



CITY OF ATLANTA

KASIM REED
MAYOR


DEPARTMENT OF CITY PLANNING
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TIM KEANE
Commissioner

CHARLETTA JACKS
Director
Office of Zoning and Development

MEMORANDUM

TO: Zoning Review Board

FROM: Keyetta M. Holmes, AICP, Zoning Administrator 

SUBJECT: Z-16-90 Sylvan Hills Neighborhood (Metropolitan Parkway Corridor)
Rezoning

DATE: June 1, 2017

An ordinance to rezone certain properties along a portion of the Metropolitan Parkway Corridor (Sylvan Hills Neighborhood) from C-1 (Community Business) and C-2-C (Commercial Service Conditional) to MRC-1-C (Mixed Residential Commercial-Conditional) District to implement recommendations from the Lakewood Liveable Centers Initiative (LCI) and the Metropolitan Parkway Redevelopment Plan; and for other purposes.

FINDINGS OF FACT:

- **Property location:** The subject property is located within a segment of the Sylvan Hills neighborhood. The subject area begins at the intersection of Langford Parkway (Lakewood Avenue, S.W.) and Metropolitan Parkway, S.W. and extends north along the Metropolitan Parkway corridor just beyond Casplan Street, S.W. for approximately 0.56 miles. The project area is located in Land Lots 89, 90, 91, 102, 103 and 104 of the 14th District in NPU X, Council District 12.
- **Property size and physical features:** The subject area has 37 properties which are inclusive of the study area. Mostly, the properties are developed and are at grade level. The frontage area along the Metropolitan Parkway corridor has limited sidewalks and landscaping with a partial amount of mature trees scattered along the corridor.
- **CDP land use map designation:** The Comprehensive Development Plan Identifies portions of this subject area as both Low-Density Commercial (LDC) and Mixed-Use (MU).
- **Current/past use of property:** Currently, the subject properties are zoned either C-1 (Community Business) or C-2-C (Commercial Service Conditional). Most of the existing land uses support various retail establishments, automotive type businesses, sales and repair establishments and abandoned used and new car lots.

- **Surrounding zoning/land uses:** The subject site is surrounded by a variety of zoning classifications including R-4 and R-5 (Single-Family Residential and Two Family Residential) to the west, O-I (Office-Institution) to the north and R-4A, R-4B and RG-3 to the east.
- **Transportation:** Metropolitan Parkway is classified as an arterial street. MARTA bus route #95 serves the area along the corridor.

PROPOSAL: This project supports the Lakewood Liveable Centers Initiative (LCI) adopted in 2013, the Cleveland Avenue Corridor Plan (adopted in 2009), the NPU X Comprehensive Plan (adopted in 2005), the Metropolitan Parkway Redevelopment Plan and Tax Allocation District (created in 2006). The project proposes to implement recommendations of the aforementioned plans and studies, in particular, the Lakewood LCI to rezone certain properties along the Metropolitan Parkway corridor from Community Business and Commercial Service-Conditional to Mixed Residential Commercial District with conditions (MRC-1-C).

CONCLUSIONS:

- 1) **Compatibility with comprehensive development plan (CDP); timing of development:**
Currently, the proposed rezoning is compatible with the existing land use designations in the area of LDMU (Low Density Mixed Use) and MDMU (Medium Density Mixed Use). Therefore, a Comprehensive Development Plan (CDP) amendment is not required.
- 2) **Availability of and effect on public facilities and services; referrals to other agencies:**
The location of the site and current use of surrounding properties indicate there are public facilities and services available to the subject property. There has been no indication from review agencies and/or departments that there would not be adequate public facilities and services at the subject location. When proposed development plans are submitted to other agencies for permit review, compliance with all applicable City codes will be required.
- 3) **Availability of other appropriate land zoned for proposed use; effect on balance of land uses with regard to the public need:** The proposed rezoning is part of the Lakewood LCI and certain parcels along the Metropolitan Parkway corridor will enable the streets to be developed with specific strategies as recommended to address land use, zoning and urban design considerations in the area. Therefore, staff recommends that the request to rezone the subject property would not create any issues that would negatively affect the balance of land uses in the area.
- 4) **Effect on character of the neighborhood:** The rezoning of the subject property is not expected to adversely impact the surrounding neighborhood. The recommended land uses in the Lakewood LCI is consistent with the proposed rezoning for the study area. Therefore, staff supports the proposed rezoning to promote quality growth while protecting adjacent and existing residential neighborhoods.
- 5) **Suitability of proposed land use:** The proposed use of the properties along the Metropolitan Parkway corridor as a MRC-1-C should serve to further enhance the transition of this area

from predominantly commercial uses to a mix of uses including commercial and residential as recommended in the Lakewood LCI.

Effect on adjacent property: Staff does not anticipate any negative effects to adjacent properties from the proposed rezoning. The Mixed Residential Commercial-Conditional (MRC-1-C) district regulations have the potential to assist the entire corridor in its efforts to encourage a compatible mixture of residential and commercial uses; and to promote an appropriate balance and scale of commercial uses which meet the needs of nearby residents. Therefore, Staff recommends that the subject area is rezoned from the existing C-1 and C-2-C district regulations to a Mixed Residential Commercial-Conditional (MRC-1-C) zoning designation to meet the needs of the community and adjacent neighborhoods.

- 6) **Economic use of current zoning:** The reuse of the properties should enhance the economic sustainability of the area. The rezoning of the subject properties could have the potential to increase the economic value based upon the zoning regulations allowing for both commercial and residential development. A Mixed Residential Commercial-Conditional (MRC-1-C) zoning designation would encourage and promote a more pedestrian-oriented environment. The market value of properties in the district and the surrounding areas could only increase due to the opportunity for improved aesthetics, quality housing and the convenience and accessibility of goods and services.
- 7) **Compatibility with policies related to tree preservation:** Upon application of a building permit, the applicant will have to comply with the City of Atlanta Tree Ordinance.

