

CHAPTER 18M

SPI-13 CENTENNIAL OLYMPIC PARK SPECIAL PUBLIC INTEREST DISTRICT

Sec. 16-18M.001. Scope of provisions.

The regulations set forth in this chapter, or set forth elsewhere in this part when referred to in this chapter, are the regulations for the SPI-13 Centennial Olympic Park Special Public Interest District.

(Ord. No. 1998-64, §§ 1, 2, 9-24-98)

Sec. 16-18M.002. Statement of intent.

The intent of the council in establishing the SPI-13 Centennial Olympic Park Special Public Interest District as a zoning district is as follows:

- (1) Enhance and protect Centennial Olympic Park as an Olympic legacy, a regional resource and as a civic gathering place.
- (2) Create a 24-hour urban environment where people can live, work, meet and play.
- (3) Improve the visual aesthetics of the streets and area.
- (4) Encourage a compatible mixture of residential, commercial, and entertainment uses.
- (5) Provide parking in an unobtrusive manner.
- (6) Encourage a sense of activity and liveliness along the street level of building facades.
- (7) Facilitate safe and convenient pedestrian circulation and minimize conflict between pedestrians and vehicles.

(Ord. No. 1998-64, §§ 1, 2, 9-24-98)

Sec. 16-18M.003. Boundaries of district established.

The boundaries of the Centennial Olympic Park Special Public Interest District shown on map attachment "B" which by this

reference is incorporated into and made a part of this chapter and this part. The Centennial Olympic Park Special Public Interest District is divided into five sub-areas as shown on said map attachment "B" and are described as follows: Subarea 1: Centennial Olympic Park East. Subarea 2: Centennial Olympic Park West. Subarea 3: Centennial Olympic Park at Baker Street. Subarea 4: Centennial Olympic Park North. Subarea 5: Centennial Olympic Park Public Assembly Area.

(Ord. No. 1998-64, §§ 1, 2, 9-24-98; Ord. No. 1999-73, § 1, 10-12-99)

Sec. 16-18M.04. General regulations.

The following regulations shall apply to all properties located with the Centennial Olympic Park Special Public Interest District, including all sub-areas within the district.

Special administrative permit (SAP) application, pre-application conference: A special administrative permit application and five copies of a site plan shall be submitted and approved by the director of the bureau of planning prior to the applicant filing for a building permit. Before making application for a special administrative permit, a pre-application conference between the applicant and the director of the bureau of planning or the director's designee is required to determine that the application is in conformance with the regulations. All applications for a special administrative permit shall be processed in accordance with the standards and procedures contained within chapter 25, in this chapter 18M and with the Centennial Olympic Park Area Development Policies.

(Ord. No. 1998-64, §§ 1, 2, 9-24-98)

Sec. 16-18M.005. Permitted principal uses.

A building or premise shall be used only for the following principal purposes:

(1) Banks, savings and loan associations and similar financial institutions, excluding drive-through facilities.

(2) Business or commercial schools except as otherwise prohibited.

(3) Child care centers, kindergartens, and special schools.

(4) Churches, synagogues, temples, mosques and other religious worship facilities.

(5) Clubs and lodges.

(6) Commercial recreational establishments, including bowling alleys, theaters, convention halls, nightclubs, live music venues, entertainment clubs, places of assembly and similar uses with primary activities conducted within fully enclosed buildings, except as otherwise prohibited.

(7) Dormitories, fraternities and sororities, except as otherwise prohibited.

(8) Eating and drinking establishments, excluding drive-through facilities.

(9) Hotels.

(10) Institutions of higher learning, including colleges and universities.

(11) Laundry and dry-cleaning stores, excluding drive-through facilities and dry cleaning establishments where equipment is operated by customers.

(12) Mercantile uses, to include merchandise marts and exhibit buildings for wholesale trade.

(13) Multi-family dwellings and two family dwellings.

(14) Museums, galleries, auditoriums, libraries, and similar cultural facilities.

(15) Offices, clinics, laboratories and studios, including chiropractic clinics, and employment agencies, but excluding hiring halls and blood donor stations.

(16) Professional or personal service establishments, including beauty shops, barber shops and spas, but excluding tattoo parlors and body piecing.

(17) Printing and blueprint shops.

(18) Retail establishments, including catering establishments, grocery stores, and boutiques.

(19) Service and repair establishments for office equipment or installations; clocks and watches, shoes, bicycles and leather goods.

(20) Single-room occupancy residences.

(21) Structures and uses required for operation of MARTA or a public facility, but not to include uses involving storage, train yards, warehouse switching or maintenance shops as the primary purpose.

(22) Tailoring, custom dress-making, millinery and similar establishments.

(23) Travel agencies.

