



CITY OF ATLANTA

KEISHA LANCE BOTTOMS
MAYOR


DEPARTMENT OF CITY PLANNING
55 TRINITY AVENUE, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303
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www.atlantaga.gov

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-19-50 for 217 3rd Avenue, N.W.

DATE: August 1, 2019

An Ordinance by Zoning Committee to rezone from R-4 (Single Family Residential) to R-4B (Single Family Residential) for property located at 217 3rd Avenue, N.W. fronting 105 feet on the west side of 3rd Avenue, S.E. beginning at the intersection formed by the southerly right-of-way of Memorial Drive, S.E. (fka E. Fare Street) and the westerly right-of-way of 3rd Avenue, S.E. (fka Hampton Street) Depth: 210 feet Area: 0.496 Acres, Land Lot 181, 15th District, DeKalb County, Georgia.

Staff requests a deferral.

STAFF RECOMMENDATION: DEFERRAL AUGUST 8, 2019



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

MEMORANDUM

TO: Zoning Review Board

FROM: Keyetta M. Holmes, AICP, Zoning Administrator 

SUBJECT: Z-19-51 for 584 Lindsay Street, N.W.

DATE: August 1, 2019

An Ordinance by Zoning Committee to rezone from R-4A/BL (Single Family Residential/Beltline Overlay) to RG-3/BL (Residential General Sector 3/Beltline Overlay) for property located at **584 Lindsay Street, N.W.**

FINDINGS OF FACT:

- **Property location.** The subject property fronts approximately 117 feet on the west side of Lindsay Street, N.W. beginning at a point on the west side of Lindsay Street, N.W., 117.12 feet south from the southwest corner of the intersection of Lindsay Street, N.W. and Pelham Street, N.W. The parcel is located in Land Lot 111, 14th District, Fulton County, Georgia within the English Avenue neighborhood of NPU-L in Council District 3.
- **Property size and physical features.** The site is a rectangular shaped lot with approximately 0.315 acres (13,719 square feet) in area. The subject property is currently developed with a two story 15-unit multi-family dwelling with frontage on Lindsay Street. Two curb cuts on Lindsay Street lead to an unused parking pad in front of the building. An alley is located along the southern property line. Parking is available on the street. The lot has several mature trees at the sides and rear of the lot. The topography of the site slopes approximately 7 feet in elevation from a highpoint at the southwest rear corner of the lot to a low point at the northeast front corner of the lot. A low retaining wall runs along the property line on Lindsay Street.
- **CDP land use map designation:** The parcel is currently zoned R-4A/BL (Single Family Residential/BeltLine Overlay). The land use designation is High Density Residential within the 2016 Comprehensive Development Plan (CDP).

- **Current/past use of property:** The subject property is currently developed with a two story 15-unit multi-family dwelling that is unoccupied and in a state of disrepair. Staff is not aware of any previous uses of the site.
- **Surrounding zoning/land use:** The surrounding parcels to the north and south are zoned R-4A/BL (Single Family Residential/BeltLine Overlay) with a High-Density Residential land use designation. Parcels to the east are zoned RG-3/BL (Residential General Sector 3/BeltLine Overlay) with a High-Density Residential land use designation. The parcels to the west are zoned R-4A/BL (Single Family Residential/BeltLine Overlay) with a Low-Density Residential land use designation.
- **Transportation system:** Lindsay Street, N.W. is classified as a local street and connects to Donald Lee Hollowell Parkway, N.W. Donald Lee Hollowell Parkway, N.W., Northside Drive, N.W. and Martin Luther King Jr. Drive, S.W. are arterials that surround and serve the English Avenue neighborhood. MARTA bus route #50 runs along Donald Lee Hollowell Parkway, N.W. and connects to the North Avenue Transit Station. MARTA bus route #1 operates along nearby Joseph E. Lowery Boulevard, N.W. and connects to the Vine City and Ashby Transit Stations. The distance between the subject property and the closest bus stop is approximately 500 feet. Sidewalks are present on Lindsay Street.

