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2526

12-0-1614
(Do Not Write Above This Line) 2-12-43

AN ORDINANCE
BY: COUNCIL MEMBER CARLA SMITH

Carla Smith

AN ORDINANCE TO REZONE
PROPERTY HAVING A STREET
ADDRESS OF 1104, 1144 AND 1174
AVONDALE AVENUE FROM THE O-I
(OFFICE-INSTITUTIONAL) ZONING
DISTRICT TO THE R-4 (SINGLE-
FAMILY RESIDENTIAL) ZONING
DISTRICT.

substitute

ADOPTED BY
AUG 1 9 2013
COUNCIL

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

Date Referred: *11/5/12*

Referred To: *ZRB+Zoning*

Date Referred:

Referred To:

Date Referred:

Referred To:

First Reading

Committee _____
 Date _____
 Chair _____
 Referred To _____

Committee Zoning
 Date 7/31/13
 Chair [Signature]
 Action On Substitute
 Fav, Adv, Hold (See rev. side)
 Other
 Members [Signature]
[Signature]
[Signature]
 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 _____

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
 AUG 1 9 2013
 ATLANTA CITY COUNCIL PRESIDENT
[Signature]

CERTIFIED
 AUG 1 9 2013
 Rhonda Daughlin Johnson
 MUNICIPAL CLERK

MAYOR'S ACTION
 APPROVED
 AUG 2 8 2013
 WITHOUT SIGNATURE
 BY OPERATION OF LAW



CITY COUNCIL
ATLANTA, GEORGIA

12-O-1614
Z-12-43

**AN ORDINANCE
BY: COUNCIL MEMBER CARLA SMITH
AS SUBSTITUTED BY ZONING COMMITTEE**

A SUBSTITUTE ORDINANCE TO REZONE PROPERTY HAVING A STREET ADDRESS OF 1104, 1144 AND 1174 AVONDALE AVENUE FROM THE O-I/BELTLINE (OFFICE-INSTITUTIONAL)/BELTLINE OVERLAY ZONING DISTRICTS TO THE MR4A-C/BELTLINE (MULTI-FAMILY RESIDENTIAL-CONDITIONAL)/BELTLINE DISTRICTS.

WHEREAS, it is in the public health, safety and general welfare to rezone the subject properties to R-4 consistent with the concurrent proposed change of future land use designation to single-family residential.

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 or tax parcel identification number (as applicable) of **1104 (14 0023 LL-005-4), 1144 (14 0023 LL 010-4) and 1174 (14 0023-008-8) Avondale Avenue S.E.** be rezoned from the **O-I/BELTLINE (OFFICE-INSTITUTIONAL)/BELTLINE OVERLAY ZONING DISTRICTS TO THE MR4A-C/BELTLINE (MULTI-FAMILY RESIDENTIAL-CONDITIONAL)/BELTLINE DISTRICTS**, said property being more particularly depicted and described as, to wit:

ALL THOSE TRACTS or parcels of land lying in Land Lot 23 of the 14th District, Fulton County, Georgia being more particularly depicted in Exhibit "A", attached hereto and incorporated herein by reference.

SECTION 2: That 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 only 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 Bureau of Planning, be changed to conform to the terms of this ordinance.

SECTION 4: That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

A true copy,

Rhonda Daughin Johnson
Municipal Clerk

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

AUG 19, 2013
AUG 28, 2013



Conditions for Z-12-43 for 1104, 1144 and 1174 Avondale Ave, S.E.

