



CITY OF ATLANTA

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DEPARTMENT OF CITY PLANNING
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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-19-23 for 929 Lee Street, S.W., 1036 White Street, S.W., 1038 White Street, S.W. and 1050 White Street, S.W.

DATE: June 6, 2019

An Ordinance by Zoning Committee to rezone from I-1/BeltLine Overlay (Light Industrial/BeltLine Overlay) District to I-MIX/BL (Industrial Mixed Use/BeltLine Overlay) for property located at **929 Lee Street, S.W., 1036 White Street, S.W., 1038 White Street, S.W. and 1050 White Street, S.W.**

FINDINGS OF FACT:

- **Property location:** The subject property fronts 504 feet on the northwest side of Lee Street, S.W. beginning at an iron pin at the intersection of the southeasterly right-of-way of Lawton Street, S.W. and the southwesterly right-of-way of White Street, S.W. The property is located in Land Lot 118, 14th District, Fulton County, Georgia within the West End neighborhood of NPU-T, Council District 4.
- **Property size and physical features:** The subject property is approximately 22.38 (974,872 square feet) acres including four tracts. The site is a long, narrow assemblage of properties located at the southwestern corner of White Street and Lee Street. The Beltline Corridor is immediately adjacent to the property's southwestern boundary. The lot is currently developed with the "Lee + White" development, which includes the Monday Night Brewery and a mix of other commercial and light industrial tenants.
- **CDP land use map designation:** The current land use designation is High Density Mixed Use with a portion in the center of the property designated as Transportation Communications and Utilities in the 2016 Comprehensive Development Plan.
- **Current/past use of property:** The site has been used for industrial, office-institutional, and commercial uses. Staff is not aware of any other prior uses of the site.

- **Surrounding zoning/land uses:** The subject properties are adjacent to properties zoned for I-1 (Light Industrial) District with a partially Industrial, Low Density Commercial and High Density Mixed Use land use designations to the south, I-1-C (Light Industrial Conditional) with a High Density Residential land use designation to the west, I-1 (Light Industrial) with an Industrial land use designation to the northwest and R-4A (Single Family Residential) with an Open Space land use designation to the north. Other properties in the area are zoned SPI-21 SA4 (Historic West End/Adair Park Special Public Interest District) with Transportation Communications and Utilities and Low-Density Commercial land use designation to the southeast.
- **Transportation system:** The subject property is located at the southwestern corner of White Street and Lee Street both of which are classified as collector streets. MARTA does service the immediate area via bus route #40 along Lee Street. The nearest transit station is West End MARTA Station which is 0.25 miles away from the subject property.

PROPOSAL: The applicant requests to rezone a 22.28-acre site from the I-1/BL (Light Industrial) District to I-MIX/BL (Industrial Mixed Use/BeltLine Overlay) District for an Industrial mixed-use development including Industrial, Residential and other Non-Residential components.

Development Specifications:

Net Lot Area:	22.38 (974,872 square feet)
Building Use (%)	
Industrial:	38%
Non-Residential:	3%
Residential:	59%
Maximum lot coverage:	0.85 x NET = 828,641 square feet
Existing Buildings to remain:	
Industrial use building (50 years old or more):	327,111
Industrial use building (less than 50 years old or more):	3,010
Proposed Building – Residential use:	464,554 sq. ft.
Minimum Public space:	20% of NET = 13,545
Public space provided:	14,028
Minimum open space required:	
Industrial Use	None
Other Non-residential Uses	10% NLA (97,487)
Residential Uses	0.41 NLA (3,996)
Open Space Provided:	204,476 sq. ft.

FAR allowed: 3.3 X NLA (3,217,170)
FAR Provided: 794,675 square feet

Minimum Parking Required: None

Minimum Parking Required:

Industrial and Retail: 3.5/1000 sq. ft.
Residential: 1.25 per 1 Bedroom unit
2.25 per 2+ Bedroom unit
Eating and Drinking: 9 per 1000 sq. ft.

Total: 1,767 spaces

Total parking provided: 1,044 spaces

CONCLUSIONS:

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

The current land use designation of a portion of the lot in the center of the property is Transportation Communications and Utilities. The proposed rezoning does not comply with the current land use designation of Transportation Communications and Utilities. Therefore, a Comprehensive Development Plan (CDP) amendment is required for the said portion.

(2) Availability of and effect of public facilities and services; referral to other agencies:

Fulton County Board of Health will require that the owner/developer connect the proposed development to public water and public sanitary sewer which are available to the site. Since this proposed development constitutes a premise where people live, work, or congregate, onsite sanitary facilities will be mandatory prior to use or occupancy. The Fulton County Department of Health and Wellness requires submittal of plans for review and approval and must obtain permits for the outside refuse containers, and the pad and approach area for the refuse containers.

(3) Availability of other land suitable for proposed use; environmental effect on balance of land uses:

The Industrial Mixed-Use development will be a suitable use for the subject property. In the past decade, there has been increasing pressure to reduce industrially zoned land in the City of Atlanta. The redevelopment of industrial land to other uses is creating land use conflicts between the new uses, particularly residential uses and the existing industrial uses and has resulted in the displacement of industrial businesses. In transit rich locations with a strong potential for urban, mixed-use development, implementing industrial mixed-use districts could preserve and expand urban industrial land, while taking advantage of higher densities that these sites can support. Therefore, Staff is of the opinion that the request to rezone the subject property to I-MIX would not negatively affect the balance of land uses in the area.

