



## CITY OF ATLANTA

**KEISHA LANCE BOTTOMS**  
MAYOR


DEPARTMENT OF CITY PLANNING  
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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-16-79 for 1824 Piedmont Avenue, N.E.

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**DATE:** January 11, 2018

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, for property located at **1824 Piedmont Avenue, N.E.**

The applicant has requested deferral for 30 days for additional time to work with the church seeking Landmark Designation. Staff is supportive of this request.

**STAFF RECOMMENDATION: 60-DAY DEFERRAL-MARCH 2018**

cc: Charletta Wilson Jacks, Director



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Director  
Office of Zoning and Development

### MEMORANDUM

**TO:** Zoning Review Board

**FROM:** Keyetta M. Holmes, AICP, Zoning Administrator *KMH*

**SUBJECT:** Z-17-54 for 87, 91 and 99 West Paces Ferry Road, N.W., and 3188, 3198 and 3202 Paces Ferry Place, N.W.

**DATE:** January 11, 2018

An Ordinance by Zoning Committee to rezone from SPI-9 SA 2 (Buckhead Village Special Public Interest District - Subarea 2) and SPI-9 SA 3 (Buckhead Village Special Public Interest District - Subarea 3) to SPI-9 SA 2 (Buckhead Village Special Public Interest District - Subarea 2) property located at 87, 91 and 99 West Paces Ferry Road, N.W., and 3188, 3198 and 3202 Paces Ferry Place, N.W.

#### FINDINGS OF FACT:

- **Property Location:** The subject property includes six (6) parcels located at the northwest intersection of West Paces Ferry Road and Paces Ferry Place fronting approximately 326.45 feet on the north side of West Paces Ferry Road, N.W. and fronting 50 feet on the west side of Paces Ferry Place, N.W. The property is located in Land Lot 99 of the 17<sup>th</sup> District of Fulton County, Georgia in the South Tuxedo Park neighborhood of NPU-B, Council District 8.
- **Property Size and Physical Features:** The subject site is approximately 3.22 acres and consists of six (6) parcels. The site is currently developed with eleven (11) structures ranging from one (1) to two (2) stories in height. Accessory parking lots are located between the buildings and are accessible from several curb cuts along West Paces Ferry Road and Paces Ferry Place. Although there is limited landscaping some mature trees are found on the site within the small lawns and parking areas. The lot topography varies with multiple grade changes across the site.
- **CDP Land Use Map Designation:** The current land use category for the site is Low-Density Commercial. The proposed rezoning to the SPI-9 Subarea 2 zoning classification would require a land use amendment.

- **Current/Past Use of Property:** The property is currently developed with eleven (11) primary structures, which appear to have previously been two (2) single-family residential structures, six (6) multifamily residential structures, and three (3) commercial structures, however the former residential structures currently are used for a variety of both residential and commercial uses including offices, retail, and personal services.
- **Surrounding Zoning/Land Uses:** The subject site and surrounding parcels are zoned SPI-9, SA2 and SPI-9 SA3 with a High-Density Commercial land use designation to the east, SPI-9 SA2 with a Mixed Use land use designation to the south, and SPI-9 SA3 with a Low-Density Commercial land use designation to the north. Uses in the area are characterized by both residential and commercial uses including restaurants, offices, hotels, retail, personal services, studios and auto sales, among others.
- **Transportation System:** West Paces Ferry Road is classified as an arterial street, and Paces Ferry Place, is classified as a local street. MARTA services the immediate area via bus with route #110 along Peachtree Road. Sidewalks are consistently provided along sides of West Paces Ferry Road and Paces Ferry Place.

#### **PROPOSAL:**

The applicant requests to rezone from the SPI-9 SA2 (Buckhead Village Special Public Interest District -Subarea 2) and SPI-9 SA3 (Buckhead Village Special Public Interest District – Subarea 3) to the SPI-9 SA2 (Buckhead Village Special Public Interest District -Subarea 2) for a change in the base density permitted on the site from 0.848 and 2.696 to a base density of 2.256 on all of the parcels included in the site, a removal of the 2010 conditions associated with Z-09-15 (10-O-0043), and an amendment to the SPI-9 Map Attachment A reflecting the proposed base density on the site. This proposal seeks to both delete the previous zoning conditions and the new proposed base density to construct a 150 feet-tall, new development with a maximum total floor area of approximately 699,815 square feet with 750 parking spaces. The applicant also specified the development would either be approximately 683,815 square feet of residential (525 units) with approximately 20,000 square feet of total floor area for retail and/or restaurant space or a 699,815 square feet development with approximately 525 residential units, a 250-room 225,000-square foot hotel, and 20,000 square feet total floor area for restaurant and/or retail space.

