

Z-13-54-AN AMENDED ORDINANCE BY ZONING COMMITTEE TO REZONE FROM THE I-1/BELTLINE OVERLAY DISTRICT (LIGHT INDUSTRIAL AND BELTLINE OVERLAY) DISTRICTS TO THE MR-4/BELTLINE OVERLAY DISTRICT (MULTI FAMILY RESIDENTIAL /BELTLINE OVERLAY) DISTRICT FOR PROPERTY LOCATED AT 1390 NORTHSIDE DRIVE, N.W., 638 GREEN STREET, N.W., AND 637 HOKE STREET, N.W., (ALSO KNOWN AS THE FOLLOWING PARCEL IDENTIFICATION NUMBERS 17-01510002945, 17-01510002012, 17-01510002045, 17-01510002044, 17-01510002046 AND 17-0151 LL052) FRONTING APPROXIMATELY 113 FEET ON THE WEST SIDE OF NORTHSIDE DRIVE AT THE NORTHWEST CORNER OF HOKE STREET. DEPTH: VARIES AREA: APPROXIMATELY 1.28 ACRES. LAND LOT 151, 17TH DISTRICT, FULTON COUNTY, GEORGIA. OWNERS: ETPC, LLC APPLICANT: WESTPLAN INVESTORS PARTNERS, LP NPU D AND E COUNCIL DISTRICT 8

Application File Date	12-3-13
Zoning Number	Z-13-54
NPU / CD	D and E/8
Staff Recommendation	Approval
NPU Recommendation	Approval Conditional
ZRB Recommendation	Approval Conditional

Workflow List:

Office of Research and Policy Analysis	Completed	01/07/2014 6:17 PM
Zoning Committee	Completed	01/15/2014 3:48 PM
Atlanta City Council	Completed	02/05/2014 3:00 PM
Zoning Review Board Staff	Completed	02/21/2014 1:23 PM
Office of Research and Policy Analysis	Completed	02/24/2014 9:36 AM
Zoning Committee	Pending	
Atlanta City Council	Pending	
Mayor's Office	Pending	

HISTORY:

01/15/14	Zoning Committee	
01/21/14	Atlanta City Council	REFERRED TO ZRB AND ZC

RESULT: REFERRED TO ZRB AND ZC [UNANIMOUS]
AYES: Bond, Norwood, Dickens, Smith, Hall, Young Jr., Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd

RESULT: REFERRED TO ZRB AND ZC [UNANIMOUS]
AYES: Bond, Norwood, Dickens, Smith, Hall, Young Jr., Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd

LEGISLATION HISTORY – BLUE BACK

Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

Z-13-54-AN AMENDED ORDINANCE BY ZONING COMMITTEE TO REZONE FROM THE I-1/BELTLINE OVERLAY DISTRICT (LIGHT INDUSTRIAL AND BELTLINE OVERLAY) DISTRICTS TO THE MR-4/BELTLINE OVERLAY DISTRICT (MULTI FAMILY RESIDENTIAL /BELTLINE OVERLAY) DISTRICT FOR PROPERTY LOCATED AT 1390 NORTHSIDE DRIVE, N.W., 638 GREEN STREET, N.W., AND 637 HOKE STREET, N.W., (ALSO KNOWN AS THE FOLLOWING PARCEL IDENTIFICATION NUMBERS 17-01510002945, 17-01510002012, 17-01510002045, 17-01510002044, 17-01510002046 AND 17-0151 LL052) FRONTING APPROXIMATELY 113 FEET ON THE WEST SIDE OF NORTHSIDE DRIVE AT THE NORTHWEST CORNER OF HOKE STREET. DEPTH: VARIES AREA: APPROXIMATELY 1.28 ACRES. LAND LOT 151, 17TH DISTRICT, FULTON COUNTY, GEORGIA. OWNERS: ETPC, LLC APPLICANT: WESTPLAN INVESTORS PARTNERS, LP NPU D AND E COUNCIL DISTRICT 8

Application File Date	12-3-13
Zoning Number	Z-13-54
NPU / CD	D and E/8
Staff Recommendation	Approval
NPU Recommendation	Approval Conditional
ZRB Recommendation	Approval Conditional

