CITY COUNCIL
ATLANTA, GEORGIA

14-O-1206

U-14-04-AN ORDINANCE BY ZONING COMMITTEE GRANTING A SPECIAL USE PERMIT FOR A CHURCH PURSUANT TO SECTION 16.34. 007 (1) (C) FOR PROPERTY LOCATED AT 1085 PONCE DE LEON AVENUE, N.E., FRONTING APPROXIMATELY 237 FEET ON THE SOUTH SIDE OF PONCE DE LEON AVENUE AT THE SOUTHEAST CORNER OF NORTH HIGHLAND AVENUE. DEPTH: VARIES. AREA: APPROXIMATELY 3.058 ACRES. LAND LOT 16. 14TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: DRUID HILLS BAPTIST CHURCH (MARY ANN WALKER-PASTOR) APPLICANT: ERIC KRONBERG NPU N COUNCIL DISTRICT 2

Application File Date	2-3-2014
Zoning Number	U-14-04
NPU / CD	N/2
Staff Recommendation	
NPU Recommendation	
ZRB Recommendation	

Workflow List:

Office of Research and Policy Analysis	Completed	04/16/2014 3:59 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 *See Authentication Page Attachment*	

LEGISLATION HISTORY – BLUE BACK

U-14-04-AN ORDINANCE BY ZONING COMMITTEE GRANTING A SPECIAL USE PERMIT FOR A CHURCH PURSUANT TO SECTION 16.34. 007 (1) (C) FOR PROPERTY LOCATED AT 1085 PONCE DE LEON AVENUE, N.E., FRONTING APPROXIMATELY 237 FEET ON THE SOUTH SIDE OF PONCE DE LEON AVENUE AT THE SOUTHEAST CORNER OF NORTH HIGHLAND AVENUE. DEPTH: VARIES. AREA: APPROXIMATELY 3.058 ACRES. LAND LOT 16. 14TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: DRUID HILLS BAPTIST CHURCH (MARY ANN WALKER-PASTOR) APPLICANT: ERIC KRONBERG NPU N COUNCIL DISTRICT 2

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Municipal Clerk

Atlanta, Georgia

AN ORDINANCE U-14-04

BY: ZONING COMMITTEE

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

SECTION 1. Under the provisions of Section 16.34. 007 (1) (c) of the Zoning Ordinance of the City of Atlanta, a Special Use Permit for a CHURCH, is hereby approved. Said use is granted to DRUID HILLS BAPTIST CHURCH and is to be located at 1085 PONCE DE LEON AVENUE, N.E., to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 16, 14th 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.

NOTICE TO APPLICANT

Address of Property:
1065, 1125 Ponce De Leon AVE NE

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

APPLICATION #: **U-14-004**

DATE ACCEPTED: **02/03/2014**

City Council District: **2** Neighborhood Planning Unit (NPU): **N**

Zoning Review Board (ZRB) Hearing Date:

Thursday, April 3 or 10, 2014 at 6:00 p.m.

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

The contact person for NPU N is:

Jonathan Miller
(404) 790-9398
millernkelly2@mindspring.com

Contact info for adjacent NPUs is provided below if necessary:

Additional Contacts:
Debbie Skopczynski (NPU F)
404-874-7483
atlanta.npuf.zoning@gmail.com

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,

RJ, for Director, Bureau of Planning

Eric Kronberg

APPLICATION FOR SPECIAL USE PERMIT

City of Atlanta

RECEIVED FEB - 3 2014 OFFICE OF PLANNING

Date Filed _____ **Application Number** U-14-04

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

Name of Applicant Kronberg, Eric J
Last Name First Name M.I.

Address 1359 **Street Name** La France St NE

City Atlanta **State** GA **Zip Code** 30307

Phone 404-653-0553 **Fax** NA

E-mail address ekronberg@kronbergwall.com

Name of Property Owner Druid Hills Baptist Church (Walker, Mary An - Pastor)
Last Name First Name M.I.

Address 1085 **Street Name** Ponce de Leon Ave

City Atlanta **State** GA **Zip Code** 30306

Daytime Phone 404-874-5721 **Fax** NA

E-mail address mimi.walker@dhbc.org

Description of Property

Street Address of Property 1085 Ponce de Leon Ave

City Atlanta **State** GA **Zip Code** 30306

Property proposed to be rezoned MRC-2

Property is zoned: C1/RG/OI **Council District:** 2 **Neighborhood Planning Unit:** N

The subject property fronts 237' **feet on the** South **side of**

Ponce de Leon Ave, **beginning** 0 **feet from the** SE

corner of N Highland Avenue

Depth: varies **Area:** 133220 sf **Land Lot:** 16 **Land District:** 14th

INSTRUCTIONS

U-14-04

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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 X church (existing)

_____ other: (describe): _____

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?

