



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 HOLMES, AICP
Interim Director
Office of Zoning & Development

MEMORANDUM

TO: Zoning Review Board

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

SUBJECT: Z-19-101 for 1080 Estes Drive, S.W.

DATE: January 9, 2020

An Ordinance by Zoning Committee to rezone from RG-2 (Residential General Sector 2) to MR-4A (Multifamily Residential) for property located at **1080 Estes Drive, S.W.**

FINDINGS OF FACT:

- **Property location:** The subject property fronts 580 feet on the south side of Estes Drive and begins at a ½" rebar found at the intersection of the northerly right-of-way of Estes Drive and the easterly right-of-way of Astor-Lakewood Connector. The site is located in Land Lot 122, 14th District of Fulton County, Georgia within the Sylvan Hills neighborhood of NPU-X and Council District 12.
- **Property size and physical features:** The subject property is an irregular shaped lot with approximately 1.815 acres (79,061 square feet) in lot area. Currently, the property is vacant, covered with grass and surrounded by a chain link fence on the northeast boundary. There is a tree line on the southern boundary of the lot and a combination of chain link fence and tree line on the western property boundary. The topography is relatively level. Vehicular access to the property is provided via a curb cut along Estes Drive.
- **CDP land use map designation:** The subject property has a current land use category of Mixed Use within the 2016 Comprehensive Development Plan.
- **Current/past use of property:** The site is currently vacant. Staff is unaware of any other previous uses.
- **Surrounding zoning/land uses:** The subject property is adjacent to properties zoned RG-2 (Residential General Sector 2) with a Low-Density Residential land use designation on the east and

north side. The properties are zoned I-2 (Heavy Industrial) with a Mixed-Use land use designation on the west side and on the south boundary of the property running along Arthur B. Langford Jr. Parkway which is also the City of Atlanta city limit boundary.

- **Transportation system:** Estes Drive continues to become Lakewood Avenue. Estes Drive is classified as a local street. MARTA does not provide service to the subject property. The nearest train station is Lakewood-Fort McPherson Transit Station which is 0.3 miles from the subject property. Sidewalks are not present on Estes Drive or Lakewood Avenue.

PROPOSAL

The applicant has proposed to rezone from RG-2 (Residential General Sector 2) to MR-4A (Multifamily Residential) to allow for the development of a 60-unit multifamily apartment building on a podium.

Development Specifications:

Total residential units:	60 units
Net Lot Area:	379,817 sq. ft. (1.815 acres)
Total F.A.R. Allowed:	1.49 (MR-4A)
Residential F.A.R. Proposed:	0.907 (MR-4A)
Building Height Max Allowed:	80' feet
Useable Open Space Required:	0.4 (LUI Table)
Setbacks Required:	Side Yard: 15' Rear Yard: 20'
Min. Parking Required:	53 spaces (0.87/unit)
Parking Proposed:	74 spaces
Bicycle Parking Required:	6 spaces (1 per 10 units)

CONCLUSIONS:

- 1) **Compatibility with comprehensive development plan (CDP); timing of development:** The Comprehensive Development Plan (CDP) designates the property as Mixed Use. The proposed rezoning to MR-4A (Multifamily Residential) District is not consistent with the existing land use; therefore, a land use amendment is 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 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 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 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 be detrimental to the health of humans or the environment by allowing the rezoning. The proposed rezoning would allow for an affordable housing opportunity in the Sylvan Hills community which is experiencing rising home values.

- 4) **Effect on character of the neighborhood:** The proposal to rezone to MR-4A would have a positive effect on the surrounding neighborhood by allowing the use of an underutilized residential lot for an affordable multi-unit residential development. Higher density developments 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. The proposed site plan indicates that building placement, mass and orientation creates a pedestrian friendly urban form. The sidewalk connection from building frames and the streetscape encourages pedestrian activity. Therefore, staff believes the proposal would have a positive effect on the character of the neighborhood.
- 5) **Suitability of proposed land use:** The land use designation is Mixed Use, which is not compatible with the proposed zoning district. However, Sylvan Hills is an established community with a mix of land uses.. Land uses within the immediate vicinity of the project site consist a multi-family apartment building, an 8-unit multi-family townhome development, the AmeriCold Logistic facility, the Reliable Health and Rehabilitation Center at Lakewood facility and MARTA's Lakewood-Fort McPherson train station is approximately 1450 feet from the proposed development. Therefore, Staff is of the opinion that the request to rezone the property for the purpose of constructing the multi-family development would be suitable.
- 6) **Effect on adjacent property:** The proposal would have a positive effect on the surrounding neighborhood by converting an underutilized lot into a multi-family development. The subject property is located within 0.3 miles of high capacity transit. Developing the subject parcel into a multi-family development will provide density to support urban amenities such as transit, businesses and educational institutions and thus increase the quality of life for immediate and nearby residents. Therefore, Staff believes that the proposal would have a positive effect on the adjacent property.
- 7) **Economic use of current zoning:** While the current zoning allows for some economic use of the property, a change to the MR-4A (Multifamily Residential) zoning district would allow a more effective economic use of the subject property. The proposed development will allow for a density to support affordable housing and offer a diverse housing type that will support transit in the urban core. Diversifying housing options in the community will improve the quality of life and attract businesses and people that will strengthen the community's economic stability. Increasing density provides a real economic boost to the community and helps pay for infrastructure and public services. Therefore, the proposed zoning will provide increased economic use of the property.
- 8) **Compatibility with policies related to tree preservation:** Redevelopment of the property must comply with the City of Atlanta Tree Ordinance at time of permitting.

