#7

12-O-0486
(Do Not Write Above This Line)

AN ORDINANCE BY: COUNCILMEMBER KWANZA HALL

2-12-21

AN ORDINANCE REZONING CERTAIN PARTS OF THAT PARCEL OF REAL PROPERTY LOCATED AT 771 SPRING STREET N.W. LAND LOT 80 OF THE 14TH DISTRICT OF FULTON COUNTY, GEORGIA TO REMOVE THE DESIGNATION OF LANDMARK BUILDING OR SITE FROM THAT PORTION OF THE SITE NOT CONTAINING THE CRUM & FORSTER BUILDING, ITS SPRING STREET AND ARMSTEAD PLACE FRONTAGE; AND FOR OTHER PURPOSES.

Filed by full Council 11/19/12

- ☐ CONSENT REFER
- ☐ REGULAR REPORT REFER
- ☐ ADVERTISE & REFER
- ☐ 1ST ADOPT 2ND READ & REFER
- ☑ PERSONAL PAPER REFER

Date Referred 4/16/12

Referred To: Zoning + ZRB

Date Referred

Referred To:

Date Referred

Referred To:

First Reading
Committee
Date
Chair
Referred To

Committee	Committee
Zoning	
Date 11/14/12	Date
Chair	Chair
Action Fav, Adv, Hold (See rev.side) Other FILE	Action Fav, Adv, Hold (See rev.side) Other
Members	Members
Refer To	Refer To

Committee	Committee
Date	Date
Chair	Chair
Action Fav, Adv, Hold (See rev.side) Other	Action Fav, Adv, Hold (See rev.side) Other
Members	Members
Refer To	Refer To

FINAL COUNCIL ACTION

☐ 2ND ☐ 1ST & 2ND ☐ 3RD Readings

☐ Consent ☐ V Vote ☑ RC Vote

CERTIFIED

CERTIFIED NOV 19 2012 COUNCIL PRESIDENT PRO TEM

CERTIFIED NOV 19 2012

Rhonda Dauphin Johnson
MUNICIPAL CLERK

MAYOR'S ACTION

RCS# 2406
11/19/12
3:20 PM

Atlanta City Council

12-O-0486 REZONING PROPERTY AT 771 SPRING ST
Z-12-21
FILE

YEAS:	13
NAYS:	0
ABSTENTIONS:	0
NOT VOTING:	3
EXCUSED:	0
ABSENT	0

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

12-O-0486

Z-12-21

AN ORDINANCE BY:
COUNCILMEMBER KWANZA HALL

AN ORDINANCE REZONING CERTAIN PARTS OF THAT PARCEL OF REAL PROPERTY LOCATED AT 771 SPRING STREET N.W. LAND LOT 80 OF THE 14TH DISTRICT OF FULTON COUNTY, GEORGIA TO REMOVE THE DESIGNATION OF LANDMARK BUILDING OR SITE FROM THAT PORTION OF THE SITE NOT CONTAINING THE CRUM & FORSTER BUILDING, ITS SPRING STREET AND ARMSTEAD PLACE FRONTAGE; AND FOR OTHER PURPOSES.

WHEREAS, Ordinance 09-O-0806 added the designation of Landmark Building or Site to that parcel of real property located at 771 Spring Street N.W. to recognize the Crum & Forster Building as a structure that is architecturally, historically or culturally significant and eligible for protection because it possessed exceptional integrity of location, design, setting, materials, workmanship, feeling and association that has caused such designation to given to other historic resources in the City under the City's Historic Preservation Ordinance (Chapter 20 of the City's Zoning Ordinance); and

WHEREAS, the owner of the real property at the time of designation, the Georgia Tech Foundation Real Estate Holding Company ("GTF") filed an appeal to the Superior Court of Fulton County claiming that such designation was an unconstitutional taking of its property rights; and

WHEREAS, GTF has represented that it contemplated a proposed use for the 771 Spring Street parcel that includes the construction of a high performance computing center and mixed use development to complement other development in the immediate area; and

WHEREAS, in order to seek permission to attach to the Crum & Forster Building or to demolish some portion, an application pursuant to the pertinent Certificate Appropriateness process is required; and

WHEREAS, this ordinance provides that the final action by the City Council shall only be taken after the Atlanta Urban Design Commission has taken action on a Type IV Certificate of Appropriateness based the designation of the entire property such that the reduction of the designation area by this Ordinance shall not be a factor in the consideration of the Type IV Certificate of Appropriateness; and

WHEREAS, the reduction of the footprint of the designation is a part of a settlement offer made to GTF in order to balance economic development through new construction projects while maintaining the continued exceptional integrity of location, design, setting, materials, workmanship, feeling and association of the Crum & Forster Building represents as provided by the Type IV Certificate of Appropriateness process; and

WHEREAS, the unique and special circumstances of the litigation is the reason for the action taken by this ordinance such that its passage is not to be considered a finding that the Crum & Foster Building is no longer architecturally, historically or culturally significant and eligible for protection because it possessed exceptional integrity of location, design, setting, materials, workmanship, feeling and association that has caused such designation to given to this property and other historic resources in the City or that the area of designation of other designated properties in the City should be reconsidered; and

WHEREAS, the reduction of the footprint will allow GTF to explore more options for its new construction proposal and plan for the type of applications which may be sought as of right that could include alterations to the Crum & Forster Building, which is otherwise in good condition.

