AN ORDINANCE
BY: COUNCIL MEMBERS CARLA SMITH, JOYCE SHEPERD, AND CLETA WINSLOW

AN ORDINANCE TO REZONE CERTAIN PROPERTIES IN AND AROUND TURNER FIELD FROM THE MRC-3-C (MIXED RESIDENTIAL COMMERCIAL-SECTOR 3-CONDITIONAL) ZONING DISTRICT TO THE MRC-3-C (MIXED RESIDENTIAL COMMERCIAL-SECTOR 3-CONDITIONAL).

ADOPTED BY

COUNCIL

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FINAL COUNCIL ACTION

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CERTIFIED

JUL 18 2016

ATLANTA CITY COUNCIL PRESIDENT

CERTIFIED

JUL 18 2016

MAYOR'S ACTION

APPROVED

JUL 18 2016

MAYOR
AN ORDINANCE
BY COUNCIL MEMBERS CARLA SMITH, JOYCE SHEPERD, AND CLETA WINSLOW
AS AMENDED BY ZONING COMMITTEE

AN ORDINANCE TO REZONE CERTAIN PROPERTIES IN AND AROUND TURNER FIELD FROM THE MRC-3-C (MIXED RESIDENTIAL COMMERCIAL-SECTOR 3- CONDITIONAL) ZONING DISTRICT TO THE MRC-3-C (MIXED RESIDENTIAL COMMERCIAL-SECTOR 3- CONDITIONAL FOR A CHANGE OF CONDITIONS.

WHEREAS, in 1993, the Summerhill Urban Redevelopment Plan was adopted pursuant 93-R-1669 to replace the Model Cities Urban Redevelopment Plan in order to “create a pleasant, attractive and viable community of people with varied backgrounds near the heart of the city of Atlanta”; and

WHEREAS, in 2006, the New Century Economic Development Plan identified the Stadium Neighborhoods as one of the priority areas and determined that TAD funding could be used as tool for redevelopment and as a result the Tax Allocation District Redevelopment Plan for the Stadium Neighborhoods Tax Allocation District was prepared by the Atlanta Development Authority and thereafter, the City of Atlanta Tax Allocation District (TAD) Number Ten - Stadium Neighborhoods was adopted pursuant to Ordinance 06-O-2201 as a tool to catalyze and provide incentives for the rehabilitation and redevelopment of underutilized parcels with the Stadium Neighborhood TAD; and

WHEREAS, the Summerhill Urban Redevelopment Plan Update, adopted in 2006 pursuant 06-R-0586, identified redevelopment opportunities and recommended land use and zoning changes to further the plan’s objectives of creating within the Summerhill neighborhood a diversified urban environment through a compatible mixture of residential, commercial, and cultural recreational uses; and

WHEREAS, pursuant to ordinance 06-O-056 adopted May 1, 2006, the city council rezoned (Z-06-24) portions of the Summerhill neighborhood to the MRC-3 (mixed residential commercial) zoning district to implement those recommendations; and

WHEREAS, the intent of the MRC-3 zoning district is to create high density commercial and residential uses along major corridors intended to serve larger areas of the city, provide larger commercial uses with a significant employment concentration, ensure pedestrian-oriented building forms, facilitate safe, pleasant and convenient pedestrian circulation, encourage a grid of connected streets to improve access and reduce congestion; and

WHEREAS, a substantial amount of the MRC-3 rezoned property is owned by the City of Atlanta and Fulton County Recreation Authority (AFCRA), on behalf of the City of Atlanta (City) and Fulton County, Georgia (County) and is subject to an Operating Agreement dated March 16, 1993 (“Operating Agreement”) between AFCRA and the Atlanta National League
Baseball Club, Inc. (the “Atlanta Braves”) and includes Turner Field and surrounding surface parking lots (“Turner Field site”); and