#### **Development Specifications:**

Net Lot Area:	3.22 acres (140,613 square feet)
Gross Lot Area:	3.71 acres (161,905 square feet)
F.A.R. Proposed:	4.548 (by combining the base densities allowed across the consolidated property with bonuses)
Building Height Max Allowed:	300' feet
Building Height Proposed:	150' feet
Useable Open Space Required:	28,122 square feet
Useable Open Space Proposed:	28,122 square feet
Parking Proposed:	750 spaces

## CONCLUSIONS:

1. **Compatibility with comprehensive development plan (CDP); timing of development:**  
The proposed development and change of conditions are consistent with the existing low density commercial land use designation therefore a change to the CDP is not required. There are no known public projects or programs with which the timing of the project would conflict. Therefore, Staff notes that it is not applicable.
2. **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.
3. **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, although there appears to be land located in proximity to the site that would support the proposed mixed-use predominately multi-family residential use, Staff is of the opinion that this proposal to rezone and make FAR changes is reasonable in that would not change the balance of land uses in the area.
4. **Effect on character of the neighborhood:** Staff finds that the proposed mixed-use development provides an additional opportunity for retail and residential uses in the Buckhead Village. This is consistent with the intent of the SPI-9 district which recommends new development at a cohesive scale and character contributing to the Buckhead Village neighborhood revitalization. The scale of the building as a midrise mixed-use building is not expected to have a negative effect because the site is located in proximity of other similarly sized buildings in the area. 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.
5. **Suitability of proposed land use:** There would be no change in land use necessary and the proposed uses including residential and retail are allowed in SPI-9, Subarea 2. Therefore, Staff notes that it is not applicable concerning the proposed legislation.
6. **Effect on adjacent property:** Although Staff notes that the proposal is larger in scale than adjacent buildings it would not be expected to negatively impact adjacent properties. Buffering and screening requirements appear to be met for the both the building and its parking structure. Further, upon development the proposed building will be required to meet applicable height requirements.
7. **Economic use of current zoning:** Staff is of the opinion that the proposed rezoning, deletion of conditions, and blending of densities would not negatively affect economic use. In fact, consolidation of these parcels into a uniform development would be expected to increase the economic value of the property.
8. **Tree Preservation:** It is the applicant's stated intent to comply with the City of Atlanta Tree Ordinance.

9. **Other Considerations:** Staff feels the rezoning and deletion of conditions, and blending of previously allocated densities are reasonable in that they are consistent with the intent of the SPI-9 district for new development at a scale and character contributing to the Buckhead Village neighborhood revitalization. Without it only non-uniform disparate development could occur. Separately and procedurally if this Z-17-54 application were approved an update of the SPI-9 'Map Attachment' is necessary to update the maximum floor area ratios (FARs), as cross referenced in the table found in Sec. 16-181.012.

**STAFF RECOMMENDATION: APPROVAL WITH CONDITIONS**

1. The maximum number of parking spaces provided in the development shall be 750 parking spaces.
2. At least one level of the parking deck shall be van pool accessible.
3. Developer shall provide the maximum of either (a) 25 bicycle parking spaces or (b) the number of bicycle parking spaces required by the City of Atlanta, whichever is greater. These spaces shall be located as close as practicable to the building while, in the developer's sole discretion, maintaining the architectural integrity of the building and its landscaping and hardscaping schemes.
4. All dumpsters shall be screened from public rights-of-way.
5. Any public commercial dry-cleaning facilities shall be a collection facility only and shall not contain dry cleaning equipment except for laundry/dry cleaning facilities within the hotel and/or residential portions of the development and solely serving the hotel and/or residential uses in the development.
6. Prior to the beginning of demolition, a demolition management plan for demolition traffic will be prepared and will be delivered to the Development and Transportation Chair of NPU-B and to the Director of the Office of Zoning and Development for review. Likewise, prior to the beginning of construction, a construction management plan for construction traffic will be prepared and will be delivered to the Development and Transportation Chair of NPU-B and to the Director of the Office of Zoning and Development for review. Evidence of compliance with this condition shall be provided in writing to the Office of Zoning and Development prior to issuance of a Special Administrative Permit.
7. These conditions of zoning shall be binding upon all successors and assigns of the developer. The subdivision, sale, or partition of all or any part of this property shall not alter the obligation of all owners of the property to comply with these conditions of zoning. Developer will not request any administrative amendment without providing evidence that notice of such request has been given to the Chair of the Zoning Committee of NPU-B which seeks to:
  - (a). increase the square footage of any building or the number and/or location of parking spaces;

