

CONDITIONS FOR Z-14-006 FOR 560/568/576 Trabert Avenue

For City of Atlanta to Apply and Enforce to Z-14-006

1. Site Plan. The site shall be developed in accordance with the Site Plan attached hereto as Exhibit "A" prepared by Schneider Wright, Inc. dated 19 February 2014 and stamped received by the Office of Planning on 19 February 2014. ("Site Plan") The centerline of the access drive shall not vary more than 10 feet from that shown on the Site Plan. No other access drive shall be authorized.

2. Exterior Elevations. The exteriors of the buildings on the site shall be completed in concept with the two exterior concept sketches attached hereto as Exhibits "B-1" and "B-2" prepared by Schneider Wright, Inc. stamped received by the Office of Planning on 19 February 2014. Exterior materials used shall be substantially similar to the list attached hereto as Exhibit "D".

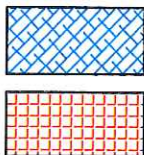
3. Landscape Plan. The eastern boundary of the site adjoining 556 Trabert Avenue shall provide for a transitional buffer for a depth of 20 (twenty) feet in the location identified on the Site Plan pursuant to the provisions of zoning code section 16-11.006(3)(a). This transitional buffer area shall not be reduced in size or dimension. The Developer shall prepare a professionally designed landscape plan for the transitional buffer and the Trabert frontage areas shown as Areas A and B on attached Exhibit "E" ("Landscape Plan") The Landscape Plan shall provide that at least 75% of trees planted be a minimum of 3 inch caliper and 10 to 12 feet in height, provided that evergreens in excess of 10'0" in height shall be counted as having caliper equal to or greater than 3" for purposes of this agreement notwithstanding a multi-trunk or smaller caliper size for such evergreen. All shrubs planted shall be at least 5 gallons in size. The remaining 25% of trees planted may be ornamental and 6 feet in height at time of planting. In the transitional buffer immediately adjacent to and west of the existing residential building at 556 Trabert Avenue and extending 5'0' north of the front foundation and 5'0" south of the rear foundation of that residential building, at least two staggered rows of trees shall be planted to create an enhanced landscape screen ("The Residential Screen"); 1 row shall be planted along the fence at the adjoining residential property line which shall be evergreen all of which are at least 3 inch caliper, 10 to 12 feet in height, and of a faster growing variety. Alternate landscaping for the Residential Screen, and for Area B on Exhibit C, shall be permitted if authorized by the Loring Heights Neighborhood Association, Inc.

4. Uses. The following C-1 principal uses shall be prohibited : places of worship; clubs/lodges (provided that craft or hobby clubs such as painting, ceramics or knitting shall be authorized);

nightclubs; commercial greenhouses; commercial recreation (provided that craft, hobby, clay and ceramic, and similar studios shall be authorized); laundry/dry cleaning; repair establishments; automobile/commercial vehicle sales and leasing where inventory is maintained, stored or bought on site; vault storage facility; service station/car washes; special event or convention facilities as a principal or revenue generating use , provided that special events or catered events that are associated with permitted principal uses, such as craft, hobby, clay and ceramic, and similar studios, shall be authorized ; and MARTA or public utility facilities. All C-1 SUP's shall be prohibited except those authorized in 16-11.005(1)(I). All C-1 special administrative and special exceptions, except those related to zero-lot-line development and parking, shall be prohibited. Any request for an eating and drinking establishment as a principal use, or a bar, shall be deemed a major site plan amendment requiring neighborhood, ZRB and City Council review; provided that special or catered events that are accessory to a permitted use shall be authorized as zoned. This paragraph is not intended to apply to Beltline SAP regulations or requirements.

5. Lot Consolidation. A lot consolidation shall be filed prior to initiation of new construction consolidating these 3 lots into one lot.
6. Height and Density. The height shall not exceed that specified on the Site Plan, provided that it is acknowledged that the existing elevator override structure projects above the top of the penthouse roof on the mixed use building about +/- 6 feet. The density of development shall not exceed twenty (20) percent of the FAR specified on the site plan.
7. Exterior lighting. Exterior lighting shall meet all Beltline requirements. All exterior lights shall utilize cutoff luminaries that have a maximum 90 degree illumination. Exterior lighting emanating from the development shall not exceed 0.5 footcandle commencing at a point 10'0" north of the foundation of the residential property at 556 Trabert Avenue and extending 25'0" south of the rear foundation thereof and along the eastern property line that adjoins that adjacent single family residential property ("The Reduced Exterior Lighting Zone") provided that street lighting or other security lighting mandated by the City of Atlanta shall be excluded from this calculation. Alternate lighting in the Reduced Exterior Lighting Zone shall be permitted if authorized by the Loring Heights Neighborhood Association, Inc.
8. Valet Parking. No valet parking shall be authorized unless it is in association with a special event hosted by an existing use.
9. Impact Fees. The Developer shall support any future legislation that directs Transportation Impact Fees to implementation of the Loring Heights Framework Plan at the request of Loring Heights Neighborhood Association, Inc..
10. Roof Utilities. All rooftop utilities shall be screened from view from adjoining existing residential properties and Trabert Avenue.

