



OFFICE OF ZONING AND DEVELOPMENT
55 Trinity Avenue S.W., Suite 3350
Atlanta, Georgia 30303
(404) 330-6145

APPLICATION #: **U-19-023**

DATE ACCEPTED: **08/06/2019**

NOTICE TO APPLICANT

Address of Property:

1700 Piedmont RD NE

City Council District: **6** Neighborhood Planning Unit (NPU): **F**

Zoning Review Board (ZRB) Hearing Date:

Thursday, October 3 or 10, 2019 at 6:00 p.m.

Council Chambers, 2nd Floor, City Hall
55 Trinity Avenue, S.W.

The contact person for NPU F is:

Debbi Skopczynski
404-874-7483
zoning@npufatlanta.org

Contact info for adjacent NPUs is provided below if necessary:

Additional Contacts:

Please contact the person(s) listed above within five days to find out which meetings you will be required to attend before the next NPU meeting. If you are unable to reach the contact person, please call the city's NPU Coordinator at 404-330-6145.

Signed,

Yoon D., for Director, Office of Zoning and Development

CHARLES PALMER

Department of City Planning
Office of Zoning & Development

AUG - 6 2019

65 Trinity Ave. S.W.
Sta. 3350
Atlanta, GA

Troutman Sanders LLP
600 Peachtree Street NE, Suite 3000
Atlanta, GA 30308-2216

troutman.com

troutman
sanders

Charles F. Palmer
charles.palmer@troutman.com
404-885-3402

Department of City Planning
Office of Zoning & Development

August 6, 2019

AUG - 6 2019

65 Trinity Ave. S.W.
Ste. 3350
Atlanta, GA

Keyetta M. Holmes, AICP
City of Atlanta Office of Zoning and Development
55 Trinity Avenue, Suite 3350
Atlanta, Georgia 30335

Re: Application for Special Use Permit
by Heritage Preparatory School

Dear Ms. Holmes:

Attached please find the Application for a Special Use Permit submitted on behalf of Heritage Preparatory School of Georgia ("Heritage"). Heritage currently operates a private elementary school at the Morningside Baptist Church located on Piedmont Avenue. The existing Special Use Permit granted in U-07-34 and U-01-37 limits the school to the existing buildings. Heritage needs to add a new building.

If you or your staff should have any questions with regard to this Application, please do not hesitate to contact me. Thank you for your assistance and cooperation in this important matter.

Sincerely,


Charles F. Palmer

CFP/dpo
Enclosures

cc: Mr. Matt Skinner, Heritage Preparatory School (matt.skinner@heritageprep.org)
Morningside Baptist Church

SPECIAL USE PERMIT APPLICATION

DATE FILED AUG - 6 2019

APPLICATION NUMBER U-19-023

I hereby request that the property described in this application be granted a special use permit.

65 Trinity Ave. S.W.
Atlanta, GA

SUMMARY OF PROPOSED PROJECT. What kind of special use would you be operating? Select from the list below.

- personal care home
- assisted living facility
- other: (describe): Private School
- rehabilitation center
- nursing home
- day care center
- church

Attorney for Heritage Preparatory School

Applicant Name Palmer Charles F.
Last Name First Name M.I.

Address 600 Peachtree Street, NE Suite 3000

City Atlanta State GA Zip Code 30308

Phone 404-885-3402 Email charles.palmer@troutmansanders.com

Sworn to and subscribed before me this the

6th Day of Aug. 2019

NOTARY PUBLIC

(SEAL)



DESCRIPTION OF PROPERTY

Address of Property 1700 Street Name Piedmont Avenue

Parcel ID Number 17005600080124

City Atlanta State GA Zip Code 30324

The subject property fronts 1,115 feet on the west side of Piedmont Avenue

Depth: varies Area: 10.643 acres Land Lot: 17 Land District: 51 - Fulton County, GA.

Property is zoned: R4 Council District: 6 Neighborhood Planning Unit: F

PROPERTY OWNER

61-19-023

Owner states under oath that he/she is the owner of the property described in the attached legal description, which is made part of this application.

