PROPOSED ZONING CONDITIONS FOR EAST LAKE CORNERS 8.13.07

Sidewalks Along Hosea Williams Drive

Public sidewalks shall be located along all public streets and shall have minimum widths as specified herein. No sidewalk shall be less than 15 feet in width. Sidewalks shall consist of two zones: A street furniture and tree planting zone and a clear zone. The following regulations shall apply to all public sidewalks:

- 1. Street furniture and tree planting zone requirements. The street furniture and tree planting zone shall have a minimum width of five feet. Said zone shall be located immediately adjacent to the curb and shall be continuous. In addition to the required planting of trees, this zone may also be used for the placement of street furniture including utility poles, waste receptacles, fire hydrants, traffic signs, newspaper vending boxes, bus shelters, bicycle racks and similar elements in a manner that does not obstruct pedestrian access or motorist visibility and as approved by the director of the bureau of planning.
- 2. Clear zone requirements. The clear zone shall be a minimum width of ten feet. Said zone shall be located immediately contiguous to the street furniture and tree planting zone and shall be continuous. Said zone shall be hardscape, and shall be unobstructed for a minimum height of eight feet.
- 3. Street tree planting requirements. Street trees are required and shall be planted in the ground a maximum of 30 feet on center within the street furniture and tree planting zone and spaced equal distance between street lights. All newly planted trees shall be a minimum of three inches in caliper measured 36 inches above ground, shall be a minimum of 12 feet in height, shall have a minimum mature height of 40 feet, and shall be limbed up to a minimum height of seven feet. Trees shall have a minimum planting area of 32 square feet. All plantings, planting replacement and planting removal shall be approved by the city arborist. The area between required plantings shall either be planted with evergreen ground cover such as mondo grass or liriope spicata or shall be paved as approved by the director of planning.
- 4. No awning or canopy shall encroach beyond the clear zone.
- 5. Decorative pedestrian lights, where installed, shall be placed a maximum of 60 feet on center and spaced equal distance between required trees along all streets. Where installed, said lights shall be located within either the street furniture and tree planting zone or the supplemental zone. All said lights shall be Atlanta Type "C" as approved by the planning bureau. A minimum of two street lights are required per parcel per street frontage.

Relationship of building to street.

- 1. The primary pedestrian entrance for pedestrians to access all sidewalk level uses and business establishments with public or private street frontage:
 - a. Shall face and be visible from the public street when located adjacent to such street.
 - b. Shall be directly accessible and visible from the sidewalk adjacent to such street.
- 2. Sidewalk level uses with street frontage shall only be restaurant, retail, office,

institutional, or residential. Said uses shall be provided for a minimum depth of 20 feet from any building facade along the public sidewalk.

- 3. Street-fronting nonresidential uses shall meet the following sidewalk level requirements:
 - a. The length of facade without intervening fenestration or entryway shall not exceed 20 feet.
 - b. Fenestration shall not utilize painted glass, reflective glass or other similarly treated or opaque windows. Entrances may be counted towards fenestration requirements.

Loading areas, loading dock entrances and building mechanical and accessory features.

- 1. Loading areas. Dumpsters and loading areas shall be paved with impervious materials and shall be screened so as not to be visible from any public plaza, ground level or sidewalk level outdoor dining area, public sidewalk or public right-of-way. In addition, dumpsters and loading areas serving residential uses shall be enclosed with opaque walls six feet in height.
- 2. Loading dock entrances for nonresidential uses shall be screened so that loading docks and related activity are not visible from the public right-of-way.
- 3. Building mechanical and accessory features.
 - a. Shall be located to the side or rear of the principal structure and shall be in the location of least visibility from the public right-of-way. Screening with plant or fence materials shall be required if the equipment is otherwise visible from the public right-of-way.
 - b. When located on rooftops shall be incorporated in the design of the building and screened with building materials similar to the building.
 - c. Shall not be permitted between the building and any public street.

Curb cuts and parking structures.