(4) Effect on character of the neighborhood: The proposal would have a positive effect on the surrounding neighborhood by allowing a mix of residential, industrial and other non-residential uses on site. Currently the site could only be used for industrial uses. The new

zoning will provide some new tools to fuel more development in this underserved area. The industrial mixed-use zoning will allow for residential development in areas that were traditionally industrial but now are attractive to tenants and developers who want to mix light-industrial space with office and residential uses. Since the West End Transit station is within a walking distance from the subject property the site has strong potential for an urban, mixed-use development. Implementing industrial mixed-use districts could preserve and expand urban industrial land, while allowing to take better advantage of the higher density that these sites can support. Therefore, Staff believes that the proposal would have a positive effect on character of the neighborhood.

- (5) **Suitability of proposed land use:** The purpose of the I-MIX zoning district is to permit a mix of industrial and non-industrial uses in areas previously and currently used for primarily industrial uses. Staff is of the opinion that the request to rezone the property for the purpose of constructing the industrial mixed-use development would be suitable. Currently the Lee + White development represents about 23 acres with brewery, distillery, restaurants, and office spaces. The proposed addition of residential uses will help support the existing and proposed businesses in and around the property. Therefore, Staff is of the opinion that the proposed land use is suitable.
- (6) **Effect on adjacent property:** Staff is of the opinion that the rezoning of the subject site to the I-MIX (Industrial Mixed Use) zoning designation would not pose a negative impact to adjacent properties. North of the subject property, beyond White Street is a Chevron service station, a commercial building, Rose Circle Park and the Historic West End Neighborhood. To the east are railroad tracks, commercial buildings and the Adair Park neighborhood. To the southwest is the Beltline Corridor, beyond which are a row of industrial buildings. The redevelopment of the site with the addition of multi-family residential uses will complement the existing industrial and commercial uses in and around the property. The proposed site plan also indicates that building placement, mass and orientation creates a pedestrian friendly urban form. The sidewalk connection frames the streetscape and encourages pedestrian activity. The proposed townhomes will be along White Street reducing the visual impact of the existing parking lots. Therefore, the proposal will also have positive effect on adjacent property.
- (7) **Economic use of current zoning:** While the current zoning conditions allow for the economic use of the land, a change to the I-MIX (Industrial Mixed Use) District would allow a more effective economic use of the subject property. Lee Street is characterized by single-use generally low-density buildings that are separated from the street and sidewalk with inadequate facilities for pedestrians and bicycles. The proposed rezoning will allow higher density with more diverse uses and requires a streetscape design that can create vibrant, active streets and attract more businesses. An industrial mixed-use project with residential and retail uses could allow for a higher economic use of the land.
- (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 **929 Lee Street, S.W., 1036 White Street, S.W., 1038 White Street, S.W. and 1050 White Street, S.W.** are located within Growth Corridor Area. Corridor Areas are described as follows:

“These are 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 Hollowell, Peachtree and Jonesboro wind along the contours of the city while streets like Metropolitan 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.”

STAFF RECOMMENDATION: APPROVAL CONDITIONAL conditioned upon the following:

1. Primary exterior finish materials (excluding foundations, architectural accents, balconies, windows, and doors) for residential uses on walls facing White Street are limited to the following:
 - a. Painted or unpainted brick, including full-depth and half-depth masonry brick, but not simulated brick veneers.
 - b. Stone, including unpainted natural stone, unpainted cast stone having the appearance of natural stone, and unpainted terra cotta. All stone must include mortar.
 - c. Wood clapboard or cementitious clapboard.
 - d. Concrete block, which must be painted; and
 - e. Metal panel.
2. When installed as a primary exterior finish material, cementitious paneling may not utilize a board and batten application. All panels must include a metal reveal channel, lap joint, expansion joint, or rain screen as an alternative batten.
3. Primary exterior finish materials shall not be exterior finishing systems (EIFS).
4. Windows on all walls for residential uses facing White Street shall be rectangular shaped and arranged so that they are taller than they are wide.
5. Subject to approval from the Atlanta BeltLine, Inc., one (1) publicly accessible pedestrian walkway and two (2) publicly accessible painted pedestrian paths shall be provided through the site from White Street to the Atlanta BeltLine corridor. The pedestrian walkway shall be physically separated from any adjacent vehicular or parking area. The pedestrian walkway and the two painted paths shall:
 - a. Be continuous, except at drive aisle crossings; and

- b. Provide the shortest reasonable paths between the White Street right-of-way to the Atlanta BeltLine right-of-way.



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MEMORANDUM

TO: Zoning Review Board

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

SUBJECT: Z-19-27 for 115 Mayson Avenue, N.E.

DATE: June 6, 2019

An Ordinance by Zoning Committee to rezone from R-5 (Two Family Residential) District to MR-MU (Multi-Family Multi Unit) for property located at **115 Mayson Avenue, N.E. and 127 Mayson Avenue, N.E.**

The applicant has requested a 30-day deferral to allow more time to work with the NPU and neighborhood. Staff is supportive of this request.

STAFF RECOMMENDATION: 30-DAY DEFERRAL - JULY 2019



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MEMORANDUM

TO: Zoning Review Board

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

SUBJECT: Z-19-30 for 630 Echo Street, N.W.

DATE: June 6, 2019

An Ordinance by Zoning Committee to rezone from R-4A (Single Family Residential) District to R-5 (Two Family Residential) for property located at **630 Echo Street, N.W.**

FINDINGS OF FACT:

- **Property location.** The subject property fronts approximately 50 feet on the west side of Echo Street, N.W. and begins at a point on the west side of Echo Street, N.W. 57.5 feet south of the southwest corner of Echo Street, N.W. and Fox Street, N.W. The parcel is in Land Lot 112, 14th District, Fulton County, Georgia within the English Avenue neighborhood of NPU-L in Council District 3.
- **Property size and physical features.** The subject site is a rectangularly shaped and is approximately .134 (5,837 square feet) acres in size. The lot is developed with a vacant two-story two-family structure. Vehicular access to the property is provided by one curb cut along English Avenue. There are a few trees, shrubs and grasses on the western portion of the site. The topography is relatively level throughout the property.
- **CDP land use map designation:** The parcel is currently zoned R-4A (Single Family Residential) zoning district. The land use designation is Single-Family Residential in the 2016 Comprehensive Development Plan.
- **Current/past use of property:** The property is currently developed with a vacant two-family residential building. Staff is not aware of any previous uses of the site.

