

Z-14-19-A SUBSTITUTE ORDINANCE BY ZONING COMMITTEE TO REZONE FROM THE R-5/BL (TWO-FAMILY RESIDENTIAL/BELTLINE) TO THE C-1 (COMMERCIAL SERVICE/BELTLINE) DISTRICT FOR PROPERTY LOCATED AT 14 004500040855, 14 004500040830 (574 MADDOX), 14 004500040848, 14 004500040566 (569 EZZARD), 14 004500040145 (51 BRADLEY), 14 004500040137, 14 004500040129 (41 BRADLEY ST), 14 004500040111, 14 004500040103, 14 004500040103, 14 004500040822, 14 004500040814, 14 004500040806, 14 004500040582 AND 14 004500040574 FRONTING APPROXIMATELY 152 FEET ON THE SOUTH SIDE OF EZZARD STREET AT THE SOUTHEAST CORNER OF BRADLEY STREET, AND APPROXIMATELY 161 ON THE EAST SIDE OF BRADLEY AND APPROXIMATELY 202 ON THE WEST SIDE OF BRADLEY APPROXIMATELY 297 FEET SOUTH OF THE INTERSECTION OF BRADLEY AND EDGEWOOD AVENUE. DEPTH: VARIES AREA: APPROXIMATELY 0.650 ACRES. LAND LOT 45. 14TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: JAN GOLDSTEIN APPLICANT: AMANDA RHEIN NPU M COUNCIL DISTRICT 2

Application File Date	4-1-2014
Zoning Number	Z-14-19
NPU / CD	M/2
Staff Recommendation	Approval of Substitute to C-1/Beltline
NPU Recommendation	Approval Conditional
ZRB Recommendation	Approval of Substitute to C-1/Beltline

Workflow List:

Office of Research and Policy Analysis	Completed	04/17/2014 9:56 AM
Zoning Committee	Completed	05/01/2014 3:22 PM
Atlanta City Council	Completed	05/12/2014 5:52 PM
Zoning Review Board Staff	Completed	07/03/2014 4:24 PM
Zoning Review Board Staff	Completed	07/03/2014 4:25 PM
Office of Research and Policy Analysis	Completed	07/08/2014 4:11 PM
Zoning Committee	Pending	
Mayor's Office	Pending	

HISTORY:

04/30/14	Zoning Committee	
05/05/14	Atlanta City Council	REFERRED TO ZRB AND ZC

RESULT:	REFERRED TO ZRB AND ZC [UNANIMOUS]
AYES:	Bond, Norwood, Dickens, Smith, Hall, Young Jr., Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd

LEGISLATION HISTORY – BLUE BACK

RESULT: **REFERRED TO ZRB AND ZC [UNANIMOUS]**
AYES: Bond, Norwood, Dickens, Smith, Hall, Young Jr., Winslow, Archibong, Wan,
 Shook, Adrean, Moore, Martin, Bottoms, Sheperd

Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

Z-14-19-A SUBSTITUTE ORDINANCE BY ZONING COMMITTEE TO REZONE FROM THE R-5/BL (TWO-FAMILY RESIDENTIAL/BELTLINE) TO THE C-1 (COMMERCIAL SERVICE/BELTLINE) DISTRICT FOR PROPERTY LOCATED AT 14 004500040855, 14 004500040830 (574 MADDOX), 14 004500040848, 14 004500040566 (569 EZZARD), 14 004500040145 (51 BRADLEY), 14 004500040137, 14 004500040129 (41 BRADLEY ST), 14 004500040111, 14 004500040103, 14 004500040103, 14 004500040822, 14 004500040814, 14 004500040806, 14 004500040582 AND 14 004500040574 FRONTING APPROXIMATELY 152 FEET ON THE SOUTH SIDE OF EZZARD STREET AT THE SOUTHEAST CORNER OF BRADLEY STREET, AND APPROXIMATELY 161 ON THE EAST SIDE OF BRADLEY AND APPROXIMATELY 202 ON THE WEST SIDE OF BRADLEY APPROXIMATELY 297 FEET SOUTH OF THE INTERSECTION OF BRADLEY AND EDGEWOOD AVENUE. DEPTH: VARIES AREA: APPROXIMATELY 0.650 ACRES. LAND LOT 45. 14TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: JAN GOLDSTEIN APPLICANT: AMANDA RHEIN NPU M COUNCIL DISTRICT 2

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City Council
Atlanta, Georgia

14-O-1220

A SUBSTITUTE ORDINANCE
BY: ZONING COMMITTEE

Z-14-19
Date Filed: 4-1-14

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 with the following parcel identification numbers 1. following parcel identification numbers: 14 004500040855, 14 004500040830 (574 Maddox), 14 004500040848, 14 004500040566 (569 Ezzard), 14 004500040145 (51 Bradley), 14 004500040137, 14 004500040129 (41 BRADLEY ST), 14 004500040111, 14 004500040103, 14 004500040103, 14 004500040822, 14 004500040814, 14 004500040806, 14 004500040582 and 14 004500040574 be changed from the R-5/BL (Two-Family Residential/Beltline Overlay) to the C-1/BL (Community Business/Beltline Overlay) District, to wit:

ALL THAT TRACT or parcel of land lying in Land Lot 45, 14th District, Fulton County, Georgia, being more particularly described by the attached legal description and/or survey.

SECTION 2. 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 suffice “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 be approved only by application to the Board of Zoning Adjustment.

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.



