



**CITY COUNCIL
ATLANTA, GEORGIA**

23-O-1105

Z-22-94 AN AMENDED ORDINANCE BY ZONING COMMITTEE TO REZONE FROM C-1/BL (COMMUNITY BUSINESS DISTRICT/BELTLINE OVERLAY) TO PD-MU/BL (PLANNED DEVELOPMENT MIXED USE/BELTLINE OVERLAY) FOR PROPERTY LOCATED AT 718 PONCE DE LEON AVENUE NE, 738 (AKA 726) PONCE DE LEON AVENUE NE, 752 PONCE DE LEON AVENUE NE, 756 PONCE DE LEON AVENUE NE, AND 774 PONCE DE LEON AVENUE NE FRONTING 254 FEET ON EAST SIDE OF PONCE DE LEON PLACE, FRONTING 448 FEET ON THE NORTH SIDE OF PONCE DE LEON AVENUE AND FRONTING 508 FEET ON THE SOUTH SIDE OF MAIDEN LANE BEGINNING AT A ½ INCH REBAR SET AT THE INTERSECTION OF THE NORTHERN RIGHT OF WAY LINE OF PONCE DE LEON AVENUE AND THE EASTERN RIGHT OF WAY LINE OF PONCE DE LEON PLACE. DEPTH: VARIES; AREA: 2.696 ACRES, LAND LOT 17, 14TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: LBS HOLDINGS, LLC, SONYA WEATHERBY MCCREE AND NELSON GREEN, WYATT CLAUDE DOMINICK, RUDY’S INC., AND TACO, INC.; APPLICANT: PORTMAN HOLDINGS LLC; NPU F COUNCIL DISTRICT 6

Application File Date	12/28/22
Zoning Number	Z-22-94
NPU / CD	F-6
Staff Recommendation	Approval conditional
NPU Recommendation	Approval conditional
ZRB Recommendation	Approval conditional

City Council
Atlanta, Georgia

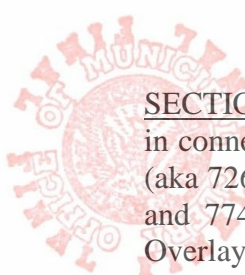
23-O-1105

AN AMENDED ORDINANCE
BY: ZONING COMMITTEE

Z-22-94

AN AMENDED ORDINANCE TO REZONE FROM C-1/BL (COMMUNITY BUSINESS DISTRICT/BELTLINE OVERLAY) TO PD-MU/BL (PLANNED DEVELOPMENT MIXED USE/BELTLINE OVERLAY) FOR PROPERTY LOCATED AT 718 PONCE DE LEON AVENUE NE, 738 (AKA 726) PONCE DE LEON AVENUE NE, 752 PONCE DE LEON AVENUE NE, 756 PONCE DE LEON AVENUE NE, AND 774 PONCE DE LEON AVENUE NE FRONTING 254 FEET ON EAST SIDE OF PONCE DE LEON PLACE, FRONTING 448 FEET ON THE NORTH SIDE OF PONCE DE LEON AVENUE AND FRONTING 508 FEET ON THE SOUTH SIDE OF MAIDEN LANE BEGINNING AT A ½ INCH REBAR SET AT THE INTERSECTION OF THE NORTHERN RIGHT OF WAY LINE OF PONCE DE LEON AVENUE AND THE EASTERN RIGHT OF WAY LINE OF PONCE DE LEON PLACE DEPTH: VARIES AREA: 2.696 ACRES, LAND LOT 17, 14TH DISTRICT, FULTON COUNTY, GEORGIA OWNER: LBS HOLDINGS, LLC, SONYA WEATHERBY MCCREE AND NELSON GREEN, WYATT CLAUDE DOMINICK, RUDY’S INC., AND TACO, INC. APPLICANT: PORTMAN HOLDINGS LLC NPU F COUNCIL DISTRICT 6

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS 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 718 Ponce de Leon Avenue NE, 738 (aka 726) Ponce de Leon Avenue NE, 752 Ponce de Leon Avenue NE, 756 Ponce de Leon Avenue NE, and 774 Ponce de Leon Avenue NE rezoned from C-1/BL (Community Business District/BeltLine Overlay) to PD-MU/BL (Planned Development Mixed Use/BeltLine Overlay) and for other purposes:

ALL THAT TRACT or parcel of land lying in Land Lot 17 of the 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 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 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.

