



**AN ORDINANCE BY
COUNCILMEMBER JOYCE SHEPERD
AS SUBSTITUTED BY
ZONING COMMITTEE**

**AN AMENDED ORDINANCE TO REZONE CERTAIN PROPERTIES ALONG
A PORTION OF THE METROPOLITAN PARKWAY CORRIDOR
(PERKERSON NEIGHBORHOOD – BETWEEN CLEVELAND AVENUE AND
LAKEWOOD AVENUE) FROM THE C-1, C-2 AND C-2-C TO MRC-2-C (MIXED
RESIDENTIAL COMMERCIAL – CONDITIONAL) IN WHICH TO
IMPLEMENT RECOMMENDATIONS OF VARIOUS PLANS AND STUDIES,
INCLUDING THE LAKEWOOD LIVABLE CENTERS INITIATIVE AND FOR
OTHER PURPOSES.**

WHEREAS, the Lakewood Livable Centers Initiative has many locational advantages that should be leveraged in order to enhance its quality of life and its geographic area which has been included in several plans including the NPU X Comprehensive Plan and the Metropolitan Parkway Redevelopment Plan; and

WHEREAS, the Lakewood Livable Centers Initiative was a collaborative effort between the Perkerson neighborhood, the Office of Councilmember Joyce Shepherd and the City of Atlanta and was completed in September 2013; and

WHEREAS, the initiative provided various strategies and recommendations including the rezoning of certain parcels along the Metropolitan Parkway corridor through the Perkerson neighborhood to improve the urban design aesthetic of the street and to begin to change the balances of uses in the area that currently define the area; and

WHEREAS, several discussions with residents, property owners and other stakeholders have been held to develop specific strategies and recommendations to address land use, zoning, urban design, transportation and the environment in order to promote quality growth and improve transportation while protecting adjacent existing residential neighborhoods; and

WHEREAS, the official zoning maps should be amended to include the properties within as described in this document and shown on Attachments “A and B.”

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY
ORDAINS, as follows:**

SECTION 1: That the 1982 City of Atlanta Zoning Ordinance be amended and the official zoning maps established in connection therewith be changed to include the properties located along the Metropolitan Parkway corridor with the designations as shown on “Attachment ‘A’” and “Attachment ‘B’”



SECTION 2: This amendment is approved under the provisions of Section 16-02.003 of the City of Atlanta Zoning Ordinance, entitled “Conditional Zoning,” as identified with the use of the suffix “C” after the district designation. The Director of the Office of Buildings shall issue building permits for the development of the properties with said “Conditional Zoning” designation only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any zoning district regulations. The conditions are as follows:

Permitted principal uses and structures.

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

- a. Banks, savings and loan associations, and similar financial institutions.
- b. Barber shops, beauty shops, manicure shops and similar personal service establishments, with each establishment separated a minimum distance of 1,000 feet from another personal service establishment use.
- c. Business or commercial schools.
- d. Childcare centers, kindergartens and special schools.
- e. Commercial greenhouses.
- f.
- g. Institutions of higher learning, including colleges and universities.
- h. Laundry and dry-cleaning stores or establishments except where any on-site treatment would occur and where customers operate equipment.
- i. Mixed-use storage facility having less than 100,000 square feet of total floor area of storage use.
- j. Mortuary and funeral homes.
- k. Nursing homes and convalescent centers.
- l. Offices, studios, clinics (including veterinary), laboratories and similar uses, but not blood donor stations except at hospitals.
- m. Plumbing, air conditioning service and repair.
- n. Photocopying or blueprinting shops.
- o. Professional or service establishments.
- p. Public schools or private schools having similar academic curricula and special schools for exceptional children.
- q. 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.
- r. Retail establishments.
- s. Sales and repair establishments for home appliances, bicycles, lawn mowers, shoes, clocks and similar household goods.
- t. Single-family, two-family and multi-family dwellings.
- u. Tailoring, custom dressmaking, millinery and similar establishments.
- v. Urban gardens.

Special use permit.



