



CITY OF ATLANTA

ANDRE DICKENS
MAYOR

DEPARTMENT OF CITY PLANNING
55 TRINITY AVENUE, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308
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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-23-79 for 665 Marietta Street NW and 693 Marietta Street NW**

DATE: August 8, 2024

An Ordinance by Zoning Committee to rezone from I-1/MSA (Light Industrial/Marietta Street Artery Overlay) to MRC-3/MSA (Mixed Residential Commercial/Marietta Street Artery Overlay) and **waive Section 16-34.024** to allow a pedestrian bridge or tunnel above Marietta Street for property located at **665 Marietta Street NW and 693 Marietta Street NW**.

FINDINGS OF FACT:

- **Property location:** The subject property fronts 294 feet on the north side of North Avenue NW beginning at a 1/2-inch rebar and plastic cap placed at the intersection of the northeasterly right-of-way of Marietta Street with the northwesterly right-of-way of North Avenue. The property is located within Land Lots 81 and 82 of the 14th District, Fulton County, Georgia in the Marietta Street Artery Neighborhood of NPU-E in Council District 3.
- **Property size and physical features:** The combined tracts one and two are approximately 7.574 acres (329,945 square feet) and are bordered by five roads – North Avenue, Marietta Street, Wallace Street, Tech Parkway, and State Street. The property fronts approximately 272.60 feet on North Avenue, has 401.24 feet of frontage on Marietta Street, approximately 490.15 feet of frontage on Wallace Street, 268.07 feet of frontage on Tech Parkway, and approximately 589.91 feet of frontage on State Street. Additionally, there is Tract 3, which is 0.240 acres (10,474 square feet) and is a part of this development. It fronts the west side of Marietta Street and has 247.93 feet of frontage on Marietta Street. Parcel three is an undeveloped asphalt lot. Tracts one and two are currently developed with a 63,101 square foot one and two-story brick building, a 2,065 square foot one-story brick building connected to the rear of the main building by a breezeway and canopy, a one-story open shed, a 43,039 square foot one-story metal frame building with an attached canopy at the front and side, and a 2,464 square foot one-story metal frame building. The property has gravel, asphalt, and concrete throughout, as well as brick and concrete walls. The topography varies throughout the

development area. Vehicular access to the site is currently provided via a curb cut on Wallace Street. There are sidewalks located on both sides of Marietta Street, Tech Parkway, North Avenue, and part of a sidewalk exists on one side of the street that abuts the parcel on Wallace Street and State Street.

- **CDP land use map designation:** The subject property has a future land use designation of Mixed Use within the 2021 Comprehensive Development Plan (CDP).
- **Current/past use of property:** There are currently three buildings of different sizes, shapes, and heights on the property, each serving a different industrial purpose. Previously, the site was the location of a warehouse facility operated by Randall Brothers. No other previous uses of the site are known to the staff.
- **Surrounding zoning/land uses:** The current land use for is Mixed Use, and the zoning designation is I-1/MSA (Light Industrial/ Marietta Street Artery Overlay). The subject property and all surrounding properties have a future land use designation of Mixed Use or Office/Intutional within the 2021 Comprehensive Development Plan (CDP). The surrounding zoning includes O-I/MSA (Office-Institutional/Marietta Street Artery Overlay) with an Office/Institutional land use designation to the north, I-1/MSA (Light Industrial/ Marietta Street Artery Overlay) with a mixed use land use designation to the east, C-3/MSA (Commercial Residential/Marietta Street Artery Overlay), C-3-C/MSA (Commercial Residential Conditional/ Marietta Street Artery Overlay) with a mixed use land use designation to the south and I-2/MSA (Heavy Industrial/ Marietta Street Artery Overlay) with a mixed use land use designation and C-1/MSA (Community Business District/Marietta Street Artery Overlay) with an Office/Institutional land use designation to the west. The surrounding uses are changing from industrial uses to mixed uses.
- **Transportation:** The subject properties are bordered by five roads: North Avenue, Marietta Street, Wallace Street, Tech Parkway, and State Street. North Avenue is classified as an arterial road and collector road. Marietta Street is classified as an arterial road. Wallace Street, Tech Parkway, and State Street are classified as local roads. MARTA currently has two routes that serve the area near the subject site: route #50 along North Avenue at North Avenue NW and State Street NW, which is 0.1 miles from the subject site with connections to the MARTA North Avenue Transit Station, and route #26 along Marietta Street at Marietta Street NW and Wallace Street NW, which is 482 feet from the subject site with connections to MARTA Buckhead Transit Station. MARTA North Avenue Transit Station is approximately 0.8 miles from the subject site, while the MARTA Bankhead Transit Station is approximately 2.0 miles from the subject site. Sidewalks are present along both sides of North Avenue, Marietta Street, and Tech Parkway. Sidewalks exist on Wallace Street and State Street, where one side fully connects and the other side of the street sidewalks start, then stop, resulting in one side having a partial sidewalk.

PROPOSAL: The applicant proposes to rezone 7.33 acres located at 665 Marietta Street NW and 693 Marietta Street NW from I-1/MSA (Light Industrial/Marietta Street Artery Overlay) to MRC-3/MSA (Mixed Residential Commercial/Marietta Street Artery Overlay) to facilitate the redevelopment of the property with a mixed-use development. The proposed development would include 1,219,494 square feet of residential floor area for multifamily residential and student housing, potentially including dormitory use, as well as 1,277,884 square feet of non-residential

floor area. The non-residential area will accommodate a hotel, office space, eating and drinking establishments, retail spaces, and an art-focused use associated with Georgia Tech. This development will also include classrooms and a theater. Additionally, structured parking will be provided as part of the project on the property.

Furthermore, the applicant is requesting a waiver of Section 16-34.024, which currently prohibits pedestrian bridges. The proposal includes creating an experiential pedestrian connection from Georgia Tech's campus through the property, across the railroad, through the North Avenue Research Area and Science Square, and ending at the Churchline Spur of the BeltLine. Certain parts of the proposed pedestrian connection, including the portion on the subject property, are planned to be elevated. Concurrently with this request, the applicant has also filed separate applications for special use permits for the hotel and dormitory uses proposed.

Project Specifications

Net Lot Area (NLA): 319,471 SF
Gross Lot Area (GLA): 381,092 SF

Maximum Allowable Building Square Footage

Nonresidential (utilizing NLA): 1,277,884 square feet (4.0 FAR* NLA)
Residential (utilizing GLA): 1,219,494 square feet (3.2 FAR* GLA)
Combined 7.2 FAR

Maximum Building Height: 225 Feet

Minimum Open Space Requirement

Public Space Required: 63,895 Square feet (20% of NLA)
Usable Open Space: 232,466 Square feet (0.61 * GLA)

Maximum Building Coverage 271,550 square feet (85% of NLA)

Final Building Footprint Shall be less than 85% of NLA.

