



CITY OF ATLANTA

KEISHA LANCE BOTTOMS
MAYOR

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

TIM KEANE
Commissioner

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

MEMORANDUM

TO: Zoning Review Board

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

SUBJECT: **Z-19-125 for I-MIX Text Amendment**

DATE: August 13, 2020

An Ordinance to amend the 1982 Atlanta Zoning Ordinance, as amended, by amending Chapter 16A Section 16A-16.004(1)(A) Industrial Uses Required so as to reduce the mandatory percentage of industrial floor area per development; and for other purposes

FINDINGS OF FACT:

The I-MIX (Industrial Mix Use) zoning district was created via legislation 18-O-1707/Z-18-83 to allow a new industrial mixed-use district that permits a mix of industrial and non-industrial uses in areas previously and currently used for industrial. The district is designed to retain property in the City of Atlanta that has a current or former industrial use. The adoption of the district is consistent with the goals set forth in the 2016 Comprehensive Development Plan.

Since adoption, however, it has been found that the 30% floor area industrial requirement prevents the district from being used. Given the current floor plate of industrial uses and the permitted principal uses that are allowed by the district the zoning classification is not being utilized. It is essential to sustain industrial areas because they play a significant role in the City's economy and supports the need of an urban environment. The Industrial mixed use zoning classification can diversify urban economies; replace imports with locally made products, improve regional self-sufficiency and provide unique retail experiences and a local sense of place.

PROPOSAL:

Amend Chapter 16A Section 16A-16.004(1)(A) Industrial Uses Required and Section 16A-16.008(1) so as to reduce the mandatory percentage of industrial floor area per development.

CONCLUSIONS:

- (1) **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 this text amendment would conflict. In fact, the proposal compliments the City of Atlanta's Comprehensive Development Plan (CDP) as the CDP identifies that industrial uses are being lost and redeveloped for non-industrial uses and some industrial buildings are obsolete and industrial uses in the City need to be preserved.
- (2) **Availability of and effect of public facilities and services; referral to other agencies:** The proposal is to merely create a new zoning district. No developments are being proposed as a part of this proposal. Therefore, this consideration is not applicable.
- (3) **Availability of other appropriate land zoned for proposed use; effect on balance of land uses with regard to the public need:** The proposal is to merely amend the text of the district to allow for developments that are complementary to modern industrial uses. Therefore, this consideration is not applicable.
- (4) **Effect on character of the neighborhood:** In the past decade, there has been increasing pressure to reduce industrially zoned land in the City of Atlanta. The pressure to convert industrial acreage has come from a variety of sources led mostly by the increased demand for residential housing. The redevelopment of industrial land to other uses is creating land use conflicts between the new uses, particularly residential uses and the existing industrial uses and has resulted in the displacement of industrial businesses. In transit rich locations with strong potential for urban, mixed-use development, implementing industrial mixed-use districts could preserve and expand urban industrial land, while taking advantage of higher densities that these sites can support. Therefore, Staff believes that the text amendment could have a positive effect on the character of the neighborhood and help with the preservation of industrial land in the City.
- (5) **Suitability of proposed land use:** The older industrial land uses are primarily located around rail lines and particularly around the large rail yards in Northwest Atlanta. Newer industrial parks are located near interstates and at the edge of the city. No developments are being proposed as a part of this proposal. However, Staff believes that the Industrial Mixed Use zoning district is suitable for the rehabilitation of deteriorating industrial parcels, while preserving industrial uses in the City.
- (6) **Effect on adjacent property:** Many industrial uses have an inadequate pedestrian environment, are poorly lit and streets are in deteriorating conditions. The industrial uses will also subsist because of other varied surrounding uses. The mix of industrial, residential and commercial uses will help to create more vibrant, walkable, and sustainable communities. Therefore, Staff believes that the proposal will have a positive effect on adjacent properties.

- (7) **Economic use of current zoning:** The text amendment proposes at least thirty percent (30%) of the total floor area on the site; or three-tenths (0.3) times net lot area be dedicated to industrial uses. Industrial land uses support not only customary industrial activities but also a range of users that require industrially zoned land to conduct business such as catering businesses, doggy daycares etc. Many industrial businesses can offer a variety of jobs. They can also diversify the economic base of a neighborhood, providing resilience. Additionally, manufacturing and wholesale businesses can benefit from high visibility and proximity to urban customers. Therefore, Staff is of the opinion that the text amendment will further the goals of the zoning district and retain the industrial land use in the City while providing for residential and non-residential uses.
- (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.

STAFF RECOMMENDATION: APPROVAL

Z-19-125 I-MIX Text Amendment

	NPU						Comments
		Approved	Approval Conditional	Denied	Abstained	No Vote Taken	
Z-19-125	A	1					
	B	1					
	C	1					
	D			1			denied and sent a resolution
	E	1					
	F	1					
	G	1					
	H	1					
	I	1					
	J	1					
	K	1					
	L					1	March: lost quorum/deferred. April and May meetings cancelled, deferred to July.
	M	1					
	N	1					
	O	1					
	P	1					
	Q					1	Has not met since February
	R	1					
	S	1					
	T	1					
V			1				
W			1				
X	1						
Y	1						
Z	1						
UDC							
Total:		20	0	3	0	2	



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Office of Zoning and Development

MEMORANDUM

TO: Zoning Review Board

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

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

DATE: August 13, 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.**

FINDINGS OF FACT:

- **Property location:** The subject property fronts approximately 100 feet on the west side of Chester Avenue, S.E. beginning at a nail set at the southwesterly intersection of the right-of-way of Fulton Terrace and Chester Avenue in Land Lot 20 of the 14th District, Fulton County, Georgia in the Reynoldstown neighborhood of NPU N, Council District 5.
- **Property size and physical features:** The property consists of approximately 2.09 acres (91,040 square feet) of net lot area. The site is currently developed with a one-story warehouse building and parking lot. A chain-link fence with barbed wire surrounds the perimeter of the lot. Vehicular access to the property is provided via curb cuts along Chester Avenue and Fulton Terrace. There are very few trees around the perimeter of the property.
- **CDP land use map designation:** The land use designation for this property is Industrial within the 2016 Comprehensive Development Plan. An amendment to the Comprehensive Development Plan to High Density Residential is required to accommodate the proposed rezoning and development.
- **Current/past use of property:** There is a warehouse on the property, with accessory parking. Staff is not aware of any other prior uses of the site.

