

**MARKED AGENDA
ZONING REVIEW BOARD
AUGUST 5, 2021
6:00 P.M., ZOOM MEETING
5:00 P.M., ZOOM MEETING**

MUST HAVE A ZOOM ACCOUNT OR USE DIAL IN NUMBER BELOW

<https://atlantaga-gov.zoom.us/j/96787734799?pwd=ZGllM3BHRTUrTFRMczFDc052dmRsQT09>

Meeting ID: 967 8773 4799 Password: 757803

Dial-In Number: +1-929-205-6099 96787734799#

NEW CASES

1. **Z-21-37** An Ordinance by Zoning Committee to rezone from R-4A/BL (Single Family Residential/BeltLine Overlay) and I-2/BL (Heavy Industrial/BeltLine Overlay) to MRC-3/BL (Mixed Residential Commercial/BeltLine Overlay) for property located at **1010 West Marietta Street NW, 1040 West Marietta Street NW, 949 Herndon Street NW, 949 Herndon Street NW (rear), 957 Herndon Street NW, 963 Herndon Street NW, 973 Herndon Street NW, 963 Baylor Street NW, 1054 Baylor Street NW, 1060 Baylor Street NW, 1062 Baylor Street NW, 1064 Baylor Street NW, 1070 Baylor Street NW, 1054 Reynolds Street NW, 1057 Reynolds Street NW, 1060 Reynolds Street NW, 1061 Reynolds Street NW, 1064 Reynolds Street NW, 1065 Reynolds Street NW, 1069 (1071) Reynolds Street NW, 1070 Reynolds Street NW, 1073 Reynolds Street NW, 1074 Reynolds Street NW, 1075 Reynolds Street NW, 1076 Reynolds Street NW, 1081 Reynolds Street NW, 1082 Reynolds Street NW, 1085 Reynolds Street NW, 1086 Reynolds Street NW, 1056 Niles Avenue NW, 1058 (1060) Niles Avenue NW, 1062 Niles Avenue NW, 1066 Niles Avenue NW, 1068 Niles Avenue NW, 1072 Niles Avenue NW, 1076 Niles Avenue NW, 1082 Niles Avenue NW, 1086 Niles Avenue NW**, fronting 650.10 feet on the south side of West Marietta Street beginning at a nail set at the intersection of the southeastern right of way line of Herndon Street and the southwestern right of way line of West Marietta Street Depth: varies Area: 36.14 Acres, Land Lot 189, 17th District, Fulton County, Georgia

OWNERS:

WEST MIDTOWN ACQUISITION COMPANY, LLC
AND HOWELL STATION BAPTIST CHURCH

APPLICANT:

WEST MIDTOWN ACQUISITION COMPANY, LLC

NPU K

COUNCIL DISTRICT 3

NPU RECOMMENDATION: APPROVAL CONDITIONAL

STAFF RECOMMENDATION: APPROVAL CONDITIONAL

ZRB RECOMMENDATION: APPROVAL CONDITIONAL

2. **Z-21-41** An Ordinance by Zoning Committee to amend the 1982 Atlanta Zoning Ordinance, as amended, by amending the definition of **urban gardens to permit on-site sales**; by amending the special administrative permit requirement for urban gardens; so as to expand the use of urban gardens in residential areas; and to increase the availability of locally grown food and to stimulate neighborhood economic activity; and for other purposes

ALL NPU's

NPU RECOMMENDATION: APPROVAL

STAFF RECOMMENDATION: APPROVAL

ZRB RECOMMENDATION: APPROVAL

3. **Z-21-52** An Ordinance by Councilmember Jennifer Ide to zone property located at **1971 Ridgewood Drive NE**, Atlanta, Georgia 30307 to the R-4 (Single Family Residential) zoning district subject to annexation; and for other purposes
NPU F COUNCIL DISTRICT 6
NPU RECOMMENDATION: APPROVAL
STAFF RECOMMENDATION: APPROVAL
ZRB RECOMMENDATION: APPROVAL

