



CITY OF ATLANTA

ANDRE DICKENS
MAYOR

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JAHNHEE R. PRINCE, AICP
Commissioner

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

MEMORANDUM

TO: Zoning Review Board

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

SUBJECT: **Z-23-27 for 786 Cleveland Avenue SW**

DATE: March 7, 2024

An Ordinance Antonio Lewis, Michael Julian Bond, Matt Westmoreland, Keisha Sean Waites to rezone from O-I (Office Institutional) District to C-1 (Community Business) District for property located at **786 Cleveland Avenue SW**.

Staff has requested a deferral.

STAFF RECOMMENDATION: 30 DAY DEFERRAL – APRIL 2024



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Director
Office of Zoning and Development

MEMORANDUM

TO: Zoning Review Board

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

SUBJECT: **Z-23-70 for 1111 Ridge Avenue SW**

DATE: March 7, 2024

An Ordinance by Zoning Committee to rezone from I-1-C/BL (Light-Industrial/BeltLine Overlay) to MRC-3/BL (Mixed Residential Commercial/BeltLine Overlay) for property located at **1111 Ridge Avenue SW**.

The applicant has requested a deferral to continue meeting with the NPU. Staff is supportive of the request.

STAFF RECOMMENDATION: 30 DAY DEFERRAL –APRIL 2024



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MEMORANDUM

TO: Zoning Review Board

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

SUBJECT: **Z-23-76 for SPI-19 (Diamond Hill Rezoning)**

DATE: March 7, 2024

An Ordinance by Councilmember Byron Amos to amend the 1982 Atlanta Zoning Ordinance, as amended, by rezoning certain properties in the Vine City Special Public Interest District (SPI-19) **from SPI-19 SA11 (Vine City Special Public Interest District Subarea 11), SPI-19 SA5 (Vine City Special Public Interest District Subarea 5), and SPI-19 SA6 (Vine City Special Public Interest District Subarea 6), to SPI-19 SA3 (Vine City Special Public Interest District Subarea 3)** to implement development goals of the Westside Land Use Framework Plan; and for other purposes

FINDINGS OF FACT:

In 2017 the English Avenue, AUC and Ashview Heights, and Vine City neighborhoods developed the Westside Land Use Framework Plan. The neighborhoods worked with APD Urban Planning in work sessions and presentations over a 7-month period from March 2016 to October 2016. The meetings drew upon the previously completed planning efforts, including the 2004 Vine City Redevelopment Plan, 2009 Vine City/Washington Park Livable Centers Initiative and the 2013 Westside TAD Strategic Implementation Plan.

The intent of the SPI-19 (Vine City Special Public Interest District) is to preserve, protect and foster the redevelopment of Vine City through the integration of transportation and land planning in a way that balances local, regional, and state economic benefits. To preserve and protect Vine City's historic buildings and sites as recognized by the inclusion of several buildings on the National Register of Historic Places. To encourage the development of housing that provides a range of opportunities for citizens within the district. To encourage a compatible mixture of residential, commercial, industrial, cultural, and recreational uses. To create an urban environment where people can live, work, meet, and play. To promote pedestrian safety by providing for pleasant and convenient sidewalk level pedestrian circulation that minimizes impediments by vehicles. To encourage the use of MARTA and other public

transit facilities. To enhance the efficient utilization of accessible and sufficient parking facilities in an unobtrusive manner, including encouraging shared parking and alternative modes of transportation.

To implement the adopted plan, staff from the Office of Zoning and Development and APD Urban Planning worked with the Vine City neighborhood from July 2018 to December 2018. Staff held discussions on subareas including outlining the process for drafting regulations and reviewing existing zoning regulations of SPI-11 (Vine City & Ashby Station Special Public Interest District) and the proposed SPI-19 and subareas. The existing permitted uses were reviewed and proposed changes were guided by desired uses and location, development controls were reviewed to include what current controls allowed, identification of predominant lot patterns of the historic neighborhood and the creation of development controls to influence future development consistent with the goals from the Land Use Framework Plan and in conformance with the historic lot pattern, and the final meeting focused on design standards to protect the neighborhood character as SPI-11 regulations permitted building design that was not in character with the neighborhood. The neighborhood engaged with several community stakeholders during the creation of SPI 19. At the time of drafting the property known as Diamond Hill was a part of a civil dispute. At the time it was unclear whom the property would ultimately belong to, and the community decided to adopt the existing SPI-19 SA3 regulations and development controls. Since that time Clark Atlanta University has gained control of the property and has engaged with a development partner. The development partner has met with constituents and stakeholders of the Vine City neighborhood and NPU L and were able to receive a favorable recommendation from the Vine City Land Use and Zoning Committee with a vote of 10-0 and from NPU-L with a favorable recommendation with a vote of 15-1.