- **Surrounding zoning/land uses:** To the north, parcels are zoned R-5 (Two-Family Residential) with a Single Family Residential land use designation. To the east, the parcels are zoned I-2 (Heavy Industrial) with an Industrial land use designation. To the south, parcels are zoned MRC-3 (Mixed Residential Commercial) and MRC-3-C (Mixed Residential Commercial Conditional) with Mixed Use land use designations. To the west, parcels are zoned I-1 (Light Industrial) with an Industrial land use designation.
- **Transportation:** Chester Avenue and Fulton Terrace are classified as local streets. Currently, MARTA serves the area via bus routes #21 and #107. Sidewalks are provided on both sides of Chester Avenue and on the north side of Fulton Terrace.

PROPOSAL:

The applicant seeks to rezone the property from I-1 (Light Industrial) to MR-4A (Multifamily Residential) for the development of 85 multifamily housing units.

Project Specifications:

Net lot area:	2.09 acres (91,039 sf)
Gross land area:	2.28 acres (99,182 sf)
Floor Area Ratio:	1.12
11 Triplexes:	46,464 sf
4 Level Condominium:	55,575 sf

CONCLUSIONS:

- 1) **Compatibility with comprehensive development plan (CDP); timing of development:** The Comprehensive Development Plan (CDP) designates this property as Industrial. The proposed rezoning to MR-4A (Multifamily Residential) District is not consistent with the existing land use. Therefore, the proposed rezoning requires a CDP amendment to High Density Residential. The land use change is supported by the Atlanta BeltLine Subarea 4 Masterplan which encourages residential developments in this area.
- 2) **Availability of and effect on public facilities and services; referrals to other agencies:** The location of the site and current use of surrounding properties indicates there are public facilities and services available to the subject property. There has been no indication from review agencies and/or departments that there would not be adequate public facilities and services at the subject location regarding water supply and sewage disposal. When the proposed development plans are submitted to other agencies for permit review, compliance with all applicable City codes will be required.
- 3) **Availability of other appropriate land zoned for proposed use; effect on balance of land uses with regard to the public need:** The zoning regulation indicates that this consideration is optional. The applicant has not indicated that they own other land in the area that would be suitable for the proposed development. The proposed rezoning would not have an adverse effect on the environment or create an imbalance of land uses or to the health of humans or the environment by allowing the rezoning. The proposed rezoning would allow for a redevelopment opportunity

in the Reynoldstown neighborhood that is consistent with the goals and objectives outlined in the Atlanta BeltLine Subarea 4 Masterplan.

- 4) **Effect on character of the neighborhood:** Staff is of the opinion that the proposed rezoning is compatible with the character of the neighborhood. South of the subject property are redeveloping parcels that are mixed residential and commercial. North of the subject property are existing single family and two-family uses. Rezoning this parcel to MR-4A would complement the area, as well as, support the goals and objectives of the Atlanta BeltLine Subarea 4 master plan for the community.
- 5) **Suitability of proposed land use:** The proposed rezoning would allow for the construction of a high density residential development. Staff is of the opinion that the request is suitable as it complements the community and provides a redevelopment opportunity in the Reynoldstown neighborhood.
- 6) **Effect on adjacent property:** The proposed request would rezone the property to a designation that 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, rezoning to MR-4A will diversify the housing types found in the immediate area.
- 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, **195 Chester Avenue, S.E.**, is located in along a corridor. 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 CONDITIONAL upon the following:

1. The site shall be developed in accordance with the amended site plan entitled “Thrive Residential” prepared by Kimley Horn, stamped received by the Office of Zoning and Development on February 18, 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. The development shall accommodate a portion of a future new street along the southern boundary of the property. The portion of the future street to be accommodated with this development includes locating the building or other permanent site features a minimum of 20' from the southern property line to accommodate one 10' travel lane, one 5' sidewalk clear zone and a 5' supplemental zone on the subject property. The future completed street shall be publicly accessible or dedicated to the City of Atlanta.



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MEMORANDUM

amended

TO: Zoning Review Board

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

SUBJECT: **Z-20-12 for 1989 Cheshire Bridge Road, N.E.**

DATE: August 13, 2020

An Ordinance to rezone from R-3 (Single Family Residential) to NC-5-C (Cheshire Bridge Road South Neighborhood Commercial District Conditional) for property located **1989 Cheshire Bridge Road**; and for other purposes

FINDINGS OF FACT:

- **Property location.** The subject property fronts approximately 168 feet on the east side of property formerly known as Gather Circle beginning approximately 180 feet from the intersection of Cheshire Bridge Road and Gather Circle. The property is located in the 17th District of Fulton County, Georgia within the Morningside/Lenox Park neighborhood of NPU-F in Council District 6.
- **Property size and physical features.** The site subject to the rezoning is approximately .619 acres (27,000 sq. ft.). The subject property is currently gated an undeveloped and the former Gather Circle is abandoned.
- **CDP land use map designation:** The parcels are currently zoned R-3 (Single Family Residential). The land use designation is Medium Density Residential within the 2016 Comprehensive Development Plan (CDP).
- **Current/past use of property:** The subject property is currently undeveloped and gated. The site was once the location of three single family residential lots. Staff is not aware of any previous uses of the site.

