



Department of  
**CITY PLANNING**

JANIDE SIDIFALL  
INTERIM COMMISSIONER

KEYETTA M. HOLMES, AICP  
DIRECTOR  
OFFICE OF ZONING & DEVELOPMENT

ANDRE DICKENS  
MAYOR

55 Trinity Avenue, S.W. SUITE 1450 – ATLANTA, GEORGIA 30303  
404-330-6070 – FAX: 404-658-7638

## MEMORANDUM

**TO:** Jason Dozier, Chair, Community Development/Human Services Committee  
**FROM:** Keyetta M. Holmes, AICP, Director, Office of Zoning and Development *KMH*  
**SUBJECT:** 22-O-1041/CDP-21-046 for 559 10<sup>th</sup> Street, 565 10<sup>th</sup> Street and 569 10<sup>th</sup> Street NW  
**DATE:** March 9, 2022

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### PROPOSAL:

A substitute ordinance to amend the Land Use element of the 2021 Atlanta Comprehensive Development Plan (CDP) so as to redesignate property located at **559 10<sup>th</sup> Street, 565 10<sup>th</sup> Street and 569 10<sup>th</sup> Street NW** from the Low Density Residential 0-8 units per acre (LDR 0-8) Land Use Designation to the Mixed Use Medium Density (MUMD) Land Use Designation. This land use amendment is being done in conjunction with the rezoning of the parcel per Z-21-080 from Two Family Residential (R-5) to Mixed Residential Commercial (MRC-2) to build a four-story building with 33 residential units and 1,200 sq ft of non-residential uses.

### FINDINGS OF FACT:

- **Property location:** The subject property fronts on the north side of 10<sup>th</sup> Street NW and the east side of Curran Street NW. The property is located within Land Lot 149 of the 17<sup>th</sup> District, Fulton County, Georgia in the Home Park neighborhood of NPU-E in Council District 3.
- **Property size and physical features:** The subject properties are developed with single family and two-family homes. The three parcels total area is approximately 0.4 acres. The elevation increases from the street level to the north and from east to west. Yards are planted with trees. Vehicular access is provided from a driveway on 10<sup>th</sup> street NW and on Curran Street NW.
- **Current/past use of property:** The subject properties are currently developed with single family and two-family homes dating to the 1920s. Staff is unaware of any other previous uses on the site.
- **Surrounding zoning/land uses:** The parcels to the north and west have a Low Density Residential land use and have Two Family Residential zoning (R-5). The parcels are developed with single family and two-family homes. The parcel further west on 10<sup>th</sup> Street has a Low Density Commercial Land use and is zoned Commercial Service District (C-2). The parcel is developed with a gas station. The parcels to the east have a Low Density Commercial land use and Commercial Business District zoning (C-1). The parcels are developed with commercial buildings known as Tech Plaza. The parcels to the

south have an Office Institutional land use are zoned Two Family Residential (R-5). The parcels are developed with Georgia Tech facilities.

- **Transportation system:** 10<sup>th</sup> Street is classified as a collector street and Curran Street is classified as a local street. MARTA provides bus service along 10<sup>th</sup> Street via route #12. The Midtown Transit station is located 1.2 miles to the west of the site. There are sidewalks along 10<sup>th</sup> Street NW.

## CONCLUSIONS:

- **Compatibility with surrounding land uses:** Low Density Commercial land use nodes are located to the east of the subject site at 10<sup>th</sup> Street and Hemphill Avenue and to the west at 10<sup>th</sup> Street and Northside Drive and Office Institutional land uses directly across the street, on the south side of 10<sup>th</sup> Street. The proposed Mixed Use Medium Density land use designation is compatible with these surrounding land uses. While the proposed development will have a Mixed Use land use, it will primarily be a multi-family residential development, which will provide a transition between the two neighborhood commercial nodes and the primarily residential areas to the north.
- **Effect on adjacent property and character of neighborhood:** The proposed Mixed Use Medium Density land use will have a beneficial effect on the character of the neighborhood. One of the goals of the Greater Home Park Master Plan is to *transform elements of the community that are in physical decline*. The proposed development will remove homes that have not been well maintained for many years and build new housing units. The proposed development with 33 residential units will provide a housing type that is between the scale and size of single and two family homes that are common in the residential part of the neighborhood and large apartment complexes that exist along 14<sup>th</sup> Street and Northside Drive.
- **Suitability of proposed land use:** The proposed Mixed Use Medium Density land use is suitable for this site. The land use is consistent with the Greater Home Park Master Plan designation for this area as a Mixed Use District- a compact blend of converted industrial buildings, non-traditional housing, artists' studios, galleries, and neighborhood-oriented, pedestrian-scale retail. The proposed four-story development with residential uses and street level retail on 10<sup>th</sup> street is consistent with the description of the Mixed Use District. The proposed land use is also suitable given the 10<sup>th</sup> Street classification as a collector street and the location of institutional uses in the Georgia Institute of Technology to the south.
- **Consistency with City's land use policies:** The *2021 Atlanta Comprehensive Development Plan (CDP) Character Area* for this site is Traditional Neighborhood Existing (TNE) and it is adjacent to a Neighborhood Center. Traditional Neighborhood Existing areas are defined as, *'Many of these neighborhoods are historic and walkable where growth capacity is limited mostly by our desire to keep them the way they are .... Most have some form of commercial district within walking distance or a short drive from houses, and many include small apartment buildings, townhouses, or two-and three-family houses. Their inherent walkability, tree-lined streets, historic charm and proximity to Downtown, Midtown, and Buckhead make them highly desirable under today's market pressures, and therefore, threatened by even denser development.'*

The proposed the Mixed Use Medium Density (MUMD) land use is consistent with the following CDP policies and the Traditional Neighborhood Existing (TNE) CDP policies:

- CW 1 Consider future land use and zoning changes impact on Character Areas, including impacts that may spillover in adjacent areas.
  - CW 3 Promote a balance of uses, particularly between jobs and housing, and between retail and housing.
  - CW 4 Encourage mixed use along corridors and centers and provide height and density transitions to adjacent residential areas.
  - CW 12 Encourage a variety of housing types, including “missing middle” housing, that are compatible with nearby buildings.
  - TNE 1 Preserve the walkable scale and residential character of the neighborhoods.
- **Consistency with Adopted Small Area and Neighborhood Plans:** The subject site is included in the District 3 Westside Revive: A Masterplan for Council District 3. Home Park and the Marietta Street Artery are in Subarea 4 of the plan. The Vision of Subarea 4 is: *Subarea Four will be a model for accommodating the district’s future growth and existing residents through a combination of neighborhood preservation, innovative open space, and development of dynamic urban activity centers.* The Residential areas of Home Park are compatible with the plan’s development type- T3 Single Family Stabilization/infill Development Character Area. This character area’s vision is Strengthening and maintaining the neighborhood character of the single-family residential communities in the district. The plan recommends a Neighborhood Center for the parcels to the east along 10<sup>th</sup> Street. Neighborhood Centers are small-scale storefront retail buildings offering daily necessities and specialized products and services to residents close to their homes.

These parcels are also in the Greater Home Park Master Plan. The vision for the plan is: “A unique, diverse and vibrant community setting the standard for intown living and working.”. One of the goals of the plan is to: Champion development that enhances the multifaceted character of Greater Home Park. One of the strategies of the plan is to create an overall design framework of character districts. The subject site is located in the Mixed Use District. The Mixed Use/Live Work District is defined as a *compact blend of converted industrial buildings, non-traditional housing, artists’ studios, galleries, and neighborhood-oriented, pedestrian-scale retail.* At 10<sup>th</sup> Street and Hemphill Avenue and 10<sup>th</sup> Street and Howell Mill Road nodes, the plan recommends smaller scale neighborhood commercial or residential development of three stories or less.

