

13-O-1213

First Reading

Committee _____
Date _____
Chair _____
Referred To _____

2727
FINAL COUNCIL ACTION
 2nd 1st & 2nd 3rd
Readings
 Consent V Vote RC Vote

An Ordinance by Councilmember Yolanda Adrean waiving the sidewalk requirements of Section 15-09.003 of the City of Atlanta Code of Ordinances for Application Z-12-045/12-O-1750 (1990 Brookview Drive) to provide that in lieu of required sidewalks being constructed at the location site, 75 feet will be constructed in existing gaps along the south side of Moores Mill Road starting at 1078 Moores Mill Road towards I-75; and for other purposes.

ADOPTED BY
SEP 03 2013
COUNCIL

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

Date Referred: 8/19/13
Referred To: City Utilities
Date Referred:
Referred To:
Date Referred:
Referred To:

Committee
City Utilities
Date
August 27 2013
Chair
Yolanda Adrean
Action
Fav, Adv, Hold (see rev. side)
Other

Members
Carla Beck
Yolanda Adrean
...
...

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

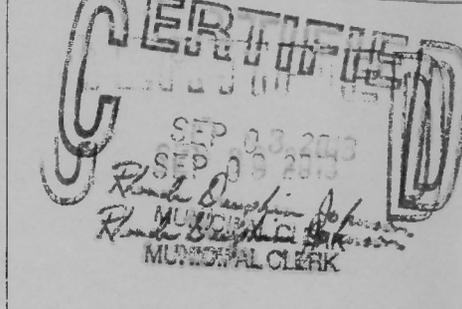
Date

Chair

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

Members

Refer To

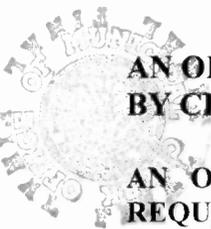


MAYOR'S ACTION

APPROVED

SEP 11 2013

WITHOUT SIGNATURE
BY OPERATION OF LAW



CITY COUNCIL
ATLANTA, GEORGIA

**AN ORDINANCE
BY CITY UTILITIES COMMITTEE**

AN ORDINANCE BY COUNCILMEMBER YOLANDA ADREAN WAIVING THE SIDEWALK REQUIREMENTS OF SECTION 15-09.003 OF THE CITY OF ATLANTA CODE OF ORDINANCES FOR APPLICATION Z-12-045/12-O-1750 (1990 BROOKVIEW DRIVE) TO PROVIDE THAT IN LIEU OF REQUIRED SIDEWALKS BEING CONSTRUCTED AT THE LOCATION SITE, 75 FEET WILL BE CONSTRUCTED IN EXISTING GAPS ALONG THE SOUTH SIDE OF MOORES MILL ROAD STARTING AT 1078 MOORES MILL ROAD TOWARDS I-75; AND FOR OTHER PURPOSES.

WHEREAS, Section 15-09.003 of the City of Atlanta Code of Ordinances (“subdivision ordinance”) requires the subdivision applicant (“developer”) to provide sidewalks on both sides of existing and proposed streets (“sidewalk requirement”); and

WHEREAS, the subdivision ordinance further provides that the City Council may waive the sidewalk requirement “in order to permit the developer of said subdivision to construct sidewalks of equal or greater length along adjoining streets”; and

WHEREAS, the subdivision ordinance further provides that such waiver can be granted by the City Council “only if the subdivision developer or the pertinent neighborhood planning unit has formally petitioned the city for said waiver, and only if the City Council has received formal comments on said petition from the Commissioner of Public Works and Commissioner of Planning”; and

WHEREAS, the developer, Neal Creech, has formally petitioned for the waiver of the sidewalk requirement for subdivision of land located at 1990 Brookview Drive, NW; and

WHEREAS, the City Council has received the formal comments on such petition from the Commissioner of Planning, attached hereto as Exhibit “A”; and

WHEREAS, the City Council has received the formal comments on such petition from the Commissioner of Public Works, attached hereto as Exhibit “B”; and

WHEREAS, based on these formal comments, the City Council finds that construction of sidewalks along the street frontage of 1990 Brookview Drive NW may not benefit said area being that there are no existing sidewalks to serve as a connection and it may negatively affect the appearance and character of the existing neighborhood; and

WHEREAS, the City and area residents would be better served by the construction of sidewalks by the developer along south side of Moores Mill Road starting at 1078 Moores Mill Road and working west, where there are existing connecting sidewalks and the area is heavily traveled by pedestrians going to and from the nearby YMCA facility located on said street, as more fully depicted on the drawing, attached hereto as Exhibit “C”.