1. Building heights:
 - a. Maximum building height along Avondale Avenue: within 60 feet of the property line along Avondale Avenue, building height shall be a maximum of 40 feet and three stories.
 - b. Maximum building height: In all other areas buildings shall have a maximum height of 52 feet and four stories.
2. Street framework requirements:
 - a. Site plans shall conform to the street framework plan identified in *Exhibit A*. Street framework requirements shall be implemented in accordance with the standards within the BeltLine Overlay District. Said street framework requirements shall supplant any other block face requirements.
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, hard-coat stucco, or cementitious siding.
 - b. The following materials shall be prohibited on all building facades: exposed pressure-treated wood; vinyl siding; vinyl railing; solid vinyl windows; and exterior insulation finished systems (EIFS).
 - c. For all buildings except one- or two-family residential buildings, the use of cementitious siding on buildings that face public or private streets shall not exceed 35 percent of the facade facing said public area. At courtyards, cementations siding on buildings shall not exceed 75 percent of the facade facing the courtyard.
 - d. A minimum of 50 percent of the residential window units in each building shall be operable.
 - e. All public- or private-street facing windows shall include window frames that are recessed a minimum of two inches, except at recessed balcony conditions.
 - f. 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. Flat, "snap-in" muntins, and muntins that are sandwiched between layers of glass are prohibited.
 - h. Exterior chimneys 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 shall be faced in brick, terracotta, stone, poured-in-place rubbed 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.

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- 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.
 - d. Balconies shall be a minimum of four feet in depth. Juliette balconies are acceptable only in locations where site constraints prohibit true balcony applications and will be minimized to the greatest extent possible.
 - e. Fences that are located adjacent to a street shall be of painted or stained wood, stone, composite wood materials, masonry, or metal.
 - f. Asphalt paving shall be prohibited for walkways, sidewalks, patios, plazas and supplemental zones.
5. Parking decks:
- a. All parking decks that face or are located adjacent to a public street shall be screened by a liner building for the full height of the deck.
 - b. The height of any parking deck shall not exceed the height of the immediately adjacent or adjoining residential or mixed-use building or structure.
6. Stream buffer:
- a. Site plans shall observe in full the required and applicable stream buffer.
 - b. Stream buffer shall include a fully publicly accessible 8-foot wide concrete path along the western side of the stream between East Confederate and to within 50 feet of the southernmost property line. Concrete path shall be extended south along the creek by others.
7. Awnings and Canopies:
- a. All awning 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 awning 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.
8. Green Building: The developer is encouraged to seek LEED certification from the U.S. Green Building Council, an EarthCraft certification from Southface Energy Institute, or an Energy Star Certified Home approval from the EPA. Evidence of such efforts shall be submitted to the Office of Planning prior to issuance of the Certificate of Occupancy.



Exhibit A: Avondale Properties Street Grid Plan

This plan aligns the new streets with the existing intersections at Hobart and Hamilton Avenues. The 150' offset at the southern end of the site allows for infill single family or townhomes to be built in a back-to-back condition with the single family residences on Teton Avenue. All new streets shall be built to the Street Single Family typology in the Atlanta BeltLine Street Framework Plan.



EXHIBIT "A"

LEGAL DESCRIPTION

PARCEL C-2

ALL THAT TRACT OF LAND LYING AND BEING IN LAND LOT 23 OF THE 14TH LAND DISTRICT OF FULTON COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