PROPOSAL:

The proposal is to rezone certain properties known as Diamond Hill from **SPI-19 SA11 (Vine City Special Public Interest District Subarea 11)**, **SPI-19 SA5 (Vine City Special Public Interest District Subarea 5)**, and **SPI-19 SA6 (Vine City Special Public Interest District Subarea 6)**, to **SPI-19 SA3 (Vine City Special Public Interest District Subarea 3)**.

CONCLUSIONS:

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

The Comprehensive Development Plan (CDP) has designated the subject parcels as Office Institutional and Single Family Residential. Rezoning the subject parcels to SPI-19 SA3 is more compatible with the MUMD (Mixed Use Medium Density); therefore a land use amendment is required.

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

Availability of other land zoned suitable for proposed use; environmental effect on balance of land uses with regard to the public need: There has been no indication that there is other land that is suitable for the proposed use. In the Westside Land Use Framework plan the Vine City neighborhood identified several properties that are a part of this request to be in poor condition and appropriate for demolition. Further, the neighborhood identified the area of the former Herndon football stadium previously used by Morris Brown College to support urban agriculture. In accordance with CW 3 on the 2021 Comprehensive Development Plan the proposed development will *promote a balance of uses, particularly between jobs and housing, and between retail and housing.*

Effect on character of the neighborhood:

Staff is of the opinion that nearby and adjacent neighborhoods will realize positive effects from the rezoning. Significant changes in social and economic conditions are anticipated from the development as it is to include allocating 40% of the development to establish housing for individuals with incomes ranging from 30% to 80% of the area median income (AMI). The Vine City neighborhood is desirous of new retail and business development at the following three locations: the intersection of Joseph E. Lowery Boulevard and Joseph E. Boone Boulevard, along Joseph E. Boone Boulevard near Rodney Cook Sr. Park, and the intersection of Joseph E. Lowery Boulevard and Martin Luther King, Jr. Drive near the Ashby Street MARTA Transit station. Staff is of the opinion that this development will serve as a catalyst and create interest in the redevelopment of the corridors of the Vine City neighborhood and recreate the diverse residential and nonresidential node along the Martin Luther King Jr. Drive (formerly West Hunter Street), much like it served the residents of this area in the 20th Century.

Suitability of proposed land use: The proposed use of land is suitable. The proposed uses are consistent with the uses that the community desired as a part of the 2021 Comprehensive Development Plan which encouraged redevelopment, rehabilitation, preservation, and quality of living design guidelines and the Westside Landuse Framework Plan which encouraged a diverse and sustainable, multigenerational community with high quality mixed-income housing, locally owned retail, and walkable greenspace.

Effect on adjacent property: Staff is of the opinion that the rezoning of the identified parcels to SPI-19 SA3 zoning designation would not pose negative impacts to adjacent properties. The 2021 Comprehensive Development Plan and the Westside Landuse Framework Plan recommendations expresses the need for providing a mixture of uses that serve the surrounding areas.

Economic use of current zoning: While the current zoning conditions allow for the economic use of the land, a change to the SPI-19 SA3 would allow a more effective economic use of the subject properties.

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

STAFF RECOMMENDATION: APPROVAL conditioned on the following:

1. No special administrative permit shall be submitted without first giving notice of such request to the president/chair of the Vine City Civic Association and the Zoning Contact of NPU-L 30 days prior to submission to the Office of Zoning and Development.

2. Twenty percent (20%) of for rent dwelling units constructed as part of this development shall remain permanently affordable for households earning between 30% and 60% of the Area Median Income (AMI), and another 20% for those earning between 60% and 80% of the AMI.
3. Fifteen percent (15%) of for sale dwelling units constructed as part of this development shall be for households earning between 60% and 80% of the AMI.
4. The demolition of the former Herndon Stadium and demolition of Gaines Hall is prohibited.



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Office of Zoning and Development

MEMORANDUM

TO: Zoning Review Board

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

SUBJECT: **Z-23-77 for SPI-19 Text Amendment**

DATE: March 7, 2024

An Ordinance by Councilmember Byron Amos to amend Part III – Land Development Code Part 16 Zoning Chapter 18S SPI-19 (Vine City Special Public Interest District) to provide for **Affordable Housing Density Bonuses** and to amend the **Allowable Height** for Subarea 3, and for other purposes.

