00- O -1893

City Council
Atlanta, Georgia

AN ORDINANCE
BY: ZONING COMMITTEE

Z-00-86
10-17-00

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 **800 West Marietta Street, N.W. and 719 Jefferson Street, N.W.** be changed from the **I-2 (Heavy Industrial)** District, to the **C-3-C (Commercial Residential-Conditional)** District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot **150** of the **17th** District, Fulton County, Georgia, and Land Lot **112** of the **14th** District, Fulton County, Georgia, being more particularly described by the attached legal description.

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 suffix "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 zoning 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 That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.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,
Rhonda Dauphin Johnson
Municipal Clerk, CMC

ADOPTED by the Council — JAN 16, 2001
RETURNED WITHOUT SIGNATURE OF THE MAYOR
APPROVED as per City Charter Section 2-403 — JAN 25, 2001

CONDITIONS FOR Z-00-86

1. A site plan titled "Conceptual Site Plan" by Keyfer & Associates, Inc. dated 12-12-00 and stamped received by the Bureau of Planning on 12-14-00 subject to the following:

   (a) Building heights may be reduced but shall not exceed the height identified for each building except as authorized in (b) below;

   (b) The office, residential, and retail uses may be transferred within buildings on site, provided:

      (i) the maximum amount of square footage for each use category is not exceeded;
      (ii) the proportional amounts of each use project wide are preserved except that up to 50% of the total retail space may be reallocated to residential or live/work space depending upon market conditions; and
      (iii) Building 8 shall contain no residential uses and up to 175,000 square feet of Building 8 may be transferred to Building 1 which may be increased in height to accommodate said transfer.

   (c) Buildings 1, 2 and 4 may each be divided into two buildings, subject to condition (b); and

   (d) Alternative "A" shown on said site plan may be substituted for the referenced portion of the site.

2. The parking ratio for accessory retail shall be 3.0 spaces per 1,000 square feet, or no greater than 150 spaces. The maximum of 150 spaces for accessory retail shall include an allocation of on-street parking spaces. The parking ratio for neighborhood retail/commercial shall be a maximum of 5.0 spaces per 1,000 square feet, not to exceed 200 spaces. This condition shall not be required to be implemented if a special exception application requesting authorization for these reductions is denied by the BZA.

3. Street dimensions shall be as follows:

   (a) The width of each street lane for moving traffic shall be no greater than 12 feet.
   (b) The width of parking lanes shall be no greater than 8 feet.

4. Pedestrian crossings shall be constructed as shown on the Site Plan. Pedestrian crossings shall be paved with a color or texture that is different from that of the street paving.

5. Vehicle stop bars shall be painted on streets at a minimum distance of 2 feet from the edge of the crossing pavement.

6. Parking below buildings shall conceal automobiles from view from the street.

7. Sidewalks shall be a minimum of ten (10) feet in width and shall consist of two zones: a five (5) foot wide street furniture and tree planting zone which shall be located adjacent to the curb, and a five (5) foot wide clear zone.

8. Utilities shall be installed underground or to the rear of structures to allow for the unobstructed use of the sidewalks.

9. Unless otherwise required by the City Arborist, street trees shall be planted in the street furniture zone a maximum of twenty-five (25) feet on center, as shown on the site plan, within the street furniture and tree planting zone. All newly planted trees shall be a minimum of two and one-half (2.5) inches in caliper measured thirty-six (36) inches above ground, shall be a minimum of ten (10) feet in height, and shall be limbed up to a minimum height of seven (7) feet. Trees shall have a minimum planting area of 25 square feet.

10. Any street lights added to supplement city lighting shall be spaced a maximum of forty (40) feet on center within the street furniture and tree planting zone, and spaced equal distance between required trees along all streets.

