

# 14-0-1128

(Do Not Write Above This Line)

**An Ordinance**  
**By Zoning Committee**      **2-14-03**

An Ordinance to rezone from the SPI 16/LBS (Special Public Interest/Landmark Building/Site) District to the SPI-16 Subarea 1 (Midtown Special Public Interest) District, for property located at **771 Spring Street, N.W.** fronting approximately 190 feet on the south side of Armstead Street at the southeast corner of Spring Street. Depth: varies. Area: approximately .909 acres. Land Lot 80. 14<sup>th</sup> District, Fulton County, Georgia.

**OWNER:**      **GEORGIA TECH FOUNDATION REAL ESTATE HOLDING CORPORATION**

**APPLICANT:** **GEORGIA TECH FOUNDATION REAL ESTATE HOLDING CORPORATION**

**NPUE**      **COUNCIL DISTRICT 2**

*As Amended*

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1<sup>ST</sup> ADOPT 2<sup>ND</sup> READ & REFER
- PERSONAL PAPER REFER

Date Referred: 3/3/14

Referred To: ZRB + zoning

Date Referred: \_\_\_\_\_

Referred To: \_\_\_\_\_

Date Referred: \_\_\_\_\_

Referred To: \_\_\_\_\_

Committee: Planning      First Reading  
 Date: 4/26/14  
 Chair: Yaman  
 Referred To: \_\_\_\_\_

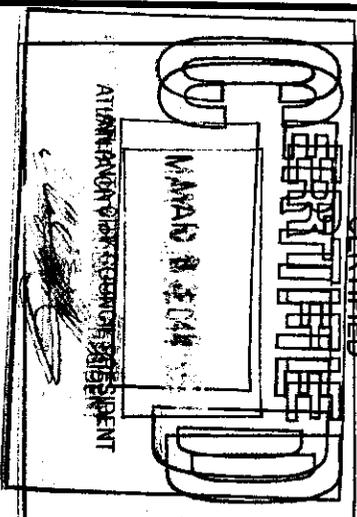
Committee: Planning  
 Date: 4/30/14  
 Chair: Yaman  
 Action: AS AMENDED  
 Fav. Adv. Hold (See rev. side): \_\_\_\_\_  
 Other: \_\_\_\_\_  
 Members: \_\_\_\_\_

Committee: \_\_\_\_\_  
 Date: \_\_\_\_\_  
 Chair: \_\_\_\_\_  
 Action: \_\_\_\_\_  
 Fav. Adv. Hold (See rev. side): \_\_\_\_\_  
 Other: \_\_\_\_\_  
 Members: \_\_\_\_\_

Committee: \_\_\_\_\_  
 Date: \_\_\_\_\_  
 Chair: \_\_\_\_\_  
 Action: \_\_\_\_\_  
 Fav. Adv. Hold (See rev. side): \_\_\_\_\_  
 Other: \_\_\_\_\_  
 Members: \_\_\_\_\_

Committee: \_\_\_\_\_  
 Date: \_\_\_\_\_  
 Chair: \_\_\_\_\_  
 Action: \_\_\_\_\_  
 Fav. Adv. Hold (See rev. side): \_\_\_\_\_  
 Other: \_\_\_\_\_  
 Members: \_\_\_\_\_

- 2<sup>ND</sup>       1<sup>ST</sup> & 2<sup>ND</sup>       3<sup>RD</sup>      **FINAL COUNCIL ACTION**
- Readings
- Consent       V Vote       RC Vote



**CERTIFIED**

*Richard D. ...*  
 MUNICIPAL CLERK

MAYOR'S ACTION  
**APPROVED**  
 MAY 14 2014  
 WITHOUT SIGNATURE  
 BY OPERATION OF LAW

3497

City Council  
Atlanta, Georgia

**14-O-1128**

**AN AMENDED ORDINANCE  
BY ZONING COMMITTEE**

**Z-14-03**

**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 **771 Spring Street, N.W.**, be changed from the SPI 16/LBS (Special Public Interest/Landmark Building/Site) District to the SPI-16 Subarea 1-Conditional (Midtown Special Public Interest) District, to wit:

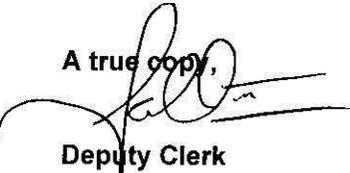
ALL THAT TRACT or parcel of land lying in Land Lot 80, 14<sup>th</sup> District, Fulton County, Georgia, being more particularly described by the attached legal description and/or survey.

