



CITY OF ATLANTA


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TIM KEANE
COMMISSIONER
KEYETTA M. HOLMES, AICP
Interim Director
Office of Zoning and Development

MEMORANDUM

TO: Zoning Review Board

FROM: Keyetta M. Holmes, AICP, Zoning Administrator 

SUBJECT: Z-18-52 for SPI-2 (Fort McPherson Special Public Interest District)

DATE: February 14, 2019

A Substitute Ordinance by Zoning Committee to amend the 1982 Atlanta Zoning Ordinance, as amended, by creating a new **Chapter 16-18B to be entitled SPI-2 (Fort McPherson Special Public Interest District)**, to codify regulations governing said district; to delineate the boundaries of said district; to codify regulations governing historic properties; and for other purposes

FINDINGS OF FACT:

The Fort McPherson Military Installation was first established in 1885 and named for Union General James McPherson who had been killed in the Battle of Atlanta. The former military base is located in southwest Atlanta and was closed after action by the U.S. Congress in 2005 by the Defense Base Realignment and Closure and Commission. The 2007 and the 2010 masterplan documents were based on developing the whole property with mixed used buildings with structured parking, employment centers and single-family, multi-family and other residential dwellings dispersed throughout the district. In 2014 approximately 330 acres were sold for the development of a major film and television studio and in response to the sale, in 2015 the Urban Land Institute created a report identifying the strengths and weaknesses of the remaining approximately 145 acres and made recommendations to reopen the historic entrance to the former base on Lee Street and recommended uses including mixed-use, office and medical, retail and residential. In 2016 a Livable Centers Initiative (LCI) plan encouraged development around the Fort McPherson MARTA and Oakland City MARTA stations. The LCI plan also includes recommendations for amenities and community services near the former 'Venetian' gate and for mixed income housing. The base has a number of structures that date back to early the 1900's and are located around the 13-acre parade ground and are significant to the history of the base and U.S. campaign during World War II

PROPOSAL:

The proposal is to create a new zoning district SPI-2 (Fort McPherson Special Public Interest District) to codify permitted principal uses and development regulations to delineate the boundaries of the district and to codify regulations governing the historic properties.

Statement of Intent

The intent of SPI-2 (Fort McPherson Special Public Interest District) is to preserve, protect and foster the redevelopment of Fort McPherson through the integration of transportation and land planning in a way that balances local, regional, and state economic benefits and to preserve and protect Fort McPherson's historic buildings and sites as recognized by the inclusion of buildings on the National Register of Historic Places and appropriately integrate them into the revitalization and redevelopment of the property. Further, the intent is to encourage the development of housing that provides a range of opportunities for citizens within the district and encourage a compatible mixture of residential, commercial, industrial, cultural and recreational uses. Additionally, SPI-2 (Fort McPherson Special Public Interest District) seeks to create an urban environment where people can live, work, meet and play. Regulations are designed to promote pedestrian safety by providing for pleasant and convenient sidewalk level pedestrian circulation that minimizes impediments by vehicles and encourage the use of MARTA and other public transit facilities. Last the district seeks to enhance the efficient utilization of accessible and sufficient parking facilities in an unobtrusive manner, including encouraging shared parking and alternative modes of transportation.

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 creation of the SPI-2 (Fort McPherson Special Public Interest District) would conflict. In fact, the proposal compliments the City of Atlanta's Comprehensive Development Plan (CDP) as the CDP identifies that the redevelopment of the former base will encourage residential development at existing transit stations and it encourages mixed-income residential housing development, job creation and economic development.

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.

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. There is no evidence that there is another 145-acre location in the City that can provide mixed income housing, job creation or economic development in close proximity to two transit stations in the City. Positive effects anticipated by the redevelopment of the site are the reopening of the "Venetian gate" that isolated the base from the Venetian Hills neighborhood upon closure and may have contributed to commercial and residential decline. It is anticipated that the public need will be served by providing commercial and retail services to the Venetian Hills, Oakland City and Sylvan Hills neighborhoods that are not currently present. Further, it is anticipated that the redevelopment of Fort McPherson will serve as a catalyst to the redevelopment of the Campbellton Road and Lee Street corridors.

Effect on character of the neighborhood:

Staff is of the opinion that nearby and adjacent neighborhoods will realize positive effects from the redevelopment of the base. Significant changes in social and economic conditions are anticipated to include redevelopment of nearby residential development and the revitalization of commercially zoned property in the immediate area. Further, increased density near the Fort McPherson and Oakland City Transit stations will require more services that can be utilized by current and future residents.

Suitability of proposed land use: The proposed use of land is suitable. The proposed uses are consistent with the uses that the community desired as a part of the 2016 Comprehensive Development Plan and the 2016 Fort McPherson Livable Centers Initiative study both of which encouraged development around the Ft. McPherson and Oakland City Transit Station.

Effect on adjacent property: Staff is of the opinion that the rezoning of the subject site to the SPI-2 zoning designation would not pose negative impacts to adjacent properties. The 2016 Comprehensive Development Plan and the 2016 Fort McPherson LCI recommendations expresses the need for providing a mixture of uses that serve the surrounding areas.

Economic use of current zoning: While the current zoning conditions allow for the economic use of the land, a change to the SPI-2 district would allow a more effective economic use of the subject property for the proposed mixed-use development.

Compatibility with policies related to tree preservation: Any tree loss that occurs due to any proposed development will have to comply with the City of Atlanta's tree preservation policy.

STAFF RECOMMENDATION: APPROVAL



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KEYETTA M. HOLMES, AICP
Interim Director
Office of Zoning and Development

MEMORANDUM

TO: Zoning Review Board

FROM: Keyetta M. Holmes, AICP, Zoning Administrator 

SUBJECT: **Z-18-53 for SPI-2 Fort McPherson Special Public Interest District Sign Regulations**

DATE: February 14, 2019

An Ordinance by Zoning Committee to amend the 1982 Atlanta Zoning Ordinance, as amended, by **creating sign regulations for SPI-2 Fort McPherson Special Public Interest District**; to codify such regulations as Atlanta City Code Sec. 16-28A.010(59); and for other purposes

FINDINGS OF FACT:

The Fort McPherson Military Installation was first established in 1885 and named for Union General James McPherson who had been killed in the Battle of Atlanta. The former military base is located in southwest Atlanta and was closed after action by the U.S. Congress in 2005 by the Defense Base Realignment and Closure and Commission. In the 2007 and the 2010 plan documents were based on developing the whole property with mixed used buildings with structured parking, employment centers and single-family, multi-family and other residential dwellings dispersed throughout the district. In 2014 approximately 330 acres were sold for the development of a major film and television studio and in response to the sale, in 2015 the Urban Land Institute created a report identifying the strengths and weaknesses of the remaining approximately 145 acres and made recommendations to reopen the historic entrance to the former base on Lee Street and recommended uses including mixed-use, office and medical, retail and residential. In 2016 a Livable Centers Initiative (LCI) plan encouraged development around the Fort McPherson MARTA and Oakland City MARTA stations. The LCI plan also includes recommendations for amenities and community services near the former 'Venetian' gate and for mixed income housing.

PROPOSAL:

The proposal is to create sign regulations specific to the SPI-2 (Fort McPherson Special Public Interest) District; to codify comprehensive signage regulations for said district; and for other purposes.