Parking Summary:

Parking Provided: 1,500 Spaces

CONCLUSIONS:

- (1) **Compatibility with comprehensive development plan (CDP):** The property has a land use designation of Mixed Use in the 2021 Comprehensive Development Plan (CDP). The proposed rezoning to MRC-3 (Mixed Residential Commercial) is consistent with the 2021 Comprehensive Development Plan Mixed Use designation. Therefore, a land use amendment will not be necessary to accommodate the proposed development.
- (2) **Availability of and effect on public facilities and services; referrals to other agencies:** The location of the site and current use of surrounding properties indicates there are public facilities and services available to the subject property. There has been no indication from review agencies and/or departments that there would not be adequate public facilities and services to the subject site. When proposed development plans are submitted to other agencies for permit review, compliance with all applicable City codes will be required.
- (3) **Availability of other appropriate land zoned for proposed use; effect on balance of land uses with regard to the public need:** The zoning regulation indicates that this consideration is optional. The property is located in an area that has a variety of land uses. The Georgia Tech campus is located north and east of the property. Across North Avenue to the south is the new mixed-use innovation center Science Square project and Coca-Cola's headquarters. Across State Street to the east is a Wells Fargo Bank and another Coca-Cola facility. Various commercial uses are located along Marietta Street in the immediate vicinity of the property. Based on the proximity to Georgia Tech and the robust mix of uses in the immediate area, the balance of land uses will not be adversely affected by the proposal. The applicant has not presented any evidence that they own other land in the area that is suitable for this development. This proposal would allow for an appropriate type of development within the Marietta Street Artery corridor at a scale that is comparable to nearby development on Marietta Street, Howell Mill Road, and Northside Drive.
- (4) **Effect on character of the neighborhood:** The 2021 Comprehensive Development Plan identifies the subject site as part of the Intown Corridor Character Area, which focuses on revitalizing corridors like Howell Mill Road and Marietta Street. This development aligns with several Intown Corridor policies: *1. Elevating the distinct character of each Corridor while encouraging density, growth, revitalization, and vibrancy. 3. Encouraging pedestrian-oriented development around well-traveled intersections along the Corridors. 11. Providing attractive pedestrian-oriented storefronts next to sidewalks.* The immediate neighborhood features a variety of developments. Notably, the property is situated across the street from Georgia Tech's campus. The Science Square development by Georgia Tech affiliates and Trammell Crow Company is currently underway to the southwest and will offer more than two million square feet of lab, office, multifamily, and retail space. Additionally, Coca-Cola's headquarters are located across North Avenue to the south and east. The neighborhood also includes several multifamily residential and nonresidential uses. The site is in an area that serves as a gateway between Marietta Street Artery, Midtown, and Downtown. The proposed redevelopment presents an opportunity to enhance the aesthetic appeal of this gateway area with a catalytic development. It is expected that the redevelopment will have a positive impact on the character of the neighborhood. Staff believes that the proposed rezoning will not have a negative effect on the neighborhood's character but will instead facilitate an appropriate mix of nonresidential development in line with the intended future land use designation of Mixed Use.

- (5) **Suitability of proposed land use:** The planned development consists of 1,219,494 square feet of residential space for multifamily housing, student housing, and dormitories, as well as 1,277,884 square feet of non-residential space. This development will complement the existing and future multifamily, commercial, and mixed-use buildings in the Marietta Street Artery Neighborhood. The proposed development's use and scale are consistent with the surrounding area, which includes various uses such as a university, office, multifamily, and nonresidential spaces. Nearby significant developments, such as Georgia Tech, Coca-Cola's headquarters, and the Science Square project, are all in the immediate vicinity of the property. The proposed redevelopment presents an opportunity to reimagine this gateway to three neighborhoods, each with significant development. The proposed hotel, residential, multifamily, dormitory, and office uses on the property are appropriate for this area due to the proximity to world-class uses. Given the site's location and surrounding uses, the proposed mixed-use development is suitable for the property.
- (6) **Effect on adjacent property:** Staff believes that rezoning this property to MRC-3 (Mixed Residential Commercial) for a proposed mixed-use development will not have a negative effect on the adjacent properties. Instead, it should complement the existing and future mixed uses in the area. The development is expected to create a more pedestrian-friendly streetscape. Additionally, the adjacent property will not be negatively impacted by the proposal, and a new streetscape will be installed as part of the development to improve walkability. The scale of the development will require a review as a part of the Development of Regional Impact (DRI) process, which will assess any necessary transportation mitigation necessary to limit burdens to the existing roadways. The proposal's intention is to benefit adjacent properties by activating an underutilized property.
- (7) **Economic use of current zoning:** Staff finds that the current zoning allows for reasonable economic use of the property. Although the property could be redeveloped under the current industrial zoning, the extent of the development permitted would not align with the redevelopment goals of the Intown Corridor Character Area. The lack of new development in this area of Marietta Street suggests that the current zoning does not align with market demand or the land use policy of the City's Comprehensive Development Plan. Given the limited scope of new development in the immediate area, the economic use of the current zoning is restricted without a rezoning to the proposed MRC-3 zoning district. However, rezoning would not negatively impact economic use and may even have a positive effect on neighboring properties. The proposed zoning is consistent with existing conditions and supports the densities required to create a pedestrian-oriented district, as envisioned for the Howell Mill Road and Marietta Street corridors, as well as the Northside Drive corridor.
- (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 **665 Marietta NW, and 693 Marietta Street NW** are located within a Core Growth Area. The Core Growth Area is described as follows:

“This is the center of Old Atlanta. It includes the City’s densest, most traditional, adaptable and walkable districts. It has an easy capacity for growth, the best transit network and many of the top historic, cultural and academic assets in the region. It covers Downtown, Midtown, and a larger surrounding territory made primarily of commercial and industrial property. It also includes emerging districts like West Midtown, South Downtown, West End and Castleberry, where better design can solve shortcomings that today limit the capacity for growth.”

STAFF RECOMMENDATION: APPROVAL



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MEMORANDUM

TO: Zoning Review Board

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

SUBJECT: U-23-37 for 665 Marietta Street NW and 693 Marietta Street NW

DATE: August 8, 2024

An Ordinance by Zoning Committee for a special use permit for a dormitory pursuant to Section 16-34.007(1)(f) for property located at **665 Marietta Street NW and 693 Marietta Street NW**.

FINDINGS OF FACT:

- **Property location:** The subject property fronts 294 feet on the north side of North Avenue NW beginning at a 1/2-inch rebar and plastic cap placed at the intersection of the northeasterly right-of-way of Marietta Street with the northwesterly right-of-way of North Avenue. The property is located within Land Lots 81 and 82 of the 14th District, Fulton County, Georgia in the Marietta Street Artery Neighborhood of NPU-E in Council District 3.
- **Property size and physical features:** The combined tracts are approximately 7.574 acres (329,945 square feet) and are bordered by five roads – North Avenue, Marietta Street, Wallace Street, Tech Parkway, and State Street. The property has approximately 272.60 feet of frontage on North Avenue, 401.24 feet of frontage on Marietta Street, approximately 490.15 feet of frontage on Wallace Street, 268.07 feet of frontage on Tech Parkway, and approximately 589.91 feet of frontage on State Street. In addition, Tract 3, which is 0.240 acres (10,474 square feet) is a part of this development. It fronts on the west side of Marietta Street and has 247.93 feet of frontage on Marietta Street. Parcel 3 is undeveloped with asphalt lot. Tracts one and two are currently developed with a 63,101 square foot one and two-story brick building, a 2,065 square foot one-story brick building connected to the rear of the main building by a breezeway and canopy, a one-story open shed, a 43,039 square foot one-story metal frame building with an attached canopy at the front and side, and a 2,464 square foot one-story metal frame building. The property has gravel, asphalt, and concrete throughout, as well as brick and concrete walls. The topography varies throughout the lots. Vehicular access to the site is currently provided via a curb cut on Wallace Street. There are sidewalks located on both sides of Marietta Street, Tech Parkway, North Avenue, and part of a sidewalk exists on one side of the street that abuts the parcel on Wallace Street and State Street.