(24) Digital industry switchboards, power generators and other relay equipment and rooms housing them when located on subterranean levels or the second floor above sidewalk level and higher, or on ground floors provided that retail, office, institutional, or residential uses are provided for a minimum depth of 20 feet from any building facade along the public sidewalk and entrances to such uses are directly accessible, visible and adjacent to the public sidewalk.

No use or manner of operation shall be permitted which is obnoxious or offensive by reason of odor, smoke, noise, glare, fumes, gas, vibration, unusual danger of fire or explosion, emission of particulate matter, or interference with radio or television communication, or is otherwise incompatible with the character of the district and its relation to adjoining districts. No drive-through businesses, of any kind, will be allowed.

Pursuant to section 16-28.016 adult businesses are not permitted uses in the district.

(Ord. No. 1998-64, §§ 1, 2, 9-24-98; Ord. No. 2002-32, § 13, 2-13-02; Ord. No. 2005-21, §§ 1, 2, 3-25-05)

Sec. 16-18M.006. Permitted accessory uses and structures.

Accessory uses and structures permitted within this district shall include those customarily accessory and clearly incidental to permitted principal uses and structures and specifically include club houses, parking, parking attendant structures, pools, and other recreation amenities and child care facilities to serve residential and commercial uses within the district.

A parking attendant structure shall be exempt from the provisions of sections 16-18M.012 and 16-18M.014 of this chapter provided that it has a maximum footprint of 35 square feet and a maximum height of ten feet, is set back from the required sidewalk width a minimum of five feet and is located on a park-for-hire surface parking lot which existed as a permitted use prior to July 1998. Any such parking attendant structure which does not meet each of the above conditions must comply with all provisions of this chapter.

(Ord. No. 1998-64, §§ 1, 2, 9-24-98)

Sec. 16-18M.007. Special permits.

The following uses are permissible only by special permits subject to limitations and requirements set forth herein or elsewhere in this part, subject to the procedures and requirements set forth in sections 16-18.005 and 16-25.004.

(1) *Special use permits:*

- a. Helicopter landing facilities or pickup or delivery stations.
- b. Outdoor amusement enterprises, exhibits, entertainment, meetings, displays or sales areas, or outdoor areas for religious ceremonies of 90 days duration or longer.
- c. Broadcasting towers and line-of-site relay devices for telephonic, radio or television communications greater than 70 feet in height, except 1) alternative design mounting structures, and 2) new or additional uses of existing structures as contemplated by section 16-25.002(3)(i)(iv)(k).

(2) *Special administrative permits:*

- a. All new construction, including additions to existing buildings, or any construction which results in increased lot coverage within this district, is subject to site plan review and approval through special administrative permit by the bureau of planning pursuant to chapter 25 of this part and this chapter.
- b. Outdoor amusement enterprises, exhibits, entertainment, music venues, meetings, displays or sales areas, or outdoor areas for religious ceremonies of less than 90 days duration. Outdoor vending is permitted only when included with a special event permit.
- c. Parking structures, independent or otherwise, with a total of 30 or more parking spaces in accordance with section 16-14.011 and 16-14.012.
- d. Service stations, car washes when located in subarea 4.
- e. Broadcasting towers and line-of-site relay devices for telephonic, radio or television communications 70 feet or less in height, alternative design mounting structures, and new or additional uses of existing structures as contemplated by Section 16-25.002(3)(i)(iv)(k).

(3) *Special exceptions:* None.

(Ord. No. 1998-64, §§ 1, 2, 9-24-98; Ord. No. 2001-96, §§ ILV, ILVI, 12-12-01)

Sec. 16-18M.008. Development controls.

(a) *Bulk limitations:*

- (1) For nonresidential uses, the floor area ratio shall not exceed an amount equal to 25 times net lot area in sub-areas 1 and 5 and 10 times the net lot area in sub-areas 2, 3 and 4.
- (2) For residential uses, floor area ratio shall not exceed an amount equal to ten times gross lot area as indicated on Table 1, "Land Use Intensity Ratios". (See section 16-08.007.)

(3) For mixed use (see section 16-29.001[231]) floor area ratio shall not exceed the sum of the nonresidential (1) and residential (2) above, but in no event greater than the maximum ratios permitted for each.

(b) *Maximum building coverage:* 90 percent of the net lot area.

(c) *Public open space requirements:* For nonresidential and mixed use development, a minimum of 15 percent of the net lot area shall be provided on the site. Required yards and requirements for sidewalk widths which are constructed on private property may be counted towards this requirement. Such public open space shall include planted areas, fountains, plazas, hardscape elements related to walks and plazas, and similar features which are located on private property but which are generally accessible to the public during normal business hours.