- **Surrounding zoning/land use:** Parcels located to the west are zoned RG-2 (Residential General Sector 2) with an MDR (Medium Density Residential) land use designation. Properties located east of the site are zoned NC-5-C (Cheshire Bridge Road South Neighborhood Commercial District Conditional) with an MDR (Medium Density Residential) land use designation. Properties south of the subject site are zoned RG-2 (Residential General Sector 2) and R-3 (Single Family Residential) with an SFR (Single Family Residential)
- **Transportation system:** Cheshire Bridge Road is classified as an arterial road. Sidewalks are present on both side of Cheshire Bridge Road.

PROPOSAL:

This application seeks a rezoning from R-3 (Single Family Residential) to NC-5-C (Cheshire Bridge Road South Neighborhood Commercial District Conditional) to incorporate property that was a part of 13-O-1208.

CONCLUSIONS:

- (1) **Compatibility with comprehensive development plan (CDP); timing of development:** The proposed zoning is consistent with the existing Medium Density Residential land use designation, therefore, a Comprehensive Development Plan (CDP) amendment is not required.
- (2) **Availability of and effect of public facilities and services; referral to other agencies:** The location of the site and current use of surrounding properties indicates there are public facilities and services available to the subject property. There has been no indication from review agencies and/or departments that there would not be adequate public facilities and services at the subject location. When the proposed development plans are submitted to other agencies for permit review, compliance with all applicable City codes will be required.
- (3) **Availability of other appropriate land zoned for proposed use; effect on balance of land uses with regard to the public need:** The zoning regulations indicate that this consideration is optimal. This proposal is to rezone is a result of legislation 13-O-1208 which conditioned 3 properties to remain R-3 (Single Family Residential). The property has been sold and incorporated into the adjacent development. Staff is of the opinion that since the development site has changed it is necessary to change the sites to NC-5-C to be consistent with adjacent zoning.
- (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 allow a proposed development to occur on the site. Further, the proposed zoning district is consistent with adjacent and nearby zoning districts in the area.
- (5) **Suitability of proposed land use:** A change in land use is not necessary as the proposed use is allowed in the Medium Density Residential land use designation. Staff is of the opinion that the proposed request to rezone the property to the NC-5-C (Cheshire Bridge Road South Neighborhood Commercial District 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 adjacent properties. The development will also provide an appropriately scaled 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-3 (Single Family Residential) zoning designation. The requirements of the existing zoning district limit the usability of the lot. The proposed zoning district provides an opportunity to increase the economic value of a site by allowing a commercial use.
- (8) **Compatibility with policies related to tree preservation:** The proposed development will need to comply with the requirements of the City of Atlanta's Tree Ordinance.
- (9) **Other Considerations:**
The Atlanta City Design articulates Atlanta's vision organized according to its five core values of Equity, Progress, Ambition, Access, and Nature. It focuses future growth into already-developed areas called Growth Areas, which are further categorized as Core, Corridors, and Clusters. Outside the Growth Areas are the Conservation Areas, which include Urban Neighborhoods, Suburban Neighborhoods, Rural Neighborhoods and Production Areas. Conservation Areas are the natural parts of the city that are less suited for growth and that should be protected from radical change.

According to the Atlanta City Design map, **1989 Cheshire Bridge Road, N.E.** is located within a Corridors Growth Area. Corridor 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 vibrant public life out beyond the core of the city.”

STAFF RECOMMENDATION: APPROVAL conditioned upon the following:

1. The height of the building shall not exceed 52’.



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MEMORANDUM

TO: Zoning Review Board

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

SUBJECT: **Z-20-13 for Adair Park Historic District**

DATE: August 13, 2020

An Ordinance to amend **Chapter 20I Adair Park Historic District** regulations of the Atlanta Zoning Ordinance, as amended so as to amend the district regulations to align with current residential development trends and neighborhood goals; and for other purposes

FINDINGS OF FACT:

Adair Park is located just south of downtown Atlanta with a development area of almost 310 acres. The northern section of Adair Park was developed for industrial use, and The Metropolitan Loft “The MET” now consists of small businesses, lofts and a growing artist community. There is also increasing discussions for development opportunities because of the many conveniences of Adair Park’s location.

The Adair Park Historic District regulations were drafted and adopted in 1977. In the forty-three years that have passed, residential development patterns and trends have changed. The preference for home sizes as well as the desire to allow a primary and an accessory structure on the same parcel has increased. The Adair Park neighborhood participated in a planning process update the historic district regulations to meet needs and desires of the revitalizing neighborhood. The regulations have flexible design regulations and allows for accessory dwelling units to be constructed.

PROPOSAL:

The proposal is to amend Chapter 20I Adair Park Historic District.

CONCLUSIONS:

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

The Comprehensive Development Plan (CDP) designates the neighborhood as Single Family Residential, Low Density Commercial, Mixed Use, and Industrial. The proposed changes to the text is consistent with the existing land use; therefore, no land use amendment is required.

(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 indicate there are public facilities and services available to the district. There has been no indication from review agencies and/or departments that there would not be adequate public facilities and services. All proposed development plans are required to be submitted to other agencies for permit review. Compliance with all applicable City codes is required.

(3) Availability of other appropriate land zoned for proposed use: effect on balance of land uses with regard to the public need (optional consideration as per 16-27.004(3):

The Adair Park Historic District designation represents a specific land area of architectural significance. No other land is subject to the specific regulations or is considered for inclusion in the designation. The Staff finds that the designation is not expected to impact other land uses with regard to the public need.

(4) Effect on character of the neighborhood: The zoning regulations as set forth in Chapter 20I of the Bonaventure-Somerset Historic District would provide protection for specific properties which has been determined by the UDC (Urban Design Commission) to have significant architectural value to the City. The designation is intended to preserve the historic physical character of the neighborhood, and to preserve and enhance the historic and architectural appearance of the neighborhood so as to substantially promote the public health, safety and general welfare.