STAFF RECOMMENDATION: APPROVAL with conditions as follows:

A. Notwithstanding anything contrary in City Code Sec.16-34.005 et. seq., only the following uses shall be permitted as principal uses and structures:

1. Banks, savings and loan associations, and similar financial institutions.
2. Barber shops, beauty shops, manicure shops and similar personal service establishments.
3. Business or commercial schools.
4. Childcare centers, kindergartens and special schools.
5. Churches, synagogues, temples, mosques and other religious worship facilities regardless of size.
6. Commercial greenhouses.
7. Commercial recreation establishments, including bowling alleys, theaters, convention halls, places of assembly and similar uses with primary activities conducted within fully enclosed buildings. Pool halls, billiard parlors and amusement arcades allowed only by special use permits.
8. Institutions of higher learning, including colleges and universities.
9. Laundry and dry-cleaning stores, collection stations or plants; laundry and dry cleaning establishments where customers do not operate equipment.
10. Market gardens.
11. Museums, art galleries, libraries, and similar profit or non-profit cultural facilities.
12. Nursing homes and convalescent centers.
13. Offices, studios, clinics (including veterinary), laboratories and similar uses, but not blood donor stations except at hospitals.
14. Plumbing, air conditioning service and repair.

15. Photocopying or blueprinting shops.
16. Professional or service establishments, but not hiring halls.
17. Public schools or private schools having similar academic curricula and special schools for exceptional children.
18. Restaurants, bars, coffee shops, delicatessens, taverns and other eating and drinking establishments including those licensed for the on-premises consumption of malt beverages, wine and/or distilled spirits.
19. Retail establishments.
20. Sales and repair establishments for home appliances, bicycles, lawn mowers, shoes, clocks and similar household goods.
21. Single-family, two-family and multi-family dwellings.
22. Structures and uses required for operation of MARTA or a public utility but not including uses involving storage, train yards, warehousing switching or maintenance shop as the primary use.
23. Tailoring, custom dressmaking, millinery and similar establishments.
24. Urban gardens.

B. Notwithstanding anything to the contrary in City Code Sec. 16-34.005 and City Code Sec. 16-34.007, the following shall be prohibited as principal and accessory uses and structures:

1. Automobile service stations, battery exchange stations, car washes.
2. Bingo parlors.
3. Clubs and lodges.
4. Digital industry switchboards, power generators and other relay equipment and rooms housing.
5. Group home, congregate care home and rehabilitation centers.
6. Helicopter landing facilities or pickup or delivery stations.
7. Mixed-use storage facility having less than 100,000 square feet of total floor area of storage use.
8. Mortuary and funeral homes.
9. New and used car sales, including other motorized vehicles such as mopeds and motorcycles.
10. Park-for-hire parking decks.
11. Park-for-hire surface parking lots.
12. Poolrooms, billiard parlors, amusement arcades.
13. Repair garages, pain and body shops.
14. Rooming houses and boarding houses.
15. Shelters.
16. Single room occupancy residence.
17. Supportive housing.
18. Truck stops.

C. Notwithstanding anything to the contrary in City Code Sec. 16-34.007, the following uses are permissible only by a special use permit:

1. Broadcasting towers and line-of-sight relay devices for telephonic, radio or television communications greater than 70 feet in height, except alternative design mounting structures as contemplated by subsection 16-25.002(3)(h)(iv)(i), and subject to transitional height planes (chapter 1, section 19-1006).

2. Community centers and similar establishments, when not owned by a governmental agency.
3. Dormitories, fraternity houses and sorority houses.
4. Hotels.
5. Hospitals.
6. 90 days or more duration: Outdoor amusement enterprises, exhibits, entertainment, meetings, displays or sales areas, or outdoor areas for religious ceremonies.

cc: Charletta Wilson Jacks, Director



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TIM KEANE
COMMISSIONER
CHARLETTA WILSON
JACKS
Director

MEMORANDUM

TO: Zoning Review Board

FROM: Keyetta M. Holmes, AICP, Zoning Administrator 

SUBJECT: **Z-17-01 for 2431 Fairburn Road S.W.**

DATE: May 4, 2017

An Ordinance by Zoning Committee to rezone from **R-4 (Single Family Residential) District** to **C-1 (Community Business) District** for property located at **2431 Fairburn Road, S.W.**, and for other purposes.

FINDINGS OF FACT:

- **Property Location:** The subject property consists of a single-family home fronting approximately 100 feet on the west side of Fairburn Road. The lot sits 605 feet from the southwest corner of the intersection of Campbellton Road and Fairburn Road. The properties are located in Land Lot 5 of District 14F in NPU P, in the Mellwood Neighborhood of Council District 11.
- **Property Size and Physical Features:** The subject property consists of a 0.47 acre lot. The topography of the lot is relatively flat in the front lot and has a drop in topography in the rear yard. Vehicular access to the property is through a gravel lot to the north side of the lot. There are some mature shrubs and heavy vegetation and large mature trees in the rear of the property.
- **CDP Land Use Map Designation:** The current land use category for the site is Single-Family Residential.
- **Current/Past Use of Property:** The subject property is currently developed with a single-family residential home. Staff is not aware of any previous uses.
- **Surrounding Zoning/Land Uses:** The current land use for this parcel is Single Family Residential and the zoning designation is R-4 (Single Family Residential) District. Other zoning districts in the immediate area are MRC-1-C and MRC-2-C and land use designations are Low Density Commercial and Mixed Use.

- **Transportation System:** Fairburn Road is classified as a collector street. MARTA route #183 is 0.2 miles from the subject property with stops at the intersection of Campbellton Road and Fairburn Road.

PROPOSAL:

The applicant requests to rezone from the R-4 (Single-Family Residential) District to C-1 (Commercial Service) District to use the building for a graphic design and property management business.

