of 40% of the street facing facades (less fenestration) including the base of the buildings shall be of masonry material. In this case, masonry shall be defined as stone, brick, precast concrete, hard coat stucco, and stucco panel. The use of any vinyl siding or EIFS on-site shall be prohibited.
6. The residential buildings shall be constructed in compliance with at least one of the following green construction certification programs: Earthcraft(r), LEED for Homes, or ICC 700 National Green Building Standard, or an equivalent industry-standard green construction certification program. Developer will provide reasonable evidence of compliance with this within 30 days after issuance of a certificate of occupancy for any residential unit.

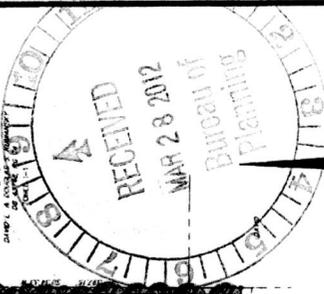
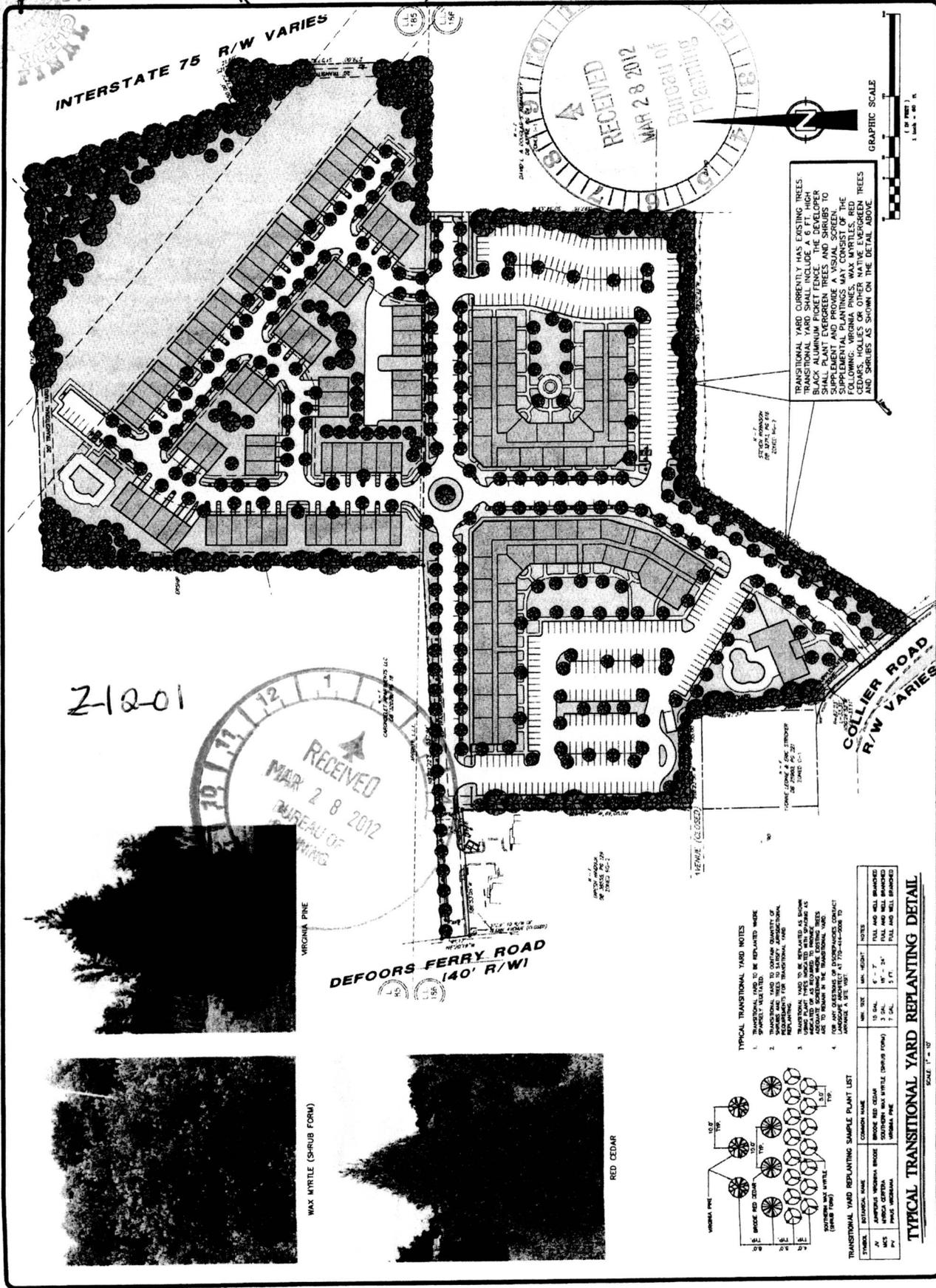
NO. 1	NO. 2	NO. 3	NO. 4	NO. 5	NO. 6	NO. 7	NO. 8	NO. 9	NO. 10



