

14-C-1030
(Do Not Write Above This Line)

An Ordinance
By Zoning Committee Z-13-49

An Ordinance to rezone certain properties within Subarea 3 of the Atlanta Beltline Planning area from various districts to various districts to implement the Atlanta Beltline Master Plan: Subarea 3 (Boulevard Crossing) study.
NPU W and Y
COUNCIL DISTRICT 1

ADOPTED BY

FEB 0 3 2014

COUNCIL
Substitute

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

Date Referred

1/21/14

Referred To:

ZRB + Zoning

Date Referred

Referred To:

Date Referred

Referred To:

Committee Young First Reading
Date 1/21/14
Chair Adrian
Referred To _____

Committee

Date

Chair

Fav, Adv, Hold (See rev side)

Other

Members

Committee

Date

Chair

Fav, Adv, Hold (See rev side)

Other

Members

Refer To

Committee

Date

Chair

Fav, Adv, Hold (See rev side)

Other

Members

Refer To

Committee

Date

Chair

Fav, Adv, Hold (See rev side)

Other

Members

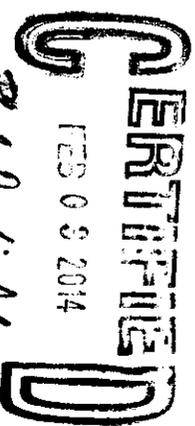
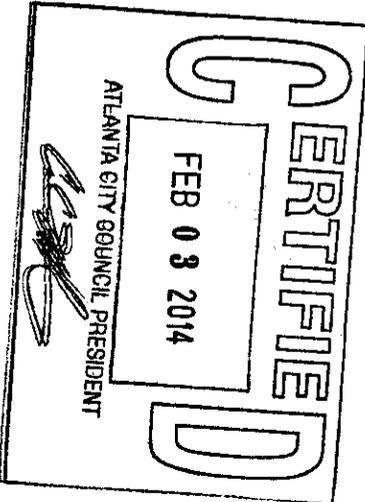
Refer To

Refer To

FINAL COUNCIL ACTION
 2ND 1ST & 2ND 3RD
Readings

Consent V Vote RC Vote

CERTIFIED



MAYOR'S ACTION

APPROVED

FEB 12 2014

WITHOUT SIGNATURE
BY OPERATION OF LAW

3433

City Council
Atlanta, Georgia

**A SUBSTITUTE ORDINANCE BY:
ZONING COMMITTEE**

Z-13-49

A SUBSTITUTE ORDINANCE TO REZONE CERTAIN PROPERTIES WITHIN SUBAREA 3 OF THE ATLANTA BELTLINE PLANNING AREA FROM VARIOUS DISTRICTS TO VARIOUS DISTRICTS TO IMPLEMENT THE ATLANTA BELTLINE MASTER PLAN: SUBAREA 3 (BOULEVARD CROSSING) STUDY.

WHEREAS, the Atlanta BeltLine project is one of the most comprehensive urban revitalization and economic development efforts ever undertaken within the City of Atlanta, which will combine greenspace, trails, transit and new development along 22 miles of historic railroad corridor that encircle the City of Atlanta; and

WHEREAS, the residents and property owners of NPU W and NPU Y worked with the Office of Planning and Atlanta BeltLine Staff and a consultant team to develop the Atlanta BeltLine Master Plan: Subarea 3 (Boulevard Crossing) Study; and

WHEREAS, pursuant to 06-O-1157, Atlanta City Council approved the Atlanta BeltLine Redevelopment Plan on August 21, 2006 as part of the Comprehensive Development Plan; and

WHEREAS, the Federal Transit Administration issued a Record of Decision approving the Tier 1 Environmental Impact Statement for the Atlanta BeltLine on August 28, 2012; and

WHEREAS, pursuant to 09-O-0128, Atlanta City Council voted unanimously to approve the Atlanta BeltLine Master Plan: Subarea 3 (Boulevard Crossing) Study on March 16, 2009 as a part of the Comprehensive Development Plan (fka Atlanta Strategic Action Plan); and

WHEREAS, the recommendations from the Atlanta BeltLine Master Plan: Subarea 3 (Boulevard Crossing) Study should be implemented through the rezoning of the properties within the study area; and

WHEREAS, the official zoning maps should be amended to include the properties within the Atlanta BeltLine Subarea 3 study area as shown on Attachments "A, B, and C."