- 1. All sidewalk paving materials shall be continued across any intervening driveway at the same prevailing grade and cross slope as on the adjacent sidewalk clear zone.
- 2. Driveways shall have a band of textured concrete adjacent to the street which is inline with and equal in width to the street furniture zone and shall have a textured band of concrete adjacent to the sidewalk which is in-line with the supplemental zone and a minimum width of five feet from the sidewalk.
- 3. Driveway and curb cut widths shall be 24 feet for two-way entrances and 12 feet for one-way entrances, unless otherwise permitted by the commissioner of public works.
- 4. No circular drives shall be located between any building and any public street.
- 5. Curb cuts and driveways shall not be permitted on any street that functions as an arterial street or collector street when access may be provided from a side or rear street located immediately adjacent to a contiguous property.
- 6. Driveways, except for a driveway to reach the side yard or rear yard or an on-site parking facility, are not permitted between the sidewalk and a building, and shall be perpendicular to any adjacent street.
- 7. Entrances to garages and carports that serve a single residential unit shall face the rear yard, or a side yard which has no street frontage.
- 8. All contiguous ground-floor residential units shall share one common drive, located in rear yards or side yards without street frontage, to serve garages, carports and parking areas.

Lighting, security, and maintenance requirements.

- 1. All lighting including all parking decks and lots and lit canopies shall reduce light spillage
- onto residentially used properties by providing cutoff luminaries which have a maximum 90 degree illumination.
- 2. All lighting that up-lights trees, buildings or other elements, shall be located a minimum
- height of eight feet above the sidewalk, driveway or pedestrian area when not located within completely landscaped areas.
- 3. All surface parking lots and structures, whether a nonconforming principal use or accessory in use, and whether commercial or noncommercial, shall have the following minimum requirements:
 - a. Lighting shall be provided throughout all parking facilities to equal a minimum of two footcandle of light. A footcandle of light is a uniformly distributed flux of one lumen on a surface of one square foot in area. Where applicable, public street lighting may be utilized to either partially or totally fulfill the lighting requirements; however, where such street lighting is removed, it shall be the responsibility of the parking facility to independently provide these required levels of illumination.
 - b. Parking facilities shall be maintained in a clean, safe and sanitary condition. Parking spaces and driving lanes shall be clearly defined and maintained as such. Parking lots shall not be operated when any damage impairs the drivability of the parking lot. See section 16-28.014 for additional requirements.

Minimum landscaping for surface parking lots, barrier requirements.

- 1. All parking bays shall be terminated with a landscaped strip that extends the length of the parking bay.
- 2. All required landscaped areas shall be planted with evergreen groundcover or shrubs with a maximum height of 30 inches; and
- 3. All landscaped buffer areas and strips along sidewalks, drives, private streets and public rights of way shall have a minimum of one tree with a minimum caliper of three and one-half inches.

Minimum bicycle parking requirements.

All nonresidential developments which provide automobile parking facilities shall provide bicycle/moped parking facilities at a ratio of at least one bicycle/moped parking space for every 20 automobile parking spaces. Multi-family developments shall provide said facilities at a ratio of at least one bicycle/moped parking space for every five multi-family units. No development, except a one- or two-family development, shall have fewer than three bicycle/moped parking spaces nor be required to exceed a maximum of 50 spaces. Bicycle/moped spaces shall be located within the street furniture zone a maximum distance of 100 feet of the building entrance, or shall be located at least as close as the closest automobile space, except for handicapped parking spaces. Each space shall include a metal anchor sufficient to secure the bicycle/moped frame when used in conjunction with a user-supplied lock. The additional requirements of subsection 16-28.014(6) shall also apply.

Site Plan Amendments

The size, shape, and locations of building footprints and parking areas on the zoning plan are representative of the final locations. Significant alteration of the site plan shall require notifying the Presidents of the East Lake Neighbors Community Association (ELNCA) and NPU-O and obtaining their approval at their next monthly meetings. Said alteration shall be accompanied by an administrative site plan amendment. This is not a condition to any development permit or C.O.

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			Lepth: 200 feet. Area: 0.917 acres.
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City Council Atlanta, Georgia

07-O-1123

AN AMENDED ORDINANCE BY: ZONING COMMITTEE

Z-07-57A Date Filed: 5-7-07

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

<u>SECTION 1.</u> 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 **2343 and 2347 Hosea Williams Drive, S.E.,** be changed from the C-1 (Community Business) and R-4 (Single-family Residential) Districts to the C-1-C (Community Business-Conditional) District, to wit:

ALL THAT TRACT or parcel of land lying and being Land Lot 204, 15th District, Dekalb 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.

