



CITY OF ATLANTA

KEISHA LANCE BOTTOMS
MAYOR

DEPARTMENT OF CITY PLANNING
55 Trinity Avenue, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308
404-330-6145 – FAX: 404-658-7491
www.atlantaga.gov

TIM KEANE
Commissioner

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

MEMORANDUM

TO: Zoning Review Board

FROM: Keyetta M. Holmes, AICP, Zoning Administrator 

SUBJECT: Z-19-83 SPI-3 English Avenue

DATE: November 14, 2019

An Ordinance by Councilmember Antonio Brown to amend the 1982 Atlanta Zoning Ordinance, as amended, by creating a **new chapter, Chapter 16-18C to be entitled SPI-3 (English Avenue Special Public Interest District)**, to codify regulations governing said district; to delineate the boundaries of said district; and for other purposes

FINDINGS OF FACT

- **Property location:** The proposed English Avenue Special Public Interest District (SPI-3) is bounded by a network of improved public streets including Jefferson Street, N.W. along the northern edge, Joseph E. Lowery Boulevard, N.W. to the west, Joseph E. Boone Boulevard, N.W. to the south, and Northside Drive, N.W. and West Marietta Street that serves as the eastern boundary of the district. The area is located in Land Lots 49 and 80 of the 14th District and Land Lots 82, 111 and 112 14th District within NPU L, Council District 3.
- **Property size and physical features:** Currently, the approximately area is developed with a wide mix of uses including high and medium density mixed uses. Topography is varied. Sidewalks are provided throughout the district with many mature trees located throughout the neighborhood.
- **CDP land use map designation:** The Comprehensive Development Plan would remain as it is with Single Family Residential, Low Density Residential, Medium Density Residential, Medium Density Mixed Use, High Density Mixed Use and Industrial Mix Use.

- **Current/past use of property:** The proposal would create the permitted uses, and development regulations for SPI-3. The current land uses are widely varied; but most notably include residential, institutional, retail, restaurants, and personal services; among others.
- **Surrounding zoning/land uses:** The subject site is surrounded by a variety of zoning classifications. The Upper Marietta/Westside Park neighborhood is zoned R-4A (Single Family Residential) and is located west of the neighborhood. The Downtown neighborhood is located to the east with a variety of land uses. South of the neighborhood is the Vine City neighborhood currently zoned SPI-11 (Vine City and Ashby Station Public Interest District) with various uses including single-family, multi-family, institutional and personal service.
- **Transportation system:** The district has several major streets including Joseph E. Lowery Boulevard, Joseph E. Boone Boulevard and Northside Drive. The neighborhood is well served by public transit numerous local bus routes.

PROPOSAL: This text amendment creates the zoning regulations and development controls for the proposed SPI-3 (English Avenue Special Public Interest District).

CONCLUSIONS:

- 1) **Compatibility with comprehensive development plan (CDP); timing of development:** There is proposed rezoning is compatible with land use recommendations of the Westside Land Use Framework plan. 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 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 land suitable for proposed use; environmental effect on balance of land uses:** Since no development project is being proposed, these considerations are not applicable. The proposed text amendment would change zoning and allowed density. However, the proposed requirements are consistent with the Westside Land Use Framework Plan recommendations were subject to public comment. The proposed zoning text is part of a long running effort of the area to refine the balance of uses in a well-designed, hospitable and aesthetically pleasing manner. Therefore, staff believes that this amendment could only improve the balance of land uses in the area.

- 4) **Effect on character of the neighborhood:** Since no development project is being proposed, these considerations are not applicable. However, this proposed rezoning is expected to improve the character of the surrounding neighborhood. The reasons for this include allowing for more connectivity, additional criteria for improved urban design, more accessible open spaces and standards to support safe transportation alternatives.
- 5) **Suitability of proposed land use:** Since no development project is being proposed, this consideration is not applicable. The proposed zoning would not change land uses either existing or proposed in the district. Simply it would further refine the balance of uses in a well principled urban designed manner.
- 6) **Effect on adjacent property:** Since no development is proposed, this consideration is not applicable. Yet, Staff does not anticipate any negative effects to adjacent properties. In fact, the expected improved balance of uses with higher urban design standards should serve to meet the evolving needs of the community.
- 7) **Economic use of current zoning:** Since no development project is being proposed, this consideration is not applicable. Although, Staff is aware the current zoning has substantial economic uses, this ordinance allows for a more unified pedestrian-oriented built environment with additional incentives and bonuses. Therefore, it is expected that the market value of properties in the district could only increase because of improved aesthetics and the opportunity for convenient and accessible goods and services.
- 8) **Compatibility with policies related to tree preservation:** Since no development project is being proposed, this consideration is not applicable. However, upon application of a building permit, the requirements of the City of Atlanta's Tree Ordinance must be met.