Development Specifications:

Net Lot Area:	20,508 square feet
Non-residential Proposed:	0.12 (5,451 square feet)
Parking Required:	4 spaces (one space per 300 square feet)
Parking Provided:	10 spaces

CONCLUSION:

- **Compatibility with comprehensive development plan (CDP); timing of development:** The Comprehensive Development Plan (CDP) designates the subject parcel Single Family Residential. To accommodate the conversion to office a CDP amendment is required.
- **Availability of and effect of public facilities and services; referral to other agencies:** The location of the site and current use of surrounding properties indicates there are public facilities and services available to the subject property. There has been no indication from review agencies and/or departments that there would not be adequate public facilities and services at the subject location. When proposed development plans are submitted to other agencies for permit review, compliance with all applicable City codes will be required.
- **Availability of other land suitable for proposed use; environmental effect on balance of land uses:** The zoning regulations indicate that this consideration is optional. The applicant has not presented any evidence that they own other land in the area that is suitable for this development. There is no negative impact on the balance of land uses.
- **Effect on character of the neighborhood:** The commercial use of this property will not present any adverse impact to the surrounding area but will complement existing commercial uses including a barbershop, nail salon, and dentist office. Further, the operation of the business will have a limited daily traffic flow. However, when needed, parking accommodations will be available on the property.
- **Suitability of proposed land use:** The office serves as an efficient use of multiple businesses on a small lot adjacent to other commercial and public uses. Staff approves the proposed land use.
- **Effect on adjacent property:** Staff finds that the proposed development would not adversely affect adjacent properties. The site is in an area where other property is in commercial use.

Staff recommends that the applicant apply for variances to screening and setback requirements for properties adjacent to R-4 (Single-Family Residential) districts.

- **Economic use of current zoning:** The site has limited economic use under the existing R-4 zoning designation. The office conversion will provide a more sustainable economic use in an area that provides other commercial service uses.
- **Tree Preservation:** There will be seven (7) Willow Oak trees planted throughout the property. Two (2) will be planted along the southern setback, two (2) within the rear setback, and two (2) within the northern setback, and one (1) tree in the front setback. Additions of trees and other proposals shall comply with the requirements of the City of Atlanta's Tree Ordinance.

STAFF RECOMMENDATION: APPROVAL

cc: Charletta Wilson Jacks, Director



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TIM KEANE
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CHARLETTA WILSON JACKS
Director
Office of Zoning and Development

MEMORANDUM

TO: Zoning Review Board

FROM: Keyetta M. Holmes, AICP, Zoning Administrator 

SUBJECT: Z-17-010 for 970 Mercer Street, S.E. (Beltline Overlay)

DATE: May 4, 2017

The applicant seeks to rezone property located at **970 Mercer Street** from **R-4/BL (Single-Family Residential/Beltline Overlay)** to **R-4A/BL (Single-Family Residential/Beltline Overlay)**.

FINDINGS OF FACT:

- **Property location:** The subject properties front approximately 100 feet on the north side of Mercer Street beginning at the northwest corner of Mercer Street and Siloam Avenue. Depth is 150 feet along the Siloam Avenue right-of-way. The property is located in the Ormewood Park neighborhood, Subarea 3 of the Beltline Overlay District, in Land Lot 11 of the 14th District in NPU W, Council District 5, Fulton County.
- **Property size and physical features:** The properties consist of approximately 15,000 (0.35 acres) square feet of land. The lot is currently developed with a single-family structure and detached accessory unit/garage. The topography of the lot has an increasing slope of 10 feet in a northerly direction. There is no dedicated vehicular access to the property although there is evidence of vehicular parking in some areas of the open space. There is some vegetation and large mature trees on the property.
- **CDP land use map designation:** The Future Land Use designation for this property is Single Family Residential (SFR). An amendment to the Comprehensive Development Plan will not be needed to accommodate the proposed development.
- **Current/past use of property:** Staff is not aware of any previous uses.

- **Surrounding zoning/land uses:** Land use and zoning designations in the immediate area varies. The subject property is surrounded by R-4 (Single-Family Residential) with Single-Family Residential land use designation. Parcels designated with R-4A can be found approximately 300 feet to the north along with MR-2-C (Multi-Family Residential-Conditional) zonings with Low-Density Residential land use designation. Further north RG-3-C (Residential General-Conditional) zoned parcels are present with a Medium Density Residential land use designation.
- **Transportation:** Mercer Street and Siloam Avenue are classified as local roads. Berne Street to the north is classified as collector road. There is an existing bike lane on Berne Street. The subject site is within Subarea 3 of Beltline Overlay District and a future trail is located approximately 1,000 feet to the west of the residence.

PROPOSAL:

The applicant seeks the rezoning of a 15,000 square feet lot from R-4/BL (Single-Family Residential/Beltline Overlay) to R-4A/BL (Single-Family Residential/Beltline Overlay) to subsequently subdivide the lot into two parcels and build two single family homes. Per the zoning code, *Sec. 16-06A.007 - .008*, the minimum permitted lot area for properties zoned R-4A (Single-Family Residential) is 7,500 square feet. With a minimum of 50 feet frontage, 35 feet front yard setback, 15 feet rear and 7 feet side yard setbacks. The subject lot is a corner lot so a 15 feet half-depth yard setback must be enforced. The applicant has chosen to front the properties on the Siloam Avenue right-of-way. This will give the subject parcel 150 feet of frontage and a depth of 100 feet. If permitted to subdivide the lot, each lot will contain 7,500 square feet of land area and 75 feet of frontage.

CONCLUSIONS:

- 1) **Compatibility with comprehensive development plan (CDP); timing of development:**
The Comprehensive Development Plan (CDP) designates the property as Single Family Residential (SFR). The proposed rezoning to R-4A (Single-Family Residential) District is consistent with the existing land use, thus no amendment to the 15 Year Land Use Map will be required to accommodate the proposed development. The land use is compatible with the Atlanta Beltline's Subarea 3 Master Plan (2009) that calls for a focus on preserving single-family residential development in the area.
- 2) **Availability of and effect on public facilities and services; referrals to other agencies:**
The location of the site and current use of surrounding properties indicates there are public facilities and services available to the subject property. There has been no indication from review agencies and/or departments that there would not be adequate public facilities and services at the subject location. When proposed development plans are submitted to other agencies for permit review, compliance with all applicable City codes will be required.
- 3) **Availability of other appropriate land zoned for proposed use; effect on balance of land uses with regard to the public need:**
The applicant has not presented any evidence that they own other land in the area that is suitable for this development. The proposed rezoning would not have an adverse effect on the environment or create an imbalance of land uses. In fact, there are multiple parcels in the area

that have undergone the same rezoning and subsequent subdivision. One example can be found a block away at 631 and 625 Glenwood Place rezoned via case Z-10-036.