2. Notwithstanding anything to the contrary in City Code Sec. 16-34.005 or .007(1), the following uses are permissible only by additional special permits and subject to the applicable procedures and requirements set forth in Section 16-25.001.

- a. Churches, synagogues, temples, mosques and other religious worship facilities.
- b. Clubs and lodges.
- c. Commercial recreation establishments to only include dance and performing arts studios, and theaters conducted within fully enclosed buildings.
- d. Community centers and similar establishments, when not owned by a governmental agency.
- e. Dormitories, fraternity houses and sorority houses.
- f. Museums, art galleries, libraries, and similar profit or non-profit cultural facilities.
- g. Studios including dance, performing arts, theaters and similar uses.
- h. Hospitals.
- i. Transfer of development rights. Transfer of development rights is permissible provided each of the following criteria are met in addition to those set forth in section 16-28.023:
 - i. The donor parcel must be either National Register listed, National Register eligible or property designated under the city's historic preservation ordinance;
 - ii. The transfer documents must ensure that the historic property shall remain in perpetuity; and
 - iii. If the historic property is not designated under the city's historic preservation ordinance at the time of transfer, it must be so designated prior to issuance of any building permit for the receiving property if said permit involves, in any way, the transferred development rights.

(See section 16-28.023 for further requirements of the Transfer of development rights process.)

Prohibited Uses.

3. Notwithstanding anything to the contrary in City Code Sec. 16-34.005 or .007(1), the following uses are prohibited in this district:

- a. Automobile service stations, battery exchange stations, car washes.
- b. Bingo parlors.
- c. Broadcasting towers and line-of-sight relay devices for telephonic, radio or television communications greater than 70 feet in height.
- d. Digital industry switchboards, power generators and other relay equipment and rooms housing.
- e. Group homes, congregate care homes, personal care homes, assisted living facilities and rehabilitation centers.
- f. Helicopter landing facilities or pickup or delivery stations.
- g. Hotels.
- h. Massage parlors.
- i. New and used car sales, including other motorized vehicles such as mopeds and motorcycles.
- j. 90 days or more duration: Outdoor amusement enterprises, exhibits, entertainment, meetings, displays or sales areas, or outdoor areas for religious ceremonies.
- k. Park-for-hire parking decks.
- l. Park-for-hire surface parking lots.
- m. Poolrooms, billiard parlors, amusement arcades.



- n. Repair garages, paint and body shops.
- o. Rooming houses and boardinghouses.
- p. Shelter.
- q. Single room occupancy residence.
- r. 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.
- s. Supportive housing.
- t. Tattoo parlors.
- u. Truck stops.

A true copy,

A handwritten signature in black ink, appearing to be "K. Reed", is written over the text "A true copy," and extends across the line "Deputy Clerk".