STAFF RECOMMENDATION: APPROVAL



CITY OF ATLANTA

DEPARTMENT OF CITY PLANNING

55 Trinity Avenue, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308

404-330-6145 – FAX: 404-658-7491

www.atlantaga.gov

KEISHA LANCE BOTTOMS
MAYOR

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-19-85 for MET Atlanta Signage

DATE: November 14, 2019

An Ordinance by Councilmember Joyce Sheperd to amend Part 16, Chapter 28A of the 1982 Zoning Ordinance of the City of Atlanta, as amended, so as to create a new section 16-28A.010(60) to provide for comprehensive signage regulations for **MET Atlanta**; to amend the official zoning map to add the MET Atlanta sign district; and for other purposes

Staff requested additional time to work with the NPU.

STAFF RECOMMENDATION: 60 DAY DEFERRAL – JANUARY 2020



CITY OF ATLANTA

KEISHA LANCE BOTTOMS
MAYOR

DEPARTMENT OF CITY PLANNING
55 Trinity Avenue, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308
404-330-6145 – FAX: 404-658-7491
www.atlantaga.gov

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 *(Signature)*

SUBJECT: Z-19-95 for 1247 Ralph David Abernathy Boulevard, S.W.

DATE: November 14, 2019

An Ordinance by Zoning Committee to rezone from C-1-C/BL (Community Business District Conditional/BeltLine Overlay) to C-1/BL (Community Business District/BeltLine Overlay) for a change of conditions for property located at **1247 Ralph David Abernathy Boulevard, S.W.**

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

STAFF RECOMMENDATION: 30 DAY DEFERRAL – DECEMBER 2019



CITY OF ATLANTA

KEISHA LANCE BOTTOMS
MAYOR

DEPARTMENT OF CITY PLANNING
55 TRINITY AVENUE, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308
404-330-6145 – FAX: 404-658-7491
www.atlantaga.gov

TIM KEANE
COMMISSIONER

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

MEMORANDUM

TO: Zoning Review Board

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

SUBJECT: Z-19-104 for Lyndale Drive Annexation

DATE: November 14, 2019

An Ordinance by Councilmember Natalyn Archibong to zone properties having frontage on Lyndale Drive, Beechview Drive, Stonybrook Drive and Gresham Avenue to the R-4 (Single Family Residential) zoning district upon annexation into the corporate City limits of Atlanta; and for other purposes.

FINDINGS OF FACT:

- **Property location:** The property to be annexed is east of the City of Atlanta limits fronting Lyndale Drive, Beechview Drive, Stonybrook Drive and Gresham Avenue. The property is located in the Southeast quadrant of unincorporated DeKalb County adjacent to the City of Atlanta's East Atlanta neighborhood in Neighborhood Planning Unit (NPU) W, Atlanta City Council District 5.
- **Property size and physical features:** The subject site is approximately 6.18 acres and developed with single family residential structures. The topography of the properties slopes towards Lyndale Drive with a number of mature trees located throughout the site.
- **CDP land use map designation:** Recommendations for compatible land use designation in accordance with recommended zoning designation will be presented at a public hearing conducted by the Community Development/Human Services Committee (CD/HS) of the Atlanta City Council on November 25, 2019. Single Family Residential land use is recommended.
- **Current/past use of property:** The site is currently developed with single-family residential structures and has a Traditional Neighborhood Character Area and Residential Medium Lot (R-75) zoning in DeKalb County. Staff is not aware of any previous uses of the site.