The 1982 Atlanta Zoning Ordinance, as amended and codified as Part 16 of the Land Development Code which is Part III of the Atlanta City Code, is hereby further amended by creating sign regulations for SPI-2 (Fort McPherson Special Public Interest District). Said regulations shall be codified as Atlanta City Code Sec. 16-28A.010(59) and shall hereafter read as (59) SPI-2 Fort McPherson Special Public Interest District: The regulations for SPI 2 (Fort McPherson Special Public Interest District) shall be the same as the regulations in Subsection (6) C-2 (Commercial Service) District, provided that,

- a. No freestanding sign shall be permitted.
- b. No shopping center signs shall be permitted.
- c. *Monument Signs*: In addition to the signs otherwise authorized in this section (59), monument signs shall be authorized as a type of sign provided they meet each of the following standards:
 1. For the purposes of this section (59), "monument sign" means a permanent sign not attached to a building and constructed directly and continuously upon the ground or a grade-level support structure with no separation between the sign and the ground or grade-level support structure. Monument signs shall not be supported by visible columns, uprights, poles or braces and shall be of continuous solid construction without holes, gaps or spacing;
 2. One monument sign shall only be authorized for each building containing more than 25,000 square feet of gross floor area excluding parking areas. When building faces two or more streets, two monument signs shall be authorized provided that each is oriented toward a different street;
 3. Monument signs shall not exceed ten feet in height measured from the lowest point of the elevation of the nearest sidewalk clear zone or supplemental zone to the highest point of the monument sign. Monument signs shall not exceed four feet in length and two feet in width, measured from the outer edges of the monument sign structure;
 4. Monument signs shall be located on private property except when expressly authorized to encroach into a public right-of-way by an encroachment agreement approved pursuant to Chapter 138 of the City Code, provided that under no circumstances shall a monument sign encroach into required sidewalk clear zones or visibility triangles; and
 5. All monument signs shall require approval through a Special Administrative Permit before a building permit can be issued.

CONCLUSIONS:

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

The proposed legislation to create regulations would not change the current land use designation of properties nor affect the timing of development for any proposed projects.

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.

Availability of other appropriate land zoned for proposed use: effect on balance of land uses with regard to the public need: This legislation does not propose any development rather only a text amendment regarding signs for a new zoning district. Therefore, Staff notes that it is not applicable in regard to the proposed legislation.

Effect on character of the neighborhood:

Staff is of the opinion that the proposed text amendment would improve the character of the neighborhood by allowing the area to promote its' product and business which may add to the economic viability of the neighborhood. The proposed sign regulations will create appropriately designed and scaled signage for the project and tenants that protects the aesthetic considerations attendant to a large-scale transit-oriented development that addresses the project's unique economic demands, financial requirements and signage needs while avoiding undue distractions to motorists, pedestrians and surrounding residents. Furthermore, it will protect the public interest and balance commercial and economic initiatives with the need to keep the area 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: There would be no change in land use pertaining to the proposed text amendment. Therefore, Staff notes that it is not applicable in regard to the proposed legislation.

Effect on adjacent property: Since this text amendment provides reasonable signage requirements and no development project is being proposed, there is no discernible negative effect on adjacent properties.

Economic use of current zoning: The proposed sign regulations will effectively balance legitimate business needs with a safe, entertaining and aesthetically attractive environment for residents, workers, and visitors to the subject site by providing fair and reasonable opportunities for the identification of all businesses and to provide for the identification of the availability of all products, goods or services so as to promote the economic vitality of businesses which serve the City but which do not interfere with the goals of aesthetics and traffic safety. Staff does not anticipate that the approval of this legislation will have any negative economic impacts on the economic use of the land.

Compatibility with policies related to tree preservation: Upon application of a building permit compliance with the City of Atlanta Tree Ordinance is required.

STAFF RECOMMENDATION: APPROVAL



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MEMORANDUM

TO: Zoning Review Board

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

SUBJECT: **Z-18-126 for Bonaventure-Somerset Historic District**

DATE: February 14, 2019

An Ordinance to amend the 1982 Zoning Ordinance of the City of Atlanta, as amended, so as to create a new chapter to be entitled **20U, Bonaventure-Somerset Historic District**; to establish overlay regulations for said district; to enact, by reference and incorporation, a map establishing the boundaries of said district; and to designate and zone all properties lying within the boundaries of said district to the overlay zoning category of Historic District (HD) pursuant to Chapter 20 of the Zoning Ordinance of the City of Atlanta, rezoning from R-4B-C/BL (Single Family Residential Conditional/Beltline Overlay), R-5/BL (Two-Family Residential/Beltline Overlay), RG-1/BL (Residential General Sector 1/Beltline Overlay), RG-2-C/BL (Residential General Sector 2 Conditional/Beltline Overlay), RG-3/BL (Residential General Sector 3/Beltline Overlay), RG-3-C/Beltline Overlay (Residential General Sector 3 Conditional/Beltline Overlay), MRC-2-C/Beltline Overlay (Mixed Residential Commercial Conditional/Beltline Overlay), C-1/BL (Community Business District/Beltline Overlay) to R-4B-C/HD/BL (Single Family Residential Conditional / Historic District/Beltline Overlay), R-5/HD 20U/BL (Two-Family Residential/ Bonaventure-Somerset Historic District/Beltline Overlay), RG-1/HD 20U/BL (Residential General Sector 1/ Bonaventure-Somerset Historic District/Beltline Overlay), RG-2-C/HD 20U/BL (Residential General Sector 2 Conditional/ Bonaventure-Somerset Historic District/Beltline Overlay), RG-3/HD 20U /BL (Residential General Sector 3/ Bonaventure-Somerset Historic District/Beltline Overlay), RG-3-C/HD 20U/BL (Residential General Sector 3 Conditional/ Bonaventure-Somerset Historic District/Beltline Overlay), MRC-2-C/HD 20U/BL (Mixed Residential Commercial Conditional/ Bonaventure-Somerset Historic District/Beltline Overlay), C-1/HD 20U/BL (Community Business District/ Bonaventure-Somerset Historic District/Beltline Overlay), to repeal conflicting laws; and for other purposes.

FINDINGS OF FACT:

The subject property is in the Poncey-Highland neighborhood in NPU N, Council District 6. The proposed Bonaventure-Somerset Historic District is an early twentieth-century, planned residential subdivision located in the larger Poncey-Highland Neighborhood in northeast Atlanta. The District includes various property types (single-family dwellings, courtyard apartments, infill condominiums and duplexes) that front the primary, north-south running streets of Bonaventure Avenue and Somerset Terrace between North Avenue (south) and Ponce de Leon Avenue (north). The core of historic development is located on the interiors of the Bonaventure and Somerset Terrace blocks, while most non-historic infill occupies the periphery of the proposed District. The commercial properties (including the Clermont Hotel) located on the south side of Ponce de Leon Avenue and between the two streets are not included in the District boundaries.

Both Bonaventure Avenue and Somerset Terrace are 50 ft.- wide, tree-lined, linear streets with either poured or hexagonal paver concrete sidewalks. The properties on Bonaventure Avenue were the first to be developed (c.1910) with historical research indicating the lots were subdivided and developed on an individual basis, while those on Somerset Terrace were generally platted and developed by a single home builder between 1924 and 1927. The different methods and periods of development are reflected in the historic platting patterns on the two streets. Frontages of the historic lots on Bonaventure Avenue range between 50 and 100 ft., although the lengths are generally uniform for properties on both sides of the street. Meanwhile, most lots on Somerset Terrace have 50 ft. frontages, same for a few larger lots located at the north end of the street. Setbacks of the buildings also differ. Buildings on Bonaventure Avenue typically have setbacks from the public street ranging from 45 ft. to 50 ft. while those on Somerset Terrace appear much closer to the road, with setbacks measured at approximately ± 40 ft.