OFFICE OF PLANNING
55 Trinity Avenue S.W., Suite 3350
Atlanta, Georgia 30303
(404) 330-6145

APPLICATION #: **Z-14-019**DATE ACCEPTED: **04/01/2014**NOTICE TO APPLICANT

Address of Property:
569 Ezzard ST SE

City Council District: **2** Neighborhood Planning Unit (NPU): **M**

Zoning Review Board (ZRB) Hearing Date:

Thursday, June 5 or 12, 2014 at 6:00 p.m.

Council Chambers, 2nd Floor, City Hall
55 Trinity Avenue, S.W.

The contact person for NPU M is:

Rashid Z. Muhammad
678-595-2582
applications@npumatlanta.org

Contact info for adjacent NPUs is provided below if necessary:

Additional Contacts:

Please contact the person(s) listed above within two days to find out which meetings you will be required to attend before the next NPU meeting. If you are unable to reach the contact person, please call the city's NPU Coordinator at 404-330-6145.

Signed,

CMO, for Director, Bureau of Planning

Amanda Rhein

APPLICATION FOR REZONING
City of Atlanta

Date Filed April 1, 2014

Application Number Z-14-049



I Hereby Request That The Property Described in this Application be Rezoned
From R-5 District
TO C-2 District

Name of Applicant Rhein Amanda G
Last Name First Name M.I.

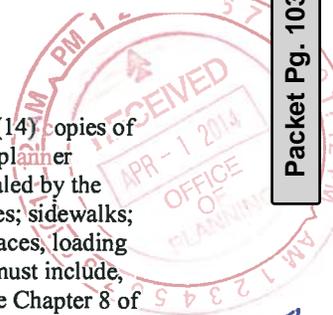
address 851 street name Virgil Street
city Atlanta state Georgia zip code 30307
phone 404-661-6417 Fax _____
e-mail address amandarhein@hotmail.com

Name of Property Owner Goldstein Jan
Last Name First Name M.I.

address 768 street name Crestridge Drive
city Atlanta state Georgia zip code 30306
phone 404-784-0941 Fax _____

Description of Property

Address of Property 569 street name Ezzard Street
city Atlanta state Georgia zip code 30312
The subject property fronts 149.00 feet on the south side of Ezzard Street
beginning 0 feet from the southeast corner of Bradley Street
Depth: _____ Area: 1.22 Land Lot: 45 Land District: 14th - Fulton County, GA.
Property is zoned: R-5 Council District: 2 Neighborhood Planning Unit: M



Handwritten: Z-14-019

- C. **CONDITIONAL ZONING.** If the request is for zoning for new development, submit fourteen (14) copies of the site plan prepared by a State of Georgia registered architect, landscape architect, engineer, or planner holding the AICP designation. Site plans must be folded to 11" x 14". All site plans shall be sealed by the professional preparer and shall show the scale, north arrow; the location of streets and street names; sidewalks; existing and proposed buildings and their square footage, heights, and floor area ratio; parking spaces, loading areas, and number of parking spaces must also be shown. All plans for residential development must include, on the site plan, a summary of calculations in accordance with the Land Use Intensity System (see Chapter 8 of the Zoning Ordinance). For complete information regarding site plans, refer to the "Site Plan Requirements" attachment to this application form.
- D. **PLANNED DEVELOPMENT (PD) DISTRICTS.** If your request is for PD District Zoning, you must comply with the requirements of Chapter 19 of the Zoning Ordinance and with the appropriate regulations for Planned Development Housing, Office-Commercial, Mixed-Use, or Business Park as appropriate. **Certification of a PD Zoning pre-application conference is required.** Submit *Attachment 7*.
- E. **PROPERTY DESCRIPTION.** A copy of a recent plat of survey prepared by an engineer or land surveyor registered in the State of Georgia must accompany each application. In addition, a written legal description must be submitted. In cases involving more than one contiguous property, a consolidated legal description of the property must be submitted.
- F. **HOUSING APPLICATION.** If the rezoning application contemplates the construction of one or more residential units, complete the attached Atlanta Public School form, *Attachment 3*.
- G. **DEVELOPMENTS OF REGIONAL IMPACT.** If your application meets the thresholds shown on *Table II (Attachment 4)*, you must contact the Office of Planning for further instructions.
- H. **TREE PRESERVATION.** All development must meet the City of Atlanta Tree Ordinance. Contact the City Arborist, (404) 330-6150 for details.
- I. **COMPREHENSIVE DEVELOPMENT PLAN (CDP) AMENDMENT.** Submit *Attachment 5*.
- J. **DISCLOSURE.** Submit a disclosure statement as described in *Attachment 6*.
- K. **HEARING DATES AND PROCESSING OF APPLICANTS.** See attached Zoning Review Board Schedule.
- L. **MEETING WITH NEIGHBORHOOD PLANNING UNIT.** (NPU) You must contact the appropriate Neighborhood Planning Unit (NPU) within two business days after filing your rezoning application to appear before them prior to the public hearing of the Zoning Review Board. The name and phone number of the contact for the NPU will be provided at the time that you file your application.
- M. **FEES.** See attached fee schedule, *Attachment 8*.
- N. **AUTHORIZATION TO INSPECT PREMISES.** I hereby authorize the staff of the Office of Planning of the City of Atlanta to inspect the premises, which are the subject of this rezoning application.
- O. **Revisions to site plans will only be accepted up to 15 days prior to the scheduled hearing date.**

I swear and affirm that the information contained in this application is true and accurate to the best of my knowledge and belief.

