CITY OF ATLANTA

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JAHNEE R. PRINCE, AICP
COMMISSIONER

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

MEMORANDUM

TO: Zoning Review Board

FROM: Keyetta M. Holmes, AICP, Director *KMH*

SUBJECT: **Z-25-32 for 1345 Bolton Road NW**

DATE: October 2, 2025

An Ordinance by Zoning Committee to rezone from R-4 (Single Family Residential) to PD-H (Planned Development Housing) for property located at **1345 Bolton Road NW.**

Staff has requested a deferral.

STAFF RECOMMENDATION: 30 DAY DEFERRAL – NOVEMBER 2025

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MEMORANDUM

TO: Zoning Review Board

FROM: Keyetta M. Holmes, AICP, Director *KMH*

SUBJECT: **Z-25-61 for Northeast Atlanta Quality of Life Regulation Overlay District**

DATE: October 2, 2025

An Ordinance by Councilmember Howard Shook as substituted by the Zoning Committee to amend the 1982 Zoning Ordinance of the City of Atlanta, as amended, so as to create a new overlay entitled **"Northeast Atlanta Quality of Life Regulation Overlay District"** for the purpose of limiting certain uses; to amend the official Zoning Map; and for other purposes.

FINDINGS OF FACT:

The city finds that northeast Atlanta, located primarily within Atlanta City Council District 7, is a unique mix of residential neighborhoods, mixed-use corridors, and commercial corridors near multifamily and single-family properties. The northeast portion of Atlanta is experiencing a proliferation of the use of property for short-term rentals in and near residential zoning districts that has impacted the quality of life for residents and threatens to disrupt the distinctive character of residential and mixed-use neighborhoods. In establishing this overlay district, the city intends to anticipate, and restrict or encourage development, as may be appropriate, in a manner that: (i) is consistent with the comprehensive development plan; and (ii) provides for the continued existence of thriving residential neighborhoods, mixed-use corridors, and commercial corridors in northeast Atlanta.

PROPOSAL: The legislation seeks to prohibit in Council District 7 short-term rentals as defined in Section 20-1003 of the City of Atlanta Code of Ordinances. The existing zoning map and underlying zoning regulations governing all properties within the Northeast Atlanta Quality of Life Regulation Overlay District shall remain in full force and effect. The regulations in this chapter shall be overlaid upon, and shall be imposed in addition to, these underlying zoning regulations.

CONCLUSIONS:

(1) **Compatibility with comprehensive development plan (CDP); timing of development**: The proposed overlay will not require a development pattern amendment to the Comprehensive Development Plan.

(2) **Availability of and effect of public facilities and services; referral to other agencies:** The location of the site and current use of surrounding properties indicate there are public facilities and services available to the subject property. There has been no indication from review agencies and/or departments that there would not be adequate public facilities and services in the area. When proposed development plans are submitted to other agencies for permit review, compliance with all applicable City codes will be required.

(3) **Availability of other appropriate land zoned for proposed use; effect on balance of land uses with regard to the public need:** The proposed overlay would not change zoning designation or allowed density of any district. Thousands of Atlanta residents rent their homes on a short-term basis to earn additional income to pay for essential needs and expenses. However, short term rental can be used as a business enterprise where dwellings are used for or constructed for the sole purpose of renting the property on a short-term basis. The balance of land uses may be negatively altered should the character of residents be transient which can present several problems, including neighborhood disruptions, and housing shortages.

(4) **Effect on character of the neighborhood:** Short-term rentals can present several problems, including neighborhood disruptions, housing shortages, and financial strain on local communities. These issues arise from the influx of transient visitors, the conversion of long-term housing into rentals, and the potential for illegal operation. There can be increased noise, parking congestion, and trash issues, impacting the quality of life for permanent residents. Guests, being unfamiliar with local norms, may not respect neighborhood rules and expectations. The conversion of permanent residences into short-term rentals can reduce the availability of affordable housing, driving up rental prices for residents. The transient nature of short-term rentals can disrupt the social fabric of a community, leading to a decline in neighborly interactions and a sense of community.

