

14-0-1034

(Do Not Write Above This Line)

An Ordinance
By Zoning Committee Z-13-30

An Ordinance to rezone from the C-3 (Commercial Residential), C-3-C (Commercial Residential-Conditional) and R-4 (Single Family Residential) Districts to the C-3-C (Commercial Residential-Conditional) and R-4 (Single Family Residential) Districts for property located at **1875, 1891, 1895 AND 1901 PEACHTREE ROAD, N.E.**, fronting approximately 390 feet on the east side of Peachtree Road beginning approximately 404 feet from the intersection of Peachtree and Palisades. Depth: varies. Area: 3.25 acres. Land Lot 110, 17th District, Fulton County, Georgia.

OWNER: DOUGLAS DRANEY, MANGER OF LMSPTREE, LLC., JAMES B. CUMMING, R. B. WILSON, JR. AND MICHAEL NASSARRGH OF SEMAH, INC.

APPLICANT: CORNERSTONE DEVELOPMENT PARTNERS, LLC/ NPU E

COUNCIL DISTRICT 7

As Amended

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

Date Referred: 1/21/14

Referred To: ZB3 + zoning

Date Referred: _____

Referred To: _____

Date Referred: _____

Referred To: _____

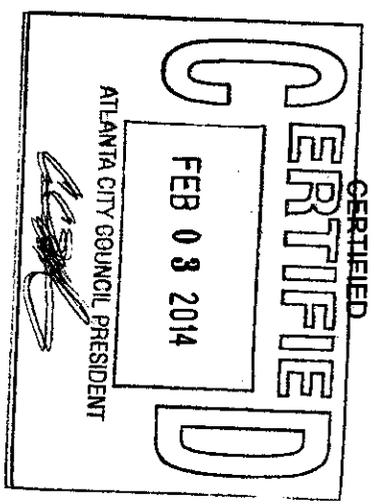
Committee: Planning First Reading
 Date: 1/15/14
 Chair: Johnson
 Referred To: _____

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						

ADOPTED BY

FEB 03 2014

COUNCIL



- 2ND FINAL COUNCIL ACTION 3RD
- 1ST & 2ND Readings
- Consent V Vote RC Vote



MAYOR'S ACTION

APPROVED

FEB 12 2014

WITHOUT SIGNATURE
 BY OPERATOR OF LAM

3437

City Council
Atlanta, Georgia

14-O-1034

AN AMENDED ORDINANCE
BY: ZONING COMMITTEE

Z-13-30
Date Filed: 8-6-13

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 **1875, 1891, 1895 AND 1901 PEACHTREE ROAD, N.E.**, be changed from the C-3 (Commercial Residential), C-3-C (Commercial Residential-Conditional) and R-4 (Single Family Residential) Districts to the C-3-C (Commercial Residential-Conditional) and R-4 (Single Family Residential) Districts, to wit:

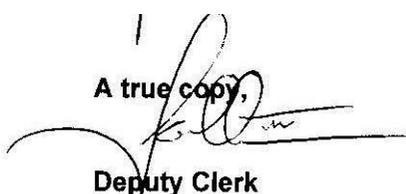
ALL THAT TRACT or parcel of land lying in Land Lot 110 of the 17th District, Fulton County, Georgia, being more particularly described by the attached legal description and/or survey.

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 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 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

FEB 03, 2014
FEB 12, 2014

Conditions for Z-13-30 for 1875, 1891, 1895 and 1901 Peachtree Road, N.E.