FINDINGS OF FACT:

New residential and commercial uses should achieve architectural, site and street design consistent with the existing built environment. To create a diversified urban environment where people can live, work, meet and recreate it may be necessary to amend regulations to further create the desired built environment but provide dwellings that are affordable and not displace existing residences. Density bonus programs are a common planning tool at local, and state levels all over the United States, but can vary greatly both in the kinds of bonuses offered and the policy goals the incentives are intended to address. The Vine City Special Public Interest District was created to preserve, protect, and foster the redevelopment of Vine City through the integration of transportation and land planning in a way that balances local, regional, and state economic benefits and encourages the development of housing that provides a range of opportunities for residents within the district. The text amendment is desirous of encouraging a compatible mixture of residential uses.

PROPOSAL: This text amendment proposes to increase the allowable height in the SPI-19 SA 3 zoning district from 55' to 225' not to exceed 240' when height bonuses are applied and to create affordable housing density bonuses in buildings that provide ground floor nonresidential, civic square footage or developments which are designed to meet established high performance, sustainability, resilience, low carbon, low energy, or healthy building standards.

CONCLUSIONS:

1) Compatibility with comprehensive development plan (CDP); timing of development:

The proposed text amendment does not impact the land use. Therefore, a Comprehensive Development Plan (CDP) amendment is not required.

2) **Availability of and effect on public facilities and services; referrals to other agencies:**

There is no effect on the public facilities and services anticipated because of this text amendment. At the time that a development proposal is reviewed in this zoning district all applications for building permit will be reviewed in accordance with applicable laws and Ordinances.

3) **Availability of other appropriate land zoned for proposed use; effect on balance of land uses with regard to the public need:**

This text amendment is being considered in conjunction with an application to rezone property known as Diamond Hill (Z-23-76). The proposed text amendment would not change zoning, only increase the allowable height and density when bonuses are applied. Therefore, staff believes that this amendment could increase residential units in Vine City in support of the Westside Land Use Framework Plan that desires to create a diverse and sustainable, multigenerational community with high quality mixed income housing, locally owned retail, and walkable greenspace.

4) **Effect on character of the neighborhood:** Staff is of the opinion that the text amendment will have a positive effect on the character of the neighborhood and will serve as a catalytic site for the Vine City neighborhood and the adjoining westside neighborhoods of English Avenue, Atlanta University Center and Ashview Heights.

5) **Suitability of proposed land use:** A land use amendment is required to the MU (Mixed Use) land use designation per Z-23-76 and will be considered at the 2nd Quarter Community Development/Human Services Committee public hearing. The MU category is created for a mix of residential and nonresidential uses which are proposed for the Diamond Hill development. Staff finds the MU land use designation to be a suitable land use designation along major corridors.

6) **Effect on adjacent property:** Staff does not anticipate any negative effects to adjacent properties from the proposed text amendment. The boundaries of the district would not change nor would the protection afforded to immediately adjacent properties. In fact, the expected improved balance of uses with higher urban design standards should serve to meet the evolving needs of the community.

7) **Economic use of current zoning:** Although, Staff is aware the current text has substantial economic uses, this ordinance allows for a more unified pedestrian-oriented built environment with additional incentives and bonuses. Therefore, it is expected that the market value of properties in the district could only increase because of improved aesthetics and the opportunity for convenient and accessible goods and services.

8) **Compatibility with policies related to tree preservation:** At the time of development compliance with the City of Atlanta Tree Ordinance will be required.

STAFF RECOMMENDATION: APPROVAL



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MEMORANDUM

TO: Zoning Review Board

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

SUBJECT: **Z-23-88 for 578 Cedar Avenue NW**

DATE: March 7, 2024

An Ordinance by Zoning Committee to rezone from R-4/WPAHO (Single-Family Residential/Westside Park Affordable Workforce Housing Overlay) to R-4A/WPAHO (Single-Family Residential/Westside Park Affordable Workforce Housing Overlay) for property located at **578 Cedar Avenue NW**.

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

STAFF RECOMMENDATION: 60 DAY DEFERRAL – MAY 2024



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MEMORANDUM

TO: Zoning Review Board

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

SUBJECT: **Z-23-89 for 1352 Finley Street NE**

DATE: March 7, 2024

An Ordinance by Zoning Committee to rezone from R-5-C (Two Family Residential Conditional) to RG-2 (Residential General Sector 2) for property located at **1352 Finley Street NE**.