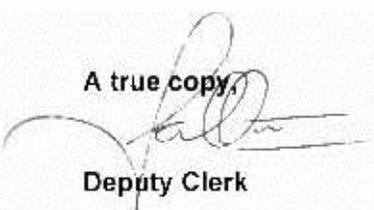


NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY
ORDAINS as follows:

SECTION 1: The requirement of Section 15-09.003 of the City of Atlanta Code of Ordinance that sidewalks be provided on both sides of existing and proposed streets is hereby waived for the subdivision located at 1990 Brookview Drive NW.

SECTION 2: The waiver of said requirement for the aforementioned site is conditioned upon the agreement of developer Neal Creech to construct 75 feet of sidewalks along the south side of Moores Mill Road starting at 1078 Moores Mill Road and working west, as more fully depicted on Exhibit "D", attached hereto.

SECTION 3: Prior to approval of the final subdivision plat by the Director of Office of Planning for subdivision located at 1990 Brookview Drive, NW, the sidewalks as described in this ordinance, shall be constructed by the developer, Neal Creech, inspected and accepted by the Department of Public Works.



A true copy,

Deputy Clerk

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

SEP 03, 2013
SEP 12, 2013

RCS# 2982
9/03/13
2:09 PM

Atlanta City Council

CONSENT I

CONSENT AGENDA SECTION I; ALL ITEMS
EXCEPT 13-R-3434
ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 1

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

CONSENT I

+

		09-03-13
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 13-O-1202	40. 13-R-3526	79. 13-R-3477
2. 13-O-1203	41. 13-R-3527	80. 13-R-3478
3. 13-O-1204	42. 13-R-3529	81. 13-R-3479
4. 13-O-1205	43. 13-R-3441	82. 13-R-3480
5. 13-O-1206	44. 13-R-3442	83. 13-R-3481
6. 13-O-1213	45. 13-R-3443	84. 13-R-3482
7. 13-O-1214	46. 13-R-3444	85. 13-R-3483
8. 13-O-1200	47. 13-R-3445	86. 13-R-3484
9. 13-O-1209	48. 13-R-3446	87. 13-R-3485
10. 13-O-1197	49. 13-R-3447	88. 13-R-3486
11. 13-O-1199	50. 13-R-3448	89. 13-R-3487
12. 13-R-3415	51. 13-R-3449	90. 13-R-3488
13. 13-R-3419	52. 13-R-3450	91. 13-R-3489
14. 13-R-3420	53. 13-R-3451	92. 13-R-3490
15. 13-R-3421	54. 13-R-3452	93. 13-R-3491
16. 13-R-3422	55. 13-R-3453	94. 13-R-3492
17. 13-R-3423	56. 13-R-3454	95. 13-R-3493
18. 13-R-3424	57. 13-R-3455	96. 13-R-3494
19. 13-R-3411	58. 13-R-3456	97. 13-R-3495
20. 13-R-3426	59. 13-R-3457	98. 13-R-3496
21. 13-R-3528	60. 13-R-3458	99. 13-R-3497
22. 13-R-3431	61. 13-R-3459	100. 13-R-3498
23. 13-R-3432	62. 13-R-3460	101. 13-R-3499
24. 13-R-3433	63. 13-R-3461	102. 13-R-3500
25. 13-R-3435	64. 13-R-3462	103. 13-R-3501
26. 13-R-3436	65. 13-R-3463	104. 13-R-3502
27. 13-R-3437	66. 13-R-3464	105. 13-R-3503
28. 13-R-3438	67. 13-R-3465	106. 13-R-3504
29. 13-R-3439	68. 13-R-3466	107. 13-R-3505
30. 13-R-3440	69. 13-R-3467	108. 13-R-3506
31. 13-R-3413	70. 13-R-3468	109. 13-R-3507
32. 13-R-3518	71. 13-R-3469	110. 13-R-3508
33. 13-R-3519	72. 13-R-3470	111. 13-R-3509
34. 13-R-3520	73. 13-R-3471	112. 13-R-3510
35. 13-R-3521	74. 13-R-3472	113. 13-R-3511
36. 13-R-3522	75. 13-R-3473	114. 13-R-3512
37. 13-R-3523	76. 13-R-3474	115. 13-R-3513
38. 13-R-3524	77. 13-R-3475	116. 13-R-3514
39. 13-R-3525	78. 13-R-3476	117. 13-R-3515
		118. 13-R-3516