



CITY OF ATLANTA

KEISHA LANCE BOTTOMS
MAYOR

DEPARTMENT OF CITY PLANNING
55 Trinity Avenue, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308
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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-19-108 for 891 Cherokee Avenue, S.E.

DATE: January 16, 2020

An Ordinance by Councilmember Carla Smith to rezone property located at **891 Cherokee Avenue, S.E.** from R-5/HC20K SA1/BL (Two Family Residential/Grant Park Historic District Subarea 1/Beltline Overlay) to NC-7/ HC20K SA1/BL (Existing Traditional Neighborhood Commercial District/ Grant Park Historic District Subarea 1/Beltline Overlay).

FINDINGS OF FACT:

- **Property location.** The subject property fronts approximately 50 feet on the west side of Cherokee Avenue, S.E. beginning at the intersection of Cherokee Avenue and Atlanta Avenue. The property is located in Land Lot 42 of the 14th District of Fulton County, Georgia within the Grant Park neighborhood of NPU-W in Council District 1.
- **Property size and physical features.** The site is a rectangular shaped lot with approximately 0.0505 acres (2,199 square feet) in area. The subject property is currently developed with a one-story commercial building with frontage on Cherokee Avenue and Atlanta Avenue. The property is accessed by one curb cut on Atlanta Avenue.
- **CDP land use map designation:** The parcel is currently zoned R-5/HC20K SA1/BL (Two Family Residential/Grant Park Historic District Subarea 1/Beltline Overlay). The land use designation is Single Family Residential within the 2016 Comprehensive Development Plan (CDP).
- **Current/past use of property:** The subject property is currently developed with a one-story commercial building. Staff is not aware of any previous uses of the site.

- **Surrounding zoning/land use:** Parcels adjacent to the site are zoned R-5/HC20K SA1/BL (Two Family Residential/Grant Park Historic District Subarea 1/Beltline Overlay) with an SFR (Single Family Residential) land use designation. The site is also adjacent to the public park, Grant Park.
- **Transportation system:** Cherokee and Atlanta Avenues are classified as local streets and connects to Boulevard, S.E. MARTA bus route #832 runs along Atlanta Avenue, S.E. and connects to the West End Transit Station. The closest bus stop is located in close proximity to the site on Atlanta Avenue. Sidewalks are present along Cherokee and Atlanta Avenues.

PROPOSAL:

This application seeks a rezoning from R-5/HC20K SA1/BL (Two Family Residential/Grant Park Historic District Subarea 1/Beltline Overlay) to NC-7/ HC20K SA1/BL (Existing Traditional Neighborhood Commercial District/ Grant Park Historic District Subarea 1/Beltline Overlay).

CONCLUSIONS:

- (1) **Compatibility with comprehensive development plan (CDP); timing of development:** The proposed zoning is not consistent with the existing SFR (Single Family Residential) land use designation, therefore, a Comprehensive Development Plan (CDP) 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. 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 consistent with the Georgia Quality Growth Resource Team Report (2003) that designated this area as a commercial node in Grant Park. The request is supportive of the intent of the NC-7 (Existing Traditional Neighborhood) regulations to protect existing neighborhood-oriented commercial areas from uses and building forms which are incompatible with the scale, character and needs of the adjacent neighborhoods. Further the NPU-W policies within the 2016 Comprehensive plan encourage the preservation of the historic integrity of the Grant Park neighborhood.
- (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 and is consistent with the recommendation to create a commercial node at the intersection of Atlanta Avenue and Cherokee Avenue. Further, the commercial node will provide close-at-hand goods and services to nearby residences.

- (5) **Suitability of proposed land use:** A change in land use is necessary as the proposed is not compatible with the Single Family Residential land use designation. Staff is of the opinion that the proposed request to rezone the property to the NC-7/ HC20K SA1/BL (Existing Traditional Neighborhood Commercial District/ Grant Park Historic District Subarea 1/Beltline Overlay) 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-5 (Two 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, **891 Cherokee Avenue, S.E.** is located within an Urban Neighborhood within a Conservation Area. Urban Neighborhoods are described as follows:

“These are small-scale, historic, walkable neighborhoods where growth capacity is limited mostly by our desire to keep them the way they are the traditional intown communities that were built by the expansion of streetcars a century ago, such as Westview, Grant Park and Brookwood Park. Most have some form of commercial district within walking distance from homes, and many include small apartment buildings, townhouses, or two- and three-family homes. Their inherent walkability, historic charm and proximity to downtown make them highly desirable under today's market pressures, and therefore, threatened by even denser development.”

STAFF RECOMMENDATION: APPROVAL



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Interim Director
Office of Zoning and Development

MEMORANDUM

TO: Zoning Review Board

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

SUBJECT: Z-19-112 for 2588 Abner Place, N.W.

DATE: January 16, 2020

An Ordinance by Zoning Committee to rezone from R-4A (Single Family Residential) to R-4B (Single Family Residential) for property located at **2588 Abner Place, N.W.**

The applicant requests a deferral to continue to work with the NPU.

STAFF RECOMMENDATION: 60 DAY DEFERRAL – MARCH 2020



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Office of Zoning and Development

MEMORANDUM

TO: Zoning Review Board

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

SUBJECT: Z-19-113 for 1044 Hank Aaron Drive, S.E.

