

2066

13-0-1042

(Do Not Write Above This Line)

AN ORDINANCE Z-13-08

BY: ZONING COMMITTEE

An Ordinance by Zoning Committee to rezone property from the O-I-C (Office Institutional-Conditional) Zoning District to the RG-4 (Residential General Sector 4) Zoning District, property located at **0 Downwood Circle, N.W.**, fronting approximately 342 feet on the east side of Downwood Circle beginning 302 feet from the northeast corner of Howell Mill Road. Depth; varies. Area: approximately 5.55 acres. Land Lots 182 and 197, 17th District, Fulton County, Georgia.

OWNER: T.S. PROPERTY ACQUISITION FUND, LLC & T.S. PROPERTY ACQUISITION FUND II, LLC
 APPLICANT: PAPPAS PROPERTIES, LLC
 NPU C
 COUNCIL DISTRICT 8

As Amended

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

Date Referred 5/20/13
 Referred To: ZRB+Zoning
 Date Referred _____
 Referred To: _____
 Date Referred _____
 Referred To: _____

Committee Zoning First Reading
 Date 5/15/13
 Chair [Signature]
 Referred To _____

Committee ZONING
 Date 10/2/13
 Chair [Signature]
 Action (Fav) Adv, Hold (see rev. side)
 Other as amended
 Members [Signatures]
 Refer To _____

Committee _____
 Date _____
 Chair _____
 Action Fav, Adv, Hold (see rev. side)
 Other _____
 Members _____
 ADOPTED BY
OCT 07 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
 OCT 07 2013
 ATLANTA CITY COUNCIL PRESIDENT
[Signature]

CERTIFIED
 OCT 07 2013
 Paula Daughlin Johnson
 MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED
 OCT 16 2013
 WITHOUT SIGNATURE
 BY OPERATION OF LAW



CITY COUNCIL
ATLANTA, GEORGIA

13-D-1042

AN AMENDED ORDINANCE
BY: ZONING COMMITTEE

Z-13-08
Date Filed: 3-4-13

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 **0 Downwood Circle, N.W.**, be changed from the O-I-C (Office Institutional-Conditional) Zoning District to the RG-4 (Residential General Sector 4) Zoning District, to wit:

ALL THAT TRACT or parcel of land lying in Land Lots 182 and 197, 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