Historic building stock primarily includes one and two-story single-family houses and a few apartment buildings. The non-historic infill, modern condominiums and duplexes are generally located at the north and south edges of the District boundaries. The historic single-family houses are predominantly one-story, brick veneer buildings with front and side-gable roofs. An example of a historic two-story single-family dwelling in the District is the Payne-Griffith House at 650 Bonaventure Avenue. Most of the single-family houses are designed in the Craftsman Style, although representative examples of Colonial Revival and Mediterranean Revival Style architecture are also present.

Notable examples of historic apartment buildings within the District include: the courtyard apartments at 653 Bonaventure Avenue; 663 Bonaventure Avenue; 667 Bonaventure Avenue; 674 Somerset Terrace; 678 Somerset Terrace; and the U-shaped Somerset Terrace Apartments at 677 Somerset Terrace, among others. Many of the apartments are designed with elements of the Neoclassical and Italian Renaissance Revival styles, with red brick veneer exteriors, decorative columns and bracketing, and tile roofs.

The period of significance begins with the platting and development of the original lots in the proposed Historic District in 1908 and extends to 1968.

The Bonaventure - Somerset Historic District (HD) has significance at the local level in the area of architecture as a collection of intact, historic residentially building types (Bungalow, garden/courtyard apartments) designed in a variety of architectural styles.

PROPOSAL:

The proposal is to create a new chapter 20U Bonaventure-Somerset Historic District.

In 2018, UDC initiated the nomination process by mailing the appropriate Notice of Intent to the property owners of the Bonaventure-Somerset Historic District and publishing a notice pursuant to Subsection (b) of the City of Atlanta Code of Ordinances, Section 16-20.005. The Executive Director of the UDC conducted research regarding this proposed nomination and has compiled a written designation report stating the findings and recommendations regarding the architectural significance of said nomination pursuant to (d) of said code section, which report, Attachment "A."

Designation Boundary

The Bonaventure - Somerset Historic District (HD) is roughly bounded by North Avenue to the south, Somerset Terrace to the west, Ponce de Leon Avenue to the north, and Bonaventure Avenue to the east. The proposed boundary includes all properties and character-defining site features within the following general description (approximate distances) and as further shown in the general plat map (see Section 12):

Beginning at a point on North Avenue NE, thence northerly approximately 107 ft. along the western right of way of Somerset Terrace NE, thence westerly approximately 217 ft., thence northerly approximately 618 ft., thence easterly approximately 392 ft., thence southerly approximately 39 ft., thence easterly approximately 212 ft., thence northerly 276 ft. along the eastern right of way of Bonaventure Avenue NE, thence easterly approximately 126 ft. along the southern right of way of Ponce De Leon Avenue NE, thence southwesterly approximately 114 ft., thence southerly approximately 128 ft., thence westerly approximately 82 ft., thence southerly approximately 117 ft. along the eastern right of way of Bonaventure Avenue NE, thence easterly approximately 110 ft., thence southeasterly 118 ft., thence easterly approximately 51 ft., thence southerly approximately 442 ft., thence southeasterly approximately 89 ft., thence westerly approximately 638 ft. to the point of beginning. Area is approximately 13 acres.

Land Use

- A land use change would not be required for the Historic District.

CONCLUSIONS:

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

The Comprehensive Development Plan (CDP) designates the subject property as Medium Density Residential and Low Density Residential. The proposed rezoning is consistent with the existing land use; therefore, no land use amendment is 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 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 (optional consideration as per 16-27.004(3)):

The Bonaventure-Somerset Historic District designation represents a specific land area of architectural significance. No other land is subject to the specific regulations or is considered for inclusion in the designation. The Staff finds that the designation is not expected to impact other land uses with regard to the public need.

(4) Effect on character of the neighborhood: The designation of the Bonaventure-Somerset Historic District would provide protection for specific properties which has been determined by the UDC to have significant architectural value to the City. The designation is intended to preserve the historic physical character of the site, and to preserve and enhance the historic and architectural appearance of the site so as to substantially promote the public health, safety and general welfare.

(5) Suitability of proposed land use: The allowable uses of would be the same as the current allowed uses. The regulations would establish formal procedures for determining the type of certificate of appropriateness which would be required and allow for variances and special exceptions from these regulations to be heard before the UDC.

(6) Effect on adjacent property: The Bonaventure-Somerset Historic District is intended to have a stabilizing effect on the land uses and properties within the district. Because the boundaries of this district are clearly defined and these regulations would apply specifically to properties within these boundaries, the Staff does not anticipate that properties adjacent to these boundaries would be negatively impacted.

(7) Economic use of current zoning: The current zoning categories R-4B/BL (Single Family Residential/BeltLine Overlay), R-4B-C/BL (Single Family Residential Conditional/Beltline Overlay) R-5/BL (Two Family Residential/BeltLine Overlay), RG-1/BL (Residential General Sector 1/BeltLine Overlay), RG-2-C/BL (Residential Sector 2 Conditional/BeltLine Overlay), RG-3-C/BL (Residential General Sector 3 Conditional/BeltLine Overlay), C-1/BL (Commercial Business District/BeltLine Overlay) and MRC-2-C/BL Districts allow for the economic use of the land. Staff does not anticipate that the approval of the Bonaventure-Somerset Historic District

(8) Compatibility with policies related to tree preservation: The Staff finds that designation of the Bonaventure-Somerset Historic District will have no impact on policies related to tree preservation.

(10) Other Considerations:

The Atlanta City Design articulates Atlanta's vision organized according to its five core values of Ambition, Progress, Equity, Nature, Access. It focuses future growth into already-developed areas called Growth Areas, which are further categorized as Core, Corridors and Clusters. Outside the Growth Areas are the Conservation areas, which include Urban Neighborhoods, Suburban Neighborhoods, Rural Neighborhoods, and Production Areas. Conservation Areas are the natural parts of the City that are less suited for growth and that should be protected from radical change.

According to the Atlanta City Design map, **Bonventure-Somerset Historic District** is located within a Conservation Areas: Urban Neighborhoods. Urban Neighborhoods are described as follows:

“These are small-scale, historic, walkable neighborhoods where growth capacity is limited mostly by our desire to keep them the way they are. They are the traditional intown communities that were built by the expansion of streetcars a century ago, such as Westview, Grant Park, and Brookwood Park. Most have some form of commercial district within walking distance from homes, and many includes small apartment buildings, townhouses, or two and three-family homes. Their inherent walkability, historic charm, and proximity to Downtown make them highly desirable under today's market pressures, and therefore, threatened by even denser development.”

STAFF RECOMMENDATION: APPROVAL



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Interim Director
Office of Zoning and Development

MEMORANDUM

TO: Zoning Review Board

FROM: Keyetta M. Holmes, AICP, Zoning Administrator 

SUBJECT: Z-18-134 for Tet Amendment – Service Stations

DATE: February 14, 2019

An Ordinance by Councilmember Joyce Shepherd to amend the 1982 Atlanta Zoning Ordinance, as amended, by amending the C-1 (Community Business), C-2 (Commercial Service), C-3 (Commercial Residential), C-4 (Central Area Commercial Residential), C-5 (Central Business Support), I-1 (Light Industrial), I-2 (Heavy Industrial), SPI-1 (Downtown Special Public Interest District), SPI-11 (Vine City & Ashby Station Special Public Interest District), SPI-12 (Buckhead/Lenox Stations Special Public Interest Districts), SPI-16 (Midtown Special Public Interest District), SPI-18 (Mechanicsville Neighborhood Special Public Interest District), SPI-20 (Greenbriar Special Public Interest District), SPI-21 (Historic West End/Adair Park Special Interest District), NC (Neighborhood Commercial) and MRC (Mixed Residential Commercial) Districts so as to require a **1,500-foot distance between service stations**; and for other purposes.

