

2713

13-0-0111

(Do Not Write Above This Line)

AN ORDINANCE U-12-26  
BY: ZONING COMMITTEE

An Ordinance granting a Special Use Permit pursuant to Section 16-06.005 (1) (c) and (k) for a Church and Community Center for property located at 3180 PEACHTREE ROAD, N.E., fronting approximately 160 feet on the east side of Mathieson Drive and beginning 180 feet from the northeast corner of Mathieson Place and Mathieson Drive. Depth: approximately 440 feet. Area: 3.739 acres. Land Lot 61, 17<sup>th</sup> District, Fulton County, Georgia.

OWNER: PEACHTREE ROAD UNITED METHODIST CHURCH  
APPLICANT: PEACHTREE ROAD UNITED METHODIST CHURCH C/O G. DOUGLAS DILLARD, ESQ.  
NPU B  
COUNCIL DISTRICT 7

As Amended

ADOPTED BY

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred: 1/22/13  
 Referred To: ZRB + Zoning  
 Date Referred:  
 Referred To:  
 Date Referred:  
 Referred To:

Committee: Zoning  
 Date: 1/15/13  
 Chair: [Signature]  
 Referred To: [Signature]

First Reading

Committee: Zoning  
 Date: 2/20/13  
 Chair: [Signature]  
 Action: Fav, Adv, Hold (see rev. side)  
 Other: as amended  
 Members: [Signatures]  
 Refer To:

Committee:  
 Date:  
 Chair:  
 Action: Fav, Adv, Hold (see rev. side)  
 Other:  
 Members:  
 Refer To:

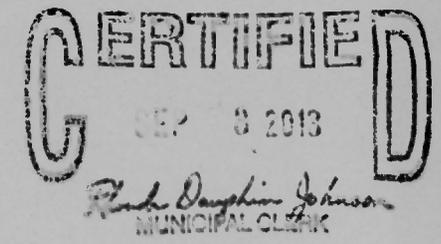
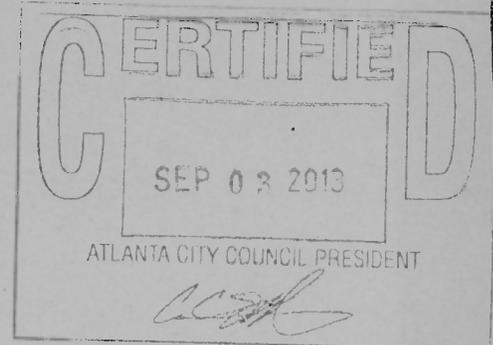
Committee:  
 Date:  
 Chair:  
 Action: Fav, Adv, Hold (see rev. side)  
 Other:  
 Members:  
 Refer To:

Committee:  
 Date:  
 Chair:  
 Action: Fav, Adv, Hold (see rev. side)  
 Other:  
 Members:  
 Refer To:

FINAL COUNCIL ACTION

- 2nd
- 1st & 2nd
- 3rd
- Consent
- V Vote
- RC Vote

CERTIFIED



MAYOR'S ACTION

APPROVED

SEP 12 2013  
WITHOUT SIGNATURE  
BY OPERATION OF LAW



Municipal Clerk  
Atlanta, Georgia

**13-O-0111**  
**U-12-26**

AN AMENDED ORDINANCE  
BY: ZONING COMMITTEE

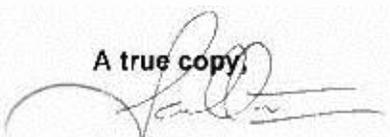
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. Under the provisions of Section 16-06.005 (1) (c) and (k) for a Church and Community Center, a Special Use Permit for a **CHURCH AND COMMUNITY CENTER**, is hereby granted. Said use is granted to **PEACHTREE ROAD UNITED METHODIST CHURCH** and is to be located at **3227, 3229 AND 3233 MATHIESON DRIVE AND 3180 PEACHTREE ROAD, N.E** to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 61, 17<sup>th</sup> District, Fulton County, Georgia, being more particularly described by the attached legal description and/or map.

