

U-14-06- AN ORDINANCE BY ZONING COMMITTEE GRANTING A SPECIAL USE PERMIT FOR A HOTEL PURSUANT TO SECTION 16.12. 005 (1) (G) FOR PROPERTY LOCATED AT 380 14TH STREET, N.E., FRONTING APPROXIMATELY 182 FEET ON THE SOUTH SIDE OF 14TH STREET AND APPROXIMATELY 149 FEET ON THE EAST SIDE OF MESCALIN STREET AND ALSO LOCATED AT THE SOUTHWESTERLY INTERSECTION OF 14TH STREET AND MESCALIN STREET. DEPTH: APPROXIMATELY 149 FEET. AREA: APPROXIMATELY 0.64ACRES. LAND LOT 149, 17TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: 380 PROPERTIES LLC/RASHID NOMAN APPLICANT: ROB PONDER NPU E COUNCIL DISTRICT 3

Application File Date	3-3-2014
Zoning Number	U-14-06
NPU / CD	E/3
Staff Recommendation	
NPU Recommendation	
ZRB Recommendation	

Workflow List:

Office of Research and Policy Analysis	Completed	04/16/2014 4:40 PM
Zoning Committee	Pending	
Atlanta City Council	Pending	
Zoning Review Board Staff	Pending	
Office of Research and Policy Analysis	Pending	
Mayor's Office	Pending	

Certified by Presiding Officer	Certified by Clerk
Mayor's Action	
<i>See Authentication Page Attachment</i>	

U-14-06- AN ORDINANCE BY ZONING COMMITTEE GRANTING A SPECIAL USE PERMIT FOR A HOTEL PURSUANT TO SECTION 16.12. 005 (1) (G) FOR PROPERTY LOCATED AT 380 14TH STREET, N.E., FRONTING APPROXIMATELY 182 FEET ON THE SOUTH SIDE OF 14TH STREET AND APPROXIMATELY 149 FEET ON THE EAST SIDE OF MESCALIN STREET AND ALSO LOCATED AT THE SOUTHWESTERLY INTERSECTION OF 14TH STREET AND MESCALIN STREET. DEPTH: APPROXIMATELY 149 FEET. AREA: APPROXIMATELY 0.64ACRES. LAND LOT 149, 17TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: 380 PROPERTIES LLC/RASHID NOMAN APPLICANT: ROB PONDER NPU E COUNCIL DISTRICT 3

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Municipal Clerk
Atlanta, Georgia

AN ORDINANCE

U-14-06

BY: ZONING COMMITTEE

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

SECTION 1. Under the provisions of Section 16.12. 005 (1) (g) of the Zoning Ordinance of the City of Atlanta, a Special Use Permit for a HOTEL, is hereby approved. Said use is granted to 380 PROPERTIES LLC/RASHID NOMAN and is to be located at 380 14TH STREET, N.E., to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 149, 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.



55 Trinity Avenue S.W., Suite 3350
Atlanta, Georgia 30303
(404) 330-6145

APPLICATION #: **U-14-006**

DATE ACCEPTED: **03/03/2014**

NOTICE TO APPLICANT

Address of Property:
380 14Th ST NW

City Council District: **3** Neighborhood Planning Unit (NPU): **E**

Zoning Review Board (ZRB) Hearing Date:

Thursday, May 1 or 08, 2014 at 6:00 p.m.

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

The contact person for NPU E is:

Penelope Cheroff
404-892-0229
pcheroff@cheroffgroup.com

Contact info for adjacent NPUs is provided below if necessary:

Additional Contacts:



Please contact the person(s) listed above within two 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,

EB, for Director, Bureau of Planning

Rob Ponder



APPLICATION FOR SPECIAL USE PERMIT

City of Atlanta

Date Filed 3/3/14 Application Number U-14-006

I Hereby Request That The Property Described in this Application be granted a Special Use Permit

Name of Applicant PONDER ROB
Last Name First Name M.I.

Address 3000 Street Name LANTANA Ln BUILDING 200

City NORCROSS State GA Zip Code 30071-4771

Phone 770 449-8860 Fax 770-449-8861

E-mail address rob@ponder2.com

Name of Property Owner 380 PROPERTIES LLC
RASHID DOMAN
Last Name First Name M.I.