(5) Suitability of proposed land use: The allowable uses would be the same as the current allowed uses of the underlying zoning. The regulations would establish formal procedures for determining the type of certificate of appropriateness which would be required and allow for variances and special exceptions from these regulations to be heard before the UDC.

(6) Effect on adjacent property: The regulations of the Adair Park Historic District are intended to have a stabilizing effect on the land uses and properties within the district. The boundaries of this district are clearly defined and the regulations of Chapter 20I would apply specifically to properties within these boundaries. Staff does not anticipate that properties adjacent to these boundaries would be negatively impacted.

(7) Economic use of current zoning: The current zoning categories R-4/HC20I/BL (Single Family Residential/Adair Park Historic District/BeltLine Overlay), R-4A/HC20I/BL (Single Family Residential/Adair Park Historic District/BeltLine Overlay), R-4B-C/BL (Single Family Residential Conditional/Beltline Overlay) R-5/HC20I/BL (Two Family Residential/BeltLine Overlay), C-

1/HC20I/BL (Neighborhood Commercial/Adair Park Historic District/BeltLine Overlay), C-1-C/HC20I/BL(Neighborhood Commercial Conditional/Adair Park Historic District/BeltLine Overlay), C-2-C/HC20I/BL (Commercial Service District Conditional/Adair Park Historic District/BeltLine Overlay)SPI-21/HC20I/BL (Historic West End Adair Park Special Public Interest District/Adair Park Historic District/BeltLine Overlay), and I-1/HC20I/BL (Light Industrial/Adair Park Historic District/BeltLine Overlay) allow for the economic use of the land. Staff does not anticipate that the approval of the text amendment will diminish the economic use of the current zoning.

(8) Compatibility with policies related to tree preservation: The Staff finds that text amendment will have no impact on policies related to tree preservation.

(9) Other Considerations:

The Atlanta City Design articulates Atlanta’s vision organized according to its five core values of Ambition, Progress, Equity, Nature, Access. 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, **Adair Park Historic District** is located within a Conservation Areas: Urban Neighborhoods. Urban Neighborhoods are described as follows:

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

STAFF RECOMMENDATION: APPROVAL



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MEMORANDUM

TO: Zoning Review Board

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

SUBJECT: **Z-20-15 for Poncey-Highlands Historic District**

DATE: August 13, 2020

A Substitute Ordinance by Zoning Committee to amend the 1982 Zoning Ordinance of the City of Atlanta, as amended, so as to create a new chapter to be entitled **20V, Poncey-Highland Historic District**; pursuant to Chapter 20 of the Zoning Ordinance of the City of Atlanta; to establish regulations for said district; to enact, by reference and incorporation, a map establishing the boundaries of said district; and to designate and rezone all properties lying within the boundaries of said district from C-1 (Community Business), C-1-C (Community Business Conditional), MRC-2-C (Mixed Residential Commercial Conditional), MRC-3-C (Mixed Residential Commercial Conditional), PD-H (Planned Development Housing), PD-MU (Planned Development Mixed-Use), R-4 (Single Family Residential), R-5-C (Two Family Residential Conditional), RG-2 (Residential General Sector 2), RG-3 (Residential General Sector 3), RG-4 (Residential General Sector 4), R-LC-C (Residential Limited Commercial Conditional), SPI-6 SA2 (Poncey Highland Special Public Interest District Subarea 2), SPI-6 SA3 (Poncey Highland Special Public Interest District Subarea 3), SPI-6 SA4 (Poncey Highland Special Public Interest District Subarea 4), C-1/BL (Community Business/BeltLine Overlay), C-2-C/BL (Commercial Service Conditional/ BeltLine Overlay), C-3-C/BL (Commercial Residential Conditional/ BeltLine Overlay), I-1/BL (Light Industrial/ BeltLine Overlay), I-1-C/BL (Light Industrial Conditional/ BeltLine Overlay), MR-5A/BL (Multifamily Residential/ BeltLine Overlay), MRC-2-C/BL (Mixed Residential Commercial Conditional/ BeltLine Overlay), MRC-3-C/BL (Mixed Residential Commercial/ BeltLine Overlay), PD-H/BL (Planned Development Housing/ BeltLine Overlay), PD-MU/BL (Planned Development Mixed-Use/ BeltLine Overlay), R-4/BL (Single Family Residential/ BeltLine Overlay), R-4B-C/BL (Single Family Residential Conditional/ BeltLine Overlay), R-5/BL (Two-Family Residential BeltLine Overlay), RG-1/BL (Residential General Sector 1/ BeltLine Overlay), RG-2-C/BL (Residential General Sector 2 Conditional/ BeltLine Overlay), RG-3/BL (Residential General Sector 3/ BeltLine Overlay), RG-3-

C/BL (Residential General Sector 3 Conditional/ BeltLine Overlay), SPI-6 SA1/BL (Poncey Highland Special Public Interest District Subarea 1/BeltLine Overlay), SPI-6 SA2/BL (Poncey Highland Special Public Interest District Subarea 2/ BeltLine Overlay), SPI-6 SA3/BL (Poncey Highland Special Public Interest District Subarea 3/ BeltLine Overlay), SPI-6 SA4/BL (Poncey Highland Special Public Interest District Subarea 4), LBS/BL (Landmark Building / Site/ BeltLine Overlay), BL (Beltline Overlay), BSHD/BL (Bonaventure-Somerset Historic District/ BeltLine Overlay) to PHHD (Poncey-Highland Historic District), PHHD-C (Poncey-Highland Historic District Conditional), PHHD/BL (Poncey-Highland Historic District), PHHD-C (Poncey-Highland Historic District Conditional/BeltLine Overlay), PHHD/LBS (Poncey-Highland Historic District/Landmark Building/Site) and PHHD/LBS/BL (Poncey-Highland Historic District/Landmark Building / Site / BeltLine Overlay), to repeal conflicting laws; and for other purposes