Department of City Planning
Office of Zoning & Development

MORNINGSIDE BAPTIST CHURCH
TYPE OR PRINT OWNER'S NAME

1700 PIEDMONT AVE NE
ADDRESS

ATLANTA, GA 30324
CITY & STATE ZIP CODE

E. Gene Parker
OWNER'S SIGNATURE

404-876-8225
PHONE NUMBER

AUG - 6 2019

55 Trinity Ave. S.W.
Ste. 3350
Atlanta, GA

AUTHORIZATION BY PROPERTY OWNER

(Required if person filing application is not the owner of the subject property or Applicant for the proposed rezoning)

I, E. GENE PARKER, MORNINGSIDE BAPTIST (Owner's Name) swear and affirm that I am the owner of property at 1700 PIEDMONT AVE NE (Property address). As shown in the records of FULTON County, Georgia, which is the subject matter of the attached application. I authorize HERITAGE PREPARATORY SCHOOL to file this application.

Sworn to and subscribed before me this the

1st Day of August 2019
Nikia Martin
NOTARY PUBLIC

(SEAL)



u-19-023

AUTHORIZATION TO INSPECT PREMISES

With the signature below, I authorize the staff of the Office of Zoning and Development of the City of Atlanta to inspect the premises, which are the subject of this special use permit application.

I swear and affirm that the information contained in this application is true and accurate to the best of my knowledge and belief.

Department of City Planning
Office of Zoning & Development

E. Gene Louder
Owner or Agent of Owner (Applicant)

AUG - 6 2019

55 Trinity Ave. S.W.
Ste. 3350
Atlanta, GA

Sworn to and subscribed before me this 1st day of August, 2019.

Nikia Martin
Notary Public

April 22, 2023
Commission Expires

(SEAL)



HERITAGE PREPARATORY SCHOOL SPECIAL USE PERMIT

Background and Basis for Special Use Permit

Heritage Preparatory School of Georgia ("Heritage") currently operates a private school at the Morningside Baptist Church located at 1700 Piedmont Avenue. Heritage operates its school pursuant to U-07-34 / U-01-37 approved by the City in February 2008. (A copy of the 2008 legislation is attached.) This existing SUP imposed five conditions:

1. The maximum enrollment shall be 275 students.
2. Use limited to the existing footprint and the existing buildings.
3. No additional outdoor athletic or any other outdoor facilities.
4. No lights on the existing (recently approved) soccer field.
5. No expansion of parking lots.

Department of City Planning
Office of Zoning & Development

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Sta. 3350
Atlanta, GA

Heritage needs to construct a new building as shown on the attached Illustrations and as will be explained more fully below. The only condition that Heritage seeks to modify is the second condition limiting use to the existing footprint and existing buildings. The other four conditions will remain unchanged and will continue to be satisfied. Heritage respectfully requests that the City approve this application.

A. Summary of Proposed Use / Project Overview

The Heritage expansion will consist of a single 3-story, 38,917 SF building on approximately 0.349 acres of the 10.7-acre property. When the current SUP was approved by the City Council in 2008, Heritage believed the maximum enrollment of 275 students could be accommodated through alterations inside the existing church administration building. Recent architectural and engineering analyses have shown such interior alterations would be highly impractical based upon structural, environmental, and usability issues. Therefore, Heritage has selected a location on the existing campus that will place the new building between two existing buildings along the Piedmont Avenue side of the property. This location will cause no impact on adjoining properties. It will enable the existing parking lots to be utilized with only minor modification and importantly no expansion.

B. Impact Analysis

1. **Ingress and Egress:**

Ingress and egress for all vehicles will continue to be provided by the existing curb cut on Montgomery Ferry Road. No additional curb cuts are proposed or needed.

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Internal vehicle flow will remain the same. Because the number of students will not exceed the current limit of 275 students, ingress and egress will remain unchanged from what was approved by the City Council in 2008 and will not cause traffic congestion.

2. Off-Street Parking and Loading:

The existing Church and Heritage operations utilize Allied Waste, a private refuse and garbage service, to empty the one dumpster on site. Pick-up occurs one day a week, on Thursday. The dumpster is located near the rear of the site closest to Piedmont Avenue and access to it will not be affected by the proposed new building. Similarly delivery vehicles and service personnel access and parking will not be affected. There is more than sufficient parking on site to handle such service vehicles. The site plan approved by U-07-34 contained 194 parking spaces, and this number will remain unchanged.