(5) **Suitability of proposed land use:** Since no development project is being proposed, this consideration is not applicable. The proposed text amendment would not change land uses either existing or proposed in the district.

(6) **Effect on adjacent property:** Since no development project is being proposed, this consideration is not applicable. Staff does not anticipate any negative effects on adjacent properties from the proposed text amendment.

(7) **Economic use of current zoning**: Since no development project is being proposed, this consideration is not applicable.

(8) **Compatibility with policies related to tree preservation:** Since no development project is being proposed, this consideration is not applicable.

STAFF RECOMMENDATION: APPROVAL

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MEMORANDUM

TO: Zoning Review Board

FROM: Keyetta M. Holmes, AICP, Director *KMH*

SUBJECT: **U-25-14 for 2694 Fairlane Drive SE**

DATE: October 2, 2025

An Ordinance by Zoning Committee for a special use permit for a day care center pursuant to Section 16-06.005(1)(b) for property located at **2694 Fairlane Drive SE.**

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

STAFF RECOMMENDATION: 60 DAY DEFERRAL – DECEMBER 2025

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MEMORANDUM

TO: Zoning Review Board

FROM: Keyetta M. Holmes, AICP, Director *KMH*

SUBJECT: **U-25-23 for 2017 Jonesboro Road SE**

DATE: October 2, 2025

An Ordinance by Zoning Committee for a special use permit for an outdoor exhibit pursuant to Section 16-11.005(1)(c) for property located at **2017 Jonesboro Road SE.**

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

STAFF RECOMMENDATION: 30 DAY DEFERRAL – NOVEMBER 2025

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MEMORANDUM

TO: Zoning Review Board

FROM: Keyetta M. Holmes, AICP, Director *KMH*

SUBJECT: **U-25-24 for 100 Hurt Street NE**

DATE: October 2, 2025

An Ordinance by Zoning Committee for a special use permit for an outdoor eating and drinking establishment when any part of such use is located within 1,000 feet of property that is zoned as an R-1, R-2, R-2A, R-2B, R-3, R-3A, R-4, R-4A, R-4B, or R-5 district, or that is used as a residential property pursuant to Section 16-11.005(1)(l) for property located at **100 Hurt Street NE**.

FINDINGS OF FACT:

- **Property location:** The subject property fronts 64 feet on the west side of Hurt Street NE beginning at a point located at the intersection of the southwest 60 foot right-of-way of Hurt Street with the northwest varied right-of-way of DeKalb Avenue. The property is in Land Lot 14 of the 14th District, Fulton County, Georgia in the Inman Park neighborhood in NPU N, Council District 2.

- **Property size and physical features:** The subject property is 0.11 acres (4,807 sq. ft.) and is currently developed with a 2,732 sq. ft. one-story, non-residential building. The site is accessible via two access points: DeKalb Avenue and Hurt Street. Surface parking is available at the front of the parcel, with additional street parking along Hurt Street and DeKalb Avenue.

- **CDP land use map designation:** The property has a development pattern of LDMU (Low Density) within the 2025 Comprehensive Development Plan (CDP).

- **Current/past use of property:** The subject property is currently operating as an eating and drinking establishment. A bakery previously operated in this location.

- **Surrounding zoning/land uses:** The parcels to the north, east, and west are zoned C-1 (Community Business District) with an LDMU (Low Density Mixed Use) development pattern, while the parcel to the south is zoned I-2 (Heavy Industrial District) with an I (Industrial) development pattern.

- **Transportation system:** Hurt Street is classified as a local street with sidewalks on both sides. The area is served by MARTA via the Inman Park/Reynoldstown Transit Station, providing convenient transit access.

PROPOSAL: The applicant requests a special use permit for an outdoor eating and drinking establishment when any part of such use is located within 1,000 feet of property that is zoned as an R-1, R-2, R-2A, R-2B, R-3, R-3A, R-4, R-4A, R-4B, or R-5 district, or that is used as a residential property pursuant to Section 16-11.005(1)(l).

- **Ingress and egress:** There will be no change in the current ingress and egress. Clients and employees will enter and leave the property as they did prior to the addition of the canopy. Emergency vehicles will access the property as they have prior to the proposed canopy. There will be no change in traffic congestion.