11. All retail and restaurant establishments located on the ground floor of buildings and within ten (10) of the existing or proposed publicly-used sidewalk shall provide windows for a minimum of sixty-five (65) per cent of the length of the frontage, beginning at a point not more than three (3) feet above the sidewalk, for a height no less than ten (10) feet above the sidewalk, unless grade changes make compliance with these conditions impractical. Windows for commercial uses shall allow views into the interior or display windows and shall not have painted glass, reflective glass, or other similarly treated windows. Entrances may count towards window requirements. Facades shall have a maximum length of twenty (20) feet without windows or entryway.

12. The ground floor of buildings in which accessory retail is to be provided shall be constructed in such a manner that will provide for primary pedestrian entrances from the street to the accessory retail space. If primary pedestrian entrances are not constructed during initial construction of the building, the design of the ground floor shall be such that window openings can be converted to primary pedestrian entrances. Primary pedestrian entrances shall be provided for accessory retail that is located within ten (10) feet of an existing or proposed public sidewalk, and:

    (a) shall face and be visible from the street;
    (b) shall be directly accessible, visible and adjacent to the sidewalk, supplemental zone, pedestrian plaza, courtyard or outdoor dining area adjacent to such street; and
    (c) shall remain unlocked while the business is operating.

13. A street address number shall be located above the primary building entrance, shall be clearly visible from the sidewalk and shall be a minimum of six (6) inches in height.

14. All companies and businesses that occupy office space shall participate in a Traffic Management Plan (TMP). The TMP may be developed by each business individually or by several businesses collectively, and shall be submitted to the City of Atlanta Bureau of Planning at six months after any member of the company or business first occupies the office space, and thereafter on the yearly anniversary of first occupancy.

    The TMP shall contain strategies for reducing the number of single-occupancy vehicle trips. These strategies shall include but not be limited to promoting mass transit including participation in the quantity discount for MARTA Transcards. The strategies shall also include carpooling, telecommuting, encouragement of bicycle travel, and installation of pedestrian access amenities in addition to the pedestrian crossings shown on the Master Site Plan.

    The TMP shall be based on an annual commute mode survey. The survey shall be based on a continuous five-day work week for all employees who arrive at the work site between 6:00 A.M. and 10:00 A.M., Monday through Friday. The survey shall be conducted within 30 days of initial occupancy of office space and on each yearly anniversary of that date thereafter for a period of three years and biennially thereafter. A copy of the survey shall be attached to the TMP, and shall be submitted to the Bureau of Planning on each yearly anniversary as described above. At five years, the City and a representative of the businesses that participate in the TMP shall evaluate the usefulness of the annual survey and the City shall determine whether it shall continue on a biennial basis.

    The TMP shall include, but not be limited to:

    (a) An estimate of the number of employees and visitors per hour who are expected to use rail and/or bus transit throughout the day.
    (b) A description of how information regarding new or existing transit stops and building access to such stops shall be communicated to the employees of the buildings.
    (c) A program to promote and maintain employee participation in carpooling, telecommuting, and use of mass transit, including a method of monitoring the number of ride sharers and their travel plans.

15. Bicycle and moped parking shall be provided as per Section 16-28.014(6) of the Zoning Ordinance.

16. No building permits shall be issued until a storm water management plan and maintenance/monitoring agreement, as described in the attached recommendation by the ARC titled "Structural Storm Water Controls", has been approved and executed by the Department of Public Works.

17. The building identified as Building No. 8 on the Conceptual Site Plan by Keyfer & Associates dated 12-12-00, will not be used for single or multi-family residential

occupancy. The purpose and intent of this condition is to allow said building to serve as a noise and visual buffer to the remaining project buildings without housing potentially impacted residential occupancy within that building.