DATE: January 16, 2020

An Ordinance to rezone from RG-2/BL (Residential General Sector 2/BeltLine Overlay) to MRC-1/BL (Mixed Residential Commercial/Beltline Overlay) for property located on a portion of **1044 Hank Aaron Drive, S.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



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MEMORANDUM

TO: Zoning Review Board

FROM: Keyetta M. Holmes, AICP, Zoning Administrator (1416)

SUBJECT: Z-19-114 for a Text Amendment to NC-10, NC-11 and NC-12

DATE: January 16, 2020

An Ordinance by Councilmember Jennifer N. Ide to amend the Zoning Ordinance of the City of Atlanta (Part 16), as amended, by amending the text of the Zoning Ordinance, including the following individual zoning district regulations: Chapter 32J. NC-10 Amsterdam Neighborhood Commercial District (Section 1); Chapter 32K. NC-11 Virginia-Highland Neighborhood Commercial District (Section 2); And Chapter 32L. NC-12 Atkins Park Neighborhood Commercial District (Section 3)

FINDINGS OF FACT:

- **Property location.** The subject properties have frontage on North Highland Avenue. Properties are located in Land Lots 1 and 16 of the 17th District of Fulton County, Georgia within the Virginia Highland neighborhood of NPU-F in Council District 6.
- **Property size and physical features.** The lot areas vary. The subject properties are currently developed with various neighborhood serving commercial uses with frontage on North Highland Avenue.
- **CDP land use map designation:** The parcels are currently zoned NC-10 (Amsterdam Neighborhood Commercial District), NC-11 (Virginia-Highland Neighborhood Commercial District) and NC-12 (Atkins Park Neighborhood Commercial District). The land use designation is Low Density Commercial within the 2016 Comprehensive Development Plan (CDP).
- **Current/past use of property:** The subject properties are currently developed with various neighborhood serving commercial uses. Staff is not aware of any previous uses of the sites.

- **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:** North Highland is classified as a collector street. MARTA bus route #816 runs along North Highland Avenue, N.E. and connects to the Five Points Transit Station. Bus stops are located along North Highland Avenue connecting the NC-10 (Amsterdam Neighborhood Commercial District), NC-11 (Virginia-Highland Neighborhood Commercial District) and NC-12 (Atkins Park Neighborhood Commercial District). Sidewalks are present along both sides of North Highland Avenue.

PROPOSAL:

This application seeks to amend the text of NC-10 (Amsterdam Neighborhood Commercial District), NC-11 (Virginia-Highland Neighborhood Commercial District) and NC-12 (Atkins Park Neighborhood Commercial District) to amend height and off-street parking requirements.

CONCLUSIONS:

- (1) **Compatibility with comprehensive development plan (CDP); timing of development:** The proposed zoning is consistent with the existing Low-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 to 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:** This legislation does not propose any development rather only amends the maximum height requirements and amends the parking requirements in the respective districts. Therefore, Staff notes that the availability of other land it is not applicable in regard to the proposed legislation
- (4) **Effect on character of the neighborhood:** Staff is of the opinion that the proposed text amendment would not have a negative effect on the character of the neighborhoods of the City. In fact, the intent of NC district is to *“Place reasonable controls on the development of larger scale highway-oriented retail, service, office and dining uses which are intended to serve larger areas of the city than a single neighborhood or a small group of neighborhoods”*. Therefore, the proposed change to maximum allowable height and reasonable parking regulations aligns with the intent.

- (5) **Suitability of proposed land use:** There would be no change in land use pertaining to the proposed text amendment. Therefore, Staff notes that it is not applicable in regard to the proposed legislation.
- (6) **Effect on adjacent property:** There would be no change in land use pertaining to the proposed text amendment. Therefore, Staff notes that it is not applicable in regard to the proposed legislation.
- (7) **Economic use of current zoning:** Since no rezoning or development projects are being proposed as part of this text amendment, these considerations are not applicable.
- (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, **North Highland Avenue, N.E.** is located within an Urban Neighborhood within a Conservation Area. Urban Neighborhoods are described as follows:

“These are small-scale, historic, walkable neighborhoods where growth capacity is limited mostly by our desire to keep them the way they are the traditional intown communities that were built by the expansion of streetcars a century ago, such as Westview, Grant Park and Brookwood Park. Most have some form of commercial district within walking distance from homes, and many include small apartment buildings, townhouses, or two- and three-family homes. Their inherent walkability, historic charm and proximity to downtown make them highly desirable under today's market pressures, and therefore, threatened by even denser development.”

STAFF RECOMMENDATION: APPROVAL



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Interim Director
Office of Zoning & Development

MEMORANDUM

TO: Zoning Review Board

FROM: Keyetta M. Holmes, AICP, Zoning Administrator *(Ka. 10)*

SUBJECT: Z-19-115 for Stadium Neighborhoods

DATE: January 16, 2020

An Ordinance by Councilmember Carla Smith to rezone certain properties from the MRC-3-C (Mixed Residential Commercial Conditional) zoning district to the MRC-3-C (Mixed Residential Commercial Conditional) for a change of conditions

FINDINGS OF FACT:

- **Property location.** The subject property fronts approximately 380 feet on the east side of Hank Aaron Drive, S.E. beginning at the northeast corner of Bass Street, S.E. and Hank Aaron Drive, S.E. The property is located in Land Lot 54 of the 14th District of Fulton County, Georgia within the Summerhill neighborhood of NPU-V in Council District 1.
- **Property size and physical features.** The subject properties were a former parking are for the former Ted Turner field. There are also 2 two-story residential structures with frontage on Fraser Street and Bill Lucas Drive, respectively.
- **CDP land use map designation:** The parcels are currently zoned MRC-3-C (Mixed Residential Commercial Conditional). The land use designation is High Density Commercial and Mixed Use within the 2016 Comprehensive Development Plan (CDP).
- **Current/past use of property:** The subject property is currently developed with a surface parking lot and 2 two-story residential buildings. Staff is not aware of any previous uses of the site.