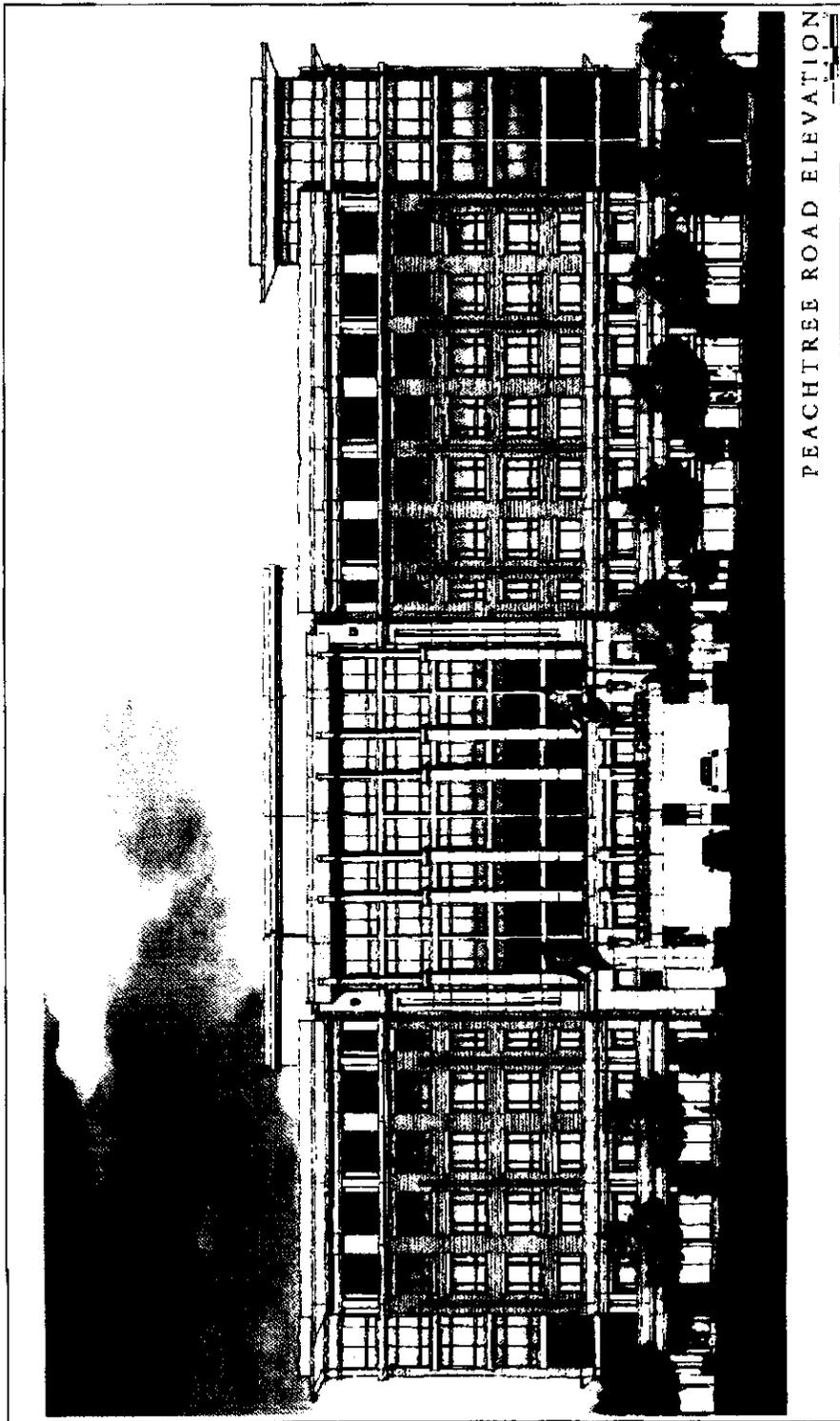
1. Site Plans: The site shall be developed in accordance with the attached site plans prepared by Rule, Joy, Trammell & Rubio and stamped received by the Office of Planning on December 6, 2013. If such site plan and landscape plan are not consistent, the landscape plan shall prevail to the extent of said differences.
2. Landscaping: shall be provided in accordance with the landscape plan prepared by High Grove Design Group as shown as Exhibit "A". It is further noted that no stormwater detention or detention facilities shall be located on R-4 property. Note: storm water detention and detention facilities shall not interfere or damage plantings shown on said landscape plan. Also, the Developer shall be responsible for all on-site landscape maintenance. This maintenance shall include the responsibility of removing and replacing all on-site and boundary trees that die on or before December 31, 2017. Identification of such dead trees shall be documented by a certified arborist with such removal and replacement to occur within 90 days of such documentation.
3. Exterior Building Elevations (including parking deck): shall be completed in concept with the Elevations/Sections prepared by Rule, Joy, Trammell & Rubio as shown as Exhibit "B". The maximum building height shall not exceed 100 feet (excluding parapets, architectural elements and fire stairs) measured from grade at the centerline of the site's signalized intersection on the Peachtree Road Right-of-Way. If such exterior building elevations and landscape plan are not consistent, the landscape plan shall prevail to the extent of said differences.
