



AN ORDINANCE

04-O-0491

BY COUNCILMEMBER DEBI STARNES

AS SUBSTITUTED BY ZONING COMMITTEE

AN ORDINANCE TO AMEND THE 1982 ZONING ORDINANCE OF THE CITY OF ATLANTA, AS AMENDED, BY AMENDING PART 16, CHAPTER 20C, SECTION 16-20C.007(5)(a) SO AS TO REVISE CERTAIN DEVELOPMENT CONTROLS WITHIN THE MARTIN LUTHER KING, JR. LANDMARK DISTRICT; AND FOR OTHER PURPOSES.

WHEREAS, property bounded roughly by Irwin Avenue, Randolph Avenue, Edgewood Avenue, Jackson Avenue and Auburn Avenue was designated on the National Register of Historic Places on or about May 2, 1974 (the "Subject Property"); and

WHEREAS, the City of Atlanta nominated and thereafter designated the Subject Property a Landmark District in the City of Atlanta Zoning Ordinance (the "Martin Luther King, Jr. Landmark District"); and

WHEREAS, the Martin Luther King, Jr. Landmark District is composed of six subareas, including Auburn Commercial District Subarea 4; and

WHEREAS, much of the Martin Luther King, Jr. Landmark District, including Auburn Commercial District Subarea 4, suffers from underdevelopment, dilapidation and neglect; and

WHEREAS, the City of Atlanta adopted the Butler Street/Auburn Avenue Community Redevelopment Plan in 1994, pursuant to the Urban Redevelopment Law, O.C.G.A. § 36-61-1 et seq. and the Redevelopment Powers Law, O.C.G.A. § 36-44-1 et seq., to, among other things, promote and encourage redevelopment in and revitalization of the Martin Luther King, Jr. Landmark District; and

WHEREAS, the Butler Street/Auburn Avenue Community Redevelopment Plan indicates that the existing development regulations governing the Martin Luther King, Jr. Landmark District do not fully support the revitalization of property within that community; and

WHEREAS, the Butler Street/Auburn Avenue Community Redevelopment Plan contemplates the reevaluation of maximum floor area ratios related to parcels of land located to the west of Interstate 75/85 (the "Connector") closest to downtown; and

WHEREAS, current and historical development patterns and conditions illustrate that, because of the more expensive land values associated with properties located to the west of the Connector, it is unlikely that properties within the Martin Luther King, Jr. Landmark District that



are located to the west of the Connector can effectively be redeveloped within the confines of their current density restrictions;

WHEREAS, properties located to the west of the Connector are generally subject to much higher maximum floor area ratios than the floor area ratios currently provided for Auburn Commercial District Subarea 4; and

WHEREAS, the Connector bisects Auburn Commercial District Subarea 4 such that approximately half of the land area comprising Auburn Commercial District Subarea 4 lies to the west of the Connector (the "Western Region") and approximately half of the land area comprising Auburn Commercial District Subarea 4 lies to the east of the Connector; and

WHEREAS, it is in the best interests of the City of Atlanta to increase the density regulations associated with the Western Region so that the Western Region will become a viable target for redevelopment and revitalization.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:

Section 1. That paragraph (5)(a) of Section 16-20C.007 of the 1982 Zoning Ordinance of the City of Atlanta, as amended, be deleted in its entirety and replaced by the following language:

"(a) Bulk Limitations:

For Property Located East of Interstate 75/85: For nonresidential use (new construction), floor area shall not exceed an amount equal to 2.0 times net lot area. Residential use ratios are established for sector 3 as shown on Table I, section 16-08.007.

For Property Located West of Interstate 75/85: (i) For nonresidential uses, floor area shall not exceed an amount equal to 2.5 times net lot area. (ii) For residential uses, floor area shall not exceed an amount equal to 2.5 times gross lot area as indicated on Table I, "Land Use Intensity Ratios" (see section 16-08.007). (iii) For mixed use, floor area shall not exceed an amount equal to 3.5 times gross lot area, but in no event greater than the maximum ratios permitted for nonresidential (i) and residential (ii) above."

Section 2. That all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

A true copy,


Deputy Municipal Clerk

ADOPTED by the City Council
APPROVED by the Mayor

SEPT 07, 2004
SEPT 15, 2004

RCS# 6011
9/07/04
3:37 PM

Atlanta City Council

Regular Session

04-O-0491 MARTIN LUTHER KING, JR., LANDMARK DIST.
 TEXT AMENDMENT
 ADOPT/SUBST.

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 2

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

AN ORDINANCE

BY COUNCILMEMBER DEBI STARNES

04-0-0491
2-04-32

AN ORDINANCE TO AMEND THE 1982 ZONING ORDINANCE OF THE CITY OF ATLANTA, AS AMENDED, BY AMENDING PART 16, CHAPTER 20C, SECTION 16-20C.007(5)(a) SO AS TO REVISE CERTAIN DEVELOPMENT CONTROLS WITHIN THE MARTIN LUTHER KING, JR. LANDMARK DISTRICT; AND FOR OTHER PURPOSES.