City Council
Atlanta, Georgia

AN AMENDED ORDINANCE
BY: ZONING COMMITTEE

Z-13-54
Date Filed: 12-3-13

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 1390 Northside Drive, N.W., 638 Green Street, N.W., and 637 Hoke Street, N.W., (also known as the following Parcel Identification Numbers 17-01510002945, 17-01510002012, 17-01510002045, 17-01510002044, 17-01510002046 and 17-0151 LL052) be changed from the I-1/BeltLine Overlay District (Light Industrial and BeltLine Overlay) Districts to the MR-4/BeltLine Overlay District (Multi Family Residential /BeltLine Overlay) District, to wit:

ALL THAT TRACT or parcel of land lying in Land Lot 151, 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.

NOTICE TO APPLICANT

Address of Property:

638 Green ST NW and 611, 621, 637, 647 Hoke ST NW and 1390 Northside DR NW



OFFICE OF PLANNING

55 Trinity Avenue S.W., Suite 3350
Atlanta, Georgia 30303
(404) 330-6145

APPLICATION #: **Z-13-054**

DATE ACCEPTED: **12/03/2013**

City Council District: **8** Neighborhood Planning Unit (NPU): **D**

Zoning Review Board (ZRB) Hearing Date:

Thursday, February 6 or 13, 2014 at 6:00 p.m.

Council Chambers, 2nd Floor, City Hall
55 Trinity Avenue, S.W.

The contact person for NPU D is:

Jim Martin
(404) 894-6794
james.martin@me.gatech.edu

Contact info for adjacent NPUs is provided below if necessary:

Additional Contacts:
Penelope Cheroff (NPU E)
(404) 892-0229
pcheroff@cheroffgroup.com

Please contact the person(s) listed above within two days to find out which meetings you will be required to attend before the next NPU meeting. If you are unable to reach the contact person, please call the city's NPU Coordinator at 404-330-6145.

Signed,



RJ, for Director, Bureau of Planning



Westplan Investors Partners, LP c/o Jessica Hill



APPLICATION FOR REZONING
City of Atlanta

Application Number 2-13-54

I Hereby Request That The Property Described in this Application be Rezoned
From I-1 / BL District
TO MR-4A / BL District

Name of Applicant Westplan Investors Partners, LP
Last Name First Name M.I.

address One street name Glenlake Pkwy, Suite 1275
city Atlanta state GA zip code 30328
phone (770) 390-9378 Fax _____
e-mail address b.johnson@westplan.com

Name of Property Owner ETPC, LLC
Last Name First Name M.I.

address 70 street name Lenox Pointe (c/o Harry Kuniansky PC)
city Atlanta state GA zip code 30327
phone _____ Fax _____

Description of Property

Address of Property SEE ATTACHED street name _____
city Atlanta state Georgia zip code 30318
The subject property fronts approx. 113 feet on the west side of Northside Drive
beginning 0 feet from the northwest corner of Hoke Street
Depth: varies Area: _____ acres Land Lot: 151 Land District: 17 - Fulton County, GA.
Property is zoned: I-1 Council District: 8 Neighborhood Planning Unit: D (E)

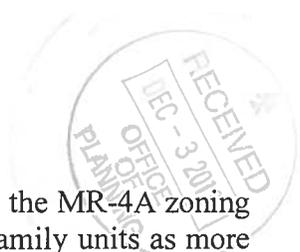
2-13-54

ADDRESS LIST

1390 Northside Drive NW
638 Green Street NW
637 Hoke Street NW



Tax Parcels: 17-01510002042; 17-01510002012; 17-01510002045; 17-01510002044; 17-01510002046; 17-0151 LL 052



21354

SUMMARY

This application requests a rezoning of the subject property from I-1 to the MR-4A zoning district. The rezoning will facilitate the redevelopment of the site with multifamily units as more particularly detailed on the site plan. Currently the site is improved with an abandoned gas station and a two story commercial building fronting on Hoke Street.