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, AS FOLLOWS:

SECTION 1: That the 1982 City of Atlanta Zoning Ordinance be amended and the official zoning maps established in connection therewith be changed to include the properties located within the Atlanta BeltLine Subarea 3 study area with the designations as shown on Attachments "A, B, and C."

SECTION 2: This amendment is approved under the provisions of Section 16-02.003 of the City of Atlanta Zoning Ordinance, entitled "Conditional Zoning," as identified with the use of the suffix "C" after the district designation. The Director of the Office of Buildings shall issue building permits for the development of the properties with said "Conditional Zoning" designation only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any zoning district regulations.

Scope of provisions: Any property wherein sixty percent or greater of the principal building is removed or destroyed by any means shall be redeveloped in accordance with the requirements shown below, notwithstanding

City Council
Atlanta, Georgia

(1) drive-through service windows and drive-in facilities and (2) any other provisions in Part 16, Chapter 24 to the contrary.

Storefront Streets and Façade Requirements:

1. The following street segments shall be defined as a Storefront Street:
 - a. Englewood Avenue between Mailing Avenue and Boulevard
 - b. Boulevard between the Atlanta BeltLine Corridor and Schuyler Avenue

Such Storefront Streets shall meet the following requirements:

- a. Site Restrictions: Drive-through service windows and drive-in facilities are prohibited as either a principal or accessory use.
 - b. The Storefront Treatment and resulting Storefront Space shall be occupied by a retail, eating or drinking, office, medical/health, education, child care, or institutional use. Residential uses are prohibited within Storefront Space, however, the following active uses, when accessory to a multi-family residential use, are permitted: lobby, leasing office, meeting or assembly space, or indoor recreation space. Relief from this provision (1.b.) may be granted through administrative variation in cases (1) of hardship, (2) where complying would exceed the non-residential FAR limit, or (3) where full compliance is impractical due to the shape or size of the parcel relative to the intended use.
 - c. Supplemental zones, as defined in Sec. 16-36.007(9), shall be hardscaped for pedestrian to access for a minimum of 75 percent of its area excluding cutouts for tree wells with any such trees to be limbed up to a minimum height of seven feet.
 - d. Fenestration and entrances shall be provided for a minimum of 65 percent of the horizontal length of each façade as further described in Sec. 16-36.014(7) and shall allow visibility into the building for a minimum depth of 10 feet as measured from the interior windowpane and shall be internally illuminated and serviced by electricity.
 - e. Floor-to-ceiling height shall be a minimum of 12 feet as measured vertically from the ground floor to the structural ceiling, not including drop ceilings or other interior ceiling treatments within the sidewalk-level floor space for a minimum depth of 20 feet.
2. The following materials are prohibited: Exposed pressure-treated wood, vinyl siding, vinyl railing, solid vinyl windows, and exterior insulation finished systems (EIFS).
 3. Building facades visible from a public right-of-way or a park larger than two acres shall be either brick, stone, cast stone, metal, poured-in-place concrete, hard-coat stucco, or smooth cementitious siding; however, such smooth cementitious siding shall not exceed 35 percent of any façade. All windows on such facades shall include window frames that are recessed a minimum of two inches, except at recessed balcony conditions.

Building Intensity and Heights:

1. Structures or portions of structures that are within 60 feet of the Boulevard or Confederate Avenue right-of-way shall have a maximum height of 52 feet.
2. Structures or portions of structures that are within 60 feet of any R-1 through R-5, RG-1, RG-2, MR-1, MR-2, or PD-H district, or a park larger than two acres without an intervening street shall have a maximum height of 52 feet.
3. Structures or portions of structures that are located within "Tract 1" and "Tract 2" on Attachment "A" shall have a maximum height of 110 feet.