WHEREAS, the Operating Agreement is set to expire December 31, 2016; and

WHEREAS, the expiration of the Operating Agreement and the relocation of the operations of the Atlanta Braves has created the opportunity to plan for the future of not only the Turner Field site but also neighborhoods that surround Turner Field, including all or portions of the Summerhill, Peoplestown, Mechanicsville, Pittsburgh, and Grant Park neighborhoods (“surrounding neighborhoods”); and

WHEREAS, the goals of the LCI program are to encourage a diversity of housing, employment, commercial, shopping and recreation land uses, enhance access to a range of travel modes to provide optimal access to all uses and to foster public-private partnerships and sustained community support and the Turner Field Stadium Neighborhoods

WHEREAS, the City of Atlanta in partnership with Invest Atlanta, and the Annie B. Casey Foundation provided $75,000 toward matching funds, and applied for a Livable Centers Initiative (LCI) planning grant from the Atlanta Regional Commission (ARC) and was awarded the grant in the amount of $212,000 and the AFCRA provided valuable in kind contributions; and

WHEREAS, the LCI study is aimed at guiding redevelopment of the Turner Field site and surrounding neighborhoods, making land use, urban design, housing, economic development, and transportation improvements conducive with the new uses at the Turner Field site and connections to the Beltline and Downtown, while enhancing and protecting the existing neighborhoods and expanding job and housing opportunities; and

WHEREAS, the City contracted pursuant to Resolution 15-R-3883 with Perkins & Will, Inc. to lead the Turner Field Stadium Neighborhoods LCI study (“Stadium Neighborhoods LCI”) which includes plan development, community engagement and project deliverables; and

WHEREAS, the Stadium Neighborhoods LCI planning process identified various areas of focus, including the “core area” defined as the eight blocks with vacant and underutilized parcels immediately surrounding the stadium; and

WHEREAS, the planning process has been conducted with extensive public engagement consisting of a kick-off meeting, core team meetings, two core area workshops, five neighborhood meetings, nine focus group meetings, an interactive online public engagement platform and an open house held during the April 17, 2016 Atlanta Streets Alive event which has resulted in vast participation in the development of the LCI plan; and

WHEREAS, the Stadium Neighborhoods LCI planning efforts and recommendations for the core area have been completed and should be implemented without delay so that redevelopment within the core area is compatible with the Core Area Design Elements and concept plans; and the proposed development of these parcels; and
WHEREAS, the current conditional zoning, among other things, lists uses that require special use permits and/or are prohibited notwithstanding that such uses are otherwise provided for in the MRC district regulations; and

WHEREAS, the current conditional zoning, among other things, imposes development controls more restrictive than otherwise provided for in the MRC district regulations; and

WHEREAS, some of the current conditional zoning is outdated, does not accurately reflect the current desired mixed-use environment and density, and should be amended to conform to the current MRC district regulations and the Turner Field Stadium Neighborhoods LCI recommendations.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS:

SECTION 1: The Zoning Ordinance of the City of Atlanta is hereby amended, and the maps established in connection therewith are changed, so that the following properties are rezoned from the MRC-3-C (Mixed Residential Commercial-3-conditional) zoning district to the MRC-3-C (Mixed Residential Commercial-3-conditional) zoning district for the purpose of change of condition, said properties being more particularly depicted and described as, to wit:

ALL THOSE TRACTS or parcels of land lying in Land Lots 53, 54 & 75 of the 14th District, Fulton County, Georgia being more particularly depicted in Exhibit “A” and listed on “B”, attached hereto and incorporated herein by reference.

SECTION 2: The zoning conditions applicable to the property shall be those attached hereto as Exhibit “C”

SECTION 3: 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, Office 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 only be approved only by application to the Board of Zoning Adjustment.

SECTION 4: That the maps referred to, now on file in the Office of Planning, be changed to conform to the terms of this ordinance.