FINDINGS OF FACT:

The Atlanta City Council desires to address the concentration of service stations in the City. To promote a diversity of land uses in the City this text amendment proposes a distance requirement of 1,500 feet between service stations in the following districts: C-1, C-2, C-3, C-4, C-5, I-1, I-2, SPI-1, SPI-11, SPI-12, SPI-16, SPI-18, SPI-20, SPI-21, NC, or MRC. This text amendment will not negatively impact the intent of the zoning districts but will serve the public health, safety, and general welfare of the community.

PROPOSAL:

The proposed text amendment is to require a 1,500-foot distance requirement between service stations in the C-1, C-2, C-3, C-4, C-5, I-1, I-2, SPI-1, SPI-11, SPI-12, SPI-16, SPI-18, SPI-20, SPI-21, NC, or MRC zoning districts.

CONCLUSIONS:

- 1) **Compatibility with Comprehensive Development Plan (CDP); timing of development:** The proposed legislation is to amend the text to require a 1,500-distance requirement between service stations in the C-1, C-2, C-3, C-4, C-5, I-1, I-2, SPI-1, SPI-11, SPI-12, SPI-16, SPI-18, SPI-20, SPI-21, NC, or MRC zoning districts. There is no specific development proposed as part of this amendment. Therefore, the proposed amendment would not change any land use designation nor affect the timing of development for any projects since no specific development projects are contemplated.
- 2) **Availability of and effect on public facilities and services; referrals to other agencies:** Since no development projects are being proposed as part of the text amendment, these considerations are not applicable.
- 3) **Availability of other appropriate land zoned for proposed use; effect on balance of land uses with regard to the public need:** This legislation does not propose any development rather require a distance requirement for service stations in the C-1, C-2, C-3, C-4, C-5, I-1, I-2, SPI-1, SPI-11, SPI-12, SPI-16, SPI-18, SPI-20, SPI-21, NC, or MRC zoning districts. Therefore, Staff notes that it is not applicable in regard to the proposed legislation.
- 4) **Effect on character of the neighborhood:** Staff is of the opinion that the proposed text amendment would not have a negative effect on the character of the neighborhoods of the City. In fact, requiring a distance requirement between uses increases the diversity of uses in a neighborhood. Staff is of the opinion that a diversity of uses will have positive effect on the character of the neighborhood.
- 5) **Suitability of proposed land use:** There would be no change in land use pertaining to the proposed text amendment. Therefore, Staff notes that it is not applicable in regard to the proposed legislation.
- 6) **Effect on adjacent property:** Staff does not anticipate that requiring a distance limitation between service stations will have any negative impacts on adjacent properties.
- 7) **Economic use of current zoning:** Since no rezoning or development projects are being proposed as part of this text amendment, these considerations are not applicable.
- 8) **Compatibility with policies related to tree preservation:** Since no development projects are being proposed as part of this text amendment, these considerations are not applicable.

STAFF RECOMMENDATION: APPROVAL

Z-18-134 / Service Stations

	NPU						Comments
		Approved	Approval Conditional	Denied	Abstained	No Vote Taken	
Z-18-134	A				1		
	B	1					
	C	1					
	D	1					
	E	1					
	F			1			
	G	1					
	H	1					
	I	1					
	J	1					
	K	1					
	L	1					
	M	1					
	N	1					
	O	1					
	P	1					
	Q	1					
	R	1					
	S	1					
	T	1					
	V	1					
	W	1					
	X	1					
	Y	1					
Z	1						
	UDC						
	Total:	23	0	1	1	0	



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MEMORANDUM

TO: Zoning Review Board

FROM: Keyetta M. Holmes, AICP, Zoning Administrator 

SUBJECT: Z-18-135 for 1005 Howell Mill Road N.W.

DATE: February 14, 2019

An Ordinance by Zoning Committee to rezone from I-1 (Light Industrial) to MRC-3 (Mixed Residential Commercial) for property located at **1005 Howell Mill Road, N.W.**

FINDINGS OF FACT:

- **Property location:** The subject property fronts 123.10 feet on the north side of Edgehill Avenue, N.W. beginning at a ½” rebar found at the right-of-way intersection of the easterly right-of-way line of Howell Mill Road with the northerly right-of-way line of Edgehill Avenue. The property is located within Land Lot 150 of the 17th District, Fulton County, Georgia in the Home Park Neighborhood of NPU-E in Council District 3.
- **Property size and physical features:** The subject property is approximately 0.627 acres (27,316 square feet) and is located on the east side of Howell Mill Road with approximately 203 feet of Howell Mill Road frontage north of Edgehill Avenue. The property is currently developed with three one story buildings with retail and office uses. The topography slopes approximately 14 feet from a highpoint at the southeast corner of the site to a low point at the northwest corner of the site. The subject site is almost completely paved except for a few foundation plantings. Access to the site on Howell Mill Road is currently provided via three curb cuts and on Edgehill Avenue. The entire curb is open to allow parking and access to a rear driveway.
- **CDP land use map designation:** The subject property has a future land use designation of Mixed Use within the 2016 Comprehensive Development Plan (CDP).
- **Current/past use of property:** The subject property is currently developed with three one story buildings with retail and office uses. Staff is unaware of any other previous uses on the site.

- **Surrounding zoning/land uses:** The subject property is currently zoned I-1 (Light Industrial). The subject property and all surrounding properties have a future land use designation of Mixed Use within the 2016 Comprehensive Development Plan (CDP). The surrounding zoning includes I-1 (Light Industrial) to the north, east and south and PD-MU (Planned Development Mixed Use) to the west across Howell Mill Road. The surrounding uses are changing from industrial uses to mixed uses and include a restaurant to the north, the Atlanta Humane Society to the south and east and to the west, across Howell Mill Road, is a six-story mixed use building with retail and office on the first floor and multi-family loft units above.
- **Transportation:** Howell Mill Road, N.W is classified as an arterial street and Edgehill Avenue is classified as a local road. Currently, MARTA serves the area via bus routes #12 and #94 with connections to the Midtown and Vine City Transit Stations. Several MARTA bus stops are located within a few blocks of the subject site.

PROPOSAL:

The applicant proposes to rezone 1005 Howell Mill Road, N.W. from I-1 (Light Industrial) to MRC-3 (Mixed Residential Commercial) for the purpose of developing a mixed use project with sidewalk level commercial space, a 147 room hotel and six condominium dwelling units.

Project Specifications:

Max. Building Height Permitted:	225 feet
Proposed Building Height:	200 feet
Net Lot Area:	27,316 sq. ft. (0.627 acres)
Gross land Area:	34,956 sq. ft.
Maximum F.A.R. Permitted (non-residential):	4.0
Proposed F.A.R. (non-residential):	109,264 sq. ft / 27,316 sq. ft. = 4.0
Maximum F.A.R. Permitted (residential):	3.2
Proposed F.A.R. (residential):	23,000 sq. ft / 34,956 sq. ft. = 0.066
Parking Required:	199 spaces
Parking Provided:	27 spaces (Proposed Special Exception)
Loading Required:	5-12'x35' spaces
Loading Provided:	2-12'x35'spaces (Prop. Sp. Exception)

CONCLUSIONS:

- **Compatibility with comprehensive development plan (CDP):** The subject property is designated Mixed Use in the 2016 Comprehensive Development Plan (CDP). The proposed rezoning to MRC-3 (Mixed Residential Commercial) is compatible with the 2016 CDP designation of Mixed Use, thus a land use amendment will not be required to accommodate the proposed development.
- **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 to the subject site. When proposed development plans are submitted to other agencies for permit review, compliance with all applicable City codes will be required.