- 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, **1080 Estes Drive, S.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. 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

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: Z-19-105 for 842 McDaniel Street, S.W.

DATE: January 9, 2020

An Ordinance by Councilmember Joyce M. Sheperd to rezone from R-4B (Single Family Residential) to C-1 (Community Business District) for property located at **842 McDaniel Street, S.W.**

FINDINGS OF FACT:

- **Property location.** The subject property fronts approximately 30 feet on the east side of McDaniel Street, S.W. beginning at the northeast corner of Rockwell and McDaniel Streets. The property is located in the 14th District of Fulton County, Georgia within the Pittsburgh neighborhood of NPU-V in Council District 12.
- **Property size and physical features.** The site is a rectangular shaped lot with approximately 0.069 acres (3,005 square feet) in area. The subject property is currently developed with a two-story commercial building with frontage on McDaniel Street. The property is accessed by one curb cut on Rockwell Street.
- **CDP land use map designation:** The parcel is currently zoned R-4B (Single Family Residential). The land use designation is High Density Commercial within the 2016 Comprehensive Development Plan (CDP).
- **Current/past use of property:** The subject property is currently developed with a two-story commercial building. Staff is not aware of any previous uses of the site.

- **Surrounding zoning/land use:** Parcels located to the west are zoned C-1 (Community Business) with an HDR (High Density Residential) land use designation. Properties located northeast of the site are zoned C-3-C (Commercial Residential Conditional) with an HDC (High Density Commercial) land use designation. Properties south of the subject site are zoned C-1-C (Community Business) and R-4B (Single Family Residential) with an SFR (Single Family Residential)
- **Transportation system:** McDaniel Street, S.W. is classified as a local street and connects to Ralph David Abernathy Boulevard, S.W. MARTA bus route #155 runs along McDaniel Street, S.W. and connects to the West End Transit Station. The closest bus stop is located on the northwest corner of McDaniel and Rockwell street across from the subject property. Sidewalks are present along both sides of McDaniel Street.

PROPOSAL:

This application seeks a rezoning from R-4B (Single Family Residential) to C-1 (Community Business) to renovate and reuse an existing building into a restaurant.

CONCLUSIONS:

- (1) **Compatibility with comprehensive development plan (CDP); timing of development:** The proposed zoning is consistent with the existing High-Density Commercial 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. This proposal is to make an existing structure usable in an area where the neighborhood will benefit from an occupied, maintained and rehabilitated commercial structure. The request is supportive of the 2016 CDP NPU-V policies to “*Encourage mixed-use and Neighborhood Commercial Development activities in the Georgia Ave, Ralph David Abernathy Blvd, Atlanta Ave, and McDaniel Street, Pulliam Street, Central Avenue and Pryor Street. (As were proposed in the respective neighborhood redevelopment plans) Areas in order to establish the historical small-town ambiance of these areas.*”
- (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 development will encourage rehabilitation of the structure and provide neighborhood commercial services to the neighborhood. Further, the development will provide a nodal commercial area within walking distance of the residential neighborhood.

- (5) **Suitability of proposed land use:** A change in land use is not necessary as the proposed use is allowed in the High-Density Commercial land use designation. Staff is of the opinion that the proposed request to rezone the property to the C-1 (Commercial Business) zoning district is suitable given the current nature of the surrounding area.
- (6) **Effect on adjacent property:** Staff believes the proposed rezoning has the potential to add value to the character of the neighborhood. Furthermore, the development will provide an appropriately scaled nodal commercial development and improve the aesthetics of the built environment.
- (7) **Economic use of current zoning:** The economic opportunity of the subject property is limited under the existing R-4B (Single Family Residential) zoning designation. The requirements of the existing zoning district limit the usability of the lot. The proposed zoning district provides an opportunity to increase the economic value of a site by allowing a commercial use.
- (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, **842 McDaniel Street, S.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

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 

SUBJECT: Z-19-106 for 412 Morgan Place

DATE: January 9, 2020

An Ordinance by Councilmember Natalyn Mosby Archibong to zone property located at **412 Morgan Place** to the R-4 (Single Family Residential) zoning district upon annexation into the corporate limits of the City of Atlanta

FINDINGS OF FACT:

- **Property location:** The property to be annexed is east of the City of Atlanta limits fronting Morgan Place. The subject property is located east of the single-family lots zoned R-4 (Single Family Residential) in the City of Atlanta. The property is in close proximity to the East Lake Neighborhood of the City of Atlanta which is located within NPU O, Council District 5.
- **Property size and physical features:** The subject parcel is approximately 0.18 acres (8,250 sq. ft.) and is developed with a single-family residential structure. The topography of the subject site is declines toward Morgan Place with a few shrubs and grasses and mature trees located throughout the property.
- **CDP land use map designation:** Recommendations for compatible land use designation in accordance with recommended zoning designation will be presented at a public hearing conducted by the Community Development/Human Services Committee (CD/HS) of the Atlanta City Council. Land use designation proposed for the subject lot is Single-Family Residential. The land use is substantially comparable to the subject area's current land use designation in DeKalb County.
- **Current/past use of property:** The parcel is currently developed with a single-family residential structure and has a Traditional Neighborhood Character Area land use designation 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 land use designation and residential zoning R-75 (Residential Medium Lot) District. The parcel is located south of the City of Atlanta boundary. Parcels west of the subject site within the City of Atlanta are zoned R-4 (Single Family Residential) District and have a land use designation of SFR (Single Family Residential).
- **Transportation system:** Morgan Place is a two-lane local street without sidewalks. The parcel is serviced by one MARTA bus route #15 located along Candler Road, with service to the Decatur MARTA Transit Station.