Deputy Clerk

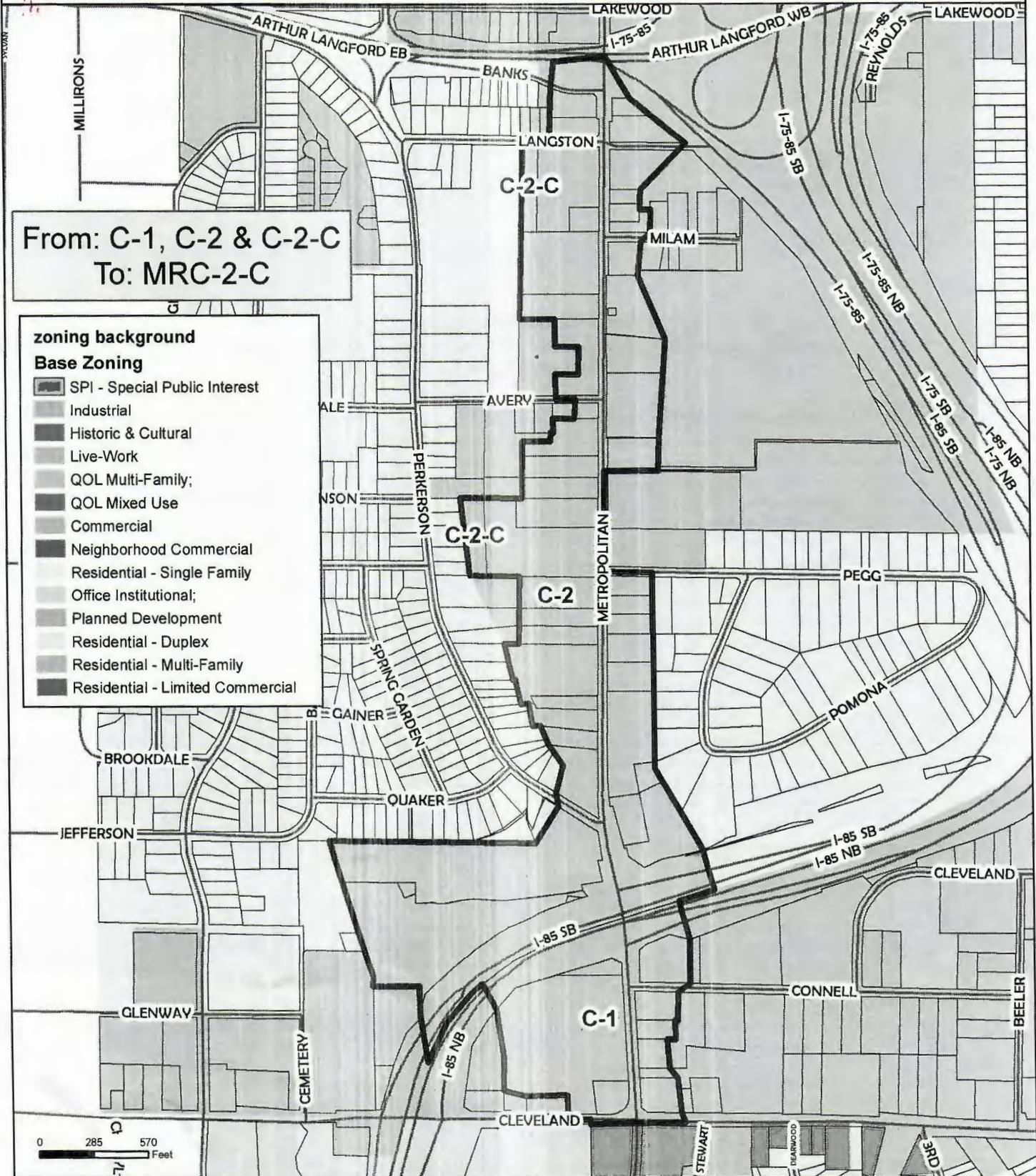
ADOPTED by the Atlanta City Council
APPROVED by Mayor Kasim Reed

APR 17, 2017
APR 20, 2017



Perkerson Neighborhood Rezoning

Along Metropolitan Parkway SW from
Cleveland Avenue to Lakewood Avenue



From: C-1, C-2 & C-2-C
To: MRC-2-C

zoning background

Base Zoning

- SPI - Special Public Interest
- Industrial
- Historic & Cultural
- Live-Work
- QOL Multi-Family;
- QOL Mixed Use
- Commercial
- Neighborhood Commercial
- Residential - Single Family
- Office Institutional;
- Planned Development
- Residential - Duplex
- Residential - Multi-Family
- Residential - Limited Commercial

THIS MAP IS PROVIDED AS A PUBLIC SERVICE

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City of Atlanta
 Department of Planning and Community Development

notes

Attachment 'A'

COORDINATE SYSTEM	NAD 1983 STATE PLANE GEORGIA WEST
MAP UNITS	U.S. SURVEY FEET
DATE	2/16/2017
AUTHOR	
REQUEST #	
MAP SCALE	1:8,536 1 in = 711 ft