DOCUMENTED IMPACT ANALYSIS

(1) Compatibility with comprehensive development plans; timing of development.

The comprehensive development plan reflects a designation of Very High Density Residential. The request is consistent with the existing comprehensive development plan. Development of the site will commence promptly after approval of the rezoning.

(2) Availability of and effect on public facilities and services; referrals to other agencies.

All necessary public facilities and services are available to this property.

(3) Availability of other land suitable for proposed use; effect on balance of land uses.

The subject property is uniquely situated between Northside Drive and the Waterworks facility. The location of the property adjacent to a major arterial but with City owned water facility and open space make it ideal for a multifamily use. Northside Drive includes a variety of industrial, commercial, office and residential uses. The proposed development will add to the existing mixed use fabric.

(4) Effect on character of the neighborhood.

The character of the neighborhood will be enhanced by the introduction of a residential use on the subject property . The immediately adjacent property to the west is improved with a single family home that is nonconforming under the existing I-1 zoning. The immediately adjacent property to the north and east is improved with a male nude dancing club. Other commercial, office and residential uses are located nearby. Currently the site is improved with an abandoned gas station and a two story commercial building. The addition of a 24 hour residential presence on the subject property will benefit the character of the neighborhood.

(5) Suitability of proposed use.

The property already has a Very High Density Residential comprehensive land use plan designation, making the existing I-1 zoning classification inconsistent with the current land use plan designation. The change to MR-4A will allow a use that

is consistent with the current land use plan designation. The proposed use is suitable.

(6) Effect on adjacent property.

The adjacent property is developed with a single family home and an all male strip club. The proposal will be beneficial in that it will provide a transition between the two uses. In addition, the rezoning will bring an active use to a site that is currently largely abandoned.

(7) Economic use of current zoning.

The subject property has some economic use under the current industrial zoning, however, the proposed residential zoning is more appropriate given the site size, limited frontage on Northside Drive and proximity to the Waterworks property.

(8) Tree Preservation.

The applicant shall comply with the policies related to tree preservation as adopted in Section 158-28 (Policy, Purpose and Intent) of the City of Atlanta Tree Ordinance.

- C. **CONDITIONAL ZONING.** If the request is for zoning for new development, submit fourteen (14) copies of the site plan prepared by a State of Georgia registered architect, landscape architect, engineer, or planner holding the AICP designation. Site plans must be folded to 11" x 14". All site plans shall be sealed by the professional preparer and shall show the scale, north arrow; the location of streets and street names; sidewalks; existing and proposed buildings and their square footage, heights, and floor area ratio; parking spaces, loading areas, and number of parking spaces must also be shown. All plans for residential development must include, on the site plan, a summary of calculations in accordance with the Land Use Intensity System (see Chapter 8 of the Zoning Ordinance). For complete information regarding site plans, refer to the "Site Plan Requirements" attachment to this application form.
- D. **PLANNED DEVELOPMENT (PD) DISTRICTS.** If your request is for PD District Zoning, you must comply with the requirements of Chapter 19 of the Zoning Ordinance and with the appropriate regulations for Planned Development Housing, Office-Commercial, Mixed-Use, or Business Park as appropriate. **Certification of a PD Zoning pre-application conference is required.** Submit *Attachment 7*.
- E. **PROPERTY DESCRIPTION.** A copy of a recent plat of survey prepared by an engineer or land surveyor registered in the State of Georgia must accompany each application. In addition, a written legal description must be submitted. In cases involving more than one contiguous property, a consolidated legal description of the property must be submitted.
- F. **HOUSING APPLICATION.** If the rezoning application contemplates the construction of one or more residential units, complete the attached Atlanta Public School form, *Attachment 3*.
- G. **DEVELOPMENTS OF REGIONAL IMPACT.** If your application meets the thresholds shown on *Table II (Attachment 4)*, you must contact the Office of Planning for further instructions.
- H. **TREE PRESERVATION.** All development must meet the City of Atlanta Tree Ordinance. Contact the City Arborist, (404) 330-6150 for details.
- I. **COMPREHENSIVE DEVELOPMENT PLAN (CDP) AMENDMENT.** Submit *Attachment 5*.
- J. **DISCLOSURE.** Submit a disclosure statement as described in *Attachment 6*.
- K. **HEARING DATES AND PROCESSING OF APPLICANTS.** See attached Zoning Review Board Schedule.
- L. **MEETING WITH NEIGHBORHOOD PLANNING UNIT.** (NPU) You must contact the appropriate Neighborhood Planning Unit (NPU) within two business days after filing your rezoning application to appear before them prior to the public hearing of the Zoning Review Board. The name and phone number of the contact for the NPU will be provided at the time that you file your application.
- M. **FEES.** See attached fee schedule, *Attachment 8*.
- N. **AUTHORIZATION TO INSPECT PREMISES.** I hereby authorize the staff of the Office of Planning of the City of Atlanta to inspect the premises, which are the subject of this rezoning application.
- O. **Revisions to site plans will only be accepted up to 15 days prior to the scheduled hearing date.**