- **CDP land use map designation:** The subject property has a future land use designation of Mixed Use within the 2021 Comprehensive Development Plan (CDP).
- **Current/past use of property:** There are currently three buildings of different sizes, shapes, and heights on the property, each serving a different industrial purpose. Previously, the site housed warehouse facility operated by Randall Brothers, an established company in Atlanta, Georgia. No other previous uses of the site are known to the staff.
- **Surrounding zoning/land uses:** The subject property's current land use for this parcel is Mixed Use, and the zoning designation is I-1/MSA (Light Industrial/ Marietta Street Artery Overlay). The subject property and all surrounding properties have a future land use designation of Mixed Use or Office/Institutional within the 2021 Comprehensive Development Plan (CDP). The surrounding zoning includes O-I/MSA (Office-Institutional/Marietta Street Artery Overlay) with an Office/Institutional land use designation to the north, I-1/MSA (Light Industrial/ Marietta Street Artery Overlay) with a mixed use land use designation to the east, C-3/MSA (Commercial Residential/Marietta Street Artery Overlay), C-3-C/MSA (Commercial Residential Conditional/Marietta Street Artery Overlay) with a mixed use land use designation to the south and I-2/MSA (Heavy Industrial/Marietta Street Artery Overlay) with a mixed use land use designation and C-1/MSA (Community Business District/Marietta Street Artery Overlay) with an Office/Institutional land use designation to the west. The surrounding uses are changing from industrial uses to mixed uses.
- **Transportation system:** The subject properties are bordered by five roads: North Avenue, Marietta Street, Wallace Street, Tech Parkway, and State Street. North Avenue is classified as an arterial road and collector road. Marietta Street is classified as an arterial road. Wallace Street, Tech Parkway, and State Street are classified as local roads. MARTA currently has two routes that serve the area near the subject site: route #50 along North Avenue at North Avenue NW and State Street NW, which is 0.1 miles from the subject site with connections to the MARTA North Avenue Transit Station, and route #26 along Marietta Street at Marietta Street NW and Wallace Street NW, which is 482 feet from the subject site with connections to MARTA Buckhead Transit Station. MARTA North Avenue Transit Station is approximately 0.8 miles from the subject site, while the MARTA Bankhead Transit Station is approximately 2.0 miles from the subject site. Sidewalks are present along both sides of North Avenue, Marietta Street, and Tech Parkway. Sidewalks exist on Wallace Street and State Street, where one side fully connects and the other side of the street sidewalks start, then stop, resulting in one side having a partial sidewalk.

PROPOSAL: The proposed dormitory use requested in this application is part of a mixed use project being developed on 7.334 acres encompassing an entire city block. The mixed use development will include multifamily residential and student housing, including potential dormitory use, hotel, office, eating and drinking establishments, retail and an arts focused use associated with Georgia Tech including academic areas and special purpose arts areas including a theater. The dormitory use is anticipated to accommodate 750 beds for Georgia Tech students. The implementation of this dormitory use will be dependent on campus housing demands. Parking will be accommodated in structured parking proposed to be shared within the development.

- **Ingress and egress:** Employees and clients will use the proposed curb cut on Wallace Street and two proposed curb cuts on State Street to enter and leave the property. The property has frontage on all sides. Emergency vehicles will be able to access the property from the street and, depending on their size, through the proposed curb cuts. Vehicle entry and exit will be from local roads, which are not as heavily used as the North Avenue and Marietta Street arterials. This proposal is not expected to cause congestion on the area roads. A Development of Regional Impact review is planned for the development, which will evaluate the impacts of the entry and exit points and provide recommendations for any necessary mitigation. The property development will be subject to a Development of Regional Impact review, which will identify any required road improvements to accommodate the development. Generally, the use of a dormitory does not generate significant traffic demand.
- **Off-street parking and loading:** Service personnel will park on the property using the proposed structured parking that is being developed as part of the building. Employees and clients will also use the structured parking to park their vehicles and gain access to the building.
- **Refuse and service areas:** Garbage and refuse will be managed within the building and taken care of by a private disposal service. The disposal of refuse and garbage will take place as often as needed to meet the project's requirements, most likely more than once a week. Products and supplies will be delivered to the facility using a loading area situated within the parking structure that is part of the building.
- **Buffering and screening:** The property is abutted on all sides by public right-of-way and there are no adjacent properties that need screening.
- **Hours and manner of operation:** The development proposed on the property includes Georgia Tech academic uses, office, retail, hotel, multifamily residential and the potential for a 750-bed dormitory. The dormitory will be utilized by Georgia Tech students. The specific operation will be based on student demand for campus housing and other available housing options. The dormitory will be open 24 hours a day and 7 days per week. Approximately 50 employees are expected to be employed for the dormitory use. The age ranges would include 17 and up. The dormitory will not provide meals. There will be no special programs offered at the facility beyond the normal programming that occurs in college dormitory facilities for the dormitory residents.
- **Duration:** The applicant requests an indefinite duration.
- **Required yards and open space:** A part of the current property improvements will be retained for the redevelopment, without infringing on required yard setbacks or open space areas.

Tree Preservation and replacement: Trees affected by the property's development will be assessed and must adhere to the City Arborist in line with the Tree Preservation Ordinance.

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 plans submitted by the applicant the proposal appears to provide adequate access to the site and will not detract from the active pedestrian environment surrounding the proposed development. 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 if the entrance is managed properly. Furthermore, pedestrians can gain access along the various right of ways.
- b) **Off-Street Parking and loading:** Parking for the development will be accommodated through the proposed parking structure that will be built on site. The onsite parking will be utilized by commercial, residential, and hotel use. Products and supplies will be delivered to the loading dock and service area on the ground floor of the parking garage, accessible via 11th Street. Service personnel, employees, and clients will park their vehicles in the parking garage and gain access to the building via a standard elevator. Loading and service areas will be located on the ground floor of the parking garage. Loading must be screened in accordance with Section 16-34.016 of the Zoning Ordinance.
- c) **Refuse and services areas:** Garbage and refuse will be handled within the building and serviced by a private disposal service. The disposal of refuse and garbage will occur as frequently as necessary to support the demands of the project, but most likely more than once a week. Products and supplies will be delivered to the facility using a loading area contained within the parking structure developed as a part of the building. Staff supports the location of loading and service as part of the building and the handling of refuse within the building.
- d) **Buffering and screening:** Loading and dumpsters will be located within the parking structure, which is the least visible location on site, and, therefore, the most appropriate location for uses that need screening. The property is abutted on all sides by public right-of-way and there are no adjacent properties that need screening. The applicant anticipates most noise and light emanating from the hotel will be like neighboring properties and will meet all City codes.
- e) **Hours and manner of operation:** The proposed use is a 750-bed dormitory. The dormitory will be utilized by Georgia Tech students. The specific operation will be based on student demand for campus housing and other available housing options. The dormitory will be open 24 hours a day and 7 days per week. Approximately 50 employees are expected to be employed for the dormitory use. The age ranges served by the dormitory would include 17 and up. The dormitory will not provide meals. There will be no special programs offered at the facility beyond the normal programming that occurs in college dormitory facilities for the dormitory residents. Staff find the hours and manner of operation sufficient.
- f) **Duration:** The applicant requests an indefinite duration. Staff is supportive of an indefinite duration.

- g) Required yards and open space:** The development proposal contemplates redevelopment of the entire site. The site plan presented proposes no encroachments into any required yards.
- h) Compatibility with policies related to tree preservation:** Trees impacted by the property's development will be reviewed and must comply with the City Arborist in accordance with the Tree Preservation Ordinance.

STAFF RECOMMENDATION: APPROVAL conditioned upon the following:

1. The special use permit for a dormitory shall be valid as long as the Georgia Institution of Technology is the owner and operator.
2. The special use permit is not transferrable.



ANDRE DICKENS
MAYOR

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KEYETTA M. HOLMES, AICP
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MEMORANDUM

TO: Zoning Review Board

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

SUBJECT: U-23-38 for 665 Marietta Street NW and 693 Marietta Street NW

DATE: August 8, 2024

An Ordinance by Zoning Committee for a special use permit for a hotel pursuant to Section 16-34.007(1)(j) for property located at **665 Marietta Street NW and 693 Marietta Street NW**.

