



February 1, 2017

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VIA FEDERAL EXPRESS

City of Atlanta Board of Zoning Adjustment
Attn: Ms. Racquel Jackson, Secretary to the BZA
City of Atlanta Office of Planning
55 Trinity Avenue, SW, Suite 3350
Atlanta, GA 30303

Re: V-16-322 – 1835 Piedmont Avenue

Dear Racquel:

Please amend application V-16-322 with the enclosed revised summary and justification response. The revision made updates the proposed location of the off site shared parking. No adjustment to the advertisement or referral certificate is needed with this amendment.

Best,

Jessica L. Hill

SPECIAL EXCEPTION
SUMMARY AND JUSTIFICATION
1835 Piedmont Avenue

I. SUMMARY:

The applicant seeks the following special exceptions pursuant to this application:

1. Special exception from Section 16-12.009(4) and 16-12.009(16) to reduce the required number of parking spaces for a mixed use building containing multifamily residential use and restaurant use on the C-2 portion of the property from 65 spaces required to 46 spaces provided. Parking for the R-4 portion of the lot is met independently from this calculation.
2. Special exception from Section 16-28.015 to reduce the required loading spaces from two 12'x35' spaces required to 0 onsite spaces.

The proposed development is the second phase of a larger mixed use development located at 1845 Piedmont Avenue. This second phase consists of 20 multifamily units and a 4,500 square foot commercial space fronting on Piedmont Avenue. In the rear of the subject lot is a single family home on the R-4 portion of the lot. The phase one and phase two developments are connected by a shared vehicular drive from Piedmont Avenue and an elevated pedestrian bridge over the drive to provide resident access between the two buildings. The development on the property has been permitted by the City of Atlanta is under active vertical construction. The parking reduction is necessary because the applicant seeks to provide a restaurant in the 4,500 square foot commercial space which triggers a higher parking requirement than the retail use originally proposed.

The parking requirements for the single family structure on the R-4 portion of this split zoned lot are met independently by providing two parking spaces on the R-4 portion of the lot to meet the requirement for one parking space for the single family dwelling unit. The two parking spaces provided on the R-4 portion of the lot are not included in the 46 parking spaces provided for this request.

The loading facilities for this lot are located on the adjacent property (1845 Piedmont Road) which has been developed with the phase one portion of this development. The existing phase one development provides six 12'x35' spaces and one 12'x55' space for the combined development. The loading areas are located immediately across the shared vehicular drive from the subject property. If both phases of this development were located on the same lot, a loading reduction would not be required.

II. SPECIAL EXCEPTION JUSTIFICATION

Section 16-26.006 of the Zoning Ordinance provides that parking requirements may be reduced or waived in any district, when the character or use of the building is such as to make unnecessary the full provisions of parking facilities, or where such regulations would impose an unreasonable hardship upon the use of the lot. This Application meets both criteria.

The applicant is providing 46 onsite parking spaces for the 20 multifamily units and the proposed 4,500 square foot restaurant use. The applicant also proposes to have a shared parking arrangement with the phase one portion of the development located at 1845 Piedmont Avenue. Phase one includes 300 multifamily units and 32,000 square feet of commercial use which requires 316 parking spaces. The existing phase one parking deck provides 602 parking spaces. The phase one parking deck provides more than a sufficient number of overflow parking spaces for utilization by the proposed restaurant. The applicant will enter into a shared parking arrangement to allow the proposed restaurant to share parking with the phase one deck. Phase one and phase two share an entry drive that provides access to the phase one deck. The provision of off site parking in phase one makes unnecessary the full provisions of the parking requirements.

Similarly, the applicant will share loading facilities with the adjacent phase one portion of this development. The loading spaces are located immediately across the sole vehicular access to the property, which makes the loading spaces provided easily accessible. The shared loading between phase one and phase two makes unnecessary the full provisions of the loading requirements on this lot.

At 51 feet wide along the Piedmont Avenue frontage and 86.5 feet wide along the rear of the property, the lot is very narrow. The lot is also small (0.527 acres) for a commercially zoned property. Development is on the lot limited by the transitional requirements imposed along the adjacent R-4 and PD-H zoned properties. Additionally, the lot is split zoned at the rear which further limits the development on the lot. The applicant is proposing to satisfy the market parking requirements for the proposed development through the use of the parking proposed on site together with an offsite shared parking arrangement on the adjacent phase one portion of the development. Further, the loading needs for the development on the lot are met through the shared loading by the phase one portion of this development located immediately adjacent to the subject property. Additionally, the City of Atlanta issued permits for the current, active construction based on the shared loading space proposal included in this application. To require the applicant to meet the full parking and loading requirements given the proposed shared parking and loading and the lot constraints, would create an unreasonable hardship on the use of the lot.