- **Surrounding zoning/land use:** The surrounding parcels are zoned R-4A (Single Family Residential) District with a Single-Family Residential land use designation except north of the subject site property is zoned RG-3 (Residential General Sector 3) with a Medium Density Residential land use designation.
- **Transportation system:** Echo Street is classified as a local street. Echo Street, N.W. connects to Donald Lee Hollowell Parkway, N.W., an arterial street. The area is serviced by bus route #50 along Donald Lee Hollowell Parkway, N.W. and the nearest MARTA transit station is the Ashby Street Transit Station which is 1.5 miles from the subject property. Sidewalks are present on both sides of Echo Street, N.W. and Donald Lee Hollowell Parkway, N.W.

PROPOSAL:

The applicant seeks a rezoning from the R-4A (Single Family Residential) District to RG-3 (Residential General Sector 3) District to permit an existing two-family dwelling.

CONCLUSIONS:

- (1) **Compatibility with comprehensive development plan (CDP); timing of development:**
The proposed zoning is not consistent with the existing Single-Family Residential land use designation. Therefore, a Comprehensive Development Plan (CDP) amendment is required.
- (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 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:** The zoning regulations indicate that this consideration is optional. The applicant has not presented any evidence that they own other land in the area that is suitable for this development.
- (4) **Effect on character of the neighborhood:** Staff believes the proposed rezoning has the potential to add value to the character of the neighborhood. The NPU-L policies encourages the redevelopment of vacant, stressed and boarded homes. The redevelopment of the site will provide additional housing in the neighborhood. Further, the redevelopment of this property will provide housing among single-family housing at a scale that is consistent with surrounding uses.
- (5) **Suitability of proposed land use:** A change in land use is necessary as the proposed use is not consistent with the Single-Family Residential land use designation. Staff is of the opinion, however, that the proposed request to rezone the property to the R-5 (Two-Family Residential) zoning district is suitable given the current nature of the surrounding area.

- (6) **Effect on adjacent property:** Long-range planning efforts, such as the 2006 English Avenue Community Redevelopment Plan encourages multi-family renovation. The house is currently vacant, and the applicant has proposed to restore the structure for two-family residential use. Rehabilitation of houses in the neighborhood also has a positive social impact as it brings stability and sustainability for a neighborhood. Therefore, rezoning of the subject property is consistent with the English Avenue Community Redevelopment Plan and will have a positive effect on adjacent property.
- (7) **Economic use of current zoning:** The economic opportunity of the subject property is limited under the existing R-4A zoning designation because the requirements of the existing zoning district will not allow the redevelopment of the two-family structure. The proposed zoning district will allow the rehabilitation of a vacant and stressed property into residential housing in a redeveloping neighborhood.
- (8) **Compatibility with policies related to tree preservation:** The proposed development shall 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 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, **630 Echo Street, N.W.** is located within a Growth Area. Growth Areas are described as follows:

"They are found at Atlanta's core and along its major thoroughfares. Growth makes sense here because the land has already been developed, even though in many cases, it still isn't used very well. Most Growth Areas are easily accessible to transit, suitable for walking and biking, and provide direct connections into Downtown. Height and density will depend on proximity to transit and other factors, but the idea is that these areas will accommodate most of our growing population in ways that are less dependent on cars."

STAFF RECOMMENDATION: APPROVAL



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MEMORANDUM

TO: Zoning Review Board

FROM: Keyetta M. Holmes, AICP, Zoning Administrator 

SUBJECT: Z-19-33 for Howell Mill Road Corridor

DATE: June 6, 2019

An Ordinance by Councilmember Dustin Hillis to rezone certain properties along a portion of the **Howell Mill Road Corridor** from MRC-2-C (Mixed Residential Commercial – Conditional) to MRC-2-C (Mixed Residential Commercial) for a change in conditions; and for other purposes.

Staff has requested that this application be filed.

STAFF RECOMMENDATION: FILE



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MEMORANDUM

TO: Zoning Review Board

FROM: Keyetta M. Holmes, AICP, Zoning Administrator 

SUBJECT: Z-19-35 for 2161 Oakview Road, S.E.

DATE: June 6, 2019

An Ordinance by Zoning Committee to rezone from R-4 (Single Family Residential) to PD-H (Planned Development - Housing) for property located at **2161 Oakview Road, S.E.**

The applicant has requested a 30-day deferral to continue working with the Neighborhood Planning Unit. Staff is supportive of this request.

STAFF RECOMMENDATION: 30 DAY DEFERRAL – JULY 2019



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MEMORANDUM

TO: Zoning Review Board

FROM: Keyetta M. Holmes, AICP, Zoning Administrator 

SUBJECT: Z-19-36 for 1423 Glenwood Avenue, S.E., 2201 Glenwood Avenue, S.E., 2225 Glenwood Avenue, S.E. and 2229 Glenwood Avenue, S.E.