Address 1900 Street Name PIEDMONT CIRCLE

City ATLANTA State GA Zip Code 30324

Daytime Phone 404-431-7379 Fax 404-873-4074

E-mail address DOMAN.RASHID@YAHOO.COM

Description of Property

Street Address of Property 380 14th ST N.E.

City ATLANTA State GA Zip Code 30318

Property is zoned: C2 Council District: 3 Neighborhood Planning Unit: E

(optional)The subject property fronts 183.68 feet on the SOUTH side of
14th STREET, beginning Ø feet from the N.E.
 corner of MECASLIN ST.

Depth: ±150' Area: 27,680 S.F. Land Lot: 149 Land District: 17th



INSTRUCTIONS

A. SUMMARY OF PROPOSED PROJECT. What kind of special use would you be operating?

personal care home rehabilitation center day care center
 assisted living facility nursing home church
 other: (describe): HOTEL, RETAIL, & ON-SITE PARKING

B. IMPACT ANALYSIS. Type or legibly print on a separate piece of paper a complete and descriptive response to each one of the following questions:

1. Ingress and Egress:

- a. How will employee and client vehicles enter and leave the property?
- b. How will emergency vehicles (fire, police, and ambulance) gain access to the property?
- c. Will the way in which vehicles enter and leave the property cause traffic congestion? Why or why not?

2. Off-Street Parking and Loading:

- a. How will the operator of the facility dispose of refuse and garbage? What kind of containers would be used? Will the City or a private garbage disposal service be used? How often will the service pick up the garbage?
- b. How will products and supplies be delivered to the facility?
- c. Where and how will service personnel (such as electric and gas maintenance personnel) park their vehicles and gain access to the property for routine maintenance?
- d. How will employees and clients park their vehicles and gain access to the property.

3. Buffering and Screening:

- a. How will adjoining properties be buffered or screened from any noise or glare from lights that might be generated from the facility?
- b. How many vehicles will travel to and from the facility every day? Are you planning to make any road improvements to accommodate heavy traffic to and from the facility?

4. Hours and Manner of Operation:

- a. Proposed Use of Site? Please state exactly and in detail what is intended to be done on, or with the property.
- b. What will be the hours and days of the week during which the facility will be open?
- c. How many employees will be employed at the facility? Include the number of shifts and number of employees per shift.
- d. How many clients will be served by the facility, and what will be their ages?
- e. Will you offer meals; and if so, when will they be offered?
- f. Will there be any other special programs offered at the facility; and if so, will they cause vehicles to park at or on the site?



SPECIAL USE PERMIT APPLICATION
IMPACT ANALYSIS

City of Atlanta

Submitted by: Robert W. Ponder, Applicant for the Owner
 Submitted to: Atlanta Dept. of Planning and Community Development, Office of Planning
 Date: March 3, 2014

Project: Mixed use development: limited service hotel, retail, and structured parking.

Location: 380 14th Street (southeast corner of Mecaslin Street), Atlanta, GA 30318,
 Land Lot 149, 17th District, Fulton County, GA

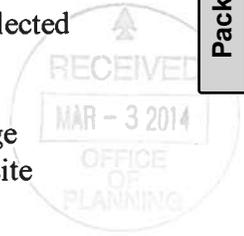
1. **Ingress and Egress:**

- a. Employee and client (including hotel and retail guest) vehicles shall enter and leave the property along the west property line, via an existing curb cut on Mecaslin Street. The proposed plan for this corner property has no vehicular access from, or to, Fourteenth Street. The existing curb cut on 14th Street will be abandoned when this project is built.
- b. Emergency vehicles (fire, police, and ambulance) shall have access to the property along the full length of the north property line, at Fourteenth Street, and along the full length of the west property line, at Mecaslin Street. Emergency vehicles shall gain access to enter the property at the existing curb cut which is proposed to remain, on Mecaslin Street. The hotel structure will be high enough on the South portion of the site to allow emergency vehicles to traverse that portion of the site.
- c. The traffic entering and leaving this site will do so off of an existing curb cut on the side-street and not directly off of 14th street like it does now. The traffic will be able to enter and exit 14th street (the busier street) at the existing intersection of Mecaslin. The largest part of the proposed development is a hotel which does not create a large "spike" in traffic. The guests to a hotel tend to arrive over a "spread out" period of time from around 2pm to as late as midnight. Departures in the morning are also dispersed from around 6am to around noon. The retail traffic should be off-peak from the hotel, again, keeping any "spikes" to a minimum.