- **Surrounding zoning/land use:** Parcels located to the east are zoned RG-3 (Residential General Sector 3) with an MDR (Medium Density Residential) land use designation. Properties located north of the site are zoned MRC-3-C (Mixed Residential Conditional) with a MU (Mixed Use) land use designation. Properties south of the subject site are zoned MR-3-C (Multifamily Residential) and MRC-3-C (Multifamily Residential Conditional) with an MDR (Medium Density Residential) and MU (Mixed Use) land use designations. Parcels west of the site are zoned MRC-3-C (Mixed Residential Commercial Conditional) with an HDC (High Density Commercial).
- **Transportation system:** Hank Aaron Drive, S.E. is classified as an arterial street. MARTA bus route #55 runs along Hank Aaron Drive, S.E. and connects to the Five Points Transit Station. The closest bus stop is located at the corner of Hank Aaron Drive and Bass Street, S.E. Sidewalks are present along both sides of Hank Aaron Drive.

PROPOSAL:

This application seeks to change the conditions for the subject properties consistent with 16-O-1164 adopted by City Council July 18, 2016.

CONCLUSIONS:

- (1) **Compatibility with comprehensive development plan (CDP); timing of development:** The proposed zoning is consistent with the existing High-Density Commercial and Mixed-Use 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 to 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 to change conditions is consistent with the rezoning adopted via 16-O-1164 for the Stadium neighborhoods which imposed new conditions consistent with zoning recommendations made by the Turner Field Stadium Neighborhoods LCI.
- (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 and provide commercial and residential services to the 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 and Mixed Use land use designation. Staff is of the opinion that the proposed request to rezone the property to the MRC-3-C (Mixed Residential Commercial Conditional) 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 appropriate commercial and residential 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 current conditions of zoning. The requirements of the existing zoning district limit the usability of the lot and conflict with the recommendations of the Turner Field Stadium Neighborhoods LCI and thus the desires of the Summerhill neighborhood. The proposed zoning district with additional zoning conditions provides an opportunity to increase the economic value of a site.
- (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, **the area** is located within Growth Area: Core. Core Neighborhoods are described as follows:

“This is the center of Old Atlanta. It includes the city's densest, most traditional, adaptable, and walkable districts. It has an easy capacity for growth, the best transit network, and many of the top historic, cultural, and academic assets in the region. It covers Downtown, Midtown, and a larger surrounding territory made primarily of commercial and industrial property. It also includes emerging districts like West Midtown, South Downtown, West End, and Castleberry, where better design can solve shortcomings that today limit the capacity.”

STAFF RECOMMENDATION: APPROVAL



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TIM KEANE
Commissioner

KEYETTA M. HOLMES
Interim Director
Office of Zoning and Development

MEMORANDUM

TO: Zoning Review Board

FROM: Keyetta M. Holmes, AICP, Zoning Administrator 

SUBJECT: U-19-36 for 1122 Crescent Avenue, N.E.

DATE: January 16, 2020

An ordinance by Zoning Committee for a special use permit for transfer of development rights for property located at **1122 Crescent Avenue, N.E.**

FINDINGS OF FACT:

- **Property location:** The sending parcel is located at 979 Crescent Avenue, N.E. and fronts approximately 210 feet on the east side of Crescent Avenue beginning at the southeast intersection of Tenth Street and Crescent Avenue in Land Lot 106 of the 17th District, Fulton County, Georgia within the Midtown neighborhood of NPU-E in Council District 2.

The receiving parcel is located at 1122 Crescent Avenue, N.E. fronting 162.75 feet on the west side of Crescent Avenue, N.E. beginning at a rebar found at the intersection of the south right-of-way line of Thirteenth Street and the west right-of-way line Crescent Avenue in Land Lot 106 of the 17th District, Fulton County, Georgia within the Midtown neighborhood of NPU-E in Council District 2.

- **Property size and physical features:** The sending parcel is approximately 0.55 acres (23,958 square feet) in size with approximately 210 feet of frontage along Crescent Avenue, approximately 181 feet of frontage along Tenth Street, and approximately 169 feet of frontage along Peachtree Street. The sending property is developed with the 3-story residential structure known as the Margaret Mitchell House. The lot topography is relatively flat with a number of mature trees and shrubs scattered throughout the property.

The receiving parcel is approximately 0.84 acres (39,590 square feet) in size with approximately 163 feet of frontage along Crescent Avenue. The current use of the property is a multi-family apartment building and the topography declines from the front to the rear. There are a few trees along the perimeter of the property.

- **CDP land use map designation:** The sending parcel and receiving parcels are designated as High Density Commercial which is appropriate for the requested transfer of development rights.
- **Current/past use of property:** The sending parcel is the site of the Windsor House Apartments also known as the Margaret Mitchell House & Museum. The structure was built in 1899 and has been designated as a Landmark Building or Site since 1989 via Ordinance 89-O-1437. Staff is unaware of any other uses of the sending parcel. The receiving parcel is currently used as a multi-family apartment building.
- **Surrounding zoning/land uses:** The sending parcel and receiving parcels are located in SPI-16 SA1 (Midtown Special Public Interest District Subarea 1) and are surrounded by a mix of uses including commercial, office, and residential uses with a High Density Commercial land use designation within the 2016 Comprehensive Development Plan.
- **Transportation system:** The sending parcel along Crescent Avenue is classified as a local street, Tenth Street is a minor arterial, and Peachtree Street is classified as an arterial street. There are sidewalks consistently provided along both sides of Crescent Avenue, Tenth Street, and Peachtree Street. Multiple MARTA bus lines operate along Crescent Avenue, Tenth Street, Peachtree Place, and Peachtree Street, and connect to the Midtown MARTA Transit station located within a mile of the sending parcel.

The receiving parcel is located along Crescent Avenue and 13th Street, both of which are classified as local streets. There are sidewalks consistently provided along both sides of Crescent Avenue and 13th Street. MARTA bus lines operate along both streets and the Arts Center and Midtown Transit Stations are located within a mile of the receiving parcel.