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.

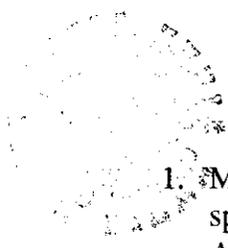
SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

A true copy,

  
Deputy Clerk

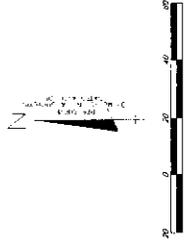
ADOPTED as amended by the Atlanta City Council  
APPROVED as per City Charter Section 2-403

MAY 05, 2014  
MAY 14, 2014



**CONDITIONS FOR Z-14-03 FOR 771 SPRING STREET, N.W.**

1. Maintaining Landmark Building or Site boundary 12 feet from the remaining building specifically at 100.27' feet from the Spring St. right-of-way and 91.16' from the Armstead Street right-of-way.
2. 12 feet setback (as negotiated and reflected on site plan) from the building on the south and east side.



**LEGEND**

--- DEDICATED HIGHWAY  
 --- DEDICATED AIRWAY  
 --- DEDICATED WATERWAY  
 --- DEDICATED RAILROAD

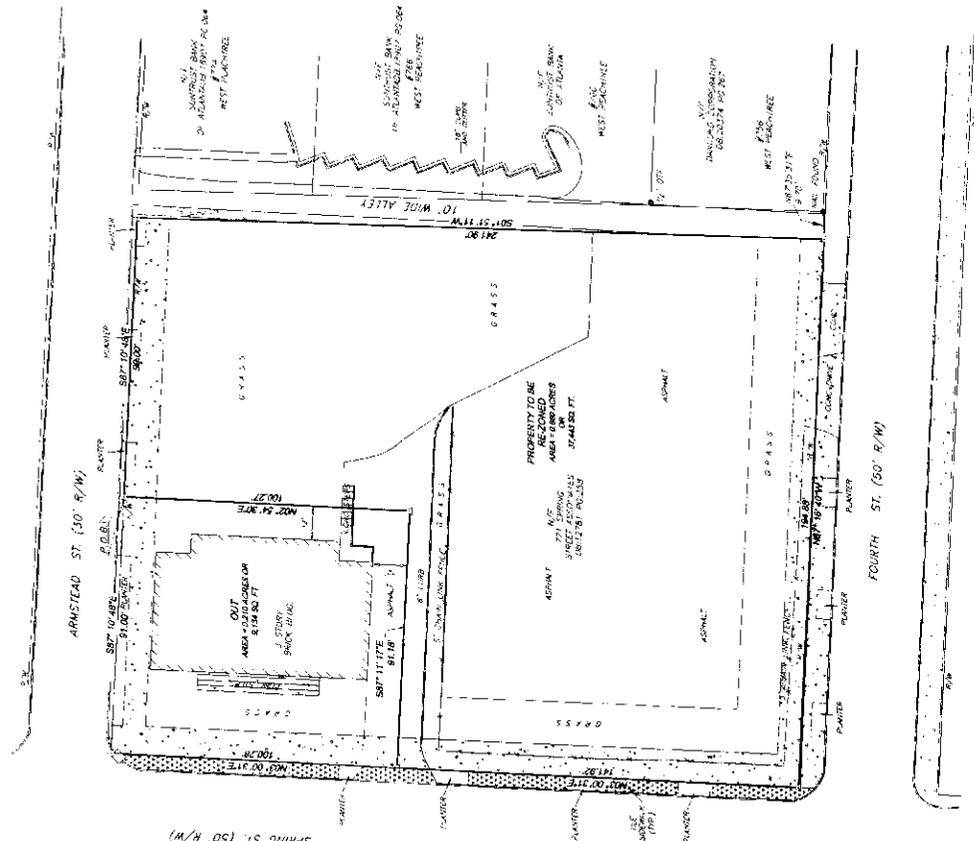
THIS PLAN WAS PREPARED  
 BASED ON THE PREVIOUS  
 ENGINEERING AND SURVEY  
 RECORDS AND FIELD DATA  
 OBTAINED BY THE SURVEYOR  
 WHO HAS PERFORMED FOR THE  
 PREPARATION OF THIS PLAN

771 SPRING STREET  
 ATLANTA, GEORGIA

PROPERTY INFORMATION		SPRING INFORMATION	
LANDLORD NO.	DATE 12/14	DATE 12/14	REVISIONS
DISTRICT CITY	SCALE 1/8" = 1'-0"	DATE 12/14	BY J. L. BROWN
COUNTY STATE	DATE 12/14	DATE 12/14	BY J. L. BROWN
CITY ALABAMA	DATE 12/14	DATE 12/14	BY J. L. BROWN

