KEISHA LANCE BOTTOMS
MAYOR

CITY OF ATLANTA

DEPARTMENT OF CITY PLANNING
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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-20-01 for 2960 Piedmont Road, N.E.**

DATE: March 5, 2020

An ordinance by Zoning Committee to rezone from C-1-C (Community Business District Conditional) to C-1 (Community Business) for a change of conditions for property located at **2960 Piedmont Road, N.E.**

FINDINGS OF FACT:

- **Property location**. The subject site fronts 309.9 feet on the western side of Piedmont Road, N.E. beginning at a point at the intersection of the south right-of-way margin of Pharr Road and the west right-of-way margin of Piedmont Road. The property is located in Land Lot 60 of the 17th District of Fulton County, Georgia within the Garden Hills neighborhood of NPU-B in Council District 7.

- **Property size and physical features.** The site is approximately 4.11 acres (179,032 square feet) in land area and is currently developed with a hotel. The lot topography varies throughout the site. Trees can be found around the property and landscaping can be found throughout the site.

- **CDP land use map designation:** The subject properties have a Low Density Commercial land use designation within the 2016 Comprehensive Development Plan (CDP).

- **Current/past use of property**: The subject property is currently used as a hotel since the rezoning of the property in 1986. Staff is unaware of any other uses for the property.

- **Surrounding zoning/land use**: The surrounding properties vary in zoning classifications and land use designations. Parcels to the north are zoned SPI-9 SA 2 (Buckhead Village District, Subarea 2) with a Low Density Commercial (LDC) land use designation. To the east, parcels are zoned C-1-C (Community Business Conditional) and R-LC-C (Residential

Limited Commercial Conditional) with a Low Density Commercial land use designation. To the south, parcels are zoned R-4 (Single Family Residential) with a Single Family Residential land use designation and R-LC-C (Residential Limited Commercial Conditional) with an Office-Institutional land use designation. To the west, parcels are zoned Open Space (OS) with an Open Space land use designation and Residential Limited Commercial Conditional (R-LC-C) with a Low-Density Commercial land use designation.

- **Transportation:** Piedmont Road is classified as an arterial road. Currently, MARTA serves the area via bus route #5 Piedmont Road.

PROPOSAL:

The applicant seeks to rezone from C-1-C (Community Business Conditional) to C-1 (Community Business) to change the conditions approved for the properties via legislation 86-O-0754 (Z-86-22). The applicant is proposing to alter the previously approved site plan to convert the existing hotel to 136 multifamily residential uses.

Project Specifications:

Net Lot Area:	179,032 sf (4.11 acres)
Gross Land Area:	134,600 sf (4.44 acres)
Max. Building Height:	41 ft
Proposed Square Footage:	134,600 sf

CONCLUSIONS:

1) **Compatibility with comprehensive development plan (CDP); timing of development:** The Comprehensive Development Plan (CDP) designates the subject property as Low Density Commercial (LDC). 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; referral to other agencies:** The location of the site and current use of surrounding properties indicate there are public facilities and services available to the subject property. There has been no indication from review agencies and/or departments that there would not be adequate public facilities and services at the subject location. When the proposed development plans are submitted to other agencies for permit review, compliance with all applicable City codes will be required.

3) **Availability of other appropriate land zoned for proposed use; effect on balance of land uses with regard to the public need:** The zoning regulations indicate that this consideration is optional. The applicant has not presented any evidence that they own other land in the area that is suitable for this development. The proposed change to the approved zoning conditions would not have an adverse effect on the environment or create an imbalance of land uses. It would facilitate the conversion of an existing hotel into multi-family units. Along Piedmont Road corridor are a number of residential, retail, and office uses. Thus, the multi-family use should complement the existing land uses.

4) **Effect on character of the neighborhood:** The proposed zoning conditions amendment should have a positive effect on the surrounding neighborhood and environment. The amendment seeks to convert an existing hotel into multi-family apartments, thus increasing housing options in the neighborhood.

5) **Suitability of proposed land use:** The proposed use reflects the Low-Density Commercial land use designation of the parcel.

6) **Effect on adjacent property:** The proposed development should have no adverse effects on the adjacent properties. It may serve to encourage stability in the area by providing housing to long-term tenants as opposed to the short-term nature of hotels. Thus, the redevelopment should have a positive effect on the community.