PROPOSAL:

The ordinance proposes to zone property upon annexation into the corporate limits of 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 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, the DeKalb County R-75 (Residential Medium Lot 75) 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 Land Use Designation proposed for the subject property is Single-Family Residential. The proposed land use designation is substantially comparable to the subject sites current land use designation in DeKalb County.

- (2) **Availability of and effect of public facilities and services; referral to other agencies:**
There are available public facilities and services (i.e. water supply, sewerage, drainage, transportation, schools, fire and police protection and solid waste collection and disposal) for the proposed annexation area.
- (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 of Atlanta 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 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 and Development

MEMORANDUM

TO: Zoning Review Board

FROM: Keyetta Holmes, AICP, Zoning Administrator 

SUBJECT: Z-19-107 for 1104 Rosedale Road

DATE: January 9, 2020

An Ordinance by Councilmember Jennifer N. Ide to zone property located at **1104 Rosedale Road** to the R-4 (Single Family Residential) zoning district upon annexation into the corporate limits of the City 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 Rosedale Road. The property is located in the Northwest quadrant of unincorporated DeKalb County adjacent to the City of Atlanta's Virginia Highland neighborhood in Neighborhood Planning Unit (NPU) F, Council District 6.
- **Property size and physical features:** The subject parcel is approximately 0.3 acres and is developed with a single-family residential structure. The topography of the subject site is relatively level with many mature trees located throughout the property.
- **CDP land use map designation:** Recommendations for compatible land use designation in accordance with recommended zoning designation will be presented at a public hearing conducted by the Community Development/Human Services Committee (CD/HS) of the Atlanta City Council. Land use designation proposed for the subject lot is Single-Family Residential. The land use is substantially comparable to the subject area's current land use designation in DeKalb County.
- **Current/past use of property:** The parcel is currently developed with a single-family residential structure and has a Traditional Neighborhood Character Area land use designation 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 land use designation and residential zoning R-75 (Residential Medium Lot) District. The parcel is adjacent to the City of Atlanta boundaries to the north and west. The surrounding parcels within the City of Atlanta are zoned R-4 (Single Family Residential) District and have a land use designation of Single Family Residential.
- **Transportation system:** Rosedale Road is a two-lane local road without sidewalks. The parcel is within a half mile of three MARTA bus routes: route #16 and route #36 on North Highland Avenue and route #6 on Briarcliff Road.

PROPOSAL:

The ordinance proposes to zone property upon annexation into the corporate limits of 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 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, the DeKalb County R-75 (Residential Medium Lot 75) 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 Land Use Designation proposed for the subject property is Single-Family Residential. The proposed land use designation is substantially comparable to the subject sites current land use designation in DeKalb County.

- (2) **Availability of and effect of public facilities and services; referral to other agencies:**
There are available public facilities and services (i.e. water supply, sewerage, drainage, transportation, schools, fire and police protection and solid waste collection and disposal) for the proposed annexation area.
- (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 of Atlanta 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 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 and Development

MEMORANDUM

TO: Zoning Review Board

FROM: Keyetta M. Holmes, AICP, Zoning Administrator 

SUBJECT: Z-19-110 for 1316 Boulevard, S.E.

DATE: January 9, 2020

An Ordinance by Zoning Committee to rezone from R-4/BL (Single Family Residential/BeltLine Overlay) to MRC-1/BL (Mixed Residential Commercial/BeltLine Overlay) for property located at **1316 Boulevard, S.E.**

FINDINGS OF FACT:

- **Property location:** The subject property fronts 200 feet on the east side of Boulevard, S.E. beginning at a point on the east right-of-way line of Boulevard, S.E., 498.8 feet south of the intersection of the east right-of-way line of Boulevard, S.E. with the south right-of-way line of Benteen Way in Land Lot 24 of the 14th District, Fulton County, Georgia in the Benteen Park neighborhood of NPU W, Council District 1.
- **Property size and physical features:** The proposed development consists of two lots. The lot on the south is a corner lot at the intersection of Benteen Way and Boulevard. It is covered with overgrown bamboo trees and is zoned MRC-1-C (Mixed Residential Commercial Conditional). The lot subject to rezoning is the lot on the north. The subject lot is approximately 0.688 acres (29,969 square feet) of net lot area. It is currently developed with an abandoned self-service car wash. The topography declines gradually from the front to the rear of the lot. Vehicular access to the property is provided via a curb cut along Benteen Way. There are currently no trees on the lot.
- **CDP land use map designation:** The land use designation for this property is LDC (Low Density Commercial) within the 2016 Comprehensive Development Plan.
- **Current/past use of property:** The subject lot is developed with an abandoned car wash. Staff is not aware of any other prior uses of the site.

- **Surrounding zoning/land uses:** To the west, parcels are zoned MRC-3-C (Mixed Residential Commercial Conditional) with an High Density Residential (HDR) land use designation. North of the site, parcels are zoned MRC-1-C (Mixed Residential Commercial Conditional) with an LDR (Low Density Residential) land use designation; to the south, parcels are zoned C-1 (Community Business) with an LDR (Low Density Residential) land use designation. East of the site parcels are zoned R-4 (Single Family Residential) with an Single-Family Residential land use designations.
- **Transportation:** Boulevard is classified as a collector street. MARTA provides service via bus Route #9 and #49 right across from the subject property on Boulevard. The nearest train station is Georgia State Transit Station which is 2.6 miles from the subject property. Sidewalks are present on both sides of Boulevard.