PROPOSAL:

The applicant is requesting to sever approximately 154,000 square feet of excess residential development rights from 'The Margaret Mitchell House and Museum' property to transfer to the receiving parcel of 1138 Peachtree Street. In accordance with Sections 16-18P.007(1)(f) and 16-25.002 of the Atlanta Zoning Ordinance, both the sending parcel and receiving parcels are located in SPI-16, the sending parcel is on the National Register of Historic Places and designated as a historic landmark, and the documents ensure that the historic property shall remain in perpetuity. Calculations of the transfer of development rights are as follows:

Sending Parcel (979 Crescent Avenue):

Net lot area: 24,177 square feet (0.55 acres)

Gross Lot Area: 48,627.9 square feet (1.11 acres)

Residential FAR Bonus: 3.2

Ground floor Retail FAR Bonus: 2.0

Transit Area Bonus: 3.2

Reduced Parking Bonus: 0.8

Building Reuse Bonus 2 sf per 1 sf: 13,600 sf

SPI-16 Residential F.A.R. available: $(48,627.9 \times 10.2) + 13,600\text{sf} = 496,004.6$ square feet

Total available development rights remaining (Residential) = 219,021.5 square feet

Total remaining pending approval of U-19-36 = $225,393.68 - 154,000 = 52,601.26$ square feet

979 Crescent Avenue Transfer of Development Rights (Residential) Case History:

Ordinance	Request	Status
13-O-1038	120,290 sq. ft. to 207-205 13 th Street	Complete
14-O-1425	50,583.1 sq. ft. to multiple addresses on 11 th and 10 th Street	Complete
16-O-1585	180,000 sq. ft. to 1138 Peachtree Street	Incomplete and Expired

- 89-O-1038 – Windsor House Apartments at 979 Crescent Avenue designated to the overlay designation of landmark building.
- 13-O-1038 – Transfer of 120,290 square feet of residential development rights from 979 Crescent Avenue to 207-225 13th Street (completed).
- 14-O-1425 – Transfer of 169,100 square feet of residential development rights from 979 Crescent Avenue, 90 Peachtree Place, and 990 Peachtree Street to 169, 171, 175, 179, 181, 185, 191, and 195 11th Street and 180 10th Street. 50,583.1 square feet of residential rights were severed from 979 Crescent Avenue (residential portion incomplete and expired).
- 16-O-1585 – Transfer of 180,000 square feet of residential development rights to 1138 Peachtree Street (incomplete and expired).
- 19-O-1275 – Transfer of 185,000 square feet of residential development rights to 1138 Peachtree Street.

PROPOSAL:

The proposed development may contain up to 380,000 net square feet of residential area with no more than 400 residential units, and 8,000 square feet of retail space. The proposed units shall be located in a single, 47-story building. The structure will be constructed of steel and concrete, with exterior finishes of glass and metal panels or precast concrete.

- **Ingress and egress:** Vehicular ingress and egress is provided via Crescent Avenue.
- **Parking and loading:** The application proposes a parking deck to gain access to the property via Crescent Avenue.
- **Refuse and service areas:** All trash containers and service will be handled in an internal service area off 13th Street and will not be visible from the street.

- **Buffering and screening:** The parking deck, extending to the adjacent property lines, will be completely enclosed per code requirements preventing noise and light issues.
- **Hours and manner of operation:** The applicant proposes management office hours to be Monday through Saturday from 10:00 a.m. to 6:00 a.m. and Sunday 12:00 p.m. to 6:00 p.m. The retail space will be open from 6:00 a.m. to 2:00 a.m.
- **Duration:** Duration of the special use permit is dictated by Code Section 16-28.023(11).
- **Required yards and open space:** The applicant intends to honor all required yard and open space requirements of the City of Atlanta Code of Ordinances.
- **Tree Preservation and Replacement:** All existing trees will be removed with the intention of replanting trees and paying recompense in which to comply with the City of Atlanta's Tree Preservation Ordinance.

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:** Vehicular ingress and egress as proposed should be adequate for the site.
- b) **Off-street parking and loading:** The parking and loading as proposed by the applicant should be adequate for the proposed use and site.
- c) **Refuse and service areas:** The location of the proposed service and loading area is reasonable.
- d) **Buffering and screening:** The proposed landscaping and buffering seems sufficient.
- e) **Hours and manner of operation:** Staff is of the opinion that the proposed hours of operation will not have a negative impact on surrounding properties.
- f) **Duration:** The applicant requests that the use permit be approved for an indefinite period. Staff is not supportive of an indefinite period. Staff notes that the criteria of Sec. 16-28.023(11) regarding the expiration of transferable development rights for lack of timeliness of either 'initial development' or issuance of a certificate of occupancy are applicable and are fully enforced.
- 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:** The proposed transfer of development rights to allow for the development of more residential units for a mixed-use project at the subject location is reasonable. The proposed development conforms to the intent and requirements of the City of Atlanta transfer of development rights program. The proposed transfer of excess development rights agreement assures future protection of public interest and achievement of public objectives to the same or a higher degree than would application of the regulations to the individual properties.

STAFF RECOMMENDATION: APPROVAL, conditioned upon the following:

1. All agreements, assignments and affidavits (properly executed and recorded) are to be submitted to the Director of Zoning and Development to transfer a total of 154,000 square feet of residential development rights from 979 Crescent Avenue, N.E. (the sending property), zoned SPI-16, Subarea 1, to 1122 Crescent Avenue, N.E. (the receiving property) zoned SPI-16, Subarea 1.



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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: January 16, 2020

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: 120 DAY DEFERRAL – MAY 2020



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DEPARTMENT OF CITY PLANNING

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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 *KMH*

SUBJECT: Z-19-87 for 0 Poole Creek Road, S.E. (14 0064002012)

DATE: January 16, 2020

An Ordinance by Zoning Committee to rezone from R-4 (Single Family Residential) to I-1 (Light Industrial) for property located at 0 Poole Creek Road, S.E. (14 0064002012).

