



ZONING COMMITTEE
REGULAR COMMITTEE MEETING
 ~Agenda~

Atlanta City Hall
 55 Trinity Ave.
 Atlanta, GA 30303
<http://www.atlantaga.gov/>

CITY OF ATLANTA

Chairperson
 The Honorable Keisha Lance Bottoms

Theodis Pace
 (404) 30-6314
tpace@atlantaga.gov

Tuesday, November 26, 2013

4:15 PM

Committee Room 2

- I. CALL TO ORDER**
- II. INTRODUCTION OF MEMBERS**
- III. ADOPTION OF AGENDA**
- IV. APPROVAL OF MINUTES**
- V. COMMUNICATIONS**
- VI. ORDINANCES FOR SECOND READING**

13-O-1286 (1) - Z-13-34- AN ORDINANCE BY ZONING COMMITTEE TO REZONE FROM THE R-4 (SINGLE FAMILY RESIDENTIAL) TO THE R-4A (SINGLE FAMILY RESIDENTIAL) DISTRICT FOR PROPERTY LOCATED 1102 WOODLAND AVENUE, S.E., FRONTING APPROXIMATELY 118 FEET ON THE EAST SIDE OF WOODLAND AVENUE BEGINNING APPROXIMATELY 231 FEET FROM THE SOUTHWEST CORNER OF WOODLAND AVENUE AND EAST CONFEDERATE AVENUE. DEPTH VARIES; AREA: 0.5 ACRE. LAND LOT 10, 14TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: PAM RAPHAEL APPLICANT: DENICE C. BEALL

Application File Date	9-10-13
Zoning Number	Z-13-34
NPU / CD	W/1
Staff Recommendation	Approval
NPU Recommendation	Approval
ZRB Recommendation	Approval -ZRB public hearing on 11-14-2013

13-O-1261 (2) - AN ORDINANCE BY COUNCILMEMBER KWANZA HALL AS SUBSTITUTED BY ZONING COMMITTEE TO REZONE FROM THE PDH (PLANNED DEVELOPMENT-HOUSING) TO THE MR-3-C (MULTIFAMILY RESIDENTIAL) DISTRICT FOR PROPERTIES LOCATED AT 532,536,540,544,545, 550 AND 555 BISHOPS WAY (FORMERLY KNOWN AS

753 JOHNSON AVENUE, NE) FRONTING APPROXIMATELY 40 FEET ON THE SOUTH SIDE OF JOHNSON AVENUE BEGINNING 146.79 FEET WEST FROM THE SOUTHWEST CORNER OF RANDOLPH STREET. DEPTH: VARIES; AREA; APPROXIMATELY 0.73 ACRE; LAND LOT 46, 14TH DISTRICT, FULTON COUNTY, GEORGIA.

- 13-O-1208 (3) - AN ORDINANCE BY COUNCIL MEMBER ALEX WAN AS SUBSTITUTED BY ZONING COMMITTEE TO REZONE PROPERTY HAVING A STREET ADDRESS OF 1965 AND 1989 CHESHIRE BRIDGE ROAD FROM THE NC-5 (CHESHIRE BRIDGE ROAD SOUTH NEIGHBORHOOD COMMERCIAL) AND THE R-3 (SINGLE-FAMILY RESIDENTIAL) ZONING DISTRICTS TO THE NC-5-C (CHESHIRE BRIDGE ROAD SOUTH NEIGHBORHOOD COMMERCIAL) ZONING DISTRICT.
- 13-O-1284 (4) - U-13-19- AN AMENDED ORDINANCE BY ZONING COMMITTEE GRANTING A SPECIAL USE PERMIT FOR OUTDOOR AMUSEMENT, PURSUANT TO SECTION 16-18A.006(4)(A), FOR PROPERTY LOCATED AT 168 LUCKIE STREET, N.W., FRONTING APPROXIMATELY 130 FEET ON THE SOUTH SIDE OF LUCKIE STREET, APPROXIMATELY 104 FEET ON THE EAST SIDE OF TECHWOOD DRIVE AND APPROXIMATELY 37 FEET ON THE EAST SIDE OF NASSAU STREET. DEPTH VARIES; AREA: APPROXIMATELY 0.365 ACRE. LAND LOT 78, 14TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: TABERNACLE GROUP, LLC APPLICANT: ATLANTA PARTNERS, LLC C/O AL MERS
- 13-O-1285 (5) - U-13-20- AN AMENDED ORDINANCE BY ZONING COMMITTEE GRANTING A SPECIAL USE PERMIT FOR OUTDOOR DINING AND EATING AND DRINKING ESTABLISHMENTS WHEN ANY PART OF SUCH USE IS LOCATED WITHIN 1,000 FEET OF A RESIDENTIAL ZONING AND USE, PURSUANT TO SECTION 16-11.005(1)(L), FOR PROPERTY LOCATED AT 3700-3802 ROSWELL ROAD, N.E. (AKA 3714 ROSWELL ROAD), FRONTING APPROXIMATELY 843 FEET ON THE NORTHWEST SIDE OF ROSWELL ROAD. DEPTH VARIES; AREA: APPROXIMATELY 10.082 ACRES. LAND LOT 97, 17TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: REGENCY REALTY GROUP, INC. APPLICANT: REGENCY REALTY GROUP, INC. C/O PATRICIA A. WALLIS NPU B COUNCIL DISTRICT 8
- 13-O-1222 (6) - AN AMENDED ORDINANCE BY ZONING COMMITTEE TO AMEND ORDINANCE 05-O-1941 (U-05-31) WHICH GRANTED A SPECIAL USE PERMIT FOR A DAY CARE CENTER PURSUANT TO SECTION 16-05.005 (1) (B), PROPERTY LOCATED AT 2700 BUTNER ROAD, S.W., FRONTING

APPROXIMATELY 282 FEET ON THE SOUTHEASTERLY SIDE OF BUTNER ROAD. DEPTH: VARIES; AREA: .37 ACRE; LAND LOT 66, 14TH FF DISTRICT, FULTON COUNTY, GEORGIA. OWNER: SHIWILA M. WILLIS APPLICANT: SHIWILA M. WILLIS NPU P
COUNCIL DISTRICT 11

Application File Date	8-6-13
Zoning Number	U-13-18/U-05-31
NPU / CD	P-11
Staff Recommendation	Approval Conditional
NPU Recommendation	Denial
ZRB Recommendation	Approval Conditional-public hearing 11-14-13

(ID # 3308) (7) - Z-12-02A- AN AMENDED ORDINANCE BY ZONING COMMITTEE TO REZONE FROM THE I-2 (HEAVY INDUSTRIAL) DISTRICT TO THE MR-4A-C (MULTIFAMILY RESIDENTIAL) DISTRICT, PROPERTY LOCATED AT 903 HUFF ROAD, N.W., FRONTING APPROXIMATELY 935 FEET ON THE NORTH SIDE OF HUFF ROAD, BEGINNING APPROXIMATELY 368 FEET AT THE INTERSECTION OF BOOTH STREET AND HUFF ROAD. DEPTH: VARIES. AREA: 5.36 ACRES. LAND LOTS 151 AND 188. 17TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: SISKEN STEEL AND SUPPLY COMPANY APPLICANT: WSE LLC. NPU D COUNCIL DISTRICT 9

Application File Date	11-18-11
Zoning Number	Z-12--02A
NPU / CD	D-9
Staff Recommendation	Approval Conditional
NPU Recommendation	Approval Conditional
ZRB Recommendation	Approval Conditional (ZRB hearing on 11-14-13)

13-O-1220 (8) - AN ORDINANCE BY ZONING COMMITTEE GRANTING A SPECIAL USE PERMIT FOR A PERSONAL CARE HOME, PURSUANT TO SECTION 16-05.005 (1) (G), PROPERTY LOCATED AT 1611 MILL ACRES DRIVE, S.W.

FRONTING APPROXIMATELY 99 FEET ON THE SOUTH SIDE OF MILL ACRES DRIVE AND APPROXIMATELY 140 FEET WEST OF THE INTERSECTION OF MILL ACRES DRIVE AND WILLIS MILL ROAD. DEPTH: VARIES. AREA: APPROXIMATELY 0.408 ACRE. LAND LOT 200, 14TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: THERESA HALEY APPLICANT: STEPPING STONES YOUTH CENTER, INC. NPU I
COUNCIL DISTRICT 11

Application File Date	8-5-13
Zoning Number	U-13-16
NPU / CD	I-11
Staff Recommendation	
NPU Recommendation	
ZRB Recommendation	

(ID # 3294) (9) - 10-O-0001 (Z-05-119) AN ORDINANCE BY COUNCIL MEMBER AARON WATSON TO AMEND SECTION 16-18L.002 OF THE CITY OF ATLANTA ZONING CODE BY ADDING A NEW STATEMENT OF INTENT; AND FOR OTHER PURPOSES.

Application File Date	
Zoning Number	Z-05-119
NPU / CD	
Staff Recommendation	File-Did not progress to ZRB public hearing
NPU Recommendation	
ZRB Recommendation	No public hearing held

(ID # 3295) (10) - 10-O-0002 Z-05-125 AN ORDINANCE BY COUNCILMEMBER AARON WATSON TO AMEND THE ZONING ORDINANCE OF THE CITY OF ATLANTA, AND THE MAPS ESTABLISHED IN CONNECTION THEREWITH SO THAT THE FOLLOWING PROPERTY LOCATED AT 1361, 1362, 1365, 1366, 1371, 1374, 1375, 1381, 1382, 1385, 1386, 1391, 1394, 1395, 1398, 1404, 1407 AND 1410 METROPOLITAN PARKWAY, SE, BE CHANGED FROM THE R-4 (SINGLE FAMILY RESIDENTIAL) DISTRICT TO MRC-1 (MIXED RESIDENTIAL COMMERCIAL) DISTRICT; AND FOR OTHER PURPOSES.

Application File Date	
Zoning Number	Z-05-125
NPU / CD	X/12
Staff Recommendation	FILE-did not progress to ZRB public hearing
NPU Recommendation	
ZRB Recommendation	No Public Hearing Held

(ID # 3296) (11) 10-O-0003 FOR Z-06-65 AN ORDINANCE BY COUNCILMEMBER AARON WATSON TO AMEND SECTION 16-24.005 (5) OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA (THE ZONING ORDINANCE) SO AS TO PROVIDE THAT IF PROPERTY UPON WHICH A NON-CONFORMING USE OF A MAJOR STRUCTURE OR MAJOR STRUCTURE AND PREMISES IN COMBINATION, IS REZONED DURING THE ONE YEAR GRANDFATHERING PERIOD PURSUANT TO A LIVABLE COMMUNITIES INITIATIVE (LCI) PROCESS, SAID NON-CONFORMING USE STATUS SHALL CEASE AND THE MAJOR STRUCTURE OR MAJOR STRUCTURE AND PREMISES IN COMBINATION SHALL NOT THEREAFTER BE USED EXCEPT IN CONFORMITY WITH THE REGULATION OF THE DISTRICT IN WHICH IT IS LOCATED; TO WAIVE CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

Application File Date	
Zoning Number	Z-06-65
NPU / CD	
Staff Recommendation	FILE-did not progress to ZRB public hearing
NPU Recommendation	
ZRB Recommendation	No public hearing held

(ID # 3298) (12) 10-O-0004 Z-06-123 AND Z-06-56 AN ORDINANCE BY COUNCILMEMBER AARON WATSON Z-06-123/ Z-06-56 TO AMEND ORDINANCE 06-O-0944 (Z-06-56) WHICH REZONED PROPERTY FROM THE MRC-3-C (MIXED RESIDENTIAL COMMERCIAL-CONDITIONAL) AND I-1 (LIGHT INDUSTRIAL) DISTRICTS TO THE PD-MU (PLANNED DEVELOPMENT-MIXED USE) DISTRICT ADOPTED BY CITY COUNCIL OCTOBER 16, 2006 AND APPROVED BY THE MAYOR, PROPERTY LOCATED AT 695 NORTH AVENUE, NE, FOR THE PURPOSE OF A SITE PLAN AMENDMENT, AND

TO REZONE A PORTION OF THE PROPERTY, FROM THE PD-MU (PLANNED DEVELOPMENT-MIXED USE) DISTRICT TO THE I-1 (LIGHT INDUSTRIAL) DISTRICT

Application File Date	
Zoning Number	Z-06-123 and Z-06-56
NPU / CD	M/N/2
Staff Recommendation	FILE-did not progress to ZRB public hearing
NPU Recommendation	
ZRB Recommendation	No Public Hearing Held

(ID # 3299) (13) - 10-O-0005 Z-07-06 AN ORDINANCE BY COUNCILMEMBER AARON WATSON TO REZONE FROM THE R-3 (SINGLE-FAMILY RESIDENTIAL) DISTRICT TO THE PD-H (PLANNED DEVELOPMENT-HOUSING) DISTRICT, PROPERTY LOCATED AT 3931 LAND O' LAKES DRIVE, NE, FRONTING APPROXIMATELY 50 FEET ON APPROXIMATELY 790 FEET NORTHWEST OF THE INTERSECTION OF SHELDON DRIVE AND LAND O'LAKES DRIVE. DEPTH: VARIES. AREA: APPROXIMATELY 3.78 ACRES LAND LOT: 63, 17TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: GERALD AND MICHELE K. PALMER APPLICANT: WAYNE H. KNOX NPU-B /COUNCIL DISTRICT 7

Application File Date	
Zoning Number	Z-07-06
NPU / CD	B/7
Staff Recommendation	File-Did not progress to ZRB Public Hearing
NPU Recommendation	
ZRB Recommendation	No public hearing held

(ID # 3300) (14) - 10-O-0006 Z-07-52 AN ORDINANCE BY COUNCILMEMBER AARON WATSON TO AMEND THE LAND DEVELOPMENT CODE, SECTION 16-28.005(5) TO LIMIT THE HEIGHT OF RETAINING WALLS IN FRONT, HALF DEPTH FRONT, SIDE AND REAR SETBACKS, OR YARDS; AND FOR OTHER PURPOSES.

Application File Date	
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Zoning Number	Z-07-52
NPU / CD	
Staff Recommendation	FILE-did not progress to ZRB public hearing
NPU Recommendation	
ZRB Recommendation	No public hearing held

(ID # 3301) (15) - 10-O-0007 Z-07-54 AN ORDINANCE BY COUNCILMEMBER AARON WATSON TO AMEND THE CITY OF ATLANTA LAND DEVELOPMENT CODE TO CREATE CODE SECTION 16.28.023(A) TITLED TRANSFER OF DEVELOPMENT RIGHTS IN THE BELTLINE PLANNING AREA; TO PROVIDE FOR DEFINITIONS; AND FOR OTHER PURPOSES.

Application File Date	
Zoning Number	Z-07-54
NPU / CD	
Staff Recommendation	FILE-did not progress to ZRB public hearing
NPU Recommendation	
ZRB Recommendation	No public hearing

(ID # 3302) (16) - 10-O-0008 Z-07-15 AN ORDINANCE BY COUNCILMEMBER AARON WATSON TO REZONE FROM THE R-4 (SINGLE-FAMILY RESIDENTIAL) DISTRICT TO THE PD-H (PLANNED DEVELOPMENT-HOUSING) DISTRICT, PROPERTY LOCATED AT 850 ORMEWOOD AVENUE, SE, FRONTING APPROXIMATELY 153 FEET ON THE NORTH SIDE OF ORMEWOOD AVENUE AT THE NORTHWEST CORNER OF MERCER PLACE. DEPTH: VARIES. AREA: APPROXIMATELY 1.25 ACRES. LAND LOT: 22, 14TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: CAS DEVELOPMENT-CECIL FRANCIS. APPLICANT: JAMES BAILEY. NPU-W. COUNCIL DISTRICT 1

Application File Date	
Zoning Number	Z-07-15
NPU / CD	W/1

Staff Recommendation	FILE-did not progress to ZRB public hearing
NPU Recommendation	
ZRB Recommendation	No public hearing held

(ID # 3310) (17) - 10-O-0009 Z-07-48 AN ORDINANCE BY COUNCILMEMBER AARON WATSON TO REZONE FROM THE I-2 (HEAVY INDUSTRIAL) DISTRICT TO THE LW (LIVE-WORK) DISTRICT, PROPERTY LOCATED AT 1116 MURPHY AVENUE, SW, FRONTING APPROXIMATELY 215 FEET ON THE SOUTHEASTERLY SIDE OF MURPHY AVENUE BEGINNING APPROXIMATELY 790 FEET FROM THE NORTHEAST CORNER OF AVON AVENUE. PROPERTY ALSO FRONTS 35.29 FEET ON THE WEST SIDE OF SYLVAN ROAD. DEPTH: VARIES. AREA: APPROXIMATELY 3.59 ACRES. LAND LOT: 119, 14TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: 1116 MURPHY AVENUE, LLC. BY HARRY JENKINS. APPLICANT: JOHN A. BELL. NPU-S COUNCIL DISTRICT 12

Application File Date	
Zoning Number	Z-07-48
NPU / CD	S/12
Staff Recommendation	FILE-no ZRB hearing held
NPU Recommendation	
ZRB Recommendation	No public hearing held

(ID # 3311) (18) - 10-O-0010 Z-07-83 AN ORDINANCE BY COUNCILMEMBER AARON WATSON TO AMEND THE 1982 ZONING ORDINANCE OF THE CITY OF ATLANTA, AS AMENDED, TO REZONE PROPERTY LOCATED AT 670 DEKALB AVENUE FROM THE I2/HD 20L ZONING CATEGORY (HEAVY INDUSTRIAL WITH INMAN PARK HISTORIC DISTRICT OVERLAY) TO THE C-3-C ZONING CATEGORY (COMMERCIAL RESIDENTIAL-CONDITIONAL); AND FOR OTHER PURPOSES.

Application File Date	
Zoning Number	Z-07-83
NPU / CD	

Staff Recommendation	FILE-did not progress to ZRB
NPU Recommendation	
ZRB Recommendation	No public hearing held

(ID # 3312) (19) 10-O-0011 Z-078-77 AN ORDINANCE BY COUNCILMEMBER AARON WATSON TO REZONE FROM THE SPI-16 SUB AREA 2 (MIDTOWN SPECIAL PUBLIC INTEREST) DISTRICT TO THE SPI-16 SUB AREA 2 TRANSITION AREA (MIDTOWN SPECIAL PUBLIC INTEREST) DISTRICT, PROPERTY LOCATED AT 207, 211, 219, 223 AND 225 13TH STREET, NE, FRONTING APPROXIMATELY 208 FEET ON THE SOUTH SIDE OF 13TH STREET BEGINNING 408.87 FEET FROM THE SOUTHWEST CORNER OF PIEDMONT AVENUE. DEPTH: APPROXIMATELY 178 FEET. AREA: 0.854 ACRE. LAND LOT: 106, 17TH DISTRICT, FULTON COUNTY, GEORGIA .OWNER: 13TH STREET HOLDINGS, LLC./FREDERICK LEWIS, PAUL PATTERSON. APPLICANT:13TH STREET HOLDINGS. LLC. NPU-E COUNCIL DISTRICT 6

Application File Date	
Zoning Number	Z-07-77
NPU / CD	E/6
Staff Recommendation	FILE-did not progress to ZRB
NPU Recommendation	
ZRB Recommendation	No public hearing held

(ID # 3313) (20) 10-O-0012 Z-07-96AN ORDINANCE BY COUNCILMEMBER AARON WATSON AMENDING THE ZONING ORDINANCE OF THE CITY OF ATLANTA AND THE MAPS ESTABLISHED IN CONNECTION THEREWITH BE CHANGED SO THAT THE FOLLOWING PROPERTIES #1380, 1390, 1400, 1410, 1414, 1418, 1420, 1424, 1428, 1450, 1470, 1480 AND 1488 BOLTON ROAD, NW, BE CHANGED FROM I-1 (LIGHT INDUSTRIAL) ZONING CLASSIFICATION TO R-4 (SINGLE-FAMILY RESIDENTIAL) CLASSIFICATION (COUNCIL DISTRICT 9, NPU G); AND FOR OTHER PURPOSES.

Application File Date	
Zoning Number	Z-07-96
NPU / CD	G/9

Staff Recommendation	FILE-did not progress to ZRB
NPU Recommendation	
ZRB Recommendation	No public hearing held

(ID # 3314) (21) 10-O-0014 Z-08-47 AN ORDINANCE BY COUNCILMEMBER AARON WATSON TO AMEND CHAPTER 16, CHAPTER 18, SECTION 16-K.004 OF THE CITY OF ATLANTA CODE OF ORDINANCES SO AS TO REQUIRE A SPECIAL USE PERMIT FOR CERTAIN USES LOCATED IN SUBAREA 6 OF THE SPI-11 ZONING DISTRICT.

Application File Date	
Zoning Number	Z-08-47
NPU / CD	L/3
Staff Recommendation	FILE-did not progress to ZRB
NPU Recommendation	
ZRB Recommendation	No public hearing held

(ID # 3315) (22) 10-O-0015 Z-08-44 AN ORDINANCE BY COUNCILMEMBER AARON WATSON TO REZONE FROM THE R-4 (SINGLE-FAMILY RESIDENTIAL) DISTRICT TO THE C-1 (COMMUNITY BUSINESS) DISTRICT, PROPERTY LOCATED AT 1398 METROPOLITAN PARKWAY, SW, FRONTING APPROXIMATELY 54.30 FEET ON THE EAST SIDE OF METROPOLITAN PARKWAY AND APPROXIMATELY 133 FEET NORTH OF THE INTERSECTION OF METROPOLITAN AND LYNNHAVEN DRIVE. DEPTH:197 FEET. AREA:0.2455 ACRE. LAND LOT: 88, 14TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: ANDREA JONES. APPLICANT: ANDREA JONES. NPU-X COUNCIL DISTRICT 12

Application File Date	6-10-08
Zoning Number	Z-08-44
NPU / CD	X-12
Staff Recommendation	FILE-did not progress to ZRB
NPU Recommendation	

ZRB Recommendation	No public hearing held
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(ID # 3316) (23) 10-O-0016 Z-08-59 AN ORDINANCE BY COUNCILMEMBER AARON WATSON TO REZONE FROM THE SPI-11-SUBAREA 7 (VINE CITY SPECIAL PUBLIC INTEREST) DISTRICT TO THE C-1 (COMMUNITY BUSINESS) DISTRICT, PROPERTY LOCATED AT 601 SPENCER STREET, NW (AKA 605 SPENCER STREET, NW).

Application File Date	
Zoning Number	Z-08-59
NPU / CD	L/3
Staff Recommendation	FILE-did not progress to ZRB
NPU Recommendation	
ZRB Recommendation	No public hearing held

(ID # 3318) (24) 10-O-0017 U-08-25 AN ORDINANCE BY COUNCILMEMBER AARON WATSON GRANTING A SPECIAL USE PERMIT PURSUANT TO SECTION 16-11.005(1)(M) OF THE CITY OF ATLANTA ZONING ORDINANCE FOR SUPPORTIVE HOUSING, PROPERTY LOCATED AT 601 SPENCER STREET, NW (AKA 605 SPENCER STREET, NW).

Application File Date	
Zoning Number	U-08-25
NPU / CD	L/3
Staff Recommendation	FILE-did not progress to ZRB
NPU Recommendation	
ZRB Recommendation	No public hearing held

(ID # 3320) (25) 10-O-0019 Z-08-76 AN ORDINANCE BY COUNCILMEMBER AARON WATSON TO AMEND PART 16, CHAPTER 28A OF 1982 ZONING ORDINANCE OF THE CITY OF ATLANTA, AS AMENDED, SO AS TO CREATE A NEW SECTION 16-28A.010 (51) TO PROVIDE FOR COMPREHENSIVE SIGNAGE REGULATIONS FOR THAT AREA

DESIGNATED AS SPI-23- ATLANTIC STATION REDEVELOPMENT DISTRICT; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

Application File Date	
Zoning Number	Z-08-76
NPU / CD	
Staff Recommendation	FILE-did not progress to ZRB
NPU Recommendation	
ZRB Recommendation	No public hearing held

(ID # 3321) (26) - 10-O-0020 Z-08-77 AN ORDINANCE BY COUNCILMEMBER AARON WATSON TO AMEND THE 1982 ZONING ORDINANCE OF THE CITY OF ATLANTA BY CREATING A NEW CHAPTER ENTITLED CHAPTER 18W-SPI-23 ATLANTIC STATION REDEVELOPMENT SPECIAL PUBLIC INTEREST DISTRICT REGULATIONS; TO AMEND THE OFFICIAL ZONING MAP BY OVERLAYING EXISTING ZONING DISTRICTS C-4-C AND I-2 WITH SAID SPI 23 DISTRICT SO AS TO PROVIDE FOR COMPREHENSIVE AND CONSISTENT REGULATIONS WITHIN THE SPI RELATIVE TO SIGNAGE; AND FOR OTHER PURPOSES.

Application File Date	
Zoning Number	Z-08-77
NPU / CD	
Staff Recommendation	FILE-did not progress to ZRB
NPU Recommendation	
ZRB Recommendation	No public hearing

(ID # 3322) (27) - 10-O-0021 Z-08-79 AN ORDINANCE BY COUNCILMEMBER AARON WATSON DESIGNATING THE CRUM & FORSTER BUILDING, LOCATED AT 771 SPRING STREET, NW, LAND LOT 80, OF THE 14TH DISTRICT OF FULTON COUNTY, GEORGIA AND CERTAIN REAL PROPERTY ON WHICH IT IS LOCATED, TO THE OVERLAY ZONING DESIGNATION OF LANDMARK BUILDING OR SITE PURSUANT TO CHAPTER 20 OF THE ZONING ORDINANCE OF THE CITY OF ATLANTA AND REZONING FROM SPI-16 (SPECIAL PUBLIC INTEREST DISTRICT-16) TO SPI-16/LBS (SPECIAL PUBLIC INTEREST DISTRICT-16/LANDMARK BUILDING OR

SITE); TO REPEAL CONFLICTING LAWS; AND FOR OTHER PURPOSES.

Application File Date	
Zoning Number	Z-08-79
NPU / CD	
Staff Recommendation	FILE-did not progress to ZRB
NPU Recommendation	
ZRB Recommendation	No public hearing held

(ID # 3323) (28) 10-O-0022 U-07-27/U-06-23 AN ORDINANCE BY COUNCILMEMBER AARON WATSON AUTHORIZING THE MAYOR OR HIS DESIGNEE TO AMEND ORDINANCE NUMBER 07-O-1921/U-07-27/U-06-23 TO INCLUDE THE SITE PLAN AS REFERENCED IN SECTION 1 OF THE ORDINANCE AND IN THE CONDITIONS AS ADOPTED BY THE COUNCIL ON NOVEMBER 5, 2007 AND APPROVED BY THE MAYOR ON NOVEMBER 13, 2007; AND FOR OTHER PURPOSES.

Application File Date	
Zoning Number	U-07-27/U-06-23
NPU / CD	
Staff Recommendation	FILE-did not progress to ZRB
NPU Recommendation	
ZRB Recommendation	No public hearing held

(ID # 3324) (29) 10-O-0023 Z-09-24 AN ORDINANCE BY COUNCILMEMBER AARON WATSON TO AMEND SECTION 16-28A.013(A)(X) OF THE CITY OF ATLANTA SIGN ORDINANCE FOR THE PURPOSE OF CLARIFYING THE EFFECT OF MODIFICATION OR REPLACEMENT OF STRUCTURES SUPPORTING ON THE NON-CONFORMITY OF GENERAL ADVERTISING SIGNS; AND FOR OTHER PURPOSES.

Application File Date	
Zoning Number	Z-09-24
NPU / CD	

Staff Recommendation	FILE-deferred by ZRB but Dept decided not to move forward
NPU Recommendation	
ZRB Recommendation	

(ID # 3325) (30) 10-O-0036 U-09-23 AN ORDINANCE BY COUNCILMEMBER AARON WATSON GRANTING A SPECIAL USE PERMIT FOR A PERSONAL CARE HOME PURSUANT TO SECTION 16-06.005 (1) (G) FOR PROPERTY LOCATED AT 1041 LAWTON AVENUE, SW, FRONTING APPROXIMATELY 100 FEET ON THE NORTHEASTERLY SIDE OF LAWTON AVENUE AND APPROXIMATELY 447 FEET EAST OF THE INTERSECTION OF LAWTON AVENUE AND PEEPLES STREET. DEPTH: APPROXIMATELY 180 FEET. AREA: 0.41 ACRE LAND LOT: 119, 14TH DISTRICT, FULTON COUNTY, GEORGIA
 OWNER: NATHAN M. JIDEAMA APPLICANT:
 NATHAN M. JIDEAMA NPU-S
 COUNCIL DISTRICT 4

Application File Date	
Zoning Number	U-09-23
NPU / CD	S/4
Staff Recommendation	FILE-did not progress to ZRB
NPU Recommendation	
ZRB Recommendation	No public hearing held

(ID # 3326) (31) 10-O-0042 Z-09-44 AN ORDINANCE BY COUNCILMEMBER AARON WATSON TO AMEND THE 1982 ZONING ORDINANCE OF THE CITY OF ATLANTA, AS AMENDED, SO AS TO CREATE A NEW CHAPTER 37 ENTITLED VOLUNTARY INCENTIVE MULTI-FAMILY RESIDENTIAL REGULATIONS, CONCERNING THE CREATION OF OPTIONAL AND PARALLEL DEVELOPMENT CODE REQUIREMENTS FOR MULTI-FAMILY RESIDENTIAL DEVELOPMENTS FOR THE PURPOSE OF PUBLIC BENEFITS INCLUDING THE PROVISION OF AFFORDABLE WORKFORCE HOUSING; TO DEFINE CERTAIN TERMS; TO PROVIDE FOR RELATED REQUIREMENTS AND PROCEDURES; AND FOR OTHER PURPOSES.

Application File Date	
Zoning Number	Z-09-44
NPU / CD	
Staff Recommendation	FILE
NPU Recommendation	
ZRB Recommendation	

(ID # 3327) (32)
- 10-O-0404 U-10-05 AN ORDINANCE BY ZONING COMMITTEE GRANTING A SPECIAL USE PERMIT PURSUANT TO SECTION 16-06.005 (L) (G) FOR A DAY CARE CENTER, PROPERTY LOCATED AT 1777 MARVIN STREET, NW, FRONTING APPROXIMATELY 50 FEET ON THE EAST SIDE OF MARVIN STREET BEGINNING APPROXIMATELY 300 FEET FROM THE SOUTHEAST CORNER OF MARVIN STREET AND HARPER STREET. DEPTH: APPROXIMATELY 250 FEET. AREA: .286 ACRE LAND LOT: 187, 17TH DISTRICT, FULTON COUNTY, GEORGIA APPLICANT: HEATHER WOLF OWNER: LEXANDER G. WOLF NPU-D COUNCIL DISTRICT 9

Application File Date	
Zoning Number	U-10-05
NPU / CD	C/9
Staff Recommendation	FILE
NPU Recommendation	
ZRB Recommendation	No public hearing

(ID # 3328) (33)
- 10-O-1455 AN ORDINANCE BY COUNCILMEMBERS NATALYN M. ARCHIBONG AND AARON WATSON TO AMEND SECTION 16-25.002(3)(I)(IV) OF THE ATLANTA ZONING ORDINANCE, ENTITLED "OTHER PERMISSIBLE ANTENNAS", SO AS TO REGULATE THE STANDARDS AND CRITERIA GOVERNING THE PLACEMENT, CONSTRUCTION, AND MODIFICATION OF CELL TOWERS, ANTENNAS AND RELATED ANCILLARY EQUIPMENT.

Application File Date	
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Zoning Number	
NPU / CD	
Staff Recommendation	FILE-did not progress to ZRB
NPU Recommendation	
ZRB Recommendation	No public hearing

(ID # 3329) (34)

10-O-2123 U-10-36 AN ORDINANCE BY ZONING COMMITTEE GRANTING A SPECIAL USE PERMIT UNDER THE PROVISIONS OF SECTION 16-18K.004(3) FOR A COMMUNITY CENTER, PROPERTY LOCATED AT 766 JOSEPH E. BOONE BOULEVARD FRONTING APPROXIMATELY 56 FEET ON THE SOUTH SIDE OF JOSEPH E. BOONE BOULEVARD APPROXIMATELY 95 FEET ON THE EAST SIDE OF JAMES P. BRAWLEY DRIVE. DEPTH: 95 FEET. AREA: APPROXIMATELY 0.122 ACRE. LAND LOT: 110, 14TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: KAVEH KAMOONEH. APPLICANT: TRINDERLYN S. WILLIAMS NPU-L COUNCIL DISTRICT 3

Application File Date	
Zoning Number	U-10-36
NPU / CD	L/3
Staff Recommendation	FILE-applicant withdrew
NPU Recommendation	
ZRB Recommendation	

(ID # 3337) (35)

11-O-0543 U-11-15 AN ORDINANCE BY ZONING COMMITTEE GRANTING A SPECIAL USE PERMIT PURSUANT TO SECTION 16-18K.004(3)(A) OF THE CITY OF ATLANTA ZONING ORDINANCE FOR A PERSONAL CARE HOME PROPERTY LOCATED AT 969 PALMETTO AVENUE, NW, FRONTING APPROXIMATELY 50 FEET ON THE NORTH SIDE OF PALMETTO AVENUE AT ABBOTT STREET. DEPTH: 100 FEET AREA: APPROXIMATELY 0.114 ACRE LAND LOT: 116, 14TH DISTRICT, FULTON COUNTY, GEORGIA OWNER: LEON GOODROM APPLICANT: ELBERT T. BROWN NPU-T COUNCIL DISTRICT 4

Application File Date	
-----------------------	--

Zoning Number	U-10-36
NPU / CD	T/4
Staff Recommendation	FILE-appliaent withdrew
NPU Recommendation	
ZRB Recommendation	

(ID # 3340) (36)

11-O-1177 AN ORDINANCE BY COUNCILMEMBERS CARLA SMITH AND CLETA WINSLOW TO AMEND SECTIONS 16-29.001(16)(E) OF THE ZONING CODE OF THE CITY OF ATLANTA FOR THE PURPOSE OF AMENDING THE DISTANCE REQUIREMENT BETWEEN CERTAIN SUPPORTIVE HOUSING OR REHABILITATION FACILITIES LOCATED IN THE CITY OF ATLANTA; AND FOR OTHER PURPOSES.

Application File Date	
Zoning Number	
NPU / CD	
Staff Recommendation	FILE-did not progress to ZRB
NPU Recommendation	
ZRB Recommendation	No public hearing

(ID # 3343) (37)

11-O-1591AN ORDINANCE BY ZONING COMMITTEE AUTHORIZING THE MAYOR TO AMEND ORDINANCE 10-O-1889/U-10-34 BY INCLUDING THE CORRECT VERSION OF THE SITE PLAN AND CONDITIONS IN THE LEGISLATION; AND FOR OTHER PURPOSES.

Application File Date	
Zoning Number	
NPU / CD	
Staff Recommendation	FILE
NPU Recommendation	
ZRB Recommendation	

(ID # 3345) (38)

12-O-0968 U-12-05 AN ORDINANCE BY ZONING COMMITTEE GRANTING A SPECIAL USE PERMIT PURSUANT TO SECTION 16-11.005(L)(C) FOR OUTDOOR AMUSEMENT ENTERPRISES, EXHIBITS, ENTERTAINMENTS, MEETINGS, DISPLAYS OR SALES AREAS OR OUTDOOR AREAS FOR RELIGIOUS CEREMONIES OF NINETY (90) DAYS OR MORE DURATION LOCATED AT 2428 LAKEWOOD AVENUE, SE, LOCATED APPROXIMATELY 297 FEET ON THE SOUTH SIDE OF LAKEWOOD AVENUE AND APPROXIMATELY 405 FEET ON THE SOUTHEASTERLY SIDE OF POLAR ROCK ROAD AT THE INTERSECTION OF POLAR ROCK ROAD AND LAKEWOOD AVENUE. DEPTH: VARIES AREA: APPROXIMATELY 0.027 ACRE LAND LOT: 70, 14TH DISTRICT, FULTON COUNTY, GEORGIA OWNER: NORTHSIDE UNITED METHODIST CHURCH APPLICANT: KENNETH LEWIS NPU-Z

COUNCIL DISTRICT 12

Application File Date	
Zoning Number	U-12-05
NPU / CD	X/12
Staff Recommendation	FILE-did not progress to ZRB
NPU Recommendation	
ZRB Recommendation	No public hearing held

(ID # 3347) (39)

12-O-1137 Z-12-33 AN ORDINANCE BY COUNCIL MEMBERS KEISHA LANCE BOTTOMS, C. T. MARTIN, AND H. LAMAR WILLIS AMENDING THE 1082 ZONING ORDINANCE OF THE CITY OF ATLANTA FOR THE PURPOSE OF ADDING ADDITIONAL GUIDELINES AND REGULATIONS FOR THE CASCADE HEIGHTS NEIGHBORHOOD COMMERCIAL DISTRICT CHAPTER 32F.NC-6 BY INSERTING A NEW SUBPARAGRAPH (1)(F); AND FOR OTHER PURPOSES.

Application File Date	
Zoning Number	Z-12-33
NPU / CD	
Staff Recommendation	FILE-did not progress to ZRB
NPU Recommendation	
ZRB Recommendation	No public hearing

(ID # 3348) (40) 12-O-1436 U-12-20 AN ORDINANCE BY ZONING COMMITTEE GRANTING A SPECIAL USE PERMIT FOR A NIGHTCLUB PURSUANT TO SECTION 16-181.007 (3)(A) OF THE ZONING ORDINANCE PROPERTY LOCATED AT 34 IRBY AVENUE, NW, FRONTING APPROXIMATELY 32 FEET ON THE NORTH SIDE OF IRBY AVENUE BEGINNING APPROXIMATELY 64 FEET FROM THE NORTHEAST CORNER OF IRBY AVENUE AND EARLY STREET. DEPTH: VARIES AREA: APPROXIMATELY 0.273 ACRE LAND LOT: 99, 17TH DISTRICT, FULTON COUNTY, GEORGIA
 OWNER: FIRST SECURITY AND EXCHANGE PARTNERSHIP, LLP APPLICANT: DEWAYNE N. MARTIN NPU-B
 COUNCIL DISTRICT 8

Application File Date	
Zoning Number	U-12-20
NPU / CD	B/7
Staff Recommendation	FILE-did not progress to ZRB
NPU Recommendation	
ZRB Recommendation	No public hearing

VII.PAPERS HELD IN COMMITTEE

(ID # 1821) (41) 10-O-0013/Z-07-113 AN ORDINANCE BY COUNCILMEMBER AARON WATSON AS SUBSTITUTED AND AMENDED BY ZONING COMMITTEE TO REZONE FROM THE I-1-C (LIGHT INDUSTRIAL-CONDITIONAL) DISTRICT TO THE MRC-3 (MIXED RESIDENTIAL COMMERCIAL) DISTRICT, PROPERTY LOCATED AT 430 AND 460 ENGLEWOOD AVENUE, SE, FRONTING APPROXIMATELY 678 FEET ON THE NORTH SIDE OF ENGLEWOOD AVENUE BEGINNING APPROXIMATELY 132 FEET FROM THE NORTHEAST CORNER OF MAILING AVENUE. DEPTH: APPROXIMATELY 1,010 FEET AREA: APPROXIMATELY 10.32 ACRES LAND LOT: 42, 14TH DISTRICT, FULTON COUNTY, GEORGIA OWNER: JWGST LLC/JOSEPH WILESAPPLICANT: JASON FRITZ NPU-Y COUNCIL DISTRICT 1
(Substituted and amended and held 1/13/10 at the request of the District Councilmember)

(ID # 1865) (42) 11-O-0824 AN ORDINANCE BY ZONING COMMITTEE TO AMEND

- SECTION 6-4028 AND TO CREATE SECTION 6-4028.1 OF THE LAND DEVELOPMENT CODE, PART III OF THE CODE OF ORDINANCES, SO AS TO CHANGE THE DEFERRAL FEE FOR VARIANCE AND SPECIAL EXCEPTION APPLICATIONS BEFORE THE BOARD OF ZONING ADJUSTMENT TO A FLAT FEE FOR EACH INSTANCE THAT THE BOARD GRANTS AN APPLICANT'S REQUEST FOR DEFERRAL TO A SUBSEQUENT PUBLIC HEARING ON THE APPLICATION; AND FOR OTHER PURPOSES.

(Held 6/15/11) (Public Hearing Held 5/2/12)

13-O-1146 (43) - AN ORDINANCE BY COUNCILMEMBER KWANZA HALL AUTHORIZING THE INSTALLATION OF PUBLIC ART (A MURAL, "UNTITLED"), AT 483 EDGEWOOD AVENUE, ATLANTA, GEORGIA AS PURSUANT TO CODE SECTION 16-28.025 OF THE 1982 ZONING ORDINANCE OF THE CITY OF ATLANTA; AND FOR OTHER PURPOSES.

(Held 7/10/13 for certification from Office of Transportation)

13-O-1310 (44) - AN ORDINANCE BY COUNCILMEMBER AARON WATSON TO AUTHORIZE THE REDUCTION OF SPECIAL ADMINISTRATIVE PERMIT FEES FOR URBAN GARDENS AS PRINCIPAL USES ON LOTS IN RESIDENTIAL ZONING DISTRICTS; AND FOR OTHER PURPOSES.

(Held 10/16/13)

13-R-3310 (45) - A RESOLUTION BY COUNCILMEMBERS MICHAEL J. BOND, CLETA WINSLOW, KWANZA HALL, AND IVORY L. YOUNG, JR. REQUESTING THE DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT, BUREAU OF PLANNING BEGIN THE PROCESS OF STUDYING AND MAKING RECOMMENDATIONS TO AMEND THE 1982 ZONING ORDINANCE, AS AMENDED, BY CREATING A NEW CHAPTER TO BE ENTITLED CASTLEBERRY HILL SPECIAL PUBLIC INTEREST; AND FOR OTHER PURPOSES.

(Held 7/10/13)

VIII. REMARKS FROM THE PUBLIC

IX. ADJOURNMENT

Z-13-34- AN ORDINANCE BY ZONING COMMITTEE TO REZONE FROM THE R-4 (SINGLE FAMILY RESIDENTIAL) TO THE R-4A (SINGLE FAMILY RESIDENTIAL) DISTRICT FOR PROPERTY LOCATED 1102 WOODLAND AVENUE, S.E., FRONTING APPROXIMATELY 118 FEET ON THE EAST SIDE OF WOODLAND AVENUE BEGINNING APPROXIMATELY 231 FEET FROM THE SOUTHWEST CORNER OF WOODLAND AVENUE AND EAST CONFEDERATE AVENUE. DEPTH VARIES; AREA: 0.5 ACRE. LAND LOT 10, 14TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: PAM RAPHAEL APPLICANT: DENICE C. BEALL

Application File Date	9-10-13
Zoning Number	Z-13-34
NPU / CD	W/1
Staff Recommendation	Approval
NPU Recommendation	Approval
ZRB Recommendation	Approval -ZRB public hearing on 11-14-2013

Review List:

Office of Research and Policy Analysis	Completed	09/19/2013 4:45 PM
Zoning Committee	Completed	10/03/2013 11:20 AM
Atlanta City Council	Completed	10/22/2013 1:22 PM
Zoning Review Board Staff	Completed	11/19/2013 6:09 PM
Office of Research and Policy Analysis	Completed	11/20/2013 12:30 PM
Zoning Committee	Pending	

HISTORY:

10/02/13	Zoning Committee	
10/07/13	Atlanta City Council	REFERRED TO ZRB AND ZC

RESULT:	REFERRED TO ZRB AND ZC [11 TO 0]
AYES:	Watson, Wan, Martin, Shook, Winslow, Moore, Young Jr., Sheperd, Bottoms, Hall, Adrean
ABSENT:	Natalyn Mosby Archibong
EXCUSED:	Carla Smith
AWAY:	H. Lamar Willis, Michael Julian Bond

RESULT:	REFERRED TO ZRB AND ZC [11 TO 0]
AYES:	Watson, Wan, Martin, Shook, Winslow, Moore, Young Jr., Sheperd, Bottoms, Hall, Adrean
ABSENT:	Natalyn Mosby Archibong
EXCUSED:	Carla Smith
AWAY:	H. Lamar Willis, Michael Julian Bond

Certified by Presiding Officer	Certified by Clerk
<p>Mayor's Action</p> <p><i>See Authentication Page Attachment</i></p>	

Z-13-34- AN ORDINANCE BY ZONING COMMITTEE TO REZONE FROM THE R-4 (SINGLE FAMILY RESIDENTIAL) TO THE R-4A (SINGLE FAMILY RESIDENTIAL) DISTRICT FOR PROPERTY LOCATED 1102 WOODLAND AVENUE, S.E., FRONTING APPROXIMATELY 118 FEET ON THE EAST SIDE OF WOODLAND AVENUE BEGINNING APPROXIMATELY 231 FEET FROM THE SOUTHWEST CORNER OF WOODLAND AVENUE AND EAST CONFEDERATE AVENUE. DEPTH VARIES; AREA: 0.5 ACRE. LAND LOT 10, 14TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: PAM RAPHAEL APPLICANT: DENICE C. BEALL

Application File Date	9-10-13
Zoning Number	Z-13-34
NPU / CD	W/1
Staff Recommendation	Approval
NPU Recommendation	Approval
ZRB Recommendation	Approval -ZRB public hearing on 11-14-2013

City Council
Atlanta, Georgia

AN ORDINANCE

Z-13-34

BY: ZONING COMMITTEE

Date Filed: 9-10-13

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 1102 WOODLAND AVENUE, S.E., be changed from R-4 (Single Family Residential) to the R-4A (Single Family Residential) District, to wit:

ALL THAT TRACT or parcel of land lying in Land Lot 10 of the 14^h 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 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.



