



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 & Development

MEMORANDUM

TO: Zoning Review Board
FROM: Keyetta M. Holmes, AICP, Director *KMH*
SUBJECT: **Z-23-72 533 Griffin Street NW**
DATE: November 14, 2024

An Ordinance by Zoning Committee to rezone from SPI-3 SA1/WIZ (English Avenue Special Public Interest District Subarea 1/Westside Affordable Workforce Housing Overlay District) to SPI-3 SA4/WIZ (English Avenue Special Public Interest District Subarea 4/Westside Affordable Workforce Housing Overlay District) for property located at **533 Griffin Street NW**.

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

STAFF RECOMMENDATION: 60 DAY DEFERRAL – JANUARY 2025



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Office of Zoning and Development

MEMORANDUM

TO: Zoning Review Board

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

SUBJECT: **Z-24-20 for 383 Lanier Street NW**

DATE: November 14, 2024

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

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

STAFF RECOMMENDATION: 60 DAY DEFERRAL – JANUARY 2025



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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-24-64 for 103 Haygood Avenue SE

DATE: November 14, 2024

An Ordinance by Zoning Committee to rezone from R-5-C (Two Family Residential Conditional) to R-5-C (Two Family Residential Conditional) for a change of conditions for property located at **103 Haygood Avenue SE**.

FINDINGS OF FACT:

- **Property Location:** The subject property fronts 25 feet on the south side of Haygood Avenue SE and begins 100 feet from the southwest intersection of Haygood Avenue and Violet Street SE. The property is in Land Lot 55 of the 14th District of Fulton County, Georgia in the Peopletown Neighborhood, NPU V, Council District 1.
- **Property Size and Physical Features:** The subject property measures a total of .057 acres. (2,500 square feet) with 25 feet of lot width. The site is undeveloped with overgrown vegetation and mature trees onsite. The topography is consistent throughout the lot.
- **CDP Land Use Map Designation:** The current land use category for the site is Low-Density Residential (LDR) within the 2021 Comprehensive Development Plan (CDP).
- **Current/Past Use of Property:** The site is currently vacant and unoccupied, covered by dense vegetation and a concrete retaining wall. Staff is unaware of any other previous uses of the property.
- **Surrounding Zoning/Land Uses:** The parcels to the north, south, west, and east is zoned R-5-C (Two Family Residential Conditional) with Low-Density Residential (LDR) future land use designation and developed with single-family detached structures.
- **Transportation System:** Haygood Avenue is designated as a local road by the Street Classification Map. Sidewalks are found along this street, and the major artery for this area, Hank Aaron Drive. MARTA bus routes, #49 and #55, service the area along Atlanta Avenue and Hank

Aaron Drive respectively. MARTA's first Bus Rapid Transit line will service this area along Hank Aaron Drive starting in 2025.

PROPOSAL: The applicant seeks the removal of a conditions set forth in the Peoplestown proactive rezoning requiring a 25' house width.

CONCLUSIONS

- 1) **Compatibility with Comprehensive Development Plan (CDP); timing of development:** The 2021 Comprehensive Development Plan designates the subject property as Low Density Residential (LDR) land use. As there is no change in the zoning classification and only a modification of conditions of zoning; the proposal is compatible with the existing land use.
- 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 change of the zoning conditions will allow the construction a single family detached structure that is similar in size and scale as other structures currently developed on Haygood Avenue. Staff is of the opinion that there are no negative effects on the balance of land uses as the proposed is a detached building, that is smaller, and lower scale with setbacks farther from the street.
- 4) **Effect on character of the neighborhood:** Staff is of the opinion that the proposed change of conditions would not have a negative impact on the character of the surrounding neighborhood. The subject parcel exists in the Traditional Neighborhood Redevelopment Character Area with Low-Density Residential (LDR) future land use designation. This proposal allows the development of an underutilized lot with respect to the scale and the character of this established neighborhood. There are lots throughout Peoplestown and adjacent neighborhoods, similar in size and lot width, and these neighborhoods predate some zoning requirements and the existence of automobiles. This in-town neighborhood is experiencing renewed interest in development and this modification will allow for new housing stock and decrease the amount of underutilized infill lots. Therefore, Staff finds the proposed request reasonable.
- 5) **Suitability of proposed land use:** The current Low-Density Residential (LDR) land use designation is consistent with the proposed rezoning and subsequent development. The lot was previously used for a single-family residence and the change of conditions will allow for the development of this lot, currently restricted by neighborhood conditions. *“Another intention in the single-family and low-density residential district is to ensure quality design of houses, which means the new houses need to be built in a manner that is consistent with the traditional characteristics of the neighborhood. For this purpose, conditional zoning will be used to regulate front façade fenestration, primary entrances, driveways, location of accessory structures, roofs, and foundations. This makes the proposed zoning R-5-C.”* The statement from the 2006 Peoplestown