FINDINGS OF FACT:

The Poncey-Highland neighborhood is a vibrant Intown neighborhood roughly two miles northeast of downtown Atlanta. Spelled to conform to the vernacular pronunciation of “Ponce” at the time, the neighborhood received its name from its proximity to the intersection of Ponce de Leon and North Highland Avenues in the 1970s, when the City of Atlanta implemented the Neighborhood Planning Unit (NPU) system and adopted, assigned, or created new names for locations within the City of Atlanta. Consisting of parts of the original subdivisions of Copenhill, Ponce de Leon Heights, Linwood Park, and an industrial area along the Southern Railway, Poncey-Highland is primarily residential neighborhood with the majority of development happening between 1905 and the late 1930s. A number of historic apartment buildings are scattered throughout the District. Remaining historic commercial resources in the district are concentrated along North Highland Avenue between Blue Ridge and North Avenues. In relation to the land lot system in the City, Poncey-Highland straddles land lots 15, 16, 17, and 18.

The Poncey Highlands Historic District includes structures and spaces closely associated with important historical events or trends of local significance. The residential areas of the proposed District were generally developed between 1905 and 1940 and are reflective of the broad trend of speculative residential suburban growth in northeast Atlanta along Ponce de Leon and North Highland Avenues during the early twentieth century. Construction of the one and two-story single-family dwellings, courtyard apartments, and larger apartment buildings were originally spurred by the Georgia Railway and Electric Company’s expansion of streetcar service along the corridor in the 1910s, while the increased popularity of the automobile served as primary factor for later development in the 1920s. Prospective homeowners were attracted to the District’s tree-lined, suburban streets (the area was forest before it was developed) that were located near the city’s central business district that was easily accessible via public transportation or automobile thoroughfares that could take them there. Large and small apartment buildings contributing to the historically mixed commercial and residential character along the Ponce corridor between Peachtree Street and Moreland Avenue/Briarcliff Road. Industrial development that occurred along the Southern Railway (now the Atlanta BeltLine Eastside Trail) from c. 1914 to 1941 documents the city’s early-twentieth century emergence as a regional business and industrial center. The Ford Motor Factory Ponce (now Ford Factory Lofts), established in 1914 at 699 Ponce de Leon Avenue, was one of the earliest automobile production facilities in the Southeast, representing the beginning of the automobile industry in Atlanta. The Western Electric Company Building (now Telephone Factory Lofts), built from 1939-41 at 828 Ralph McGill, is significant for its important association to Atlanta’s

development as a regional center for the communications industry. The nearby Sears, Roebuck & Company building (now Ponce City Market) was just across the Southern Railway tracks. The District includes structures and spaces which are very strongly related, either functionally or aesthetically. The residential areas of the proposed District were generally developed between 1905 and 1940 and are a cohesive example of speculative residential suburban growth in northeast Atlanta along Ponce de Leon and North Highland Avenues during the early twentieth century. Industrial development that occurred along the Southern Railway (now the Atlanta BeltLine Eastside Trail) from c. 1914 to 1941 has resulted in a space that documents the city's early twentieth century emergence as a regional business and industrial center.

The District clearly conveys a sense of time and place and about which one has an exceptionally good ability to interpret the historic character of the resource. The District has a high degree of design and material integrity, with few non-historic intrusions, that allow it to convey the feeling of an early twentieth century, residential suburb. It also documents Atlanta's emergence as a regional communications and industrial hub.

In 2019, UDC initiated the nomination process by mailing the appropriate Notice of Intent to the property owners of the Poncey-Highlands Historic District and publishing a notice pursuant to Subsection (b) of the City of Atlanta Code of Ordinances, Section 16-20.005. The Executive Director of the UDC conducted research regarding this proposed nomination and has compiled a written designation report stating the findings and recommendations regarding the architectural significance of said nomination pursuant to (d) of said code section.

PROPOSAL:

The proposal is to create a new chapter 20V Poncey-Highlands Historic District.

CONCLUSIONS:

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

The Comprehensive Development Plan (CDP) has various land use designations. The proposed rezoning to a Historic District has compatible land use designations that were approved by the neighborhood, NPU (Neighborhood Planning Unit) and the CD/HS Committee at the second quarter public hearing.

(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 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 (optional consideration as per 16-27.004(3)): The Poncey-Highlands Historic District designation represents a specific land area of architectural significance. No other land is subject to the specific regulations or is considered for inclusion in the designation. The Staff finds that the designation is not expected to impact other land uses with regard to the public need.

(4) Effect on character of the neighborhood: The designation of the Poncey-Highlands Historic District would provide protection for specific properties which has been determined by the UDC (Urban Design Commission) to have significant architectural value to the City. The designation is intended to preserve the historic physical character of the site, and to preserve and enhance the historic and architectural appearance of the site so as to substantially promote the public health, safety and general welfare.

(5) Suitability of proposed land use: The allowable uses would be the same as the current allowed uses. The regulations would establish formal procedures for determining the type of certificate of appropriateness which would be required and allow for variances and special exceptions from these regulations to be heard before the UDC.

(6) Effect on adjacent property: The Poncey-Highlands Historic District is intended to have a stabilizing effect on the land uses and properties within the district. Because the boundaries of this district are clearly defined and these regulations would apply specifically to properties within these boundaries, the Staff does not anticipate that properties adjacent to these boundaries would be negatively impacted.