Professional Seal
 License No. 11122
 State of Georgia
 Licensee: [Name]
 License Type: [Type]

CONCEPTUAL BUFFER
PLANTING PLAN
 Aynette Reedy Partners
 3275 Peachtree Road
 Atlanta, Georgia 30328
 404-991-7000

RESERVE AT COLLIER HILLS
 L.L. 185 & 186, 17th District, Fulton County, Georgia



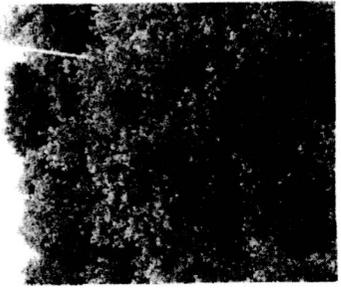
TRANSITIONAL YARD CURRENTLY HAS EXISTING TREES. TRANSITIONAL YARD SHALL INCLUDE A 6 FT. HIGH VISUAL SCREEN. VISUAL SCREEN SHALL BE PLANTED WITH EVERGREEN TREES AND SHRUBS TO SUPPLEMENT AND PROVIDE A VISUAL SCREEN. SUPPLEMENTAL PLANTINGS MAY CONSIST OF THE FOLLOWING: CEDARS, HOLLES OR OTHER NATIVE EVERGREEN TREES AND SHRUBS AS SHOWN ON THE DETAIL ABOVE.

GRAPHIC SCALE
 1 inch = 60 ft.

212-01



VIRGINIA PINE

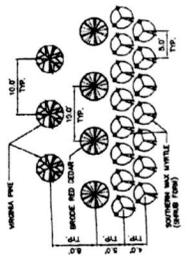


MAX WRTLE (SHRUB FORM)



RED CEDAR

- TYPICAL TRANSITIONAL YARD NOTES**
- TRANSITIONAL YARD TO BE REPLANTED WITH SHRUBS/VEGETATION.
 - SHRUBS AND TREES TO MATCH ADJACENT TRANSITIONAL YARD.
 - TRANSITIONAL YARD TO BE REPLANTED AS SHOWN ON THIS PLAN. ALL PLANTINGS TO BE INSTALLED AS TO REMAIN IN THE TRANSITIONAL YARD.
 - FOR ANY QUESTIONS OF EXPERIENCED CONTRACTOR, CONTACT AT 770-440-0000 TO OBTAIN A SET.



TRANSITIONAL YARD REPLANTING SAMPLE PLANT LIST

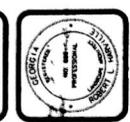
SYMBOL	SYMBOL NAME	COMMON NAME	MIN. SIZE	MIN. HEIGHT	NOTES
1	RED CEDAR	RED CEDAR	10 GAL.	6' - 7'	FULL AND WELL BRANCHED
2	SOUTHERN MAX WRTLE (SHRUB FORM)	SOUTHERN MAX WRTLE (SHRUB FORM)	3 GAL.	18" - 24"	FULL AND WELL BRANCHED
3	VIRGINIA PINE	VIRGINIA PINE	7 GAL.	5 FT.	FULL AND WELL BRANCHED

TYPICAL TRANSITIONAL YARD REPLANTING DETAIL
 SCALE: 1" = 30'



