

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING ORDINANCE 2019-229 TO
PLANNED UNIT DEVELOPMENT

MAY 9, 2019

The Planning and Development Department hereby forwards to the Planning Commission, Land Use and Zoning Committee, and City Council its comments and recommendation regarding Application for Rezoning Ordinance 2019-229 to Planned Unit Development.

Location: 648 Union Street East between McCormick Lane and Palmetto Street

Real Estate Number(s): 122092-0000

Current Zoning District(s): Commercial Residential Office (CRO)
Industrial Light (IL)

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Residential Professional Institutional (RPI)
Light Industrial (LI)

Planning District: Urban Core, District 1

Applicant/Agent: Caleb Racicot
TSW
1447 Peachtree Street NE, Suite 850
Atlanta, Georgia 30309

Owner: Dillon Baynes
East Union Property Owner, LLC
1718 Peachtree NW, Suite 684
Atlanta, Georgia 30309

Staff Recommendation: **APPROVE WITH CONDITIONS**

GENERAL INFORMATION

Application for Planned Unit Development 2019-229 seeks to rezone approximately 7.35 acres of land from Commercial residential Office (CRO) and Industrial Light (IL) to PUD. The rezoning to PUD is being sought for a mixed use development with a maximum of 473 multi-family residential units, and a maximum of 750,000 square feet of commercial retail uses and service

establishments. The site currently has a 323,000 square foot warehouse and six additional buildings. The PUD is outside the Downtown Overlay Zone and the Downtown Community Redevelopment Authority.

CRITERIA FOR REVIEW

Pursuant to the provisions of Section 656.125 of the Zoning Code, the Planning and Development Department, Planning Commission and City Council (including the appropriate committee) shall evaluate and consider the following criteria of an application for rezoning to Planned Unit Development.

(A) Is the proposed zoning district consistent with the 2030 Comprehensive Plan?

Yes. The Planning and Development Department finds that the subject property is located in the Residential Professional Institutional (RPI) and Light Industrial (LI) functional land use categories as defined by the Future Land Use Map series (FLUMs) contained within the Future Land Use Element (FLUE) adopted as part of the 2030 Comprehensive Plan. The proposed PUD for a mixed use development of residential and commercial uses. Therefore, the proposed rezoning is consistent with the FLUMs adopted as part of the 2030 Comprehensive Plan pursuant to Chapter 650 Comprehensive Planning for Future Development of the Ordinance Code. A description of the category is noted below.

(B) Does the proposed rezoning further the goals, objectives and policies of the 2030 Comprehensive Plan?

Yes/No. This proposed rezoning to Planned Unit Development is in/consistent with the 2030 Comprehensive Plan, and furthers the following goals, objectives and policies contained herein, including:

Future Land Use Element:

Policy 1.1.12

Promote the use of Planned Unit Developments (PUDs), cluster developments, and other innovative site planning and smart growth techniques in all commercial, industrial, and residential plan categories, in order to allow for appropriate combinations of complementary land uses, and innovation in site planning and design, subject to the standards of this element and all applicable local, regional, State and federal regulations.

Policy 1.1.25

The City will encourage the use of such smart growth practices as:

1. Interconnectivity of transportation modes and recreation and open space areas;
2. A range of densities and types of residential developments;
3. A mix of uses including office, commercial, and residential which encourage internal capture of trips;
4. Use of the Development Areas;
5. Revitalization of older areas and the downtown, and
6. Purchase of land through the Preservation Project to remove it from development and preserve it as open space, recreation or conservation use.

The intended plan of development does provide for a mix of uses including residential and the revitalization of an older downtown area.

3.1.6

The City shall provide for development of a wide variety of housing types by area, consistent with the housing needs characteristics and socioeconomic profiles of the City's households as described in the Housing Element.

The intended plan of development is proposing to offer loft style residential units which are lacking in the Urban Core.

(C) Does the proposed rezoning conflict with any portion of the City's land use Regulations?

The written description and the site plan of the intended plan of development, meets all portions of the City's land use regulations and furthers their intent by providing specific development standards.

Pursuant to the provisions of Section 656.341(d) of the Zoning Code, the Planning and Development Department, Planning Commission and City Council (including the appropriate committee) shall evaluate and consider the following criteria for rezoning to Planned Unit Development district:

(1) Consistency with the 2030 Comprehensive Plan

In accordance with Section 656.129 Advisory recommendation on amendment of Zoning Code or rezoning of land of the Zoning Code, the subject property is within the following functional land use categories as identified in the Future Land Use Map series (FLUMs): Residential Professional Institutional (RPI) and Light Industrial (LI). The Planning and Development Department finds that the proposed PUD is consistent with the 2030 Comprehensive Plan, as evaluated in Criteria (B).

(2) Consistency with the Concurrency Mobility and Management System

Pursuant to the provisions of Chapter 655 Concurrency and Mobility Management System of the Ordinance Code, the development will be required to comply with all appropriate requirements of the Concurrency and Mobility Management System (CMMSO) prior to development approvals.