- **Availability of other appropriate land zoned for proposed use; effect on balance of land uses with regard to the public need:** The zoning regulation indicates 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. The proposed rezoning would not have an adverse effect on the environment or create an imbalance of land uses. This proposal would allow for an appropriate type of development within the Howell Mill Road corridor at a scale that is comparable to nearby development.
- **Effect on character of the neighborhood:** The 2016 Comprehensive Development plan places the subject site within the Intown Corridor Character Area which targets redevelopment along corridors such as the Howell Mill Road and the Marietta Street corridors with *“multi-story buildings, high density and mixed-use buildings/developments and multifamily residential including senior and workforce housing.”* The Intown Corridor Character Area recommends development with a pedestrian oriented urban form with buildings oriented to the sidewalk. The CDP states, *“Sidewalks should be wide, free of obstructions and in good repair with street trees to serve as buffers between travel lanes and pedestrians.”* The CDP also states, *“Parking lots should be located to the side and or rear of buildings, and when adjacent to the sidewalk should be screened with vegetation.”* Staff is of the opinion the proposed rezoning will not have a negative effect on the character of the neighborhood but will allow for an appropriate mixed-use development along a corridor where Mixed Use is the intended future land use.
- **Suitability of proposed land use:** Staff finds that the proposed mixed-use project with sidewalk level commercial space, a 147-room hotel and six condominium dwelling units complements the existing and future multifamily, commercial and mixed uses in this area of the Howell Mill Road corridor. The use and scale of the proposed development is compatible with the surrounding uses. Hotel use is underrepresented in the area and the commercial and condominium use will complement the nearby residential and commercial uses.
- **Effect on adjacent property:** Staff is of the opinion if this property is rezoned to MRC-3 (Mixed Residential Commercial) the proposed development will have no negative effect on the adjacent properties and should complement the existing and future mixed uses in the area. The proposal will provide a more pedestrian streetscape and will consolidate the curb cuts to one curb cut on Edgehill Avenue.
- **Economic use of current zoning:** Staff finds that the current zoning has a reasonable economic use. However, the rezoning would not have a negative effect on the economic use and may have a positive effect on neighboring properties as the proposed zoning is compatible with existing conditions and reinforces densities that activate a pedestrian oriented district as envisioned for the Howell Mill Road and Marietta Street corridors.
- **Compatibility with policies related to tree preservation:** Redevelopment of the property must comply with the City of Atlanta Tree Ordinance at time of permitting.

- **Other Considerations:** The Atlanta City Design articulates Atlanta’s vision organized according to its five core values of Equity, Progress, Ambition, Access, and Nature. It focuses future growth into already developed areas called Growth Areas, which are further categorized as Core, Corridors, and Clusters. Outside the Growth Areas are the Conservation Areas, which include Urban Neighborhoods, Suburban Neighborhoods, Rural Neighborhoods and Production Areas. Conservation Areas are the natural parts of the city that are less suited for growth and that should be protected from radical change.

According to Atlanta City Design **1005 Howell Mill Road, N.W.** is located within a Core Growth Area. The Core Growth Area is described as follows:

“This is the center of Old Atlanta. It includes the City’s densest, most traditional, adaptable and walkable districts. It has an easy capacity for growth, the best transit network and many of the top historic, cultural and academic assets in the region. It covers Downtown, Midtown, and a larger surrounding territory made primarily of commercial and industrial property. It also includes emerging districts like West Midtown, South Downtown, West End and Castleberry, where better design can solve shortcomings that today limit the capacity for growth.”

STAFF RECOMMENDATION: APPROVAL conditioned upon the following:

1. The site shall be developed in accordance with the site plan entitled “Zoning Site Plan, Star Metals Hotel” prepared by Eberly & Associates, Inc. dated November 26, 2018 and marked received by the Office of Zoning and Development on January 22, 2019. Minor changes to the approved site plan may be authorized by the Director, of the Office of Zoning and Development in accordance with Section 16-02.003(7).



CITY OF ATLANTA

KEISHA LANCE BOTTOMS
MAYOR


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TIM KEANE
Commissioner

KEYETTA M. HOLMES, AICP
Interim Director
Office of Zoning & Development

MEMORANDUM

TO: Zoning Review Board

FROM: Keyetta M. Holmes, AICP, Zoning Administrator 

SUBJECT: U-18-40 for 1005 Howell Mill Road, N.W.

DATE: February 14, 2019

An Ordinance by Zoning Committee for a special use permit for a hotel pursuant to 1634.007(1)(J) for property located at **1005 Howell Mill Road, N.W.**

FINDINGS OF FACT:

- **Property location:** The subject property fronts 123.10 feet on the north side of Edgehill Avenue, N.W. beginning at a ½” rebar found at the right-of-way intersection of the easterly right-of-way line of Howell Mill Road with the northerly right-of-way line of Edgehill Avenue, N.W. The property is located within Land Lot 150 of the 17th District, Fulton County, Georgia in the Home Park Neighborhood of NPU-E in Council District 3.
- **Property size and physical features:** The subject property is approximately 0.627 acres (27,316 square feet) and is located on the east side of Howell Mill Road with approximately 203 feet of Howell Mill Road frontage north of Edgehill Avenue. The property is currently developed with three one story buildings with retail and office uses. The topography slopes approximately 14 feet from a highpoint at the southeast corner of the site to a low point at the northwest corner of the site. The subject site is almost completely paved except for a few foundation plantings. Access to the site on Howell Mill Road is currently provided via three curb cuts on Edgehill Avenue. The entire curb is open to allow parking and access to a rear driveway.
- **CDP Land Use and designation:** The subject property has a future land use designation of Mixed Use within the 2016 Comprehensive Development Plan (CDP).
- **Current/past use of property:** The subject property is currently developed with three one story buildings housing retail and office uses. Staff is unaware of any other previous uses on the site.

- **Surrounding zoning/land uses:** The subject property is currently zoned I-1 (Light Industrial). The subject property and all surrounding properties have a future land use designation of Mixed Use within the 2016 Comprehensive Development Plan (CDP). The surrounding zoning includes I-1 (Light Industrial) to the north, east and south and PD-MU (Planned Development Mixed Use) to the west across Howell Mill Road. The surrounding uses are changing from industrial uses to mixed uses and include a restaurant to the north, the Atlanta Humane Society to the south and east and to the west, across Howell Mill Road, is a six-story mixed use building with retail and office on the first floor and multi-family loft units above.

PROPOSAL:

- **Proposed use:** The applicant requests a special use permit to operate a hotel use on the subject property. The applicant proposes to develop a mixed-use project with sidewalk level commercial space, a 147-room hotel and six-unit penthouse condominium dwelling units. Parking for the development will be accommodated through both a proposed valet only deck with stacked spaces and an offsite shared parking agreement with the applicant's proposed office and commercial development one block north at 1041 Howell Mill Road. The applicant anticipates that the onsite parking will be utilized by the commercial and residential uses and the offsite shared parking located on 1041 Howell Mill Road will be utilized by the hotel.
- **Ingress and egress:** Access to the building for employees and clients will be provided through pedestrian entrances on Howell Mill Road and a circular drive to be located to the rear of the building with access from Edgehill Avenue. Access to onsite parking is via a ramp at the rear of the driveway off Edgehill Avenue. Offsite parking is proposed for the hotel guests at the applicant's proposed office and commercial development one block north of the subject property at 1041 Howell Mill Road. Loading and service will occur at the rear northeast corner of the site with access from Edgehill Avenue. Curb cuts on Howell Mill Road have been eliminated to reduce congestion and enhance the pedestrian environment. Onsite, a rear drop-off/turnaround is provided to allow cars that are stopped to be out of the travel way of vehicles entering and exiting the site, which should in turn reduce potential congestion from vehicles who are attempting to enter the site. Emergency vehicles will gain access to the property by way of the curb cut on Edgehill Avenue. The applicant expects the daily trips to equal approximately 1,350 daily trips for the project. The applicant is not proposing any vehicular transportation improvements to the roadway however, Howell Mill Road is proposed to be reconfigured by the City of Atlanta and the Upper Westside CID to improve traffic in the area.
- **Off-Street Parking and loading:** Parking for the development will be accommodated through both a proposed valet only deck with stacked spaces and an offsite shared parking agreement with the applicant's proposed office and commercial development one block north at 1041 Howell Mill Road. The applicant anticipates that the onsite parking will be utilized by the commercial and residential uses and the offsite shared parking will be utilized by the hotel use. Concurrently with this application the applicant is seeking relief from the Board of Zoning Adjustment (V-18-373) for parking and loading. Service and delivery personnel will be able to park and access the structure through a loading dock off Edgehill Avenue.