(d) *Minimum open space requirements:*

(1) For exclusively residential uses appropriate open space requirements as indicated on Table 1, "Land Use Intensity Ratios" shall be required for both Total Open Space (TOSR) and Useable Open Space (UOSR). For developments greater than 6.40 FAR, the requirements for 6.40 FAR shall apply.

(2) For mixed use developments appropriate open space requirements as indicated on Table 1, "Land Use Intensity Ratios" shall require Useable Open Space (UOSR) only. For developments greater than 6.40 FAR, the requirements for 6.40 FAR shall apply.

(e) *Pedestrian circulation requirements:* All buildings shall be set back or embayed in conformance with the standards and requirements of the Pedestrian Space Plan Map or as set forth in this chapter. Substitution or alternative pedestrian routes through or between buildings for part or all of the required

setback or embayment in excess of the minimum requirements may be authorized by special administrative permit, upon a finding by the bureau of planning that such pedestrian ways are not inconsistent with the intent of the pedestrian space planmap. That portion of the pedestrian circulation requirement which lies within the net lot area shall constitute a corresponding portion of the open space requirement.

(Ord. No. 1998-64, §§ 1, 2, 9-24-98; Ord. No. 1999-73, § 2, 10-12-99)

Sec. 16-18M.009. Off-street parking, minimum requirements or maximum limitations.

(a) *For nonresidential uses:* None.

(b) *For exclusively residential uses:* See Table I "Land Use Intensity Ratios" for parking requirements under appropriate FAR for the development. For developments greater than 6.40 FAR, the requirements for 6.40 FAR shall apply.

(Ord. No. 1998-64, §§ 1, 2, 9-24-98)

Sec. 16-18M.010. Parking structures and surface lots.

(a) Parking areas or driveways, except for a driveway to reach the side or rear yard, or an on-site parking facility, are not permitted between the sidewalk and a building, and shall be perpendicular to any adjacent street, with the exception of residential buildings with more than 80 units and hotels, which are permitted to have circular driveways to accommodate guest arrivals and departures and valet parking drop off/pick up; however, in no case may curb cuts be increased to more than two.

(b) One curb cut is permitted for each development with the exception of properties with more than one front yard which may have two curb cuts, and residential buildings with more than 80 units and hotels, which may have two curb cuts when associated with a circular drive.

(c) Park-for-hire surface parking lots are prohibited.

(d) Surface parking shall be screened from the public right-of-way with a landscaped strip which has a minimum width of five feet, is planted with trees a minimum of 34 feet on center and shrubs maintained at a maximum height of 30 inches.

(e) Facades of parking structures that are adjacent to the public right-of-way across the street from the Centennial Olympic Park shall be required to provide for the location of store front active uses at street level such as retail, commercial with direct access from the street to each establishment. Fenestration of clear transparency shall be installed for a minimum of 65 percent of the length of the street frontage, shall have a minimum height above the sidewalk of eight feet and shall begin at a point not greater than 36 inches above the sidewalk. Primary building, business establishment or parking structure entrance features may be counted towards this requirement.

(f) Above ground parking structures shall require all floors to appear to have horizontal proportions and the internal ramping shall not be visible from the street.

(g) All requirements of the tree ordinance and the public works code shall apply.

(Ord. No. 1998-64, §§ 1, 2, 9-24-98)

Sec. 16-18M.011. Off-street loading requirements.

See table of loading requirements, chapter 28, section 16-28.015.

(Ord. No. 1998-64, §§ 1, 2, 9-24-98)

Sec. 16-18M.012. Sidewalks.

Public sidewalks shall be located adjacent to all streets and shall consist of two zones: a street furniture and tree planting zone which shall be locate adjacent to the curb, and a

clear zone. The following regulations shall apply:

(1) *Street furniture and tree planting zone:* Minimum width five feet. The street furniture and tree planting zone shall be located adjacent to the curb and shall be continuous. The area shall either be paved and have tree grates around required trees or shall be planted with required trees and continuous ground cover such as liriope spicata or mondo grass. In addition to the planting of the trees as is required in this section, the street furniture and tree planting zone is intended for the placement of utility poles and street furniture including fire hydrants, newspaper vending boxes, benches, bike racks, water fountains, trash receptacles, planters and similar elements.

(2) *Clear zone:* Minimum width ten feet except as otherwise required in specific regulations for sub-areas. The clear zone shall be paved and be located adjacent to the street furniture and tree planting zone. The clear zone shall be unobstructed by any permanent or nonpermanent element within the width of the zone and within eight feet above the zone.