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,  
  
Deputy Clerk

ADOPTED *as amended* by the Council  
APPROVED as per City Charter Section 2-403

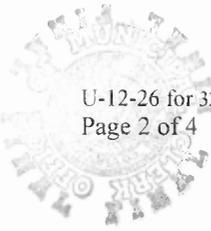
SEP 03, 2013  
SEP 12, 2013



### Conditions for

### U-12-26 for 3227, 3229 AND 3233 MATHIESON DRIVE AND 3180 PEACHTREE ROAD, N.E

1. A Master Plan dated July 30, 2013, shown as Exhibit "A," The Master Plan is conceptual only and must meet or exceed the requirements of the zoning ordinance and these conditions prior to the issuance of a land disturbance permit.
2. The Special Use Permit shall be subject to the Youth Building Site Plan dated July 30, 2013 and marked Exhibit "B" (Fourth Amendment, attached). All conditions of this SUP shall be printed on the face of the final Youth Building Site Plan.
3. The SUP shall be approved subject to the lighting plan previously filed with the Third Amendment on April 24, 2013, which shall include:
  - (a) zero spillover onto adjacent properties;
  - (b) replacing existing non-compliant fixtures on Parcel C with Dark Sky compliant lighting;
  - (c) Cylinder-type down-lights by Gardco or another brand equivalent in terms of exterior building wall-mounted illumination;
  - (d) Windows on the East and West side of the building shall be fitted with programmable retractable shades which will close from 7:00 p.m. to 7:00 a.m. each day. There will be no windows on the north side of the building. There will be no exterior deck or terrace areas allowed at the north, east or west sides of building other than the entrance feature as depicted on the master plan;
  - (e) All lighting shall be directed away from adjacent residential properties; and
  - (f) All lighting measures and improvements to be installed prior to issuance of a Certificate of Occupancy for the Youth Building.
4. (a) The SUP shall be approved in accordance with the Landscape Plan prepared by AEC, Inc. as last revised on July 29, 2013 attached hereto as Exhibit "C" and by reference made a part hereof. All landscape and fence installations shall be completed prior to issuance of a Certificate of Occupancy for the Youth Building;
  - (b) A six (6) foot opaque fence will be provided along the northern, eastern and western boundary lines of the property, between Parcel C and adjacent residential homes. Existing chain link fencing shall be removed in those areas where the new opaque fence is installed;
  - (c) Cryptomeria and Magnolias shall be planted inside said fence. Said planting shall occur on eight (8) foot on centers and said plants shall be not less than 12 feet in height at the time of planting;



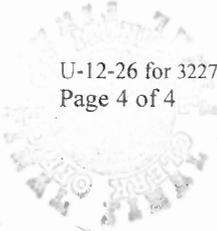
- (d) The opaque fence shall be dark brown in color and substantially similar to the Bufftech Galveston Privacy Fence, subject to approval by the City of Atlanta;
  - (e) Tree save fencing shall be installed at the drip line of tree canopy prior to issuance of any land disturbance permit; and
  - (f) Construction fencing shall be installed immediately after tree save fencing and prior to issuance of any land disturbance permit, segmenting off the passive undisturbed green space area as well as protective outer boundaries.
5. The SUP shall be approved subject to the applicant's compliance with all current City Regulations regarding watershed and storm water (see Second Amendment filed April 15, 2013). The Buckhead Forest Civic Association will be provided copies of all permit applications at the time of filing and advanced written notification of the day of meetings with City staff regarding Applicant's Land Disturbance Permit application and the Building Permit when filed;
  6. The open space as shown on the Youth Building Site Plan (Exhibit "B") shall, upon issuance of a final Certificate of Occupancy, be preserved as permanent buffer. The buffer, open space, and setbacks shown on the Youth Building Site Plan and the Landscape Plan, shall depict a sixty-seven (67) foot minimum buffer between the Youth Center and 3241 Mathieson Drive, and a minimum sixty (60) foot offset from Mathieson Drive. The Applicant shall apply for a front yard setback within the SPI-9 district to effect this condition;
  7. The Youth Building as shown on the site section looking east through the north side yard shall not exceed thirty-five (35) feet in height at the earthen berm. The height of said building on the south, east and west of the Youth Building site sections shall not exceed forty-two (42) feet in height to the top of roof parapet, as shown on Exhibit "F";
  8. The proposed Youth Building as shown on Exhibit "B" shall comply with the development/building standards of the SPI-9 district. No portion of Parcel C shall be used as a "receiving" property for density, transfer of development rights, FAR or height transfers or bonuses pursuant to SPI-9 or other zoning regulations;
  9. 3218 West Shadowlawn Avenue and 3201 West Shadowlawn Avenue shall not be used for ingress/egress to and from the Campus;
  10. There shall be no direct vehicular access to or from the campus onto Mathieson Drive or West Shadowlawn Avenue, north of Mathieson Place.