- BEGINNING AT THE INTERSECTION OF THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF AVONDALE AVENUE (50-FOOT RIGHT-OF-WAY) AND THE COMMON LINE OF LAND LOT 23 AND LAND LOT 24;
- THENCE RUNNING ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE OF AVONDALE AVENUE NORTH 14 DEGREES 03 MINUTES 57 SECONDS EAST FOR A DISTANCE OF 582.99 FEET TO A POINT;
- THENCE RUNNING ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE OF AVONDALE AVENUE NORTH 14 DEGREES 03 MINUTES 57 SECONDS EAST FOR A DISTANCE OF 525.00 FEET TO A POINT;
- THENCE LEAVING SAID SOUTHEASTERLY RIGHT-OF-WAY LINE OF AVONDALE AVENUE AND RUNNING SOUTH 75 DEGREES 48 MINUTES 45 SECONDS EAST FOR A DISTANCE OF 386.15 FEET TO A POINT, SAID POINT BEING THE POINT OF BEGINNING;
- THENCE SOUTH 75 DEGREES 48 MINUTES 45 SECONDS EAST A DISTANCE OF 12.67 FEET TO A POINT;
- THENCE ALONG A CURVE TO THE RIGHT, AN ARC LENGTH OF 126.79 FEET, SAID CURVE HAVING A RADIUS OF 424.00 FEET WITH A CHORD DISTANCE OF 126.32 FEET, AT NORTH 41 DEGREES 42 MINUTES 09 SECONDS EAST TO A POINT;
- THENCE NORTH 20 DEGREES 02 MINUTES 38 SECONDS EAST A DISTANCE OF 170.00 FEET TO A POINT;
- THENCE NORTH 09 DEGREES 41 MINUTES 05 SECONDS WEST A DISTANCE OF 72.14 FEET TO A POINT;
- THENCE NORTH 82 DEGREES 40 MINUTES 52 SECONDS WEST A DISTANCE OF 12.55 FEET TO A POINT;
- THENCE SOUTH 09 DEGREES 41 MINUTES 05 SECONDS EAST A DISTANCE OF 72.63 FEET TO A POINT;
- THENCE SOUTH 20 DEGREES 02 MINUTES 38 SECONDS WEST A DISTANCE OF 163.60 FEET TO A POINT;
- THENCE ALONG A CURVE TO THE LEFT, AN ARC LENGTH OF 126.79 FEET, SAID CURVE HAVING A RADIUS OF 424.00 FEET WITH A CHORD DISTANCE OF 126.32 FEET, AT SOUTH 41 DEGREES 42 MINUTES 09 SECONDS WEST TO A POINT, SAID POINT BEING THE POINT OF BEGINNING.

SAID PROPERTY CONTAINS 4,418 SQUARE FEET OR 0.1014 ACRES MORE OR LESS AND IS MORE PARTICULARLY DESCRIBED AS TRACT C-2 ON THAT CERTAIN REPLAT OF 1144 AND 1200 AVONDALE AVENUE, PREPARED FOR R.M. LAMAR PROPERTIES, INC. BY GILBERT E. QUINONES (G.R.L.S. #2810) OF Q-B ENGINEERING, INC. DATED FEBRUARY 8, 2005, AND LAST REVISED MAY 16, 2005, AND RECORDED IN PLAT BOOK 275, PAGE 20, FULTON COUNTY, GEORGIA RECORDS.

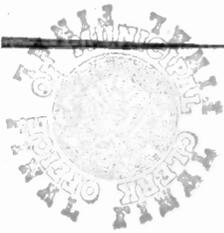


EXHIBIT "A"

LEGAL DESCRIPTION 15-FOOT STRIP

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 23, 14TH DISTRICT, FULTON COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