2-13-54

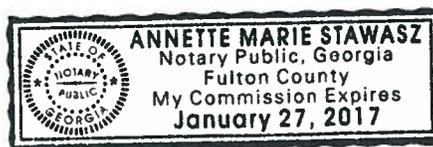
I swear and affirm that the information contained in this application is true and accurate to the best of my knowledge and belief.

Brady D Johnson

Owner or Agent of Owner (Applicant)

Sworn to and subscribed before me this 2nd day of December, 2013.

Annette Marie Stawasz (Notary Public)





AUTHORIZATION BY PROPERTY OWNER

(Required if person filing the application is **not** the owner of the subject property or Applicant for the proposed rezoning)

213-54

I, ETPC, LLC (OWNER'S NAME)

SWEAR AND AFFIRM THAT I AM THE OWNER OF THE PROPERTY AT _____

(PROPERTY ADDRESS).

AS SHOWN IN THE RECORDS OF Fulton COUNTY, GEORGIA, WHICH
IS THE SUBJECT MATTER OF THE ATTACHED APPLICATION. I AUTHORIZE THE
PERSON NAMED BELOW TO FILE THIS APPLICATION AS MY AGENT.

NAME OF APPLICANT: Westplan Investors Partners, LP

LAST NAME _____ FIRST NAME _____

ADDRESS One STREET NAME Glenlake Pkwy SUITE 1275

CITY Atlanta STATE GA ZIP CODE 30328

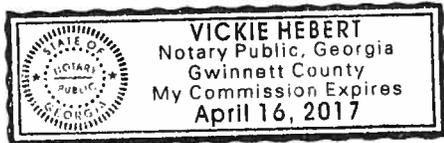
TELEPHONE NUMBER

AREA CODE (770) NUMBER 390 - 9378

ETPC, LLC
[Signature]
Signature of Owner
Harry S. Kuriansky
Print name of owner, manager

Personally Appeared Before Me this 25th day of November, 2013

[Signature]
Notary Public





2-13-54

AUTHORIZATION OF ATTORNEY

I SWEAR AND AFFIRM, AS AN ATTORNEY AT LAW, THAT I HAVE BEEN AUTHORIZED BY THE OWNER OF THE PROPERTY SUBJECT TO THE PROPOSED REZONING TO FILE THIS APPLICATION.

Jenice L. Hill
SIGNATURE OF ATTORNEY

Morris Manning & Martin, LLP
NAME

1600 Atlanta Financial Center
ADDRESS

3343 Peachtree Road, N.E.

Atlanta GA 30326
CITY STATE ZIPCODE

(404) 233-7000
TELEPHONE NUMBER

ATLANTA PUBLIC SCHOOLS REVIEW REQUEST

(Required only if application would result in construction of one or more units of new housing)



Application Number _____

Name of applicant Westplan Investors Partners, LP

Address One Glenlake Parkway, Suite 1275

City Atlanta State GA Zip Code 30326

Contact, if other than applicant _____

Zoning category requested MR - 4A No. of acres of property to be rezoned 2.27

No. of Proposed dwelling units per acre 50.22 Total number of dwelling units 114

Total number of units by bedroom: 70% 2 BR; 30% 3 BR

Monthly rental per unit ~~\$1,200~~ \$1,650 or selling per unit _____

Projected construction completion date: Winter 2015

EXHIBIT "A"