55 Trinity Avenue S.W., Suite 3350
Atlanta, Georgia 30303
(404) 330-6145

APPLICATION #: **Z-13-034**
DATE ACCEPTED: **09/10/2013**

NOTICE TO APPLICANT

Address of Property:
1102 Woodland AVE SE

City Council District: **1** Neighborhood Planning Unit (NPU): **W**

Zoning Review Board (ZRB) Hearing Date:
Thursday, November 7 or 14, 2013 at 6:00 p.m.

Council Chambers, 2nd Floor, City Hall
55 Trinity Avenue, S.W.

The contact person for NPU W is:

Edward Gilgor
edward.gilgor@gmail.com

Contact info for adjacent NPUs is provided below if necessary:

Additional Contacts:

Please contact the person(s) listed above within two days to find out which meetings you will be required to attend before the next NPU meeting. If you are unable to reach the contact person, please call the city's NPU Coordinator at 404-330-6145.

Signed,



NG, for Director, Bureau of Planning



Denice C Beall

APPLICATION FOR REZONING
City of Atlanta



Date Filed _____

Application Number Z-13-034

I Hereby Request That The Property Described in this Application be Rezoned

From R-4 District

TO R-4A District

Name of Applicant Beall Denice C
Last Name First Name M.I.

address 1985 street name Ponce De Leon Avenue
city Atlanta state GA zip code 30307
phone (678) 362-0047 Fax (404) 393-6008
e-mail address 360constructionanddesign.com

Name of Property Owner Raphael Pam
Last Name First Name M.I.

address 8048 street name N. 8th Avenue
city Phoenix state AZ zip code 85021
phone (480) 788-3083 Fax _____

Description of Property

Address of Property 1102 street name Woodland Avenue
city Atlanta state GA zip code 30316
The subject property fronts appx 118 feet on the east side of Woodland Ave.
beginning appx 231 feet from the South corner of Confederate Ave.
Depth: 223-227 Area: .5 acre Land Lot: 10 Land District: 14 - Fulton County, GA.
Property is zoned: R-4 Council District: Y Neighborhood Planning Unit: W

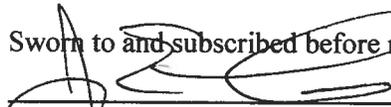
- C. **CONDITIONAL ZONING.** If the request is for zoning for new development, submit fourteen (14) copies of the site plan prepared by a State of Georgia registered architect, landscape architect, engineer, or planner holding the AICP designation. Site plans must be folded to 11" x 14". All site plans shall be sealed by the professional preparer and shall show the scale, north arrow; the location of streets and street names; sidewalks; existing and proposed buildings and their square footage, heights, and floor area ratio; parking spaces, loading areas, and number of parking spaces must also be shown. All plans for residential development must include, on the site plan, a summary of calculations in accordance with the Land Use Intensity System (see Chapter 8 of the Zoning Ordinance). For complete information regarding site plans, refer to the "Site Plan Requirements" attachment to this application form.
- D. **PLANNED DEVELOPMENT (PD) DISTRICTS.** If your request is for PD District Zoning, you must comply with the requirements of Chapter 19 of the Zoning Ordinance and with the appropriate regulations for Planned Development Housing, Office-Commercial, Mixed-Use, or Business Park as appropriate. **Certification of a PD Zoning pre-application conference is required.** Submit *Attachment 7*.
- E. **PROPERTY DESCRIPTION.** A copy of a recent plat of survey prepared by an engineer or land surveyor registered in the State of Georgia must accompany each application. In addition, a written legal description must be submitted. In cases involving more than one contiguous property, a consolidated legal description of the property must be submitted.
- F. **HOUSING APPLICATION.** If the rezoning application contemplates the construction of one or more residential units, complete the attached Atlanta Public School form, *Attachment 3*.
- G. **DEVELOPMENTS OF REGIONAL IMPACT.** If your application meets the thresholds shown on *Table II (Attachment 4)*, you must contact the Office of Planning for further instructions.
- H. **TREE PRESERVATION.** All development must meet the City of Atlanta Tree Ordinance. Contact the City Arborist, (404) 330-6150 for details.
- I. **COMPREHENSIVE DEVELOPMENT PLAN (CDP) AMENDMENT.** Submit *Attachment 5*.
- J. **DISCLOSURE.** Submit a disclosure statement as described in *Attachment 6*.
- K. **HEARING DATES AND PROCESSING OF APPLICANTS.** See attached Zoning Review Board Schedule.
- L. **MEETING WITH NEIGHBORHOOD PLANNING UNIT.** (NPU) You must contact the appropriate Neighborhood Planning Unit (NPU) within two business days after filing your rezoning application to appear before them prior to the public hearing of the Zoning Review Board. The name and phone number of the contact for the NPU will be provided at the time that you file your application.
- M. **FEES.** See attached fee schedule, *Attachment 8*.
- N. **AUTHORIZATION TO INSPECT PREMISES.** I hereby authorize the staff of the Office of Planning of the City of Atlanta to inspect the premises, which are the subject of this rezoning application.
- O. **Revisions to site plans will only be accepted up to 15 days prior to the scheduled hearing date.**

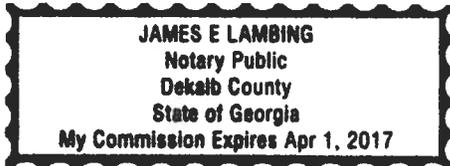
I swear and affirm that the information contained in this application is true and accurate to the best of my knowledge and belief.



Owner or Agent of Owner (Applicant)

Sworn to and subscribed before me this 9 day of sep, 2013.

 (Notary Public)



Z-13-034

SUMMARY

Pursuant to this application, the applicant requests a rezoning of 1102 Woodland Avenue S.E. (hereinafter the "Property") from R-4 to R-4A. The subject property is located on the east side of Woodland Avenue between Custer Avenue and Confederate Avenue, approximately two hundred thirty one (231) feet from the south corner of Confederate Avenue. The Property fronts approximately one hundred eighteen (118) feet of Woodland Avenue. Currently the Property is improved with an existing single-family detached dwelling. The Property is 21,997 square feet in total area, or .504982 acre.

Rezoning from R-4 to R-4A would allow for subdivision of the current lot of record into two (2) residential lots, each lot having nearly (60) feet street frontage of Woodland Avenue. A single-family detached dwelling could in the future be constructed on the newly created residential lot.

DOCUMENTED IMPACT ANALYSIS

(1) *Compatibility with comprehensive development plans; timing of development:*

The proposed R-4A zoning district is consistent with the existing single family comprehensive plan designation. Subdivision of the the Property would occur promptly upon R-4A zoning. There are no agreements or commitments to construct a single-family residential unit on the proposed new residential lot.

(2) *Availability of and effect on public facilities and services/referrals to other agencies:*

All necessary public facilities and services are available to this Property. No adverse effect on public facilities or services is anticipated by this proposal.

(3) *Availability of other land suitable for proposed use; effect on balance of land uses:*

The balance of land uses will not be affected if the application is approved because any future construction on the new residential lot will be a single-family detached dwelling.

(4) *Effects on character of the neighborhood:*

The character of the neighborhood will be improved by the eventual anticipated construction of a dwelling complimentary to adjacent properties, thus filling in current undeveloped vacated land.



Z-13-034

Ex. A

(8) *Tree preservation:*

The applicant shall comply with the policies related to tree preservation as adopted in Section 158-28 (Policy, Purpose and Intent) of the City of Atlanta Tree Ordinance.



Z-13-034

AUTHORIZATION BY PROPERTY OWNER

(Required if person filing the application is **not** the owner of the subject property or Applicant for the proposed rezoning)

I, Pam Raphael (OWNER'S NAME)

SWEAR AND AFFIRM THAT I AM THE OWNER OF THE PROPERTY AT 1102 Woodland Ave, Atlanta Ga (PROPERTY ADDRESS).

30316

AS SHOWN IN THE RECORDS OF Fulton COUNTY, GEORGIA, WHICH

IS THE SUBJECT MATTER OF THE ATTACHED APPLICATION. I AUTHORIZE THE PERSON NAMED BELOW TO FILE THIS APPLICATION AS MY AGENT.

NAME OF APPLICANT:

LAST NAME Raphael FIRST NAME Pam

ADDRESS 8048 STREET NAME N 8th Ave SUITE _____

CITY Phx STATE AZ ZIP CODE 85021

TELEPHONE NUMBER

AREA CODE (480) NUMBER 788 - 3083

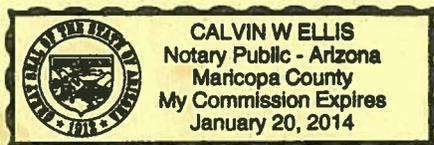
[Signature]
Signature of Owner
Pam Raphael
Print name of owner

Personally Appeared Before Me this 23rd day of July, 2013.

[Signature]

Z-13-034

Notary Public



ATLANTA PUBLIC SCHOOLS REVIEW REQUEST

(Required only if application would result in construction of one or more units of new housing)

Application Number _____

Name of applicant DENICE BEALL

Address 1985 PONCE DE LEON AVENUE

City ATLANTA State GA Zip Code 30307

Contact, if other than applicant _____

Zoning category requested P-4A No. of acres of property to be rezoned 0.50

No. of Proposed dwelling units per acre .25 Total number of dwelling units 1

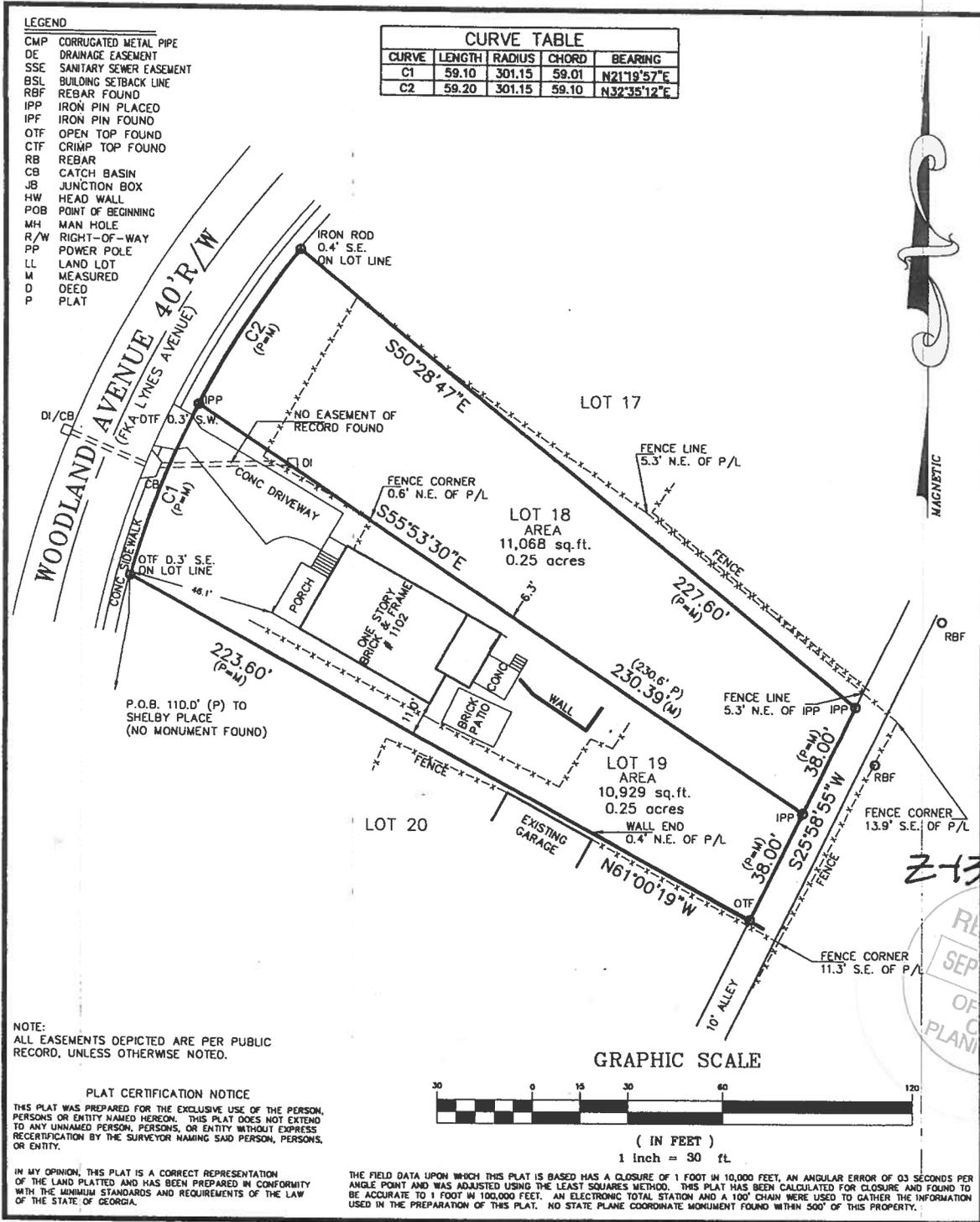
Total number of units by bedroom: 3

Monthly rental per unit _____ or selling per unit

Projected construction completion date: SPRING 2014

Z-13-034





Z-13-034
RECEIVED
SEP 10 2013
OFFICE OF PLANNING

JOB NUMBER: 09-02853	ABOVE THE GROUND AS BUILT SURVEY PREPARED FOR: PAMELYN P. RAPHAEL		FIELD DATE 09/28/09 DATE 09/30/09	
	OWNER / PURCHASER PAMELYN P. RAPHAEL		SCALE 1" = 30'	
	LAND LOT 10	14th DISTRICT	SECTION	FULTON COUNTY, GEORGIA
	LOT 18 & 19	BLOCK 9	UNIT	TOTAL AREA OF LOT: 21,997 S.F.
SUBDIVISION ORMEWOOD HEIGHTS		SOLAR LAND SURVEYING COMPANY P.O. BOX 723993 ATLANTA, GEORGIA 31139-0993 TELEPHONE (770) 794-9055 FAX (770)794-9052		
ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED		PLAT BOOK 10, PAGE 190 DEED BOOK _____, PAGE _____		

Submit "B"



LOT 1



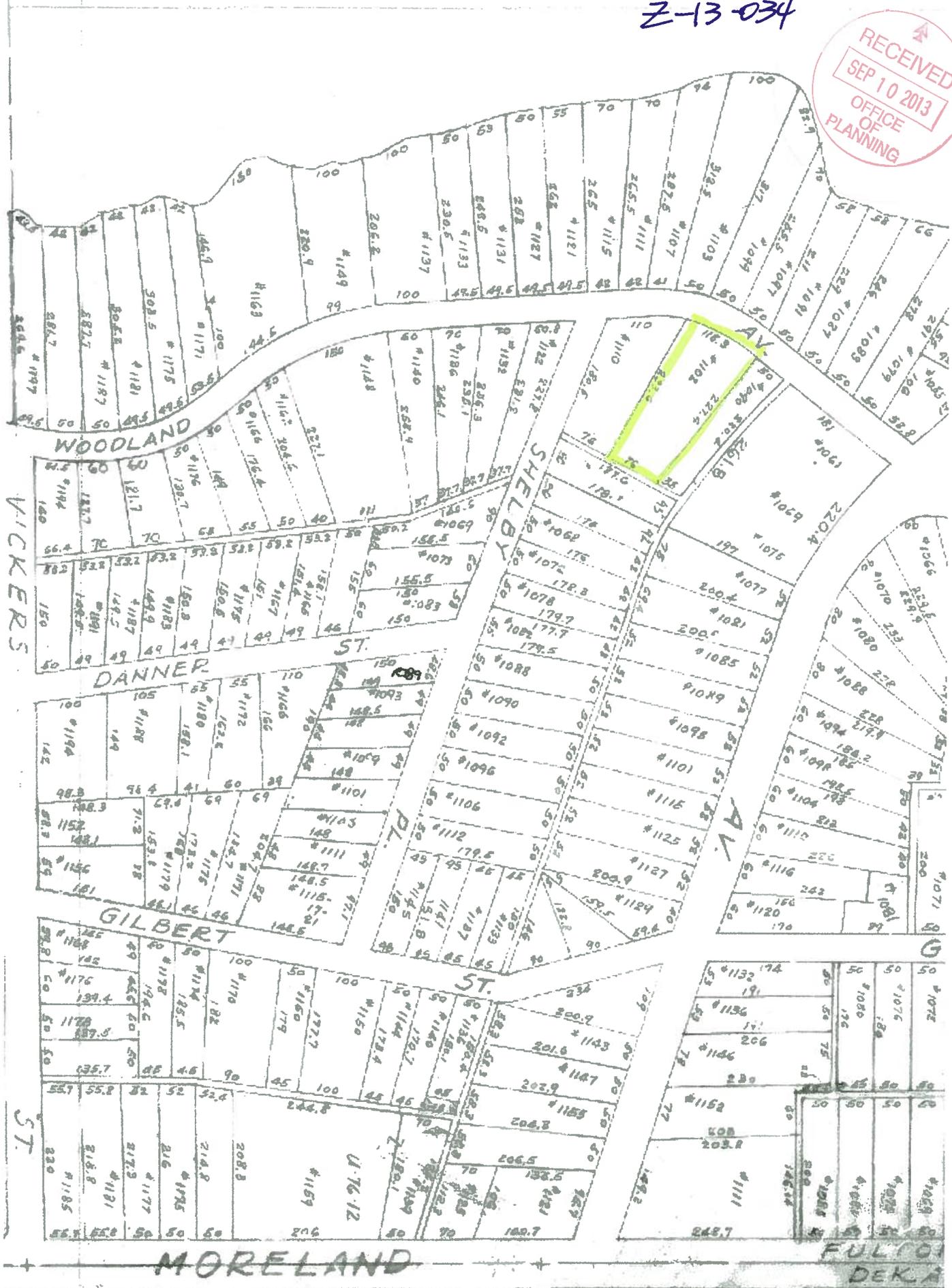
LOT 2



Z-13-034

Exhibit "C"

Z-13-034



Bill "D"

Summary of Street Frontage of Lots on Woodland Ave.

- 1. Lots with street frontage less than 50 feet: 10
- 2. Lots with street frontage between 50 feet and 59 feet: 15
- 3. Lots with street frontage between 60 feet and 70 feet: 7
- 4. Lots with street frontage greater than 70 feet: 6

Z-13-034



Deed Book 29394 Pg 111
Juanita Hicks
Clerk of Superior Court
Fulton County, Georgia

EXHIBIT "A"

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN THE CITY OF ATLANTA IN LAND LOT 10 OF THE 14TH DISTRICT OF FULTON COUNTY, GEORGIA, BEING LOTS 18 AND 19 IN BLOCK 9 OF THE SUBDIVISION OF ORMEWOOD HEIGHTS, AS PER PLAT RECORDED IN PLAT BOOK 10, PAGE 190, FULTON COUNTY RECORDS, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST SIDE OF WOODLAND AVENUE TWO HUNDRED FIFTY ONE AND FOUR TENTHS (251.4) FEET SOUTHERLY FROM THE SOUTHEAST CORNER OF WOODLAND AVENUE AND CONFEDERATE AVENUE; THENCE SOUTHERLY ALONG THE EAST SIDE OF WOODLAND AVENUE ONE HUNDRED EIGHTEEN AND THREE TENTHS (118.3) FEET TO THE NORTHWEST CORNER OF LOT 20, SAID SUBDIVISION; THENCE EASTERLY ALONG THE NORTH LINE OF SAID LOT 20 TWO HUNDRED TWENTY THREE AND SIXTH TENTHS (223.6) FEET TO AN ALLEY; THENCE NORTHERLY ALONG THE WEST SIDE OF SAID ALLEY SEVENTY SIX (76) FEET TO THE LINE OF LOT 17, SAID SUBDIVISION; THENCE WESTERLY ALONG THE LINE OF SAID LOT 17 TWO HUNDRED TWENTY SEVEN AND SIX TENTHS (227.6) FEET TO THE EAST SIDE OF WOODLAND AVENUE AND THE POINT OF BEGINNING; BEING IMPROVED PROPERTY AND KNOWN AS NO. 1102 WOODLAND AVENUE, S.E., ATLANTA, GA 30316.

Z-13-034



Deed Book 31513 Pg 690
Juanita Hicks
Clerk of Superior Court
Fulton County, Georgia

EXHIBIT "A"

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN THE CITY OF ATLANTA IN LAND LOT 10 OF 14TH DISTRICT OF FULTON COUNTY, GEORGIA, BEING LOTS 18 AND 19 IN BLOCK 9 OF THE SUBDIVISION OF ORMEWOOD HEIGHTS, AS PER PLAT RECORDED IN PLAT BOOK 10, PAGE 190, FULTON COUNTY, GEORGIA RECORDS, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST SIDE OF WOODLAND AVENUE 251.4 FEET SOUTHERLY FROM THE SOUTHEAST CORNER OF WOODLAND AVENUE AND CONFEDERATE AVENUE; THENCE SOUTHERLY ALONG THE EAST SIDE OF WOODLAND AVENUE 118.3 FEET TO THE NORTHWEST CORNER OF LTO 20, SAID SUBDIVISION; THENCE EASTERLY ALONG THE NORTH LINE OF SAID LOT 20 223.6 FEET TO AN ALLEY; THENCE NORTHERLY ALONG THE WEST SIDE OF SAID ALLEY 76 FEET TO THE LINE OF LOT 17, SAID SUBDIVISION; THENCE WESTERLY ALONG HTE LINE OF SAID LOT 17 227.6 FEET TO THE EAST SIDE OF WOODLAND AVENUE AND THE POINT OF BEGINNING; BEING IMPROVED PROPERTY AND KNOWN AS NO. 1102 WOODLAND AVENUE, S.E., ATLANTA, GA 30316.

Z-13-034



RECEIPT

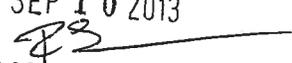
CITY OF ATLANTA
ATLANTATEST
55 TRINITY AVE SW

Application: Z-13-034
Application Type: Planning/ZRB/Rezoning/NA
Address: 1102 WOODLAND AVE SE, ATLANTA, GA 30316
Owner Name: RAPHAEL PAMELYN P
Owner Address:
Application Name:

Receipt No.	Ref Number	Amount Paid	Payment Date	Cashier ID	Received	Comments
342144	1173	\$500.00	09/10/2013	RPLEWIS		

Owner Info.: RAPHAEL PAMELYN P

Work Description: Rezone property from R-4 to R-4A to enable subdivision of property back to original platting

PAID
CITY OF ATLANTA
SEP 10 2013

EX OFFICIO MUNICIPAL
REVENUE COLLECTOR

Deed Book 29394 Pg 111
Juanita Hicks
Clerk of Superior Court
Fulton County, Georgia

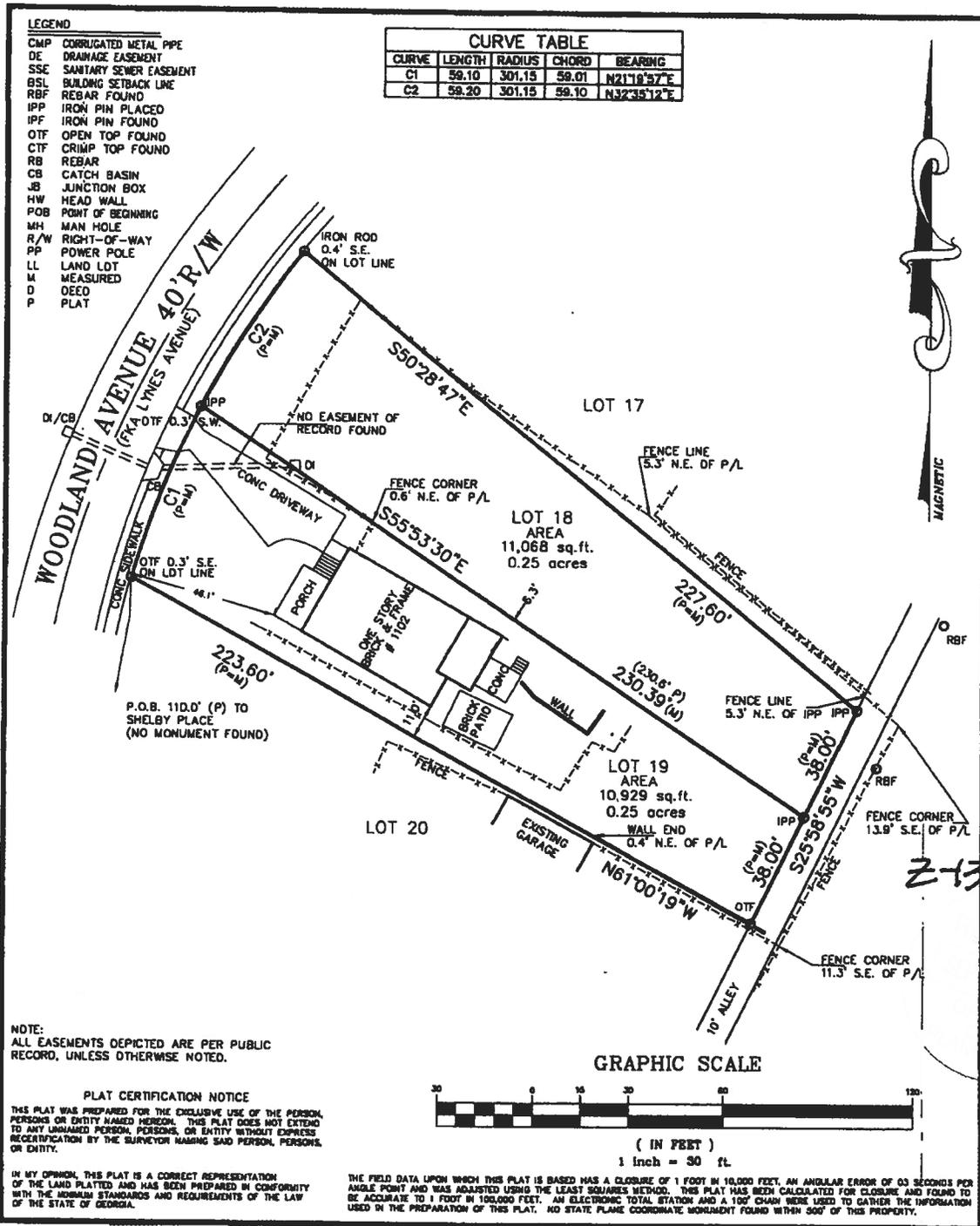
EXHIBIT "A"

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN THE CITY OF ATLANTA IN LAND LOT 10 OF THE 14TH DISTRICT OF FULTON COUNTY, GEORGIA, BEING LOTS 18 AND 19 IN BLOCK 9 OF THE SUBDIVISION OF ORMEWOOD HEIGHTS, AS PER PLAT RECORDED IN PLAT BOOK 10, PAGE 190, FULTON COUNTY RECORDS, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST SIDE OF WOODLAND AVENUE TWO HUNDRED FIFTY ONE AND FOUR TENTHS (251.4) FEET SOUTHERLY FROM THE SOUTHEAST CORNER OF WOODLAND AVENUE AND CONFEDERATE AVENUE; THENCE SOUTHERLY ALONG THE EAST SIDE OF WOODLAND AVENUE ONE HUNDRED EIGHTEEN AND THREE TENTHS (118.3) FEET TO THE NORTHWEST CORNER OF LOT 20, SAID SUBDIVISION; THENCE EASTERLY ALONG THE NORTH LINE OF SAID LOT 20 TWO HUNDRED TWENTY THREE AND SIXTH TENTHS (223.6) FEET TO AN ALLEY; THENCE NORTHERLY ALONG THE WEST SIDE OF SAID ALLEY SEVENTY SIX (76) FEET TO THE LINE OF LOT 17, SAID SUBDIVISION; THENCE WESTERLY ALONG THE LINE OF SAID LOT 17 TWO HUNDRED TWENTY SEVEN AND SIX TENTHS (227.6) FEET TO THE EAST SIDE OF WOODLAND AVENUE AND THE POINT OF BEGINNING; BEING IMPROVED PROPERTY AND KNOWN AS NO. 1102 WOODLAND AVENUE, S.E., ATLANTA, GA 30316.

Z-13-034





Z-13-034

	ABOVE THE GROUND AS BUILT SURVEY PREPARED FOR: PAMELYN P. RAPHAEL		FIELD DATE 09/28/09
	OWNER / PURCHASER PAMELYN P. RAPHAEL		DATE 09/30/09
	LAND LOT 10 14th DISTRICT SECTION		SCALE 1" = 30'
	LOT 18 & 19 BLOCK 9 UNIT		FULTON COUNTY, GEORGIA TOTAL AREA OF LOT: 21,997 S.F.
SUBDIVISION ORMEWOOD HEIGHTS		ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED	
SOLAR LAND SURVEYING COMPANY P.O. BOX 723993 ATLANTA, GEORGIA 31139-0993 TELEPHONE (770) 794-9055 FAX (770)794-9052		PLAT BOOK 10 PAGE 190 DEED BOOK PAGE	

PLOTTED BY: _____ PLAT PREPARED FOR: _____

Submit "B"

AN ORDINANCE BY COUNCILMEMBER KWANZA HALL AS SUBSTITUTED BY ZONING COMMITTEE TO REZONE FROM THE PDH (PLANNED DEVELOPMENT-HOUSING) TO THE MR-3-C (MULTIFAMILY RESIDENTIAL) DISTRICT FOR PROPERTIES LOCATED AT 532,536,540,544,545, 550 AND 555 BISHOPS WAY (FORMERLY KNOWN AS 753 JOHNSON AVENUE, NE) FRONTING APPROXIMATELY 40 FEET ON THE SOUTH SIDE OF JOHNSON AVENUE BEGINNING 146.79 FEET WEST FROM THE SOUTHWEST CORNER OF RANDOLPH STREET. DEPTH: VARIES; AREA; APPROXIMATELY 0.73 ACRE; LAND LOT 46, 14TH DISTRICT, FULTON COUNTY, GEORGIA.

Review List:

Atlanta City Council	Completed	09/19/2013 10:36 AM
Zoning Review Board Staff	Completed	11/19/2013 6:20 PM
Office of Research and Policy Analysis	Completed	11/21/2013 4:55 PM
Zoning Committee	Pending	

HISTORY:

09/03/13 Atlanta City Council

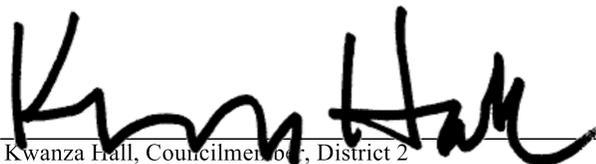
Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

LEGISLATION HISTORY – BLUE BACK

CITY COUNCIL
ATLANTA, GEORGIA

13-O-1261

SPONSOR SIGNATURES


Kwanza Hall, Councilmember, District 2

AN ORDINANCE BY COUNCILMEMBER KWANZA HALL AS SUBSTITUTED BY ZONING COMMITTEE TO REZONE FROM THE PDH (PLANNED DEVELOPMENT-HOUSING) TO THE MR-3-C (MULTIFAMILY RESIDENTIAL) DISTRICT FOR PROPERTIES LOCATED AT 532,536,540,544,545, 550 AND 555 BISHOPS WAY (FORMERLY KNOWN AS 753 JOHNSON AVENUE, NE) FRONTING APPROXIMATELY 40 FEET ON THE SOUTH SIDE OF JOHNSON AVENUE BEGINNING 146.79 FEET WEST FROM THE SOUTHWEST CORNER OF RANDOLPH STREET. DEPTH: VARIES; AREA; APPROXIMATELY 0.73 ACRE; LAND LOT 46, 14TH DISTRICT, FULTON COUNTY, GEORGIA.

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 . 532,536,540,544,545550 and 555 Bishops Way (formerly known as 753 Johnson Avenue, N.E.) be changed from the PDH (Planned Development-Housing) to the MR-3-C (Multifamily Residential) District, to wit:

ALL THAT TRACT or parcel of land lying in Land Lot 46 of the 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 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.

City Council
Atlanta, Georgia



AN ORDINANCE

BY:

COUNCILMEMBER KWANZA HALL

Date Filed: 9-3-13

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 **532, 536, 540, 544, 545 550 and 555 Bishops Way (formerly known as 753 Johnson Avenue, N.E.)** be changed from the PDH (Planned Development-Housing) to the MR-2 (Multifamily Residential) District, to wit:

ALL THAT TRACT or parcel of land lying in Land Lot 46 of the 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 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.

Attachment: 13-o-1261 (13-O-1261 : REZONE 532,536,540,544,545,550 AND 555)

City Council
Atlanta, Georgia



AN ORDINANCE

BY:

COUNCILMEMBER KWANZA HALL

Date Filed: 9-3-13

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 **532, 536, 540, 544, 545 550 and 555 Bishops Way (formerly known as 753 Johnson Avenue, N.E.)** be changed from the PDH (Planned Development-Housing) to the MR-2 (Multifamily Residential) District, to wit:

ALL THAT TRACT or parcel of land lying in Land Lot 46 of the 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 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.

PARCEL 1
LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 46 of the 14th District (City of Atlanta), Fulton County, Georgia and being more particularly described as follows:

Beginning at the intersection of the southerly right of way of Johnson Avenue and the westerly right of way of Johnson Avenue, thence North 00 degrees 27 minutes 33 seconds East for a distance of 20.00 feet to the TRUE POINT OF BEGINNING.

THENCE North 89 degrees 32 minutes 27 seconds West for a distance of 137.33 feet to a point;

THENCE North 66 degrees 35 minutes 55 seconds East for a distance of 49.44 feet to a point;

THENCE South 89 degrees 32 minutes 27 seconds East for a distance of 92.11 feet to a point;

THENCE South 00 degrees 27 minutes 33 seconds West for a distance of 20.00 feet to the TRUE POINT OF BEGINNING.

Together with and subject to covenants, easements, and restrictions of record.

Said parcel contains 0.053 acre or 2294 square feet more or less.

Johnson Avenue Parcel 1

File: 1390-05

May 9, 2002

2-01-92

PARCEL 2
LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 46 of the 14th District (City of Atlanta), Fulton County, Georgia and being more particularly described as follows:

Beginning at the intersection of the southerly right of way of Johnson Avenue and the westerly right of way of Johnson Avenue,

THENCE North 89 degrees 32 minutes 27 seconds West for a distance of 146.79 feet along the southerly right of way of Johnson Avenue

THENCE North 90 degrees 00 minutes 00 seconds East for a distance of 0.00 feet to a point;

THENCE North 01 degrees 15 minutes 59 seconds East for a distance of 15.91 feet to a point;

THENCE North 66 degrees 35 minutes 55 seconds East for a distance of 10.10 feet to a point;

THENCE South 89 degrees 32 minutes 27 seconds East for a distance of 137.33 feet to a point;

THENCE South 00 degrees 27 minutes 33 seconds West for a distance of 20.00 feet to the point of beginning.

Together with and subject to covenants, easements, and restrictions of record.

Said parcel contains 0.067 acre or 2914 square feet more or less.

2-01-92

PARCEL 3
LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 46 of the 14th District (City of Atlanta), Fulton County, Georgia and being more particularly described as follows:

Beginning at the intersection of the southerly right of way of Johnson Avenue and the westerly right of way of Johnson Avenue, thence North 89 degrees 32 minutes 27 seconds West for a distance of 146.79 feet to the TRUE POINT OF BEGINNING.

THENCE South 89 degrees 35 minutes 10 seconds West for a distance of 37.03 feet to a point;

THENCE North 66 degrees 35 minutes 55 seconds East for a distance of 40.73 feet to a point;

THENCE South 01 degrees 15 minutes 59 seconds West for a distance of 15.91 feet to the TRUE POINT OF BEGINNING.

Together with and subject to covenants, easements, and restrictions of record.

Said property contains 0.006 acre or 295 square feet more or less.

Johnson Avenue Parcel 3
File: 1390-06
May 9, 2002

2-01-92

13-0-1861

(Do Not Write Above This Line)

AN ORDINANCE
 BY:
 COUNCILMEMBER KWANZA HALL



An Ordinance to rezone from the 532, 536, 540, 544, 545 550 and 555 Bishops Way (formerly known as 753 Johnson Avenue, N.E.) be changed from the PDH (Planned Development-Housing) to the MR-2 (Multifamily Residential) District, fronting approximately 40 feet on the South side of Johnson Avenue beginning 146.79 feet West from the Southwest corner of Randolph Street. Depth: varies; Area: approximately 0.73 acre; Land Lot 46, 14th District, Fulton County, Georgia.

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

Date Referred: 9/3/13

Referred To: RB + Zoning

Date Referred: _____

Referred To: _____

Date Referred: _____

Referred To: _____

First Reading

Committee: _____

Date: _____

Chair: _____

Referred To: _____

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: _____

Refer To: _____

Action Fav, Adv, Hold (See rev side) _____

Other: _____

Members: _____

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

MAYOR'S ACTION

.Conditions for Z-13-38 for 532,536, 540, 544, 550 and-555 Bishops Way, N.E.

1. A site plan similar to one entitled “Proposed Bishop Way Rezoning” by Place Maker Design, dated 10/14/13 and stamped received by the Office of Planning, October 30, 2013. However, this condition shall not preclude application of the MR regulations.
2. Rear yards of Lots 1 through 3 shall be landscaped to shield view of Freedom Parkway.
3. The privacy fence along the south, east and west property lines shall be replaced.
4. The development shall not be gated.

SITE INFORMATION

CURRENT ZONING
PD-H

PROPOSED ZONING
MR-3

SETBACKS
SIDE YARD: 15' (Variance Required)
REAR YARD: 15' (Variance Required)

FLOOR AREA RATIO
NET LOT AREA = 31,860.021 S.F. (0.731 AC)
GROSS LOT AREA = 48,019.521 S.F. [(323.19' FRONTAGE x 50' MAX R/W) + 31,860.021 S.F.]

PROPOSED BUILDING AREA:
PROPOSED HOUSE 1 = 3,084 S.F.
PROPOSED HOUSE 2 = 3,084 S.F.
PROPOSED HOUSE 3 = 3,084 S.F.
EXISTING HOUSE 4 = 4,421 S.F.
EXISTING HOUSE 5 = 6,040 S.F.
PROPOSED HOUSE 6 = 3,123 S.F.
PROPOSED HOUSE 7 = 3,109 S.F.

TOTAL = 25,965 S.F.

PROPOSED FAR = 25,965 S.F. / 48,019.521 S.F. = 0.541
MAX. ALLOWABLE FAR = 0.696

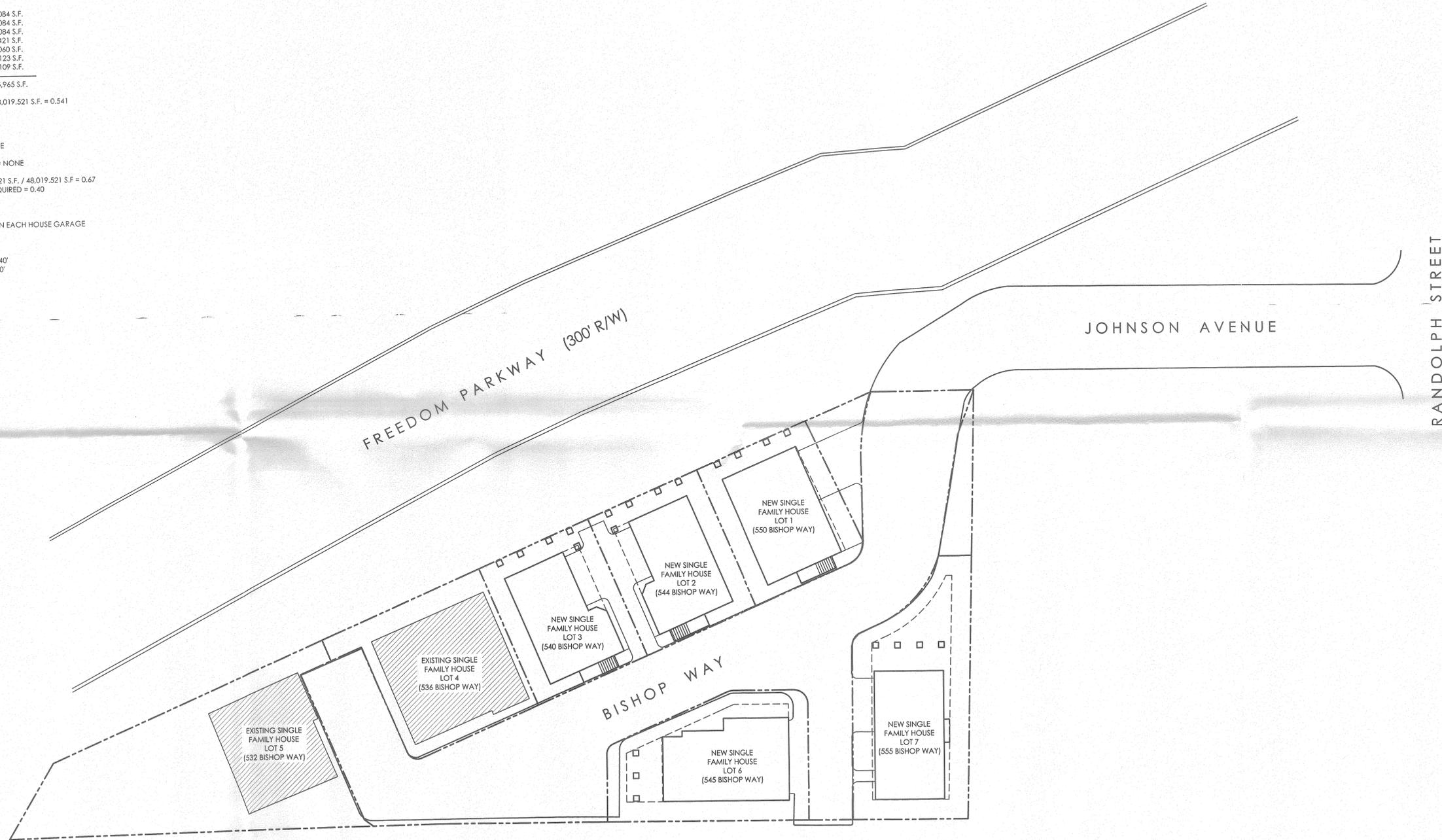
OPEN SPACE
PUBLIC SPACE REQUIRED = NONE

TOTAL OPEN SPACE REQUIRED = NONE

USABLE OPEN SPACE = 32,391.521 S.F. / 48,019.521 S.F. = 0.67
TOTAL USABLE OPEN SPACE REQUIRED = 0.40

PARKING
2 PARKING SPACES PROVIDED IN EACH HOUSE GARAGE

BUILDING HEIGHT
PROPOSED BUILDING HEIGHT = 40'
ALLOWED BUILDING HEIGHT = 80'



REV #	DATE	DESCRIPTION

PROPOSED BISHOP WAY REZONING
 532, 536, 540, 544, 545, 550 and 555 BISHOP WAY
 ATLANTA, GEORGIA 30312
DMP BUILDERS, LLC



PLACE MAKER DESIGN
 4300 PACES FERRY ROAD SE
 SUITE 357
 ATLANTA, GEORGIA 30339
 404.549.4499 (p) 404.549.4498 (f)

ISSUE DATE	10/14/13
DRAWN BY	KJM
CHECKED BY	KJM
PMD PROJ #	13001



PROPOSED SITE PLAN

SHEET # **A0.1**

01 **PROPOSED SITE PLAN**
 A0.1 1" = 20'-0"



AN ORDINANCE BY COUNCIL MEMBER ALEX WAN AS SUBSTITUTED BY ZONING COMMITTEE TO REZONE PROPERTY HAVING A STREET ADDRESS OF 1965 AND 1989 CHESHIRE BRIDGE ROAD FROM THE NC-5 (CHESHIRE BRIDGE ROAD SOUTH NEIGHBORHOOD COMMERCIAL) AND THE R-3 (SINGLE-FAMILY RESIDENTIAL) ZONING DISTRICTS TO THE NC-5-C (CHESHIRE BRIDGE ROAD SOUTH NEIGHBORHOOD COMMERCIAL) ZONING DISTRICT.

WHEREAS, the NC-5 Cheshire Bridge Road South Neighborhood Commercial District was created by Ordinance 04-O-1822, adopted January 3, 2005 to implement recommendations from the Cheshire Bridge Road Study adopted by City Council on September 21, 1999, and approved by the Mayor on September 30, 1999; and

WHEREAS, the purposes and intent of Neighborhood Commercial (NC) zoning districts are set forth in Chapter 32 of the Atlanta Zoning Ordinance and which include the need to:

(i) Protect existing neighborhood-oriented commercial areas from uses and building forms which are incompatible with the scale, character and needs of the adjacent neighborhoods;

(ii) Preserve and restore existing, traditional and pedestrian scale buildings in established, historic neighborhood commercial districts; and

(iii) Place reasonable controls on the development of larger scale highway-oriented retail, service, office and dining uses which are intended to serve larger areas of the city than a single neighborhood or a small group of neighborhoods; and

WHEREAS, the NC-5 Cheshire Bridge Road South Neighborhood Commercial District purpose includes the creation of a diverse business community of a size, scale and character that supports the public health, safety and welfare of the adjacent neighborhoods; and

WHEREAS, Properties with a current street address of 1965 and 1989 Cheshire Bridge Road, as more particularly set forth herein (“Subject Properties”), have a split zoning of NC-5 and R-3; and

WHEREAS, the property owners support rezoning and it is in the public health, safety and general welfare to rezone the entire boundaries of the Subject Properties to the NC-5 zoning district, with condition, as consistent with the concurrent proposed change of future land use designation of these Subject Properties to Low Density Commercial.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS:

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 properties having a street address of 1965 Cheshire Bridge Road and 1989 Cheshire Bridge Road be rezoned from the NC-5 (Cheshire Bridge Road South Neighborhood Commercial) and R-3 (Single Family Residential) zoning districts to the NC-5-C (Cheshire Bridge Road South Neighborhood Commercial) zoning district, said property being more particularly depicted and described as, to wit:

ALL THOSE TRACTS or parcels of land lying in Land Lots 4 & 5 of the 17th District, Fulton County, Georgia being more particularly depicted in Exhibits “A” and “B”, attached hereto and incorporated herein by reference.