(7) Economic use of current zoning: C-1 (Community Business), C-1-C (Community Business Conditional), MRC-2-C (Mixed Residential Commercial Conditional), MRC-3-C (Mixed Residential Commercial Conditional), PD-H (Planned Development Housing), PD-MU (Planned Development Mixed-Use), R-4 (Single Family Residential), R-5-C (Two Family Residential Conditional), RG-2 (Residential General Sector 2), RG-3 (Residential General Sector 3), RG-4 (Residential General Sector 4), R-LC-C (Residential Limited Commercial Conditional), SPI-6 SA2 (Poncey Highland Special Public Interest District Subarea 2), SPI-6 SA3 (Poncey Highland Special Public Interest District Subarea 3), SPI-6 SA4 (Poncey Highland Special Public Interest District Subarea 4), C-1/BL (Community Business/BeltLine Overlay), C-2-C/BL (Commercial Service Conditional/ BeltLine Overlay), C-3-C/BL (Commercial Residential Conditional/ BeltLine Overlay), I-1/BL (Light Industrial/ BeltLine Overlay), I-1-C/BL (Light Industrial Conditional/ BeltLine Overlay), MR-5A/BL (Multifamily Residential/ BeltLine Overlay), MRC-2-C/BL (Mixed Residential Commercial Conditional/ BeltLine Overlay), MRC-3-C/BL (Mixed Residential Commercial/ BeltLine Overlay), PD-H/BL (Planned Development Housing/ BeltLine Overlay), PD-MU/BL (Planned Development Mixed-Use/ BeltLine Overlay), R-4/BL (Single Family Residential/ BeltLine Overlay), R-4B-C/BL (Single Family Residential Conditional/ BeltLine Overlay), R-5/BL (Two-Family Residential BeltLine Overlay), RG-1/BL (Residential General Sector 1/ BeltLine Overlay), RG-2-C/BL (Residential General Sector 2 Conditional/ BeltLine Overlay), RG-3/BL (Residential General Sector 3/ BeltLine Overlay), RG-3-C/BL (Residential General Sector 3

Conditional/ BeltLine Overlay), SPI-6 SA1/BL (Poncey Highland Special Public Interest District Subarea 1/BeltLine Overlay), SPI-6 SA2/BL (Poncey Highland Special Public Interest District Subarea 2/ BeltLine Overlay), SPI-6 SA3/BL (Poncey Highland Special Public Interest District Subarea 3/ BeltLine Overlay), SPI-6 SA4/BL (Poncey Highland Special Public Interest District Subarea 4), LBS/BL (Landmark Building / Site/ BeltLine Overlay), BL (Beltline Overlay), BSHD/BL (Bonaventure-Somerset Historic District/ BeltLine Overlay) allow for the economic use of the land. However, changing the zoning to a Historic District may increase the allowable FAR (floor area ration) thereby increasing the economic value of the built environment. Staff does not anticipate that the approval of the Poncey-Highland Historic District will have a negative economic impact.

(8) Compatibility with policies related to tree preservation: The Staff finds that designation of the Poncey-Highlands Historic District will have no impact on policies related to tree preservation. Development projects when submitted are required to meet all requirements on the Tree Preservation Ordinance.

(9) Other Considerations:

The Atlanta City Design articulates Atlanta’s vision organized according to its five core values of Ambition, Progress, Equity, Nature, Access. 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, **Poncey-Highlands Historic District** is located within a Growth Areas: Urban Neighborhoods and Corridors. Urban Neighborhoods and Corridors are described as follows:

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

“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 vibrant public life out beyond the core of the city.”

STAFF RECOMMENDATION: APPROVAL OF SUBSTITUTE



CITY OF ATLANTA

KEISHA LANCE BOTTOMS
MAYOR

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TIM KEANE
COMMISSIONER

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

MEMORANDUM

TO: Zoning Review Board

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

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

DATE: August 13, 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.**

Staff recommends this application be withdrawn.

STAFF RECOMMENDATION: FILE



CITY OF ATLANTA

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

MEMORANDUM

TO: Zoning Review Board
FROM: Keyetta M. Holmes, AICP, Zoning Administrator *KMH*
SUBJECT: Z-20-03 for 204 Haralson Lane, S.E.
DATE: August 13, 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.**

FINDINGS OF FACT:

- **Property location:** The subject property fronts 51 feet on the west side of Haralson Lane, S.E. being Lot 2 of the Haralson Subdivision as shown on a plat recorded in Plat Book 399, Page 77. The property is located within Land Lot 14 of the 14th District, Fulton County, Georgia in the Inman Park Neighborhood of NPU-N in Council District 2.
- **Property size and physical features:** The subject property is approximately 0.152 acres (6,621 square feet). The property is currently developed with a single-family dwelling with a detached garage in the rear yard. A five-foot tree planting zone is located along the rear property line as required per the rezoning conditions of 15-O-1335/Z-15-34. The topography is relatively level throughout the lot. A common access to the development is currently provided off Haralson Avenue via one curb cut. The internal street to the development is Haralson Lane. The access to the property is provided via a curb cut on Haralson Lane.
- **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 single-family dwelling. Staff is unaware of any other previous uses on the site.

- **Surrounding zoning/land uses:** The subject property is currently zoned PD-H (Planned Development Housing). The surrounding properties are developed with mostly single-family residential houses and are zoned R-5 (Two-Family Residential) to the southeast and northwest and PD-H (Planned Development Housing) to the northwest and southeast. The land use designation of all surrounding properties is LDR (Low Density Residential).
- **Transportation:** Haralson Avenue is categorized as a local road. It connects to DeKalb Avenue which is categorized as a major arterial street. Several MARTA bus stops are located within a few blocks of the subject site. The nearest transit station is the Inman Park Transit Station which is 0.3 miles from the subject property.

PROPOSAL:

The applicant proposes to rezone the property from PD-H (Planned Development Housing) to PD-H (Planned Development Housing) for a change of conditions to allow an open wooden staircase within the required 5-foot tree planting zone along the rear property line.