PROPOSAL:

The applicant seeks to rezone the property from R-4/BL (Single Family Residential/BeltLine Overlay) to MRC-1/BL (Mixed Residential Commercial/BeltLine Overlay) for the development of 43 units townhomes with 86 parking spaces.

Project Specifications:

Net Lot Area:	0.688 acres (99,747 sf)
Gross Lot Area:	2.977 acres (129,716)
Maximum FAR allowed:	0.696
Total FAR proposed:	0.617
Total Floor Area (TFA):	80,050 square feet
Total number of units proposed:	43
Minimum Parking Required:	43 (1 parking space per dwelling unit)
Total Parking spaces provided:	86
Maximum building height allowed:	35 feet
Minimum USOR required:	32,020 square feet (0.4 X TFA)

CONCLUSIONS:

- 1) **Compatibility with comprehensive development plan (CDP); timing of development:** The Comprehensive Development Plan (CDP) designates the property as LDC (Low Density Commercial). The proposed rezoning to MRC-1 (Mixed Residential Commercial) District is consistent with the existing land use. Therefore, the proposed rezoning does not require a land use amendment.
- 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 to the health of humans or the environment.
- 4) **Effect on character of the neighborhood:** The proposal would have a positive effect on the surrounding neighborhood by converting the underutilized car wash site into a residential development. Furthermore, the proposal will be beneficial, and better conforming to the Intown Corridor character area recommendation of the 2016 Comprehensive Development Plan for the area, which encourages multi-family residential uses along the corridor. Additionally, the Intown Corridor character area also recommends that building placement, mass and orientation should create a pedestrian-oriented urban form; which is supported by the intent of the MRC district to *“create new pedestrian oriented commercial nodes, to encourage a balanced mix of uses to include proportionately significant residential uses and to facilitate safe, attractive and convenient pedestrian circulation”*. Therefore, Staff is of the opinion that the proposal is reasonable.
- 5) **Suitability of proposed land use:** Staff is of the opinion that the proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property. There are residential and commercial properties in the surrounding area of similar scale to the proposed development. In addition, the proposed rezoning would allow for the construction of a residential development along one of the major corridors in the city. Growth along the corridors is encouraged by several long-term plans including Atlanta City Design. Therefore, Staff is of the opinion that the request is suitable.
- 6) **Effect on adjacent property:** The properties immediately adjacent are a multifamily residential development on the west side, an institutional use on the north side, commercial uses on the south side and a single-family residential development on the east side. The proposal would have a positive effect on the surrounding neighborhood by converting an underutilized lot into a multi-family development. Therefore, Staff believes that the proposal would be compatible with the developments on the adjacent properties.
- 7) **Economic use of current zoning:** While the current zoning conditions allow for the economic use of the land, a rezoning to the MRC-1 (Mixed Residential Commercial) zoning district would allow a more effective economic use of the subject property. The proposed development will offer additional housing and will support existing and future transit in the urban core and support sustainability and equity in the neighborhood. Increasing density provides an economic boost to the community and supports public services. Therefore, the proposed rezoning will bring more effective economic use to the subject property.

8) **Compatibility with policies related to tree preservation:** Redevelopment of the property must comply with the City of Atlanta Tree Ordinance at time of permitting.

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 **1316 Boulevard, S.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
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 M. Holmes, AICP, Zoning Administrator 

SUBJECT: Z-19-38 for 3731 Wieuca Road, N.E., 3745 Wieuca Road, N.E. and 3755 Wieuca Road, N.E.

DATE: January 9, 2020

An Ordinance by Zoning Committee to rezone from R-3 (Single Family Residential) to PD-H (Planned Development Housing) for property located at 3731 Wieuca Road, N.E., 3745 Wieuca Road, N.E. and 3755 Wieuca Road, N.E.

The applicant has requested a deferral to continue to work with the NPU. Staff is supportive of the request.

STAFF RECOMMENDATION: 90 DAY DEFERRAL – APRIL 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 

SUBJECT: Z-19-63 for 448 Metropolitan Place, S.E.

DATE: January 9, 2020

An Ordinance by Zoning Committee to rezone from R-4 (Single Family Residential) to R-4B (Single Family Residential) for property located at **448 Metropolitan Place, S.E.**

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

STAFF RECOMMENDATION: 30 DAY DEFERRAL – FEBRUARY 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 and Development

MEMORANDUM

TO: Zoning Review Board

FROM: Keyetta M. Holmes, AICP, Zoning Administrator 

SUBJECT: Z-19-76 for Text Amendment to Define “Party House”

DATE: January 9, 2020

A substitute Ordinance by Councilmember J.P. Matzigkeit to amend the 1982 Atlanta Zoning Ordinance, as amended, by amending the R-LC (Residential Limited Commercial District), C-1 (Community Business), C-2 (Commercial Service), C-3 (Commercial Residential), C-4 (Central Area Commercial Residential), C-5 (Central Business Support), I-MIX (Industrial Mixed Use District), NC (Neighborhood Commercial), and MRC (Mixed Residential Commercial) zoning districts so as to allow a “party house” as a use in some commercial zoning districts and expressly prohibit a “party house” in R-1 (Single Family Residential), R-2 (Single Family Residential), R-2A (Single Family Residential), R-2B (Single Family Residential), R-3 (Single Family Residential), R-3A (Single Family Residential), R-4 (Single Family Residential), R-4A (Single Family Residential), R-4B (Single Family Residential), R-5 (Two Family Residential), RG (Residential General), MR (Multifamily Residential), I-1 (Light Industrial) and I-2 (Heavy Industrial)

Staff requests a deferral to continue to work with the NPU's.