There shall be no more than three (3) curb cuts/driveways onto and from Mathieson Place from Parcel C;

11. Said application shall provide 563 (503 on-site and 60 off-site) parking spaces in accordance with the letter from Kimley-Horn dated the 4<sup>th</sup> day of June, 2013, shown as Exhibit "D";
12. Exterior building materials of the Youth Building shall be similar to the exterior of existing buildings on the Campus;
13. The hours of operation for the Youth Building shall be from 8:00 a.m. to 9:00 p.m. except for special occasions/events in which case Buckhead Forest Civic Association shall receive advance, written notice of same not less than seven (7) days prior to such event. The Applicant agrees to adhere to construction & landscape hours as follows:

Weekdays:	7:30 a.m. to 7:00 p.m.
Saturdays:	9:00 a.m. to 6:00 p.m.
Sundays:	12:00 p.m. to 6:00 p.m.
14. Any use of any type or description on the top of the stormwater detention facility for a deck, active use or recreation shall be prohibited. The detention facility shall be screened with natural buffering materials. There shall be no outdoor audio visual equipment, sound systems or speakers on Parcel C;
15. Greenspace as shown on the Master Plan shall remain passive with no outdoor recreational programs, playground equipment or athletic fields allowed. This will not prohibit gardening, Bible studies, small outdoor picnics, and the like;
16. Prior to issuance of a Certificate of Occupancy, Applicant shall remove the existing Buckhead Forest monument sign on Mathieson Drive (near the main sanctuary parking lot) and the existing median strip located at the intersection of Mathieson Drive and Mathieson Place. Applicant shall permit and construct two (2) neighborhood identification signs and a traffic-calming pinch at locations to be determined by the neighborhood, subject to approval by the City of Atlanta. The monument signs and traffic-calming pinch shall be similar to those existing on West Shadowlawn Avenue and approximately parallel to same;
17. Campus hydrology study prepared by a licensed civil or hydrology engineer at the time of Land Disturbance Permit. A copy of said Campus hydrology study shall be provided to the Buckhead Forest Civic Association upon submission to the City;
18. Use of the Campus as church and preschool/daycare facility only and as follows;

- 
- a. Maximum total preschool/daycare enrollment shall not exceed 400 preschool/daycare students; and
  - b. No public or private primary, secondary, upper, post-secondary, collegiate or graduate schools;
19. Maximum overall site shall not exceed 910,000 gross square feet on the Campus for the church, preschool, Youth Center and all other accessory uses. The Campus calculations are attached hereto as Exhibit "E";
  20. A limit of one thousand nine hundred sixty-eight (1,968) fixed seats in the church sanctuary;
  21. The Applicant will not request or support expansion of the existing SPI-9 boundaries on the Campus. Provisions of the Zoning Ordinance which may allow for the administrative expansion of any zoning classification on the Campus, including but not limited to §16-02.017, as may be amended, modified or re-codified shall not be utilized by the Applicant to expand any portion of any zoning classification on the Campus;
  22. Outdoor storage of trash/materials/equipment shall be screened;
  23. Repair of visibly eroded right-of-way on Mathieson Drive/Mathieson Place which abuts church property as identified on the campus walk-through of April 17, 2013. Repairs shall be limited to areas north of southerly right-of-way on Mathieson Place and on the right-of-way of Mathieson Drive;
  24. Repair of visibly eroded right-of-way on Mathieson Drive/Mathieson Place which abuts church property as identified on the attached exhibit "G" dated August 6, 2013. Repairs shall be limited to areas north of southerly right-of-way on Mathieson Place and on the right-of-way of Mathieson Drive; Applicant shall add appropriate storm catches and/or inlets on Parcels "A" and "C" parking lots as identified on Exhibit "G" so as to control water runoff onto adjacent properties and public rights-of-way; and
  25. Delivery hours shall be restricted to the hours of 8:00 a.m. to 7:00 p.m. on weekdays and 9:00 a.m. to 8:00 p.m. on weekends.