4. **U-21-06** 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 16-11.005(1)(l) for property located at **1492 Piedmont Avenue Suite B NE** fronting 329.29 feet on the northwest side of Piedmont Avenue beginning at a point being the intersection of the northwesterly right of way of Piedmont Avenue and the former northeastern right of way of Norfolk Southern Railway Depth: 775 feet Area: 4.274 Acres, Land Lots: 55 & 56, 17th District, Fulton County, Georgia
OWNER: PETER DREY
APPLICANT: PETER DREY
NPU F COUNCIL DISTRICT 6
NPU RECOMMENDATION: DENIAL
STAFF RECOMMENDATION: DENIAL
ZRB RECOMMENDATION: DENIAL

DEFERRED CASES

5. **Z-20-43** An Ordinance by Councilmember Amir R. Farokhi to authorize the removal of five privately owned billboard faces and their supporting structures, permitted under Part 16, Chapter 28A of the 1982 Zoning Ordinance of the City Of Atlanta, as amended, in exchange for the right given to their owners to upgrade and/or relocate five billboards where the upgrade and exchange may allow for the creation of the 14th Street Linear Park and the Peachtree Creek at Cheshire Bridge Road Environmental Project after the five privately owned sets of billboard faces and the supporting structures of relocated billboards are removed; and for other purposes
NPU's B, E, M & F
NPU RECOMMENDATION: DENIAL
STAFF RECOMMENDATION: DEFERRAL
ZRB RECOMMENDATION: DEFERRAL TO AUGUST 12, 2021

*Please note the ZRB Rules of Procedure have been amended. Please click the following link to review a copy of the rules adopted on July 23, 2020 - <http://www.atlantaga.gov/index.aspx?page=397>.

6. **Z-20-59** A substitute Ordinance by Zoning Committee to rezone from R-4 (Single Family Residential) to R-5 (Two Family Residential) for property located at **910 Lindbergh Drive NE, 922 Lindbergh Drive NE, and 928 Lindbergh Drive NE** fronting 542 feet on the north side of Lindbergh Drive NE beginning at a ½” rebar found with grid coordinates of N:1389773.408, E:2238744.369 at the western corner of the mitered intersection of the western right of way line of Lindridge Drive and the northern right of way line of Lindbergh Drive (also known as State Route 236) Depth: 411 feet Area: 2.007 Acres, Land Lot 6 and 48, 17th District Fulton County, Georgia
OWNER: BRYAN WARNOCK
APPLICANT: BRYAN WARNOCK
NPU F COUNCIL DISTRICT 6
NPU RECOMMENDATION: DENIAL
STAFF RECOMMENDATION: APPROVAL CONDITIONAL OF SUBSTITUTE
ZRB RECOMMENDATION: APPROVAL CONDITIONAL OF SUBSTITUTE
7. **Z-21-29** An Ordinance by Zoning Committee to rezone from I-2/BL (Heavy Industrial/BeltLine Overlay) to MRC-3/BL (Mixed Residential Commercial/BeltLine Overlay) for property located at **1283 Marietta Boulevard NW and 1295 Marietta Boulevard NW** fronting 300 feet on the east side of Marietta Boulevard commencing at a 5/8 inch rebar set on the northeasterly right-of-way of Marietta Boulevard and the former southwesterly right-of-way of Ellsworth Drive, said rebar lying 492.2 feet from the intersection of the right-of-way of Marietta Boulevard and the right-of-way of Huff Road, said rebar being the true point of beginning Depth: varies Area: .592 Acres, Land Lot 191, 17th District, Fulton County, Georgia
OWNER: PEACHTREE ASSETS MANAGEMENT LLC
APPLICANT: BROOKS HALL
NPU D COUNCIL DISTRICT 9
NPU RECOMMENDATION: APPROVAL
STAFF RECOMMENDATION: APPROVAL CONDITIONAL
ZRB RECOMMENDATION: 30 DAY DEFERRAL SEPTEMBER 2021
8. **Z-21-32** A substitute Ordinance to rezone from R-4 (Single Family Residential) to RG-3 (Residential General Sector 3) for property located at **2246 Memorial Drive SE**, fronting 104 feet on the north side of Memorial Drive beginning at the northeast corner of Memorial Drive and East Lake Terrace and running east 53 feet along the north side of Memorial Drive then running north 150 feet along the east side of East Lake Terrace to the point of beginning Depth: 150 feet Area: 0.364 Acres, Land Lot 205, 15th District, DeKalb County, Georgia
OWNER: MMG CAPITAL LLC
APPLICANT: OPES HOLDING GROUP, LLC
NPU O COUNCIL DISTRICT 5
NPU RECOMMENDATION: APPROVAL
STAFF RECOMMENDATION: APPROVAL CONDITIONAL OF SUBSTITUTE
ZRB RECOMMENDATION: APPROVAL CONDITIONAL OF SUBSTITUTE