(3) *Street tree planting requirements:* Street trees shall be planted in the ground a maximum of 35 feet on center within the street furniture zone and tree planting zone and spaced equal distanced between street lights. All newly planted trees shall be a minimum of three and one-half inches in caliper measured 36 inches above ground, shall be a minimum of ten feet in height, shall have a 40 ft. minimum mature height, shall be drought tolerant, and shall be limbed up to a minimum height of seven feet. Legacy Sugar Maple shall be planted along Techwood Drive, October Glory Maples shall be planted along Baker Street and Marietta Street. Japanese Zelkovas shall be planted along Foundry Street and Luckie Street north of the park.

(4) *Tree grates:* Tree grates shall be the City of Atlanta standard or similar, shall be a minimum size of four feet by eight feet and shall be located entirely within the street furniture and tree planting zone.

(5) *Street lights:* The Atlanta decorative street light, Type "A" and the Type "C" pedestrian light, as illustrated in the Centennial Olympic Park Area Development Policies, dated July 1998, shall be required throughout the district as the standard street light. Said street lights shall be spaced a maximum of 35 feet on center within the street furniture and tree planting zone and spaced equal distanced between required trees. Along Techwood Drive, Baker Street, Luckie Street, Foundry Street and Marietta Street the Atlanta lights shall be arranged similarly to the Park's sidewalks along the street with the Type "A" light located between every two Type "C" light.

(6) *Trash receptacles:* The Victor Stanley Model S-42, or similar looking standard, trash receptacle shall be required through the district and placed within the street tree furniture zone.

(7) *Benches:* The Victor Stanley bench, or similar looking standard.

(8) *Pavers:* The Whitaker Greer Mulberry Paver, or similar looking standard, shall be installed within the five foot street tree and street furniture zone except as otherwise required in sub-area 4.

(Ord. No. 1998-64, §§ 1, 2, 9-24-98)

Sec. 16-18M.013. Sidewalk cafes, accessory outdoor dining.

The following requirements apply to all accessory outdoor dining areas which are located adjacent to the sidewalk or in a required yard:

(1) Stand up or window food and beverage service is prohibited from the public sidewalk and within required front yards.

(2) Accessory outdoor dining is permitted within the required front yard, and shall be an extension of and directly abut an interior establishment where food and beverages are sold.

(3) Accessory outdoor dining shall be at grade with the sidewalk except as

otherwise permitted on terraces in sub-area 3.

(4) Traditional, wooden or plastic, park style picnic tables are prohibited as accessory outdoor dining furniture. Benches or chairs shall not be attached to the table.

(5) Accessory outdoor dining with more than one row of tables or greater than five feet in width, shall be separated from the sidewalk with movable planters or fencing which shall have a maximum height of 36 inches.

(6) Retractable awnings or removable umbrellas must have a minimum clearance of seven feet above the required yard, and shall be regularly maintained and cleaned.

(Ord. No. 1998-64, §§ 1, 2, 9-24-98)

Sec. 16-18M.014. Relationship of buildings to street.

(a) *Primary entrances to all buildings:*

(1) The primary entrance to all buildings and business establishments that are adjacent to the public sidewalk or required front yard shall be directly accessible to and visible from a required public sidewalk, except for buildings west of Marietta Street, between International Boulevard and Techwood Drive.

(2) The front entrance building facade shall meet the sidewalk or required yard, with the exception of primary building or business establishment entrances which are setback with an increased width in the public sidewalk, and plazas.

(b) *Nonresidential uses:*

(1) The primary entrance to a nonresidential use shall be at grade with the adjacent sidewalk or required front yard.

(2) All street level development shall be storefront in character. Fenestration of clear transparency shall comprise a minimum of 65 percent of the length of the street frontage, shall have a minimum height above the sidewalk of eight feet and shall begin at a point not greater than 36 inches above the sidewalk. Major

building entrance features may be counted towards the linear requirement.

(3) Uses may include either retail, institutional or commercial.

(c) *Centennial Olympic Park orientation:* In addition to the requirements in (a) and (b) above, the following regulations apply to property located on portions of certain streets which are adjacent to the Centennial Olympic Park. This includes portions of Techwood Drive, Baker Street, Luckie Street, Foundry Street and Marietta Street.

(1) Buildings shall be oriented towards Centennial Olympic Park with the primary building entrance facing the Park.

(2) A minimum of the first two stories of the facade facing the Centennial Olympic Park shall be constructed of brick masonry, stone, glass, granite, marble, limestone or other similar quality materials.

(d) *Ground floor uses:* Ground floor uses with street frontage shall only be retail, office, institutional, or residential and entrances shall be directly accessible, visible and adjacent to the public sidewalk. Said uses shall be provided for a minimum depth of 20 feet from any building facade along the public sidewalk, unless existing topographical considerations render this requirement unreasonable.

(Ord. No. 1998-64, §§ 1, 2, 9-24-98; Ord. No. 2002-32, § 14, 2-13-02)