4) Effect on character of the neighborhood:

The development would have a negligible effect on the surrounding neighborhood by rezoning the lot. The subdivision of the lot and the addition of two single family homes would match the size and use of adjacent properties.

5) Suitability of proposed land use:

The proposed R-4A (Single-Family Residential) zoning and primary use reflects the single-family character of other properties in the area. No change in the 15-year land use map is required.

6) Effect on adjacent property:

The proposed redevelopment of the site would not have an adverse effect on adjacent properties. The rezoning would allow the construction of two single-family dwellings on lots that would be comparable in size to others found in the general area.

7) Economic use of current zoning:

The existing lot can be used to construct a single-family home of significant size due to the R-4 maximum allowed Floor Area Ratio (FAR) of .5 compatible with its surroundings. However, the requested rezoning would significantly increase the site's economic value by allowing the construction of two single-family homes.

8) Compatibility with policies related to tree preservation:

Redevelopment of the property must comply with the City of Atlanta Tree Ordinance at the time of permitting.

STAFF RECOMMENDATION: APPROVAL conditioned upon the following:

1. Development is to adhere to the R-4/BL front yard setback of 35 feet and half-depth yard setback of 17.5 feet.

cc: Charletta Wilson Jacks, Director



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TIM KEANE
COMMISSIONER

CHARLETTA WILSON JACKS
Director
Office of Zoning and Development

MEMORANDUM

TO: Zoning Review Board

FROM: Keyetta M. Holmes, AICP, Zoning Administrator 

SUBJECT: **Z-17-11 for 711 Catherine Street, S.W.**

DATE: June 1, 2017 (*Moved from May 4, 2017*)

An Ordinance by Zoning Committee to rezone from R-4A/HC-20I/SA1/BL (Single-Family Detached Residential/Adair Park Historic District, Subarea 1/Beltline Overlay) District to C-2-C/HC-20I-SA1/BL (Commercial Service/Adair Park Historic District, Subarea 1/Beltline Overlay) District for property located at **711 Catherine Street, S.W.**

FINDINGS OF FACT:

- **Property Location:** The property fronts approximately 200 feet on the east side of Mayland Avenue and beginning at the northeast intersection of Mayland Avenue and Catherine Street. The property is located in Land Lot 106 of the 14th District of Fulton County, Georgia in the Adair Park neighborhood of NPU-V, Council District 12.
- **Property Size and Physical Features:** The property consists of a parcel of approximately 1.146 acres in lot area and is currently developed with a brick structure with a number of trees and shrubs scattered throughout. The topography varies on the site.
- **CDP Land Use Map Designation:** The current land use category for the site is Low-Density Residential.
- **Current/Past Use of Property:** The site is currently developed with an abandoned brick structure with prior uses as a school and education facility. Staff is unaware of any other previous uses for the site.
- **Surrounding Zoning/Land Uses:** The surrounding parcels are zoned as follows: R-4A/HC-20I SA1 (Single-Family Detached Residential/Adair Park Historic District Subarea 1) with a Low-

Density Residential land use designation to the north, south, east, and west, and R-4A/HC-20I SA1 (Single-Family Detached Residential/Adair Park Historic District, Subarea 1) with an Open Space land use designation.

- **Transportation System:** Mayland Avenue and Catherine Street are classified as local roads. There are sidewalks available on both sides of Catherine Street and only on the east side of Mayland Avenue. MARTA provides bus services to the immediate area via Route #95 along Metropolitan Parkway.

PROPOSAL:

The applicant requests to rezone from the R-4A/HC-20I/SA1/BL (Single-Family Detached Residential/Adair Park Historic District, Subarea 1/Beltline Overlay) District to C-2-C/HC-20I-SA1/BL (Commercial Service/Adair Park Historic District, Subarea 1/Beltline Overlay) District for the mixed use development of approximately 68 residential dwelling units and 9,923 square feet of retail use space with some live/work units on the site.

Development Specifications:

Net Lot Area:	49,921 square feet
Gross Lot Area:	61,796 square feet
Residential F.A.R. Proposed:	0.68 (33,952 square feet)
Residential F.A.R. Allowed:	0.696 (34,745 square feet)
Non-residential Proposed:	0.19 (9,952 square feet)
Non-residential Allowed:	3.0 x NLA (149,763 square feet)
Public Space Required:	10% x NLA (4,992 square feet)
Public Space Proposed:	5,000 square feet
Useable Open Space Required:	0.40 x NLA (19,968 square feet)
Useable Open Space Proposed (Tract 2):	23,000 square feet
Parking Required:	102 spaces
Parking Provided:	2 spaces
Loading Proposed:	1 space
Bicycle Parking Provided:	6 bicycle racks

CONCLUSIONS:

- **Compatibility with comprehensive development plan (CDP); timing of development:**
The portion of the subject property proposed for rezoning to C-2-C is not consistent with the existing Low-Density Residential land use designation. Therefore, a Comprehensive Development Plan (CDP) amendment is required.
- **Availability of and effect of public facilities and services; referral to other agencies:**
The location of the site and surrounding uses indicate there are public facilities and services available to the subject property. Furthermore, there has been no indication from review agencies and departments that there would not be adequate public facilities and services at the subject location.