RCS# 2765
4/17/17
5:09 PM

Atlanta City Council

16-O-1702

REZONE PORTION OF METROPOLITAN PKWY
Z-16-89;BETWEEN CLEVELAND & LAKEWOOD
ADOPT ON SUB

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Bond
Y Hall	Y Wan	Y Martin	NV Norwood
Y Young	Y Shook	Y Bottoms	Y Dickens
Y Winslow	Y Adrean	Y Sheperd	NV Mitchell

16-O-1702



Perkerson Neighborhood Rezoning
(Along Metropolitan Parkway, S.W. from Cleveland Avenue to Lakewood Avenue)
ATTACHMENT 'B'

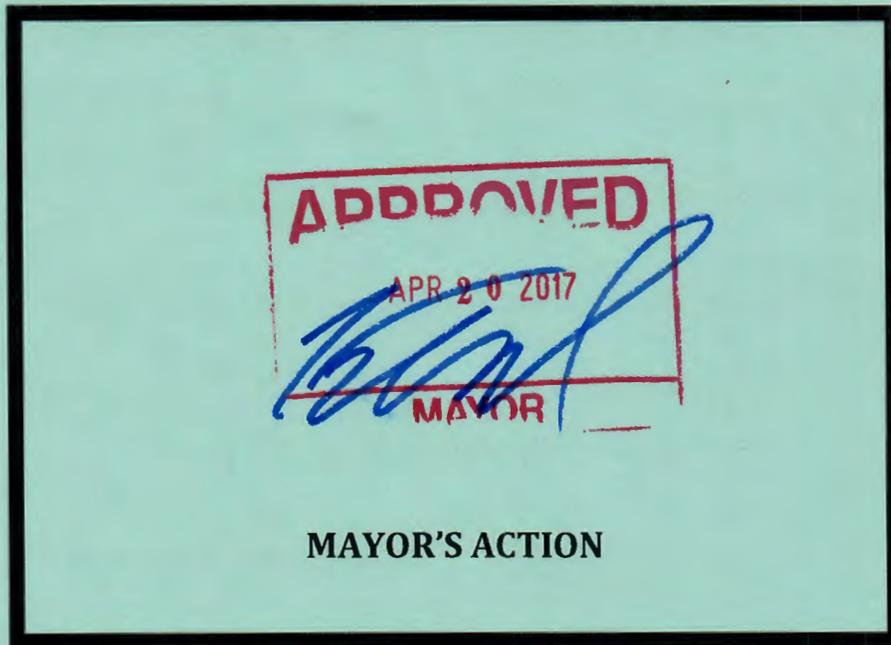
ID No.	Address	Street Name	Parcel Identification No.	Existing Zoning	Proposed Zoning
1	2701	Metropolitan Parkway, S.W.	14 01010000040	C-1	MRC-2-C
2	2685	Metropolitan Parkway, S.W.	14 01010000043	C-1	MRC-2-C
3	0	Metropolitan Parkway, S.W.	14 01010000032	C-1	MRC-2-C
4	2690	Metropolitan Parkway, S.W.	14 00920003058	C-1	MRC-2-C
5	0	Metropolitan Parkway, S.W.	14 00920003071	C-1	MRC-2-C
6	2644	Metropolitan Parkway, S.W.	14 00920003065	C-1	MRC-2-C
7	2642	Metropolitan Parkway, S.W.	14 00920003073	C-1	MRC-2-C
8	2640	Metropolitan Parkway, S.W.	14 00920003074	C-1	MRC-2-C
9	2608	Metropolitan Parkway, S.W.	14 00920003053	C-1	MRC-2-C
10	2555	Metropolitan Parkway, S.W.	14 01010000031	C-2	MRC-2-C
11	2521	Metropolitan Parkway, S.W.	14 01010002029	C-2	MRC-2-C
12	0	Metropolitan Parkway, S.W.	14 01010002014	C-2	MRC-2-C
13	2477	Metropolitan Parkway, S.W.	14 01010002025	C-2	MRC-2-C
14	2473	Metropolitan Parkway, S.W.	14 01010002016	C-2	MRC-2-C
15	2461	Metropolitan Parkway, S.W.	14 01010001012	C-2	MRC-2-C
16	2461	Metropolitan Parkway, S.W.	14 01010001013	C-2	MRC-2-C
17	0	Metropolitan Parkway, S.W.	14 01010001014	C-2	MRC-2-C
18	2449	Metropolitan Parkway, S.W.	14 01010001003	C-2	MRC-2-C
19	2393	Metropolitan Parkway, S.W.	14 01020007034	C-2	MRC-2-C
20	2393	Metropolitan Parkway, S.W.	14 01020007034	C-2-C	MRC-2-C
21	2375	Metropolitan Parkway, S.W.	14 01020007029	C-2	MRC-2-C
22	2353	Metropolitan Parkway, S.W.	14 01020007041	C-2	MRC-2-C
