



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
www.atlantaga.gov

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-24-17 West Highlands Community and Rockdale Community Proactive Rezoning**

DATE: June 6, 2024

An Ordinance by Councilmember Byron D. Amos to rezone certain properties in the **West Highlands Community and Rockdale Community** from R-4A (Single-Family Residential) to PD-MU (Planned Development Mixed Use) and MRC-3 (Mixed Residential Commercial); and for other purposes.

Staff has requested a deferral.

STAFF RECOMMENDATION: 60 DAY DEFERRAL – AUGUST 2024



CITY OF ATLANTA

ANDRE DICKENS
MAYOR

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

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: Z-24-18 for 628 Hemlock Circle SE

DATE: June 6, 2024

An Ordinance by Zoning Committee to rezone from R-4/BL (Single Family Residential/BeltLine Overlay) to R-4A/BL (Single Family Residential/BeltLine Overlay) for property located at **628 Hemlock Circle SE**.

FINDINGS OF FACT:

- **Property location.** The subject property fronts 100 feet on the southeast side of Hemlock Circle starting at a point located at the intersection of the southeasterly right-of-way of Hemlock Circle and the southwesterly right-of-way of Loring Street; thence running southwesterly along the southeasterly right-of-way of Hemlock Circle 150 feet to a nail set located within a concrete drive and the point of beginning. The parcel is in Land Lot 11, 14th District, Fulton County, Georgia within the Ormewood Park neighborhood of NPU-W in Council District 1.
- **Property size and physical features.** The subject property is located on Hemlock Circle SE and is approximately 0.345 acres (15,014 square feet). There is a one-story brick house with a basement, and a detached concrete block garage in the rear. Access to the property is via a curb cut on Hemlock Circle, leading to a driveway that ends at the front of the detached garage in the rear of the lot. The topography of the property varies, with a 12-foot grade change throughout.
- **CDP land use map designation:** The property is currently zoned R-4 (Single Family Residential). The land use designation is Single Family Residential in the 2021 Comprehensive Development Plan (CDP).
- **Current/past use of property:** The site is currently developed with a single-family residential dwelling. 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/BL (Single Family Residential/BeltLine Overlay) and have a Single Family Residential (SFR) land use designation. The parcels are developed with single-family homes.
- **Transportation system:** The property is located adjacent to Hemlock Circle SE, which is considered a local street. It is accessible via MARTA bus route #4 along Moreland Avenue SE and Berne Street SE, which is less than 0.3 miles from the property and provides connections to the MARTA Inman Park/Reynoldstown Transit Station. There are no sidewalks along Hemlock Circle SE.

PROPOSAL: The applicant requests to rezone from R-4/BL (Single Family Residential/BeltLine Overlay) to R-4A/BL (Single Family Residential/BeltLine Overlay). Subject to an approved rezoning the applicant will submit an application for a minor subdivision, which would result in two parcels and allow for the construction 1 single-family dwelling on the newly created parcel.

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:** The request to rezone the subject parcels from R-4 (Single Family Residential) to R-4A (Single Family Residential) zoning classification aligns with the existing development pattern of the neighborhood. The north side of Hemlock Circle has two existing lots with a width of 75 feet, exceeding the 50 feet frontage requirement of the R-4A zoning district and meeting or exceeding the 70-foot frontage required for R-4 zoning. Similarly, on the west side of Hemlock Circle SE, there are five existing lots with street frontage ranging from 50 feet to 75 feet. Four of these lots exceed the 50 feet frontage requirement for the R-4A zoning, and the remaining one lot meets the 50 feet frontage requirement for R-4A. It should also be noted that many of the lots on Berne Street and other streets near the subject property have a current platting pattern that aligns with the R-4A development requirements, which requires a minimum 50-foot lot frontage and a lot size of 7,500 square feet. The proposed property will be subdivided to create an additional buildable lot, each containing 50 feet of frontage on Hemlock Circle. Consequently, the proposed lots under this rezoning are consistent with the street frontage on most of the roads in the neighborhood. Staff believes that allowing this rezoning to the R-4A zoning district will not adversely affect the balance of land uses regarding public needs.

- (4) **Effect on character of the neighborhood:** Staff has found that the proposed rezoning aligns with the character of the neighborhood. The majority of lots in the neighborhood have similar lot frontage and dimensions to the proposed R-4A development standard. Therefore, 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 or pattern of the neighborhood. This rezoning will help maintain the neighborhood's character. Ormewood Park neighborhood consists of various lot configurations, the majority of which are compatible with R-4A standards.
- (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 property will be rezoned to R-4A (Single Family Residential) in an area where properties are zoned R-4 (Single Family Residential) but meet the R-4A development controls. Staff has determined that the R-4A zoning district for the subject property would be compatible in scale and character with the existing neighborhood, the platting pattern, the streets, and the block faces in the area.
- (7) **Economic use of current zoning:** There is reasonable economic use under the current zoning district. However, the proposed rezoning would enable the parcel to have a lot that complies with R-4A requirements. This rezoning would, in turn, allow the property owner to construct an additional buildable parcel in the Ormewood Park neighborhood, thereby adding to the housing stock of the 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 the Atlanta City Design map, **628 Hemlock Circle SE** 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.”

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
www.atlantaga.gov

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-24-20 for 383 Lanier Street NW**

DATE: June 6, 2024

An Ordinance by Zoning Committee to rezone from RG-3/WPIZ (Residential General Sector 3/Westside Park Affordable Workforce Housing Overlay) to RG-4/WPIZ (Residential General Sector 4/Westside Park Affordable Workforce Housing Overlay) for property located at **383 Lanier Street NW**.

Staff recommends a deferral to allow the applicant sufficient time to amend the proposed site plan.

STAFF RECOMMENDATION: 120 DAY DEFERRAL - OCTOBER 2024



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
www.atlantaga.gov

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-24-21 for 3325 Fairburn Road SW

DATE: June 6, 2024

An Ordinance by Zoning Committee to rezone from R-4 (Single-Family Residential) to PD-H (Planned Development Housing) for property located at **3325 Fairburn Road SW**.