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

According to the Atlanta City Design map, **559 10<sup>th</sup> Street, 565 10<sup>th</sup> Street and 569 10<sup>th</sup> Street NW** is located within an Urban Neighborhood within a Conservation Area. Urban Neighborhoods are described as follows:

“These are small-scale, historic, walkable neighborhoods where growth capacity is limited mostly by our desire to keep them the way they are the traditional intown communities that were built by the expansion of streetcars a century ago, such as Westview, Grant Park and Brookwood Park. Most have some form of commercial district within walking distance from homes, and many

include small apartment buildings, townhouses, or two- and three-family homes. Their inherent walkability, historic charm, and proximity to downtown make them highly desirable under today's market pressures, and therefore, threatened by even denser development.”

- **Consistency with NPU policies:** The following NPU-E policies that address this land use amendment to Medium Density Mixed Use:
  - E-3 Preserve the single-family and low-density residential character of the Ansley Park, Sherwood Forest, Brookwood Hills, Ardmore, Loring Heights, Midtown (Garden District), Brookwood, and Home Park neighborhoods
  - E-22 Maintain Tenth Street as the boundary between the Georgia Tech campus and the Home Park Neighborhood

**STAFF RECOMMENDATION: APPROVAL OF THE LAND USE AMENDMENT FROM LOW DENSITY RESIDENTIAL 0-8 UNITS PER ACRE (LDR 0-8 U/A) LAND USE DESIGNATION TO THE MIXED-USE MEDIUM DENSITY (MUMD) LAND USE DESIGNATION.**

**NPU Recommendation: NPU-E voted deny to this land use amendment at its December 7, 2021 meeting.**

cc: Jessica Lavandier, Assistant Director, Strategic Planning



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INTERIM COMMISSIONER

ANDRE DICKENS  
MAYOR

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KEYETTA M. HOLMES, AICP  
DIRECTOR  
OFFICE OF ZONING & DEVELOPMENT

## MEMORANDUM

**TO:** Matt Westmoreland, Chair, Community Development/Human Services Committee  
**FROM:** Keyetta M. Holmes, AICP, Director, Office of Zoning and Development *KMH*  
**SUBJECT:** 22-O-1142/CDP-21-065 for 238 Andrew J Hairston Place NW  
**DATE:** March 9, 2022

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### PROPOSAL:

An ordinance to amend the Land Use element of the 2021 Atlanta Comprehensive Development Plan (CDP) so as to redesignate property located at **238 Andrew J Hairston Place NW** from the Single Family Residential (SFR) land use designation to the Low Density Residential (LDR) land use designation. This land use amendment is being done in conjunction with the rezoning of the parcel per Z-21-100 from SPI-19 SA 6 (Vine City Special Public Interest District Subarea 6) to SPI-19 SA 5 (Vine City Special Public Interest District Subarea 5) to renovate an existing nonconforming quadruplex.

### FINDINGS OF FACT:

- **Property location:** The subject property fronts on the west side of Andrew J Hairston Place NW (formerly Newport Street) and opposite the intersection with Chesnut Pl NW in Land Lot 110 of the 14<sup>th</sup> District in Fulton County, Georgia and in the Vine City neighborhood of NPU-L in Council District 3.
- **Property size and physical features:** The subject property has an area of approximately 0.13 acres (5,783 square feet) with a frontage of approximately 43 feet on the west side of Andrew J Hairston Place. It is currently developed with a 2-story quadruplex. The topography declines from the frontage along Andrew J Hairston Place towards the rear of the parcel. There are very few trees and shrubs on the property.
- **Current/past use of property:** The subject property was previously used as a quadruplex, but the structure is now vacant and in disrepair. Staff is not aware of any other previous uses of the site.
- **Surrounding zoning/land uses:** Parcels to the north, south, east, and west have Single Family Residential (SFR) land uses and are zoned SPI-19 SA 6 (Vine City Special Public Interest District-Single Family Residential). The parcels are developed with single family homes.
- **Transportation system:** Andrew J Hairston Place is classified as a local street. Sidewalks are present along one side of the street. MARTA services the area via bus routes along nearby Joseph E. Lowery Boulevard, bus #1, and Joseph E. Boone Boulevard, bus #51. The Ashby Street MARTA Transit station is located 0.5 mile to the south.

## CONCLUSIONS:

- **Compatibility with surrounding land uses:** The 2021 Comprehensive Development Plan (CDP) designates the subject property and all of the surrounding parcels fronting on Andrew J Hairston Place NW with a Single Family Residential (SFR) land use; therefore, the proposed Low Density Residential land use and companion SPI-19 SA 5 (Vine City Special Public Interest District Subarea 5) zoning district are not compatible with the surrounding land uses.
- **Effect on adjacent property and character of neighborhood:** Staff is of the opinion that the proposed land use amendment would have an adverse effect on the character of the neighborhood. The 2021 Comprehensive Development Plan designates the area as Traditional Neighborhood Redevelopment (TNR). Development policies for this Character Area include the following:

*TNR 4: Encourage compatible infill development on vacant lots or where existing housing and commercial buildings are deteriorated.*

Thus, any infill development should have a single family residential character. This is further supported by the following NPU-L policy in the 2021 Comprehensive Development Plan:

*L-1: Encourage development and planning consistent with and in support of the specific guidelines established by the Westside Land Use Framework (dated November 30, 2017, adopted December 4, 2017 by Atlanta City Council as ordinance 17-O-1722).*

Additionally, the Westside Framework Land Use Plan identifies properties such as these for demolition due to the poor physical condition of the structure.

- **Suitability of proposed land use:** The proposed Low Density Residential (LDR) land use is not suitable in comparison to the surrounding area.
- **Consistency with City's land use policies:** The 2021 *Atlanta Comprehensive Development Plan* (CDP) Character Area for this location is Traditional Neighborhood Redevelopment (TNR). The proposed land use of Low Density Residential (LDR) is not consistent with the CDP land use policies to:
  - *TNR 1: Preserve the walkable scale and residential character of the neighborhoods.*
  - *TNR 4: Encourage compatible infill development on vacant lots or where existing housing and commercial buildings are deteriorated.*
- **Consistency with Adopted Small Area and Neighborhood Plans:** The proposed land use amendment to Low Density Residential (LDR) is inconsistent with the 2021 Comprehensive Development Plan. All parcels in the immediate vicinity have Single Family Residential (SFR) land uses and corresponding SPI-19 SA 6 (Vine City Special Public Interest District Subarea 6) zoning designations. Additionally, in 2020 the Vine City neighborhood was proactively rezoned to a Special Public Interest District and the land uses were subsequently amended based on adopted plans and recommendations from the 2017 Westside Framework Land Use Plan. Thus, the proposed land use amendment does not align with adopted plans for the area. The vision for the Vine City neighborhood as stated in the plan is:

“To create a diverse and sustainable, multi-generational community with high quality mixed-income housing, locally owned retail, and walkable greenspace; in a safe, healthy, and civic

environment that promotes family, education, and home ownership; and encourages traditionally designed, primarily single family development and rehabilitation which reflects and preserves the history and culture of the Vine City Neighborhood”.