DATE: June 6, 2019

An Ordinance by Zoning Committee to rezone from C-1 (Community Business) District and C-1-C (Community Business Conditional) District to C-1 (Community Business) District for properties located at **1423 Glenwood Avenue, S.E., 2201 Glenwood Avenue, S.E., 2225 Glenwood Avenue, S.E. and 2229 Glenwood Avenue, S.E.**

FINDINGS OF FACT:

- **Property location:** The subject properties front 435.94 feet on the south side of Glenwood Avenue, S.E. beginning at a nail found on the southern variable right-of-way of Glenwood Avenue, S.E. 804.91 feet from the intersection of Glenwood Avenue, S.E. and Fayetteville Road, S.E., Land Lots: 173 and 180, 15th District, DeKalb County, Georgia in the East Lake neighborhood of NPU O, Council District 5.
- **Property size and physical features:** The properties consist of approximately 6.9 acres (300,564 square feet) of net lot area. Some parcels are developed with parking lots and others are vacant. The topography rises from the front to the rear of the lot. Vehicular access to the properties is provided via curb cut along Glenwood Avenue. A few mature trees can be found around the perimeter of the properties.
- **CDP land use map designation:** The land use designation for this property is Low Density Commercial (LDC) within the 2016 Comprehensive Development Plan. An amendment to the Comprehensive Development Plan will not be needed to accommodate the proposed rezoning and development.

- **Current/past use of property:** It appears that the parcels were previously used for parking as they were originally intended for commercial uses.
- **Surrounding zoning/land uses:** To the north, parcels are zoned C-1 (Community Business), with a Low-Density Commercial land use designation. To the east, parcels are zoned NS (Neighborhood Shopping District) in unincorporated DeKalb County. To the south, parcels are zoned O-I (Office-Institutional) and R-4 (Single Family Residential), with Office-Institutional and Single-Family Residential land uses, respectively. To the west, parcels are zoned R-4 (Single Family Residential) with a Medium Density Residential land use designation. Additionally, some parcels to the west are zoned R-75 (Residential Medium Lot) in unincorporated DeKalb County.
- **Transportation:** Glenwood Avenue is classified as a minor arterial road. Currently, MARTA serves the area via bus route #107.

PROPOSAL:

The applicant seeks to rezone the property from C-1 (Community Business) District and C-1-C (Community Business Conditional) District to C-1 (Community Business) District for the development of 230 multifamily units and 8,000 square feet of commercial space.

CONCLUSIONS:

- 1) **Compatibility with comprehensive development plan (CDP); timing of development:** The Comprehensive Development Plan (CDP) designates the property as Low Density Commercial. The proposed rezoning to C-1 (Community Business) 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 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 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 affect the health of humans or the environment by allowing the rezoning. The proposed rezoning would allow for an appropriate type of infill development and encourage redevelopment along the Glenwood Avenue corridor.
- 4) **Effect on character of the neighborhood:** Staff believes the proposed rezoning is compatible with the character of the neighborhood. This portion of Glenwood Avenue was annexed into the City of Atlanta and zoned the C-1-C (Community Business Conditional) District via ordinance 15-O-1474 (East Lake Golf Course Annexation). The proposed supports the existing pattern of development in the community.

- 5) **Suitability of proposed land use:** The proposed land use reflects the established development pattern for the area, and this is suitable.
- 6) **Effect on adjacent property:** The proposed request would rezone the properties to a zoning designation that reflects the existing conditions of the community, and thus, should not have a negative effect on adjacent properties.
- 7) **Economic use of current zoning:** The current zoning conditions allow for some economic use of the land, however, rezoning allows the incorporation of additional parcels and amends the site plan approved in ordinance 15-O-1474 (East Lake Golf Course Annexation).
- 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, **1423 Glenwood Avenue, S.E., 2201 Glenwood Avenue, S.E., 2225 Glenwood Avenue, S.E. and 2229 Glenwood Avenue, S.E.**, 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. 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 CONDITIONAL conditioned upon the following:

1. The site shall be developed in accordance with the site plan entitled “East Lake Glenwood Mixed Use” prepared by Eberly and Associates dated March 22, 2019 and stamped received by the Office of Zoning and Development on April 3, 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 maximum number of residential units permitted on site shall be 230 units.

3. The maximum square footage of retail shall be 8,000 square feet.
4. The following uses are not permitted on this property:
 - a. late-night establishments
 - b. liquor stores
 - c. funeral homes
 - d. automobile, boat & trailer sales & services
 - e. taxi stands and taxi-dispatching offices
 - f. pay-for-parking facilities
 - g. check cashing facilities
 - h. pawn shops
5. Drive-through windows shall be permitted only for the following uses
 - a. Dry cleaners
 - b. banks
 - c. pharmacies
 - d. coffee, donut and bagel shops
6. Materials of construction shall be brick, consistent with the adjacent business to the east and multi-family development to the north.



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MEMORANDUM

TO: Zoning Review Board

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

SUBJECT: Z-19-37 for 1836 Memorial Drive, S.E.

DATE: June 6, 2019

An Ordinance by Zoning Committee to rezone from MR-3-C (Multifamily Residential Conditional) to MR-3-C (Multifamily Residential Conditional) for a change of conditions for property located at **1836 Memorial Drive, S.E.**

FINDINGS OF FACT:

- **Property location:** The subject property fronts 208.75 feet on the north side of Memorial Drive, S.E. and 190.65 feet on the east side of Dearborn Street, S.E. beginning at a ½” reinforcing bar found along the intersection of the western right-of-way of Dearborn Street, S.E. and the northern right-of-way of Memorial Drive, S.E. The property is located within Land Lot 206 of the 15th District, DeKalb County, Georgia in the Kirkwood Neighborhood of NPU-O in Council District 5.
- **Property size and physical features:** The subject property is approximately 0.922 acres (40,160 square feet) and is located at the northwest corner of Memorial Drive, S.E. and Dearborn Street, S.E. The property is currently vacant and developed with the infrastructure for the proposed townhouse development. The topography slopes approximately 20 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 has two large shade trees adjacent to the northern border of the parcel. Access to the site is currently provided via one curb cut on Dearborn Street.
- **CDP land use map designation:** The subject property has a future land use designation of Medium Density Residential (MDR) within the 2016 Comprehensive Development Plan (CDP). Adjacent properties to the east and west have a future land use designation of Medium Density Residential (MDR) within the CDP. Properties to the north have a Single Family Residential

(SFR) designation within the 2016 Comprehensive Development Plan and properties to the south are outside the City limits.

