

AN ORDINANCE

BY ZONING COMMITTEE

AN ORDINANCE TO AMEND THE ATLANTA ZONING ORDINANCE, AS AMENDED (PART 16 OF THE LAND DEVELOPMENT CODE), SO AS TO CREATE A GULCH SIGN DISTRICT; TO CODIFY COMPREHENSIVE SIGNAGE REGULATIONS FOR THE SAID DISTRICT; TO AMEND THE OFFICIAL ZONING MAP TO DELINEATE THE BOUNDARIES OF SAID DISTRICT; AND FOR OTHER PURPOSES.

WHEREAS, the property is comprised of ____ acres located at and near 30 Ted Turner Drive (the "Property"), in an area frequently referred to as "the Gulch" in the City of Atlanta (the "City"); and

WHEREAS, the Property is adjacent to Centennial Olympic Park Drive, Mitchell Street, Richard B. Russell Plaza, Martin Luther King Jr. Drive, Ted Turner Drive, Peters Street and portions of Marietta Street and Forsyth Street; and

WHEREAS, the Property currently consists of parking lots, rail lines, other paved surfaces and existing underdeveloped structures that sit primarily below the elevated street level; and

WHEREAS, the Property is zoned SPI-1 sub-area 1 (Downtown Core) north of Mitchell Street and zoned SPI-1 sub-area 6 (Terminus) south of Mitchell except for small portions of the Property generally fronting on Centennial Olympic Park Drive between Mitchell Street and Martin Luther King, Jr. Drive that is zoned MRC-3-C, as more fully delineated on the Official Zoning Map.

WHEREAS, redevelopment of the Property as a mixed-use development atop structured parking and loading areas that will be located below street level would create a new street and sidewalk network at the elevated street level, providing strategically planned connectivity between neighborhoods and activity centers, such as Centennial Olympic Park, the Fairlie-Poplar Historic District, Georgia State University, Castleberry Hill, the Atlanta University Center Consortium, Mercedes-Benz Stadium, Philips Arena, and the Georgia World Congress Center; and

WHEREAS, the Property is uniquely positioned to become a transit-oriented development (TOD) as it is adjacent to both Five Points MARTA Station and the Dome/GWCC/Philips Arena/CNN Center MARTA Station; and

WHEREAS, the redevelopment of the Property for a TOD will reconnect neighborhoods and activity centers with a new street and sidewalk network that will preserve, protect and enhance downtown Atlanta's role as the civic and economic center of the metropolitan region and create a 24-hour dynamic urban and pedestrian friendly environment where people can live, work, meet and play; and

WHEREAS, the redevelopment of the Property for a TOD should consist of a planned mixed-use commercial, residential and retail focused entertainment district atop structured parking that will include significant office, residential, hotel, retail and restaurant space on multiple floors, in

numerous buildings, each of which may have multiple public and/or private street-facing facades (the "Project"); and

WHEREAS, the scale, mass, height, and complex configuration of the Project create unique challenges for successful redevelopment and repositioning of the Project and the Property so that the redevelopment will be successful as an economic venture and be an asset to the surrounding neighborhoods and the City as a whole, while being developed in accordance with the Atlanta Zoning Ordinance; and

WHEREAS, the configuration of the numerous proposed uses within the Property has many of the characteristics of a shopping, office, and entertainment center but also presents signage demands that are unique in the City due to the variety of uses proposed, the Property's presentation of multiple facades on different major thoroughfares, the Property's location in downtown Atlanta as the civic and economic center of the metropolitan region, and the Property's proximity to downtown's major activity centers, such as Centennial Olympic Park, Georgia State University, the Atlanta University Center Consortium, Mercedes-Benz Stadium, Philips Arena, and the Georgia World Congress Center; and