In addition, one of the goals and objectives that apply to the subject site are:

Goal 1: Acknowledge and Strengthen Neighborhood Assets

1.2. Objective: Expand housing choice to improve affordability, attract a mix of resident income levels and reduce displacement.

- Carry out selective demolition of structures that cannot be feasibly renovated and utilize the many existing vacant land parcels for infill housing development These reflect recommendations based on condition of the property or suggested redevelopment plans found in the report.

Figure 42 of the Westside Land Use Framework Plan identifies the subject site as being in poor physical condition.

**Consistency with Atlanta City Design:** The proposed land use of Low Density Residential (LDR) is inconsistent with the *Atlanta City Design* recommendations. 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 **238 Andrew J Hairston NW** is located within Conservation Area: Urban Neighborhoods. Urban Neighborhoods are described as follows:

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

- **Consistency with NPU policies:** NPU L policies that do not support this land use amendment are:
  - L-1 Encourage development and planning consistent with and in support of the specific guidelines established by the Westside Land Use Framework (dated November 30, 2017, adopted December 4, 2017 by Atlanta City Council as ordinance 17-O-1722)

**STAFF RECOMMENDATION: DENIAL OF THE LAND USE AMENDMENT FROM SINGLE FAMILY RESIDENTIAL TO LOW DENSITY RESIDENTIAL LAND USE DESIGNATION.**

NPU Recommendation: NPU-L voted to approve this land use amendment at its February 8, 2022 meeting.

cc: Jessica Lavandier, Assistant Director, Strategic Planning



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MAYOR

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**MEMORANDUM**

**TO:** Jason Dozier, Chair, Community Development/Human Services Committee  
**FROM:** Keyetta M. Holmes, AICP, Director, Office of Zoning and Development *KMH*  
**SUBJECT:** **22-O-1143/CDP-21-066 for 131 Leslie Street SE**  
**DATE:** March 9, 2022

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**PROPOSAL:**

An ordinance to amend the Land Use element of the 2021 Atlanta Comprehensive Development Plan (CDP) so as to redesignate property located at **131 Leslie Street SE** from the Single Family Residential Land Use Designation to the Mixed Use Low Density (MULD) Land Use Designation. This land use amendment is being done in conjunction with the rezoning of the parcel per Z-21-11 from Single Family Residential (R-4A) to Commercial (C-1) to allow for outdoor dining for the adjacent restaurant.

The applicant has requested a deferral of the companion zoning application to the April Zoning Review Board meeting. Staff recommends that the land use amendment be deferred to the 2 Quarter Land Use public hearing.

**STAFF RECOMMENDATION: DEFERRAL OF LAND USE AMENDMENT FROM THE SINGLE FAMILY RESIDENTIAL LAND USE DESIGNATION TO THE MIXED USE LOW DENSITY LAND USE DESIGNATION.**

**NPU Recommendation: NPU-O has not voted on this land use amendment.**

cc: Jessica Lavandier, Assistant Director, Strategic Planning





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404-330-6070 – FAX: 404-658-7638

## MEMORANDUM

**TO:** Jason Dozier, Chair, Community Development/Human Services Committee  
**FROM:** Keyetta M. Holmes, AICP, Director, Office of Zoning and Development *KMH*  
**SUBJECT:** 22-O-1144/CDP-21-067 for 371 Boulevard NE  
**DATE:** March 9, 2022

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### PROPOSAL:

An ordinance to amend the Land Use element of the 2021 Atlanta Comprehensive Development Plan (CDP) so as to redesignate property located at **371 Boulevard NE** from the Low Density Commercial Land Use Designation to the Mixed Use Medium Density (MUMD) Land Use Designation. This land use amendment is being done in conjunction with the rezoning of the parcel per Z-21-115 from Commercial Service (C-2) to Mixed Residential Commercial (MRC-2) to build a four-story building with 33 residential units, 2250 sq ft retail space and underground parking.

### FINDINGS OF FACT:

- **Property location:** The subject property fronts on the east side of Boulevard NE. It is located north of Ralph McGill Boulevard NE and to the south of Wabash Avenue NE. The property is located within Land Lot 47 of the 14<sup>th</sup> District, Fulton County, Georgia and it is in the Old Fourth Ward neighborhood of NPU-M and in Council District 2.
- **Property size and physical features:** The subject property is developed with a two-story 12-unit multi-family building with street level retail. The total area of the parcel is approximately 0.23 acres. The elevation increases from the street level to the east. Side yards are planted with trees. Vehicular access to the rear of the parcel is provided via an alley accessed from Wabash Avenue.
- **Current/past use of property:** The subject property is a developed with a building dating to the 1950s that has street level retail and 2 stories of multi-family units that are currently vacant. Previously the site was developed with a residential structure. Staff is unaware of any other previous uses on the site.
- **Surrounding zoning/land uses:** The parcels to the west and south have a Low Density Commercial land use designation and Commercial Service District (C-2) zoning. The parcels to the south are undeveloped and the parcel to the west is developed with a gas station with a convenience store. The parcels to the north have a Mixed Use Medium Density land use and has Multifamily Residential (R-

G4) zoning. The parcel to the north is developed with 2-3 story multi-family residential buildings. The parcels to the east have a Low Density Residential land use and have Two Family Residential zoning (R-5). The parcels are developed with single family and two-family homes.

- **Transportation system:** Boulevard NE is classified as a collector street, Wabash Street and Ralph McGill Boulevard are classified as local streets. MARTA provides bus service along Boulevard NE via bus route #809 which connects to the King Memorial Transit Station. The King Memorial Transit Station is located 1.2 miles to the south of the site. There are sidewalks along Boulevard NE.

## CONCLUSIONS:

- **Compatibility with surrounding land uses:** The proposed Mixed Use-Medium Density land use designation is compatible with the Mixed Use Medium Density land uses located to the north along Boulevard and the Office-Institutional land use located a block to the south. The proposed land use is consistent with the Old Fourth Ward Redevelopment Plan recommendation of Mixed Use 5-9 stories for this parcel as well as parcels fronting on Boulevard from North Avenue to Ralph McGill Blvd.
- **Effect on adjacent property and character of neighborhood:** The proposed land use designation of Mixed Use Medium Density will have a positive effect on the character of adjacent properties fronting on Boulevard. For several years, the parcels along Boulevard have been redeveloping from low density multi-family residential buildings to higher density multi-story multi-family and mixed use developments. The adjacent parcel to the south has been undeveloped for many years. The proposed redevelopment of this parcel could encourage construction of a similar type of development on that parcel.
- **Suitability of proposed land use:** The Mixed Use Medium Density land use designation is suitable for this location along a collector street experiencing redevelopment to higher densities.
- **Consistency with City's land use policies:** Boulevard NE is in a Redevelopment Corridor Character Areas. According to the 2021 CDP, "*all these corridors can become main streets for many neighborhoods accommodating a reasonable amount of growth that will spur economic and community revitalization and spread a vibrant public life to all corners of Atlanta.*" This land use amendment is consistent with the Redevelopment Corridor policies to:
  - IC/RC 1 Elevate the distinct character of each Corridor while encouraging density, growth, revitalization, and vibrancy.
  - IC/RC 2 Support the redevelopment of vacant and underutilized land and buildings.
  - IC/RC 3 Encourage pedestrian-oriented development on the blocks around the many well-travelled intersections along the Corridors.
  - IC/RC 4 Manage the levels of densities along the Corridors so the densest development happens near major intersections, centers, or transit stations
- **Consistency with Adopted Small Area and Neighborhood Plans:** This site is in the Old Fourth Ward Master Plan study area. The plan's vision is that *people of all incomes and ages will be able to live, work, and play in the neighborhood, with all the necessary supporting services such as schools, parks, and places of worship, within a short walk.* To achieve the goal, the plan's land use policies are to encourage a mix of land uses, to focus growth along corridors and near existing and future transit. The recommended land uses include development nodes and an area that represents

a five-minute walk from the center of each development node. Each node is located on a major street and at a bus stop. This parcel is located within a redevelopment node centered at Boulevard NE and Ralph McGill Boulevard. The plan encourages higher density development to promote walking, biking, and transit use. It focuses growth along corridors and near existing and future transit. Specifically for this parcel, the plan recommends Mixed Use 5-9 stories and a building height of 85 feet along Boulevard NE. The plan states that MRC-2 and MRC-3 are an appropriate zoning for the residential 5-9 stories land use. It also recommends a Mixed Use Land use for this parcel. In addition, the plan identified this block as a location for retail uses. The plan's recommendations are consistent with the proposed development of the site.