18. The applicant, its heirs, assigns and successors in interest, hereby agrees to include the following language, in bold print, in each lease agreement initialed by lessee, and in each sales contract agreement initialed by grantee, and in all conveyances associated with said property, entered into by said applicant for all properties that are subject to this rezoning application:

> "Lessee (Grantee) understands and acknowledges that nearby properties currently are operated as a scrap metal processing facility by Recycling Industries, Inc., its heirs, assigns and successors in interest or others. Lessee (Grantee) understands and acknowledges the potential impacts from said facility, including but not limited to unsightly visual intrusions and noise impacts, and that such facility may be in operation twenty four (24) hours per day, seven (7) days per week. Lessee (Grantee) further understands and acknowledges that said facility is an industrial use that is authorized by the City of Atlanta Zoning Ordinance.

19. The applicant will construct an eight (8) foot high wood wall along the southwestern boundary of the property of Central Metals, Inc., its heirs, assigns and successors in interest, nearest the railroad right-of-way at a point beginning at the northwestern edge of a currently existing wall and continuing southerly along the length of said property to the existing wall south of Jefferson Street, for a total lineal distance of 500 feet, more or less. Said new wood wall shall not exceed a cost of $23.00 per lineal foot installed. In addition, associated landscaping will be chosen and installed by applicant on Central Metal's property nearest Jefferson Street in a manner that will improve the visual aesthetics as viewed from Jefferson Street looking toward Central Metals, Inc., its heirs, assigns and successors in interest. Notwithstanding these requirements, under no circumstances shall applicant's total costs associated with costs plus installation of said wall and landscaping exceed a total sum of $15,000.00. Said wall and landscaping shall be installed prior to issuance of C.O.'s for this project, unless Central Metals, Inc., its heirs, assigns and successors in interest, in their discretion allow applicant more time to install said wall. All usual and necessary easements and access for the installation of said wall and landscaping shall be granted to applicant's contractors by Central Metals, Inc., its heirs, assigns and successors in interest. The purpose and intent of this condition is to provide mutual visual screening between the project users and Central Metals, Inc., its heirs, assigns and successors in interest.

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LEGAL DESCRIPTION OF PROPERTY

TRACT ONE: ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 150 OF THE 17TH DISTRICT AND IN LAND LOT 112 OF THE 14TH DISTRICT OF FULTON COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTH SIDE OF WEST MARIETTA STREET WITH THE WESTERLY SIDE OF THE RIGHT OF WAY OF THE SOUTHERN RAILWAY/WESTERN AND ATLANTIC RAILROAD; RUNNING THENCE WEST ALONG THE SOUTH SIDE OF WEST MARIETTA STREET 288.07 FEET TO A POINT; THENCE CONTINUING NORTHWESTERLY ALONG THE SOUTH SIDE OF WEST MARIETTA STREET 253.41 FEET TO A POINT ON THE EAST RIGHT OF WAY OF OLD MARIETTA ROAD; THENCE SOUTHEAST 162.45 FEET TO A POINT; THENCE SOUTHEAST 50 FEET TO A POINT; THENCE CONTINUING SOUTHEASTERLY 150 FEET TO A POINT; THENCE EAST 26.0 FEET TO A POINT; THENCE CONTINUING SOUTHEAST 253 FEET TO A POINT; THENCE SOUTHEAST 50 FEET TO A POINT; THENCE NORTHEAST 94 FEET TO A POINT ON THE WEST RIGHT OF WAY OF SOUTHERN RAILWAY AND WESTERN AND ATLANTIC RAILROAD; THENCE NORTHWEST 136.90 FEET TO A POINT; THENCE WEST 15 FEET, MORE OR LESS, TO A POINT; THENCE NORTH 15 FEET, MORE OR LESS, TO A POINT; THENCE NORTHWEST 20 FEET, MORE OR LESS, TO THE SOUTH SIDE OF WEST MARIETTA STREET AND THE POINT OF BEGINNING; ALSO,