City Council
Atlanta, Georgia

AN ORDINANCE

Z-22-94

BY: ZONING COMMITTEE

AN ORDINANCE TO REZONE FROM C-1/BL (COMMUNITY BUSINESS DISTRICT/BELTLINE OVERLAY) TO PD-MU/BL (PLANNED DEVELOPMENT MIXED USE/BELTLINE OVERLAY) FOR PROPERTY LOCATED AT 718 PONCE DE LEON AVENUE NE, 738 (AKA 726) PONCE DE LEON AVENUE NE, 752 PONCE DE LEON AVENUE NE, 756 PONCE DE LEON AVENUE NE, AND 774 PONCE DE LEON AVENUE NE FRONTING 254 FEET ON EAST SIDE OF PONCE DE LEON PLACE, FRONTING 448 FEET ON THE NORTH SIDE OF PONCE DE LEON AVENUE AND FRONTING 508 FEET ON THE SOUTH SIDE OF MAIDEN LANE BEGINNING AT A ½ INCH REBAR SET AT THE INTERSECTION OF THE NORTHERN RIGHT OF WAY LINE OF PONCE DE LEON AVENUE AND THE EASTERN RIGHT OF WAY LINE OF PONCE DE LEON PLACE DEPTH: VARIES AREA: 2.696 ACRES, LAND LOT 17, 14TH DISTRICT, FULTON COUNTY, GEORGIA OWNER: LBS HOLDINGS, LLC, SONYA WEATHERBY MCCREE AND NELSON GREEN, WYATT CLAUDE DOMINICK, RUDY’S INC., AND TACO, INC. APPLICANT: PORTMAN HOLDINGS LLC NPU F COUNCIL DISTRICT 6



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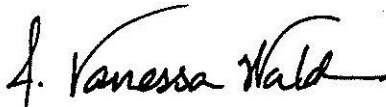
SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

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

A true copy,

ADOPTED by the Atlanta City Council
APPROVED as amended per City Charter Sec 2-403

MAY01, 2023
MAY 10, 2023



A. Vanessa Waldon

Municipal Clerk



Affordable Housing Impact Statement

Z-22-94

Requirements

Per the requirements of the City of Atlanta, Georgia Code of Ordinances, Chapter 54, Article I, Section 54-2, Affordable Housing Impact Statements shall include a quantitative or numeric section that shall provide numeric estimates of impacts, quantifying numbers of units impacted at certain levels of Area Median Income (AMI) over the 30-year period following the enactment of the legislation; and a narrative section to provide an explanation of the analyses that led to the estimates.

Narrative Section

The proposed rezoning would change the zoning for the parcel at 718 Ponce De Leon Avenue NE, 738 (aka 726) Ponce de Leon Avenue NE, 752 Ponce de Leon Avenue NE, 756 Ponce de Leon Avenue NE, and 774 Ponce de Leon Avenue NE from C-1/BL (Community Business District/BeltLine Overlay) to PD-MU/BL (Planned Development Mixed Use/BeltLine Overlay). The rezoning of this property will allow for the construction of 354 multi-family residential units with an estimated completion date of December 2026.

Quantitative/Numeric Section

This legislation, if enacted, is estimated to have a projected impact upon the affordable housing stock of the City of Atlanta over the 30-year period following the enactment of the legislation by:

Adding 0, preserving 0, or decreasing 0 units affordable at 30 percent or below of the Area Median Income (AMI); and

Adding 0, preserving 0, or decreasing 0 units affordable between 30.01 and 50 percent of AMI; and

Adding 36, preserving 0, or decreasing 0 units affordable between 50.01 and 80 percent of AMI; and

Adding 318, preserving 0, or decreasing 0 units affordable above 80 percent of AMI.

Impact

Rezoning the property from C-1 to PDMU. This rezoning will facilitate the construction of 354 multi-family residential units. This property will be in tandem with another building that will be mixed-use commercial development with a shared parking deck. The improvement of the currently



blighted and aging strip mall will improve the character of the neighborhood by incorporating modern design principles for a visually appealing and engaging look that will be pedestrian accessible. The rezoning of the property is compatible and in accordance with the comprehensive development plans of Atlanta and will have little impact available public facilities and services such as water supply, sewage, drainage.