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

According to the Atlanta City Design map, **371 Boulevard NE** is located within a Corridor of a Growth Area. Corridors are described as follows:

“These are the connecting tissues of the city: the major streets that flow out of the core in every direction. They stitch Old and New Atlanta together and most of them are commercially developed. Streets like Hollowell, Peachtree and Jonesboro wind along the contours of the city while streets like Metropolitan 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.”

- **Consistency with NPU policies:** None of the NPU M policies apply to this land use amendment.

**STAFF RECOMMENDATION: APPROVAL OF THE LAND USE AMENDMENT FROM THE LOW DENSITY COMMERCIAL LAND USE DESIGNATION TO THE MIXED-USE MEDIUM DENSITY (MUMD) LAND USE DESIGNATION.**

**NPU Recommendation: NPU-M voted to Approve this land use amendment at its January 24, 2022 meeting.**

cc: Jessica Lavandier, Assistant Director, Strategic Planning



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JANIDE SIDIFALL  
INTERIM COMMISSIONER

ANDRE DICKENS  
MAYOR

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OFFICE OF ZONING & DEVELOPMENT

## MEMORANDUM

**TO:** Jason Dozier, Chair, Community Development/Human Services Committee  
**FROM:** Keyetta M. Holmes, AICP, Director, Office of Zoning and Development *KMH*  
**SUBJECT:** 22-O-1145/ CDP-21-068 for 62 Waverly Way NE  
**DATE:** March, 9 2022

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### PROPOSAL:

An ordinance to amend the Land Use element of the 2021 Atlanta Comprehensive Development Plan (CDP) so as to redesignate property located at **62 Waverly Way NE** from Low Density Residential 0-8 units per acre (LDR 0-8 u/a) Land Use Designation to the High Density Residential (HDR) Land Use Designation. This land use amendment is being done in conjunction with the rezoning of the parcel per Z-21-116 from Single Family Residential (R-5) to Multi-Family Residential (MR-4B) to allow the construction of eleven three story townhomes. This parcel is developed with the adjacent parcel. The companion applications are 22-O-1146 CDP-21-069 and Z-21-117.

### FINDINGS OF FACT:

- **Property location:** The subject property fronts on the west side of Waverly Way NE and is located north of DeKalb Ave NE. The property is located within Land Lot 14 of the 14<sup>th</sup> District, Fulton County, Georgia in the Inman Park Neighborhood of NPU-N and in Council District 2.
- **Property size and physical features:** The subject property is on the west side of Waverly Way NE. The parcel has approximately 0.266 acres in lot area. The property is developed with a single-story commercial structure with a 10' alley. There are some trees located in the front of the property. The elevation of the site inclines from the front to the rear of the property.
- **Current/past use of property:** Commercial uses have historically occupied the buildings on the property. Staff is unaware of any other uses for the site.
- **Surrounding zoning/land uses:** The parcels to the north, east and west have a Low Density Residential land use and are zoned Two Family Residential (R-5) and are developed with single and two family homes. The parcel to the south has a Low Density Residential land use and Industrial (I-1) zoning. That parcel is included in the companion land use CDP-21-069 and zoning Z-21-117. To the southwest, the parcels have a Mixed Use (MU) land use and are zoned Commercial Service (C-2). Mixed Use (MU) is the predominate land use on the immediate north side of DeKalb Avenue NE in this area. At this location in the neighborhood, most of the parcels are developed with single-family homes. Commercial and industrial uses are directly adjacent to DeKalb Avenue NE. Further to the north there are Open Space (OS) land uses which contains Springvale Park.

- **Transportation system:** Waverly Way NE is classified as a local street. Sidewalks are not present on Waverly Way NE. There are no MARTA bus services in the immediate area around the property. The closest MARTA transit station, the Inman Park – Reynoldstown Transit station, is located approximately 1,700 feet away.

## CONCLUSIONS:

- **Compatibility with surrounding land uses:** Surrounding parcels to the north, south and east and west have a Low Density Residential land use. There are Mixed Use (MU) land uses to the southwest along DeKalb Avenue NE, staff is of the opinion that the proposed High Density Residential is not compatible in the center of a Low Density Family Residential neighborhood.
- **Effect on adjacent property and character of neighborhood:** Staff us of the opinion that the proposed High Density Residential land use designation will have an adverse effect on the character of the neighborhood and on adjacent properties. It is not consistent with the development pattern in the interior of this neighborhood. The proposed High Density Residential land use is not consistent with the NPU N Policy that states “*although diversity of housing types should be encouraged, they also should be compatible with the scale and character of the neighborhood.*” and the recommendation for “*Infill development within the neighborhoods of NPU-N shall be compatible with and complementary to the structures in the immediate vicinity*”.
- **Suitability of proposed land use:** The proposed High Density Residential land use designation is not suitable for this site. This property is close to DeKalb Ave NE, an arterial street with Mixed Use land use, and it might provide a transition to a more intense use. However, in this instance, it would not provide a transition because it is surrounded by Low Density Residential uses.
- **Consistency with City’s land use policies:** The City of Atlanta 2021 Comprehensive Development Plan (CDP) Character Area for this location is Traditional Neighborhood Existing (Historic). The Citywide policies and Traditional Neighborhood Existing (TNE) policies support retaining the Low Density Residential land use of this parcel are:
  - CW 2 Protect existing single-family, low-density, and medium-density residential from incompatible higher densities and non-residential uses.
  - TNE 1 – Preserve the walkable scale and residential character of the neighborhoods.
- **Consistency with Adopted Small Area and Neighborhood Plans:** The NPU- N Inman Park policies state that- N-5 Inman Park- a. The Inman Park Historic District Regulations shall serve as Inman Park’s Master Plan. Some of intent statements of the Inman Park Historic District are:#
  - To preserve the diversity of housing types that exists within the district and preserve the historic platting pattern of the residential areas as it existed in 1945;
  - To ensure that new development is compatible with present architectural and spatial characteristics that are characteristic of the district;
  - To ensure that new construction is consistent with the character of the subarea of the district within which it is to be built and that such new construction blends harmoniously with the historic character of the entire district;
  - To preserve the residential character of the district and to ensure that new construction reflects and reinforces the exceptional design features that were established in the original plan for Inman Park;
  - To ensure that new construction observes the general setbacks and height restrictions of the original development and is in harmony with the historic character of the district.

The proposed High Density Residential land use is not consistent with these statements of intent of the Inman Park Historic District.