(3) Allocation of residential land use

This proposed Planned Unit Development intends to utilize lands for a mixed use development which includes a maximum of 473 residential units. This proposed development will not exceed the projected holding capacity reflected in Table L-20, Land Use Acreage Allocation Analysis for 2030 Comprehensive Plan's Future Land Use Element, contained within the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan.

(4) Internal compatibility

This proposed PUD is consistent with the internal compatibility factors. An evaluation of the internal compatibility of a proposed Planned Unit Development shall be based on the following factors:

- The streetscape: The applicant intends to keep and renovate the existing warehouse building. The street scape is not expected to drastically change.
- The existence or absence of, and the location of open spaces, plazas, recreational areas and common areas: The Emerald Necklace Trail is proposed to along the southwest corner of the property. The applicant is aware and willing to allow connection
- The use of topography, physical environment and other natural features: The proposed development will take advantage of the proximity to Hogan's Creek and the future Emerald Necklace Trail.
- The use and variety of building sizes and architectural styles: The main industrial building is to remain and any future development will continue that same aesthetic.
- The variety and design of dwelling types: The intended plan of development is to develop the residential units as loft style units.
- Compatible relationship between land uses in a mixed use project: The written description lists residential, commercial and warehousing and light manufacturing uses. The intent is to allow the existing industrial uses until the project begins conversion to commercial and residential uses.
- Any other factor deemed relevant to the privacy, safety, preservation, protection or welfare of lands surrounding the proposed PUD which includes any existing or planned use of such lands: The PUD is proposing 1 space for each residential unit. Given the proximity to Downtown, and alternative transportation means, the staff has no objection

to that ratio. Commercial uses the standard ratio in the Zoning Code of 3 spaces per 1,000 square feet.

(5) External Compatibility

Based on the written description of the intended plan of development and site plan, the Planning and Development Department finds that external compatibility is achieved by the following:

- The type, number and location of surrounding external uses: The surrounding area is a mix of industrial uses, residential dwellings, cemetery and city park. The main building acts as a buffer from the industrial use to the east. There are no residential dwellings that directly face the proposed development. The Arlington Expressway is adjacent to the southern border. All of these factors allow external compatibility.
- The Comprehensive Plan and existing zoning on surrounding lands: The adjacent uses, zoning and land use categories are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use
North	PBF	PBF-1	Old City Cemetery, city park
	MDR	RMD-A	Azar Industries
South	ROS	ROS	Undeveloped
East	CGC	CCG-1	Florida Rock
	LI	IL	Undeveloped
West	RPI	CRO	Businesses

- Any other factor deemed relevant to the privacy, safety, preservation, protection or welfare of lands surrounding the proposed PUD which includes any existing or planned use of such lands: The written description is proposing signage that is similar to CN, with a ground sign not to exceed 200 square feet in area. The sign height has been reduced from 50 feet to 30 feet, although there do not appear to be any signs in the area over 10 feet in height.

(6) Intensity of Development

The proposed development is consistent with the RPI and LI functional land use categories as a mixed use development with residential, commercial and service establishments. The PUD is appropriate at this location as it provides a variety of uses for the neighborhood and provides infill redevelopment of an underused building.

- The availability and location of utility services and public facilities and services:
- The access to and suitability of transportation arteries within the proposed PUD and existing external transportation system arteries: The proposed development will have adequate access to the Arlington Expressway and the Hart Expressway.

(7) Usable open spaces plazas, recreation areas.

The PUD indicates recreation and open space will be provided as shown on the site plan. This area is not clearly designated and is unclear whether the area will meet the recreation area requirement in the Zoning Code. **Staff recommends the application be conditioned to provide 150 square feet of active recreation area for each residential unit.**

(8) Impact on wetlands

There are no wetlands on the site.

(9) Listed species regulations

No wildlife survey was required as the project is less than the 50-acre threshold.

(10) Off-street parking including loading and unloading areas.

The PUD is proposing parking ratios which are less than the minimum Zoning Code requirements. Residential will provide 1 space per unit, industrial uses will provide 1 space per 2,000 square feet and commercial uses will provide 3 spaces per 1,000 square feet. Staff has no objection to these ratios as this is an urban infill project and residents or customers will use different forms of transportation.

(11) Sidewalks, trails, and bikeways

The project will contain a pedestrian system that meets the 2030 Comprehensive Plan. A sidewalk will be provided from the buildings to the public sidewalk on Union Street.

SUPPLEMENTAL INFORMATION

Upon visual inspection of the subject property on April 19, 2019, the required Notice of Public Hearing sign was posted.



RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning 2019-229 be **APPROVED with the following exhibits:**

1. The original legal description dated January 30, 2019.
2. The original written description dated March 12, 2019.
3. The original site plan dated March 8, 2019.

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning 2019-229 be **APPROVED subject to the following conditions, which may only be changed through a rezoning:**

1. The development shall provide 150 square feet of active recreation area for each residential unit.
2. Prior to the first final inspection within any phase of development, the owner or their agent shall submit to the Planning and Development Department for its review and approval

either: (a) an affidavit documenting that all conditions to the development order have been satisfied, or (b) a detailed agreement for the completion of all conditions to the development order.