7) **Economic use of current zoning:** The current zoning condition has economic use, as it currently zoned C-1-C and is currently being utilized as a hotel.

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:** Consistency with Atlanta City Design: The Atlanta City Design articulates Atlanta's vision organized according to its five core values of Equity, Progress, Ambition, Access, and Nature. It focuses future growth into already-developed areas called Growth Areas, which are further categorized as Core, Corridors, and Clusters. Outside the Growth Areas are the Conservation Areas, which include Urban Neighborhoods, Suburban Neighborhoods, Rural Neighborhoods, and Production Areas. Conservation Areas are the natural parts of the city that are less suited for growth and that should be protected from radical change.

According to the Atlanta City Design map, **2960 Piedmont Avenue, N.E.**, is in the Corridors Growth Area. These areas 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 conditioned upon the following:

1. The site shall be developed in accordance with the site plan entitled "Buckhead Residence Inn 2960 Piedmont Rd NE" prepared by Kimley Horn dated December 30, 2019 and stamped received by the Office of Zoning and Development on January 6, 2020. 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. Upon conversion of the hotel use to multifamily residential use, onsite parking shall be controlled through issuance of parking passes for residents and their guests or similar measures to mitigate overflow parking occurring off site. Upon request by the Office of Zoning and Development, the owner shall provide written documentation evidencing compliance with this condition on an annual basis.
3. Upon conversion of the hotel use to residential use, the project will add landscaping improvements, including an updated Piedmont Road streetscape as shown on the site plan and landscaping around the buildings for aesthetic appeal.
4. Upon conversion of the hotel use to residential use, excluding renewals (a) no more than 10 percent of dwelling units may be leased for a term less than three months and (b) at least 75 percent of the dwelling units shall be leased for a term of a least six months. Upon request by the Office of Zoning and Development, the owner shall provide written documentation evidencing compliance with this condition on an annual basis.
5. No exterior lighting shall be placed on the south or west property lines.

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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-20-02 for 195 Chester Avenue, S.E.**

DATE: March 5, 2020

An Ordinance by Zoning Committee to rezone from I-1 (Light Industrial) to MR-4A (Multifamily Residential) for property located at **195 Chester Avenue, S.E.**

The applicant has requested a 30-day deferral to continue working with the Neighborhood Planning Unit.

STAFF RECOMMENDATION: 30 DAY DEFERRAL – APRIL 2020

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MAYOR

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TIM KEANE
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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-20-03 for 204 Haralson Lane, S.E.**

DATE: March 5, 2020

An Ordinance by Zoning Committee to rezone from PD-H (Planned Development Housing) to PD-H (Planned Development Housing) for a change of conditions for property located at **204 Haralson Lane, 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 APRIL 2020

KEISHA LANCE BOTTOMS
MAYOR

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TIM KEANE
Commissioner

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

MEMORANDUM

TO: Zoning Review Board

FROM: Keyetta M. Holmes, AICP, Zoning Administrator

SUBJECT: **Z-20-04 for 345 Auburn Avenue, N.E.**

DATE: March 5, 2020

An Ordinance by Zoning Committee to rezone from HC-20C SA3 (Martin Luther King Jr. Landmark District Subarea 3) to HC-20C SA4 (Martin Luther King Jr. Landmark District Subarea 4) for property located at **345 Auburn Avenue, N.E.**

FINDINGS OF FACT:

- **Property Location:** The subject property fronts 50.23 feet on the south side of Auburn Avenue, N.E. and begins at a PK nail with shiner set at the intersection of the southerly right-of-way line of Auburn Avenue with the easterly right-of-way line of Hilliard Street, N.E. The property is located within Land Lot 46 of the 14th District, Fulton County, Georgia in the Sweet Auburn Neighborhood of NPU-M in Council District 5.

- **Property size and physical features:** The subject property is approximately 0.049 acres (2,134 square feet). The property is currently developed with a vacant historic 5,044 square foot 3 story masonry building. The topography has a steep slope inclining from the street frontage towards the rear, with an elevation difference of approximately 13 feet. The building is currently built up to the corner and abuts the right of way on both Auburn Avenue and Hilliard Street. There are two doors to access the building directly off the sidewalk on Auburn Avenue. However, the doors are currently boarded up and not functional.