Community Redevelopment Plan was intended to maintain the single-family residential character of the area. The plan identified that the majority of the “870 narrow lots” were already developed with single-family homes. *“However, this will not be burdensome to property owners because about 50% of the narrow lots (less than 39 feet) have already been developed.”* The property’s narrowness further encumbers the required side yard setbacks. The applicant has requested a variance to reduce the side yard setbacks, and the application will be heard by the Board of Zoning Adjustment if the rezoning is approved. The proposed land use is suitable and consistent with other land uses in the area.

- 6) **Effect on adjacent property:** The proposed rezoning will have a positive impact on the surrounding neighborhood by eliminating an undeveloped site and increasing the overall housing supply in a neighborhood identified for redevelopment. Additionally, the proposed development is consistent with the existing pattern of new development in the area while still maintaining the low density character of the neighborhood.
- 7) **Economic use of current zoning:** The property has remained undeveloped in a neighborhood experiencing renewed interest, indicating that the existing economic use of the current zoning is limited. As currently zoned, the conditions restrict any development of this lot without a change of the adopted zoning conditions, thus 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) **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, **103 Haygood Avenue SE** is located within a Growth Area: Urban Growth Neighborhood. Urban Neighborhood areas are described as follows:

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

STAFF RECOMMENDATION: APPROVAL conditioned upon the following:

1. Condition Section 2. 4(a) of 06-O-0568 shall be removed.

Z-24-64 for 103 Haygood Avenue SE

November 14, 2024

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2. All other conditions found in 06-O-0568 for properties zoned R-5-C shall remain in effect.



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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-24-66 to Allow Data Centers within Half Mile of High-Capacity Transit in SPI-21 SA9**

DATE: November 14, 2024

An Ordinance by Councilmembers Antonio Lewis, Michael Julian Bond, Jason H. Winston, Amir Farokhi, Byron D. Amos, Alex Wan, Howard Shook and Andrea L. Boone to amend the 1982 Atlanta Zoning Ordinance, as amended, by amending **Chapter 18U (SPI-21 Historic West End/Adair Park Special Public Interest District Regulations) to designate data centers within half a mile of high-capacity transit stops as a permitted use in Subarea 9 (Adair Park Live/Work) of SPI-21; and for other purposes.**

In 2019, as a part of Zoning Ordinance Quick Fixes Phase II, the Atlanta City Council adopted a definition for high capacity transit. High-capacity transit includes any form of public transit that travels in its own lane or right-of-way for at least a portion of its route, that has transit priority (traffic signals designed to turn green when transit vehicles approach), or that has both features to make it as congestion-proof as possible. High-capacity transit can include exclusive fixed-guideways and/or transit-only lanes, larger transit vehicles, fewer transit stops, more frequent service, higher travel speeds, new transit stations with passenger amenities.

In addition, the definition of high-capacity transit is codified in the City of Atlanta regulations to enhance the pedestrian environment at transit stops and within ½ mile of transit stops. Some of the improvements include, building design regulations that require windows and doors and active uses on the ground floor, so the pedestrian does not feel walled in while and has a sense of safety with other people facing the street. Sidewalks are required to be wider, so the pedestrian feels safe from the adjacent traffic lanes. All these elements are found in the SPI (Special Public Interest District), MRC (Mixed Residential Commercial), MR (Multifamily Residential), I-MIX (Industrial Mix Use), and NC (Neighborhood Commercial) zoning districts.

Uses that do not have ground floor activation, or that do not serve as employment or retail centers are not encouraged to locate in proximity to high-capacity transit. Data centers are one of those uses. The Atlanta City Council adopted Ordinances 24-O-1218 and 24-O-1222, both

prohibits data centers within ½ mile of high-capacity transit and within the Beltline Overlay. Further, a definition was created for data centers and the use, where permitted, was prohibited by distance or location. The Atlanta metropolitan area has seen a surge in requests to construct or house data centers, but at a pace that is hindering local power companies from meeting demands. An Atlanta Journal Constitution article noted, “*Based on the company’s disclosure, more than 90% of its projected large load growth comes from data centers, 10 of which have already broken ground. That includes one facility whose estimated electricity demand is more than 1,400 MW. That’s more than the entire output of one of Plant Vogtle’s two new nuclear reactors, each of which can produce enough electricity to power about 500,000 homes*”. Data centers require, large amounts of electrical supply and large equipment to supply the energy needs of data centers. The equipment is often placed in areas visible to the public and are in direct conflict with urban design principals including walkability, pedestrian oriented streets, and human scale. Specifically, SPI-21 requires buildings to have sidewalk level uses, primary pedestrian entrances facing all public streets, linkage to public streets from primary entrances, and to provide fenestration for 65 percent of the length of the frontage.

