

**Z-19-77 AN ORDINANCE BY ZONING COMMITTEE TO REZONE FROM MRC-2-C/BL (MIXED RESIDENTIAL COMMERCIAL CONDITIONAL/BELTLINE OVERLAY) TO MRC-2-C/BL (MIXED RESIDENTIAL COMMERCIAL CONDITIONAL/BELTLINE OVERLAY) FOR A CHANGE OF CONDITIONS FOR PROPERTY LOCATED AT 863 PONCE DE LEON AVENUE, N.E. FRONTING 122.27 FEET ON THE SOUTHWEST SIDE OF PONCE DE LEON AVENUE, N.E. BEGINNING AT A POINT WHERE THE SOUTHERN RIGHT-OF-WAY OF PONCE DE LEON AVENUE INTERSECTS WITH THE WESTERN RIGHT-OF-WAY OF BARNETT STREET, N.E. DEPTH: 226.04 FEET; AREA: 0.43 ACRES; LAND LOT 17, 14TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: 863 PONCE LAND, LLC; APPLICANT: KEVIN MAHER; NPU N COUNCIL DISTRICT 2**

Application File Date	08/06/2019
Zoning Number	Z-19-77
NPU / CD	N-2
Staff Recommendation	
NPU Recommendation	
ZRB Recommendation	

City Council  
Atlanta, Georgia

AN ORDINANCE

Z-19-77

BY: ZONING COMMITTEE

AN ORDINANCE TO REZONE FROM MRC-2-C/BL (MIXED RESIDENTIAL COMMERCIAL CONDITIONAL/BELTLINE OVERLAY) TO MRC-2-C/BL (MIXED RESIDENTIAL COMMERCIAL CONDITIONAL/BELTLINE OVERLAY) FOR A CHANGE OF CONDITIONS FOR PROPERTY LOCATED AT 863 PONCE DE LEON AVENUE, N.E. FRONTING 122.27 FEET ON THE SOUTHWEST SIDE OF PONCE DE LEON AVENUE, N.E. BEGINNING AT A POINT WHERE THE SOUTHERN RIGHT-OF-WAY OF PONCE DE LEON AVENUE INTERSECTS WITH THE WESTERN RIGHT-OF-WAY OF BARNETT STREET, N.E. DEPTH: 226.04 FEET AREA: 0.43 ACRES, LAND LOT 17, 14<sup>TH</sup> DISTRICT, FULTON COUNTY, GEORGIA OWNER: 863 PONCE LAND LLC APPLICANT: KEVIN MAHER NPU N COUNCIL DISTRICT 2

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 863 Ponce de Leon Avenue, N.E. be changed from MRC-2-C/BL (Mixed Residential Commercial Conditional/BeltLine Overlay) to MRC-2-C/BL (Mixed Residential Commercial Conditional/BeltLine Overlay) for a change of conditions; and for other purposes:

ALL THAT TRACT or parcel of land lying in Land Lot 17 of the 14<sup>th</sup> 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.



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VOTE RECORD - ORDINANCE 19-O-1523						
<input type="checkbox"/> ADOPTED <input type="checkbox"/> ADVERSED <input type="checkbox"/> FAVORABLE <input type="checkbox"/> ACCEPTED AND FILED <input type="checkbox"/> FIRST READING <input type="checkbox"/> SECOND READING <input type="checkbox"/> THIRD READING <input type="checkbox"/> FOURTH READING <input type="checkbox"/> FIFTH READING <input type="checkbox"/> REFERRED TO COMMITTEE <input type="checkbox"/> HELD IN COMMITTEE <input type="checkbox"/> TABLED <input type="checkbox"/> DEFERRED <input type="checkbox"/> RECONSIDERED <input type="checkbox"/> FILED <input type="checkbox"/> ADOPTED AS AMENDED <input type="checkbox"/> AMENDED <input type="checkbox"/> ACCEPTED <input type="checkbox"/> SUBSTITUTED <input type="checkbox"/> AMENDED SUBSTITUTE <input type="checkbox"/> FILED BY COMMITTEE <input checked="" type="checkbox"/> REFERRED TO ZRB AND ZC <input type="checkbox"/> REFERRED WITHOUT OBJECTION <input type="checkbox"/> ADOPTED ON SUBSTITUTE <input type="checkbox"/> ADOPTED SUBSTITUTE AS AMENDED <input type="checkbox"/> FORWARDED WITH NO RECOMMENDATI <input type="checkbox"/> REFERRED TO SC <input type="checkbox"/> FILED WITHOUT OBJECTION <input type="checkbox"/> FAILED <input type="checkbox"/> FORWARDED TO FC/NQ						
			YES/AYE	NO/NAY	ABSTAIN	ABSENT
	MICHAEL JULIAN BOND	VOTER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	AWAY
	MATT WESTMORELAND	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	ANDRE DICKENS	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	CARLA SMITH	MOVER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	AMIR R FAROKHI	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	ANTONIO BROWN	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	CLETA WINSLOW	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	NATALYN MOSBY ARCHIBONG	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	JENNIFER N IDE	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	HOWARD SHOOK	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	JP MATZIGKEIT	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	DUSTIN HILLIS	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	ANDREA L BOONE	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MARCI COLLIER OVERSTREET	SECONDER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
JOYCE M SHEPERD	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

<ul style="list-style-type: none"><li><input type="checkbox"/> FAVORABLE ON SUBSTITUTE</li><li><input type="checkbox"/> FAVORABLE/SUB/AMENDED</li><li><input type="checkbox"/> FAVORABLE/SUB/AMND/COND</li><li><input type="checkbox"/> FAVORABLE/AMND/COND</li><li><input type="checkbox"/> FAVORABLE AS AMENDED</li><li><input type="checkbox"/> RETURNED AS HELD</li><li><input type="checkbox"/> FAVORABLE ON CONDITION</li><li><input type="checkbox"/> FAVORABLE/SUB/CONDITION</li><li><input type="checkbox"/> QUADRENNIALY TERMINATED</li><li><input type="checkbox"/> QUESTION CALLED</li><li><input type="checkbox"/> ROUTED TO COW</li><li><input type="checkbox"/> SUSTAINED</li><li><input type="checkbox"/> OVERRIDEN</li><li><input type="checkbox"/> NOT ACCEPTED BY COMMITTEE</li><li><input type="checkbox"/> SUSTAINED W/O OBJECTION</li><li><input type="checkbox"/> TABLED W/O OBJECTION</li><li><input type="checkbox"/> HELD IN COW</li></ul>	
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[Unanimous]

Certified by Presiding Officer	Certified by Clerk
<p>Mayor's Action</p> <p><i>See Authentication Page Attachment</i></p>	