All that tract or parcel of land lying and being in Land Lot 151, 17th District, Fulton County, Georgia as shown on that Boundary and Above Ground As-Built Survey prepared by Pearson & Associates, Inc., certified by William W. DeLoach, Georgia Registered Land Surveyor No. 1711, dated April 22, 2005, being more particularly described as follows:

PARCEL ONE

BEGIN at a concrete monument found at the southwestern end of the miter of the intersection between the western right-of-way of Northside Drive (right-of-way varies) and the northwestern right-of-way of Hoke Street (forty foot right-of-way); thence in a southwesterly direction along the northwestern right-of-way of said Hoke Street the following calls and distances:

South 78 degrees 43 minutes 04 seconds West a distance of 25.55 feet to a one-half inch rebar set;
 South 78 degrees 43 minutes 04 seconds West a distance of 50.00 feet to a five-eighths inch rebar found;
 South 78 degrees 30 minutes 50 seconds West a distance of 150.04 feet to a one-half inch rebar found;
 South 78 degrees 26 minutes 12 seconds West a distance of 50.00 feet to a one-half inch rebar set; leaving said right-of-way,

thence North 12 degrees 44 minutes 58 seconds West along the boundary of property now or formerly known as 637 Hoke Street a distance of 124.29 feet to a fence corner; thence South 78 degrees 56 minutes 02 seconds West along the boundary of property now or formerly known as 637 Hoke Street a distance of 71.50 feet to a one-half inch rebar set; thence North 12 degrees 19 minutes 37 seconds West along the boundary of property now or formerly owned by Earleen Cain et al a distance of 125.29 feet to a one-half inch rebar set on the southeastern right-of-way of Green Street (forty foot right-of-way); thence in a northeasterly direction along the southeastern right-of-way of said Green Street the following calls and distances:

North 79 degrees 25 minutes 43 seconds East a distance of 71.50 feet to a one inch open top pipe found;
 North 78 degrees 08 minutes 38 seconds East a distance of 49.87 feet to a one-half inch rebar found;
 North 78 degrees 02 minutes 31 seconds East a distance of 148.78 feet to a one-half inch rebar found;
 North 78 degrees 59 minutes 22 seconds East a distance of 50.18 feet to a one-half inch rebar set; leaving said right-of-way,

thence South 12 degrees 37 minutes 18 seconds East along the boundary of property now or formerly owned by Cummins B. Jones a distance of 113.91 feet to a one-half inch rebar set; thence North 79 degrees 39 minutes 43 seconds East along the boundary of property now or formerly owned by Cummins B. Jones a distance of 50.66 feet to a one-half inch rebar set; thence South 13 degrees 13 minutes 04 seconds East along the boundary of property now or formerly owned by Cummins B. Jones a distance of 10.55 feet to a one-half inch rebar set; thence North 78 degrees 47 minutes 31 seconds East along the boundary of property now or formerly owned by Cummins B. Jones a distance of 35.70 feet to a one-half inch rebar set on the western right-of-way of Northside Drive (right-of-way varies); thence South 04 degrees 01 minutes 12 seconds West along the western right-of-way of said Northside Drive a distance of 113.01 feet to a concrete monument found at the northeastern end of the miter of the intersection between the western right-of-way of said Northside Drive and the northwestern right-of-way of Hoke Street (forty foot right-of-way); thence South 48 degrees 36 minutes 39 seconds West along the miter of the intersection between the western right-of-way of said Northside Drive and the northwestern right-of-way of said Hoke Street a distance of 31.56 feet to a concrete monument found at the southwestern end of the said miter of the intersection between the western right-of-way



of said Northside Drive and the northwestern right-of-way of said Hoke Street, said point being the POINT OF BEGINNING; containing 0.86 acres (37,324 square feet) more or less.