AP Klein

Owner or Agent of Owner (Applicant)

Sworn to and subscribed before me this 31ST day of MARCH, 2014.
Willie James Walker Jr (Notary Public)

WILLIE JAMES WALKER JR.
Notary Public, Henry County, Georgia
My Commission Expires 2-21-16

SUMMARY

The proposed project will convert an existing 12,210 square foot church into a theater facility for Dad's Garage Theater. The scope of the project includes renovations to the existing building plus a 4,770 square foot addition which will house a small black-box theater on the east side of the building and a new entrance and lobby space on the north side of the building. Upon completion, the 16,980 square foot building will house classrooms, offices, 175-seat theater, a black-box theater, lobby and shop space. Founded in 1995, Dad's Garage is a non-profit theater company that engages, cultivates and inspires artists and audiences alike by producing innovative, scripted and improvised works that are recognized locally, nationally and internationally for being undeniably awesome.

569 Ezzard Street Documented Impact Analysis

(1) Compatibility with comprehensive development plans; timing of development:

The proposed rezoning is not in accord with the comprehensive development plans. The future land use designation for the subject property is High Density Residential. However, the future land use designation for those properties immediately to the north along the Edgewood Avenue corridor are designated Low Density Commercial, which is compatible with the proposed change. Furthermore, the current uses of the properties surrounding this parcel are primarily commercial in nature, necessitating a reconsideration of the future land use designation for the area as a whole. Concurrently with this application, a change in comprehensive development plan has been requested to accommodate the C-2 zoning.

The Old Forth Ward Master Plan (the "Plan") identifies a number of policies that support the rezoning of this site. The land use policies encourage a mix of land uses throughout the neighborhood to ensure that residents have an opportunity to live, work and play in the neighborhood. The location of a non-profit theater in the community will increase the access to arts and cultural activities. Although this site is currently zoned residential, it is being utilized as a place of worship. As such, from a functional standpoint, the subject property will continued to be used as a place of assembly if rezoned.

The Plan also recommends that growth be focused along corridors and near existing and future transit. The subject property is one block south of the Edgewood Avenue commercial corridor and two blocks from the Atlanta BeltLine corridor and the future expansion of the Eastside Trail. This will allow theater patrons to arrive by foot, bike and in the future, transit.

An important housing and economic development policy established in the Plan supports the rehabilitation of key buildings. The existing building on the subject site will be renovated and expanded for the theater, serving to repurpose and revitalize this underutilized asset.

From a transportation perspective, the redevelopment of the subject site will improve pedestrian access to the existing building through the construction of a new ADA accessible entrance with a new active use at street-level. Furthermore, transparent ground floor glass will be used in this addition which will house the new lobby and box office.

(2) Availability of and effect on public facilities and services/referrals to other agencies:

The subject property currently operates as a place of worship. The proposed rezoning would result in a slightly increased use of the facility during evening hours. This may result in an increased demand on police protection and solid waste collection and disposal. All public facilities are currently available to the site and no adverse impact is anticipated with the proposed theater use.

(3) Availability of other land suitable for proposed use: effect on balance of land uses:

In summer of 2012 Dad's Garage Theater received notification that their home of 18 years at 280 Elizabeth Street was being purchased for redevelopment. A real estate broker was hired in fall of 2012 and a search commenced for a new permanent home for the theater. Throughout the course of the past year and a half a significant number of properties in the Old Forth Ward and surrounding communities have been considered. Of those, 20 underwent a detailed evaluation. This process entailed a number of site visits, engagement of an architect to develop a program analysis and space plan, rent capacity determination and engagement of a general contractor to provide conceptual pricing. Structural issues, high costs, limited parking, incompatible zoning and lease terms were some of the factors that made these sites challenging. Dad's Garage Theater is presently performing on a temporary basis at 7 Stages, but requires a permanent home for the long-term viability of the organization.

Although the land use designation for this property is residential, the structure and current use are institutional, so the rezoning of this property would not impact the balance of land uses.

(4) Effect on character of the neighborhood:

The proposed rezoning is aligned with the direction of redevelopment in the neighborhood. The subject property is one block south of the Edgewood Avenue commercial corridor, where a number of new restaurants and bars have opened since the Old Forth Ward Master Plan was adopted. Directly to the north of the property is the neighborhood gathering spot, Thumbs Up Diner, the new Thumbs Up Smokehouse and one block east is Ammazza pizzeria, which open in September 2012. The relocation of Dad's Garage Theater to the subject property supports these existing businesses and evolving charter of the neighborhood into an intown cultural destination. A significant amount of money will be invested in the subject property in order to convert it to a theater, so the proposed change will facilitate an investment in the property and improvement in value.

The effect of the permitted use under the proposed change will be minimal given that the subject property will continued to be used as a place of assembly. Furthermore, the current uses of the properties surrounding the subject property are primarily commercial in nature, necessitating a reconsideration of the future land use designation for the area as a whole.

(5) Suitability of proposed use:

The zoning proposal will bring the property in line with the stated desire in the Old Forth Ward Master Plan to encourage a mix of land uses throughout the neighborhood to ensure that residents have an opportunity to live, work and play in the neighborhood. There is considerable development interest in properties along both the Edgewood Avenue and Dekalb Avenue corridors. The location of Dad's Garage Theater at the subject property will support the continued redevelopment of adjacent and nearby property.

(6) Effect on adjacent property:

The zoning proposal will not adversely affect the existing use or usability of adjacent or nearby properties. The commercial properties on the block to the north of the subject property (zoned HC-20C SA5 and C-2) will benefit from the proposed theater use on the property. The restaurant and retail uses along the Edgewood corridor will benefit from a complementary use that will attract additional patrons and visitors to the area. The property to the west of the subject property is a surface parking lot. Immediately to the east are several vacant parcels and a small office building on a parcel zoned C-2 on the same block. The block to the east has a mid-rise apartment complex on a parcel zoned C-3-C. Immediately to the south of the subject property is a small multifamily structure zoned R-5 and further to the south are a series of industrial properties zoned I-1. The redevelopment of the subject property should positively impact the value of all surrounding properties.