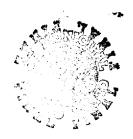
<u>SECTION 3.</u> That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

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

A true copy

ADOPTED as amended by the Council APPROVED by the Mayor

NOV 05, 2007 NOV 13, 2007



CONDITIONS

for

Z-07-57A for 2343 and 2347 Hosea L. Williams Drive, S.E.

- 1. A site plan, titled "East Lake Corners", dated August 8, 2007 and marked received by the Bureau of Planning on August 9, 2007.
- 2. Sidewalks Along Hosea Williams Drive-Public sidewalks shall be located along all public streets and shall have minimum widths as specified herein. No sidewalk shall be less than 15 feet in width. Sidewalks shall consist of two zones: A street furniture and tree planting zone and a clear zone. The following regulations shall apply to all public sidewalks:
 - Street furniture and tree planting zone requirements. The street furniture and tree planting zone shall have a minimum width of five feet. Said zone shall be located immediately adjacent to the curb and shall be continuous. In addition to the required planting of trees, this zone may also be used for the placement of street furniture including utility poles, waste receptacles, fire hydrants, traffic signs, newspaper vending boxes, bus shelters, bicycle racks and similar elements in a manner that does not obstruct pedestrian access or motorist visibility and as approved by the Bureau of Planning.
 - Clear zone requirements. The clear zone shall be a minimum width of ten feet. Said zone shall be located immediately contiguous to the street furniture and tree planting zone and shall be continuous. Said zone shall be hardscape, and shall be unobstructed for a minimum height of eight feet.
 - Street tree planting requirements. Street trees are required and shall be planted in the ground a maximum of 30 feet on center within the street furniture and tree planting zone and spaced equal distance between street lights. All newly planted trees shall be a minimum of three inches in caliper measured 36 inches above ground, shall be a minimum of 12 feet in height, shall have a minimum mature height of 40 feet, and shall be limbed up to a minimum height of seven feet. Trees shall have a minimum planting area of 32 square feet. All plantings, planting replacement and planting removal shall be approved by the city arborist. The area between required plantings shall either be planted with evergreen ground cover such as mondo grass or liriope spicata or shall be paved as approved by the Bureau of planning.
 - No awning or canopy shall encroach beyond the clear zone.
 - Decorative pedestrian lights, where installed, shall be placed a maximum of 60 feet on center and spaced equal distance between required trees along all streets. Where installed, said lights shall be located within either the street furniture and tree planting zone or the supplemental zone. All said lights shall be Atlanta Type "C" as approved by the planning bureau. A minimum of two street lights are required per parcel per street frontage.

Relationship of building to street. The primary pedestrian entrance for pedestrians to access all sidewalk level uses and business establishments with public or private street frontage: Shall face and be visible from the public street when located adjacent to such street. Shall be directly accessible and visible from the sidewalk adjacent to such street. Sidewalk level uses with street frontage shall only be restaurant, retail, office, institutional, or residential. Said uses shall be provided for a minimum depth of 20 feet from any building facade along the public sidewalk. Street-fronting nonresidential uses shall meet the following sidewalk level requirements:

- The length of facade without intervening fenestration or entryway shall not exceed 20 feet.
- Fenestration shall not utilize painted glass, reflective glass or other
- similarly treated or opaque windows. Entrances may be counted towards
- fenestration requirements.

4. Loading areas, loading dock entrances and building mechanical and accessory features.

- Loading areas. Dumpsters and loading areas shall be paved with impervious materials and shall be screened so as not to be visible from any public plaza, ground level or sidewalk level outdoor dining area, public sidewalk or public right-of-way. In addition, dumpsters and loading areas serving residential uses shall be enclosed with opaque walls six feet in height. Loading dock entrances for nonresidential uses shall be screened so that loading docks and related activity are not visible from the public right-of-way.
- Building mechanical and accessory features. Shall be located to the side or rear of the principal structure and shall be in the location of least visibility from the public right-of-way. Screening with plant or fence materials shall be required if the equipment is otherwise visible from the public right-of-way. When located on rooftops shall be incorporated in the design of the building and screened with building materials similar to the building. Shall not be permitted between the building and any public street.