- **Availability of other land suitable for proposed use; environmental effect on balance of land uses:** The zoning regulations indicate that this consideration is optional. In this case, there appears to be land located in proximity to the site that would support the proposed mixed-use development. However, Staff is of the opinion that this proposal for rezoning is reasonable and would not negatively affect the balance of land uses in the area.
- **Effect on character of the neighborhood:** Staff finds that the proposed mixed-use development provides an opportunity for adaptive reuse of a blighted property in the Adair Park neighborhood. The new development is at a scale compatible with the character recommended in the Beltline Subarea 2 Master Plan and contributes to neighborhood revitalization. The proposed mixed-use development is also expected to rehabilitate an existing structure with additions which would be scaled so that it does not negatively affect the surrounding neighborhood. Therefore, Staff is of the opinion that the approval of the applicant's request would not have an adverse effect on the character of the neighborhood.
- **Suitability of proposed land use:** A proposed change in conditions would not have a considerable affect on the land use. The proposed mixed use development is not allowed in the existing Low-Density Residential land use designation. However, it provides an adequate mixed-use, live/work component to the revitalizing Adair Park neighborhood. Therefore, Staff notes the proposal is a suitable land use for the site.
- **Effect on adjacent property:** Staff notes that the proposal is scaled to limit the effects on the surrounding properties. Furthermore, the project design creatively addresses connectivity with the Beltline, promotes useable open space, and includes live-work units, which helps to enhance the surrounding neighborhood with a mixed-use component.
- **Economic use of current zoning:** The site is currently under-utilized, so the proposed rezoning would allow a more economically positive use to the site and surrounding properties. In fact, a redevelopment would be expected to increase the economic value of the property.
- **Tree Preservation:** The applicant has stated their intent to comply with the City of Atlanta Tree Ordinance.

STAFF RECOMMENDATION: APPROVAL WITH CONDITIONS

1. The conceptual site plan titled "711 Catherine Street Mixed Use" prepared by "Shields Engineering Group" dated February 6, 2017, and marked received by the Office of Planning on February 28, 2017. None of these documents shall prohibit the full application of the C-2 zoning district, HC-20I SA1 regulations, or Beltline Overlay regulations nor prohibit the approval of amendments to the plan by the Director of the Office of Zoning and Development.

cc: Charletta Wilson Jacks, Director



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Office of Zoning & Development

MEMORANDUM

TO: Zoning Review Board

FROM: Keyetta M. Holmes, AICP, Zoning Administrator 

SUBJECT: Z-16-79 for 1824 Piedmont Avenue, N.E.

DATE: June 1, 2017 (*Deferred from January 12, 2017 & March 16, 2017 & Moved from February 23, 2017*)

The applicant seeks an ordinance to rezone from R-4 (Single Family Residential) District to the PD-H (Planned Development Housing) district with a Landmark Building/Site designation (LBS), for property located at 1824 Piedmont Avenue, N.E.

FINDINGS OF FACT:

- **Property location.** The subject property fronts approximately 224 feet on the west side of Piedmont Avenue at the northwest intersection of Piedmont Avenue and Montgomery Ferry Road. The property is located in Land Lots 50, 51, 56 and 57, 17th District, Fulton County, Georgia within the Piedmont Heights neighborhood of NPU-F in Council District 6.
- **Property size and physical features.** The subject property is approximately 3.5 acres currently developed with one primary and accessory structure. A cemetery lies to the north of building structures. Ingress and egress are provided by a single paved driveway in the middle of the property from Piedmont Avenue at the intersection Montgomery Ferry Road. The driveway leads to two parking lots in the rear of the primary building, Open green space makes up the southern portion of the property. A two story brick frame home and attached garage exist on the southern portion of the property. Topography varies throughout. The property has landscaped yards and is moderately wooded in some areas.
- **CDP land use map designation:** The current land use category for the site is Single-Family Residential in the 2016 Comprehensive Development Plan.
- **Current/past use of property:** Recent uses on the site is the Rock Spring Presbyterian Church for study and worship services. A preschool is operated out of the first and second floors of the south wing in the main structure to the rear of the sanctuary building. Staff is unaware of uses

for the Lauder milk building to the rear of the main structure. A cemetery is maintained adjacent to Piedmont Avenue and Rock Springs Road.

- **Surrounding zoning/land use:** The surrounding parcels are zoned R-4 (Single-family Residential) District with a Single-Family Residential land use designation to the north, south, and west, C-2 (Commercial Service) District with a Low-Density land use designation to the north and east.
- **Transportation system:** Piedmont Avenue is classified as a major arterial street and Montgomery Ferry Road is a major collector street. MARTA provides service via bus Route #27 within 0.3 miles of the site along Cheshire Bridge Road. Sidewalks are present along the east side of Piedmont Avenue and Montgomery Ferry Road but are discontinuous on the West side of Piedmont and Montgomery Ferry Road.

PROPOSAL:

This application seeks to rezone the site from the R-4 zoning to the PD-H/ LBS zoning to construct approximately 17 single-family attached residential units south of the Rock Springs Presbyterian Church.

Project Specifications:

Net Lot Area:	153,734 sq. ft. (3.53 acres)
Maximum F.A.R. allowed (residential & non-res.):	0.429 x 153,734 sq. ft. = 65,952 sq. ft.
Proposed F.A.R. (residential & non-res):	63,224 square feet (0.411)
Useable Open Space Required:	65,952 square feet (0.43)
Useable Open Space Provided:	67,914 square feet (0.44)
Residential & Non-Res. Parking Required:	68 spaces
Residential	20.4 (1.20 spaces per dwelling unit)
Pre-school	15 (1/600 sq. ft.)
Church & Auxiliary Bldg.	32 (1/300 sq. ft.)
Residential & Non-Res. Parking Provided:	81 spaces

CONCLUSIONS:

- (1) **Compatibility with comprehensive development plan (CDP); timing of development:**
The proposed zoning is consistent with the existing Single Family Residential land use designation. Therefore, a Comprehensive Development Plan (CDP) amendment is not required.
- (2) **Availability of and affect of public facilities and services; referral to other agencies:** Public utilities are currently available to the site. The Fulton County Department of Health and Wellness requires submittal of plans for review and approval. Permits are required for outside refuse containers and the pad and approach area for the refuse containers.
- (3) **Availability of other appropriate land zoned for proposed use; effect on balance of land uses with regard to the public need:** The zoning regulations indicate that this consideration is

optional. The applicant has not presented any evidence that they own other land in the area that is suitable for this development.

