



## CITY OF ATLANTA

KEISHA LANCE BOTTOMS  
MAYOR


DEPARTMENT OF CITY PLANNING  
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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-19-07 for Historic South Atlanta Rezoning

**DATE:** March 28, 2019

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An Ordinance by Councilmember Carla Smith to rezone certain properties in Historic South Atlanta from R-4A (Single Family Residential), C-1-C (Community Business District Conditional), C-2C (Commercial Service District Conditional) and O-I (Office Institutional) to MRC-2-C (Mixed Residential Commercial Conditional), from R-4A/BL (Single Family Residential/Beltline Overlay), C-1C/BL (Community Business District Conditional/Beltline Overlay) and C-2-C/BL (Community Service District Conditional/Beltline Overlay) to MRC-2-C/BL (Mixed Residential Commercial Conditional/Beltline Overlay) from I-1 (Light Industrial) and I-2 (Heavy Industrial) to I-MIX-C (Industrial Mixed Use Conditional) from I-1-C/BL (Light Industrial Conditional/Beltline Overlay) to IMIX-C/BL (Industrial Mixed Use Conditional/Beltline Overlay) from R-4A (Single Family Residential), R-5-C (Two Family Residential Conditional) and O-I (Office Institutional) to MR-4A-C (Multifamily Residential Conditional) from R-4A/BL (Single Family Residential/Beltline Overlay) to MR-4A-C/BL (Multifamily Residential Conditional/Beltline Overlay) from R-4/BL (Single Family Residential/Beltline Overlay) to MR-MU/BL (Mixed Residential Multiunit/Beltline Overlay) from R-4 (Single Family Residential) to MR-3-C (Multifamily Residential Conditional) in which to implement certain recommendations of The Historic South Atlanta Neighborhood Masterplan; and for other purposes.

#### FINDINGS OF FACT:

Historic South Atlanta is a neighborhood located two miles south of Downtown Atlanta on the Atlanta BeltLine with the arterial streets of Jonesboro Road and McDonough Boulevard serving as the primary transportation corridors to and through the neighborhood. MARTA serves the neighborhood via bus routes #55 and #155 with connections to the Five Points and Georgia State MARTA Transit Stations. There are many locational advantages that should be leveraged in order to enhance the quality of

life in Historic South Atlanta which has been included in several plans including the Historic South Atlanta Masterplan; an Urban Redevelopment Plan adopted by the City of Atlanta in July 2018, and the Atlanta BeltLine Master Plan; Subarea 2. The Historic South Atlanta Masterplan provides various strategies and recommendations including the rezoning of certain parcels along Jonesboro Road, McDonough Boulevard, Lakewood Avenue and Norfolk Southern rail corridors and certain residential areas within the neighborhood with vacant land that may be developed in the future. The purpose of the rezoning is to improve the urban design aesthetic and to allow density that will contribute to the creation of a pedestrian-oriented mixed-use neighborhood. The proposed rezoning is intended to change the balance of uses in the area that currently define the area to allow a mixed use commercial district, a mixed use industrial district, and more multi-family housing within the neighborhood in accordance with the 2018 Historic South Atlanta Masterplan.

#### **PROPOSAL:**

The rezoning is proposed is to create a vibrant, pedestrian-oriented, mixed use district with residential densities to support affordable housing and retail uses. The zoning districts proposed are intended to support an urban form with sustainable design standards for future development in the Historic South Atlanta neighborhood.

#### **CONCLUSIONS:**

- 1) **Compatibility with Comprehensive Development Plan (CDP); timing of development:** The proposed rezoning will require CDP land use amendments to MU (Mixed-Use) and MDR (Medium Density Residential) to support proposed zoning districts within the 2018 Historic South Atlanta Masterplan which was adopted into the CDP and supports the vision and goals of the neighborhood.
- 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 rezoning, these considerations are not applicable, however, public facilities and services appear to exist to support development according to the proposed rezoning.
- 3) **Availability of other appropriate land zoned for proposed use; effect on balance of land uses with regard to the public need:** The proposed rezoning is specifically targeted to improve the existing conditions of the Historic South Atlanta neighborhood. Portions of Historic South Atlanta have the potential to be redeveloped and infilled with quality retail and commercial uses. As the BeltLine develops, commercial mixed uses are anticipated to develop along McDonough Boulevard, Jonesboro Road and Lakewood Avenue corridors. Industrial mixed uses are appropriate for existing industrial properties adjacent to residential and commercial properties. Multi-Family residential uses are necessary to provide appropriate densities to support the mix of uses the neighborhood desires and to provide opportunities for affordable housing. Therefore, Staff is of the opinion that the effect on the balance of land uses will not be negatively impacted.
- 4) **Effect on character of the neighborhood:** Staff is of the opinion that the proposed rezoning would not have a negative effect on the character of the neighborhoods. In fact, the intent of the MRC district is to *“protect existing and developing neighborhood areas and building forms from the incompatible uses resulting from intense highway-oriented development and to preserve and*

*restore existing, traditional and pedestrian scale buildings in established, historic neighborhood districts, as well as create new pedestrian oriented commercial nodes, to encourage a balanced mix of uses to include proportionately significant residential uses and to facilitate safe, attractive and convenient pedestrian circulation".* Therefore, the proposed change will encourage a compatible mixture of residential, commercial, cultural and recreational uses. Also, having a maximum parking and no minimum parking will allow uses to have shared parking and promote a walkable and sustainable neighborhood. The intent of the I-MIX district is to accommodate residential and non-residential growth without losing land zoned for industrial uses in the process. I-MIX also ensures that industrial and non-industrial uses in the same development and surrounding areas are compatible and planned in a unified manner. Zoning district MR-3 (Multi-Family Residential) is proposed in areas with infill potential in order to provide opportunities for housing with higher densities to activate pedestrian streets and provide for affordable housing opportunities. The intent of the MR-MU district is to allow Multi-Family Residential-Multi Unit development that is scaled to be an appropriate neighbor to Single Family uses. These changes in combination have the potential to enhance the character of the Historic South Atlanta neighborhood as proposed in the 2018 Historic South Atlanta Masterplan.