**PREPARED FOR**  
 DTI HOLDINGS, INC.  
 222 Peachtree Road  
 Atlanta, Georgia 30309

**METRO ENGINEERING & SURVEYING CO., INC.**  
 SURVEYORS - ENGINEERS - PLANNERS  
 1000 Peachtree Street, N.E.  
 Atlanta, Georgia 30309  
 Phone: 770-301-0777 Fax: 770-301-0729  
 www.metro-engineering.com



**PROPERTY TO BE RECORDED**  
 Property Description:

All that tract of land lying and being in Land Lot 86 of the 1st District, Fulton County, Georgia, containing 0.1800 acres (7,742 sq. ft.), and being more particularly described as follows:

Containing as a part located at the intersection of the north-south line of the South 1/2 of Block 10, 1st District, Fulton County, Georgia, and the east-south line of the South 1/2 of Block 10, 1st District, Fulton County, Georgia, containing 0.1800 acres (7,742 sq. ft.), and being more particularly described as follows:

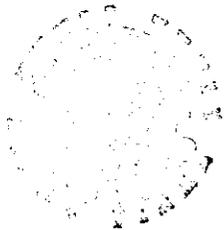
Containing as a part located at the intersection of the north-south line of the South 1/2 of Block 10, 1st District, Fulton County, Georgia, and the east-south line of the South 1/2 of Block 10, 1st District, Fulton County, Georgia, containing 0.1800 acres (7,742 sq. ft.), and being more particularly described as follows:

**OUT**  
 Property Description:

All that tract of land lying and being in Land Lot 86 of the 1st District, Fulton County, Georgia, containing 0.1800 acres (7,742 sq. ft.), and being more particularly described as follows:

Containing as a part located at the intersection of the north-south line of the South 1/2 of Block 10, 1st District, Fulton County, Georgia, and the east-south line of the South 1/2 of Block 10, 1st District, Fulton County, Georgia, containing 0.1800 acres (7,742 sq. ft.), and being more particularly described as follows:

Containing as a part located at the intersection of the north-south line of the South 1/2 of Block 10, 1st District, Fulton County, Georgia, and the east-south line of the South 1/2 of Block 10, 1st District, Fulton County, Georgia, containing 0.1800 acres (7,742 sq. ft.), and being more particularly described as follows:

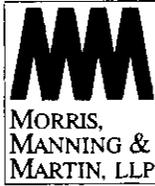


## PROPERTY TO BE RE-ZONED Property Description

All that tract or parcel of land lying and being in Land Lot 80 of the 14th District, Fulton County, Georgia, containing 0.860 acres (37,443 sq. ft.), and being more particularly described as follows:

Commencing at a point located at the intersection of the southernmost right of way line of Armstead Street (having a 30 foot right of way) with the easternmost right of way line of Spring Street (having a 50 foot right of way), thence running along said right of way line of Armstead Street South  $87^{\circ}10'48''$  East, a distance of 91.00 feet to a point and the POINT OF BEGINNING; thence running along said right of way line of Armstead Street South  $87^{\circ}10'48''$  East, a distance of 99.00 feet to a point; thence leaving said right of way line of Armstead Street, South  $01^{\circ}51'11''$  West, a distance of 241.90 feet to a point located on the northernmost right of way line of Fourth Street; thence along said right of way line of Fourth Street, North  $87^{\circ}16'40''$  West, a distance of 194.88 feet to a point located at the intersection of the northernmost right of way line of Fourth Street with the easternmost right of way line of Spring Street; thence along said right of way line of Spring Street, North  $03^{\circ}00'31''$  East, a distance of 141.92 feet to a point; thence leaving said right of way line of Spring Street, South  $87^{\circ}11'17''$  East, a distance of 91.18 feet to a point; thence North  $02^{\circ}54'30''$  East, a distance of 100.27 feet to a point and the POINT OF BEGINNING.