FINDINGS OF FACT:

- **Property location:** The subject property fronts 294 feet on the north side of North Avenue NW beginning at a 1/2-inch rebar and plastic cap placed at the intersection of the northeasterly right-of-way of Marietta Street with the northwesterly right-of-way of North Avenue. The property is located within Land Lots 81 and 82 of the 14th District, Fulton County, Georgia in the Marietta Street Artery Neighborhood of NPU-E in Council District 3.
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- **CDP land use map designation:** The subject property has a future land use designation of Mixed Use within the 2021 Comprehensive Development Plan (CDP).
- **Current/past use of property:** There are currently three buildings of different sizes, shapes, and heights on the property, each serving a different industrial purpose. Previously, the site housed warehouse facility operated by Randall Brothers, an established company in Atlanta, Georgia. No other previous uses of the site are known to the staff.
- **Surrounding zoning/land uses:** The subject property's current land use for this parcel is Mixed Use, and the zoning designation is I-1/MSA (Light Industrial/ Marietta Street Artery Overlay). The subject property and all surrounding properties have a future land use designation of Mixed Use or Office/Institutional within the 2021 Comprehensive Development Plan (CDP). The surrounding zoning includes O-I/MSA (Office-Institutional/Marietta Street Artery Overlay) with an Office/Institutional land use designation to the north, I-1/MSA (Light Industrial/ Marietta Street Artery Overlay) with a mixed use land use designation to the east, C-3/MSA (Commercial Residential/Marietta Street Artery Overlay), C-3-C/MSA (Commercial Residential Conditional/Marietta Street Artery Overlay) with a mixed use land use designation to the south and I-2/MSA (Heavy Industrial/Marietta Street Artery Overlay) with a mixed use land use designation and C-1/MSA (Community Business District/Marietta Street Artery Overlay) with an Office/Institutional land use designation to the west. The surrounding uses are changing from industrial uses to mixed uses.
- **Transportation system:** The subject properties are bordered by five roads: North Avenue, Marietta Street, Wallace Street, Tech Parkway, and State Street. North Avenue is classified as an arterial road and collector road. Marietta Street is classified as an arterial road. Wallace Street, Tech Parkway, and State Street are classified as local roads. MARTA currently has two routes that serve the area near the subject site: route #50 along North Avenue at North Avenue NW and State Street NW, which is 0.1 miles from the subject site with connections to the MARTA North Avenue Transit Station, and route #26 along Marietta Street at Marietta Street NW and Wallace Street NW, which is 482 feet from the subject site with connections to MARTA Buckhead Transit Station. MARTA North Avenue Transit Station is approximately 0.8 miles from the subject site, while the MARTA Bankhead Transit Station is approximately 2.0 miles from the subject site. Sidewalks are present along both sides of North Avenue, Marietta Street, and Tech Parkway. Sidewalks exist on Wallace Street and State Street, where one side fully connects and the other side of the street sidewalks start, then stop, resulting in one side having a partial sidewalk.

PROPOSAL: The proposed hotel use requested in this application is part of a mixed use project being developed on 7.334 acres encompassing an entire city block. The mixed use development will include multifamily residential and student housing, including potential dormitory use, hotel, office, eating and drinking establishments, retail and an arts focused use associated with Georgia Tech including academic areas and special purpose arts areas including a theater. The hotel use is contemplated to include 300 keys and will be a full-service hotel with a ballroom and conference facilities and food and beverage offerings. Parking will be accommodated in structured parking proposed to be shared within the development.

- **Ingress and egress:** Employees and clients will use the proposed curb cut on Wallace Street and two proposed curb cuts on State Street to enter and leave the property. Emergency vehicles will be able to access the property from the street and, depending on their size, through the proposed curb cuts. Vehicle entry and exit will be from local roads, which are not as heavily used as the North Avenue and Marietta Street arterials. This proposal is not expected to cause congestion on the area roads. A Development of Regional Impact review is planned for the development, which will evaluate the impacts of the entry and exit points and provide recommendations for any necessary mitigation. The property development will be subject to a Development of Regional Impact review, which will identify any required road improvements to accommodate the development. Generally, the use of a hotel does not generate significant traffic demand.
- **Off-street parking and loading:** Service personnel will have access to and park on the property using the proposed structured parking that is being developed as part of the building. Employees and clients will also use the structured parking to park their vehicles and gain access to the building.
- **Refuse and service areas:** Garbage and refuse will be managed within the building and handled by a private disposal service. The disposal of refuse and garbage will take place as often as needed to meet the requirements of the project, likely more than once a week.
- **Buffering and screening:** The property is abutted on all sides by public right-of-way and there are no adjacent properties that need screening.
- **Hours and manner of operation:** The hotel is expected to be a full-service establishment with a ballroom, meeting, and event facilities, operating 24/7. It's anticipated to employ around 395 staff working in three shifts per day and provide food and beverage services such as a restaurant, bar, and room service. There are no specific special programs proposed to be offered at the facility.
- **Duration:** The applicant requests an indefinite duration.
- **Required yards and open space:** A part of the current property improvements will be retained for the redevelopment, without infringing on required yard setbacks or open space areas.
- **Tree Preservation and replacement:** Trees affected by the property's development will be assessed and must adhere to the City Arborist in line with the Tree Preservation Ordinance.

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 plans submitted by the applicant the proposal appears to provide adequate access to the site and will not detract from the active pedestrian environment surrounding the proposed development. 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 if the entrance is managed properly. Furthermore, pedestrians can gain access along the various right of way.

- b) **Off-Street Parking and loading:** Parking for the development will be accommodated through the proposed parking structure that will be built on site. The onsite parking will be shared by the commercial, residential, and hotel users onsite. Products and supplies will be delivered to the loading dock and service area on the ground floor of the parking garage, accessible via 11th Street. Service personnel, Employees, and clients will park their vehicles in the parking garage and gain access to the building via a standard elevator. Loading and service areas will be located on the ground floor of the parking garage. Loading must be screened in accordance with Section 16-34.016 of the Zoning Ordinance.
- c) **Refuse and services areas:** Garbage and refuse will be handled within the building and serviced by a private disposal service. The disposal of refuse and garbage will occur as frequently as necessary to support the demands of the project, but most likely more than once a week. Products and supplies will be delivered to the facility using a loading area contained within the parking structure developed as a part of the building. Staff supports the location of loading and service as part of the building and the handling of refuse within the building.
- d) **Buffering and screening:** Loading and dumpsters will be located within the parking structure, which is the least visible location on site, and, therefore, the most appropriate location for uses that need screening. The property is abutted on all sides by public right-of-way and there are no adjacent properties that need screening. The applicant anticipates most noise and light emanating from the hotel will be like neighboring properties and will meet all City codes.
- e) **Hours and manner of operation:** The proposed hotel use will be operating 24 hours a day, 7 days a week, year-round. The hotel is expected to be a full-service establishment with a ballroom, meeting and event facilities, operating 24/7. It's anticipated to employ around 395 staff working in three shifts per day and provide food and beverage services such as a restaurant, bar, and room service. There are no specific special programs proposed to be offered at the facility. Staff approves of such measures.
- f) **Duration:** The applicant requests an indefinite duration. Staff is supportive of an indefinite duration request.
- g) **Required yards and open space:** The development proposal contemplates redevelopment of the entire site. The site plan presented proposes no encroachments into any required yards.
- h) **Compatibility with policies related to tree preservation:** Trees impacted by the property's development will be reviewed and must comply with the City Arborist in accordance with the Tree Preservation Ordinance.

STAFF RECOMMENDATION: APPROVAL conditioned upon the following:

1. The special use permit for a hotel is valid for 3 years from the date of adoption by City Council.



CITY OF ATLANTA

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JAHNEE R. PRINCE, AICP
Commissioner

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

MEMORANDUM

TO: Zoning Review Board

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

SUBJECT: **Z-23-86 for Campbellton Road Overlay Text Amendment**

DATE: August 8, 2024

An Ordinance by Councilmember Marci Collier Overstreet to amend Part III Land Development Code Part 16 **Chapter 43 Section 16-43.003 Use Regulations of the Campbellton Road Overlay**; and for other purposes.