The development is believed to have a greater economic use to the neighborhood and city than as there is no economic use for the current zoning.

Methodology for Calculating Affordability

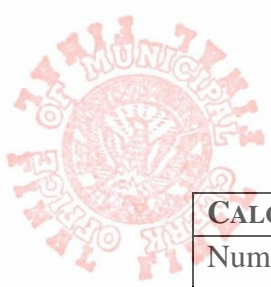
The affordability of units at various levels of AMI, whether for rent or sale, is calculated by first examining the income limits provided by the US Department of Housing and Urban Development (HUD). These income limits are published annually for each Metropolitan Statistical Area (MSA). The income limits provided by HUD in April of 2022 for the Atlanta MSA are shown below:

INCOME LIMITS BY HOUSEHOLD SIZE, FY 2022 (BASED ON HUD'S AMI OF \$96,400 FOR THE ATLANTA MSA, RELEASED APRIL 2022.)						
Household Size	1 Person	2 Person	3 Person	4 Person	5 Person	6 Person
30% AMI Limit	\$20,250	\$23,150	\$26,050	\$28,900	\$32,470	\$37,190
50% AMI Limit	\$33,750	\$38,600	\$43,400	\$48,200	\$52,100	\$55,950
80% AMI Limit	\$54,000	\$61,700	\$69,400	\$77,100	\$83,300	\$89,450

To determine the affordable rent or home sales price for households at each level of AMI, the following three assumptions are made:

- 1) Rental housing is affordable when it costs no more than 30% of a household's gross income. Households that pay more than this toward housing costs are considered cost-burdened by HUD.
- 2) Homeownership units are affordable when the purchase price is no more than three times a household's annual income.
- 3) An average of 1.5 persons will reside in each bedroom of a residential unit.

Following this, the number of persons estimated to live in units with different numbers of bedrooms is determined by multiplying the number of bedrooms by 1.5. See the table below for this calculation:



CALCULATION OF ASSUMED HOUSEHOLD SIZE FROM UNIT BEDROOM COUNT					
Number of Bedrooms	0	1	2	3	4
Assumed Household Size	1	1.5	3	4.5	6

This income limit is then taken for the household size that corresponds to the number of bedrooms in the unit, as show in the table above. If the assumed household size is not a whole number, the income limits that correspond to households for the nearest two whole numbers are averaged.

Affordable Rent Calculation

The calculation of affordable rents is determined by first identifying the income limit for the household size using the methodology shown above. Following this, the income limit is multiplied by 0.3 to cap rent at 30% of household income, divided by 12, and rounded up to the nearest whole number to find the monthly maximum rent. See the examples below.

Studio/Efficiency Calculation for 80% of AMI

0 Bedroom (1 Person) = 1 Person Income Limit

$$54,000 (0.3) = 16,200$$

$$16,200 / 12 = 1,350.00$$

Rounded up = \$1,350.00 maximum rent

1 Bedroom Calculation for 80% of AMI

1 Bedroom (1.5 Person) = 1.5 Person Income Limit

$$(54,000 + 61,700) / 2 = 57,850$$

$$57,850 (0.3) = 17,355$$

$$17,355 / 12 = 1,446.25$$

Rounded up = \$1,446 maximum rent



The following rent limits would apply under this methodology:

AFFORDABLE RENTS, FY 2022 (BASED ON HUD'S AMI OF \$96,400 FOR THE ATLANTA MSA, RELEASED APRIL 2022.)					
Number of Bedrooms	Studio/ Efficiency	1 BR	2 BR	3 BR	4 BR
30% AMI	\$506	\$543	\$651	\$767	\$930
50% AMI	\$844	\$904	\$1,085	\$1,254	\$1,399
80% AMI	\$1,350	\$1,446	\$1,735	\$2,005	\$2,236

Affordable Homeownership Calculation

HUD defines affordable for-sale housing as housing that costs no more than three times a household's income. Affordable home purchase prices are determined by identifying the appropriate income limit, as explained above, and multiplying it by 3. Home purchase prices affordable to households at various percentages of AMI are listed in the table below:

AFFORDABLE HOME PRICE, FY 2022 (BASED ON HUD'S AMI OF \$96,400 FOR THE ATLANTA MSA, RELEASED APRIL 2022.)					
Number of Bedrooms	Studio/ Efficiency	1 BR	2 BR	3 BR	4 BR
30% AMI Limit	\$60,750.00	\$65,100.00	\$78,150.00	\$92,055.00	\$111,570.00
50% AMI Limit	\$101,250.00	\$108,525.00	\$130,200.00	\$150,450.00	\$167,850.00
80% AMI Limit	\$162,000.00	\$173,550.00	\$208,200.00	\$240,600.00	\$268,350.00

Disclaimer Statement

Please be mindful that any analysis of the legislation, unless otherwise stated, is based on a summary of the information provided by the Applicant who requested the rezoning/Land Use amendment and in some cases, on public real estate data obtained from the Internet. The analysis does not extend through the next 30 years as required by the City of Atlanta, Georgia Code of Ordinances, Chapter 54, Article I, Section 54-2 because it is impossible to estimate the affordability of market-rate housing beyond the initial lease-up or sale of the units. In addition,



any changes to a zoning/Land Use will apply to any future developments, not just the initial development proposed by the current Applicant. Therefore, the Office of Housing and Community Development cannot estimate any future development that may take place on parcel(s) not within this Applicant's scope of work.

With respect to the accuracy of any and all initial estimates of affordability, the estimates that are provided for initial developments are largely dependent on the honesty of Applicants and their willingness to provide the most accurate available data. Data on potential rent, sales price, units to be constructed, the number of bedrooms per unit, etc. are subject to change as developers assess market conditions prior to and throughout construction. Therefore, this data should not be used as a basis to form any quantitative conclusions. For data that may better reflect the Applicant's final building plans, please refer to the issued building permit.

East Tract Legal Description**2.696 Acres**

All that tract or parcel of land lying and being in Land Lot 17 of the 14th District, City of Atlanta, Fulton County, Georgia and being more particularly described as follows:

Beginning at a ½ inch rebar set at the intersection of the northern right of way line of Ponce De Leon Avenue (right of way width varies) and the eastern right of way line of Ponce De Leon Place (50 feet right of way width); thence proceeding along said right of way line of Ponce De Leon Place the following courses and distances: North 04 degrees 21 minutes 08 seconds East a distance of 137.99 feet to a ½ inch rod found, North 04 degrees 09 minutes 05 seconds East a distance of 40.16 feet to a point, North 03 degrees 05 minutes 37 seconds East a distance of 31.52 feet to a point and North 01 degrees 13 minutes 34 seconds East a distance of 44.76 feet to a nail set on the southern right of way line of Maiden Lane (40 feet right of way width); thence leaving Ponce De Leon Place and proceeding along said right of way line of Maiden Lane the following courses and distances: North 87 degrees 17 minutes 26 seconds East a distance of 301.32 feet to a point, North 87 degrees 17 minutes 26 seconds East a distance of 50.00 feet to a point, North 87 degrees 42 minutes 11 seconds East a distance of 100.00 feet to a ½ inch rebar found and North 89 degrees 44 minutes 02 seconds East a distance of 49.76 feet to a nail found on the northern right of way line of Ponce De Leon Avenue (right of way width varies); thence proceeding along said right of way line of Ponce De Leon Avenue the following courses and distances: South 00 degrees 20 minutes 52 seconds West a distance of 231.28 feet to a point, North 89 degrees 53 minutes 16 seconds West a distance of 10.72 feet to a ½ inch rebar found, North 48 degrees 12 minutes 43 seconds West a distance of 1.01 feet to a point, North 88 degrees 40 minutes 35 seconds West a distance of 39.43 feet to a point, South 00 degrees 38 minutes 03 seconds West a distance of 1.34 feet to a point, South 89 degrees 38 minutes 33 seconds West a distance of 33.86 feet to a point, South 89 degrees 38 minutes 33 seconds West a distance of 65.14 feet to a point, South 00 degrees 24 minutes 43 seconds West a distance of 0.43 feet to a point, North 89 degrees 39 minutes 53 seconds West a distance of 50.00 feet to a ½ inch open top pipe found, North 00 degrees 25 minutes 55 seconds East a distance of 1.13 feet to a point, South 87 degrees 09 minutes 09 seconds West a distance of 19.69 feet to a point, South 88 degrees 32 minutes 45 seconds West a distance of 40.48 feet to a point, South 89 degrees 43 minutes 12 seconds West a distance of 46.94 feet to a point, South 85 degrees 29 minutes 59 seconds West a distance of 43.25 feet to a ½ inch open top pipe found, South 80 degrees 21 minutes 46 seconds West a distance of 28.97 feet to a point, South 76 degrees 41 minutes 10 seconds West a distance of 9.67 feet to a point, South 72 degrees 47 minutes 16 seconds West a distance of 6.93 feet to a point, South 10 degrees 29 minutes 31 seconds East a distance of 1.74 feet to a point, along a curve to the left with a radius of 409.12 feet and an arc length of 7.39 feet (said curve having a chord bearing of South 74 degrees 10 minutes 01 seconds West and a chord distance of 7.39 feet) to a point, South 01 degrees 39 minutes 31 seconds West a distance of 1.44 feet to a point, South 65 degrees 40 minutes 18 seconds West a distance of 18.62 feet to a point, South 69 degrees 11 minutes 26 seconds West a distance of 90.38 feet to a ½ inch rebar set and North 38 degrees 08 minutes 19 seconds West a distance of 19.86 feet to the Point of Beginning.