- (b). change any of the uses or location of said uses specified;
  - (c). decrease any required exterior setback or the amount of landscaped area;
  - (d). materially reduce public access or public spaces; or
  - (e). otherwise materially alter these conditions.
8. Developer will have the right to request administrative changes without such notification so long as such changes are required to comply with technical permitting requirements of the City of Atlanta or to address site conditions.
  9. Prior to issuance of a special administrative permit for construction of the improvements, developer shall provide the Chair of the Zoning Committee of NPU-B a copy of the shared parking analysis for the development.
  10. Exterior lighting on the building and the parking deck shall be designed, shielded and constructed so as to minimize light spill into the single family homes in the South Tuxedo Park and Peachtree Heights West neighborhoods.
  11. Prior to the recording of a final plat for the development with Fulton County the final plat shall be reviewed and approved by the appropriate City Departments. The applicant will submit the final plat to the Office of Zoning and Development first and the Office will advise the applicant of the process.
  12. Approval of this development requires an update to the SPI-9 base floor area ratio map with attachment titled "Z-17-054 Map Attachment". This map is subject to further update and formatting by the Department of City Planning's GIS Division.

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 *KMH*

**SUBJECT:** Z-17-67 for 156 Lakewood Way, S.W.

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**DATE:** January 11, 2018

The applicant seeks an ordinance to rezone from **MR-2 (Multi Family Residential) District** to the **MR-3 (Multi Family Residential) District**, for property located at **156 Lakewood Way, S.W.**

The applicant has requested deferral for 30 days for additional time to work with the neighborhood and NPU. Staff is supportive of this request.

**STAFF RECOMMENDATION: 30-DAY DEFERRAL-FEBRUARY 2018**

cc: Charletta Wilson Jacks, Director



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### MEMORANDUM

**TO:** Zoning Review Board

**FROM:** Keyetta M. Holmes, AICP, Zoning Administrator 

**SUBJECT:** Z-17-86 for 499 Irwin Street

**DATE:** January 11, 2018

The applicant seeks to rezone properties located at **499 Irwin Street, 0 Hogue Street (14 00460012004), and 0 Hogue Street Rear (14 00460012232)** from HC-20C SA2/BL (Martin Luther King Jr. Landmark District Sub Area 2 / BeltLine Overlay) to HC-20C SA3/BL (Martin Luther King Jr. Landmark District Sub Area 3 / BeltLine Overlay).

#### FINDINGS OF FACT:

- **Property location:** The subject property consists of three parcels that begin at the southwest intersection of Irwin Street, N.E. and Hogue Street, N.E. The property fronts approximately 133.6 feet on the south side of Irwin Street and 135.1 feet along the west side Hogue Street. The property is located in the Old Fourth Ward Neighborhood, Subarea 5 in the Beltline Overlay District, Land Lot 46 of the 16<sup>th</sup> District in NPU M, Council District 2, Fulton County, Georgia.
- **Property size and physical features:** The property consists of approximately 21,789 square feet (0.5 acres) of land. The lot is currently developed with a single story commercial building. The topography of the lot is relatively level. Currently there is no vehicular access to the property for off-street parking. The lot contains a few trees and shrubs along the northern and eastern property lines.
- **CDP land use map designation:** The Future Land Use designation for this property is Low-Density Commercial for the parcel abutting Irwin Street and Low-Density Residential for the two parcels along Hogue Street. All the subject properties have a 9-16 dwelling unit per acre density limit. Therefore, an amendment to the Comprehensive Development Plan will not be needed to accommodate the proposed development.