TOGETHER WITH

PARCEL TWO

TO FIND THE TRUE POINT OF BEGINNING, COMMENCE at a concrete monument found at the southwestern end of the miter of the intersection between the western right-of-way of Northside Drive (right-of-way varies) and the northwestern right-of-way of Hoke Street (forty foot right-of-way); thence in a southwesterly direction along the northwestern right-of-way of said Hoke Street the following calls and distances:

- South 78 degrees 43 minutes 04 seconds West a distance of 25.55 feet to a one-half inch rebar set;
- South 78 degrees 43 minutes 04 seconds West a distance of 50.00 feet to a five-eighths inch rebar found;
- South 78 degrees 30 minutes 50 seconds West a distance of 150.04 feet to a one-half inch rebar found;
- South 78 degrees 26 minutes 12 seconds West a distance of 50.00 feet to a one-half inch rebar set;
- South 78 degrees 26 minutes 12 seconds West a distance of 101.15 feet to a one-half inch rebar found, said point being the TRUE POINT OF BEGINNING;

FROM THE TRUE POINT OF BEGINNING, thence South 78 degrees 40 minutes 02 seconds West along the northwestern right-of-way of said Hoke Street a distance of 46.00 feet to a one-half inch rebar set; leaving said right-of-way, thence North 12 degrees 13 minutes 09 seconds West a distance of 125.35 feet to a one-half inch rebar set; thence North 78 degrees 56 minutes 02 seconds East along the boundary of property now or formerly owned by Cummins B. Jones a distance of 46.00 feet to a one-half inch rebar set; thence South 12 degrees 13 minutes 15 seconds East along the boundary of property now or formerly known as 637 Hoke Street a distance of 125.14 feet to a one-half inch rebar found on the northwestern right-of-way of Hoke Street (forty foot right-of-way), said point being the TRUE POINT OF BEGINNING; containing 0.13 acres (5,760 square feet) more or less.



EXHIBIT "A"
LEGAL DESCRIPTION
Parcel 3



TO FIND THE TRUE POINT OF BEGINNING, COMMENCE at a concrete monument found at the southwestern end of the miter of the intersection between the western right-of-way of Northside Drive (right-of-way Varies) and the northwestern right-of-way of Hoke Street (forty foot right-of-way); thence in a southwesterly direction along the northwestern right-of-way of said Hoke Street the following calls and distances:

South 78 degrees 43 minutes 04 seconds West a distance of 25.55 feet to a one-half inch rebar set;

South 78 degrees 43 minutes 04 seconds West a distance of 50.00 feet to a five-eighths inch rebar found;

South 78 degrees 30 minutes 50 seconds West a distance of 150.04 feet to a one-half inch rebar found;

South 78 degrees 26 minutes 12 seconds West a distance of 50.00 feet to a one-half inch rebar set; said point being the TRUE POINT OF BEGINNING;

FROM THE TRUE POINT OF BEGINNING, South 78 degrees 26 minutes 12 seconds West along the northwestern right-of-way of said Hoke Street a distance of 101.15 feet to a one-half inch rebar found; leaving said right-of-way, thence North 12 degrees 13 minutes 15 seconds West a distance of 125.14 feet to a one-half inch rebar set; thence North 78 degrees 56 minutes 02 seconds East a distance of 101.50 feet to a fence corner; thence South 12 degrees 44 minutes 58 seconds East a distance of 124.29 feet to a one-half inch rebar set, said point being the TRUE POINT OF BEGINNING; containing 0.29 acres (12,542 square feet) more or less.

RECEIPT

CITY OF ATLANTA
ATLANTATEST
55 TRINITY AVE SW

Application: Z-13-054
Application Type: Planning/ZRB/Rezoning/NA
Address: 647 HOKE ST NW, ATLANTA, GA 30318
Owner Name: ETPC COMPANY LLC
Owner Address:
Application Name:

Receipt No.	Ref Number	Amount Paid	Payment Date	Cashier ID	Received	Comments
351778	4512	\$625.00	12/03/2013	JADEGBOYE		

Owner Info.: ETPC COMPANY LLC

DEC 03 2013
[Signature]

Work Description: Rezone from I-1 to MR-4A

EXHIBIT "A"