- 5) **Suitability of proposed land use:** The allowable and permitted uses for proposed MRC-2-C, MRC-2-C/BL, I-MIX-C, I-MIX/BL, MR-MU/BL, and MR-3-C zoning districts within the Historic South Atlanta neighborhood, were recommended by the community to support the vision and goals of the neighborhood. They are also supported by the Guiding Principles and Land Use & Design Goals outlined on pages 10-15 of the Atlanta BeltLine Master Plan; Subarea 2 which include: *"Utilize redevelopment to mend the urban fabric. New development should be urban, rather than suburban, in form and scale; Provide a balanced mix of compatible land uses. Ensure a mix of compatible uses and expand commercial opportunities; and expand housing options. Prevent displacement of existing residents, while encouraging a mix of new housing types."* Therefore, Staff believes that the proposed rezoning combined with the recommended uses would be suitable for the community.
- 6) **Effect on adjacent property:** The intent of the proposed MRC zoning district is to protect existing neighborhoods from uses and building forms which are incompatible with the scale, character and needs of the adjacent neighborhoods. The proposed rezoning allows the residents to condition the regulations so as to prohibit certain uses and set parking maximums. The I-MIX zoning district is proposed for properties that are currently zoned industrial and will result in a mix of uses that are compatible with neighboring properties and will create a more walkable urban form. The proposed MR-3 (Multi-Family Residential) zoning district is proposed in areas with infill potential to allow for an increase in density that is appropriate for adjacent residential property. MR-MU (Multifamily-Multi Unit) is proposed adjacent to Single Family Residential uses and is intended to be scaled so that it will be compatible to surrounding properties. Therefore, Staff believes that the rezoning will have a positive effect on adjacent property.
- 7) **Economic use of current zoning:** Although no rezoning or development projects are being proposed as part of this text amendment, the economic use of the proposed zoning is supported by the Urban Redevelopment Plan Market Study of the 2018 Historic South Atlanta Masterplan.

- 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, however, any tree loss that occurs because of any proposed development must comply with the City of Atlanta Tree Ordinance at the time of permitting.
- 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, areas proposed to be rezoned to **MRC-2-C, MRC-2-C/BL, I-MIX-C and I-MIX-C/BL as part of the Historic South Atlanta Rezoning** are located within Growth Area Corridors. Growth Area Corridors are described as follows:

“These are the connecting tissues of the city; the major streets that flow out of the Core in every direction. They stitch Old and New Atlanta together and most of them are commercially developed. Streets like Holowell, Peachtree, and Jonesboro wind along the contours of the city while streets like Metropolitan, Memorial and Northside, slice straight lines across hills and valleys. In either case, we find commercial sites, civic buildings, and anchor institutions along the way. With better design, these corridors can become *Main Streets* for every community, accommodating a reasonable amount of growth that will spur commercial vitality and a vibrant public life out beyond the Core of the city.”

According to Atlanta City Design, areas proposed to be rezoned to **MR-3-C and MR-MU/BL as part of the Historic South Atlanta Rezoning** are located within an Urban Neighborhood within a Conservation Area. 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 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 include 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 & Development

### MEMORANDUM

**TO:** Zoning Review Board

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

**SUBJECT:** Z-19-14 for Emory University, Children's Healthcare of Atlanta, the Centers for Disease Control, Georgia Power Company, Villa International, and Synod of South Atlantic & Presbyterian Church (USA), Inc.

**DATE:** March 14, 2019

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An Ordinance by Councilmember Jennifer N. Ide to zone property owned by Emory University, Children's Healthcare of Atlanta, The Centers for Disease Control, Georgia Power Company, Villa International, And Synod of South Atlantic & Presbyterian Church (USA), Inc. from the O-I-C (Office Institutional Conditional), MR-4A-C (Multi-Family Residential Conditional) MRC-3-C (Mixed Residential Commercial Conditional), R-3-C (Single-Family Residential Conditional), R-4-C (Single-Family Residential Conditional), and HC-20B SA 4-C (Druid Hills Landmark Historic District Subarea 4 Conditional) zoning districts to the O-I-C (Office Institutional Conditional), O-I (Office Institutional), MR-4A-C (Multi-Family Residential Conditional) MRC-3-C (Mixed Residential Commercial Conditional), R-3 (Single-Family Residential), R-4-C (Single-Family Residential Conditional), R-4 (Single-Family Residential), and HC-20B SA 4 (Druid Hills Landmark Historic District Subarea 4) zoning districts for a change in conditions and to remove conditions; and for other purposes

Staff requests that this application be deferred.

**STAFF RECOMMENDATION: 30 DAY DEFERRAL – APRIL 2019**



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### MEMORANDUM

**TO:** Zoning Review Board

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

**SUBJECT:** **Z-19-15 for SPI-21 Text Amendment**

**DATE:** March 14, 2019

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An Ordinance by Councilmember Joyce M. Sheperd to amend Chapter 28A (Atlanta Sign Ordinance) of Part 16 (Atlanta Zoning Ordinance) to allow large screen video display (LSVD) signs as a type of sign permitted in Subarea 9 (Adair Park) of the SPI-21 (Historic West End/Adair Park Special Public Interest) zoning district; and for other purposes

Staff requests that this application be deferred.