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

RECOMMENDATION: 30 DAY DEFERRAL – APRIL 2024



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Director
Office of Zoning and Development

MEMORANDUM

TO: Zoning Review Board

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

SUBJECT: **Z-23-90 for 1425 Piedmont Avenue NE, 1433 Piedmont Avenue NE, 1439 Piedmont Avenue NE, 1447 Piedmont Avenue NE, 1451 Piedmont Avenue NE, 1461 Piedmont Avenue NE, and 1475 Piedmont Avenue NE and 240 Westminster Drive NE, 244 Westminster Drive NE, 250 Westminster Drive NE, and 268 Westminster Drive NE.**

DATE: March 7, 2024

An Ordinance by Zoning Committee to rezone from RG-3/BL (Residential General Sector 3/BeltLine Overlay), C-1/BL (Community Business District/BeltLine Overlay), C-2/BL (Commercial Service District/BeltLine Overlay) and I-1 (Light Industrial/BeltLine Overlay) to R-4 (Single Family Residential/BeltLine Overlay) for properties located at **1425 Piedmont Avenue NE, 1433 Piedmont Avenue NE, 1439 Piedmont Avenue NE, 1447 Piedmont Avenue NE, 1451 Piedmont Avenue NE, 1461 Piedmont Avenue NE, and 1475 Piedmont Avenue NE and 240 Westminster Drive NE, 244 Westminster Drive NE, 250 Westminster Drive NE, and 268 Westminster Drive NE.**

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

STAFF RECOMMENDATION: 30 DAY DEFERRAL – APRIL 2024



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MEMORANDUM

TO: Zoning Review Board

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

SUBJECT: U-23-41 for 1425 Piedmont Avenue NE, 1433 Piedmont Avenue NE, 1439 Piedmont Avenue NE, 1447 Piedmont Avenue NE, 1451 Piedmont Avenue NE, 1461 Piedmont Avenue NE, and 1475 Piedmont Avenue NE and 240 Westminster Drive NE, 244 Westminster Drive NE, 250 Westminster Drive NE, and 268 Westminster Drive NE.

DATE: March 7, 2024

An Ordinance by Zoning Committee for a special use permit for a garden pursuant to 16-06.005(1)(d) for 1425 Piedmont Avenue NE, 1433 Piedmont Avenue NE, 1439 Piedmont Avenue NE, 1447 Piedmont Avenue NE, 1451 Piedmont Avenue NE, 1461 Piedmont Avenue NE, and 1475 Piedmont Avenue NE and 240 Westminster Drive NE, 244 Westminster Drive NE, 250 Westminster Drive NE, and 268 Westminster Drive NE.

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

STAFF RECOMMENDATION: 30 DAY DEFERRAL – APRIL 2024



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MEMORANDUM

TO: Zoning Review Board

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

SUBJECT: Z-24-01 for 166 Stovall Street SE

DATE: March 7, 2024

An Ordinance by Zoning Committee to rezone from R-5 (Two Family Residential) to C-1 (Community Business District) to operate a private tattoo studio and artist co-op business for the property located at **166 Stovall Street SE**.

FINDINGS OF FACT:

- **Property location:** The subject property fronts 35.43 feet on the east side of Stovall Street SE beginning at an iron pin set at the corner formed by the northerly right of way of Mauldin Street and the easterly right of way of Stovall Street being all that tract or parcel of land lying and being in Land Lot 13 of the 14th District, Fulton County, Georgia in the Reynoldstown Neighborhood of NPU N, Council District 5.
- **Property size and physical features:** The subject property is approximately .042 acres (1,809 square feet) of area. It is currently developed with a one-story 1,302 square-foot brick building. The site does not have a curb-cut or driveway access. The lot abuts three streets: Stovall Street SE, Flat Shoals Avenue SE, and Mauldin Street SE. The building occupies the majority of the lot area, and the lot appears to have flat topography. There are two trees on the site.
- **CDP land use map designation:** The subject property has a Low Density Residential future land use designation within the 2021 Comprehensive Development Plan. A land use amendment has been filed to change the future land use destination from Low Density Residential to Low Density Commercial.
- **Current/past use of property:** The property is currently used as residential dwelling. However, street view records show that the property was used for a hair salon in 2012. Staff is not aware of any other previous uses of the site.

- **Surrounding zoning/land uses:** The parcels to the north and south have Single Family Residential land use designation and are zoned R-5 (Two Family Residential) and developed with duplexes and single family dwellings. The parcels to the west are zoned MR-3 (Multifamily Residential) and have townhome uses. The parcel to the east, located 350 feet away from the site, on the south side of Flat Shoals, is zoned MR-3-C (Multifamily Residential Conditional) and has a mix of uses including office, retail, and multifamily residential uses.
- **Transportation system:** Stovall Street and Mauldin Street are classified as local roads. Flat Shoals Avenue is classified as a collector street. A sidewalk is present along Stovall Street and there are no sidewalks along Flat Shoals Avenue and Mauldin Street. MARTA provides bus service via bus route #21 with connection to Five Points Transit Station.