- **Current/past use of property:** The subject property is currently vacant and developed with the infrastructure for the proposed townhouse development. Staff is unaware of any other previous uses on the site.
- **Surrounding zoning/land uses:** The subject property is currently zoned MR-3-C (Multifamily Residential Conditional). The surrounding zoning includes R-4A (Single Family Residential) to the north and east, and RG-3-C (Residential General Sector 3 Conditional) to the west. The surrounding uses are single family residential to the north and east and multifamily residential to the west. The property to the south is a commercial strip mall outside the City limits.
- **Transportation:** Memorial Drive, S.E. is classified as an arterial street and Dearborn Street is classified as a local road. Currently, MARTA serves the area via bus routes #21 and #24 with connections to the Five Points, Kensington and Edgewood/Candler Park Transit Stations. Several MARTA bus stops are located within a few blocks of the subject site.

PROPOSAL:

The applicant proposes to rezone from MR-3-C (Multifamily Residential Conditional) to MR-3-C (Multifamily Residential Conditional) for a change of conditions with the purpose of developing a four building, 15-unit townhouse development. Changes in the site plan include shifting the vehicular access from Memorial Drive to Dearborn Street and increasing the height of the units from 39 ft. 10 in. to 45 ft. 2 in. to allow a fourth floor that is stepped in from the third-floor footprint.

Project Specifications:

Max. Building Height Permitted:	80 ft (transitional height plane applies)
Proposed Building Height:	45 ft. 2 in.
Net Lot Area:	40,160 sq. ft. (0.922 acres)
Gross Lot Area:	50,236 sq. ft.
Maximum FAR Permitted:	0.696
Proposed FAR:	32,031 sq. ft / 50,236 sq. ft. = 0.638
Parking Required:	15 spaces
Parking Provided:	37 spaces

CONCLUSIONS:

- **Compatibility with comprehensive development plan (CDP):** The subject property is designated Medium Density Residential (MDR) in the 2016 Comprehensive Development Plan (CDP). The proposed rezoning to MR-3-C (Multifamily Residential Conditional) is compatible with the 2016 CDP designation of Medium Density Residential, 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 Memorial Drive 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 Memorial Drive corridor 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 multifamily development along a corridor where Medium Density Residential is the intended future land use.
- **Suitability of proposed land use:** Staff finds that the proposed 15-unit townhouse development complements the existing and future multifamily, commercial and mixed uses along the Memorial Drive corridor. The use and scale of the proposed development is compatible with the surrounding uses. Townhouse development provides an appropriate transition from the Memorial Drive corridor to the adjacent single-family neighborhood.
- **Effect on adjacent property:** Staff is of the opinion if this property is rezoned to MR-3-C (Multifamily Residential Conditional) the proposed development will have no negative effect on adjacent properties and should complement the existing and future mixed uses in the area. The proposal will provide a more pedestrian oriented streetscape along the corridor and will relocate the proposed curb cut to Dearborn Street.
- **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 an Intown Corridor as envisioned for the Memorial Drive corridor.

- **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 the Atlanta City Design map, **1836 Memorial Drive, 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 CONDITIONAL conditioned upon the following:

1. The site shall be developed in accordance with the site plan entitled “Memorial Drive Townhomes, Site Plan ASP1.0” prepared by Pimsler-Hoss Architects, Inc. dated June 11, 2018 and marked received by the Office of Zoning and Development on May 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).
2. The elevations for Building A shall be developed in accordance with the elevations entitled “Memorial Drive Townhomes Building A, Unit A Approved SAP & Proposed Elevations A3.0 & A3.1” prepared by Pimsler-Hoss Architects, Inc. dated June 11, 2018 and marked received by the Office of Zoning and Development on April 2, 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).
3. The elevations for Building B shall be developed in accordance with the elevations entitled “Memorial Drive Townhomes Building B, Unit B Approved SAP & Proposed Elevations A3.2 & A3.3” prepared by Pimsler-Hoss Architects, Inc. dated June 11, 2018 and marked received by the Office of Zoning and Development on April 2, 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 and
Development

MEMORANDUM

TO: Zoning Review Board

FROM: Keyetta M. Holmes, AICP, Zoning Administrator 

SUBJECT: Z-19-01 for 1015 Boulevard, S.E.

DATE: June 6, 2019

An Ordinance by Zoning Committee to rezone from I-1/BL (Light Industrial/BeltLine Overlay) to MRC-3/BL (Mixed Residential Commercial/BeltLine Overlay) for property located at **1015 Boulevard, S.E.**

The applicant has requested a 30-day deferral. Staff is supportive of this request.

STAFF RECOMMENDATION: 30-DAY DEFERRAL JULY 2019



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 *Keyetta*

SUBJECT: Z-19-13 for 547 Winton Terrace, N.E.

DATE: June 6, 2019

An Ordinance by Zoning Committee to rezone from R-5/BL (Two Family Residential/BeltLine Overlay) to MR-MU (Multifamily Residential Multi Unit/BeltLine Overlay) for property located at **547 Winton Terrace, N.E.**

FINDINGS OF FACT:

- **Property location:** The subject property fronts 50 feet on the south side of Winton Terrace, N.E. and begins at a point on the south side of Winton Terrace, N.E. 350 feet east from the intersection of the south side of Winton Terrace, N.E. with the west side of an alley. The property is located in Land Lot 47, 14th District, Fulton County, Georgia within the Old Fourth Ward neighborhood of NPU-M, Council District 2.
- **Property size and physical features:** The subject property is approximately 0.22 (9,583 square feet) acres. The lot is currently vacant. There is an alley running along the property line on the south side. Lot topography starts to decline steeply starting halfway into the lot, towards the southern direction. There is one curb cut on Winton Terrace, N.E. for vehicular entrance to the property.
- **CDP land use map designation:** The current land use designation is Low Density Residential in the 2016 Comprehensive Development Plan.
- **Current/past use of property:** The site is a vacant lot. The lot was formerly developed with a single family residential property which was demolished in 2017. Staff is not aware of any other prior uses of the site.