**STAFF RECOMMENDATION: 30 DAY DEFERRAL – APRIL 2019**



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### MEMORANDUM

**TO:** Zoning Review Board

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

**SUBJECT:** U-18-42 for 966 West Paces Ferry Road, N.W.

**DATE:** March 28, 2019

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An Ordinance by Zoning Committee for a special use permit for expansion of a private school pursuant to 16-04.005(1)(L) for property located at **966 West Paces Ferry Road, N.W.**

#### **FINDINGS OF FACT:**

- **Property location:** The subject property fronts approximately 328.02 feet on the east side of Rilman Road, N.W. beginning at a ½" rebar set at the intersection of little easterly right-of-way line of Rilman Road and the southerly right-of-way line of West Paces Ferry Road, N.W. The property is located within Land Lots 58, 181, and 182 of the 17<sup>th</sup> District of Fulton County, Georgia in the West Paces Ferry/Northside neighborhood of NPU-A in Council District 8.
- **Property size and physical features:** The site has an irregular shape and is approximately 30.7909 acres (1,341,252 square feet) in size. The lot is developed with a private school, consisting of several administrative buildings and recreational facilities. Vehicular access to the property is provided from the south side of West Paces Ferry Road and the east side of Rilman Road. There are large, mature trees throughout the property. The topography varies throughout the property.
- **CDP Land Use and designation:** The subject property is one lot with multiple zoning districts. The lot is currently split-zoned as R-2 (Single Family Residential) and R-3 (Single Family Residential). The land use designation is Single Family Residential in the 2016 Comprehensive Development Plan.
- **Current/past use of property:** The past and current use of the property is a private school. Staff is not aware of any other previous uses of the site.

- **Surrounding zoning/land uses:** The parcels to the north are zoned R-2 (Single Family Residential) District. The parcels to the south, east, and west are zoned R-3 (Single Family Residential). All of the surrounding parcels have a Single Family Residential land use designation.

### **PROPOSAL:**

- **Ingress and egress:** Ingress and egress to the site are provided by the existing two driveways on West Paces Ferry Road and the driveway on Rilman Road.
- **Off-Street parking and loading:** The site does not indicate any major changes in the existing off-street parking and loading. The expansion does not appear to encroach into any of the designated parking areas depicted on the site plan.
- **Refuse and services areas:** The applicant states that disposal services are provided to the property three times a week.
- **Buffering and screening:** The applicant has indicated that the existing buffering and screening will remain in place.
- **Hours and manner of operation:** The school is open Monday through Friday from 7:00 a.m. to 3:00 p.m., and some evenings and weekends for extracurricular activities. The school employs approximately 250 people with an enrollment of 1,105 students.
- **Duration:** The applicant requests a permanent duration.
- **Required yards and open space:** Based on the site plan, the expansion does not encroach into any required yards or open space.
- **Tree Preservation and Replacement:** A tree protection plan was not submitted with the application. Pace Academy must consult with the City Arborist on matters related to tree protection and tree removal.

### **CONCLUSIONS:**

- **Ingress and egress:** As indicated on the site plan, ingress and egress will be provided from the existing driveways along West Paces Ferry Road and Rilman Road. Staff finds these points of ingress and egress to be sufficient for the proposed expansion.
- **Off-Street parking and loading:** The site plan does not indicate any major changes in the existing off-street parking and loading. Therefore, Staff is of the opinion that the off-street parking and loading are sufficient to support the proposed use.
- **Refuse and services areas:** The applicant has indicated that disposal services are provided to the property three times a week. This appears to be adequate for the proposed use.



- **Buffering and screening**: The existing buffering and screening will remain in place. Therefore, Staff is of the opinion that the applicant will provide adequate measures for the buffering and screening requirements.
- **Hours and manner of operation**: The hours and manners of operation will remain consistent with the operation of the private school. Staff finds the hours and manner of operation to be adequate.
- **Duration**: The applicant requests a Special Use Permit be granted without limits on its duration. Staff is supportive of an indefinite duration request.
- **Compatibility with policies related to Tree Preservation and Replacement**: The applicant indicates that they will follow City of Atlanta tree ordinance for the removal of any trees. Redevelopment of the property must comply with the City of Atlanta Tree Ordinance at time of permitting.
- **Required yards and open space**: The expansion does not encroach into any required yards or open space. Staff finds that the expansion on the property meet the district yard requirements.
- **Other Considerations**  
The application and site plan appear to be consistent with previously approved special use permits for Pace Academy. The original application, which granted permission for the private school was U-93-22. Other amendments to this application include U-97-22; U-07-21; and U-12-06. This application amends the site plan approved with application U-12-06 in order to expand the existing lower school. Additionally, an accompanying variance application, V-19-05, has been submitted by the applicant, requesting to increase the maximum building height from 35 feet to 39 feet to erect a new educational building.

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

1. The site shall be developed in accordance with the site plan entitled "Pace Academy Lower School" prepared by TVS Design dated January 7, 2019 and stamped received by the Office of Zoning and Development on January 9, 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).
2. All remaining conditions of U-12-006, approved by the Mayor on June 31, 2012, shall remain in full force and effect.
3. All previous conditions pursuant to U-07-21, U-97-22, and U-93-22 shall remain in force.



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Interim Director  
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### MEMORANDUM

**TO:** Zoning Review Board

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

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

**DATE:** March 28, 2019

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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 NPU. Staff is supportive of this request.

