



CITY COUNCIL  
ATLANTA, GEORGIA

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ATLANTA, GEORGIA

02-0-0079

AN ORDINANCE  
BY: ZONING COMMITTEE

Z-01-66  
DATE FILED: 8-14-01

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 **3217-3269 Browns Mill Road, S.E.** be changed from the **I-1 (Light Industrial) and the R-4 (Single-Family Residential)** District to the **PD-MU (Planned Development-Mixed Use)** District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lots **35, 62, 63 and 67** of the **14<sup>th</sup>** District, **Fulton** County, Georgia, being more particularly described by the attached legal description.

SECTION 2. That this amendment is approved under the provisions of Chapter 19 entitled, "Planned Development District," and Chapters 19A through 19D (as applicable) of the Zoning Ordinance of the City of Atlanta, and the Director, Bureau of Buildings, shall issue a building permit for the development of the above described property only in compliance with the applicable provisions of these Chapters and with the attached conditions.

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 That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.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

*Rhonda Daughkin Johnson*  
Municipal Clerk, CMC

ADOPTED by the Council  
APPROVED by the Mayor

MAR 18, 2002  
MAR 26, 2002

Conditions for Z-01-66

1. Site plan entitled "Master Plan, Monticello Park, The Knight Group" prepared by Post, Buckley, Schuh and Jernigan, Inc., dated August 22, 2001, last revised October 2, 2001, and marked received by the Bureau of Planning October 2, 2001.
2. Landscape plan entitled "Tree Protection and Replacement Plan, Monticello Park, The Knight Group" prepared by Post, Buckley, Schuh and Jernigan, Inc., dated August 22, 2001, last revised October 2, 2001 and marked received by the Bureau of Planning October 2, 2001.



Σ-01-66



## Legal Description

### TRACT "A"

All that tract or parcel of land lying and being in Land Lots 35, 62 and 67 of the 14th District of Fulton County, Georgia, and being more particularly described as follows:

Beginning at the intersections of the northwest right-of-way line of Browns Mill Road and the south line of Land Lots 62; thence west along the south line of Land Lots 62 and 67 3,345.5 feet, more or less, to the northeasterly right-of-way line of Empire Boulevard; thence northwesterly along the northeasterly right-of-way line of Empire Boulevard 448.55 feet, more or less, to the center line of a creek, following the meanderings thereof, 1,645 feet, more or less, to a point, which point is the westernmost corner on that certain tract of land owned by the City of Atlanta by Deed recorded in Deed Book 4537, page 534: thence South 37 degrees 40' East 171.0 feet to a point, thence North 89 degrees 0' East 1,000.00 feet to a point; thence North 01 degrees 0' East 450 feet to a point; thence southeasterly along the southwesterly lines of Lots 8 through 18, Block G, Section 3, Pennington Park Subdivision as per plat recorded in Plat Book 73, page 36 in the Office of the Clerk, Superior Court of Fulton County, Georgia, 770 feet to a point; thence at an interior angle 92 degrees 57' with the preceding course 97.4 feet to a point; thence North 80 degrees 36'30" East 250.5 feet to a point on the southwest right-of-way line of Browns Mill Road; thence southeasterly, southerly and southwesterly along the southwesterly, westerly and northwesterly right-of-way lines of Browns Mill Road 662.5 feet to the point and place of beginning.

### TRACT "B"

All that tract or parcel of land lying and being in Land Lot 63 of the 14th District of Fulton County, Georgia, and being more particularly described as follows:

Begin at the corner common to Land Lots 62, 63, 66 and 67 for a distance of 169.1 feet to the point of the beginning; thence East along the line dividing Land Lots 62 and 63 2,489.85 feet to an iron pin; thence South 32 degrees 26'37" West 338.0 feet to an iron pin; thence North 72 degrees 04'16" West 138.55 feet to an iron pin; thence North 84 degrees 00'11" West 2,161.00 feet to the corner common to Land Lots 62, 63, 66 and 67 and the point and place of beginning, LESS AND EXCEPT those two right-of-way to the City of Atlanta recorded in Deed Book 4552, page 154, aforesaid records. Said property being more particularly described on plat of survey by Donald W. Harkleroad, Engineer, dated August 31, 1972.