- **Surrounding zoning/land uses:** The subject property is adjacent to properties zoned R-5/BL (Two Family Residential/BeltLine Overlay) with a Low-Density Commercial land use designation.
- **Transportation system:** The subject property is located along Winton Terrace which is classified as a local street. Winton Terrace connects to Boulevard, N.E. which is classified as a collector street. MARTA does service the immediate area via bus route #809 along Boulevard, N.E. The nearest bus stop is 0.1 miles from the subject property. The nearest transit station is North Avenue MARTA Station which is 1.2 miles away from the subject property.

PROPOSAL: The applicant requests to rezone a 0.22-acre site from R-5/BL (Two Family Residential/BeltLine Overlay) to MR-MU/BL (Multifamily Residential Multi Unit/BeltLine Overlay) for a development of a multifamily residential building with 9 dwelling units and 6 parking spaces.

Development Specifications:

Net Lot Area:	9,868 square feet
Gross Lot Area:	11,239 square feet
Maximum lot coverage:	NONE
Minimum UOSR:	4,720 square feet
UOSR provided	4,800 square feet
Total Floor Area provided:	9,000 square feet
Parking Required:	0.5 per dwelling unit (4.5 spaces)
Total parking provided:	6 spaces

CONCLUSIONS:

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

The proposed rezoning does comply with the current land use designation of Low Density Residential. Therefore, a Comprehensive Development Plan (CDP) amendment is not required.

(2) Availability of and effect of public facilities and services; referral to other agencies:

Fulton County Board of Health will require that the owner/developer connect the proposed development to public water and public sanitary sewer which are available to the site. Since this proposed development constitutes a premise where people live, onsite sanitary facilities will be mandatory prior to use or occupancy. The Fulton County Department of Health and Wellness requires submittal of plans for review and approval and must obtain permits for the outside refuse containers, and the pad and approach area for the refuse containers.

- (3) **Availability of other land suitable for proposed use; environmental effect on balance of land uses:** 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. Staff believes that the proposal to develop the land with residential units would not have an adverse environmental effect on the balance of land uses as the property is recommended for Low Density Residential land use in 2016 Comprehensive Development Plan (CDP).
- (4) **Effect on character of the neighborhood:** The proposal to rezone to MR-MU would have a positive effect on the surrounding neighborhood by allowing the use of an underutilized residential lot for a multi-unit residential building to provide “missing middle” housing. Neighborhoods with missing middle housing allow higher densities than would be provided by a single unit on a lot. However, because Missing Middle Housing has the look and feel of single-family homes, it provides the density while increasing the housing supply but retaining the neighborhood character. Higher density will further support walkable neighborhoods. A community of only single-family homes will not provide enough residents to support amenities such as local-serving businesses or transit. Furthermore, the surrounding neighborhood is developed with single family dwellings, duplexes, townhomes, and apartments. The proposed nine-units residential development will simply add to the diversity of the housing types in the neighborhood. Therefore, Staff is of the opinion that the proposal would have a positive effect on character of the neighborhood.
- (5) **Suitability of proposed land use:** Staff is of the opinion that the request to rezone the property for the purpose of constructing the low-density multi-unit residential dwelling would be suitable. The 2016 Comprehensive Development Plan has designated Low Density Residential land use for the subject property. Therefore, Staff believes that the proposed nine-units residential building is suitable for the subject property.
- (6) **Effect on adjacent property:** Staff is of the opinion that the rezoning of the subject property to the MR-MU (Multifamily Residential Multi Unit) zoning designation would not pose negative impacts to adjacent properties. The properties on the west and east side are developed with two-family residential buildings and a 5-unit residential building respectively. The redevelopment of the site with a 9-unit residential building will complement the adjacent properties. Therefore, Staff is of the opinion that the proposed rezoning will help add density to support a walkable and more vibrant neighborhood.
- (7) **Economic use of current zoning:** While the current zoning conditions allow for the economic use of the land, a change to the MR-MU (Multifamily Residential Multi Unit) District would allow a more effective economic use of the subject property. The proposed development will offer a housing type at an affordable price point and will support transit in the urban core and support sustainability and equity in the neighborhood.
- (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 **547 Winton Terrace, N.E.** is located within Conservation Area: 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



CITY OF ATLANTA

KEISHA LANCE BOTTOMS
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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-19-15 for SPI-21 Subarea 9

DATE: June 6, 2019

A Substitute 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

FINDINGS OF FACT

The current SPI-21 (Historic West End/Adair Park Special Public Interest) zoning district, was adopted by Atlanta City Council on August 15, 2005 and approved by the Mayor on August 22, 2005. The district was created to encourage a mixture of commercial, residential, and cultural uses. Atlanta City Code Section 16-18U.002 states that one of the intents of the zoning district is to encourage development and redevelopment of underutilized properties in Historic West End/Adair Park in a commercially-viable manner that also ensures that future redevelopment provides net positive benefits to the physical environment of the Historic West End/Adair Park community. During the past 13 years, the City has seen fast growth in the film and music industries and Historic West End/Adair Park has grown into a community that supports the arts, film, and music. The proposed changes to allowable signage will allow the development of facilities to accommodate these growing industries.