SECTION 2: As a condition of the zoning, the first seventy five (75) feet of the rear property line shall be an undisturbed vegetative buffer.

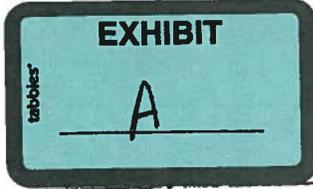
SECTION 3: This amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, “Conditional Development”, as identified by the use of the suffix “C” after the district designation in Section 1 above. The Director, Office of Buildings, shall issue a building permit for the development of the above-described properties only in compliance with the attached condition(s). Any condition(s) hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can only be approved only by application to the Board of Zoning Adjustment.

SECTION 4: That the maps referred to, now on file in the Office of Planning, be changed to conform to the terms of this ordinance.

SECTION 5: That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed, to the extent of the conflict.

6.3.a

Packet Pg. 56



STATE HIGHWAY DEPARTMENT OF GEORGIA
RIGHT OF WAY DEED
(Limited Access)

2267201

GEORGIA Fulton COUNTY PROJECT NO: I 485-1 (46)

THIS CONVEYANCE made and executed the 3rd day of November 19 71

WITNESSETH that Hayes Corporation the

undersigned, is the owner of a tract of land in Fulton COUNTY through

which the Downtown Atlanta Freeway known as Project No. I 485-1 (46)

has been laid out by the STATE HIGHWAY DEPARTMENT OF GEORGIA as a LIMITED ACCESS HIGHWAY

being more particularly described in a map and drawing of said road in the office of the

State Highway Department of Georgia, Atlanta, Georgia, to which reference is hereby made,

NOW, THEREFORE, in consideration of the benefit to said property by the construction and maintenance of said road, and in consideration of ONE DOLLAR (\$1.00) in hand paid, the receipt whereof is hereby acknowledged, I do hereby grant, sell and convey to said STATE HIGHWAY DEPARTMENT OF GEORGIA, and their successors in office so much land as to make a right of way for said road as surveyed being more particularly described as follows:

All that tract or parcel of land lying and being in Land Lots 4 and 50 of the 17th Land District of Fulton County, Georgia, being more particularly described as follows:

BEGINNING at an iron pin on the southeasterly side of Cheshire Bridge Road 439.38 feet northeasterly, as measured along the southeasterly side of Cheshire Bridge Road from the corner formed by the intersection of the southeasterly side of Cheshire Bridge Road and the easterly side of Wellbourne Drive; said point of beginning also being 129 feet northeasterly from Gaither Circle; thence running north 71 degrees 30 minutes east along the southeasterly side of Cheshire Bridge Road 178 feet to a point; thence southeasterly 100 feet to a point; thence northeasterly 2.85 feet to the intersection of a straight line which is established by a point 247.58 feet northeast of and opposite Station 261+15.17 on the survey center line of Georgia Highway Project I 485-1 (46) and a point 246.94 feet northeast of and opposite Station 255+78.54 on said survey center line; thence southeasterly along said established straight line 278.62 feet to said point opposite said Station 255+78.54; thence southeasterly along a straight line five hundred and thirty (530) feet to the intersection of the south property line of the lands of the Grantor at a point 205.41 feet northeast of and opposite Station 250+79.35 on said survey center line; thence westerly along said south property line 347.81 feet to the southwest property corner of the lands of the Grantor at a point 128.78 feet southwest of and opposite Station 251+73.43 on said survey center line; thence north along the west property line of said property 638.21 feet to a point; thence northwesterly 150 feet to the southeasterly side of Cheshire Bridge Road and the point of beginning.

ALSO the right to a slope easement within the area shown colored red on the attached plat.

ALSO the right to construct a driveway connection within the easement area shown colored green on the attached plat.

transfer to

Fulton County, Georgia
Real Estate Transfer Tax
Paid \$ 247.24
Date Nov 13 1971
John B. ...
Deputy Clerk

Subject
4.868 Ac

Parcel No. 478

Page 1 of 2 Pages

BOOK 5484 PAGE 101

STATE HIGHWAY DEPARTMENT OF GEORGIA
RIGHT OF WAY DEED
(Limited Access)

2186545

GEORGIA Fulton COUNTY PROJECT NO. I 485-1 (46)

THIS CONVEYANCE made and executed the 22nd day of April 19 70

WITNESSETH that Raymond L. Lincer and Hilda G. Lincer the

undersigned, is the owner of a tract of land in Fulton COUNTY through

which the Downtown Atlanta Freeway known as Project No. I 485-1 (46)

has been laid out by the STATE HIGHWAY DEPARTMENT OF GEORGIA as a LIMITED ACCESS HIGHWAY being more particularly described in a map and drawing of said road in the office of the State Highway Department of Georgia, Atlanta, Georgia, to which reference is hereby made.

NOW, THEREFORE, in consideration of the benefit to said property by the construction and maintenance of said road, and in consideration of ONE DOLLAR (\$1.00) in hand paid, the receipt whereof is hereby acknowledged, I do hereby grant, sell and convey to said STATE HIGHWAY DEPARTMENT OF GEORGIA, and their successors in office so much land as to make a right of way for said road as surveyed being more particularly described as follows:

TRACT 1

All that tract or parcel of land lying and being in the City of Atlanta in Land Lot 60 of the 17th District of Fulton County, Georgia, and being more particularly described as follows:

BEGINNING at a point on the southeastern side of the right of way of Cheshire Bridge Road (Buford Highway) as established by deed from Janis Gather to the State Highway Department and recorded in Deed Book 1586, Page 468, Fulton County Records, which point is the point of intersection of the southeastern side of said right of way with the northeastern side of Gather Street, and running thence in a northeasterly direction along the southeastern side of the right of way of Cheshire Bridge Road, 129 feet; thence in a southeasterly direction 150 feet; thence in a southwesterly direction, 129 feet to the northeastern side of Gather Street; thence in a northwesterly direction along the northeastern side of Gather Street, 137 feet to the point of beginning; being the same property conveyed to Cutter's Inc., by deeds recorded in Deed Book 2754, Pages 136, 138, and 139, Fulton County Records.

TRACT 2

All that tract or parcel of land lying and being in the City of Atlanta in Land Lot 50 of the 17th District of Fulton County, Georgia, being part of Lots 5, 6, 7, and 8 in Block B, as per plat of a part of property of Janis Gather by J. W. Burpitt, C. E., dated April 12, 1939, and recorded in Plat Book 21, page 23, Fulton County Records, and being more particularly described as follows:

BEGINNING at an iron pin on the northeastern side of Gather Street, 137 feet southeasterly from the corner formed by the intersection of the northeastern side of Gather Street with the southeastern side of Cheshire Bridge Road (also known as Buford Highway), as now located, which iron pin is at the southwest corner of Tract 1 hereinabove described, and running thence in a southeasterly direction along the northeastern side of Gather Street, 165 feet to a point; thence in an easterly direction, 112 feet, more or less, to a point which is 38 feet west of the east line of said Land Lot 50; thence north along a line which is 35 feet west of and parallel with the east line of said Land Lot 50, a distance of 165 feet to an iron pin; thence in a northwesterly direction, 31.2 feet to the southeast corner of Tract 1 hereinabove described; thence in a southwesterly direction along the southerly line of said Tract 1, 129 feet to the iron pin on the northeastern side of Gather Street and the point of beginning, being the same property conveyed to Cutter's, Inc. by deed recorded in Deed Book 3069, Page 685, Fulton County Records.

*Deed for
1965 Cheshire Bridge*

0.949 acres

West Side

*Transfer
to 185:57*

Fulton County, Georgia
Real Estate Transfer Tax
Paid \$ 165.40
Date April 23 1970
Raymond L. Lincer
State of Georgia
by *Brace Carter*
Deputy Clerk

Parcel No. 477

Exhibit B

to-wit:

ALL THAT TRACT or parcel of land lying and being in Land Lots 4 and 50 of the 17th District of Fulton County, Georgia, and being more particularly described as follows:

BEGINNING at an iron pin on the southeasterly side of Cheshire Bridge Road-Buford Highway, six hundred fifteen and twenty eight hundredths (615.28) feet northeasterly, from the corner formed by the southeasterly side of Cheshire Bridge Road-Buford Highway and the intersection of the southeasterly side of Cheshire Bridge Road-Buford Highway and the easterly side of Wellbourne (Wellborn) Drive; thence running northeasterly along the southeasterly side of Cheshire Bufoed Highway, three hundred twelve (312) feet; thence south nine hundred ninety seven and one tenth (997.1) feet to a point; thence northwesterly five hundred thirty (530) feet to a point; thence continuing northwesterly two hundred seventy five and sixty two hundredths (275.62) feet to a point; thence southwesterly two and eighty five hundredths (2.85) feet to a point; thence northwesterly one hundred (100) feet to the iron pin on the southeasterly side of Cheshire Bridge Road and the point of beginning, being improved property known as 1989-1999 Cheshire Bridge Road, N. E., according to the present system of numbering property in the City of Atlanta, Georgia.



**Z-13-42
1965 and 1989 Cheshire Bridge Road**

Attachment: Z-13-42 map Compatibility Mode - final (13-O-1208 : Rezone property @1965 & 1989 Cheshire Bridge Road)

Conditions for Z-13-42 for 1965 and 1989 Cheshire Bridge Road

1. 75 foot vegetative buffer measured from the rear property lines of both properties to provide protection to the adjacent residential neighborhood and preserve the existing tree canopy.

U-13-19- AN AMENDED ORDINANCE BY ZONING COMMITTEE GRANTING A SPECIAL USE PERMIT FOR OUTDOOR AMUSEMENT, PURSUANT TO SECTION 16-18A.006(4)(A), FOR PROPERTY LOCATED AT 168 LUCKIE STREET, N.W., FRONTING APPROXIMATELY 130 FEET ON THE SOUTH SIDE OF LUCKIE STREET, APPROXIMATELY 104 FEET ON THE EAST SIDE OF TECHWOOD DRIVE AND APPROXIMATELY 37 FEET ON THE EAST SIDE OF NASSAU STREET. DEPTH VARIES; AREA: APPROXIMATELY 0.365 ACRE. LAND LOT 78, 14TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: TABERNACLE GROUP, LLC APPLICANT: ATLANTA PARTNERS, LLC C/O AL MERS

Review List:

Office of Research and Policy Analysis	Completed	09/19/2013 4:43 PM
Zoning Committee	Completed	10/03/2013 11:20 AM
Atlanta City Council	Completed	10/22/2013 1:22 PM
Zoning Review Board Staff	Completed	11/19/2013 6:32 PM
Office of Research and Policy Analysis	Completed	11/20/2013 12:29 PM
Zoning Committee	Pending	

HISTORY:

10/02/13	Zoning Committee	
10/07/13	Atlanta City Council	REFERRED TO ZRB AND ZC

<p>RESULT: REFERRED TO ZRB AND ZC [11 TO 0]</p> <p>AYES: Watson, Wan, Martin, Shook, Winslow, Moore, Young Jr., Sheperd, Bottoms, Hall, Adrean</p> <p>ABSENT: Natalyn Mosby Archibong</p> <p>EXCUSED: Carla Smith</p> <p>AWAY: H. Lamar Willis, Michael Julian Bond</p>
--

<p>RESULT: REFERRED TO ZRB AND ZC [11 TO 0]</p> <p>AYES: Watson, Wan, Martin, Shook, Winslow, Moore, Young Jr., Sheperd, Bottoms, Hall, Adrean</p> <p>ABSENT: Natalyn Mosby Archibong</p> <p>EXCUSED: Carla Smith</p> <p>AWAY: H. Lamar Willis, Michael Julian Bond</p>
--

Certified by Presiding Officer	Certified by Clerk
Mayor's Action	

LEGISLATION HISTORY – BLUE BACK

See Authentication Page Attachment

U-13-19- AN AMENDED ORDINANCE BY ZONING COMMITTEE GRANTING A SPECIAL USE PERMIT FOR OUTDOOR AMUSEMENT, PURSUANT TO SECTION 16-18A.006(4)(A), FOR PROPERTY LOCATED AT 168 LUCKIE STREET, N.W., FRONTING APPROXIMATELY 130 FEET ON THE SOUTH SIDE OF LUCKIE STREET, APPROXIMATELY 104 FEET ON THE EAST SIDE OF TECHWOOD DRIVE AND APPROXIMATELY 37 FEET ON THE EAST SIDE OF NASSAU STREET. DEPTH VARIES; AREA: APPROXIMATELY 0.365 ACRE. LAND LOT 78, 14TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: TABERNACLE GROUP, LLC APPLICANT: ATLANTA PARTNERS, LLC C/O AL MERS

AN AMENDED ORDINANCE

U-13-19

BY: ZONING COMMITTEE

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

SECTION 1. Under the provisions of Section 16-18A.006(4)(a), of the Zoning Ordinance of the City of Atlanta, a Special Use Permit for a Outdoor Amusement, is hereby granted. Said use is granted to ATLANTA PARTNERS, LLC C/O AL MERS and is to be located at 168 Luckie Street, N.W. to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 78, 14th District, Fulton County, Georgia, being more particularly described by the attached legal description and/or map.

SECTION 2. That this amendment is approved under the provisions of Section 16-25.003 of the Zoning Ordinance of the City of Atlanta, entitled, “Special Use Permits, Procedural Requirements”, and the Director, Bureau of Buildings, shall issue a building permit only in compliance with the applicable provisions of this part. The applicable conditional site plan and any other conditions hereby imposed are enumerated by attachment. The Special Use Permit hereby approved does not authorize the violation of any zoning district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.



55 Trinity Avenue S.W., Suite 3350
Atlanta, Georgia 30303
(404) 330-6145

APPLICATION #: **U-13-019**

DATE ACCEPTED: **08/27/2013**

NOTICE TO APPLICANT

Address of Property:
168 Luckie ST NW

City Council District: Neighborhood Planning Unit (NPU):

Zoning Review Board (ZRB) Hearing Date:
Thursday, November 7 or 14, 2013 at 6:00 p.m.

Council Chambers, 2nd Floor, City Hall
55 Trinity Avenue, S.W.

The contact person for NPU-M is:

Fiona Sites-Bowen
608 Edgewood Avenue, SE, #12
Atlanta, GA 30312
650-380-6737

Contact info for adjacent NPUs is provided below if necessary:

Additional Contacts:

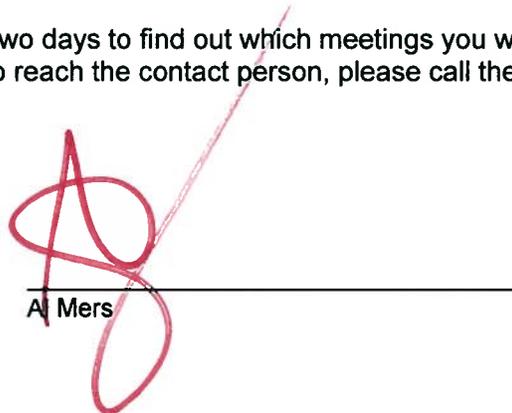


Please contact the person(s) listed above within two days to find out which meetings you will be required to attend before the next NPU meeting. If you are unable to reach the contact person, please call the city's NPU Coordinator at 404-330-6145.

Signed



EB, for Director, Bureau of Planning

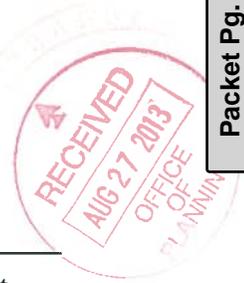


Al Mers

APPLICATION FOR SPECIAL USE PERMIT

City of Atlanta

Date Filed 8/27/13 Application Number U-13-019



I Herby Request That The Property Described in this Application be granted a Special Use Permit

Name of Applicant Atlanta Partners, LLC (ALMERS)

Last Name First Name M.I.

Address 10845 Street Name Olive Blvd., Suite 306 1400

City St. Louis State MO Zip Code 63141

Phone 314-809-3871 Fax _____

E-mail address amers@pacificdevco.com

Name of Property Owner Tabernacle Group, LLC

Last Name First Name M.I.

Address 84 Street Name Peachtree Street, Suite 901

City Atlanta State GA Zip Code 30303

Daytime Phone 404-659-1440 Fax _____

E-mail address bclear@trillium-mgmt.com

Description of Property

Street Address of Property 168 Luckie Street

City Atlanta State GA Zip Code 30303

Property is zoned: SPI-1 Council District: 2 Neighborhood Planning Unit: M

The subject property fronts 105 feet on the north side of
Centennial Olympic Park Dr., beginning 0 feet from the northwest
corner of Centennial Olympic Park Dr. & Luckie St.

Depth: 132 FT Area: 0.365 AC Land Lot: 78 Land District: 14

INSTRUCTIONS

U-13-019

A. SUMMARY OF PROPOSED PROJECT. What kind of special use would you be operating?

personal care home rehabilitation center day care center
 assisted living facility nursing home church
 other: (describe): SkyView Atlanta Ferris Wheel



B. IMPACT ANALYSIS. Type or legibly print on a separate piece of paper a complete and descriptive response to each one of the following questions:

1. Ingress and Egress:

- a. How will employee and client vehicles enter and leave the property?
- b. How will emergency vehicles (fire, police, and ambulance) gain access to the property?
- c. Will the way in which vehicles enter and leave the property cause traffic congestion? Why or why not?

2. Off-Street Parking and Loading:

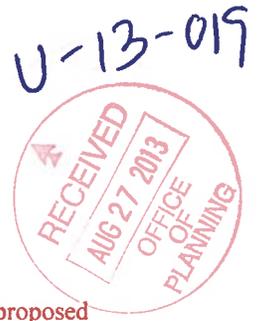
- a. How will the operator of the facility dispose of refuse and garbage? What kind of containers would be used? Will the City or a private garbage disposal service be used? How often will the service pick up the garbage?
- b. How will products and supplies be delivered to the facility?
- c. Where and how will service personnel (such as electric and gas maintenance personnel) park their vehicles and gain access to the property for routine maintenance?
- d. How will employees and clients park their vehicles and gain access to the property.

3. Buffering and Screening:

- a. How will adjoining properties be buffered or screened from any noise or glare from lights that might be generated from the facility?
- b. How many vehicles will travel to and from the facility every day? Are you planning to make any road improvements to accommodate heavy traffic to and from the facility?

4. Hours and Manner of Operation:

- a. Proposed Use of Site? Please state exactly and in detail what is intended to be done on, or with the property.
- b. What will be the hours and days of the week during which the facility will be open?
- c. How many employees will be employed at the facility? Include the number of shifts and number of employees per shift.
- d. How many clients will be served by the facility, and what will be their ages?
- e. Will you offer meals; and if so, when will they be offered?
- f. Will there be any other special programs offered at the facility; and if so, will they cause vehicles to park at or on the site?



Impact Analysis:

1. Ingress and Egress:

- a. How will employee and client vehicles enter and leave the property?

The alleyway off Nassau Street can be utilized as an access street. The site also has proposed Trolley and pedestrian access.

- b. How will emergency vehicles (fire, police, and ambulance) gain access to the property?

Via Luckie Street, Nassau Street, or Centennial Olympic Park Drive

- c. Will the way in which vehicles enter and leave the property cause traffic congestion? Why or why not?

Emergency vehicles could cause traffic congestion when they are present since they will occupy one of the travel lanes adjacent to the property. However, traffic could still flow through other lanes adjacent.

2. Off-Street Parking and Loading:

- a. How will the operator of the facility dispose of refuse and garbage? What kind of containers would be used? Will the City or a private garbage disposal service be used? How often will the service pick up the garbage?

Private garbage disposal service in standard 4 yard container located at near property that is picked up three times per week.

- b. How will products and supplies be delivered to the facility?

Off of Luckie Street access or Nassau Street access.

- c. Where and how will service personnel (such as electric and gas maintenance personnel) park their vehicles and gain access to the property for routine maintenance?

In the alleyway located off Nassau Street or public parking facilities.

- d. How will employees and clients park their vehicles and gain access to the property.

The ownership has made public parking arrangements for employees.

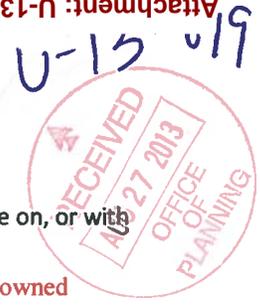
3. Buffering and Screening:

- a. How will adjoining properties be buffered or screened from any noise or glare from lights that might be generated from the facility?

No noise or glare screening provided

- b. How many vehicles will travel to and from the facility every day? Are you planning to make any road improvements to accommodate heavy traffic to and from the facility?

Very limited vehicle traffic mostly pedestrian traffic on property.



4. Hours and Manner of Operation:

- a. Proposed Use of Site? Please state **exactly** and in **detail** what is intended to be done on, or with the property.

Atlanta Partners, LLC is proposing to place a 180 foot tall Ferris wheel on privately owned property currently operating as a public parking lot, located at 168 Luckie Street, in downtown Atlanta.

- b. What will be the hours and days of the week during which the facility will be open?

The Ferris wheel and ancillary operations will be open to the public, Sunday through Wednesday from 10:00am to 10:00pm and Thursday through Saturday from 10:00am to midnight. The hours may vary slightly depending upon the weather and certain downtown events.

- c. How many employees will be employed at the facility? Include the number of shifts and number of employees per shift.

The Ferris wheel will create approximately 62 jobs and require approximately 12 - 15 employees per shift. In addition to salaried positions of General Manager, Assistant Managers and the director of Marketing, there will be hourly employees responsible for wheel maintenance, ticketing, greeters, loaders/unload, operators, photo and porters

- d. How many clients will be served by the facility, and what will be their ages?

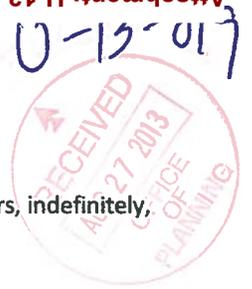
The Ferris wheel is a family friendly attraction which appeals to all ages and is handicap accessible. Passengers ride in 42 fully enclosed climate controlled gondolas. Each gondola can accommodate up to 6 people. Each ride lasts approximately 12- 15 minutes. Our expected attendance is approximately 1,000- 3,000 passengers per day. If fully loaded, the Ferris wheel holds 252 people. Additionally, the platform allows for another 252 people in the que-line. If necessary, there is a designated "over-flow" que-line, off of the platform and down the entrance ramp, which will hold an additional 252 people. In total, the ride, platform and over-flow que-line can accommodate approximately 756 people in under an hour at full capacity.

- e. Will you offer meals; and if so, when will they be offered?

A concession trailer is proposed for the property and is expected to operate during the same hours as the Ferris wheel.

- f. Will there be any other special programs offered at the facility; and if so, will they cause vehicles to park at or on the site?

The Ferris wheel and ancillary operations will also be available for private parties, community organizations, corporate functions, special events, weddings, receptions, etc. In addition to the Ferris wheel, a concession trailer, portable restrooms and two (2) hospitality tents are proposed for the property. Also, the parking lot will be overlaid with new asphalt and landscaped planters will be added to the property.



5. Duration of Special Use Permit:

- a. How long would you like the special use permit to last (for example: 3 years, 5 years, indefinitely, etc.)?

Three (3) years

6. Tree Preservation and Replacement:

- a. Will any trees be damaged or cut down to accommodate renovation or new construction at the facility? If so, how will recompense for the trees be furnished? (Please consult with the City Arborist, (404) 330-6874, about this issue.)

No, there are no trees to be removed.

7. Required Yards and Open Spaces:

- a. Will there be any additions to the existing facility structure, and if so, would they encroach into any required yard setbacks or required open space? (Please consult with the Office of Planning, Current Planning Division staff to find out the yard setback requirements or open space requirements for the property.)

A variance is requested for a temporary encroachment into the 15' side yard set-back along Luckie Street. In order to accommodate the Trolley property taking and given the fixed nature of the wheel platform an approximate 3' encroachment is unavoidable due to the Tabernacle emergency egress on the southeast corner, the property line pinch point on the southwest corner and the utility pole placement along Nassau Street.

AUTHORIZATION TO INSPECT PREMISES

With the signature below, I authorize the staff of the Office of Planning of the City of Atlanta to inspect the premises, which are the subject of this special use permit application.

I swear and affirm that the information contained in this application is true and accurate to the best of my knowledge and belief.

ATLANTA PARTNERS LLC

AL MERS, Mang. member
Owner or Agent of Owner (Applicant)

Sworn to and subscribed before me this 27th day of August, 2013

Elizabeth D. Jones (Notary Public)

Elizabeth Jones
My Commission expires
August 18, 2017



U-13-019

6.4.a

Parcel Details

00780007085
 168 LUCKIE ST NW
 TABERNACLE GROUP L L C

 Google Street View
 Virtual Earth



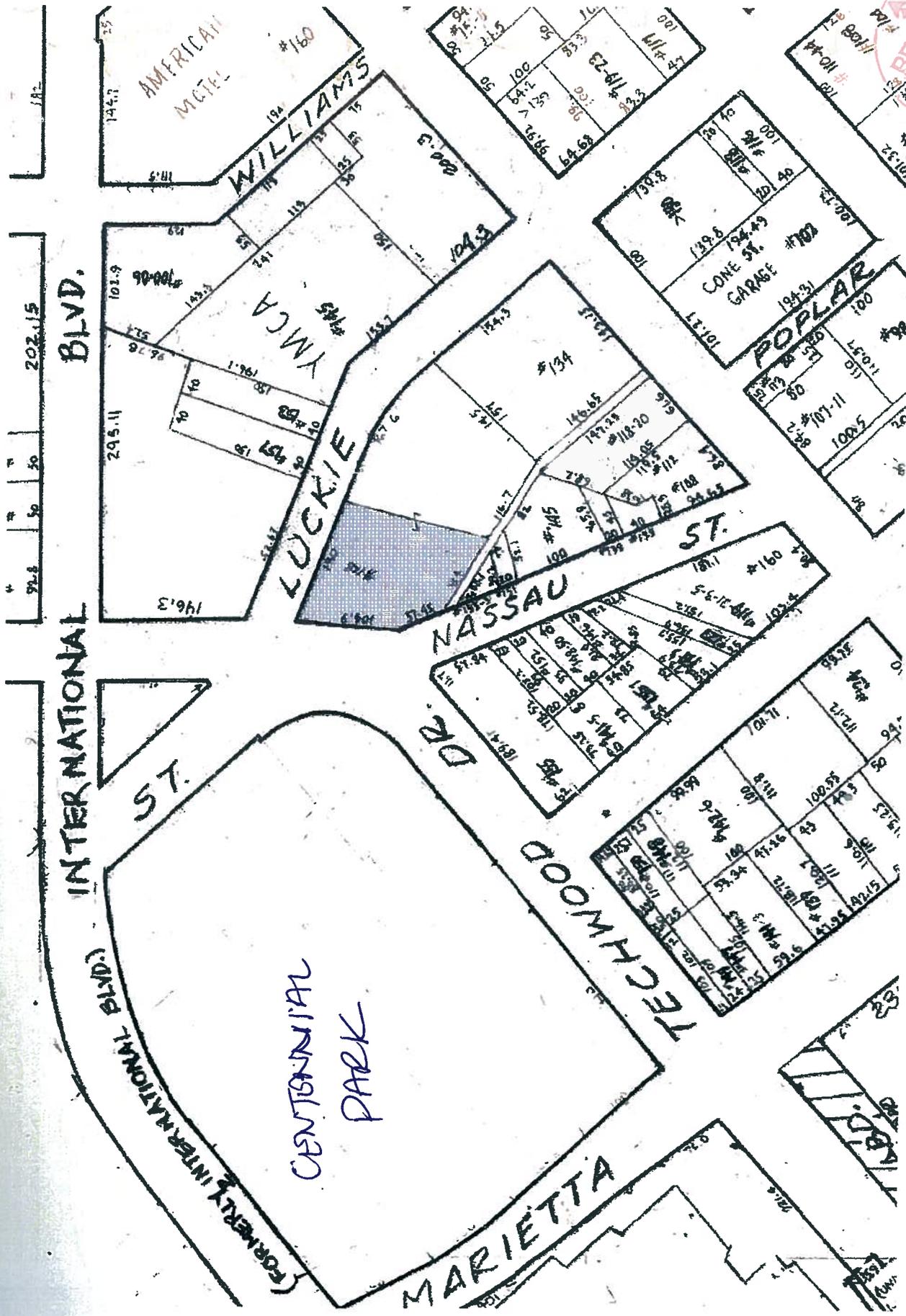
Packet Pg. 71

- Planning
- Map
- Tax
- Public Safety
- Census 2010

Planning Designations

Property in Atlanta city limits	Yes
USPS ZIP Code	30303
District/Landlot	14-78 cadastral map
Zoning	
Primary	SPI-1 SA1
Overlay	-
Maps	Official Zoning Map (pdf) Online Map
Future Land Use	High-Density Commercial (HDC)
NPU	M
Adjacent NPU (within 300 feet)	-
Neighborhood	Downtown
Council District	2
Renewal Community	No
Empowerment Zone	No
New Market Tax Credits	No
Livable Centers Initiative (LCI)	City Center
Tax Allocation District (TAD)	Westside
Supportive Housing Distance Eligibility	Meets distance requirements
Neighborhood Stabilization Program	Yes
Neighborhood Stabilization Program 3	No
Opportunity Zone	Yes
Community Development Impact Areas	No
Urban Redevelopment Areas	Yes
Property in Murphy Triangle	No
Inspection Arborist	SW
Inspection Building	Omodare
Inspection Electrical	Thompson
Inspection HVAC	Smith
Inspection Plumbing	Markell
Potential Brownfield	-

U-13-19



City of Atlanta Cadastral Map
168 Luckie Street

LEGAL DESCRIPTION:

ALL THAT TRACT OR PARCEL OF LAND LYING IN AND BEING IN LAND LOT 78 OF THE 14TH DISTRICT OF FULTON COUNTY, CITY OF ATLANTA, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN SET AT THE INTERSECTION OF THE SOUTH RIGHT OF WAY LUCKIE STREET (PUBLIC RIGHT OF WAY WIDTH VARIES) AND THE EAST RIGHT OF WAY OF CENTENNIAL OLYMPIC PARK DRIVE (PUBLIC RIGHT OF WAY WIDTH VARIES), SAID POINT BEING THE TRUE POINT OF BEGINNING;

THENCE ALONG THE SAID RIGHT OF WAY OF LUCKIE STREET S 59°49'51" E A DISTANCE OF 131.60' TO A NAIL SET; THENCE LEAVING THE SAID RIGHT OF WAY AND CONTINUING S 30°18'06" W A DISTANCE OF 137.20' TO POINT AT A 10' ALLEY; THENCE ALONG SAID ALLEY N 54°53'58" W A DISTANCE OF 90.70' TO A NAIL SET AT THE RIGHT OF WAY OF NASSAU STREET (PUBLIC RIGHT OF WAY WIDTH VARIES) ; THENCE ALONG THE SAID RIGHT OF WAY N 15°37'08" W A DISTANCE OF 37.45' TO A NAIL SET AT THE SAID RIGHT OF WAY OF CENTENNIAL OLYMPIC PARK DRIVE; THENCE ALONG THE SAID RIGHT OF WAY N 22°24'32" E A DISTANCE OF 104.24', TO AN IRON PIN SET, WHICH IS THE TRUE POINT OF BEGINNING.

SAID TRACT OR PARCEL OF LAND CONTAINS 0.365 ACRES AND IS DEPICTED ON A PLAT OF SURVEY PREPARED BY LANDPRO SURVEYING AND MAPPING, INC, DATED DECEMBER 1, 2010.



RECEIPT

CITY OF ATLANTA
ATLANTATEST
55 TRINITY AVE SW

Application: U-13-019
Application Type: Planning/ZRB/Special use/NA
Address: 168 LUCKIE ST NW, ATLANTA, GA 30303
Owner Name: TABERNACLE GROUP L L C
Owner Address:
Application Name: Al Mers

Receipt No.	Ref Number	Amount Paid	Payment Date	Cashier ID	Received	Comments
340630		\$400.00	08/27/2013	RPLEWIS		

Owner Info.: TABERNACLE GROUP L L C

Work Description: Special Use Permit for an outdoor event (Ferris Wheel) greater than 90 days.

PAID
CITY OF ATLANTA
AUG 27 2013

EX OFFICIO MUNICIPAL
REVENUE COLLECTOR

LEGAL DESCRIPTION:

ALL THAT TRACT OR PARCEL OF LAND LYING IN AND BEING IN LAND LOT 7B OF THE 14TH DISTRICT OF FULTON COUNTY, CITY OF ATLANTA, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN SET AT THE INTERSECTION OF THE SOUTH RIGHT OF WAY LUCKIE STREET (PUBLIC RIGHT OF WAY WIDTH VARIES) AND THE EAST RIGHT OF WAY OF CENTENNIAL OLYMPIC PARK DRIVE (PUBLIC RIGHT OF WAY WIDTH VARIES), SAID POINT BEING THE TRUE POINT OF BEGINNING;

THENCE ALONG THE SAID RIGHT OF WAY OF LUCKIE STREET S 59°49'51" E A DISTANCE OF 131.60' TO A NAIL SET; THENCE LEAVING THE SAID RIGHT OF WAY AND CONTINUING S 30°18'08" W A DISTANCE OF 137.20' TO POINT AT A 10' ALLEY; THENCE ALONG SAID ALLEY N 54°53'58" W A DISTANCE OF 90.70' TO A NAIL SET AT THE RIGHT OF WAY OF NASSAU STREET (PUBLIC RIGHT OF WAY WIDTH VARIES) ; THENCE ALONG THE SAID RIGHT OF WAY N 15°37'08" W A DISTANCE OF 37.45' TO A NAIL SET AT THE SAID RIGHT OF WAY OF CENTENNIAL OLYMPIC PARK DRIVE; THENCE ALONG THE SAID RIGHT OF WAY N 22°24'32" E A DISTANCE OF 104.24', TO AN IRON PIN SET, WHICH IS THE TRUE POINT OF BEGINNING.

SAID TRACT OR PARCEL OF LAND CONTAINS 0.365 ACRES AND IS DEPICTED ON A PLAT OF SURVEY PREPARED BY LANDPRO SURVEYING AND MAPPING, INC, DATED DECEMBER 1, 2010.

U-13-019



Conditions for U-13-19 for 168 Luckie Street, N.W.

1. Site Plan: Approval shall be conditioned on the conceptual site plan labeled “Atlanta Skyview Wheel – Site Plan” stamped received by the Office of Planning August 27, 2013. The applicant may conduct temporary festival events/vending on private property and outside of the sidewalks subject to approval by the Atlanta Police, Fire and other City Departments as applicable
2. Operator: The special use permit shall be valid only for Atlanta Partners, LLC as the operators of the Atlanta Skyview Wheel.

U-13-20- AN AMENDED ORDINANCE BY ZONING COMMITTEE GRANTING A SPECIAL USE PERMIT FOR OUTDOOR DINING AND EATING AND DRINKING ESTABLISHMENTS WHEN ANY PART OF SUCH USE IS LOCATED WITHIN 1,000 FEET OF A RESIDENTIAL ZONING AND USE, PURSUANT TO SECTION 16-11.005(1)(L), FOR PROPERTY LOCATED AT 3700-3802 ROSWELL ROAD, N.E. (AKA 3714 ROSWELL ROAD), FRONTING APPROXIMATELY 843 FEET ON THE NORTHWEST SIDE OF ROSWELL ROAD. DEPTH VARIES; AREA: APPROXIMATELY 10.082 ACRES. LAND LOT 97, 17TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: REGENCY REALTY GROUP, INC. APPLICANT: REGENCY REALTY GROUP, INC. C/O PATRICIA A. WALLIS NPU B COUNCIL DISTRICT 8

Review List:

Office of Research and Policy Analysis	Completed	09/19/2013 4:44 PM
Zoning Committee	Completed	10/03/2013 11:20 AM
Atlanta City Council	Completed	10/22/2013 1:22 PM
Zoning Review Board Staff	Completed	11/19/2013 6:38 PM
Office of Research and Policy Analysis	Completed	11/20/2013 12:27 PM
Zoning Committee	Pending	

HISTORY:

10/02/13	Zoning Committee	
10/07/13	Atlanta City Council	REFERRED TO ZRB AND ZC

RESULT: **REFERRED TO ZRB AND ZC [10 TO 1]**
AYES: Watson, Wan, Martin, Shook, Winslow, Moore, Young Jr., Bottoms, Hall, Adrean
NAYS: Joyce Sheperd
ABSENT: Natalyn Mosby Archibong
EXCUSED: Carla Smith
AWAY: H. Lamar Willis, Michael Julian Bond

RESULT: **REFERRED TO ZRB AND ZC [10 TO 1]**
AYES: Watson, Wan, Martin, Shook, Winslow, Moore, Young Jr., Bottoms, Hall, Adrean
NAYS: Joyce Sheperd
ABSENT: Natalyn Mosby Archibong
EXCUSED: Carla Smith
AWAY: H. Lamar Willis, Michael Julian Bond

LEGISLATION HISTORY – BLUE BACK

Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

U-13-20- AN AMENDED ORDINANCE BY ZONING COMMITTEE GRANTING A SPECIAL USE PERMIT FOR OUTDOOR DINING AND EATING AND DRINKING ESTABLISHMENTS WHEN ANY PART OF SUCH USE IS LOCATED WITHIN 1,000 FEET OF A RESIDENTIAL ZONING AND USE, PURSUANT TO SECTION 16-11.005(1)(L), FOR PROPERTY LOCATED AT 3700-3802 ROSWELL ROAD, N.E. (AKA 3714 ROSWELL ROAD), FRONTING APPROXIMATELY 843 FEET ON THE NORTHWEST SIDE OF ROSWELL ROAD. DEPTH VARIES; AREA: APPROXIMATELY 10.082 ACRES. LAND LOT 97, 17TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: REGENCY REALTY GROUP, INC. APPLICANT: REGENCY REALTY GROUP, INC. C/O PATRICIA A. WALLIS NPU B COUNCIL DISTRICT 8

AN AMENDED ORDINANCE
BY: ZONING COMMITTEE

U-13-20

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

SECTION 1. Under the provisions of Section 16-11.005(1)(l), of the Zoning Ordinance of the City of Atlanta, a Special Use Permit for a Outdoor Dining and eating and drinking establishments when any part of such use is located within 1,000 feet of a residential zoning and use, is hereby granted. Said use is granted to REGENCY REALTY GROUP, INC. and is to be located at 3700-3802 ROSWELL ROAD, N.E. (aka 3714 Roswell Road), to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 97, 17th District, Fulton County, Georgia, being more particularly described by the attached legal description and/or map.

SECTION 2. That this amendment is approved under the provisions of Section 16-25.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Special Use Permits, Procedural Requirements", and the Director, Bureau of Buildings, shall issue a building permit only in compliance with the applicable provisions of this part. The applicable conditional site plan and any other conditions hereby imposed are enumerated by attachment. The Special Use Permit hereby approved does not authorize the violation of any zoning district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.



55 Trinity Avenue S.W., Suite 3350
Atlanta, Georgia 30303
(404) 330-6145

Attachment: U-13-20 (13-O-1285 : U-13-20 An Ordinance granting a SUP for Outdoor Dining within 1000

APPLICATION #: **U-13-020**

DATE ACCEPTED: **09/05/2013**

NOTICE TO APPLICANT

Address of Property:
3714 Roswell RD NE

City Council District: **8** Neighborhood Planning Unit (NPU): **B**

Zoning Review Board (ZRB) Hearing Date:
November
Monday, 7 or 14, 2013 at 6:00 p.m.

Council Chambers, 2nd Floor, City Hall
55 Trinity Avenue, S.W.

The contact person for NPU B is:

Bill Murray
404 226-3271
bill.murray@prudentialga.com

Contact info for adjacent NPUs is provided below if necessary:

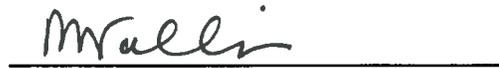
Additional Contacts:
Nina Schwartz (NPU A)
404-233-4007
nina.schwartz@comcast.net

Please contact the person(s) listed above within two days to find out which meetings you will be required to attend before the next NPU meeting. If you are unable to reach the contact person, please call the city's NPU Coordinator at 404-330-6145.

Signed,



LC, for Director, Bureau of Planning



Regency Realty Group, Inc. by Patricia A Wallis



APPLICATION FOR SPECIAL USE PERMIT

City of Atlanta

Date Filed _____ Application Number U-13-020

I Hereby Request That The Property Described in this Application be granted a Special Use Permit

Name of Applicant Regency Realty Group, Inc. by Patricia A. Wallis

Last Name First Name M.I.

Address 2485 Street Name Conley Drive

City Cumming State GA Zip Code 30040

Phone 678-357-7439 Fax _____

E-mail address pwallis@psi-atl-ga.us

Name of Property Owner Regency Realty Group, Inc

Last Name First Name M.I.

Address 3715 Street Name Northside Pky, 400 Northcreek, Ste. 400

City Atlanta State GA Zip Code 30327

Daytime Phone 404-575-3217 Fax _____

E-mail address carlbaker@regencycenters.com

Description of Property

Street Address of Property 3700-3802 Roswell Road aka 3714 Roswell Road

City Atlanta State GA Zip Code 30342

Property is zoned: C-1 Council District: 8 Neighborhood Planning Unit: B

The subject property fronts 600 feet on the West side of Roswell Road, beginning 137 feet from the NE corner of Powers Ferry Rd

Depth: 450' Area: 10,082 Land Lot: 97 Land District: 17th

U-13-020



INSTRUCTIONS

A. SUMMARY OF PROPOSED PROJECT. What kind of special use would you be operating?

_____ personal care home _____ rehabilitation center _____ day care center

_____ assisted living facility _____ nursing home _____ church

X other: (describe): Outdoor dining within 1000' of R and RG districts

B. IMPACT ANALYSIS. Type or legibly print on a separate piece of paper a complete and descriptive response to each one of the following questions:

1. Ingress and Egress:

- a. How will employee and client vehicles enter and leave the property?
- b. How will emergency vehicles (fire, police, and ambulance) gain access to the property?
- c. Will the way in which vehicles enter and leave the property cause traffic congestion? Why or why not?

2. Off-Street Parking and Loading:

- a. How will the operator of the facility dispose of refuse and garbage? What kind of containers would be used? Will the City or a private garbage disposal service be used? How often will the service pick up the garbage?
- b. How will products and supplies be delivered to the facility?
- c. Where and how will service personnel (such as electric and gas maintenance personnel) park their vehicles and gain access to the property for routine maintenance?
- d. How will employees and clients park their vehicles and gain access to the property.

3. Buffering and Screening:

- a. How will adjoining properties be buffered or screened from any noise or glare from lights that might be generated from the facility?
- b. How many vehicles will travel to and from the facility every day? Are you planning to make any road improvements to accommodate heavy traffic to and from the facility?

4. Hours and Manner of Operation:

- a. Proposed Use of Site? Please state *exactly* and in *detail* what is intended to be done on, or with the property.
- b. What will be the hours and days of the week during which the facility will be open?
- c. How many employees will be employed at the facility? Include the number of shifts and number of employees per shift.
- d. How many clients will be served by the facility, and what will be their ages?
- e. Will you offer meals; and if so, when will they be offered?
- f. Will there be any other special programs offered at the facility; and if so, will they cause vehicles to park at or on the site?

DOCUMENTED IMPACT ANALYSIS
in support of an
APPLICATION FOR SPECIAL USE PERMIT
FOR OUTDOOR DINING PATIO

at
POWERS FERRY SQUARE
3-2700-3802 ROSWELL ROAD
AKA 3714 ROSWELL ROAD
ATLANTA, GA 30342

REGENCY REALTY GROUP, INC.

September 04, 2013

4-13-020



Introduction

Pursuant to City of Atlanta Code Section 16-11.005(1), Regency Realty Group, Inc., owner of the shopping center known as Powers Ferry Square, submits this Special Use Permit Application for 3700-3802 Roswell Road aka 3714 Roswell Road, Atlanta, Georgia 30342, to authorize an outdoor dining patio adjacent to a 4025 square foot building addition / renovation that is intended to be leased to a new full service restaurant. The restaurant will be housed in the building addition located at the northwest corner of the shopping center close to the Roswell Road right-of-way.

Property Location

The property owned by Regency Realty Group, Inc.. ("Regency") and known as Powers Ferry Square (the Property") is located at on the west side of Roswell Road approximately 137 feet north of the intersection with Powers Ferry Road in northwest Atlanta. This area of Roswell Road functions as a principal commercial and entertainment node for the surrounding neighborhoods. This 10.082 acre parcel is bounded by commercial and multifamily to the north and lies across Roswell Road from retail, commercial, restaurant, and entertainment uses. Sardis Methodist Church is located adjacent to the western boundary of the Property. A utility substation is located on Powers Ferry Road opposite the southern boundary of the Property.

The Property is zoned C-1. Adjacent properties to the north and south are zoned C-1 and *RG-S*. The parcels across Roswell Road are also zoned C-1. The neighborhood west and south of the Property is zoned R-3.

History of Property

The Property was developed in the early 1960s as a shopping center. Over time, retail space was added to the base buildings, and outparcels were developed. Regency purchased the Property in 1997. Trees and plantings were added in 2005-2006 to bring the Property into compliance with the City's surface parking lot landscaping requirements.

Current Site Conditions

The retail center is composed of two large multi-tenant buildings, two smaller multi-tenant buildings, and two free-standing bank buildings, totaling of 103,788 square feet. Currently, the center is comprised of 22 retail, service and office tenants; 5 fast casual restaurants; and 2 banks. One space is currently vacant. One of the existing fast casual restaurants will be replaced with the proposed 4025 square foot restaurant.

The retail, service and office business are open between six and seven days a week during daytime hours. The restaurants and food service establishments are open at various schedules during the day.