PROPOSAL:

This application seeks a rezoning from R-4A/BL (Single Family Residential/BeltLine Overlay) to RG-3/BL (Residential General Sector 3/BeltLine Overlay) in order to renovate and reuse an existing 15-unit multi-family dwelling. All proposed work is interior only with minor changes to the exterior.

CONCLUSIONS:

- (1) **Compatibility with comprehensive development plan (CDP); timing of development:** The proposed zoning is consistent with the existing High-Density Residential land use designation, therefore, a Comprehensive Development Plan (CDP) amendment is not required.
- (2) **Availability of and effect of public facilities and services; referral to other agencies:** The location of the site and current use of surrounding properties indicates there are public facilities and services available to the subject property. There has been no indication from review agencies and/or departments that there would not be adequate public facilities and services at the subject location. When the proposed development plans are submitted to other agencies for permit review, compliance with all applicable City codes will be required.
- (3) **Availability of other appropriate land zoned for proposed use; effect on balance of land uses with regard to the public need:** The zoning regulations indicate that this consideration is optimal. The applicant has not presented any evidence that they own other land in the area that is suitable for this development. This proposal is to make an existing structure usable in an area where the neighborhood will benefit from an occupied, maintained and rehabilitated residential structure. The request is supportive of the 2016 CDP NPU-L policies to “Decrease foreclosed, stressed, vacant, boarded homes.”

- (4) **Effect on character of the neighborhood:** Staff believes the proposed rezoning is compatible with the character of the neighborhood. The subject property and surrounding properties are within the Traditional Neighborhood Redevelopment Character Area in the 2016 Comprehensive Development Plan (CDP). CDP policies for this area include to “*Promote diversity of housing types, promote Missing Middle housing types that are compatible in size and scale with the character of the neighborhood as transition between single family uses and more intense uses*” and “*maintain, rehabilitate and replace the existing housing stock where appropriate.*” This proposal meets those goals. The subject property is surrounded with vacant lots, detached single family homes, places of worship, and small multi-family buildings. Staff is of the opinion that the renovation and reuse of an existing 15-unit multi-family dwelling with a similar scale to surrounding development will contribute to the continuation of the existing land use and maintain or enhance the existing character of the neighborhood. A recommendation for the English Avenue neighborhood from the Westside Land Use Framework Plan adopted in 2017 which aligns with the previous 2006 English Avenue Redevelopment Plan is to “*acknowledge and strengthen neighborhood assets*” by “*expanding housing choice.*” Staff believes this proposal would expand housing choice by providing a small-scale multi-family development and strengthen a neighborhood asset by rehabilitating and occupying an existing structure in the neighborhood.
- (5) **Suitability of proposed land use:** The proposed zoning of RG-3 (Residential General Sector 3) is compatible with the existing CDP land use designation of High Density Residential. Staff is of the opinion that the proposed request to rezone the property to the RG-3 (Residential General Sector 3) zoning district is suitable given the proposal to renovate and inhabit an existing 15-unit dwelling adjacent to other properties zoned RG-3 (Residential General Sector 3). This proposal is consistent with the stated goals of the Atlanta BeltLine Master Plan: Subarea 10, “*Goal 3: Ensure a mix of quality housing options to meet the needs of all current and future residents.*” and “*Goal 6: Protect single-family neighborhoods and ensure appropriate transitions between single-family areas and new, higher intensity development.*” Staff finds that the proposal will both contribute to a mix of quality housing options and provide an appropriate transition between high density residential and single-family residential land uses.
- (6) **Effect on adjacent property:** The subject property is currently an unoccupied structure in a state of disrepair. Many surrounding properties have experienced deteriorating housing conditions, neglect of property maintenance and disinvestment. The renovation and reuse of an existing 15-unit residential structure that is compatible in scale to surrounding single family and small multi-family buildings will enhance and have a positive effect on adjacent properties. The proposed reuse of the subject property includes no addition of on-site parking. Staff findings indicate that the building was constructed in 1958. Per Section 16-28.014(13)(a) of the City of Atlanta Zoning Ordinance as amended, there is no parking requirement for residential buildings built before 1965.
- (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 property to be used as it is currently constructed. Therefore, the proposed RG-3 (Residential General Sector 3) designation would provide a more effective economic use of the subject property by allowing a conforming use of the existing structure for a 15-unit residential dwelling.