23	2333	Metropolitan Parkway, S.W.	14 01020007043	C-2	MRC-2-C
24	0	Metropolitan Parkway, S.W.	14 01020007005	C-2	MRC-2-C
25	2285	Metropolitan Parkway, S.W.	14 01020006031	C-2	MRC-2-C
26	2265	Metropolitan Parkway, S.W.	14 01020006029	C-2	MRC-2-C
27	2263	Metropolitan Parkway, S.W.	14 01020006030	C-2	MRC-2-C
28	2175	Metropolitan Parkway, S.W.	14 01020006028	C-2	MRC-2-C
29	2165	Metropolitan Parkway, S.W.	14 01020006027	C-2	MRC-2-C
30	2153	Metropolitan Parkway, S.W.	14 01020001050	C-2	MRC-2-C
31	2151	Metropolitan Parkway, S.W.	14 01020001034	C-2	MRC-2-C
32	2107	Metropolitan Parkway, S.W.	14 01020001046	C-1	MRC-2-C
33	2546	Metropolitan Parkway, S.W.	14 00920001068	C-2	MRC-2-C
34	2536	Metropolitan Parkway, S.W.	14 00920001067	C-2	MRC-2-C
35	2508	Metropolitan Parkway, S.W.	14 00920001072	C-2	MRC-2-C
36	2464	Metropolitan Parkway, S.W.	14 00920001005	C-2	MRC-2-C
37	2440	Metropolitan Parkway, S.W.	14 00920001058	C-2	MRC-2-C
38	2430	Metropolitan Parkway, S.W.	14 00920001003	C-2	MRC-2-C
39	2420	Metropolitan Parkway, S.W.	14 00920001002	C-2	MRC-2-C
40	2410	Metropolitan Parkway, S.W.	14 00920001001	C-2	MRC-2-C
41	2338	Metropolitan Parkway, S.W.	14 00910000061	C-2	MRC-2-C
42	2244	Metropolitan Parkway, S.W.	14 00910002067	C-2	MRC-2-C
43	2280	Metropolitan Parkway, S.W.	14 00910002056	C-2	MRC-2-C
44	2244	Metropolitan Parkway, S.W.	14 00910002067	C-2	MRC-2-C
45	2224	Metropolitan Parkway, S.W.	14 00910002070	C-2	MRC-2-C
46	2214	Metropolitan Parkway, S.W.	14 00910002054	C-2	MRC-2-C
47	2208	Metropolitan Parkway, S.W.	14 00910002002	C-2	MRC-2-C
48	2202	Metropolitan Parkway, S.W.	14 00910002001	C-2	MRC-2-C
49	2160	Metropolitan Parkway, S.W.	14 00910002071	C-2	MRC-2-C
50	0	Metropolitan Parkway, S.W.	14 00910001063	C-2	MRC-2-C
51	2150	Metropolitan Parkway, S.W.	14 00910001062	C-2	MRC-2-C
52	2100	Metropolitan Parkway, S.W.	14 00910001061	C-2	MRC-2-C

MAYOR'S ACTION AUTHENTICATION PAGE



16-O-1702

**Adopted by the Atlanta City Council
April 17, 2017**



MAYOR'S ACTION