3. Buffering and Screening:

The overall site is approximately 10.7 acres in size. There are substantial existing buffers in place, primarily in the form of greenspace which will not be disturbed or altered as a result of the proposed new building. There will be no reduction in the existing buffers. Furthermore, the outdoor recreation activities will occur in an already approved playground located on the north side of the subject property, adjacent to Piedmont Avenue. As indicated above, this property is ideally configured to accommodate both the current and the proposed school operations.

4. Hours and Manner of Operation:

Heritage operates Monday thru Friday, with occasional activities on Saturday, during the regular school year running from August thru May. School begins at 8:00 AM, with faculty and staff arriving at 7:30 AM. Likewise, while classes generally end at 2:30 PM each day, pre-K classes end at 12:30 PM. There may be after-school activities that affect these times on occasion. Importantly, these hours and manner of operation remain unchanged since the 2008 SUP approval.

5. Duration of Special Use Permit:

Given the substantial capital expenditure for the new building, it is respectfully requested that the special use permit be of permanent duration.

6. Tree Preservation and Replacement:

On August 30, 2019, Nathan Logan (Landscape Architect for SRSSA) consulted with City of Atlanta Arborist Michael Browning. Mr. Logan reviewed the scope of the project based on a May 19th, 2019 Site Survey completed by Gunnin Land Surveying and a 50% Design Development Set of Architectural Plans by SRSSA and a set of Civil Plans by Kimley-Horn. Mr. Browning reviewed the requirements for not impacting trees more

U-19-023

than 30% in the building setback zone along Piedmont Avenue. Mr. Logan reviewed the current Architectural and Civil grading profiles and felt comfortable that requirement is achievable moving forward. Trees will be removed for the construction of the new building. Mr. Browning pointed out that the project will have no problem meeting the overall site density requirements but the trees and inches removed will need to be reconciled by either planting replacement trees on site or paying recompense fees or a mixture of both. The project site does not qualify for the maximum recompense stipulation since the site is not a vacant lot or new lot of record. Mr. Browning reviewed the requirements for parking lot trees (1 for 8 spaces) and the requirement that 10% of the interior of the new parking area must be greenspace. Trees planted in the parking lot per the requirements can count toward recompense. After consulting with Mr. Browning, Mr. Logan understands the requirements for protection and replacement of the trees on the site. In summary, Heritage will be able to comply with the City's tree ordinance.

7. Required Yards and Open Spaces:

As described above, the project will satisfy the required yards and open spaces required by City ordinance. The proposed new building will only occupy 0.349 acres of the overall 10.7 acre property. The building location is ideally situated so as not to affect required yards and open spaces.

Based upon all the foregoing, Heritage respectfully requests the City to approve this Special Use Permit application.

Department of City Planning
Office of Zoning & Development

AUG - 6 2019

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**Illustrations of Proposed
Building for Heritage
Preparatory School / 1700
Piedmont Road**

Department of City Planning
Office of Zoning & Development

Proposed
Building

AUG - 6 2019

3 Story Scenario

65 Trinity Ave. S.W.
Ste. 3350
Atlanta, GA

AERIAL 1



U-19-023

AUG - 6 2019

65 Trinity Ave. S.W.
Ste. 3350
Atlanta, GA

VIEW 1_UPDATE



Smallwood, Reynolds, Stewart, Stewart & Associates, Inc.

U-19-023

Special Use Permit
U-07-34 / U-01-37
Approved by City Council
February 2008

85 Trinity Ave. S.W.
Ste 3330
Atlanta, Georgia

07-0-2530
U-07-34-U-01-37



AN ORDINANCE
BY: ZONING COMMITTEE

AN ORDINANCE TO AMEND ORDINANCE 01-0-1268 (U-01-37) WHICH GRANTED A SPECIAL USE PERMIT FOR A PRIVATE SCHOOL PURSUANT TO SECTION 16-06.005 (1) (L) FOR PURPOSES OF A CHANGE OF CONDITIONS. PROPERTY LOCATED AT 1700 PIEDMONT AVENUE, N.E., FRONTING APPROXIMATELY 1, 150 FEET ON THE WEST SIDE OF PIEDMONT AVENUE BEGINNING AT THE SOUTHWEST CORNER OF MONTGOMERY FERRY ROAD. DEPTH: VARIES. AREA: APPROXIMATELY 10.718 ACRES. LAND LOTS 51 AND 56, 17TH DISTRICT, FULTON COUNTY, GEORGIA.