As designed data centers focus on information infrastructure, support infrastructure and services, risk assessment, power and cooling systems, business continuity and disaster recovery and site selection, in short data centers are not concerned with walkability, pedestrian oriented streets, and human scale. The Historic West End/Adair Park Special Public Interest District is a live/work district. The subarea was designed to ensure pedestrian-oriented building forms to *encourage opportunities for economic development, both residential and commercial, where there is a planned relationship between the transportation system and development, and encourage the use of transit through the location of mixed-use development and regional entertainment and cultural facilities around a transit-oriented center*”. Data centers within proximity of high-capacity transit do not support urban design, therefore the proposed text amendment would not be supportive of the intent of SPI-21.

PROPOSAL: Allow a data center within 2,640 feet of a high-capacity transit stop as a permitted use in Subarea 9 (Adair Park Live/Work) of SPI-21.

CONCLUSIONS:

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

The text amendment does not propose a use that is incompatible with the existing MU (Mixed Use) land use designation; therefore, no land use amendment is required to the Comprehensive Development Plan.

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.

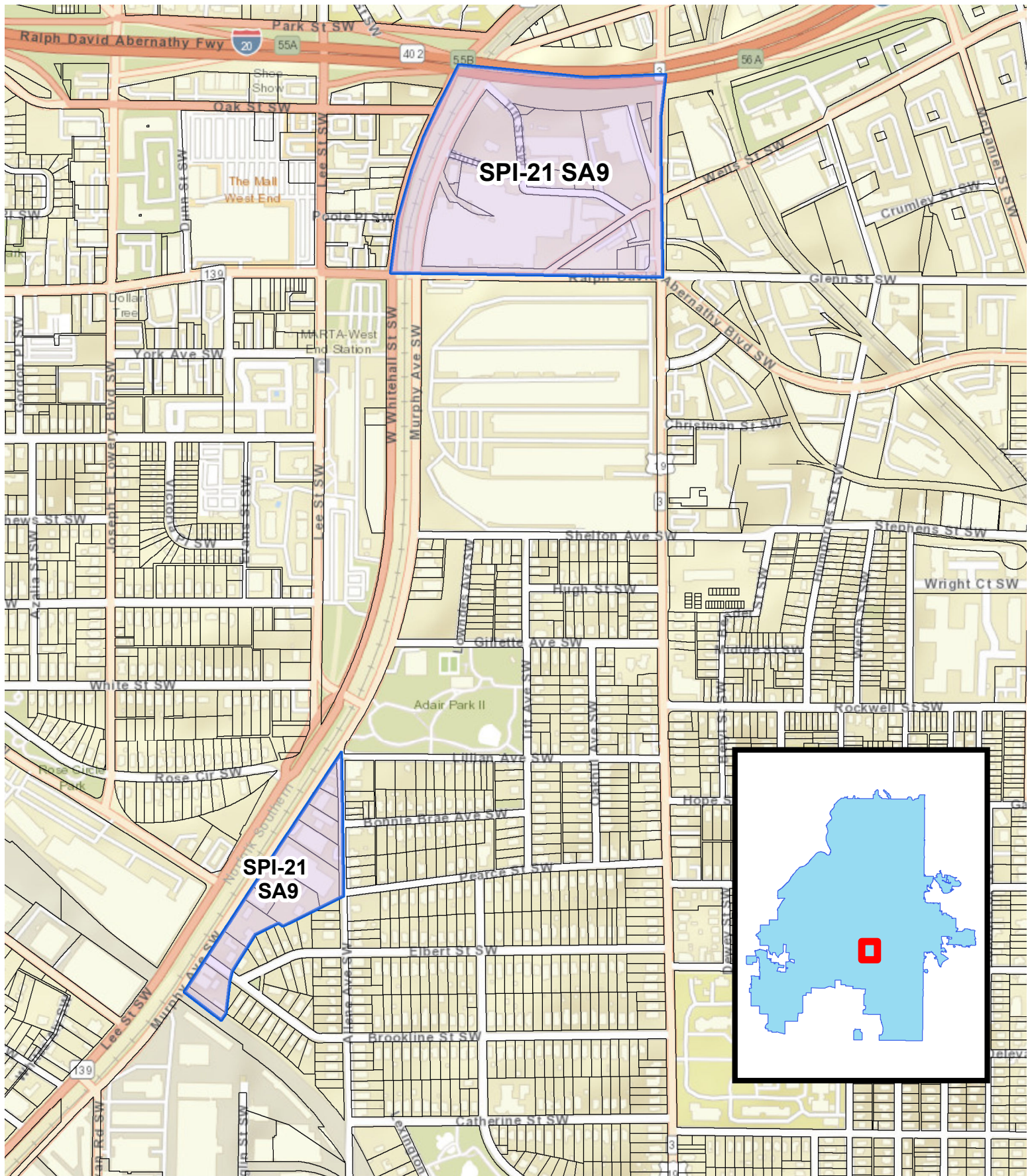
3) Availability of other appropriate land zoned for proposed use; effect on balance of land uses with regard to the public need: The proposed text amendment would allow a use within ½ mile of high-capacity transit that is not compatible with the intent of the zoning

