City Council
Atlanta, Georgia

10- O -0018

A SUBSTITUTE ORDINANCE
BY:

Z-08-73
Date Filed: 9-17-08

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 **1146 Portland Street, S.E., 1152 Portland Street, S.E. 1131 Glenwood Avenue, S.E., 1137 Glenwood Avenue, S.E.,** be changed from the R-4 (Single Family Residential) District to the MR-2-C (Multifamily Residential) District/ Beltline Overlay District, to wit:

ALL THAT TRACT or parcel of land lying in Land Lot 12, 14th 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 That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

Conditions for Z-08-73
for
1146 and 1152 Portland Street, S.E and 1131 and 1137 Glenwood Avenue, S.E.

Note: The four parcels referenced above are part of a larger development that is reflected on the site plans. Only the four parcels referenced above are a part of the rezoning request. The request is for the parcels that are currently zoned R-4 (Single family Residential) to be rezoned to MR-2-C.

1) Site Plan and Building Elevations: A site plan and building elevations labeled "525 Moreland Avenue" similar to the plans prepared by Rutledge Alcock Architects, LLC dated April 16, 2009 and stamped "received" by the Bureau of Planning on May 7, 2009. These plans are conceptual and are not intended to prohibit application of the MR-2, NC-2, or Beltline Overlay District regulations.

2. Bicycle Parking: A minimum of twenty-five percent (25%) of the bicycle parking spaces mandated by the Beltline Overlay district shall be located within the parking structure or building.

3. Parking Structure: On the roof of the enclosed parking structure on the western side, there shall be the following:

   a) A planter no less than five feet (5') in width and no less than forty two inches (42") in height; and,
   b) This planter shall contain ornamental trees and evergreens which shall have the effect of blocking the view to the west from the roof of the parking structure.