DATE	11/15/11
BY	J. B. BROWN
CHECKED BY	J. B. BROWN
SCALE	AS SHOWN
PROJECT	RESERVE AT COLLIER HILLS
SHEET NO.	1
TOTAL SHEETS	1

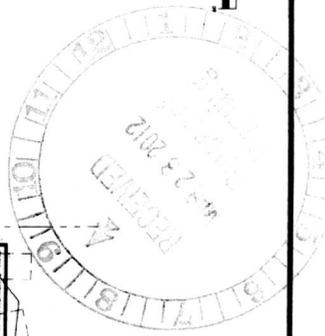
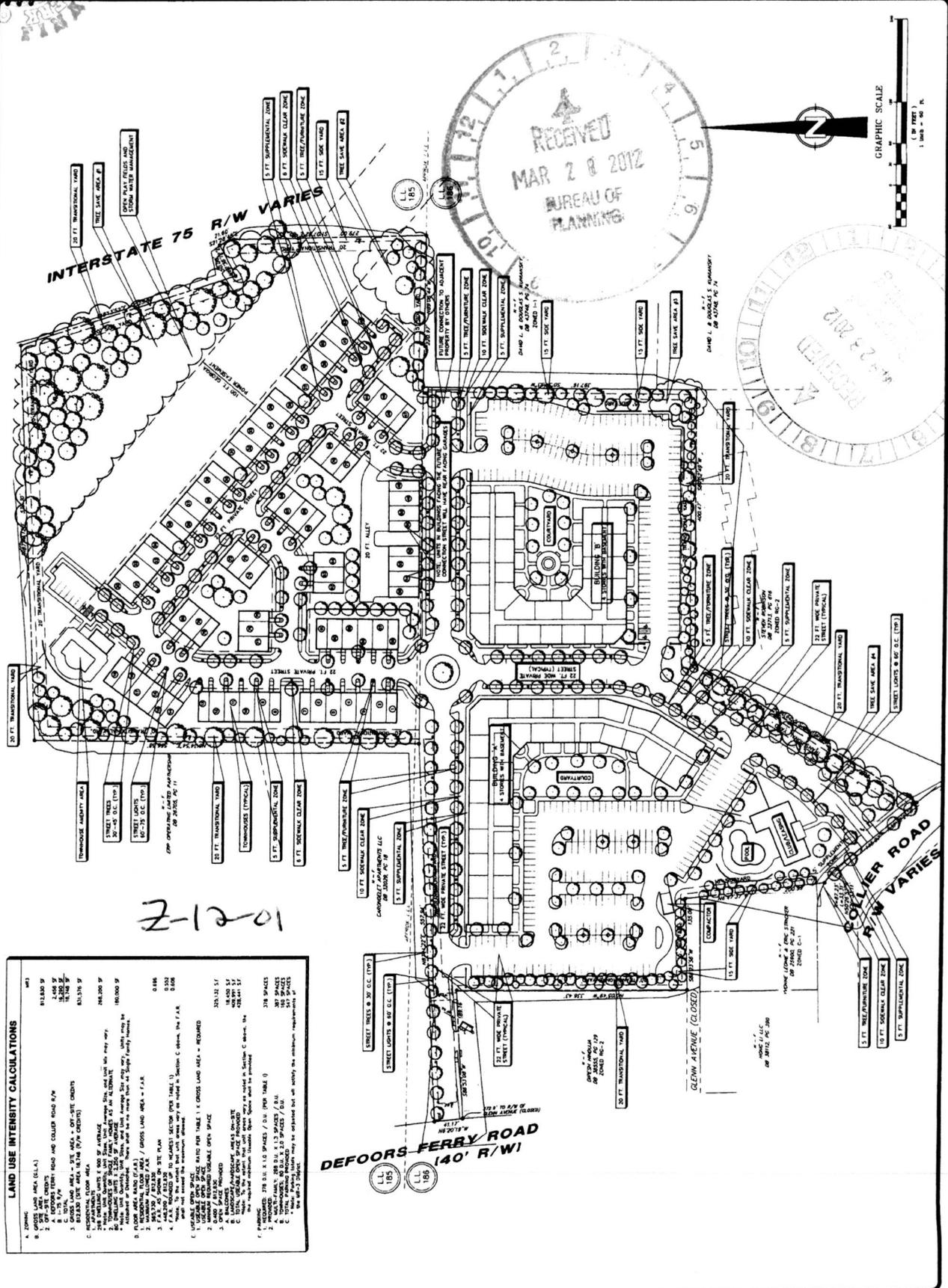
NO PART OF THIS PLAN OR ANY INFORMATION CONTAINED HEREIN SHALL BE USED OR REPRODUCED IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF THE CITY OF MARIETTA.