- **Parking and loading:** There will be no change to deliveries, service personnel parking and access, or employee parking and access. There is temporary on-street parking for deliveries with personnel entering through the primary pedestrian entrance.

- **Refuse and service areas:** There will be no change to the garbage disposal method, location, container type, or frequency. There is a dumpster on the side shared with a neighboring eating and drinking establishment.

- **Buffering and screening:** Any new exterior lighting at the location will be full cutoff luminaires to minimize light pollution. No road improvements are planned as no changes to existing traffic patterns are anticipated.

- **Hours and manner of operation:** The site will continue to operate as an eating and drinking establishment. Operating hours are 7am-3pm, seven days per week. The Daily employs a staff of 24 operating 103 weekly shifts and an average of 9-10 employees per shift. The are approximately 1,800 clients served per week. No special programs are anticipated.

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

- **Required yards and open space:** The subject property is currently zoned C-1/HD20LSA1/BL (Community Business District/Inman Park Historic District Subarea 1/Beltline Overlay). Pursuant to Section 16-36.011(9), the sidewalk dimensional requirements supplant those of the base zoning category. In lieu of a standard setback dimension, a street furniture zone and sidewalk clear zone, in accordance with the table in Section 16-36.013 is required. The existing street furniture zone along Hurt Street is 3’-0” wide and the existing sidewalk clear zone is 6’-0”. The proposed design maintains those existing sidewalk dimensions in an effort to provide continuity with the existing streetscape.

- **Tree Preservation and Replacement:** The applicant is not proposing to remove or cut any trees.

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 proposed use is appropriate for the location, which is situated within an existing mixed-use, neighborhood commercial area. The site is served by two access points; however, the entrance from DeKalb Avenue is constrained given its function as an arterial street and may limit traffic flow. Emergency vehicles and service personnel would rely on street access in the event of an emergency. Transit service is available through the adjacent Inman Park/Reynoldstown MARTA Station, and sidewalks along Hurt Street provide adequate pedestrian connectivity. Based on these factors, staff finds ingress and egress to be generally adequate for the proposed use, though the DeKalb Avenue access point remains constrained.

b) **Off-street parking and loading:** The site includes 4 parking spaces. While this is below the minimum required by the Zoning Ordinance, additional on-street parking is available along Hurt Street and Edgewood Avenue. Although there is not a designated off-street loading area, staff is supportive of the parking and loading arrangements as proposed.

c) **Refuse and service areas:** A dumpster is located on site that is serviced daily by a private disposal company and that will remain unchanged. However, the refuse area is visible from DeKalb Avenue and lacks adequate screening. Staff is not supportive of the refuse and service area as currently configured.

d) **Buffering and screening:** Staff has determined that any additional lighting associated with the use will not negatively affect neighboring properties given the hours of operations. Therefore, no further buffering or screening is required.

e) **Hours and manner of operation:** The proposed use will continue as an eating and drinking establishment with no change in the existing operational framework. The hours of operations are 7 AM to 3 PM, seven days per week. The business employs a staff of 24, operating 103 weekly shifts and an average of 9-10 employees per shift, and serves approximately 1,800 clients per week. In addition, the applicant is proposing to add an outdoor seating area to enhance dining capacity and customer experience.

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

g) **Required yards and open space:** The proposed site plan meets the yard and open space requirements.

h) **Compatibility with policies related to tree preservation:** Compliance with the Tree Preservation Ordinance will be required at the time of permitting.

STAFF RECOMMENDATION: APPROVAL conditioned upon the following**:**

1. The special use permit shall valid as long as **The Daily** is the operator.

2. The special use permit is not transferrable.
3. Dumpsters and loading areas shall be enclosed with a self-closing opaque gate and opaque walls or fencing. Said gate, walls and fencing shall be a minimum of twelve (12) inches higher than the dumpster receptacle. The maximum combined height of a dumpster and screening walls or fencing shall be seven (7) feet.