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

According to Atlanta City Design **62 Waverly Way NE** is located within an Urban Neighborhoods Area. Urban Neighborhood Areas 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 the streetcars a century ago, such as Westview, Grant Park and Brookwood Park. Most have some form of commercial district within walking distance from homes, and many include small apartment buildings, townhouses, or two and three-family homes. Their inherent walkability, historic charm, and proximity to Downtown make them highly desirable under today’s market pressures, and therefore, threatened by even denser development.”

- **Consistency with NPU policies:** The following NPU N policies do not support the land use amendment to High Density Residential (HDR):
  - **N-1 (B.)** Encourage new development that is compatible with the character of existing neighborhoods in terms of platting, street connectivity, shapes and sizes of lots, natural topography, and presence of mature trees.
  - **N-1 (E.)** Promote and encourage a diversity of housing types, except when prohibited by the Landmark or Historic designation of a certain neighborhood, including “missing middle” housing types that are compatible with the scale and character of the neighborhood. These housing types may also be encouraged as a transition between single-family uses and more intense uses.
  - **N-5 (J.)** Update the areas along the Beltline and along DeKalb Avenue that currently designated as “mixed-use” on the Future Land Use Map to “low-density mixed-use” or “medium-density mixed-use” designations in the 2021 BeltLine Sub-Area 5 Master Plan Update. Maintain the 1-4 story height requirement for those areas.
- **Consistency with BeltLine Policies:** The BeltLine Future Land Use Recommendations for Subarea 5 has this parcel as a Single Family Neighborhood.

**STAFF RECOMMENDATION: DENIAL OF THE LAND USE AMENDMENT FROM LOW DENSITY RESIDENTIAL 0-8 UNITS PER ACRE (LDR 0-8 U/A) TO THE HIGH DENSITY RESIDENTIAL (HDR) LAND USE DESIGNATION.**

NPU Recommendation: NPU-N voted to Support this land use amendment at its January 27, 2022 meeting.

Urban Design Commission: Supported the rezoning in a commission review and comment on February 10, 2022.

cc: Jessica Lavandier, Assistant Director, Strategic Planning



Department of  
**CITY PLANNING**

JANIDE SIDIFALL  
INTERIM COMMISSIONER

KEYETTA M. HOLMES, AICP  
DIRECTOR  
OFFICE OF ZONING & DEVELOPMENT

ANDRE DICKENS  
MAYOR

55 Trinity Avenue, S.W. SUITE 1450 – ATLANTA, GEORGIA 30303  
404-330-6070 – FAX: 404-658-7638

## MEMORANDUM

**TO:** Jason Dozier, Chair, Community Development/Human Services Committee  
**FROM:** Keyetta M. Holmes, AICP, Director, Office of Zoning and Development  
**SUBJECT:** 22-O-1146/ CDP-21-069 54 for Waverly Way NE  
**DATE:** March 9, 2022

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### PROPOSAL:

An ordinance to amend the Land Use element of the 2021 Atlanta Comprehensive Development Plan (CDP) so as to redesignate property located at **54 Waverly Way NE** from the Low Density Residential 0-8 units per acre (LDR 0-8 u/a) Land Use Designation to the High Density Residential (HDR) Land Use Designation. This land use amendment is being done in conjunction with the rezoning of the parcel per Z-21-117 from Industrial (I-1) to Multifamily Residential (MR-4B) to allow the installation of eleven three-story townhomes. This parcel is developed with the adjacent parcel. The companion applications are 22-O-1145 CDP-21-068 and Z-21-116.

### FINDINGS OF FACT:

- **Property location:** The subject property fronts on the west side of Waverly Way NE and is located north of DeKalb Ave NE. The property is located within Land Lot 14 of the 14<sup>th</sup> District, Fulton County, Georgia in the Inman Park Neighborhood of NPU-N and in Council District 2.
- **Property size and physical features:** The subject property is on the west side of Waverly Way NE. The parcel has approximately 0.144 acres in lot area. It is currently developed with 2 one-story buildings and a shipping container utilized for a mixed-use commercial and residential property. Vehicular access is provided via an existing concrete driveway.
- **Current/past use of property:** Commercial uses have historically occupied the buildings on the property. Staff is unaware of any other uses for the site.
- **Surrounding zoning/land uses:** The parcels to the north and east have a Low Density Residential land use and are zoned Two Family Residential (R-5). They are developed with single and two family homes. The parcel to the south has a Low Density Residential land use and has Commercial Service (C-2) zoning. The parcel is developed with commercial use. To the west the parcels have a Mixed Use (MU) land use and are zoned Commercial Service (C-2). These parcels front on DeKalb Avenue and are developed with commercial/retail uses. Mixed Use (MU) is the predominate land use on the immediate north side of DeKalb Avenue NE in this area. At this location the neighborhood, most of the parcels are developed with single and two family homes with commercial and industrial uses

directly adjacent to DeKalb Avenue NE. Further to the north there are Open Space (OS) land uses which contains Springvale Park.

- **Transportation system:** Waverly Way NE is classified as a local street. Sidewalks are not present on Waverly Way NE. There are no MARTA bus services in the immediate area around the property. The closest MARTA transit station, the Inman Park – Reynoldstown Transit station, is located approximately 1,700 feet away.

## CONCLUSIONS:

- **Compatibility with surrounding land uses:** Surrounding parcels to the north, south and east have a Low Density Residential land use. There are Mixed Use (MU) land uses to the west along DeKalb Avenue NE, staff is of the opinion that the proposed High Density Residential is not compatible with being located off Waverly Way a local street where the predominant land use is Low Density Residential.
- **Effect on adjacent property and character of neighborhood:** Staff is of the opinion that the proposed High Density Residential land use will have an adverse effect on the character of the neighborhood and on adjacent properties. It is not consistent with the development pattern in the interior of this neighborhood. The proposed High Density Residential land use is not consistent with the NPU N Policy that states “*although diversity of housing types should be encouraged, they also should be compatible with the scale and character of the neighborhood.*” and the recommendation for “*Infill development within the neighborhoods of NPU-N shall be compatible with and complementary to the structures in the immediate vicinity*”.
- **Suitability of proposed land use:** The proposed High Density Residential land use designation is not suitable for this site. This property is close to DeKalb Ave NE, an arterial street with Mixed Use land use, and it might provide a transition to a more intense use. However, in this instance, it would not provide a transition because it is surrounded by Low Density Residential uses.
- **Consistency with City’s land use policies:** The City of Atlanta 2021 Comprehensive Development Plan (CDP) Character Area for this location is Traditional Neighborhood Existing (Historic). The Citywide policies and Traditional Neighborhood Existing (TNE) policies support retaining the Low Density Residential land use of this parcel are:
  - CW 2 Protect existing single-family, low-density, and medium-density residential from incompatible higher densities and non-residential uses.
  - TNE 1 – Preserve the walkable scale and residential character of the neighborhoods.
- **Consistency with Adopted Small Area and Neighborhood Plans:** The NPU- N Inman Park policies state that- N-5 Inman Park a. The Inman Park Historic District Regulations shall serve as Inman Park’s Master Plan. Some of intent statements of the Inman Park Historic District are:#
  - To preserve the diversity of housing types that exists within the district and preserve the historic platting pattern of the residential areas as it existed in 1945;
  - To ensure that new development is compatible with present architectural and spatial characteristics that are characteristic of the district;
  - To ensure that new construction is consistent with the character of the subarea of the district within which it is to be built and that such new construction blends harmoniously with the historic character of the entire district;



- To preserve the residential character of the district and to ensure that new construction reflects and reinforces the exceptional design features that were established in the original plan for Inman Park;
- To ensure that new construction observes the general setbacks and height restrictions of the original development and is in harmony with the historic character of the district.