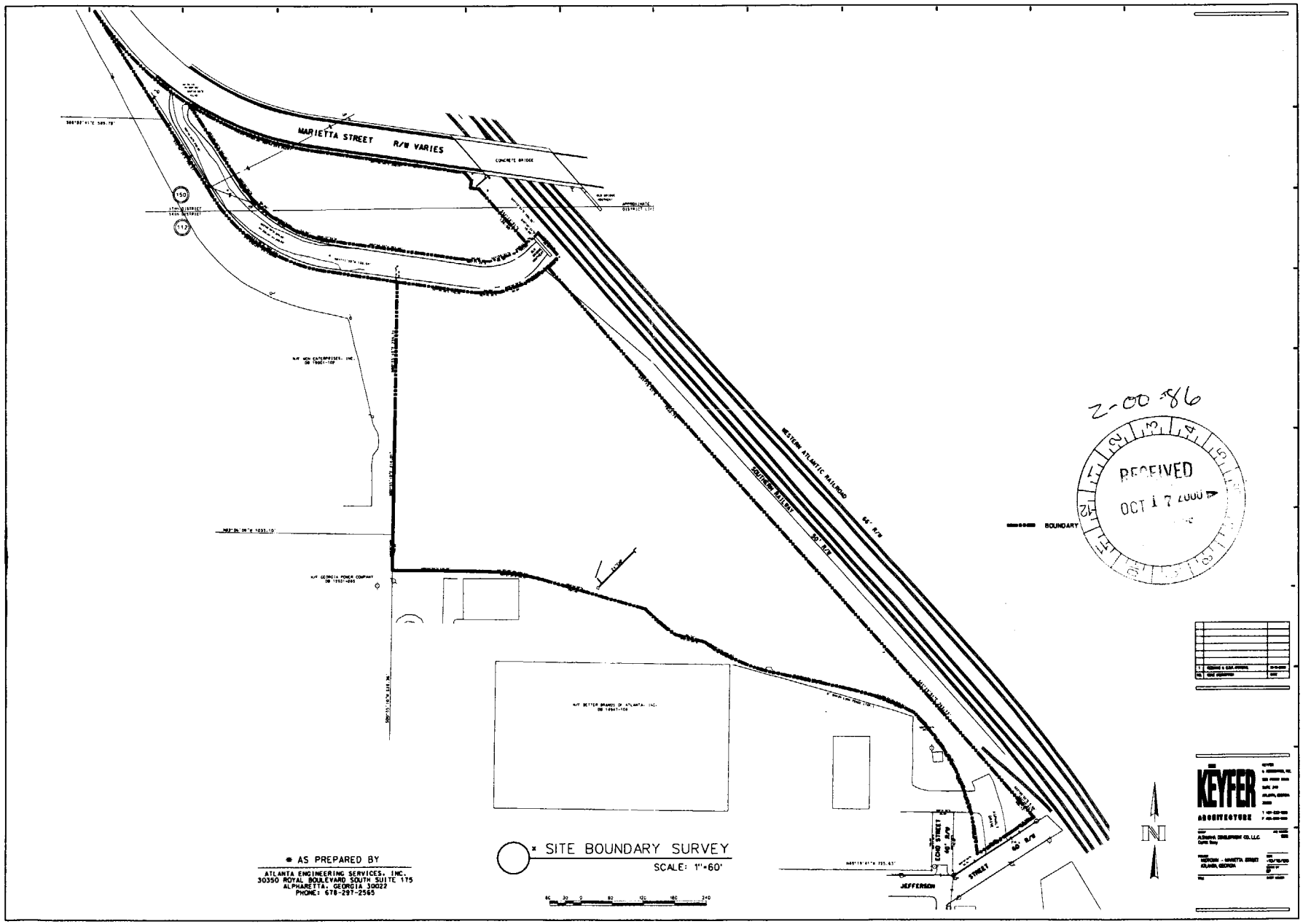
TRACT TWO: ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 112 OF THE 14TH DISTRICT OF FULTON COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTHWEST SIDE OF JEFFERSON STREET WITH THE WESTERLY SIDE OF THE RIGHT OF WAY OF THE SOUTHERN RAILWAY/WESTERN AND ATLANTIC RAILROAD; RUNNING THENCE NORTHWEST ALONG SAID RAILROAD RIGHT OF WAY A DISTANCE OF 1,401 FEET, MORE OR LESS, TO A POINT ON THE SOUTHERLY RIGHT OF WAY OF OLD MARIETTA ROAD; THENCE WESTERLY ALONG THE SOUTHERLY RIGHT OF WAY OF OLD MARIETTA ROAD A DISTANCE OF 300 FEET, MORE OR LESS, TO A POINT; THENCE SOUTH 553.32 FEET TO A POINT; THENCE EAST 176.99 FEET TO A POINT; THENCE SOUTHEAST 312.63 FEET TO A POINT; THENCE CONTINUING SOUTHEAST 134.08 FEET TO A POINT; THENCE SOUTHEAST 422.75 FEET TO A POINT; THENCE CONTINUING SOUTHEAST 310 FEET, MORE OR LESS, TO A POINT ON THE NORTH SIDE OF JEFFERSON STREET; THENCE NORTHEAST ALONG THE NORTHWEST SIDE OF JEFFERSON STREET 100.48 FEET TO THE POINT OF BEGINNING.