City Council
Atlanta, Georgia

Exterior Lighting:

1. All exterior lighting, including lighting in parking decks and parking lots, shall utilize full cutoff luminaires.
2. Exterior up-lighting shall be prohibited.

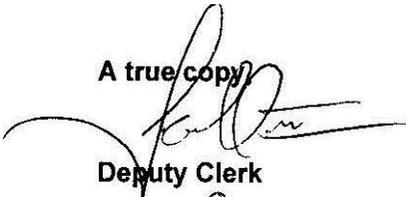
Restricted Uses:

1. The following establishments are prohibited as a principal use:
 - a. New and used car sales, including other motorized vehicles such as mopeds and motorcycles.
 - b. Park-for-hire parking decks.
 - c. Park-for-hire surface parking lots.
 - d. Mixed-use storage facilities.
 - e. Truck stops.
2. The following establishments shall be permitted subject to the following conditions:
 - a. Where a lot in this district abuts a lot, or is within 100 feet of a lot, in any R-1 through R-G, MR, RLC or PD-H district without an intervening street, such lot within this district shall not be used for any drive-through service window or drive-in facility as either a principal or accessory use.
3. The following uses shall require a Special Use Permit (SUP):
 - a. Clubs and lodges.
 - b. Mortuaries and funeral homes.
 - c. Automobile service stations, car washes.
 - d. Repair garages, paint and body shops.

SECTION 3: The regulations contained within Section 2 of this Ordinance shall supplement the regulations contained within the Atlanta Zoning Ordinance. Whenever the regulations contained within Section 2 of this Ordinance are different than those contained within the Atlanta Zoning Ordinance, the regulations contained within Section 2 of this Ordinance shall control.

SECTION 4: All ordinances or parts of ordinances in conflict with this ordinance shall be repealed to the extent of the conflict.