Proposed New Businesses

Regency proposes to demolish 1820 square feet of the existing building nearest the Northwest corner of the property to construct a 4025 square foot full service restaurant tenant space with outdoor dining as shown on the site plan by LeCraw Engineering dated September 04, 2013. The 1006 square foot patio would be located on the south side of the building addition facing the parking lot. The patio would be sited approximately 20 feet from Roswell Road.

This addition to the building will be designed respecting the standards of SPI-9, and will result in a net gain of 2205 square feet to the building.

Legal Requirements

Eating and drinking establishments are a permitted use in the C-1 Community Business District. See City of Atlanta Zoning Code Section 16-11.003 (10). However, the Zoning Code requires a special use permit for outdoor dining at eating and drinking establishments when any part of such use is located within 1,000 feet of property that is zoned R-1 -- R-5 or that is used as a residential property. See Code Section 16-11.005 (1) (1).

Powers Ferry Center is bounded on the west by the Sardis Methodist Church, which is located within a district zoned R-3. In addition, the patio will be situated approximately 675 feet from the closest residences, the Lofts at Chastain condominium building, which is zoned RG-5. The patio also may be located less than 1,000 feet from one or more of the residences across Powers Ferry Road from the church.

Impact Analysis

Granting a Special Use Permit to allow an outdoor dining patio would create no deleterious effect on the shopping center or the surrounding neighborhood. The neighborhood has expressed an interest in a full service restaurant and having it will add to the diversity of uses in the open-air shopping center. Restaurants with an outdoor dining patio in this location are compatible with the existing uses and zoning of nearby property. When this request is considered in the context of the land development in the vicinity of Powers Ferry Center, this is a compatible land use.

Ingress and Egress

As noted above, the Property has operated as a commercial center of retail, restaurant, service, and office establishments for decades. The building addition should cause no material change in vehicular patterns or pedestrian safety within the Property other than to improve vehicular traffic and pedestrian safety via the removal of the existing drive thru lane and related congestion.

Parking is distributed throughout the shopping center, including directly beside and behind the building in question. Patrons park near one establishment and walk among the shops, salons and restaurants. The entrances and exits to the shopping center will remain the same. There are no ingress or egress concerns relative to the patio for the proposed full service restaurant.

Off-Street Parking and Loading Areas

The parking requirements at Powers Ferry Square are being addressed by an Application for Special Exception. As discussed in that application, the circumstances of the usage of the Property do not necessitate the number of parking spaces required by the Zoning Ordinance. During the day, this site functions as an open-air shopping mall. Regency has experienced no circumstances of inadequate onsite parking and has received no complaints from tenants or patrons that parking was insufficient. Adding new indoor and outdoor dining space will not materially affect the parking demand relative to the supply. In fact, further diversifying the uses likely will increase the incidence of shared parking by customers who patronize more than one business when they visit the shopping center.

The history of actual parking patterns at the Property demonstrates that imposing the full C-1 parking requirements would result in a vast oversupply of parking, which is both cost prohibitive and environmentally undesirable. Moreover, application of the full parking requirements for each use individually would impose an unreasonable hardship on this distinctive Property. The site was developed 40 - 50 years ago and has functioned as a neighborhood retail and service business center for decades. The Property is not large enough to construct the required number of surface parking spaces, nor will the number and types of businesses that may be operated on the Property support the expense of building a parking deck. Applying the C-1 parking requirements nearly five decades after this Property was developed would unduly penalize the owner.

Disposal of Refuse; Location of Service/ Delivery Areas

Inasmuch as this request is related solely to the permitting of a patio for one restaurant that will utilize a trash compactor and dumpster located adjacent to the building, there are no issues of refuse disposal or delivery areas implicated by this request. Refuse and service areas shall continue to exist in accordance with the requirements of the City of Atlanta Code of Ordinances. Deliveries will be made to the side or rear of the building during daytime hours.

Alleviation of Adverse Effects

Given that the patio will be located adjacent to the parking lot at the northwestern corner of the shopping center close to a busy arterial, and further buffered by the building itself and the presence of two large oak trees, Regency respectfully submits that there will be no adverse effect on adjacent residential property. The adjacent church property, while zoned R-3, contains no residential uses. The closest homes are located over 1000 feet away and are separated from the proposed patio by the building addition and a driveway. Any residences on Powers Ferry Road within 1,000 feet of the patio likewise are separated by shopping center buildings, parking areas, and a busy roadway. Accordingly, no additional buffering or screening is necessary or appropriate. Likewise, other than circulation signage within the parking lot, no vehicular or road improvements are needed or planned.

Hours and Manner of Operation

The hours and manner of operation of the establishments to be located in the new restaurant building are expected to be compatible with the existing uses at Powers Ferry Center. The restaurant will be open six or seven days per week and will offer a full service dining experience including dinner.

During the shopping day, Powers Ferry Square provides an amenity of varied shops, restaurants, and services. Existing restaurants afford variation in the activities that bring patrons to the shopping center. The new restaurant will add to the interesting mix of neighborhood eating destinations.

Duration of Special Use Permit

The Applicant requests that no restriction be placed on the duration of any special permit issued to facilitate outdoor patio dining.

Tree Preservation and Replacement

No trees will be removed to create the outdoor dining patio. Regency will comply with all applicable requirements of the Tree Ordinance in this proposed redevelopment of the shopping center.

Yards and Open Spaces

No changes to the required yards at Powers Ferry Center are required or contemplated to create the outdoor dining patio.

Conclusion

This Application meets the prescribed test set out by the Georgia Supreme Court to be used in establishing the constitutional balance between private property rights and zoning and planning as an expression of the government's police power. *E.g., Cobb County v. Pass*, 257 Ga. 393 (1987); *Guhl v. Holcomb Bridge Road*, 238 Ga. 322 (1977). Eating and drinking establishments are properly located in C-1. All of the factors directed to be examined by Code Section 16-25.0002(3) are objectively determined in favor of the Applicant. The patio is planned to be less than 25 percent of the total gross floor area of the restaurant building, and none of the surrounding land uses will be adversely impacted by such an amenity. Having met all of the legal requirements, Regency respectfully requests that a Special Use Permit be issued to authorize outdoor dining.

AUTHORIZATION TO INSPECT PREMISES

With the signature below, I authorize the staff of the Office of Planning of the City of Atlanta to inspect the premises, which are the subject of this special use permit application.

I swear and affirm that the information contained in this application is true and accurate to the best of my knowledge and belief.



Owner or Agent of Owner (Applicant)

Sworn to and subscribed before me this 4th day of September, 2013


_____ (Notary Public)



4-13-020

4-13-020



AUTHORIZATION BY PROPERTY OWNER

(Required only if applicant is not the owner of property subject to the proposed Special Use Permit)

I, CARLETON BAKER (OWNER'S NAME)

SWEAR AND AFFIRM THAT I AM THE OWNER OF THE PROPERTY AT 3700-3802 Roswell Road aka 3714 Roswell Road (PROPERTY ADDRESS).

AS SHOWN IN THE RECORDS OF Fulton COUNTY, GEORGIA, WHICH IS THE SUBJECT MATTER OF THE ATTACHED APPLICATION. I AUTHORIZE THE PERSON NAMED BELOW TO FILE THIS APPLICATION AS MY AGENT.

NAME OF APPLICANT

LAST NAME Wallis FIRST NAME Patricia

ADDRESS 2485 STREET NAME Conley SUITE _____

CITY Cumming STATE GA ZIP CODE 30040

TELEPHONE NUMBER

AREA CODE (678) NUMBER 357 - 7439

[Signature]
Signature of Owner

CARLETON BAKER
Print name of owner

Personally Appeared Before Me this 4th day of September, 2013.

[Signature]

Notary Public



PROPERTY DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 97 of the 17th District, Fulton County, Georgia, City of Atlanta, and being more particularly described as follows:

Commencing at a point at the intersection of the northeasterly right-of-way of Powers Ferry Road (a variable width right-of-way) with the northwesterly right-of-way of Roswell Road (a variable width right-of-way); Thence departing the said northeasterly right-of-way of Powers Ferry Road and continuing with the said northwesterly right-of-way of Roswell Road the following two courses: North 48 degrees 58 minutes 44 seconds East, a distance of 38.12 feet to a point; Thence along a curve to the right, an arc length of 155.33 feet, said curve having a radius of 923.69 feet, with a chord distance of 155.15 feet, at North 16 degrees 22 minutes 45 seconds East, to a 1/2-inch rebar found in the division line between KSSR Properties, LLC (Deed Book 28700 at Page 320) on the south and Regency Retail Partnership, L.P. (Deed Book 22060 at Page 304) on the north, said 1/2-inch rebar found being the TRUE POINT OF BEGINNING. Thence departing the said northwesterly right-of-way of Roswell Road and continuing with the said division line the following two courses: South 84 degrees 58 minutes 01 seconds West, a distance of 108.66 feet to a 3/4-inch open top pipe found; Thence South 64 degrees 14 minutes 15 seconds West, a distance of 108.74 feet to a 5/8-inch rebar set in the said northeasterly right-of-way of Powers Ferry Road; Thence continuing with the said northeasterly right-of-way of Powers Ferry Road, North 43 degrees 54 minutes 06 seconds West, a distance of 234.69 feet to a chisel point set in the division line between Trustees of Sardis Methodist Church (Deed Book 3742 at Page 312) on the west and the said Regency Retail Partnership, L.P. on the east; Thence departing the said northeasterly right-of-way of Powers Ferry Road and continuing with the said division line the following two courses: North 36 degrees 14 minutes 41 seconds East, a distance of 291.17 feet to a 1/2-inch rebar found; Thence North 00 degrees 36 minutes 28 seconds West, a distance of 574.52 feet to a 5/8-inch rebar set in the division line between Lot 36, Lake Forrest (Plat Book 24 at Page 19) on the west and the said Regency Retail Partnership, L.P. on the east; Thence continuing with the said division line between the said Lot 36 and continuing with Lot 35 on the west and the said Regency Retail Partnership, L.P. on the east, North 27 degrees 01 minutes 43 seconds East, a distance of 93.82 feet to a 1/2-inch rebar found in the division line between United States Postal Service (Deed Book 1116 at Page 239) on the north and the said Regency Retail Partnership, L.P. on the south; Thence continuing with the said division line, South 87 degrees 04 minutes 13 seconds East, a distance of 355.40 feet to a 5/8-inch rebar found in the division line between The Lofts @ Chastain, LLC (Deed Book 29896 at Page 330) on the east and north, respectively, and the said Regency Retail Partnership, L.P. on the west and south, respectively; Thence continuing with the said division line the following four courses: South 13 degrees 41 minutes 38 seconds West, a distance of 60.23 feet to a 1/2-inch rebar found; Thence South 21 degrees 06 minutes 00 seconds West, a distance of 131.23 feet to a 1/2-inch rebar found; Thence South 05 degrees 17 minutes 25 seconds East, a distance of 68.00 feet to a 1/2-inch rebar found; Thence South 83 degrees 34 minutes 11 seconds East, a distance of 305.74 feet to a chisel point set on said northwesterly right-of-way of Roswell Road; Thence continuing with the said northwesterly right-of-way of Roswell Road the following three courses: along a curve to the right, an arc length of 106.93 feet, said curve having a radius of 1119.38 feet, with a chord distance of 106.89 feet, at South 29 degrees 34 minutes 45 seconds West, to a point; Thence South 34 degrees 05 minutes 40 seconds West, a distance of 520.62 feet to a point; Thence along a curve to the left, an arc length of 205.75 feet, said curve having a radius of 930.68 feet, with a chord distance of 205.33 feet, at South 28 degrees 44 minutes 01 seconds West, to a 1/2-inch rebar found, said 1/2-inch rebar found being the TRUE POINT OF BEGINNING.

Said tract of land contains 10.082 Acres.

CITY OF ATLANTA
55 TRINITY AVE SW STE 1350
ATLANTA, GA. 30303-3534
404-330-6270

Merchant ID: 550138523
Term ID: 0010540000550138523003

Sale

xxxxxxxxxxxx3696

VISA

Entry Method: Swiped

on: U-13-020

Total:

\$ 400.00

pe: Planning/ZRB/Special use/NA

09/05/13

13:48:32

ss: 3714 ROSWELL RD NE, ATLANTA, GA 30342

Inv #: 000016

Appr Code: 050265

ne: REGENCY RETAIL PARTNERSHIP L P

Apprvd: Online

ss:

ne:

Customer Copy

THANK YOU!

	Amount Paid	Payment Date	Cashier ID	Received	Comments
Credit Card	\$400.00	09/05/2013	JADEGBOYE		

Owner Info.: REGENCY RETAIL PARTNERSHIP L P

Work Description: special use permit for outdoor dining

PAID *VISA*
CITY OF ATLANTA
SEP 05 2013
Tp
EX OFFICIO MUNICIPAL
REVENUE COLLECTOR

PROPERTY DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 97 of the 17th District, Fulton County, Georgia, City of Atlanta, and being more particularly described as follows:

Commencing at a point at the intersection of the northeasterly right-of-way of Powers Ferry Road (a variable width right-of-way) with the northwesterly right-of-way of Roswell Road (a variable width right-of-way); Thence departing the said northeasterly right-of-way of Powers Ferry Road and continuing with the said northwesterly right-of-way of Roswell Road the following two courses: North 48 degrees 58 minutes 44 seconds East, a distance of 38.12 feet to a point; Thence along a curve to the right, an arc length of 155.33 feet, said curve having a radius of 923.69 feet, with a chord distance of 155.15 feet, at North 16 degrees 22 minutes 45 seconds East, to a 1/2-inch rebar found in the division line between KSSR Properties, LLC (Deed Book 28700 at Page 320) on the south and Regency Retail Partnership, L.P. (Deed Book 22060 at Page 304) on the north, said 1/2-inch rebar found being the TRUE POINT OF BEGINNING. Thence departing the said northwesterly right-of-way of Roswell Road and continuing with the said division line the following two courses: South 84 degrees 58 minutes 01 seconds West, a distance of 108.66 feet to a 3/4-inch open top pipe found; Thence South 64 degrees 14 minutes 15 seconds West, a distance of 108.74 feet to a 5/8-inch rebar set in the said northeasterly right-of-way of Powers Ferry Road; Thence continuing with the said northeasterly right-of-way of Powers Ferry Road, North 43 degrees 54 minutes 06 seconds West, a distance of 234.69 feet to a chisel point set in the division line between Trustees of Sardis Methodist Church (Deed Book 3742 at Page 312) on the west and the said Regency Retail Partnership, L.P. on the east; Thence departing the said northeasterly right-of-way of Powers Ferry Road and continuing with the said division line the following two courses: North 36 degrees 14 minutes 41 seconds East, a distance of 291.17 feet to a 1/2-inch rebar found; Thence North 00 degrees 36 minutes 28 seconds West, a distance of 574.52 feet to a 5/8-inch rebar set in the division line between Lot 36, Lake Forrest (Plat Book 24 at Page 19) on the west and the said Regency Retail Partnership, L.P. on the east; Thence continuing with the said division line between the said Lot 36 and continuing with Lot 35 on the west and the said Regency Retail Partnership, L.P. on the east, North 27 degrees 01 minutes 43 seconds East, a distance of 93.82 feet to a 1/2-inch rebar found in the division line between United States Postal Service (Deed Book 1116 at Page 239) on the north and the said Regency Retail Partnership, L.P. on the south; Thence continuing with the said division line, South 87 degrees 04 minutes 13 seconds East, a distance of 355.40 feet to a 5/8-inch rebar found in the division line between The Lofts @ Chastain, LLC (Deed Book 29896 at Page 330) on the east and north, respectively, and the said Regency Retail Partnership, L.P. on the west and south, respectively; Thence continuing with the said division line the following four courses: South 13 degrees 41 minutes 38 seconds West, a distance of 60.23 feet to a 1/2-inch rebar found; Thence South 21 degrees 06 minutes 00 seconds West, a distance of 131.23 feet to a 1/2-inch rebar found; Thence South 05 degrees 17 minutes 25 seconds East, a distance of 68.00 feet to a 1/2-inch rebar found; Thence South 83 degrees 34 minutes 11 seconds East, a distance of 305.74 feet to a chisel point set on said northwesterly right-of-way of Roswell Road; Thence continuing with the said northwesterly right-of-way of Roswell Road the following three courses: along a curve to the right, an arc length of 106.93 feet, said curve having a radius of 1119.38 feet, with a chord distance of 106.89 feet, at South 29 degrees 34 minutes 45 seconds West, to a point; Thence South 34 degrees 05 minutes 40 seconds West, a distance of 520.62 feet to a point; Thence along a curve to the left, an arc length of 205.75 feet, said curve having a radius of 930.68 feet, with a chord distance of 205.33 feet, at South 28 degrees 44 minutes 01 seconds West, to a 1/2-inch rebar found, said 1/2-inch rebar found being the TRUE POINT OF BEGINNING.

Said tract of land contains 10.082 Acres.

U-13-20

Conditions for U-13-20 for 3700-3802 Roswell Road, N.E. (aka 3714 Roswell Road)

1. No outdoor public address sound system.

AN AMENDED ORDINANCE BY ZONING COMMITTEE TO AMEND ORDINANCE 05-O-1941 (U-05-31) WHICH GRANTED A SPECIAL USE PERMIT FOR A DAY CARE CENTER PURSUANT TO SECTION 16-05.005 (1) (B), PROPERTY LOCATED AT 2700 BUTNER ROAD, S.W., FRONTING APPROXIMATELY 282 FEET ON THE SOUTHEASTERLY SIDE OF BUTNER ROAD. DEPTH: VARIES; AREA: .37 ACRE; LAND LOT 66, 14TH FF DISTRICT, FULTON COUNTY, GEORGIA. OWNER: SHIWILA M. WILLIS APPLICANT: SHIWILA M. WILLIS NPU P COUNCIL DISTRICT 11

Application File Date	8-6-13
Zoning Number	U-13-18/U-05-31
NPU / CD	P-11
Staff Recommendation	Approval Conditional
NPU Recommendation	Denial
ZRB Recommendation	Approval Conditional-public hearing 11-14-13

Review List:

Office of Research and Policy Analysis	Completed	08/20/2013 10:29 AM
Zoning Committee	Completed	08/29/2013 10:28 AM
Atlanta City Council	Completed	09/04/2013 8:02 PM
Zoning Review Board Staff	Completed	11/19/2013 6:43 PM
Office of Research and Policy Analysis	Completed	11/20/2013 12:32 PM
Zoning Committee	Pending	

HISTORY:

08/28/13	Zoning Committee	
09/03/13	Atlanta City Council	REFERRED TO ZRB AND ZC

RESULT:	REFERRED TO ZRB AND ZC [UNANIMOUS]
AYES:	Watson, Wan, Martin, Smith, Shook, Winslow, Moore, Willis, Young Jr., Sheperd, Bottoms, Hall, Archibong, Adrean
ABSENT:	Michael Julian Bond

RESULT:	REFERRED TO ZRB AND ZC [UNANIMOUS]
AYES:	Watson, Wan, Martin, Smith, Shook, Winslow, Moore, Willis, Young Jr., Sheperd, Bottoms, Hall, Archibong, Adrean
ABSENT:	Michael Julian Bond

Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

**AN AMENDED ORDINANCE BY ZONING COMMITTEE TO AMEND ORDINANCE 05-O-1941 (U-05-31) WHICH GRANTED A SPECIAL USE PERMIT FOR A DAY CARE CENTER PURSUANT TO SECTION 16-05.005 (1) (B), PROPERTY LOCATED AT 2700 BUTNER ROAD, S.W., FRONTING APPROXIMATELY 282 FEET ON THE SOUTHEASTERLY SIDE OF BUTNER ROAD. DEPTH: VARIES; AREA: .37 ACRE; LAND LOT 66, 14TH FF DISTRICT, FULTON COUNTY, GEORGIA. OWNER: SHIWILA M. WILLIS APPLICANT: SHIWILA M. WILLIS NPU P
COUNCIL DISTRICT 11**

Application File Date	8-6-13
Zoning Number	U-13-18/U-05-31
NPU / CD	P-11
Staff Recommendation	Approval Conditional
NPU Recommendation	Denial
ZRB Recommendation	Approval Conditional-public hearing 11-14-13

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

SECTION 1. Under the provisions of 16-05.005 (1) (b), of the Zoning Ordinance of the City of Atlanta, a Special Use Permit for a DAY CARE CENTER is hereby amended. Said amended use is granted to SHIWILA M. WILLIS and is to be located at 2700 BUTNER ROAD, S.W., to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 66 of the 14th FF District, Fulton County, Georgia, being more particularly described by the attached legal description and/or map.

SECTION 2. That this amendment is approved under the provisions of Section 16-25.003 of the Zoning Ordinance of the City of Atlanta, entitled, “Special Use Permits, Procedural Requirements”, and the Director, Bureau of Buildings, shall issue a building permit only in compliance with the applicable provisions of this part. The applicable conditional site plan and any other conditions hereby imposed are enumerated by attachment. The Special Use Permit hereby approved does not authorize the violation of any zoning district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.



55 Trinity Avenue S.W., Suite 3330
Atlanta, Georgia 30303
(404) 330-6145

Attachment: U-13-18 (13-O-1222 : U-13-18/U-05-31 An Ordinance to amend SUP for 2700 Butner Road.)

APPLICATION #: **U-13-018**

DATE ACCEPTED: **08/06/2013**

NOTICE TO APPLICANT

Address of Property:
2700 Butner RD SW

City Council District: **11** Neighborhood Planning Unit (NPU): **P**

Zoning Review Board (ZRB) Hearing Date:
Thursday, October 3 or 10, 2013 at 6:00 p.m.

Council Chambers, 2nd Floor, City Hall
55 Trinity Avenue, S.W.

The contact person for NPU P is:

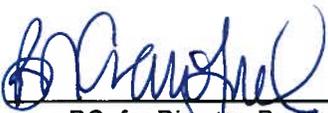
Reginald Rushin
(404) 895-2273
rushin58@earthlink.net

Contact info for adjacent NPUs is provided below if necessary:

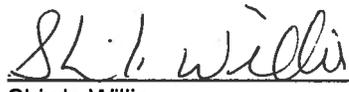
Additional Contacts:

Please contact the person(s) listed above within two days to find out which meetings you will be required to attend before the next NPU meeting. If you are unable to reach the contact person, please call the city's NPU Coordinator at 404-330-6145.

Signed,



BC, for Director, Bureau of Planning



Shiwa Willis



APPLICATION FOR SPECIAL USE PERMIT

City of Atlanta

Date Filed _____

Application Number U-13-18

I Hereby Request That The Property Described in this Application be granted a Special Use Permit

Name of Applicant WILLIS SHIWILA M
Last Name First Name M.I.

Address 4262 Street Name HOLIDAY ROAD

City ATLANTA State GA Zip Code 30349

Phone (404) 759-9748 Fax (404) 349-0229

E-mail address WSHIWILA@bellsouth.net

Name of Property Owner WILLIS SHIWILA M
Last Name First Name M.I.

Address 4262 Street Name HOLIDAY ROAD

City ATLANTA State GA Zip Code 30349

Daytime Phone (404) 759-9748 Fax (404) 349-0229

E-mail address wshiwila@bellsouth.net

Description of Property

Street Address of Property 2700 BUTNER RD

City ATLANTA State GEORGIA Zip Code 30331

Property is zoned: R-3 Council District: _____ Neighborhood Planning Unit: _____

(optional) The subject property fronts 174.14' feet on the NORTH side of TELL ROAD, beginning 0.0' feet from the S.E. corner of BUTNER ROAD

Depth: VARIES Area: 0.37 AC. Land Lot: 66 Land District: 14F

IMPACT ANALYSIS Butner Learning Center



Location of Subject Property: 2700 Butner Road
Atlanta , Georgia. 30331

Applicant: Shiwila Willis

1. Ingress and Egress

a. Employee and client vehicles will continue to access subject property based on the existing approved SUP. (Copy attached)

b. Emergency vehicles will continue to access the property by way of the extended continuous pavement either from Tell Road or Butner Road adjacent to the parking areas provided.

c. The way in which vehicles access and leaves the property traffic congestion because we offer pick-up and drop-off services for the center. This service reduces the number of daily traffic to the site. will not cause he zoning proposal will permit a use that is suitable

2. Off-Street Parking and Loading

The application add a new Pre-Engineered building to the site will not alter the Conditions of the existing SUP. (U-05-31) (See copy attached)

3. Buffering and Screening

a. The Site is bordered by two roadways on hte North and South Side of the property. The East side adjoins existing residential property. There is existing wooded area between the existing Daycare Facility and the adjoining residence to the east. Our application will not alter this condition.

b. No additional roadways are required for this proposed amendment to the existing SUP.

4. Hours and Manner of Operation

a. The existing Daycare center offers service to clients from 6 am to 12 midnight 6 days per week. This application is not intended to change either the hours or manner of operation. As indicated in the site plan the proposed addition of a 45 feet x 14 feet Pre-Engineered building on the Site is to separate the school-Agers from the minor children only.

5. Duration of Special Use Permit

a. The duration of the proposed amendment to the existing Special Use Permit is requested to be indefinite.

6. Tree Preservation and Replacement

a. No trees are impacted by the requirements outlined in this application. The existing trees will be protected as required by City Ordinances as approved by the arborist under a separate Permit application.

7. Required Yard and Open Space

The proposal Special Use Permit application will not result in a use that will diminish the existing conditions. The proposed Pre-Engineered Building will be located on site replacing an existing "Shade" building which is not currently being used. Walkways, ramps and stairs will be utilized to connect the proposed building with the existing. Required Yard and Open Spaces will be maintained.



City Council
Atlanta, Georgia

08-0-0313

U-05-31

AN ORDINANCE
BY: ZONING COMMITTEE

AN ORDINANCE TO AMEND ORDINANCE U-05-O-1941, AS ADOPTED BY THE CITY COUNCIL ON DECEMBER 5, 2005 AND APPROVED BY THE MAYOR ON DECEMBER 13, 2005, APPROVING A TRANSFER OF OWNERSHIP FOR A SPECIAL USE PERMIT FOR A DAY CARE CENTER FOR PROPERTY LOCATED 2700 BUTNER ROAD, S.W. AND FOR OTHER PURPOSES.

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

SECTION 1. That the transfer (i.e. change of grantee) of Special Use Permit ORDINANCE U-05-O-1941 (U-05-31) granting a Special Use Permit for a Day Care Center, property located at 2700 BUTNER ROAD, S.W from TAWANA BLAKE to SHIWILA M. WILLIS is hereby approved, under the provision of Section 16-25.002 (2), to wit.

SECTION 2 That the new owner has provided the Bureau of Planning a signed and notarized affidavit acknowledging the conditions of and the compliance with ORDINANCE U-05-O-1941 (U-05-31).

SECTION 2. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

A true copy,

Deputy Clerk

ADOPTED by the Council
APPROVED by the Mayor

MAR 17, 2008
MAR 25, 2008

CONDITIONS FOR U-05-31 for 2700 Butner Road. S.W.

1. Site plan submitted titled "Boundary Survey for Brighter Star Academy" submitted by the applicant to the Bureau of Planning on 11/14/05.
2. Designated drop off located off of Tell Road for 1 year olds and infants.
3. Separate one way designated drop off location for 2 year olds to 4 year olds giving access off of Tell Road.
4. One way parking in same direction of drop off for 2 to 4 year olds.
5. Fencing for playground areas.
6. Parking across the street designated for staff only.
7. Adequate signage to distinguish between drop off areas.

AUTHORIZATION BY PROPERTY OWNER

(Required only if applicant is not the owner of property subject to the proposed Special Use Permit)

I, SHIWILA M. WILLIS (OWNER'S NAME)

SWEAR AND AFFIRM THAT I AM THE OWNER OF THE PROPERTY AT 2700 BUTNER ROAD ATLANTA, GA (PROPERTY ADDRESS).

AS SHOWN IN THE RECORDS OF FULTON COUNTY, GEORGIA, WHICH IS THE SUBJECT MATTER OF THE ATTACHED APPLICATION. I AUTHORIZE THE PERSON NAMED BELOW TO FILE THIS APPLICATION AS MY AGENT.

NAME OF APPLICANT

LAST NAME WILLIS FIRST NAME SHIWILA

ADDRESS 4262 STREET NAME HOLIDAY RD SUITE _____

CITY ATLANTA STATE GA ZIP CODE 30349

TELEPHONE NUMBER

AREA CODE (404) NUMBER 759 - 9748

Shiwila M. Willis
Signature of Owner

SHIWILA WILLIS
Print name of owner

Personally Appeared Before Me this 6th day of August, 2013

Edgar A. Sellers

Notary Public

Notary Public, Fulton County, Georgia
My Commission Expires July 9, 2018

AUTHORIZATION TO INSPECT PREMISES

With the signature below, I authorize the staff of the Office of Planning of the City of Atlanta to inspect the premises, which are the subject of this special use permit application.

I swear and affirm that the information contained in this application is true and accurate to the best of my knowledge and belief.

SL. H. WELLS

Owner or Agent of Owner (Applicant)

Sworn to and subscribed before me this 6th day of August, 2013

Edith W. Kelly (Notary Public)

Notary Public, Fulton County, Georgia
My Commission Expires July 9, 2016

PROPERTY LINE DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 66 OF THE 14TH DISTRICT, CITY OF ATLANTA, FULTON COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO FIND THE TRUE POINT OF BEGINNING, COMMENCE AT THE INTERSECTION OF THE NORTHERLY RIGHT OF WAY OF TELL ROAD (APPARENT 50'R/W) AND THE SOUTHEASTERLY RIGHT OF WAY OF BUTNER ROAD (APPARENT 40'R/W) IF SAID RIGHT OF WAY LINES WERE PROJECTED TO INTERSECTION; THENCE LEAVING SAID NORTHERLY RIGHT OF WAY OF TELL ROAD AND FOLLOWING THE SOUTHEASTERLY RIGHT OF WAY OF BUTNER ROAD NORTH 50 DEGREES 54 MINUTES 28 SECONDS EAST, 18.83 FEET TO A POINT AND THE TRUE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID SOUTHEASTERLY RIGHT OF WAY OF BUTNER ROAD NORTH 50 DEGREES 54 MINUTES 28 SECONDS EAST, 255.32 FEET TO A #4 REBAR FOUND;

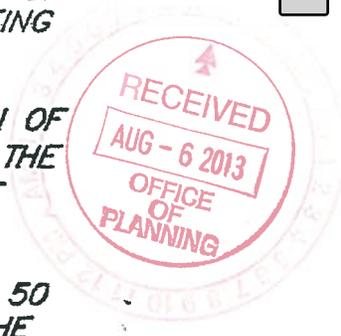
THENCE NORTH 70 DEGREES 01 MINUTES 48 SECONDS EAST, 14.00 FEET TO A 1" OPEN TOP PIPE FOUND;

THENCE LEAVING SAID SOUTHEASTERLY RIGHT OF WAY OF BUTNER ROAD SOUTH 13 DEGREES 54 MINUTES 32 SECONDS WEST, 189.10 FEET TO A #4 REBAR FOUND ON THE NORTHERLY RIGHT OF WAY OF TELL ROAD;

THENCE FOLLOWING ALONG THE NORTHERLY RIGHT OF WAY OF TELL ROAD NORTH 88 DEGREES 07 MINUTES 37 SECONDS WEST, 161.74 FEET TO A POINT;

THENCE CONTINUING ALONG A CURVE TO THE RIGHT, AN ARC DISTANCE OF 17.07 FEET, SAID CURVE HAVING A RADIUS OF 7.03 FEET AND BEING SUBTENDED BY A CHORD OF 13.18 FEET, AT NORTH 18 DEGREES 36 MINUTES 34 SECONDS WEST, TO A POINT, SAID POINT BEING THE TRUE POINT OF BEGINNING.

SAID TRACT CONTAINS 0.40 ACRES (17,254 S.F.) AS SHOWN ON SURVEY FOR SHIWLA WILLIS FELTON, BUTNER LEARNING CENTER, INCORPORATED, CIT SMALL BUSINESS LENDING CORPORATION, FIDELITY NATIONAL TITLE INSURANCE COMPANY AND FOUNDATION TITLE & ESCROW, LLC., PREPARED BY GASKINS, BEARING THE SEAL OF CHRISTOPHER A. EVANS, GEORGIA REGISTERED LAND SURVEYOR #2784, DATED JUNE 24, 2010, LAST REVISED JUNE 28, 2010.



RECEIPT

CITY OF ATLANTA
ATLANTATEST
55 TRINITY AVE SW

Application: U-13-018
Application Type: Planning/ZRB/Special use/NA
Address: 2700 BUTNER RD SW, ATLANTA, GA 30331
Owner Name: WILLIS SHIWILA
Owner Address:
Application Name:

Receipt No.	Ref Number	Amount Paid	Payment Date	Cashier ID	Received	Comments
338064	5082	\$400.00	08/06/2013	JADEGBOYE		

Owner Info.: WILLIS SHIWILA

Work Description: Amednment to SUP-05-31 to allow the addition of a building

PAID
CITY OF ATLANTA
AUG 06 2013
Th
EX OFFICIO MUNICIPAL
REVENUE COLLECTOR

PROPERTY LINE DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 66 OF THE 14TH DISTRICT, CITY OF ATLANTA, FULTON COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO FIND THE TRUE POINT OF BEGINNING, COMMENCE AT THE INTERSECTION OF THE NORTHERLY RIGHT OF WAY OF TELL ROAD (APPARENT 50'R/W) AND THE SOUTHEASTERLY RIGHT OF WAY OF BUTNER ROAD (APPARENT 40'R/W) IF SAID RIGHT OF WAY LINES WERE PROJECTED TO INTERSECTION; THENCE LEAVING SAID NORTHERLY RIGHT OF WAY OF TELL ROAD AND FOLLOWING THE SOUTHEASTERLY RIGHT OF WAY OF BUTNER ROAD NORTH 50 DEGREES 54 MINUTES 28 SECONDS EAST, 18.83 FEET TO A POINT AND THE TRUE POINT OF BEGINNING;



THENCE CONTINUING ALONG SAID SOUTHEASTERLY RIGHT OF WAY OF BUTNER ROAD NORTH 50 DEGREES 54 MINUTES 28 SECONDS EAST, 255.32 FEET TO A #4 REBAR FOUND;

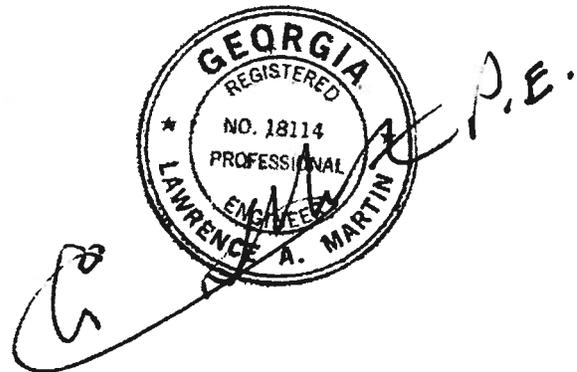
THENCE NORTH 70 DEGREES 01 MINUTES 48 SECONDS EAST, 14.00 FEET TO A 1" OPEN TOP PIPE FOUND;

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SAID TRACT CONTAINS 0.40 ACRES (17,254 S.F.) AS SHOWN ON SURVEY FOR SHIWLA WILLIS FELTON, BUTNER LEARNING CENTER, INCORPORATED, CIT SMALL BUSINESS LENDING CORPORATION, FIDELITY NATIONAL TITLE INSURANCE COMPANY AND FOUNDATION TITLE & ESCROW, LLC., PREPARED BY GASKINS, BEARING THE SEAL OF CHRISTOPHER A. EVANS, GEORGIA REGISTERED LAND SURVEYOR #2784, DATED JUNE 24, 2010, LAST REVISED JUNE 28, 2010.





CITY COUNCIL
ATLANTA, GEORGIA

05-0-1941

AN AMENDED ORDINANCE
BY: ZONING COMMITTEE

U-05--31

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

SECTION 1. Under the provisions of (Section 16-05.005 (1) (b) of the Zoning Ordinance of the City of Atlanta, a Special Use Permit for a Day Care Center, is hereby approved. Said use is granted to TAWANA BLAKE and is to be located at **2700 Butner Road, S.W.**, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 66, 14th District, Fulton County, Georgia, being more particularly described by the attached legal description.

SECTION 2. That this amendment is approved under the provisions of Section 16-25.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Special Use Permits, Procedural Requirements", and the Director, Bureau of Buildings, shall issue a building permit only in compliance with the applicable provisions of this part. The applicable conditional site plan and any other conditions hereby imposed are enumerated by attachment. The Special Use Permit hereby approved does not authorize the violation of any zoning district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

A true copy,

Rhonka Daughkin Johnson
Municipal Clerk, CMC

ADOPTED as amended by Council
APPROVED by the Mayor

December 5, 2005
December 13, 2005

J-05-31

LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 66 OF DISTRICT 14F OF FULTON COUNTY, GEORGIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A NAIL SET AT THE INTERSECTION OF THE NORTHERN RIGHT OF WAY OF TELL ROAD(50' RIGHT OF WAY)AND THE SOUTHEASTERN RIGHT OF WAY OF BUTNER ROAD(50' RIGHT OF WAY).

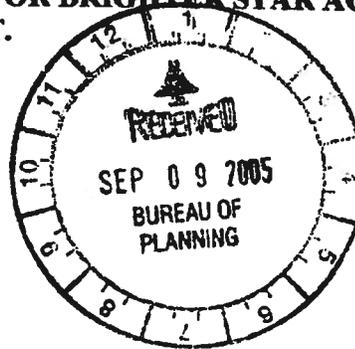
THENCE N 49°00' 44" E ALONG THE SOUTHEASTERN RIGHT OF WAY OF BUTNER ROAD A DISTANCE OF 282.10 FEET TO A 1" PIPE FOUND,

THENCE S 11°50' 16" W A DISTANCE OF 189.17 FEET TO A 1/2" REBAR FOUND AT THE NORTHERN RIGHT OF WAY OF TELL ROAD,

THENCE N 89°57' 40" W A DISTANCE OF 174.14 FEET TO A NAIL AND THE POINT OF BEGINNING.

DESCRIBED PARCEL OF LAND CONTAINS 0.37 ACRES / 16,123 SQUARE FEET AS SHOWN ON A PLAT OF SURVEY BY STEVE B. HENNINGS R.L.S. #2742 , DATED SEPTEMBER 9, 2005 FOR BRIGHTER STAR ACADEMY AND MADE PART OF THIS INSTRUMENT.

KNOWN AS 2700 BUTNER ROAD.



CONDITIONS FOR U-05-31 for 2700 Butner Road. S.W.

1. Site plan submitted titled "Boundary Survey for Brighter Star Academy" submitted by the applicant to the Bureau of Planning on 11/14/05.
2. Designated drop off located off of Tell Road for 1 year olds and infants.
3. Separate one way designated drop off location for 2 year olds to 4 year olds giving access off of Tell Road.
4. One way parking in same direction of drop off for 2 to 4 year olds.
5. Fencing for playground areas.
6. Parking across the street designated for staff only.
7. Adequate signage to distinguish between drop off areas.

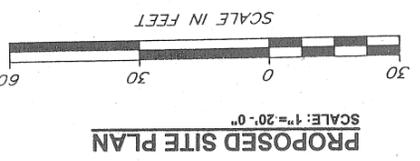
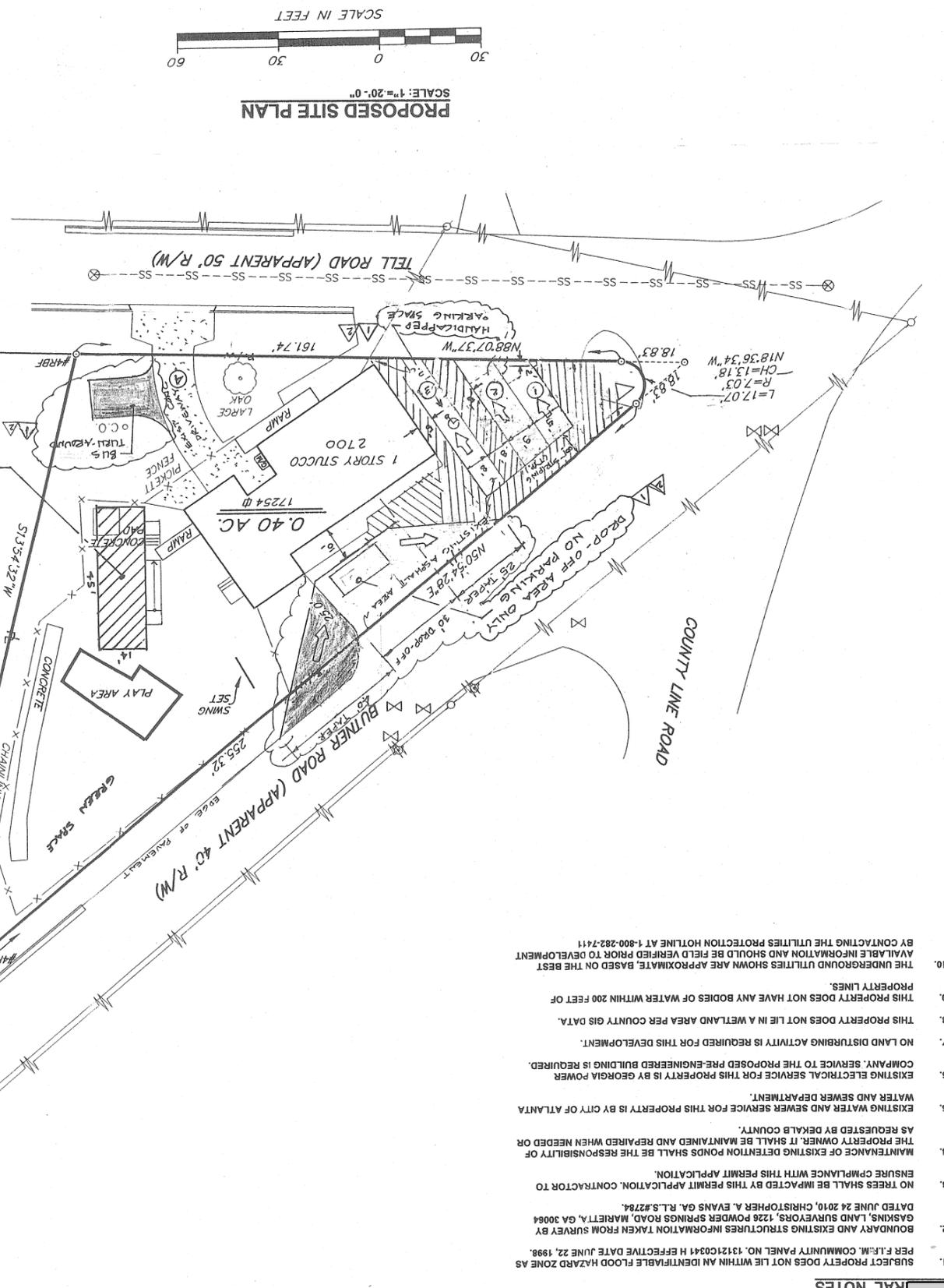
<p style="text-align: center;">(Do Not Write Above This Line)</p> <p>AN ORDINANCE U-05-31 BY: ZONING COMMITTEE</p> <p>An Ordinance granting (Section 16-05.005 (1) (b) of the Zoning Ordinance of the City of Atlanta, a Special Use Permit for a Day Care Center, property located at 2700 Butner Road, S.W. fronting approximately 282 feet on the southeasterly side of Butner Road. Depth: varies. Area: 37 acres. Land Lot 66, 14th ff District, Fulton County, Georgia OWNER: SECOND CHANCE INVESTMENT GROUP APPLICANT: TAWANA BLAKE NPUP COUNCIL DISTRICT 11 BY</p> <p style="text-align: center;">ADOPTED BY COUNCIL</p> <p><input type="checkbox"/> CONSENT REFER <input checked="" type="checkbox"/> REGULAR REPORT REFER <input type="checkbox"/> ADVERTISE & REFER <input type="checkbox"/> 1st ADOPT 2nd READ & REFER <input type="checkbox"/> PERSONAL PAPER REFER</p> <p>Date Referred <u>10-17-2005</u> Referred To: <u>ZRB & Zoning</u> Date Referred _____ Referred To: _____ Date Referred _____ Referred To: _____</p>	<p style="text-align: right;">First Reading</p> <p style="text-align: center;">ZONING</p> <p>Committee Date <u>10-20-2005</u> Chair <u>[Signature]</u> Referred to <u>[Signature]</u></p> <p>ZONING Date <u>Nov 2, 2005</u> Chair <u>[Signature]</u> Action <u>[Signature]</u> Fav, Adv, Hold (see rev. side) <u>[Signature]</u> Other <u>[Signature]</u></p> <p>Members <u>[Signature]</u> <u>[Signature]</u> <u>[Signature]</u></p> <p>Refer To _____</p> <p>Committee _____ Date _____ Chair _____ Action _____ Fav, Adv, Hold (see rev. side) _____ Other _____</p> <p>Members _____</p> <p>Refer To _____</p>	<p style="text-align: center;">FINAL COUNCIL ACTION</p> <p><input checked="" type="checkbox"/> 2nd <input type="checkbox"/> 1st & 2nd <input type="checkbox"/> 3rd Readings <input type="checkbox"/> Consent <input type="checkbox"/> V Vote <input checked="" type="checkbox"/> RC Vote</p> <p style="text-align: center;">CERTIFIED</p> <p style="text-align: center;">DEC 05 2005</p> <p style="text-align: center;">MAYOR'S ACTION</p> <p style="text-align: center;"><u>[Signature]</u></p>
--	--	--

Conditions for U-13-18/U-05-31 for 2700 Butner Road, S.W.