- **CDP land use map designation:** The subject property has a future land use designation of Low Density Residential within the 2016 Comprehensive Development Plan (CDP).

- **Current/past use of property:** The subject property is currently developed with a vacant 5,044 square foot 3 story masonry historic building. Staff is unaware of any other previous uses on the site.

- **Surrounding zoning/land uses:** The subject property is currently zoned HC-20C SA3 (Martin Luther King Jr. Landmark District Subarea 3). The surrounding properties are developed with commercial and institutional uses. To the north and west, there are commercial uses, to the east the property is developed with Wheat Street Baptist Church and to the south, is the parking lot associated with the place of worship. The parcels are zoned HC-20C SA4 (Martin Luther King Jr. Landmark District Subarea 4) to the north and west and HC-20C SA3 (Martin Luther King Jr. Landmark District Subarea 3) to the south and east. The land use designation of all surrounding properties is LDR (Low Density Residential).

- **Transportation:** Auburn Avenue and Hilliard Street both are categorized as a local road. Hilliard Street connects to Edgewood Avenue to the south and Decatur Street further south, both are categorized as major arterial streets. Several MARTA bus stops are located within a few blocks of the subject site. The nearest transit station is the King Memorial Transit Station, located on Decatur Street, which is 0.4 miles from the subject property.

PROPOSAL:

The applicant proposes to rezone the property from HC-20C SA3 (Martin Luther King Jr. Landmark District Subarea 3) to HC-20C SA4 (Martin Luther King Jr. Landmark District Subarea 4) to allow an eating and drinking, and retail establishment. The proposed changes to the structure include renovation of the existing building and addition of an elevator in the rear of the building for ADA accessibility.

CONCLUSIONS:

1) **Compatibility with comprehensive development plan (CDP):** The subject property has a Low-Density Commercial designation in the 2016 Comprehensive Development Plan (CDP). The proposed rezoning to HC-20C SA4 (Martin Luther King Jr. Landmark District Subarea 4) is compatible with the 2016 CDP designation. Therefore, a land use amendment will not be required to accommodate the proposed rezoning.

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 site. 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 proposal would allow for an office, retail and eating and drinking establishment, which is an appropriate use along Auburn Avenue at a scale that is comparable to nearby development.

4) **Effect on character of the neighborhood:** The applicant's request to rezone the property in order to renovate and use the building for office, retail, and an eating and drinking establishment is consistent with the historical use of the building and the nearby uses along the corridor. The

surrounding properties are already zoned consistent with the proposed zoning and are a mix of retail, restaurants, and offices with the exception of the place of worship that is zoned HC-20C SA3. The revitalization of the vacant building with the renovation consistent with the historical standards will help regenerate this very significant corridor. Therefore, staff is of the opinion that the proposal will have a positive effect on the character of the neighborhood.

5) **Suitability of proposed land use:** The intent of Martin Luther King Jr. Landmark District is *"To preserve the environmental character and physical appearance of the area, including residential, commercial and institutional structures that were built during the late 19th Century and that were present during the life of Martin Luther King, Jr."* As per the applicant, the proposed renovation and use of the project is consistent with the historical use of the building. The proposed use is also consistent with the nearby uses along the historical corridor. The adaptive reuse of the building and the scale of the proposed use is compatible with the surrounding uses. Therefore, Staff is of the opinion that the proposed use is suitable.

6) **Effect on adjacent property:** Currently, the building is vacant and does not support the intended character or intent of the corridor. Once the building is renovated and returned to its historical use, the appropriateness of the property will add to the character of the corridor and will accelerate and continue the revitalization of adjacent underutilized properties. Therefore, Staff is of the opinion that the proposal will have a positive effect on adjacent properties.

7) **Economic use of current zoning:** While the current zoning conditions allow for some economic use of the land, a rezoning to HC-20C SA4 (Martin Luther King Jr. Landmark District Subarea 4) would allow a more effective economic use of the subject property. The rezoning will allow for retail, office, and restaurant on the property. The decline of neighborhood retail has a profound effect on the desirability of urban neighborhoods and communities. Hence, allowing for retail and restaurant in a currently underutilized building, will revive the building as well as bring the much-needed economic boost the neighborhood desires. Therefore, the proposed rezoning will bring more effective economic use to the subject property and aid in neighborhood stability and sustainability.