SECTION 5: That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

A true copy,

Rhonda Daughlin Johnson
Municipal Clerk

ADOPTED as amended by the Atlanta City Council JUL 18, 2016
APPROVED by Mayor Kasim Reed JUL 18, 2016
Fulton County Assessor

Parcel: 14 0076 LL0035 Acres: 31.92

| Name: ATLANTA FULTON CO RECREATION | Land Value: 21028900 |
| Site: 521 HANK AARON DR | Building Value: 3116700 |
| Sale: | Misc Value: |
| Mail: 755 HANK AARON DR SW | Total Value: 24145600 |
| ATLANTA, GA 30315-1120 | |

Fulton County makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. The assessment information is from the last certified taxroll. All data is subject to change before the next certified taxroll.

Date printed: 09/09/14 16:10:51
Exhibit C

2) Development shall incorporate major elements from at least one, or a hybrid of more than one, of the three conceptual drawings for the core area set forth within the Turner Field Stadium Neighborhoods Livable Centers Initiative as determined by the Office of Planning during the special administrative permit process. The three conceptual drawings are attached hereto as Exhibit “D”. Major elements to be incorporated in the development shall include the following:
   a) Street and block framework with active street frontages and with particular emphasis on Hank Aaron Drive, Fulton Street and Georgia Avenue as essential corridors;
   b) Parking decks shall be screened from pedestrian view in accordance with the MRC regulations and with those governing parking decks generally;
   c) A neighborhood street grid shall be incorporated into the development to facilitate better connectivity between the development and the surrounding neighborhood;
   d) Plaza(s), formal mall(s), or other similar fully accessible public open spaces;
   e) Scaled transition from the edges of the development into adjacent neighborhoods as set forth in Sec. 16-34.009 governing transitional uses and yards; and
   f) Elements of the sports legacy associated with the former uses of the properties.

2) Notwithstanding the list of permitted principle uses within the MRC district, as more fully set forth currently in Sec. 16-34.005, the following shall be permitted principal uses and structures:
   a) Banks, savings and loan associations, and similar financial institutions;
   b) Barber shops, beauty shops, manicure shops and similar personal service establishments.
   c) Non-vocational business or commercial schools;
   d) Childcare centers, kindergartens and special schools;
   e) Clubs and lodges, but not to include fraternities and sororities;
   f) Commercial greenhouses;
   g) Commercial recreation establishments, including bowling alleys, theaters, convention halls, places of assembly and similar uses with primary activities conducted within fully enclosed buildings. Pool halls, billiard parlors and amusement arcades allowed only by special use permits;
   h) Restaurants, bars, coffee shops, delicatessens, taverns and other eating and drinking establishments including those licensed for the on-premises consumption of malt beverages, wine and/or distilled spirits pursuant to the alcohol code (chapter 10);
   i) Institutions of higher learning, including colleges and universities;
   j) Laundry and dry-cleaning stores or collection stations;
   k) Museums, art galleries, libraries, and similar profit or non-profit cultural facilities;
   l) Offices, studios, clinics (including veterinary), laboratories and similar uses, but not blood donor stations except at hospitals. Veterinary clinics including all kennels and accessory areas shall be enclosed within sound proof buildings when located within 300
feet of any residential use from the closest point of the nearest residential building to the
closest point of the veterinary clinic, subject to the provisions in chapter 74, article IV, noise control;
m) Park-for-hire parking decks;
n) Photocopying or blueprinting shops;
o) Professional or service establishments, but not hiring halls;
p) Public schools or private schools having similar academic curricula and special schools
   for exceptional children;
q) Retail establishments;
r) Sales and repair establishments for home appliances, bicycles, lawn mowers, shoes,
clocks and similar household goods;
s) Single-family, two-family and multi-family dwellings;
t) Structures and uses required for operation of MARTA or a public utility but not including
   uses involving storage, train yards, warehousing switching or maintenance shop as the
   primary use;
u) Tailoring, custom dressmaking, millinery and similar establishments;
v) Urban gardens; and
w) Market gardens.

3) Notwithstanding anything contrary set forth at Sec. 16-34.005, the following uses shall
   require a special use permit:
   a) Digital industry switchboards, power generators and other relay equipment and rooms
      housing such equipment when located on subterranean levels or the second floor above
      sidewalk level and higher, or on ground floors provided that retail, office, institutional, or
      residential uses are provided for a minimum depth of 20 feet from any building façade
      along the public sidewalk;
   b) Mortuary and funeral homes;
   c) Nursing homes;
   d) Park-for-hire surface parking lots; and
   e) Supportive housing.