FINDINGS OF FACT:

- **Property Location:** The property fronts 195 feet on the north side of Fairburn Road SW beginning at a ½” rebar with cap set at the intersection of the north right-of-way of Fairburn Road said point being the centerline of the road and the easterly right of way of CSX Railroad said point being 50 feet from the centerline of tracks. The property is in Land Lots 35 and 36 of the 14FF District, Fulton County, Georgia in the Ben Hill Neighborhood of NPU P, Council District 11.
- **Property Size and Physical Features:** The subject property is approximately 6.486 acres (282,532 square feet). The site is currently vacant and undeveloped. Vehicular access to the site is not provided. Topography varies across the lot, with an approximately 36-foot difference between the highest and lowest point on the site, with the highest point at the northeast corner of the parcel. There are currently mature trees and shrubs throughout the parcel.
- **CDP Land Use Map Designation:** The current land use category for the site is SFR (Single-Family Residential) within the 2021 Comprehensive Development Plan (CDP). A land use amendment is not required.
- **Current/Past Use of Property:** The site is currently vacant and undeveloped. Staff is unaware of any other previous uses of the property.
- **Surrounding Zoning/Land Uses:** The parcels to the east and south are zoned R-4 (Single-Family Residential) with Single Family Residential (SFR) future land use designation. The parcels to the north are zoned PD-H (Planned Development Housing) with Single-Family Residential (SFR) and Low Density Commercial (LDC) future land use designation.

- **Transportation System:** Fairburn Road SW is considered a collector street. MARTA bus service operates along Fairburn Road SW.

PROPOSAL:

The applicant requests to rezone from R-4 (Single-Family Residential) to PD-H (Planned Development Housing) for the development of 71 dwelling units.

Project Specifications:

Dwelling units:	71
Net lot area:	282,532 square feet (6.486 acres)
Proposed FAR:	0.398
Lot coverage:	0.16
Parking spaces provided:	96
Front setback:	30 feet
Transitional yard:	15 feet

CONCLUSIONS

- 1) **Compatibility with Comprehensive Development Plan (CDP); timing of development:** The 2021 Comprehensive Development Plan designates the subject property as Single-Family Residential (SFR) which is compatible with the proposed PD-H (Planned Development Housing) zoning. The proposed rezoning will not require a land use amendment.
- 2) **Availability of and effect on public facilities and services; referrals to other agencies:** There has been no indication from review agencies or departments that there would not be adequate public facilities and services at the subject location. Compliance with all applicable City codes will be required when 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:** The applicant has not presented any evidence that they own other land in the area that is suitable for this development. The proposed rezoning would not have an adverse effect on the environment or create an imbalance of land uses. NPU P Policy P-1 in the 2021 Comprehensive Development Plan seeks to “*preserve the single family and low-density residential character of existing neighborhoods in NPU-P*” which this development achieves by creating additional single-family structures on a site that does not exceed the .50 density of the current R-4 zoning district. Staff believes the proposed rezoning would maintain the existing balance of land uses in the area.

- 4) **Effect on character of the neighborhood:** Staff is of the opinion that the proposed rezoning would not have a negative impact on the character of the surrounding neighborhood. The 2021 Comprehensive Development Plan places the location within the Suburban Area Character Area. The surrounding area is mostly developed with single family detached homes. NPU P Policy P-2 in the 2021 Comprehensive Development Plan seeks to “*encourage residential infill development that is compatible with the character of adjacent areas regardless if the developer is a nonprofit or profit entity.*” The introduction of additional single-family homes provides more infill housing to support the proposed revitalization of this area.
- 5) **Suitability of proposed land use:** The applicant does not propose to change the existing single-family residential land use designation, which is compatible with the proposed PD-H (Planned Development Housing) zoning district. This proposal supports the NPU-P Policy P-1 to “*preserve the single family and low-density residential character of existing neighborhoods in NPU-P.*” Thus, the proposed land use is suitable for the parcel.
- 6) **Effect on adjacent property:** Based on the stated goals of the 2021 Comprehensive Development Plan and the existing vacancies in this area, Staff is of the opinion that the proposed development would not have a negative impact on adjacent properties. The proposed development will promote economical and efficient land use, an improved level of amenities, of an appropriate and harmonious variety, will have a creative design and will provide a better environment for adjacent properties and property owners.
- 7) **Economic use of current zoning:** Staff finds that the current zoning has some economic use, however the proposed rezoning and development would allow for more development. Thus, the proposed rezoning would increase the economic use of the subject property.
- 8) **Compatibility with policies related to tree preservation:** Development of the property must comply with the City of Atlanta Tree Ordinance at the time of permitting.
- 9) **Other Considerations:**

The following findings are in accordance with Section 16-19.005(5) of the Zoning Ordinance of the City of Atlanta for Planned Development Districts:

- a. **The suitability of the tract for the general type of PD zoning proposed.** Staff is of the opinion that the subject property is suitable in location, area, and character for development on a unified basis. The proposed development is appropriate and should enhance the character of the area.
- b. **The relationship to major roads and mass transit facilities, utilities and other facilities and services.** Fairburn Road SW is considered a collector street. MARTA bus service operates along Fairburn Road SW.
- c. **The evidence of unified control.** The applicant will have to demonstrate unified control at the time of permitting.

- d. **The suitability of proposed plans.** The proposed plans entitled “Fairburn RD” prepared by Xmetrical dated January 1, 2023, and stamped received and amended by the Office of Zoning and Development on May 9, 2024, appear to be suitable for the development.
- e. **Specific modifications.** Detailed site plans have been submitted with the application.
- f. **The suitability of a maintenance program.** The applicant has provided no information related to a maintenance program for any possible common areas. Staff will require that the development is governed by private covenants to provide for ownership/maintenance of future common areas.

10) 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, **3325 Fairburn Road SW** is located within a Conservation Area: Rural Neighborhood. Rural Neighborhood areas 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 bit 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.

STAFF RECOMMENDATION: APPROVAL conditioned upon the following:

1. The site shall be developed in accordance with the site plan entitled “Fairburn RD” prepared by Xmetrical dated January 1, 2023, and stamped received and amended by the Office of Zoning and Development on May 9, 2024. Minor changes to the approved site plan may be authorized by the Director of the Office of Zoning and Development in accordance with Section 16-02.003(7).
2. The FAR shall not exceed .50 of net lot area.
3. Buildings shall be constructed of the following materials Hardieboard (plank lap siding or vertical siding), or LP Smartside (lap siding or shakes), or Boral TruExterior.
4. The following shall apply to all buildings fronting Fairburn Road SW:
 - a. Public sidewalks shall be located along all public streets and shall consist of two zones: an amenity zone and a walk zone.
 - i. Amenity zone requirements: The amenity zone shall be located immediately adjacent to the curb. Width shall be measured from the back (building side) of curb to the walk zone. Minimum width shall be two feet. This zone is reserved

for the placement of street trees in a manner that does not obstruct pedestrian access or motorist visibility.