- **Refuse and services areas:** Private garbage disposal service will be used by the development and refuse and garbage will be disposed of using dumpsters located within the project. The applicant estimates trash services will occur twice a week but may fluctuate based on demand.
- **Buffering and screening:** The applicant anticipates most noise and light emanating from the hotel will be similar to neighboring properties and will meet all City codes.
- **Hours and manner of operation:** Hours of operations will be 7 days a week /24 hours a day. The applicant expects the hotel to have approximately 20 employees with three shifts. The hotel will have food and beverage service that includes breakfast lunch and dinner. The hotel will not have any ballroom or conference facilities to accommodate events.
- **Duration:** The applicant requests an indefinite duration.
- **Required yards and open space:** The proposed development will be all new construction. The existing facilities will be demolished. No encroachment into required yards or open space is contemplated.
- **Tree Preservation and Replacement:** The applicant states the site does not contain any trees. No trees will need to be removed to accommodate the new development.

CONCLUSIONS:

- **Proposed use:** The applicant proposes to develop a mixed-use project with sidewalk level commercial space, a 147-room hotel and six-unit penthouse condominium dwelling units. Parking for the development will be accommodated through both a proposed valet only deck with stacked spaces and an offsite shared parking agreement with the applicant's proposed office and commercial development one block north at 1041 Howell Mill Road. The applicant anticipates that the onsite parking will be utilized by the commercial and residential uses and the offsite shared parking located on 1041 Howell Mill Road will be utilized by the hotel. This use and scale of development is compatible with the surrounding uses of six story mixed use ground floor and multi-family residential above on the west side of Howell Mill Road, a restaurant to the north of the subject property and the Atlanta Humane Society to the south and east. Hotel use is underrepresented in the area. Further, 1005 Howell Mill Road, N.W. is designated High Density Mixed Use in the 2016 CDP. Staff finds the proposed use and intensity of use to be compatible with surrounding existing land uses and the future land uses outlined in the 2016 CDP.
- **Ingress and egress:** Based on the site plans submitted by the applicant and an on-site review conducted by staff, the proposal appears to provide adequate access to the site and will not detract from the active pedestrian environment being built in the Howell Mill Road and Marietta Street corridors. Staff is of the opinion that the proposed ingress and egress are sufficient to ensure automotive and pedestrian safety and will not create traffic congestion if the entrance and valet parking are managed properly.

- **Off-Street Parking and loading:** Employees and hotel guests will park in the parking deck one block north at 1041 Howell Mill Road. The Office of Zoning and Development has not received any documentation of a shared parking agreement. Staff is supportive of a parking arrangement with the nearby property to minimize on-site surface parking and to create an active pedestrian environment along Howell Mill Road and Edgehill Avenue. Supplies will be delivered through a curb-cut access to the proposed loading area from Edgehill Avenue. Staff supports locating the loading in the proposed location in the northeast corner of the site as it is the least visible location on the site. Loading must be screened in accordance with Section 16-18I.019 of the Zoning Ordinance.
- **Refuse and services areas:** Garbage will be collected in rear onsite dumpsters and disposed of by a private company at scheduled times. Supplies and deliveries will be delivered through the loading area at the rear of the site via Edgehill Avenue. Staff supports the location of loading and service at the rear of the property and supports the consolidation of curb cuts to one curb cut off of Edgehill Avenue.
- **Buffering and screening:** Loading and dumpsters will be located at the rear northeast corner of the site which is the least visible location on site, and therefore, the most appropriate location for uses that need screening. The adjoining properties have similar uses along both Howell Mill Road and Edgehill Avenue. No noise or glare that is inconsistent with the other uses in the area is expected by the proposed hotel use.
- **Hours and manner of operation:** The proposed hotel will provide hotel and dining services and will be open 24 hours a day. No conference or event space is proposed. Staff approves of such measures.
- **Duration:** The applicant requests an indefinite duration. Staff is supportive of an indefinite duration request.
- **Required yards and open space:** The development proposal contemplates redevelopment of the entire site. The site plan presented proposes no encroachments into any required yards
- **Tree Preservation and Replacement:** The applicant indicates that they will follow the City of Atlanta tree ordinance for removal and replacement of trees on the site. Staff approves of this measure.
- **Other considerations:** The Atlanta City Design articulates Atlanta's vision organized according to its five core values of Equity, Progress, Ambition, Access, and Nature. It focuses future growth into already developed areas called Growth Areas, which are further categorized as Core, Corridors, and Clusters. Outside the Growth Areas are the Conservation Areas, which include Urban Neighborhoods, Suburban Neighborhoods, Rural Neighborhoods and Production Areas. Conservation Areas are the natural parts of the city that are less suited for growth and that should be protected from radical change.

According to Atlanta City Design 1005 Howell Mill Road, N.W. is located within a Core Growth Area. The Core Growth Area is described as follows:

“This is the center of Old Atlanta. It includes the City’s densest, most traditional, adaptable and walkable districts. It has an easy capacity for growth, the best transit network and many of the top historic, cultural and academic assets in the region. It covers Downtown, Midtown, and a larger surrounding territory made primarily of commercial and industrial property. It also includes emerging districts like West Midtown, South Downtown, West End and Castleberry, where better design can solve shortcomings that today limit the capacity for growth.”

STAFF RECOMMENDATION: APPROVAL



CITY OF ATLANTA

KEISHA LANCE BOTTOMS
MAYOR


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TIM KEANE
Commissioner

KEYETTA M. HOLMES, AICP
Interim Director
Office of Zoning & Development

MEMORANDUM

TO: Zoning Review Board

FROM: Keyetta M. Holmes, AICP, Zoning Administrator 

SUBJECT: Z-18-139 for 163 and 171 Joseph E. Lowery Boulevard, SW

DATE: February 14, 2019

The applicant seeks to rezone from R-5/BL (Two Family Residential/BeltLine Overlay) to R-4B/BL (Single Family Residential/BeltLine Overlay) for property located at **163 and 171 Joseph E. Lowery Boulevard, SW**

The applicant has requested a 90-day deferral to work with the neighborhood and the applicant.

STAFF RECOMMENDATION: 90 DAY DEFERRAL – MAY 2019




KEISHA LANCE BOTTOMS
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TIM KEANE
Commissioner
KEYETTA M. HOLMES, AICP
Interim Director
Office of Zoning & Development

MEMORANDUM

TO: Zoning Review Board

FROM: Keyetta M. Holmes, AICP, Zoning Administrator 

SUBJECT: Z-18-36 for 3276 Bankhead Highway, N.W. (A.K.A. 3276 Donald Lee Hollowell Parkway)

DATE: February 14, 2019

An Ordinance by Zoning Committee to rezone from MRC-2 (Mixed Residential Commercial) to I-1 (Light Industrial) for property located at 3276 Donald Lee Hollowell Parkway, N.W., 0 Donald Lee Hollowell Parkway, N.W. (17 026000010024), 0 Bolton Road, N.W. (17 0268 LL 0028), 0 Donald Lee Hollowell Parkway, N.W. (17 0267 LL0797), 0 Donald Lee Hollowell Parkway, N.W. (17 0267 LL 0698), and 0 Bolton Road, N.W. (17 0268 LL 0259).

