

1851

13-0-1006

(Do Not Write Above This Line)

Z-13-11

**AN ORDINANCE
BY: ZONING COMMITTEE**

An Ordinance to rezone from the RG-2C (Residential General-Sector 2-Conditional) District to the RG-2 (Residential General-Sector 2-Conditional) District, property located at **1856 Defoor Avenue, 1138 Davis Street and 1100 Davis Circle**, fronting approximately 515.32 feet on the south side of Defoor Avenue beginning 110 feet from the westerly intersection of Davis Street. Depth: varies Area: approximately 13.9 acres. Land Lot 186 and 187, 17th District, Fulton County, Georgia.
OWNER: TABAS TWO LLLP
APPLICANT: TABAS TWO LLLP NPU D
COUNCIL DISTRICT 9

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

Date Referred 5/6/13
 Referred To: ZRB+Zoning
 Date Referred _____
 Referred To: _____
 Date Referred _____
 Referred To: _____

First Reading

Committee _____
 Date _____
 Chair _____
 Referred To _____

Committee Zoning
 Date 5/29/13
 Chair _____
 Action Fav, Adv, Hold (see rev. side)
 Other Amendment
 Members Carla [Signature]
[Signature]
[Signature]
 Refer To _____

Committee _____
 Date _____
 Chair _____
 Action _____
 Fav, Adv, Hold (see rev. side) _____
 Other _____
 Members _____
ADOPTED BY
JUN 03 2013
COUNCIL
 Refer 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 _____

FINAL COUNCIL ACTION

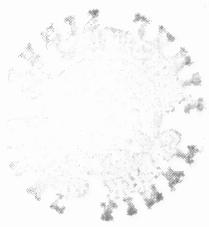
- 2nd
- 1st & 2nd
- 3rd
- Readings
- Consent
- V Vote
- RC Vote

CERTIFIED
 JUN 03 2013
 ATLANTA CITY COUNCIL PRESIDENT
[Signature]

CERTIFIED
 JUN 03 2013
 Rhonda Daughin Johnson
 MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED
 JUN 12 2013
 WITHOUT SIGNATURE
 BY OPERATION OF LAW



City Council
Atlanta, Georgia

13-O-1006

AN AMENDED ORDINANCE
BY: ZONING COMMITTEE

Z-13-11
Date Filed: 3-12-13

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 **1856 DEFOOR AVENUE, 1138 DAVIS STREET AND 1100 DAVIS CIRCLE , N.W.** be changed from the RG-2C (Residential General-Sector 2-Conditional) District to the RG-2 (Residential General-Sector 2-Conditional) District, to wit:

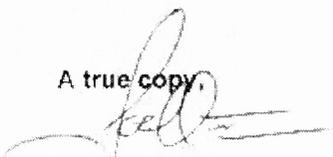
ALL THAT TRACT or parcel of land lying and being in Land Lot 186 and 187, 17th District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

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.

A true copy,


Deputy Clerk

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

JUN 03, 2013
JUN 12, 2013

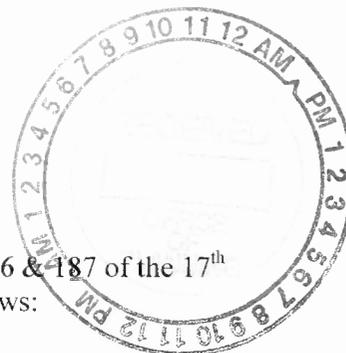


**Conditions for Z-13-11 for 1856 Defoor Avenue, 1138 Davis Street
and 1180 Davis Circle, N.W.**

1. Site Plan titled "Defoor Station" dated March 20, 2013 and stamped received by the Office of Planning on April 25, 2013.
2. Maximum number of residential units shall be 236 units.
3. A minimum of a 20 foot landscape buffer starting at the property line.
4. The streetscape shall consist of a maximum of a three (3) foot plant strip located at the back of the curb and a minimum of a four (4) foot concrete sidewalk located at the back of the planting strip. At locations where installation of the new streetscape will result in greater than thirty (30) percent of impact on a tree's root zone of a tree greater than fifteen (15) inches in caliper, the existing sidewalk may remain and the planting strip shall not be installed.
5. All entry signage shall be restricted to a five (5) foot height.
6. All buildings shall be a maximum of $\frac{3}{4}$ story split level, except for the buildings located on Defoor Avenue, which shall be restricted to a $\frac{2}{3}$ story split level.
7. All exterior building lighting, parking lighting, and accent lighting shall utilize cut-off light fixtures that are directed away from Davis Circle, Davis Street, Defoor Avenue, and are directed towards the ground.



ZONING DESCRIPTION



ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lots 186 & 187 of the 17th District, Fulton County, Georgia and being more particularly described as follows:

Beginning at a point on the southerly right-of-way line of Defoor Avenue (40' R/W) being 110 feet westerly from the western right-of-way line of Davis Street; thence leaving said right-of-way line of Defoor Avenue South 21 degrees 50 minutes 32 seconds West a distance of 54.02 feet to a point; thence South 84 degrees 48 minutes 16 seconds West a distance of 100.07 feet to a point; thence South 01 degrees 16 minutes 28 seconds East a distance of 181.70 feet to a point on the northerly right-of-way line of Davis Circle (40' R/W); thence along the northerly and westerly right-of-way line of Davis Circle the following courses and distances: South 69 degrees 07 minutes 10 seconds West a distance of 195.51 feet to a point; thence South 33 degrees 05 minutes 48 seconds East a distance of 264.40 feet to a point; thence 270.23 feet along an arc of a curve to the left, said curve having a radius of 330.83 feet and a chord bearing and distance of South 56 degrees 29 minutes 50 seconds East 262.78 feet to a point; thence leaving said right-of-way line South 04 degrees 20 minutes 01 seconds West a distance of 142.22 feet to a point; thence 429.52 feet along an arc of a curve to the left, said curve having a radius of 583.14 feet and a chord bearing and distance of North 75 degrees 43 minutes 04 seconds East 419.88 feet to a point; thence South 52 degrees 48 minutes 22 seconds West a distance of 346.39 feet to a point; thence South 53 degrees 18 minutes 00 seconds West a distance of 288.20 feet to a point; thence North 43 degrees 59 minutes 07 seconds West a distance of 436.50 feet to a point; thence North 25 degrees 09 minutes 48 seconds West a distance of 800.37 feet to a point; thence North 21 degrees 13 minutes 27 seconds West a distance of 291.76 feet to a point; thence North 70 degrees 20 minutes 15 seconds East a distance of 503.45 feet to a point on said southerly right-of-way line of Defoor Avenue; thence along said right-of-way line the following courses and distances: South 23 degrees 26 minutes 59 seconds East a distance of 149.97 feet to a point; thence South 38 degrees 12 minutes 00 seconds East a distance of 49.69 feet to a point; thence South 38 degrees 09 minutes 12 seconds East a distance of 50.24 feet to a point; thence South 38 degrees 09 minutes 12 seconds East a distance of 50.26 feet to a point; thence South 38 degrees 09 minutes 12 seconds East a distance of 50.24 feet to a point; thence 164.92 feet along an arc of a curve to the left, said curve having a radius of 299.22 feet and a chord bearing and distance of South 57 degrees 24 minutes 07 seconds East 162.84 feet to a point and the POINT OF BEGINNING.

Said tract containing 13.95 acres.

RCS# 2764
6/03/13
3:33 PM

Atlanta City Council

MULTIPLE 13-O-0335,13-O-0519,13-O-1006,13-O-1009
13-O-1010 AND 13-O-1012
ADOPT AS AMNDED

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 0

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

MULTIPLE