- ii. Walk zone requirements: The walk zone shall be located immediately contiguous to the amenity zone and shall be a continuous hardscape for a minimum width of five feet. Said zone shall contain a consistent cross-slope not exceeding two percent.
 - iii. Paving: All sidewalk paving shall be of a type specified in accordance with uniform design standards for placement of such objects in the public right-of-way. Any existing decorative hardscape treatment of sidewalks, including amenity zone and sidewalk walk zone areas, shall be retained as part of any new development or replaced with materials that match in size, shape, and color.
 - iv. Street tree planting requirements: Street trees are required and shall be planted in the ground within the amenity zone and spaced a maximum of 40 feet apart from other amenity zone street trees. All newly planted trees shall be single-stemmed at a minimum of three inches in caliper (measured 36 inches above ground), shall be a minimum of 12 feet in height at the time of planting and shall be limbed up to a minimum height of seven feet. Trees shall be planted with a minimum of 40 square feet of evergreen ground cover such as mondo grass or liriope spicata. All tree plantings, replacement and removal shall be approved by the city arborist.
5. The following shall apply to all buildings fronting Fairburn Road SW:
- a. Front porches and/or stoops on the façade of the principal structure shall be required. Front porches shall:
 - i. Be a minimum of 12 feet wide or one-third the width of the front façade, whichever is greater, and a minimum of eight feet deep; and
 - ii. Contain roofs, a minimum of six-inch wide porch roof supports, and steps.
 - b. Garages with front-facing garage doors shall be recessed and located a minimum distance of ten linear feet behind the front façade of the principal structure. For parcels with more than one street frontage, front-facing garage doors shall be defined as those facing the front yard of the parcel, and not the half-depth front yard, side yard, or rear yard.
 - c. Front doors shall face and be visible from the adjacent street.
 - d. Window fenestration shall be provided along the façade of the principal structure for a minimum of ten percent of the front façade area of the principal structure.



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
www.atlantaga.gov

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-24-22 for 1109 Moreland Dr SE**

DATE: June 6, 2024

An Ordinance by Zoning Committee to rezone from R-4 (Single Family Residential) to MR-3 (Multifamily Residential) for property located at **1109 Moreland Drive SE**.

The applicant has requested a deferral to amend the site plan. Staff is supportive of the request.

STAFF RECOMMENDATION: 60 DAY DEFERRAL – AUGUST 2024



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
www.atlantaga.gov

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-24-23 for 807 Reed Street SE**

DATE: June 6, 2024

An Ordinance by Zoning Committee to rezone from R-4B-C (Single Family Residential Conditional) to PD-H (Planned Development Housing) for property located at **807 Reed Street SE**.

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

RECOMMENDATION: 60 DAY DEFERRAL - AUGUST 2024



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
www.atlantaga.gov

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-24-24 for 666 Smith Street SW**

DATE: June 6, 2024

An Ordinance by Zoning Committee to rezone from SPI 18 SA5 (Mechanicsville Neighborhood Special Public Interest District Subarea 5) to SPI 18 SA10 (Mechanicsville Neighborhood Special Public Interest District Subarea 10) for property located at **666 Smith Street SW**.

FINDINGS OF FACT:

- **Property Location:** The property fronts 30 feet on the east side of Smith Street SW and 115.5 feet on the south side of Ralph David Abernathy Boulevard. The property is in Land Lot 86 of the 14th District, Fulton County, Georgia in the Mechanicsville Neighborhood of NPU-V, Council District 4.
- **Property Size and Physical Features:** The subject property is approximately 0.079 acres (3,441.24 square feet) of lot area. The parcel is currently undeveloped. Vehicular access is not provided. The topography increases slightly (approximately 5 feet) from the northwest to the southeast on the parcel. Three mature trees and vegetation are planted on the property.
- **CDP Land Use Map Designation:** The current land use category for the site is Single Family Residential (SFR) within the 2021 Comprehensive Development Plan (CDP). A land use amendment is required for the target zoning designation, and a request has been submitted concurrently with this application.
- **Current/Past Use of Property:** Staff is unaware of any previous uses of the property.

- **Surrounding Zoning/Land Uses:** Neighboring properties to the south and west are currently zoned SPI 18 SA5 (Mechanicsville Neighborhood Special Public Interest District Subarea 5) with Single Family Residential future land use designations and feature institutional uses and single family residential uses. The adjacent parcel to the east of the site is zoned SPI 18 SA3 (Mechanicsville Neighborhood Special Public Interest District Subarea 3), and has a future land use designation of Low Density Commercial (LDC), and is currently undeveloped. To the north across Ralph David Abernathy Boulevard, land uses consist of residential and institutional uses with SPI 18 SA6 (Mechanicsville Neighborhood Special Public Interest District Subarea 6) zoning designation, and Medium Density Residential (MDR) future land use designation.
- **Transportation System:** Smith Street SW is designated as a local street and features sidewalks along either side. Ralph David Abernathy Boulevard is classified by The City of Atlanta Transportation Planning Division as an arterial street. Nearby McDaniel Street is classified as a collector street. MARTA operates multiple bus routes north of the site along Ralph David Abernathy Boulevard with connecting service to the West End, Five Points, Garnett, Peachtree Center, and Arts Center Transit stations.

PROPOSAL:

The applicant seeks to rezone from SPI 18 SA5 (Mechanicsville Neighborhood Special Public Interest District Subarea 5) to SPI 18 SA10 (Mechanicsville Neighborhood Special Public Interest District Subarea 10) for the development of 2 new single family homes each measuring 605 square feet in floor area.