4) Notwithstanding anything contrary set forth at Sec. 16-34.005 or Sec. 16-34.007, the
   following uses shall be prohibited:
   a) Automobile service stations, car washes;
   b) Dry-cleaning plants;
   c) New and used car sales, including motorized vehicles such as mopeds and motorcycles;
   d) Repair garages, paint and body shops; and
   e) Single-room occupancy residences;
   f) laundry and dry cleaning establishments where customers operate equipment, whether
      coin operated or otherwise;
g) Plumbing, air conditioning service and repair; and
h) Subject to the requirements of section 16-34.010(7), mixed-use storage facility having
less than 100,000 square feet of total floor area of storage use.

5) Building façade materials shall consist of the following:
   a) Single- and two-family: all exterior facades shall be brick, stone, horizontal wood
      clapboard siding, horizontal cementious siding, or cementious panel; and
   b) Multi-family and non-residential: All exterior facades adjacent to or visible from a public
      street shall be brick, stone, cast stone, true stucco, drainable exterior cladding system
      materials, split-faced concrete, architectural metal panels, wood, precast panels,
      horizontal wood clapboard siding, horizontal cementitious siding, cementitious panels,
      or split-faced brick. Exterior facades not adjacent to a public street may also be concrete
      masonry units.

6) For properties south of Georgia Avenue between Hank Aaron Boulevard and Fraser Street
   shown on Exhibit “A”, maximum building height shall be as follows:
   a) No portion of any structure on any property with frontage along Fraser or Ormond Street
      shall protrude through a height limiting plane beginning 35 feet above the property’s curb
      line along Fraser or Ormond Street and extending inward over the property at an angle of
      45 degrees; and
   b) Except as provided in subparagraph a) above, the maximum building height shall be 104
      feet.

7) The minimum building façade height of 24 feet set forth in Sec. 16-34.028(2)(a) may be
   administratively varied by the Office of Zoning and Development upon a finding that:

   (a) A plan proposed by an applicant, while not strictly in accord with regulations applying
       generally within the district, meets public purposes and provides public protection to an
       equivalent or greater degree; or

   (b) In the particular circumstances of the case, strict application of a particular regulation
       or regulations is not necessary for the accomplishment of public purposes or the
       provision of public protection, at the time or in the future.
This concept creates a central plaza on Hank Aaron Drive that combines transit and bikepaths with outdoor cafes and kiosks. To the west, a companion public square dedicated to Hank Aaron's homerun connects to GSU's baseball field. Market pavilions separate the two shared spaces and provide a home for neighborhood retail and restaurants.
Through a large formal mall preserving sight lines to the Gold Dome and a relocated Olympic Cauldron, this concept visually connects Hank Aaron's historic homerun to Atlanta's Civil Rights legacy, and Muhammed Ali's torch lighting at the 1996 Games. Celebration Mall creates a unique space for commemorative sculpture and public gatherings.
This concept emphasizes a return to the historic neighborhood scale of the site by creating a series of small public squares. Each distinct square marks a site important to the story of the surrounding community. To acknowledge Hank Aaron's legacy, one square encloses the Fulton County Stadium infield as a parallel to GSU's baseball field.
CONCEPT 03
NEIGHBORHOOD
SQUARES
Atlanta City Council

MULTIPLE

16-O-1164 & 16-O-1174

ADOPT AS AMENDED

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 0

Y Smith   Y Archibong   Y Moore   Y Bond
Y Hall    Y Wan        Y Martin  Y Norwood
Y Young   Y Shook      NV Bottoms Y Dickens
Y Winslow Y Adrean     Y Sheperd NV Mitchell
16-O-1164
Adopted by the Atlanta City Council
July 18, 2016

APPROVED
JUL 18 2016
MAYOR

MAYOR'S ACTION