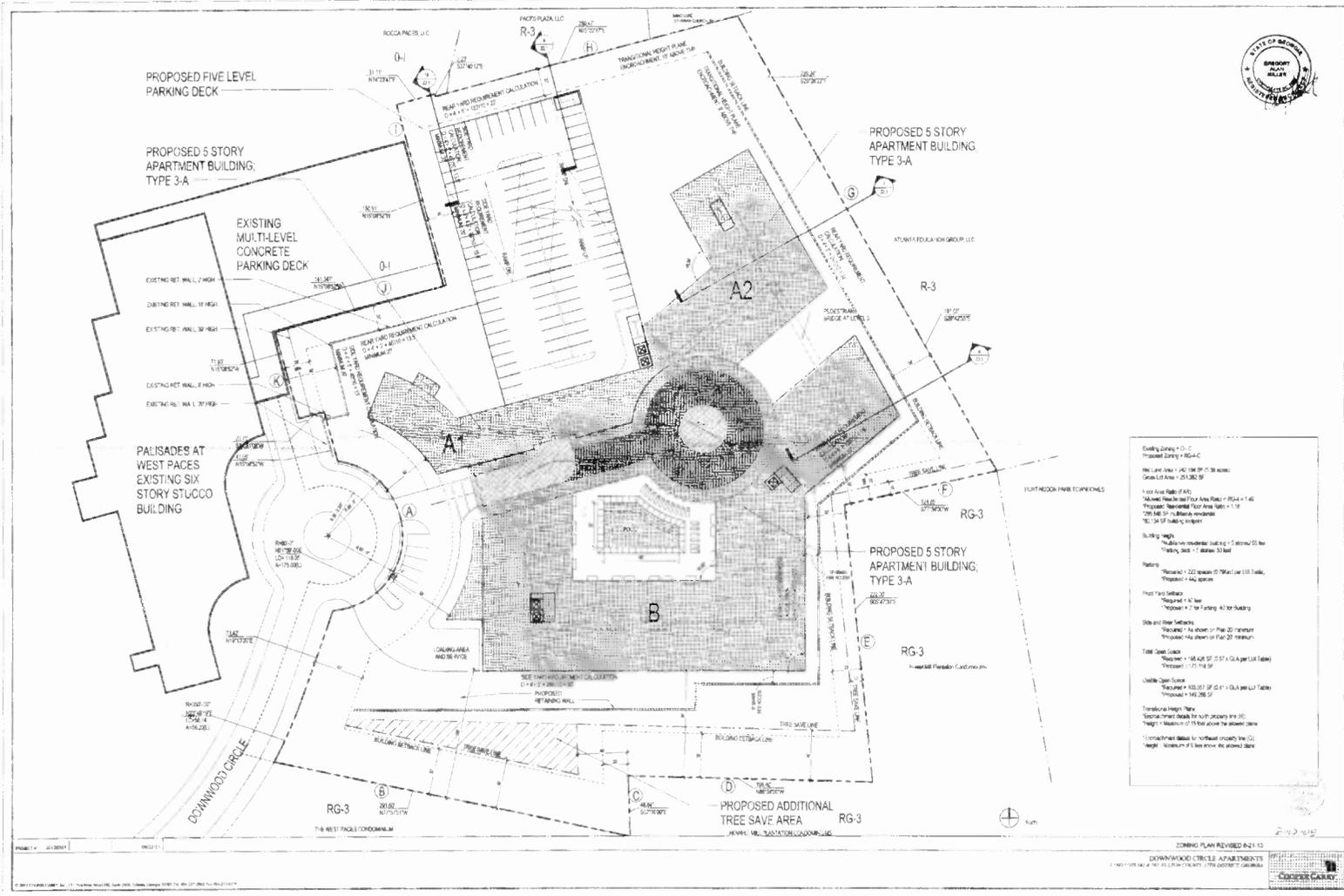
ADOPTED as amended by the Council
APPROVED as per City Charter Section 2-403

OCT 07, 2013
OCT 16, 2013



Conditions for Z-13-08 for 3201 Downwood Circle, N.W.

1. A site plan similar to a site plan entitled "Downwood Circle Apartments" by Cooper Carey dated 08/09/13 and stamped received by the Office of Planning, August 20, 2013. However, this condition shall not preclude application of the RG regulations.



Existing zoning = D-1-C
Proposed zoning = RG-3-C

Net Lot Area = 451,384 SF (13.36 acres)
Gross Lot Area = 251,282 SF

1st and 2nd Area Ratio of FAR:
Maximum Floor Area Ratio (FAR) = 1.45
Proposed Maximum Floor Area Ratio = 1.18
20% FAR = 100,000 sq. ft. Maximum
70% FAR = 315,000 sq. ft. Maximum

Building Height:
Maximum residential building = 5 stories 55 feet
Building setback = 30 feet

Parking:
Required = 222 spaces (2700 sq. ft. per 1200 sq. ft.)
Proposed = 400 spaces

Front Yard Setback:
Required = 10 feet
Proposed = 7 feet for Parking lot for building

Side and Rear Setbacks:
Required = 10 feet on Plan 20 minimum
Proposed = 10 feet on Plan 20 minimum

Total Open Space:
Required = 100,000 SF (2.27 acres) per LUR Tables
Proposed = 177,714 SF

Usable Open Space:
Required = 100,000 SF (2.27 acres) per LUR Tables
Proposed = 149,282 SF

Maximum Height: 55 feet
Maximum height shall be such as to comply with the following:
Height = Maximum of 15 feet above the adjacent street
Height = Maximum of 15 feet above the adjacent street

2-13-008

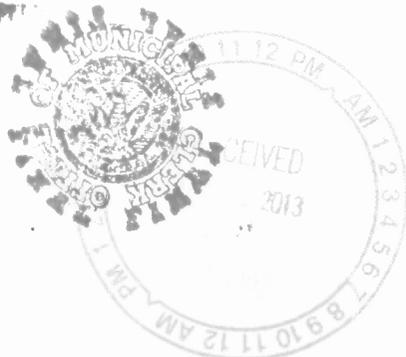


EXHIBIT A-1

PROPERTY DESCRIPTION

That certain tract or parcel of land containing approximately 2.558 acres located in Land Lots 182 and 197 of the 17 District, Fulton County, Georgia, as more particularly described as follows:

7-13-008



EXHIBIT A-2

PROPERTY DESCRIPTION

That certain tract or parcel of land containing approximately 3.0 acres located in Land Lots 182 and 197 of the 17 District, Fulton County, Georgia, as more particularly described as follows:



2-13-008

EXHIBIT A

ALL THAT TRACT OR PARCEL of land lying in Land Lot 182 of the 17th District, Fulton County, Georgia, shown as containing 2.558 acres pursuant to a certain Survey last revised December 23, 1996, prepared for Southern Diversified Development, SouthTrust Bank of Georgia, N.A. and Seymour Svirsky by Watts & Browning Engineers, Inc. (bearing the seal of G.M. Gillespie, GRLS No. 2121), and being more particularly described as follows:

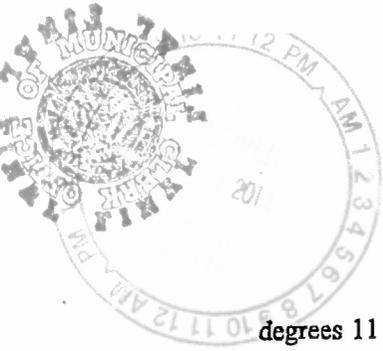
TO FIND THE POINT OF BEGINNING, commence at an iron pin placed at the intersection of the northeastern margin of the right-of-way of Howell Mill Road with the southeastern margin of the right-of-way of Downwood Circle; running thence along the margin of the right-of-way of Downwood Circle North $56^{\circ} 15' 04''$ East a distance of 132.4 feet to an iron pin placed; then continuing along the margin of the right-of-way of Downwood Circle along the arc of a curve to the left (said arc being subtended by a chord bearing North $49^{\circ} 30' 18''$ East and having a length of 82.23 feet) a distance of 84.42 feet to a point; thence continuing along the margin of the right-of-way of Downwood Circle along the arc of a curve to the left (said arc being subtended by a chord bearing North $35^{\circ} 35' 26''$ East and having a length of 87.36 feet) a distance of 87.58 feet to a point; thence leaving the margin of the right-of-way of Downwood Circle and running South $77^{\circ} 57' 51''$ East a distance of 291.60 feet to a point; running thence North $02^{\circ} 0' 0''$ East a distance of 48.83 feet to an iron pin found at the POINT OF BEGINNING; from the POINT OF BEGINNING, as thus established, running thence North $02^{\circ} 0' 0''$ East a distance of 94.52 feet to a point; running thence North $30^{\circ} 11' 55''$ East a distance of 168.72 feet to a point; running thence North $14^{\circ} 48' 05''$ West a distance of 138.0 feet to a point; running thence North $59^{\circ} 48' 05''$ West a distance of 80.61 feet to a point; running thence North $14^{\circ} 48' 05''$ West a distance of 35.0 feet to a point; running thence North $59^{\circ} 48' 05''$ West a distance of 35.36 feet to a point; running thence North $14^{\circ} 48' 05''$ West a distance of 99.91 feet to a point; running thence North $75^{\circ} 22' 47''$ East a distance of 182.76 feet to an iron pin found; running thence South $29^{\circ} 26' 22''$ East a distance of 229.24 feet to an iron pin found; running thence South $29^{\circ} 42' 55''$ East a distance of 191.05 feet to an iron pin placed; running thence South $77^{\circ} 34' 0''$ West a distance of 124.85 feet to an iron pin placed; running thence South $05^{\circ} 47' 30''$ East a distance of 222.20 feet to an iron pin placed; running thence North $88^{\circ} 34' 0''$ West a distance of 196.40 feet to an iron pin found at the POINT OF BEGINNING.