Project Specifications:

Subject Property (666 Smith Street SW)

Lot Area (total):	0.079 acres (3,441.24 square feet) To be subdivided into two parcels measuring approximately 2341 (0.053 acres) and 1123 square feet (0.025 acres) in area respectively.
Maximum Residential FAR:	.696
Proposed Residential FAR:	.35
Current Zoning:	SPI 18 SA5 (Mechanicsville Neighborhood Special Public Interest District Subarea 5)
Proposed Zoning:	SPI 18 SA10 (Mechanicsville Neighborhood Special Public Interest District Subarea 10)
Current Future Land Use:	Single Family Residential (SFR)
Proposed Future Land Use:	Mixed-Use Low Density (MU-LD)
Number of Units Proposed:	2 units
Parking Required (Minimum):	None
Parking Proposed:	2 (1 per dwelling unit)

CONCLUSIONS

- 1) **Compatibility with Comprehensive Development Plan (CDP); timing of development:** The 2021 Comprehensive Development Plan designates the subject property as Single Family Residential (SFR) land use; therefore, the proposed zoning district is not compatible. A request to amend the future land use of the site has been submitted concurrently with this application.
- 2) **Availability of and effect on public facilities and services; referrals to other agencies:** There has been no indication from review agencies or departments that there would not be adequate public facilities and services at the subject location. At the time of permitting, the development plans will be submitted to other agencies for permit review for compliance with applicable City codes.
- 3) **Availability of other appropriate land zoned for proposed use; effect on balance of land uses with regard to the public need:** The applicant has not presented any evidence that they own other land in the area that is suitable for this development. There are several vacant lots in the area suitable for residential infill development consistent with the regulations of SPI-18 SA5. The project as proposed does not meet the minimum requirements of the surrounding zoning designation nor is the proposal consistent with the requested zoning districts intent to *encourage owner occupancy and retention of single-family residential structures compatible with the character of the Mechanicsville residential neighborhood while permitting two-family and multi-family housing in appropriate locations*. Properties in this area are oriented toward Smith Street and offer 3-bedroom living. Existing dwellings are developed as single-family residences consistent with the existing zoning SPI-18 SA5.
- 4) **Effect on character of the neighborhood:** The proposed rezoning would have a negative effect on the visual character of the neighborhood by conflicting with the established development pattern of the existing single-family neighborhood. The proposed single-family homes are substantially smaller in floor area and lot size than others in the surrounding area. Many of the single-family homes in the area are over 1,000 square feet in floor area and are oriented toward the local streets of Smith Street, Bass Street, Ira Street, etc. rather than oriented along Ralph David Abernathy Boulevard. No residential curb cuts exist on Ralph David Abernathy on the subject property's block face nor the immediately adjacent blocks. Section 16-18R.017 specifies that driveway curb cuts shall not be permitted on any street that functions as an arterial street or collector street when access may be provided from a side or rear street located immediately adjacent to a contiguous property, except for hotel patron drop-off drives.
- 5) **Suitability of proposed land use:** The proposed rezoning is not suitable for the proposed site and is inconsistent with the development pattern of the surrounding parcels. The proposed rezoning only serves to allow the development of two "tiny home" style units and the replat of two new parcels which would otherwise not be permitted within SPI 18 as a whole according to section 16-18R.009(1): "*Minimum lot requirement: If a lot has less area of width than herein required and was a lot of record on the effective date of this part, that lot shall be used only for a single-family dwelling*". The site is more appropriate for single family residential development consistent with the existing zoning designation. The *Atlanta Comprehensive Development Plan (CDP) Character*

Area for this location is Traditional Neighborhood Redevelopment. The proposed rezoning is inconsistent with the CDP land use policies to:

- CW 12 Encourage a variety of housing types, including “missing middle” housing, that are compatible with nearby buildings.
- TNR 4 Encourage compatible infill development on vacant lots or where existing housing and commercial buildings are deteriorated.
- CW 1 Consider future land use and zoning changes impact on Character Areas, including impacts that may spillover in adjacent areas.
- CW 2 Protect existing single-family, low-density, and medium-density residential from incompatible higher densities and non-residential uses.

The *Atlanta Comprehensive Development Plan* (CDP) policy supports affordable housing (CW 10: “Provide diverse and more affordable housing choices that are accessible by all people”). However, it is important to note that the applicant describes the proposed project as “market rate affordable”, with no assurances of the development’s actual affordability. The proposed development also does not meet the definition of affordable housing as referenced in Section 16-18R.006 (2) of the City of Atlanta Code of Ordinances.

- **Effect on adjacent property:** Based on the proposed site plan, Staff is of the opinion that the proposed development would have a negative impact on the adjacent properties. The proposed “tiny home” style homes are inconsistent with the development pattern and orientation of the existing neighborhood.
- 6) **Economic use of current zoning:** The property appears to have been vacant and underutilized for an extended period of time, likely due to its location and size. Staff is unaware of any barriers to developing the subject property as currently zoned.
- 7) **Compatibility with policies related to tree preservation:** Development of the property must comply with the City of Atlanta Tree Ordinance at the time of permitting. The City’s Arborist Division has already provided comments to the applicant regarding the preservation of three mature trees onsite.
- 8) **Other Considerations:**
The *Atlanta City Design* articulates Atlanta’s vision organized according to its five core values of Equity, Progress, Ambition, Access, and Nature. It focuses future growth into already-developed areas called Growth Areas, which are further categorized as Core, Corridors, and Clusters. Outside the Growth Areas are the Conservation Areas, which include Urban Neighborhoods, Suburban Neighborhoods, Rural Neighborhoods, and Production Areas. Conservation Areas are the natural parts of the city that are less suited for growth and that should be protected from radical change.

According to the Atlanta City Design map, the parcel located at **666 Smith Street SW** is located 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: DENIAL



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
www.atlantaga.gov

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: **Z-24-38 for SPI-26 (Chastain Park Galloway School Special Public Interest District)**

DATE: June 6, 2024

An Ordinance by Zoning Committee to amend the Atlanta Zoning Ordinance by creating a new **Chapter 18Z, SPI-26**, to be entitled **SPI-26 (Chastain Park Galloway School Special Public Interest District)** and to amend the official Zoning Map by changing the designation of properties within the Chastain Park Galloway School Special Public Interest District so as to add SPI-26 to the district designation; and for other purposes.

FINDINGS OF FACT:

The Galloway Schools, Inc. owns approximately 8.26 acres of property located at 215 West Wieuca Road (aka Chastain Park Avenue) (hereinafter, School Property) where it operates an educational facility consisting of a private Pre-K through 12 school (hereinafter, the School). The intent of the **SPI-26 (Chastain Park Galloway School Special Public Interest District)** is to ensure there are no substantially adverse environmental, economic or social impacts to the school property, to Chastain Park, or to the public. The Galloway School is a unique entity wherein a school is surrounded by a City-owned public park and includes some shared facilities. The City acknowledges that an institutional use, like a school, is a basic element of a balanced community and desires to preserve and protect Chastain Park. The City Charter, at Section 1-102(b), provides that the City shall have all powers necessary and proper to promote the safety, health, peace, and general welfare of the City and its inhabitants.