PROPOSAL: The applicant requests to rezone from R-5 (Two Family Residential) to C-1 (Community Business District) to operate a private tattoo studio and artist co-op business.

CONCLUSIONS:

- (1) **Compatibility with comprehensive development plan (CDP); timing of development:** The Comprehensive Development Plan (CDP) designates the subject property with a Low Density Residential future land use; therefore, the proposed C-1 (Community Business District) is not compatible. A land use amendment has been filed to change the future land use designation from Low Density Residential to Low Density Commercial.
- (2) **Availability of and effect of public facilities and services; referral to other agencies:** The location of the subject property and the current use of the existing and surrounding properties indicate that there are public facilities and services available to the subject property. Upon review by relevant agencies and departments, there has been no indications that the subject location lacks sufficient public facilities and services. Future improvements to the site will require plans to be submitted for permit review, they must comply with all applicable City codes.
- (3) **Availability of other land suitable for proposed use; environmental effect on balance of land uses:** The applicant has not provided any proof that they own any other land in the vicinity that would be suitable for this use. Rezoning the subject property to C-1 will balance land uses as it will allow neighborhood-serving low-density commercial/personal service uses that are easily accessible to neighborhood residents. Additionally, using the existing building for the proposed tattoo establishment will protect the existing character of the neighborhood. This request is supported by NPU-N policy to “*Promote and encourage pedestrian-oriented development and the redevelopment of underutilized and auto-oriented development in mixed-use corridors.*”

- (4) **Effect on character of the neighborhood:** The proposed rezoning request will have a positive effect on the character of the neighborhood. It will provide neighborhood-serving low-density commercial/personal service uses that are within walking distance to the surrounding residential areas. The applicant stated that the property owner seeks to have a private tattoo studio at the site and no changes to the building exterior will take place other than cosmetic improvements and maintenance. This will be consistent with NPU-N policy that states, “*the renovation of existing structures shall be preferred option over demolition and new construction where feasible,*” further protecting the existing character of the neighborhood.
- (5) **Suitability of proposed land use:** The proposed land use will complement the existing low density commercial uses found within 500 feet east and west of the site such as the existing two coffee shops, barber shop, and offices. Additionally, the proposed land use is consistent with the existing commercial architecture of the building. The proposed zoning district will allow neighborhood services to nearby residents. This request is consistent with NPU-N policy to “*support locally owned businesses.*”
- (6) **Effect on adjacent property:** Rezoning the subject property to C-1 will have a positive effect on the neighborhood as it will allow personal services in proximity to nearby residents. The proposed zoning district will complement the existing non-residential uses found within 500 feet to the east and west of the site.
- (7) **Economic use of current zoning:** The property currently has economic use as currently zoned. However, the zoning category requested would allow more economic use of the land.
- (8) **Compatibility with policies related to tree preservation:** At the time of permitting the development must comply with the City of Atlanta’s Tree Ordinance.
- (9) **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 property located at **166 Stovall Street SE** is within a 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.”

STAFF RECOMMENDATION: APPROVAL conditional based upon the following:

1. Building shall be used for a tattoo establishment only.
2. Building cannot exceed more than 35 feet in height.



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MEMORANDUM

TO: Zoning Review Board

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

SUBJECT: Z-24-02 for 585 Woods Drive NW

DATE: March 7, 2024

An Ordinance by Zoning Committee to rezone from R-4/WPAWHO (Single Family Residential/Westside Park Affordable Workforce Housing Overlay) to R-4A/ WPAWHO (Single Family Residential/ Westside Park Affordable Workforce Housing Overlay) for property located at **585 Woods Drive NW**.

FINDINGS OF FACT:

- **Property location.** The subject property fronts 100 feet on the east side of Woods Drive NW beginning at a point on the east side of Woods Drive 433 feet north of the northeast corner of Woods Drive and Baker Road. The parcel is in Land Lot 207, 14th District, Fulton County, Georgia within the Center Hill neighborhood of NPU-J in Council District 1.
- **Property size and physical features.** The subject property is a regular corner lot and consists of approximately 0.39 (16,999 square feet) acres of land area. The site is currently undeveloped. The property has little vegetation, with overgrown grass and cut down trees. The property is relatively level.
- **CDP land use map designation:** The property is currently zoned R-4/WPAWHO (Single Family Residential/ Westside Park Affordable Workforce Housing Overlay). The land use designation is Single Family Residential in the 2021 Comprehensive Development Plan (CDP).
- **Current/past use of property:** The site is currently undeveloped but was developed with a single-family home via Google Street Images in 2015. Staff is not aware of any previous uses of the site.