FINDINGS OF FACT:

The Campbellton Road corridor is in NPUs P and R and is located primarily within City Council District 11 as designated by the City of Atlanta 2021 Comprehensive Development Plan (CDP). Land use and zoning changes to key sites along the corridor are intended to support the redevelopment of catalyst sites to promote mixed-use and pedestrian friendly private development. NPU-P policies seek to support unified development of the Ben Hill commercial areas along Campbellton Road SW and its associated community facilities in accordance with the adopted plans such as Cascade Road-Campbellton Road Corridor Plan and the Greenbriar Livable City Initiatives. Encourage street level retail uses with sidewalks and other streetscape improvements to maximize pedestrian activity and NPU-R policies seek to further support unified development of the Southwest neighborhood and Baker Hills at Campbellton neighborhood along Campbellton Road SW. The Campbellton Road corridor has long been envisioned as mixed use to include new retail, office and residential uses anchored by community serving non-residential uses.

PROPOSAL: The Ordinance proposes to amend the Section 16-43.003 Prohibited uses of Campbellton Road Overlay by adding Mixed-use storage facility.

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 or creation of this text amendment would conflict.
- (2) **Availability of and effect of public facilities and services; referral to other agencies:** No review agency has indicated that the text amendment will have a negative effect on public facilities and services. At the time of permitting for any development all review agencies will review development plans for compliance with all ordinances and for regulatory compliance.
- (3) **Availability of other appropriate land zoned for proposed use; effect on balance of land uses with regard to the public need:** The proposal is a text amendment to prohibit the construction of mixed-use storage facilities along Campbellton Road corridor in the Campbellton Road Overlay area. A mixed-use storage facility is defined as: An enclosed structure providing separate and individually accessible compartments/units each no greater than 400 square feet in floor area and leased or rented to the general public for the purposes of storing non-hazardous personal property of household goods and effects and not utilized for commercial inventory. Additionally, a minimum of 10% of floor area can be devoted to one or more non-storage permitted uses specified in the applicable zoning district. Often, the mixed-use floor area is devoted to the office uses serving the storage facility and does not promote a mixture of uses that serve the adjacent residential community. Campbellton Road is considered a Growth Corridor, and the city desires uses that are easily accessible to transit, are suitable for walking and biking. Campbellton Road is a part of a Redevelopment Corridor with policies from the 2021 Comprehensive Development Plan, IC-R1 *Elevate the distinct character of each Corridor while encouraging density, growth, revitalization, and vibrancy and Encourage pedestrian-oriented development on the blocks around the many well-travelled intersections along the Corridors.*
- (4) **Effect on character of the neighborhood:** Staff is of the opinion that there will be a positive effect on the neighborhood. The Campbellton Road corridor and surrounding neighborhoods will benefit from denser residential and non-residential development that is pedestrian oriented, has activity nodes at major intersections that will improve the sense of place and community.
- (5) **Suitability of proposed land use:** No land use amendments are required for this text amendment. The proposed land uses to support a diversity of housing types and a mix of residential, commercial, cultural and recreational uses will remain.
- (6) **Effect on adjacent property:** Staff believes the proposed legislation will not have an adverse effect on adjacent properties. Additionally, the intent is to promote a diversity of uses along the Campbellton Road corridor. Any adverse effects perceived or realized will be managed by Zoning Enforcement and Code Enforcement.
- (7) **Economic use of current zoning:** Staff is of the opinion that there is economic use under the current zoning. The text amendment will align with community goals for the Campbellton Road corridor, as well as encourage redevelopment.

(8) Compatibility with policies related to tree preservation: Any development will need to comply with the requirements of the City of Atlanta's Tree Ordinance.

STAFF RECOMMENDATION: APPROVAL



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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-24-04 for 523 Whitehall Street SW

DATE: August 8, 2024

An Ordinance by Zoning Committee to rezone from I-2 (Heavy Industrial) to I-MIX (Industrial Mix Use) for property located at **523 Whitehall Street SW**.

FINDINGS OF FACT:

- **Property Location:** The property fronts 78.2 feet on the northside side of Whitehall Street commencing at a point where the northwestern right of way of Whitehall Street intersects with the southwestern right of way of McDaniel Street. The property is in Land Lot 85 of the 14th District, Fulton County, Georgia in the Mechanicsville Neighborhood of NPU-V, Council District 4.
- **Property Size and Physical Features:** The subject site is a rectangular parcel with approximately 0.973 acres (approximately 42,377 square feet) of lot area. The site is currently occupied by a one-story nonresidential building and a concrete parking area. Vehicular access is provided via a curb cut on Whitehall Street. Topography is mostly flat across the site, with a slight elevation change of approximately 4 feet between the highest and lowest points. The site is to be clear of mature trees as well as any substantial landscaping or natural vegetation.
- **CDP Land Use Map Designation:** The current land use category for the site is Industrial (I) within the 2021 Comprehensive Development Plan (CDP).
- **Current/Past Use of Property:** The site is currently occupied by an inactive one-story structure, and the site has mostly been cleared of vegetation. A large portion of the west side of the site the is currently empty and was once occupied by a large multi-story brick building which was demolished in approximately 2010. Both structures appear to have been inactive for an extended time. Staff is unaware of any other previous uses of the property.
- **Surrounding Zoning/Land Uses:** Parcels to the north, south, and west are also zoned I-2 (Heavy Industrial) with an Industrial (I) future land use designation. The parcel to the east is zoned I-MIX (Industrial Mixed Use) with an Industrial (I) future land use designation.

- **Transportation System:** Whitehall Street SW is considered an arterial street and has sidewalks along both sides at this location. MARTA bus service operates along Whitehall Street SW with route #40 and there are multiple bus stops nearby, as well as additional service along adjacent nearby streets such as McDaniel Street SW and Peters Street SW.

PROPOSAL:

The applicant seeks to rezone from I-2 (Heavy Industrial) to I-MIX (Industrial Mixed Use) to construct a 100-unit condominium building with ground floor commercial uses. The ground floor of the development is expected to have a curb cut to provide access to a parking garage that will occupy the two lowest levels. The street frontage at the ground floor level will consist of the residential development’s amenity area as well as 2,000 square feet of commercial tenant spaces. The residential units will begin on the third floor and continue upward; the third floor will also include a private rooftop terrace and pool area for residents.

Project Specifications:

Lot Area (total):	0.973 acres (42,377 square feet)
Maximum FAR:	3.3 (combined for all uses)
Residential Space:	154,200 square feet
Nonresidential Space:	2,000 square feet
Number of Units Proposed:	151 units total
2 Bedroom	8 units
1 Bedroom	111 units
1 Bed/Efficiency	32 units
Parking Required (Minimum):	None
Parking Required (Maximum):	200+ spaces total (approximate, varies by use)
Residential:	1.25 per 1 Bedroom, 2.25 per 2+ Bedrooms
Nonresidential:	Varies
Parking Provided:	131 Spaces
Maximum Building Height:	225 feet
Proposed Building Height:	10 stories
Maximum Lot Coverage:	85%

CONCLUSIONS

- 1) **Compatibility with Comprehensive Development Plan (CDP); timing of development:** The 2021 Comprehensive Development Plan designates the subject property with an Industrial (I) land use; therefore, the proposed zoning district is compatible.
- 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. The proposed rezoning would not have an adverse effect on the environment or create an imbalance of land uses. The applicant's rezoning proposal does not include a land use amendment and does intend to introduce more housing supply in a way that is in accordance with the established NPU policies. NPU V policy V-24 states *"Mechanicsville has a large concentration of lower-income housing. Build more market-rate housing in Mechanicsville community when appropriate to prevent saturation of non-market-rate housing."* The proposed rezoning would therefore have a positive impact on the balance of land uses regarding public need.
- 4) **Effect on character of the neighborhood:** Staff is of the opinion that the proposed rezoning would have a positive impact on the character of the surrounding neighborhood. The current site has remained undeveloped, which is not desirable; this section of Whitehall Street SW is underutilized and in need of revitalization. At best it is a vacant site with limited economic benefit to its community; at its worst it is deteriorating and subjected to illegal dumping and littering, vagrancy, and other nuisances that are common to undeveloped lots in urban areas. The site's Character Area designation is Redevelopment Corridor, which has several policies supported by this proposal. IC/RC 2 *"Support the redevelopment of vacant and underutilized land and buildings,"* IC/RC 4 *"Manage the levels of densities along the Corridors so the densest development happens near major intersections, centers, or transit stations,"* and IC/RC 6 *"Encourage compatible infill development on vacant lots or deteriorated buildings."* Therefore, Staff finds the proposed request reasonable.
- 5) **Suitability of proposed land use:** The proposal does not include a request to modify the future land use of the site. The proposal complies with the basic requirements of the I-MIX zoning designation and introduces new housing supply without eroding the industrial base that is necessary for the city to maintain a balanced land use approach. The proposed land use is suitable for the parcel.
- 6) **Effect on adjacent property:** The proposed rezoning will have a positive impact on the surrounding neighborhoods by eliminating an undeveloped site and increasing the overall housing supply in a manner that is consistent with the existing pattern of development. Whitehall Street SW is an underutilized area that would benefit greatly from the introduction of new developments.
- 7) **Economic use of current zoning:** The property has remained undeveloped for an extended time, indicating that the existing economic use of the current zoning is limited. The proposed rezoning would increase the economic use of the site.
- 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) 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, **523 Whitehall Street SW** is located within a Growth Area: Core. Core areas are described as follows:

This is the center of Old Atlanta. It includes the city's densest, most traditional, adaptable and walkable districts. It has an easy capacity for growth, the best transit network and many of the top historic, cultural and academic assets in the region. It covers Downtown, Midtown, and a larger surrounding territory made primarily of commercial and industrial property. It also includes emerging districts like West Midtown, South Downtown, West End and Castleberry, where better design can solve shortcomings that today limit the capacity for growth.

STAFF RECOMMENDATION: APPROVAL



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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-24-19 for 1060 Donald Lee Hollowell Parkway NW**

DATE: August 8, 2024

An Ordinance by Zoning Committee to rezone from MRC-3-C/BL/WPIZ (Mixed Residential Commercial Conditional/BeltLine Overlay/Westside Park Affordable Workforce Housing Overlay) to MRC-3-C/BL/WPIZ (Mixed Residential Commercial Conditional/BeltLine Overlay/Westside Park Affordable Workforce Housing Overlay) for a major site plan amendment for property located at **1060 Donald Lee Hollowell Parkway NW**.

FINDINGS OF FACT:

- **Property location:** The subject site fronts 388.03 feet on the south side of Donald Lee Hollowell Parkway NW and begins at the intersection of Donald Lee Hollowell Parkway NW and Finley Avenue NW. The property is in Land Lot 113 and 114 of the 14th District, Fulton County, Georgia within the Bankhead neighborhood of NPU-K in Council District 3.
- **Property size and physical features:** The site is approximately 15.48 acres (674,308 square feet) in land area and currently contains a dilapidated surface parking and industrial buildings with varying levels of vacancy. The lot topography is relatively level throughout the property. Broken asphalt pavement can be found on most of the property. The site currently has no landscaping and greenery on the site.
- **CDP land use map designation:** The subject site has a Mixed-Use future land use designation within the 2021 Comprehensive Development Plan (CDP). A land use amendment is not required.
- **Current/past use of property:** Historically, the subject properties were occupied by various industrial and manufacturing uses. Staff is unaware of any other uses for the property.

- **Surrounding zoning/land uses:** The surrounding properties vary in uses and zoning classification. North of the site, there are some undeveloped properties, an auto parts facility, and a few dilapidated single-family homes zoned I-2 (Heavy Industrial) with Mixed Use future land use designation. Also, north of the site, there are newly constructed townhomes zoned PD-MU (Planned Development Mixed Use District) with Mixed Use future land use designation. To the east of the site, there is a vacant former night club, an auto parts facility zoned I-1 (Light Industrial) and a newly constructed commercial building zoned C-2 (Commercial Service District) with Mixed-Use future land use designations. There are also several vacant or partially vacant lots zoned I-1 (Light Industrial) with High Density Residential future land use and single-family uses zoned R-4A (Single-Family Residential District). South of the site, there are dilapidated, and vacant industrial lots zoned I-1 (Light Industrial) with High and Very High Density Residential future land use designations. West of the site is the Atlanta BeltLine and industrial lots zoned I-2 (Heavy Industrial) as well as Maddox Park zoned R-4A (Single-Family Residential), with Open Space future land use designations.
- **Transportation system:** The subject property has frontage along the Donald Lee Hollowell Parkway which is classified as a principal arterial road. The subject lot also has frontage along North Avenue and Finley Avenue which are classified as local roads. Sidewalks are provided along the north and south side of Donald Lee Hollowell Parkway. MARTA provides public transportation service to this area via bus route #50 along Donald Lee Hollowell Parkway. Multiple transit stops are located along Donald Lee Hollowell Parkway with one located directly adjacent to the subject lot at the intersection of Finley Avenue and Donald Lee Hollowell Parkway. The site is also located 0.5 miles away from the Bankhead MARTA Transit Station.

PROPOSAL: The applicant a major site plan amendment for a 15.49-acre site to allow the construction of up to 1,600 residential units (1,640,000 square feet) and 700,000 square feet of non-residential uses. The applicant proposes 135 units to be available for households meeting 80% of the Area Median Income.

Net Lot Area (NLA):	674,635 sq. ft. (15.49 acres)
Residential FAR Maximum Allowed:	3.2 FAR
Residential FAR Proposed:	1,640,000 sq. ft. (2.43 FAR)
Non-Residential FAR Maximum Allowed:	4.0 FAR
Non-residential FAR Proposed:	700,000 sq. ft. (1.40 FAR)
Parking Minimum required:	237 spaces
Maximum parking allowed:	4,133 spaces
Public Space Required:	134,922 sq. ft.
Public Space Proposed:	134,922 sq. ft.
Usable Open Space Required:	350,797 sq. ft.
Usable Open Space Proposed:	350,797 sq. ft.
Maximum Building Height Allowed:	225 feet

Maximum Building Coverage Allowed:

85% (573,417 sq. ft.)

CONCLUSIONS:

- (1) **Compatibility with comprehensive development plan (CDP); timing of development:**
The site has a Mixed-Use future land use designation. A land use amendment is not required for a site plan amendment.
- (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. Future improvements to the site will require plans to be submitted for permit review, which must comply with all applicable City codes.
- (3) **Availability of other land suitable for proposed use; environmental effect on balance of land uses:** The subject property is underutilized as it is currently improved with industrial buildings that have varying degrees of vacancy. Developing the sites for a mix of residential, office, and other nonresidential uses will have a positive effect on the balance of uses in the Bankhead neighborhood, as it is a suitable infill development that will provide economic benefits and growth to the area. The site is conveniently located near the Bankhead MARTA Station, Maddox Park, the westside BeltLine Trail, as well as newly constructed townhomes. The proposed development will provide housing along the corridor while fostering a pedestrian-oriented environment and connecting nearby residents to new jobs and economic opportunities. The Bankhead MARTA Station is located 10 minutes (walking distance) from the site. This project is supported by the Donald L Hollowell Parkway Redevelopment Plan, which seeks to provide for commercial, residential, and mixed-use developments adjacent to the MARTA station and in the vicinity of Maddox Park.
- (4) **Effect on character of the neighborhood:** Staff is of the opinion that the proposed rezoning would have a positive effect on the surrounding neighborhood by redeveloping an underutilized lot. This project will allow the creation of an urban, mixed-use development, which will improve the overall aesthetics of the area and enhance the pedestrian infrastructure while adding needed residential and commercial components to an area previously deprived of investment. This project is supported by the Bankhead MARTA Station Transit Area LCI, which seeks to *“develop the land surrounding the Bankhead MARTA Station as a mixed-use, high-density office, retail, civic, service, multi-family, and live-work residential area”*
- (5) **Suitability of proposed land use:** The site is in a key location: it adjoins the Westside BeltLine Trail, it is near Bankhead MARTA Station, and it fronts Donald Lee Hollowell Parkway, which is an arterial street. The site is also in the Redevelopment Corridor Character Area, where pedestrian-oriented and mixed-use redevelopments with increased density is desired. The proposed land use will create a walkable and transit-oriented development along the BeltLine Corridor. This project will meet the Atlanta BeltLine Subarea 10 vision of encouraging density along the corridor by providing a mixed-use development that promotes transportation alternatives to driving. Therefore, staff is of the opinion that proposed land use is suitable for the site and the area.