RECEIVED
OCT 17 2000

2-00-86

Sheet 1 of 2



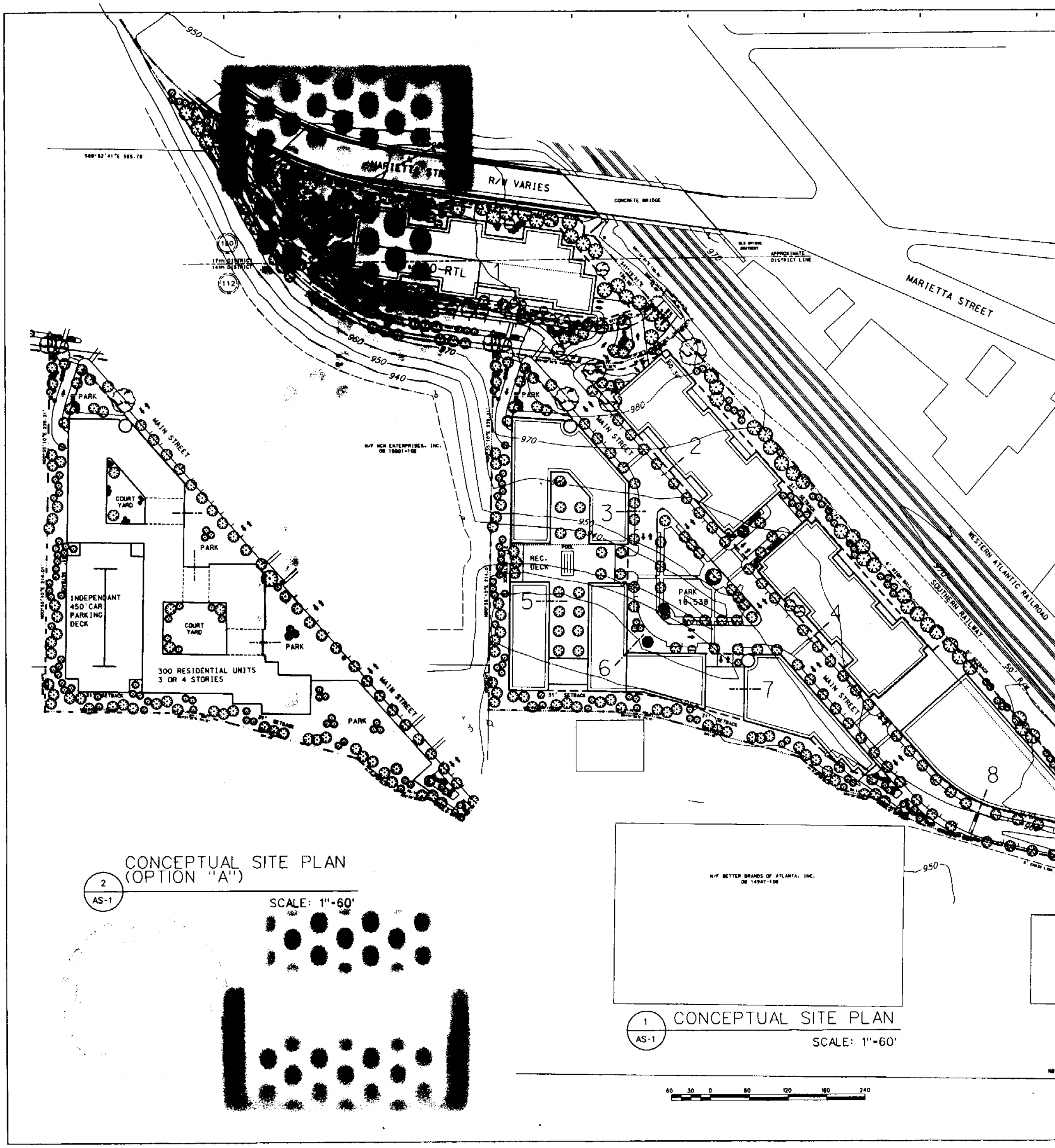
* SITE BOUNDARY SURVEY

SCALE: 1"=60'

* AS PREPARED BY

ATLANTA ENGINEERING SERVICES, INC.
30350 ROYAL BOULEVARD SOUTH SUITE 175
ALPHARETTA, GEORGIA 30022
PHONE: 678-297-2585

Sheet 2 of 2



CONCEPTUAL SITE PLAN SPECIFICATIONS

ZONING CLASSIFICATIONS: CURRENT I-2 PROPOSED C-3-C

[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	PARKING REQUIRED			PARKING PROPOSED			LOADING	
							[illegible]	OFFICE / RTL COMMERCIAL		RESIDENTIAL LS / UNITS	OFFICE / RTL COMMERCIAL		MIN. REQ'D	PROPOSED
[illegible]	[illegible]S./RTL.	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	1/200	75	233	3/1,000	±45	3	[illegible]
[illegible]	[illegible]S./RTL.	131,600	121,600	10,000	[illegible]	[illegible]	[illegible]	1/200	50	180	3/1,000	±30	3	[illegible]
[illegible]	[illegible]S./RTL.	105,900	98,400	7,500	96	[illegible]	[illegible]	1/200	38	144	3/1,000	±23	2	[illegible]