PROPOSAL: This text amendment deletes in its entirety 16-18U.018 and allows Large Screen Video Display signs in accordance with 16-28A. Sign Ordinance of the City of Atlanta.

Section 1. Section 16-18U.018 is hereby deleted in its entirety and replaced to read as follows:

Sec. 16-18U.018. – Signage.

Signs shall be allowed as in 16-28A. Sign Ordinance and as specifically allowed within each sub-area as provided for herein.

Section 2. Section 16-18U.036 is hereby is hereby amended to read as follows:

16-18U.036 - Specific regulations for Subarea 9—Adair Park live/work

Large Screen Video Display (LSVD), as defined in section 16-28A.004, shall be permitted within Subarea 9-Adair Park live/work so long as the sign meets the following requirements:

- a. No LSVD sign shall cause glare or impair the vision of the driver of any motor vehicle or to otherwise interfere with the safe operation of a motor vehicle;
- b. All LSVD signs within the district shall be within 300 feet of the right-of-way of Interstate 20 and shall be within 1,000 feet of any road with an access ramp to Interstate 20.
- c. No LSVD sign shall be located on a lot less than 1.5 acres in size;
- d. No LSVD sign shall be located within 10 feet of any property line;
- e. No LSVD sign larger than 300 square feet shall be constructed within 1,000 feet of an existing LSVD sign larger than 300 square feet as measured in a straight line from the nearest edge of the existing LSVD sign;
- f. Any LSVD sign with faces converging into a “V” shape shall enclose the ends of the faces;
- g. No LSVD sign shall be located within 1,000 feet of any property zoned R-1, R-2, R-2A, R-2B, R-3, R-3A, R-4, R-4A, R-4B, R-5, R-G, R-LC as measured in a straight line from the boundaries of any properties zoned under these zoning classifications to the nearest edge of the sign;
- h. The sign face of the LSVD sign shall not be greater than 175 feet above existing grade;
- i. No LSVD signs shall have more than two video display faces;
- j. No LSVD sign shall exceed 2,000 square feet in video display facing per side;
- k. No LSVD sign shall be located within 1,000 feet of the boundaries of a City of Atlanta park in existence as of June 17, 2019 pursuant to the attached list of parks in Attachment A of this Ordinance, as measured in a straight line from the nearest boundary of a City of Atlanta park to the nearest edge of the sign;
- l. All LSVD signs shall come equipped with a light sensing device that automatically adjusts the brightness in direct correlation with ambient light conditions;
- m. The brightness of light emitted from the LSVD sign shall not exceed 0.3-foot candles over ambient light levels measured at a distance of 350 feet;
- n. All permits for LSVD signs shall be issued pursuant to the provisions of 16-28A.013 in lieu of the requirements under 16-18U.004;

- o. The content displayed on the LSVD sign shall be limited to advertising related to businesses lawfully operating on the property where the sign is located; and
- p. Should any provision of this section conflict with the regulations of Chapter 28A of the City of Atlanta Zoning Ordinance (Sign Ordinance), these regulations shall control.

CONCLUSIONS:

- 1) **Compatibility with comprehensive development plan (CDP); timing of development:** Currently, the text amendment is compatible with the existing land use designations. Therefore, a Comprehensive Development Plan (CDP) amendment is not required.
- 2) **Availability of and effect on public facilities and services; referrals to other agencies:** The location of the site and current use of surrounding properties indicate there are public facilities and services available to the subject property. There has been no indication from review agencies and/or departments that there would not be adequate public facilities and services in the area. 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:** This legislation does not propose any development rather only a text amendment regarding the allowable signage in the district. There is presumed to be no negative effect on the balance of land uses regarding the public need.
- 4) **Effect on character of the neighborhood:** Since no development project is being proposed, these considerations are not applicable.
- 5) **Suitability of proposed land use:** Since no development project is being proposed, this consideration is not applicable. The proposed text amendment would not change land uses either existing or proposed in the district.
- 6) **Effect on adjacent property:** Since this text amendment provides reasonable and uniform requirements and since no development project is being proposed, there is no discernible negative effect on adjacent properties.
- 7) **Economic use of current zoning:** Since no development project is being proposed, this consideration is not applicable.
- 8) **Compatibility with policies related to tree preservation:** Since no development project is being proposed, this consideration is not applicable.
- 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 the **SPI-21 SA 9 (Historic West End/Adair Public Interest District Subarea 9)** is located within the Growth Area: Core. Core areas are 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 OF SUBSTITUTE ORDINANCE



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 

SUBJECT: Z-19-20 for 395 and 409 Whitehall Street, S.W.

DATE: June 6, 2018

An Ordinance by Zoning Committee to rezone from I-1 (Light Industrial) to MRC-3 (Mixed Residential Commercial) for property located at 395 and 409 Whitehall Street, S.W.

FINDINGS OF FACT:

- **Property location:** The subject property fronts 319.50 feet on the north side of Whitehall Street, S.W. and begins at an iron pin on the northwestern side of Whitehall Street, S.W. 868.6 feet northeasterly as measured along the northwestern side of Whitehall Street, S.W., from the point of intersection formed by the northwestern side of Whitehall Street, S.W. with the easterly side of McDaniel Street, S.W. The property is located in Land Lot 85, 14th District, Fulton County, Georgia within the Castleberry Hill neighborhood of NPU-M, Council District 4.
- **Property size and physical features:** The subject property is approximately 1.578 (68,737 square feet) acres including two tracts. The lot is currently developed with a surface parking lot, with industrial structures, and commercial structures on site. Lot topography is relatively level across the property.
- **CDP land use map designation:** The current land use designation is Mixed Use in the 2016 Comprehensive Development Plan.
- **Current/past use of property:** The site has been used for industrial, office-institutional, and commercial uses. Staff is not aware of any other prior uses of the site.