district. The use proposed would allow the construction of a building that has data storage drives and network equipment with limited onsite staff. The building design is internal with a primary focus of keeping equipment cool for functionality and using high levels of energy. Staff is of the opinion that this amendment would have a negative impact on the balance of land uses in the area. The desired land use in the area is live/work which is a zoning district that allows residential for the operation of limited types of small business out of the home.

- 4) **Effect on character of the neighborhood:** Data centers have been around since the 1940's. As the need for faster output and 24-hour response for data has increased the number of data centers in cities has increased, however, the building design in urban areas has not changed. A data center or data center is a building, or a dedicated space within a building, or a group of buildings used to house computer systems and associated components, such as telecommunications and storage systems. Data centers are relatively large, have very limited if any building to street relationship, and have very limited staff. In Atlanta along major corridors and in proximity to high-capacity transit the city has sought to reserve the space between the building and the sidewalk for pedestrian related uses, provide appropriately scaled, continuous pedestrian oriented uses and activities adjacent to sidewalks along streets with identified pedestrian needs, and ensure residents have convenient pedestrian access to nearby commercial uses. The character of neighborhoods is changed by uses that does not incorporate a design that is safe for the pedestrians. Staff is of the opinion that the text amendment will have a negative effect on the character of the neighborhood.
- 5) **Suitability of proposed land use:** The current land use for the area is mixed use; however, the proposed use is not compatible with other land uses in the area. Subarea 9 of SPI-21 begins at the northeast intersection of Ralph David Abernathy Boulevard and Murphy Avenue SW. There is an existing former telecommunications building that has been converted to a movie studio, West End Production Park. The subarea is also the location of an eating and drinking establishment, Slim and Husky's and the residential development, Storage Depot Lofts on Ralph David Abernathy and Wells Street SW. There are a mix of residential and nonresidential uses that are not compatible with a data center in use or form. Should a data center be permitted the form of the building would not be suitable for pedestrians in the area as it will lack any urban design related to any relationship between the building and the street.
- 6) **Effect on adjacent property:** Staff is of the opinion that there will be negative effects on adjacent properties from the proposed text amendment. The balance of uses will not be improved.
- 7) **Economic use of current zoning:** The current zoning has substantial economic uses, and the district allows for a more unified pedestrian-oriented built environment. Therefore, it is expected that the market value of properties in the district would only decrease because of the form that data centers require, with no relationship to the building or the street and the large power generators needed to provide service to the use.
- 8) **Compatibility with policies related to tree preservation:** Tree loss if any is required to be in compliance with the Tree Preservation Ordinance.

STAFF RECOMMENDATION: DENIAL

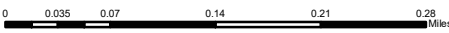
SPI-21 SA9



Date: 11/8/2024
Requested By:
User Name: STHenderson
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Department of
CITY PLANNING



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Director
Office of Zoning & Development

MEMORANDUM

TO: Zoning Review Board

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

SUBJECT: **Z-24-68 Text Amendment Freestanding Signs**

DATE: November 14, 2024

An Ordinance by Councilmember Dustin Hillis to amend certain provisions of **Chapter 28A (Sign Ordinance)** of Part 16 (Zoning) of the City of Atlanta Code of Ordinances for the purpose of clarifying restrictions on the erection of **freestanding signs**; to amend certain provisions of Chapter 28A (Sign Ordinance) of Part 16 (Zoning) for the purpose of modifying sign permit application procedures; and for other purposes.