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

STAFF RECOMMENDATION: FILE



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KEISHA LANCE BOTTOMS
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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-19-88 for 0 Poole Creek Road, S.E. (14 0064002012)

DATE: January 16, 2020

An Ordinance by Zoning Committee to rezone from R-4 (Single Family Residential) to I-1 (Light Industrial) for property located at 0 Poole Creek Road, S.E. (14 00640002038).

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

STAFF RECOMMENDATION: FILE



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KEISHA LANCE BOTTOMS
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TIM KEANE
Commissioner

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

MEMORANDUM

TO: Zoning Review Board

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

SUBJECT: Z-19-89 for SPI-1 SA 5 Text Amendment

DATE: January 16, 2020

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 – FEBRUARY 2020



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MAYOR

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

MEMORANDUM

TO: Zoning Review Board

FROM: Keyetta M. Holmes, AICP, Zoning Administrator 

SUBJECT: Z-19-83 for SPI-3 (English Avenue Special Public Interest District)

DATE: January 16, 2020

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 and to delineate the boundaries of said district

FINDINGS OF FACT:

The English Avenue neighborhood is one of the City of Atlanta's oldest neighborhoods. The neighborhood reflects the City's industrial, railroad, streetcar, and neighborhood development history. Until the 1960's several streetcars connected the neighborhood with the Downtown Central Business District. The 2016 Comprehensive Development Plan NPU-L policies encourage the preservation and maintenance of traditional neighborhoods including the interior of the English Avenue neighborhood. Further, NPU-L policies seek to maintain historic sites including the English Avenue Elementary School building, preserve and maintain intown corridors, and maintain industrial areas focusing on retaining existing jobs, quality buildings and renovating and rehabilitating other buildings.

In 2017 the English Avenue and Vine City neighborhoods developed the Westside Land Use Framework Plan. The neighborhood met over the course of several meetings to establish permitted principal uses, development controls and design guidelines that were consistent with the recommendations of the Westside Land Use Framework Plan. The desire of the neighborhood is to impact growth and development while preserving the rich history of the English Avenue neighborhood. New residential and commercial uses should achieve architectural, site and street design consistent with the existing built environment. It is the desire of the neighborhood to create a diversified urban environment where people can live, work, meet and recreate. It is further the intent of the neighborhood to have safe and accessible open space for active and passive enjoyment and new attractive, neighborhood-serving commercial districts.

PROPOSAL:

The proposal is to create a new zoning district SPI-3 (English Avenue Special Public Interest District) to codify permitted principal uses and development regulations to delineate the boundaries of the district.

Statement of Intent

The intent of SPI-3 (English Avenue Special Public Interest District) is to preserve, protect and foster the redevelopment of English Avenue through the integration of transportation and land use planning in a way that balances local, regional, and state economic benefits. To preserve and protect English Avenue's historic buildings and sites as recognized by the inclusion of several buildings on the National Register of Historic Places. To encourage the development of housing that provides a range of opportunities for citizens within the District. To encourage a compatible mixture of residential, commercial, industrial, cultural and recreational uses and create an urban environment where people can live, work, meet and play. To promote pedestrian safety by providing for pleasant and convenient sidewalk level pedestrian circulation that minimizes impediments by vehicles. To encourage the use of MARTA, other public transit facilities and alternative transportation modes; and enhance the efficient utilization of accessible and sufficient parking facilities in an unobtrusive manner, including encouraging shared parking and alternative modes of transportation.

CONCLUSIONS:

Compatibility with Comprehensive Development Plan (CDP); timing of development:

Staff finds that there are no known public projects or programs with which the timing of the creation of the SPI-3 (English Avenue Special Public Interest District) would conflict. However, there is the need to amend current land use recommendations to align with proposed development controls established by the rezoning.

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.

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 rezoning, availability of other appropriate land already zoned is not applicable here. Positive effects are anticipated by the redevelopment of the neighborhood in accordance with proposed development requirements.

Effect on character of the neighborhood:

Staff is of the opinion that nearby and adjacent neighborhoods will realize positive effects from the rezoning. Significant changes in social and economic conditions are anticipated to include redevelopment of nearby residential development and the revitalization of commercially zoned property in the immediate area. Further, increased density near Northside Drive, Joseph E. Boone

Boulevard, Joseph E. Lowery Boulevard and Donald Lee Hollowell Parkway will require more services that can be utilized by current and future residents.

Suitability of proposed land use: The proposed use of land is suitable. The proposed uses are consistent with the uses that the community desired as a part of the 2016 Comprehensive Development Plan and the Westside Landuse Framework Plan both of which encouraged redevelopment, rehabilitation, preservation, and quality of living design guidelines.

Effect on adjacent property: Staff is of the opinion that the rezoning of the subject site to the SPI-3 zoning designation would not pose negative impacts to adjacent properties. The 2016 Comprehensive Development Plan and the Westside Landuse Framework Plan recommendations expresses the need for providing a mixture of uses that serve the surrounding areas.

Economic use of current zoning: While the current zoning conditions allow for the economic use of the land, a change to the SPI-3 district would allow a more effective economic use of the subject property.

Compatibility with policies related to tree preservation: Any tree loss that occurs due to any proposed development will have to comply with the City of Atlanta's tree preservation policy.