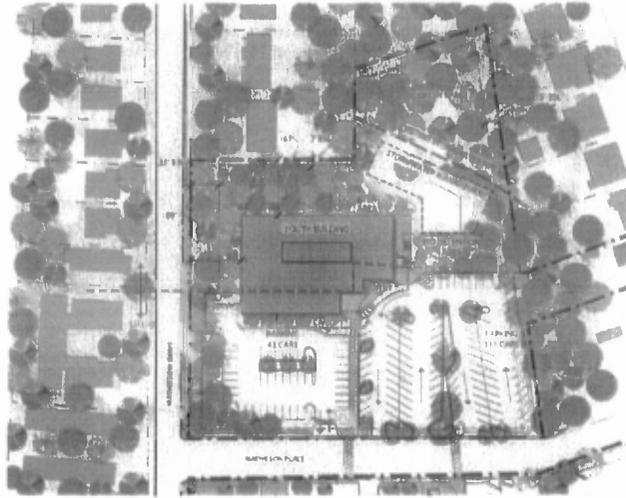


# EXHIBIT "A"



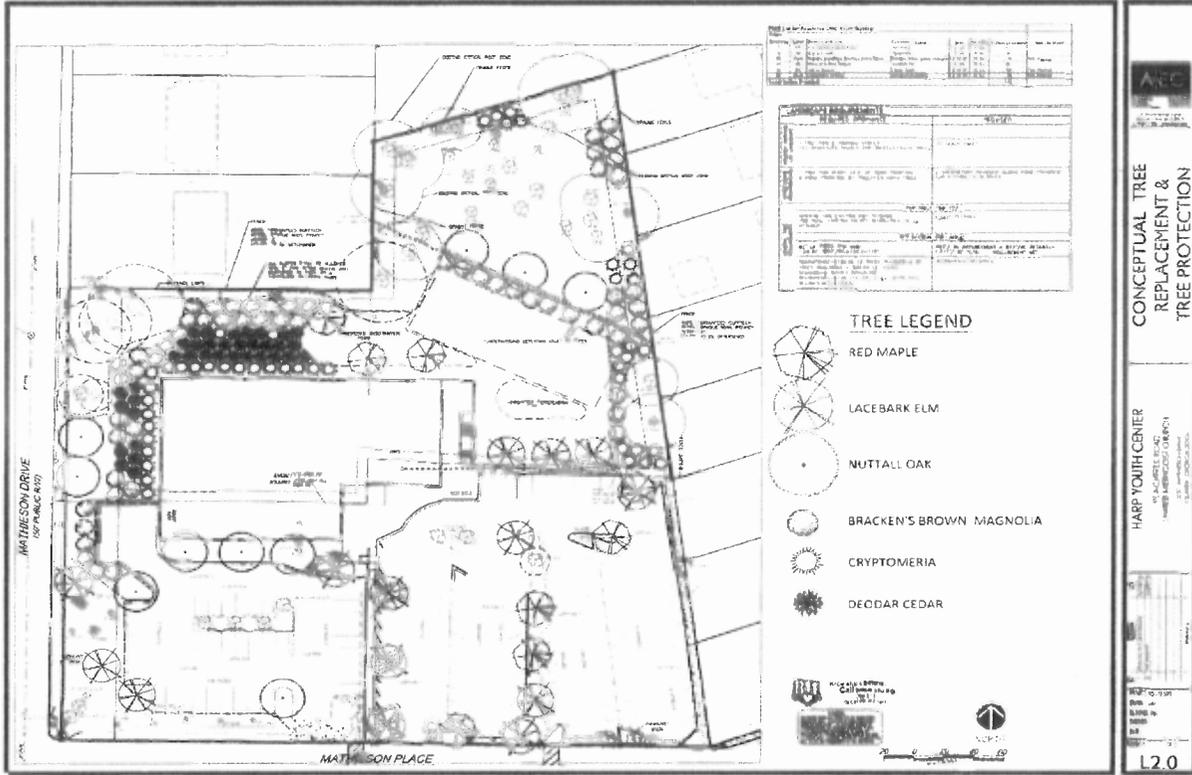


# EXHIBIT "B"





# EXHIBIT "C"



Tree ID	Species	Size	Location	Notes
1	Red Maple	12"	Northwest corner	Remove
2	Lacebark Elm	18"	West side	Protect
3	Nuttall Oak	24"	East side	Remove
4	Bracken's Brown Magnolia	36"	Southwest corner	Protect
5	Cryptomeria	48"	East side	Remove
6	Decdar Cedar	60"	Southwest corner	Protect

Tree ID	Species	Size	Location	Notes
7	Red Maple	12"	Northwest corner	Remove
8	Lacebark Elm	18"	West side	Protect
9	Nuttall Oak	24"	East side	Remove
10	Bracken's Brown Magnolia	36"	Southwest corner	Protect
11	Cryptomeria	48"	East side	Remove
12	Decdar Cedar	60"	Southwest corner	Protect