STAFF RECOMMENDATION: 60 DAY DEFERRAL – MARCH 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 and Development

MEMORANDUM

TO: Zoning Review Board

FROM: Keyetta M. Holmes, AICP, Zoning Administrator 

SUBJECT: Z-19-80 for 1155 Hill Street, S.E.

DATE: January 9, 2020

An Ordinance by Zoning Committee to rezone from MR-4A-C/BL (Multifamily Residential Conditional/BeltLine Overlay) to MR-4A-C/BL (Multifamily Residential Conditional/BeltLine Overlay) for a site plan amendment for property located at **1155 Hill Street, S.E.**

The applicant has requested a withdrawal. Staff is supportive of the 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 and Development

MEMORANDUM

TO: Zoning Review Board

FROM: Keyetta M. Holmes, AICP, Zoning Administrator 

SUBJECT: Z-19-93 for 1076 Hardee Street, N.E.

DATE: January 9, 2020

An Ordinance by Zoning Committee to rezone from RG-2/BL (Residential General Sector 2/BeltLine Overlay) to MR-MU/BL (Multifamily Multiunit/BeltLine Overlay) for property located at **1076 Hardee Street, N.E.**

The applicant requests that this application be withdrawn. Staff is supportive of the 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 and Development

MEMORANDUM

TO: Zoning Review Board

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

SUBJECT: Z-19-97 for 350 University Avenue, S.W., and 352 University Avenue, S.W.

DATE: January 9, 2020

An Ordinance by Zoning Committee to rezone from I-1/BL (Light Industrial/BeltLine Overlay) to I-MIX/BL (Industrial Mixed Use/BeltLine Overlay) for property located at **350 University Avenue, S.W., and 352 University Avenue, S.W.**

FINDINGS OF FACT:

- **Property location:** The subject property fronts 2,190 feet on the south side of University Avenue commencing at a point being the intersection of the westerly right-of-way of I-75/85 and the southerly right-of-way of University Avenue, thence running along said right-of-way of University Avenue 520 feet to a point; then east a distance of 32.02 feet to a ½” rebar; then west a distance of 184.61 feet to a ½” rebar; then west a distance of 236.02 feet to the true point of beginning, Land Lot 88 of the 14th District, Fulton County, Georgia in the Pittsburgh neighborhood of NPU V, Council District 12.
- **Property size and physical features:** The property consists of approximately 13.246 acres (576,995.76 square feet) of net lot area. It is currently developed with a metal frame building and a brick building. The topography inclines gradually from the front to the rear of the lot. Vehicular access to the property is provided via 2 curb cuts on the south side of University Avenue. There are a few trees towards the rear of the property. A CSX Transportation rail line runs along the rear property line.
- **CDP land use map designation:** The land use designation for this property is Industrial (I) 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:** Per Ordinance 01-O-0476, a Special Use Permit was previously approved on the site for the operation of a truck terminal facility. Staff is not aware of any other prior uses.
- **Surrounding zoning/land uses:** To the north, parcels are zoned C-1 (Community Business) with a Low-Density Mixed Use (LDMU) land use designation and R-4B (Single Family Residential) with a Single-Family Residential land use designation. To the east, the parcels are zoned I-1 (Light Industrial) with Industrial land use designations. To the south, the parcels are zoned R-4 (Single Family Residential) with Single Family Residential land use designations. To the west, the parcels are zoned MRC-2-C (Mixed Residential Commercial) with a Medium Density Mixed Use (MDMU) land use designations.
- **Transportation:** University Avenue is classified as a collector street. Currently, MARTA serves the area via bus routes #42 and #155. Sidewalks can be found predominantly along the north side of University Avenue.

PROPOSAL:

The applicant seeks to rezone the property from I-1 (Light Industrial) to I-MIX (Industrial Mixed Use) for the redevelopment of the property with residential and non-residential uses.

Project Specifications:

Total lot area:	13.246 acres (576,995.76 sf)
Office Space:	38,340 sf
Manufacturing:	11,440 sf
Amphitheater:	1,930 sf
Business/Mercantile:	1,970 sf
Residential:	3,600 sf
Shell:	3,700 sf

CONCLUSIONS:

- 1) **Compatibility with comprehensive development plan (CDP); timing of development:** The Comprehensive Development Plan (CDP) designates the property as Industrial. The proposed rezoning to the I-MIX (Industrial Mixed Use) zoning District is consistent with the existing land use. Therefore, the proposed rezoning does not require a CDP amendment.
- 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 to the health of humans or the environment by allowing the rezoning. The proposed rezoning would allow for an appropriate type of infill development along the University Avenue corridor.
- 4) **Effect on character of the neighborhood:** Staff believes the proposed rezoning is compatible with the character of the neighborhood. There are residential, commercial, and industrial uses and zoning classifications in the immediate vicinity. To the west of the subject parcel is single family residential, and to the east are commercial uses. Rezoning this industrial parcel to I-MIX would allow some industrial use of the property as well as introduce new residential and commercial uses.
- 5) **Suitability of proposed land use:** The proposed rezoning would allow for the construction of a mixed-use development with residential, commercial, and industrial uses. Staff is of the opinion that the request is suitable as it would provide an infill development opportunity on a significantly large portion of the University Avenue corridor.
- 6) **Effect on adjacent property:** The proposed request would rezone the property to a designation that should integrate well within 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 to I-MIX will allow commercial and residential uses that complement the surrounding community.
- 8) **Compatibility with policies related to tree preservation:** Redevelopment of the property must comply with the City of Atlanta Tree Ordinance at time of permitting.
- 9) **Other Considerations:**
The Atlanta City Design articulates Atlanta's vision organized according to its five core values of Equity, Progress, Ambition, Access, and Nature. It focuses future growth into already-developed areas called Growth Areas, which are further categorized as Core, Corridors, and Clusters. Outside the Growth Areas are the Conservation Areas, which include Urban Neighborhoods, Suburban Neighborhoods, Rural Neighborhoods, and Production Areas. Conservation Areas are the natural parts of the city that are less suited for growth and that should be protected from radical change.

According to the Atlanta City Design map, 350 University Avenue, S.W., and 352 University Avenue, S.W. is located along a Corridor within a 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, Memorial, and Northside slice straight

lines across hills and valleys. In either case, we find commercial sites, civic buildings, and anchor institutions along the way. With better design, these corridors can become main streets for every community, accommodating a reasonable amount of growth that will spur commercial vitality and a vibrant public life out beyond the core of the city.”

STAFF RECOMMENDATION: APPROVAL CONDITIONAL upon the following:

1. The site shall be developed in accordance with the site plan entitled “352 University Avenue” prepared by S&W Architecture Engineering Interiors, dated April 20, 2018 and stamped received by the Office of Zoning and Development on September 17, 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

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 M. Holmes, AICP, Zoning Administrator 

SUBJECT: Z-19-98 for 637 Willoughby Way, N.E.

DATE: January 9, 2020

An Ordinance by Zoning Committee to rezone from R-4/BL (Single Family Residential/BeltLine Overlay) to MR-MU/BL (Multifamily Residential Multiunit/BeltLine Overlay) for property located at **637 Willoughby Way, N.E.**

The applicant has requested a deferral to continue to work with the NPU. Staff is supportive of the request.

STAFF RECOMMENDATION: 30 DAY DEFERRAL – FEBRUARY 2020



CITY OF ATLANTA

KEISHA LANCE BOTTOMS
MAYOR

DEPARTMENT OF CITY PLANNING
55 TRINITY AVENUE, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303
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 M. Holmes, AICP, Zoning Administrator 

SUBJECT: Z-19-99 for 125 Wesley Avenue, N.E.

DATE: January 9, 2020

An Ordinance by Zoning Committee to rezone from R-5 (Two Family Residential) to MR-MU (Multifamily Multiunit) for property located at 125 Wesley Avenue, N.E.

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 - FEBRUARY 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 and Development

MEMORANDUM
amended

TO: Zoning Review Board

FROM: Keyetta M. Holmes, AICP, Zoning Administrator 

SUBJECT: Z-19-102 for 505 Pharr Road, N.E.

DATE: January 9, 2020

An Ordinance by Zoning Committee to rezone from SPI-9 SA3-C (Buckhead Village Special Public Interest District Subarea 3 Conditional) to SPI-9 SA 3 (Buckhead Village Special Public Interest District Subarea 3) for a change of conditions for property located at **505 Pharr Road, N.E.**

FINDINGS OF FACT:

- **Property location:** The subject property fronts 327.85 feet on the south side of Pharr Road, N.E. and begins at a point at the intersection of the western right-of-way line for Hardman Court with the south right-of-way line of Pharr Road. The property is located in the Garden Hills Neighborhood, in Land Lot 60 of the 17th District, Fulton County, Georgia in NPU B, Council District 7.
- **Property size and physical features:** The subject property is an irregular shaped lot of 1.896 acres (82,590 square feet) on the south side of Pharr Road, N.E directly east of Frankie Allen Park. The property is currently developed with a hotel complex with one two-story building and three three-story buildings sited around a courtyard. The topography drops 14 feet from the north to the south across the property. The site is vegetated with street trees and mature trees at the periphery of the property. Access to the site is currently provided via a single curb cut at the center of the lot frontage on Pharr Road.
- **CDP land use map designation:** The subject property is designated Low Density Commercial within the 2016 Comprehensive Development Plan (CDP).
- **Current/past use of property:** The subject property is currently developed with an 88-key hotel with four buildings sited around a courtyard with a pool. Surface parking is located along

the Pharr Road frontage and east property line. Staff is unaware of other previous uses on the site.

- **Surrounding zoning/land uses:** The subject property is zoned SPI-9 SA 3-C (Buckhead Village Special Public Interest District Subarea 3 Conditional). The surrounding zoning includes SPI-9 SA 3 (Buckhead Village Special Public Interest District Subarea 3) to the north across Pharr Road and to the east and west on adjacent parcels fronting Pharr Road. Adjacent parcels to the southeast are zoned R-LC-C (Residential Limited Commercial Conditional). Adjacent parcels to the south and southwest are zoned R-4 (Single Family Residential). Surrounding land use designations include Low Density Commercial to the north and east and Open Space to the south and west.
- **Transportation:** Pharr Road is classified as a collector street. Currently, MARTA serves the area via the Buckhead Transit station. Bus service is provided via bus route #110 along Peachtree Street, and bus route # 5 along Piedmont Road. A bus stop is located on both Peachtree Street and Piedmont Road at the intersection of Pharr Road.