Aerial view of subject property.



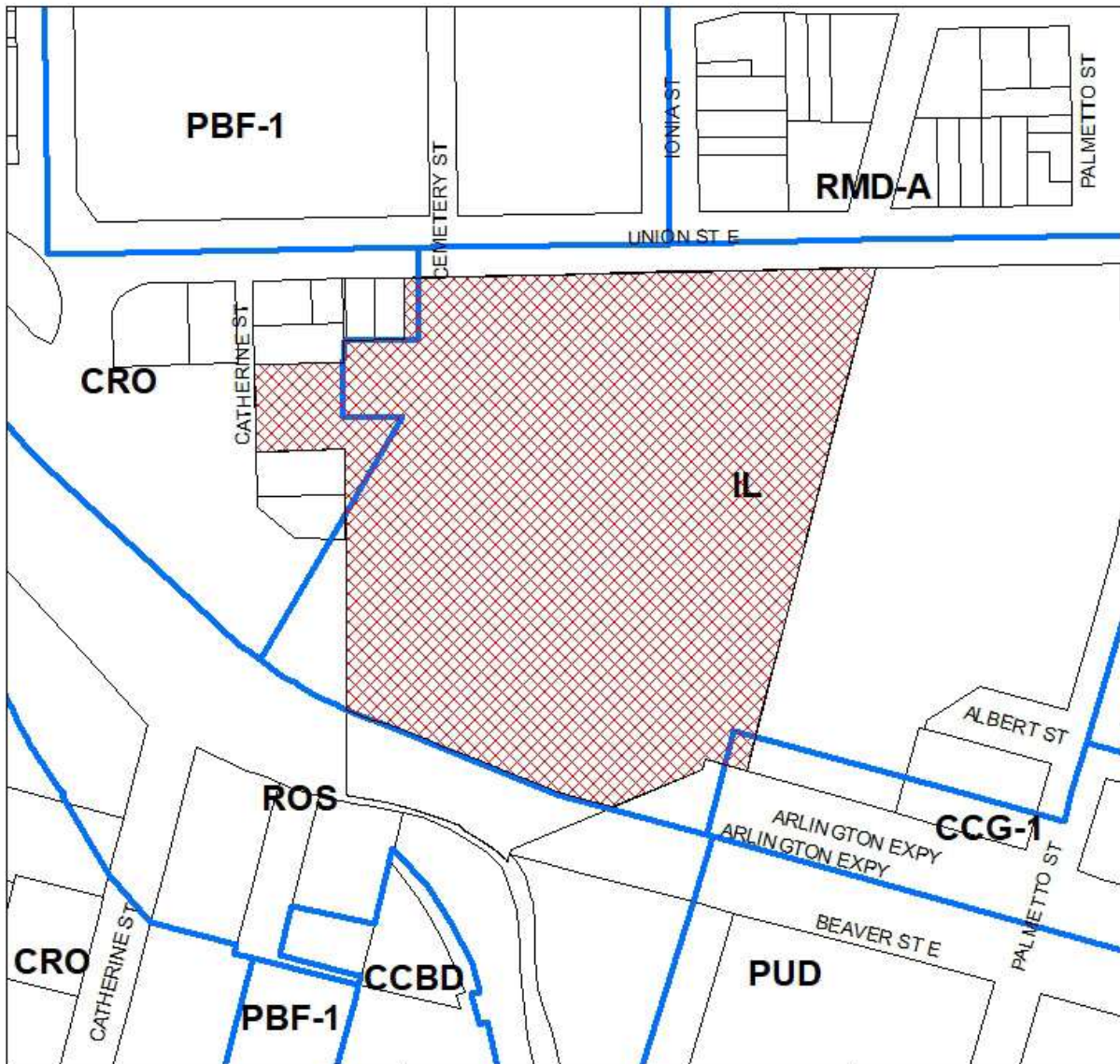
View of subject property

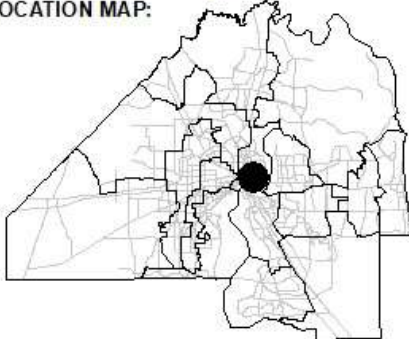
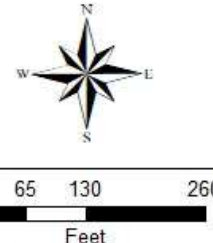


View of subject property



City park across Union Street from subject property.



<p>REQUEST SOUGHT:</p> <p>FROM: IL & CRO</p> <p>TO: PUD</p>	<p>LOCATION MAP:</p> 	 <p>COUNCIL DISTRICT:</p> <p>7</p>
<p>ORDINANCE NUMBER</p> <p>ORD-2019-0229</p>	<p>TRACKING NUMBER</p> <p>T-2019-2159</p>	<p>EXHIBIT 2</p> <p>PAGE 1 OF 1</p>