4. Building Facade Materials and Treatments:

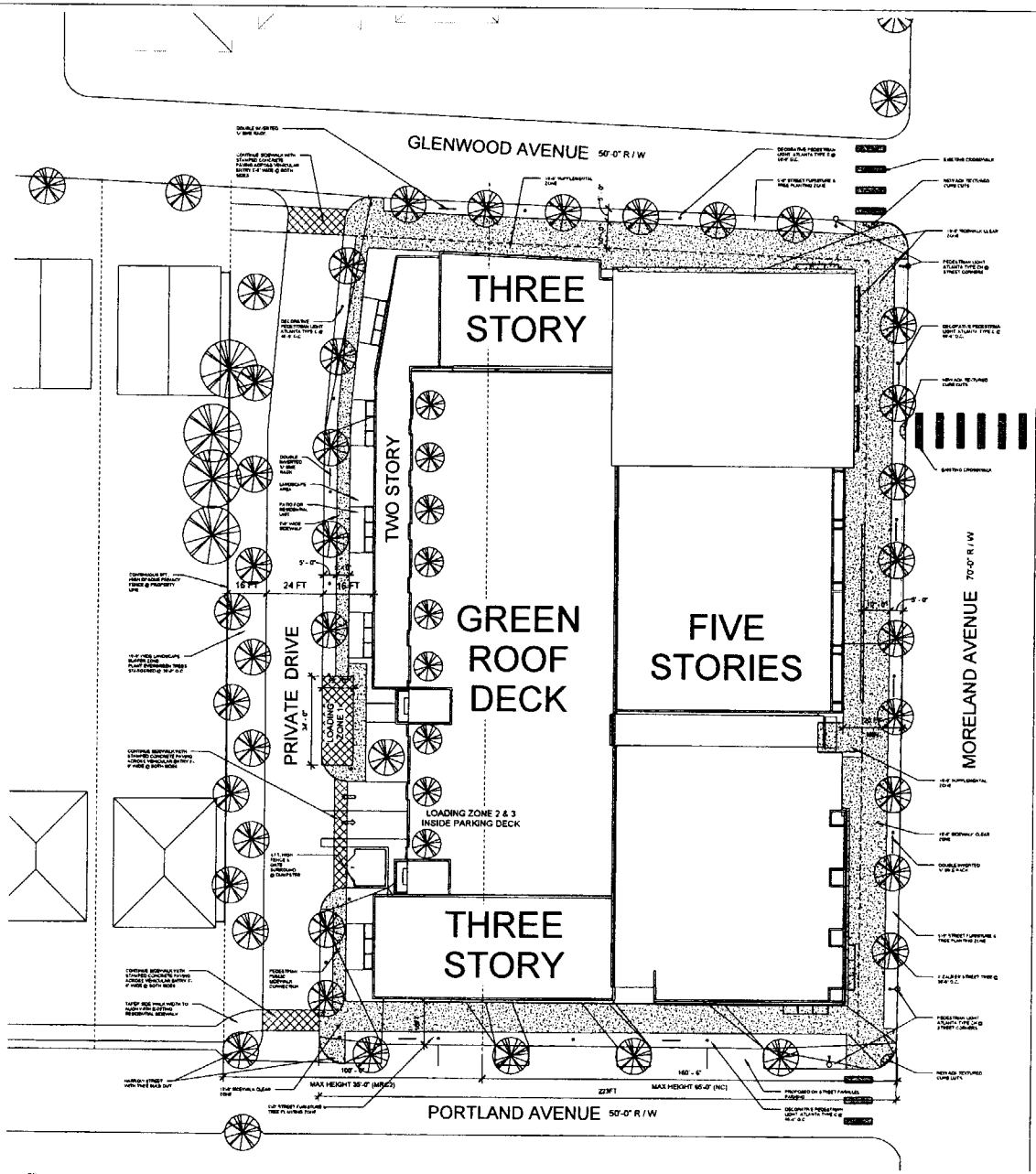
   a) All exterior building facades below twenty-four (24) feet in height shall be composed of masonry defined as "mineral-based building materials such as terracotta, mortar, stone, and brick."
   b) The following materials shall be prohibited on all building facades: exposed pressure-treated wood; vinyl siding; vinyl railing; vinyl windows; and exterior insulation finished systems ("EIFS").
   c) Window frames shall be recessed a minimum of two (2) inches from the adjoining plane.
   d) All Window mullions and divisions to be assembled in the sash using muttons (i.e., in "true divided light" fashion).
   e) No exterior stairs shall be constructed of wood.
   f) Any satellite dishes, telecommunications equipment, mechanical equipment, HVAC equipment, or similar items shall not be visible from any public or private street.
   g) Dumpsters and loading areas shall be screened so as not to be visible from any adjacent public or private street that is located at the same elevation as the dumpster or loading area with architecturally decorative fencing, landscape material, or hidden inside parking structure.

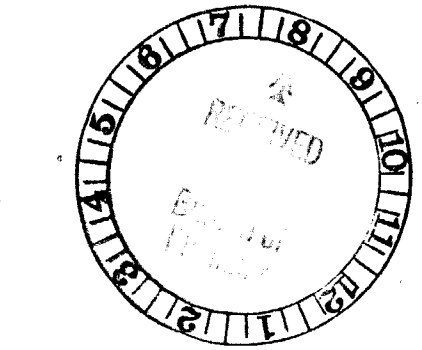
5. Workforce Housing: Five percent (5%) of the residential units for lease in this structure shall be dedicated to persons or households whose incomes do not exceed eighty percent (80%) of the area

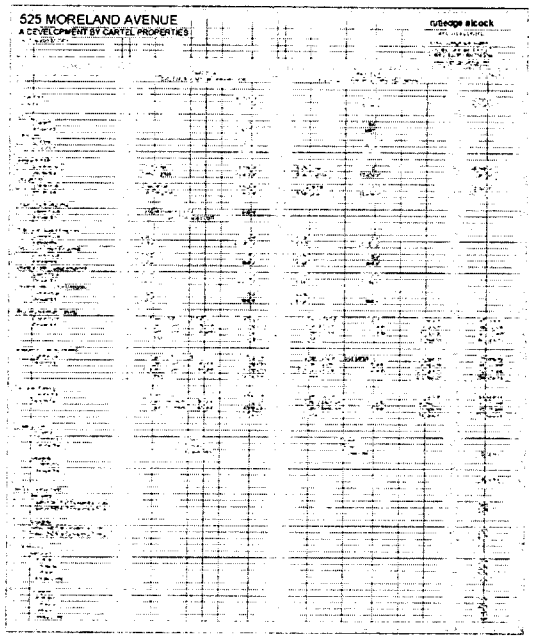
median income (AMI) as established annually by the U. S. Department of Housing and Urban Development for the metropolitan area that includes the city of Atlanta.