FINDINGS OF FACT:

- **Property location.** The subject site fronts 697 feet on the south side of Donald Lee Hollowell Parkway, N.W. and lies between the intersections of Donald Lee Hollowell Parkway, N.W. and Bolton Road, N.W. and Donald Lee Hollowell Parkway, N.W. and Fulton Industrial Boulevard, N.W. The property is located in Land Lot: 268, 267, 260, and 261 of the 17th District, Fulton County, Georgia within the Bankhead/Bolton neighborhood of NPU-H in Council District 9.
- **Property size and physical features.** The site is approximately 16.712 acres (727,829 square feet) in land area and is currently undeveloped. The lot topography decreases in slope approximately 50 feet in a westerly direction. Large mature trees and vegetation can be found on the majority of the property.
- **CDP land use map designation:** The subject properties have a Mixed-Use land use designation within the 2016 Comprehensive Development Plan (CDP).
- **Current/past use of property:** Staff is unaware of any prior uses for the properties.

- **Surrounding zoning/land use:** The surrounding properties vary in zoning classification. Adjacent parcels are zoned I-1 (Light Industrial) District to the northwest of the subject site. To the south and east the parcels are zoned MR-2 and MR-3 (Multi-Family residential), C-2-C (Commercial Services Conditional), and I-1 (Light Industrial). To the south there are several vacant or partially vacant lots. All developed lots in the immediate area contain industrial uses regardless of zoning classifications.
- **Transportation system:** The subject property has frontage along the Donald Lee Hollowell Parkway corridor which is classified as a principal arterial road. The subject lot also has frontage along Fulton Industrial Boulevard and Bolton Road which are both classified as arterial roads. Sidewalks are provided along all frontages adjacent to the property. MARTA provides public transportation service to this area via bus route #850 along Bolton Road. A transit stop is located at the intersection of Donald Lee Hollowell Parkway and Bolton Road.

PROPOSAL:

The applicant is requesting to rezone a 16.712 acres site to the I-1 (Light Industrial) zoning district for the development of 240,000 square feet of warehouse/distribution center.

Project Specifications:

Net Lot Area (NLA): 727,829 sq. ft. (15.49 acres)

Maximum F.A.R. (allowed of gross area):

I-1 (Light Industrial): $2.0 \times 727,829 \text{ sq. ft.} = \underline{1,455,658}$

Proposed F.A.R.

I-1 (Light Industrial): $0.33 @ \underline{240,000 \text{ sq. ft.}}$

Required Parking:

Minimum Number of Industrial Spaces Required: $1/600 \text{ sq. ft.} = \underline{400 \text{ spaces}}$

Provided Parking:

200 Spaces

Required Loading:

Storage/Warehouse/Distribution: $@ 200,000 - 300,000 \text{ sq. ft.} = \underline{2 (12' \times 35')} + 3 (12' \times 55')}$

Provided Loading:

6 (12'x55')

*Applicant will have to apply for a variance to reduce required parking

CONCLUSIONS:

(1) Compatibility with comprehensive development plan (CDP); timing of development:

The Comprehensive Development Plan (CDP) designates the subject properties as High Density Commercial. The proposed rezoning to I-1 (Light Industrial) is not consistent with the existing land use, thus a land use amendment will be required to accommodate the proposed development.

(2) Availability of and affect of public facilities and services; referral 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 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. The proposed rezoning would not have an adverse effect on the environment or create an imbalance of land uses.

(4) Effect on character of the neighborhood: Staff is of the opinion that the proposed rezoning would have a positive effect on the surrounding neighborhood by redeveloping an underutilized lot. The proposed development will allow for the creation of an industrial facility which is consistent with development along nearby Fulton Industrial Boulevard. The development would also improve the overall aesthetics of the area and improve the economic stability of the area by adding jobs. Therefore, Staff considers this proposal as an improvement over the existing conditions of the site.

(5) Suitability of proposed land use: The proposed use is consistent with the development trend in the neighborhood. Nearby developments such as Atlanta Industrial Park located to the northwest is a fully developed industrial/commercial center that contains multiple manufacturing and similar distribution centers that establishes the neighborhood's current uses.

(6) Effect on adjacent property: The proposed land use and zoning changes are consistent with the development of the surrounding area. The adjacent Fulton Industrial Boulevard corridor would benefit from additional industrial and commercial uses. The proposed projects location is suitable given its location in proximity to Interstate 285 and Interstate 20. This location may decrease the time large commercial vehicles will spend on local roads. The potential impact of increased traffic to nearby properties due to ingress and egress to the development should be taken into consideration during development.

(7) Economic use of current zoning: While the current zoning would allow for some economic use of the land, a change in zoning to industrial would allow 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.

Other Considerations:

The Atlanta City Design articulates Atlanta's vision organized according to its five core values of Equity, Progress, Ambition, Access, and Nature. It focuses future growth into already-developed areas called Growth Areas, which are further categorized as Core, Corridors, and Clusters. Outside of the Growth Areas area the Conservation Areas, which include Urban Neighborhoods, Suburban Neighborhoods, Rural Neighborhoods, and Production Areas. Conservation Areas are the natural parts of the city that are less suited for growth and that should be protected from radical change.

According to the Atlanta City Design map, **3276 Donald Lee Hollowell Parkway, N.W.** is located within the Corridors Area. The Corridors Areas are described as follows:

“Beyond neighborhoods, these are other areas that the city has an interest in protecting from change. Primarily, they consist of strategic industrial land and railyards where intermodal transfer facilities, warehousing, and key production facilities are needed close to the city center. They also include sites like the federal penitentiary and the large film studios at Fort McPherson and Lakewood Fairgrounds, which are simply unlikely to change and should not be included in the growth area.”

STAFF RECOMMENDATION: APPROVAL conditioned upon the following:

1. The applicant shall provide the required setback of 20 feet along the southwestern property line adjacent to the multi-family zoned MR-2 parcel.
2. The applicant/developer shall maintain a 10' buffer on the southwestern property line adjacent to the multi-family MR-2 zoned parcel.



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TIM KEANE
Commissioner

KEYETTA M. HOLMES, AICP
Interim Director
Office of Zoning & Development

MEMORANDUM

TO: Zoning Review Board

FROM: Keyetta M. Holmes, AICP, Zoning Administrator 

SUBJECT: Z-18-76 for 10 Blackland Road, N.W.

DATE: February 14, 2019

An Ordinance by Zoning Committee to rezone from R-3 (Single Family Residential) and C-1 (Community Business District) to MR-3 (Multifamily Residential) for property located at **10 Blackland Road, N.W.**

Staff has requested a 30-day deferral to work with the neighborhood and the applicant.

STAFF RECOMMENDATION: 30 DAY DEFERRAL – MARCH 2019



CITY OF ATLANTA

KEISHA LANCE BOTTOMS
MAYOR


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TIM KEANE
Commissioner

KEYETTA M. HOLMES, AICP
Interim Director
Office of Zoning & Development

MEMORANDUM

TO: Zoning Review Board

FROM: Keyetta M. Holmes, AICP, Zoning Administrator 

SUBJECT: Z-18-124 for 1224 Avondale Avenue, S.E.