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, **345 Auburn Avenue, N.E.** is located within a Core Growth Area. The Core Growth Area is described as follows:

> "This is the center of Old Atlanta. It includes the City's densest, most traditional, adaptable and walkable districts. It has an easy capacity for growth, the best transit network and many of the top historic, cultural and academic assets in the region. It covers Downtown,

Midtown, and a larger surrounding territory made primarily of commercial and industrial property. It also includes emerging districts like West Midtown, South Downtown, West End and Castleberry, where better design can solve shortcomings that today limit the capacity for growth."

STAFF RECOMMENDATION: APPROVAL

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TIM KEANE
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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-20-05 for 1576 Donald Lee Hollowell Parkway, N.W.**

DATE: March 5, 2020

An Ordinance by Zoning Committee to rezone from MRC-1 (Mixed Residential Commercial) to MRC-2 (Mixed Residential Commercial) for property located at **1576 Donald Lee Hollowell Parkway, N.W.**

Staff is requesting a 30-day deferral.

STAFF RECOMMENDATION: 30-DAY DEFERRAL APRIL 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: **U-20-03 for 201 Washington Street, S.W.**

DATE: March 5, 2020

The applicant seeks an ordinance by Zoning Committee to sever excess development density (700,000 square feet of residential floor area and 300,000 square feet of non-residential floor area) from property located at **201 Washington Street, S.W.**

FINDINGS OF FACT:

- **Property location:** The severing parcel is located at 201 Washington Street, S.W. and fronts 253.13 feet beginning at a point on the southern right-of-way of Martin Luther King Jr. Drive and the western right-of-way of Washington Street, S.W. in Land Lot 77 of the 14th District, Fulton County, Georgia within the Downtown neighborhood of NPU-M in Council District 4.

- **Property size and physical features:** The severing parcel is a corner lot of approximately 1.08 acres (46,921 square feet) with frontage on Washington Street and Martin Luther King, Jr. Drive. The lot topography declines westerly towards Central Avenue. There are a few trees along the perimeter of the property.

- **CDP land use map designation:** The severing parcel has an Office-Institutional (O-I) land use designation.

- **Current/past use of property:** The parcel is the site of the Central Presbyterian Church which is listed on the National Register of Historic Places and was designated as a local Landmark Building Site via Ordinance 89-O-1450 (Z-89-81). The church was built in 1899 and has been designated as a Landmark Building or Site since 1989 via Ordinance 89-O-1437. It is a multi-story brick building with a total non-residential area of 64,434 square feet. Staff is unaware of any other uses of the severing parcel.

- **Surrounding zoning/land uses:** The severing parcel and surrounding properties are in the Downtown Special Public Interest District Subarea 1 (SPI-1, SA1). The surrounding parcels are occupied by non-residential and institutional uses with an Office-Institutional (O-I) land use designation by the 2016 Atlanta Comprehensive Development Plan (CDP).

- **Transportation system:** Both Washington Street and Martin Luther King, Jr. Drive are classified as arterial streets. There are sidewalks consistently provided along both streets. Additionally, the property is located less than a mile from the MARTA Georgia State, Five Points, and Garnett Transit Stations.

PROPOSAL:

The applicant is requesting to sever excess development density (700,000 square feet of residential floor area and 300,000 square feet of non-residential floor area) from property located at 201 Washington Street, S.W. Calculations of the proposed severed development rights are as follows:

Severing Parcel (201 Washington Street):
Net lot area: 46,921 square feet (1.08 acres)
Gross Lot Area: 79,798 square feet (1.83 acres)
Residential FAR: 25
Non-Residential FAR: 10

SPI-1 Residential FAR available: (79,798 X 25) = 1,994,950 sf
Rights to be Severed (Residential): 700,000 sf
Remaining Rights (Residential): 1,294,950 sf