- (6) **Effect on adjacent property:** Staff finds that the proposed development would not adversely affect the adjacent properties. Presently, the BeltLine Corridor and Maddox Park are located west of the property. However, to the east of the property there are single family homes and townhomes. The residential neighborhoods to the east are disconnected from Maddox Park and the BeltLine by the current industrial use. The proposed development will connect the neighborhood to the park and the BeltLine. Further, through this development, Finley Street will be reestablished and provide ease of use for pedestrians and vehicular traffic entering and leaving the proposed development.
- (7) **Economic use of current zoning:** The site was rezoned in 2018 to MRC-3-C (Mixed Residential Commercial Conditional). However, the site has not been redeveloped and the existing industrial improvements remain. According to the applicant, the site has not been redeveloped due to a shift in demand and changes in the economic climate, which now limits redeveloping the site according to the previously approved site plan. While the current zoning conditions would allow for good economic use of the land, and a change in zoning conditions will allow for a project that meets today's market demands while still providing the same or greater amount of economic use.
- (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, **1060 Donald Lee Hollowell Parkway NW** is located within the Corridor Growth Conservation Area. Corridors are described as follows:

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

STAFF RECOMMENDATION: APPROVAL



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

MEMORANDUM

TO: Zoning Review Board

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

SUBJECT: **Z-24-37 for 3218 Hogan Road SW**

DATE: August 8, 2024

An Ordinance by Zoning Committee to rezone from R-3 (Single Family Residential) to MRC-2 (Mixed Residential Commercial) for property located at **3218 Hogan Road SW**.

FINDINGS OF FACT:

- **Property location:** The subject property fronts 932 feet on the east side of Stone Hogan Connector commencing at a ½” open top pipe found on the southern variable right of way of Hogan Road said point being located 915.80 feet westerly from the right of way of Tejas Trail. The property is in Land Lot 228 of the 14th District, Fulton County, Georgia within the Greenbriar Neighborhood of NPU R, Council District 11.
- **Property size and physical features:** The property is an irregular shaped lot with a frontage of 932 feet on the east side of Stone Hogan Connector. It spans approximately 22.2 acres (967,032 sq. ft.). The site is currently vacant, with heavy vegetation throughout. Stone Creek transverses the site, subjecting the site to state buffers and limiting the buildable area. There is no curb cut or driveway located for access to the property.
- **CDP land use map designation:** The subject property has a Single-Family Residential future land use designation within the 2021 Comprehensive Development Plan (CDP).
- **Current/past use of property:** The property is currently undeveloped. Staff is not aware of any previous activities or other prior uses of the site.

- **Surrounding zoning/land uses:** The property is currently undeveloped but allows for single-family residential uses under the existing R-3 (Single-Family Residential) zoning district. The property to the north is zoned O-I (Office-Institutional), with an OS (Open Space) future land use designation. The properties to the east are zoned R-3 (Single-Family Residential). The property to the west is zoned SPI-20 SA2 (Greenbriar Special Public Interest District Subarea 2), with a Low Density Commercial (LDC) future land use designation. The property to the south is zoned RG-3 (Residential General Sector 3), with a Medium Density Residential (MDR) future land use designation.
- **Transportation system:** The subject property has frontage on Hogan Road SW and Stone Hogan Connector, which are both classified as a collector road. The subject property is served by MARTA via bus route #66 and #93 along Hogan Road and Stone Hogan Connector located 450 feet away from the subject property. There is a sidewalk on the north side of Hogan Road, and on both sides of Stone Hogan Connector. The subject property is located 4.5 miles away from the College Park MARTA rail station.

PROPOSAL: The applicant requests to rezone from R-3 (Single Family Residential) to MRC-2 (Mixed Residential Commercial) to build 240 residential units and 15,000 sq. ft. of commercial space.

Current Zoning:	RG-3
Proposed Zoning:	MRC-2
Current Future Land Use:	Single Family Residential
Proposed Future Land Use:	Medium-Density Residential
Lot Area (total):	968,134 sq. ft.
Proposed Building Setbacks	
Front:	N/A (subject to 75 ft impervious setback)
Side:	20 ft transitional yard
Rear:	N/A (subject to 75 ft impervious setback)
Number of Buildings	4 (residential); 1 (non-residential)
Proposed Height:	42 ft
Residential Parking Minimum (173 spaces)	396 parking spaces provided
Commercial Parking Minimum (50 spaces)	59 parking spaces provided
Bicycle Parking Minimum (25 spaces)	25 parking spaces provided
Proposed Residential FAR:	1.49
Proposed Non-Residential FAR:	2.5
Proposed Usable Open Space:	846,395 sq. ft.

Proposed total units:

200 apartment units/40 townhome units

CONCLUSIONS:

- (1) **Compatibility with comprehensive development plan (CDP); timing of development:** The Comprehensive Development Plan (CDP) has designated the subject parcel as Single-Family Residential (SFR); therefore, the proposed zoning district is not compatible currently. A request to amend the future land use designation of the site has been submitted concurrently with this application.
- (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 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. When the proposed development plans are 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 development. The property is adjacent to an RG-3 zoned parcel with a multifamily development, and SPI-20 SA2 zoned property with a commercial office. Staff finds that the proposed rezoning would have a positive effect on the environment and not create an imbalance of land uses.
- (4) **Effect on character of the neighborhood:** The purpose of the MRC-2 zoning district is to “*Encourage infill and rehabilitation development within traditionally commercial areas that include proportionately significant residential uses*”. City-wide policy #10 from the 2021 Comprehensive Development Plan seeks to provide “*diverse and more affordable housing choices that are accessible by all people*”. The site plan proposed will meet NPU-R’s policy to “*construct residential and commercial infill development that is compatible with adjacent development*”. The proposed development will offer for rent apartments priced from 30% to 80% AMI, and for sale townhomes at market rate. The proposed development will add affordable housing stock and increase the quality of life and community stability in the Greenbriar neighborhood.
- (5) **Suitability of proposed land use:** Staff finds the proposed land use suitable as the proposed use reflects the overall goals and recommendations from the 2021 Comprehensive Development Plan. The subject property is in the Traditional Neighborhood Redevelopment Character Area in the 2021 Comprehensive Plan, which supports the following policies to “*encourage compatible infill development on vacant lots or where existing housing and commercial buildings are deteriorated.*” While the 2001 Greenbriar Town Center LCI envisioned the subject property to remain unoccupied open space, staff finds the proposed land use to have a positive impact on the neighborhood. The proposed MRC-2 zoning would allow the construction of the proposed 240 residential units and 15,000 sq. ft. of commercial space.

- (6) **Effect on adjacent property:** The subject property would positively impact the adjacent properties by developing a vacant site, and providing commercial space that will activate Stone Hogan Connector. The proposed development is a multifamily development with commercial space, which aligns with the uses along Stone Hogan Connector. The uses seen along Stone Hogan Connector include general offices and medical offices, and other multifamily development. Staff is of the opinion that there will be no negative effects on adjacent property as the proposed scale and design is compatible with the existing scale and uses on the block.
- (7) **Economic use of current zoning:** The subject property is vacant and undeveloped, and new development on the property will increase the economic value of the lot.
- (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, **3218 Hogan Road SW** is located within a Suburban Neighborhood. Urban Neighborhoods are described as follows:

“These are the peaceful post-war subdivision 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



CITY OF ATLANTA

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

DATE: August 8, 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: 30 DAY DEFERRAL – SEPTEMBER 2024



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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-24-22 for 1109 Moreland Dr SE**

DATE: August 8, 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 to withdraw their application. Staff is supportive of the request.