DOCUMENTED IMPACT ANALYSIS- SUP

KRONBERG WALL
ARCHITECTS / PLANNERS

PROJECT NAME: Druid Hills Baptist Church Redevelopment
DATE: 1/30/14
TO: Bureau of Planning
FROM: Eric Kronberg

U-14-04

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1. **Ingress & Egress:**
a,b,&c) The redevelopment plans have carefully considered ingress and egress for both the church and the adjacent proposed redevelopment. Traffic planner, Heather Athedeff has provided a preliminary analysis of traffic flow for review. The multiple access points to the property will disperse entry and egress to and from the site, minimizing traffic congestion, while providing access to emergency vehicles and employees.

2. **Off Street Parking and Loading:**
a) There will be an enclosed dumpster for the project serviced privately. This will quite possibly be a compactor to address the overall waste needs of the redevelopment. The dumpster has been located in a discreet location on the site to minimize visual impact, while offering access to the trash collection vehicles. Service turns will be based upon an analysis of need for the overall development.

b) We have provided a loading space directly behind the church, there is also the ability to use the space directly in front of the dumpster enclosure for additional loading.

c) There is a surface parking lot directly to the East of the church that is easily accessible to service personnel.

d) The surface lot and parking deck will be used by clients when attending church functions.

3. **Buffering and screening:**
a) The adjacent, proposed mixed-use and retail developments will not require screening from the existing church.
b) We expect light traffic will be coming to the facility during the week, with the bulk of cars visiting Sunday morning. The overall traffic from the church at this time will be commensurate with or less than the trips to the proposed, adjacent mixed use development.

4. **Hours and Manner of Operation:**
a) The proposed use of the area of the site where the church sits is the same as it has been for the past 80 years...typical church use with very light usage on weekdays and the largest use Sunday mornings.

b. The facility will be open Monday to Friday during business hours, Sunday morning for weekly services, and occasional evenings for meetings/events.

1359 La France Street NE, Unit A
Atlanta, GA 30307

tel 404/653/0553 fax 404/653/0025
www.kronbergwall.com

c. How many employees will be employed at the facility? Include the number of shifts and number of employees per shift.
There are currently 5 employees who work typical workday hours 9-5pm on average with a larger number of volunteers and congregation members attending Sunday mornings.

d. As a church, the clients are the congregation, which has a wide variety of ages. On average 60 people attend Sunday services.

e. are not offered for sale. At some church events there will be food served, including potlucks which happen approximately once per month.

f. There will be occasional meetings and Christmas concerts and so forth...the parking requirement is based upon the seating capacity of the sanctuary, so it is fully expected that for Sunday services or any special events, the required parking will be adequate.

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OFFICE OF PLANNING
AM 1 2 3 4 5 6 7 8 9 10 11 12 AM
PM 1 2 3 4 5 6 7 8 9 10 11 12 PM

U-14-04

5. **Duration of Special Use Permit:**
a) We request that the special use permit be granted for an indefinite period of time. The church has been an anchor of the community for over 80 years. The purpose of the proposed redevelopment is to provide financial stability and security to maintain their presence for at least another 80 years.

6. **Tree Preservation and Replacement:**
a) There is the possibility that one tree adjacent to the improved Ponce drive will be impacted. We will coordinate with the city arborist to analyze tree prescription and other possibilities to save the tree to the extent possible. Any lost and replacement trees will be coordinated with the city arborist and conform with the City of Atlanta tree ordinance.

For the portion of land scheduled for redevelopment: currently, a significant portion of the 4.3 acre lot is impervious with several buildings surrounded by paved parking lots and only 10 trees over 6" caliper. 7 of these trees will be removed but the planting of approximately 100 trees is proposed in the redevelopment plan. All tree removal and replacement will conform with the City of Atlanta tree ordinance.

7. **Required Yards and Open Spaces:**
a) There are no current additions proposed to the building. In fact, there will be a reasonable amount of existing church building removed to accommodate the redevelopment. There is the potential for a new playground shown on the site plan. This playground will have a decorative fence and will be heavily landscaped to shield view from the street.

1359 La France Street NE, Unit A
Atlanta, GA 30307

tel 404/653/0553 fax 404/653/0025
www.kronbergwall.com

AUTHORIZATION BY PROPERTY OWNER

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

RECEIVED FEB - 3 2014 OFFICE OF ZONING

I, MARYANN MIMI WALKER (OWNER'S NAME)

SWEAR AND AFFIRM THAT I AM THE OWNER OF THE PROPERTY AT 1085 PONCE DE LEON AVE (PROPERTY ADDRESS).

AS SHOWN IN THE RECORDS OF FULTON **COUNTY, GEORGIA, WHICH IS THE SUBJECT MATTER OF THE ATTACHED APPLICATION. I AUTHORIZE THE** U-14-04 **PERSON NAMED BELOW TO FILE THIS APPLICATION AS MY AGENT.**

NAME OF APPLICANT

LAST NAME KRONBERG FIRST NAME ERIC

ADDRESS 1359 STREET NAME LA FRANCE ST. SUITE

CITY ATLANTA STATE GA ZIP CODE 30307

TELEPHONE NUMBER

AREA CODE (404) NUMBER 653 - 0553

Signature of Owner

MaryAnn Mimi Walker

Print name of owner

Personally Appeared Before Me this 3rd day of February, 2014.