- BEGINNING AT THE INTERSECTION OF THE SOUTH-EASTERLY RIGHT-OF-WAY LINE OF AVONDALE AVENUE (50-FOOT RIGHT-OF-WAY) AND THE COMMON LINE OF LAND LOT 23 AND LAND LOT 24.
 - THENCE SOUTH 79 DEGREES 41 MINUTES 18 SECONDS EAST A DISTANCE OF 186.00 FEET TO A POINT ALONG THE COMMON LAND LOT LINE OF THE 23RD AND 24TH LAND LOTS, SAID POINT BEING THE POINT OF BEGINNING.
 - THENCE NORTH 01 DEGREES 42 MINUTES 32 SECONDS WEST A DISTANCE OF 199.00 FEET TO A POINT.
 - THENCE ALONG A CURVE TO THE RIGHT, AN ARC LENGTH OF 84.96 FEET, SAID CURVE HAVING A RADIUS OF 121.00 FEET WITH A CHORD DISTANCE OF 84.83 FEET AT NORTH 03 DEGREES 39 MINUTES 56 SECONDS EAST TO A POINT.
 - THENCE ALONG A CURVE TO THE RIGHT, AN ARC LENGTH OF 27.84 FEET, SAID CURVE HAVING A RADIUS OF 125.00 FEET WITH A CHORD DISTANCE OF 27.83 FEET AT NORTH 01 DEGREES 36 MINUTES 11 SECONDS EAST TO A POINT.
 - THENCE NORTH 06 DEGREES 01 MINUTES 48 SECONDS EAST A DISTANCE OF 212.00 FEET TO A POINT.
 - THENCE ALONG A CURVE TO THE RIGHT, AN ARC LENGTH OF 83.40 FEET, SAID CURVE HAVING A RADIUS OF 121.00 FEET WITH A CHORD DISTANCE OF 83.34 FEET AT NORTH 02 DEGREES 17 MINUTES 19 SECONDS EAST TO A POINT.
 - THENCE ALONG A CURVE TO THE RIGHT, AN ARC LENGTH OF 100.00 FEET, SAID CURVE HAVING A RADIUS OF 125.00 FEET WITH A CHORD DISTANCE OF 100.00 FEET AT NORTH 01 DEGREES 42 MINUTES 09 SECONDS EAST TO A POINT.
 - THENCE NORTH 10 DEGREES 02 MINUTES 38 SECONDS EAST A DISTANCE OF 170.00 FEET TO A POINT.
 - THENCE NORTH 09 DEGREES 41 MINUTES 05 SECONDS WEST A DISTANCE OF 27.00 FEET TO A POINT.
 - THENCE NORTH 12 DEGREES 40 MINUTES 52 SECONDS WEST A DISTANCE OF 17.55 FEET TO A POINT.
 - THENCE SOUTH 09 DEGREES 41 MINUTES 05 SECONDS EAST A DISTANCE OF 27.00 FEET TO A POINT.
 - THENCE SOUTH 25 DEGREES 02 MINUTES 38 SECONDS WEST A DISTANCE OF 55.00 FEET TO A POINT.
 - THENCE ALONG A CURVE TO THE LEFT, AN ARC LENGTH OF 129.79 FEET, SAID CURVE HAVING A RADIUS OF 125.00 FEET WITH A CHORD DISTANCE OF 126.52 FEET AT SOUTH 41 DEGREES 42 MINUTES 09 SECONDS WEST TO A POINT.
 - THENCE ALONG A CURVE TO THE LEFT, AN ARC LENGTH OF 166.60 FEET, SAID CURVE HAVING A RADIUS OF 125.00 FEET WITH A CHORD DISTANCE OF 166.47 FEET AT SOUTH 26 DEGREES 34 MINUTES 15 SECONDS WEST TO A POINT.
 - THENCE SOUTH 06 DEGREES 01 MINUTES 48 SECONDS WEST A DISTANCE OF 4.26 FEET TO A POINT.
 - THENCE ALONG A CURVE TO THE LEFT, AN ARC LENGTH OF 28.21 FEET, SAID CURVE HAVING A RADIUS OF 125.00 FEET WITH A CHORD DISTANCE OF 28.23 FEET AT SOUTH 11 DEGREES 16 MINUTES 24 SECONDS WEST TO A POINT.
 - THENCE ALONG A CURVE TO THE LEFT, AN ARC LENGTH OF 88.46 FEET, SAID CURVE HAVING A RADIUS OF 125.00 FEET WITH A CHORD DISTANCE OF 88.44 FEET AT SOUTH 03 DEGREES 41 MINUTES 14 SECONDS WEST TO A POINT.
 - THENCE SOUTH 03 DEGREES 42 MINUTES 32 SECONDS EAST A DISTANCE OF 183.00 FEET TO A POINT.
 - THENCE SOUTH 09 DEGREES 41 MINUTES 51 SECONDS WEST A DISTANCE OF 125.00 FEET TO A POINT, SAID POINT BEING THE POINT OF BEGINNING.
- TOGETHER WITH AND SUBJECT TO COVENANTS, EASEMENTS, AND RESTRICTIONS OF RECORD, SAID PROPERTY CONTAINS 16,871 SQUARE FEET OR THEREABOUTS MORE OR LESS.

RCS# 2931
8/19/13
3:32 PM

Atlanta City Council

MULTIPLE

13-O-0331; Z-13-03/Z-8-43 AND
12-O-1614; Z-12-43
ADOPT ON SUB

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 4
EXCUSED: 0
ABSENT 0

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

MULTIPLE