WHEREAS, the intent of the Sign Ordinance, Chapter 16-28A.001 *et seq.* (the "Sign Ordinance"), is to establish comprehensive sign regulations which will effectively balance legitimate business needs with a safe, entertaining and aesthetically attractive environment for residents, workers, and visitors to the City by providing fair and reasonable opportunities for the identification of all businesses and to provide for the identification of the availability of all products, goods or services so as to promote the economic vitality of businesses which serve the City but which do not interfere with the goals of aesthetics and traffic safety; and

WHEREAS, creating appropriately designed and scaled signage for the Project and tenants that protects the aesthetic considerations attendant to a large-scale transit-oriented development that addresses the Project's unique economic demands, financial requirements and signage needs while avoiding undue distractions to motorists, pedestrians and surrounding residents is likely to best be accomplished by the adoption of a comprehensive sign plan for the Project which will allow the overall impact of the signage for the Project to be assessed; and

WHEREAS, this sign plan is being submitted for the Project (the "Sign Plan") that establishes uniform design standards and appropriate scale, and which can be reviewed in light of the purpose and intent of the Sign Ordinance and provide certainty as to the signage which will be allowed on the Property, including the time, place and manner restrictions for such signage; and

WHEREAS, the adoption of signage regulations that help to achieve the urban renewal of an area void of economic redevelopment, promote downtown Atlanta's role as a civic and economic center and respect the aesthetic and public safety goals of the Sign Ordinance through the adoption of the Sign Plan is in the best interests of the City; and

WHEREAS, creation of a unique sign district applicable to the core of the Property and Project generally bounded by Marietta Street, Centennial Olympic Park Drive, Mitchell Street and Ted Turner Drive/Forsyth Street and zoned SPI-1 sub-area 1 (Downtown Core), as specifically delineated on Attachment C (hereafter the "Downtown Core Project Area", will further the policy of the Comprehensive Development Plan to emphasize placemaking strategies for Downtown that

aim to enliven the public spaces with human activity and vibrancy; improve the aesthetics of street and built environments; and promote pedestrian activity and safety by ensuring and revitalizing pedestrian-oriented buildings and street fronting areas which create a sense of activity and liveliness along their sidewalk-level facades;

WHEREAS, creation of a unique sign district for the Downtown Core Project Area will help implement the strategy of the Comprehensive Development Plan for continued growth and redevelopment of Downtown by revision to the sign regulations to identify entertainment areas and primary corridors and allow more vibrant signage opportunities;

WHEREAS, creation of a unique sign district for the Downtown Core Project Area will contribute to the overall welfare of the residents in the District by providing a more lively and enhanced streetscape to encourage a walkable downtown with more activity and which could lead to increased property values; and

WHEREAS, the City Council finds that an district, patterned after similar Sign Overlay Districts for Ponce City Market and the Arts and Entertainment Sign Overlay Districts, provides sound planning and legal framework for carrying out the purpose of this ordinance.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA
HEREBY ORDAINS as follows:**

Section 1: The Atlanta Zoning Ordinance is hereby amended to include a new Section 16-28A.010 (58) Gulch Sign District, which shall read as shown on the document attached hereto as “Attachment A” and incorporated herein by reference into the 1982 Zoning Ordinance as amended as though fully set forth herein.

Section 2: The Sign Plan for the Gulch Sign District is attached hereto as “Attachment B” and is incorporated herein by reference into the Atlanta Zoning Ordinance as amended as though fully set forth therein. The official copy of the Sign Plan for the Gulch Sign District shall be maintained in the files of the Municipal Clerk and as a public record is available for public inspection but copies may be referenced by the Office of Zoning and Development and the Office of Buildings for the purposes of administering this ordinance

Section 3: The Official Zoning Map of the City of Atlanta is hereby amended as shown on “Attachment C” to delineate the boundaries of the Gulch Sign District, within which the regulations set forth in Section 16-28A.010 (58) Gulch Sign District shall apply.

Section 4: This ordinance shall become effective when signed by the Mayor or as otherwise provided by the City Charter.

ATTACHMENT A

GULCH SIGN DISTRICT REGULATIONS

ATTACHMENT B

SIGN PLAN

ATTACHMENT C
SIGN DISTRICT MAP