STAFF RECOMMENDATION: APPROVAL



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TIM KEANE
Commissioner

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

MEMORANDUM

TO: Zoning Review Board

FROM: Keyetta M. Holmes, AICP, Zoning Administrator 

SUBJECT: Z-19-94 for 1095 Vaughn Street, 1420 Vaughn Street, 1428 Vaughn Street, 1432 Vaughn Street, 1438 Vaughn Street, 1449 Vaughn Street, 1450 Vaughn Street, 1451 Vaughn Street, 1454 Vaughn Street, 2109 Vaughn Street, 1454 Memorial Drive, 1458 Memorial Drive, 1425 Woodbine Avenue, 0 Woodbine Avenue (15 208 02 134) and 0 Woodbine Avenue (15 208 02 132)

DATE: January 16, 2020

An Ordinance by Zoning Committee to rezone from PD-H (Planned Development Housing) to PD-H (Planned Development Housing) for a site plan amendment for property located at 1095 Vaughn Street, 1420 Vaughn Street, 1428 Vaughn Street, 1432 Vaughn Street, 1438 Vaughn Street, 1449 Vaughn Street, 1450 Vaughn Street, 1451 Vaughn Street, 1454 Vaughn Street, 2109 Vaughn Street, 1454 Memorial Drive, 1458 Memorial Drive, 1425 Woodbine Avenue, 0 Woodbine Avenue (15 208 02 134) and 0 Woodbine Avenue (15 208 02 132)

Staff has requested a 30-day deferral as the applicant has not received a recommendation from the Neighborhood Planning Unit.

STAFF RECOMMENDATION: 30 DAY DEFERRAL – FEBRUARY 2020



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

MEMORANDUM

TO: Zoning Review Board

FROM: Keyetta M. Holmes, AICP, Zoning Administrator 

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

DATE: January 16, 2020

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.**

FINDINGS OF FACT:

- **Property location:** The subject property front 114.82 feet on the northeast side of Atwood Street beginning at a 1" open top pipe found at the intersection of the northerly right-of-way of Ralph David Abernathy Boulevard and the easterly right-of-way of Atwood Street, Land Lot: 140, 14th District, Fulton County, Georgia in the West End neighborhood of NPU T, Council District 4.
- **Property size and physical features:** The property consists of approximately 0.476 acres (20,756 square feet) of net lot area. The parcel is currently undeveloped. The topography rises from the front to the rear of the lot. No vehicular access is provided to the site. Mature trees can be found around the perimeter of the lot.
- **CDP land use map designation:** The land use designation for this property is Low Density Commercial (LDC) within the 2016 Comprehensive Development Plan. An amendment to the Comprehensive Development Plan will not be needed to accommodate the proposed change of conditions.
- **Current/past use of property:** The parcel may have previously been used for single-family or two-family residential purposes. Per ordinance 89-O-1165, the parcel was rezoned in 1989 from R-5 (Two Family Residential) to C-1-C (Community Business District Conditional) for an office or retail development. Staff is unaware of any other uses for the property.

- **Surrounding zoning/land uses:** To the north, parcels are zoned R-4A (Single Family Residential) with a Low Density Residential (LDR) land use designation. To the east, south, and west, the parcels are zoned R-5 (Two Family Residential) and C-1-C (Community Business District Conditional) with a Low Density Commercial (LDC) land use designation.
- **Transportation:** Ralph David Abernathy Boulevard is classified as an arterial road and Atwood Avenue is a local street. Currently, MARTA serves the area via bus route #71 the West End MARTA Transit Station is within a mile of the subject property.

PROPOSAL:

The applicant seeks to rezone the property 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. The applicant is proposing a 9-unit townhouse development.

CONCLUSIONS:

- 1) **Compatibility with comprehensive development plan (CDP); timing of development:** The Comprehensive Development Plan (CDP) designates the property as Low Density Commercial. The proposed rezoning to C-1 (Community Business) District is consistent with the existing land use.
- 2) **Availability of and effect on public facilities and services; referrals to other agencies:** The location of the site and current use of surrounding properties indicates there are public facilities and services available to the subject property. There has been no indication from review agencies and/or departments that there would not be adequate public facilities and services to 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 and encourage redevelopment along the Ralph David Abernathy Boulevard corridor.
- 4) **Effect on character of the neighborhood:** Staff believes the proposed rezoning is compatible with the character of the neighborhood. This portion of Ralph David Abernathy Boulevard has a variety of small-scale uses, ranging from single-family and two-family residential to retail and commercial uses. The parcel is within the BeltLine Overlay District and is in close proximity to the MARTA West End Transit Station. The proposed development supports the redeveloping corridor and the density policies promoted by the Atlanta BeltLine and MARTA.
- 5) **Suitability of proposed land use:** The proposed land use reflects the established development pattern for the area, and this is suitable.

- 6) **Effect on adjacent property:** The proposed request would allow for a change in conditions to allow a residential townhome development. The scale of the proposed development complements the existing conditions of the community, and thus, should not have a negative effect on adjacent properties.
- 7) **Economic use of current zoning:** The current zoning conditions allow for some economic use of the land, however, the change in conditions would allow for a relatively dense, residential development.
- 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, **1247 Ralph David Abernathy Boulevard, S.W.**, is located within a Growth Area along a Corridor. 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 “RDA Townhomes” prepared by Place Maker Design stamped received by the Office of Zoning and Development on September 3, 2019. Minor changes to the approved site plan may be authorized by the Director, of the Office of Zoning and Development in accordance with Section 16-02.003(7).
2. The development on site shall be designed substantially similar to the rendering and elevation attachments to the site plan, stamped received by the Office of Zoning and Development on January 13, 2020.
3. Primary exterior finish materials (excluding foundations, architectural accents, balconies, windows, and doors) are limited to the following:
 - a. Unpainted brick, including full-depth and half-depth masonry brick, but not simulated brick veneers.
 - b. Stone, including unpainted natural stone, unpainted cast stone having the appearance of natural stone, and unpainted terra cotta. All stone must include mortar.