A true copy

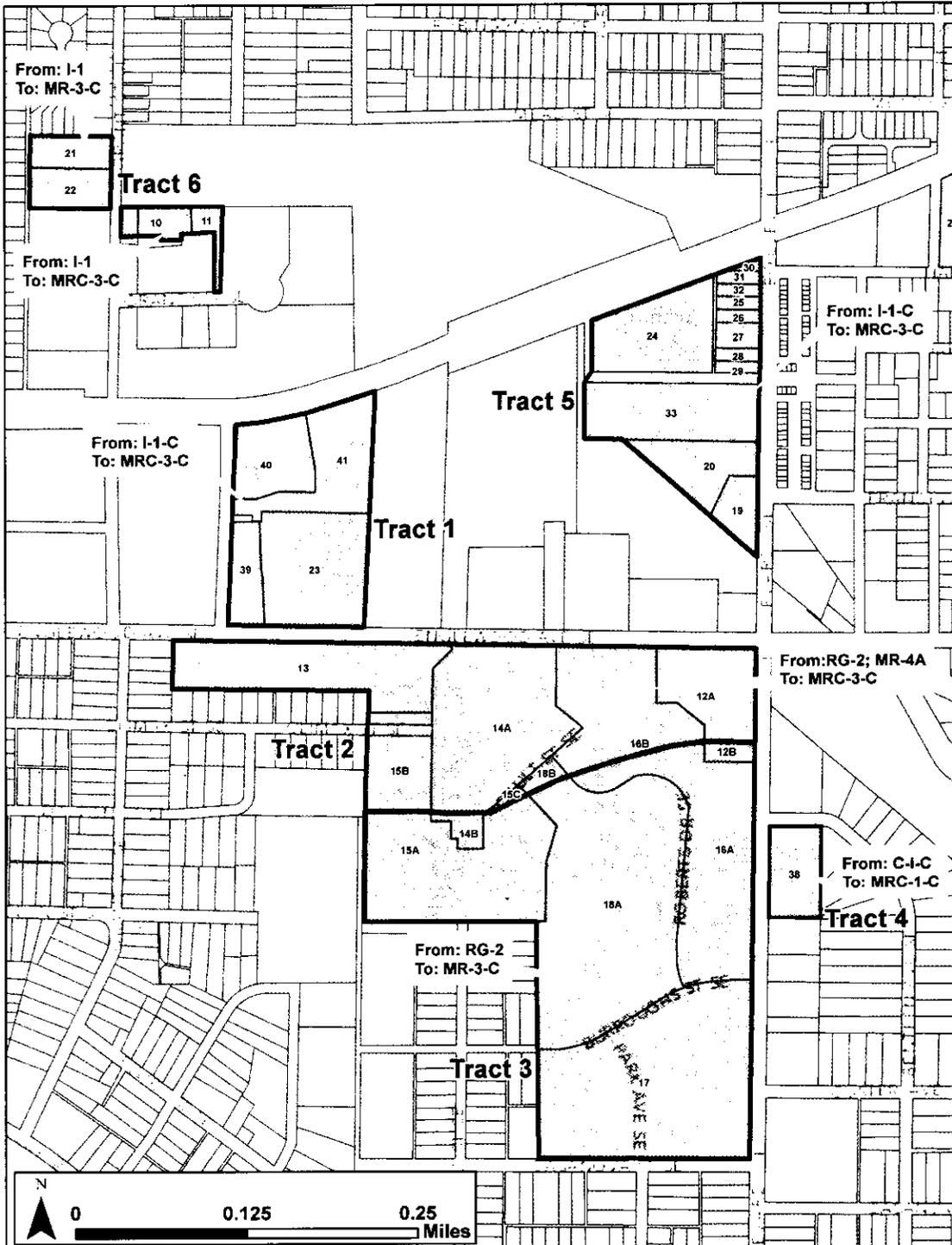

Deputy Clerk

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

FEB 03, 2014
FEB 12, 2014

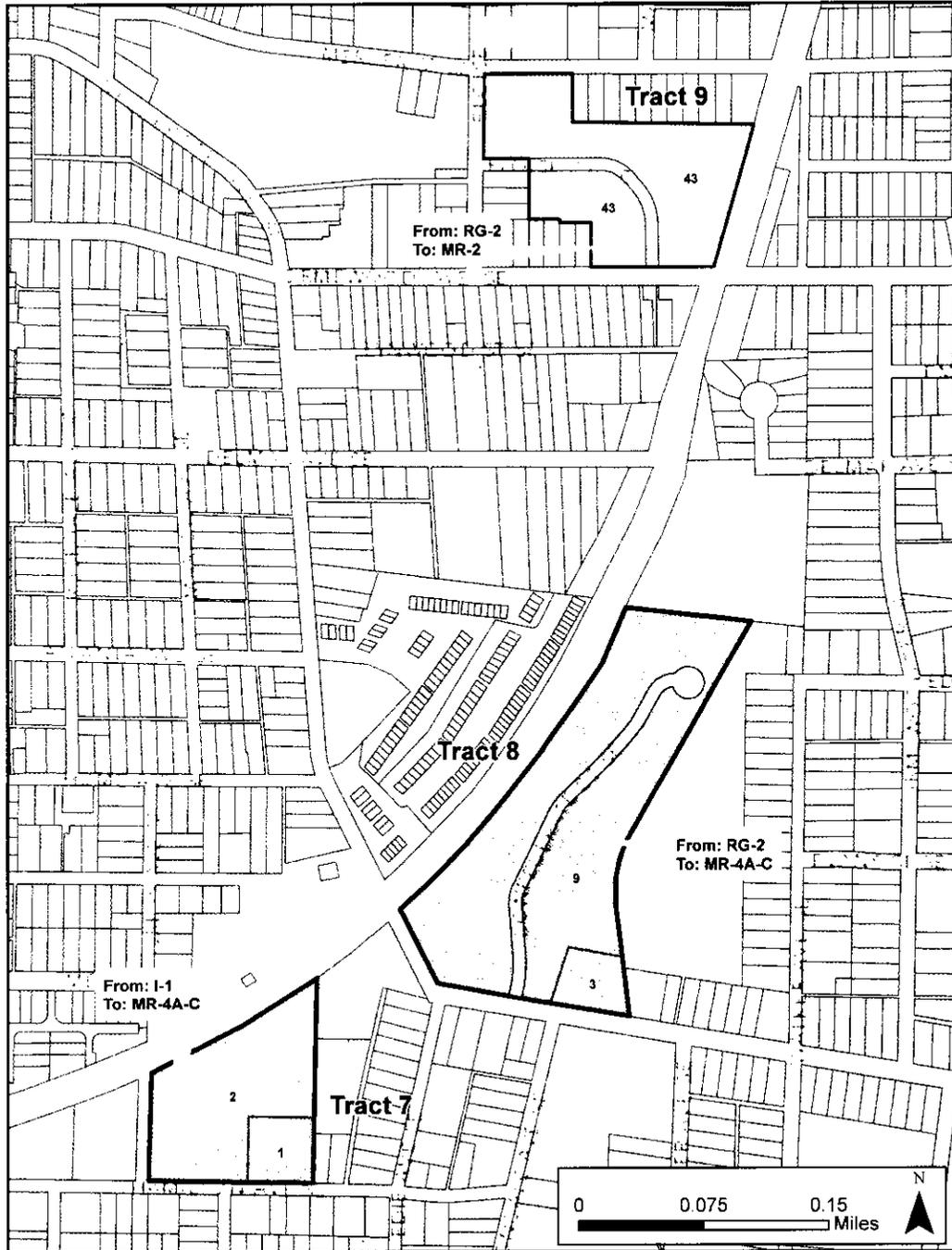
AN ORDINANCE TO REZONE CERTAIN PROPERTIES WITHIN SUBAREA 3 OF THE ATLANTA BELTLINE PLANNING AREA FROM VARIOUS DISTRICTS TO VARIOUS DISTRICTS TO IMPLEMENT THE ATLANTA BELTLINE MASTER PLAN: SUBAREA 3 (BOULEVARD CROSSING) STUDY.