(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 the Atlanta City Design map, **584 Lindsay Street, N.W.** 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



CITY OF ATLANTA

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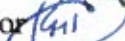
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Interim Director
Office of Zoning & Development

MEMORANDUM

TO: Zoning Review Board

FROM: Keyetta M. Holmes, AICP, Zoning Administrator 

SUBJECT: **Z-19-55 for 264 Ponce de Leon Avenue, N.E., 268 Ponce de Leon Avenue, N.E., 282 Ponce de Leon Avenue, N.E., 294 Ponce de Leon Avenue, N.E. and 675 Penn Avenue, N.E.**

DATE: August 1, 2019

An Ordinance by Zoning Committee to rezone from C-2 (Commercial Service) District to MRC-3 (Mixed Residential Commercial) for property located at **264 Ponce de Leon Avenue, N.E., 268 Ponce de Leon Avenue, N.E., 282 Ponce de Leon Avenue, N.E., 294 Ponce de Leon Avenue, N.E. and 675 Penn Avenue, N.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 – SEPTEMBER 2019



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MEMORANDUM

TO: Zoning Review Board

FROM: Keyetta M. Holmes, AICP, Zoning Administrator 

SUBJECT: Z-19-57 SPI-21 SA 1 Text Amendment

DATE: August 1, 2019

An Ordinance by Zoning Committee to amend the 1982 Atlanta Zoning Ordinance, as amended, by amending the SPI-21 SA 1 (Historic West End/Adair Park Special Public Interest District Subarea 1) **Section 16-18U.012 Historic West End/Adair Park—Development Controls and Site Limitations Table** by Increasing the Allowable Height; and for other purposes

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 – SEPTEMBER 2019



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Office of Zoning and Development

MEMORANDUM

TO: Zoning Review Board

FROM: Keyetta M. Holmes, AICP, Zoning Administrator *1/4/19*

SUBJECT: Z-19-58 for Emory Campus Parking Overlay District

DATE: August 1, 2019

An Ordinance to amend the 1982 Atlanta Zoning Ordinance, as amended, City of Atlanta Code of Ordinances Part 16, so as to add a new Chapter 39 Entitled “Emory Campus Parking Overlay District”; to define certain terms; and for other purposes.

FINDINGS OF FACT:

- **Property location:** The area includes properties owned by Emory University and are located within in the Morningside/Lenox Park Neighborhood in Neighborhood Planning Unit (NPU) F and Council District 6.
- **Property size and physical features:** The subject site is comprised of 630 acres of developed and undeveloped land for the Emory Campus. The topography varies throughout the campus. There is a rich tree canopy with numerous mature trees throughout the campus.
- **CDP land use map designation:** Land Use Designations of the subject area includes Single Family Residential (SFR), High Density Residential (HDR), Office Institutional (OI), and Mixed-Use High Density (MUHD).
- **Current/past use of property:** The parcels within the campus are developed with a mixture of uses including Emory University, research facilities and Emory Hospital/Healthcare facilities. Staff is not aware of any previous uses of the subject property.
- **Surrounding zoning/land uses:** The campus is adjacent to properties with a variety of uses and zoning designations. West of the campus are the residential neighborhoods of Morningside/Lenox Park. The current zoning in this area includes R-4 (Single Family Residential), R-3 (Single Family Residential), and RG-2 (Residential General, Sector 2). The current land use designation is Single Family Residential (SFR). Southeast of the subject

property along Briarcliff Road and Johnson Road, are multiple commercial parcels with C-1 (Community Business) zoning and Low-Density Commercial (LDC) land use designation.