1. A site plan similar to one entitled “Proposed Site Plan for Butner Learning Center” by Lawrence A. Martin, P.E. dated 8/6/13 last revised 11/1/13 and stamped received by the Office of Planning November 4, 2013.
2. The 3 off street parking spaces located in the west area of the site shall be signed to direct ingress from Butner Road and egress to Tell Road only.
3. The play area shall be fenced.
4. The special use permit for a day care facility shall be valid only as long as Shiwila M. Willis is the operator of the facility. The special use permit is not transferable.
5. Hours of operation shall not exceed 6:00 a.m. to 7:00 p.m. daily.
6. The pre-engineered building shall be placed on a fixed foundation.
7. No further expansion of the facility shall be permitted.

1. SUBJECT PROPERTY DOES NOT LIE WITHIN AN IDENTIFIABLE FLOOD HAZARD ZONE AS PER F.T.M. COMMUNITY PANEL NO. 131210341 H EFFECTIVE DATE JUNE 22, 1998.
2. BOUNDARY AND EXISTING STRUCTURES INFORMATION TAKEN FROM SURVEY BY GASKINS, LAND SURVEYORS, 1228 POWERS SPRINGS ROAD, MARLETTA, GA 30064 DATED JUNE 24 2010, CHRISTOPHER A. EVANS G.A. R.L.S.#2784.
3. NO TREES SHALL BE IMPACTED BY THIS PERMIT APPLICATION, CONTRACTOR TO ENSURE COMPLIANCE WITH THIS PERMIT APPLICATION.
4. MAINTENANCE OF EXISTING DETENTION PONDS SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNER, IT SHALL BE MAINTAINED AND REPAIRED WHEN NEEDED OR AS REQUESTED BY DEKALB COUNTY.
5. EXISTING WATER AND SEWER SERVICE FOR THIS PROPERTY IS BY CITY OF ATLANTA WATER AND SEWER DEPARTMENT.
6. EXISTING ELECTRICAL SERVICE FOR THIS PROPERTY IS BY GEORGIA POWER COMPANY, SERVICE TO THE PROPOSED PRE-ENGINEERED BUILDING IS REQUIRED.
7. NO LAND DISTURBING ACTIVITY IS REQUIRED FOR THIS DEVELOPMENT.
8. THIS PROPERTY DOES NOT LIE IN A WETLAND AREA PER COUNTY GIS DATA.
9. THIS PROPERTY DOES NOT HAVE ANY BODIES OF WATER WITHIN 200 FEET OF PROPERTY LINES.
10. THE UNDERGROUND UTILITIES SHOWN ARE APPROXIMATE, BASED ON THE BEST AVAILABLE INFORMATION AND SHOULD BE FIELD VERIFIED PRIOR TO DEVELOPMENT BY CONTACTING THE UTILITIES PROTECTION HOTLINE AT 1-800-282-7411

RAL NOTES

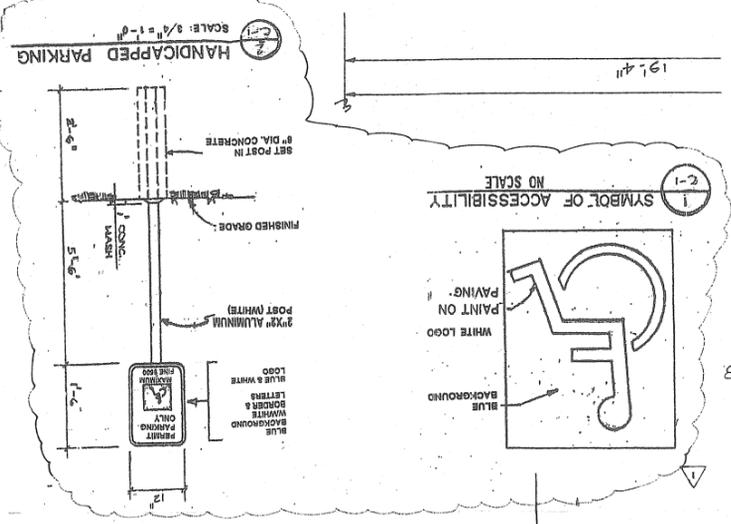


PROPOSED SITE PLAN

SPACE NO.	LENGTH (FT.)	WIDTH (FT.)	AREA (S.F.)	DESCRIPTION	COMMENTS
1 THRU 3	18	25	9	ON-SITE GUEST PARKING SPACES	SEE NOTE 4
4	25	8	8	FACILITY BUS PARKING	SEE NOTE 4
5	18	8	144	DROP-OFF HOLDING AREA	
6	18	8	144	DROP-OFF AREA	
7	18	8	144	TRAFFIC HOLDING AREA	
8 THRU 12	9	18	162	AVAILABLE OFF-SITE PARKING	PER PREVIOUSLY APPROVED SPECIAL USE PERMIT (2007)

NOTES

1. THE CURRENT LICENSED CAPACITY IS 36 CHILDREN, 90% ARE PICKED UP AND DROPPED OFF BY OUR FACILITY BUS
2. THE MODIFICATION REQUESTED FOR THIS SPECIAL USE PERMIT APPLICATION IS FOR THE ADDITION OF AFTER SCHOOL CARE CLIENTS
3. THE KIDS WILL ALSO BE PICKED UP AT THE SCHOOL AND DROPPED OFF AT THE FACILITY BY OUR SCHOOL BUS AND VICE VERSA
4. THERE WILL BE NO BACKING OUT INTO THE STREET BY EITHER CLIENTS OR GUESTS. ALL ON-SITE PARKING SPACES ARE DRIVE THRU.
5. ALL PROPOSED ON-SITE PARKING SPACES ARE TO BE ACCOMPLISHED BY RESTRICTION OF THE EXISTING PARKING AREAS.



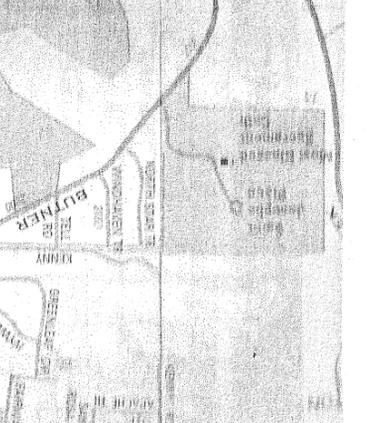
LEGEND OF SYMBOLS

BL	BUILDING LINE
PL	PROPERTY LINE
RAW	RIGHT-OF-WAY LINE
BL	BUILDING SETBACK LINE
EDP	EDGE OF PAVEMENT
FP	POWER POLE
F.F.E.	FINISHED FLOOR ELEVATION
1189.33	PROPOSED SPOT ELEVATION
X 1182.23	EXISTING SPOT ELEVATION
1188	PROPOSED CONTOUR LINE
1180	EXISTING CONTOUR LINE
F.O.C.	FACE OF CURB
CB	CATCH BASIN
MHSAN	SAINTMARY MANHOLE
MH	STORM MANHOLE
H.W.	HEADWALL
CMF	CORRUGATED METAL PIPE
RCP	REINFORCED CONCRETE PIPE
DIP	DUCTILE IRON PIPE
PROPOSED TREE W/ SIZE	PROPOSED TREE W/ SIZE
EXISTING TREE W/ SIZE (TO BE REMOVED)	EXISTING TREE W/ SIZE (TO BE REMOVED)
SHADER	SHADER
LIMIT OF GRADING	LIMIT OF GRADING
TREE PROTECTION FENCING	TREE PROTECTION FENCING
CHAIN LINK FENCING	CHAIN LINK FENCING
WOOD SCREENING FENCE	WOOD SCREENING FENCE

SITE INFORMATION

LOCATION: 2700 BUTNER ROAD ATLANTA, GEORGIA 30331
 PARCEL ID: 17.253 S.F. (0.340 ACRES)
 DISTURBED AREA: 0.0 ACRE (NO DEVELOPMENT THIS REQUEST)
 PERCENT IMPERVIOUS: 80% MAX. REQUIRED
 PROPERTY ZONED: R-3
 EXISTING USE: DAYCARE (MODIFY EXISTING SUP)
 PROPOSED USE: DAYCARE
 BUILDING AREAS: 2223 S.F. (EXISTING ONE STORY)
 DEVELOPMENT STANDARD: MINIMUM LOT WIDTH: 100 FEET
 MINIMUM LOT AREA: 18,000 S.F.
 BUILDING SETBACKS: FRONT: 60 FEET
 SIDE: 10 FEET
 REAR: 20 FEET
 PARKING REQUIREMENT: 2 MINIMUM
 NO. OF PKG. SPS. REQ'D: REFERENCE SUP U-05-31
 FLOOR AREA RATIO MAX: 40
 MAXIMUM LOT COVERAGE: 40%

LOCATION MAP



ENGINEER: LAWRENCE A. MARTIN, P.E.
 P.O. BOX 37190-1790
 DECATUR, GEORGIA 30037
 (770)572-5400
 SHIMULA M. WILLIAMS
 24 HOUR CONTACT PERSON:
 (404)759-974

OWNER/DEVELOPER: BUTNER LEARNING CENTER
 2700 BUTNER ROAD
 ATLANTA, GEORGIA 30331
 (678)981-9412

APPROVED

RECEIVED
 NOV - 4 2013
 OFFICE OF PLANNING

SCALE AS SHOWN
 PROJECT NO. 13100
 DRAWING NO. C-1

PROPOSED SITE PLAN
 FOR
 BUTNER LEARNING CENTER
 2700 BUTNER ROAD
 ATLANTA, GEORGIA 30331
 FULTON COUNTY

DESIGNED: LAM
 DRAWN: JR
 CHECKED: LAM
 DATE: 8/6/13
 IN CHARGE: JAM

SEAL
 LAWRENCE A. MARTIN, P.E.
 (770) 572-5400
 P.O. BOX 37190
 DECATUR, GEORGIA 30037

CONSTRUCTION • ENGINEERING • SUPPORT SERVICES

APPROVED

SCALE: 1"=20'-0"

SCALE IN FEET

REV DATE BY APP DESCRIPTION

11/13 LAM KRM INDICATED NO PARKING IN DROP-OFF AREA

11/13 LAM KRM INDICATED HANDICAP PARKING AT WEST PARKING AREA

11/13 LAM KRM REVISED DIRECTION OF TRAFFIC / EGRESS FROM PROPERTY, ADDED BUS TURN-A-ROUND @ REAR

U-13-18

Z-12-02A- AN AMENDED ORDINANCE BY ZONING COMMITTEE TO REZONE FROM THE I-2 (HEAVY INDUSTRIAL) DISTRICT TO THE MR-4A-C (MULTIFAMILY RESIDENTIAL) DISTRICT, PROPERTY LOCATED AT 903 HUFF ROAD, N.W., FRONTING APPROXIMATELY 935 FEET ON THE NORTH SIDE OF HUFF ROAD, BEGINNING APPROXIMATELY 368 FEET AT THE INTERSECTION OF BOOTH STREET AND HUFF ROAD. DEPTH: VARIES. AREA: 5.36 ACRES. LAND LOTS 151 AND 188. 17TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: SISKEN STEEL AND SUPPLY COMPANY APPLICANT: WSE LLC. NPU D COUNCIL DISTRICT 9

Application File Date	11-18-11
Zoning Number	Z-12--02A
NPU / CD	D-9
Staff Recommendation	Approval Conditional
NPU Recommendation	Approval Conditional
ZRB Recommendation	Approval Conditional (ZRB hearing on 11-14-13)

Review List:

Zoning Review Board Staff	Completed	11/21/2013 4:47 PM
Office of Research and Policy Analysis	Completed	11/21/2013 5:00 PM
Zoning Committee	Pending	
Atlanta City Council	Pending	
Mayor's Office	Pending	
Office of Research and Policy Analysis	Pending	

Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

LEGISLATION HISTORY – BLUE BACK

Z-12-02A- AN AMENDED ORDINANCE BY ZONING COMMITTEE TO REZONE FROM THE I-2 (HEAVY INDUSTRIAL) DISTRICT TO THE MR-4A-C (MULTIFAMILY RESIDENTIAL) DISTRICT, PROPERTY LOCATED AT 903 HUFF ROAD, N.W., FRONTING APPROXIMATELY 935 FEET ON THE NORTH SIDE OF HUFF ROAD, BEGINNING APPROXIMATELY 368 FEET AT THE INTERSECTION OF BOOTH STREET AND HUFF ROAD. DEPTH: VARIES. AREA: 5.36 ACRES. LAND LOTS 151 AND 188. 17TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: SISKEN STEEL AND SUPPLY COMPANY APPLICANT: WSE LLC. NPU D COUNCIL DISTRICT 9

Application File Date	11-18-11
Zoning Number	Z-12--02A
NPU / CD	D-9
Staff Recommendation	Approval Conditional
NPU Recommendation	Approval Conditional
ZRB Recommendation	Approval Conditional (ZRB hearing on 11-14-13)

AN AMENDED ORDINANCE
BY: ZONING COMMITTEE

Z-12-02A
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 903 HUFF ROAD, N.W., be changed from the I-2 (Heavy Industrial) District to the MR-4A-C (Multifamily Residential-Conditional) District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lots 151 and 188. 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 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.

Conditions for Z-12-02A for 903 Huff Road

1. Huff Road:

- a. Subject to approval by City of Atlanta's Department of Public Works, as illustrated on the Zoning Site Plan stamped received by the Office of Planning on October 30, 2013, Huff Road shall be widened as a system improvement to include a third lane with one travel lane in each direction and a center left turn lane. The additional travel lane shall be tapered on the eastern and western ends to tie into the existing roadway. Prior to the issuance of the final Certificate of Occupancy for the project, the roadway improvements identified in this Condition 1 shall be (1) completed or (2) initiated through a fully funded agreement with the City of Atlanta or their designee.

2. Fire lane/spur trail:

- a. A fire lane shall be constructed along the western boundary of the property between Huff Road and the northern property line. Said fire lane shall be constructed to serve as an Atlanta BeltLine spur trail in a manner and alignment similar to that shown on the Site Plan. Once the fire lane/spur trail is connected to a publicly accessible trail to the north or northeast of the site, said fire lane/spur trail shall be fully publicly accessible to non-motorized traffic. Fire lane/spur trail shall follow an alignment substantially similar to that illustrated on the Zoning Site Plan stamped received by the Office of Planning on October 30, 2013. If CSX Railroad does not approve the location of the fire lane/spur trail illustrated on said Site Plan, the fire lane/spur trail shall be relocated outside the CSX Railroad property to a location subject to the approval of the Director of the Office of Planning.

3. Building façade materials, treatments, and windows:

- a. All exterior facades of the buildings shall be brick, stone, cast stone, metal, poured-in-place concrete, two- or three-coat stucco, or cementitious siding.
- b. The following materials shall be prohibited on all building facades: exposed pressure-treated wood; vinyl siding; vinyl railing; and exterior insulation finished systems (EIFS).
- c. On all exterior facades, cementations siding shall not exceed 35 percent of the façade.
- d. A minimum of 50 percent of the residential window units in each building shall be operable.
- e. All windows shall include window frames that are recessed a minimum of two inches including any decorative band, except at recessed balcony conditions.

- f. For all windows on the first and second floor, 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.
 - g. For all windows on the first and second floor, flat, "snap-in" muntins, and muntins that are sandwiched between layers of glass are prohibited.
 - h. Exterior chimneys, if any, shall extend to the ground.
 - i. Exterior columns shall have a minimum width of five and one-half inches.
 - j. Foundations, walls and site walls visible from a street or the Atlanta BeltLine Corridor/CSX railroad corridor shall be faced in brick, terracotta, stone, poured-in-place 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 with the exception of those porches that require an intermediate landing due to topographical conditions.
 - d. Balconies shall either project a minimum of two feet from the face of the building or be a minimum of five feet in depth. Balconies that meet or exceed both standards are permitted and encouraged.
 - e. Fences that are located adjacent to a street shall be of painted or stained wood, stone, composite wood materials, masonry, or metal.
 - f. Unless the Atlanta Beltline design standards provide otherwise, asphalt paving shall be prohibited for walkways, sidewalks, patios, plazas and the fire lane/spur trail in item 2 above.
5. Restricted uses:
- a. Buildings fronting on the Atlanta BeltLine/CSX railroad corridor or fronting on portions of streets adjacent to the Atlanta BeltLine/CSX railroad corridor shall have a residential or active nonresidential uses at the fire lane/spur trail level, but not parking or storage areas.

6. Parking decks:

- a. All parking decks that face or are located adjacent to a public street or the Atlanta BeltLine Corridor/CSX railroad corridor shall be screened by a liner building for the full height of the deck.
- b. Not more than 100 linear feet of any parking deck shall be exposed to the Atlanta Water Works property.
- c. The height of any level of parking in the parking deck shall not exceed the height of the immediately adjacent or adjoining residential or mixed-use building or structure.

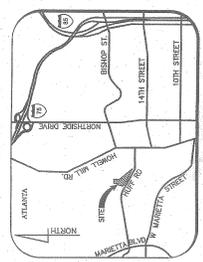
KEYNOTES

NOTE:
 SHOWN TO BE EXEMPT TO CITY OF ATLANTA FOR
 WITHIN 150 FEET OF ANY EXISTING SPECIFIC
 WITHIN 150 FEET OF ANY EXISTING SPECIFIC

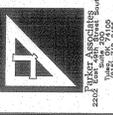
▲ ENTRY POINT - TYPICAL

SITE DATA

EXISTING ZONING: I-2/BELTLINE OVERLAY
 PROPOSED ZONING: MR-4A/BELTLINE OVERLAY
 CONSTRUCTION TYPE: III-A, 5 STORY WITH BASEMENT
 282 APARTMENT UNITS
 297,117 SF DWELLING UNIT AREA
 5,002 SF CLUBHOUSE AREA
 PARKING: 427 SPACES PROVIDED AT 1.52 sp/du
 IN 6 LEVEL PRECAST PARKING DECK
 57 BICYCLE/MOPED PARKING SPACES
 PROVIDED AT 2 sp/du
 NET LAND AREA: 233,744SF OR 5.36 ACRES
 GROSS LAND AREA: 270,665SF OR 6.22 ACRES
 MAXIMUM F.A.R. ALLOWED: 1.49 X GLA
 ACTUAL F.A.R. = .95
 UOSR MINIMUM: 108,268SF OR .40
 UOSR ACTUAL: 157,661SF OR .58
 TOSR: NOT REQUIRED
 BUILDING HEIGHT ALLOWED: 80'
 MAXIMUM PROPOSED BLDG HEIGHT: 80'



THE WORKING COMPANIES
 5909 Peachtree Dunwoody
 Atlanta, Georgia
 770-592-5795



PROJECT NUMBER:	28037
DATE:	01/19/2012
REV. 1:	01/19/2012
REV. 2:	01/19/2012
REV. 3:	01/19/2012
REV. 4:	01/19/2012
REV. 5:	01/19/2012
REV. 6:	01/19/2012
REV. 7:	01/19/2012
REV. 8:	01/19/2012
REV. 9:	01/19/2012
REV. 10:	01/19/2012
REV. 11:	01/19/2012
REV. 12:	01/19/2012
REV. 13:	01/19/2012
REV. 14:	01/19/2012
REV. 15:	01/19/2012
REV. 16:	01/19/2012
REV. 17:	01/19/2012
REV. 18:	01/19/2012
REV. 19:	01/19/2012
REV. 20:	01/19/2012
REV. 21:	01/19/2012
REV. 22:	01/19/2012
REV. 23:	01/19/2012
REV. 24:	01/19/2012
REV. 25:	01/19/2012
REV. 26:	01/19/2012
REV. 27:	01/19/2012
REV. 28:	01/19/2012
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REV. 94:	01/19/2012
REV. 95:	01/19/2012
REV. 96:	01/19/2012
REV. 97:	01/19/2012
REV. 98:	01/19/2012
REV. 99:	01/19/2012
REV. 100:	01/19/2012

AN ORDINANCE BY ZONING COMMITTEE GRANTING A SPECIAL USE PERMIT FOR A PERSONAL CARE HOME, PURSUANT TO SECTION 16-05.005 (1) (G), PROPERTY LOCATED AT 1611 MILL ACRES DRIVE, S.W. FRONTING APPROXIMATELY 99 FEET ON THE SOUTH SIDE OF MILL ACRES DRIVE AND APPROXIMATELY 140 FEET WEST OF THE INTERSECTION OF MILL ACRES DRIVE AND WILLIS MILL ROAD. DEPTH: VARIES. AREA: APPROXIMATELY 0.408 ACRE. LAND LOT 200, 14TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: THERESA HALEY APPLICANT: STEPPING STONES YOUTH CENTER, INC. NPU I COUNCIL DISTRICT 11

Application File Date	8-5-13
Zoning Number	U-13-16
NPU / CD	I-11
Staff Recommendation	
NPU Recommendation	
ZRB Recommendation	

Review List:

Office of Research and Policy Analysis	Completed	08/20/2013 10:22 AM
Zoning Committee	Completed	08/29/2013 10:28 AM
Atlanta City Council	Completed	09/14/2013 3:26 PM
Zoning Review Board Staff	Completed	11/21/2013 4:35 PM
Office of Research and Policy Analysis	Completed	11/21/2013 5:07 PM
Zoning Committee	Pending	

HISTORY:

08/28/13	Zoning Committee	
09/03/13	Atlanta City Council	REFERRED TO ZRB AND ZC

RESULT:	REFERRED TO ZRB AND ZC [UNANIMOUS]
AYES:	Watson, Wan, Martin, Smith, Shook, Winslow, Moore, Willis, Young Jr., Sheperd, Bottoms, Hall, Archibong, Adrean
ABSENT:	Michael Julian Bond

RESULT:	REFERRED TO ZRB AND ZC [UNANIMOUS]
AYES:	Watson, Wan, Martin, Smith, Shook, Winslow, Moore, Willis, Young Jr., Sheperd, Bottoms, Hall, Archibong, Adrean
ABSENT:	Michael Julian Bond

LEGISLATION HISTORY – BLUE BACK

Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

AN ORDINANCE BY ZONING COMMITTEE GRANTING A SPECIAL USE PERMIT FOR A PERSONAL CARE HOME, PURSUANT TO SECTION 16-05.005 (1) (G), PROPERTY LOCATED AT 1611 MILL ACRES DRIVE, S.W. FRONTING APPROXIMATELY 99 FEET ON THE SOUTH SIDE OF MILL ACRES DRIVE AND APPROXIMATELY 140 FEET WEST OF THE INTERSECTION OF MILL ACRES DRIVE AND WILLIS MILL ROAD. DEPTH: VARIES. AREA: APPROXIMATELY 0.408 ACRE. LAND LOT 200, 14TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: THERESA HALEY APPLICANT: STEPPING STONES YOUTH CENTER, INC. NPU I COUNCIL DISTRICT 11

Application File Date	8-5-13
Zoning Number	U-13-16
NPU / CD	I-11
Staff Recommendation	
NPU Recommendation	
ZRB Recommendation	

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

SECTION 1. Under the provisions of Section 16-05.005 (1) (g) of the Zoning Ordinance of the City of Atlanta, a Special Use Permit for PERSONAL CARE HOME is hereby granted. Said use is granted to STEPPING STONES YOUTH CENTER, INC.

and is to be located at 1611 MILL ACRES DRIVE, S.W. , to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 200 of the 14th District, Fulton County, Georgia, being more particularly described by the attached legal description and/or map.

SECTION 2. That this amendment is approved under the provisions of Section 16-25.003 of the Zoning Ordinance of the City of Atlanta, entitled, “Special Use Permits, Procedural Requirements”, and the Director, Bureau of Buildings, shall issue a building permit only in compliance with the applicable provisions of this part. The applicable conditional site plan and any other conditions hereby imposed are enumerated by attachment. The Special Use Permit hereby approved does not authorize the violation of any zoning district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.



55 Trinity Avenue S.W., Suite 3350
Atlanta, Georgia 30303
(404) 330-6145

Attachment: Application for U=13-16 (13-O-1220 : 3367)

APPLICATION #: **U-13-016**

DATE ACCEPTED: **08/05/2013**

NOTICE TO APPLICANT

Address of Property:
1611 Mill Acres DR SW

City Council District: **11**

Neighborhood Planning Unit (NPU): **I**

Zoning Review Board (ZRB) Hearing Date:

Thursday, October 3 or 10, 2013 at 6:00 p.m.

Council Chambers, 2nd Floor, City Hall
55 Trinity Avenue, S.W.

The contact person for NPU I is:

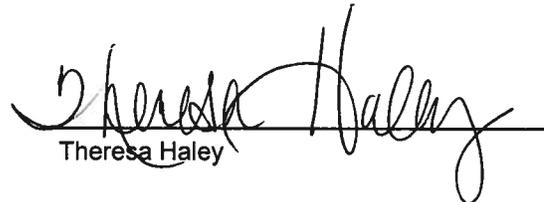
Sharyl Chatman
404-374-4032
Sharyl.chatman@gmail.com

Additional Contacts:
Renette L. Scott (NPU R)
404-349-1462
rscott2k@bellsouth.net

Please contact the person(s) listed above within two days to find out which meetings you will be required to attend before the next NPU meeting. If you are unable to reach the contact person, please call the city's NPU Coordinator at 404-330-6145.

Signed,


RTJ, for Director, Bureau of Planning


Theresa Haley

APPLICATION FOR SPECIAL USE PERMIT

City of Atlanta



INSTRUCTIONS

A. SUMMARY OF PROPOSED PROJECT. What kind of special use would you be operating?

personal care home rehabilitation center day care center
 assisted living facility nursing home church
 other: (describe): Child Caring Institution

B. IMPACT ANALYSIS - Responses

1. Ingress and Egress

- Employee parking- driveway and or garage
- Emergency vehicles will have full access from street, front, side, and rear entrance
- No impact on street or community traffic since traffic will use existing driveway

2. Off Street Parking and Loading

- Operator will be responsible for disposing of refuse in proper receptacle provided by the City of Atlanta. Garbage will be disposed of per the community standards at street side on scheduled days as directed by the city which is currently is once per week.
- Products will be delivered to side door with supplier parking on street or in driveway.
- Service personnel will park on the street and gain entrance via the front side or rear entrance as appropriate.
- Employees will park in the driveway or on the street. A maximum of 2 employees will park in the driveway with additional parking on the street if necessary.

3. Buffering and Screening

- No additional lights will be necessary and only usual house lighting will be employed with decrease lights after curfew. No additional noise is anticipated.
- 3 vehicles on average will travel to and from the residence daily. No road improvements are necessary. The exception to this is visitation day which will be scheduled as per enclosure.

4. Hours and Manner of Operation

- Center will be used as a residential home for males in the custody of DFACS and/or DJJ.
- Center will be open 24 hours 7 days a week.
- 8 Staff members; 2 shifts (6am-6pm; 6pm-6am); 2 employees on site per shift at a time. Staffing will monitor daily hygiene habits, dispense medication as needed and authorized by the state agency of placement, assure that all residents are in school as required.
- There will be a max number of 10 males, ages 13-17.
- Breakfast, dinner, and evening snack. Lunch will only be provided on Saturday and Sunday, and holidays.
- The Special programs will be counseling provided by a social worker employed by the facility to include group and individual session, anger management, and family visitation on a planned schedule.

APPLICATION FOR SPECIAL USE PERMIT

City of Atlanta



5. Duration of Special Use Permit
 - a. Indefinitely

6. Tree Preservation and replacement
 - a. No change or impact on current trees.

7. Required Yards and Open Spaces
 - a. No additions to the structure are planned

C. PROPERTY DESCRIPTION.
(See attachment A)**D. SITE PLAN.**
(See attachment B)**E. FLOOR PLAN (PERSONAL CARE HOMES ONLY).**
(See attachment C)**F. TREE PRESERVATION.**
Not Applicable

APPLICATION FOR SPECIAL USE PERMIT

City of Atlanta



AUTHORIZATION TO INSPECT PREMISES

With the signature below, I authorize the staff of the Office of Planning of the City of Atlanta to inspect the premises, which are the subject of this special use permit application.

I swear and affirm that the information contained in this application is true and accurate to the best of my knowledge and belief.

Theresa Haley

 Owner or Agent of Owner (Applicant)

Sworn to and subscribed before me this 5th day of August, 2013.

Theresa C. Payne
 _____ (Notary Public)

Theresa C. Payne
 Notary Public
 Fulton County, Georgia
 Commission Expires
 August 06, 2013

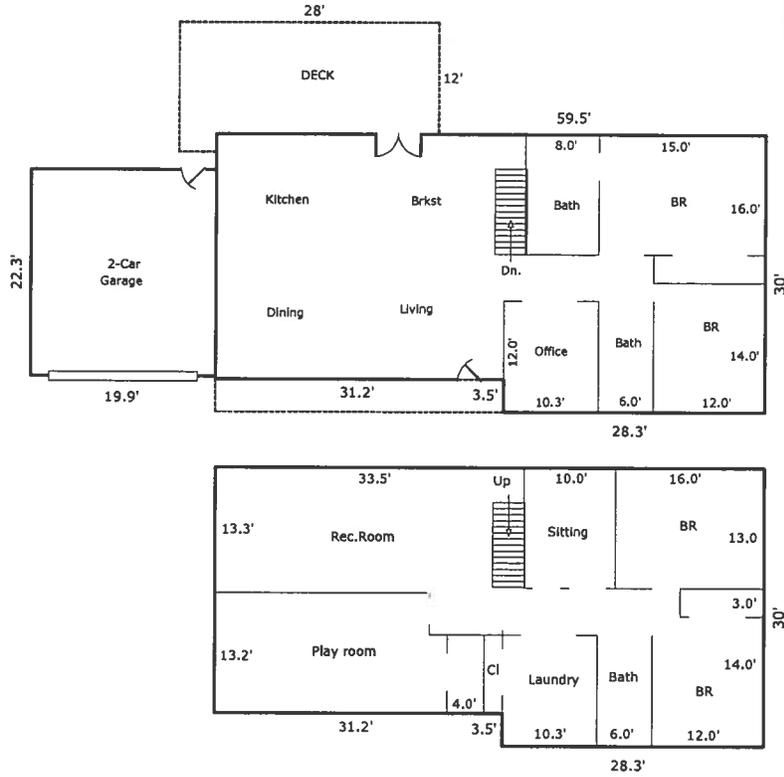
SKETCH ADDENDUM

File No. 13121TH-Rev
CASE NO Haley

Borrower N/A
Property Address 1611 Mill Acres Drive SW
City Atlanta County Fulton State GA Zip Code 30311
Lender/Client Theresa Haley Address c/o 1611 Mill Acres Drive SW, Atlanta, GA 30311

6.8.a

Packet Pg. 132



4-13-14

Sketch by Apex Medina™
Comments:

AREA CALCULATIONS SUMMARY				LIVING AREA BREAKDOWN		
Code	Description	Net Size	Net Totals	Breakdown		Subtotals
GLA1	First Floor	1675.8	1675.8	First Floor		
BSMT	Total Basement Area	1675.8	1675.8	26.5 x	59.5	1576.8
GAR	2-Car Garage	443.8	443.8	3.5 x	28.3	99.1
F/P	Deck	344.0				
	Breezeway	109.2	453.2			
Net LIVABLE Area		(rounded)	1676	2 Items	(rounded)	1676

Deed Book 50289 Pg 531
Filed and Recorded Aug-11-2011 08:31am
2011-0200576
Cathelene Robinson
Clerk of Superior Court
Fulton County, Georgia



Recording Requested By: WELLS FARGO BANK, N.A.
When Recorded Return To: DEFAULT ASSIGNMENT, WELLS FARGO BANK, N.A. MAC: X9999-018 PO BOX
1628, MINNEAPOLIS, MN 55440-9790

CORPORATE ASSIGNMENT OF MORTGAGE

Fulton, Georgia
SELLER'S SERVICING #: 0209944694. "LONG"
SELLER'S LENDER ID#: G09

MERS #: 1000676-0062729637-6 SIS #: 1-888-679-6377

Prepared By: Patrick Pylvainen, WELLS FARGO BANK, N.A. 1000 BLUE GENTIAN RD., EAGAN, MN 55121
(651)605-3792

Date of Assignment: August 8th, 2011
Assignor: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS NOMINEE FOR COLONIAL BANK, ITS
SUCCESSORS AND ASSIGNS at BOX 2026 FLINT MI 48501, 1901 E VOORHEES ST STE C., DANVILLE, IL
61834
Assignee: WELLS FARGO BANK, NA at 1 HOME CAMPUS, DES MOINES, IA 50328

Executed By: THERESA L. LONG, To: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS
NOMINEE FOR COLONIAL BANK, ITS SUCCESSORS AND ASSIGNS
Date of Security Deed: 09/17/2008 Recorded: 09/24/2008 in Book/Reel/Liber: 47210 Page/Folio: 331 as
Instrument No.: 2008-0243925 In the County of Fulton, State of Georgia.

Assessor's/Tax ID No. 14-0200-0002-011-4

Property Address: 1611 MILL ACRES DRIVE SW, ATLANTA, GA 30311

Legal: See Exhibit "A" Attached Hereto And By This Reference Made A Part Hereof

KNOW ALL MEN BY THESE PRESENTS that in consideration of the sum of TEN and NO/100ths DOLLARS and
other good and valuable consideration, paid to the above named Assignor, the receipt and sufficiency of which is
hereby acknowledged, the said Assignor hereby assigns unto the above-named Assignee, the said Mortgage having
an original principal sum of \$195,810.00 with interest, secured thereby, with all moneys now owing or that may
hereafter become due or owing in respect thereof, and the full benefit of all the powers and of all the covenants and
provisos therein contained, and the said Assignor hereby grants and conveys unto the said Assignee, the Assignor's
beneficial interest under the Mortgage.

TO HAVE AND TO HOLD the said Mortgage, and the said property unto the said Assignee forever, subject to the
terms contained in said Mortgage.

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS NOMINEE FOR COLONIAL BANK, ITS
SUCCESSORS AND ASSIGNS

On 8-9-11

By: [Signature]
Carla Naughton, Assistant
Secretary

WITNESS [Signature]
[Signature]

WITNESS [Signature]
Nicholas Hoye

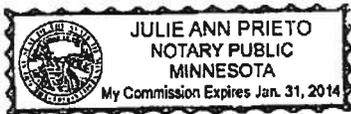
CORPORATE ASSIGNMENT OF MORTGAGE Page 2 of 2

STATE OF Minnesota
COUNTY OF Dakota

On 8-9-11, before me, Julie Ann Prieto, a Notary Public in and for Dakota in the State of Minnesota, personally appeared Carla Naughton, Assistant Secretary, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity, and that by his/her/their signature on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal,

Julie Ann Prieto
Notary Expires: 1/31/2014



(This area for notarial seal)



Exhibit "A"

Deed Book 50289 Pg 533
Cathelene Robinson
Clerk of Superior Court
Fulton County, Georgia

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN
LAND LOT 200 OF THE 14TH DISTRICT, FULTON COUNTY,
GEORGIA, BEING LOT 18 OF WILLIE MILL ACRES
SUBDIVISION, AS PER PLAT RECORDED IN PLAT BOOK 57,
PAGE 121, FULTON COUNTY, GEORGIA RECORDS, WHICH
RECORDED PLAT IS INCORPORATED HEREIN BY REFERENCE
AND MADE A PART OF THIS DESCRIPTION.

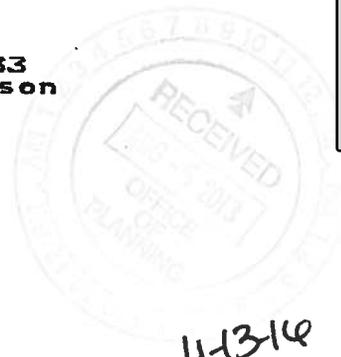




EXHIBIT "A"

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 200 OF THE 14TH DISTRICT, FULTON COUNTY, GEORGIA, BEING LOT 18 OF WILLIE MILL ACRES SUBDIVISION, AS PER PLAT RECORDED IN PLAT BOOK 57, PAGE 121, FULTON COUNTY, GEORGIA RECORDS, WHICH RECORDED PLAT IS INCORPORATED HEREIN BY REFERENCE AND MADE A PART OF THIS DESCRIPTION.

RECEIPT

CITY OF ATLANTA
ATLANTATEST
55 TRINITY AVE SW

Application: U-13-016
Application Type: Planning/ZRB/Special use/NA
Address: 1611 MILL ACRES DR SW, ATLANTA, GA 30311
Owner Name: ATLANTA INVESTING INC
Owner Address:
Application Name:

Receipt No.	Ref Number	Amount Paid	Payment Date	Cashier ID	Received	Comments
337817	3002	\$400.00	08/05/2013	RPLEWIS		

Owner Info.: ATLANTA INVESTING INC

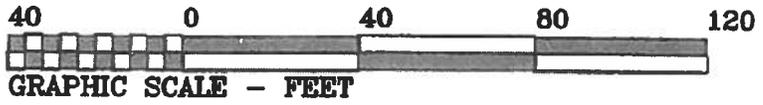
Work Description: SUF for a Personal Care Home

CITY OF ATLANTA

AUG 05 2013

EX OFFICIO MUNICIPAL
REVENUE COLLECTOR

- LEGEND**
- I.P.P. = IRON PIN FOUND (1/2" REBAR)
 - I.P.S. = IRON PIN SET (1/2" REBAR)
 - O.T.P. = OPEN TOP PIPE
 - C.T.P. = CRIMPED TOP PIPE
 - U.S.C.M.F. = U.S. CORP. MONUMENT FOUND
 - C.M.F. = CONCRETE MONUMENT FOUND
 - A.K.F. = AXLE FOUND
 - R/W = RIGHT OF WAY
 - P.L. = PROPERTY LINE
 - C.L. = CENTER LINE
 - B.L. = BULKHEAD LINE
 - L.L. = LAND LOT
 - L.L.L. = LAND LOT LINE
 - G.M.D. = GEORGIA METRA DISTRICT
 - P.P. = POWER POLE
 - P. = POWER LINE
 - F.L. = FENCE LINE
 - K.T.W. = CROSS TIE WALL
 - Road. = ROAD
 - Chd. = CHORD
 - Am. = ARC LENGTH
 - Tan. = TANGENT
 - N/W. = NOW OR FORMERLY
 - P.B. = PLAT BOOK
 - D.B. = DEED BOOK
 - P.G. = PAGE
 - D.E. = DRAINAGE EASEMENT
 - S.S.E. = SANITARY SEWER EASEMENT
 - F.H. = FIRE HYDRANT
 - M.H. = MANHOLE
 - U.M.H. = UTILITY MANHOLE
 - C.B. = CATCH BASIN
 - J.B. = JUNCTION BOX
 - D.I. = DROP INLET
 - N. = NEIGHBORS
 - 998.0 E. = EXISTING SPOT ELEVATION
 - 999.0 P. = PROPOSED SPOT ELEVATION
 - F.F.E. = FINISHED FLOOR ELEVATION
 - = SURFACE DRAINAGE FLOW

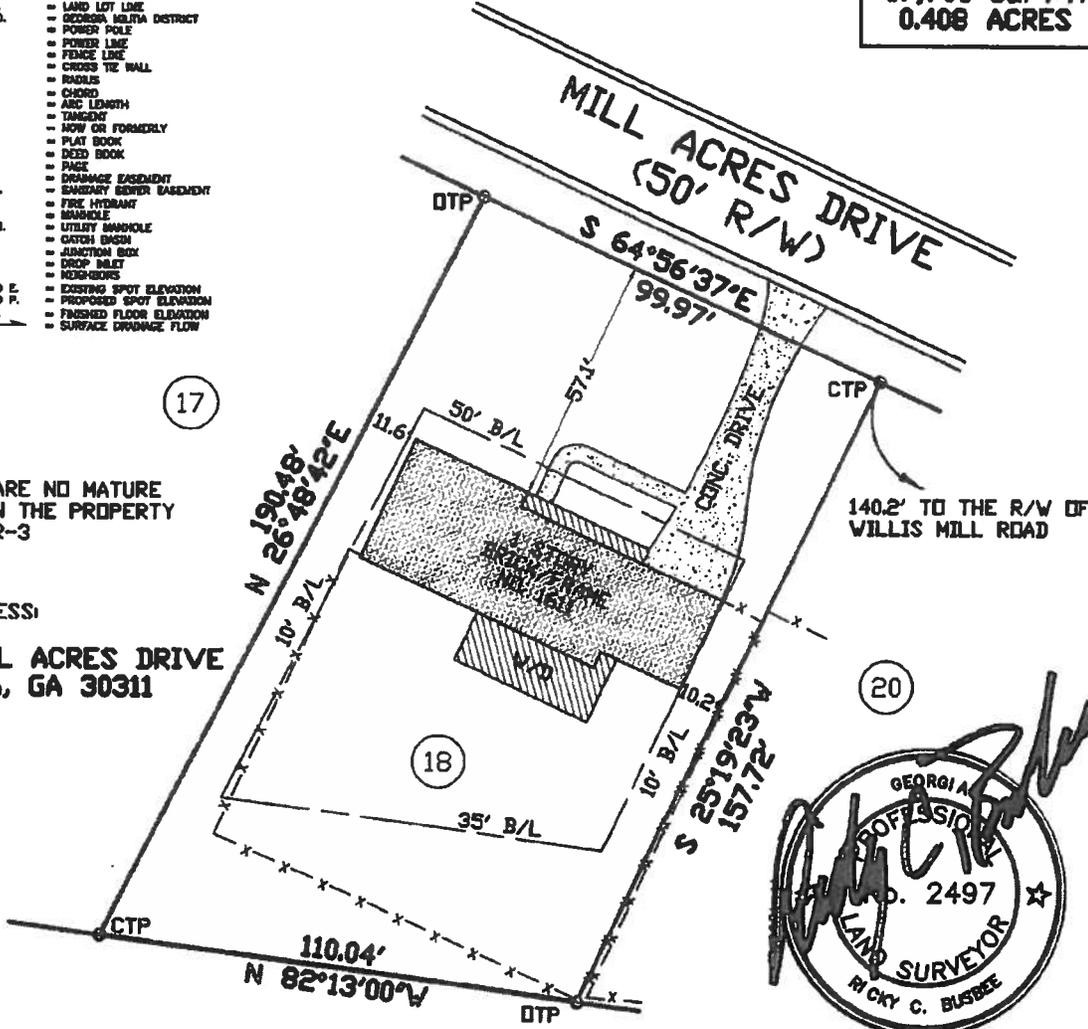


AREA=
17,791 SQ. FT.
0.408 ACRES



NOTES:
~THERE ARE NO MATURE TREES ON THE PROPERTY
~ZONED R-3

SITE ADDRESS:
1611 MILL ACRES DRIVE
ATLANTA, GA 30311



SURVEY FOR:
STEPPING STONES YOUTH CENTER

LOT 18
WILLIS MILL ACRES
PLAT BOOK 57, PAGE 121
LAND LOT 200, 14th DISTRICT
CITY OF ATLANTA
FULTON COUNTY, GEORGIA
SCALE: 1"=40' DATE: AUGUST 1st, 2013

THIS PROPERTY IS NOT IN AN AREA HAVING SPECIAL FLOOD HAZARDS AS PER COMMUNITY PANEL NO. 13121C0353 E, DATED JUNE 18th 2010, ZONE 'X'.

bp **BUSBEE & POSS**
LAND SURVEYING COMPANY

3408 HOWELL STREET, SUITE A
DULUTH, GEORGIA 30096
770.497.9866
FAX: 770.497.9881

- www.busbeeandposs.com -

RICKY C. BUSBEE, GEORGIA R.L.S. 2497 - BUSBEE & POSS LAND SURVEYING, L.S.F. 1056

THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE BOARD RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67.

THIS SURVEY WAS NOT PREPARED WITH THE AID OF A TITLE SEARCH AND IS SUBJECT TO ANY RESTRICTIONS OR EASEMENTS THAT MAY BE RECORDED.

THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 2000 FEET. EQUIPMENT USED: TOPCON GT3-225

FIELD WORK -RB/DM- 7/31/13 | DRAWN BY MP | J.N. BP11192 - IND

EXHIBIT "A"

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 200 OF THE 14TH DISTRICT, FULTON COUNTY, GEORGIA, BEING LOT 18 OF WILLIE MILL ACRES SUBDIVISION, AS PER PLAT RECORDED IN PLAT BOOK 57, PAGE 121, FULTON COUNTY, GEORGIA RECORDS, WHICH RECORDED PLAT IS INCORPORATED HEREIN BY REFERENCE AND MADE A PART OF THIS DESCRIPTION.

U-13-14

10-O-0001 (Z-05-119) AN ORDINANCE BY COUNCIL MEMBER AARON WATSON TO AMEND SECTION 16-18L.002 OF THE CITY OF ATLANTA ZONING CODE BY ADDING A NEW STATEMENT OF INTENT; AND FOR OTHER PURPOSES.

Application File Date	
Zoning Number	Z-05-119
NPU / CD	
Staff Recommendation	File-Did not progress to ZRB public hearing
NPU Recommendation	
ZRB Recommendation	No public hearing held

Review List:

Office of Research and Policy Analysis	Completed	11/19/2013 10:50 AM
Zoning Committee	Pending	
Atlanta City Council	Pending	
Zoning Review Board Staff	Pending	
Office of Research and Policy Analysis	Pending	
Mayor's Office	Pending	

Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

10-O-0001 (Z-05-119) AN ORDINANCE BY COUNCIL MEMBER AARON WATSON TO AMEND SECTION 16-18L.002 OF THE CITY OF ATLANTA ZONING CODE BY ADDING A NEW STATEMENT OF INTENT; AND FOR OTHER PURPOSES.