DATE: February 14, 2019

An Ordinance by Zoning Committee to rezone from R-4/BL (Single Family Residential/BeltLine Overlay) to R-4B/BL (Single Family Residential/BeltLine Overlay) for property located at **1224 Avondale Avenue, S.E.**

FINDINGS OF FACT:

- **Property location.** The subject property fronts approximately 76.59 feet on the east side of Avondale Avenue, S.E. beginning at a point located at the intersection of the northerly right-of-way of Turpin Avenue with the southerly right-of-way of Avondale Avenue, S.E. The parcel is located in Land Lot 24, 14th District, Fulton County, Georgia within the Boulevard Heights neighborhood of NPU-W in Council District 1.
- **Property size and physical features.** The site is a corner lot with an irregular rectangular shape and approximately 0.26 acres (11,109 square feet) in lot area. The subject property is currently developed with a one story single family dwelling with driveway access and frontage on Avondale Avenue. The lot is wooded at the corner of Avondale Avenue and Turpin Avenue and along the Turpin Avenue frontage. The topography of the site slopes from a highpoint at the north side of the site to a low point at the southeast corner of the site on Turpin Avenue. There is a steep wooded slope rising above the street on the Turpin Avenue frontage.
- **CDP land use map designation:** The parcel is currently zoned R-4/BL (Single Family Residential/BeltLine Overlay). The land use designation is Single Family Residential in the 2016 Comprehensive Development Plan (CDP).
- **Current/past use of property:** The property is currently developed with a one story single family dwelling. Staff is not aware of any previous uses of the site.

- **Surrounding zoning/land use:** The surrounding parcels are zoned R-4/BL (Single Family Residential/BeltLine Overlay) with a Single Family Residential land use designation. There is a townhouse development zoned MR-4A-C/BL (Multi-Family Residential-Conditional/BeltLine Overlay) approximately 250 feet north on the east side of Avondale Avenue, S.E. The parcels zoned MR-4A-C/BL have a High Density Residential land use designation.
- **Transportation system:** Avondale Avenue, S.E. and Turpin Avenue, S.E. are classified as local streets and connect to United Avenue, S.E. which is classified as a collector street. MARTA provides bus service along United Avenue, S.E., Boulevard, S.E. and Moreland Avenue, S.E. with connections to the Five Points and Inman Park/Reynoldstown Transit Stations. The distance between the subject property and the closest bus stop is approximately 0.4 miles. Sidewalks are not present on Avondale Avenue or Turpin Avenue.

PROPOSAL:

The applicant seeks a rezoning from R-4/BL (Single Family Residential/BeltLine Overlay) to R-4B/BL (Single Family Residential/BeltLine Overlay) in order to subdivide the subject property into two lots.

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 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 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:** Staff is of the opinion that, although the land use is consistent, the request to rezone the subject parcel from R-4 (Single Family Residential) to an R-4B (Single Family Residential) zoning classification is not consistent. Lot frontages existing in the neighborhood are more consistent with the R-4 development requirements. Allowing a rezoning to subdivide the lot to create lot frontages that are not consistent with the majority of lot frontages in the area may have a negative impact on the balance of land uses with regard to public need.
- (4) **Effect on character of the neighborhood:** Staff believes the proposed rezoning is not compatible with the character of the neighborhood. The subject property is surrounded by properties with conforming R-4 (Single-Family Residential) lots. Most development surrounding the subject property is detached single family homes with lot frontages meeting or exceeding the R-4 standard of 70 feet in width. Staff is of the opinion that the introduction of R-4B zoning in the midst of an established neighborhood of standard R-4 lots could potentially set off a domino effect to allow for the subdivision of larger lots into smaller lots putting the existing character of the neighborhood at risk.

- (5) **Suitability of proposed land use:** A change in land use is not necessary as the proposed use is compatible with the Single Family Residential land use designation. However, Staff is of the opinion that the proposed request to rezone the property to the R-4B (Single Family Residential) zoning district is not suitable given the current conforming R-4 lots in the surrounding area.
- (6) **Effect on adjacent property:** The development of R-4B (Single Family Residential) in the midst of a neighborhood with conforming R-4 (Single Family Residential) development will not comply with the vision of the Comprehensive Development Plan. The CDP characterizes the subject property area as a Traditional Neighborhood Existing character area. The CDP policy emphasizes: *“Preserving the residential character of Traditional Neighborhoods; Protecting single-family detached residential neighborhoods from encroachment by non-residential uses, incompatibly scaled residential development; and Encouraging new housing development that is compatible with the character of existing neighborhoods.”* Staff finds that the introduction of R-4B zoning would be incompatible in scale and character with the existing neighborhood.
- (7) **Economic use of current zoning:** The economic opportunity of the subject property could be increased by the proposed rezoning however it may have a detrimental effect on adjacent properties and the neighborhood as a whole.
- (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.

(9) **Other Considerations:**

The Atlanta City Design articulates Atlanta’s vision organized according to its five core values of Equity, Progress, Ambition, Access, and Nature. It focuses future growth into already-developed areas called Growth Areas, which are further categorized as Core, Corridors, and Clusters. Outside the Growth Areas are the Conservation Areas, which include Urban Neighborhoods, Suburban Neighborhoods, Rural Neighborhoods and Production Areas. Conservation Areas are the natural parts of the city that are less suited for growth and that should be protected from radical change.

According to Atlanta City Design **1224 Avondale Avenue, S.E.** is located within Conservation Suburban Neighborhoods. Conservation area is the more natural part of the city that we want to protect from radical change. These are composed mostly of single-family homes. Suburban Neighborhoods are described as follows:

These are peaceful post-war subdivisions designed by the speed and easy distance of automobiles. Many, like Adamsville, Brandon, and Perkerson, lack sidewalks, are not as well connected as older neighborhoods and are often distant from retail and employment areas. Their more generous yards and intervening floodplains, however, provide for less runoff, more habitat and host huge swaths of Atlanta’s tree canopy. In this way, in addition to offering homes for families who prefer less-urban lifestyles, these neighborhoods provide enormous benefits to the city at large.

STAFF RECOMMENDATION: DENIAL



CITY OF ATLANTA

KEISHA LANCE BOTTOMS
MAYOR

DEPARTMENT OF CITY PLANNING
55 Trinity Avenue, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308
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TIM KEANE
Commissioner

KEYETTA M. HOLMES, AICP
Interim Director
Office of Zoning & Development

MEMORANDUM

TO: Zoning Review Board

FROM: Keyetta M. Holmes, AICP, Zoning Administrator

SUBJECT: **Z-18-107 for 705 Constitution Road, S.E.**

DATE: February 14, 2019

An Ordinance by Zoning Committee to rezone from I-1-C (Light Industrial Conditional) to I-1 (Light Industrial) for property located at **705 Constitution Road, S.E.**

The applicant has requested a 30-day deferral to work with the neighborhood and the NPU.

STAFF RECOMMENDATION: 30 DAY DEFERRAL – MARCH 2019



CITY OF ATLANTA

KEISHA LANCE BOTTOMS
MAYOR


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TIM KEANE
Commissioner

KEYETTA M. HOLMES, AICP
Interim Director
Office of Zoning & Development

MEMORANDUM

TO: Zoning Review Board

FROM: Keyetta M. Holmes, AICP, Zoning Administrator 

SUBJECT: Z-18-131 for 2465 Fairburn Road, S.W.

DATE: February 14, 2019

An Ordinance by Zoning Committee to rezone from R-4 (Single Family Residential) to I-2 (Heavy Industrial) for property located at **2465 Fairburn Road, S.W.**

The applicant requests that this application be filed.

STAFF RECOMMENDATION: FILE