

AN ORDINANCE BY ZONING COMMITTEE CORRECTING ORDINANCE 14-O-1034, ADOPTED BY CITY COUNCIL FEBRUARY 3, 2014, AND APPROVED BY THE MAYOR ON FEBRUARY 12, 2014 WITHOUT SIGNATURE BY OPERATION OF LAW REZONING PROPERTY LOCATED AT 1875, 1891, 1895 AND 1901 PEACHTREE ROAD, N.E. WHICH REZONED SAID PROPERTY 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 SO THAT THE CONDITIONS ARE FURTHER CLARIFIED REGARDING THE SITE PLAN; AND FOR OTHER PURPOSES.

Application File Date	
Zoning Number	Z-13-30 A (corrective)
NPU / CD	C-8
Staff Recommendation	Not required
NPU Recommendation	Not required
ZRB Recommendation	Not required

Workflow List:

Office of Research and Policy Analysis	Completed	05/20/2014 11:44 AM
Zoning Committee	Completed	05/30/2014 4:12 PM
Atlanta City Council	Completed	06/04/2014 3:15 PM
Zoning Committee	Pending	
Office of Research and Policy Analysis	Pending	
Atlanta City Council	Pending	
Mayor's Office	Pending	

HISTORY:

05/28/14	Zoning Committee	
06/02/14	Atlanta City Council	REFERRED TO COMMITTEE

RESULT:	REFERRED TO COMMITTEE [12 TO 0]
AYES:	Bond, Hall, Young Jr., Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd
ABSENT:	Mary Norwood
AWAY:	Andre Dickens, Carla Smith

RESULT: **REFERRED TO COMMITTEE [12 TO 0]**
AYES: Bond, Hall, Young Jr., Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin,
 Bottoms, Sheperd
ABSENT: Mary Norwood
AWAY: Andre Dickens, Carla Smith

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

AN ORDINANCE BY ZONING COMMITTEE CORRECTING ORDINANCE 14-O-1034, ADOPTED BY CITY COUNCIL FEBRUARY 3, 2014, AND APPROVED BY THE MAYOR ON FEBRUARY 12, 2014 WITHOUT SIGNATURE BY OPERATION OF LAW REZONING PROPERTY LOCATED AT 1875, 1891, 1895 AND 1901 PEACHTREE ROAD, N.E. WHICH REZONED SAID PROPERTY 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 SO THAT THE CONDITIONS ARE FURTHER CLARIFIED REGARDING THE SITE PLAN; AND FOR OTHER PURPOSES.

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WHEREAS, Z-13-30 was adopted by the City Council on February 3, 2014 and approved by the Mayor on February 12, 2014 without signature by operation of law- to rezone the property located at 1875, 1891, 1895 AND 1901 PEACHTREE ROAD, N.E. from the C-3 (Commercial Residential), C-3-C (Commercial Residential-Conditional) and R-4 (Single Family Residential) zoning districts to the C-3-C (Commercial Residential-Conditional) and R-4 (Single Family Residential) zoning districts and

WHEREAS, conditions were imposed as a part of the rezoning; and

WHEREAS, the conditions require further clarification to ensure the following:

1. Condition 1 should reference a site plan stamped received by Planning on “*January 16, 2014.*”
2. The site plan needs to be attached to the ordinance as referenced (attach as Exhibit A-1).
3. A complete set of conditions is attached to ensure that all conditions approved are properly attached to the ordinance.

THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That Ordinance 14-O-1034 (Z-13-30) adopted by the City Council on February 3, 2014 and approved by the Mayor on February 12, 2014 without signature by operation of law- to rezone the property located at 1875, 1891, 1895 AND 1901 PEACHTREE ROAD, N.E. from the C-3 (Commercial Residential), C-3-C (Commercial Residential-Conditional) and R-4 (Single Family Residential) zoning

districts to the C-3-C (Commercial Residential-Conditional) and R-4 (Single Family Residential) zoning districts be corrected to reflect further clarification of the conditions, with the attached conditions and

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.