6. Greenbuilding: The development will attain either a LEED certification from the U. S. Green Building Council or an EarthCraft House Multifamily Program certification from Southface Energy Institute. Evidence of such certification shall be submitted to the Bureau of Planning prior to issuance of the Certificate of Occupancy.

7. The applicant or developer shall submit a copy of any application for a Special Administrative Permit or any request for variations from the zoning regulations to the NPU W Zoning Contact at the same time the application is submitted to the City of Atlanta Bureau of Planning. Evidence of this submission must be provided to the Director of the Bureau of Planning.







rutledge alcock
619 east college avenue, suite d1
decatur, ga.
30030
ph: 404 214 5797

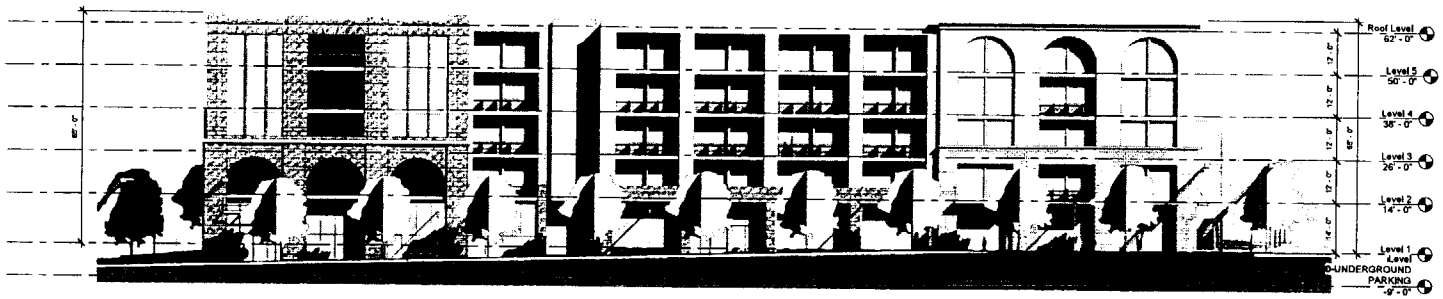
project number:

project: 525 MORELAND AVENUE

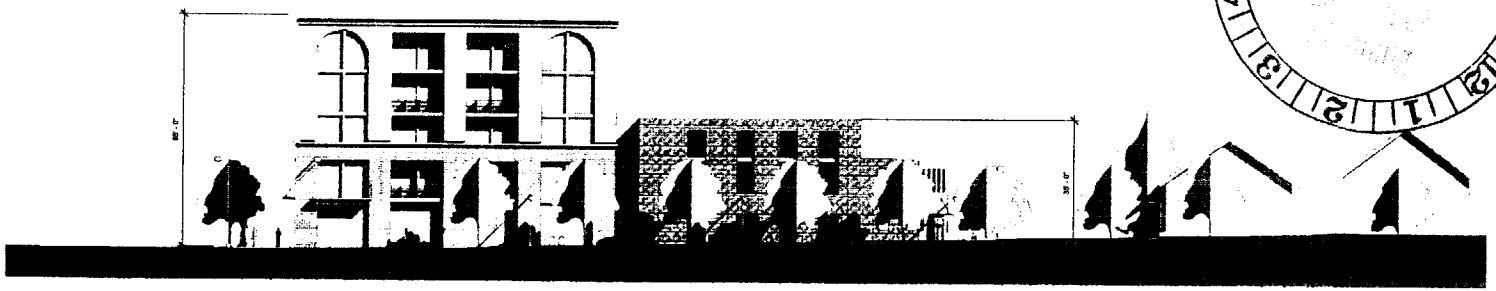
APRIL 16, 2009
ZONING APPLICATION

sheet name: SITE PLAN

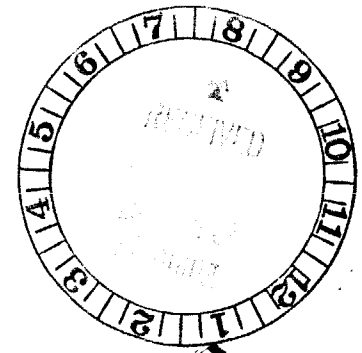
dwg number: Z101



1 FRONT ELEVATION
1/16" = 1'-0"



2 GLENWOOD ELEVATION
1/16" = 1'-0"



rutledge alcock
619 east college avenue, suite d1
decatur, ga. 30030
ph: 404 214 5797

project number:

project

525 MORELAND AVENUE

APRIL 16, 2009
ZONING APPLICATION

sheet name:
EXTERIOR ELEVATIONS

dwg number:
Z301

City Council
Atlanta, Georgia

08- O -2125

AN ORDINANCE
BY: ZONING COMMITTEE

Z-08-73
Date Filed: 9-17-08

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 **1146 Portland Street, S.E., 1152 Portland Street, S.E. 1131 Glenwood Avenue, S.E., 1137 Glenwood Avenue, S.E., 525/527 Moreland Avenue, S.E. 529 Moreland Avenue, S.E., 535 Moreland Avenue, S.E. and 537 Moreland Avenue, S.E.**, be changed from the R-4 (Single Family Residential) District and NC-2 (Neighborhood Commercial) District to the NC-2 (Neighborhood Commercial) District, to wit:

ALL THAT TRACT or parcel of land lying in Land Lot 12, 14th 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.

rutledge alcock
architects, llc.

11 august 2008

SEP 17 2008
BUREAU OF PLANNING

LEGAL DESCRIPTIONS/CURRENT LAND USE AND ZONING BY PARCELS

1146 Portland Street	landuse: single family	zoning: R-4
1152 Portland Street	landuse: single family	zoning: R-4
1131 Glenwood Avenue	landuse: single family	zoning: R-4
1137 Glenwood Avenue	landuse: single family	zoning: R-4
525/527 Moreland Avenue	landuse: low density commercial	zoning: NC-2
529 Moreland Avenue	landuse: low density commercial	zoning: NC-2
535 Moreland Avenue	landuse: low density commercial	zoning: NC-2
537 Moreland Avenue	landuse: low density commercial	zoning: NC-2

LEGAL DESCRIPTION; TRACTS 1 THROUGH 8; BASED ON SURVEY BY VALENTINO

All that tract or parcel of land lying and being in Land Lot 12 of the 14th Land District, City of Atlanta, Fulton County, Georgia, said tract or parcel of land being more fully shown and designated as Tracts 1 through 7 on a plat of survey prepared by Valentino and Associates, Inc., (Job #28019; Drawing/File #28019), bearing the seal of Glenn A. Valentino, Ga. Registered Land Surveyor #2528, and being more particularly described as follows:

BEGINNING at a 1/2"iron pin found at the intersection of the westerly right-of-way line of Moreland Avenue (AKA US. HWY #23/S.R. #42; apparent 70' r/w) and the northerly right-of-way line of Portland Avenue (50' r/w).

THENCE proceeding along said northerly right-of-way line of Portland Avenue the following courses and distances:

North 89 degrees 38 minutes 55 seconds West for a distance of 150.14 feet to a 1"crimp-top pipe found;

THENCE North 89 degrees 51 minutes 49 seconds West for a distance of 49.77 feet to a 1/2"open-top pipe found;

THENCE North 89 degrees 43 minutes 19 seconds West for a distance of 50.19 feet to a nail found;

THENCE departing said northerly right-of-way line of Portland Avenue North 00 degrees 25 minutes 12 seconds East for a distance of 150.07 feet to a 1/2"iron pin set;

THENCE North 00 degrees 25 minutes 12 seconds East for a distance of 160.04 feet to a 3/8"iron pin found on the southerly right-of-way line of Glenwood Avenue (50' r/w);