Notary Public

Y MYERS
Notary Public
Dekalb County
State of Georgia
My Commission Expires Feb 28, 2017

NOTARIZED AUTHORIZATION BY AGENT

(Required only if **applicant is not the owner** of the property subject to the application)

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FEB - 3 2014
OFFICE OF PLANNING

TYPE OF APPLICATION Special Use Permit

I, Eric Kronberg (APPLICANT(S) NAME)

SWEAR THAT I AM THE APPLICANT OF THE PROPERTY LOCATED AT U-14-04

1085 Ponce de Leon Ave, Atlanta GA 30306 (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 ACT AS THE AGENT IN THE PURSUIT OF THIS APPLICATION.

NAME OF AGENT Scott Berger

ADDRESS 1359 La France Street, Unit A
Atlanta, GA 30307

TELEPHONE NUMBER 404-653-0553

Signature of Applicant

Personally Appeared Before Me Chester Dixon

Who Swears That The Information Contained In This Authorization Is True and Correct To The Best of His or Her Knowledge and Belief.

Notary Public

02/01/2014
Date

CHESTER DIXON NOTARY PUBLIC Exp. July 29, 2018 FULTON COUNTY, GA

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.

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FEB - 3 2014
OFFICE OF PLANNING
U-14-04

_____

Owner or Agent of Owner (Applicant)

Sworn to and subscribed before me this 3rd day of February, 2014

_____ **(Notary Public)**

Y MYERS
Notary Public
Dekalb County
State of Georgia
My Commission Expires Feb 28, 2017

LEGAL DESCRIPTION
Druid Hills Baptist Church

RECEIVED
OFFICE OF PLANNING
U-14-04

All that tract or parcel of land lying and being in Land Lot 16, 14th District, Fulton County, Georgia, being shown as Tracts 1 and 2 on a Survey for Druid Hills Baptist Church by Adam and Lee Land Surveying, dated November 6, 2013 and being more particularly described as follows:

Tract 1

Beginning at a point on the southerly right-of-way line of Ponce De Leon Avenue and the easterly right-of-way of North Highland Avenue; thence along said right-of-way of Ponce De Leon Avenue North 89 degrees 58 minutes 11 seconds East a distance of 237.00 feet to a point; thence leaving said right-of-way of Ponce De Leon Avenue South 00 degrees 37 minutes 38 seconds West a distance of 450.33 feet to a point on the northerly right-of-way of Blue Ridge Avenue; thence along said right-of-way of Blue Ridge Avenue North 89 degrees 56 minutes 59 seconds West a distance of 236.94 feet to a point at the intersection of the northerly right-of-way of Blue Ridge Avenue and the easterly right-of-way of North Highland Avenue; thence along said right-of-way of North Highland Avenue North 00 degrees 37 minutes 15 seconds East a distance of 450.00 feet to THE TRUE POINT OR PLACE OF BEGINNING.

Said Tract or parcel of land containing 2.448 acres.

Tract 2

Beginning at a point on the westerly right-of-way of Seminole Avenue and the northerly right-of-way of Blue Ridge Avenue; thence along said right-of-way of Blue Ridge Avenue North 89 degrees 48 minutes 36 seconds West a distance of 237.05 feet to a point; thence leaving said right-of-way of Blue Ridge Avenue North 00 degrees 36 minutes 25 seconds East a distance of 388.53 feet to a point; thence North 89 degrees 57 minutes 34 seconds East a distance of 86.61 feet to a point; thence South 00 degrees 31 minutes 28 seconds West a distance of 137.65 feet to a point; thence South 89 degrees 50 minutes 26 seconds East a distance of 149.91 feet to a point on the westerly right-of-way of Seminole Avenue; thence along said right-of-way of Seminole Avenue South 00 degrees 31 minutes 51 seconds West a distance of 251.31 feet to THE TRUE POINT OR PLACE OF BEGINNING.

Said tract or parcel of land containing 1.639 acres.

RECEIPT

CITY OF ATLANTA
ATLANTATEST
55 TRINITY AVE SW

Application: U-14-004
Application Type: Planning/ZRB/Special use/NA
Address: 1125 PONCE DE LEON AVE NE, ATLANTA, GA 30306
Owner Name: SALVATION ARMY U M BOOTH TOWER THE
Owner Address:
Application Name:

Receipt No. 357509

Payment Method	Ref Number	Amount Paid	Payment Date	Cashier ID	Received	Comments
Check	4396	$400.00	02/03/2014	SGUILDARIE		

Owner Info.: SALVATION ARMY U M BOOTH TOWER THE

Work Description: Special Use Permit for a Church

PAID
CITY OF ATLANTA
FEB 03 2014
EX OFFICIO MUNICIPAL
REVENUE COLLECTOR SJ

LEGAL DESCRIPTION
Druid Hills Baptist Church

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OFFICE OF PLANNING
U-14-04

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