- (4) **Effect on character of the neighborhood:** Staff believes the proposed rezoning has the potential to add value to the character of the neighborhood. Single family homes currently exist in the Piedmont Heights neighborhood and the rezoning proposes the continuation of that land use. However, the character of surrounding communities is changing. Preserving the Rock Spring Presbyterian Church through designation as a Landmark Building/ Site (LBS) will help to maintain the character and historical context of this community for future generations. The LBS boundaries include all church buildings on the site with the exception of the residential house on the property.
- (5) **Suitability of proposed land use:** A change in land use is not necessary as the proposed use is allowed in the Single-family residential land use designation. The layout of the proposal would be an addition to the existing single-family residential use to the south and west of the proposed site.
- (6) **Effect on adjacent property:**
Long-range planning efforts, such as the Atlanta BeltLine Subarea 6 Master Plan anticipate increased residential density with recommendations to improve vehicular, bicycle and pedestrian mobility along Piedmont Avenue. Recommendations include the realignment of vehicular ingress and egress from the subject property to Montgomery Ferry Road at a right angle. The Renew Atlanta Bound project list has included street resurfacing and bicycle lanes on Montgomery Ferry Road. Finally, the TSPLOST project list includes improvements to the intersection at Montgomery Ferry Road and Piedmont for traffic calming. Consideration of the aforementioned mobility plans in site development will minimize adverse effects on adjacent properties.
- (7) **Economic use of current zoning:** The economic opportunity of the subject property is limited under the existing R-4 zoning designation. While the R-4 classification allows for the development of single-family detached homes it does not allow for single family attached dwellings. The PD-H zoning, however, does allow for attached single family homes. Attaching the homes will allow for a slight increase of density which in turn facilitates additional economic opportunity.
- (8) **Compatibility with policies related to tree preservation:** The proposed development will need to comply with the requirements of the City of Atlanta's Tree Ordinance.

STAFF RECOMMENDATION: APPROVAL, conditioned on the following:

1. Conceptually, the site shall be developed in accordance with the revised site plan titled "Rock Springs Presbyterian Church" for Hedgewood Homes" dated March 9, 2017, and stamped received by the Office of Planning on April 18, 2017. None of these documents shall prohibit the full application of the PD-H zoning district regulations nor prohibit the approval of amendments to the plan by the Director of the Office of Zoning and Development.
2. Development limited to seventeen (17) single-family homes.
3. The seventeen (17) single-family homes to be developed on the site shall be designed substantially in the form reflected on the Elevation Attachments to the site plan, stamped received by the Office of Zoning and Development on June 1, 2017.

Z-16-79 for 1824 Piedmont Avenue, N.E.

June 1, 2017

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4. The existing Rock Springs Presbyterian Church and the Stone Auxillary Building, as reflected on the Site Plan shall be designated as a Landmark Building/ Site pursuant to the City of Atlanta Landmark Preservation Ordinance.
5. Hedgewood Homes will work with the City of Atlanta to reconfigure and improve the Montgomery Ferry and Piedmont intersection.

cc: Charletta Wilson Jacks, Director



CITY OF ATLANTA

KASIM REED
MAYOR


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TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director
Office of Zoning & Development

MEMORANDUM

TO: Zoning Review Board

FROM: Keyetta M. Holmes, AICP, Zoning Administrator 

SUBJECT: Z-16-80 for 2059 Manchester Street, N.E.

DATE: June 1, 2017 (*Deferred from February 9, 2017, and April 13, 2017, & Moved from May 4, 2017*)

The applicant seeks an ordinance to rezone from **I-1-C (Light Industrial-Conditional) District** to the **MR-4B (Multifamily Residential) District**, for property located at **2059 Manchester Street, N.E.**

FINDINGS OF FACT:

- **Property location.** The subject property fronts approximately 65 feet on the east side of Manchester Street beginning 195 feet from the southeast corner of Liddell Drive. The property is located in Land Lot 50 of the 17th District of Fulton County, Georgia within the Morningside-Lenox Park neighborhood NPU-F in Council District 6.
- **Property size and physical features.** The subject property of approximately 0.4 acres of land is currently developed with an industrial structure. Lot topography is relatively level and several mature trees are located around the perimeter of the site.
- **CDP land use map designation:** The current land use category for the site is Low-Density Commercial (LDC) in the 2016 Comprehensive Development Plan.
- **Current/past use of property:** The property has been used as an industrial structure. Staff is unaware of any other prior uses for the property.
- **Surrounding zoning/land use:** The surrounding parcels are zoned MR-4B (Multifamily Residential, Sector 4B-Conditional) District with a Low Density Commercial land use designation to the north, MRC-2-C (Mixed Residential Commercial) District with a Medium Density Mixed Use land use designation to the west, and I-1 (Light Industrial) District with a Industrial land use designation to the east.

- **Transportation system:** Manchester Street is classified as a local street. MARTA provides service by bus with route #27 within 0.25 miles of the site along Cheshire Bridge Road. Sidewalks are present along the west side of Manchester Street.

PROPOSAL:

This application seeks to rezone the site from the I-1 zoning to the MR-4B zoning to construct approximately 18,218 square feet multifamily residential development with 4 attached residential units and 5 detached single-family homes. The proposed development is phase III of a multifamily residential development to the north.