The proposed High Density Residential land use is not consistent with these statements of intent of the Inman Park Historic District.

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

According to Atlanta City Design **54 Waverly Way NE** is located within a Corridor 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.”

- **Consistency with NPU policies:** The following NPU N policies do not support the land use amendment to High Density Residential (HDR):
  - **N-1 (B.)** Encourage new development that is compatible with the character of existing neighborhoods in terms of platting, street connectivity, shapes and sizes of lots, natural topography, and presence of mature trees.
  - **N-1 (E.)** Promote and encourage a diversity of housing types, except when prohibited by the Landmark or Historic designation of a certain neighborhood, including “missing middle” housing types that are compatible with the scale and character of the neighborhood. These housing types may also be encouraged as a transition between single-family uses and more intense uses.
  - **N-5 (J.)** Update the areas along the Beltline and along DeKalb Avenue that currently designated as “mixed-use” on the Future Land Use Map to “low-density mixed-use” or “medium-density mixed-use” designations in the 2021 BeltLine Sub-Area 5 Master Plan Update. Maintain the 1-4 story height requirement for those areas.
- **Consistency with BeltLine Policies:** The BeltLine Future Land Use Recommendations for Subarea 5 has this parcel as a Mixed Use 1-4 Stories.

**STAFF RECOMMENDATION: DENIAL OF THE LAND USE AMENDMENT FROM LOW DENSITY RESIDENTIAL TO THE HIGH DENSITY RESIDENTIAL LAND USE DESIGNATION.**

NPU Recommendation: NPU-N voted to Support this land use amendment at its January 27, 2022 meeting.

Urban Design Commission: Supported the rezoning in a commission review and comment on February 10, 2022.

cc: Jessica Lavandier, Assistant Director, Strategic Planning



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404-330-6070 – FAX: 404-658-7638

## MEMORANDUM

**TO:** Jason Dozier, Chair, Community Development/Human Services Committee

**FROM:** Keyetta M. Holmes, AICP, Director, Office of Zoning and Development *KMH*

**SUBJECT:** **22-O-1148/CDP-22-002 for 2051 Marietta Boulevard, 2085 Marietta Boulevard, and 2095 Marietta Boulevard NW**

**DATE:** March 9, 2022

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### PROPOSAL:

An ordinance to amend the Land Use element of the 2021 Atlanta Comprehensive Development Plan (CDP) so as to redesignate property located at **2051 Marietta Boulevard, 2085 Marietta Boulevard and 2095 Marietta Boulevard NW** from the Industrial (I) Land Use Designation to the Mixed Use Medium Density (MU-MD) Land Use. This land use amendment is being done in conjunction with the rezoning of the parcel per Z-22-004 from Industrial (I-1) to Mixed Residential Commercial (MRC-2) to build 350 multifamily units, 50 townhomes and 7,500 square feet of commercial space with structured parking and surface parking.

### FINDINGS OF FACT:

- **Property location:** The subject property fronts on the east side of Marietta Boulevard NW and located north of Chattahoochee Avenue NW. The property is located within Land Lot 222 of the 17<sup>th</sup> District, Fulton County, Georgia and is in the Bolton neighborhood of NPU-D in Council District 9.
- **Property size and physical features:** 2095 Marietta Boulevard is 0.39 acres; 2085 Marietta Boulevard is 0.916 acres and 2051 Marietta Boulevard is 2.01 acres. The lot boundary map shows 2095 Marietta Boulevard and 2085 Marietta Boulevard as one parcel with 4.82 acres. The application states that the three parcels total 6.7 acres. The parcels are level and planted with trees along the rear property lines. Vehicular access is provided via curb cuts on Marietta Boulevard.
- **Current/past use of property:** The parcels are developed with industrial and commercial uses. 2095 Marietta Boulevard is developed with a warehouse building currently occupied by Athens-Atlanta Asphalt Company. There is an Auto Parts store located at 2085 Marietta Boulevard with a warehouse building as well as truck parking. There is a restaurant, Star Café, located at 2051 Marietta Boulevard and a passenger coach rental company, Star Coaches. Staff is unaware of any other previous uses on the site.

- **Surrounding zoning/land uses:** The parcels to the east have an Industrial land use and Industrial (I-1 and I-2) zoning. The parcel to the south, 1539-1535 Marietta Blvd, is being developed with a gas station/convenience store. The adjacent parcel to the east is developed with the Central Mobile Home Village. Further east is the Chattahoochee Industrial district, and the parcels have industrial land use and zoning. The parcels to the west have a Mixed Medium Density land use and Mixed Residential Commercial zoning (MRC-2) and are developed with warehouses. Other parcels to the west have an Industrial land use, Industrial (I-1) zoning and are developed with warehouses. The parcel to the north has a Mixed Medium Density land use and Mixed Residential Commercial zoning (MRC-2) and is being developed with multi-family residential uses.
- **Transportation system:** Marietta Boulevard NW is classified as an arterial street, and it is also a truck route. MARTA provides bus service along Marietta Boulevard NW via bus #1 which connects the Ashby Transit Station. Sidewalks are present along Marietta Boulevard NE.

## CONCLUSIONS

- **Compatibility with surrounding land uses:** The Mixed-Use Medium Density land use is not compatible with the surrounding industrial land uses. The proposed Mixed-Use Medium Density land use will continue to destabilize the surrounding industrial uses in the Chattahoochee Industrial district. This land use amendment continues the displacement of industrial uses that resulted from the approval of CDP-20-15, CDP-20-16, CDP-20-17 along Chattahoochee Avenue. This land use amendment and companion rezoning will result in the displacement of a local restaurant, a coach rental business, truck parking location and paving company.

The industrial uses are replaced by multifamily housing that is out of reach of Atlanta households earning the average household income. The removal of industrially zoned land displaces small business and middle wage jobs and exacerbates the income inequality in the City of Atlanta.

The Invest Atlanta Economic Recovery and Mobility Plan states that the economic prosperity happening in the city is benefiting new migrants, rather than native Atlantans and that Atlanta needs to attract more middle-wage jobs. According to Brookings Institute's Opportunity Industries Framework, Atlanta ranks 76<sup>th</sup> out of 100 in terms of providing "good and promising" jobs for those without at least a bachelor's degree. In Atlanta, 23% of white adults and 77% of black adults do not have a bachelor's degree. The unemployment rate for black residents is 11% higher than for white residents. The sectors which create middle wage jobs for people without college degrees are industries such as construction, logistics and information. As a result, one of the Objectives of the Economic Recovery and Mobility Plan is to retain, support and attract businesses from industry sectors that are producing good and promising jobs, which are accessible to residents from priority neighborhoods, and aligned with workforce development efforts.

Businesses that create middle income jobs such as construction, logistics, pay middle wage incomes and employ workers without a college degree require Industrial zoning to operate. The COVID-19 pandemic has highlighted the need to have more local manufacturing, and warehouse and distribution facilities to have goods to meet the needs of Atlanta residents and businesses. The demand for construction has also increased dramatically during the pandemic. Manufacturing, warehouse, truck parking, construction businesses and distribution facilities require industrial zoning. To protect and strengthen the industrial sector, it is critical to maintain an inventory of land where industrial businesses can locate.