PROPOSAL:

The applicant requests a rezoning from SPI-9 SA3-C (Buckhead Village Special Public Interest District Subarea 3 Conditional) to SPI-9 SA 3 (Buckhead Village Special Public Interest District Subarea 3) for a change of conditions on the subject property. The applicant proposes a mixed-use development with vehicular access to the site from Pharr Road and parking provided via a parking garage, part of which will be located underground. Proposed uses include a 200-key hotel, 102,160 square feet of office, 36 residential condominiums and 2,500 square feet of commercial space.

CONCLUSIONS:

- 1) **Compatibility with comprehensive development plan (CDP):** The property is designated Low Density Commercial in the 2016 Comprehensive Development Plan (CDP). The proposed rezoning to SPI-9 SA 3 for a change of conditions is compatible with the 2016 CDP designation of Low Density Commercial, thus a land use amendment will not be required to accommodate the proposed development.
- 2) **Availability of and effect on public facilities and services; referrals to other agencies:** The location of the site and current use of surrounding properties indicates there are public facilities and services available to the subject property. There has been no indication from review agencies and/or departments that there would not be adequate public facilities and services at the subject location. When proposed development plans are submitted to other agencies for permit review, compliance with all applicable City codes will be required.
- 3) **Availability of other appropriate land zoned for proposed use; effect on balance of land uses with regard to the public need:** The zoning regulation indicates that this consideration is optional. The applicant has not presented any evidence that they own other land in the area that is suitable for this development. The proposed rezoning would not have an adverse effect on the environment or create an imbalance of land uses. This would allow for an appropriate type of redevelopment within the Buckhead Village neighborhood at a scale that is comparable to nearby development.

- 4) **Effect on character of the neighborhood:** The property is located in the Buckhead Village Neighborhood, a mixed use “Growth Area Cluster” that is currently experiencing redevelopment of many lots. The subject site is designated as Town Center in the CDP Character Area maps. The CDP states “*Multi-story buildings, high density and mixed-use buildings/developments are appropriate in Town Centers.*” Staff is of the opinion that the request to change conditions will allow for the appropriate redevelopment of an underutilized portion of land. Redevelopment of the proposed lot could stimulate renovation of other under developed lots in this area. Further, the resultant change of conditions, if the rezoning is approved, is consistent with a denser pedestrian-oriented development pattern intended by the SPI-9 SA-3 district. The addition of a mixed-use project in the area will complement the area.
- 5) **Suitability of proposed land use:** The proposed mixed-use development with hotel, office, residential and retail uses is suitable and complements the recent redevelopment of residential, office and commercial uses in the immediate area. The proposed use and scale of development is compatible with the surrounding uses.
- 6) **Effect on adjacent property:** The proposed development should have minimal to no negative effect on adjacent properties. Staff is of the opinion if this property is rezoned to SPI-9 SA3 to remove conditions there will be no negative effects on adjacent properties and it may contribute toward the revitalization of the Buckhead Village and an improved pedestrian environment. The removal of conditions is consistent with the intent of the Buckhead Village District to provide for a balanced mix of office, retail, commercial, residential and related uses so as to serve the needs of the Buckhead community, surrounding residential neighborhoods, and specialty shoppers and visitors.
- 7) **Economic use of current zoning:** Staff finds that the current zoning has a reasonable economic use. However, the rezoning would not have a negative effect on the economic use and may have a positive effect on neighboring properties as the proposed zoning is compatible with existing conditions and reinforces densities that activate a pedestrian oriented district as envisioned for the Buckhead Village.
- 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 **505 Pharr Road N.E.** is located within Growth Area Clusters. Growth Area Clusters are described as follows:

“These are the historically suburban commercial districts of New Atlanta that are becoming increasingly-urban. They are outlying concentrations of housing, work spaces, hospitals, and shopping that were developed at the confluence of major thoroughfares, highways, and transit. The largest and most established are Buckhead and Emory, but with better design, policies and investments, and with improving market conditions, other clusters like Greenbriar and outlying sites along Metropolitan and Hollowell, could emerge as strategic, lower cost areas for innovation and business expansion.”

STAFF RECOMMENDATION: APPROVAL conditioned upon the following:

1. There shall be a maximum of 200 rooms for the hotel use.
2. Office square footage shall be limited to a maximum of 115,000 useable square feet. Hotel banquet area shall not exceed 10,000 square feet.
3. The final development site shall contain a minimum of 12,000 square feet of retail and/or restaurant space. The minimum square footage is in addition to the hotel restaurant.
4. All deck parking on the site shall be gated for security.
5. Operation of a 24-hour retail business, other than a hotel and contained uses, shall be prohibited.
6. At least thirty days prior to submission of a Special Administrative Permit application to the City, the developer shall provide a copy of the plans for such application to the Garden Hills Civic Association for review and comment.



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 *PHH*

SUBJECT: U-19-33 for 4075 Paces Ferry Road, N.W.

DATE: January 9, 2020

An Ordinance by Zoning Committee for a special use permit for a private school pursuant to 16-03.005(1)(l) for property located at 4075 Paces Ferry Road, N.W., 0 Paces Ferry Road, N.W. (rear) (17 0235 LL003) and 0 Robert L. MacDougal (17 0236 LL006).