CONCLUSIONS:

- 1) **Compatibility with comprehensive development plan (CDP):** The subject property has a Low Density Residential land use designation in the 2016 Comprehensive Development Plan (CDP). The proposed rezoning to PD-H (Planned Development Housing) for a change of conditions is compatible with the 2016 CDP designation. Therefore, 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.
- 4) **Effect on character of the neighborhood:** The amendment is a minor change to an existing garage structure which was constructed with the intent to have useable space on the upper floor. However, access to the second floor is encumbered due to the current conditions of zoning. To access the second floor of the garage, the rear setback is the only reasonable location for the exterior stairs, given the structural limitations and orientation of the garage. The positioning of the stairs on the rear will not have any negative effect on the character of the neighborhood.

- 5) **Suitability of proposed land use:** Currently, the land is used for a single-family dwelling. The house is within an existing development and is surrounded by single family homes. The proposal will not change the use of the land. Therefore, Staff is of the opinion that there is no effect on the suitability of land use.
- 6) **Effect on adjacent property:** As per the site plan submitted, the landscaping buffer will be slightly impacted by the new stairs. However, the applicant will provide a lattice privacy shield around the landing at the top of the stairs and there will be no glass on the rear elevation except frosted glass within the door atop the landing. Therefore, Staff is of the opinion that there will be no negative effect on the adjacent property.
- 7) **Economic use of current zoning:** The proposal will not have any change in economic use of the current property. The rezoning will permit a change in condition that will simply allow the homeowners to use the second floor of the garage like other homeowners in the subdivision enjoy.
- 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 following findings are in accordance with Section 16-19.005(5) of the Zoning Ordinance of the City of Atlanta for Planned Development Districts:**
 - a. **The suitability of the tract for the general type of PD zoning proposed.** Staff is of the opinion that the PD-H remains appropriate.
 - b. **The relationship to major roads and mass transit facilities, utilities and other facilities and services.** Transit bus stops are located along DeKalb Avenue, N.E. Additionally, the closest bus stop is located .1 miles from the subject site and the closest public transit station is located .3 miles from the subject site.
 - c. **The evidence of unified control.** The revised zoning site plan submitted by the applicant does not provide a report detailing the maintenance of common areas in the development.
 - d. **The suitability of proposed plans.** The site plan dated June 4, 2015 and stamped received by the Office of Zoning and Development on January 6, 2020 is considered to be suitable to modify the previously approved PD-H (Planned Development Housing) conditions.
 - e. **Specific modifications.** The site plan submitted by the applicant seeks to amend conditions allow an encroachment in the required 5-foot landscape buffer.
 - f. **The suitability of a maintenance program.** The applicant has provided no information related to a maintenance program for the common areas. This criterion should be evaluated in the event that the modifications are approved.

10) 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 **204 Haralson Lane, S.E.** is located within the Corridors Growth Area. Corridor Areas are described as follows:

“These are connecting tissues of the city: the major streets that flow out of the core in every direction. They stitch Old and New Atlanta together and most of them are commercially developed. Streets like Hollowell, Peachtree and Jonesboro wind along the contours of the city while streets like Metropolitan and Northside slice straight lines across hills and valleys. In either case, we find commercial sites, civic buildings and anchor institutions along the way. With better design, these corridors can become main streets for every community, accommodating a reasonable amount of growth that will spur commercial vitality and a vibrant public life out beyond the core of the city.”

STAFF RECOMMENDATION: APPROVAL



CITY OF ATLANTA

KEISHA LANCE BOTTOMS
MAYOR

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TIM KEANE
Commissioner

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

MEMORANDUM

TO: Zoning Review Board

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

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

DATE: August 13, 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 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 a 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



CITY OF ATLANTA

KEISHA LANCE BOTTOMS
MAYOR

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

MEMORANDUM

TO: Zoning Review Board
FROM: Keyetta M. Holmes, AICP, Zoning Administrator *KMH*
SUBJECT: **Z-20-05 for 1576 Donald Lee Hollowell Parkway, N.W.**
DATE: August 13, 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.**

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

STAFF RECOMMENDATION: 90 DAY DEFERRAL NOVEMBER 2020



CITY OF ATLANTA

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TIM KEANE
Commissioner

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

MEMORANDUM

TO: Zoning Review Board

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

SUBJECT: Z-20-14 for 524 Marietta Street, N.W.

DATE: August 13, 2020

An Ordinance by Zoning Committee to rezone from I-1 (Light Industrial) to I-MIX (Industrial Mixed Use) for property located at **524 Marietta Street, N.W.**

FINDINGS OF FACT:

- **Property location:** The subject property fronts 49.06 feet on the west side of Marietta Street, N.W. commencing at a point at the northwest intersection of John Street and Marietta Street thence at a northeasterly direction along the southwest right-of-way of Marietta Street 72.98 feet to a point on the southeast corner of a one story brick building and the true point of beginning, Land Lot 82 of the 14th District, Fulton County, Georgia in the Downtown neighborhood of NPU M, Council District 4.
- **Property size and physical features:** The property consists of approximately 0.073 acres (3,197 square feet) of net lot area. It is currently developed with a brick building constructed in 1930. The topography inclines gradually from a highpoint at the rear of the lot to a low point at the front of the lot. Vehicular access to the property is provided via a curb cut leading to a garage/loading door on the Marietta Street facade. There is no vegetation on the property. A Norfolk Southern rail line runs along the rear property line.
- **CDP land use map designation:** The land use designation for this property is Mixed Use (MU) within the 2016 Comprehensive Development Plan. An amendment to the Comprehensive Development Plan is not required to accommodate the proposed zoning district.