- c. Horizontally arranged wood clapboard or cementitious clapboard.
4. The following materials are prohibited: vinyl siding, vinyl railing, and vinyl windows.
5. All wooden surfaces must be painted. Unpainted pressure treated wood is not allowed.
6. Exterior stairs may not be made of wood.
7. Exterior columns, when installed, must have a minimum width of 5.5 inches.
8. Foundations must only be faced in full-depth or half-depth masonry brick (but not simulated brick veneers) or hand-parged mortar. "Foundation" means the surface area of the building below the lowest finished floor level.
9. Windows must conform to the following:
 - a. Windows must be provided on all street-facing facades for not less than 10%, nor more than 35%, of the façade area.
 - b. The façade area used to determine "a" above is measured from the top of the finished floor to the top of the finished floor above; when there is no floor above, the façade area is measured from the top of the finished floor to the top of the wall plate
 - c. Window frames, sashes, mullions, and similar features that are integral to the window system count towards the requirement of "a" above.
 - d. Windows on all street-facing walls must be rectangular shaped and arranged so that they are taller than they are wide.
 - e. Street-facing window panes must be recessed a minimum of 2-inches from the plane of the exterior facade, exclusive of trim.
10. Supplemental zones must conform to the following:
 - a. HVAC equipment may not be located in the supplemental zone.
 - b. A fence, knee wall, curb, or hedge must be provided along the back of the public sidewalk.
11. Trees must be planted in the supplemental zone in accordance with one of the following:
 - a. One overstory tree for every 30 feet of zone width and spaced not closer than 25 feet from any overstory other tree; or
 - b. One understory tree for every 20 feet of zone width and placed not closer than 15 feet to any other tree; or
 - c. A combination of overstory and understory trees may be planted in accordance with "a" above when at least 50% of the planted trees are overstory trees.
12. No non-residential uses are allowed onsite.



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TIM KEANE
Commissioner

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

MEMORANDUM

TO: Zoning Review Board

FROM: Keyetta M. Holmes, AICP, Zoning Administrator 

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

DATE: January 16, 2020

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.

FINDINGS OF FACT:

- **Property location:** The subject property fronts 50.07 feet on the west side of McDaniel Street, S.W. beginning at a masonry nail set at the intersection of the northerly right-of-way line of Mary Street and the easterly right-of-way line of Hubbard Street. The property is located in Land Lot 87 of the 14th District of Fulton County, Georgia in the Pittsburgh neighborhood of NPU-V in Council District 12.
- **Property size and physical features:** The subject property has two tracts of land and is approximately 0.345 (15,011 sq. ft.) acres. Tract 1 is 0.115 (5,007 sq. ft.) acres and is developed with a two-story brick and frame building. Tract 2 is 0.230 (10,004 sq. ft.) acres and the lot is currently undeveloped, however there is an existing sewer easement. The subject lots topography is relatively level. Vehicular access to both parcels is available via a curb cut off Mary Street. There are mature trees, shrubs and grasses found throughout the property.
- **Current/past use of property:** The subject site is currently developed with a two-story brick and frame building on Tract 1 and vacant land on Tract 2. The past use of the property was a commercial retail space and barbershop. Staff is unaware of any other previous uses.
- **Surrounding zoning/land uses:** The subject properties are zoned C-1-C (Community Business Conditional District) with a Mixed-Use (MU) land use designation. Properties to the north are zoned R-4B (Single Family Residential) with an SFR (Single Family Residential) land designation, C-1-C (Community Business Conditional District) and C-3-C (Commercial

Residential Conditional) District with a (SFR) Single Family Residential and (LDC) Low Density Commercial land use designation and RG-4 (Residential General Sector 4) with a (SFR) Single Family Residential land use designation. Properties to the east are zoned R-4B (Single Family Residential) with an SFR (Single Family Residential) land designation and SPI-18 SA 8 (Mechanicsville Neighborhood Special Public Interest District Subarea 8), SPI-18 SA 6 (Mechanicsville Neighborhood Special Public Interest District Subarea 6) with a Mixed-Use (MU) land use designation. Properties to the south are zoned R-4B (Single Family Residential) with an SFR (Single Family Residential) land designation and RG-3 (Residential General Sector 3) with a (SFR) Single Family Residential land use designation. Properties to the west are zoned R-4B (Single Family Residential) with an SFR (Single Family Residential) land use designation and O-I/BL (Office Institutional/BeltLine Overlay) with a Mixed-Use (MU) land use designation.

- **Transportation:** McDaniel Street is classified as a collector street, with Mary and Hubbard Streets both classified as local streets. Currently, MARTA bus route #155 runs along McDaniel Street. The site is 1.5 miles from the West End MARTA Transit Station.

PROPOSAL: The applicant seeks a special use permit to operate a community center within a new mixed-use building.

- **Ingress and egress:** Employee and resident vehicles will enter and leave the property from the current curb cut on Mary Street. In addition, the project provides three (3) on-street parking spaces at the edge of the property along Hubbard Street. Emergency and service vehicles will also access the site using the current entrance on Mary Street and a Knox box will be provided at the vehicular entry gate along Mary Street.
- **Parking and loading:** Residents, service and delivery personnel will be able to park and access the proposed community center via the parking lot on Mary Street which will provide three (3) off-street parking and (3) on-street parking spaces on Hubbard Street. The applicant will be requesting a parking reduction to reduce the required eight (8) off-street parking spaces. All commercial loading will take place on McDaniel Street and residential loading will be on Mary Street.
- **Refuse and services areas:** Refuse and service areas will be located off Mary Street. All services will be provided by the City of Atlanta. The dumpster on site will be screened from the public right-of-way.
- **Buffering and screening:** The applicant anticipates the noise and light emanating from the community center and residence will be limited. However, lighting and street-scaping will be added along McDaniel Street, Mary Street and Hubbard Street. The applicant indicates no additional noise or glare from lights will be generated for the community center or residential unit.
- **Hours and manner of operation:** The applicant is proposing to construct a new 8,000 square foot mixed-use building. The building will operate as a community center on the ground level

with a residential dwelling above. The community center, known as “Blue Print 58 will include classrooms, offices, study space for neighborhood youth, a teaching kitchen, game room, and library. Outside, there will be a community garden and basketball court. The services provided will be mentoring, tutoring and development programming for youth and community residents. The community center will also provide space for employee training, as well as for the surrounding neighborhood for community meetings. The hours for the community center will be Monday-Sunday, weekday hours will be 9am-5pm and weekend hours will be from 9am-7pm. The community center will have an anticipated enrollment of 75-100 per year. The community center will have four employees; two full-time and two part-time. Staff will be on site during normal business hours.