J. B. BROWN, Inc.
 Planning & Development Consultants
 101-551-2500
 Atlanta, Georgia 30328

ZONING PLAN
ADDRESS, 1185 COLLIER HILLS ROAD
RESERVE AT COLLIER HILLS
 ATLANTIC READY PARTNERS
 101-551-2500
 Atlanta, Georgia 30328

SCALE BY	DATE
DATE BY	DATE
DATE	DATE



7-1201

LAND USE INTENSITY CALCULATIONS

ZONE	AREA (SQ. FT.)	COEFFICIENT	TOTAL
1. RESIDENTIAL	150,000	0.15	22,500
2. COMMERCIAL	100,000	0.20	20,000
3. INDUSTRIAL	50,000	0.10	5,000
4. OFFICE	200,000	0.10	20,000
5. RETAIL	100,000	0.15	15,000
6. PUBLIC	50,000	0.10	5,000
7. PARK	100,000	0.05	5,000
8. OPEN SPACE	100,000	0.05	5,000
9. TOTAL	750,000		100,000

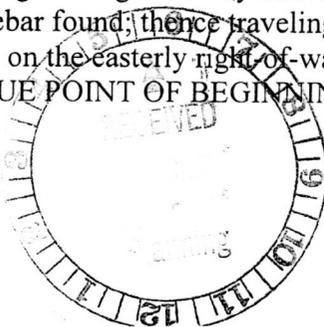
NOTES:
 1. COEFFICIENTS ARE BASED ON THE FOLLOWING: 1.00 = 1.00 (1.00) / 1.00 = 1.00
 2. COEFFICIENTS ARE BASED ON THE FOLLOWING: 1.00 = 1.00 (1.00) / 1.00 = 1.00
 3. COEFFICIENTS ARE BASED ON THE FOLLOWING: 1.00 = 1.00 (1.00) / 1.00 = 1.00
 4. COEFFICIENTS ARE BASED ON THE FOLLOWING: 1.00 = 1.00 (1.00) / 1.00 = 1.00
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 9. COEFFICIENTS ARE BASED ON THE FOLLOWING: 1.00 = 1.00 (1.00) / 1.00 = 1.00



EXHIBIT " " "
LEGAL DESCRIPTION
Georgian Hills

ALL THAT TRACT or parcel of land lying and being in Land Lots 185 and 186 of the 17th District of Fulton County, Georgia, containing 18.6585 acres, same being more particularly described as follows:

BEGINNING at a ½" rebar found on the easterly right-of-way line of DeFoor Ferry Road (Forty (40') foot right-of-way), which rebar found is located northerly and northwesterly a distance of 372.9 feet along said right-of-way line from its intersection with the northerly right-of-way of Glenn Avenue (Closed); thence traveling along the easterly right-of-way line of said DeFoor Ferry Road North 07° 36' 42" West a distance of 40.90 feet to a ½" rebar found on said right-of-way line (being the same line as established by Boundary Line Agreement between Cone M. Maddox, III, et al and Julian LeCraw, et al, dated September 24, 2968, recorded at Deed Book 4962, Page 473, Fulton County, Georgia Records); thence leaving said right-of-way line and traveling North 86° 49' 00" East a distance of 558.40 feet to a ½" rebar found on the land lot line common to Land Lots 185 and 186, said District and County; thence leaving said Land Lot Line and traveling North 00° 17' 00" East a distance of 556.40 feet to a ½" rebar set; thence traveling North 87° 24' 00" East a distance of 579.30 feet to a ½" rebar set on the westerly right-of-way line of Interstate I-75 (variable Right-of-Way); thence traveling along said right-of-way line South 18° 33' 04" East a distance of 325.80 feet to a ½" rebar set on said right-of-way line; thence continuing along said right-of-way line North 62° 17' 00" East a distance of 50.00 feet to a ½" rebar set on said right-of-way line; thence continuing along said right-of-way South 21° 48' 00" East a distance of 21.60 feet to a ½" rebar set on said right-of-way line; thence leaving said right-of-way line and traveling South 01° 27' 04" East a distance of 279.00 feet to a ½" rebar set on the land lot line common to Land Lots 185 and 186, said District and County; thence traveling along said Land Lot Line North 89° 25' 28" West a distance of 220.80 feet to a ½" rebar found on said Land Lot Line; thence leaving said Land Lot Line and traveling South 00° 17' 51" West a distance of 397.15 feet to a ½" rebar found; thence traveling South 89° 33' 19" West a distance of 400.36 feet to a ½" rebar set; thence traveling South 32° 09' 56" West a distance of 382.70 feet to a ½" rebar found on the northeasterly right-of-way line of Collier Road (fifty (50) foot right-of-way line); thence traveling along said right-of-way line North 39° 49' 33" West a distance of 145.07 feet to a point on said right-of-way line; thence continuing along said right-of-way line on a curve to the left an arc distance of 33.31 feet (said arc being subtended by a chord bearing North 50° 45' 57" West a chord distance of 33.11 feet and having a radius of 87.235 feet) to a ½" rebar found on said right-of-way line; thence leaving said right-of-way line and traveling North 07° 06' 49" West a distance of 200.99 feet to a nail set at the northeasterly terminus of said Glenn Avenue (Closed); thence traveling along the northerly right-of-way line of said Glenn Avenue (Closed) South 88° 04' 44" West a distance of 135.00 feet to a ½" rebar found on said right-of-way line; thence leaving said right-of-way line and traveling North 00° 22' 29" West a distance of 336.26 feet to a ½" rebar found; thence traveling South 86° 37' 10" West a distance of 189.40 feet to a ½" rebar found on the easterly right-of-way line of said DeFoor Ferry Road, which ½" rebar found is the TRUE POINT OF BEGINNING.



2-13-001

08-C-0515
 (Do Not Write Above This Line)

AN ORDINANCE Z-08-14
 BY ZONING COMMITTEE

An Ordinance to rezone from the RG-2 (Residential General-Sector 2) District to the MR-3 (Multifamily Residential) District, property located at 1185 Collier Road, N.W., fronting approximately 41.17 feet on the east side of Defoors Ferry Road, beginning approximately 372 feet from the northwest intersection of Defoors Ferry Road and Glenn Avenue. Depth: varies. Area: approximately 18.66 acres. Land Lot s 185 and 186, 17th District, Fulton County, Georgia.
 OWNER: GEORGIAN HILLS INVESTMENTS, LLC.
 APPLICANT: GEORGIAN HILLS INVESTMENTS, LLC
 NPU-C
 COUNCIL DISTRICT 9 AUG 1 8 2008

AS AMENDED COUNCIL

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

Date Referred 3/17/08
 Referred To: Zoning
 Date Referred _____
 Referred To: _____
 Date Referred _____
 Referred To: _____

Committee Date _____
 Chair _____
 Referred To _____

Committee Date _____
 Chair _____
 Referred To _____

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

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 _____

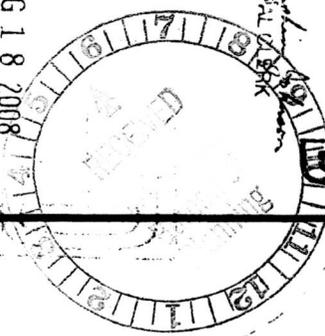
Refer To _____

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

CERTIFIED

ADOPTED
 AUG 1 8 2008

AUG 1 8 2008



APPROVED
 AUG 26 2008
 Mayor

2-2-08

RCS# 2329
10/01/12
2:48 PM

Atlanta City Council

MULTIPLE

12-O-1319 AND 12-O-1322

ADOPT

YEAS: 11
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 4
EXCUSED: 0
ABSENT 1

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

MULTIPLE