- **Surrounding zoning/land use:** The parcels to the north, east, west, and south are zoned R-4/WPAWHO (Single Family Residential/Westside Park Affordable Workforce Housing Overlay) and has a single family residential (SFR) land use designation. The parcels are developed with single-family homes.
- **Transportation system:** Woods Drive NW is classified as a local street. The site is serviced by MARTA bus route #853 along Baker Road NW, which is 0.2 miles from the subject property.

PROPOSAL: The applicant seeks a rezoning from R-4/WPAWHO (Single Family Residential/Westside Park Affordable Workforce Housing Overlay) to R-4A/WPAWHO (Single Family Residential/Westside Park Affordable Workforce Housing Overlay) to create two new lots for the construction of two new single-family homes.

CONCLUSIONS:

- (1) **Compatibility with comprehensive development plan (CDP); timing of development:** The proposed zoning is consistent with the existing Single Family Residential land use designation. Therefore, a Comprehensive Development Plan (CDP) amendment is not required.
- (2) **Availability of and effect of public facilities and services; referral to other agencies:** The location of the site and current use of surrounding properties indicates there are public facilities and services available to the subject property. There has been no indication from review agencies and/or departments there would not be adequate public facilities and services at the subject Site. Compliance with all applicable City codes will be required when the proposed development plans are submitted to other agencies for permit review.
- (3) **Availability of other appropriate land zoned for proposed use; effect on balance of land uses with regard to the public need:** Staff finds the request to rezone the subject parcels from R-4/WPAWHO (Single Family Residential/Westside Park Affordable Workforce Housing Overlay) to R-4A/WPAWHO (Single Family Residential/Westside Park Affordable Workforce Housing Overlay) zoning classification is consistent with the existing development pattern of the area. The east side of Woods Drive, spanning two blocks, has twenty-seven existing lots on the north side ranging from 50 feet in width to 149 feet in width, all of which exceed the 50 feet frontage requirement for the R-4A zoning district. Similarly, on the west side of Woods Drive are ten existing lots with a street frontage ranging from 45 feet in width to 75.9 feet in width. Eight of these lots meet or exceed the 50 feet frontage requirement for properties zoned R-4A and the remaining two lots have a frontage of 45 feet. The current platting pattern aligns with the R-4A development requirements, which require a minimum 50 feet of frontage and a lot size of 7,500 square feet. The property will be subdivided into two lots, each with 50 feet of frontage. Staff believes that allowing this rezoning to R-4A will not adversely affect the balance of land uses regarding public need.

- (4) **Effect on character of the neighborhood:** The purpose of the R-4A zoning district *to provide protection for existing single-family neighborhoods by providing a district with lots having not more than one housing unit per 7500 square feet and to permit new development in a manner compatible with existing development.* Staff finds that the proposed rezoning is consistent with the neighborhood's character. The majority of lots surrounding the subject property have similar lot frontages and dimensions to the development proposal. Therefore, the staff believes that allowing the R-4A zoning district in an established neighborhood with similar lot sizes and dimensions is compatible with the existing character and pattern of the neighborhood. This rezoning will help maintain the neighborhood's character. Staff has found the proposed rezoning to be compatible with the neighborhood's character.
- (5) **Suitability of proposed land use:** A change in land use is not necessary as the proposed use is compatible with the Single-Family Residential land use designation.
- (6) **Effect on adjacent property:** The rezoning of the property to R-4A/WPAWHO (Single Family Residential/Westside Park Affordable Workforce Housing Overlay) in an area with properties that are zoned R-4/WPAWHO (Single Family Residential/Westside Park Affordable Workforce Housing Overlay) but that meet the R-4A lot requirements will have a minimal effect on the character of the neighborhood. Staff finds that the R-4A/WPAWHO (Single Family Residential/Westside Park Affordable Workforce Housing Overlay) zoning district on the subject property would be compatible in scale and character with the existing neighborhood, the existing platting pattern of the neighborhood, subject streets, and subject block faces.
- (7) **Economic use of current zoning:** Staff finds that the current zoning has reasonable economic use. However, this rezoning will allow the property owner to construct two additional single-family dwellings on a currently vacant lot in the Center Hill neighborhood.
- (8) **Compatibility with policies related to tree preservation:** The proposed development of this property must comply with the requirements of the City of Atlanta's Tree Ordinance at the time of permitting.
- (9) **Other Considerations:** The Atlanta City Design articulates Atlanta's vision organized according to its five core values of Equity, Progress, Ambition, Access, and Nature. It focuses future growth into already-developed areas called Growth Areas, which are further categorized as Core, Corridors, and Clusters. Outside the Growth Areas are the Conservation Areas, which include Urban Neighborhoods, Suburban Neighborhoods, Rural Neighborhoods and Production Areas. Conservation Areas are the natural parts of the city that are less suited for growth and that should be protected from radical change.