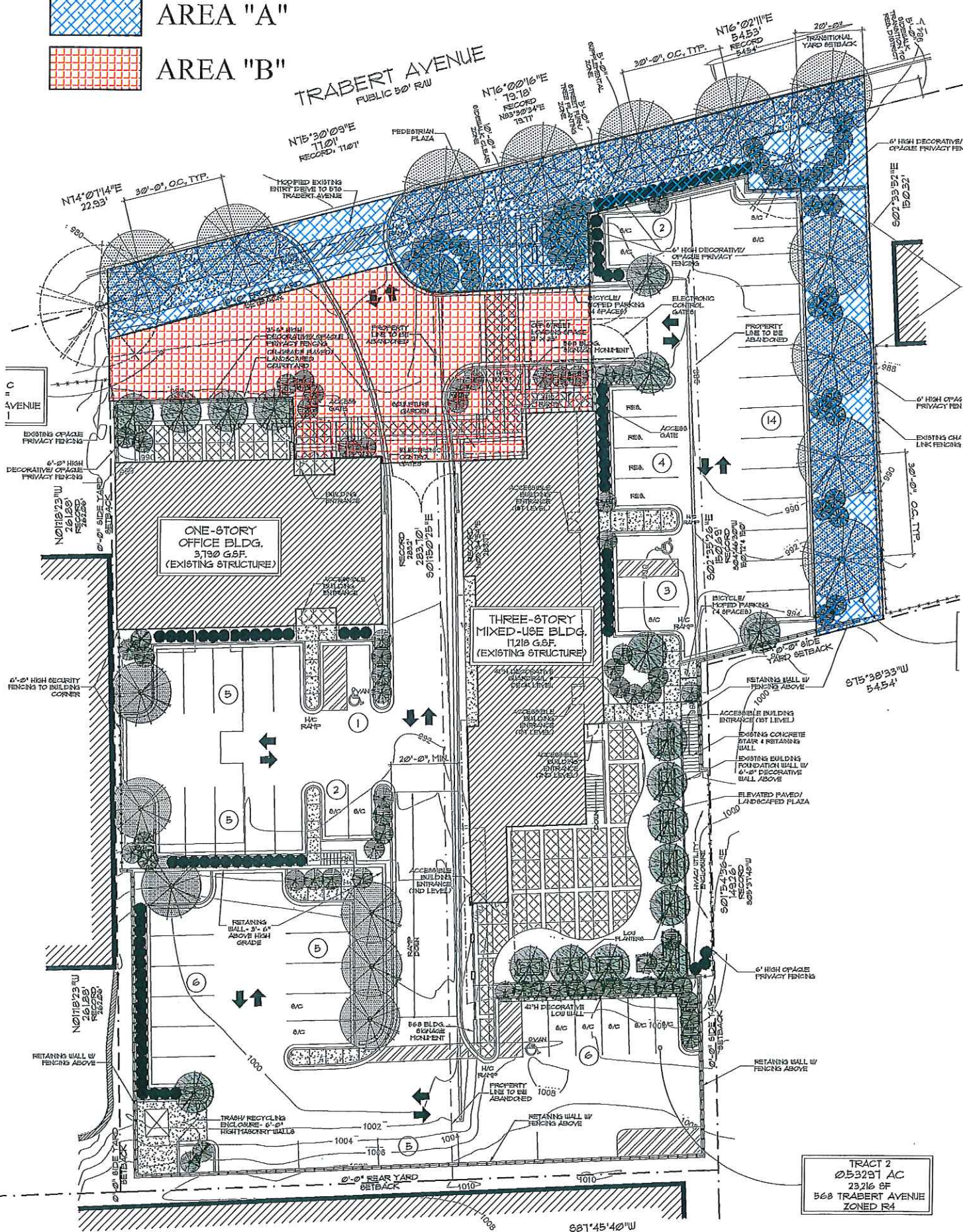
EXHIBIT "E"



AREA "A"

AREA "B"

TRABERT AVENUE
PUBLIC 50' R/W



TRACT 2
 053297 AC
 23,216 SF
 568 TRABERT AVENUE
 ZONED R4