[illegible]	[illegible]S./RTL.	147,100	136,600	10,500	134	90	[illegible]	1/200	53	201	3/1,000	±32	3	[illegible]
[illegible]	[illegible]S./RTL.	51,125	51,125	0	50	105	[illegible]	NA	0	75	N/A	0	2	[illegible]
6	RES./RTL.	101,755	101,755	0	100	120	[illegible]	NA	0	150	N/A	0	2	[illegible]
7	RES./RTL.	[illegible]	[illegible]	7,000	[illegible]	120	60	1/200	35	143	3/1,000	± 21	2	[illegible]
8	OFFICE	[illegible]	[illegible]	204,800	[illegible]	160	0	1/300	682	0	3/1,000	± 614	3	[illegible]
		[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	473		933	1,126		±765 *		
							1,390			1,916				

* SITE PLAN SUBJECT [illegible] APPROVED WRITTEN CONDITIONS AND ALTERATIONS NECESSARY TO ACCOMADATE ALTENATE "A" IF UTLIZED.

TOTAL OPEN SPACE (T.O.S.)
MINIMUM REQUIRED 213,274 S.F.
PROPOSED (ACTUAL) 300,386 S.F.

USABLE OPEN SPACE (U.O.S.)
MINIMUM REQUIRED 147,189 S.F.
PROPOSED (ACTUAL) 165,000 S.F.