*amended at 4-30-14 Zoning Committee*



April 22, 2014

Jessica L. Hill  
404-504-7754  
jhill@mmmlaw.com  
www.mmmlaw.com

**VIA HAND DELIVERY**

Ms. Charletta Wilson-Jacks  
City of Atlanta Office of Planning  
55 Trinity Avenue, SW  
Suite 3350  
Atlanta, GA 30303

Re: Z-14-003 – 771 Spring Street

Dear Charletta:

Enclosed is an amended legal description and an amended site plan reflecting the negotiated twelve foot (12') buffer around the remaining building. The acreage being rezoned should be reduced to reflect 0.860 acres in the ordinance as well. Please amend the application with the enclosed legal description and site plan and update the ordinance to reflect the updated acreage and legal description.

Regards,

Jessica L. Hill

Enclosures

cc: Tom Barranco (w/ enclosures, via email)  
Karl Smith-Davids (w/ enclosures, via email)  
Doug Young (w/ enclosures, via email)



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Phone: 404.233.7000 | www.mmmlaw.com  
1600 Atlanta Financial Center | 3343 Peachtree Road, NE | Atlanta, Georgia 30326  
Atlanta • Beijing • Raleigh-Durham • Savannah • Taipei • Washington, DC

**CONDITIONS FOR Z-14-03 FOR 771 SPRING STREET, N.W.**

1. Maintaining Landmark Building or Site boundary 12 feet from the remaining building specifically at 100.27' feet from the Spring St. right-of-way and 91.16' from the Armstead Street right-of-way.
2. 10-12 feet setback from the building on the south and east side

11-0-1128  
14-0-03



## PROPERTY TO BE RE-ZONED Property Description

All that tract or parcel of land lying and being in Land Lot 80 of the 14th District, Fulton County, Georgia, containing 0.860 acres (37,443 sq. ft.), and being more particularly described as follows:

Commencing at a point located at the intersection of the southernmost right of way line of Armstead Street (having a 30 foot right of way) with the easternmost right of way line of Spring Street (having a 50 foot right of way), thence running along said right of way line of Armstead Street South  $87^{\circ}10'48''$  East, a distance of 91.00 feet to a point and the POINT OF BEGINNING; thence running along said right of way line of Armstead Street South  $87^{\circ}10'48''$  East, a distance of 99.00 feet to a point; thence leaving said right of way line of Armstead Street, South  $01^{\circ}51'11''$  West, a distance of 241.90 feet to a point located on the northernmost right of way line of Fourth Street; thence along said right of way line of Fourth Street, North  $87^{\circ}16'40''$  West, a distance of 194.88 feet to a point located at the intersection of the northernmost right of way line of Fourth Street with the easternmost right of way line of Spring Street; thence along said right of way line of Spring Street, North  $03^{\circ}00'31''$  East, a distance of 141.92 feet to a point; thence leaving said right of way line of Spring Street, South  $87^{\circ}11'17''$  East, a distance of 91.18 feet to a point; thence North  $02^{\circ}54'30''$  East, a distance of 100.27 feet to a point and the POINT OF BEGINNING.

**PROPERTY TO BE RE-ZONED**  
**Property Description**

All that tract or parcel of land lying and being in Land Lot 80 of the 14th District, Fulton County, Georgia, containing 0.909 acres (39,596 sq. ft.), and being more particularly described as follows:

Commencing at a point located at the intersection of the southernmost right of way line of Armstead Street (having a 30 foot right of way) with the easternmost right of way line of Spring Street (having a 50 foot right of way), thence running along said right of way line of Armstead Street South  $87^{\circ}10'48''$  East, a distance of 79.00 feet to a point and the POINT OF BEGINNING; thence running along said right of way line of Armstead Street South  $87^{\circ}10'48''$  East, a distance of 111.00 feet to a point; thence leaving said right of way line of Armstead Street, South  $01^{\circ}51'11''$  West, a distance of 241.90 feet to a point located on the northernmost right of way line of Fourth Street; thence along said right of way line of Fourth Street, North  $87^{\circ}16'40''$  West, a distance of 194.88 feet to a point located at the intersection of the northernmost right of way line of Fourth Street with the easternmost right of way line of Spring Street; thence along said right of way line of Spring Street, North  $03^{\circ}00'31''$  East, a distance of 153.92 feet to a point; thence leaving said right of way line of Spring Street, South  $87^{\circ}11'17''$  East, a distance of 79.16 feet to a point; thence North  $02^{\circ}54'30''$  East, a distance of 88.27 feet to a point and the POINT OF BEGINNING.

2-14-03

RCS# 272  
5/05/14  
2:41 PM

Atlanta City Council

MULTIPLE 14-O-1037;1126;1125;1150;1041;1128;AND  
1117;  
ADOPT AS AMNDED

YEAS: 15  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 0  
ABSENT 0

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

MULTIPLE