5. Curb cuts and parking structures.

• All sidewalk paving materials shall be continued across any intervening driveway at the same prevailing grade and cross slope as on the adjacent sidewalk clear zone. Driveways shall have a band of textured concrete adjacent to the street which is in-line with and equal in width to the street furniture zone and shall have a textured band of concrete adjacent to the sidewalk which is in-line with the supplemental zone and a minimum width of five feet from the sidewalk. Driveway and curb cut widths shall be 24 feet for two-way entrances and 12 feet for one-way entrances, unless otherwise permitted by the commissioner of public works. No circular drives shall be located between any building and any public street. Curb cuts and driveways shall not be permitted on any street that functions as an arterial street or collector street when access may be provided from a side or rear street located immediately adjacent to a



contiguous property.

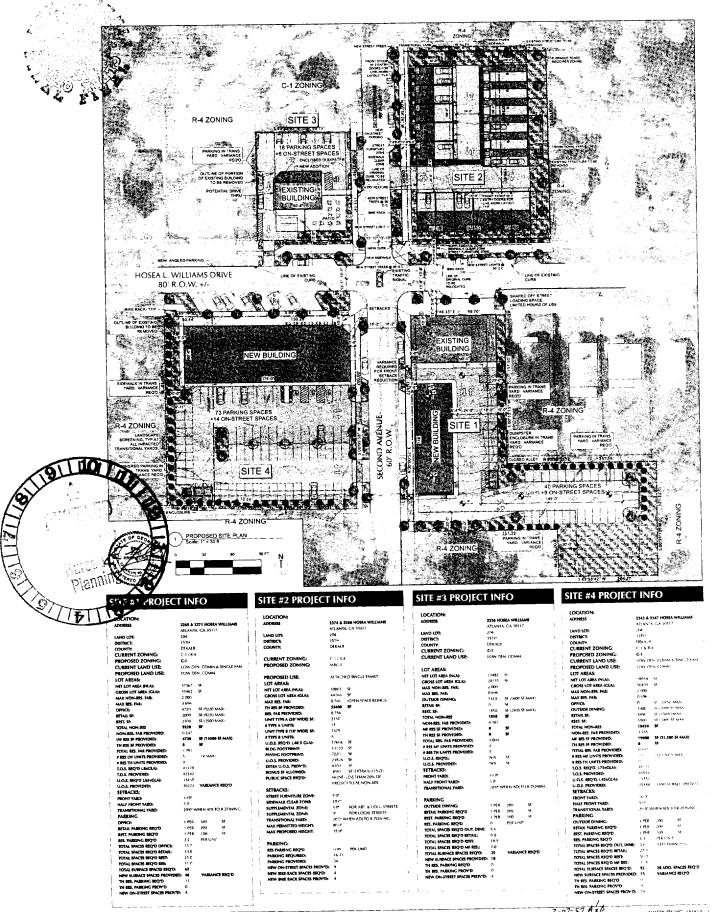
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shall be perpendicular to any adjacent street. Entrances to garages and carports
that serve a single residential unit shall face the rear yard, or a side yard which
has no street frontage. All contiguous ground-floor residential units shall share
one common drive, located in rear yards or side yards without street frontage, to
serve garages, carports and parking areas.

6. Lighting, security, and maintenance requirements.

- All lighting including all parking decks and lots and lit canopies shall reduce light spillage onto residentially used properties by providing cutoff luminaries which have a maximum 90 degree illumination.
- All lighting that up-lights trees, buildings or other elements, shall be located a minimum height of eight feet above the sidewalk, driveway or pedestrian area when not located within completely landscaped areas.
- All surface parking lots and structures, whether a nonconforming principal use or accessory in use, and whether commercial or noncommercial, shall have the following minimum requirements:
 - Lighting shall be provided throughout all parking facilities to equal a minimum of two footcandle of light. A footcandle of light is a uniformly distributed flux of one lumen on a surface of one square foot in area. Where applicable, public street lighting may be utilized to either partially or totally fulfill the lighting requirements; however, where such street lighting is removed, it shall be the responsibility of the parking facility to independently provide these required levels of illumination.
- Parking facilities shall be maintained in a clean, safe and sanitary condition. Parking spaces and driving lanes shall be clearly defined and maintained as such. Parking lots shall not be operated when any damage impairs the drivability of the parking lot. See section 16-28.014 for additional requirements.
- 7. Minimum landscaping for surface parking lots, barrier requirements. All parking bays shall be terminated with a landscaped strip that extends the length of the parking bay. All required landscaped areas shall be planted with evergreen groundcover or shrubs with a maximum height of 30 inches; and All landscaped buffer areas and strips along sidewalks, drives, private streets and public rights of way shall have a minimum of one tree with a minimum caliper of three and one-half inches. The developer shall provide an irrigation system for all onsite (subject property) landscaping
- 8. **Minimum bicycle parking requirements.** All nonresidential developments which provide automobile parking facilities shall provide bicycle/moped parking facilities at a ratio of at least one bicycle/moped parking space for every 20 automobile parking spaces. Multi-family developments shall provide said facilities at a ratio of at least one