FINDINGS OF FACT:

Freestanding signs are a permitted structure in several zoning districts with a valid permit issued by the Office of Buildings per the Chapter 28A of the Sign Ordinance of Zoning Ordinance of the City of Atlanta, as amended. A freestanding sign is defined as, *a sign not attached to a building or any structure other than its own support, supported by one or more columns, uprights or braces in or upon the ground, and that does not extend over any portion of a building.* A freestanding signs shall be located ten or more feet from the nearest wall of a principal structure and shall not project over the roof of any structure. If a building existed before the Sign Ordinance was adopted and the building is located in such a way that there is no place on the lot that is more than ten feet from a wall of the building, and if a freestanding sign would otherwise be permitted on such lot, then the city shall permit a freestanding sign to be located nearer than ten feet to the building provided that such sign is kept as far as practicable from the building, does not result in an unsafe condition, and otherwise complies with the requirements of this part. Freestanding signs also have corresponding height requirements and size requirements per applicable zoning districts.

PROPOSAL:

The text amendment proposes to amend Sections 16-28A.010(5)(c), 16-28A.010(6)(c), 16-28A.010(7)(c), 16-28A.010(8)(c), 16-28A.010(9)(c), 16-28A.010(10)(c), 16-28A.010(11)(c), 16-28A.010(22)(c), 16-28A.010(23)(c), requiring that freestanding signs are to be permitted for each developed lot with a business establishment and freestanding signs may not be constructed before the principal building is on a lot. Further, the proposal is to amend Section 16-28A.013(b)(2) to allow the review of all complete and accurate sign permit applications by the Office of Buildings to be 45 days. If the decision of the Director is to deny the application, the decision shall state the grounds upon which the denial is based. Failure of the City to act within the 45-day period shall be deemed an approval of the sign permit.

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 creation of this text amendment would conflict. The sign permit regulations are intended to protect the health, safety and general welfare of the citizens of the City of Atlanta, and to implement the policies and objectives of the comprehensive development plan of the City of Atlanta through the enactment of a comprehensive set of regulations governing signs in the City of Atlanta and to regulate the erection and placement of signs within the City of Atlanta in order to provide safe operating conditions for pedestrian and vehicular traffic without unnecessary and unsafe distractions to drivers or pedestrians. Amendments to the Sign Ordinance from time to time may be necessary and are compatible with the Comprehensive Development Plan.
- (2) **Availability of and effect of public facilities and services; referral to other agencies:** There has been no indication from review agencies and/or departments that public facilities and services would be harmed by the proposed text amendments. When development plans are submitted to review 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 no development project is being proposed in connection with the text amendment, availability of other appropriate land already zoned for the proposed use is not applicable here.
- (4) **Effect on character of the neighborhood:** Staff believes the proposed text amendment will have a positive effect on the character of any neighborhood in the city. The proposed text amendment will continue *“to maintain an aesthetically attractive city in which signs are compatible with the use patterns of established zoning districts; and to maintain for the city's residents, workers and visitors a safe and aesthetically attractive environment and to advance the aesthetic interests of the city”*.
- (5) **Suitability of proposed land use:** The proposed text amendment is suitable. The specific regulations of Sections 16-28A.010(5)(c), 16-28A.010(6)(c), 16-28A.010(7)(c), 16-28A.010(8)(c), 16-28A.010(9)(c), 16-28A.010(10)(c), 16-28A.010(11)(c), 16-28A.010(22)(c), 16-28A.010(23)(c), and 16-28A.013(b)(2) of the City of Atlanta Zoning Code as amended will remain in effect and continue to serve to protect the city from any adverse effects.

- (6) **Effect on adjacent property:** There is no presumed negative effect as the permitted use will be unchanged. Given the impact that this amendment would have on the Sign Ordinance, Staff supports the proposed revisions. Staff also finds that these changes would further the goals listed in the Statement of Intent for Chapter 28A.
- (7) **Economic use of current zoning:** The zoning of property will not change; therefore, the current economic use will remain.
- (8) **Compatibility with policies related to tree preservation:** Any proposed development must comply with the requirements of the City of Atlanta's Tree Ordinance.