Conditions for Z-22-94

718 Ponce De Leon Avenue NE, 738 (aka 726) Ponce De Leon Avenue NE, 752 Ponce De Leon Avenue NE, 756 Ponce De Leon Avenue NE, and 774 Ponce De Leon Avenue NE

1. The property shall be developed in accordance with the site plan entitled “Ponce & Ponce – East Tract” prepared by Kimley-Horn dated March 14, 2023, and stamped received by the Office of Zoning and Development on March 15, 2023. Minor changes to the approved site plan may be authorized by the Director of the Office of Zoning and Development in accordance with Section 16-02.003(7).
2. The maximum building height on the property is 160 feet.
3. Publicly accessible open space nodes aggregating a minimum of 3,600 square feet shall be provided within the development, exclusive of outdoor dining areas controlled by the tenant. The publicly accessible open space nodes satisfying this condition shall not exceed two nodes and shall be adjacent to or accessible by sidewalk from the public right-of-way. At least 70 percent of any publicly accessible open space node satisfying this condition shall have a minimum dimension of 20 feet by 20 feet.
4. The following design guidelines shall apply to buildings containing residential use:
 - a. A variety of façade treatments and articulation, changes of plan, variations in materials and other means of articulation shall be incorporated on the Maiden Lane fronting elevation to provide visual interest along the length of the building and reduce the perceived mass as viewed from the public realm. The width of any unbroken facade plane on the Maiden Lane frontage may not exceed the building height.
 - b. The façade shall be designed to provide or create the appearance of providing variations in the façade with color and design differentiations such as variation in plane, step backs and balconies.
 - c. Nonresidential use shall be permitted at the corner of Maiden Lane and Ponce de Leon Place; provided, however, direct access to Maiden Lane from sidewalk level nonresidential use shall be prohibited. Outdoor seating for nonresidential use on Maiden Lane shall be prohibited.
 - d. The residential units located at sidewalk level on the Maiden Lane frontage shall have individual unit entrances on Maiden Lane unless existing topographical considerations render this requirement unreasonable as determined by the Director of the Office of Zoning and Development.
 - e. Individual residential unit entrances along Maiden Lane shall be recessed a minimum of two feet from the sidewalk level façade wall.
 - f. A minimum of 40 percent of the unglazed building façade should be brick, granite, stone, cast stone or similar on the Maiden Lane frontage elevation.
 - g. Windows installed in brick, granite, stone, cast stone or similar on the Maiden Lane frontage elevation shall be recessed from the exterior wall at least one inch to provide visible depth and shadow on the façade.
5. No portion of any structure shall protrude through a height limiting plane beginning 15 feet above the nearest lot line of the protected district and extending inward over the



property zoned PDMU at an angle of 45 degrees, provided this transitional height plane shall not extend more than 150 linear feet (measured along the ground) from the protected district up to and into the subject property. As used herein, “protected district” shall mean: (i) R-1 through R-5; (ii) RG-1 and RG-2; (iii) MR-1, MR-2 and MR-MU; and (iv) Landmark, Historic, PD and SPI district subareas having uses and densities predominantly similar to those permitted in the district classifications listed in subsections (i) through (iii). (See diagram at Section 16-29.001(62) – Transitional height plane diagram 2.)