- **Surrounding zoning/land uses:** In DeKalb County, the surrounding parcels have Traditional Neighborhood Character Area and residential zoning R-75. The site is adjacent to the City of Atlanta boundaries to the west. The surrounding parcels within the City are zoned R-4 (Single Family Residential) and have a land use designation of Single Family Residential.
- **Transportation system:** Lyndale Drive, Beechview Drive, Stonybrook Drive and Gresham Avenue are two-lane local roads without sidewalks. The parcel is within a 0.1 mile of one MARTA bus route: route #4 on Moreland Avenue with connection to the Inman Park Transit Station.

PROPOSAL:

The ordinance proposes to zone property upon annexation into the City of Atlanta to the R-4 (Single Family Residential) zoning district.

The intent of the City of Atlanta R-4 (Single-Family Residential) District is as follows:

To provide for the protection of existing single-family communities and the development of new communities on lots of medium size at a density of not more than one dwelling unit per 9,000 square feet. To provide for the development of recreational, educational and religious facilities as basic elements of a balanced community.

Similar to the R-4 (Single-Family Residential) zoning district in the City of Atlanta, the DeKalb County R-75 (Residential Medium Lot-75) zoning district is intended to provide for the protection of neighborhoods within the county where lots have a minimum area of 10,000 square feet. To provide for compatible infill development in neighborhoods. To provide protections for existing development as new subdivisions are created. To provide flexibility in design on the interior of new development while protecting surrounding development. To assure that the uses and structures authorized in the R-75 (Residential Medium Lot 75) District are those uses and structures designed to serve the housing, recreational, educational, religious, and social needs of the neighborhood. To provide for appropriately sized accessible and useable open space in new developments for health, recreational and social opportunities for county residents and to implement the Future Development Map of the County's most current Comprehensive Plan.

CONCLUSIONS:

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

A recommendation for compatible land use designation in accordance with a recommended zoning designation will be presented at a public hearing conducted by the Community Development/Human Services Committee (CD/HS) of the Atlanta City Council. The recommendation was to assign a Single-Family Residential land use designation upon annexation.

- (2) **Availability of and effect of public facilities and services; referral to other agencies:** There are available public facilities and services (i.e. water supply, sewerage, drainage, transportation, schools, fire and police protection and solid waste collection and disposal) for the proposed annexation area.
- (3) **Availability of other appropriate land zoned for proposed use; effect on balance of land uses with regard to the public need:** Since no development project is being proposed in connection with the annexation, availability of other appropriate land already zoned for the proposed use is not applicable here. Because the property owners seek annexation, the City must zone the property upon annexation. The proposed zoning will not have an adverse environmental effect on the balance of land uses because it will retain the current zoning and use as in DeKalb County.
- (4) **Effect on character of the neighborhood:** The uses permitted by the proposed zoning will have a positive impact on the surrounding neighborhoods because they are materially the same as the ones currently permitted in DeKalb County.
- (5) **Suitability of proposed land use:** The proposed request to zone the property to R-4 (Single-Family Residential) district is suitable given the current use of the land and residential nature of the surrounding area. The uses within this proposed district are compatible to the current zoning designation in the DeKalb County.
- (6) **Effect on adjacent property:** The proposed zoning district will have a positive impact on the surrounding neighborhoods because it is materially the same as the one currently permitted in DeKalb County.
- (7) **Economic use of current zoning:** The current zoning and the proposed zoning allow for reasonable economic use of the properties in the subject area.

STAFF RECOMMENDATION: APPROVAL



CITY OF ATLANTA

KEISHA LANCE BOTTOMS
MAYOR

DEPARTMENT OF CITY PLANNING
55 Trinity Avenue, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308
404-330-6145 – FAX: 404-658-7491
www.atlantaga.gov

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

TO: Zoning Review Board

FROM: Keyetta M. Holmes, AICP, Zoning Administrator *(Signature)*

SUBJECT: U-19-30 for 20 Pharr Road, N.W.