- **Current/past use of property:** The subject property is currently developed with a structure that was used for commercial retail as a community grocery store. Staff is not aware of any other previous uses.
- **Surrounding zoning/land uses:** Land use and zoning designations in the immediate area varies. The subject property is surrounded by HC-20C SA2 (Martin Luther King, Jr. Landmark District Sub Area 2) zoning district to the east, west, and south with Low-Density Commercial land use along Irwin Street and Low Density Residential land use designation south along Hogue Street. Also located to the north of the parcel (north of Irwin Street) are lots zoned R-5 (Two-Family Residential) and C-1 (Community Business) with Low-Density Residential and Low-Density Commercial land use designations respectively. Parcels with a HC-20C SA3 (Martin Luther King, Jr. Landmark District Sub Area 3) zoning district can be found to the west across Boulevard with Low-Density Commercial land uses along Boulevard. This intersection of Irwin Street and Boulevard separates the higher intense uses along the Boulevard corridor to the west, from the lower density commercial and residential uses to the east. A gas station is located immediately adjacent to the west of the subject lot at the southeast corner of Boulevard and Irwin Street. At the southwest corner of Irwin Street and Boulevard are the vacant Hope-Hill Elementary School and the Martin Luther King Jr. National Historic Site. Both are zoned HC-20C SA3 with Community Facilities and Open Space land use designations respectively.
- **Transportation:** Irwin Street is classified as a collector road. Boulevard is classified as a minor arterial street and Hogue Street is a local road. Currently, MARTA's Route #3, #99, and #109 bus lines service this area and its connection points can be found at the northwest and southeast corner of Irwin Street and Boulevard. Also, a connection point can be found on the south side of Irwin Street west of the subject lot.

## **PROPOSAL:**

The applicant seeks to rezone a 0.5-acre lot that is currently zoned HC-20C SA2 (Martin Luther King, Jr. Landmark District Sub Area 2) to the HC-20C SA3 (Martin Luther King, Jr. Landmark District Sub Area 3) district to construct six (6) attached single-family townhomes fronting Irwin Street and a duplex fronting Hogue Street. All dwelling units will be approximately 2,000 square feet each with a 400-square foot attached garage. Access to the property will be gained via a two-way curb cut on Hogue Street.

The zoning code pertinent for this case, *Sec. 16-20C*, does not have specific development controls as it pertains to floor-to-area ratio, fixed setbacks, and lot coverage but instead uses the "compatibility rule" (*Sec. 16-20C.004.2*) to determine general regulations related to building height, lot coverage, and setbacks, which define a "building envelope". This review will determine if the requested zoning is compatible with the intent of the City of Atlanta Zoning Ordinance, Comprehensive Development Plan, and developmental pattern of the area. Specific design proposals and development controls will still need to be reviewed and approved by the Urban Design Commission in the future.

**Project Specifications:**

Lot Area:	0.4995 ac (21,758 square feet)	
Lot Coverage:		
Building & Parking Lot/Pavement	13,259 sq. ft. / 21,758 sq. ft. =	<u>0.61 (61%)</u>
Proposed Dwelling Units.:		
Residential:	8 units x 2,400 sq. ft. =	<u>19,200 sq. ft.</u>
Proposed F.A.R.:		
Residential:	19,200 sq. ft. / 21, 758 sq. ft. =	<u>0.88 (88%)</u>
Parking Maximum:		
Residential:	2 spaces / dwelling unit	
Proposed Parking:		
Residential:	8 dwelling units = 16 parking spaces (8/2-Car Garages)	

**CONCLUSIONS:**

- 1) **Compatibility with comprehensive development plan (CDP); timing of development:** The Comprehensive Development Plan (CDP) designates the subject properties as Low-Density Commercial for 499 Irwin Street and Low-Density Residential for 0 Hogue Street (14 00460012004), and 0 Hogue Street Rear (14 00460012232). The proposed rezoning to HC-20C SA3/BL (Martin Luther King Jr. Landmark District Sub Area 3 / BeltLine Overlay) is consistent with the existing land use, thus a land use amendment will not be required to accommodate the proposed development.
- 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 the 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 necessarily have an adverse effect on the environment or create an imbalance of land uses given that the Urban Design Commission still has to approve the final site plan, overall design, and architectural character of the project, per the Martin Luther King, Jr. Landmark District regulations. Although the parcels along Irwin Street to the east of the subject lot are designated Low-Density Commercial many are used for residential purposes and appear to be recently renovated with a few commercial/retail uses at the corner of Irwin Street and Howell Street and Irwin Street and Randolph Street. This development will also contribute to the revitalization of the neighborhood as well as make significant use of a vacant lot.