SPI-1 Non-Residential FAR available: (46,921 X 10) – 64,434 sf = 404,776 sf
Rights to be Severed (Non-Residential): 300,000 sf
Remaining Rights (Non-Residential): 104,776 sf

- **Ingress and egress:** N/A

- **Parking and loading:** N/A

- **Refuse and service areas:** N/A

- **Buffering and screening:** N/A

- **Hours and manner of operation:** N/A

- **Duration:** N/A

- **Required yards and open space:** N/A

- **Tree Preservation and Replacement:** N/A

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:** This criterion is not applicable as the proposal is to sever development rights from the subject property. No development is currently is being proposed nor are the severed rights being transferred to any other property.

b) **Off-street parking and loading:** This criterion is not applicable as the proposal is to sever development rights from the subject property. No development is currently is being proposed nor are the severed rights being transferred to any other property.

c) **Refuse and service areas:** This criterion is not applicable as the proposal is to sever development rights from the subject property. No development is currently is being proposed nor are the severed rights being transferred to any other property.

d) **Buffering and screening:** This criterion is not applicable as the proposal is to sever development density from the subject property. No development is currently is being proposed nor are the severed rights being transferred to any other property.

e) **Hours and manner of operation:** This criterion is not applicable as the proposal is to sever rights from the subject property. No development is currently is being proposed nor are the severed rights being transferred to any other property.

f) **Duration:** Staff is supportive of an indefinite duration for the severed rights, as no receiving parcel has been identified by the applicant.

g) **Required yards and open space:** This criterion is not applicable as the proposal is to sever rights from the subject property. No development is currently is being proposed nor are the severed rights being transferred to any other property.

h) **Compatibility with policies related to tree preservation:** This criterion is not applicable as the proposal is to sever rights from the subject property. No development is currently is being proposed nor are the severed rights being transferred to any other property.

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 sever development rights including 700,000 square feet of residential development rights and 300,000 non-residential development rights from 201 Washington Street, S.W. (the severing property).

2. A special use permit must be approved to transfer the severed rights to a qualified site.

3. Future severed rights to be calculated based on the remaining rights as follows:

   SPI-1 Residential FAR available: (79,798 X 25) = 1,994,950 sf
   Rights to be Severed (Residential): 700,000 sf
   Remaining Rights (Residential): 1,294,950 sf

   SPI-1 Non-Residential FAR available: (46,921 X 10) – 64,434 sf = 404,776 sf
   Rights to be Severed (Non-Residential): 300,000 sf
   Remaining Rights (Non-Residential): 104,776 sf

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Commissioner

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

MEMORANDUM

TO: Zoning Review Board

FROM: Keyetta M. Holmes, AICP, Zoning Administrator

SUBJECT: **Z-19-119 for 654 Ethel Street, N.W. and 1042, 1058 and 1090 Northside Drive, N.W.**

DATE: March 5, 2020

An Ordinance by Zoning Committee to rezone from I-1 (Light Industrial) to MRC-3 (Mixed Residential Commercial) for property located at **654 Ethel Street, N.W. and 1042, 1058 and 1090 Northside Drive, N.W.**

FINDINGS OF FACT:

- **Property location:** The subject property fronts 336.47 feet on the north side of 11th Street, N.W. and begins at a nail found at the intersection of the westerly right-of-way of Northside Drive with the northerly right-of-way of 11th Street. The property is located within Land Lot 149 &150 of the 17th District, Fulton County, Georgia in the Home Park Neighborhood of NPU-E in Council District 3.

- **Property size and physical features:** The subject property is approximately 4.364 acres (190,095 square feet) and consists of four parcels. It is located on the west side of Northside Drive with approximately 336.47 feet frontage on the north side of 11th Street. The property is currently developed with aging commercial buildings with auto sales, offices and billboard uses and a few vacant buildings. The topography varies throughout the lot but overall inclines approximately 47 feet in an easterly to westerly direction. The subject site is almost completely paved except for a few foundation plantings. There are 5 curb cuts on Northside Drive, 1 on 11th Street and 5 on Ethel Street. Access to the site is currently provided off Northside Drive via 1 curb cut, and off Ethel Street via 5 curb cuts and off 11th Street via 1 curb cut. Remaining curb cuts are currently not in use.