6. The off-street parking requirements for the project provided in Section 16-19B.006 of the PDMU zoning district shall not apply to the property. The off-street parking requirements applicable in the MRC zoning districts, currently provided in Section 16-34.021(3), 16-34.021(5) and 16-34.021(7), shall apply to the property.
7. Building service areas shall be screened from any adjoining public right-of-way. Except for utility facility locations such as transformers, administrative relief shall not be permitted from Section 16-36.016. – Loading areas, loading dock entrances, and building mechanical and accessory features. Mechanical equipment shall be located on the roof and in the location least visible from the public right-of-way and will be screened from view if visible from public areas. No air-cooled chillers located at sidewalk level within 50 feet of a public right-of-way.
8. Eating and drinking establishment exhaust hood ventilation shall include scrubbers on grease ducts if discharged through a sidewall.
9. Compliance with minimum and maximum off-street parking requirements may be achieved by evaluating the combined off-street parking required and provided on the properties zoned pursuant to applications Z-22-093 and Z-22-094 in lieu of evaluating off-street parking on a lot-by-lot basis.
10. New surface parking, if any, shall be located interior to the project and not between the building and the street.
11. Except for spaces reserved for rideshare and delivery drop-offs, on street parking shall not be provided on the adjacent public right-of-way frontages. The project shall provide parking for rideshare and delivery drop-offs.
12. Clearly designated pedestrian paths shall be provided through parking areas to the public sidewalk or building entrance. Paths shall be designated with materials such as paint, elevated crosswalks, or changes in materials.
13. Subject to approval of ATLDOT, the project shall accommodate and implement a widening of Ponce de Leon Place to a four lane configuration along the property frontage.
14. To create visual interest, the sidewalk level exterior building façade for nonresidential uses shall (i) be differentiated architecturally from the upper levels of the building, (ii) vary along the building elevation, (iii) not be homogenous, (iv) include changes in texture and (v) vary in depth, height and change of plane.
15. Developer shall request, and subject to approval and permit by City of Atlanta and ATLDOT, Developer shall execute the following traffic calming and pedestrian safety road improvements:
 - a. Ponce de Leon Place (north of St. Charles Avenue)



- c. Compliance with minimum usable open space requirements may be achieved by evaluating the combined usable open space required and provided on the properties zoned pursuant to applications Z-22-093 and Z-22-094 in lieu of evaluating usable open space on a lot-by-lot basis.
 - d. A variance from the open space requirements in this condition 16 may be requested from the board of zoning adjustment.
17. The following design guidelines shall apply to buildings with office uses located above the third story of the building:
 - a. The building shall incorporate a variety of materials, such as, but not limited to, glass, metal, stone, and masonry.
 - b. Exterior patios or balconies shall be provided for the office use.
 - c. A minimum of 50 percent of the portion of the building façade containing office use shall be vision glazing on the stories above the sidewalk level.
 - d. If any building has more than six floors above sidewalk level, then starting above the sidewalk level the building floor plates shall be stepped back and/or forward so that no more five floors are the same plane on the building facades abutting the public right-of-way.
 - e. Any office building more than six stories in height above sidewalk level shall have not more than four consecutive floors that have an identical exterior facade layout, exclusive of balcony rails or parapets. An exterior facade layout shall be defined as identical if a minimum of 75 percent of its linear footage is aligned with the floor above or below.
 - f. At sidewalk level the building façade shall not exceed 60 feet in length without interruption by at least one of the following architectural features:
 - i. Projection or recess in the wall plane of at least six inches in depth;
 - ii. Change in material, texture or pattern; or
 - iii. Change in the fenestration pattern.
18. Unfinished or unpainted concrete, concrete masonry units, plywood, hard coat stucco and vinyl siding shall not be used as exterior façade materials on buildings.
19. The following design guidelines shall apply to buildings containing residential use:
 - a. Except for the building façade facing the Maiden Lane frontage, other building facades shall incorporate a variety of articulation techniques to reduce visual mass such as vertical and horizontal banding, material changes, façade plane changes, vertical and horizontal recesses, window composition and design, balconies, or terraces.
 - b. Exterior Insulation and Finish Systems (EIFS) shall not be used for the first 25 feet of building height above grade on any façade facing either a public right-of-way or a publicly accessible area.
 - c. A minimum of 40 percent of the portion of the building façade containing residential use shall be glazing on the stories above the sidewalk level.
 - d. A minimum of 50 percent of residential dwellings shall have balconies.
 - e. Internally divided windows shall be prohibited.