- **Property location:** The subject property fronts approximately 1100 feet on the northwest side of West Wieuca Road NW commencing at the intersection of the westerly right-of-way of West Wieuca Road with the centerline of Dudley Lane. The property is located within Land Lot 118 of the 17th District, Fulton County, Georgia in the Chastain Park neighborhood of NPU-A in Council District 8.

- **Property size and physical features:** The subject property is approximately 8.27 acres (360,241 square feet). The lot is developed with a private school consisting of several administrative buildings, recreational facilities/fields and surface parking areas. Vehicular access to the property is provided from the north side of West Wieuca Road and an access drive that connects to the east side of Elliot Galloway Way. The topography of the surrounding area is rolling and varied as the site is located on a prominent hill, generally sloping downward from north to the south by at least 50 feet. The site is heavily planted with landscaping and natural woodlands and buffers.
- **CDP land use map designation:** The property has a future land use designation of Open Space (OS) within the 2021 Comprehensive Development Plan (CDP).
- **Current/past use of property:** The use of the property is a private school. The building was originally built as the Fulton County Almshouse in 1911 until the Galloway School began operation in 1969. There have been two special use permits issued: Ordinance 84-O-3134/U-84-29 and Ordinance 00-O-1279/U-00-26. Staff is not aware of any other previous uses of the site.
- **Surrounding zoning/land uses:** All adjacent surrounding properties are zoned R-3 (Single Family Residential) with Open Space (OS) future land use.
- **Transportation system:** The site has frontage along West Wieuca Road/Chastain Park Avenue which is a local road. MARTA bus route service does not operate nearby. There are sidewalks along both sides of the street.

PROPOSAL:

The proposal is to create a new zoning district **SPI-26 (Chastain Park Galloway School Special Public Interest District)** to codify permitted principal uses and development regulations and to delineate the boundaries of the district.

CONCLUSIONS

- 1) **Compatibility with Comprehensive Development Plan (CDP); timing of development:** Staff finds that there are no known public projects or programs with which the timing of the creation of the district SPI-26 (Chastain Park Galloway School Special Public Interest District) would conflict. The existing future land use designation on site is consistent with the proposed development controls established by the rezoning; no Comprehensive Development Plan (CDP) amendment is required.
- 2) **Availability of and effect on public facilities and services; referrals to other agencies:** The location of the site and current use of surrounding properties indicate there are public facilities and services available to the subject property. There has been no indication from review agencies and/or departments that there would not be adequate public facilities and services in the area. When proposed development plans are submitted to other agencies for permit review, compliance with all applicable City codes will be required.

- 3) **Availability of other appropriate land zoned for proposed use; effect on balance of land uses with regard to the public need:** Since the proposed rezoning is intended to facilitate a redevelopment of a specific site, the availability of other appropriately zoned land is not an applicable consideration. The intent of the SPI district is to ensure that there are no substantially adverse environmental, economic or social impacts to the School Property, to Chastain Park, or to the public. Therefore, staff is of the opinion that this amendment will preserve the balance of land uses with regard to public need.
- 4) **Effect on character of the neighborhood:** Staff is of the opinion that the proposed creation of the SPI district will have no adverse effect on the neighborhood as the use is current and the property is not adjacent to any single-family dwelling. There are prescribed general regulations, permitted and accessory uses, development controls, height regulations, and relationship of building to street regulations that Galloway School must meet. Since 1969 the school has operated as an educational facility as a part of a basic element in a balanced community. Staff is of the opinion that the district would have no real impact on the surrounding neighborhood.
- 5) **Suitability of proposed land use:** The new district does not require a change in the land use designation. The existing land use is suitable for the parcel and consistent with the proposal.
- 6) **Effect on adjacent property:** Since this proposal does not include substantial changes to the existing use, onsite staff is of the opinion that there will be no effect on adjacent properties. The proposal district's boundaries do not currently encroach onto any single-family property or Chastain Park. Any proposal to redevelop structures onsite will also not encroach.
- 7) **Economic use of current zoning:** The current zoning has current economic use as an institutional use in operation since 1969. The creation of SPI-26 will not have an adverse economic effect on the property or on adjacent properties as the use is a continuous use.
- 8) **Compatibility with policies related to tree preservation:** Development of the property must comply with the City of Atlanta 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 the Atlanta City Design map, **215 West Wieuca Road NW** is located within a Conservation Area: Suburban. Suburban areas are described as follows:

These are the 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 far 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 of the SUBSTITUTE



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
www.atlantaga.gov

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: U-23-26 for 1492 Piedmont Avenue NE Suite B

DATE: June 6, 2024

An Ordinance by Zoning Committee for a special use permit for outdoor dining at eating and drinking establishments when any part of such use is located within 1,000 feet of property that is zoned as an R-1, R-2, R-2A, R-3, R-3A, R-4, R-4A, R-4B, or R-5 District, or that is used as a residential property pursuant to Section 16-11.005(1)(l) for property located at **1492 Piedmont Avenue NE Suite B**.

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

STAFF RECOMMENDATION: 60 DAY DEFERRAL – AUGUST 2024



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
www.atlantaga.gov

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-24-09 for 801 Rankin Street NE

DATE: June 6, 2024

An Ordinance by Zoning Committee for a special use permit for an outdoor sales area pursuant to Section 16-34.007(1)(k) for property located at **801 Rankin Street NE**.

FINDINGS OF FACT:

- **Property location:** The subject property fronts approximately 514 feet on the east side of Rankin Street NE beginning at a nail found at the southeasterly intersection of Angier Avenue and Rankin Street. The property is located within Land Lot 18 of the 14th District, Fulton County, Georgia in the Old Fourth Ward neighborhood of NPU-M in Council District 2.
- **Property size and physical features:** The property is approximately 11.286 acres (491,620 square feet). The property is developed with a variety of mixed-use structures comprised of residential, commercial, and office uses. The topography varies across the lot, with approximately 40 feet between its highest and lowest points. Vehicular access to the site is provided by a curb cut on Rankin Street and North Angier Avenue. There are mature trees and landscaping throughout the property.
- **CDP land use map designation:** The property has a future land use designation of Mixed Use (MU) within the 2021 Comprehensive Development Plan (CDP).
- **Current/past use of property:** The property is developed with a variety of mixed-use structures comprised of residential, commercial, and office uses and is currently utilized as a public plaza. The property is adjacent to the Old Fourth Ward Park and the Atlanta BeltLine Eastside Trail. Staff is unaware of any other previous uses on the site.