### TREE LEGEND

-  RED MAPLE
-  LACEBARK ELM
-  NUTTALL OAK
-  BRACKEN'S BROWN MAGNOLIA
-  CRYPTOMERIA
-  DEC DAR CEDAR





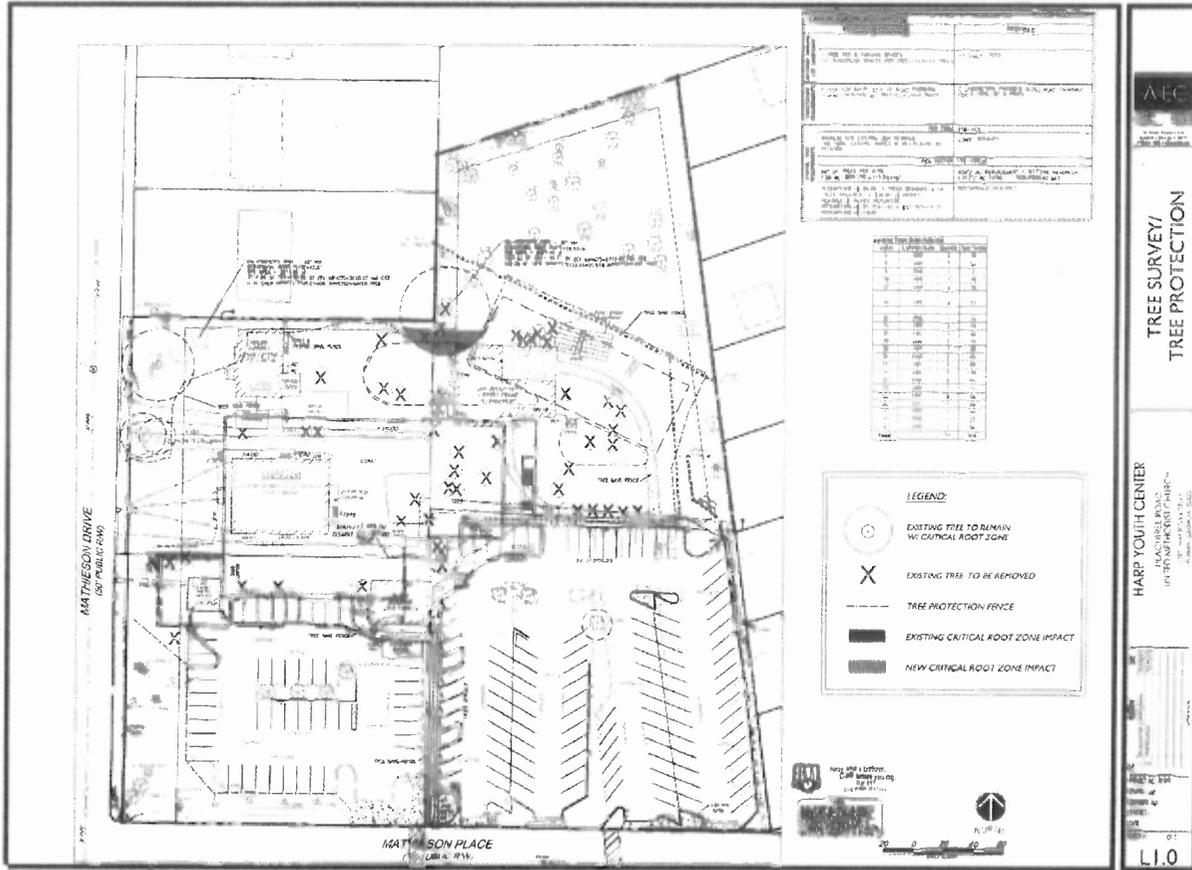
CONCEPTUAL TREE REPLACEMENT & TREE PROTECTION

HARP YOUTH CENTER  
 150' PUBLIC R-10  
 150' PUBLIC R-10

L20



# EXHIBIT "C" (CONTINUED)





## EXHIBIT "D"



### Memorandum

**To:** G. Douglas Dillard

**From:** Robert A. Ross, PE

**Date:** June 4, 2013

**Subject:** Peachtree Road United Methodist Church Parking Analysis  
3180 Peachtree Road, NW, Atlanta, Georgia 30305

The Billmore, Suite 601  
817 West Peachtree St NW  
Atlanta, GA 30308

Kimley-Horn analyzed the anticipated parking demand at the existing Peachtree Road United Methodist Church (PRUMC) and the proposed Youth Building. The mixed-use development consists of existing church facilities, an existing day care center, and a proposed youth building. The parking requirement was analyzed using requirements contained in the Zoning Ordinance of the City of Atlanta, part 16. The parking requirements calculated in this analysis represent the minimum number of parking spaces that should be provided within the site based on the Atlanta Zoning Ordinance.