4. Lighting: All exterior lighting on the Site shall be shielded to prevent light spillage onto adjacent properties by providing cutoff luminaires that have a maximum 90 degree illumination. All exterior lighting outside the Parking Structure visible from the Brookwood Hills neighborhood shall be reviewed and approved in writing by the President of Brookwood Hills. Interior lights along the eastern façade of the Building shall be controlled by motion detectors programmed to extinguish such lights between 10:00 pm and 6:00 am each day other than as necessary for cleaning and maintenance work or use by tenants of such offices. Automobiles within the parking structure shall be screened from views from the east.
5. Uses: The street facing sidewalk-level uses are restricted to retail, restaurant and accessory parking uses except that a 24 hour pharmacy shall be prohibited.
6. Fencing: All existing fencing shall be removed and a new 6 to 8 foot high opaque security fence shall be erected as specified on the landscape plan. Said fence shall provide one locked security gate and be of a wood cedar construction with a jagged top substantially matching the existing fence located at 40 Montclair Drive. The fence design in accordance with this paragraph shall be approved by the Brookwood Hills President in writing prior to permitting or erection.
7. Traffic Signage: A "right turn only" sign shall will be placed at the northern egress drive onto Peachtree Road. Also, internal directional signs shall be placed to direct exiting traffic to the Collier Road intersection.
8. Impact Fee Request: The developer shall provide written support to request that all traffic impact fees collected in association with this development to be allocated for improvements to the intersection at Peachtree Road/Collier Road with any remaining balance to be held in an account to be used for traffic improvements located within the neighborhoods constituting the Brookwood Alliance.
9. Construction: There shall be no construction work before 7:00 am nor after 7:00 pm on weekdays and before 9:00 am nor after 5:00 pm on Saturdays. No construction shall be allowed