Project Specifications:

Net Lot Area:	18,531 sq. ft. (0.423 acres)
Maximum F.A.R. allowed (residential):	1.49 x 18,531 sq. ft. = 27,611 sq. ft.
Proposed F.A.R. (residential):	18,218 square feet (0.983)
Useable Open Space Required:	7,412 square feet (0.40)
Useable Open Space Provided:	7,548 square feet (0.41)
Parking Required:	7.65 spaces (0.85 spaces per dwelling unit)
Parking Provided:	17 spaces

CONCLUSIONS:

- (1) **Compatibility with comprehensive development plan (CDP); timing of development:**
The proposed development is consistent with the existing Low-Density Commercial land use designation. Therefore, a Comprehensive Development Plan (CDP) amendment is not required.
- (2) **Availability of and affect of public facilities and services; referral to other agencies:** The location of the site and surrounding uses indicate there are public facilities and services available to the subject property. The Fulton County Department of Health and Wellness requires submittal of plans for review and approval and must obtain permits for the pool, outside refuse containers, and the pad and approach area for the refuse containers.
- (3) **Availability of other appropriate land zoned for proposed use; effect on balance of land uses with regard to the public need:** The zoning regulations indicate that this consideration is optional. The applicant has not presented any evidence that they own other land in the area that is suitable for this development. There is no negative impact on the balance of land uses.
- (4) **Effect on character of the neighborhood:** Staff is of the opinion that the proposed rezoning would have a positive impact on the neighborhood's character. The proposed development will allow for the creation of a multifamily residential land use which may benefit the commercial development to the south along Cheshire Bridge Road and provide an adequate transition into the residential land uses to the north. The development would also improve the overall visual appearance of the area and improve pedestrian infrastructure while being an adequate multifamily addition to the existing multifamily residential development on the adjacent property to the north.

Additionally, Staff considers this proposal as an improvement over the existing conditions of the site.

- (5) **Suitability of proposed land use:** Staff finds a change in the land use is not necessary and the proposed development is allowed in the Low-Density Commercial land use designation. The layout of the proposal would be an addition to the existing multifamily residential use to the north of the proposed site.
- (6) **Effect on adjacent property:** Staff finds that the proposed development would not adversely affect the adjacent properties. The site is surrounded by land zoned for mixed residential commercial to the west, industrial to the south and east, and multifamily residential development to the north.
- (7) **Economic use of current zoning:** The subject property has limited economic use under the existing I-1 zoning designation. The proposed development would provide a more effective economic use of the subject property for the purpose of redeveloping into a multifamily residential development.
- (8) **Compatibility with policies related to tree preservation:** The proposed development will need to comply with the requirements of the City of Atlanta's Tree Ordinance.

STAFF RECOMMENDATION: APPROVAL, conditioned on the following:

1. Conceptually, the site shall be developed in accordance with the revised site plan titled "Manchester Street Phase III for Hedgewood Homes" dated January 4, 2017, and stamped received by the Office of Planning on January 9, 2017. None of these documents shall prohibit the full application of the MR-4B zoning district regulations nor prohibit the approval of amendments to the plan by the Director of the Office of Zoning and Development.

cc: Charletta Wilson Jacks, Director



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TIM KEANE
Commissioner

CHARLETTA WILSON JACK:
Director
Office of Zoning and
Development

KASIM REED
MAYOR

MEMORANDUM

TO: Zoning Review Board

FROM: Keyetta Holmes, AICP, Zoning Administrator 

SUBJECT: Z-17-003 Arts and Entertainment Overlay District

DATE: May 4, 2017 (*Deferred from March 16, 2017*)

An Ordinance to amend Part 16 of the Land Development Code of the 1982 Zoning Ordinance of the City of Atlanta, as amended, so as to amend Chapter 28A (The Sign Ordinance of the City of Atlanta) to create a new sign overlay district entitled “Arts and Entertainment District”; to codify regulations governing said district as section 16-28Z.010(53); to amend the official zoning map to delineate the boundaries of said overlay district management and permitting; to require annual safety inspection of signs permitted under the arts and entertainment sign program; and for other purposes.

FINDINGS OF FACT:

Many cities have created districts where enhanced interaction between streets, sidewalks, and public spaces are expressed through permissible signs that emphasize the unique character of the buildings in an area where large facades and special use buildings such as sports arenas present special opportunities to create and define a “district identity.”

PROPOSAL:

The proposal is to create a new Sign Overlay District entitled, Arts and Entertainment District; to establish regulations governing said overlay district and to require annual reporting on the district management and permitting; to require annual safety inspection of signs permitted under the Arts and Entertainment sign program and for other purposes.

Statement of Intent

The intent of the proposed Ordinance is to enhance the general streetscape in a newly created Arts and Entertainment District which allows additional opportunities for signage permitted by the proposed regulations and pursuant to a cooperative agreement with the Atlanta Downtown

Improvement District (ADID). The cooperative agreement with ADID would allow for potential sponsors and organizers of large-scale events, conventions and other activities at major entertainment venues to deal with a single entity for the application and permitting process.

The creation of the Arts and Entertainment Sign Overlay District facilitates the potential generation of additional employment opportunities and tax revenues for the City by way of making the downtown area a more attractive location for major entertainment events. In its role as a service provider, the ADID will provide an annual written report of the District, including economic development generated by the District, management activities and supplemental signage permitted as authorized in the proposed Ordinance.

District Boundaries

The boundaries of the Arts and Entertainment District shall be based on the attached map. Several north, south, east and west collector streets form the district boundaries including Ivan Allen Jr. Boulevard to the north, Northside Drive to the west, Garnett and Mitchell Streets to the south, Central Avenue, Courtland and Piedmont Avenue to the east within the boundaries of NPUs L, M and T. See Attachment "A" for the District Boundary Map.

General Regulations

All buildings, structures or sites within the District shall be subject to the existing zoning, land use and sign regulations already applicable to parcels within the boundaries of the District. Only applications received from the ADID, as the permit applicant, shall be accepted for consideration under the proposed regulations.

Part of the proposed ordinance includes the adoption of *The Sign Plan*, which operates to carry out the economic development purpose associated with the proposed ordinance although to encourage an inventive approach, a sign type or design does not have to be in the Sign Plan. There are eleven evaluative criterion associated with *The Sign Plan* and two regulative measures. Some of the criteria *The Sign Plan* will address through subsequent applications are as follows:

- aesthetic and architectural compatibility
- ability to enliven building facades
- ability to direct attention to street level architecture
- provide visual interest during nighttime hours

Additional regulations imposed by the ordinance cap the number of authorized sign locations throughout the district and call for annual inspections and reporting.

