



## Legislation Text

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File #: 2023-1432, Version: 1

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### SUBSTITUTE

Public Hearing: YES  NO

Department: Planning & Sustainability

#### SUBJECT:

**COMMISSION DISTRICT(S): 2 & 6**

Application of AP Zonolite, LLC c/o Troutman, Pepper, Hamilton & Sanders, LLP to rezone property from the M (Light Industrial) Zoning District to the C-1 (Local Commercial) Zoning District to expand the office and commercial uses on the property.

**PETITION NO: Z-24-1246748**

**PROPOSED USE:** All permissible C-1 (Local Commercial) land uses (subject to conditions).

**LOCATION:** 1075 Zonolite Road, Atlanta, Georgia 30306

**PARCEL NO. :** 18-107-04-049

**INFO. CONTACT:** Adam Chappell, Sr. Planner

**PHONE NUMBER:** 404-371-2155

#### PURPOSE:

Application of AP Zonolite, LLC c/o Troutman, Pepper, Hamilton & Sanders, LLP to rezone property from M (Light Industrial) zoning district to C-1 (Local Commercial) zoning district to expand the office and commercial uses on the property.

#### RECOMMENDATION:

**COMMUNITY COUNCIL:** Approval.

**PLANNING COMMISSION:** Two-cycle deferral.

**STAFF RECOMMENDATION:** Approval with conditions.

**PLANNING STAFF ANALYSIS:** On January 25, 2024, the Board of Commissioners deferred this case to February 27, 2024 for additional time to finalize recommended conditions surrounding permitted and prohibited uses for the site. Updated conditions have since been provided by Staff that contain a revised list of prohibited uses, as well as uses that Staff recommend be authorized only upon issuance of a Special Land Use Permit (SLUP) on a case-by-case basis.

The subject property is currently zoned M (Light Industrial) and is improved with a one-story building (comprising approximately 29,000 square feet) constructed circa 1959. There are multiple tenants currently occupying the building, consisting primarily of office, retail, and personal service uses. The property is located

at the western terminus of Zonolite Road, a local street which at its eastern end intersects with Briarcliff Road directly across from the Sage Hill Shopping Center. Two properties approximately 200 feet to the south, designated as 1123 and 1145 Zonolite Road, were rezoned from the M (Light Industrial) zoning district to the MU-1 (Mixed-Use Low Density) zoning district in 1998, conditioned on the reuse of the existing industrial buildings for mixed office/residential purposes. The remaining properties along the street are zoned M (Light Industrial). While these structures appear to have housed industrial uses in the past, they appear to have been repurposed over time and are currently used primarily for office, retail, and personal service uses (such as barber shops/beauty salons, dry cleaning shops), much like the subject property. The subject property shares a southern boundary with Zonolite Park, which is owned by the County and is zoned R-75 (Residential Medium Lot-75) along this boundary. The existing site is nonconforming with regards to current transitional buffer requirements and potentially with yard setback requirements.

A portion of the existing parking area appears to be on land owned and operated by the County. While the current uses on the subject property are permitted by-right in the M (Light Industrial) Zoning District, the applicant proposes to rezone the subject property to the C-1 (Local Commercial) Zoning District in order to expand the potential office and commercial uses on the property. Only a few specific office uses are permitted in the M zoning district (e.g., building or construction offices, engineering and architectural offices). Rezoning to the C-1 district would allow for greater office and commercial flexibility, consistent with the surrounding office and commercial uses to the east. The proposed rezoning of the property to the C-1 Zoning District would constitute a “downgrade” in intensity with respect to the industrial uses that are currently permitted by-right and would not have an adverse effect on the surrounding character of the adjacent properties. Considering the size of the existing property and its improvements, Staff does not see any complications arising from the proposed rezoning, as future redevelopment would inevitably be constricted as a result. Upon review of Section 7.3.5, the Planning & Sustainability Department recommends *approval with conditions*.

**PLANNING COMMISSION VOTE: Two-Cycle Deferral 9-0-0.** Sarah Zou moved, Deanna Murphy seconded for a 2-cycle deferral to the May 2024 zoning agenda, per the Applicant's request.

**COMMUNITY COUNCIL VOTE/RECOMMENDATION: Approval 10-0-0.**