Furthermore, it should be noted that Dad's Garage Theater operated for 18 years in a residential area of Inman park without issue.

(7) Economic use of current zoning:

The subject property is currently zoned R-5, which requires a minimum lot area of 7,500 square feet. The square footage of parcel 14004500040566 is 6,136, making it a substandard lot under the current zoning designation. Furthermore, the improvement on the subject property is a church that was constructed in 1950. This structure does not allow for a residential use, so the existing improvements on the lot do not have a reasonable use as currently zoned.

(8) Tree Preservation:

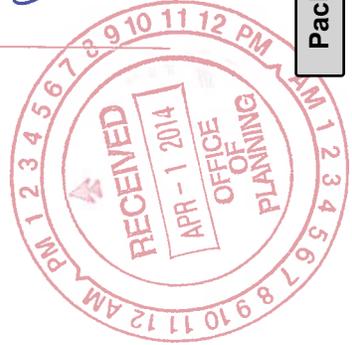
The rezoning proposal is not anticipated to have any impact on existing trees and as such is in accordance with the City of Atlanta Tree Ordinance.



Z-14-19

COMPREHENSIVE LAND USE AMENDMENT

Date: April 1, 2014



The City of Atlanta
Department of Planning and Community Development
Office of Planning
68 Mitchell Street, South Building, Suite 3350
Atlanta, Georgia 30335-0310

RE: CDP Land Use Amendment Application

Dear Sir/Madam:

I hereby request that the Comprehensive Development Plan (CDP) land use designation for (*address of property*) 569 Ezzard Street be amended from (*existing land designation*) Residential to a designation that will allow it to be rezoned from (*existing zoning classification*) R-5 to (*proposed zoning classification*) C-2.

Notarized authorization of any and all property owner (s) indicating consent to this request have been made a part of this application. I understand that my application for a CDP amendment is subject to a review by the Neighborhood Planning Unit (NPU) in which the property is located, and I agree to contact the Chairperson of that NPU to request consideration of my application. I further understand that I am required to submit an application fee for the CDP amendment in an amount of \$1,000.00. I have submitted a complete description of the proposed development project, including type of land use, number of units and /or square footage, floor area ratio(s), and lot coverage ratio. Furthermore the following information has also been included:

1. Whether the proposed land use change will permit uses that are suitable in view of the use and development of adjacent and nearby property.
2. Whether the proposed land use change will adversely affect the existing use or usability of adjacent or nearby property.
3. Whether the proposed land use change will result in uses which will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities or schools.
4. Whether the amendment is consistent with the written policies in the Comprehensive Plan Text.
5. Whether there are environmental impacts or consequences resulting from the proposed change.

I filed an application (Z-____-____) for rezoning of the subject property on (*date*) 4/1/14.

Sincerely,

A Rhein

Applicant's Signature

Amanda Rhein

Name of Applicant (please print)

851 Virgil Street

Address of Applicant

Atlanta GA 30307

City State Zip Code

404-661-6417

Phone Number of Applicant

Applicant informed of CDP hearing schedule

CDP CHANGE CRITERIA

SUMMARY OF PROPOSED PROJECT

The proposed project will convert an existing 12,210 square foot church into a theater facility for Dad's Garage Theater. The scope of the project includes renovations to the existing building plus a 4,770 square foot addition which will house a small black-box theater on the east side of the building and a new entrance and lobby space on the north side of the building. Upon completion, the 16,980 square foot building will house classrooms, offices, a 175-seat theater, a black-box theater, lobby and shop space. Founded in 1995, Dad's Garage is a non-profit theater company that engages, cultivates and inspires artists and audiences alike by producing innovative, scripted and improvised works that are recognized locally, nationally and internationally for being undeniably awesome.

JUSTIFICATION FOR AMENDMENT

(1) Whether the proposed land use change will permit uses that are suitable in view of the use and development of adjacent and nearby property.

The proposed land use change will bring the property in line with the stated desire in the Old Forth Ward Master Plan to encourage a mix of land uses throughout the neighborhood to ensure that residents have an opportunity to live, work and play in the neighborhood. There is considerable development interest in properties along both the Edgewood Avenue and DeKalb Avenue corridors. The location of Dad's Garage Theater at the subject property will support the continued redevelopment of adjacent and nearby property.

The proposed land use change is aligned with the direction of redevelopment in the neighborhood. The subject property is one block south of the Edgewood Avenue commercial corridor, where a number of new restaurants and bars have opened since the Old Forth Ward Master Plan was adopted. Directly to the north of the property is the neighborhood gathering spot, Thumbs Up Diner, the new Thumbs Up Smokehouse and one block east is Ammazza pizzeria, which open in September 2012. The relocation of Dad's Garage Theater to the subject property supports these existing businesses and evolving charter of the neighborhood into an intown cultural destination.

The impact of the proposed land use change on the surrounding properties will be minimal given that the subject property will continued to be used as a place of assembly. Furthermore, the current uses of the properties surrounding the subject property are primarily commercial in nature, necessitating a reconsideration of the future land use designation for the area as a whole.

(2) Whether the proposed land change will adversely affect the existing use or usability of adjacent or nearby property.