*PARKING PROVIDED
(IN ACCORDANCE WITH CHART ABOVE)

PARKING SPACES ARE PROVIDED ALONG PRIVATE ROADWAYS ON SITE OR HOUSED IN PARKING STRUCTURES, EITHER BESIDE OR BELOW OCCUPIED BUILDINGS.

[illegible]END
ENTRY
LINE
SETBACK
WALKING

KEYFER
ARCHITECTURE
ALTAMAHA DEVELOPMENT CO. LLC
MIDTOWN - WEST MARIETTA STREET
ATLANTA, GEORGIA
SITE PLAN
A

RCS# 2539
1/16/01
2:22 PM

Atlanta City Council

Regular Session

MULTIPLE

Zoning Summary Report Items 1-7
1891; 1893; 1896; 1898; 1892; 1679; 1448
ADOPT

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

Unanimous

Y McCarty	Y Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	Y Martin	Y Emmons
Y Bond	Y Morris	Y Maddox	Y Alexander
Y Winslow	Y Muller	Y Boazman	NV Pitts

MULTIPLE

00-0-1893

(Do Not Write Above This Line)

AN ORDINANCE Z-00-86
BY: ZONING COMMITTEE

AN ORDINANCE TO REZONE FROM THE I-2 (HEAVY INDUSTRIAL) DISTRICT TO THE C-3-C (COMMERCIAL-RESIDENTIAL-CONDITIONAL) DISTRICT, PROPERTY LOCATED AT 800 WEST MARIETTA STREET, N.W. AND 719 JEFFERSON STREET, N.W. FRONTING 541.8 FEET ON THE SOUTHERLY SIDE OF W. MARIETTA STREET BEGINNING AT THE INTERSECTION WITH THE SOUTHWESTERLY RIGHT-OF-WAY OF THE SOUTHERN RAILWAY/ WESTERN AND ATLANTIC RAILROAD. PROPERTY ALSO FRONTS 100.48 FEET ON THE NORTHWESTERLY SIDE OF JEFFERSON STREET. DEPTH: VARIES; AREA: 11.37 ACRES; LAND LOT 150, 17TH DISTRICT, FULTON COUNTY, GEORGIA AND 112, 14TH DISTRICT, FULTON COUNTY, GEORGIA.
OWNER: ALTAMAHA DEVELOPMENT CO. LLC
APPLICANT: SAME
BY: CARL M. (CHIP) DRURY

☐ CONSENT REFER NPU-L,K CD 3
☑ REGULAR REPORT REFER
☐ ADVERTISE & REFER
☐ 1st ADOPT 2nd READ & REFER
☐ PERSONAL PAPER REFER

Date Referred 12/4/00
Referred To: ZRB & Zoning
Date Referred
Referred To:
Date Referred
Referred To:

First Reading
Committee Zoning
Date 11-28-00
Chair Debi M Starnes
Referred to Zoning & ZRB

Committee	Committee
Zoning	
Date 1-9-01	Date
Chair Debi M Starnes	Chair
Action: Fav, Adv, Held (see rev. side)	Action: Fav, Adv, Held (see rev. side)
Other:	Other:
Members [signature] [signature] Vern & M Carty [signature] Jerry Dorsey Clair Mullen	Members
Refer To	Refer To

Committee	Committee
Date	Date
Chair	Chair
Action: Fav, Adv, Held (see rev. side)	Action: Fav, Adv, Held (see rev. side)
Other:	Other:
Members ADOPTED BY JAN 16 2001 COUNCIL	Members
Refer To Unanimous	Refer To

FINAL COUNCIL ACTION

☑ 2nd ☐ 1st & 2nd Readings ☐ 3rd
☐ Consent ☐ V Vote ☑ RC Vote

CERTIFIED

CERTIFIED JAN 16 2001

CERTIFIED JAN 1 3 2001
Rhonda Dauphin Johnson
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED
JAN 24 2001
WITHOUT SIGNATURE BY OPERATION OF LAW