- **Surrounding zoning/land uses:** The subject properties are adjacent to properties zoned for I-1 (Light Industrial) District with a Mixed-Use land use designation to the east, west, south and northeast, and HC-20N SA1 (Historic and Cultural Conservation – Castleberry Hill Landmark District Subarea One) with a Mixed-Use land use designation to the north and northwest.
- **Transportation system:** The subject property is located along Whitehall Street which is classified as an arterial street. MARTA does service the immediate area via bus route #40 along Whitehall Street. The nearest transit station is Garnett Transit Station which is 0.5 miles away from the subject property.

PROPOSAL: The applicant requests to rezone a 1.578-acre site from the I-1 (Light Industrial) District to MRC-3 (Mixed Residential Commercial, Sector 3) District for a mixed-use development of approximately 331,737 square feet of residential space, 309,288 square feet of commercial retail space, and approximately 13,545 square feet of public space.

Development Specifications:

Net Lot Area:	1.587 acres (68,737 square feet)
Gross Lot Area:	1.77 acres (77,322 square feet)
Maximum lot coverage:	0.85 x NET = 58,426 square feet
Proposed lot coverage:	57,540 square feet
Minimum Public space:	20% of NET = 13,545
Public space provided:	14,028
Minimum UOSR:	61% of Gross = 47,166
UOSR provided	53,189
FAR Residential allowed:	3.2
Residential FAR /w bonus Provided:	8.2 (331,737 square feet)
Maximum Non-Residential FAR:	4 x GROSS = 309,288 square feet
Non-Residential FAR provided:	13,604 Square feet
<u>Parking Required:</u>	
Non-residential:	0.54 per unit = 191 spaces
Residential:	1 per 600 SF retail = 23 spaces
Total:	214 spaces
Total parking provided:	377 spaces

CONCLUSIONS:

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

The proposed rezoning does comply with the current land use designation of Mixed Use. Therefore, a Comprehensive Development Plan (CDP) amendment is not required.

(2) **Availability of and effect of public facilities and services; referral to other agencies:**

Fulton County Board of Health will require that the owner/developer connect the proposed development to public water and public sanitary sewer which are available to the site. Since this proposed development constitutes a premise where people live, work, or congregate, onsite sanitary facilities will be mandatory prior to use or occupancy. The Fulton County Department of Health and Wellness requires submittal of plans for review and approval and must obtain permits for the outside refuse containers, and the pad and approach area for the refuse containers. Additionally, Whitehall Street is designated as an on-street bicycle network per the Atlanta Transportation Plan. There are streetscape enhancements proposed along Whitehall Street which include reducing the lanes from 4 to 3 lanes and adding a center turn lane. It is recommended that the applicant coordinate with the Department of Public Works or Renew Atlanta to align proposed development plans with the proposed streetscape project.

(3) **Availability of other land suitable for proposed use; environmental effect on balance of land uses:**

Staff is of the opinion that the request to rezone the subject property would not create any issues that would negatively affect the balance of land uses in the area. The Whitehall Mixed Use development will be a complete brownfield remediation. Consequently, the brownfield remediation helps in the improvement of the water on and around the site, removal of unsuitable soils, improvement of site drainage, and improvement water detention. The proposed use would not be suitable for any other properties without rezoning due to the industrial use of the site.

(4) **Effect on character of the neighborhood:** The proposal would have a positive effect on the surrounding neighborhood by converting the underutilized surface parking area, industrial site, and commercial structures into a mixed-use development. Furthermore, the proposal will be beneficial, and better conforming to the Redevelopment Corridor character area recommendation of the 2016 Comprehensive Development Plan for the area, which encourages more of a mixture of uses for the Castleberry neighborhood. Whitehall has also been designated as a priority corridor in the New Century Economic Development Plan.

(5) **Suitability of proposed land use:** Staff is of the opinion that the request to rezone the property for the purpose of constructing the mixed-use development would be suitable. The proposed site plan indicates that building placement, mass and orientation creates a pedestrian friendly urban form. The sidewalk connection frames the streetscape and encourages pedestrian activity. Parking lots are also located underground not creating any visual monotony. Furthermore, the 2016 Comprehensive Development Plan indicates that high density and mixed-use buildings/developments are appropriate along Redevelopment Corridors.

- (6) **Effect on adjacent property:** Staff is of the opinion that the rezoning of the subject site to the MRC-3 (Mixed Residential Commercial) zoning designation would not pose negative impacts to the adjacent properties. The redevelopment of the site for multi-family residential uses with commercial uses along Whitehall Street is recommended by various plans and studies and expresses the need for providing a mixture of uses that serve the surrounding areas.
- (7) **Economic use of current zoning:** While the current zoning conditions allow for the economic use of the land, a change to the MRC-3 (Mixed Residential Commercial) District would allow a more effective economic use of the subject property. Whitehall Street is characterized by single-use generally low-density buildings that are separated from the street and sidewalk with inadequate facilities for pedestrians and bicycles. Vacant buildings, poorly maintained buildings, and a proliferation of illegal dumping activity add to the unattractive, blighted and neglected appearance of the corridor. A mixed-use project with residential and retail uses could allow for a higher economic use of the land.
- (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 **395 and 409 Whitehall Street, S.W.** is located within Growth Core Area. Core Areas are 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-19-24 for 400 Bishop Street, N.W

DATE: June 6, 2019

An Ordinance by Zoning Committee to rezone from I-2 (Heavy Industrial) to MRC-2 (Mixed Residential Commercial) for property located at **400 Bishop Street, N.W.**

The applicant has requested that the application be filed. Staff is supportive of the request.

STAFF RECOMMENDATION: FILE