### TRACT "C"

All that tract or parcel of land lying and being in Land Lot 63 of the 14th District, Fulton County, Georgia, and being more particularly described as follows:

BEGINNING at an iron pin located on the northwesterly right-of-way line of Browns Mill Road, where the northwesterly right-of-way line of Browns Mill Road intersects the common corners of Land Lots 63, 62, 35, and 34; thence southwesterly, along the northwesterly right-of-way line of Browns Mill Road, 425.5 feet to an iron pin; thence north 35 degrees 29'40" East, along the southeasterly right-of-way line of the abandoned Atlanta-Hawkinsville Railroad, 305.05 feet to an iron pin located on the north land lot line of Land Lot 63; thence South 89 degrees 24'20" East, along the north land lot line of Land Lot 63, 167.34 feet to an iron pin located on the northwesterly right-of-way line of Browns Mill Road and the common corners of Land Lots 63, 62, 35, and 34 and the POINT OF BEGINNING: said property being more particularly described on plat of survey prepared for W. H. Weaver by James H. Carter, Registered Land Surveyor, dated November 18, 1980.





RCS# 3590  
3/18/02  
1:52 PM

Atlanta City Council

Regular Session

02-O-0079            Z-01-66; 3217-3269 Browns Mill Rd., SE  
                         Rezone I-1 & R-4 to PD-MU  
                         ADOPT

YEAS:            9  
NAYS:            0  
ABSTENTIONS:   0  
NOT VOTING:     5  
EXCUSED:        0  
ABSENT          2

Y Smith	Y Archibong	Y Moore	NV Mitchell
Y Starnes	NV Fauver	B Martin	Y Norwood
B Young	Y Shook	NV Maddox	Y Willis
Y Winslow	Y Muller	NV Boazman	NV Woolard

02-O-0079

02-0-0079

(Do Not Write Above This Line)

AN ORDINANCE Z-01-66  
BY: ZONING COMMITTEE

AN ORDINANCE TO REZONE FROM THE I-1 (LIGHT INDUSTRIAL) DISTRICT AND THE R-4 (SINGLE-FAMILY RESIDENTIAL) DISTRICT TO THE PD-MU (PLANNED DEVELOPMENT-MIXED USE) DISTRICT, PROPERTY LOCATED AT 3217-3269 BROWNS MILL ROAD, S.E. FRONTING APPROXIMATELY 662.5 FEET ON THE WEST SIDE OF BROWNS MILL ROAD BEGINNING APPROXIMATELY 181 FEET SOUTH FROM THE SOUTHWEST CORNER OF OAK DRIVE. PROPERTY ALSO FRONTS APPROXIMATELY 450 FEET ON THE NORTHEASTERLY SIDE OF EMPIRE BOULEVARD. DEPTH: VARIES; AREA: 56.5 ACRES; LAND LOTS 35, 62, 63 AND 67, 14TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: WILLARD C. BYRD ET AL  
APPLICANT: THE KNIGHT GROUP  
NPU-Z COUNCIL DISTRICT 12

ADOPTED BY

MAR 18 2002

COUNCIL

- CONSENT REFER
- REGULAR REPORT REFER  Paper
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER

Date Referred 01/07/02  
Referred To: Zoning

First Reading

Committee \_\_\_\_\_  
Date \_\_\_\_\_  
Chair \_\_\_\_\_

Committee Zoning  
Date 1/16/02  
Chair \_\_\_\_\_  
Actions Held (see rev. side)  
Others 1/30/02  
Members 1/13/02  
Refer To \_\_\_\_\_

Committee Board  
Date 3/13/02  
Chair Norman Stone  
Actions Fav, Adv, Held (see rev. side)  
Others \_\_\_\_\_  
Members \_\_\_\_\_  
Refer To \_\_\_\_\_

Committee \_\_\_\_\_  
Date \_\_\_\_\_  
Chair \_\_\_\_\_  
Actions Fav, Adv, Held (see rev. side)  
Others \_\_\_\_\_  
Members \_\_\_\_\_  
Refer To \_\_\_\_\_

Committee \_\_\_\_\_  
Date \_\_\_\_\_  
Chair \_\_\_\_\_  
Actions Fav, Adv, Held (see rev. side)  
Others \_\_\_\_\_  
Members \_\_\_\_\_  
Refer To \_\_\_\_\_

COUNCIL ACTION

2nd  1st & 2nd  3rd  
Readings

Consent  V Vote  RC Vote

CERTIFIED

CERTIFIED  
MAR 18 2002  
ATLANTA CITY COUNCIL PRESIDENT  
Catherine W. Woodard

CERTIFIED  
MAR 18 2002

Rhonda Doughton Johnson  
MUNICIPAL CLERK

MAYOR'S ACTION

MAR 26 2002

Shirley Franklin