- **Transportation system:** The campus can be accessed by Clifton Road, Houston Mill Road, and North Decatur Road, which are classified as collector roads. Additional access is provided by Briarcliff and Clairmont Road which are classified as arterial roads. MARTA provides service to the area via bus routes located on Clifton Road, North Decatur Road and Clairmont Road.

PROPOSAL: The proposed text amendment creates Chapter 39 entitled “Emory Campus Parking Overlay District” with a map attachment of said district. The scope of these regulations are as follows:

Sec. 16-39.001. - Scope of regulations.

The scope of the regulations set forth in this chapter are the regulations in the Emory Campus Parking Overlay District. The scope of these regulations are as follows:

1. The existing zoning map and underlying zoning regulations governing all properties within the Emory Campus Parking Overlay District shall remain in full force and effect. The regulations contained within this chapter shall be overlaid upon, and shall be imposed in addition to, said existing zoning regulations. Except where it is otherwise explicitly provided, whenever the following overlay regulations are at variance with said existing underlying zoning regulations, the regulations of this chapter shall apply.
2. Whenever the following regulations are at variance with historic district regulations of Part 16, Chapter 20, the more stringent regulations shall apply so not to impact designated historic structures or buildings.

Sec. 16-39.002. Findings and statement of intent.

The intent of this chapter and of the regulations herein is to set forth the maximum parking that may be provided onsite for future development within the Emory Campus Parking Overlay District.

Sec. 16-39.003. Applicability

The regulations herein shall affect future development within the Emory Campus Parking Overlay District. Any previously approved developments and/or parking facilities shall not be affected.

Sec. 16-39.004. Off street parking facilities permitted

Parking structures, either principal or accessory use, are permitted within the Emory Campus Overlay District.

Sec. 16-39.005. Off-street parking requirement.

Parking requirements: The maximum number of parking spaces allowed shall be in accordance with the following Emory Campus Parking Overlay District Table:

Emory Campus Parking Overlay District Table

	Parking Spaces	
	Minimum	Maximum
Residential Dwellings/Lodgings		
Hotels and motels (spaces per lodging unit)	None	2.0
Residential Dwellings	None	2 spaces per dwelling unit
Dorms, fraternities, sororities	None	.75 per bed
Non-Residential Uses (Spaces per 1,000 sq. ft. of floor area)		
Eating and Drinking Establishments (not including student or hospital dining)	Underlying zoning controls	Underlying zoning controls
Commercial/Retail (not Eating and Drinking Establishments)	None	2.0
Institutional	None	2.0
Office	None	2.0
Medical Office/Hospital	None	4.5
Recreation/Entertainment	None	2.0

Any administrative variation to increase the allowable parking requirement of this chapter shall be based upon the following criteria:

- a) User demand based for on campus parking throughout the Emory Campus Parking Overlay District.
- b) Parking efficiency and utilization for on campus uses throughout the Emory Campus Parking Overlay District.
- c) Parking available off campus within one-quarter-mile radius.

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 of public facilities and services; referral to other agencies:**
 The location of the campus 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:** Since no development project is being proposed, these considerations are not applicable. The proposed text amendment would not change the current

zoning, allowed density or balance of uses of the district. In fact, the text amendment is part of an effort in the area to refine parking allowances in a well-designed, hospitable, and aesthetically pleasing manner. Therefore, Staff is of the opinion that this amendment could only improve the balance of land uses in the area.