NOW THEREFORE, the City Council of the City of Atlanta Georgia, hereby ordains as follows:

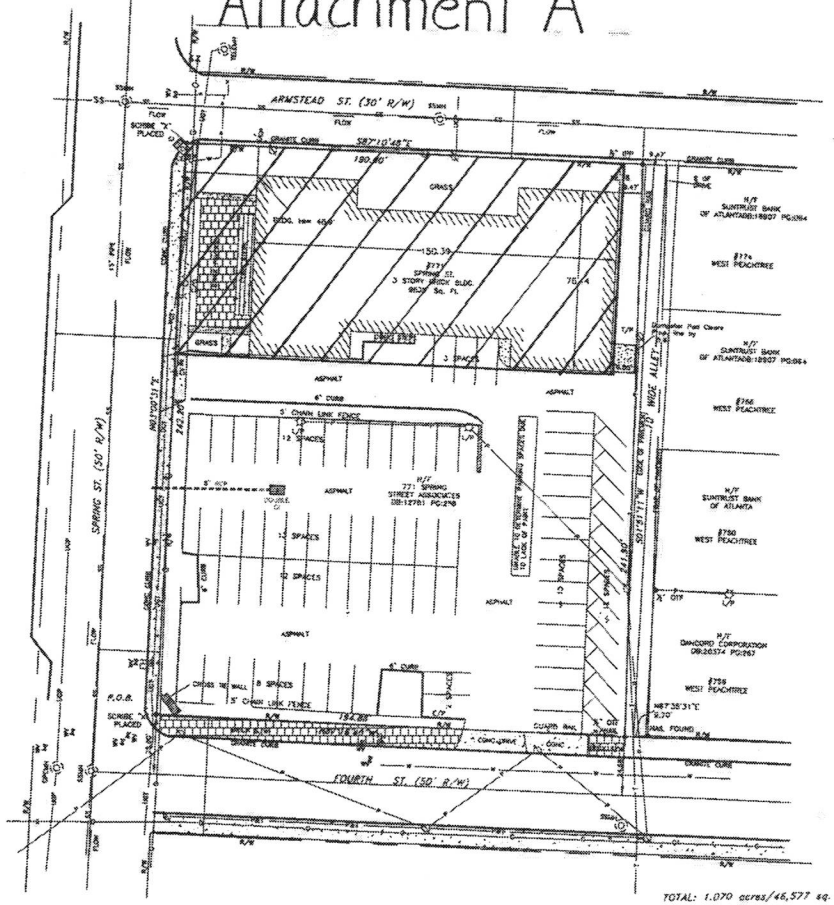
SECTION 1: That the property known as the Crum & Forster Building located at 771 Spring Street N.W. Land Lot 80 of the 14th District of Fulton County, Georgia, **except for** the footprint of the Crum & Forster Building and the real property between the Crum & Forster Building and Spring Street and Armstead Place, be rezoned to remove the designation of Landmark Building or Site. The property that shall retain the Landmark Building or Site designation is set forth in Attachment "A" (as is set forth in both a large size and reduced version). The footprint of the Crum & Forster Building and the real property between the Crum & Forster Building and Spring Street and Armstead Place as set forth in Attachment "A" (as is set forth in both a large size and reduced version) shall retain the designation of Landmark Building or Site.

SECTION 2: That the property from which the designation of Landmark Building or Site is to be removed shall maintain its underlying designation of SPI-16, Subarea 1.

SECTION 3: That the final vote on this ordinance by the City Council shall only be taken after the Atlanta Urban Design Commission has taken action on a Certificate of Type IV Appropriateness based the designation of the entire property so that the reduction of the designation area by this Ordinance shall only occur after action has been taken on such Type IV Certificate of Appropriateness.

SECTION 4: That this ordinance shall become effective upon the Mayor's signature or as specified by City Charter Sec. 2-403.

Attachment "A"



TOTAL: 1.070 acres/46,577 sq. ft.

LEGEND

P.O.B.	—	POINT OF BEGINNING
OTF	—	OPEN TOP FOUND
IRP	—	IRON PIN PLACED
R/W	—	RIGHT OF WAY
W	—	WATER LINE
W/V	—	WATER VALVE
G	—	GAS LINE
G/V	—	GAS VALVE
SSMH	—	SANITARY SEWER MANHOLE
SS	—	SANITARY SEWER LINE
GI	—	GRATE INLET
GPCMH	—	GEORGIA POWER MANHOLE
UGP	—	UNDERGROUND POWER
P	—	POWER LINE
P&T	—	POWER & TELEPHONE LINE
T	—	TELEPHONE LINE
UGT	—	UNDERGROUND TELEPHONE LINE
L/P	—	LIGHT POLE
TELEMH	—	TELEPHONE MANHOLE
FH	—	FIRE HYDRANT
	—	POWER POLE
WM	—	WATER METER
EP	—	EDGE OF PAVEMENT
S/W	—	SIDE WALK
C/O	—	CLEAN OUT
L	—	CENTER LINE
N/F	—	NOW OR FORMERLY
N.T.S	—	NOT TO SCALE
CONC	—	CONCRETE
RCP	—	REINFORCED CONCRETE PIPE

SCALE IN FEET

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771 SPRING STREET-ATLANTA, GEORGIA
LAND LOT 80, DISTRICT 14
FULTON COUNTY, GEORGIA
FOR:
TOM BARRANCO
3225 CUMBERLAND BLVD.
ATLANTA, GA 30339

CivilTech ENGINEERING INC

CIVILTECH ENGINEERING, INC.
87 PINE GROVE ROAD
LOCUST GROVE, GA 30248
(770) 898-0101
(770) 898-5923 FAX

REVISIONS

DRAWING NAME: Submit-1_03-13-08.dwg
DATE: 02/13/08
PROJECT # 12631
DRAWN BY: ERB

EXISTING CONDITIONS

2.0