**STAFF RECOMMENDATION: 30 DAY DEFERRAL – APRIL 2019**



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## MEMORANDUM

**TO:** Zoning Review Board

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

**SUBJECT:** Z-18-112 for 1834 Braeburn Circle

**DATE:** March 28, 2019

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An Ordinance by Councilmember Natalyn Mosby Archibong to zone property located at **1834 Braeburn Circle** to the MR-2 (Multi-Family Residential) zoning district upon annexation into the City of Atlanta; and for other purposes

### FINDINGS OF FACT:

- **Property location:** The property to be annexed is north and east of the City of Atlanta limits fronting Interstate 20 located to the rear of property fronting Braeburn Circle, S.E. immediately adjacent to the City of Atlanta's East Atlanta neighborhood in NPU-W, Council District 5.
- **Property size and physical features:** The subject site is bounded by Interstate 20 to the east. The lot is heavily wooded. The topography of the sites varies.
- **CDP land use map designation:** Recommendations for compatible land use designation in accordance with recommended zoning designation will be presented at a public hearing conducted by the Community Development/Human Services Committee (CD/HS) of the Atlanta City Council. Land use designations proposed for the subject lot is Low Density Residential. These land uses are substantially comparable to the subject area's current land use designation in DeKalb County.
- **Current/past use of property:** The parcels is currently undeveloped.
- **Surrounding zoning/land uses:** South of the subject site parcels are zoned R-4 (Single Family Residential) and DeKalb County R-75 (Residential Medium Lot) and north of the subject site properties are zoned DeKalb County R-75 (Residential Medium Lot).

- **Transportation system:** The subject site can be accessed by Braeburn Drive, Clifton Road and Braeburn Circle which are all classified as local roads. There are no sidewalks found along Braeburn Circle or any of the interior streets. The closest MARTA Transit Station is Edgewood/Candler Park located 1.94 miles from the subject site.

## **PROPOSAL:**

The ordinance proposes to zone properties MR-2 (Multi-Family Residential) Districts.

The intent of the City of Atlanta MR (Multifamily Residential) District is as follows:

To create a diversified city where people across the spectrum of age, income, ethnicity, and culture can live, work, shop, meet, and play to provide for multi-family residential housing types that are compatible with single-family neighborhoods and commercial nodes. To encourage the development of multi-family housing, with limited neighborhood serving commercial uses and to encourage a range of housing types and prices to meet different housing needs. To improve the aesthetics of the built environment and to protect existing stable single-family neighborhoods from uses and building forms which are incompatible with their scale, character and needs. To ensure pedestrian-oriented building forms and to provide for a pedestrian-oriented environment on streets and sidewalks. To promote public safety through the provision of pedestrian-oriented street-level uses, sufficient sidewalk widths, adequate visibility from adjacent buildings and primary pedestrian access from buildings to adjacent sidewalks. To reserve the space between the building and the sidewalk for pedestrian related uses and to provide appropriately-scaled, continuous pedestrian oriented uses and activities adjacent to sidewalks along streets with identified pedestrian needs. Further, the intent is to encourage a grid of connected streets to improve access and reduce congestion and to facilitate safe, pleasant and convenient pedestrian circulation and minimize conflict between pedestrians and vehicles. To facilitate safe and convenient bicycle usage and provide sufficient parking in an unobtrusive manner. To maximize opportunities for pedestrian amenities, including parks, plazas, greenways and public art and to provide sufficient, safe and accessible parks, plazas and greenways for active and passive enjoyment. To improve the quality of air and water through provisions for the planting of trees, greenspace protection, bicycle parking and electric vehicle parking.

Similarly, the intent of the MR-2 (Medium Density Residential) zoning in DeKalb County is to encourage primarily residential, planned developments that allow accessory retail, office, institutional, and civic uses. To provide for residential neighborhoods with a mix of single family and multi-family housing types that maintain harmony of scale, intensity, and design with surrounding development. To provide for connectivity of streets and communities and reduce the dependence on automobile uses by increasing the ease of movement and opportunities for alternative modes of travel. To implement the Future Development Map of the County's most current Comprehensive Plan and to provide districts that allow appropriate development within the edges and transitional areas of the Town Center and Regional Center character area.

**CONCLUSIONS:**

- (1) **Compatibility with comprehensive development plan (CDP); timing of development:**  
A recommendation for compatible land use designation in accordance with a recommended zoning designation will be presented at a public hearing conducted by the Community Development/Human Services Committee (CD/HS) of the Atlanta City Council. Land Use Designations proposed for the subject area is Low Density Residential. The proposed land use designation is substantially comparable to the subject sites current land use designation in DeKalb County.
- (2) **Availability of and effect of public facilities and services; referral to other agencies:**  
There are available public facilities and services (i.e. water supply, sewerage, drainage, transportation, schools, fire and police protection and solid waste collection and disposal) for the proposed annexation area. The proposed zoning for the area is based on staff's review of the current zoning in DeKalb County (i.e. MR-2 (City) for MR-2 (County)).
- (3) **Availability of other appropriate land zoned for proposed use; effect on balance of land uses with regard to the public need:** Since no development project is being proposed in connection with the annexation, availability of other appropriate land already zoned for the proposed use is not applicable here. Because the property owners seek annexation, the City must zone the property upon annexation. The proposed zoning will not have an adverse environmental effect on the balance of land uses because it will retain a similar zoning as in DeKalb County.
- (4) **Effect on character of the neighborhood:** The uses permitted by the proposed zoning will have a positive impact on the surrounding neighborhoods because they are materially the same as the ones currently permitted in DeKalb County.
- (5) **Suitability of proposed land use:** The proposed request to zone the property to MR-2 (Multifamily Residential) district is suitable given the current use of the land and residential nature of the surrounding area. The uses within these proposed districts are compatible to the current zoning designations in the DeKalb County MR-2 (Medium Density Residential).
- (6) **Effect on adjacent property:** The proposed zoning district will have a positive impact on the surrounding neighborhoods because it is materially the same as the one currently permitted in DeKalb County.
- (7) **Economic use of current zoning:** The current zoning and the proposed zoning allow for reasonable economic use of the properties in the subject area.