The proposed land use change will not adversely affect the existing use or usability of adjacent or nearby properties. The commercial properties on the block to the north of the subject property (zoned HC-20C SA5 and C-2) will benefit from the proposed theater use on the property. The restaurant and retail uses along the Edgewood corridor will benefit from a complementary use that will attract additional patrons and visitors to the area. The property to the west of the subject property is a surface parking lot. Immediately to the east are several vacant parcels and a small office building on a parcel zoned C-2 on the same block. The block to the east has a mid-rise apartment complex on a parcel zoned C-3-C. Immediately to the south of the subject property is a small multifamily structure zoned R-5 and further to the south are a series of industrial properties zoned I-1. The redevelopment of the subject property should positively impact the value of all surrounding properties.

(3) Whether the proposed land use change will result in uses which will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities or schools.

The subject property currently operates as a place of worship. The proposed land use change would result in a slightly increased use of the facility during evening hours. This may result in an increased demand on police protection and solid waste collection and disposal. All public facilities are currently available to the site and no adverse impact is anticipated with the proposed theater use. As this is a commercial project, there will be no impact on the public schools system. The location of this project two



blocks away from the Atlanta BeltLine will support the use of alternative transportation, including cycling and transit.

(4) Whether the amendment is consistent with the written policies in the Comprehensive Plan Text.

The future land use designation for the subject property is High Density Residential. However, the future land use designation for those properties immediately to the north along the Edgewood Avenue corridor are designated Low Density Commercial, which is compatible with the proposed land use change. Furthermore, the current uses of the properties surrounding this parcel are primarily commercial in nature, necessitating a reconsideration of the future land use designation for the area as a whole.

The Old Forth Ward Master Plan (the "Plan") identifies a number of policies that support the rezoning of this site. The land use policies encourage a mix of land uses throughout the neighborhood to ensure that residents have an opportunity to live, work and play in the neighborhood. The location of a non-profit theater in the community will increase the access to arts and cultural activities. Although this site is currently zoned residential, it is being utilized as a place of worship. As such, from a functional standpoint, the subject property will continued to be used as a place of assembly if rezoned.

The Plan also recommends that growth be focused along corridors and near existing and future transit. The subject property is one block south of the Edgewood Avenue commercial corridor and two blocks from the Atlanta BeltLine corridor and the future expansion of the Eastside Trail. This will allow theater patrons to arrive by foot, bike and in the future, transit.

An important housing and economic development policy established in the Plan supports the rehabilitation of key buildings. The existing building on the subject site will be renovated and expanded for the theater, serving to repurpose and revitalize this underutilized asset.

From a transportation perspective, the redevelopment of the subject site will improve pedestrian access to the existing building through the construction of a new ADA accessible entrance with a new active use at street-level. Furthermore, transparent ground floor glass will be used in this addition which will house the new lobby and box office.

(5) Whether there are environmental impacts or consequences resulting from the proposed changes.

There are no know enviornmental impacts or consequences resulting from the proposed changes.

2-14-019

AUTHORIZATION BY PROPERTY OWNER

(Required if person filing the application is not the owner of the subject property or Applicant for the proposed rezoning)



I, Jan Goldstein Brick House Properties LLC (OWNER'S NAME)

SWEAR AND AFFIRM THAT I AM THE OWNER OF THE PROPERTY AT 569 Ezzard Street SE Atlanta, GA 30312 (PROPERTY ADDRESS).

AS SHOWN IN THE RECORDS OF Fulton COUNTY, GEORGIA, WHICH IS THE SUBJECT MATTER OF THE ATTACHED APPLICATION. I AUTHORIZE THE PERSON NAMED BELOW TO FILE THIS APPLICATION AS MY AGENT.

NAME OF APPLICANT:

LAST NAME Rhein FIRST NAME Amanda

ADDRESS 851 STREET NAME Virgil Street SUITE

CITY Atlanta STATE GA ZIP CODE 30307

TELEPHONE NUMBER AREA CODE (404) NUMBER 661 - 6417

~~Edge at the Beltline LLC~~
Brick House Properties LLC
Jan Goldstein
Signature of Owner / member
Print name of owner

Personally Appeared Before Me this 30th day of March, 2014.

Susan L Slavin
Notary Public EX 3/30/17

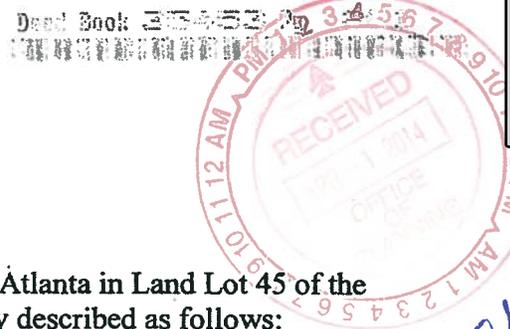


EXHIBIT A

Tract I

All that tract or parcel of land lying and being in the City of Atlanta in Land Lot 45 of the 14th District of Fulton County, Georgia and more particularly described as follows:

Beginning at a point on the West side of Bradley Street (formerly Cornelius Street) three hundred fifty five and one-tenth (355.1) feet, more or less, South of the northeast corner of Edgewood Avenue and Bradley Street, at the Southeast corner of property now or formerly belonging to _____ Cleveland; running thence West along the South line of said Cleveland property, one hundred and twenty-five (125) feet, more or less, thence South forty (40) feet to property now or formerly owned by William J. Campbell; thence East along the North line of said Campbell property, a distance of one hundred and twenty-five (125) feet, more or less, on the East side of Bradley Street; thence North along the West side of Bradley Street forty (40) feet to the point of beginning said premises being improved property known as No. 41 Bradley Street, S.E., according to the plan of numbering houses in the City of Atlanta.