- **CDP land use map designation:** The subject property has a future land use designation of Mixed Use within the 2016 Comprehensive Development Plan (CDP).

- **Current/past use of property:** The subject property is currently developed with aging commercial buildings with auto sales, offices and billboard uses and a few vacant buildings. Staff is unaware of any other previous uses on the site.

- **Surrounding zoning/land uses:** The subject property is currently zoned I-1 (Light Industrial). The surrounding properties are zoned PD-MU (Planned Development Mixed Use) to the south, I-1(Light Industrial) to the north and west, and MR-3-C (Multi Family Residential Conditional) to the east. The land use designation of all surrounding properties is MU (Mixed Use), except on the east side, across Northside Drive, where the properties have an MU HD (High-Density Mixed-Use) land use designation. The surrounding uses are mostly residential and commercial and include apartments to the south, the Atlanta Day Shelter for Women and Children and a restaurant to the north, commercial uses to the west and residential uses to the east.

- **Transportation:** Northside Drive is classified as an arterial street and 11th and Ethel Streets are classified as local roads. Currently, MARTA serves the area via bus route #94 with connections to the Midtown Transit Station. Several MARTA bus stops are located within a few blocks of the subject site. The nearest transit station is Midtown Transit Station which is 1.5 miles from the subject property.

PROPOSAL:
The applicant proposes to rezone the property from I-1 (Light Industrial) to MRC-3 (Mixed Residential Commercial) for the purpose of developing a mixed use project with approximately 160,000 square feet of office use; 100,000 square feet of retail use, including a grocery store; a 190 key hotel; and 350 multifamily dwelling units targeted for student housing.

Project Specifications:

Net Lot Area:	190,092 sq. ft. (4.36 acres)
Gross land Area:	225,328 sq. ft. (5.17 acres)
Total Dwelling Units proposed:	350

FAR

Maximum F.A.R. Permitted (non-residential):	4.0
Proposed F.A.R. (non-residential):	375,000 sq. ft.
Maximum F.A.R. Permitted (residential):	3.2
Proposed F.A.R. (residential):	320,000 sq. ft.

Open Space

Minimum Usable Open Space Required (UOSR):	96,892 sq. ft.
Total Usable Open Space Proposed (UOSR):	62,998 sq. ft.
Minimum Public Space Required:	96,892 sq. ft.
Total Public Space proposed:	38,019 sq. ft.

Parking

Minimum Residential Parking Required:	256 spaces
Minimum Non-Residential Parking Required:	400 spaces
Total parking required:	656 spaces
Total parking provided:	1,101 spaces

Loading

Loading Required:	4 spaces
Loading Provided:	6 spaces

CONCLUSIONS:

1) **Compatibility with comprehensive development plan (CDP):** The subject property has a Mixed-Use designation in the 2016 Comprehensive Development Plan (CDP). The proposed rezoning to MRC-3 (Mixed Residential Commercial) is compatible with the 2016 CDP designation of Mixed Use, 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 to the subject site. When proposed development plans are submitted to other agencies for permit review, compliance with all applicable City codes will be required.

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 proposal would allow for an appropriate type of development within the Northside Drive corridor at a scale that is comparable to nearby development.

4) **Effect on character of the neighborhood:** The 2016 Comprehensive Development plan places the subject site within the Intown Corridor Character Area which targets redevelopment along corridors such as the Howell Mill Road and Northside Drive corridors with *"multi-story buildings, high density and mixed-use buildings/developments."* The Intown Corridor Character Area recommends development with a pedestrian oriented urban form with buildings oriented to the sidewalk. The CDP states, "*Sidewalks should be wide, free of obstructions and in good repair with street trees to serve as buffers between travel lanes and pedestrians.*" The CDP also states, "*Parking lots should be located to the side and or rear of buildings, and when adjacent to the sidewalk should be screened with vegetation.*" Staff is of the opinion the proposed rezoning will not have a negative effect on the character of the neighborhood but will allow for an appropriate mixed-use development along a corridor where Mixed Use is the intended future land use.

5) **Suitability of proposed land use:** Staff finds that the proposed mixed-use project with sidewalk level commercial space, a 190-room hotel, office spaces, retail with grocery and multi-family dwelling units complements the existing multifamily, commercial and mixed uses in this area of the Northside Drive corridor. The use and scale of the proposed development is compatible with the surrounding uses.