STAFF RECOMMENDATION: APPROVAL

Z-24-68**Freestanding Signs**

	NPU						
		Approved	Approval Conditional	Denied	Abstained	No Vote Taken	Comments
Z-24-68	A	1					
	B	1					
	C	1					
	D	1					
	E	1					
	F	1					
	G	1					
	H	1					
	I	1					
	J	1					
	K	1					
	L	1					
	M	1					
	N	1					
	O					1	defer
	P	1					
	Q	1					
	R				1		
	S				1		
	T	1					
	V	1					
	W					1	
	X	1					
	Y	1					
	Z					1	
	Total:		20	0	2	2	1



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MEMORANDUM

TO: Zoning Review Board

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

SUBJECT: Z-24-72 for 1029 McDaniel Street SW

DATE: November 14, 2024

An Ordinance by Councilmember Antonio Lewis to rezone from R-4B (Single Family Residential) to R-LC (Residential Limited Commercial) for property located at **1029 McDaniel Street SW**; to modify the official zoning map; and for other purposes.

FINDINGS OF FACT:

- **Property location.** The subject property fronts approximately 50 feet on the west side of McDaniel Street SW and begins at intersection of McDaniel Street and Delevan Street. The property is Land Lot 87 in the 14th District of Fulton County, Georgia within the Pittsburgh neighborhood of NPU-V in Council District 12.
- **Property size and physical features.** The site is a rectangular shaped lot with 0.156 acres (6,815 square feet) in area. The subject property is currently developed with 1 vacant two-story nonresidential building with frontage on McDaniel Street and 1 vacant one-story nonresidential building with no street frontage. There is one curb cut on Delevan Street to access the site.
- **CDP land use map designation:** The parcel is currently zoned R-4B (Single Family Residential). The land use designation is SFR (Single Family Residential) within the 2021 Comprehensive Development Plan (CDP).
- **Current/past use of property:** The subject property is currently developed with 1 vacant two-story nonresidential building with frontage on McDaniel Street and 1 vacant one-story nonresidential building with no street frontage. The property appears to have been used for nonresidential purposes previously.

- **Surrounding zoning/land use:** Parcels located to the east, west, and south of the site are zoned R-4B (Single Family Residential) with a SFR (Single Family Residential) land use designation. Properties located north of the site are zoned RG-3 (Residential General Sector 3) with a MDR (Medium Density Residential) land use designation.
- **Transportation system:** McDaniel Street SW is classified as a collector street and connects to Ralph David Abernathy Boulevard and University Avenue SW. MARTA bus route #155 runs along McDaniel Street SW and connects to the West End Transit Station. The closest bus stop is 413 feet south of the site located at McDaniel Street and Fletcher Street SW. Sidewalks are present along both sides of McDaniel Street.

PROPOSAL:

This application seeks a rezoning from R-4B (Single Family Residential) to R-LC (Residential Limited Commercial) to renovate and reuse the existing buildings residential and nonresidential uses.

CONCLUSIONS:

- (1) **Compatibility with comprehensive development plan (CDP); timing of development:** The proposed zoning is not consistent with the existing SFR (Single Family Residential) land use designation; therefore, a Comprehensive Development Plan (CDP) amendment is required to a compatible land use designation.
- (2) **Availability of and effect of public facilities and services; referral to other agencies:** The location of the site and current use of surrounding properties indicates there are public facilities and services available to the subject property. There has been no indication from review agencies and/or departments that there would not be adequate public facilities and services at the subject location. When the 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 regulations indicate that this consideration is optimal. This proposal to make an existing structure usable in an area where the neighborhood will benefit from an occupied, maintained and rehabilitated structure. The request is supportive of the 2021 CDP NPU-V V-9 policy to support “*The Preservation of Pittsburgh Plan (2017) updated the Pittsburgh Community Redevelopment plan (2001). Future growth and development in the Pittsburgh neighborhood should contribute to the values, principles, vision, and implementation of the Preservation of Pittsburgh Plan. Support the implementation of Pittsburgh projects identified in the Turner Field Stadium Neighborhoods LCI (2016).*”
- (4) **Effect on character of the neighborhood:** Staff believes the proposed rezoning has the potential to add value to the character of the neighborhood. The development will encourage rehabilitation of a vacant property and provide nonresidential services to the neighborhood. Further, the development will provide a nodal commercial area within walking distance of the residential neighborhood.