THENCE proceeding along said southerly right-of-way line of Glenwood Avenue South 87 degrees 19 minutes 32 seconds East for a distance of 49.80 feet to a 3/4"open-top pipe found;

THENCE departing said southerly right-of-way line of Glenwood Avenue South 00 degrees 20 minutes 49 seconds West for a distance of 157.77 feet to a 1"crimp-top pipe found;

THENCE South 89 degrees 51 minutes 11 seconds East for a distance of 49.95 feet to a 1/2"iron pin found;

THENCE North 00 degrees 36 minutes 44 seconds East for a distance of 49.94 feet to a disturbed 1"crimp-top pipe found;

THENCE North 00 degrees 13 minutes 09 seconds East for a distance of 105.85 feet to a 1"open-top pipe found on the southerly right-of-way line of Glenwood Avenue;

THENCE proceeding along said southerly right-of-way line of Glenwood Avenue South 87 degrees 24 minutes 59 seconds East for a distance of 150.20 feet to a 1/2"iron pin set at the intersection of said southerly right-of-way line of Glenwood Avenue and the westerly right-of-way line of Moreland Avenue;

THENCE proceeding along said westerly right-of-way line of Moreland Avenue the following courses and distances:

South 00 degrees 17 minutes 29 seconds West for a distance of 100.00 feet to a 1"crimp-top pipe found;

THENCE South 00 degrees 22 minutes 32 seconds West for a distance of 99.73 feet to a 1"open-top pipe found;

THENCE South 00 degrees 27 minutes 50 seconds West for a distance of 50.43 feet to a 1"open-top pipe found;

THENCE South 00 degrees 22 minutes 45 seconds West for a distance of 50.03 feet to a 1/2"iron pin found at the intersection of the westerly right-of-way line of Moreland Avenue and the northerly right-of-way line of Portland Avenue, said 1/2"iron pin found being the POINT OF BEGINNING.

Together with and subject to covenants, easements, and restrictions of record.

Said tract or parcel of land contains 1.571 acres or 68,428 square feet, and is intended to be the same tracts of land that were previously conveyed in Deed Book 40880, Page 398, Deed Book 45493, Page 23, Deed Book 13393, Page 279, and Deed Book 46030, Page 509, (combined) Fulton County Georgia Records.

TOGETHER WITH:

All that tract or parcel of land lying and being in Land Lot 12 of the 14th Land District, City of Atlanta, Fulton County, Georgia, said tract or parcel of land being more fully shown and designated on a plat of survey prepared by Valentino and Associates, Inc., [Job #28019; Drawing/File #28019(Tract 8)], bearing the seal of Glenn A. Valentino, Ga. Registered Land Surveyor #2528, and being more particularly described as follows:

BEGINNING at a 1/2"iron pin found at the intersection of the westerly right-of-way line of Moreland Avenue (AKA US. HWY #23/S.R. #42; apparent 70' r/w) and the northerly right-of-way line of Glenwood Avenue (50' r/w).

THENCE proceeding along said northerly right-of-way line of Glenwood Avenue North 87 degrees 33 minutes 00 seconds West for a distance of 145.46 feet to a 1/2"iron pin set;

THENCE departing said northerly right-of-way line of Glenwood Avenue North 00 degrees 23 minutes 37 seconds East for a distance of 89.36 feet to a 1/2"iron pin set;

THENCE South 89 degrees 02 minutes 40 seconds East for a distance of 146.09 feet to a 1/2"iron pin found inside an open-top pipe, located on the westerly right-of-way line of Moreland Avenue;

THENCE proceeding along said westerly right-of-way line of Moreland Avenue South 00 degrees 50 minutes 15 seconds West for a distance of 93.15 feet to a 1/2"iron pin found at the intersection of the westerly right-of-way line of Moreland Avenue and the northerly right-of-way line of Glenwood Avenue, said 1/2"iron pin found being the POINT OF BEGINNING.

Together with and subject to covenants, easements, and restrictions of record.

Said tract or parcel of land contains 0.305 acres or 13,299 square feet, and is intended to be the same tract of land that was previously conveyed in Deed Book 29225, Page 550, Fulton County Georgia Records.