- 4) **Effect on character of the neighborhood:** Since no development is being proposed at this time, these considerations are not applicable. However, the goal of the text amendment is to improve the character of the district and surrounding neighborhoods. The Emory Campus currently has 14,745 parking spaces contained within the 15 parking structures located onsite. The campus plan includes the provision of an additional 1,300 spaces in the future. Furthermore, Emory operates a shuttle service system that provides access from/to the deck and lots within the campus. With the popularity of ride share options such as Lyft and Uber, many visitors may also utilize these services.

Creating a maximum parking requirement rather than a minimum will help reduce the space used for parking and support future development on the campus. Additionally, parking maximums will help preserve the current tree canopy and overall greenspace. The proposed parking maximums will support safe pedestrian access and improve traffic circulation in and around the campus.

- 5) **Suitability of proposed land use:** Since no development project is being proposed, this consideration is not applicable. The proposed text amendment would not alter the existing land uses in the district. Additionally, any conditions of zoning that are currently in effect will continue to be in effect.
- 6) **Effect on adjacent property:** Staff is of the opinion that the proposed text amendment will not have an adverse impact on adjacent properties. The boundaries of the district would not change nor, would the protection afforded to immediately adjacent neighborhoods of Morningside/Lenox Park be affected. In fact, the expected improved balance of uses with higher urban design standards should enhance and protect the character of the surrounding community.
- 7) **Economic use of current zoning:** The creation of a campus parking overlay district would allow a more effective economic use of the subject property for future redevelopment. This ordinance also promotes a unified vehicular and pedestrian oriented built environment.
- 8) **Compatibility with policies related to tree preservation:** Development is currently not proposed for the subject property. However, future development must comply with the requirements of the City of Atlanta's Tree Ordinance at the time of permitting.
- 9) **Other considerations:** A large amount of vehicular traffic is drawn to the campus due to the many uses onsite. The objective of this legislation is to mitigate traffic congestion in and around the campus, reduce the amount of space used for parking and to preserve the greenspace. Therefore, placing a cap on the maximum amount of parking within the said district boundary will support the overall objective.

STAFF RECOMMENDATION: APPROVAL



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Interim Director
Office of Zoning and Development

MEMORANDUM

TO: Zoning Review Board

FROM: Keyetta M. Holmes, AICP, Zoning Administrator 

SUBJECT: Z-19-60 for SPI-9 Buckhead Village District

DATE: August 1, 2019

An Ordinance by Councilmember Howard Shook to amend Chapter 18I of the Atlanta Zoning Ordinance entitled "**SPI-9 Buckhead Village District Regulations**" for corrective purposes by attaching and incorporating previously approved conditions to certain parcels; and to amend the official zoning map by denoting zoning districts with previously approved conditions; and for other purposes

Staff request a deferral.

STAFF RECOMMENDATION: DEFERRAL AUGUST 8, 2019



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Interim Director
Office of Zoning & Development

MEMORANDUM

TO: Zoning Review Board

FROM: Keyetta M. Holmes, AICP, Zoning Administrator 

SUBJECT: Z-19-11 for 1369 Ralph David Abernathy Boulevard, S.W.

DATE: August 1, 2019

An Ordinance by Zoning Committee to rezone from R-5/BL (Two-Family Residential/Beltline) to MRC-1 (Mixed Residential and Commercial) for property located at **1369 Ralph David Abernathy Boulevard, S.W.**

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

STAFF RECOMMENDATION: 30 DAY DEFERRAL – SEPTEMBER 2019



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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: August 1, 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 – SEPTEMBER 2019



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

MEMORANDUM

TO: Zoning Review Board
FROM: Keyetta M. Holmes, AICP, Zoning Administrator *KMH*
SUBJECT: **Z-19-45 for 420 Griffin Street, N.W.**
DATE: August 1, 2019

A Substitute Ordinance by Zoning Committee to rezone from R-4A (Single Family Residential) to RG-3 (Residential General Sector 3) for property located at **420 Griffin Street, N.W.**

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

STAFF RECOMMENDATION: 30-DAY DEFERRAL SEPTEMBER 2019