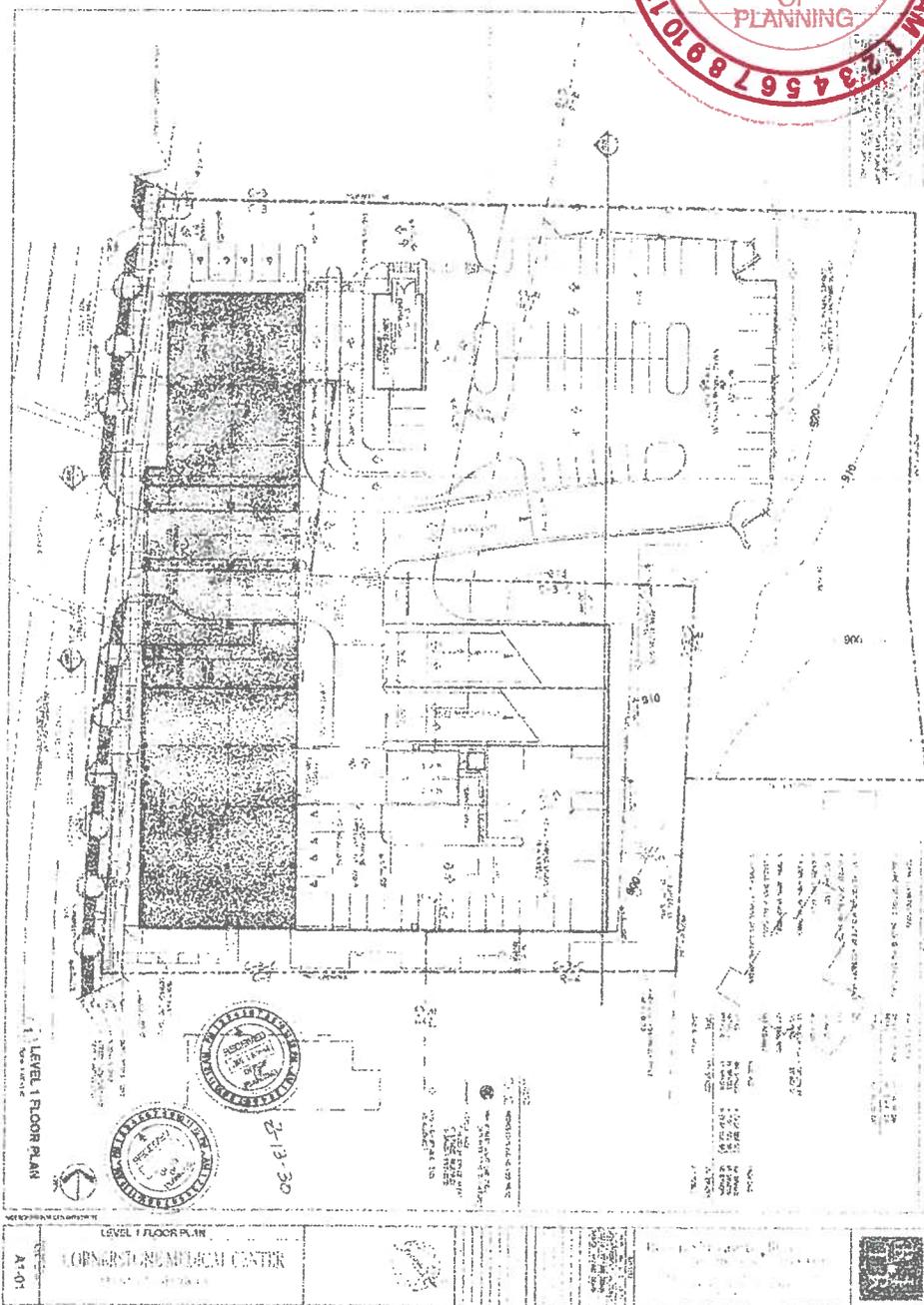
SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

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 **January 16, 2014**. 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 of 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 luminaries 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