OWNER: MORNINGSIDE BAPTIST CHURCH
APPLICANT: HERITAGE PREPARATORY SCHOOL OF GEORGIA
NPU-F
COUNCIL DISTRICT 6

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. Under the provisions of Section 16.06.005 (1) (l) of the Zoning Ordinance of the City of Atlanta, a Special Use Permit for a PRIVATE SCHOOL is hereby amended for the purposes of a change of conditions. Said use granted to HERITAGE PREPARATORY SCHOOL OF GEORGIA to be located at 1700 PIEDMONT AVENUE, N.E to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lots 51 and 56, 17th District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. That this amendment is approved under the provisions of Section 16-25.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Special Use Permits, Procedural Requirements", and the Director, Bureau of Buildings, shall issue a building permit only in compliance with the applicable provisions of this part. The applicable conditional site plan and any other conditions hereby imposed are enumerated by attachment. The Special Use Permit hereby approved does not authorize the violation of any zoning district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

A true copy
Rhonda Daughlin Johnson
Municipal Clerk, CMC

FEB 04, 2008
FEB 12, 2008

U-19-023

<p>07-0-2530 (Do Not Write Above This Line)</p>		<p>Committee <i>Zoning</i> Date <i>Jan 31, 2008</i> Chair <i>[Signature]</i> Referred to <i>ZBE zoning</i></p>		<p>FINAL COUNCIL ACTION <input type="checkbox"/> 2nd <input type="checkbox"/> 1st & 2nd <input type="checkbox"/> 3rd Readings <input type="checkbox"/> Consent <input type="checkbox"/> V Vote <input checked="" type="checkbox"/> FC Vote</p>	
<p>AN ORDINANCE U-07-34 BY: ZONING COMMITTEE</p> <p>An ordinance to amend ORDINANCE 01-0-1268 (U-01-37) which granted a Special Use Permit for a Private School pursuant to Section 16-06.005 (1) (l) for purposes of a change of conditions. Property located at 1700 Piedmont Avenue, N.E., fronting approximately 1, 150 feet on the west side of Piedmont Avenue beginning at the southwest corner of Montgomery Ferry Road. Depth: varies. Area: approximately 10.718 acres. Land Lots 51 and 56, 17th District, Fulton County, Georgia. OWNER: MORNINGSIDE BAPTIST CHURCH APPLICANT: HERITAGE PREPARATORY SCHOOL OF GEORGIA NPU-F COUNCIL DISTRICT 6</p>		<p>Committee <i>Zoning</i> Date <i>January 31, 2008</i> Chair <i>[Signature]</i> Action <i>[Signature]</i> Fav, Adv, Hold (see rev. side) Other <i>As Amended</i> Members <i>[Signatures]</i></p>		<p>CERTIFIED FEB 04 2008 <i>Rhonda Daughlin Johnson</i> MUNICIPAL CLERK</p>	
<p>ADOPTED BY FEB 04 2008</p> <p><input type="checkbox"/> CONSENT REFER <input checked="" type="checkbox"/> REGULAR REFER <input type="checkbox"/> ADVERTISE & REFER <input type="checkbox"/> 1st ADOPT 2nd READ & REFER <input type="checkbox"/> PERSONAL PAPER REFER</p>		<p>Committee Date Chair Action Fav, Adv, Hold (see rev. side) Other Members</p>		<p>MAYOR'S ACTION <i>[Signature]</i> FEB 12 2008 MAYOR</p>	
<p>Date Referred <i>12/03/07</i> Referred To: <i>ZBE zoning</i> Date Referred Referred To: Date Referred Referred To:</p>		<p>Refer To</p>		<p>Refer To</p>	