- (5) **Suitability of proposed land use:** A change in land use is necessary as the proposed use is not compatible with the SFR (Single Family Residential) land use designation. Staff is of the opinion that the proposed request to permit a nonresidential and residential use will restore a former nonresidential use at a scale compatible with the surrounding single family neighborhood.
- (6) **Effect on adjacent property:** Staff believes the proposed rezoning has the potential to add value to the character of the neighborhood. Furthermore, the development will provide an appropriately scaled nodal commercial development and improve the aesthetics of the built environment.
- (7) **Economic use of current zoning:** The economic opportunity of the subject property is limited under the existing R-4B (Single Family Residential) zoning designation. The requirements of the existing zoning district limit the usability of the lot for anything other than single family. The proposed zoning district provides an opportunity to increase the economic value of a site by allowing a commercial use.
- (8) **Compatibility with policies related to tree preservation:** The proposed development will need to comply with the requirements of the City of Atlanta's Tree Ordinance.
- (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, **1029 McDaniel Street SW** is located within an Urban Neighborhood within a Conservation Area. Urban Neighborhoods are described as follows:

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

STAFF RECOMMENDATION: APPROVAL



CITY OF ATLANTA

ANDRE DICKENS
MAYOR

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JAHNEE R. PRINCE, AICP
Commissioner
KEYETTA M. HOLMES, AICP
Director
Office of Zoning & Development

MEMORANDUM

TO: Zoning Review Board

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

SUBJECT: **Z-24-74 2342 Barge Road SW**

DATE: November 14, 2024

An Ordinance by Councilmember Marci Collier Overstreet to rezone property located at **2342 Barge Road SW**, in the Meadow Brook Forest Community, from MRC-2-C (Mixed Residential Commercial Conditional) to MR-3 (Multifamily Residential), to modify the official zoning map; and for other purposes.

FINDINGS OF FACT:

- **Property location.** The subject property fronts approximately 149 feet on the east side of Barge Road SW and begins 505.3 feet from the northeast intersection of Barge Road and Campbellton Road SW. The property is in the 14th District of Fulton County, Georgia within the Meadowbrook Forest neighborhood of NPU-P in Council District 11.
- **Property size and physical features.** The site is 8.17 acres (355885.2 square feet) in area. The subject property is currently undeveloped with mature trees and grasses. The property can be accessed from Dale Lane SW or Barge Road SW.
- **CDP land use map designation:** The parcel is currently zoned MRC-2-C (Mixed Residential Commercial Conditional). The land use designation is LDR (Low Density Commercial) within the 2021 Comprehensive Development Plan (CDP).
- **Current/past use of property:** The subject property is currently undeveloped with mature trees and grasses. Staff is not aware of any previous uses of the site.

- **Surrounding zoning/land use:** Parcels located to the west are zoned R-4 (Single Family Residential) with a MU (Mixed Use) land use designation and R-4 (Single Family Residential) with a SFR (Single Family Residential) land use designation. Properties located north of the site are zoned R-4 (Single Family Residential) with a SFR (Single Family Residential) land use designation. Properties south of the subject site are zoned SPI-20 SA2 (Greenbriar Special Public Interest District Subarea 2) and SPI-20 SA5 (Greenbriar Special Public Interest District Subarea 5) with a MU (Mixed Use) land use designation. East of the property are parcels that are zoned R-4 (Single Family Residential) with a SFR (Single Family Residential) land use designation.
- **Transportation system:** Barge Road SW is classified as a collector street and connects to Fairburn Road SW and Campbellton Road SW. MARTA bus route #165 runs along Barge Road SW and connects to Hamilton E. Holmes MARTA Transit Station, and routes #83 and 183 runs Campbellton Road SW and connects to the Oakland City MARTA Transit Station and Lakewood MARTA Transit Station, respectively. The closest bus stop is on Barge Road and Campbellton directly across the street from the subject property. Sidewalks are present along the western side of Barge Road SW.

PROPOSAL:

This application seeks a rezoning from MRC-2-C (Mixed Residential Commercial Conditional) to MR-3 (Multifamily Residential) to construct residential and nonresidential uses.

