

AN ORDINANCE BY COUNCILMEMBER FELICIA A. MOORE WAIVING THE SIDEWALK REQUIREMENTS OF SECTION 15-09.003 OF THE CITY OF ATLANTA CODE OF ORDINANCES FOR SUBDIVISION APPLICATION SD-13-034 (2190 COLLINS DRIVE) TO PROVIDE THAT IN LIEU OF INSTALLING SIDEWALK AT SAID SUBDIVSION, 100 LINEAR FEET OF SIDEWALK WILL BE INSTALLED ON THE NORTH-WEST SIDE OF COLLINS DRIVE AT THE INTERSECTION WITH THE SOUTH-EAST SIDE OF BOLTON ROAD (2221 BOLTON ROAD); AND FOR OTHER PURPOSES.

Workflow List:

Atlanta City Council	Completed	07/09/2014 12:34 PM
City Utilities Committee	Pending	
Mayor's Office	Pending	

HISTORY:

07/07/14	Atlanta City Council	REFERRED WITHOUT OBJECTION
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RESULT:	REFERRED WITHOUT OBJECTION	Next: 7/15/2014 9:30 AM
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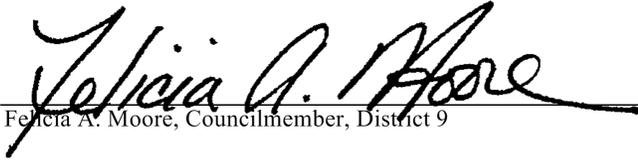
Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

LEGISLATION HISTORY - BLUE BACK

CITY COUNCIL
ATLANTA, GEORGIA

14-O-1359

SPONSOR SIGNATURES


Felicia A. Moore, Councilmember, District 9

AN ORDINANCE BY COUNCILMEMBER FELICIA A. MOORE WAIVING THE SIDEWALK REQUIREMENTS OF SECTION 15-09.003 OF THE CITY OF ATLANTA CODE OF ORDINANCES FOR SUBDIVISION APPLICATION SD-13-034 (2190 COLLINS DRIVE) TO PROVIDE THAT IN LIEU OF INSTALLING SIDEWALK AT SAID SUBDIVISION, 100 LINEAR FEET OF SIDEWALK WILL BE INSTALLED ON THE NORTH-WEST SIDE OF COLLINS DRIVE AT THE INTERSECTION WITH THE SOUTH-EAST SIDE OF BOLTON ROAD (2221 BOLTON ROAD); AND FOR OTHER PURPOSES.

WHEREAS, Section 15-09.003 of the City of Atlanta Code of Ordinances (“subdivision ordinance”) requires the subdivision applicant (“developer”) to provide sidewalks on both sides of existing and proposed streets (“sidewalk requirement”); and

WHEREAS, the subdivision ordinance further provides that the City Council may waive the sidewalk requirement “in order to permit the developer of said subdivision to construct sidewalks of equal or greater length along adjoining streets”; and

WHEREAS, the subdivision ordinance further provides that such waiver can be granted by the City Council “only if the subdivision developer or the pertinent neighborhood planning unit has formally petitioned the city for said waiver, and only if the City Council has received formal comments on said petition from the Commissioner of Public Works and the Commissioner of Planning”; and

WHEREAS, the developer, Joseph Campbell, has formally petitioned for the waiver of the sidewalk requirement for subdivision application SD-13-034 (2190 Collins Drive); and

WHEREAS, the City Council has received the formal comments on such petition from the Commissioner of Planning, attached hereto as “Exhibit A”; and

WHEREAS, the City Council has received the formal comments on such petition from the Commissioner of Public Works, attached hereto as “Exhibit B”; and

WHEREAS, based on these formal comments, the City Council finds that construction of sidewalks along the street frontage of SD-13-034 (2190 Collins Drive) would not benefit said area being that there are no existing sidewalks north or south of the property to serve as a connection; and

WHEREAS, the City and area residents would be better served by the construction of the sidewalks from SD-13-034, on the north-west side of Collins Drive where it intersects with the south-east side of Bolton Road which has exiting sidewalks as depicted on the drawing attached hereto as “Exhibit C”; and

WHEREAS, instead of being constructed in front of 2190 Collins Drive, 100 linear feet of sidewalks will be constructed by the developer of Subdivision SD-13-034 at the alternate location on the south-east side of Bolton Road at the intersection with the north-west side of Collins Drive, as per the attached “Exhibit D”.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS as follows:

SECTION 1: The requirement of Section 15-09.003 of the City of Atlanta Code of Ordinances that sidewalks be provided on both sides of existing and proposed streets is hereby waived for the sidewalks for Subdivision SD-13-034 (2190 Collins Drive).

SECTION 2: The waiver of said requirement for the aforementioned application is conditioned upon the agreement of developer Joseph Campbell to construct 100 linear feet of sidewalk on the south-east side of Bolton Road at the intersection with the north-west side of Collins Drive (property known as 2221 Bolton Road) as more fully depicted in Exhibit "D", attached hereto.

SECTION 3: Prior to approval of the final subdivision plat by the Director of the Office of Planning for SD-13-034, as provided by Section 15-07.005(f)(3), the sidewalks as described in this ordinance shall be constructed by the developer, Joseph Campbell, or his successor(s), in accordance with the procedures and standards of the Department of Public Works. Sidewalks must be inspected and accepted by the Department of Public Works.

SECTION 4: In the event the developer Joseph Campbell, or his successor(s) in interest, withdraws the subdivision request, this ordinance is void and of no further effect.

SECTION 5: All other requirements of the Code of Ordinances for SD-13-034 above shall remain in full force and effect.