Permitted Principal Uses and Structures

The proposed regulations are intended to supplement and overlay upon the existing zoning and sign regulations already in place for parcels within the boundaries of the District. The proposed regulations shall have no effect upon the entitlement given by other applicable parts of the zoning and sign ordinances as they exist. Furthermore, the regulations set forth in the proposed ordinance shall continue to apply when the existing underlying zoning is changed unless a specific condition associated with a specific parcel requires otherwise.

Lot Controls and Building Heights

The sign regulations will build on the work begun by the creation of the custom zoning regulations for the Downtown Special Public Interest District and other underlying zoning classifications within the new Overlay District. These sign regulations do not alter existing sign entitlements but rather allow for supplemental signage to promote the common goal of developing an identity for downtown Atlanta as an “Arts and Entertainment District.”

Design Standards

There are additional standards for Signs in Landmark and Historic areas. When applicable, the ADID shall also submit applications to the urban design commission which shall apply the criteria set forth in Section 16-28A.007 (v) in addition to the applicable criteria for certificates of appropriateness specified in Chapter 20 of the Zoning Code.

Land Use

All buildings, structures or sites within the District shall be subject to the existing zoning, land use and sign regulations already applicable to parcels within the boundaries of the District.

CONCLUSIONS:

Compatibility with Comprehensive Development Plan (CDP); timing of development:

Staff finds that there are no known public projects or programs with which the timing of the designation of the Arts and Entertainment District would conflict. In fact, the proposal compliments the City of Atlanta’s Comprehensive Development Plan by focusing on place making. The overlay District can help to develop a sense of place, unified look and feel for the downtown area.

Availability of and effect on public facilities and services; referrals to other agencies: The designation of the Arts and Entertainment Sign Overlay District should have no effect on public facilities or services.

Availability of other appropriate land zoned for proposed use; effect on balance of land uses with regard to the public need (optional consideration as per 16-27.004 (3): The Arts and Entertainment Sign Overlay District represents a specific area. No other land is subject to the specific regulations or is considered for inclusion in the Arts and Entertainment Sign Overlay District. The Staff finds that the designation of Arts and Entertainment Sign Overlay District is not expected to impact other land uses with regard to the public need.

Effect on character of the neighborhood:

The designation of the Arts and Entertainment Sign Overlay District and subsequent regulations would promote a more vibrant and distinctive look and feel for the downtown area. The management of subsequent signage applications through the ADID will protect the public interest and balance commercial and economic initiatives with the need to keep downtown aesthetically pleasing, safe for pedestrians and all modes of vehicular traffic and respectful of the interests of residents as well as businesses.

Suitability of proposed land use: The original proposed boundaries of the District optimize the most suitable land area for additional signage allowed in this proposal. A majority of the area within the proposed district boundaries is zoned for the Downtown Special Interest District or SPI1. The SPI1 is compatible with future Land Use designations for High-Density Commercial, Mixed Use, and Industrial. The areas south of Ivan Allen Jr. Boulevard, east of Northside Drive and West of Centennial Olympic Park Drive have the highest concentration of arts and entertainment venues in the Special Interest District. Additionally, the allowable uses of properties within the Arts and Entertainment District would remain the same as their current allowed uses.

Effect on adjacent property: The Arts and Entertainment Sign Overlay District is intended to have a stabilizing effect on the land uses and properties within the district. The proposal further promotes the potential to revitalize pedestrian-oriented buildings and create a sense of activity and liveliness along streetscapes. Staff does not anticipate that properties adjacent to these boundaries would be negatively impacted because the boundaries of the district are clearly defined.

Economic use of current zoning: There is a mix of 9 different zoning categories within the proposed overlay district. Current zoning categories include: SPI1-SA1 (Downtown Special Interest District Subarea 1- Downtown Core), SPI1-SA5 (Downtown Special Interest District Subarea 5- Centennial Olympic Park), SPI1-SA6 (Downtown Special Interest District Subarea 6- Terminus), SPI11-SA12 (Vine City and Ashby Station Special Public Interest District – Northside Mixed Use Subarea), SPI11-SA8 (Vine City and Ashby Station Special Public Interest District Subarea 8 – Vine City Multi-Family Residential Subarea), RG-4 (Residential General District), MRC-3-C (Mixed Residential Commercial-Conditional District), MRC-2-C (Mixed Residential Commercial-Conditional District) and I-2 (Heavy Industrial District). Staff does not anticipate that the approval of the Arts and Entertainment Sign Overlay District will have any negative economic impacts on the economic use of the land. In fact, the creation of the sign ordinance regulations can expand the economic base of the City, by providing additional employment opportunities and additional revenues to the City and the region by making the District more attractive in ways that can increase tourism and attract conventions.

Compatibility with policies related to tree preservation: Staff finds that designation of the Arts and Entertainment Sign Overlay District will have no impact on policies related to tree preservation.

Other considerations:

The intent of the Arts and Entertainment Sign Overlay District is to allow for supplemental signage to promote the common goal of developing an identity for downtown and promoting economic development. Staff finds that the largest version of the Overlay District, outlined in the original map, is optimal because it contains parcels of land that have a current and future land uses compatible with large scale Arts and Entertainment events. Places like the Underground, Georgia Aquarium, the World of Coca-Cola, Mercedes-Benz Dome, Philips Arena, and the Georgia World Congress Center are major venues that play host to a number of Arts and Entertainment events and should be included in the proposed District. The proposed Overlay District may encourage the development of specific plans that will allow for large-scale sporting events, major conventions, and activities at major entertainment venues to consider the City of Atlanta first when choosing a location for their next major event.

Z-17-003 Arts and Entertainment District
May 4, 2017
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STAFF RECOMMENDATION: APPROVAL OF A SUBSTITUTE ORDINANCE

cc: Charletta Wilson Jacks, Director