DATE: November 14, 2019

An Ordinance by Zoning Committee for a special use permit for a place of worship pursuant to 16-18I.007 for property located at **20 Pharr Road, N.W.**

FINDINGS OF FACT:

- **Property location:** The subject fronts 75 feet on the south side of Pharr Road, N.W. beginning at an iron pin on the southern side of Pharr Road, at the northwestern corner of property now or formerly owned by Mrs. Juliane H. Garlington, which pin is 300 feet west, as measured along the southern side of Pharr Road and the northwestern side of Peachtree Road, and which point is 310 feet westerly as measured along said street line from the curb on Peachtree Road, and runs in a west direction along the southern side of Pharr Road. It is located within Land Lot 100 of the 17th District of Fulton County, Georgia in the Peachtree Heights West neighborhood of NPU B in Council District 8.
- **Property size and physical features:** The subject property is 0.220 acres (9,597 square feet). The property is developed with a single-story building and surface parking lot. The subject lot topography is relatively level. Vehicular access to the property is available through a curb cut on Pharr Road.
- **Current/past use of property:** The current use of the property is a place of worship. Staff is unaware of any previous uses.
- **Surrounding zoning/land uses:** The property is currently zoned SPI-9 SA1 (Buckhead Village Special Public Interest District Subarea 1) with a mixed-use land use designation. Properties to the north are zoned SPI-9 SA1 (Buckhead Village Special Public Interest Subarea 1) with a mixed-use land use designation. Properties located to the east are zoned RG-2 (Residential General District

Sector 2), RG-3 (Residential General District Sector 3), RG-5 (Residential General District Sector 5), R-LC (Residential-Limited Commercial District), and MR-3 (Multifamily Residential) with a medium-density land use designation. Properties to south are SPI-9 SA1 (Buckhead Village Special Public Interest Subarea 1) and MRC-2 (Mixed Residential Commercial) with a mixed-use land use designation. Properties to the west are zoned RG-4 (Residential General Sector 4), RG-5 (Residential General District Sector 5) with a high-density land use designation.

- **Transportation:** Pharr Road is categorized as a collector street. MARTA transit is available via bus route #110. The Buckhead MARTA Transit Station is two miles from the subject property.

PROPOSAL:

The applicant seeks a special use permit to operate a place of worship.

- **Ingress and egress:** Vehicles (to include emergency vehicles, maintenance vehicles and delivery service) can enter and leave the property by accessing the existing curb cut located at the front of the property from Pharr Rodd. The proposed use will not add to traffic congestion and have limited vehicular access.
- **Parking and loading:** The subject property will have 17 parking spaces available with the existing surface parking lot. Deliveries are expected to be minimal. All employees or service personnel will park at the rear of parking lot and use the main entrance to access the property. Therefore, no designated loading space has been proposed.
- **Refuse and service areas:** Garbage and recycling dumpsters will be located along the back of the property line in a screened location. The subject site will utilize private waste services for weekly pick-up. No increase of refuse generation is expected.
- **Buffering and screening:** No significant landscaping and buffering will be installed along the property line to protect adjacent neighbors. Additionally, the applicant will use the existing parking lot for pedestrian pathways and sidewalks to mitigate any other issues.
- **Hours and manner of operation:** The applicant has indicated the hours of operation will mainly take place on Sundays between 10:00 am and 12:00 pm each week with approximately 20 members of all ages. The church will have normal office hours during the weekday as needed between 10:00 am-3:00 pm with approximately two employees on site. All programs will be related to worship service and fellowship.
- **Duration:** The applicant requests an indefinite special use permit.
- **Required yards and open space:** The place of worship intends to honor all required yard and open space requirements of the City of Atlanta Code of Ordinances.
- **Tree Preservation and Replacement:** No trees will be damaged, destroyed or removed.

CONCLUSIONS:

- a) **Ingress and egress and proposed structure or uses thereon, with particular references to automotive and pedestrian safety and convenience, traffic flow and control, and emergency access:** Ingress and egress is gained from the existing curb cut on Pharr Road. The site is designed to minimize disruption in traffic. Pedestrian safety and convenience are accommodated by one curb cut thereby reducing pedestrian and auto conflict. Pedestrian access to the site will be on required sidewalks and entrance is gained either on Pharr Road. Staff is of the opinion that traffic flow and control, and emergency access will not be encumbered by the site design but can accommodate pedestrians, employees and clients, emergency and service vehicles in an efficient manner. Staff is supportive of ingress and egress.
- b) **Off-street parking and loading:** The applicant indicated, and site plan illustrates an existing parking lot with 17 spaces. The applicant has indicated no extra parking will be added. Additionally, this site exceeds the Buckhead Parking Overlay requirements for parking spaces by 13. The proposed parking appears to be adequate for the primary use on Sunday for worship services and exceeds requirements during other operations. The applicant noted that there will be no increase in loading. Staff finds off-street parking and loading reasonable.
- c) **Refuse and service areas:** Refuse is currently collected and disposed of by a private waste service. The proposed garbage and recycling location seem adequate to serve the needs of the church. Staff is supportive of refuse and service areas.
- d) **Buffering and screening:** The applicant indicated no additional buffering and screening. The existing buffering seems sufficient to address the adjacent residential uses. Staff finds buffering and screening sufficient.
- e) **Hours and manner of operation:** The applicant has indicated the hours of operation will mainly take place on Sundays between 10:00 am and 12:00 pm each week with approximately 20 members of all ages. The church will have normal office hours during the weekday as needed between 10:00 am-3:00 pm with approximately two employees on site. Additionally, all services provided will be traditional Sunday service, bible class, fellowship meetings. Staff is of the opinion that the proposed hours of operation will not have a negative impact on surrounding properties.
- f) **Duration:** Staff is supportive of an indefinite duration.
- g) **Required yards and open space:** The proposed plan appears to comply with the required yards and lot coverage requirements.
- h) **Compatibility with policies related to tree preservation:** Any construction or use of the facility must comply with the City of Atlanta Tree Ordinance at time of permitting.
- i) **Other Considerations:**

Consistency with Atlanta City Design: 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, **20 Pharr Road, N.W.** are located within a Conservation Area: Urban Neighborhoods. Growth area corridors are described as follows:

“These are the connecting tissues of the city: the major streets that flow out of the core in every direction. They stitch Old and New Atlanta together and most of them are commercially developed. Streets like 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



CITY OF ATLANTA

DEPARTMENT OF CITY PLANNING

55 Trinity Avenue, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308

404-330-6145 – FAX: 404-658-7491

www.atlantaga.gov

KEISHA LANCE BOTTOMS
MAYOR

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-19-89 for SPI-1 SA 5 Text Amendment

DATE: November 14, 2019

An Ordinance by Councilmember Clela Winslow to amend Chapter 28A (Atlanta Sign Ordinance) of Part 16 (Atlanta Zoning Ordinance) of Part III of the Code Of Ordinances (Land Development Code) to allow **Large Screen Video Display (LSVD)** signs as a type of wall sign in Subarea 5 of the SPI-1 (Downtown Special Public Interest District) zoning district; to codify such provision as 16- 28A.012(M); and for other purposes

Staff requested additional time to work with the NPU.

STAFF RECOMMENDATION: 30 DAY DEFERRAL – DECEMBER 2019



CITY OF ATLANTA

KEISHA LANCE BOTTOMS
MAYOR

DEPARTMENT OF CITY PLANNING
55 Trinity Avenue, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308
404-330-6145 – FAX: 404-658-7491
www.atlantaga.gov

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 *KMH*

SUBJECT: U-19-18 for 3499 Fairburn Place, N.W.

DATE: November 7, 2019

An Ordinance by Zoning Committee for a special use permit for a personal care home pursuant to 16-06.005(1)(g) for property located at **3499 Fairburn Place, N.W.**

The applicant has requested to withdraw this application. Staff is supportive and request.

STAFF RECOMMENDATION: FILE



CITY OF ATLANTA

KEISHA LANCE BOTTOMS
MAYOR

DEPARTMENT OF CITY PLANNING
55 Trinity Avenue, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308
404-330-6145 – FAX: 404-658-7491
www.atlantaga.gov

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

MEMORANDUM

TO: Zoning Review Board

FROM: Keyetta M. Holmes, AICP, Zoning Administrator 

SUBJECT: U-19-22 for 931 McDaniel Street, S.W.

DATE: November 14, 2019

An Ordinance by Zoning Committee for a special use permit for a community center pursuant to 16-11.005(1)(n) for property located at **931 McDaniel Street, S.W.**

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

STAFF RECOMMENDATION: 30 DAY DEFERRAL – DECEMBER 2019