STAFF RECOMMENDATION: FILE



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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-24-23 807 Reed Street SE**

DATE: August 8, 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 to withdraw their application. Staff is supportive of the request.

STAFF RECOMMENDATION: FILE



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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: August 8, 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



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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: U-23-026 for 1492 Piedmont Avenue NE Suite B

DATE: August 8, 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. Staff is supportive of the request.

STAFF RECOMMENDATION: 60 DAY DEFERRAL – OCTOBER 2024



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Director
Office of Zoning & Development

MEMORANDUM

TO: Zoning Review Board

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

SUBJECT: U-24-11 for 35 7th Street NW

DATE: August 8, 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)** to property located at **35 7th Street NW (receiving parcel)**.

Staff has requested a deferral.

STAFF RECOMMENDATION: 30 DAY DEFERRAL – SEPTEMBER 2024



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Director
Office of Zoning & Development

MEMORANDUM

TO: Zoning Review Board

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

SUBJECT: U-24-12 for 2071 Hosea L Williams Drive SE

DATE: August 8, 2024

An Ordinance by Zoning Committee for a special use permit for a day care center pursuant to Section 16-06.005(1)(b) for property located at **2045 Hosea Williams Drive SE**

FINDINGS OF FACT:

Property location: The subject property fronts 200 feet on the north side of Hosea L. Williams Drive SE beginning at an iron pin found at the intersection of the southerly right of way line of Boulevard Drive SE with the westerly right of way line of Douglas Street SE. The property is in Land Lot 206, 15th District, DeKalb County, Georgia in the Kirkwood Neighborhood of NPU-O, Council District 5.

Property size and physical features: The subject property is approximately 2.12 acres (92,347 sq. ft.) and is currently developed as Israel Baptist Church. Vehicular access is currently provided via one curb cut on Hosea L. Williams Drive SE and three curb cuts on Douglas Street SE. The topography declines approximately 10 feet from the northwest edge of the project area at the southeastern point of the intersection between Hosea L. Williams Drive SE and Douglas Street SE to the southeast side of the subject property along Oakview Road SE.

CDP Land Use and designation: The subject property has a future land use designation of Single-Family Residential (SFR) within the 2021 Comprehensive Development Plan (CDP).

Current/past use of property: Currently, this property is the site of Israel Baptist Church. Staff is unaware of any previous use(s) for the property.

Surrounding zoning/land uses: The properties adjacent to 2071 Hosea L Williams Drive SE are zoned R-4 (Single Family Residential). The sole exception to this is the property located to the

northwest of the subject property, which is zoned NC-3 (Kirkwood Neighborhood Commercial District) and is currently used for residential purposes.

Transportation system: Hosea L. Williams Drive SE is categorized as a collector road, sidewalks along both sides. MARTA bus route #24 has two stops nearby; both located near the intersection of Hosea L. Williams Drive SE and Norwood Avenue NE. The closest MARTA rail service in the area is the East Lake Transit Station 1.3 miles away. The property is 0.5 miles from the nearest ingress point to the Atlanta BeltLine, near Evelyn Street NE.

PROPOSAL: The applicant seeks a Special Use Permit to amend its site plan to allow for a day care center and playground pursuant to Section 16-06.005(1)(b).

- **Ingress and egress:** Vehicular access is currently provided via one curb cut on Hosea L. Williams Drive SE and three curb cuts on Douglas Street SE. The north curb cut to the parking lot on Douglas Street SE is the side entrance and exit, and the west curb cut along Hosea L. Williams Drive SE is the main entrance and exit. Curb access for life, safety, trash pickup, and deliveries is on Hosea L. Williams Dr. SE.
- **Off-Street Parking and loading:** Service personnel, clients, and employees will park their vehicles in the church parking lot. Products and supplies will be delivered via the main entrance.
- **Refuse and services areas:** The applicant states the center will dispose of refuse and garbage in dumpsters. They intend to obtain additional trash cans from the city and garbage will be collected on the weekly scheduled pick-up days.
- **Buffering and screening:** The new use is contained within the current building and in a new outdoor playground. The applicant does not intend on any additional noise generation but and there will not be additional lights generated by this facility. A 5-foot chain link fence will be erected bordering the playground.
- **Hours and manner of operation:** Three rooms in the lower level of the existing place of worship are leased for use for a child day care center, which will be open on weekdays 7:30am to 6:00pm. An average of 5 employees will be employed at the center from the hours of either 7:00am to 6:00pm or 9:00am to 6:00pm, depending on the job title. The day care center will serve an average of 25-40 children between the ages of 6 weeks to 12 years. They will offer breakfast, lunch and snack/dinner. There will be no other special programs offered by the daycare center.
- **Duration:** The applicant requests an indefinite duration.
- **Required yards and open space:** A playground is proposed to be added to the existing grounds. The applicant states the proposed use will not encroach into any required open space.
- **Tree Preservation and Replacement:** The applicant states no trees are proposed to be cut down for this development. At the time of permitting the development must comply with the City of Atlanta's Tree Ordinance.

CONCLUSIONS:

- **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:** Vehicular access is currently provided via one curb cut on Hosea L. Williams Drive SE and three curb cuts on Douglas Street SE. The north curb cut to the parking lot on Douglas Street SE is the side entrance and exit, and the west curb cut along Hosea L. Williams Drive SE is the main entrance and exit. Curb access for life, safety, trash pickup, and deliveries is on Hosea L. Williams Drive SE or the side entrance. Staff finds the applicant's proposed conditions to be sufficient.
- **Off-Street Parking and loading:** Service personnel, clients, and employees will park their vehicles in the parking lot, which has capacity. Products and supplies will be delivered to the main entrance. The applicant states that the proposed changes to have an immaterial effect on off-street parking and loading demands. Staff finds the applicant's proposed conditions to be sufficient.
- **Refuse and services areas:** The applicant states the center will dispose of refuse and garbage in dumpsters. They intend to obtain additional trash cans from the city and garbage will be collected on the weekly scheduled pick-up days. Staff finds the proposed conditions to be sufficient.
- **Buffering and screening:** The new use is contained within the current place of worship building and in a new outdoor playground. There applicant will not be any additional noise generated, and no additional lights generated by this facility. A 5-foot chain link fence bordering the playground as required by the state of Georgia will be erected. Staff finds the proposed fence along with the addition of a buffer of evergreen shrubs along the fence facing Hosea L. Williams Drive SE, reaching the full fence height at maturity to be sufficient buffering and screening measures.
- **Hours and manner of operation:** The proposed day care center is currently named Brilliant Minds Scholar Academy. Three rooms on the lower level of the existing place of worship are leased for use for a child day care center, which will be open on weekdays 7:30am to 6:00pm. An average of 5 employees will be employed at the center from the hours of either 7:00am to 6:00pm or 9:00am to 6:00pm, depending on the job title. The day care center will serve an average of 25-40 children between the ages of 6 weeks to 12 years. They will offer breakfast, lunch and snack/dinner. There will be no other special programs offered by the daycare center. Staff finds the proposed hours and manner of operation to be sufficient.
- **Duration:** The applicant requests an indefinite duration. Staff is in favor of a 3-year duration.
- **Required yards and open space:** The applicant proposes no changes to site conditions regarding yards and open space. Staff finds the applicant's proposed conditions to be sufficient.
- **Compatibility with policies related to tree preservation:** The applicant states no trees are proposed to be cut down for this development. At the time of permitting the development must comply with the City of Atlanta's Tree Ordinance. Staff finds the applicant's proposed conditions to be sufficient.

STAFF RECOMMENDATION: APPROVAL conditioned upon the following:

1. The special use permit shall be issued to Brilliant Minds Scholar Academy and shall be valid for 3 years from the date of adoption by Atlanta City Council.
2. A 5-foot fence shall be erected on around the playground on the side facing Hosea L. Williams Drive SE and must be buffered by an unbroken border of evergreen shrubs reaching the full fence height at maturity.
3. The special use permit is not transferrable.