RCS# 1712
2/04/08
3:34 PM

65 Trinity Ave S.W.
Atlanta, GA

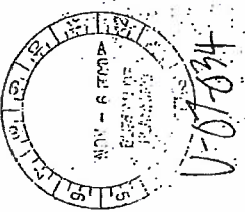
U-19-023



MORNINGSIDE BAPTIST CHURCH
LEGAL DESCRIPTION:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN THE 17TH DISTRICT OF FULTON COUNTY, GEORGIA, CITY OF ATLANTA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF PIEDMONT ROAD (RIGHT-OF-WAY VARIES) AND MONTGOMERY FERRY ROAD (RIGHT-OF-WAY VARIES); THENCE SOUTH 37°53'53" WEST, A DISTANCE OF 208.49 FEET; THENCE SOUTH 35°32'12" WEST, A DISTANCE OF 245.75 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 190.01 FEET AND BEING SUBTENDED BY A CHORD WHICH BEARS SOUTH 52°49'45" WEST 111.54 FEET; ALONG SAID CURVE, A DISTANCE OF 113.21 FEET; THENCE SOUTH 69°53'48" WEST 126.75 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1130.76 FEET AND BEING SUBTENDED BY A CHORD WHICH BEARS SOUTH 64° 29' 23" WEST 152.14 FEET, ALONG SAID CURVE A DISTANCE OF 152.25 FEET; THENCE SOUTH 52°58' 28" WEST, A DISTANCE OF 102.57 FEET; THENCE SOUTH 36°28'06" EAST, A DISTANCE OF 119.12 FEET; THENCE SOUTH 53°32'07" WEST, A DISTANCE OF 95.00 FEET; THENCE SOUTH 20° 04'18" EAST, A DISTANCE OF 254.82 FEET; THENCE SOUTH 56°48'37" EAST, A DISTANCE OF 90.81 FEET; THENCE SOUTH 86°26'13" EAST, A DISTANCE OF 53.42 FEET; THENCE NORTH 03°01'20" EAST, A DISTANCE OF 12.86 FEET; THENCE SOUTH 69°04'50" EAST, A DISTANCE OF 86.20 FEET; THENCE SOUTH 86°26'32" EAST, A DISTANCE OF 102.49 FEET; THENCE SOUTH 03°01'20" WEST, A DISTANCE OF 96.80 FEET; THENCE SOUTH 82°59'39" EAST, A DISTANCE OF 76.59 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 115.68 FEET AND BEING SUBTENDED BY A CHORD WHICH BEARS NORTH 56°27'53" EAST 117.91 FEET; ALONG SAID CURVE, A DISTANCE OF 123.72 FEET; THENCE NORTH 12°10'22" EAST, A DISTANCE OF 605.27 FEET; THENCE NORTH 11°56'36" EAST, A DISTANCE OF 70.74 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 847.39 FEET AND BEING SUBTENDED BY A CHORD WHICH BEARS NORTH 01°37'43" EAST 304.09 FEET; ALONG SAID CURVE, A DISTANCE OF 305.75 FEET; THENCE NORTH 09°07'16" WEST, A DISTANCE OF 167.89 FEET TO THE POINT OF BEGINNING.



Atlanta City Council

REGULAR SESSION

07-0-2530, 07-0-2532, 07-0-2536, 07-0-1125

MULTIPLE

ADOPT AS AMEND

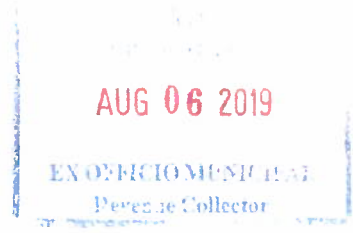
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EXCUSED: 0
ABSENT: 0

Y Archibong	Y Moore	Y Mitchell
Y Fauver	Y Martin	Y Norwood
Y Shook	Y Maddox	Y Willis
Y Muller	Y Shepard	NV Borders
Y Smith		
Y Hall		
Y Young		
Y Winslow		

MULTIPLE

RECEIPT

CITY OF ATLANTA
DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
55 TRINITY AVE SW, ATLANTA GA 30303
404-330-6070



Application: U-19-023
Application Type: Planning/ZRB/Special use/NA
Address: 1700 PIEDMONT RD NE, ATLANTA, GA 30324
Owner Name: MORNINGSIDE BAPTIST CHURCH
Owner Address:
Application Name:

Receipt No.	Ref Number	Amount Paid	Payment Date	Cashier ID	Received	Comments
661908	709534	\$400.00	08/06/2019	TSIMON		

Owner Info.: MORNINGSIDE BAPTIST CHURCH

Work Description: APPLICANT SEEKS A SPECIAL USE PERMIT FOR A PRIVATE SCHOOL (HERITAGE PREPARATORY SCHOOL)