Application File Date	
Zoning Number	Z-05-119
NPU / CD	
Staff Recommendation	File-Did not progress to ZRB public hearing
NPU Recommendation	
ZRB Recommendation	No public hearing held

10-O-0002 Z-05-125 AN ORDINANCE BY COUNCILMEMBER AARON WATSON TO AMEND THE ZONING ORDINANCE OF THE CITY OF ATLANTA, AND THE MAPS ESTABLISHED IN CONNECTION THEREWITH SO THAT THE FOLLOWING PROPERTY LOCATED AT 1361, 1362, 1365, 1366, 1371, 1374, 1375, 1381, 1382, 1385, 1386, 1391, 1394, 1395, 1398, 1404, 1407 AND 1410 METROPOLITAN PARKWAY, SE, BE CHANGED FROM THE R-4 (SINGLE FAMILY RESIDENTIAL) DISTRICT TO MRC-1 (MIXED RESIDENTIAL COMMERCIAL) DISTRICT; AND FOR OTHER PURPOSES.

Application File Date	
Zoning Number	Z-05-125
NPU / CD	X/12
Staff Recommendation	FILE-did not progress to ZRB public hearing
NPU Recommendation	
ZRB Recommendation	No Public Hearing Held

Review List:

Office of Research and Policy Analysis	Completed	11/19/2013 10:49 AM
Zoning Committee	Pending	
Atlanta City Council	Pending	
Zoning Review Board Staff	Pending	
Office of Research and Policy Analysis	Pending	
Mayor's Office	Pending	

Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

LEGISLATION HISTORY – BLUE BACK

10-O-0002 Z-05-125 AN ORDINANCE BY COUNCILMEMBER AARON WATSON TO AMEND THE ZONING ORDINANCE OF THE CITY OF ATLANTA, AND THE MAPS ESTABLISHED IN CONNECTION THEREWITH SO THAT THE FOLLOWING PROPERTY LOCATED AT 1361, 1362, 1365, 1366, 1371, 1374, 1375, 1381, 1382, 1385, 1386, 1391, 1394, 1395, 1398, 1404, 1407 AND 1410 METROPOLITAN PARKWAY, SE, BE CHANGED FROM THE R-4 (SINGLE FAMILY RESIDENTIAL) DISTRICT TO MRC-1 (MIXED RESIDENTIAL COMMERCIAL) DISTRICT; AND FOR OTHER PURPOSES.

Application File Date	
Zoning Number	Z-05-125
NPU / CD	X/12
Staff Recommendation	FILE-did not progress to ZRB public hearing
NPU Recommendation	
ZRB Recommendation	No Public Hearing Held

10-O-0003 FOR Z-06-65 AN ORDINANCE BY COUNCILMEMBER AARON WATSON TO AMEND SECTION 16-24.005 (5) OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA (THE ZONING ORDINANCE) SO AS TO PROVIDE THAT IF PROPERTY UPON WHICH A NON-CONFORMING USE OF A MAJOR STRUCTURE OR MAJOR STRUCTURE AND PREMISES IN COMBINATION, IS REZONED DURING THE ONE YEAR GRANDFATHERING PERIOD PURSUANT TO A LIVABLE COMMUNITIES INITIATIVE (LCI) PROCESS, SAID NON-CONFORMING USE STATUS SHALL CEASE AND THE MAJOR STRUCTURE OR MAJOR STRUCTURE AND PREMISES IN COMBINATION SHALL NOT THEREAFTER BE USED EXCEPT IN CONFORMITY WITH THE REGULATION OF THE DISTRICT IN WHICH IT IS LOCATED; TO WAIVE CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

Application File Date	
Zoning Number	Z-06-65
NPU / CD	
Staff Recommendation	FILE-did not progress to ZRB public hearing
NPU Recommendation	
ZRB Recommendation	No public hearing held

Review List:

Office of Research and Policy Analysis	Completed	11/19/2013 10:48 AM
Zoning Committee	Pending	
Atlanta City Council	Pending	
Zoning Review Board Staff	Pending	
Office of Research and Policy Analysis	Pending	
Mayor's Office	Pending	

Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

LEGISLATION HISTORY – BLUE BACK

10-O-0003 FOR Z-06-65 AN ORDINANCE BY COUNCILMEMBER AARON WATSON TO AMEND SECTION 16-24.005 (5) OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA (THE ZONING ORDINANCE) SO AS TO PROVIDE THAT IF PROPERTY UPON WHICH A NON-CONFORMING USE OF A MAJOR STRUCTURE OR MAJOR STRUCTURE AND PREMISES IN COMBINATION, IS REZONED DURING THE ONE YEAR GRANDFATHERING PERIOD PURSUANT TO A LIVABLE COMMUNITIES INITIATIVE (LCI) PROCESS, SAID NON-CONFORMING USE STATUS SHALL CEASE AND THE MAJOR STRUCTURE OR MAJOR STRUCTURE AND PREMISES IN COMBINATION SHALL NOT THEREAFTER BE USED EXCEPT IN CONFORMITY WITH THE REGULATION OF THE DISTRICT IN WHICH IT IS LOCATED; TO WAIVE CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

Application File Date	
Zoning Number	Z-06-65
NPU / CD	
Staff Recommendation	FILE-did not progress to ZRB public hearing
NPU Recommendation	
ZRB Recommendation	No public hearing held

10-O-0004 Z-06-123 AND Z-06-56 AN ORDINANCE BY COUNCILMEMBER AARON WATSON Z-06-123/ Z-06-56 TO AMEND ORDINANCE 06-O-0944 (Z-06-56) WHICH REZONED PROPERTY FROM THE MRC-3-C (MIXED RESIDENTIAL COMMERCIAL-CONDITIONAL) AND I-1 (LIGHT INDUSTRIAL) DISTRICTS TO THE PD-MU (PLANNED DEVELOPMENT-MIXED USE) DISTRICT ADOPTED BY CITY COUNCIL OCTOBER 16, 2006 AND APPROVED BY THE MAYOR, PROPERTY LOCATED AT 695 NORTH AVENUE, NE, FOR THE PURPOSE OF A SITE PLAN AMENDMENT, AND TO REZONE A PORTION OF THE PROPERTY, FROM THE PD-MU (PLANNED DEVELOPMENT-MIXED USE) DISTRICT TO THE I-1 (LIGHT INDUSTRIAL) DISTRICT

Application File Date	
Zoning Number	Z-06-123 and Z-06-56
NPU / CD	M/N/2
Staff Recommendation	FILE-did not progress to ZRB public hearing
NPU Recommendation	
ZRB Recommendation	No Public Hearing Held

Review List:

Office of Research and Policy Analysis	Completed	11/19/2013 10:47 AM
Zoning Committee	Pending	
Zoning Review Board Staff	Pending	
Office of Research and Policy Analysis	Pending	
Atlanta City Council	Pending	
Mayor's Office	Pending	

Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

10-O-0004 Z-06-123 AND Z-06-56 AN ORDINANCE BY COUNCILMEMBER AARON WATSON Z-06-123/ Z-06-56 TO AMEND ORDINANCE 06-O-0944 (Z-06-56) WHICH REZONED PROPERTY FROM THE MRC-3-C (MIXED RESIDENTIAL COMMERCIAL-CONDITIONAL) AND I-1 (LIGHT INDUSTRIAL) DISTRICTS TO THE PD-MU (PLANNED DEVELOPMENT-MIXED USE) DISTRICT ADOPTED BY CITY COUNCIL OCTOBER 16, 2006 AND APPROVED BY THE MAYOR, PROPERTY LOCATED AT 695 NORTH AVENUE, NE, FOR THE PURPOSE OF A SITE PLAN AMENDMENT, AND TO REZONE A PORTION OF THE PROPERTY, FROM THE PD-MU (PLANNED DEVELOPMENT-MIXED USE) DISTRICT TO THE I-1 (LIGHT INDUSTRIAL) DISTRICT

Application File Date	
Zoning Number	Z-06-123 and Z-06-56
NPU / CD	M/N/2
Staff Recommendation	FILE-did not progress to ZRB public hearing
NPU Recommendation	
ZRB Recommendation	No Public Hearing Held

10-O-0005 Z-07-06 AN ORDINANCE BY COUNCILMEMBER AARON WATSON TO REZONE FROM THE R-3 (SINGLE-FAMILY RESIDENTIAL) DISTRICT TO THE PD-H (PLANNED DEVELOPMENT-HOUSING) DISTRICT, PROPERTY LOCATED AT 3931 LAND O' LAKES DRIVE, NE, FRONTING APPROXIMATELY 50 FEET ON APPROXIMATELY 790 FEET NORTHWEST OF THE INTERSECTION OF SHELDON DRIVE AND LAND O'LAKES DRIVE. DEPTH: VARIES. AREA: APPROXIMATELY 3.78 ACRES LAND LOT: 63, 17TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: GERALD AND MICHELE K. PALMER APPLICANT: WAYNE H. KNOX NPU-B /COUNCIL DISTRICT 7

Application File Date	
Zoning Number	Z-07-06
NPU / CD	B/7
Staff Recommendation	File-Did not progress to ZRB Public Hearing
NPU Recommendation	
ZRB Recommendation	No public hearing held

Review List:

Office of Research and Policy Analysis	Completed	11/19/2013 10:46 AM
Zoning Committee	Pending	
Atlanta City Council	Pending	
Zoning Review Board Staff	Pending	
Office of Research and Policy Analysis	Pending	
Mayor's Office	Pending	

Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

10-O-0005 Z-07-06 AN ORDINANCE BY COUNCILMEMBER AARON WATSON TO REZONE FROM THE R-3 (SINGLE-FAMILY RESIDENTIAL) DISTRICT TO THE PD-H (PLANNED DEVELOPMENT-HOUSING) DISTRICT, PROPERTY LOCATED AT 3931 LAND O' LAKES DRIVE, NE, FRONTING APPROXIMATELY 50 FEET ON APPROXIMATELY 790 FEET NORTHWEST OF THE INTERSECTION OF SHELDON DRIVE AND LAND O'LAKES DRIVE. DEPTH: VARIES. AREA: APPROXIMATELY 3.78 ACRES LAND LOT: 63, 17TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: GERALD AND MICHELE K. PALMER APPLICANT: WAYNE H. KNOX NPU-B/COUNCIL DISTRICT 7

Application File Date	
Zoning Number	Z-07-06
NPU / CD	B/7
Staff Recommendation	File-Did not progress to ZRB Public Hearing
NPU Recommendation	
ZRB Recommendation	No public hearing held

AN ORDINANCE

Z-07-06

BY: ZONING COMMITTEE

Date Filed: 1-9-07

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 3931 Land O' Lakes Drive, N.E. be changed from the R-3 (Single Family Residential) District to the PD-H (Planned Development-Housing) District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 63, 17th District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. That this amendment is approved under the provisions of Chapter 19 entitled, "Planned Development District", and Chapter 19A through Chapter 19D (as applicable) of the Zoning Ordinance of the City of Atlanta, and the Director, Bureau of Buildings, shall issue a building permit for the development of the above described property only in compliance with the applicable provisions of these Chapters and with the attached conditions.

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.

10-O-0006 Z-07-52 AN ORDINANCE BY COUNCILMEMBER AARON WATSON TO AMEND THE LAND DEVELOPMENT CODE, SECTION 16-28.005(5) TO LIMIT THE HEIGHT OF RETAINING WALLS IN FRONT, HALF DEPTH FRONT, SIDE AND REAR SETBACKS, OR YARDS; AND FOR OTHER PURPOSES.

Application File Date	
Zoning Number	Z-07-52
NPU / CD	
Staff Recommendation	FILE-did not progress to ZRB public hearing
NPU Recommendation	
ZRB Recommendation	No public hearing held

Review List:

Office of Research and Policy Analysis	Completed	11/19/2013 10:45 AM
Zoning Committee	Pending	
Atlanta City Council	Pending	
Zoning Review Board Staff	Pending	
Office of Research and Policy Analysis	Pending	
Mayor's Office	Pending	

Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

10-O-0006 Z-07-52 AN ORDINANCE BY COUNCILMEMBER AARON WATSON TO AMEND THE LAND DEVELOPMENT CODE, SECTION 16-28.005(5) TO LIMIT THE HEIGHT OF RETAINING WALLS IN FRONT, HALF DEPTH FRONT, SIDE AND REAR SETBACKS, OR YARDS; AND FOR OTHER PURPOSES.

Application File Date	
Zoning Number	Z-07-52
NPU / CD	
Staff Recommendation	FILE-did not progress to ZRB public hearing
NPU Recommendation	
ZRB Recommendation	No public hearing held

10-O-0007 Z-07-54 AN ORDINANCE BY COUNCILMEMBER AARON WATSON TO AMEND THE CITY OF ATLANTA LAND DEVELOPMENT CODE TO CREATE CODE SECTION 16.28.023(A) TITLED TRANSFER OF DEVELOPMENT RIGHTS IN THE BELTLINE PLANNING AREA; TO PROVIDE FOR DEFINITIONS; AND FOR OTHER PURPOSES.

Application File Date	
Zoning Number	Z-07-54
NPU / CD	
Staff Recommendation	FILE-did not progress to ZRB public hearing
NPU Recommendation	
ZRB Recommendation	No public hearing

Review List:

Office of Research and Policy Analysis	Completed	11/19/2013 10:45 AM
Zoning Committee	Pending	
Zoning Review Board Staff	Pending	
Office of Research and Policy Analysis	Pending	
Atlanta City Council	Pending	
Mayor's Office	Pending	

Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

LEGISLATION HISTORY – BLUE BACK

10-O-0007 Z-07-54 AN ORDINANCE BY COUNCILMEMBER AARON WATSON TO AMEND THE CITY OF ATLANTA LAND DEVELOPMENT CODE TO CREATE CODE SECTION 16.28.023(A) TITLED TRANSFER OF DEVELOPMENT RIGHTS IN THE BELTLINE PLANNING AREA; TO PROVIDE FOR DEFINITIONS; AND FOR OTHER PURPOSES.

Application File Date	
Zoning Number	Z-07-54
NPU / CD	
Staff Recommendation	FILE-did not progress to ZRB public hearing
NPU Recommendation	
ZRB Recommendation	No public hearing

10-O-0008 Z-07-15 AN ORDINANCE BY COUNCILMEMBER AARON WATSON TO REZONE FROM THE R-4 (SINGLE-FAMILY RESIDENTIAL) DISTRICT TO THE PD-H (PLANNED DEVELOPMENT-HOUSING) DISTRICT, PROPERTY LOCATED AT 850 ORMEWOOD AVENUE, SE, FRONTING APPROXIMATELY 153 FEET ON THE NORTH SIDE OF ORMEWOOD AVENUE AT THE NORTHWEST CORNER OF MERCER PLACE. DEPTH: VARIES. AREA: APPROXIMATELY 1.25 ACRES. LAND LOT: 22, 14TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: CAS DEVELOPMENT-CECIL FRANCIS. APPLICANT: JAMES BAILEY. NPU-W. COUNCIL DISTRICT 1

Application File Date	
Zoning Number	Z-07-15
NPU / CD	W/1
Staff Recommendation	FILE-did not progress to ZRB public hearing
NPU Recommendation	
ZRB Recommendation	No public hearing held

Review List:

Office of Research and Policy Analysis	Completed	11/19/2013 10:43 AM
Zoning Committee	Pending	
Atlanta City Council	Pending	
Zoning Review Board Staff	Pending	
Office of Research and Policy Analysis	Pending	
Mayor's Office	Pending	

Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

10-O-0008 Z-07-15 AN ORDINANCE BY COUNCILMEMBER AARON WATSON TO REZONE FROM THE R-4 (SINGLE-FAMILY RESIDENTIAL) DISTRICT TO THE PD-H (PLANNED DEVELOPMENT-HOUSING) DISTRICT, PROPERTY LOCATED AT 850 ORMEWOOD AVENUE, SE, FRONTING APPROXIMATELY 153 FEET ON THE NORTH SIDE OF ORMEWOOD AVENUE AT THE NORTHWEST CORNER OF MERCER PLACE. DEPTH: VARIES. AREA: APPROXIMATELY 1.25 ACRES. LAND LOT: 22, 14TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: CAS DEVELOPMENT-CECIL FRANCIS. APPLICANT: JAMES BAILEY. NPU-W. COUNCIL DISTRICT 1

Application File Date	
Zoning Number	Z-07-15
NPU / CD	W/1
Staff Recommendation	FILE-did not progress to ZRB public hearing
NPU Recommendation	
ZRB Recommendation	No public hearing held

10-O-0009 Z-07-48 AN ORDINANCE BY COUNCILMEMBER AARON WATSON TO REZONE FROM THE I-2 (HEAVY INDUSTRIAL) DISTRICT TO THE LW (LIVE-WORK) DISTRICT, PROPERTY LOCATED AT 1116 MURPHY AVENUE, SW, FRONTING APPROXIMATELY 215 FEET ON THE SOUTHEASTERLY SIDE OF MURPHY AVENUE BEGINNING APPROXIMATELY 790 FEET FROM THE NORTHEAST CORNER OF AVON AVENUE. PROPERTY ALSO FRONTS 35.29 FEET ON THE WEST SIDE OF SYLVAN ROAD. DEPTH: VARIES. AREA: APPROXIMATELY 3.59 ACRES. LAND LOT: 119, 14TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: 1116 MURPHY AVENUE, LLC. BY HARRY JENKINS. APPLICANT: JOHN A. BELL. NPU-S COUNCIL DISTRICT 12

Application File Date	
Zoning Number	Z-07-48
NPU / CD	S/12
Staff Recommendation	FILE-no ZRB hearing held
NPU Recommendation	
ZRB Recommendation	No public hearing held

Review List:

Office of Research and Policy Analysis	Completed	11/19/2013 2:55 PM
Zoning Committee	Pending	
Atlanta City Council	Pending	
Zoning Review Board Staff	Pending	
Office of Research and Policy Analysis	Pending	
Mayor's Office	Pending	

Certified by Presiding Officer	Certified by Clerk
Mayor's Action	
<i>See Authentication Page Attachment</i>	

LEGISLATION HISTORY – BLUE BACK

10-O-0009 Z-07-48 AN ORDINANCE BY COUNCILMEMBER AARON WATSON TO REZONE FROM THE I-2 (HEAVY INDUSTRIAL) DISTRICT TO THE LW (LIVE-WORK) DISTRICT, PROPERTY LOCATED AT 1116 MURPHY AVENUE, SW, FRONTING APPROXIMATELY 215 FEET ON THE SOUTHEASTERLY SIDE OF MURPHY AVENUE BEGINNING APPROXIMATELY 790 FEET FROM THE NORTHEAST CORNER OF AVON AVENUE. PROPERTY ALSO FRONTS 35.29 FEET ON THE WEST SIDE OF SYLVAN ROAD. DEPTH: VARIES. AREA: APPROXIMATELY 3.59 ACRES. LAND LOT: 119, 14TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: 1116 MURPHY AVENUE, LLC. BY HARRY JENKINS. APPLICANT: JOHN A. BELL. NPU-S COUNCIL DISTRICT 12

Application File Date	
Zoning Number	Z-07-48
NPU / CD	S/12
Staff Recommendation	FILE-no ZRB hearing held
NPU Recommendation	
ZRB Recommendation	No public hearing held

10-O-0010 Z-07-83 AN ORDINANCE BY COUNCILMEMBER AARON WATSON TO AMEND THE 1982 ZONING ORDINANCE OF THE CITY OF ATLANTA, AS AMENDED, TO REZONE PROPERTY LOCATED AT 670 DEKALB AVENUE FROM THE I2/HD 20L ZONING CATEGORY (HEAVY INDUSTRIAL WITH INMAN PARK HISTORIC DISTRICT OVERLAY) TO THE C-3-C ZONING CATEGORY (COMMERCIAL RESIDENTIAL-CONDITIONAL); AND FOR OTHER PURPOSES.

Application File Date	
Zoning Number	Z-07-83
NPU / CD	
Staff Recommendation	FILE-did not progress to ZRB
NPU Recommendation	
ZRB Recommendation	No public hearing held

Review List:

Office of Research and Policy Analysis	Completed	11/19/2013 2:53 PM
Zoning Committee	Pending	
Atlanta City Council	Pending	
Zoning Review Board Staff	Pending	
Office of Research and Policy Analysis	Pending	
Mayor's Office	Pending	

Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

10-O-0010 Z-07-83 AN ORDINANCE BY COUNCILMEMBER AARON WATSON TO AMEND THE 1982 ZONING ORDINANCE OF THE CITY OF ATLANTA, AS AMENDED, TO REZONE PROPERTY LOCATED AT 670 DEKALB AVENUE FROM THE I2/HD 20L ZONING CATEGORY (HEAVY INDUSTRIAL WITH INMAN PARK HISTORIC DISTRICT OVERLAY) TO THE C-3-C ZONING CATEGORY (COMMERCIAL RESIDENTIAL-CONDITIONAL); AND FOR OTHER PURPOSES.

Application File Date	
Zoning Number	Z-07-83
NPU / CD	
Staff Recommendation	FILE-did not progress to ZRB
NPU Recommendation	
ZRB Recommendation	No public hearing held

10-O-0011 Z-078-77 AN ORDINANCE BY COUNCILMEMBER AARON WATSON TO REZONE FROM THE SPI-16 SUB AREA 2 (MIDTOWN SPECIAL PUBLIC INTEREST) DISTRICT TO THE SPI-16 SUB AREA 2 TRANSITION AREA (MIDTOWN SPECIAL PUBLIC INTEREST) DISTRICT, PROPERTY LOCATED AT 207, 211, 219, 223 AND 225 13TH STREET, NE, FRONTING APPROXIMATELY 208 FEET ON THE SOUTH SIDE OF 13TH STREET BEGINNING 408.87 FEET FROM THE SOUTHWEST CORNER OF PIEDMONT AVENUE. DEPTH: APPROXIMATELY 178 FEET. AREA: 0.854 ACRE. LAND LOT: 106, 17TH DISTRICT, FULTON COUNTY, GEORGIA .OWNER: 13TH STREET HOLDINGS, LLC./FREDERICK LEWIS, PAUL PATTERSON. APPLICANT:13TH STREET HOLDINGS. LLC. NPU-E COUNCIL DISTRICT 6

Application File Date	
Zoning Number	Z-07-77
NPU / CD	E/6
Staff Recommendation	FILE-did not progress to ZRB
NPU Recommendation	
ZRB Recommendation	No public hearing held

Review List:

Office of Research and Policy Analysis	Completed	11/19/2013 2:51 PM
Zoning Committee	Pending	
Atlanta City Council	Pending	
Zoning Review Board Staff	Pending	
Office of Research and Policy Analysis	Pending	
Mayor's Office	Pending	

Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

10-O-0011 Z-078-77 AN ORDINANCE BY COUNCILMEMBER AARON WATSON TO REZONE FROM THE SPI-16 SUB AREA 2 (MIDTOWN SPECIAL PUBLIC INTEREST) DISTRICT TO THE SPI-16 SUB AREA 2 TRANSITION AREA (MIDTOWN SPECIAL PUBLIC INTEREST) DISTRICT, PROPERTY LOCATED AT 207, 211, 219, 223 AND 225 13TH STREET, NE, FRONTING APPROXIMATELY 208 FEET ON THE SOUTH SIDE OF 13TH STREET BEGINNING 408.87 FEET FROM THE SOUTHWEST CORNER OF PIEDMONT AVENUE. DEPTH: APPROXIMATELY 178 FEET. AREA: 0.854 ACRE. LAND LOT: 106, 17TH DISTRICT, FULTON COUNTY, GEORGIA .OWNER: 13TH STREET HOLDINGS, LLC./FREDERICK LEWIS, PAUL PATTERSON. APPLICANT:13TH STREET HOLDINGS, LLC. NPU-E COUNCIL DISTRICT 6

Application File Date	
Zoning Number	Z-07-77
NPU / CD	E/6
Staff Recommendation	FILE-did not progress to ZRB
NPU Recommendation	
ZRB Recommendation	No public hearing held

AN ORDINANCE

Z-07-77

BY: ZONING COMMITTEE

Date Filed: 7-10-07

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 207, 211, 219, 223 and 225 13th Street, N.E., be changed from the SPI-16 Sub Area 2 (Midtown Special Public Interest) District to the SPI-16 Sub Area 2 Transition Area (Midtown Special Public Interest), to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 106, 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 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.

10-O-0012 Z-07-96AN ORDINANCE BY COUNCILMEMBER AARON WATSON AMENDING THE ZONING ORDINANCE OF THE CITY OF ATLANTA AND THE MAPS ESTABLISHED IN CONNECTION THEREWITH BE CHANGED SO THAT THE FOLLOWING PROPERTIES #1380, 1390, 1400, 1410, 1414, 1418, 1420, 1424, 1428, 1450, 1470, 1480 AND 1488 BOLTON ROAD, NW, BE CHANGED FROM I-1 (LIGHT INDUSTRIAL) ZONING CLASSIFICATION TO R-4 (SINGLE-FAMILY RESIDENTIAL) CLASSIFICATION (COUNCIL DISTRICT 9, NPU G); AND FOR OTHER PURPOSES.

Application File Date	
Zoning Number	Z-07-96
NPU / CD	G/9
Staff Recommendation	FILE-did not progress to ZRB
NPU Recommendation	
ZRB Recommendation	No public hearing held

Review List:

Office of Research and Policy Analysis	Completed	11/19/2013 2:50 PM
Zoning Committee	Pending	
Atlanta City Council	Pending	
Zoning Review Board Staff	Pending	
Office of Research and Policy Analysis	Pending	
Mayor's Office	Pending	

Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

LEGISLATION HISTORY – BLUE BACK

10-O-0012 Z-07-96AN ORDINANCE BY COUNCILMEMBER AARON WATSON AMENDING THE ZONING ORDINANCE OF THE CITY OF ATLANTA AND THE MAPS ESTABLISHED IN CONNECTION THEREWITH BE CHANGED SO THAT THE FOLLOWING PROPERTIES #1380, 1390, 1400, 1410, 1414, 1418, 1420, 1424, 1428, 1450, 1470, 1480 AND 1488 BOLTON ROAD, NW, BE CHANGED FROM I-1 (LIGHT INDUSTRIAL) ZONING CLASSIFICATION TO R-4 (SINGLE-FAMILY RESIDENTIAL) CLASSIFICATION (COUNCIL DISTRICT 9, NPU G); AND FOR OTHER PURPOSES.

Application File Date	
Zoning Number	Z-07-96
NPU / CD	G/9
Staff Recommendation	FILE-did not progress to ZRB
NPU Recommendation	
ZRB Recommendation	No public hearing held

10-O-0014 Z-08-47 AN ORDINANCE BY COUNCILMEMBER AARON WATSON TO AMEND CHAPTER 16, CHAPTER 18, SECTION 16-K.004 OF THE CITY OF ATLANTA CODE OF ORDINANCES SO AS TO REQUIRE A SPECIAL USE PERMIT FOR CERTAIN USES LOCATED IN SUBAREA 6 OF THE SPI-11 ZONING DISTRICT.

Application File Date	
Zoning Number	Z-08-47
NPU / CD	L/3
Staff Recommendation	FILE-did not progress to ZRB
NPU Recommendation	
ZRB Recommendation	No public hearing held

Review List:

Office of Research and Policy Analysis	Completed	11/19/2013 2:49 PM
Zoning Committee	Pending	
Atlanta City Council	Pending	
Zoning Review Board Staff	Pending	
Office of Research and Policy Analysis	Pending	
Mayor's Office	Pending	

Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

10-O-0014 Z-08-47 AN ORDINANCE BY COUNCILMEMBER AARON WATSON TO AMEND CHAPTER 16, CHAPTER 18, SECTION 16-K.004 OF THE CITY OF ATLANTA CODE OF ORDINANCES SO AS TO REQUIRE A SPECIAL USE PERMIT FOR CERTAIN USES LOCATED IN SUBAREA 6 OF THE SPI-11 ZONING DISTRICT.

Application File Date	
Zoning Number	Z-08-47
NPU / CD	L/3
Staff Recommendation	FILE-did not progress to ZRB
NPU Recommendation	
ZRB Recommendation	No public hearing held

10-O-0015 Z-08-44 AN ORDINANCE BY COUNCILMEMBER AARON WATSON TO REZONE FROM THE R-4 (SINGLE-FAMILY RESIDENTIAL) DISTRICT TO THE C-1 (COMMUNITY BUSINESS) DISTRICT, PROPERTY LOCATED AT 1398 METROPOLITAN PARKWAY, SW, FRONTING APPROXIMATELY 54.30 FEET ON THE EAST SIDE OF METROPOLITAN PARKWAY AND APPROXIMATELY 133 FEET NORTH OF THE INTERSECTION OF METROPOLITAN AND LYNNHAVEN DRIVE. DEPTH:197 FEET. AREA:0.2455 ACRE. LAND LOT: 88, 14TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: ANDREA JONES. APPLICANT: ANDREA JONES. NPU-X COUNCIL DISTRICT 12

Application File Date	6-10-08
Zoning Number	Z-08-44
NPU / CD	X-12
Staff Recommendation	FILE-did not progress to ZRB
NPU Recommendation	
ZRB Recommendation	No public hearing held

Review List:

Office of Research and Policy Analysis	Completed	11/19/2013 2:48 PM
Zoning Committee	Pending	
Atlanta City Council	Pending	
Zoning Review Board Staff	Pending	
Office of Research and Policy Analysis	Pending	
Mayor's Office	Pending	

Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

LEGISLATION HISTORY – BLUE BACK

10-O-0015 Z-08-44 AN ORDINANCE BY COUNCILMEMBER AARON WATSON TO REZONE FROM THE R-4 (SINGLE-FAMILY RESIDENTIAL) DISTRICT TO THE C-1 (COMMUNITY BUSINESS) DISTRICT, PROPERTY LOCATED AT 1398 METROPOLITAN PARKWAY, SW, FRONTING APPROXIMATELY 54.30 FEET ON THE EAST SIDE OF METROPOLITAN PARKWAY AND APPROXIMATELY 133 FEET NORTH OF THE INTERSECTION OF METROPOLITAN AND LYNNHAVEN DRIVE. DEPTH:197 FEET. AREA:0.2455 ACRE. LAND LOT: 88, 14TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: ANDREA JONES. APPLICANT: ANDREA JONES. NPU-X COUNCIL DISTRICT 12

Application File Date	6-10-08
Zoning Number	Z-08-44
NPU / CD	X-12
Staff Recommendation	FILE-did not progress to ZRB
NPU Recommendation	
ZRB Recommendation	No public hearing held

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 1398 Metropolitan Parkway, S.W., be changed from R-4 (Single Family Residential) to the C-1 (Community Business) District, to wit:

ALL THAT TRACT or parcel of land lying in Land Lot 88, 14th District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey/map.

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.

10-O-0016 Z-08-59 AN ORDINANCE BY COUNCILMEMBER AARON WATSON TO REZONE FROM THE SPI-11-SUBAREA 7 (VINE CITY SPECIAL PUBLIC INTEREST) DISTRICT TO THE C-1 (COMMUNITY BUSINESS) DISTRICT, PROPERTY LOCATED AT 601 SPENCER STREET, NW (AKA 605 SPENCER STREET, NW).

Application File Date	
Zoning Number	Z-08-59
NPU / CD	L/3
Staff Recommendation	FILE-did not progress to ZRB
NPU Recommendation	
ZRB Recommendation	No public hearing held

Review List:

Office of Research and Policy Analysis	Completed	11/19/2013 2:47 PM
Zoning Committee	Pending	
Atlanta City Council	Pending	
Zoning Review Board Staff	Pending	
Office of Research and Policy Analysis	Pending	
Mayor's Office	Pending	

Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

LEGISLATION HISTORY – BLUE BACK

10-O-0016 Z-08-59 AN ORDINANCE BY COUNCILMEMBER AARON WATSON TO REZONE FROM THE SPI-11-SUBAREA 7 (VINE CITY SPECIAL PUBLIC INTEREST) DISTRICT TO THE C-1 (COMMUNITY BUSINESS) DISTRICT, PROPERTY LOCATED AT 601 SPENCER STREET, NW (AKA 605 SPENCER STREET, NW).

Application File Date	
Zoning Number	Z-08-59
NPU / CD	L/3
Staff Recommendation	FILE-did not progress to ZRB
NPU Recommendation	
ZRB Recommendation	No public hearing held

10-O-0017 U-08-25 AN ORDINANCE BY COUNCILMEMBER AARON WATSON GRANTING A SPECIAL USE PERMIT PURSUANT TO SECTION 16-11.005(1)(M) OF THE CITY OF ATLANTA ZONING ORDINANCE FOR SUPPORTIVE HOUSING, PROPERTY LOCATED AT 601 SPENCER STREET, NW (AKA 605 SPENCER STREET, NW).

Application File Date	
Zoning Number	U-08-25
NPU / CD	L/3
Staff Recommendation	FILE-did not progress to ZRB
NPU Recommendation	
ZRB Recommendation	No public hearing held

Review List:

Office of Research and Policy Analysis	Completed	11/19/2013 4:48 PM
Zoning Committee	Pending	
Atlanta City Council	Pending	
Zoning Review Board Staff	Pending	
Office of Research and Policy Analysis	Pending	
Mayor's Office	Pending	

Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

10-O-0017 U-08-25 AN ORDINANCE BY COUNCILMEMBER AARON WATSON GRANTING A SPECIAL USE PERMIT PURSUANT TO SECTION 16-11.005(1)(M) OF THE CITY OF ATLANTA ZONING ORDINANCE FOR SUPPORTIVE HOUSING, PROPERTY LOCATED AT 601 SPENCER STREET, NW (AKA 605 SPENCER STREET, NW).

Application File Date	
Zoning Number	U-08-25
NPU / CD	L/3
Staff Recommendation	FILE-did not progress to ZRB
NPU Recommendation	
ZRB Recommendation	No public hearing held

10-O-0019 Z-08-76 AN ORDINANCE BY COUNCILMEMBER AARON WATSON TO AMEND PART 16, CHAPTER 28A OF 1982 ZONING ORDINANCE OF THE CITY OF ATLANTA, AS AMENDED, SO AS TO CREATE A NEW SECTION 16-28A.010 (51) TO PROVIDE FOR COMPREHENSIVE SIGNAGE REGULATIONS FOR THAT AREA DESIGNATED AS SPI-23- ATLANTIC STATION REDEVELOPMENT DISTRICT; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

Application File Date	
Zoning Number	Z-08-76
NPU / CD	
Staff Recommendation	FILE-did not progress to ZRB
NPU Recommendation	
ZRB Recommendation	No public hearing held

Review List:

Office of Research and Policy Analysis	Completed	11/19/2013 4:47 PM
Zoning Committee	Pending	
Atlanta City Council	Pending	
Zoning Review Board Staff	Pending	
Office of Research and Policy Analysis	Pending	
Mayor's Office	Pending	

Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

LEGISLATION HISTORY – BLUE BACK

10-O-0019 Z-08-76 AN ORDINANCE BY COUNCILMEMBER AARON WATSON TO AMEND PART 16, CHAPTER 28A OF 1982 ZONING ORDINANCE OF THE CITY OF ATLANTA, AS AMENDED, SO AS TO CREATE A NEW SECTION 16-28A.010 (51) TO PROVIDE FOR COMPREHENSIVE SIGNAGE REGULATIONS FOR THAT AREA DESIGNATED AS SPI-23- ATLANTIC STATION REDEVELOPMENT DISTRICT; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

Application File Date	
Zoning Number	Z-08-76
NPU / CD	
Staff Recommendation	FILE-did not progress to ZRB
NPU Recommendation	
ZRB Recommendation	No public hearing held

10-O-0020 Z-08-77 AN ORDINANCE BY COUNCILMEMBER AARON WATSON TO AMEND THE 1982 ZONING ORDINANCE OF THE CITY OF ATLANTA BY CREATING A NEW CHAPTER ENTITLED CHAPTER 18W-SPI-23 ATLANTIC STATION REDEVELOPMENT SPECIAL PUBLIC INTEREST DISTRICT REGULATIONS; TO AMEND THE OFFICIAL ZONING MAP BY OVERLAYING EXISTING ZONING DISTRICTS C-4-C AND I-2 WITH SAID SPI 23 DISTRICT SO AS TO PROVIDE FOR COMPREHENSIVE AND CONSISTENT REGULATIONS WITHIN THE SPI RELATIVE TO SIGNAGE; AND FOR OTHER PURPOSES.

Application File Date	
Zoning Number	Z-08-77
NPU / CD	
Staff Recommendation	FILE-did not progress to ZRB
NPU Recommendation	
ZRB Recommendation	No public hearing

Review List:

Office of Research and Policy Analysis	Completed	11/19/2013 4:46 PM
Zoning Committee	Pending	
Atlanta City Council	Pending	
Zoning Review Board Staff	Pending	
Office of Research and Policy Analysis	Pending	
Mayor's Office	Pending	

Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

LEGISLATION HISTORY – BLUE BACK

10-O-0020 Z-08-77 AN ORDINANCE BY COUNCILMEMBER AARON WATSON TO AMEND THE 1982 ZONING ORDINANCE OF THE CITY OF ATLANTA BY CREATING A NEW CHAPTER ENTITLED CHAPTER 18W-SPI-23 ATLANTIC STATION REDEVELOPMENT SPECIAL PUBLIC INTEREST DISTRICT REGULATIONS; TO AMEND THE OFFICIAL ZONING MAP BY OVERLAYING EXISTING ZONING DISTRICTS C-4-C AND I-2 WITH SAID SPI 23 DISTRICT SO AS TO PROVIDE FOR COMPREHENSIVE AND CONSISTENT REGULATIONS WITHIN THE SPI RELATIVE TO SIGNAGE; AND FOR OTHER PURPOSES.

Application File Date	
Zoning Number	Z-08-77
NPU / CD	
Staff Recommendation	FILE-did not progress to ZRB
NPU Recommendation	
ZRB Recommendation	No public hearing

10-O-0021 Z-08-79 AN ORDINANCE BY COUNCILMEMBER AARON WATSON DESIGNATING THE CRUM & FORSTER BUILDING, LOCATED AT 771 SPRING STREET, NW, LAND LOT 80, OF THE 14TH DISTRICT OF FULTON COUNTY, GEORGIA AND CERTAIN REAL PROPERTY ON WHICH IT IS LOCATED, TO THE OVERLAY ZONING DESIGNATION OF LANDMARK BUILDING OR SITE PURSUANT TO CHAPTER 20 OF THE ZONING ORDINANCE OF THE CITY OF ATLANTA AND REZONING FROM SPI-16 (SPECIAL PUBLIC INTEREST DISTRICT-16) TO SPI-16/LBS (SPECIAL PUBLIC INTEREST DISTRICT-16/LANDMARK BUILDING OR SITE); TO REPEAL CONFLICTING LAWS; AND FOR OTHER PURPOSES.

Application File Date	
Zoning Number	Z-08-79
NPU / CD	
Staff Recommendation	FILE-did not progress to ZRB
NPU Recommendation	
ZRB Recommendation	No public hearing held

Review List:

Office of Research and Policy Analysis	Completed	11/19/2013 4:43 PM
Zoning Committee	Pending	
Zoning Review Board Staff	Pending	
Office of Research and Policy Analysis	Pending	
Atlanta City Council	Pending	
Mayor's Office	Pending	

Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

10-O-0021 Z-08-79 AN ORDINANCE BY COUNCILMEMBER AARON WATSON DESIGNATING THE CRUM & FORSTER BUILDING, LOCATED AT 771 SPRING STREET, NW, LAND LOT 80, OF THE 14TH DISTRICT OF FULTON COUNTY, GEORGIA AND CERTAIN REAL PROPERTY ON WHICH IT IS LOCATED, TO THE OVERLAY ZONING DESIGNATION OF LANDMARK BUILDING OR SITE PURSUANT TO CHAPTER 20 OF THE ZONING ORDINANCE OF THE CITY OF ATLANTA AND REZONING FROM SPI-16 (SPECIAL PUBLIC INTEREST DISTRICT-16) TO SPI-16/LBS (SPECIAL PUBLIC INTEREST DISTRICT-16/LANDMARK BUILDING OR SITE); TO REPEAL CONFLICTING LAWS; AND FOR OTHER PURPOSES.

Application File Date	
Zoning Number	Z-08-79
NPU / CD	
Staff Recommendation	FILE-did not progress to ZRB
NPU Recommendation	
ZRB Recommendation	No public hearing held

10-O-0022 U-07-27/U-06-23 AN ORDINANCE BY COUNCILMEMBER AARON WATSON AUTHORIZING THE MAYOR OR HIS DESIGNEE TO AMEND ORDINANCE NUMBER 07-O-1921/U-07-27/U-06-23 TO INCLUDE THE SITE PLAN AS REFERENCED IN SECTION 1 OF THE ORDINANCE AND IN THE CONDITIONS AS ADOPTED BY THE COUNCIL ON NOVEMBER 5, 2007 AND APPROVED BY THE MAYOR ON NOVEMBER 13, 2007; AND FOR OTHER PURPOSES.

Application File Date	
Zoning Number	U-07-27/U-06-23
NPU / CD	
Staff Recommendation	FILE-did not progress to ZRB
NPU Recommendation	
ZRB Recommendation	No public hearing held

Review List:

Office of Research and Policy Analysis	Completed	11/20/2013 12:20 PM
Zoning Committee	Pending	
Atlanta City Council	Pending	
Zoning Review Board Staff	Pending	
Office of Research and Policy Analysis	Pending	
Mayor's Office	Pending	

Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

10-O-0022 U-07-27/U-06-23 AN ORDINANCE BY COUNCILMEMBER AARON WATSON AUTHORIZING THE MAYOR OR HIS DESIGNEE TO AMEND ORDINANCE NUMBER 07-O-1921/U-07-27/U-06-23 TO INCLUDE THE SITE PLAN AS REFERENCED IN SECTION 1 OF THE ORDINANCE AND IN THE CONDITIONS AS ADOPTED BY THE COUNCIL ON NOVEMBER 5, 2007 AND APPROVED BY THE MAYOR ON NOVEMBER 13, 2007; AND FOR OTHER PURPOSES.

Application File Date	
Zoning Number	U-07-27/U-06-23
NPU / CD	
Staff Recommendation	FILE-did not progress to ZRB
NPU Recommendation	
ZRB Recommendation	No public hearing held

10-O-0023 Z-09-24 AN ORDINANCE BY COUNCILMEMBER AARON WATSON TO AMEND SECTION 16-28A.013(A)(X) OF THE CITY OF ATLANTA SIGN ORDINANCE FOR THE PURPOSE OF CLARIFYING THE EFFECT OF MODIFICATION OR REPLACEMENT OF STRUCTURES SUPPORTING ON THE NON-CONFORMITY OF GENERAL ADVERTISING SIGNS; AND FOR OTHER PURPOSES.

Application File Date	
Zoning Number	Z-09-24
NPU / CD	
Staff Recommendation	FILE-deferred by ZRB but Dept decided not to move forward
NPU Recommendation	
ZRB Recommendation	

Review List:

Office of Research and Policy Analysis	Completed	11/20/2013 12:18 PM
Zoning Committee	Pending	
Atlanta City Council	Pending	
Zoning Review Board Staff	Pending	
Office of Research and Policy Analysis	Pending	
Mayor's Office	Pending	

Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

LEGISLATION HISTORY – BLUE BACK

10-O-0023 Z-09-24 AN ORDINANCE BY COUNCILMEMBER AARON WATSON TO AMEND SECTION 16-28A.013(A)(X) OF THE CITY OF ATLANTA SIGN ORDINANCE FOR THE PURPOSE OF CLARIFYING THE EFFECT OF MODIFICATION OR REPLACEMENT OF STRUCTURES SUPPORTING ON THE NON-CONFORMITY OF GENERAL ADVERTISING SIGNS; AND FOR OTHER PURPOSES.

Application File Date	
Zoning Number	Z-09-24
NPU / CD	
Staff Recommendation	FILE-deferred by ZRB but Dept decided not to move forward
NPU Recommendation	
ZRB Recommendation	

10-O-0036 U-09-23 AN ORDINANCE BY COUNCILMEMBER AARON WATSON GRANTING A SPECIAL USE PERMIT FOR A PERSONAL CARE HOME PURSUANT TO SECTION 16-06.005 (1) (G) FOR PROPERTY LOCATED AT 1041 LAWTON AVENUE, SW, FRONTING APPROXIMATELY 100 FEET ON THE NORTHEASTERLY SIDE OF LAWTON AVENUE AND APPROXIMATELY 447 FEET EAST OF THE INTERSECTION OF LAWTON AVENUE AND PEEPLES STREET. DEPTH: APPROXIMATELY 180 FEET. AREA: 0.41 ACRE LAND LOT: 119, 14TH DISTRICT, FULTON COUNTY, GEORGIA OWNER: NATHAN M. JIDEAMA APPLICANT: NATHAN M. JIDEAMA NPU-S COUNCIL DISTRICT 4

Application File Date	
Zoning Number	U-09-23
NPU / CD	S/4
Staff Recommendation	FILE-did not progress to ZRB
NPU Recommendation	
ZRB Recommendation	No public hearing held

Review List:

Office of Research and Policy Analysis	Completed	11/20/2013 12:16 PM
Zoning Committee	Pending	
Atlanta City Council	Pending	
Zoning Review Board Staff	Pending	
Office of Research and Policy Analysis	Pending	
Mayor's Office	Pending	

Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

10-O-0036 U-09-23 AN ORDINANCE BY COUNCILMEMBER AARON WATSON GRANTING A SPECIAL USE PERMIT FOR A PERSONAL CARE HOME PURSUANT TO SECTION 16-06.005 (1) (G) FOR PROPERTY LOCATED AT 1041 LAWTON AVENUE, SW, FRONTING APPROXIMATELY 100 FEET ON THE NORTHEASTERLY SIDE OF LAWTON AVENUE AND APPROXIMATELY 447 FEET EAST OF THE INTERSECTION OF LAWTON AVENUE AND PEEPLES STREET. DEPTH: APPROXIMATELY 180 FEET. AREA: 0.41 ACRE LAND LOT: 119, 14TH DISTRICT, FULTON COUNTY, GEORGIA OWNER: NATHAN M. JIDEAMA APPLICANT: NATHAN M. JIDEAMA NPU-S COUNCIL DISTRICT 4

Application File Date	
Zoning Number	U-09-23
NPU / CD	S/4
Staff Recommendation	FILE-did not progress to ZRB
NPU Recommendation	
ZRB Recommendation	No public hearing held

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

SECTION 1. Under the provisions of Section 16-06.005 (1) (g) of the Zoning Ordinance of the City of Atlanta, a Special Use Permit for a PERSONAL CARE HOME is hereby granted. Said use is granted to NATHAN M. JIDEAMA and is to be located at 1041 Lawton Avenue, S.W., to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 119, 14th District, Fulton County, Georgia, being more particularly described by the attached legal description and/or survey.