FINDINGS OF FACT:

- **Property location:** The subject property fronts 2,355 feet on the north side of Paces Ferry Road beginning at the point of intersection of the north side of Paces Ferry Road with the east bank of the Chattahoochee River. The property is located within Land Lots 235 and 236 of the 17th District of Fulton County, Georgia in the Paces neighborhood of NPU-A in Council District 8.
- **Property size and physical features:** The site has an irregular shape and is approximately 102.12 acres (4,448,347 square feet) in size. The lot is developed with a private school, consisting of several administrative buildings, recreational facilities/fields and surface parking. Vehicular access to the property is provided from the north side of Northside Parkway and the south side of Paces Ferry Road. The topography is rolling and varied, sloping about 150 feet from east to west. The site is heavily planted with landscaping and natural woodlands and buffers.
- **CDP Land Use and designation:** The subject site is zoned R-1 (Single Family Residential). The land use designation is Single Family Residential within the 2016 Comprehensive Development Plan.

- **Current/past use of property:** The past and current use of the property is a private school. There has been three special use permits issue U-78-18, Ordinance 00-O-1446/U-00-27, and Ordinance 07-O-1923/U-07-23. Staff is not aware of any other previous uses of the site.
- **Surrounding zoning/land uses:** Properties to the north are zoned RG-2 (Residential General Sector 2) with a SFR (Single Family Residential) land use designation and O-I (Office Institutional) with a MU (Mixed-Use) land use designation. Properties to east are zoned R-1 (Single Family Residential) with an SFR (Single Family Residential) land use designation. Properties to south and west are zoned R-1 (Single Family Residential) with an SFR (Single Family Residential) land use designation and PD-H (Planned Development Housing) with an SFR (Single Family Residential) land use designation.
- **Transportation:** Paces Ferry Road is classified as a collector street. The area is serviced by MARTA bus route #12. Sidewalks and streetscaping are present.

PROPOSAL: Applicant seeks to amend special use permit (U-07-23) to amend condition 2 for The Lovett School, Inc.

- **Ingress and egress:** Ingress and egress to the site are provided by the two existing driveways on Paces Ferry Road and the driveway on Northside Parkway Road. There are sidewalks, cross walks and street-scaping available throughout the site.
- **Off-Street parking and loading:** There are no major changes to the existing off-street parking and loading.
- **Refuse and services areas:** The applicant states that disposal services are provided to the property three times a week.
- **Buffering and screening:** The applicant has indicated that the existing buffering and screening will remain in place.
- **Hours and manner of operation:** The school is open Monday through Friday from 7:00 a.m. to 3:00 p.m., and some evenings and weekends for extracurricular activities. The school employs approximately 250 people with an enrollment of 1660 students.
- **Duration:** The applicant requests a permanent duration.
- **Required yards and open space:** The applicant states there will be no expansion or adjustment to the required yards and open space.
- **Tree Preservation and Replacement:** A tree protection plan was not submitted with the application. Applicant must consult with the City Arborist on matters related to tree protection and tree removal.

CONCLUSIONS:

- **Ingress and egress:** Ingress and egress will be provided from the existing curb cuts along Paces Ferry Road and Northside Parkway. Staff finds these points of ingress and egress to be sufficient for the existing private school.
- **Off-Street parking and loading:** The site plan does not indicate any major changes in the existing off-street parking and loading. Therefore, Staff is of the opinion that the off-street parking and loading are sufficient to support the proposed use.
- **Refuse and services areas:** The applicant has indicated that disposal services are provided to the property three times a week. This appears to be adequate for the proposed use.
- **Buffering and screening:** The existing buffering and screening will remain in place. Therefore, Staff is of the opinion that the applicant will provide adequate measures for the buffering and screening requirements.
- **Hours and manner of operation:** The hours and manners of operation will remain consistent with the operation of the private school. Staff finds the hours and manner of operation to be adequate.
- **Duration:** The applicant requests a Special Use Permit be granted without limits on its duration. Staff is supportive of an indefinite duration.
- **Compatibility with policies related to Tree Preservation and Replacement:** The applicant indicates that they will follow the City of Atlanta tree ordinance for the removal of any trees.
- **Required yards and open space:** There will be no expansion to any required yards or open space.
- **Other Considerations**
The application and site plan appear to be consistent with previously approved special use permits for The Lovett School, Inc. The original application, which granted permission for the private school was U-78-18. Other amendments to this application include U-00-27 and U-07-23. This application amends condition 2 approved with application U-07-23 in order to increase the number of students.

STAFF RECOMMENDATION: APPROVAL conditioned upon the following:

1. Enrollment shall be limited to no more than 1640 students per year. On or before October 1 of each year, The Lovett School shall provide written notice of the actual enrollment for that school year to the Director of the Office of Zoning and Development, the Chair of NPU-A, the President of the Paces Civic Association, and the District 8 Councilmember.
2. All other zoning conditions pursuant U-07-23, approved by the Mayor on November 13, 2007, shall remain in full force and effect.

U-19-33 for 4075 Paces Ferry Road, N.W.

January 9, 2020

Page 4 of 4

3. All other zoning conditions pursuant U-00-27, approved by the Mayor on November 6, 2000, shall remain in full force and effect
4. All previous zoning conditions pursuant to U-78-18 shall remain in force.