ATTACHMENT "A"



AN ORDINANCE TO REZONE CERTAIN PROPERTIES WITHIN SUBAREA 3 OF THE ATLANTA BELTLINE PLANNING AREA FROM VARIOUS DISTRICTS TO VARIOUS DISTRICTS TO IMPLEMENT THE ATLANTA BELTLINE MASTER PLAN: SUBAREA 3 (BOULEVARD CROSSING) STUDY.

ATTACHMENT "B"



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ATTACHMENT "C"

MAP ID	TAX PIN	ADDRESS	ZONE FROM	ZONE TO
1	14 00230006051	HAMILTON AVE SE	I-2/BL	MR-4A-C/BL
2	14 00230006052	680 HAMILTON AVE SE	I-2/BL	MR-4A-C/BL
3	14 00230013001	766 EAST CONFEDERATE AVE SE	RG-2/BL	MR-4A-C/BL
3	14 00230013002	768 EAST CONFEDERATE AVE SE	RG-2/BL	MR-4A-C/BL
3	14 00230013003	764 EAST CONFEDERATE AVE	RG-2/BL	MR-4A-C/BL
3	14 00230013004	770 EAST CONFEDERATE AVE SE	RG-2/BL	MR-4A-C/BL
3	14 00230013005	772 EAST CONFEDERATE AVE SE	RG-2/BL	MR-4A-C/BL
3	14 00230013006	762 EAST CONFEDERATE AVE SE	RG-2/BL	MR-4A-C/BL
9	14 00230004005	970 EAST CONFEDERATE AVE SE	RG-2/BL	MR-4A-C/BL
10	14 0042 LL027	1030 GRANT ST SE	I-1/BL	MRC-3-C/BL
11	14 0042 LL028	1040 GRANT ST SE A	I-1/BL	MRC-3-C/BL
12A	14 0041 LL005	ENGLEWOOD AVE SE	RG-2/BL;MR-4A/BL	MRC-3-C/BL
12B	14 0041 LL005	ENGLEWOOD AVE SE	RG-2/BL;MR-4A/BL	MR-3-C/BL
13	14 0041 LL010	505 ENGLEWOOD AVE SE	RG-2/BL;MR-4A/BL	MRC-3-C/BL
14A	14 0041 LL011	ENGLEWOOD AVE SE	RG-2/BL;MR-4A/BL	MRC-3-C/BL
14B	14 0041 LL011	ENGLEWOOD AVE SE	RG-2/BL;MR-4A/BL	MR-3-C/BL
15A	14 0041 LL012	505 ENGLEWOOD AVE SE	RG-2/BL	MR-3-C/BL
15B	14 0041 LL012	505 ENGLEWOOD AVE SE	RG-2/BL	MRC-3-C/BL
15C	14 0041 LL012	505 ENGLEWOOD AVE SE	RG-2/BL	MRC-3-C/BL
16A	14 0041 LL004	ENGLEWOOD ST SE	RG-2/BL	MR-3-C/BL
16B	14 0041 LL004	ENGLEWOOD ST SE	RG-2/BL	MRC-3-C/BL
17	14 0041 LL006	BOULEVARD SE	RG-2/BL	MR-3-C/BL
18A	14 0041 LL008	PARK AVE SE	RG-2/BL	MR-3-C/BL
18B	14 0041 LL008	PARK AVE SE	RG-2/BL	MRC-3-C/BL
19	14 00420009028	1131 BOULEVARD SE	I-1-C/BL	MRC-3-C/BL