All that tract or parcel of land lying and being in Land Lot 151, 17th District, Fulton County, Georgia as shown on that Boundary and Above Ground As-Built Survey prepared by Pearson & Associates, Inc., certified by William W. DeLoach, Georgia Registered Land Surveyor No. 1711, dated April 22, 2005, being more particularly described as follows:

PARCEL ONE

BEGIN at a concrete monument found at the southwestern end of the miter of the intersection between the western right-of-way of Northside Drive (right-of-way varies) and the northwestern right-of-way of Hoke Street (forty foot right-of-way); thence in a southwesterly direction along the northwestern right-of-way of said Hoke Street the following calls and distances:

South 78 degrees 43 minutes 04 seconds West a distance of 25.55 feet to a one-half inch rebar set;
 South 78 degrees 43 minutes 04 seconds West a distance of 50.00 feet to a five-eighths inch rebar found;
 South 78 degrees 30 minutes 50 seconds West a distance of 150.04 feet to a one-half inch rebar found;
 South 78 degrees 26 minutes 12 seconds West a distance of 50.00 feet to a one-half inch rebar set; leaving said right-of-way,

thence North 12 degrees 44 minutes 58 seconds West along the boundary of property now or formerly known as 637 Hoke Street a distance of 124.29 feet to a fence corner; thence South 78 degrees 56 minutes 02 seconds West along the boundary of property now or formerly known as 637 Hoke Street a distance of 71.50 feet to a one-half inch rebar set; thence North 12 degrees 19 minutes 37 seconds West along the boundary of property now or formerly owned by Earleen Cain et al a distance of 125.29 feet to a one-half inch rebar set on the southeastern right-of-way of Green Street (forty foot right-of-way); thence in a northeasterly direction along the southeastern right-of-way of said Green Street the following calls and distances:

North 79 degrees 25 minutes 43 seconds East a distance of 71.50 feet to a one inch open top pipe found;
 North 78 degrees 08 minutes 38 seconds East a distance of 49.87 feet to a one-half inch rebar found;
 North 78 degrees 02 minutes 31 seconds East a distance of 148.78 feet to a one-half inch rebar found;
 North 78 degrees 59 minutes 22 seconds East a distance of 50.18 feet to a one-half inch rebar set; leaving said right-of-way,

thence South 12 degrees 37 minutes 18 seconds East along the boundary of property now or formerly owned by Cummins B. Jones a distance of 113.91 feet to a one-half inch rebar set; thence North 79 degrees 39 minutes 43 seconds East along the boundary of property now or formerly owned by Cummins B. Jones a distance of 50.66 feet to a one-half inch rebar set; thence South 13 degrees 13 minutes 04 seconds East along the boundary of property now or formerly owned by Cummins B. Jones a distance of 10.55 feet to a one-half inch rebar set; thence North 78 degrees 47 minutes 31 seconds East along the boundary of property now or formerly owned by Cummins B. Jones a distance of 35.70 feet to a one-half inch rebar set on the western right-of-way of Northside Drive (right-of-way varies); thence South 04 degrees 01 minutes 12 seconds West along the western right-of-way of said Northside Drive a distance of 113.01 feet to a concrete monument found at the northeastern end of the miter of the intersection between the western right-of-way of said Northside Drive and the northwestern right-of-way of Hoke Street (forty foot right-of-way); thence South 48 degrees 36 minutes 39 seconds West along the miter of the intersection between the western right-of-way of said Northside Drive and the northwestern right-of-way of said Hoke Street a distance of 31.56 feet to a concrete monument found at the southwestern end of the said miter of the intersection between the western right-of-way

of said Northside Drive and the northwestern right-of-way of said Hoke Street, said point being the POINT OF BEGINNING; containing 0.86 acres (37,324 square feet) more or less.