The loss of industrial land uses reduces the number of jobs that are available to Atlanta residents. When industrial businesses leave the City of Atlanta, they locate in industrial parks in suburban areas with no or very limited access to transit. Atlanta residents with limited transportation options would have difficulty accessing these suburban locations. This rezoning will result in the displacement of a local restaurant, a coach rental business, truck parking location and paving company.

- **Effect on adjacent property and character of neighborhood:** A healthy mix of industrial and non-residential uses are needed in the Chattahoochee Industrial District area for it to stay a viable and competitive industrial and employment district. The Chattahoochee Industrial district is near the City's main employment centers and residential areas. Many small businesses are located there, and their customer base is nearby. Employees can access the jobs with several MARTA bus routes that service the area. A continued shift to e-commerce has increased the demand for warehouse space and last mile distribution facilities. Industrially zoned land is needed for industrial uses to operate without interference from residential land uses.

The nearby 290 acre CSX Tilford yard is being redeveloped with Project Revive. The development plan totals 1,466,220 sq. ft. and includes multiple warehouse/distribution buildings (totaling 1,245,537 sq. ft.) and an e-commerce last mile distribution facility (at 220,683 sq. ft.); a total of 1,739 parking spaces are proposed. The development will generate over 4,000 new trips and 40% (1,600) of the trips will be truck traffic. The main truck entrance will be located 0.6 miles south of the proposed development. This increase in truck traffic will bring noise, fumes, and vibrations to the proposed residential areas 24 hours a day. This could have an adverse effect on the quality of life of the residents of the proposed development and there will be limited options for relief.

Therefore, Staff is of the opinion that the Mixed-Use Medium Density land use request would have an adverse effect on the character of the Chattahoochee Industrial District. It will create instability in industrial land uses and increase pressure to redevelop industrially used and zoned land to non-industrial uses.

- **Suitability of proposed land use:** Due to the proximity to active industrial uses and the proposed construction of 1.5M sq. ft. of warehouse and the resulting increase in truck traffic along Marietta Boulevard, the Mixed Use Medium-Density land use designation is not suitable for this area. Allowing a Mixed-Use Medium-Density land use will continue to erode the Industrial base of the City of Atlanta and displace small businesses and employment. These parcels have an Industrial Character area in the 2021 Comprehensive Development Plan and the policies support preserving industrial uses. The Character Area Map and the Land Use map identify areas of the City that are suitable for Mixed Use Medium-Density land uses such as areas around MARTA transit stations; along corridors such as Northside Drive; and in employment centers such as Midtown.
- **Consistency with City's land use policies:** Atlanta's Comprehensive Development Plan (CDP) Character Area for this location is Industrial. Industrial Areas consist of strategically located industrial land, buildings, railyards, and transportation infrastructure that support manufacturing, warehousing, distribution, repair, and intermodal activities. Many of these activities are needed close to Atlanta's centers and corridors to provide goods and services to local businesses and residents—a local economy depends on a thriving industrial sector.

Atlanta's Industrial Areas are strategically located to support the growing demand to move goods in and out of the region by air, sea, rail, pipeline, and roads. Urban industry is cleaner, greener, and more

creative than before. The Mixed Use Medium Density land use is not consistent with the Industrial Character Area and the Development Policies to:

- I-1 Preserve industrial land and buildings supporting 21st century industrial businesses,
- I-2 Retain middle wage jobs in Atlanta,
- I-3 Discourage rezoning or conversion of industrial land and buildings to non-industrial uses, and
- I-4 Prevent encroachment of incompatible land uses, particularly residential development.

- **Consistency with Adopted Small Area and Neighborhood Plans:** The site is within the 2021 Upper West Side Master Plan. The plan recommends limiting heavy industrial uses to the Marietta Boulevard corridor to minimize potential conflicts with residential uses. The plan recommends retaining Industrial zoning along Marietta Boulevard.

The site is within the 2002 Livable Centers Initiative (LCI) Bolton/Moores Mill study area. The Land Use Concept Plan recommends Live/Work LCI study recommends Live Work/Light Industrial for these parcels. This use recommendation is consistent with the current use of the parcels.

- **Consistency with Atlanta City Design:** The proposed Mixed-Use Medium Density land use is not consistent with the Atlanta City Design recommendations. 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. Everything outside the Growth Areas, is the Conservation Area, which is made up of Urban Neighborhoods, Suburban Neighborhoods, Rural Neighborhoods, and Production Areas.

According to the Atlanta City Design, **2051, 2085 and 2095 Marietta Boulevard NW** is within a Conservation-Production Area. Conservation-Production Areas are described as follows:

“[A]reas that the City has an interest in protecting from change. Primarily, they consist of strategic industrial land and railyards where intermodal transfer facilities, warehousing and key production facilities are needed close to the city center...and should not be included in the growth area.”

- **Consistency with NPU policies:** The following NPU D's policies related to Industrial uses:
  - Review the industrially classified properties to determine the potential for vacant and underutilized to be reclassified to residential.
  - Where industrial uses are to remain, provide landscaped or architectural buffers to minimize their impacts on residential areas.

**STAFF RECOMMENDATION: DENIAL OF LAND USE AMENDMENT FROM THE INDUSTRIAL LAND USE DESIGNATION TO THE MIXED USE MEDIUM DENSITY LAND USE DESIGNATION.**

**NPU Recommendation: NPU-D voted to Approve the Mixed-Use Medium Density land use designation at its February 23, 2022 meeting.**

cc: Jessica Lavandier, Assistant Director, Strategic Planning



Department of  
**CITY PLANNING**

JANIDE SIDIFALL  
INTERIM COMMISSIONER

KEYETTA M. HOLMES, AICP  
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ANDRE DICKENS  
MAYOR

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404-330-6070 – FAX: 404-658-7638

## MEMORANDUM

**TO:** Jason Dozier, Chair, Community Development/Human Services Committee  
**FROM:** Keyetta M. Holmes, AICP, Director, Office of Zoning and Development *KMH*  
**SUBJECT:** 22-O-1149/CDP-22-003 for Fairview Road and North Avenue NE  
**DATE:** March 9, 2022

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### PROPOSAL:

An ordinance to amend the Land Use element of the 2021 Atlanta Comprehensive Development Plan (CDP) so as to redesignate property located on **Fairview Road NE and North Avenue NE** from the Medium Density Residential 0-16 units per acre (MDR 0-16 u/a) Land Use Designation and the Open Space (OS) Land Use designation to the Single Family Residential (SFR) Land Use Designation.

### FINDINGS OF FACT:

- **Property location:** The subject parcels front the north and south side of Fairview Road NE from Moreland Avenue on the west to Freedom Park on the east and on the northside of North Avenue NE from Moreland Avenue NE on the west to Candler Park Avenue NE on the east. The parcels are located within Land Lots 240-242 of the 15<sup>th</sup> District, DeKalb County, Georgia and they are in the Druid Hills and Candler Park neighborhoods of NPU-N and in Council Districts 2 and 6.
- **Property size and physical features:** This land use amendment includes 122 parcels. Most of the parcels are developed with single family homes however there are some parcels developed with multi-family buildings. The side and rear yards are planted with trees. The elevation decreases from the north and from the south. The lowest elevations are located to the rear of the parcels fronting on North Avenue.
- **Current/past use of property:** The subject parcels are predominantly developed with single family homes however there are some non-conforming multifamily residential buildings. Staff is unaware of any other previous uses on the site.
- **Surrounding zoning/land uses:** The parcels on Fairview Road have a Druid Hills Landmark District HC20B zoning and are in the Fairview Subarea, a single family residential district. The parcels to the north of Fairview Road that front on Ponce de Leon Avenue and have an Office-Institutional-Residential land use and Druid Hills Landmark District zoning HC20B. The parcels are developed with single family homes and institutional uses. Some of the parcels fronting on North Avenue are zoned Single Family Residential (R-3) while others have SP-I7 Candler Park District-SA2C, a single family residential district. The parcels to the south have an Open Space land use and SPI-7 Candler Park District

SA1 zoning. The parcels are developed with the Freedom Park. The parcels to the east are developed with Freedom Park and Candler Park.

