



AN ORDINANCE  
BY: COUNCIL MEMBER CARLA SMITH

**AN ORDINANCE TO REZONE PROPERTY HAVING A STREET ADDRESS OF 800 AND 860 GLENWOOD AVENUE S.E. FROM THE I-1/BL (LIGHT INDUSTRIAL/BELTLINE OVERLAY) ZONING DISTRICT TO THE MR-5A/BL (MULTI-FAMILY RESIDENTIAL) ZONING DISTRICT; TO REZONE PROPERTY HAVING A STREET ADDRESS OF 0 CHESTER AVENUE S.E. FROM I-2/BL (HEAVY INDUSTRIAL/BELTLINE OVERLAY) ZONING DISTRICT TO THE MR-5A/BL (MULTI-FAMILY RESIDENTIAL/BELTLINE OVERLAY) ZONING DISTRICT.**

WHEREAS, the Beltline Sub-area 4 Master Plan (Memorial Drive/Glenwood Avenue), adopted July 18, 2011(10-O-1919) recommends certain land use and zoning actions in furtherance of the stated purposes of said Master Plan; and

WHEREAS, it is in the public health, safety and general welfare to rezone 800 and 860 Glenwood Avenue and 0 Chester Avenue, S.E., currently vacant industrial properties, to the MR-5A zoning district consistent with the concurrent proposed change of future land use designation of these properties to High Density Residential.

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

**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 properties having a street address or tax parcel identification number (as applicable) of **800 Glenwood Avenue S.E. (tax parcel # 14 0021 LL010)** and **860 Glenwood Avenue S.E. (tax parcel # 14 0021 LL0064)** be rezoned from the I-1/BL (Light Industrial/Beltline Overlay) zoning district to the MR-5A/BL (High Density Residential/Beltline Overlay) zoning district, said property being more particularly depicted and described as, to wit:

ALL THOSE TRACTS or parcels of land lying in Land Lot 21 of the 14<sup>th</sup> District, Fulton County, Georgia being more particularly depicted in Exhibits "A" and "B", attached hereto and incorporated herein by reference.

**SECTION 2:** That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed, so that the following properties having a street address or tax parcel identification number (as applicable) of **0 Chester Avenue S.E. (tax parcel # 14 001200010055)** be rezoned from the I-2/BL (Heavy Industrial/Beltline Overlay) zoning district to the MR-5A/BL (High Density Residential/Beltline Overlay) zoning district, said property being more particularly depicted and described as, to wit:

ALL THOSE TRACTS or parcels of land lying in Land Lot 12 of the 14<sup>th</sup> District, Fulton County, Georgia being more particularly depicted in Exhibits "C", attached hereto and incorporated herein by reference.

**SECTION 3:** That if 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, Bureau 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 the Bureau 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.

## EXHIBIT "A"

All that tract or parcel of land lying and being in Land Lot 21 of the Land District of Fulton County, Georgia containing 18.51 acres and being more particularly described as follows:

Commencing at a point at the intersection of the Westerly Right of Way of Chester Avenue (50' R/W) and the Northerly R/W of Glenwood Avenue (50' R/W) thence running along the Northerly R/W of Glenwood Avenue N 72° 03' W for a distance of 300.0 feet to the TRUE POINT of BEGINNING, said point being located on the Northerly Right of Way of Glenwood Avenue; thence continuing along said Right of Way N 72° 03' W for a distance of 629.19' to an iron pipe; thence departing said Right of Way and running N 20° 52' E for a distance of 141.50' to an anchor post; thence running N 75°-17' E for a distance of 87.47' to an iron pipe; thence running N 57°-06' E for a distance of 57.00' to a point; thence running N 38° 24' E for a distance of 61.00' to a point; thence running N 29° 08' E for a distance of 100.00' to a point; thence running N 02°-07' E for a distance of 69.20' to a point; thence running N 17° 40' W for a distance of 87.60' to a point; thence running N 53° 46' W for a distance of 112.70' to a point; thence running N 65°-08' W for a distance of 108.60' to a point; thence running N 88°-16' W for a distance of 177.40' to a gate post; thence running N 68° 47' W for a distance of 79.59' to a point; thence running N 64° 27' W for a distance of 184.05' to a point; thence running N 72° 25' W for a distance of 65.89' to a point; thence running S 83° 55' W for a distance of 48.19' to a point on the Northerly Right of Way of Kalb Street (40' R/W); thence running along said Right of Way N 63° 45' W for a distance of 249.12' to a point; thence departing said Right of Way N 54° 39' W for a distance of 48.00' to a Right of Way monument on the Southerly Right of Way of Interstate Highway 20; thence running along said Right of Way N 90° 00' E for a distance of 274.29' to a Right of Way monument; thence running along said Right of Way S 00° 11' E for a distance of 28.00' to a Right of Way monument. Thence running along said Right of Way N 89° 49' E for a distance of 914.46' to a point; thence running along said Right of Way S 89° 33' E for a distance of 87.41' to a Right of Way monument; thence running along said Right of Way N 01° 05' W for a distance of 24.90' to a Point; thence running along said Right of Way an arc distance of 87.58' said arc subtending a chord bearing of N 87° 25' E for a distance of 87.57' to a Right of Way monument; thence continuing along said Right of Way having an arc distance of 285.88' said arc subtending a chord bearing of N 87° 11' 48" E for a distance of 285.85' to a point at the intersection of the Southerly Right of Way of Interstate Highway 20 and the Westerly Right of Way of Chester Avenue; thence departing the Southerly Right of Way of Interstate Highway 20 and running along the Westerly Right of Way of Chester Avenue S 01° 37' 47" W for a distance of 874.47' to a point; thence departing said Right of Way N 70° 10' 14" W for a distance of 300.00' to a point; thence running S 01° 37' W for a distance of 290.40' to an iron pin said iron pin being the TRUE POINT of BEGINNING.

Exhibit "B"

Legal Description for 860 Glenwood Avenue, S.E., tax parcel id #14 0021 LL0064

All that tract or parcel of land lying and being in land lot 21 of the 14<sup>th</sup> Land District of Fulton County, Georgia containing approximately 2 acres and being more particularly described as follows:

Commencing at a point at the intersection of the Westerly Right of Way of Chester Avenue (50' R/W) and the Northerly Right of Way of Glenwood Avenue, thence running along the Northerly Right of Way of Glenwood Avenue for a distance of 300 feet; thence leaving said right of way and traveling in a northerly direction a distance of 290.4 feet; thence traveling in an easterly direction a distance of 300 feet to a point on the Westerly Right of Way of Chester Avenue; thence traveling 290.4 feet in a southerly direction 300 feet to the point of beginning.

EXHIBIT "C"

All that tract or parcel of land lying and being in Land Lot 12 of the 14th Land District of Fulton County, Georgia containing 2.60 acres and being more particularly described as follows:

BEGINNING at a point of intersection of the Easterly Right of Way of Chester Avenue (50' R/W) and the Southerly Right of Way of Interstate Highway 20 (200' R/W); thence running along the Right of Way of Interstate Highway 20 and following the curvature to the left an arc distance of 276.50', said arc subtending a chord bearing of N 83°27' E for a distance of 276.46', to a point; thence running along the Right of Way of ASWP Railroad S 01° 00' E a distance of 420.70' to a point; thence running N 88°23' W a distance of 292.93' to a point on the Easterly Right of Way of Chester Avenue; thence running along said Right of Way N 01°38' E a distance of 381.00' to the POINT OF BEGINNING.