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MAP ID	TAX PIN	ADDRESS	ZONE FROM	ZONE TO
20	14 00420009029	1111 BOULEVARD SE	I-1-C/BL	MRC-3-C/BL
21	14 00420005037	999 GRANT ST SE	I-1/BL	MR-3-C/BL
22	14 00420005038	1015 GRANT ST SE	I-1/BL	MR-3-C/BL
23	14 00420008027	430 ENGLEWOOD AVE SE	I-1-C/BL	MRC-3-C/BL
24	14 00420009001	554 SCHUYLER ST SE	I-1-C/BL	MRC-3-C/BL
25	14 00420009003	BOULEVARD SE	I-1-C/BL	MRC-3-C/BL
26	14 00420009004	1065 BOULEVARD SE	I-1-C/BL	MRC-3-C/BL
27	14 00420009006	1075 BOULEVARD SE	I-1-C/BL	MRC-3-C/BL
28	14 00420009007	1079 BOULEVARD SE	I-1-C/BL	MRC-3-C/BL
29	14 00420009008	1083 BOULEVARD SE	I-1-C/BL	MRC-3-C/BL
30	14 00420009010	1047 BOULEVARD SE	I-1-C/BL	MRC-3-C/BL
31	14 00420009011	1055 BOULEVARD SE	I-1-C/BL	MRC-3-C/BL
32	14 00420009012	BOULEVARD SE	I-1-C/BL	MRC-3-C/BL
33	14 00420009025	1099 BOULEVARD SE	I-1-C/BL	MRC-3-C/BL
34	14 0041 LL012	505 ENGLEWOOD AVE SE	RG-2/BL	MRC-3-C/BL
35	14 0041 LL008	PARK AVE SE	RG-2/BL	MRC-3-C/BL
36	14 0041 LL004	ENGLEWOOD ST SE	RG-2/BL	MRC-3-C/BL
37	14 0041 LL011	ENGLEWOOD AVE SE	RG-2/BL;MR-4A/BL	MR-3-C/BL
38	14 00240005055	SOUTH BLV SE	C-I-C/BL	MRC-I-C/BL
39	14 00420008023	410 ENGLEWOOD AVE SE	I-1-C/BL	MRC-3-C/BL
40	14 00420008015	1144 MAILING AVE SE	I-1-C/BL	MRC-3-C/BL
41	14 00420008026	1160 MAILING AVE	I-1-C/BL	MRC-3-C/BL
43	14 00220006012	794 ORMEWOOD AVE SE	RG-2/BL	MR-2/BL

RCS# 81
2/03/14
6:00 PM

Atlanta City Council

MULTIPLE 14-O-1061/14-O-1036/14-O-1030/14-O-1031
14-O-1028/14-O-1034
ADOPT

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

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

MULTIPLE