- 4) **Effect on character of the neighborhood:** Staff believes the development could have a positive effect on the surrounding neighborhood by redeveloping an underutilized lot and given that the Urban Design Commission still has to approve the final site plan, overall design, architectural character of the project, per the Martin Luther King, Jr. Landmark District regulations. In fact, this project could provide for a transition from the higher intense uses along Boulevard with the appropriate design as determined by the Urban Design Commission. The proposal could also balance the adjacent Low-Density Residential multi-family structures zoned R-5 (Two-Family Residential) north of the subject lot and the single and two-family homes zoned HC-20C SA2 (Martin Luther King, Jr. Landmark District) along Hogue Street to the south and southeast.
- 5) **Suitability of proposed land use:** The proposed use reflects the low density residential and commercial land use designations of the parcel. This also reflects the higher density of the multi-family developments to the north. The proposed HC-20C SA3/BL (Martin Luther King Jr. Landmark District Sub Area 3 / BeltLine Overlay) zoning could also with the appropriate design as determined by the Urban Design Commission, create a transition to and support the low-density residential parcels and single-family homes to the south and east.
- 6) **Effect on adjacent property:** Adjacent properties located along Irwin Street are mostly low-density residential and commercial uses. The potential impact of increased traffic to nearby properties due to ingress and egress to the development should be taken into consideration. Also, because this rezoning is located within the Martin Luther King, Jr. Landmark District and the Beltline Overlay district criteria such as open space requirements, transitional and side yard setbacks, and design must still be reviewed and approved by the Urban Design Commission and appropriate governing bodies.
- 7) **Economic use of current zoning:** While the current zoning conditions would allow for sufficient economic use of the land, a change in zoning will allow for a denser residential use as the neighborhood and area at large continues to redevelop and see an increase in new residents. This allows for a more effective economic use of the subject property.
- 8) **Compatibility with policies related to tree preservation:** Redevelopment of the property must comply with the City of Atlanta Tree Ordinance at time of permitting.

**STAFF RECOMMENDATION: APPROVAL**

cc: Charletta Wilson Jacks, Director



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## MEMORANDUM

**TO:** Zoning Review Board

**FROM:** Keyetta M. Holmes, AICP, Zoning Administrator 

**SUBJECT:** U-17-25 for 586 English Avenue, N.W.

**DATE:** January 11, 2018

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An Ordinance granting a Special Use Permit for a personal care home pursuant to 16-06A.005(1)(g) for property located at **586 English Avenue, N.W.**

### FINDINGS OF FACT:

- **Property location:** The subject property fronts 40 feet on the west side of English Avenue and begins 200 feet from the intersection of Pelham Street, N.W. and English Avenue, N.W. The property is located in Land Lot 111, 14th District, Fulton County, Georgia within the English Avenue Neighborhood of NPU-L in Council District 3.
- **Property size and physical features:** The subject property is approximately .1166 acres (5,080 square feet) in land size and is an overgrown site with an abandoned one-story single family residential structure. The lot topography slopes slightly toward a southerly direction. There are a few trees in the front and backyard of the property.
- **CDP land use map designation:** The subject property has a Single Family Residential land use designation within the Comprehensive Development Plan (CDP).
- **Current/past use of property:** The subject property has been of residential use. Staff is unaware of any other uses of the property.
- **Surrounding zoning/land uses:** The subject property is surrounded by properties zoned R-4A (Single Family Residential) with a Single Family Residential land use designation on the north and east side and Low-Density Commercial land use designation on the south side and Low-Density Residential land use designation on the west side.

- **Transportation system:** The subject property is located along English Avenue, which is classified as a major arterial road. MARTA provides service via bus route #26 (English Avenue/ Pelham Street) to the immediate area along English Avenue.

## **PROPOSAL:**

The applicant is requesting to operate an 8-bedroom personal care home for children ranging in age from 12 to 18 years old. The applicant proposes to operate a home for 6 clients in an existing 1,485 sq. ft. single family structure. The proposed personal care home would be in operation 24 hours per day, 7 days per week.