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

1. The site shall be developed in accordance with the site plan entitled "1834 Braeburn Circle" prepared by Office of Design Architects dated March 4, 2019 and marked received by the Office of Zoning and Development on March 25, 2019. The Subject Property (+/- 7.37 acres) shall be developed and built out in substantial conformity to the conceptual site plan attached hereto and incorporated by this reference as Exhibit A. Any major change to the site plan that deviates from these conditions will require the

developer to file an application to modify one or more of the conditions outlined herein, as applicable. The term "major change" shall be distinguished from the term "minor change" as set forth in Sect. 16-02.003(7) of the zoning ordinance, and shall specifically include any subdivision of the subject property. The developer shall provide all abutting property owners along Braeburn Circle (the "Neighbors") with a copy of all application(s) to modify the conceptual plan pertaining to Subject Property at least 10 days prior to any scheduled meeting with those Neighbors.

2. Except for access to the single family detached home fronting on Braeburn Circle, there shall be no vehicular access to the development from Braeburn Circle. The remainder of the Subject Property shall be served by one access point from the northern boundary of the Subject Property.
3. The development shall be limited to no more than eighteen (18) single family residential units in substantially the same location as the locations depicted in the site plan attached hereto and incorporated by this reference as Exhibit A.
4. The dwelling units adjacent to the Subject Property's southern property line abutting Braeburn Circle will be single-family detached dwellings and will not exceed 5 residential units. The remaining dwelling units, primarily adjacent to I-20, may be detached or attached but shall not exceed a total of thirteen (13) units. A single-family detached home fronting on Braeburn Circle may be built so long as it complies with R-4 (Single Family) development standards and shall be included in the eighteen (18) maximum unit count referenced in the preceding section.
5. All structures shall comply with R-4 (Single Family) maximum height restrictions.
6. At least one (1) dedicated parking space shall be provided for each residential dwelling unit and at least twenty (20) additional on-street parking spaces shall be provided in substantially the same location as depicted in Exhibit A.
7. The brightness of light emitted from the development shall not exceed 0.5-foot candles over ambient light levels, as measured at the Subject Property's southern property line.
8. A 15-foot landscape buffer shall be provided between the alley and the Subject Property's southern property line, which shall remain undisturbed except that the tree cover within this landscape buffer shall be supplemented with evergreen plants to provide continuous visual screening, up to a height of at least twelve (12) feet at maturity, a minimum height of six (6) feet at the time of planting. The continuous visual screening provided by this buffer shall screen light from the development and from any on-site cars as required by condition 7 above. Any supplemental planting within the buffer shall be completed prior to the installation of the wall referenced in the condition 9 below.
9. A continuous 6-foot wall shall be installed interior to the above referenced landscape buffer and not immediately adjacent to the rear property lines of lots on Braeburn Circle.
10. A 6-foot wall shall be installed along the Subject Property's eastern boundary between the existing Georgia Department of Transportation sound wall and the Subject Property's southeastern property line. A supplemental landscape buffer shall be installed along all portions of the subject property's eastern boundary, extending from the Subject Property's northeast corner to its southeast corner, which shall not include any impervious surface except for a portion of single access driveway as shown in the site plan attached hereto as Exhibit A. This buffer shall be installed subsequent to the installation of the wall, and the aforementioned buffer shall have a depth of 15 feet to 40 feet with the greatest depth provided in the northeast and southeast corners of the eastern boundary. The tree cover within this landscape buffer shall be supplemented with evergreen plants to provide continuous visual screening up to a height of at least 25 feet

at maturity and a minimum height of 6 feet at the time of planting in the southeast and northeast corners along Subject Property's eastern boundary. All other landscape buffers along the eastern boundary shall be supplemented with evergreen plants to provide continuous visual screening up to a height of at least 12 feet at maturity and a minimum height of 6 feet at the time of planting.

11. The developer shall provide all Neighbors with a copy of all special administrative permit ("SAP") applications pertaining to the Subject Property at least ten (10) days prior to any scheduled meeting with those Neighbors. The developer will not submit any SAP applications to the City prior to the scheduled meeting at which comments from the Neighbors will be received. The SAP package submitted to the City of Atlanta ("City") shall include, among other required elements, elevations of all walls and fencing proposed along property lines that are shared with the Neighbors. All Neighbor comments, and Neighbor contact information, shall be included in the subsequently submitted SAP application package. The developer will provide a copy of submitted SAP applications to the Neighbors within 3 business days of filing.
12. Upon a minimum of 5 business days written notice to a designated neighborhood representative, the developer shall meet with the Neighbors to present detailed plans for handling stormwater detention, stormwater runoff from Neighbor properties, and storm sewer improvements before submitting development permit applications to the City. These detailed plans shall specifically consider storm water impacts on the entirety of the Subject Property depicted in the site plan attached as Exhibit A (specifically to include that portion of the property fronting on Braeburn Circle). All Neighbor comments, and Neighbor contact information, shall be included in the subsequently submitted development permit package. The developer will provide a copy of submitted development permit package(s) to the Neighbors within 3 business days of filing.
13. The developer shall replace all new evergreen plants and trees conforming with the minimum height requirement of twelve (12) feet at maturity and six (6) feet at the time of planting within a required landscape buffer that die within one (1) year after the full buildout of the development. Upon the expiration of the 1-year replant period, neither the developer nor its successor(s) in interest shall be responsible for maintaining the undisturbed landscape buffer, except to remove any dead, dying, diseased or hazardous trees as and defined in Chapter 158 of the City of Atlanta's Ordinances.
14. The developer shall use its best efforts to meet with all Neighbors as required by these conditions. The Neighbors shall use their best efforts to meet with the developer as a group.
15. All land within a designated FEMA flood plain or floodway on the Subject Property shall not be developed in any way except to allow a pavilion, a shed, an access road from Winthrop Road to the proposed dwelling units on the Subject Property, and/or passive gardens, greenspace and trails.