20. The developer shall support legislation requiring all transportation impact fees generated from this development will be allocated to measures to mitigate traffic and promoted pedestrian and bicyclist safety as recommended by the Virginia-Highland Civic Association within the vicinity of the project.
21. Total combined maximum building square footage on the properties zoned pursuant to applications Z-22-093 and Z-22-094 shall not exceed 1,063,000 square feet. The total combined maximum 1,063,000 square feet allowed may be developed in any combination on either property; provided, however, (a) the total combined residential floor area shall not exceed an amount equal to 3.2 times gross lot area and (b) the total combined nonresidential density shall not exceed an amount equal to 3.0 times net lot area. The residential and nonresidential floor area maximums shall be calculated in the aggregate and not on a lot by lot basis. If the total combined nonresidential building square footage exceeds 350,000 square feet, the total combined maximum residential building square footage shall not exceed 375,000 square feet.



CITY COUNCIL
ATLANTA, GEORGIA

23-O-1105

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Workflow List:

Zoning Committee	Completed	02/13/2023 11:00 AM
Atlanta City Council	Completed	02/20/2023 1:00 PM
Zoning Review Board Staff	Completed	04/14/2023 1:10 PM
Zoning Committee	Completed	04/24/2023 11:00 AM
Atlanta City Council	Completed	05/01/2023 1:00 PM

HISTORY:

02/13/23	Zoning Committee	
02/20/23	Atlanta City Council	REFERRED TO ZRB AND ZC

RESULT:	REFERRED TO ZRB AND ZC [12 TO 0]
MOVER:	Marci Collier Overstreet, Councilmember, District 11
SECONDER:	Alex Wan, Councilmember, District 6
AYES:	Westmoreland, Winston, Farokhi, Amos, Dozier, Wan, Shook, Norwood, Hillis, Boone, Overstreet, Lewis
ABSENT:	Keisha Sean Waites, Liliana Bakhtiari
AWAY:	Michael Julian Bond

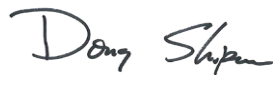
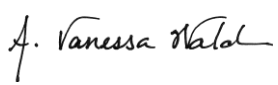
04/24/23 Zoning Committee FAVORABLE AS AMENDED



RESULT: FAVORABLE AS AMENDED [UNANIMOUS]
MOVER: Marci Collier Overstreet, Chair, District 11
SECONDER: Mary Norwood, District 8
AYES: Overstreet, Bakhtiari, Dozier, Norwood, Westmoreland
ABSENT: Michael Julian Bond, Amir R Farokhi

05/01/2023 Atlanta City Council ADOPTED AS AMENDED

RESULT: ADOPTED AS AMENDED [13 TO 0]
MOVER: Marci Collier Overstreet, Councilmember, District 11
SECONDER: Matt Westmoreland, Councilmember, Post 2 At Large
AYES: Westmoreland, Waites, Winston, Farokhi, Amos, Dozier, Bakhtiari, Wan, Shook, Hillis, Boone, Overstreet, Lewis
AWAY: Michael Julian Bond, Mary Norwood

Certified by Presiding Officer	Certified by Clerk
<p>CERTIFIED</p> <p>5/1/2023</p> <p>ATLANTA CITY COUNCIL PRESIDENT</p> 	<p>CERTIFIED</p> <p>5/1/2023</p> <p>MUNICIPAL CLERK</p> 
<p>Mayor's Action</p> <p><i>See Authentication Page Attachment</i></p>	

ADOPTED BY COUNCIL
05/01/2023