WHEREAS, property bounded roughly by Irwin Avenue, Randolph Avenue, Edgewood Avenue, Jackson Avenue and Auburn Avenue was designated on the National Register of Historic Places on or about May 2, 1974 (the "Subject Property"); and

WHEREAS, the City of Atlanta nominated and thereafter designated the Subject Property a Landmark District in the City of Atlanta Zoning Ordinance (the "Martin Luther King, Jr. Landmark District"); and

WHEREAS, the Martin Luther King, Jr. Landmark District is composed of six subareas, including Auburn Commercial District Subarea 4; and

WHEREAS, much of the Martin Luther King, Jr. Landmark District, including Auburn Commercial District Subarea 4, suffers from underdevelopment, dilapidation and neglect; and

WHEREAS, the City of Atlanta adopted the Butler Street/Auburn Avenue Community Redevelopment Plan in 1994, pursuant to the Urban Redevelopment Law, O.C.G.A. § 36-61-1 et seq. and the Redevelopment Powers Law, O.C.G.A. § 36-44-1 et seq., to, among other things, promote and encourage redevelopment in and revitalization of the Martin Luther King, Jr. Landmark District; and

WHEREAS, the Butler Street/Auburn Avenue Community Redevelopment Plan indicates that the existing development regulations governing the Martin Luther King, Jr. Landmark District do not fully support the revitalization of property within that community; and

WHEREAS, the Butler Street/Auburn Avenue Community Redevelopment Plan contemplates the reevaluation of maximum floor area ratios related to parcels of land located to the west of Interstate 75/85 (the "Connector") closest to downtown; and

WHEREAS, current and historical development patterns and conditions illustrate that, because of the more expensive land values associated with properties located to the west of the Connector, it is unlikely that properties within the Martin Luther King, Jr. Landmark District that are located to the west of the Connector can effectively be redeveloped within the confines of their current density restrictions;

WHEREAS, properties located to the west of the Connector are generally subject to much higher maximum floor area ratios than the floor area ratios currently provided for Auburn Commercial District Subarea 4; and

WHEREAS, the Connector bisects Auburn Commercial District Subarea 4 such that approximately half of the land area comprising Auburn Commercial District Subarea 4 lies to the west of the Connector (the “Western Region”) and approximately half of the land area comprising Auburn Commercial District Subarea 4 lies to the east of the Connector; and

WHEREAS, it is in the best interests of the City of Atlanta to increase the density regulations associated with the Western Region so that the Western Region will become a viable target for redevelopment and revitalization.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:

Section 1. That paragraph (5)(a) of Section 16-20C.007 of the 1982 Zoning Ordinance of the City of Atlanta, as amended, be deleted in its entirety and replaced by the following language:

“(a) Bulk Limitations:

For Property Located East of Interstate 75/85: For nonresidential use (new construction), floor area shall not exceed an amount equal to 2.0 times net lot area. Residential use ratios are established for sector 3 as shown on Table I, section 16-08.007.

For Property Located West of Interstate 75/85: (i) For nonresidential uses, floor area shall not exceed an amount equal to 2.5 times net lot area. (ii) For residential uses, floor area shall not exceed an amount equal to 2.5 times gross lot area as indicated on Table I, “Land Use Intensity Ratios” (see section 16-08.007). (iii) For mixed use, floor area shall not exceed the sum of nonresidential (i) and residential (ii) above, but in no event greater than the maximum ratios permitted for each.”

Section 2. That all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

are located to the west of the Connector can effectively be redeveloped within the confines of their current density restrictions;

WHEREAS, properties located to the west of the Connector are generally subject to much higher maximum floor area ratios than the floor area ratios currently provided for Auburn Commercial District Subarea 4; and

WHEREAS, the Connector bisects Auburn Commercial District Subarea 4 such that approximately half of the land area comprising Auburn Commercial District Subarea 4 lies to the west of the Connector (the “Western Region”) and approximately half of the land area comprising Auburn Commercial District Subarea 4 lies to the east of the Connector; and

WHEREAS, it is in the best interests of the City of Atlanta to increase the density regulations associated with the Western Region so that the Western Region will become a viable target for redevelopment and revitalization.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:

Section 1. That paragraph (5)(a) of Section 16-20C.007 of the 1982 Zoning Ordinance of the City of Atlanta, as amended, be deleted in its entirety and replaced by the following language:

“(a) Bulk Limitations:

For Property Located East of Interstate 75/85: For nonresidential use (new construction), floor area shall not exceed an amount equal to 2.0 times net lot area. Residential use ratios are established for sector 3 as shown on Table I, section 16-08.007.

For Property Located West of Interstate 75/85: (i) For nonresidential uses, floor area shall not exceed an amount equal to 2.5 times net lot area. (ii) For residential uses, floor area shall not exceed an amount equal to 2.5 times gross lot area as indicated on Table I, “Land Use Intensity Ratios” (see section 16-08.007). (iii) For mixed use, floor area shall not exceed an amount equal to 3.5 times gross lot area, but in no event greater than the maximum ratios permitted for nonresidential (i) and residential (ii) above.”

Section 2. That all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

12

04-0-0491

(Do Not Write Above This Line)

AN ORDINANCE BY COUNCILMEMBER DEBI STARNES 2-0432

AN ORDINANCE TO AMEND THE 1982 ZONING ORDINANCE OF THE CITY OF ATLANTA, AS AMENDED, BY AMENDING PART 16, CHAPTER 20C, SECTION 16-20C.007(5)(a) SO AS TO REVISE CERTAIN DEVELOPMENT CONTROLS WITHIN THE MARTIN LUTHER KING, JR. LANDMARK DISTRICT; AND FOR OTHER PURPOSES.

ADOPTED BY
SEP 07 2004
COUNCIL

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

Date Referred 3/15/04

Referred To: ZRB+ Zoning

Date Referred

Referred To:

Date Referred

Referred To:

Committee _____

Date _____

Chair _____

Referred to _____

First Reading

Committee ZONING

Date Sept. 6, 2004

Chair [Signature]

Action: [Signature]

Fav, Adv, Hold (see rev. side) [Signature]

Other: [Signature]

Members' [Signatures]

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

FINAL COUNCIL ACTION

2nd 1st & 2nd

Readings

Consent V Vote RC V

CERTIFIED

CERTIFIED

SEP 07 2004

ATLANTA CITY COUNCIL PRESIDENT

[Signature]

MAYOR'S ACTION

APPROVE

[Signature]

MAYOR