SECTION 2. That this amendment is approved under the provisions of Section 16-25.003 of the Zoning Ordinance of the City of Atlanta, entitled, “Special Use Permits, Procedural Requirements”, and the Director, Bureau of Buildings, shall issue a building permit only in compliance with the applicable provisions of this part. The applicable conditional site plan and any other conditions hereby imposed are enumerated by attachment. The Special Use Permit hereby approved does not authorize the violation of any zoning district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

10-O-0042 Z-09-44 AN ORDINANCE BY COUNCILMEMBER AARON WATSON TO AMEND THE 1982 ZONING ORDINANCE OF THE CITY OF ATLANTA, AS AMENDED, SO AS TO CREATE A NEW CHAPTER 37 ENTITLED VOLUNTARY INCENTIVE MULTI-FAMILY RESIDENTIAL REGULATIONS, CONCERNING THE CREATION OF OPTIONAL AND PARALLEL DEVELOPMENT CODE REQUIREMENTS FOR MULTI-FAMILY RESIDENTIAL DEVELOPMENTS FOR THE PURPOSE OF PUBLIC BENEFITS INCLUDING THE PROVISION OF AFFORDABLE WORKFORCE HOUSING; TO DEFINE CERTAIN TERMS; TO PROVIDE FOR RELATED REQUIREMENTS AND PROCEDURES; AND FOR OTHER PURPOSES.

Application File Date	
Zoning Number	Z-09-44
NPU / CD	
Staff Recommendation	FILE
NPU Recommendation	
ZRB Recommendation	

Review List:

Office of Research and Policy Analysis	Completed	11/20/2013 12:15 PM
Zoning Committee	Pending	
Atlanta City Council	Pending	
Zoning Review Board Staff	Pending	
Office of Research and Policy Analysis	Pending	
Mayor's Office	Pending	

Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

LEGISLATION HISTORY – BLUE BACK

10-O-0042 Z-09-44 AN ORDINANCE BY COUNCILMEMBER AARON WATSON TO AMEND THE 1982 ZONING ORDINANCE OF THE CITY OF ATLANTA, AS AMENDED, SO AS TO CREATE A NEW CHAPTER 37 ENTITLED VOLUNTARY INCENTIVE MULTI-FAMILY RESIDENTIAL REGULATIONS, CONCERNING THE CREATION OF OPTIONAL AND PARALLEL DEVELOPMENT CODE REQUIREMENTS FOR MULTI-FAMILY RESIDENTIAL DEVELOPMENTS FOR THE PURPOSE OF PUBLIC BENEFITS INCLUDING THE PROVISION OF AFFORDABLE WORKFORCE HOUSING; TO DEFINE CERTAIN TERMS; TO PROVIDE FOR RELATED REQUIREMENTS AND PROCEDURES; AND FOR OTHER PURPOSES.

Application File Date	
Zoning Number	Z-09-44
NPU / CD	
Staff Recommendation	FILE
NPU Recommendation	
ZRB Recommendation	

10-O-0404 U-10-05 AN ORDINANCE BY ZONING COMMITTEE GRANTING A SPECIAL USE PERMIT PURSUANT TO SECTION 16-06.005 (L) (G) FOR A DAY CARE CENTER, PROPERTY LOCATED AT 1777 MARVIN STREET, NW, FRONTING APPROXIMATELY 50 FEET ON THE EAST SIDE OF MARVIN STREET BEGINNING APPROXIMATELY 300 FEET FROM THE SOUTHEAST CORNER OF MARVIN STREET AND HARPER STREET. DEPTH: APPROXIMATELY 250 FEET. AREA: .286 ACRE LAND LOT: 187, 17TH DISTRICT, FULTON COUNTY, GEORGIA APPLICANT: HEATHER WOLF OWNER: LEXANDER G. WOLF NPU-D COUNCIL DISTRICT 9

Application File Date	
Zoning Number	U-10-05
NPU / CD	C/9
Staff Recommendation	FILE
NPU Recommendation	
ZRB Recommendation	No public hearing

Review List:

Office of Research and Policy Analysis	Completed	11/20/2013 12:13 PM
Zoning Committee	Pending	
Atlanta City Council	Pending	
Zoning Review Board Staff	Pending	
Office of Research and Policy Analysis	Pending	
Mayor's Office	Pending	

Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

10-O-0404 U-10-05 AN ORDINANCE BY ZONING COMMITTEE GRANTING A SPECIAL USE PERMIT PURSUANT TO SECTION 16-06.005 (L) (G) FOR A DAY CARE CENTER, PROPERTY LOCATED AT 1777 MARVIN STREET, NW, FRONTING APPROXIMATELY 50 FEET ON THE EAST SIDE OF MARVIN STREET BEGINNING APPROXIMATELY 300 FEET FROM THE SOUTHEAST CORNER OF MARVIN STREET AND HARPER STREET. DEPTH: APPROXIMATELY 250 FEET. AREA: .286 ACRE LAND LOT: 187, 17TH DISTRICT, FULTON COUNTY, GEORGIA APPLICANT: HEATHER WOLF OWNER: LEXANDER G. WOLF NPU-D COUNCIL DISTRICT 9

Application File Date	
Zoning Number	U-10-05
NPU / CD	C/9
Staff Recommendation	FILE
NPU Recommendation	
ZRB Recommendation	No public hearing

AN ORDINANCE U-10-05
BY: ZONING COMMITTEE

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

SECTION 1. Under the provisions of Section 16-06.005 (1) (g) of the Zoning Ordinance of the City of Atlanta, a Special Use Permit for a DAY CARE CENTER is hereby granted. Said use is granted to HEATHER WOLF and is to be located at 1777 MARVIN STREET, N.W., to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 187, 17th District, Fulton County, Georgia, being more particularly described by the attached legal description and/or survey.

SECTION 2. That this amendment is approved under the provisions of Section 16-25.003 of the Zoning Ordinance of the City of Atlanta, entitled, “Special Use Permits, Procedural Requirements”, and the Director, Bureau of Buildings, shall issue a building permit only in compliance with the applicable provisions of this part. The applicable conditional site plan and any other conditions hereby imposed are enumerated by attachment. The Special Use Permit hereby approved does not authorize the violation of any zoning district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

10-O-1455 AN ORDINANCE BY COUNCILMEMBERS NATALYN M. ARCHIBONG AND AARON WATSON TO AMEND SECTION 16-25.002(3)(I)(IV) OF THE ATLANTA ZONING ORDINANCE, ENTITLED “OTHER PERMISSIBLE ANTENNAS”, SO AS TO REGULATE THE STANDARDS AND CRITERIA GOVERNING THE PLACEMENT, CONSTRUCTION, AND MODIFICATION OF CELL TOWERS, ANTENNAS AND RELATED ANCILLARY EQUIPMENT.

Application File Date	
Zoning Number	
NPU / CD	
Staff Recommendation	FILE-did not progress to ZRB
NPU Recommendation	
ZRB Recommendation	No public hearing

Review List:

Office of Research and Policy Analysis	Completed	11/20/2013 12:12 PM
Zoning Committee	Pending	
Zoning Review Board Staff	Pending	
Office of Research and Policy Analysis	Pending	
Atlanta City Council	Pending	
Mayor's Office	Pending	

Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

LEGISLATION HISTORY – BLUE BACK

10-O-1455 AN ORDINANCE BY COUNCILMEMBERS NATALYN M. ARCHIBONG AND AARON WATSON TO AMEND SECTION 16-25.002(3)(I)(IV) OF THE ATLANTA ZONING ORDINANCE, ENTITLED "OTHER PERMISSIBLE ANTENNAS", SO AS TO REGULATE THE STANDARDS AND CRITERIA GOVERNING THE PLACEMENT, CONSTRUCTION, AND MODIFICATION OF CELL TOWERS, ANTENNAS AND RELATED ANCILLARY EQUIPMENT.

Application File Date	
Zoning Number	
NPU / CD	
Staff Recommendation	FILE-did not progress to ZRB
NPU Recommendation	
ZRB Recommendation	No public hearing

10-O-2123 U-10-36 AN ORDINANCE BY ZONING COMMITTEE GRANTING A SPECIAL USE PERMIT UNDER THE PROVISIONS OF SECTION 16-18K.004(3) FOR A COMMUNITY CENTER, PROPERTY LOCATED AT 766 JOSEPH E. BOONE BOULEVARD FRONTING APPROXIMATELY 56 FEET ON THE SOUTH SIDE OF JOSEPH E. BOONE BOULEVARD APPROXIMATELY 95 FEET ON THE EAST SIDE OF JAMES P. BRAWLEY DRIVE. DEPTH: 95 FEET. AREA: APPROXIMATELY 0.122 ACRE. LAND LOT: 110, 14TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: KAVEH KAMOONEH. APPLICANT: TRINDERLYN S. WILLIAMS NPU-L COUNCIL DISTRICT 3

Application File Date	
Zoning Number	U-10-36
NPU / CD	L/3
Staff Recommendation	FILE-applicant withdrew
NPU Recommendation	
ZRB Recommendation	

Review List:

Office of Research and Policy Analysis	Completed	11/20/2013 12:10 PM
Zoning Committee	Pending	
Atlanta City Council	Pending	
Zoning Review Board Staff	Pending	
Office of Research and Policy Analysis	Pending	
Mayor's Office	Pending	

Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

LEGISLATION HISTORY – BLUE BACK

10-O-2123 U-10-36 AN ORDINANCE BY ZONING COMMITTEE GRANTING A SPECIAL USE PERMIT UNDER THE PROVISIONS OF SECTION 16-18K.004(3) FOR A COMMUNITY CENTER, PROPERTY LOCATED AT 766 JOSEPH E. BOONE BOULEVARD FRONTING APPROXIMATELY 56 FEET ON THE SOUTH SIDE OF JOSEPH E. BOONE BOULEVARD APPROXIMATELY 95 FEET ON THE EAST SIDE OF JAMES P. BRAWLEY DRIVE. DEPTH: 95 FEET. AREA: APPROXIMATELY 0.122 ACRE. LAND LOT: 110, 14TH DISTRICT, FULTON COUNTY, GEORGIA.OWNER:KAVEH KAMOONEH. APPLICANT: TRINDERLYN S. WILLIAMS NPU-L COUNCIL DISTRICT 3

Application File Date	
Zoning Number	U-10-36
NPU / CD	L/3
Staff Recommendation	FILE-applicant withdrew
NPU Recommendation	
ZRB Recommendation	

**CITY COUNCIL
ATLANTA, GEORGIA**

11-O-0543 U-11-15 AN ORDINANCE BY ZONING COMMITTEE GRANTING A SPECIAL USE PERMIT PURSUANT TO SECTION 16-18K.004(3)(A) OF THE CITY OF ATLANTA ZONING ORDINANCE FOR A PERSONAL CARE HOME PROPERTY LOCATED AT 969 PALMETTO AVENUE, NW, FRONTING APPROXIMATELY 50 FEET ON THE NORTH SIDE OF PALMETTO AVENUE AT ABBOTT STREET. DEPTH: 100 FEET AREA: APPROXIMATELY 0.114 ACRE LAND LOT: 116, 14TH DISTRICT, FULTON COUNTY, GEORGIA OWNER: LEON GOODROM APPLICANT: ELBERT T. BROWN NPU-T COUNCIL DISTRICT 4

Application File Date	
Zoning Number	U-10-36
NPU / CD	T/4
Staff Recommendation	FILE-appliacnt withdrew
NPU Recommendation	
ZRB Recommendation	

Review List:

Office of Research and Policy Analysis	Completed	11/20/2013 12:09 PM
Zoning Committee	Pending	
Zoning Review Board Staff	Pending	
Office of Research and Policy Analysis	Pending	
Atlanta City Council	Pending	
Mayor's Office	Pending	

Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

LEGISLATION HISTORY – BLUE BACK

11-O-0543 U-11-15 AN ORDINANCE BY ZONING COMMITTEE GRANTING A SPECIAL USE PERMIT PURSUANT TO SECTION 16-18K.004(3)(A) OF THE CITY OF ATLANTA ZONING ORDINANCE FOR A PERSONAL CARE HOME PROPERTY LOCATED AT 969 PALMETTO AVENUE, NW, FRONTING APPROXIMATELY 50 FEET ON THE NORTH SIDE OF PALMETTO AVENUE AT ABBOTT STREET. DEPTH: 100 FEET AREA: APPROXIMATELY 0.114 ACRE LAND LOT: 116, 14TH DISTRICT, FULTON COUNTY, GEORGIA OWNER: LEON GOODROM APPLICANT: ELBERT T. BROWN NPU-T COUNCIL DISTRICT 4

Application File Date	
Zoning Number	U-10-36
NPU / CD	T/4
Staff Recommendation	FILE-appliacnt withdrew
NPU Recommendation	
ZRB Recommendation	

11-O-1177 AN ORDINANCE BY COUNCILMEMBERS CARLA SMITH AND CLETA WINSLOW TO AMEND SECTIONS 16-29.001(16)(E) OF THE ZONING CODE OF THE CITY OF ATLANTA FOR THE PURPOSE OF AMENDING THE DISTANCE REQUIREMENT BETWEEN CERTAIN SUPPORTIVE HOUSING OR REHABILITATION FACILITIES LOCATED IN THE CITY OF ATLANTA; AND FOR OTHER PURPOSES.

Application File Date	
Zoning Number	
NPU / CD	
Staff Recommendation	FILE-did not progress to ZRB
NPU Recommendation	
ZRB Recommendation	No public hearing

Review List:

Office of Research and Policy Analysis	Completed	11/20/2013 12:07 PM
Zoning Committee	Pending	
Atlanta City Council	Pending	
Zoning Review Board Staff	Pending	
Office of Research and Policy Analysis	Pending	
Mayor's Office	Pending	

Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

LEGISLATION HISTORY – BLUE BACK

11-O-1177 AN ORDINANCE BY COUNCILMEMBERS CARLA SMITH AND CLETA WINSLOW TO AMEND SECTIONS 16-29.001(16)(E) OF THE ZONING CODE OF THE CITY OF ATLANTA FOR THE PURPOSE OF AMENDING THE DISTANCE REQUIREMENT BETWEEN CERTAIN SUPPORTIVE HOUSING OR REHABILITATION FACILITIES LOCATED IN THE CITY OF ATLANTA; AND FOR OTHER PURPOSES.

Application File Date	
Zoning Number	
NPU / CD	
Staff Recommendation	FILE-did not progress to ZRB
NPU Recommendation	
ZRB Recommendation	No public hearing

11-O-1591AN ORDINANCE BY ZONING COMMITTEE AUTHORIZING THE MAYOR TO AMEND ORDINANCE 10-O-1889/U-10-34 BY INCLUDING THE CORRECT VERSION OF THE SITE PLAN AND CONDITIONS IN THE LEGISLATION; AND FOR OTHER PURPOSES.

Application File Date	
Zoning Number	
NPU / CD	
Staff Recommendation	FILE
NPU Recommendation	
ZRB Recommendation	

Review List:

Office of Research and Policy Analysis	Completed	11/20/2013 12:06 PM
Zoning Committee	Pending	
Atlanta City Council	Pending	
Zoning Review Board Staff	Pending	
Office of Research and Policy Analysis	Pending	
Mayor's Office	Pending	

Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

11-O-1591AN ORDINANCE BY ZONING COMMITTEE AUTHORIZING THE MAYOR TO AMEND ORDINANCE 10-O-1889/U-10-34 BY INCLUDING THE CORRECT VERSION OF THE SITE PLAN AND CONDITIONS IN THE LEGISLATION; AND FOR OTHER PURPOSES.

Application File Date	
Zoning Number	
NPU / CD	
Staff Recommendation	FILE
NPU Recommendation	
ZRB Recommendation	

12-O-0968 U-12-05 AN ORDINANCE BY ZONING COMMITTEE GRANTING A SPECIAL USE PERMIT PURSUANT TO SECTION 16-11.005(L)(C) FOR OUTDOOR AMUSEMENT ENTERPRISES, EXHIBITS, ENTERTAINMENTS, MEETINGS, DISPLAYS OR SALES AREAS OR OUTDOOR AREAS FOR RELIGIOUS CEREMONIES OF NINETY (90) DAYS OR MORE DURATION LOCATED AT 2428 LAKEWOOD AVENUE, SE, LOCATED APPROXIMATELY 297 FEET ON THE SOUTH SIDE OF LAKEWOOD AVENUE AND APPROXIMATELY 405 FEET ON THE SOUTHEASTERLY SIDE OF POLAR ROCK ROAD AT THE INTERSECTION OF POLAR ROCK ROAD AND LAKEWOOD AVENUE. DEPTH: VARIES AREA: APPROXIMATELY 0.027 ACRE LAND LOT: 70, 14TH DISTRICT, FULTON COUNTY, GEORGIA OWNER: NORTHSIDE UNITED METHODIST CHURCH APPLICANT: KENNETH LEWIS NPU-Z COUNCIL DISTRICT 12

Application File Date	
Zoning Number	U-12-05
NPU / CD	X/12
Staff Recommendation	FILE-did not progress to ZRB
NPU Recommendation	
ZRB Recommendation	No public hearing held

Review List:

Office of Research and Policy Analysis	Completed	11/20/2013 12:05 PM
Zoning Committee	Pending	
Atlanta City Council	Pending	
Zoning Review Board Staff	Pending	
Office of Research and Policy Analysis	Pending	
Mayor's Office	Pending	

Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

LEGISLATION HISTORY – BLUE BACK

12-O-0968 U-12-05 AN ORDINANCE BY ZONING COMMITTEE GRANTING A SPECIAL USE PERMIT PURSUANT TO SECTION 16-11.005(L)(C) FOR OUTDOOR AMUSEMENT ENTERPRISES, EXHIBITS, ENTERTAINMENTS, MEETINGS, DISPLAYS OR SALES AREAS OR OUTDOOR AREAS FOR RELIGIOUS CEREMONIES OF NINETY (90) DAYS OR MORE DURATION LOCATED AT 2428 LAKEWOOD AVENUE, SE, LOCATED APPROXIMATELY 297 FEET ON THE SOUTH SIDE OF LAKEWOOD AVENUE AND APPROXIMATELY 405 FEET ON THE SOUTHEASTERLY SIDE OF POLAR ROCK ROAD AT THE INTERSECTION OF POLAR ROCK ROAD AND LAKEWOOD AVENUE. DEPTH: VARIES AREA: APPROXIMATELY 0.027 ACRE LAND LOT: 70, 14TH DISTRICT, FULTON COUNTY, GEORGIA OWNER: NORTHSIDE UNITED METHODIST CHURCH APPLICANT: KENNETH LEWIS NPU-Z COUNCIL DISTRICT 12

Application File Date	
Zoning Number	U-12-05
NPU / CD	X/12
Staff Recommendation	FILE-did not progress to ZRB
NPU Recommendation	
ZRB Recommendation	No public hearing held

12-O-1137 Z-12-33 AN ORDINANCE BY COUNCIL MEMBERS KEISHA LANCE BOTTOMS, C. T. MARTIN, AND H. LAMAR WILLIS AMENDING THE 1082 ZONING ORDINANCE OF THE CITY OF ATLANTA FOR THE PURPOSE OF ADDING ADDITIONAL GUIDELINES AND REGULATIONS FOR THE CASCADE HEIGHTS NEIGHBORHOOD COMMERCIAL DISTRICT CHAPTER 32F.NC-6 BY INSERTING A NEW SUBPARAGRAPH (1)(F); AND FOR OTHER PURPOSES.

Application File Date	
Zoning Number	Z-12-33
NPU / CD	
Staff Recommendation	FILE-did not progress to ZRB
NPU Recommendation	
ZRB Recommendation	No public hearing

Review List:

Office of Research and Policy Analysis	Completed	11/20/2013 12:03 PM
Zoning Committee	Pending	
Atlanta City Council	Pending	
Zoning Review Board Staff	Pending	
Office of Research and Policy Analysis	Pending	
Mayor's Office	Pending	

Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

LEGISLATION HISTORY – BLUE BACK

12-O-1137 Z-12-33 AN ORDINANCE BY COUNCIL MEMBERS KEISHA LANCE BOTTOMS, C. T. MARTIN, AND H. LAMAR WILLIS AMENDING THE 1082 ZONING ORDINANCE OF THE CITY OF ATLANTA FOR THE PURPOSE OF ADDING ADDITIONAL GUIDELINES AND REGULATIONS FOR THE CASCADE HEIGHTS NEIGHBORHOOD COMMERCIAL DISTRICT CHAPTER 32F.NC-6 BY INSERTING A NEW SUBPARAGRAPH (1)(F); AND FOR OTHER PURPOSES.

Application File Date	
Zoning Number	Z-12-33
NPU / CD	
Staff Recommendation	FILE-did not progress to ZRB
NPU Recommendation	
ZRB Recommendation	No public hearing

12-O-1436 U-12-20 AN ORDINANCE BY ZONING COMMITTEE GRANTING A SPECIAL USE PERMIT FOR A NIGHTCLUB PURSUANT TO SECTION 16-181.007 (3)(A) OF THE ZONING ORDINANCE PROPERTY LOCATED AT 34 IRBY AVENUE, NW, FRONTING APPROXIMATELY 32 FEET ON THE NORTH SIDE OF IRBY AVENUE BEGINNING APPROXIMATELY 64 FEET FROM THE NORTHEAST CORNER OF IRBY AVENUE AND EARLY STREET. DEPTH:

VARIES AREA: APPROXIMATELY 0.273 ACRE LAND LOT:

99, 17TH DISTRICT, FULTON COUNTY, GEORGIA OWNER: FIRST SECURITY AND EXCHANGE PARTNERSHIP, LLP APPLICANT: DEWAYNE N. MARTIN NPU-B COUNCIL DISTRICT 8

Application File Date	
Zoning Number	U-12-20
NPU / CD	B/7
Staff Recommendation	FILE-did not progress to ZRB
NPU Recommendation	
ZRB Recommendation	No public hearing

Review List:

Office of Research and Policy Analysis	Completed	11/20/2013 12:02 PM
Zoning Committee	Pending	
Atlanta City Council	Pending	
Zoning Review Board Staff	Pending	
Office of Research and Policy Analysis	Pending	
Mayor's Office	Pending	

Certified by Presiding Officer	Certified by Clerk
Mayor's Action	
<i>See Authentication Page Attachment</i>	

LEGISLATION HISTORY – BLUE BACK

12-O-1436 U-12-20 AN ORDINANCE BY ZONING COMMITTEE GRANTING A SPECIAL USE PERMIT FOR A NIGHTCLUB PURSUANT TO SECTION 16-181.007 (3)(A) OF THE ZONING ORDINANCE PROPERTY LOCATED AT 34 IRBY AVENUE, NW, FRONTING APPROXIMATELY 32 FEET ON THE NORTH SIDE OF IRBY AVENUE BEGINNING APPROXIMATELY 64 FEET FROM THE NORTHEAST CORNER OF IRBY AVENUE AND EARLY STREET. DEPTH:

VARIES AREA: APPROXIMATELY 0.273 ACRE LAND LOT:

99, 17TH DISTRICT, FULTON COUNTY, GEORGIA OWNER: FIRST SECURITY AND EXCHANGE PARTNERSHIP, LLP APPLICANT: DEWAYNE N. MARTIN NPU-B COUNCIL DISTRICT 8

Application File Date	
Zoning Number	U-12-20
NPU / CD	B/7
Staff Recommendation	FILE-did not progress to ZRB
NPU Recommendation	
ZRB Recommendation	No public hearing

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

SECTION 1. Under the provisions of Section 16-181.007 (3) (a) of the Zoning Ordinance of the City of Atlanta, a Special Use Permit for a NIGHTCLUB, is hereby granted. Said use is granted to FIRST SECURITY AND EXCHANGE PARTNERSHIP, LLP and is to be located at 34 IRBY AVENUE, N.W., to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 99, 17th District, Fulton County, Georgia, being more particularly described by the attached legal description and/or map.

SECTION 2. That this amendment is approved under the provisions of Section 16-25.003 of the Zoning Ordinance of the City of Atlanta, entitled, “Special Use Permits, Procedural Requirements”, and the Director, Bureau of Buildings, shall issue a building permit only in compliance with the applicable provisions of this part. The applicable conditional site plan and any other conditions hereby imposed are enumerated by attachment. The Special Use Permit hereby approved does not authorize the violation of any zoning district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

10-O-0013/Z-07-113 AN ORDINANCE BY COUNCILMEMBER AARON WATSON AS SUBSTITUTED AND AMENDED BY ZONING COMMITTEE TO REZONE FROM THE I-1-C (LIGHT INDUSTRIAL-CONDITIONAL) DISTRICT TO THE MRC-3 (MIXED RESIDENTIAL COMMERCIAL) DISTRICT, PROPERTY LOCATED AT 430 AND 460 ENGLEWOOD AVENUE, SE, FRONTING APPROXIMATELY 678 FEET ON THE NORTH SIDE OF ENGLEWOOD AVENUE BEGINNING APPROXIMATELY 132 FEET FROM THE NORTHEAST CORNER OF MAILING AVENUE. DEPTH: APPROXIMATELY 1,010 FEET AREA: APPROXIMATELY 10.32 ACRES LAND LOT: 42, 14TH DISTRICT, FULTON COUNTY, GEORGIA OWNER: JWGST LLC/JOSEPH WILESAPPLICANT: JASON FRITZ NPU-Y COUNCIL DISTRICT 1

(Substituted and amended and held 1/13/10 at the request of the District Councilmember)

Review List:

Office of Research and Policy Analysis	Completed	04/26/2013 3:42 PM
Zoning Committee	Completed	05/09/2013 3:25 PM
Zoning Committee	Completed	05/17/2013 1:49 PM
Zoning Review Board Staff	Skipped	
Office of Research and Policy Analysis	Skipped	
Atlanta City Council	Completed	10/31/2013 5:18 PM
Zoning Committee	Completed	05/17/2013 1:49 PM
Atlanta City Council	Completed	10/15/2013 4:07 PM
Zoning Committee	Completed	05/30/2013 3:20 PM
Atlanta City Council	Completed	06/11/2013 11:28 AM
Zoning Committee	Completed	06/13/2013 10:07 AM
Atlanta City Council	Completed	11/05/2013 7:43 PM
Zoning Committee	Completed	06/26/2013 12:24 PM
Atlanta City Council	Completed	11/05/2013 8:54 PM
Zoning Committee	Completed	07/10/2013 4:29 PM
Atlanta City Council	Completed	11/08/2013 2:50 PM
Zoning Committee	Completed	08/08/2013 6:22 PM
Atlanta City Council	Completed	11/08/2013 3:36 PM
Zoning Committee	Completed	08/29/2013 10:28 AM
Atlanta City Council	Completed	09/19/2013 10:36 AM
Zoning Committee	Completed	09/11/2013 10:36 AM
Atlanta City Council	Completed	09/27/2013 12:38 PM
Zoning Committee	Completed	10/03/2013 11:20 AM
Atlanta City Council	Completed	10/22/2013 1:22 PM
Zoning Committee	Completed	10/16/2013 12:17 PM
Atlanta City Council	Completed	11/14/2013 3:35 PM
Zoning Committee	Completed	10/30/2013 4:21 PM
Atlanta City Council	Completed	11/07/2013 12:37 PM
Zoning Committee	Completed	11/13/2013 11:55 AM
Atlanta City Council	Completed	11/21/2013 4:35 PM
Zoning Committee	Pending	

HISTORY:

05/01/13 Zoning Committee HELD IN COMMITTEE Next:
05/15/13

RESULT: HELD IN COMMITTEE [UNANIMOUS] Next: 5/15/2013 9:30 AM
AYES: Sheperd, Wan, Bottoms, Shook, Smith, Young Jr.

05/06/13 Atlanta City Council REFERRED WITHOUT OBJECTION

RESULT: REFERRED WITHOUT OBJECTION Next: 5/15/2013 9:30 AM

05/15/13 Zoning Committee HELD IN COMMITTEE

RESULT: HELD IN COMMITTEE [UNANIMOUS]
AYES: Wan, Bottoms, Shook, Smith, Young Jr.
ABSENT: Joyce Sheperd

05/20/13 Atlanta City Council REFERRED WITHOUT OBJECTION

RESULT: REFERRED WITHOUT OBJECTION

05/29/13 Zoning Committee

06/03/13 Atlanta City Council REFERRED WITHOUT OBJECTION

RESULT: REFERRED WITHOUT OBJECTION Next: 6/12/2013 9:30 AM

06/12/13 Zoning Committee

06/17/13 Atlanta City Council REFERRED WITHOUT OBJECTION

RESULT: REFERRED WITHOUT OBJECTION Next: 6/26/2013 9:30 AM

06/26/13 Zoning Committee HELD IN COMMITTEE

RESULT: HELD IN COMMITTEE

07/01/13 Atlanta City Council REFERRED WITHOUT OBJECTION

RESULT: REFERRED WITHOUT OBJECTION Next: 7/10/2013 9:30 AM

07/10/13 Zoning Committee HELD IN COMMITTEE

RESULT: HELD IN COMMITTEE

07/15/13 Atlanta City Council REFERRED WITHOUT OBJECTION

RESULT: REFERRED WITHOUT OBJECTION

07/31/13 Zoning Committee HELD IN COMMITTEE

Certified by Presiding Officer	Certified by Clerk
<p>Mayor's Action</p> <p><i>See Authentication Page Attachment</i></p>	

10-O-0013/Z-07-113 AN ORDINANCE BY COUNCILMEMBER AARON WATSON AS SUBSTITUTED AND AMENDED BY ZONING COMMITTEE TO REZONE FROM THE I-1-C (LIGHT INDUSTRIAL-CONDITIONAL) DISTRICT TO THE MRC-3 (MIXED RESIDENTIAL COMMERCIAL) DISTRICT, PROPERTY LOCATED AT 430 AND 460 ENGLEWOOD AVENUE, SE, FRONTING APPROXIMATELY 678 FEET ON THE NORTH SIDE OF ENGLEWOOD AVENUE BEGINNING APPROXIMATELY 132 FEET FROM THE NORTHEAST CORNER OF MAILING AVENUE. DEPTH: APPROXIMATELY 1,010 FEET AREA: APPROXIMATELY 10.32 ACRES LAND LOT: 42, 14TH DISTRICT, FULTON COUNTY, GEORGIA OWNER: JWGST LLC/JOSEPH WILESAPPLICANT: JASON FRITZ NPU-Y COUNCIL DISTRICT 1 (SUBSTITUTED AND AMENDED AND HELD 1/13/10 AT THE REQUEST OF THE DISTRICT COUNCILMEMBER)

Whereas,

Whereas,

Whereas,

Whereas,

Whereas,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS:

BE IT FURTHER ORDAINED,

BE IT FINALLY ORDAINED,

SECTION 1:

SECTION 2:

SECTION 3:

SECTION 4: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

City Council
Atlanta, Georgia

10-0-0013

A SUBSTITUTE ORDINANCE
BY:

Z-07-113

Date Filed: 11-9-07

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 **460 Englewood Avenue, S. E.**, changed from the I-I-C (Light Industrial-Conditional) District to the MR4A-C (Multi-Family Residential-Conditional) District, to wit:

ALL THAT TRACT or parcel of land lying in Land Lot 42, 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 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.

Attachment: 10O0013 (1821 : 10-O-0013/Z-07-113)

COMMITTEE AMENDMENT FORM

DATE: 04/29/09

COMMITTEE	<u>ZONING</u>	PAGE NUM. (S)
ORDINANCE I. D.	<u>#07-O-2527</u>	SECTION (S)
RESOLUTION I. D.	<u>#09-R-</u>	PARA.

AMENDS THE LEGISLATION BY INSERTING A NEW LEGAL DESCRIPTION.

AMENDMENT DONE BY COUNCIL STAFF 4/29/09

Attachment: 1000013 (1821 : 10-O-0013/Z-07-113)



**LEGAL DESCRIPTION
TRACT 3**

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 42 of the 14th District, Fulton County, Georgia and being more particularly described as follows:

To find the TRUE POINT OF BEGINNING, commence from an iron pin found at the intersection of the easterly right-of-way line of Mailing Avenue (60' R/W) with the northerly right-of-way line of Englewood Avenue (60' R/W); thence along said right-of-way line of Englewood Avenue South 89 degrees 03 minutes 56 seconds East a distance of 131.96 feet to an iron pin found; thence South 88 degrees 55 minutes 26 seconds East a distance of 178.05 feet to a point; thence South 89 degrees 02 minutes 28 seconds East a distance of 200.50 feet to an iron pin found (3/4" Re-Rod) and the TRUE POINT OF BEGINNING, from the TRUE POINT OF BEGINNING as thus established, thence leaving said right-of-way line North 02 degrees 39 minutes 40 seconds East a distance of 81.50 feet to a point; thence North 02 degrees 39 minutes 40 seconds East a distance of 71.10 feet; thence North 02 degrees 39 minutes 40 seconds East a distance of 277.40 feet to an iron pin set; thence North 02 degrees 39 minutes 40 seconds East a distance of 30.00 feet to a point; thence North 00 degrees 51 minutes 10 seconds East a distance of 332.00 feet to an Iron Pin Set; thence North 00 degrees 51 minutes 10 seconds East a distance of 100.00 feet to a point on the southerly right-of-way line of Atlanta West Point Railroad (Variable R/W); thence along said right-of-way North 70 degrees 03 minutes 40 seconds East a distance of 78.30 feet to a point; thence North 69 degrees 25 minutes 10 seconds East a distance of 243.50 feet to a point; thence leaving said right-of-way line South 00 degrees 51 minutes 10 seconds West a distance of 550.00 feet to an Iron Pin Set; thence South 02 degrees 39 minutes 40 seconds West a distance of 460.00 feet to an Iron Pin Set on the northerly right-of-way line of Englewood Avenue; thence along said right-of-way line North 88 degrees 54 minutes 46 seconds West a distance of 299.86 feet to an Iron Pin Found (3/4" Re-Rod) and the TRUE POINT OF BEGINNING.

Said tract containing 6.540 acres.

Attachment: 1000013 (1821 : 10-O-0013/Z-07-113)

CONDITIONS FOR Z-07-113 for 460 Englewood Avenue, S.E.

1. Building Façade Materials and Treatments:
 - a. All exterior building facades excluding interior courtyards shall be composed of a minimum of 35% masonry. For the purpose of these conditions, "masonry" is defined as "mineral-based building materials such as terracotta, mortar, stone, and brick."
 - b. The following materials shall be prohibited on all building facades: exposed pressure-treated wood; vinyl siding; vinyl railing; white, cream, or off-white solid vinyl windows; and exterior insulation finished systems (EIFS). Solid vinyl windows in other colors are permitted. Cementitious siding and panels are permitted.
 - c. Foundations shall be faced in masonry. Foundations may be faced in two-coat or three-coat hard stucco if carried from the façade directly above. For the purpose of this Condition, "foundation" is defined as the surface area of the building facade below the lowest finished floor level.
 - d. Exterior columns shall have a minimum width of 5 ½ inches.
 - e. No exterior stairs shall be constructed of wood.
 - f. Stoops shall be a minimum of four feet wide.
 - g. Steps that serve porches and stoops shall have closed risers and ends.

2. Balconies:
 - a. 60% of all balconies facing Englewood Avenue, Boulevard Crossing Park (east side of the building) and the west and north property lines shall have a minimum depth of five feet.
 - b. Railings shall consist of painted wood, ornamental metal or glass.

3. Residential Windows:
 - a. 50% of the residential window units shall be operable.
 - b. All windows shall include windowpanes that are recessed a minimum of two inches from the façade in which they are installed.
 - c. Paired windows that are grouped together shall have center mullions that are two inches wider than the side trim.
 - d. Flat, "snap-in" muntins, and muntins that are sandwiched between layers of glass are prohibited.

4. Roofs:
 - a. Shall overhang by a minimum of 2 feet over the building façade; or
 - b. Shall have parapet walls screening the roof from view from the adjacent streets and west and north property lines.

5. Awnings and Canopies:
 - a. All awnings and canopies shall be made of cloth, canvas or metal. The shape of the upper surface of any awnings shall match the shape of the opening in front of which they would be attached.
 - b. Internally lit awnings and canopies are prohibited. Any illumination that is provided in conjunction with the awning or canopy shall be directed downwards, not upwards towards the underside of the awning or canopy.

6. Floor to Ceiling Height: The first floor of all designated street-level live/work units shall have a minimum stud height of 12 feet measured floor to ceiling, and any commercial space shall have a minimum 15 feet measured floor to ceiling.

7. Maximum Building Height: In order to provide adequate air and light to the future green space located immediately to the east of this site, the building height shall not exceed 60 feet within 45 feet of the eastern property line.

8. Trail Easement: The property owner has voluntarily agreed to convey an easement to the City of Atlanta encompassing the northwest corner of the property. The area of the easement will be consistent with the area illustrated on the attached map entitled "Exhibit Map 1 (4/6/2009)." Within this area, the City will have the right to design, build, and maintain for public use a multi-use trail that measures up to 16' in width, with landscaped areas on both sides. The easement shall be conveyed to the City of Atlanta prior to the issuance of a BeltLine SAP. The area may be counted toward UOSR or public space requirements.

9. Connection to Park: Development shall provide pedestrian connection, as proposed by the owner, to the "Future Park Road" to the east of the property in the location indicated on the site plan dated 10/27/07 and stamped received by the Bureau of Planning on 4/21/08. .

 Development shall provide a fully publicly accessible pedestrian way between the "new street" described below and the park to the east. Any buildings to the north or south of the pedestrian way will have a minimum building separation of 30 feet as measured north-south. Pedestrian way and area of building separation will be located in the approximate area indicated on "Exhibit Map 1 (4/6/2009)."

10. New Street: Development access shall be provided from a publicly accessible street built consistent with the street standards outlined in the Section 16-35 and the adopted BeltLine Street Framework Plan where the "private drive" is indicated on the site plan dated 10/27/07 and stamped received by the Bureau of Planning on 4/21/08. Any development will conform to the standards for public street frontage and improvements along the new publicly accessible street. Upon the occurrence of the first of the following:
 - (1) An issuance of a Special Administrative Permit (SAP) for one of the adjacent parcels located at 430 Englewood Avenue or 1160 Mailing Avenue or;
 - (2) The rezoning for one of the adjacent parcels located at 430 Englewood Avenue or 1160 Mailing Avenue,

the applicant shall provide a fully publicly accessible 24-foot wide street connection to the "Future Connection" as indicated on the site plan dated 10/27/07 and stamped received by the Bureau of Planning on 4/21/08. The actual location of the Future Connection to Mailing Avenue may vary slightly in response to future submitted site plans.

11. Relationship of Building to the Street: Development frontage along Englewood and the "New Street" described above shall conform to the standards for frontage along a Collector as described in section 16-35.014.
12. Any application for a Special Administrative Permit and any other request for an administrative variance to the zoning regulations submitted to the City of Atlanta shall be submitted to NPU Y at the same time it is submitted to the City of Atlanta.

City Council
Atlanta, Georgia

07-0-2527

AN ORDINANCE
BY: ZONING COMMITTEE

Z-07-113
Date Filed: 11-9-07

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 **430 and 460 Englewood Avenue, S. E.**, changed from the I-1-C (Light Industrial-Conditional) District to the MRC-3 (Mixed Residential Commercial) District, to wit:

ALL THAT TRACT or parcel of land lying in Land Lot 42, 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.

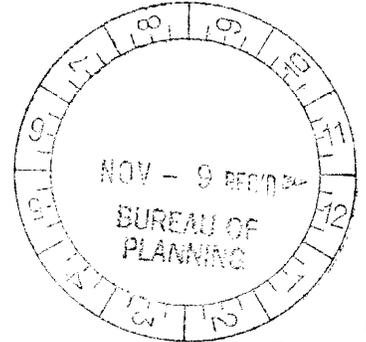
SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

Attachment: 10O0013 (1821 : 10-O-0013/Z-07-113)

Nm:JJJJJJJJJJ(1041096). Rq:451,3

Deed Book 34995 Pg 330
Juanita Hicks
Clerk of Superior Court
Fulton County, Georgia



Z-07-113

EXHIBIT "A"

LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 42 of the 14th District of Fulton County, Georgia and being more particularly described as follows: Beginning at a 5/8" rebar found on the north right-of-way line of Englewood Avenue (same having a 60' right-of-way) a distance of 132 feet east of the point of intersection of said north right-of-way line of Englewood Avenue and the east right-of-way line of Mailing Avenue (having a right-of-way of 35 feet east from the center line of the paving of said Avenue); thence running north 1 degree 56 minutes 00 seconds east a distance of 199.94 feet to a 1/2" rebar found; thence running north 01 degree 20 minutes 24 seconds west a distance of 200.03 feet to a 5/8" rebar found; thence running south 89 degrees 25 minutes 22 seconds east a distance of 11.39 feet to a point marked by a nail; thence running north 2 degrees 56 minutes 00 seconds east a distance of 31.61 feet to a 1/2" rebar found; thence running south 89 degrees 21 minutes 40 seconds east, a distance of 179.94 feet to a 1/2" rebar found; thence running south 2 degrees 16 minutes 01 seconds west a distance of 2 feet to a 3/4" pin found; thence running south 89 degrees 26 minutes 30 seconds east a distance of 200.60 feet to a point now documented by an "x" marked in concrete which is located on the western line of property now or formerly owned by The Apex Corporation; thence running south 2 degrees 16 minutes 49 seconds west along the western line of property now or formerly owned by The Apex Corporation a distance of 430 feet to an iron pin with brass cap located on the north right-of-way line to Englewood Avenue; thence running north 89 degrees 25 minutes 19 seconds west along the north right-of-way line of Englewood Avenue a distance of 200.5 feet to a 3/8" rebar found; thence running north 89 degrees 14 minutes 45 seconds west along the north right-of-way line of Englewood Avenue a distance of 177.94 feet to the point-of-beginning; being improved property with two buildings located thereon known as 430 and 440 Englewood Avenue, respectively, and being more particularly shown and delineated on plat of surveyor Wilen Manufacturing Co., Inc. prepared by Travis N. Pruitt, Sr., Registered Georgia Surveyor No. 1729, dated August 21, 1980.

tax map show 13'

Attachment: 1000013 (1821 : 10-O-0013/Z-07-113)

CORP/797407.3

RCS# 1616
12/03/07
3:50 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE 07-0-2526, ~~02527~~, 2528, 2529, 2530, 2531, 2532
07-0-2533, 2534, 2535, 2536
REFER ZRB/ZONE

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

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	B Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	E Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

MULTIPLE

Attachment: 1000013 (1821 : 10-O-0013/Z-07-113)

ZONING REVIEW BOARD
DEFERRED
ON 1-3-08
UNTIL 3-08
Martha Post Hall 1-3-08
CHAIRMAN Date

ZONING REVIEW BOARD
DEFERRED
ON 3-13-08
UNTIL 5-08
Martha Post Hall 3-13-08
CHAIRMAN Date

ZONING REVIEW BOARD
DEFERRED
ON 5-1-08
UNTIL 6-08
Martha Post Hall 5-1-08
CHAIRMAN Date

ZONING REVIEW BOARD
DEFERRED
ON 6-5-08
UNTIL 8-08
Martha Post Hall 6-5-08
CHAIRMAN

ZONING REVIEW BOARD
DEFERRED
ON 08-07-08
UNTIL 01-2009
Martha Post Hall 8/7/08
CHAIRMAN Date

DEPARTMENTAL AUTHORIZATION

ZONING REVIEW BOARD
DEFERRED
ON 1/15/08
UNTIL 1/30/09
Martha Post Hall 1/15/08
CHAIRMAN Date

ZONING REVIEW BOARD
FAVORABLE CONDITIONAL
Martha Post Hall - FC - ZRB
CHAIRMAN Date 7/9/09 active

Attachment: 10O0013 (1821 : 10-O-0013/Z-07-113)

07-0-2527

(Do Not Write Above This Line)

AN ORDINANCE Z-07-113
BY: ZONING COMMITTEE

An ordinance to rezone from the I-1-C (Light Industrial-Conditional) District to the MRC-3 (Mixed Residential Commercial) District, property located at **430 and 460 Englewood Avenue, S. E.**, fronting approximately 678 feet on the north side of Englewood Avenue beginning approximately 132 feet from the northeast corner of Mating Avenue. Depth: approximately 1, 010 feet. Area: approximately 10.32 acres. Land Lot 42, 14th District, Fulton County, Georgia.
OWNER: JWGST LLC/JOSEPH WILES
APPLICANT: JASON FRITZ
NPU-Y COUNCIL DISTRICT 1

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

Date Referred 12/03/07
Referred To: 2008 ZONING
Date Referred _____
Referred To: _____
Date Referred _____
Referred To: _____

Committee Zoning First Reading
Date April 29 2008
Chair John H. Stepp
Referred to John H. Stepp

Action Fav, Adv, Hold (see rev. side)
On Submittal as
Members _____

Refer To _____

Committee Zoning
Date _____
Chair _____
Action Fav, Adv, Hold (see rev. side)
Other _____
Members _____

Refer To _____

Committee _____

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

Refer To _____

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

Refer To _____

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

CERTIFIED

MAYOR'S ACTION

RESULT: AYES:	HELD IN COMMITTEE [UNANIMOUS] Sheperd, Wan, Bottoms, Shook, Smith, Young Jr.	Next: 5/15/2013 9:30 AM
05/06/13	Atlanta City Council	REFERRED WITHOUT OBJECTION
RESULT:	REFERRED WITHOUT OBJECTION	Next: 5/15/2013 9:30 AM
05/15/13 05/29/13	Zoning Committee	HELD IN COMMITTEE Next:
RESULT: AYES: ABSENT:	HELD IN COMMITTEE [UNANIMOUS] Wan, Bottoms, Shook, Smith, Young Jr. Joyce Sheperd	Next: 5/29/2013 9:30 AM
05/20/13	Atlanta City Council	REFERRED WITHOUT OBJECTION
RESULT:	REFERRED WITHOUT OBJECTION	Next: 5/29/2013 9:30 AM
05/29/13 06/03/13	Zoning Committee Atlanta City Council	REFERRED WITHOUT OBJECTION
RESULT:	REFERRED WITHOUT OBJECTION	Next: 6/12/2013 9:30 AM
06/12/13 06/17/13	Zoning Committee Atlanta City Council	REFERRED WITHOUT OBJECTION
RESULT:	REFERRED WITHOUT OBJECTION	Next: 6/26/2013 9:30 AM
06/26/13	Zoning Committee	HELD IN COMMITTEE
RESULT:	HELD IN COMMITTEE	
07/01/13	Atlanta City Council	REFERRED WITHOUT OBJECTION
RESULT:	REFERRED WITHOUT OBJECTION	Next: 7/10/2013 9:30 AM
07/10/13	Zoning Committee	HELD IN COMMITTEE
RESULT:	HELD IN COMMITTEE	
07/15/13	Atlanta City Council	REFERRED WITHOUT OBJECTION
RESULT:	REFERRED WITHOUT OBJECTION	
07/31/13	Zoning Committee	HELD IN COMMITTEE
RESULT:	HELD IN COMMITTEE	
08/19/13	Atlanta City Council	

08/28/13 Zoning Committee

09/03/13 Atlanta City Council REFERRED AS HELD

RESULT: REFERRED AS HELD Next: 9/11/2013 9:30 AM

09/11/13 Zoning Committee HELD IN COMMITTEE

RESULT: HELD IN COMMITTEE

09/16/13 Atlanta City Council REFERRED WITHOUT OBJECTION

RESULT: REFERRED WITHOUT OBJECTION Next: 10/2/2013 9:30 AM

10/02/13 Zoning Committee

10/07/13 Atlanta City Council REFERRED WITHOUT OBJECTION

RESULT: REFERRED WITHOUT OBJECTION Next: 10/16/2013 9:30 AM

10/16/13 Zoning Committee HELD IN COMMITTEE

RESULT: HELD IN COMMITTEE

10/21/13 Atlanta City Council REFERRED WITHOUT OBJECTION

RESULT: REFERRED WITHOUT OBJECTION Next: 10/30/2013 9:30 AM

10/30/13 Zoning Committee HELD IN COMMITTEE

RESULT: HELD IN COMMITTEE

11/04/13 Atlanta City Council REFERRED WITHOUT OBJECTION

RESULT: REFERRED WITHOUT OBJECTION Next: 11/13/2013 9:30 AM

11/13/13 Zoning Committee HELD IN COMMITTEE

RESULT: HELD IN COMMITTEE

11/18/13 Atlanta City Council REFERRED WITHOUT OBJECTION

RESULT: REFERRED WITHOUT OBJECTION Next: 11/26/2013 4:15 PM

RESULT: REFERRED WITHOUT OBJECTION Next: 11/26/2013 4:15 PM

Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

11-O-0824 AN ORDINANCE BY ZONING COMMITTEE TO AMEND SECTION 6-4028 AND TO CREATE SECTION 6-4028.1 OF THE LAND DEVELOPMENT CODE, PART III OF THE CODE OF ORDINANCES, SO AS TO CHANGE THE DEFERRAL FEE FOR VARIANCE AND SPECIAL EXCEPTION APPLICATIONS BEFORE THE BOARD OF ZONING ADJUSTMENT TO A FLAT FEE FOR EACH INSTANCE THAT THE BOARD GRANTS AN APPLICANT’S REQUEST FOR DEFERRAL TO A SUBSEQUENT PUBLIC HEARING ON THE APPLICATION; AND FOR OTHER PURPOSES.