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9. **Z-21-35** An Ordinance by Zoning Committee to rezone from I-2 (Light Industrial) to MRC-3 (Mixed Residential Commercial) for property located at **400 Bishop Street NW** fronting 635.7 feet on the south side of Bishop Street beginning at an iron pin set at the intersection of the southern right of way of Bishop Street with the western right of way of Mecaslin Street Depth: varies Area: 1.43 Acres, Land Lot 148, 17th District, Fulton County, Georgia
OWNER: 400 BISHOP MASTER LLC
APPLICANT: MS RE DEVELOPMENT, LLC
NPU E COUNCIL DISTRICT 8
NPU RECOMMENDATION: APPROVAL CONDITIONAL
STAFF RECOMMENDATION: DENIAL
ZRB RECOMMENDATION: APPROVAL CONDITIONAL
10. **Z-21-39** A substitute Ordinance by Zoning Committee to rezone from R-4 (Single Family Residential) to I-1 (Light Industrial) for property located at **3393 Jonesboro Road SE** fronting 180 feet on the west side of Jonesboro Road beginning at a point on the westerly right of way of Jonesboro Road 391.2 feet southerly as measured along the said westerly right of way of Jonesboro Road from the intersection of the westerly right of way of Jonesboro Road and the south right of way of Macedonia Road Depth: 703 feet Area: 2.94 Acres, Land Lot 34, 14th District, Fulton County, Georgia
OWNER: DONALD H. MURPHY
APPLICANT: JUSTIN GOLSHIR
NPU Z COUNCIL DISTRICT 12
NPU RECOMMENDATION: DEFERRAL
STAFF RECOMMENDATION: DEFERRAL
ZRB RECOMMENDATION: DEFERRAL AUGUST 12, 2021
11. **Z-21-48** An Ordinance by Councilmember Cleeta Winslow to amend Part 16, Chapter 28A of the 1982 Zoning Ordinance of the City of Atlanta, as amended, to create a new Section 16-28A.010(62) to provide for comprehensive signage regulations for Morehouse School of Medicine; to amend the official zoning map to add the **Morehouse School of Medicine Sign District**; and for other purposes.
NPU T COUNCIL DISTRICT 4
NPU RECOMMENDATION: APPROVAL
STAFF RECOMMENDATION: APPROVAL
ZRB RECOMMENDATION: APPROVAL

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12. **U-21-05** An Ordinance by Zoning Committee for a special use permit for a day care center pursuant to 16-06A.005(1)(b) for property located at **1189 Merlin Avenue SE and 192 Arkwright Place SE** fronting 50 feet on the south side of Merlin Avenue and 154.6 feet on the north side of Arkwright Place beginning at a point at the easterly right of way of Moreland Avenue SE (R/W Varies) and the southerly right of way of Merlin Avenue (24.9' Pavement) 140.0 feet east to an iron pin found, said point being the true point of beginning Depth: 150 feet Area: 0.172 Acres, Land Lot: 208, 15th District, DeKalb County, Georgia

OWNER: MARY A MCDONALD SMITH

APPLICANT: JACKIE A. BALOUCH

NPU O COUNCIL DISTRICT 5

NPU RECOMMENDATION: APPROVAL

STAFF RECOMMENDATION: DEFERRAL

ZRB RECOMMENDATION:

END OF AGENDA