- **Ingress and egress:** Vehicles will access the property using the 10 feet wide alleyway to the rear of the property.
- **Parking and loading:** Employees and visitors will utilize the three reserved parking spaces located at the rear of the property. Loading and delivery vehicles will have access using the same alleyway.
- **Refuse and service areas:** Refuse will be handled through city services and receptacles. The applicant has not proposed changes to the property.
- **Buffering and screening:** The applicant has indicated that there will be a chain link fence along the property line to provide the necessary buffering and screening.
- **Hours and manner of operation:** The applicant has indicated the facility is proposed for a residential child care home. The home would be in operated 24 hours, 7 days per week Sunday through Saturday for the residents. The facility would provide services for up to 6 clients, ages 12 to 18 with a total of 8 bedrooms. Among 8 proposed bedrooms, 2 bedrooms have 2 beds in each and 6 bedrooms have 1 bed in each room. Two beds are reserved for staff and 8 beds for the clients. The applicant has specified there will be breakfast, lunch, and dinner served at the facility. There will be three (3) eight-hour shifts; one employee during the morning shift, two employees during the evening shift and two employees during the overnight shift working at the facility.
- **Duration:** The applicant is requesting a permanent duration.
- **Required yards and open space:** The existing footprint of the building is encroaching the north, south and east side yard. However, the applicant has indicated there are no structural changes proposed for the subject property, that will further increase the encroachment.
- **Tree Preservation and replacement:** The applicant has indicated that there are no changes proposed for the subject property involving tree removal.

## CONCLUSIONS:

- **Ingress and egress:** Based on the surveys/site plans submitted by the applicant and an on-site review conducted by the staff, there is one 10-foot wide alleyway located to the rear of the property. The alleyway is overgrown with shrubs and not currently suitable for use as a driveway. All employees, clients, visitors, service personnel, and emergency vehicles accessing the facility must utilize the alleyway for parking and loading purposes other than emergency vehicles which will gain access to the property using the right of way on English Avenue at the front of the property. However, the applicant has indicated that they plan on making improvements to the alleyway. The applicant has indicated that, with the support of adjacent neighbors, "Keeping It Realty LLC" has been hired to clear the overgrown vegetation to allow access to the alley. The applicant has also provided photographs as proof of their effort. Therefore, Staff is of the opinion that the applicant has met ingress and egress requirements.
- **Off-street parking and loading:** The parking requirements for personal care homes are not specifically listed in the R-4A (Single Family Residential) District regulations. The parking requirement is one parking space and one additional space for each four (4) beds. The applicant is required to provide three (3) parking spaces. As indicated on the site plan, there are three dedicated parking spaces in the rear of the property. Therefore, staff is of the opinion that applicant has met the parking requirement.
- **Refuse and service areas:** The applicant has indicated that city services will be utilized for waste removal. This appears to be adequate for the operations of the personal care home.
- **Buffering and screening:** The applicant indicated a fence will be installed in the side and rear yards for the purpose of buffering. There are a few trees on the north and south side of the property. Therefore, Staff is of the opinion that the applicant has met the buffering and screening requirements.
- **Hours and manner of operation:** The applicant has indicated that the proposed use for the subject property would have adequate spacing for the proposed supportive services along with the clients-to employee ratio. The applicant has indicated that all special programs will be offered off site, and will not require additional onsite facility with regards to the services provided to residents. Furthermore, Personal Care Homes are required to provide at least 80 square feet of personal living space per resident or that amount required by the State of Georgia for the licensing of personal care homes, whichever is greater. The applicant states that the home has eight (8) bedrooms to house eight (8) residents including two overnight staffs and six clients. According to the floor plan provided by the applicant, six (6) residents and two (2) staff members can be accommodated within the subject property. Therefore, Staff is of the opinion that the hours and manner of operation appear to be adequate.
- **Duration:** Staff is not supportive of a permanent duration.

U-17-25 for 586 English Avenue, N.W.

January 11, 2018

Page 4 of 4

- **Compatibility with policies related to tree preservation:** The applicant has indicated there are no changes proposed for the subject property. Therefore, these considerations are not applicable.
- **Required yards and other open spaces:** The applicant has indicated there are no structural changes proposed for the subject property. Therefore, these considerations are not applicable.

**STAFF RECOMMENDATION: APPROVAL conditioned upon the following.**

1. The special use permit for a personal care home shall be valid as long as Justin Menifee is the operator.
2. The special use permit is not transferable,

cc: Charletta Wilson Jacks, Director

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