- **Current/past use of property:** The subject property is currently used as a recording studio. Staff is not aware of any other prior uses.
- **Surrounding zoning/land uses:** To the north, parcels are zoned C-3-C (Commercial Residential Conditional) with a Mixed Use (MU) land use designation and are used as residential. The adjacent parcel to the south is zoned I-1 (Light Industrial) with a Mixed Use (MU) land use designation and is used as surface parking for an adjoining multi-family residential building. Parcels to the east are zoned C-3 (Commercial Residential) with a Mixed Use (MU) land use designation and are used as a large commercial complex. To the west, the rail corridor and adjacent parcels are used as an office park and is zoned I-2 (Heavy Industrial) with an O-I (Office Institutional) land use designation.
- **Transportation:** Marietta Street is classified as an arterial street. Currently, MARTA serves the area via bus route #26. The Civic Center MARTA Transit Station is 0.87 miles away. Sidewalks can be found on both sides of Marietta Street.

PROPOSAL:

The applicant seeks to rezone the subject property from I-1 (Light Industrial) to I-MIX (Industrial Mixed Use) for the redevelopment of the property with residential and non-residential uses. The applicant proposes to add a second floor to expand an existing recording studio and include an owner-occupied residential unit.

Project Specifications:

Total existing building area: 3,196 square feet
Total proposed building area: 5,086 square feet
Recording Studio/Performance Space: 3,748 square feet
Residential: 1,338 square feet

CONCLUSIONS:

- 1) **Compatibility with comprehensive development plan (CDP); timing of development:** The Comprehensive Development Plan (CDP) designates the property as Mixed Use (MU). The proposed rezoning to the I-MIX (Industrial Mixed Use) zoning District is consistent with the existing land use. Therefore, the proposed rezoning does not require a CDP amendment.
- 2) **Availability of and effect on public facilities and services; referrals to other agencies:** The location of the site and current use of surrounding properties indicates there are public facilities and services available to the subject property. There has been no indication from review agencies and/or departments that there would not be adequate public facilities and services at the subject location regarding water supply and sewage disposal. The Fulton County Board of Health, Environmental Services Division comments are as follows: *“a) Since this proposed development includes a performance space in the building and if it will be open to the public, it must comply with the Fulton County Code of Ordinances and Code of Resolutions, Chapter 34 — Health and Sanitation, Article III Smokefree Air. If the proposed development will serve persons under the age 18, smoking will not be allowed on the premises at any time. b) This agency recommends that the existing building is inspected, and the owner is required to provide*

the internal plumbing and sanitary facilities necessary to serve the proposed uses and building capacity. If this proposed development includes a food service establishment, as defined in Fulton County Code of Ordinances and Code of Resolutions, Chapter 34 — Health and Sanitation, Article V — Food Service, the owner must submit kitchen plans for review and approval by this agency before issuance of a building permit and beginning construction. The owner must obtain a food service permit prior to opening. c) This agency is requiring that plans indicating the number and location of outside refuse containers along with typical details of the pad and approach area for the refuse containers be submitted for review and approval.” When the proposed development plans are submitted to other agencies for permit review, compliance with all applicable City codes will be required.

- 3) **Availability of other appropriate land zoned for proposed use; effect on balance of land uses with regard to the public need:** The zoning regulation indicates that this consideration is optional. The applicant has not indicated that they own other land in the area that would be suitable for the proposed development. The proposed rezoning would not have an adverse effect on the environment or create an imbalance of land uses or to the health of humans or the environment by allowing the rezoning. The proposed rezoning would allow for an appropriate type of infill development along the Marietta Street corridor.
- 4) **Effect on character of the neighborhood:** Staff believes the proposed rezoning is compatible with the character of the neighborhood. There are residential, commercial, and industrial uses and zoning classifications in the immediate vicinity. Adding a residential unit on the subject property is compatible with residential uses to the north and south of the subject parcel. Rezoning this industrial parcel to I-MIX would allow some industrial use of the property as well as introduce new residential use. The subject property is in the Downtown CDP Character Area and mixed uses are appropriate in this area.
- 5) **Suitability of proposed land use:** The proposed rezoning would allow for the expansion of an existing industrial use with an added residential use. Staff is of the opinion that the request is suitable as it would provide an industrial mixed-use development that is compatible with the other mixed uses on the Marietta Street corridor.
- 6) **Effect on adjacent property:** The proposed request would rezone the property to a designation that should integrate well within the community, and thus, should not have a negative effect on adjacent properties.
- 7) **Economic use of current zoning:** The current zoning conditions allow for some economic use of the land, however, rezoning to I-MIX will allow residential use that complements the surrounding community.
- 8) **Compatibility with policies related to tree preservation:** Redevelopment of the property must comply with the City of Atlanta Tree Ordinance at time of permitting.

9) Other Considerations:

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

According to the Atlanta City Design map, **524 Marietta Street, N.W.** is located in the Core within a 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

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

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

MEMORANDUM

TO: Zoning Review Board

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

SUBJECT: U-18-03 for 0 Tenth Street, N.E. (17 01600008810)

DATE: August 13, 2020

The applicant seeks a special use permit for a nightclub or lounge pursuant to 16-18P.005 for property located at **0 Tenth Street, N.E. (17 01600008810)**

The applicant has requested deferral for additional time to work with the neighborhood and NPU. Staff is supportive of this request.

STAFF RECOMMENDATION: 60 DAY DEFERRAL OCTOBER 2020



CITY OF ATLANTA

KEISHA LANCE BOTTOMS
MAYOR

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TIM KEANE
COMMISSIONER

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

MEMORANDUM

TO: Zoning Review Board

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

SUBJECT: U-20-01 for 1448 Iverson Street, N.E.

DATE: August 13, 2020

An Ordinance by Zoning Committee for a special use permit for a day care center pursuant to 16-07.005(1)(b) for property located at **1448 Iverson Street, N.E.**

The applicant has requested to withdraw the application. Staff is supportive of the request.

STAFF RECOMMENDATION: FILE