2. **Off-Street Parking and Loading:**

- a. The operator for the hotel and for each of the retail facilities shall dispose of refuse and garbage in a shared, large, commercial metal dumpster, with hinged lid. The dumpster shall be situated within a screened dumpster enclosure (with lockable gates) to be located on the main parking level, at the end of the main two-way drive. Access by commercial garbage collection truck will be possible with the fourteen height clearance provided under the hotel canopy. As of now, it is the intent of the property

U-14-001



operators to utilize the City garbage collection system. Garbage should be collected weekly or twice-weekly as needed.

- b. Products and supplies shall be delivered primarily via inner city trucks, package trucks, and delivery vans. A 12 foot by 40 foot loading zone is shown on the site plan.
- c. Service personnel (such as electric and gas maintenance personnel) may gain access to the property via the existing curb cut on Mecaslin Street, along the west property line, which is to remain. They may park their vehicles in the parking provided for employees and clients (including hotel guests) and in the loading zone. Service personnel will not be required to park in the right-of-way at either Fourteenth Street or Mecaslin Street.
- d. Employees and clients (including hotel guests) shall gain access to the property via the existing curb cut on Mecaslin Street, along the west property line, which is to remain. They shall park their vehicles in the off-street parking structure, which begins at street level and spirals to below ground parking, partially beneath the proposed building. Parking will be provided at the rate required by the Zoning Ordinance.

3. **Buffering and Screening:**

- a. The primary use proposed for the property is that of a limited service hotel, catering to business travelers, which by its nature is a quiet use, with little noise to disturb neighbors. The retail public entrances shall front onto the sidewalk at Fourteenth Street, towards other retail and away from residential neighbors. Parking area lights will be primarily pole-mounted and shall be provided with integral "cut-offs" at the light fixture, to keep light away from adjoining properties. Shade and under-story trees will be planted in the 20 foot buffer zone required along the south property line, with abuts residential zoning (shown on site plan). This will help screen the property from neighbors. Vehicles parked in the parking structure will be screened from view by the 42-inch high perimeter solid wall of the structure.
- b. It is expected that approximately 200 vehicles shall travel to and from the facility every day (100 for the hotel and 100 for the retail). Much of the retail patronage is expected to be during the work day, by pedestrians from nearby office buildings. We do not expect heavy traffic for these types of uses, and therefore do not plan for any road improvements.

4. **Hours and Manner of Operation:**

- a. The primary use proposed for the property is that of a limited service hotel, catering to business travelers, and offering approximately 106 guestrooms, including a few suites. The hotel shall have lobby and other public functions on grade level at Fourteenth Street, and shall have a primary covered driveway entrance facing south,

accessed from the parking, and Mecaslin Street. The hotel shall have a secondary, pedestrian entrance from Fourteenth Street. The remainder of the building's street level shall be occupied by one-level, speculative, small retail, fronting onto the sidewalk, for pedestrian access, but having rear service entrances facing the parking. Below grade parking shall be provided beneath the building and much of the property, accessed from the curb cut on Mecaslin Street, and gradually spiraling underground. The building shall be an L-shaped building in plan, with the long leg parallel to Fourteenth Street, and the short leg parallel to Mecaslin Street (stepping down in height toward the south to conform with the zoning required sky plane). The hotel shall include: 106 guestrooms, a rooftop sun deck, an indoor hotel fitness room, a 100-person meeting room, a 10-person Board Room, a breakfast dining area for guests (not outside food sales), a hotel laundry (no outside laundry service), and hotel back-of-house spaces.

- b. The facility will be open 24 hours a day, 365 days a year, for the hotel. The most intensive times for hotel use will be when guests are checking in and checking out: typically from 6 am – 10 am, and again from 5 pm – 8 pm. The small retail portion will be open as required by the particular business enterprises, but is expected to be no earlier than 6 am, and no later than 11 pm, daily. It is likely that the retail will not be open every day of the year, but could be any portion thereof.
- c. The hotel is expected to have three shifts, in time increments of 8 hours each, with a total of 25 employees.
 - i. The busiest daytime shift, from 7 am until 3 pm, should have 14 employees.
 - ii. The next busiest shift, from 3 pm until 11 pm, should have 8 employees.
 - iii. The late night shift, from 11 pm until 7 am, should have 3 employees.