### Project Description

The subject property located at 3180 Peachtree Road, NW, Atlanta, GA currently consists of a church with sanctuary seating for 1,968 persons and includes a day care/preschool center of approximately 22,800 square feet. Currently, the site provides 584 parking spaces. The studied proposed master plan for the site consists of a redevelopment that includes (in addition to the existing church and day care/preschool space) a youth center building. The redevelopment will result in a slight reduction in the total parking supply to a total of 563 proposed parking spaces. A breakdown of the proposed parking supply for the site is provided in **Table 1**.

**Table 1 – Proposed Parking Supply**

Parking Location	Spaces
Parcel A: Mathieson Dr @ Mathieson Pl Corner Lot	165
Parcel A: Preschool Drop-Off Lot	26
Parcel A: East of Sanctuary Corner Lot	60
Parcel B: West Shadowlawn @ Peachtree Lot	98
Parcel C: Mathieson Corner Lot	43
Parcel C: Mathieson Rear Lot	111
Agreed Trader Joe's Offsite Use Parking	60
Additional Offsite Parking	*
Total proposed parking spaces on site	563

\*Additional offsite parking provided by agreements with other properties and on-street parking were not included in the total.



## EXHIBIT "D" (CONTINUED)



### Parking Supply Rates

The minimum parking supply rates for the City of Atlanta were taken from Section 16-06.010 of the Single-Family Residential (R-4) District Regulations for minimum off-street parking and Buckhead Village (SP1-9) District Regulations off-street parking. These City rates can only be amended by approval of a special exception variance. The rates used for this study are provided in Table 2.

Table 2 – Parking Supply Rates

Land Use	City of Atlanta Rate	Units
Church	.25	Per fixed seat
Day Care/Preschool Center	1	per 600 sf of floor area

### Results

Table 3 provides the breakdown of parking demand spaces based on the City of Atlanta rates. Table 4 shows the number of spaces needed to meet the parking demand vs. the available proposed parking supply. For the total parking demand, the youth facility demand spaces are not included in the total because the church sanctuary is considered the largest assembly space on the site and takes the precedence for parking demand.

Table 3 – Calculated Parking Demand

Land Use	Parking Demand (spaces)
Church	492
Day Care/Preschool Center	38

Table 4 – Parking Demand vs. Supply

Parking	Spaces
Demand	530
Supply	563
Surplus	33

### Closure

Based on the results of this analysis, additional parking spaces will not be necessary. This study did not include additional parking that is available to the PRUMC through on-street parking and additional agreements with properties in the area.

Please feel free to contact Rob Ross (404.201.6146) if you have any questions regarding this analysis.



# EXHIBIT "E"

PEACHTREE ROAD UNITED METHODIST CHURCH  
 ZONING AREA CALCULATION  
 COLLINS COOPER CARUSI ARCHITECTS  
 #1308.000

07.29.2013

	Basement	1st	2nd	3rd	4th	5th	6th	7th	8th	Total SPI-9/SA1	Total SPI-9/SA3	Total R-4
<b>EXISTING BUILDINGS TO REMAIN ON CAMPUS</b>												
Existing buildings in SPI-9/SA1	2,430.48	79,557.99	66,721.20	28,526.84	2,586.05					179,632.66		
Existing buildings in SPI-9/SA3	6,260.00	15,031.00	15,478.44	10,257.45							47,026.89	
Existing building s.f. per level	8,690.48	94,388.99	82,199.64	38,784.39	2,586.05							
<b>PARKING DECK/ACTIVITIES BUILDING - PROPOSED 8 LEVELS (4 LEVELS PARKING, 4 LEVELS ACTIVITIES)</b>												
Parking deck/Activities in SPI-9/SA1	36,000.00	36,000.00	36,000.00	36,000.00	36,000.00	36,000.00	36,000.00	36,000.00	36,000.00	324,000.00		
Parking deck/Activities in SPI-9/SA3	31,000.00	31,000.00	31,000.00	31,000.00	31,000.00	31,000.00	31,000.00	31,000.00	31,000.00		778,000.00	
Parking deck/Activities s.f. per level	67,000.00	67,000.00	67,000.00	67,000.00	67,000.00	67,000.00	67,000.00	67,000.00	67,000.00			
<b>FUTURE DISCIPLESHIP CENTER - PROPOSED 3 LEVELS</b>												
Future Discipleship Center in SPI-9/SA1		7,000.00	7,000.00	7,000.00						21,000.00		
<b>YOUTH BUILDING - 3 LEVELS</b>												
Youth Building in SPI-9/SA3	5,000.00	5,000.00	5,000.00								15,000.00	
Youth Building in R-4*	18,000.00	16,000.00	8,780.00									40,780.00
Youth Building s.f. per level	21,000.00	21,000.00	13,780.00									
<b>TOTAL SQUARE FOOTAGE</b>										<b>814,632.66</b>	<b>341,026.89</b>	<b>40,780.00</b>
										<small>in SPI-9/SA1</small>	<small>in SPI-9/SA3</small>	<small>in R-4</small>