Z-07-57A for 2343 and 2347 Hosea L. Williams Drive Page 4 of 4

bicycle/moped parking space for every five multi-family units. No development, except a one- or two-family development, shall have fewer than three bicycle/moped parking spaces nor be required to exceed a maximum of 50 spaces. Bicycle/moped spaces shall be located within the street furniture zone a maximum distance of 100 feet of the building entrance, or shall be located at least as close as the closest automobile space, except for handicapped parking spaces. Each space shall include a metal anchor sufficient to secure the bicycle/moped frame when used in conjunction with a user-supplied lock. The additional requirements of subsection 16-28.014(6) shall also apply.

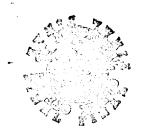


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port windown permission of Knother
source windown permission of Knother **EAST LAKE CORNERS**



Unit A Atlanta, GA 1030 404-653-0353 p 404-653-1025 f





2343 Hosea L. Williams Street Legal Description

LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 204 of the 15th District of DeKalb County Georgia, being known as Lot 9, of East End Subdivision, as shown on plat of the property of Atlanta Suburban Land Company, and being more particularly described as follows: BEGINNING at an iron pin on the south side of Hosea Williams Drive, formerly known as Boulevard Drive, formerly known as Boulevard-DeKalb, 200 feet east of the southeast corner of First Street and Boulevard Drive, said point of beginning also being located at the northeast corner of Lot 7 of said subdivision; thence continuing east along the south side of Boulevard Drive 50.44 feet to an iron pin located at the northwest corner of Lot 11 of said subdivision; thence south along the west line of said Lot 11, 200 feet to an iron pin (this distance was previously designated as 190 feet, more or less, in earlier deeds, but the recent plat, hereinafter referred to, shows a line to be 200 feet); thence west 50 feet to an iron pin located on the east line of Land Lot 205 and at the southeastern corner of Lot 7 of said Subdivision; thence north along the east line of said Land Lot 205 and said Lot 7, 200 feet to the south side of Boulevard Drive and the point of beginning (the last call has also previously been designated as 190 feet, more or less, but the recent survey, hereinafter referred to, shows a distance to be 200 feet); being improved property with a house thereon known as No. 2343 Boulevard Drive, according to the present system of numbering houses in the City of Atlanta and DeKalb County Georgia.





2347 Hosea L. Williams Street Legal Description

LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 204 of the 15th District of Dekalb County, Georgia and being more particularly described as follows:

BEGINNING at a one half inch rebar at the Intersection of the southerly right—of—way of Hosea Williams Drive (formerly Boulevard Drive, 80—foot right—of—way) and the westerly right—of—way of Second Avenue (60—foot right—of—way); thence along the westerly right—of—way of Second Avenue S00°05'58"W a distance of 200.00 feet to a one half inch rebar at the northerly side of a 10—foot alley; thence leave said right—of—way and along said alley N89°58'34"W a distance of 100.11 feet to a one half inch rebar; thence N84°16'00"W a distance of 50.26 feet to an iron pin; thence N00°03'19"E a distance of 195.00 feet to an iron pin on the southerly right—of—way of Hosea Williams Drive; thence along said right—of—way S89°58'39"E a distance of 150.28 feet to THE POINT OF BEGINNING.

This tract or parcel contains 0.687 acre (29,915 square feet) of land.

RECEIVED
MAY 7 2007
BUREAU OF
PLANNING

Atlanta City Council

SPECIAL SESSION

MULTIPLE 07-0-1779,07-0-1123,07-0-1124

ADOPT

YEAS: 12

NAYS: 0

ABSTENTIONS: 0 NOT VOTING: 2

EXCUSED: 0 ABSENT 2

Y Smith Y Archibong Y Moore Y Mitchell Y Hall B Fauver B Martin NV Norwood Y Young Y Shook Y Maddox Y Willis Y Winslow Y Muller Y Sheperd NV Borders