The quantity of retail employees shall vary depending on the type of business, but is expected to be no more than 16 at a time, for one or two shifts.

- d. The clients served by both the hotel and the retail are expected to be primarily adult business people, either traveling or working in the area, and ranging in age from 18 to approximately 65. The hotel is open to families and may have some minor guests staying with their adult guardians. It is anticipated the hotel will operate at 80 % capacity, resulting in approximately 120 guests per day.

The quantity and type of retail clients will vary depending on the type of business, but is expected to draw primarily from the local business community for lunchtime or business-related services, therefore the age group is also expected to range primarily from 18 to 65.

- e. For its guests only, the hotel will offer the following complimentary food and drink: a hot breakfast (served from approximately 6 am to 9 am), "Grab'n'go" snacks, and evening beer/wine/cocktails. There will not be a full service restaurant (for guests nor for outside food service), nor room service provided. The retail may include a small food service establishment, which could serve food and drink at any mealtime.

City of Atlanta Special Use Application Impact Analysis: 380 Fourteenth Street Multi-Use Facility

- f. The hotel will include a 100 person meeting room, which is primarily intended for use by hotel guests, but which could be rented out, resulting in additional vehicles. This will be accounted for in the vehicle count of the off-street parking provided. There are no other "special programs" expected at this facility.

U-14-006

5. **Duration of Special Use Permit:**

- a. The Owner respectfully requests that the Special Use Permit last indefinitely.

6. **Tree Preservation and Replacement:**

- a. Three existing trees, located in the front yard of the existing, abandoned church building, cannot be saved when the existing building and surface parking lot are demolished. The front of the new facility will fit in with the urban fabric of the City along Fourteenth Street, encouraging pedestrian traffic on the existing sidewalk. Replacement shade trees are planned as part of the new sidewalks on both streets. New shade trees and under-story trees are also planned for installation in the 20 foot wide buffer, to be maintained along the south property line at the rear of the property.

7. **Required Yards and Open Spaces:**

- a. The existing facility structure is an abandoned church, a classroom building, and a surface parking lot in rear. All existing structures are to be demolished and removed (nothing left to add on to). The new construction will honor all building setback lines. The new construction will be built outside of the required 20 foot buffer along the rear, south property line. The 20 foot buffer on the south side of the site constitutes 13.33% of the site.

End of Impact Analysis



AUTHORIZATION TO INSPECT PREMISES

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

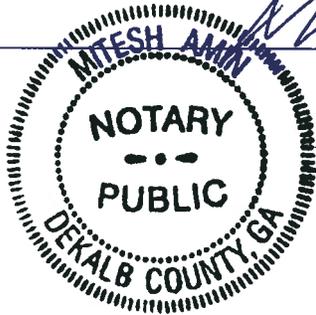
I swear and affirm that the information contained in this application is true and accurate to the best of my knowledge and belief.

[Handwritten signature]

Owner or Agent of Owner (Applicant)

Sworn to and subscribed before me this 28 day of February, 2014.

[Handwritten signature] Ex 11/17
(Notary Public)





AUTHORIZATION BY PROPERTY OWNER

(Required only if applicant is not the owner of property subject to the proposed Special Use Permit)

I, 380 PROPERTIES LLC NOMAN RASHID (OWNER'S NAME)

SWEAR AND AFFIRM THAT I AM THE OWNER OF THE PROPERTY AT 380 14th ST ATLANTA GA. 30318 (PROPERTY ADDRESS).

AS SHOWN IN THE RECORDS OF Fulton COUNTY, GEORGIA, WHICH IS THE SUBJECT MATTER OF THE ATTACHED APPLICATION. I AUTHORIZE THE PERSON NAMED BELOW TO FILE THIS APPLICATION AS MY AGENT.

NAME OF APPLICANT

LAST NAME PONDER FIRST NAME ROB

ADDRESS 3000 STREET NAME LANGFORD R SUITE 200 ^{BUILDING}

CITY Norcross STATE GA ZIP CODE 30071-4771

TELEPHONE NUMBER

AREA CODE (770) NUMBER 449 - 8860

[Signature]
Signature of Owner

NOMAN RASHID
Print name of owner

Personally appeared before me this 28th day of February, 2014.