According to Atlanta City Design **585 Woods Drive NW**, is located within Conservation Suburban Neighborhoods. Conservation area is the more natural part of the city that we want to protect from radical change. These are composed mostly of single-family homes. Suburban Neighborhoods are described as follows:

“These are peaceful post-war subdivisions designed by the speed and easy distance of automobiles. Many, like Adamsville, Brandon, and Perkerson, lack sidewalks, are not as well connected as older neighborhoods and are often distant from retail and employment areas.

Their more generous yards and intervening floodplains, however, provide for less runoff, more habitat and host huge swaths of Atlanta's tree canopy. In this way, in addition to offering homes for families who prefer less-urban lifestyles, these neighborhoods provide enormous benefits to the city at large"

STAFF RECOMMENDATION: APPROVAL



CITY OF ATLANTA

ANDRE DICKENS
MAYOR

DEPARTMENT OF CITY PLANNING
55 Trinity Avenue, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308
404-330-6145 – FAX: 404-658-7491
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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-24-03 for 885 North Eugenia Place NW**

DATE: March 7, 2024

An Ordinance by Zoning Committee to rezone from R-4A (Single Family Residential) to MR-3 (Multifamily Residential) for property located at **885 North Eugenia Place NW**

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

STAFF RECOMMENDATION: 30 DAY DEFERRAL –APRIL 2024



CITY OF ATLANTA

ANDRE DICKENS
MAYOR

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JAHNEE R. PRINCE, AICP
Commissioner

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

MEMORANDUM

TO: Zoning Review Board

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

SUBJECT: U-23-39 for 1705 Commerce Drive NW

DATE: March 7, 2024

An Ordinance by Zoning Committee for a special use permit for a community center pursuant to 16-11.005(1)(n) for property located at **1705 Commerce Drive NW**.

FINDINGS OF FACT:

- **Property location:** The subject property fronts 60 feet on the east side of Commerce Drive NW and begins at an iron pin at the intersection formed by the easterly right of way of Commerce Drive and the northerly right of way of Bellemeade Avenue. The property is located within Land Lot 152 of the 17th District, Fulton County, Georgia in the Berkeley Park neighborhood of NPU-D in Council District 9.
- **Property size and physical features:** The property is approximately 2.1 acres (44,560 square feet). The property is developed with one nonresidential structure. The topography is flat with 90% non-pervious surface. Vehicular access to the site is off Commerce Drive. There are mature trees and landscaping throughout the property.
- **CDP land use map designation:** The property is zoned C-1/UPWO (Community Business District/Upper Westside Overlay) with a future land use designation of Low Density Commercial (LDC) within the 2021 Comprehensive Development Plan (CDP).
- **Current/past use of property:** The property is developed with one nonresidential structure. Staff is unaware of any other previous uses on the site.

- **Surrounding zoning/land uses:** To the north and west of property is zoned C-1/BL (Community Business District/BeltLine Overlay) and RG-3-C/BL (Residential General Sector 3 Conditional/BeltLine Overlay) with Low Density Commercial and Single Family Residential land use designation. To the south property is zoned SPI-14/BL (Berkeley Park District/BeltLine Overlay), with Single Family Residential 0-8 units per acre land use designation. Located east of the site property is zoned C-2 (Commercial Service District/BeltLine Overlay) with a Mixed Use land use designation.
- **Transportation system:** The site has frontage along Commerce Drive NW which is classified as a local road. MARTA bus route #37 operates along Commerce Drive NW.

PROPOSAL:

The applicant seeks a special use permit for a community center.