\*R-4 allows FAR of .5, or 50% lot coverage. Portion of site within R-4 is 81,585.6 s.f., or 40,782.8. For purposes of this exercise, assumed building as designed may require all of this area.

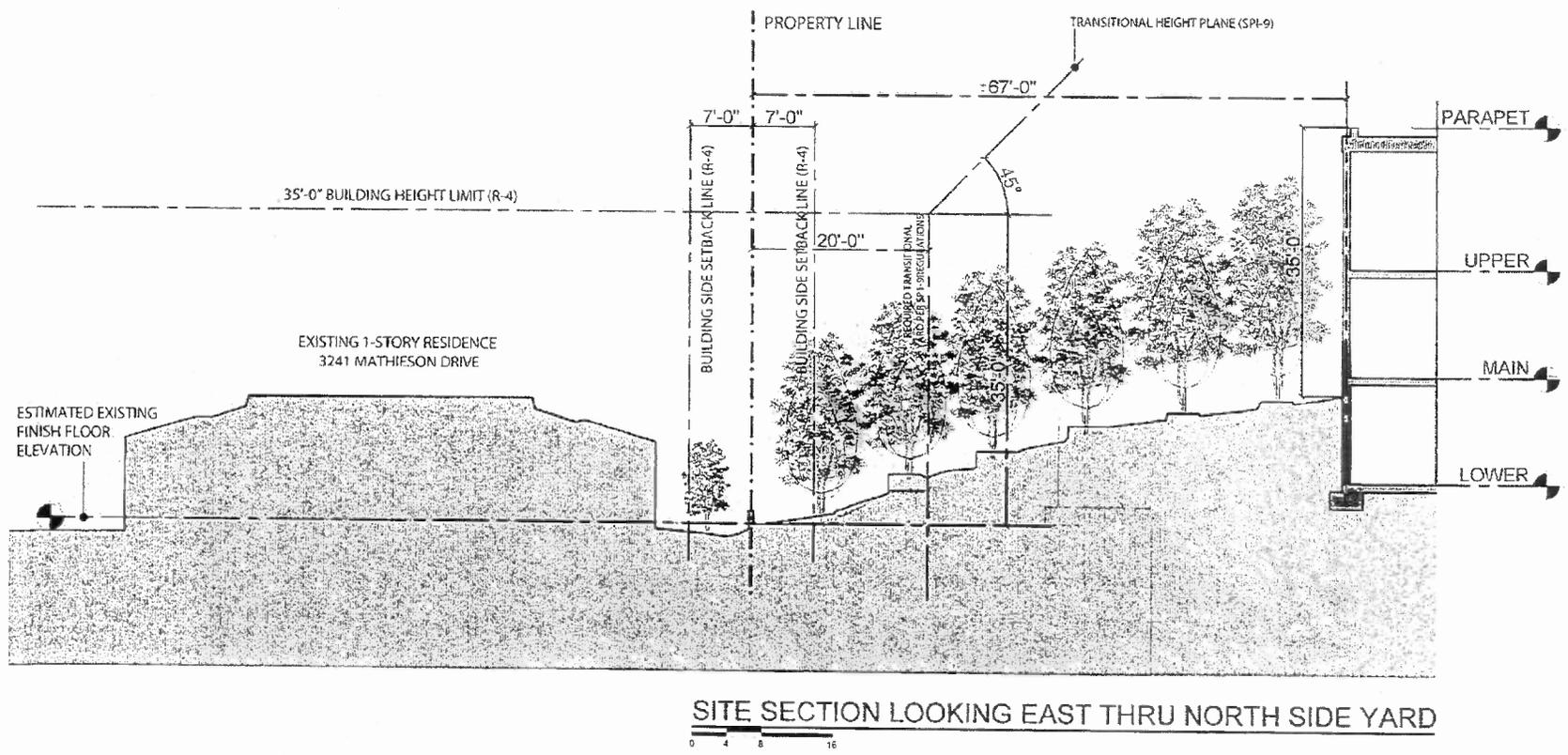
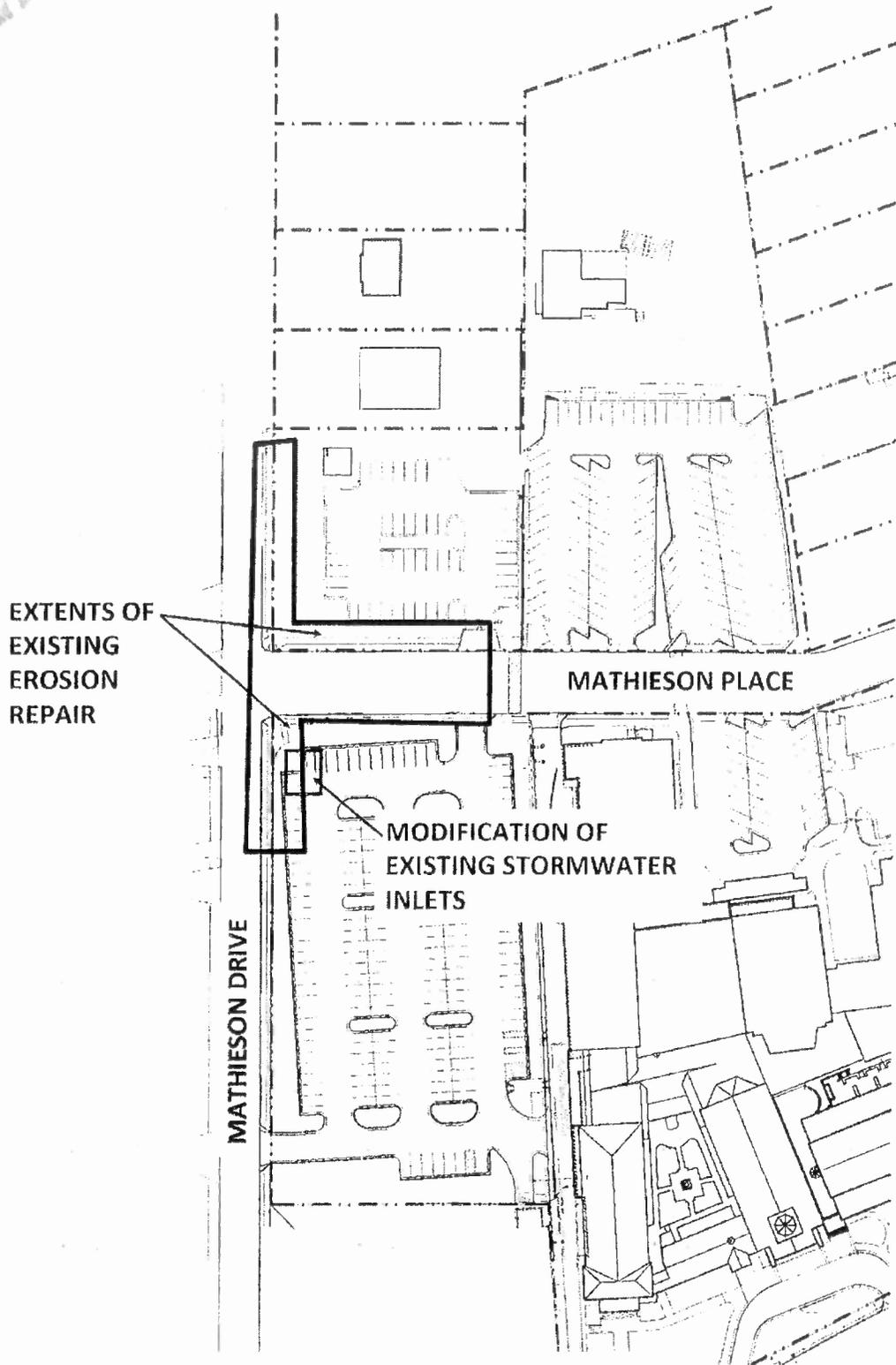


Exhibit  
F



EXTENTS OF  
EXISTING  
EROSION  
REPAIR

MATHIESON PLACE

MODIFICATION OF  
EXISTING STORMWATER  
INLETS

MATHIESON DRIVE

Exhibit

5

EXTENTS OF EXISTING EROSION REPAIR

PEACHTREE ROAD UNITED METHODIST CHURCH - YOUTH  
BUILDING

AUGUST 6, 2013

COLLINS  
COOPER  
CARUSI  
Architects