CONCLUSIONS:

- (1) **Compatibility with comprehensive development plan (CDP); timing of development:** The proposed zoning is consistent with the existing LDR (Low Density Commercial) land use designation; therefore, a Comprehensive Development Plan (CDP) amendment is not required.
- (2) **Availability of and effect of public facilities and services; referral to other agencies:** The location of the site and current use of surrounding properties indicates there are public facilities and services available to the subject property. There has been no indication from review agencies and/or departments that there would not be adequate public facilities and services at the subject location. When the 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 regulations indicate that this consideration is optimal. This proposal to allow residential and nonresidential uses is consistent with land use policies in the area. The proposed zoning district is established to *provide for multi-family residential housing types that are compatible with single-family neighborhoods and commercial node; encourage the development of multi-family housing, with limited neighborhood serving commercial uses; encourage a range of housing types and prices to meet different housing needs; Improve the aesthetics of the built environment; and protect existing stable single-family neighborhoods from uses and building forms which are incompatible with their scale, character and needs.* Regarding the public need, the MR zoning district allows permitted uses that are consistent with existing permitted uses already developed along Barge Road SW and Campbellton

Road SW. Staff is of the opinion that the additional proposed residential and nonresidential uses are compatible and will not negatively impact land use.

- (4) **Effect on character of the neighborhood:** Staff believes the proposed rezoning has the potential to add value to the character of the neighborhood. The development will provide neighborhood commercial services and new residents to utilize those uses in the neighborhood. Further, the development will provide additional nonresidential uses and add to the housing stock of NPU P. The request is supportive of the 2021 CDP NPU-P policies P-5 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.*”
- (5) **Suitability of proposed land use:** A change in land use is not necessary as the proposed district is compatible with the LDC (Low Density Commercial) land use designation. Staff is of the opinion that the proposed request to rezone the property to the MR-3 (Multifamily Residential) zoning district is suitable given the current nature of the surrounding area.
- (6) **Effect on adjacent property:** Staff believes the proposed rezoning has the potential to add value to the character of the neighborhood. Furthermore, the development will provide an appropriately scaled development and improve the aesthetics of the built environment.
- (7) **Economic use of current zoning:** The economic opportunity of the subject property may be limited under the existing MRC-2-C (Mixed Residential Commercial Conditional) zoning designation. The requirements of the existing zoning district limit the usability of the lot in adjacency to the single family neighborhood. The proposed zoning district provides an opportunity to increase the economic value of a site by allowing uses in a district at a height and density that is more compatible to the single family neighborhoods surrounding the property.
- (8) **Compatibility with policies related to tree preservation:** The proposed development will need to comply with the requirements of the City of Atlanta’s Tree Ordinance.

(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, **2342 Barge Road SW** is located within a Growth Area within a Corridor Area. Urban Neighborhoods 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 a vibrant public life out beyond the core of the city.”

STAFF RECOMMENDATION: APPROVAL conditioned upon the following:

1. A 6’ opaque fence shall be erected along the rear parcels of the single family properties fronting Dale Lane SW and Barge Road SW adjacent to the proposed trail in the development.
2. Existing trees within the required 20’ transitional yard on the east side of the site (properties fronting on Cherry Blossom Lane SW) shall be maintained and shall not be disturbed during or after construction.



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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: U-23-07 for 3804 Roswell Road NE

DATE: November 14, 2024

An Ordinance by Zoning Committee for a special use permit for an athletic field (pickleball courts) pursuant to 16-11.005(1)(N) for property located at **3804 Roswell Road NE**.

The applicant has requested to withdraw this application. Staff is supportive of the request.

STAFF RECOMMENDATION: FILE



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MEMORANDUM

TO: Zoning Review Board

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

SUBJECT: Z-24-32 for 1425 Westview Drive SW

DATE: November 14, 2024

An Ordinance by Zoning Committee to rezone from R-4/BL (Single Family Residential/BeltLine Overlay) to R-4A/BL (Single Family Residential/BeltLine Overlay) for property located at **1425 Westview Drive SW**.

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

STAFF RECOMMENDATION: 60 DAY DEFERRAL – JANUARY 2025



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MEMORANDUM

TO: Zoning Review Board

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

SUBJECT: U-24-14 for 1425 Westview Drive SW

DATE: November 14, 2024

An Ordinance by Zoning Committee for a special use permit for a personal care home pursuant to Section 16-06.005(1)(g) for property located at **1425 Westview Drive SW**.

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

STAFF RECOMMENDATION: 60 DAY DEFERRAL – JANUARY 2025



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MEMORANDUM

TO: Zoning Review Board
FROM: Keyetta M. Holmes, AICP, Director *KMH*
SUBJECT: U-24-16 for 383 Cativo Drive SW
DATE: November 14, 2024

An Ordinance by Zoning Committee for a special use permit for a personal care home pursuant to Section 16-34.007(1)(k) for property located at **383 Cativo Drive SW**.

Staff is requesting a withdrawal of this application.

STAFF RECOMMENDATION: FILE