- **Ingress and egress:** There are three entrances for ingress and egress; two entrances on Commerce Drive that are primarily used by employees, volunteers, and event attendees and one gated entrance on Bellemeade Drive for deliveries. Emergency vehicles can gain access to the property through any of the three entrances in addition to the half circle turnaround on Commerce Drive that leads directly into the front entrances of Meals on Wheels Atlanta (MOWA). Ingress and egress onto the property will not cause traffic congestion because the entrances are situated on two different streets and MOWA will encourage ride sharing and Uber/Lyft for event attendees.
- **Parking and loading:** There are 101 off-street parking spaces onsite. MOWA will use 50 parking spaces on an adjacent lot through a parking agreement. Employees will park their vehicles in the MOWA parking lot. Event attendees can also utilize the onsite parking lot and the adjacent lot during events. MOWA offers valet parking and encourages ride sharing and using Uber/Lyft for events. Service personnel will park their vehicles in the MOWA parking lot, which has ample parking. MOWA facilitates deliveries via a loading dock, located in the rear of the building. Large deliveries occur once per week on Thursdays.
- **Refuse and service areas:** MOWA uses large commercial-size containers which are serviced by a private garbage disposal company, Waste Management daily.
- **Buffering and screening:** MOWA will has current vegetation on site to buffer any noise and to screen the property. MOWA will abide by the City of Atlanta ordinance and any overlay requirements and restrictions.

- **Hours and manner of operation:** Meals on Wheels, Atlanta, Inc. d/b/a 1705 West will use the space to host events that may offer alcohol sales during the event. The cost to rent the event space will help fund MOWA's non-profit mission. All events will finish before midnight on weekend nights and 11PM on weekday nights. All outdoor activities will finish by 11PM on weekend and weekday nights. Generally, MOWA has around 30 employees on-site daily. MOWA can also have a range of 1-100 volunteers on-site during the day. Small events require 5-6 employees to work the event while larger events require 8-10 employees. Events can host up to 200 people, primarily adults. MOWA offers catering options for events. Some events may be plated lunches or dinner with full meals, while other events typically include heavy hors d'oeuvres. There will be no special programs offered onsite.
- **Duration:** The applicant requests an indefinite duration.
- **Required yards and open space:** The applicant has indicated that any of the proposed structures shall comply with the required yards and open spaces.
- **Tree Preservation and Replacement:** The applicant indicate that no trees will be damage or removed. Any tree removal that may need to occur on the property must be first approved via the City Arborist.

CONCLUSIONS:

1. **Ingress and egress:** Staff finds ingress and egress for the proposed use sufficient. There are three entrances, two on Commerce Drive NW that will serve patrons, and employees and one on Bellemeade Drive NW dedicated to off-street loading.
2. **Off-street parking and loading:** There are 101 off-street parking spaces onsite. MWOA will use 50 parking spaces on an adjacent lot through a parking agreement. The parking lot will be utilized by employees, service personnel and emergency vehicles. During events the expected attendance maximum is 200 patrons, however, the use of rideshare is highly encouraged. Rideshare users will be dropped off and picked up in the roundabout near the entrance of MWOA. Staff finds the existing parking and loading to be sufficient.
3. **Refuse and service areas:** MOWA uses large commercial-size containers which are serviced daily by Waste Management. There is a gated entrance on Bellemeade Drive for deliveries. Staff finds that the proposed refuse and service areas are sufficient.
4. **Buffering and screening:** The site generates minimal impact to surrounding uses. MOWA will not be making any road improvements, and no additional buffering and screening is proposed. Staff finds existing buffering and screening to be sufficient.

5. **Hours and manner of operation:** Meals on Wheels, Atlanta, Inc. d/b/a 1705 West will use the space to host events that may offer alcohol sales during the event. The cost to rent the event space will help fund MOWA's non-profit mission. All events will finish before midnight on weekend nights and 11PM on weekday nights. All outdoor activities will finish by 11PM on weekend and weekday nights. Generally, MOWA has around 30 employees on-site daily. MOWA can also have a range of 1-100 volunteers on-site during the day. Small events require 5-6 employees to work the event while larger events require 8-10 employees. Events can host up to 200 people, primarily adults. MOWA offers catering options for events. Some events may be plated down lunches or dinner with full meals, while other events typically include heavy hors d'oeuvres. There will be no special programs offered onsite. Staff finds the hours and manner of operation to be sufficient.
6. **Duration:** The applicant requests an indefinite duration. Staff is supportive of a limited duration.
7. **Required yards and open space:** There are no changes proposed to the required yards are open space.
8. **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 as long as Meals on Wheels, Atlanta, Inc. d/b/a 1705 West is the operator.
2. The special use permit is not transferable.
3. All events held at 1705 Commerce Drive NW shall conclude at 11:00 pm.