Z-13-30 for 1875-1901 Peachtree Road, N.E.

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on Sunday and/or state and federal holidays. Also, no construction related vehicles shall park on any neighborhood streets in the Brookwood Hills neighborhood.

EXHIBIT "B"
Elevations / Sections



PEACHTREE ROAD ELEVATION

THE CORNERSTONE MEDICAL BUILDING
ATLANTA, GEORGIA

Rayford Associates, Inc.
Architectural Services
100 Peachtree Street, N.E.
Atlanta, Georgia 30309
Phone: (404) 525-1111
Fax: (404) 525-1112

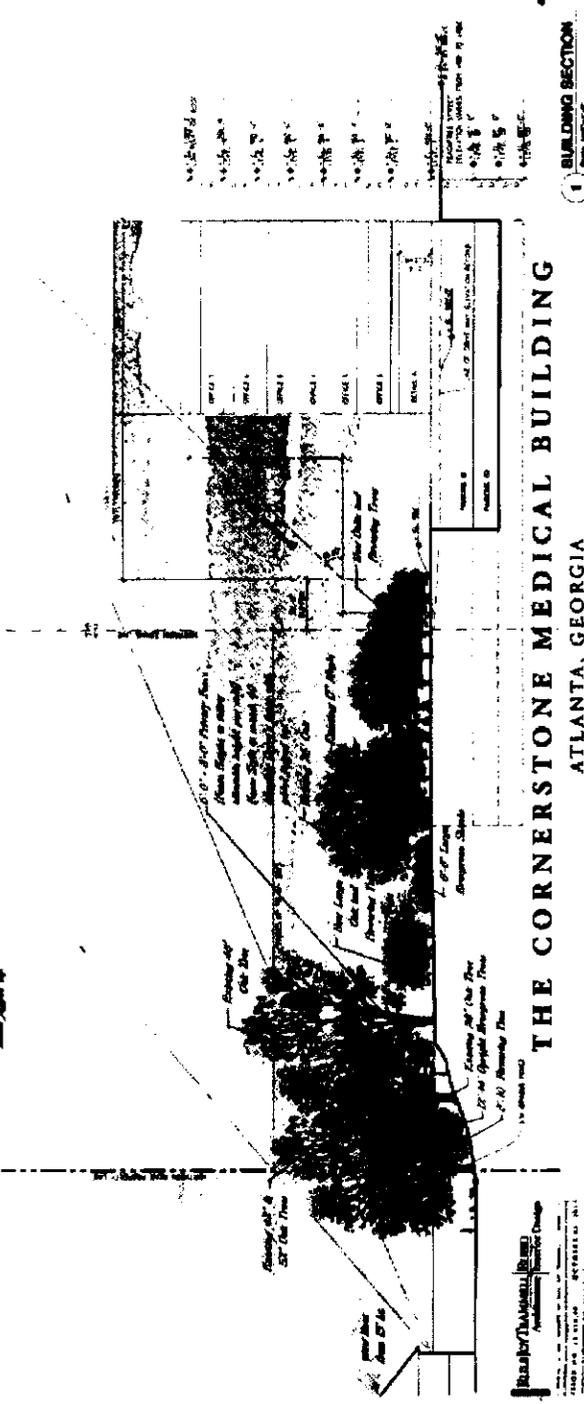
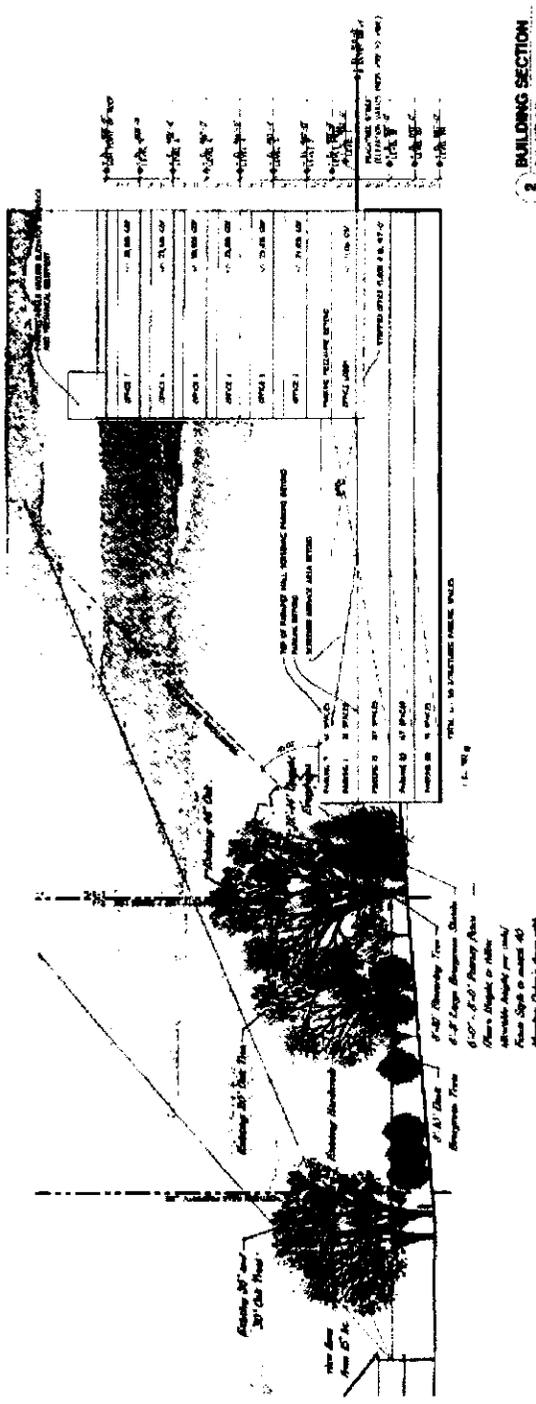


REAR ELEVATION



THE CORNERSTONE MEDICAL BUILDING
ATLANTA, GEORGIA

CHAS. L. HARRIS, ARCHT.
ARCHT. FIRM
CORNERSTONE MED. BLDG.
ATLANTA, GA.



Builder/Architect/Engineer
 [Name]
 [Address]
 [City, State, Zip]

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