6) **Effect on adjacent property:** Staff is of the opinion that if this property is rezoned to MRC-3 (Mixed Residential Commercial) the proposed development will have no negative effect on the adjacent properties and should complement the existing and future uses in the area. The proposal will provide a pedestrian streetscape and help create an active frontage on Northside Drive.

7) **Economic use of current zoning:** While the current zoning conditions allow for the economic use of the land, a rezoning to the MRC-3 (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 **654 Ethel Street, N.W. and 1042, 1058 and 1090 Northside Drive, N.W.** is located within the Core Growth Area. The Core Growth Area is described as follows:

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

STAFF RECOMMENDATION: APPROVAL

CITY OF ATLANTA

KEISHA LANCE BOTTOMS
MAYOR

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TIM KEANE
Commissioner

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

MEMORANDUM

TO: Zoning Review Board

FROM: Keyetta M. Holmes, AICP, Zoning Administrator

SUBJECT: **U-19-38 for 654 Ethel Street, N.W. and 1042, 1058 and 1090 Northside Drive, N.W.**

DATE: March 5, 2020

An Ordinance by Zoning Committee for a special use permit for a hotel pursuant to 16-34.007(1)(j) for property located at **654 Ethel Street, N.W. and 1042, 1058 and 1090 Northside Drive, N.W.**

FINDINGS OF FACT:

- **Property location:** The subject property fronts 336.47 feet on the north side of 11th Street, N.W. and begins at a nail found at the intersection of the westerly right-of-way of Northside Drive with the northerly right-of-way of 11th Street. The property is located within Land Lot 149and150 of the 17th District, Fulton County, Georgia in the Home Park Neighborhood of NPU-E in Council District 3.

- **Property size and physical features:** The subject property is approximately 4.364 acres (190,095 square feet) and consists of 4 parcels. It is located on the west side of Northside Drive with approximately 336.47 feet frontage on the north side of 11th Street. The property is currently developed with aging commercial buildings with auto sales, offices and billboard uses and a few vacant buildings. The topography varies throughout the lot but overall inclines approximately 47 feet in an easterly to westerly direction. The subject site is almost completely paved except for a few foundation plantings. There are five curb cuts on Northside Drive, one on 11th Street and five on Ethel Street. Access to the site is currently provided off Northside Drive via one curb cut, off Ethel Street via five curb cuts and off 11th Street via one curb cut. Remaining curb cuts are currently not in use.

- **CDP land use map designation:** The subject property has a future land use designation of MU (Mixed Use) within the 2016 Comprehensive Development Plan (CDP).

- **Current/past use of property:** The property is currently developed with aging commercial buildings with auto sales, office and billboard uses and a few vacant buildings. Staff is unaware of any pervious uses on the site.

- **Surrounding zoning/land uses:** The subject property is currently zoned I-1 (Light Industrial). The surrounding properties are zoned PDMU (Planned Development Mixed Use) to the south, I-1(Light Industrial) to the north and west, and MR-3-C (Multi Family Residential Conditional) to the east. The land use designation of all surrounding properties is MU (Mixed Use), except on the east side, across Northside Drive, where the properties have MU HD (High-Density Mixed-Use) land use designation. The surrounding uses are mostly residential and commercial and include apartments to the south, the Atlanta Day Shelter for Women and Children and a restaurant to the north, commercial uses to the west and residential uses to the east.

- **Transportation system:** Northside Drive is classified as an arterial street and 11th Street and Ethel Street are classified as local roads. Currently, MARTA serves the area via bus route #94 with connections to the Midtown Transit Station. Several MARTA bus stops are located within a few blocks of the subject site. The nearest transit station is Midtown Transit Station which is 1.5 miles from the subject property.

PROPOSAL: The applicant seeks a Special Use Permit for a hotel pursuant to 16-34.007(1)(j)

- **Ingress and egress:** Access to the site is currently proposed via three curb cuts, on the 11th Street, Northside Drive and n Ethel Street via a private drive on the western property line. Employees and client vehicles will enter and leave the property using a parking garage off the private drive on the western property line or from 11th Street.