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Office of Zoning and Development

MEMORANDUM

TO: Zoning Review Board

FROM: Keyetta M. Holmes, AICP, Director *KMH*

SUBJECT: **U-25-25 for 509 Foundry Street NW**

DATE: October 2, 2025

An Ordinance by Zoning Committee for a special use permit for an outdoor amusement enterprise pursuant to Section 16-18S.005 for property located at **485 Foundry Street, 489 Foundry Street, 491 Foundry Street, 495 Foundry Street, 501 Foundry Street, and 505 Foundry Street NW and 174 Northside Drive, 182 Northside Drive, 184 Northside Drive, 190 Northside Drive, and 192 Northside Drive NW, and 480 Spencer Street, 486 Spencer Street, 490 Spencer Street, 496 Spencer Street, 502 Spencer Street, and 506 Spencer Street NW and 185 Electric Avenue NW.**

The applicant requests a deferral. Staff is supportive of the request.

STAFF RECOMMENDATION: 30 DAY DEFERRAL – NOVEMBER 2025

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MEMORANDUM

TO: Zoning Review Board

FROM: Keyetta M. Holmes, AICP, Director *KMH*

SUBJECT: **U-25-26 for 1365 English Street NW**

DATE: October 2, 2025

An Ordinance by Zoning Committee for a special use permit for a non-residential use or establishment exceeding 7,500 square feet in area in which alcoholic beverages are sold or consumed on the premises pursuant to Section 16-44.007(12)(a) for property located at **1365 English Street NW.**

FINDINGS OF FACT:

- **Property location:** The subject property fronts approximately 643 feet on the east side of English Street NW beginning at the northerly right-of-way of Culpepper Street and the easterly right-of-way of English Street and then proceeding northeasterly along said easterly right-of-way of English Street 244.1 feet to a point and the true point of beginning. The property is located within Land Lot 188 of the 17th District, Fulton County, Georgia in the Blandtown neighborhood of NPU-D in Council District 9.

- **Property size and physical features:** The property is approximately 5.25 acres (228,690 square feet). The property is developed with a one-story masonry building and surface parking facilities. The topography varies across the lot, with approximately 29 feet between its highest and lowest points. Vehicular access to the site is provided via two curb cuts on English Street. There are mature trees and shrubs on the property.

- **CDP land use map designation:** The property has a development pattern designation of Industrial (I) within the 2025 Comprehensive Development Plan (CDP).

- **Current/past use of property:** The property was previously the site of a one-story warehousing facility. Staff is unaware of any other previous uses on the site.

- **Surrounding zoning/land uses:** The parcels to the north and east are zoned I-2/BL/UPW (Heavy Industrial/Beltline Overlay/Upper Westside Overlay) with an Industrial (I) development pattern

designation. The parcels to the west are zoned I-2/BL/UPW (Heavy Industrial/Beltline Overlay/Upper Westside Overlay) and PD-MU/BL/UPW (Planned Development Mixed Use/Beltline Overlay/Upper Westside Overlay) with Industrial (I) and High Density Mixed Use (HDMU) development pattern designations. The parcels to the south are zoned I-1/BL/UPW (Light Industrial/ Beltline Overlay/Upper Westside Overlay), I-2/BL/UPW (Heavy Industrial/Beltline Overlay/Upper Westside Overlay), and PD-MU/BL/UPW (Planned Development Mixed Use/Beltline Overlay/Upper Westside Overlay) with High Density Mixed Use (HDMU) and Community (CMTY) development pattern designations.

- **Transportation system:** The site has frontage along English Street NW which is classified as a local road. MARTA bus route service is not available in the area. There are no sidewalks along English Street NW.

PROPOSAL: The applicant seeks a special use permit for a non-residential use or establishment exceeding 7,500 square feet in area in which alcoholic beverages are sold or consumed on the premises pursuant to Section 16-44.007(12)(a). The applicant intends to operate a pickleball club consisting of 112,695 square feet of indoor pickleball, fitness, office, social and eating and drinking facilities.

- **Ingress and egress:** Employees, patrons, and emergency and service vehicles will access the property from the existing curb cuts along English Street. The applicant will construct a new sidewalk along the English Street frontage. Pedestrians will access the site via sidewalk connections from English Street to the facility's main entrance.