## CITY OF ATLANTA

KEISHA LANCE BOTTOMS  
MAYOR

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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 *(KH)*

**SUBJECT:** Z-18-117 for 820 Flat Shoals Avenue, S.E.

**DATE:** March 28, 2019

An Ordinance by Zoning Committee to rezone from C-1 (Community Business) District and R-4 (Single Family Residential) to C-1 (Community Business District), R-4 (Single Family Residential) and PD-H (Planned Development Housing) for property located at **820 Flat Shoals Avenue, S.E.**

The applicant requests that this application be filed.

**STAFF RECOMMENDATION: FILE**





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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-18-130 for 395 Pavillion Street, S.E. and 690 Oakland Avenue, S.E.

**DATE:** March 28, 2019

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An Ordinance by Zoning Committee to rezone from R-5/HC20K SA1 (Two Family Residential/Grant Park Historic District Subarea 1) to R-4B/HC20K SA1 (Single Family Residential/Grant Park Historic District Subarea 1) for property located at **395 Pavillion Street, S.E. and 690 Oakland Avenue, S.E.**

#### FINDINGS OF FACT:

- **Property location:** The subject property fronts approximately 51.45 feet on the south side of Pavillion Street, S.E. and 52 feet on the east side of Oakland Avenue, S.E. and begins 50.65 feet from the intersection of Pavillion Street, S.E., and Oakland Avenue, S.E., The property is located in the Grant Park Neighborhood, in Land Lot 43 of the 14<sup>th</sup> District in NPU W, Council District 1, Fulton County, Georgia.
- **Property size and physical features:** The property consists of approximately 9,583 square feet (0.22 acres) of net lot area. The lot is an irregularly shaped lot. It is currently developed with a one-story residential structure. The topography of the lot varies. Vehicular access to the property is available on Oakland Avenue or on Pavillion Street. Shrubs can be found throughout the property.
- **CDP land use map designation:** The Future Land Use designation for this property is Single Family Residential (SFR) within the 2016 Comprehensive Development Plan.
- **Current/past use of property:** Staff is not aware of any previous uses other than residential.

- **Surrounding zoning/land uses:** Land use and zoning designations in the immediate area are limited to R-5 (Two Family Residential) zoning with a Single Family Residential land use to the north, west, east and south of the subject lot.
- **Transportation:** Pavillion Street, S.E. and Oakland Avenue, S.E. are classified as a local road. Currently, MARTA does not serve the immediate area.

#### **PROPOSAL:**

The applicant seeks the rezoning of a 9,583-square foot (0.22-acre) lot from R-5/HC20K SA1 (Two Family Residential/Grant Park Historic District Subarea 1) to R-4B/HC20K SA1 (Single Family Residential/Grant Park Historic District Subarea 1) in order to subsequently replat the current lots into two conforming residentially zoned lots. Per the zoning code, *sec. 16-06B.007(1)*, the minimum area required for a property zoned R-4B/HC20K SA1 (Single Family Residential) is 2,800 square feet and must contain at least 40 feet of frontage. The applicant is proposing to replat the current lots into two 40 feet by 90 feet residential lots.

#### **CONCLUSIONS:**

- 1) **Compatibility with comprehensive development plan (CDP); timing of development:** The Comprehensive Development Plan (CDP) designates the property as Single Family Residential. The proposed rezoning to R-4B/HC20K SA1 (Single Family Residential/Grant Park Historic District Subarea 1) 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 indicates there are public facilities and services available to the subject property. There has been no indication from review agencies and/or departments that there would not be adequate public facilities and services at the subject location. When proposed development plans are submitted to other agencies for permit review, compliance with all applicable City codes will be required.
- 3) **Availability of other appropriate land zoned for proposed use; effect on balance of land uses with regard to the public need:** The 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 would allow for the appropriate type of in-fill development for the existing single-family neighborhood at a scale that is comparable to the original lot pattern.
- 4) **Effect on character of the neighborhood:** The property is located in the Grant Park Neighborhood, an established residential area. Staff is of the opinion the proposed zoning will allow for an appropriate development on an underutilized portion of land. Development of the proposed lot would preserve the single-family and low-density residential character of the neighborhood.

- 5) **Suitability of proposed land use:** The proposed use reflects the single family residential character of the area. The proposed R-4B (Single Family Residential) zoning would allow the construction of one single-family residence, develop an underutilized portion of land and add to the housing stock of the Grant Park neighborhood.
- 6) **Effect on adjacent property:** The proposed development should have minimal to no negative effect on the adjacent properties. Other lots in the immediate area have a lot frontage that is consistent with the R-4B development requirements. Staff is of the opinion if this property is rezoned to R-4B there will be no negative effects on adjacent properties.
- 7) **Economic use of current zoning:** The current zoning condition only allows for limited economic use of the land, one single family structure per parcel. The property has a portion that has remained undeveloped by past and current land owners. A change in zoning to allow a subdivision and creation of a new residential lot would bring more economic incentives to the area without changing the characteristics of the established community.
- 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.
- 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 the Atlanta City Design map, **395 Pavillion Street, S.E. and 690 Oakland Avenue, S.E.** is located within an Urban Neighborhood within a Conservation Area. 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 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 include 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 conditioned upon the following:**

1. The maximum floor area ratio shall not exceed .6.
2. The maximum lot coverage shall not exceed 60 percent.



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

### MEMORANDUM Amended

**TO:** Zoning Review Board

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

**SUBJECT:** Z-18-137 for 1991 Meador Ave SE.

**DATE:** March 28, 2019

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A Substitute Ordinance by Zoning Committee to rezone from R-4 (Single Family Residential) to R-4A (Single Family Residential) for property located at 1991 Meador Avenue, S.E.