- **Surrounding zoning/land uses:** The parcels to the north, east, and south are zoned MRC-3/BL (Mixed Residential Commercial/BeltLine Overlay) with a Mixed Use (MU) future land use designation. The parcels to the west are zoned I-1/BL (Light Industrial/BeltLine Overlay) with Open Space (OS) future land use designation. One parcel to the south is zoned I-1/BL (Light Industrial/BeltLine Overlay) with a Mixed Use (MU) future land use designation.
- **Transportation system:** The site has frontage along Rankin Street NE which is classified as a local road. MARTA bus route service operates nearby along Ralph McGill Boulevard NE. There are sidewalks along Rankin Street NE.

PROPOSAL:

The applicant seeks a special use permit for an outdoor sales area pursuant to 16-34.007(1)(k). The subject property is a mixed-use development comprised of multifamily residential units, office space, retail businesses, and a public plaza. The applicant intends to allow DAS Cantina to operate a mobile unit and serve prepared food and beverages to patrons on the property.

- **Ingress and egress:** Employees, patrons, and emergency and service vehicles will access the property from the existing curb cuts along Rankin Street and North Angier Avenue. Parking is accommodated along the street frontage, within a paved surface lot, or within a paid parking deck on the site. Many patrons are intended to be nearby residents, office workers, or Atlanta BeltLine pedestrians who arrive to the site by foot.
- **Parking and loading:** Parking will be accommodated along the street frontage and within a paved surface lot or a paid parking deck on the site.
- **Refuse and service areas:** The applicant will use private trash services for weekly scheduled trash collections. Equipment offloading for container servicing will occur in the adjacent surface lot.
- **Buffering and screening:** The site generates virtually no light or air pollution that could impact surrounding uses, and the sound generation is minimal and will comply with standard noise ordinances. No changes to the buffering and screening are proposed.
- **Hours and manner of operation:** The subject property is currently a mixed-use development with residences, offices, and businesses of varying uses and varying hours and manner of operation. The applicant intends to operate a mobile food service unit on the site. The applicant anticipates serving 50 clients per day of varying ages. The vendor will initially operate from Thursday through Tuesday from 11 a.m. – 9 p.m. with the intention of operating 7 days per week by the end of the first year. There will be two employees who maintain the mobile unit.
- **Duration:** The applicant requests a 5-year 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:** Any tree removal on the property will be permitted via the City Arborist. The applicant has indicated that they will be consulting with arborists on the final landscape plan.

CONCLUSIONS:

- a) **Ingress and egress and proposed structure or uses thereon, with particular references to automotive and pedestrian safety and convenience, traffic flow and control, and emergency access:** Based on the site plan provided by the applicant the proposal appears to provide adequate access to the site and will not detract from the surrounding area. Staff is of the opinion that the proposed ingress and egress are sufficient to ensure automotive and pedestrian safety and will not create traffic congestion.
- b) **Off-street parking and loading:** The site accommodates off-street parking via a surface lot and parking deck. Given that many of the site's patrons are local and arrive on foot, the parking demand is minimal. Staff finds the proposed parking and loading to be sufficient.
- c) **Refuse and service areas:** Staff finds that the proposed refuse and service areas are sufficient.
- d) **Buffering and screening:** The site generates minimal impact to surrounding uses, and the applicant has not proposed any changes to the buffering and screening provided. The existing buffering and screening appear to be suitable.
- e) **Hours and manner of operation:** Private food vending will initially operate from Thursday through Tuesday from 11 a.m. – 9 p.m. with the intention of operating 7 days per week by the end of the first year. The site will serve 4W Central Plaza residents, patrons, and Atlanta BeltLine pedestrians of all ages. There are two employees who will maintain the mobile unit on the site. Staff find the proposed hours and manner of operation sufficient for the proposed use.
- f) **Duration:** The applicant requests a 5-year duration. Staff is supportive of a 3-year duration.
- g) **Required yards and open space:** The site plan complies with the required yards and open space.
- h) **Compatibility with policies related to tree preservation:** Trees impacted by the development will be reviewed by the City Arborist in accordance with the Tree Preservation Ordinance.

STAFF RECOMMENDATION: APPROVAL conditioned upon the following:

1. The special use permit shall be valid for 3 years from the date of adoption by the Atlanta City Council.
2. The special use permit shall be issued to the owner **DAS Cantina** and is not transferrable.



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
www.atlantaga.gov

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-24-10 for 4075 Paces Ferry Road NW, 4095 Paces Ferry Road NW rear, 4400 Northside Parkway NW rear, and 4496 Northside Parkway NE rear

DATE: June 6, 2024

An Ordinance by Zoning Committee for a special use permit for a private school pursuant to Section 16-03.005(1)(l) for property located at **4075 Paces Ferry Road NW, 4095 Paces Ferry Road NW rear, 4400 Northside Parkway NW rear, and 4496 Northside Parkway NE rear.**

FINDINGS OF FACT:

- **Property location:** The subject property fronts approximately 2,355 feet on the north side of Paces Ferry Road beginning at the point of intersection of the north side of Paces Ferry Road with the east bank of the Chattahoochee River. The property is located within Land Lots 235 and 236 of the 17th District, Fulton County, Georgia in the Paces neighborhood of NPU-A in Council District 8.
- **Property size and physical features:** The subject property is approximately 103.06 acres (4,489,293 square feet). The lot is developed with a private school consisting of several administrative buildings, recreational facilities/fields as well as both parking garages and surface parking areas. Vehicular access to the property is provided from the south side of Northside Parkway and the north side of Paces Ferry Road. The topography is rolling and varied, sloping about 150 feet from east to west. The site is heavily planted with landscaping and natural woodlands and buffers.
- **CDP land use map designation:** The property has a future land use designation of Single Family Residential (SFR) within the 2021 Comprehensive Development Plan (CDP).
- **Current/past use of property:** The past and current use of the property is a private school. There have been four special use permits issued: U-78-18, Ordinance 00-O-1446/U-00-27, Ordinance 07-O-1923/U-07-23, and Ordinance 19-O-1686/U-19-33. Staff is not aware of any other previous uses of the site.