(HELD 6/15/11) (PUBLIC HEARING HELD 5/2/12)

Whereas,

Whereas,

Whereas,

Whereas,

Whereas,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS:

BE IT FURTHER ORDAINED,

BE IT FINALLY ORDAINED,

SECTION 1:

SECTION 2:

SECTION 3:

SECTION 4: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

11-0-0824

AN ORDINANCE**BY: COMMUNITY DEVELOPMENT/HUMAN RESOURCE COMMITTEE**

AN ORDINANCE TO AMEND SECTION 6-4028 AND TO CREATE SECTION 6-4028.1 OF THE LAND DEVELOPMENT CODE, PART III OF THE CODE OF ORDINANCES, SO AS TO CHANGE THE DEFERRAL FEE FOR VARIANCE AND SPECIAL EXCEPTION APPLICATIONS BEFORE THE BOARD OF ZONING ADJUSTMENT TO A FLAT FEE FOR EACH INSTANCE THAT THE BOARD GRANTS AN APPLICANT'S REQUEST FOR DEFERRAL TO A SUBSEQUENT PUBLIC HEARING ON THE APPLICATION; AND FOR OTHER PURPOSES.

WHEREAS, currently there is an application fee, based on the zoning district, required to be paid by an applicant seeking a variance or special exception from the City of Atlanta Board of Zoning Adjustment ("Board"); and

WHEREAS, the purpose of the fee is to cover the administrative costs associated with such application including the costs incurred to notice the public hearing, which notice includes mailings to property owners within 300 feet of the subject property, posting of sign(s) at the subject property, and publication in a newspaper of general circulation ("notices"); and

WHEREAS, in the event the Board grants one or more deferrals from the advertised public hearing to a future public hearing, the City incurs additional costs beyond that which may be covered in the application fee in causing any subsequent notices to be given of the public hearing date to which the Board has deferred the application ("re-notice"); and

WHEREAS, currently and pursuant to 09-O-0802 there is deferral fee imposed on a variance of special exception applicant to cover the actual costs incurred by the City in re-noticing the public hearing in accordance with the requirements of the Atlanta Zoning Ordinance; and

WHEREAS, the office of planning has worked with the Mayor's office to streamline the variance and special exception process which efforts have identified changing the deferral fee to a flat fee based on zoning district, similar to the application fee, so as to create more predictability for applicants and allow staff to the Board to more quickly process deferred cases; and

WHEREAS, the variance and special exception application and deferral fees should be set forth in a stand-alone section of the land development code as opposed to section 6-4028 dealing more specifically with appeals to the Board.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA ORDAINS AS FOLLOWS:

Section 1. That Section 6-4028 of the Land Development Code and which reads as follows:

6-4028. Appeals to the Board

Appeals to the board may be taken by any person aggrieved or by an officer, department, board, or bureau of the city affected by any decision of the administrative officer. Such appeal shall be taken within a reasonable time, as provided by the rules of the board, by filing with the officer from whom the appeal is taken, and with the board, a notice of appeal specifying the grounds thereof. The notice filed with the board shall be accompanied by a filing fee which shall be credited to the general revenue fund of the city. The amount of such fee shall be determined from the following schedule:

- (1) For appeals which allege that a decision of an administrative officer is in error, each appeal, without regard to the zoning district in which the subject property lies, shall be \$250.00.
- (2) Variance applications. Variance application fees are based on the zoning district in which the subject property is located.

District	Fee
R-1, R-2, R-2A, R-3, R-3A, R-4, R-4A, R-4B, R-5, LD (landmark district), HD (historic district)	\$100.00
MR, SECTORS, 1-8 RG, SECTORS, 1-6	500.00
R-LC, O-I, C-1, C-2, C-3, C-4, C-5, I-1, I-2 MRC-1, MRC-2, MRC-3, LW, NC, SPI	625.00

- (3) Special exception applications. Special exceptions application fees are based on the zoning district in which the subject property is located.

District	Fee
R-1, R-2, R-2A, R-3, R-3A, R-4, R-4A, R-4B, R-5, LD (landmark district), HD (historic district)	\$100.00
MR, SECTORS, 1-8 RG, SECTORS, 1-6	500.00
R-LC, O-I, C-1,l C-2, C-3, C-4, C-5, I-1, I-2 MRC-1, MRC-2, MRC-3, LW, NC, SPI	625.00

- (4) Any applicant or appellant requesting a deferral, whether in writing prior to the hearing or in person at the hearing, of any advertised matter before the board and

for which the board grants the deferral of such matter to a later hearing date shall be required within three business days of the hearing at which the board grants the deferral the actual costs to be incurred by the bureau of planning in re-mailing and re-advertising the new hearing date(s) in accordance with the zoning ordinance.

- (5) Any person appealing from the decision of the board to the Superior Court shall pay the actual costs incurred by the city in causing the board's hearing(s) on the appeal to be transcribed as contemplated in the Zoning Ordinance. The board, through its secretary, shall communicate to the appellant the actual costs and the requirement and manner in which to pay same. The board shall not be required to file the transcript of the hearing(s) before it until such time as the appellant pays such costs.

The officer from whom the appeal is taken shall forthwith transmit to the board all the papers constituting the record upon which the action appealed from was taken. An appeal stays all legal proceedings in furtherance of the action appealed from, unless the officer from whom the appeal is taken certifies to the board, after the notice of appeal shall have been filed with him, that by reason of facts stated in the certificate a stay would, in his opinion, cause imminent peril to life and property. In such case proceedings shall not be stayed otherwise than by a restraining order which may be granted by the board or a court of record on application, on notice to the officer from whom the appeal is taken, and on due cause shown. The board shall fix a reasonable time for the hearing of the appeal or other matter referred to it, and give public notice thereof as well as due notice to the parties in interest, and decide the same within a reasonable time. Upon the hearing any party may appear in person or by agent or by attorney.

Is amended to read as follows:

6-4028. Appeals to the Board

Appeals to the board may be taken by any person aggrieved or by an officer, department, board, or bureau of the city affected by any decision of the administrative officer. Such appeal shall be taken within a reasonable time, as provided by the rules of the board, by filing with the officer from whom the appeal is taken, and with the board, a notice of appeal specifying the grounds thereof. The notice filed with the board shall be accompanied by a filing fee which shall be credited to the general revenue fund of the city. The amount of such fee shall be determined from the following schedule:

- (1) For appeals which allege that a decision of an administrative officer is in error, each appeal, without regard to the zoning district in which the subject property lies, shall be \$250.00.
- (2) Any appellant requesting a deferral, whether in writing prior to the hearing or in person at the hearing, of any advertised matter before the board and for which the board grants the deferral of such matter to a later hearing date shall be required within three business days of the hearing at which the board grants the deferral to pay the actual costs to be incurred by the bureau of planning in re-mailing and re-

advertising the new hearing date(s) in accordance with the zoning ordinance. The board, in its discretion, is authorized not to hear the appeal on the date to which the appeal was deferred in the event the deferral fee is not paid prior to sounding of the case.

- (3) Any person appealing from the decision of the board to the Superior Court shall pay the actual costs incurred by the city in causing the board's hearing(s) on the appeal to be transcribed as contemplated in the Zoning Ordinance. The board, through its secretary, shall communicate to the appellant the actual costs and the requirement and manner in which to pay same. The board shall not be required to file the transcript of the hearing(s) before it until such time as the appellant pays such costs. The officer from whom the appeal is taken shall forthwith transmit to the board all the papers constituting the record upon which the action appealed from was taken. An appeal stays all legal proceedings in furtherance of the action appealed from, unless the officer from whom the appeal is taken certifies to the board, after the notice of appeal shall have been filed with him, that by reason of facts stated in the certificate a stay would, in his opinion, cause imminent peril to life and property. In such case proceedings shall not be stayed otherwise than by a restraining order which may be granted by the board or a court of record on application, on notice to the officer from whom the appeal is taken, and on due cause shown. The board shall fix a reasonable time for the hearing of the appeal or other matter referred to it, and give public notice thereof as well as due notice to the parties in interest, and decide the same within a reasonable time. Upon the hearing any party may appear in person or by agent or by attorney.

Section 2: That a new Section 6-4028.1 of the Land Development Code and entitled “variance and special exception fees” is created and which shall read as follows:

6-4028.1 Variance and Special Exception Fees

The secretary to the board shall charge as follows:

- (1) *Variances.* Variance application and deferral fees are based on the zoning district in which the subject property is located according to the following schedule:

District	Application Fee	Deferral Fee
R, LD, HD	\$100.00	\$65
RG, MR	500.00	\$170
R-LC, O-I, C, I, MR-C, LW, NC, SPI	625.00	\$ 200

- (2) Special exceptions. Special exceptions application and deferral fees are based on the zoning district in which the subject property is located according to the following schedule:

District	Application Fee	Deferral Fee
R, LD, HD	\$100.00	\$65
RG, MR	500.00	\$170
R-LC, O-I, C, I, MR-C, LW, NC, SPI	625.00	\$ 200

Any variance or special exception applicant requesting a deferral, whether in writing prior to the hearing or in person at the hearing, of any advertised matter before the board and for which the board grants the deferral of such matter to a later hearing date shall be required within three business days of the hearing at which the board grants the deferral to pay the deferral fee. The board, in its discretion, is authorized not to hear the appeal on the date to which the appeal was deferred in the event the deferral fee is not paid prior to sounding of the case..

Part II: Legislative White Paper: (This portion of the Legislative Request Form will be shared with City Council members and staff)

A. To be completed by Legislative Counsel:

Committee of Purview: Community Development and Human Resources

Caption:

AN ORDINANCE

BY: COMMUNITY DEVELOPMENT/HUMAN RESOURCE COMMITTEE

AN ORDINANCE TO AMEND SECTION 6-4028 AND TO CREATE SECTION 6-4028.1 OF THE LAND DEVELOPMENT CODE, PART III OF THE CODE OF ORDINANCES, SO AS TO ADD A DEFERRAL FEE FOR VARIANCE AND SPECIAL EXCEPTION APPLICATIONS BEFORE THE BOARD OF ZONING ADJUSTMENT FOR EACH INSTANCE THAT THE BOARD GRANTS AN APPLICANT'S REQUEST FOR DEFERRAL TO A SUBSEQUENT PUBLIC HEARING ON THE APPLICATION; AND FOR OTHER PURPOSES.

Council Meeting Date: March 21, 2011

Requesting Dept.: Planning and Community Development

FAC Confirmed by: N/A

B. To be completed by the department:

1. Please provide a summary of the purpose of this legislation (Justification Statement).

Example: The purpose of this legislation is to anticipate funds from a local assistance grant to purchase child safety seats.

The purpose of this legislation is to amend the current variance deferral fee by creating a flat fee based on zoning districts. A flat fee creates more predictability for applicants and allows staff to more quickly process deferred variance cases.

2. Please provide background information regarding this legislation.

Example: The task force of homelessness conducted a study regarding homelessness, its impact and consequences on the City. This resolution reflects the Mayor's desire to open a twenty-four hour center that will respond to the needs of the homelessness in Atlanta.

This Office of Planning has worked with the Mayor's office through Atlanta Stat to streamline the variance process and deferral fee structure. The flat fee, as opposed to a fee for each specific application, is a result of this work.

3. If Applicable/Known:

- (a) **Contract Type (e.g. Professional Services, Construction Agreement, etc):** NA
- (b) **Source Selection:**
- (c) **Bids/Proposals Due:**
- (d) **Invitations Issued:**
- (e) **Number of Bids:**
- (f) **Proposals Received:**
- (g) **Bidders/Proponents:**
- (h) **Term of Contract:**

4. Fund Account Center (Ex. Name and number):

Fund: _____ Account: _____ Center: _____

5. Source of Funds: Example: Local Assistance Grant

6. Fiscal Impact: A tiered reduction in property taxes receipts from the property but only if property actually rehabbed.

Example: This legislation will result in a reduction in the amount of _____ to Fund Account Center Number _____.

7. Method of Cost Recovery: none

Examples:

- a. **Revenues generated from the permits required under this legislation will be used to fund the personnel needed to carry out the permitting process.**
- b. **Money obtained from a local assistance grant will be used to cover the costs of this Summer Food Program.**

This Legislative Request Form Was Prepared By: Brandy Crawford

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: CANDACE BYRD

Dept.'s Legislative Liaison: Garnett Brown

Contact Number: Ext. 6724

Originating Department: Planning and Community Development

Committee(s) of Purview: Community Development / Human Resources

Chief of Staff Deadline: May 13, 2011

Anticipated Committee Meeting Date(s): June 14, 2011 (2nd read)

Anticipated Full Council Date: June 20, 2011 (passage)

Legislative Counsel's Signature: *Alfred S. ...*

Commissioner Signature: *[Signature]*

Chief Procurement Officer Signature: N/A

CAPTION

AN ORDINANCE

BY: COMMUNITY DEVELOPMENT/HUMAN RESOURCE COMMITTEE

AN ORDINANCE TO AMEND SECTION 6-4028 AND TO CREATE SECTION 6-4028.1 OF THE LAND DEVELOPMENT CODE, PART III OF THE CODE OF ORDINANCES, SO AS TO CHANGE THE DEFERRAL FEE FOR VARIANCE AND SPECIAL EXCEPTION APPLICATIONS BEFORE THE BOARD OF ZONING ADJUSTMENT TO A FLAT FEE FOR EACH INSTANCE THAT THE BOARD GRANTS AN APPLICANT'S REQUEST FOR DEFERRAL TO A SUBSEQUENT PUBLIC HEARING ON THE APPLICATION; AND FOR OTHER PURPOSES.

FINANCIAL IMPACT (if any)

Mayor's Staff Only

Received by CPO: _____ (date) Received by LC from CPO: _____ (date) *5/3/11*

Received by Mayor's Office: *[Signature]* (date) Reviewed by: *[Signature]* (date)

Submitted to Council: _____ (date)

AN ORDINANCE BY COUNCILMEMBER KWANZA HALL AUTHORIZING THE INSTALLATION OF PUBLIC ART (A MURAL, "UNTITLED"), AT 483 EDGEWOOD AVENUE, ATLANTA, GEORGIA AS PURSUANT TO CODE SECTION 16-28.025 OF THE 1982 ZONING ORDINANCE OF THE CITY OF ATLANTA; AND FOR OTHER PURPOSES.

(Held 7/10/13 for certification from Office of Transportation)

Review List:

Atlanta City Council	Completed	11/05/2013 8:54 PM
Zoning Committee	Completed	07/10/2013 4:29 PM
Atlanta City Council	Completed	11/08/2013 2:50 PM
Zoning Committee	Completed	08/08/2013 6:22 PM
Atlanta City Council	Completed	11/08/2013 3:36 PM
Zoning Committee	Completed	08/29/2013 10:28 AM
Atlanta City Council	Completed	09/19/2013 10:36 AM
Zoning Committee	Completed	09/11/2013 10:36 AM
Atlanta City Council	Completed	09/27/2013 12:38 PM
Zoning Committee	Completed	10/03/2013 11:20 AM
Atlanta City Council	Completed	10/22/2013 1:22 PM
Zoning Committee	Completed	10/16/2013 12:17 PM
Atlanta City Council	Completed	11/14/2013 3:35 PM
Zoning Committee	Completed	10/30/2013 4:21 PM
Atlanta City Council	Completed	11/07/2013 12:37 PM
Zoning Committee	Completed	11/13/2013 11:55 AM
Atlanta City Council	Completed	11/21/2013 4:07 PM
Zoning Committee	Pending	

HISTORY:

07/01/13	Atlanta City Council	
07/10/13	Zoning Committee	HELD IN COMMITTEE

RESULT: HELD IN COMMITTEE

07/15/13	Atlanta City Council	REFERRED WITHOUT OBJECTION
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RESULT: REFERRED WITHOUT OBJECTION

07/31/13	Zoning Committee	HELD IN COMMITTEE
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RESULT: HELD IN COMMITTEE

08/19/13	Atlanta City Council	
08/28/13	Zoning Committee	
09/03/13	Atlanta City Council	REFERRED AS HELD

RESULT:	REFERRED AS HELD	Next: 9/11/2013 9:30 AM
09/11/13	Zoning Committee	HELD IN COMMITTEE
RESULT:	HELD IN COMMITTEE	
09/16/13	Atlanta City Council	REFERRED WITHOUT OBJECTION
RESULT:	REFERRED WITHOUT OBJECTION	Next: 10/2/2013 9:30 AM
10/02/13	Zoning Committee	
10/07/13	Atlanta City Council	REFERRED WITHOUT OBJECTION
RESULT:	REFERRED WITHOUT OBJECTION	Next: 10/16/2013 9:30 AM
10/16/13	Zoning Committee	HELD IN COMMITTEE
RESULT:	HELD IN COMMITTEE	
10/21/13	Atlanta City Council	REFERRED WITHOUT OBJECTION
RESULT:	REFERRED WITHOUT OBJECTION	Next: 10/30/2013 9:30 AM
10/30/13	Zoning Committee	HELD IN COMMITTEE
RESULT:	HELD IN COMMITTEE	
11/04/13	Atlanta City Council	REFERRED WITHOUT OBJECTION
RESULT:	REFERRED WITHOUT OBJECTION	Next: 11/13/2013 9:30 AM
11/13/13	Zoning Committee	HELD IN COMMITTEE
RESULT:	HELD IN COMMITTEE	
11/18/13	Atlanta City Council	REFERRED WITHOUT OBJECTION
RESULT:	REFERRED WITHOUT OBJECTION	Next: 11/26/2013 4:15 PM
RESULT:	REFERRED WITHOUT OBJECTION	Next: 11/26/2013 4:15 PM

Certified by Presiding Officer	Certified by Clerk
Mayor's Action	

See Authentication Page Attachment

**AN ORDINANCE BY COUNCILMEMBER KWANZA HALL AUTHORIZING THE INSTALLATION OF PUBLIC ART (A MURAL, "UNTITLED"), AT 483 EDGEWOOD AVENUE, ATLANTA, GEORGIA AS PURSUANT TO CODE SECTION 16-28.025 OF THE 1982 ZONING ORDINANCE OF THE CITY OF ATLANTA; AND FOR OTHER PURPOSES.
(HELD 7/10/13 FOR CERTIFICATION FROM OFFICE OF TRANSPORTATION)**

WHEREAS, The Mayor and the City Council of the City of Atlanta are committed to maintaining an attractive City for residents and visitors through the regulation of signs; and

WHEREAS, the City Council of the City of Atlanta, and the Mayor must authorize Public Art under Chapter 16 of the 1982 Zoning Ordinance of the City of Atlanta (16-28.025 Public Art); and

WHEREAS, the artist and the sponsor, Roti and Living Walls, have obtained the appropriate preliminary certification from the Director of the Office of Traffic and Transportation, affirming the work will not constitute a traffic hazard or undue and dangerous distraction to motorists or pedestrians; and

WHEREAS, the artist and the sponsor, Roti and Living Walls, have obtained the appropriate preliminary certification from the Urban Design Commission, establishing the work does not contain nor is intended to convey a commercial message primarily, provided that the name of a sponsor may be displayed on an adjacent plaque or similar display that is not more than two square feet in area; and

WHEREAS, the artist and the sponsor, Roti and Living Walls, have obtained the appropriate preliminary certification from the Director of the Bureau of Cultural Affairs, which affirms that the work is not inconsistent with the City of Atlanta's Public Art Program; and

WHEREAS the artist and the sponsor, Roti and Living Walls, need final approval from the City Council and the Mayor, as pursuant to the 1982 Zoning Ordinance of the City of Atlanta and hereby respectfully submit their request for approval of Public Art at 483 Edgewood Avenue, Atlanta, Georgia; and

WHEREAS, the Council finds that the value to the general public in viewing the work is not outweighed by any existing negative public interests related to aesthetics, additional sign clutter, or the public safety.

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

SECTION 1: This ordinance shall authorize the placement of artwork (A Mural, ?Untitled?) at 483 Edgewood Avenue, Atlanta, Georgia. As pursuant to the Public Art Section of Chapter 16 of the 1982 Zoning Ordinance of the City of Atlanta (16-28.025 Public Art).

SECTION 2: All ordinances or parts of ordinances in conflict with this ordinance are hereby waived.

CERTIFICATION FOR THE INSTALLATION OF PUBLIC ART

PURSUANT TO CHAPTER 28A, THE SIGN ORDINANCE
OF THE CITY OF ATLANTA 1982 ZONING ORDINANCE

NAME OF SPONSOR LIVING WALLS

ADDRESS 881 MEMORIAL DR, ATLANTA, GA 30312

TELEPHONE NUMBER (321) 262-0888 FAX NUMBER _____

E-MAIL INFO@LIVINGWALLSATL.COM

NAME OF ARTWORK UNTITLED

MEDIUM OF ARTWORK LATEX 3 SPRAY PAINT

DIMENSIONS _____

PROPOSED LOCATION 483 EDGEWOOD AVE SE, ATLANTA, GA 30312

NAME OF ARTIST ROTI

ATTACHMENTS

DRAWING OR PHOTO OF WORK

DRAWING OR REPRESENTATION OF WORK IN CONTEXT TO ITS LOCATION

____ ARTIST'S RESUME

____ ARTIST STATEMENT REGARDING WORK



ATLANTA URBAN
DESIGN COMMISSION

APPROVED

APPROVED WITH CONDITIONS

REVIEWED & COMMENTED

1. THE OFFICE OF TRANSPORTATION

CONTACT PERSON: CUSTOMER SERVICE

TELEPHONE & ADDRESS: 330-6699, SUITE 4900, 55 TRINITY AVE., SW 6/27/13

THE OFFICE OF TRANSPORTATION HEREBY CERTIFIES THAT THIS APPLICATION MEETS THE CRITERIA APPLICABLE TO THIS OFFICE SPECIFIED IN SECTION 16-28A.007(q) OF THE SIGN ORDINANCE OF THE CITY OF ATLANTA.

DATE _____

SIGNATURE [Signature]

2. EXECUTIVE DIRECTOR OF THE URBAN DESIGN COMMISSION (OR DESIGNEE)

CONTACT PERSON: DOUG YOUNG

TELEPHONE & ADDRESS: 404-330-6145, SUITE 3350, 55 TRINITY AVE., SW

THE URBAN DESIGN COMMISSION HEREBY CERTIFIES THAT THIS APPLICATION MEETS THE CRITERIA APPLICABLE TO THIS COMMISSION SPECIFIED IN SECTION 16-28A.007(q) OF THE SIGN ORDINANCE OF THE CITY OF ATLANTA.

DATE 6/27/13

SIGNATURE [Signature]

3. DIRECTOR OF THE OFFICE OF CULTURAL AFFAIRS (OR DESIGNEE)

CONTACT PERSON: EDDIE GRANDERSON

TELEPHONE & ADDRESS: 404 546-6819 233 PEACHTREE STREET N.E. STE 1700 ATLANTA, GA 30303

THE OFFICE OF CULTURAL AFFAIRS HEREBY CERTIFIES THAT THIS APPLICATION MEETS THE CRITERIA APPLICABLE TO THIS BUREAU SPECIFIED IN SECTION 16-28A.007(q) OF THE SIGN ORDINANCE OF THE CITY OF ATLANTA.

DATE 6/28/13

SIGNATURE [Signature]

ALTHOUGH IT IS NOT REQUIRED BY ORDINANCE, IT IS RECOMMENDED THAT YOU MAKE A PRESENTATION TO THE NEIGHBORHOOD PLANNING UNIT (NPU) IN WHICH THE PUBLIC ART WILL BE LOCATED. IN ORDER TO BE PLACED ON THE NEXT NPU AGENDA, PLEASE CONTACT THE NPU COORDINATOR IN BUREAU OF PLANNING, 330-6145, SUITE 3050, 55 TRINITY AVE., SW, ATLANTA, GA 30335.

IN ADDITION TO THESE CERTIFICATIONS, THE ATLANTA SIGN ORDINANCE ALSO REQUIRES THAT AN ORDINANCE APPROVING THIS PUBLIC ART APPLICATION BE PASSED BY THE ATLANTA CITY COUNCIL. WE WOULD RECOMMEND THAT YOU CONTACT THE COUNCIL MEMBER FOR THE DISTRICT IN WHICH THE PUBLIC ART WILL BE LOCATED TO REQUEST THE SUPPORT OF THAT COUNCIL MEMBER AND ASSISTANCE IN SUBMITTING THE NECESSARY LEGISLATION FOR FINAL COUNCIL ACTION.

CHAPTER 28A. SIGN ORDINANCE

Sec. 16-28A.007. General regulations.

- (q) **Public Art:** *Public art* meeting the following criteria may be conditionally located in any district. Consistent with the purpose and intent of this chapter, the Atlanta City Council may, by ordinance, approve a work of *public art*. Said approval shall not be granted unless said ordinance contains three (3) preliminary certifications: (1) A certification from the director of the bureau of traffic and transportation or designee that the work will not constitute a traffic hazard or undue and dangerous distraction to motorists or pedestrians; (2) A certification from the executive director of the urban design commission or designee that the work does not contain and is not intended to convey a commercial message primarily, provided that the name of a sponsor for said work may be displayed on an adjacent plaque or similar display that is no more than two (2) square feet in area; and (3) A certification from the director of the bureau of cultural affairs or designee that the work is not inconsistent with the City of Atlanta's *public art* program. The council, if provided with these certifications, may approve, conditionally or otherwise, a work of *public art* upon a finding that the value to the general public in viewing the work is not outweighed by any existing negative public interests related to aesthetics, additional sign clutter, and the public's safety. In making this finding, the council shall consider the required certifications; the qualifications and experience of the artist; the spatial relationship of the proposed art to the building or premises upon which it is located as well as the surrounding area; vehicular and pedestrian traffic safety; the existence of nearby signs; and the size and dimensions of the proposed work. Any work of *public art* approved by council under this paragraph shall be exempt from further regulation under this chapter 28A except as to maintenance and enforcement.



ATLANTA URBAN
DESIGN COMMISSION

- APPROVED
- APPROVED WITH CONDITIONS
- REVIEWED & COMMENTED

6/27/13
DATE

[Signature]
REVIEWED BY

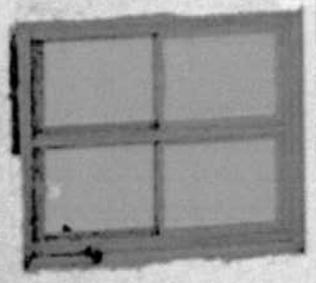


 ATLANTA URBAN
DESIGN COMMISSION

- APPROVED
- APPROVED WITH CONDITIONS
- REVIEWED & COMMENTED

6/27/13
DATE

[Signature]
REVIEWED BY



AN ORDINANCE BY COUNCILMEMBER AARON WATSON TO AUTHORIZE THE REDUCTION OF SPECIAL ADMINISTRATIVE PERMIT FEES FOR URBAN GARDENS AS PRINCIPAL USES ON LOTS IN RESIDENTIAL ZONING DISTRICTS; AND FOR OTHER PURPOSES.

(Held 10/16/13)

Review List:

Atlanta City Council	Completed	10/22/2013 1:22 PM
Zoning Committee	Completed	10/16/2013 12:17 PM
Atlanta City Council	Completed	11/14/2013 3:35 PM
Zoning Committee	Completed	10/30/2013 4:21 PM
Atlanta City Council	Completed	11/07/2013 12:37 PM
Zoning Committee	Completed	11/13/2013 11:55 AM
Atlanta City Council	Completed	11/21/2013 4:07 PM
Zoning Committee	Pending	

HISTORY:

10/07/13 Atlanta City Council REFERRED WITHOUT OBJECTION

RESULT:	REFERRED WITHOUT OBJECTION	Next: 10/16/2013 9:30 AM
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10/16/13 Zoning Committee HELD IN COMMITTEE

RESULT:	HELD IN COMMITTEE	
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10/21/13 Atlanta City Council REFERRED WITHOUT OBJECTION

RESULT:	REFERRED WITHOUT OBJECTION	Next: 10/30/2013 9:30 AM
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10/30/13 Zoning Committee HELD IN COMMITTEE

RESULT:	HELD IN COMMITTEE	
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11/04/13 Atlanta City Council REFERRED WITHOUT OBJECTION

RESULT:	REFERRED WITHOUT OBJECTION	Next: 11/13/2013 9:30 AM
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11/13/13 Zoning Committee HELD IN COMMITTEE

RESULT:	HELD IN COMMITTEE	
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11/18/13 Atlanta City Council REFERRED WITHOUT OBJECTION

RESULT: REFERRED WITHOUT OBJECTION Next: 11/26/2013 4:15 PM

RESULT: REFERRED WITHOUT OBJECTION Next: 11/26/2013 4:15 PM

Certified by Presiding Officer	Certified by Clerk
<p>Mayor's Action <i>See Authentication Page Attachment</i></p>	

CITY COUNCIL
ATLANTA, GEORGIA

13-O-1310

SPONSOR SIGNATURES



Antonio Watson, Councilmember, Post 2 At-Large

**AN ORDINANCE BY COUNCILMEMBER AARON WATSON TO AUTHORIZE THE REDUCTION OF SPECIAL ADMINISTRATIVE PERMIT FEES FOR URBAN GARDENS AS PRINCIPAL USES ON LOTS IN RESIDENTIAL ZONING DISTRICTS; AND FOR OTHER PURPOSES.
(HELD 10/16/13)**

WHEREAS, the Mayor and the City Council of the City of Atlanta desire to increase access to healthy, local and affordable foods, encourage community building, and support local agriculture and economic development by making urban gardening opportunities accessible to all interested citizens; and

WHEREAS, to this end the City Council of the City of Atlanta has amended the City of Atlanta zoning ordinance to provide for urban gardens and market gardens as permitted uses; and

WHEREAS, pursuant to the amendment to the Zoning Ordinance, urban gardens may be allowed as a permitted principal use on undeveloped lots in residential districts by Special Administrative Permit (SAP) issued in accordance with Code Sec. 16-25.004; and

WHEREAS, pursuant to Appendix B to Part III of the City of Atlanta Code of Ordinances, Sec. 6-1007(f)(5), the application fee currently applicable to an SAP for urban garden is \$250.00; and

WHEREAS, the Office of Planning has determined that due to the relative simplicity of an application for an urban garden SAP, the review and processing would require less staff time and therefore incur substantially lower costs than do other types of SAP applications; and

WHEREAS, the estimated actual cost of reviewing and processing an urban garden SAP is \$35.00;

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

SECTION 1: That the application fee for a Special Administrative Permit for an urban garden as principal use on a lot in a residential zoning district be decreased from \$250.00 to \$35.00;

SECTION 2: That the Code of Ordinances, Part III, Appendix B: Fees shall be revised as necessary to reflect the imposition of fees in accordance with Section 1 above. Specifically, Section 6-1007(f) of Appendix B, which currently reads as follows:

Special administrative permits: The special administrative permit application fee shall be based on the following schedule:

- (1) Developments (new construction or any construction which results in increased lot coverage, modification of the building footprint, modification of building facades that alters the configuration of openings, and conversions or additions to existing buildings) less than 50,000 square feet of floor area: \$500.00.
- (2) Developments greater than or equal to 50,000 square feet of floor area but less than 250,000 square feet of floor area: \$1,000.00.
- (3) Developments greater than or equal to 250,000 square feet of floor area: \$1,500.00
- (4) Cell towers and co-location of antenna: \$250.00
- (5) Exterior demolition, expansions of outdoor dining and all others not listed above: \$250.00

shall be revised to insert new subsection (5) and to renumber current subsection (5) as subsection (6), so that the amended section shall read as follows:

Special administrative permits: The special administrative permit application fee shall be based on the following schedule:

(1) Developments (new construction or any construction which results in increased lot coverage, modification of the building footprint, modification of building facades that alters the configuration of openings, and conversions or additions to existing buildings) less than 50,000 square feet of floor area: \$500.00.

(2) Developments greater than or equal to 50,000 square feet of floor area but less than 250,000 square feet of floor area: \$1,000.00.

(3) Developments greater than or equal to 250,000 square feet of floor area: \$1,500.00

(4) Cell towers and co-location of antenna: \$250.00

(5) *Urban gardens:* \$35.00

(6) *Exterior demolition, expansions of outdoor dining and all others not listed above:* \$250.00

SECTION 3: Said fees shall become effective immediately upon the passage of this Ordinance.

SECTION 4: All ordinances or parts of ordinances in conflict with this ordinance shall be waived for the purposes of this Ordinance only, and only to the extent of the conflict.

**AN ORDINANCE
BY COUNCILMEMBER AARON WATSON**

**AN ORDINANCE TO AUTHORIZE THE REDUCTION OF
SPECIAL ADMINISTRATIVE PERMIT FEES FOR URBAN
GARDENS AS PRINCIPAL USES ON LOTS IN RESIDENTIAL
ZONING DISTRICTS; AND FOR OTHER PURPOSES.**

WHEREAS, the Mayor and the City Council of the City of Atlanta desire to increase access to healthy, local and affordable foods, encourage community building, and support local agriculture and economic development by making urban gardening opportunities accessible to all interested citizens; and

WHEREAS, to this end the City Council of the City of Atlanta has amended the City of Atlanta zoning ordinance to provide for urban gardens and market gardens as permitted uses; and

WHEREAS, pursuant to the amendment to the Zoning Ordinance, urban gardens may be allowed as a permitted principal use on undeveloped lots in residential districts by Special Administrative Permit (SAP) issued in accordance with Code Sec. 16-25.004; and

WHEREAS, pursuant to Appendix B to Part III of the City of Atlanta Code of Ordinances, Sec. 6-1007(f)(5), the application fee currently applicable to an SAP for urban garden is \$250.00; and

WHEREAS, the Office of Planning has determined that due to the relative simplicity of an application for an urban garden SAP, the review and processing would require less staff time and therefore incur substantially lower costs than do other types of SAP applications; and

WHEREAS, the estimated actual cost of reviewing and processing an urban garden SAP is \$35.00;

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

SECTION 1: That the application fee for a Special Administrative Permit for an urban garden as principal use on a lot in a residential zoning district be decreased from \$250.00 to \$35.00;

SECTION 2: That the Code of Ordinances, Part III, Appendix B: Fees shall be revised as necessary to reflect the imposition of fees in accordance with Section 1 above. Specifically, Section 6-1007(f) of Appendix B, which currently reads as follows:

Special administrative permits: The special administrative permit application fee shall be based on the following schedule:

- (1) Developments (new construction or any construction which results in increased lot coverage, modification of the building footprint, modification of building facades that alters the configuration of openings, and conversions or additions to existing buildings) less than 50,000 square feet of floor area: \$500.00.
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- (5) Exterior demolition, expansions of outdoor dining and all others not listed above: \$250.00

shall be revised to insert new subsection (5) and to renumber current subsection (5) as subsection (6), so that the amended section shall read as follows:

Special administrative permits: The special administrative permit application fee shall be based on the following schedule:

- (1) Developments (new construction or any construction which results in increased lot coverage, modification of the building footprint, modification of building facades that alters the configuration of openings, and conversions or additions to existing buildings) less than 50,000 square feet of floor area: \$500.00.
- (2) Developments greater than or equal to 50,000 square feet of floor area but less than 250,000 square feet of floor area: \$1,000.00.
- (3) Developments greater than or equal to 250,000 square feet of floor area: \$1,500.00
- (4) Cell towers and co-location of antenna: \$250.00

(5) *Urban gardens: \$35.00*

(6) *Exterior demolition, expansions of outdoor dining and all others not listed above: \$250.00*

SECTION 3: Said fees shall become effective immediately upon the passage of this Ordinance.

SECTION 4: All ordinances or parts of ordinances in conflict with this ordinance shall be waived for the purposes of this Ordinance only, and only to the extent of the conflict.

A RESOLUTION BY COUNCILMEMBERS MICHAEL J. BOND, CLETA WINSLOW, KWANZA HALL, AND IVORY L. YOUNG, JR. REQUESTING THE DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT, BUREAU OF PLANNING BEGIN THE PROCESS OF STUDYING AND MAKING RECOMMENDATIONS TO AMEND THE 1982 ZONING ORDINANCE, AS AMENDED, BY CREATING A NEW CHAPTER TO BE ENTITLED CASTLEBERRY HILL SPECIAL PUBLIC INTEREST; AND FOR OTHER PURPOSES.

(Held 7/10/13)

Review List:

Atlanta City Council	Completed	11/05/2013 8:54 PM
Zoning Committee	Completed	07/10/2013 4:29 PM
Atlanta City Council	Completed	11/08/2013 2:50 PM
Zoning Committee	Completed	08/08/2013 6:22 PM
Atlanta City Council	Completed	11/08/2013 3:36 PM
Zoning Committee	Completed	08/29/2013 10:28 AM
Atlanta City Council	Completed	09/19/2013 10:36 AM
Zoning Committee	Completed	09/11/2013 10:36 AM
Atlanta City Council	Completed	09/27/2013 12:38 PM
Zoning Committee	Completed	10/03/2013 11:20 AM
Atlanta City Council	Completed	10/22/2013 1:22 PM
Zoning Committee	Completed	10/16/2013 12:17 PM
Atlanta City Council	Completed	11/14/2013 3:35 PM
Zoning Committee	Completed	10/30/2013 4:21 PM
Atlanta City Council	Completed	11/07/2013 12:37 PM
Zoning Committee	Completed	11/13/2013 11:55 AM
Atlanta City Council	Completed	11/21/2013 4:07 PM
Zoning Committee	Pending	

HISTORY:

07/01/13	Atlanta City Council	
07/10/13	Zoning Committee	HELD IN COMMITTEE

RESULT:	HELD IN COMMITTEE
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07/15/13	Atlanta City Council	REFERRED WITHOUT OBJECTION
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RESULT:	REFERRED WITHOUT OBJECTION
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07/31/13	Zoning Committee	HELD IN COMMITTEE
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RESULT:	HELD IN COMMITTEE
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08/19/13	Atlanta City Council
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08/28/13 Zoning Committee

09/03/13 Atlanta City Council REFERRED AS HELD

RESULT: REFERRED AS HELD Next: 9/11/2013 9:30 AM

09/11/13 Zoning Committee HELD IN COMMITTEE

RESULT: HELD IN COMMITTEE

09/16/13 Atlanta City Council REFERRED WITHOUT OBJECTION

RESULT: REFERRED WITHOUT OBJECTION Next: 10/2/2013 9:30 AM

10/02/13 Zoning Committee

10/07/13 Atlanta City Council REFERRED WITHOUT OBJECTION

RESULT: REFERRED WITHOUT OBJECTION Next: 10/16/2013 9:30 AM

10/16/13 Zoning Committee HELD IN COMMITTEE

RESULT: HELD IN COMMITTEE

10/21/13 Atlanta City Council REFERRED WITHOUT OBJECTION

RESULT: REFERRED WITHOUT OBJECTION Next: 10/30/2013 9:30 AM

10/30/13 Zoning Committee HELD IN COMMITTEE

RESULT: HELD IN COMMITTEE

11/04/13 Atlanta City Council REFERRED WITHOUT OBJECTION

RESULT: REFERRED WITHOUT OBJECTION Next: 11/13/2013 9:30 AM

11/13/13 Zoning Committee HELD IN COMMITTEE

RESULT: HELD IN COMMITTEE

11/18/13 Atlanta City Council REFERRED WITHOUT OBJECTION

RESULT: REFERRED WITHOUT OBJECTION Next: 11/26/2013 4:15 PM

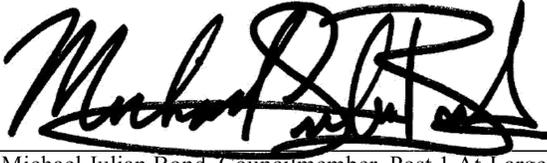
RESULT: REFERRED WITHOUT OBJECTION Next: 11/26/2013 4:15 PM

Certified by Presiding Officer	Certified by Clerk
<p>Mayor's Action</p> <p><i>See Authentication Page Attachment</i></p>	

CITY COUNCIL
ATLANTA, GEORGIA

13-R-3310

SPONSOR SIGNATURES



Michael Julian Bond, Councilmember, Post 1 At-Large



Kwanza Hall, Councilmember, District 2



Cleta Winslow, Councilmember, District 4



Ivory Lee Young Jr., Councilmember, District 3

**A RESOLUTION BY COUNCILMEMBERS MICHAEL J. BOND, CLETA WINSLOW, KWANZA HALL, AND IVORY L. YOUNG, JR. REQUESTING THE DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT, BUREAU OF PLANNING BEGIN THE PROCESS OF STUDYING AND MAKING RECOMMENDATIONS TO AMEND THE 1982 ZONING ORDINANCE, AS AMENDED, BY CREATING A NEW CHAPTER TO BE ENTITLED CASTLEBERRY HILL SPECIAL PUBLIC INTEREST; AND FOR OTHER PURPOSES.
(HELD 7/10/13)**

WHEREAS, Castleberry Hill is located in the heart of downtown Atlanta; and,

WHEREAS, it is a thriving residential and commercial district; and,

WHEREAS, in the next 18 to 24 months several major construction projects will begin in the area adjacent to Castleberry Hill - including the new Atlanta Falcon's Stadium and the Multi-Modal Passenger Terminal; and,

WHEREAS, these projects will have a direct impact on the residents and businesses of Castleberry Hill; and,

WHEREAS, it is in the best interest of the City of Atlanta to preserve, protect, enhance and/or amend the land use and zoning designations within the Castleberry Hill neighborhood as defined by the following boundaries:

Northern boundary: Martin Luther King, Jr. Drive, SW

Western boundary: Northside Drive, SW

Southern boundary: McDaniel Street, SW

Eastern boundary: Whitehall and Spring Streets, SW.

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

Section 1: The Department of Planning and Community Development, Bureau of Planning begin the process of studying and making recommendations to amend the 1982 Zoning Ordinance, as amended, by creating a new chapter to be entitled Castleberry Hill Special Public Interest District.

Section 2: That all resolutions and parts of resolutions in conflict herewith are repealed to the extent of the conflict.

Michael Julian Bond
Cleta Hissler
~~A RESOLUTION BY COUNCILMEMBER MICHAEL JULIAN BOND~~

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