U-14-006



EXHIBIT "A"

ALL THOSE TRACTS or parcels of land lying and being in Land Lot 149 of the 17th District, Fulton County, Georgia, and being more particularly described as follows:

TRACT I:

~~Beginning at a 1/2 inch rebar set on the easterly right-of-way line of Mecaslin Street (a 30 foot right-of-way, f/k/a East Street), located 162.16 feet in a southerly direction as measured along said right-of-way line from the intersection of the easterly right-of-way line of Mecaslin Street and the southerly right-of-way line of Fourteenth Street (a 60 foot right-of-way); thence leaving said right-of-way line of Mecaslin Street traveling North 89 degrees 58 minutes 59 seconds East a distance of 116.00 feet to a 1/2 inch rebar set; thence travel South 04 degrees 03 minutes 17 seconds West a distance of 100.03 feet to a 1/2 inch rebar set; thence travel South 89 degrees 52 minutes 00 seconds West a distance of 110.50 feet to a 1/2 inch rebar set on the easterly right-of-way line of Mecaslin Street; thence travel along said right-of-way line North 01 degree 04 minutes 03 seconds East a distance of 100.00 feet to the point of beginning.~~

TRACT II:

Beginning at a p.k. nail set at the intersection of the southerly right-of-way line of Fourteenth Street (a 60 foot right-of-way) and the easterly right-of-way line of Mecaslin Street (a 30 foot right-of-way, f/k/a East Street); thence travel along said right-of-way line of Fourteenth Street South 89 degrees 52 minutes 24 seconds East a distance of 195.56 feet to a 1/2 inch rebar set; thence leaving said right-of-way line, travel South 00 degrees 31 minutes 16 seconds West a distance of 150.11 feet to a 1/2 inch rebar set; thence travel North 89 degrees 55 minutes 26 seconds West a distance of 196.84 feet to a 1/2 inch rebar set on the easterly right-of-way line of Mecaslin Street; thence travel along said right-of-way line North 01 degree 07 minutes 04 seconds East a distance of 150.16 feet to the point of beginning.



Parcel Details

Phone: 33.7859, -84.3994
Pin: 17 01490004031
Address: 380 FOURTEENTH ST NW
Owner: WOOD ROBERT D JR

Google Street View
Virtual Earth

- Planning**
- Map
- Tax
- Public Safety
- Schools
- 2010 Census
- Housing Survey

Planning Designations	
Property in Atlanta city limits	Yes
USPS ZIP Code	30318
District/Landlot	17-149 lot boundary map
Zoning	
Primary	C-2
Overlay	-
Maps	Official Zoning Map (pdf) Online Map
Future Land Use	
NPU	Low-Density Commercial (LDC)
Adjacent NPU (within 300 feet)	E
Neighborhood	-
Council District	Home Park
Renewal Community	3
Empowerment Zone	No
New Market Tax Credits	No
Livable Centers Initiative (LCI)	No
Tax Allocation District (TAD)	-
Supportive Housing Distance Eligibility	Meets distance requirements
Neighborhood Stabilization Program	No
Neighborhood Stabilization Program 3	No
Opportunity Zone	No
Community Development Impact Areas	No
Urban Redevelopment Areas	No
Inspection Arborist	NW
Inspection Building	Bryant
Inspection Electrical	Thompson
Inspection HVAC	Smith
Inspection Plumbing	Markell
Potential Brownfield	-

RECEIPT

CITY OF ATLANTA
ATLANTATEST
55 TRINITY AVE SW

EX OFFICIO MUNICIPAL
REVENUE COLLECTOR

Application: U-14-006
Application Type: Planning/ZRB/Special use/NA
Address: 380 14TH ST NW, ATLANTA, GA 30318
Owner Name: THREE EIGHTY FOURTEENTH STREET LLC
Owner Address:
Application Name: Rob Ponder

PAID
CITY OF ATLANTA

MAR 03 2014

EX OFFICIO MUNICIPAL
REVENUE COLLECTOR



Receipt No.	Ref Number	Amount Paid	Payment Date	Cashier ID	Received	Comments
360753	1119	\$400.00	03/03/2014	PLUKE		

Owner Info.: THREE EIGHTY FOURTEENTH STREET LLC

Work Description: Applicant seeks a Special Use Permit for a hotel.

Clerk of Superior Court
Fulton County, Georgia

RECEIVED

MAR - 3 2014

OFFICE

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