- **Parking and loading:** The site will provide a 3.5 story parking deck at the lower level and middle level of the building, below the proposed hotel. Loading areas are provided within the site off 11th Street and interior to the parking structure.

- **Refuse and service areas:** Refuse will be disposed of in the shared compactor space located on site with service provided by a private garbage disposal service. Collection of refuse is proposed to be provided as needed. Service personnel will park their vehicles in the proposed parking garage to gain access to the hotel.

- **Buffering and screening:** The applicant proposes no buffering or screening measures. Exterior lighting will be directed to minimize glare.

- **Hours and manner of operation:** The applicant proposes a 190-room hotel. The hotel will operate 365 days a year and 24 hours per day. The hotel will have approximately 50 employees working full time. The applicant expects an average of 2.2 guests per room and an average stabilized occupancy of 75%. The hotel will offer breakfast for its guests. Other food and beverage may be offered to the general public. There will be limited meeting rooms provided on site intended to serve guests not the general public.

- **Duration:** The applicant requests an indefinite duration.

- **Required yards and open space:** The applicant proposes no site development that will impact any required yards. The hotel component of the development also meets open space requirements.

- **Tree Preservation and Replacement:** Any tree removal on the property will be permitted via the City Arborist.

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:** The applicant has proposed a curb cut on Northside Drive. As per the zoning code Section 16-34.018 *"Curb cuts and driveways shall not be permitted on any street that functions as an arterial street or collector street when access may be provided from a side or rear street located immediately adjacent to a contiguous property, with the exception of hotel patron drop-off drives."* In addition, the More MARTA program has proposed initial BRT alignments on this section of Northside Drive. Therefore, the applicant will require an administrative variation for the proposed curb cut on Northside Drive. Access to the site is currently proposed via three curb cuts, on the 11tth Street, Northside Drive and Ethel Street via a private drive on the western property line. The site is designed to minimize disruption in traffic. Driveways are positioned in locations to best align with access and neighboring land uses. Additionally, the development will reduce the overall number of curb cuts along Northside Drive from five to three and along Ethel Street from five to one. Pedestrian safety and convenience are accommodated by the addition of two traffic lights on Northside Drive at the Ethel Street and 11th Street intersections. Staff is of the opinion that traffic flow and control, and emergency access will not be encumbered by the site design but can accommodate pedestrians, employees and clients, emergency and service vehicles in an efficient manner.

b) **Off-street parking and loading:** Employees and clients will utilize the proposed parking deck on the property to park their vehicles. Additionally, valet parking will be provided. Products and supplies will be delivered to the facility utilizing the loading area located internal to the development. Service personnel will park their vehicles in the proposed parking deck to gain access to the hotel.

c) **Refuse and service areas:** Private garbage disposal service will be used by the development and refuse, and garbage will be disposed of using shared compactors located internal to the buildings in the development. Trash service will be provided as needed.

d) **Buffering and screening:** The property is located in a predominately commercial area. No noise or glare that is inconsistent with the other uses in the area is expected by the proposed use.. However, a 3.5 story parking deck is proposed that is visible from 11th Street and Northside Drive. The applicant will be required to confirm with the screening requirements as per the code Section 16-28.028. Therefore, based on the submitted site plan, staff is of the opinion that the proposed screening and buffering measures proposed as part of the development will be sufficient.

e) **Hours and manner of operation:** The applicant proposes a 190-room hotel. The hotel will operate 365 days a year and 24 hours per day. The hotel will have approximately 50

employees working full time. The applicant expects an average of 2.2 guests per room and an average stabilized occupancy of 75%. The hotel will offer breakfast for its guests. Other food and beverage may be offered to the general public. There will be limited meeting rooms provided on site intended to serve guests not the general public. Staff is of the opinion that hours and manners of operation is reasonable.

f) **Duration:** The applicant requests an indefinite duration. Staff is supportive of this request.

g) **Required yards and open space:** The proposed site plan complies with the required yards and lot coverage requirements.

h) **Compatibility with policies related to tree preservation:** Trees impacted by the development will be reviewed by the City Arborist in accordance with the Tree Preservation Ordinance.

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.

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STAFF RECOMMENDATION: APPROVAL