EXHIBIT A

3.0 acres

ALL THAT TRACT OR PARCEL of land lying and being in Land Lot 182 of the 17th District of Fulton County, Georgia, shown and depicted as Parcel One containing 3.0 acres on a certain Survey for Palisades at West Paces, Inc., Downwood Corporation, Inc., NMB Postbank Groep N.V., Ticor Title Insurance Company and Medical Technology Center, Inc., dated July 14, 1991, last revised August 20, 1991, prepared by Watts & Browning Engineers, Inc. (bearing the seal of G.M. Gillespie, GRLS No. 2121), and being more particularly described as follows:

TO FIND THE POINT OF BEGINNING, commence at an iron pin placed at the intersection of the northeastern margin of the right-of-way of Howell Mill Road (a variable width right-of-way) with the southeastern margin of the right-of-way of Downwood Circle (a 50-foot right-of-way); running thence along the southeastern margin of the right-of-way of Downwood Circle north 56 degrees 15 minutes 04 seconds east, a distance of 132.40 feet to an iron pin placed; thence continuing along the southeastern margin of the right-of-way of Downwood Circle along the arc of a curve the left (said arc being subtended by a chord bearing north 49 degrees 30 minutes 18 seconds east, and having a length of 82.23 feet) a distance of 82.42 feet to a point; thence continuing along the southeastern margin of the right-of-way of Downwood Circle along the arc of a curve and to the left (said arc being subtended by a chord bearing north 35 degrees 35 minutes 26 seconds east, and having a length of 87.36 feet) a distance of 87.58 feet to a point, said point being the POINT OF BEGINNING; from the POINT OF BEGINNING so established, continuing along the southeastern margin of the right-of-way of Downwood Circle along the arc of a curve to the left (said arc being subtended by a chord bearing north 23 degrees 49 minutes 19 seconds east and having a length of 56.14 feet) a distance of 56.20 feet to an iron pin placed; thence continuing along the southeastern margin of the right-of-way of Downwood Circle north 19 degrees 13 minutes 20 seconds east a distance of 73.42 feet to an iron pin placed on the southeastern margin of the cul-de-sac of Downwood Circle; thence running along the southeasterly, easterly, northeasterly and northerly margins of the cul-de-sac of Downwood Circle along the arc of a curve to the left (said arc being subtended by a chord bearing north 01 degrees 59 minutes 00 seconds east and having a length of 119.35 feet) a distance of 176.0 feet to a point on the northern margin of the cul-de-sac of Downwood Circle; thence leaving the northern margin of the cul-de-sac of Downwood Circle and running north 15 degrees 08 minutes 52 seconds west a distance of 41.65 feet to an iron pin placed; running thence south 74 degrees 51 minutes 08 seconds west, a distance of 20.75 feet to an iron pin placed; running thence north 15 degrees 08 minutes 52 seconds west, a distance of 71.93 feet to an iron pin placed; running thence north 74 degrees 51 minutes 08 seconds east a distance of 141.34 feet to an iron pin placed; running thence north 15 degrees 08 minutes 52 seconds west, a distance of 150.91 feet to an iron pin placed; running thence north 74 degrees 23 minutes 47 seconds east, a distance of 31.11 feet to an iron pin placed; running thence south 37 degrees 40 minutes 12 seconds east a distance of 2.23 feet to an iron pin placed; running thence north 75 degrees 22 minutes 47 seconds east, a distance of 67.71 feet to a point; running thence south 14 degrees 48 minutes 05 seconds east, a distance of 99.91 feet to a point; running thence south 59 degrees 48 minutes 05 seconds east, a distance of 35.36 feet to a point; running thence south 14 degrees 48 minutes 05 seconds east, a distance of 35.0 feet to a point; running thence south 59 degrees 48 minutes 05 seconds east, a distance of 80.61 feet to a point; running thence south 14 degrees 48 minutes 05 seconds east, a distance of 138.0 feet to a point; running thence south 30



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degrees 11 minutes 55 seconds west distance of 168.72 feet to a point; running thence south 02 degrees 0 minutes 0 seconds east a distance of 143.35 feet to a point; running thence north 77 degrees 57 minutes 51 seconds west a distance of 291.60 feet to a point on the southeastern margin of the right-of-way of Downwood Circle, said point being the POINT OF BEGINNING.

RCS# 3050
10/07/13
4:24 PM

Atlanta City Council

MULTIPLE

13-O-1042, 13-O-1160 AND 13-O-1161

ADOPT AS AMNDED

YEAS: 11
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 1
ABSENT 1

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

MULTIPLE