- **Parking and loading:** Parking will be accommodated within the surface lot on the property. The applicant will provide 107 onsite parking spaces. Deliveries and service vehicles will utilize the parking area for loading and unloading materials and supplies.

- **Refuse and service areas:** The site includes a screened dumpster located near the southern corner of the parking lot. Garbage and refuse will be picked up weekly by a private garbage service.

- **Buffering and screening:** The site contains existing vegetation along the northern and eastern boundaries, adjacent to neighboring lots. The site generates minimal light or air pollution that could impact surrounding uses, and the sound generation is minimal and will comply with standard noise ordinances. There will be amplified sound inside the facility. The applicant will provide soundproofing via sound panels to minimize sound from inside the facility.

- **Hours and manner of operation:** The applicant proposes to operate an indoor pickleball facility consisting of fitness, office, social and eating and drinking facilities. The facility will be open to members and the public. The pickleball facility will operate 7 days a week from 6 a.m. to 10 p.m. The bar and restaurant will be open from 12 p.m. to 10 p.m. The office space will operate from 6 a.m. to 10 p.m. The fitness facilities will operate from 10 a.m. to 10 p.m. The applicant anticipates serving approximately 200 guests daily, ranging from 12 to 80 years of age. Three shifts of 20 employees will operate the site. There will be no special programs offered onsite.

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

- **Required yards and open space:** There are no proposed changes to the site or primary building as part of this application.

- **Tree Preservation and Replacement:** The applicant has indicated some trees will be impacted on the site for the construction of a sidewalk.

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: Based on the site plan provided by the applicant the proposal appears to provide adequate access to the site and will not detract from the surrounding area. Staff is of the opinion that the proposed ingress and egress are sufficient to ensure automotive and pedestrian safety and will not create traffic congestion.

b) Off-street parking and loading: The applicant will provide 107 parking spaces and 28 bicycle parking spaces onsite. The applicant anticipates 100-200 vehicles to visit the site daily. Deliveries and service vehicles will utilize the parking area for loading and unloading materials and supplies. Staff finds the proposed parking and loading to be sufficient.

c) Refuse and service areas: Staff finds that the proposed refuse and service areas are sufficient.

d) Buffering and screening: The site is surrounded by nonresidential and industrial uses that will not be negatively impacted by the operations on this site. The applicant will provide soundproofing via sound panels to minimize sound from inside the facility. The applicant will comply with all regulations regarding the proposed use, including but not limited to; The Upper Westside Overlay District regulation per Sec. 16-44.007(7)(b) "*No outdoor dining and/or any amplified sound shall be allowed to operate outside enclosed permanent structures between the hours 11:00 p.m. to 6:30 a.m.*" Staff finds the applicant's proposed conditions to be sufficient.

Hours and manner of operation: The facility will operate 7 days a week from 6 a.m. to 10 p.m. The bar and restaurant will operate from 12 p.m. to 10 p.m. Business hours for other site uses will vary and will not negatively impact the industrial uses on surrounding properties. Staff finds the proposed hours and manner of operation reasonable.

a) Duration: The applicant requests an indefinite duration. Staff is supportive of a 10-year duration.

b) Required yards and open space: The site plan complies with the required yards and open space.

c) 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.

STAFF RECOMMENDATION: APPROVAL conditioned upon the following**:**

1. The special use permit shall be valid for 10 years from the date of adoption by the Atlanta City Council.
2. The special use permit shall be valid as long as DLK 1365 LLC, DSK 1365 LLC, AKS 1365 LLC and its affiliates are the operator.
3. The special use permit is not transferable.

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MEMORANDUM

TO: Zoning Review Board

FROM: Keyetta M. Holmes, AICP, Director *KMH*

SUBJECT: **U-25-18 for 3485 Empire Boulevard SW**

DATE: October 2, 2025

An Ordinance by Zoning Committee for a special use permit for a truck terminal pursuant to Section 16-16.005(1)(e) for property located at **3485 Empire Boulevard SW.**

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

STAFF RECOMMENDATION: 30 DAY DEFERRAL – NOVEMBER 2025