TOGETHER WITH

PARCEL TWO

TO FIND THE TRUE POINT OF BEGINNING, COMMENCE at a concrete monument found at the southwestern end of the miter of the intersection between the western right-of-way of Northside Drive (right-of-way varies) and the northwestern right-of-way of Hoke Street (forty foot right-of-way); thence in a southwesterly direction along the northwestern right-of-way of said Hoke Street the following calls and distances:

South 78 degrees 43 minutes 04 seconds West a distance of 25.55 feet to a one-half inch rebar set;
 South 78 degrees 43 minutes 04 seconds West a distance of 50.00 feet to a five-eighths inch rebar found;
 South 78 degrees 30 minutes 50 seconds West a distance of 150.04 feet to a one-half inch rebar found;
 South 78 degrees 26 minutes 12 seconds West a distance of 50.00 feet to a one-half inch rebar set;
 South 78 degrees 26 minutes 12 seconds West a distance of 101.15 feet to a one-half inch rebar found, said point being the TRUE POINT OF BEGINNING;

FROM THE TRUE POINT OF BEGINNING, thence South 78 degrees 40 minutes 02 seconds West along the northwestern right-of-way of said Hoke Street a distance of 46.00 feet to a one-half inch rebar set; leaving said right-of-way, thence North 12 degrees 13 minutes 09 seconds West a distance of 125.35 feet to a one-half inch rebar set; thence North 78 degrees 56 minutes 02 seconds East along the boundary of property now or formerly owned by Cummins B. Jones a distance of 46.00 feet to a one-half inch rebar set; thence South 12 degrees 13 minutes 15 seconds East along the boundary of property now or formerly known as 637 Hoke Street a distance of 125.14 feet to a one-half inch rebar found on the northwestern right-of-way of Hoke Street (forty foot right-of-way), said point being the TRUE POINT OF BEGINNING; containing 0.13 acres (5,760 square feet) more or less.



EXHIBIT "A"
LEGAL DESCRIPTION
Parcel 3

TO FIND THE TRUE POINT OF BEGINNING, COMMENCE at a concrete monument found at the southwestern end of the miter of the intersection between the western right-of-way of Northside Drive (right-of-way Varies) and the northwestern right-of-way of Hoke Street (forty foot right-of-way); thence in a southwesterly direction along the northwestern right-of-way of said Hoke Street the following calls and distances:

South 78 degrees 43 minutes 04 seconds West a distance of 25.55 feet to a one-half inch rebar set;

South 78 degrees 43 minutes 04 seconds West a distance of 50.00 feet to a five-eighths inch rebar found;

South 78 degrees 30 minutes 50 seconds West a distance of 150.04 feet to a one-half inch rebar found;

South 78 degrees 26 minutes 12 seconds West a distance of 50.00 feet to a one-half inch rebar set; said point being the TRUE POINT OF BEGINNING;

FROM THE TRUE POINT OF BEGINNING, South 78 degrees 26 minutes 12 seconds West along the northwestern right-of-way of said Hoke Street a distance of 101.15 feet to a one-half inch rebar found; leaving said right-of-way, thence North 12 degrees 13 minutes 15 seconds West a distance of 125.14 feet to a one-half inch rebar set; thence North 78 degrees 56 minutes 02 seconds East a distance of 101.50 feet to a fence corner; thence South 12 degrees 44 minutes 58 seconds East a distance of 124.29 feet to a one-half inch rebar set, said point being the TRUE POINT OF BEGINNING; containing 0.29 acres (12,542 square feet) more or less.

Conditions for Z-13-54

1. Applicant will request that the City direct impact fees from the development to the extension of sidewalks along the west side of Northside Drive from Holmes Street to Deering Road as described in the 2014-18 Capital Improvements Program / Short Term Work Program items #75 (pg. 242) and #43 (pg 328) and in the Comprehensive Development Plan via the adoption of the recommendations of the Northside Drive Corridor Study.
2. Within 90 days from and after the issuance of the special administrative permit for the redevelopment of the property, applicant shall demolish the existing single family home on the property
3. Within 30 days from and after the acquisition of the property, applicant shall remove the existing fence on the property around the area currently used for parking by 1400 Northside Drive (i.e., the fence located in the northeast portion of the subject property).
4. Concurrently with applicant's acquisition of the property, applicant shall not permit the adjacent tract, 1400 Northside Drive, to park on the property, subject to any existing rights that are not terminable.