#### FINDINGS OF FACT:

- **Property location:** The subject property fronts 104.07 feet on the west side of Meador Avenue, S.E. beginning at the intersection of the westerly right-of-way of Meador Avenue, S.E. and the northerly right-of-way of Meador Way, S.E. Depth: 198.20 feet, Area: 0.475 Acres, Land Lot: 58, 14th District, Fulton County, Georgia in the Lakewood Heights neighborhood of NPU Y Council District 1.
- **Property size and physical features:** The property consists of approximately 0.475 acres (20,699 square feet) of net lot area. The lot is a rectangular shaped lot. It is currently undeveloped and vacant. The topography of the lot varies. Vehicular access to the property is not currently available. Vegetation and large mature trees can be found throughout the property.
- **CDP land use map designation:** The land use designation for this property is Single Family Residential (SFR) within the 2016 Comprehensive Development Plan. An amendment to the Comprehensive Development Plan will be needed to accommodate the proposed rezoning and development.
- **Current/past use of property:** Staff is not aware of any previous uses other than residential.

- **Surrounding zoning/land uses:** Land use and zoning designations in the immediate area are limited to R-4 (Single-Family Residential) zoning with Single Family Residential land use to the north, west, east and south of the subject lot. Further east and west of the subject parcel properties are zoned I-1 (Light Industrial), MRC-1 (Mixed Residential Commercial), RG-2 (Residential General Sector 2) and C-1 (Community Business) with Low Density Residential land use designation to the north, west, east and south of the subject lot.
- **Transportation:** Meador Avenue is classified as a local road. Currently, MARTA serves the area via bus route #155 Harper Road, S.E. and Lakewood Avenue, S.E.

#### **PROPOSAL:**

The applicant seeks to rezone the property from R-4 (Single Family Residential) to R-4A (Single Family Residential).

#### **CONCLUSIONS:**

- 1) **Compatibility with comprehensive development plan (CDP); timing of development:** The Comprehensive Development Plan (CDP) designates the property as Single Family Residential. The proposed rezoning to R-4A (Single Family Residential) District is consistent with the existing land use.
- 2) **Availability of and effect on public facilities and services; referrals to other agencies:** The location of the site and current use of surrounding properties indicates there are public facilities and services available to the subject property. There has been no indication from review agencies and/or departments that there would not be adequate public facilities and services at the subject location regarding water supply and sewage disposal. When proposed development plans are submitted to other agencies for permit review, compliance with all applicable City codes will be required.
- 3) **Availability of other appropriate land zoned for proposed use; effect on balance of land uses with regard to the public need:** The zoning regulation indicates that this consideration is optional. The applicant has not indicated that they own other land in the area that would be suitable for the proposed development. The proposed rezoning would not have an adverse effect on the environment or create an imbalance of land uses or to the health of humans or the environment by allowing the rezoning from R-4 to R-4A for the construction of single-family homes. The proposed rezoning would allow for an appropriate type of infill development for the existing single-family neighborhood at a scale that is comparable to the original lot pattern.
- 4) **Effect on character of the neighborhood:** The property is located in the Lakewood Heights neighborhood, an established residential area that is currently experiencing redevelopment of a infill lots in the area. Staff is of the opinion the proposed zoning will allow for an appropriate development of an underutilized portion of land. Development of the proposed lot could stimulate renovation of the other undeveloped or underutilized lots in this neighborhood. Further, the resultant lot width if the rezoning is approved is consistent with the existing lot sizes in the block.

- 5) **Suitability of proposed land use:** The proposed use reflects the single family residential character of the area. The proposed R-4A (Single Family Residential) zoning would allow the construction of two single-family residences, develop an underutilized portion of land and add housing stock to an area that has limited space for new development.
- 6) **Effect on adjacent property:** The proposed development should have minimal to no negative effect on the adjacent properties. The majority of the lots fronting Meador Avenue, S.E. has a lot frontage that is consistent with the R-4A development requirements. Staff is of the opinion if this property is rezoned to R-4A there will be no negative effects on adjacent properties.
- 7) **Economic use of current zoning:** The current zoning condition only allows for limited economic use of the land, one single family structure per parcel. The property has a portion that's remained undeveloped by past and current land owners. A change in zoning to allow a subdivision and creation of a new residential lot would bring more economic incentives to the area without changing the characteristics of the established community.
- 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.
- 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 the Atlanta City Design map, **1991 Meador Ave SE** is located within an Urban Neighborhood within a Conservation Area. 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 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 include 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 of the Substitute Ordinance**



## 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 *KMH*

**SUBJECT:** U-18-26 for 2856 Browns Mill Road, S.E.

**DATE:** March 28, 2019

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An Ordinance by Zoning Committee for a special use permit for a day care center pursuant to 16-06.005(1)(b) for property located at **2856 Browns Mill Road, S.E.**

#### FINDINGS OF FACT:

- **Property location:** The subject property fronts approximately 70 feet on the east side of Browns Mill Road S.E., and begins at a point 100 feet north of the northeast corner of Cleveland Avenue, S.E. and Browns Mill Road, S.E. The property is located in Land Lot 61 of the 14<sup>th</sup> District, Fulton County, Georgia in the Rosedale Heights neighborhood of NPU Z, Council District 12.
- **Property size and physical features:** The property consists of approximately .462 acres (20,124 square feet) of land. The lot currently consists of a one-story single-family structure. The site has two mature trees in the front and side yard and other trees and shrubbery in the rear yard.
- **Current/past use of property:** The property is developed with a single-family structure. Staff is unaware of any previous uses.
- **Surrounding zoning/land uses:** The current land use for this parcel is Single Family Residential and the zoning designation is R-4 (Single Family Residential) District. Immediately adjacent properties are zoned R-4 (Single Family Residential) District with a SFR (Single Family Residential) land use designation.