- **Transportation system:** Fairview Road NE is classified as a local street. North Avenue is classified as a collector street between Moreland Avenue and Oakdale Avenue. North Avenue is classified as a local street between Oakdale Road and Candler Park Avenue. MARTA provides bus service along Ponce De Leon Avenue via bus route #2 and along Moreland Avenue via bus route #6. Sidewalks are present on both sides of Fairview Road and North Avenue.

## CONCLUSIONS:

- **Compatibility with surrounding land uses:** The proposed Single Family Residential land use is compatible with the surrounding parcels in the Druid Hills and Candler Park neighborhoods that have a Single Family Residential zoning and land use. Parcels on the south side of Freedom Park have a Single Family Residential zoning (R-4) and Single Family Residential land use. In the Druid Hills Landmark District, parcels with Subarea 3 zoning, which can only be developed with Single Family Dwellings and have a Single Family Residential land use.
- **Effect on adjacent property and character of neighborhood:** The Single Family Residential land use will have a beneficial effect on the character of the neighborhood. Having a land use that is consistent with the zoning, will ensure that the land use supports the single family zoning of the parcels. This land use will provide stability and continued use of the single family residential uses.
- **Suitability of proposed land use:** The Single Family Residential land use is suitable for these parcels. The parcels fronting on Fairview Road have a Druid Hills Landmark District zoning- 20B/2-Fairview Road subarea. The Fairview Road regulations only allows single family homes, playgrounds/community buildings and short term rentals as permitted principal uses. The Single Family Residential land use designation is consistent with the zoning of these parcels.

The parcels fronting on North Avenue that have an Open Space land use designation have SPI-7 SA2-C (Candler Park District Special Public Interest District Subarea 2 Conditional) zoning. In this zoning district, only single-family detached dwelling and urban gardens are permitted. The Single Family Residential land use is compatible with the existing zoning of the parcel. The Open Space land use designation is primarily used for city parks. The other parcels on North Avenue have a Single Family Residential (R-3) zoning. This land use amendment will result in having a land use designation that is compatible with the current zoning of these parcels.

The parcels that have a Medium Density Residential land use designation had a Single Family Residential land use in the NPU-N 15 Year Land Use Map - 2004-2019 Comprehensive Development Plan dated July 1, 2006 as well as previous 15 Year Land Use maps. The land use of these parcels is shown as Medium Density Residential (0-16 units per acre) starting with in the NPU N 15 Year Land Use Map - 2004-2019 Comprehensive Development Plan dated May 21, 2007. However, legislation adopting this change could not be located in the City Council final action legislation. This land use amendment will re-designate the parcels as Single Family Residential.

- **Consistency with City's land use policies:** The parcels on North Avenue have a Traditional Neighborhood Existing Character Area. Traditional Neighborhood Existing character area are described as- *Many of these neighborhoods are historic and walkable where growth capacity is limited mostly by our desire to keep them the way they are.* The 2021 CDP states that Single Family



Residential and Low Density Residential land uses are appropriate for this character area. This land use amendment is consistent with the land use policy to:

- CW 2 Protect existing single-family, low-density, and medium-density residential from incompatible higher densities and non-residential uses
- TNE 2 Prioritize maintaining and rehabilitating existing housing

The parcels on Fairview Road have a Historic Preservation Character Area. The proposed Single Family Residential land use is consistent with the Historic Preservation Character Area Policies to:

- HA1: Identify, protect, enhance and use buildings, sites and districts of special character or of a special historic or aesthetic interest or value.
- HA 2: Protect, enhance and perpetuate such buildings, sites and districts which represent or reflect special elements or the City's cultural, social, economic and architectural history.
- HA3: Safeguard the city's historic, cultural heritage as embodied and reflected in such buildings sites and districts.

- **Consistency with Adopted Small Area and Neighborhood Plans:** The parcels on North Avenue are in the Candler Park Master Plan (2013). Part of the vision of the plan states that “Candler Park will be a place that is safe for its residents, businesses and visitors. The neighborhood will celebrate its unique history, heritage and character through opportunities to tell the stories of its past and by ensuring that future development fits into the context of this historic single family intown neighborhood.” The plan did not have any land use recommendations.
- **Consistency with Atlanta City Design:** The Atlanta City Design articulates Atlanta's vision organized according to its five core values of Equity, Progress, Ambition, Access, and Nature. It focuses future growth into already developed areas called Growth Areas, which are further categorized as Core, Corridors, and Clusters. Outside the Growth Areas are the Conservation Areas, which include Urban Neighborhoods, Suburban Neighborhoods, Rural Neighborhoods and Production Areas. Conservation Areas are the natural parts of the city that are less suited for growth and that should be protected from radical change.

According to the Atlanta City Design map, the parcels on **Fairview Road and North Avenue** are located within a Corridor of a Growth Area. Corridors are described as follows:

“These are the least dense, least-walkable parts of Atlanta. They are not-quite-rural communities of reasonably large suburban estates that have big lots and narrow, winding and often curb-less streets. They include neighborhoods like Mount Paran and Cascade Heights, where seclusion and nature are prioritized over any interest in city life.”

- **Consistency with NPU policies:** The following NPU N policies support this land use amendment.

N-1: General Policies

- b. Encourage new development that is compatible with the character of existing neighborhoods in terms of platting, street connectivity, shapes and sizes of lots, natural topography, and presence of mature trees.
- o. The character of each of the neighborhoods shall be preserved. Specific objectives are detailed in the sections that follow.
- p. The renovation of existing structures shall be the preferred option over demolition and new construction where feasible.

- q. Infill development within the neighborhoods of NPU-N shall be compatible with and complementary to the structures in the immediate vicinity.

#### N-4 Druid Hills

- Encourage development in Druid Hills consistent with and in support of the specific guidelines established by the Druid Hills Landmark Designation Regulation adopted by the Atlanta City Council as an ordinance entitled 20B, Druid Hills Landmark District
- d. Reclassify Fairview Rd on future land use maps as Low Density Residential.

#### N-3 Candler Park

- All recommendations of Candler Park Master Plan for projects within the Candler Park neighborhood should be implemented.
- Promote appreciation and preservation of the historic residential character of the Candler Park neighborhood.
- Preserve the single-family and low-density residential character of the Candler Park neighborhood. Support incremental density increase through Accessory Dwelling Units or duplex conversion of existing homes.

**STAFF RECOMMENDATION: APPROVAL OF THE LAND USE AMENDMENT FROM THE MEDIUM DENSITY RESIDENTIAL (MDR) AND OPEN SPACE (OS) LAND USE DESIGNATIONS TO THE SINGLE FAMILY RESIDENTIAL (SFR) LAND USE DESIGNATION.**

**NPU Recommendation: NPU-N voted Approve to this land use amendment at its February 24, 2022 meeting.**

cc: Jessica Lavandier, Assistant Director, Strategic Planning