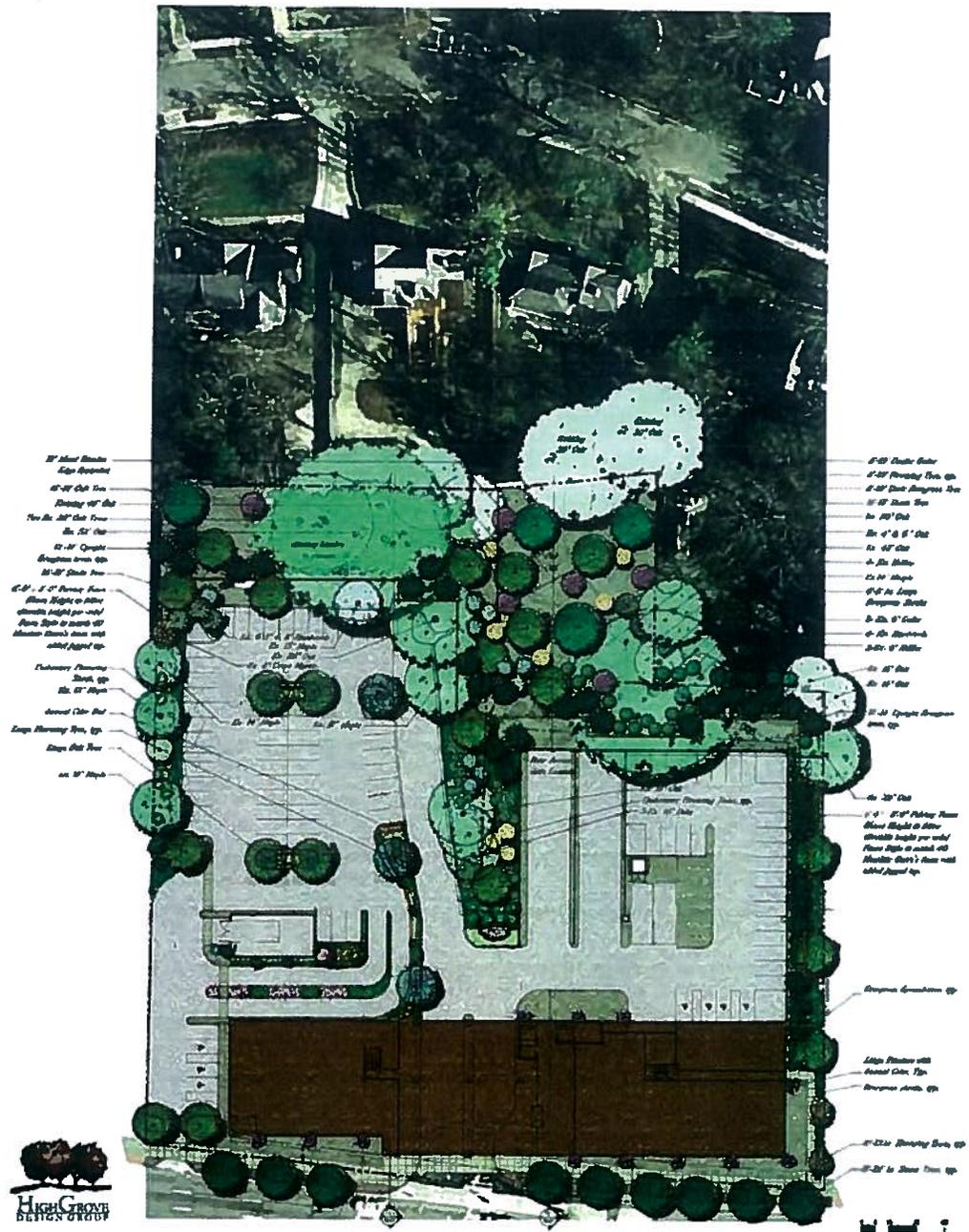
on Sunday and/or state and federal holidays. Also, no construction related vehicles shall park on any neighborhood streets in the Brookwood Hills neighborhood.

SITE PLAN



LEVEL 1 FLOOR PLAN
 CORNISH MUNICIPAL CENTER
 A-1-01

EXHIBIT "A" Landscape Plan



High Growth Design Group
 1000 Peachtree Street, N.E.
 Atlanta, Georgia 30309
 Phone: 404.525.1111
 Fax: 404.525.1112
 Website: www.highbg.com

THE CORNERSTONE MEDICAL BUILDING ATLANTA, GEORGIA



EXHIBIT "B"
Elevations / Sections



Rox *for* **Thompson** **Group**
Architectural & Interior Design
100 Peachtree Street, Suite 1000
Atlanta, Georgia 30309
PH: 404.525.1000 FAX: 404.525.1001
www.roxforthompson.com



REAR ELEVATION

THE CORNERSTONE MEDICAL BUILDING
 ATLANTA, GEORGIA

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 Architectural Record Group
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 Atlanta, Georgia 30309
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