Tract II

All that tract or parcel of land lying and being in the City of Atlanta, in Land Lot 45 of the 14th District of, originally Henry, now Fulton County, Georgia and more particularly described as follows:

Beginning at a point on the south side of Ezzard Street twenty-five and six-tenths (25.6) feet east of the southeast corner of Bradley Street and Ezzard Street; and running thence east along the south side of Ezzard Street sixty-four and nine-tenths (64.9) feet to an iron pin; thence south forty-three (43) feet; thence east ten (10) feet; thence south twelve and two-tenths (12.2) feet; thence west fifty-four and eight-tenths (54.8) feet; thence in a northwestwardly direction forty-six and five-tenths (46.5) feet to the south side of Ezzard Street and the point of beginning, being improved property known as Nos. 569-571 Ezzard Street, S.E., according to the present system of numbering houses in the City of Atlanta, Georgia.

Tract III

All that tract or parcel of land lying and being in the City of Atlanta, in Land Lot 45 of the 14th District of, originally Henry, now Fulton County, Georgia and more particularly described as follows:

Beginning at the southeast corner of Ezzard and Bradley Streets; thence running south along the east side of Bradley Street ninety-six (96) feet to an iron pin; thence an internal angle of sixty-seven (67) degrees and eleven (11) minutes for a distance of ninety (90) feet to an iron pin; thence in a northerly direction seven and eighteen hundredths (7.18) feet to an iron pin; thence in a northeasterly direction ten (10) feet to an iron pin; thence

Book 25453 21235

in a northerly direction thirty and six-tenths (30.6) feet to an iron pin; thence in a southwesterly direction fifty-six and two-tenths (56.2) feet to an iron pin; thence in a northwesterly direction forty-six and five-tenths (46.5) feet to Ezzard Street; thence southwesterly along the southeast side of Ezzard Street twenty-five and six-tenths (25.6) feet to the point of beginning, being improved property known as Nos. 40 and 46 Bradley Street, S.E., according to the present system of numbering houses in the City of Atlanta.

Tract IV

All that tract or parcel of land lying and being in Land Lot 45 of the 14th District of Fulton County, Georgia and more particularly described as follows:

Beginning at a point on the west side of Bradley Street two hundred ninety-seven and one-tenth (297.1) feet south of the southwest corner of Edgewood Avenue and Bradley Street, at a stake; thence running south along the west side of Bradley Street twenty-eight (28) feet to a stake; thence running west one hundred twenty seven (127) feet to a stake on a fence line; running thence north along said fence twenty-eight and five tenths (28.5) feet to a stake; running thence east one hundred twenty-seven (127) feet to the point of beginning; according to the present number of houses in the City of Atlanta, being improved property known as No. 35 Bradley Street, S.E., above description being according to a plat of property of Mrs. Katie M. Carlton, made by Ranson Rogers, C.I., dated March 8, 1921.

Tract V

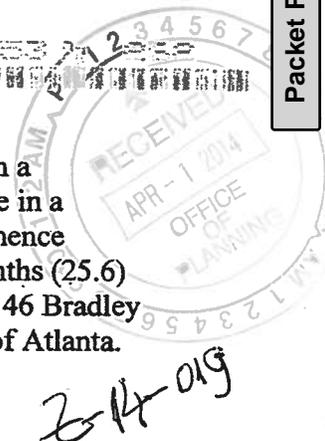
All that tract or parcel of land lying and being in the City of Atlanta, in Land Lot 45 of the 14th District of Fulton County, Georgia, and more particularly described as follows:

Beginning at a point on the east side of Bradley Street 211.8 feet north of the northeast corner of Bradley Street and Decatur Street, said beginning point being at the northeast corner of a 11.8 foot alley and running thence north along the east side of Bradley Street 65 feet, thence east 90.5 feet, thence south 70.6 feet to the north side of said alley, thence west along the north side of said alley 96.3 feet to the east side of Bradley Street and the point of beginning.

Tract VI

All that tract or parcel of land lying and being in the City of Atlanta, in Land Lot 45 of the 14th District of Fulton County, Georgia and more particularly described as follows:

Beginning at a point on the west side of Bradley Street two hundred twenty-seven (227) feet north of the northwest corner of Bradley Street and Decatur Street; running thence north along the west side of Bradley Street fifty-four (54) feet; thence west one hundred twenty-three (123) feet; thence south forty-eight and one-half (48½) feet; thence east one hundred twenty-three (123) feet to the west side of Bradley Street at the point of



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 Recorded on 11/2/19
 Clerk of Superior Court
 Fulton County, Georgia

beginning; being improved property known as No. 51 Bradley Street, S.E., according to the present numbering of houses in the City of Atlanta.

Tract VII

All that tract or parcel of land lying and being in Land Lot 45 of the 14th District of Fulton County, Georgia and more particularly described as follows:

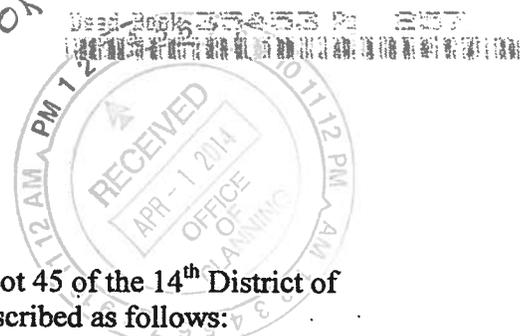
Beginning at a point on the West side of Bradley Street three hundred twenty-five and one-tenth (325.1) feet, more or less, south from Edgewood Avenue; thence running south along the west side of Bradley Street thirty (30) feet to property now or formerly owned by Mollie Shaw and Clifford Shaw; thence west along said Shaw line one hundred twenty-seven (127) feet, more or less, to property now or formerly owned by W.J. Arnold; thence north along said Arnold line and along the line of property now or formerly owned by J.F. Haas, thirty (30) feet; thence east one hundred twenty-seven (127) feet, more or less, to the point of beginning being known as number 37 Bradley Street, S.E., according to the present numbering of houses in the City of Atlanta.