- **Surrounding zoning/land uses:** Properties to the north are zoned RG-2 (Residential General Sector 2) with a Low Density Residential (LDR) future land use designation and O-I-C (Office Institutional Conditional) with an Office-Institutional (O-I) land use designation. Properties to east and south are zoned R-1 (Single Family Residential) with an SFR (Single Family Residential) land use designation. Properties to the west are outside of City of Atlanta city limits; the site abuts the Chattahoochee River along this side.
- **Transportation system:** The site has frontage along Paces Ferry Road NW which is a collector street. MARTA bus route service operates nearby along Northside Parkway, which is an arterial street. Paces Ferry Road NW has sidewalks nearby along its north side.

PROPOSAL:

The applicant seeks to amend special use permit (U-19-33) to update previous conditions of approval for The Lovett School, Inc. The scope of work proposes construction of the Riverbank Building, which will be a gathering space and community center for the campus. The new building will replace the existing community center facility. The proposed Riverbank Building is broken into two main buildings connected by an open canopy. The main building is three stories of approximately 138,000 square feet and will house the dining commons, learning commons, academic resource center, classrooms, and chapel. The nearby existing two-story Hendrixx-Chenault theater will remain; an addition will wrap the existing structure to include a new Black Box theater and the associated spaces for the performing arts program, which will encompass approximately 54,000 square feet. The total new square footage being constructed is 174,950 square feet and 169,339 square feet is to be demolished and removed.

- **Ingress and egress:** Ingress and egress to the site are provided by the existing driveway on Paces Ferry Road and the driveway leading to Northside Parkway Road. There are sidewalks, crosswalks, and streetscaping available throughout the site.
- **Parking and loading:** There are no major changes to the existing off-street parking and loading.
- **Refuse and service areas:** The applicant will continue to use private trash services for scheduled trash collection twice per week, plus additional pickups as needed. No changes to garbage collection are proposed.
- **Buffering and screening:** The applicant has indicated that the existing buffering and screening will remain in place.
- **Hours and manner of operation:** The school is open Monday through Friday from 7:00 a.m. to 3:15 p.m., and some evenings and weekends for extracurricular activities typically between 3:30 p.m. and 7:30 p.m. The school employs approximately 400 full time employees with an enrollment of 1,640 students. Approximately 2,000 lunches are served per day. Special events and sporting events sometimes occur on campus. No changes are proposed to hours and manner of operation.
- **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:** Any tree removal on the property will be permitted via the City Arborist. The applicant has indicated that trees will be removed, and replacement trees will be planted, and recompense paid. A tree replacement plan has been provided and will be reviewed by the City Arborist during permitting.

CONCLUSIONS:

- a) **Ingress and egress and proposed structure or uses thereon, with particular references to automotive and pedestrian safety and convenience, traffic flow and control, and emergency access:** Ingress and egress will be provided from the existing curb cuts along Paces Ferry Road and Northside Parkway. Staff finds these points of ingress and egress to be sufficient for the existing private school. There have also been recent improvements to the interior of the site to facilitate better traffic circulation internally. Staff is of the opinion that the proposed ingress and egress are sufficient to ensure automotive and pedestrian safety and will not create traffic congestion.
- b) **Off-street parking and loading:** The site plan does not indicate any major changes in the existing off-street parking and loading. The existing north parking deck, the approved south parking deck, and existing off-street parking throughout the campus will continue to provide parking accommodations. Staff finds the proposed parking and loading to be sufficient.
- c) **Refuse and service areas:** Staff finds that the proposed refuse and service areas and their collection schedule are sufficient.
- d) **Buffering and screening:** The existing buffering and screening will remain in place. The west side of the property fronts the Chattahoochee River, and the remaining sides of the site are surrounded by substantial dense vegetation buffers. The buffering and screening as proposed by the applicant appears to be suitable.
- e) **Hours and manner of operation:** The hours and manners of operation will remain consistent with the operation of the private school. Staff finds the hours and manner of operation to be adequate. The Lovett School has been operating in this manner since the 1970s. Staff finds the proposed hours and manner of operation reasonable.
- f) **Duration:** The applicant requests an indefinite duration. Staff is supportive of an indefinite duration.
- g) **Required yards and open space:** There will be no expansion to any required yards or open space.
- h) **Compatibility with policies related to tree preservation:** Trees impacted by the development will be reviewed by the City Arborist in accordance with the Tree Preservation Ordinance.

STAFF RECOMMENDATION: APPROVAL conditioned upon the following:

1. The site shall be developed in accordance with the site plan titled The Lovett School PH-III Riverbank Center dated March 26, 2024, and stamped received by the Office of Zoning and Development on March 27, 2024. Minor changes to the approved site plan may be authorized by the Director of the Office of Zoning and Development in accordance with Section 16-02.003(7).
2. Except as amended by condition 1, all other zoning conditions imposed pursuant to Ordinance 19-O-1686 (application U-19-33), approved per City Charter Section 2-403 on February 12, 2020, shall remain in full force and effect.
3. Except as amended by condition 1, all other zoning conditions pursuant to Ordinance 07-O-1923 (application U-07-23), approved by the Mayor on November 13, 2007, shall remain in full force and effect.
4. Except as amended by condition 1 and also condition 1 of Ordinance 19-O-1686, all other zoning conditions pursuant to Ordinance 00-O-1446 (application U-00-27), approved per City Charter Section 2-403 on November 15, 2000, shall remain in full force and effect.



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
www.atlantaga.gov

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-24-11 for 875 West Peachtree Street NW (rear)

DATE: June 6, 2024

An Ordinance by Zoning Committee granting a special use permit to sever excess development density (215,858 square feet of residential floor area) pursuant to 16-28.023(2)(d) from **875 West Peachtree Street NW (sending parcel)** fronting 192 feet on the east side of West Peachtree Street NW to property located at **155 7th Street NW (receiving parcel) (formerly known as 875 West Peachtree Street NW (rear))**.

The applicant has requested a deferral to make amendments to the site plan. Staff is supportive of this request.