- **Duration**: The applicant requests an indefinite duration.
- **Required yards and open space**: The applicant will be requesting a reduction in the required yards.
- **Tree Preservation and Replacement**: The applicant states that trees will need to be removed as a result of the construction of the mixed-use building. The applicant has submitted a tree removal and replacement plan with the application. All tree removal and replacement will follow the tree protection ordinance.

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:** All emergency and employee vehicles will gain access to the subject property via the existing curb cut on Mary Street. Additional sidewalks and crosswalks will be provided for pedestrian safety and convenience. The applicant anticipates patrons will primarily walk within the community or during inclement weather may use personal vehicles to access the site. Staff finds this proposal sufficient for the proposed use as it is similar to current and past uses.
- b) **Off-Street Parking and loading:** Supplies will be delivered to the community center via the existing curb cut on Mary Street. Service employees will park in the off-street surface parking lot. Residents will walk or some may arrive by car from the north section of the development and drivers will park in the existing surface parking lot. Parking overflow during special events is possible on Hubbard Street. The applicant proposes 6 total parking spaces, 3 off-street and 3 on-street spaces. The applicant is pursuing a special exception to reduce the required number of off-street parking spaces. Staff is supportive of the proposed off-street parking and loading.
- c) **Refuse and services areas:** All services will be provided by the City of Atlanta twice a week. The applicant will have a dumpster on site that will be screened from the public right-of-way. Supplies and deliveries will be delivered via the existing curb cut and internal parking lots. Staff approves of such measures as it is similar to the current and past uses at this property.

- d) **Buffering and screening:** The existing site anticipates the noise and light emanating from the community center and residence will be limited. Additionally, the applicant will be adding lighting and street-scaping along McDaniel Street, Mary Street and Hubbard Street. Staff approves of such measures as it is similar to the current and past uses at this property and compatible with the neighboring uses.
- e) **Hours and manner of operation:** The hours for the community center will be Monday-Sunday, weekday hours will be 9am-5pm and weekends will be from 9am-7pm. The community center will provide mentoring, tutoring and development programming for youth and community residents. The community center will include classrooms, offices, study space for neighborhood youth, a teaching kitchen, game room, and library. Outside, there will be a community garden and basketball court. The services provided will also include mentoring, tutoring and development programming for youth and community residents. The community center will also provide space for employee training, as well as for the surrounding neighborhood for community meetings. The community center will have four employees; two full-time and two part-time. The number of students enrolled will not exceed 100. Staff is supportive of the hours and manner of operation.
- f) **Duration:** The applicant has requested an indefinite duration. Staff is supportive of the request.
- g) **Required yards and open space:** The applicant will be requesting a variance and special expectation to meet all required yards and open space. Staff is not aware of any open space requirements, but the applicant has illustrated in the site plan a north side setback, and half-depth setback reductions. This also will include a parking reduction from the required 8 spaces to 3 spaces. Staff finds this proposal sufficient for the proposed use as it is similar to the current and past uses at this property.
- 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:** 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, 931 McDaniel Street, S.W are located within a Suburban Neighborhoods Corridor. Corridors are described as follows:

“These are peaceful post-war subdivisions designed by the speed and easy distance of automobiles. Many, like Adamsville, Brandon and Perkerson, lack sidewalks, are not as well-connected as older neighborhoods, and are often distant from retail and employment areas. Their more generous yards and intervening floodplains, however, provide far less runoff, more habitat and host huge swaths of Atlanta's tree canopy. In this way, in addition to offering

homes for families who prefer less-urban lifestyles, these neighborhoods provide enormous benefits to the city at large.”

STAFF RECOMMENDATION: APPROVAL conditioned upon the following:

1. The site shall be developed in accordance with the site plan entitled “Blueprint 58” prepared by Lord Aeck Sargent A Katerra Company dated July 31, 2019 and stamped received by the Office of Zoning and Development on July 31, 2019. Minor changes to the approved site plan may be authorized by the Director of the Office of Zoning and Development in accordance with Section 16-02.003(7).
2. The special use permit for a community center shall be valid as long as Blueprint 58 is the owner and operator.
3. The special use permit is not transferrable.
4. The building shall not exceed a height of 35 feet.
5. The nonresidential portion shall not exceed 2,888 gross square feet.
6. The residential portion shall not exceed 4,504 gross square feet.
7. The applicant will provide a sidewalk to city standards along the frontage of their property along McDaniel Street.
8. There shall be no application made or liquor license issued for 931 McDaniel Street.
9. Trees will be maintained as indicated on the site plan and any tree removal will be mitigated in accordance with the city’s Tree Protection Ordinance.
10. Any new lights installed on or within the basketball court proposed by this application shall not exceed 87,400 lumens, shall be directed inward and toward the basketball court and shall be screened from adjacent properties.
11. The hours of operation shall be Monday-Sunday, weekday hours will be 9am-9pm and weekends will be from 9am-7pm.
12. There shall be a maximum enrollment of 100 students per year.



CITY OF ATLANTA

KEISHA LANCE BOTTOMS
MAYOR

DEPARTMENT OF CITY PLANNING
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TIM KEANE
Commissioner

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

MEMORANDUM

TO: Zoning Review Board

FROM: Keyetta M. Holmes, AICP, Zoning Administrator 

SUBJECT: U-19-35 for 728 Cascade Ave SW.

DATE: January 16, 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 **728 Cascade Avenue, S.W.**

Staff requests that this item be filed.

STAFF RECOMMENDATION: FILE