Tract VIII

All that tract or parcel of land lying and being in the City of Atlanta, in Land Lot 45 of the 14th District of, originally Henry, now Fulton County, Georgia and more particularly described as follows:

Beginning at a point on the West side of Bradley Street (formerly Cornelia Street) Two Hundred Eighty-One (281) feet north of the northwest corner of Decatur Street and Bradley Street; thence north along the west side of Bradley Street Fifty (50) to a point; thence west One Hundred Twenty-Two (122) feet to a point; thence south fifty (50) feet to a point; thence east One Hundred Twenty-Two (122) feet to the west side of Bradley Street and the point of beginning; this being all and the same property conveyed by Mrs. D.I. Bradbury to William J. Campbell, by deed dated November 9, 1903 and recorded in Deed Book 191, Page 350, Fulton County Records; said premises being improved property known as No. 45 Bradley Street, N.E., according to the present numbering of houses in the City of Atlanta.

EXHIBIT A

**Parcel I - Parking Lot**

All that tract or parcel of land lying and being in Land Lot 45 of the 14th District of Fulton County, Georgia, and being more particularly described as follows:

Commencing at the intersection of the southerly right of way line of Edgewood Avenue and the westerly right of way line of Bradley Street (30' right of way); thence proceeding South 00 degrees 18 minutes 08 seconds East 297.11 feet along the westerly right of way line of Bradley Street to an iron pin rebar found on said right of way line and the point of BEGINNING; thence proceeding South 00 degrees 18 minutes 08 seconds East 197.00 feet along the westerly right of way line of Bradley Street to an iron pin placed on said right of way line; thence leaving said right of way line and proceeding North 89 degrees 07 minutes 13 seconds West 125.59 feet to an iron pin placed; thence proceeding North 00 degrees 54 minutes 05 seconds West 197.00 feet to an iron pin placed; thence proceeding South 89 degrees 08 minutes 37 seconds East 127.64 feet to an iron pin rebar found on the westerly right of way line of Bradley Street and the point of BEGINNING.

Parcel II- Building

All that tract or parcel of land lying and being in Land Lot 45 of the 14th District of Fulton County, Georgia, and being more particularly described as follows:

Beginning at an iron pin placed at the intersection of the easterly right of way line of Bradley Street (30' right of way) and the southerly right of way line of Ezzard Street (40' right of way); thence proceeding along the southerly right of way line of Ezzard Street North 68 degrees 27 minutes 51 seconds East 90.00 feet to an iron pin found; thence proceeding South 17 degrees 03 minutes 43 seconds East 82.10 feet to an iron pin placed; thence North 68 degrees 27 minutes 51 seconds East 15.00 feet to an iron pin placed; thence proceeding South 02 degrees 29 minutes 04 seconds East 83.60 feet to an iron pin placed on the north side of Maddox Alley; thence proceeding South 74 degrees 24 minutes 58 seconds West along the north side of Maddox Alley 129.30 feet to an iron pin rebar found on the easterly right of way line of Bradley Street (30' right of way); thence proceeding North 00 degrees 18 minutes 08 seconds West 61.87 feet along the easterly right of way line of Bradley Street to an iron pin rebar found on said right of way line; thence proceeding North 00 degrees 18 minutes 08 seconds West 96.32 feet along said right of way line to an iron pin placed at the intersection of the easterly right of way line of Bradley Street and the southerly right of way of Ezzard Street and the POINT OF BEGINNING.

Parcels 1 and 2 depicted on that plat of survey by Solar Land Surveying Company for Preston A. Tunis and Jan Goldstein dated April 16, 2003, under seal of John W. Stanzillis, Jr., GRLS No. 2109.

Parcel Details

Phone: 33.7532, -84.3687
 PIN: 14 00450004056
 Address: 569 EZZARD ST SE
 Owner: BRICK HOUSE PROP LLC



- [Planning](#)
- [Tax](#)
- [Public Safety](#)
- [Schools](#)
- [2010 Census](#)
- [Housing Survey](#)

Planning Designations

Property in Atlanta city limits	Yes
USPS ZIP Code	30312
District/Landlot	14-45 lot boundary map
Zoning	
Primary	R-5
Overlay	BELTLINE
Maps	Official Zoning Map (pdf) Online Map
Future Land Use	High-Density Residential (HDR)
NPU	M
Adjacent NPU (within 300 feet)	-
Neighborhood	Old Fourth Ward
Council District	2
Renewal Community	Yes
Empowerment Zone	Yes
New Market Tax Credits	Yes
Livable Centers Initiative (LCI)	City Center
Tax Allocation District (TAD)	Eastside
Supportive Housing Distance Eligibility	Does not meet requirement (see note below)
Neighborhood Stabilization Program	No
Neighborhood Stabilization Program 3	No
Opportunity Zone	No
Community Development Impact Areas	Yes
Urban Redevelopment Areas	Yes
Inspection Arborist	SE
Inspection Building	Cobb
Inspection Electrical	Peele
Inspection HVAC	Broughton
Inspection Plumbing	Markell
Potential Brownfield	-

Notes:

Property is not eligible as a site for supportive housing because it lies within 2000 feet of the existing supportive housing facility or facilities listed below:

- Address: 460 Auburn Avenue NE
- Grantee: Parkview Manor: from DHR list (January 2011)
- Type: Nursing Home
- Ordinance:

RECEIPT

CITY OF ATLANTA
ATLANTATEST
55 TRINITY AVE SW

Application: Z-14-019
Application Type: Planning/ZRB/Rezoning/NA
Address: 569 EZZARD ST SE, ATLANTA, GA 30312
Owner Name: BRICK HOUSE PROP LLC
Owner Address:
Application Name:

Receipt No.	Ref Number	Amount Paid	Payment Date	Cashier ID	Received	Comments
364916		\$2,500.00	04/01/2014	RPLEWIS		

Owner Info.: BRICK HOUSE PROP LLC

Work Description: Conversion of an existing church to a 17,000 sf theater. A companion CDP amendment is also attached,. See NOTES below

PAID
CITY OF ATLANTA
APR 01 2014
EX OFFICIO MUNICIPAL
REVENUE COLLECTOR

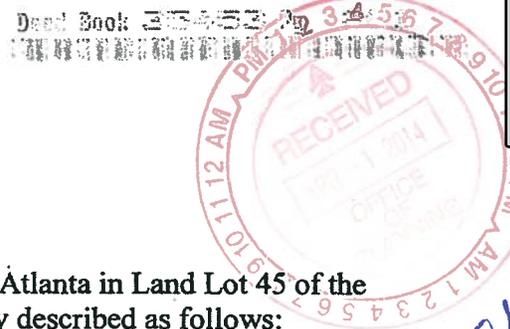


EXHIBIT A

Tract I

All that tract or parcel of land lying and being in the City of Atlanta in Land Lot 45 of the 14th District of Fulton County, Georgia and more particularly described as follows:

Beginning at a point on the West side of Bradley Street (formerly Cornelius Street) three hundred fifty five and one-tenth (355.1) feet, more or less, South of the northeast corner of Edgewood Avenue and Bradley Street, at the Southeast corner of property now or formerly belonging to _____ Cleveland; running thence West along the South line of said Cleveland property, one hundred and twenty-five (125) feet, more or less, thence South forty (40) feet to property now or formerly owned by William J. Campbell; thence East along the North line of said Campbell property, a distance of one hundred and twenty-five (125) feet, more or less, on the East side of Bradley Street; thence North along the West side of Bradley Street forty (40) feet to the point of beginning said premises being improved property known as No. 41 Bradley Street, S.E., according to the plan of numbering houses in the City of Atlanta.

Tract II

All that tract or parcel of land lying and being in the City of Atlanta, in Land Lot 45 of the 14th District of, originally Henry, now Fulton County, Georgia and more particularly described as follows:

Beginning at a point on the south side of Ezzard Street twenty-five and six-tenths (25.6) feet east of the southeast corner of Bradley Street and Ezzard Street; and running thence east along the south side of Ezzard Street sixty-four and nine-tenths (64.9) feet to an iron pin; thence south forty-three (43) feet; thence east ten (10) feet; thence south twelve and two-tenths (12.2) feet; thence west fifty-four and eight-tenths (54.8) feet; thence in a northwestwardly direction forty-six and five-tenths (46.5) feet to the south side of Ezzard Street and the point of beginning, being improved property known as Nos. 569-571 Ezzard Street, S.E., according to the present system of numbering houses in the City of Atlanta, Georgia.

Tract III

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 1 2 3 4 5 6 7

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Tract IV

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Tract V

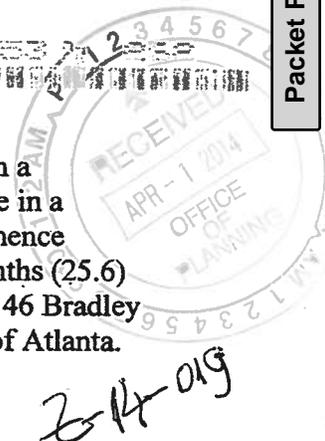
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J. Curtis G. Hildreth
Clerk of Superior Court
Fulton County, Georgia

beginning; being improved property known as No. 51 Bradley Street, S.E., according to the present numbering of houses in the City of Atlanta.

Tract VII

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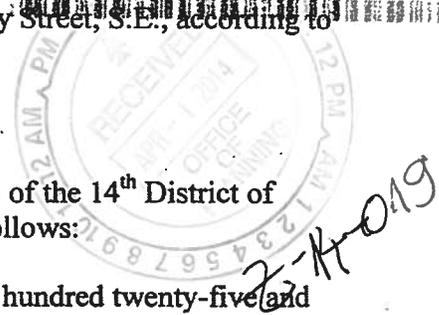
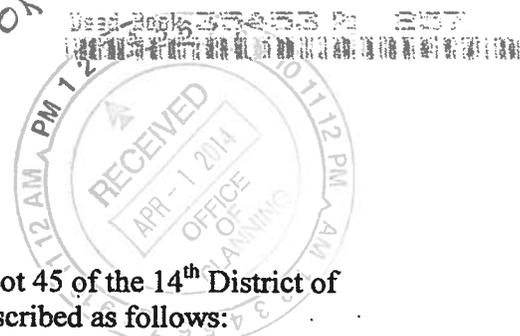


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Parcels 1 and 2 depicted on that plat of survey by Solar Land Surveying Company for Preston A. Tunis and Jan Goldstein dated April 16, 2003, under seal of John W. Stanzillis, Jr., GRLS No. 2109.