- **Transportation system:** Browns Mill Road is classified as a local road. It is serviced by MARTA bus route #178 which has a stop at the intersection of Browns Mill Road and Springdale Drive, S.E. approximately 300 feet from the subject site. Sidewalks are present on one side of Browns Mill Road and terminates at the property line.

**PROPOSAL:** The applicant seeks a Special Use Permit for a day care center pursuant to 16-06.005 (1)(b) for property located at **2856 Browns Mill Road, S.E.**

- **Ingress and egress:** Employees, visitors and emergency vehicles can access the site via a driveway from Browns Mill Road.
- **Off-Street Parking and loading:** Employees and visitors will use the single driveway access from Browns Mill Road. The applicant has indicated that service personnel can park vehicles in the driveway for routine maintenance and the driveway can accommodate up to five vehicles.
- **Refuse and service areas:** Refuse will be handled through city services and receptacles.
- **Buffering and screening:** There is no buffering and screening currently installed on the site. However, the applicant has indicated that they are willing to install a privacy fence if required. The applicant proposes no road improvements to accommodate traffic to and from the facility.
- **Hours and manner of operation:** The applicant has proposed the center to provide day care service for children ranging in age from one (1) to (12) twelve for up to 10 children. The daycare would operate from 7 a.m. to 6 p.m., Monday through Friday. Breakfast and lunch meals will be provided. There will be three employees, two onsite during operation.
- **Duration:** The applicant requests a permanent duration.
- **Required yards and open space:** The applicant has indicated no plans for play or recreation space.
- **Tree Preservation and Replacement:** No trees will be damaged, destroyed or removed.

#### CONCLUSIONS:

1. **Ingress and egress and proposed structure or uses thereon, with particular references to automotive and pedestrian safety and convenience, traffic flow and control, and emergency access:** Ingress and egress to the property is accessed via one curb cut on Browns Mill Road. All clients, visitors and employees will also use the same entryway to access the site. Additionally, emergency vehicles and service personnel must use the same entryway to access the site. There are three proposed parking spaces in the rear of the site with a turnaround area. The proposed drop-off zone provides for safe drop off because vehicles can turn around using the parking area in the rear. Staff finds ingress and egress to be sufficient for the proposed use.



2. **Off-street parking and loading:** The parking requirement for child care centers in the R-4 (Single Family) zoning District is one parking space per 600 sq. ft. of floor area. This location would require two (2) off-street parking spaces. The site plan provided by the applicant shows three parking spaces in the rear of the property with a turnaround space. All emergency and service vehicles and deliveries will use the same combined parking and loading area as customers and employees. Staff is of the opinion that the off-street parking and loading provided by the applicant is sufficient to support the proposed use.
3. **Refuse and service areas:** The applicant has indicated that city services will be utilized for waste removal. This appears to be adequate for the residential use. Staff believes that the amount of waste that may be generated from the customer base will be burdensome and is beyond the waste generated by a residential use. Further, city refuse service is once per week and the amount and type of waste that can be generated if not gathered frequently can cause rodents and pests and would be overly burdensome on adjacent residential neighbors. Therefore, Staff recommends exploring additional waste management options for the proposed use.
4. **Buffering and screening:** The applicant has indicated that they are willing to install a privacy fence around the perimeter to buffer the neighbors from any noise or to provide safety for children playing in the backyard. Staff is supportive of the proposed buffer and screening measures.
5. **Hours and manner of operation:** The applicant has indicated that the day care would operate from 7 a.m. to 6 p.m., Monday through Friday. The children will be provided breakfast and lunch. The number of children served is up to ten (10). As proposed the applicant will provide care and maintenance to children from (1) one to (12) twelve years old. The applicant indicates that there will be two employees at any given time on site which is in meeting with the State regulations. The applicant has also provided a floor plan of 1,189 square feet floor area which will be used entirely for the proposed day care center. Staff finds the hours and manner operation to be sufficient.
6. **Duration:** Staff is not supportive of a permanent duration.
7. **Required yards and open space:** The applicant has indicated that there will be no additions to the existing residential structure.
8. **Compatibility with policies related to tree preservation:** The applicant has stated that no trees will be removed, damaged, no destroyed with the request.

**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 **2856 Browns Mill Road, S.E.** is located within Conservation Area: Suburban Neighborhoods. Suburban Neighborhoods are described as follows:

“These are the 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 the retail and employment areas. Their more generous yards and intervening floodplains, however, provide far 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 life styles, these neighborhoods provide enormous benefits to the city at large.”

**STAFF RECOMMENDATION: APPROVAL conditioned on the following:**

1. The site shall be developed in accordance with the site plan marked received by the Office of Zoning and Development on February 29, 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).
2. The special use permit shall be valid only as long as Tracey Fields is the operator.
3. The special use permit shall have a limited duration of three (3) years.
4. The special use permit is not transferable.