STAFF RECOMMENDATION: 60 DAY DEFERRAL – AUGUST 2024



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
www.atlantaga.gov

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-23-75 for 2178 Bicknell Street SW, 0 Bicknell Street SW rear (14 00700001035), 2194 Bicknell Street SW, 2216 Bicknell Street SW, 2228 Bicknell Street SW, 2250 Bicknell Street SW**

DATE: June 6, 2024

A substitute Ordinance to rezone from R-4 (Single Family Residential) to R-4A (Single Family Residential) for property located at **2178 Bicknell Street SW, 0 Bicknell Street SW rear (14 00700001035), 2194 Bicknell Street SW, 2216 Bicknell Street SW, 2228 Bicknell Street SW, 2250 Bicknell Street SW.**

FINDINGS OF FACT:

- **Property location:** The subject properties front 201 feet on the east side of Bagwell Street SW and front 1,312 feet on the east side of Bicknell Street beginning at the intersection of the southeastern side of Bicknell Street with the eastern side of Bagwell Drive. The property is in the Edgewood Neighborhood, in Land Lot 70 of the 14th District in NPU-Z, Council District 12, Fulton County, Georgia.
- **Property size and physical features:** The properties encompass approximately 7.882 acres (343,448 square feet) of net lot area. Most of the parcels are undeveloped. There are a few lots with improved structures. Most of the site is heavily wooded and overgrown. The topography varies across the site. Currently, vehicular access is limited to a curb cut along Bicknell Street SW, although the properties have frontage along Bagwell Drive and Park Way SW. There are grasses, and many large mature trees located throughout the site.
- **CDP land use map designation:** The future land use designation for these properties is Single Family Residential (SFR) within the 2021 Comprehensive Development Plan (CDP).

- **Current/past use of property:** A few of the subject parcels were developed with single family residential structures, while the other lots are undeveloped. Staff is unaware of any other uses for the properties.
- **Surrounding zoning/land uses:** The parcels to the north, east, west, and south are zoned R-4 (Single Family Residential) and have a Single Family Residential (SFR) land use designation. The parcels are developed with single-family homes.
- **Transportation:** The property is located adjacent to Bicknell Street SW, which is considered a local street. It is accessible via MARTA bus route #155 along Polar Rock Road SW and Bicknell Drive SW, which is less than 0.3 miles from the property and provides connections to the MARTA West End Transit Station. There are no sidewalks along Bicknell Street SW.

PROPOSAL:

The applicant is requesting to rezone from R-4 (Single Family Residential) to R-4A (Single Family Residential) to construct 20 new single family dwellings.

CONCLUSIONS:

- (1) **Compatibility with comprehensive development plan (CDP); timing of development:** The subject property has a future land use designation of (SFR) Single Family Residential in the 2021 Comprehensive Development Plan (CDP). The proposed rezoning to R-4A (Single Family Residential) is compatible with the 2021 CDP designation of Single Family Residential, thus a land use amendment will not be required to accommodate the proposed development.
- (2) **Availability of and effect on public facilities and services; referrals to other agencies:** The location of the site and current use of surrounding properties indicates there are public facilities and services available to the subject property. There has been no indication from review agencies and/or departments that there would not be adequate public facilities and services to the subject site. When proposed development plans are submitted to other agencies for permit review, compliance with all applicable City codes will be required.
- (3) **Availability of other appropriate land zoned for proposed use; effect on balance of land uses with regard to the public need:** The applicant has not indicated that they own other land that would be suitable for this development. The proposed rezoning is not expected to have an adverse effect on the environment, or create an imbalance of land uses as it is supportive of NPU Policy Z-5 *all residential properties currently zoned R-1 thru R-4 B or PD-H should maintain their land use designations to preserve the integrity of the NPU's interior neighborhoods, and none of those properties should be converted to R-5 or RG-1 to RG-6 or R-LC.*

- (4) **Effect on character of the neighborhood:** The proposed rezoning is expected to have a positive impact on the surrounding neighborhood and environment. The applicant plans to build one-story and two-story single-family housing, which is consistent with the current single family residential land use designation. These houses will provide more housing options while maintaining the size and scale of the neighborhood's development pattern. The proposed zoning districts density of .50 is consistent with the current R-4 zoning regulations. Like many houses in the neighborhood, the new units will be situated close to the street and will have front porches to enhance the streetscape. The proposed rezoning aligns with NPU policies #1, #3, and #5 outlined in the 2021 Comprehensive Development Plan for Neighborhood Planning Unit Z (NPU-Z). Policy #1 is focused on *preserving the historic, single-family residential character of the following neighborhoods within NPU-Z: Blair Villa/Poole Creek, Browns Mill Park, Glenrose Heights, Lakewood, Leila Valley, Norwood Manor, Orchard Knob, Polar Rock, Rebel Valley Forest, Rosedale Heights, South River Gardens, Swallow Circle/Baywood, and Thomasville Heights.* Policy #3 aims to *prevent the deterioration of residential neighborhoods in NPU-Z by restricting the conversion of residential properties to non-residential uses, except in situations required by law due to the existing non-residential use of surrounding properties.* Policy #5 states *that residential properties currently zoned R-1 thru R-4 B or PD-H should maintain their land use designations to conserve the integrity of NPU's interior neighborhoods. None of those properties should be converted to R-5 or RG-1 to RG-6 or R-LC to protect the single-family and low-density character of the Ormewood Park, East Atlanta, Woodland Hills, Custer Avenue, McDonough, Guice, Benteen, Boulevard Heights, and Grant Park neighborhoods.*
- (5) **Suitability of proposed land use:** The current land use designation for this property is Single Family Residential, consistent with the existing land use designation; therefore, a land use amendment is not required.
- (6) **Effect on adjacent property:** The proposed development should not have any adverse effects on adjacent properties. The proposed development of this vacant and underutilized lot will provide appropriate infill at a suitable density in a way that respects the surrounding residential neighborhood. Off-street and on-street parking will be provided, and streetscapes will be added to enhance and provide a vibrant addition to the neighborhood. Staff is of the opinion that adding new housing, streetscapes, and respecting the existing neighborhood scale and tree canopy will have a positive effect on adjacent properties.
- (7) **Economic use of current zoning:** The site is currently unimproved, and the current zoning allows for reasonable economic use. However, the proposed rezoning would allow the construction of 20 new dwellings that are the same floor area ratio of existing dwellings in the neighborhood and the NPU.
- (8) **Compatibility with policies related to tree preservation:** Redevelopment of the property must comply with the City of Atlanta 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 **2178 Bicknell Street SW, 0 Bicknell Street SW rear (14 00700001035), 2194 Bicknell Street SW, 2216 Bicknell Street SW, 2228 Bicknell Street SW, 2250 Bicknell Street SW** 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