

City of Avondale Estates

City Manager

Staff Review, Tier 1 Waiver *

January 13, 2026, Public Hearing

Applicant: 278 Oak Holdings LLC: Jetha Wagner, Avila Development

Property Address: 136 Laredo Drive, 2968 Parry Street, 147 Oak Street, 2950 Franklin Street, and 2556 Franklin Street (Oak Parcel)

Property Zoning: Central Business District-3 (CBD-3)

The applicant has submitted a request for Tier 1 Waivers to increase the block perimeter/length by up to twenty (20) percent associated with the development of a 13-acre site proposed for multifamily and townhome/small-lot single-family housing. The proposal includes two multifamily buildings containing approximately 175–205 units each, along with roughly 72 townhome or small-lot single-family units.

Summary of Requested Tier 1 Waivers:

The applicant has requested Tier 1 Waivers to increase the maximum block perimeter to 1,920 feet and the maximum block length to 480 feet. The proposed street layout conforms to the adopted street grid except where topography and water features have caused the applicant to propose pedestrian connections in place of vehicular connections.

Section 3.2.8.B.1 Streets and Blocks, Block Requirements require the maximum block perimeter for the CBD is one thousand six hundred (1,600) feet. The required block length is a maximum of four hundred (400) feet or consistent with the adopted Downtown Avondale Estates Street Grid Plan. Exemptions or departures from these standards pertain to certain blocks based on the street grid plan.

Analysis

Tier 1 waivers are minor in nature and intended to solve minor issues that arise from the application of the Code during building and site design and development. The waiver permits specified minor deviations from the zoning ordinances, as provided in the various articles of the Zoning Code and as consistent with the guiding principles of the Code. Waivers are intended to relieve practical difficulties in complying with the strict requirements of the Code. Waivers are not intended to relieve specific cases of financial hardship, nor to allow circumventing of the intent of the Code.

The proposed development meets the overall intent of the Zoning Ordinance, the Comprehensive Plan, and the Downtown Master Plan. The project will expand residential opportunities within the downtown area, adding residents, activity, and vibrancy while supporting local businesses along U.S. 278 and throughout the core commercial district.

The City's zoning ordinance is a design-based code that establishes a framework for implementing the downtown vision. While the ordinance provides clear design expectations, it cannot anticipate every future development scenario. The requested variances allow design flexibility that enhances the project and enables creative design solutions consistent with the intent of the code.

Conformance with the Downtown Master Plan (March 2014)

The March 2014 Downtown Master Plan explicitly supports multifamily development on this site. The plan states:

"Multifamily development in the Downtown Avondale Estates study area includes stacked flats in apartments or condominiums. Heights of up to five stories are appropriate, particularly in the north part of the study area adjacent to the MARTA rail where the topography is lower. Multifamily development provides important housing choices to households in a range of life stages and incomes. Greenspace or other amenities should be incorporated into the development. Vehicular connectivity is important, but access management guidelines will be used to minimize curb cuts. In order to provide non-vehicular connectivity, connections to adjacent sidewalks and trails will be included."

The proposed development is fully aligned with these objectives. The requested waivers do not conflict with the intent or goals of the Downtown Master Plan and serve to advance its vision for a connected, mixed-use downtown district.

Consistency with the Illustrative Plan and Zoning Ordinance

The Illustrative Plan in the Downtown Master Plan presents a street grid that differs from the layout codified in the Zoning Ordinance and adopted by the Board of Mayor and Commissioners (BOMC) on December 16, 2019 for inclusion in the 2021 Comprehensive Plan.

Importantly, the Downtown Master Plan notes that:

"The exact location, scale, and design character of public and private improvements may differ from the illustrative plans and concept sketches. An illustrative plan portrays one example of how to implement the concept plan. The illustrative plan is not intended as a de facto design project, but to propose one alternative method of development consistent with the urban design guidelines and recommendations provided in this document. Developers, property owners, and the City's boards and commissions will inevitably shape the illustrative plan through the development review process."

The requested waivers meet this intent by allowing flexibility in design while maintaining consistency with the vision and goals of the adopted plans.

Alignment with the 2021 Comprehensive Plan

The **2021 Comprehensive Plan** reinforces the objectives of the Downtown Master Plan by emphasizing:

- A variety of housing options;
- Improved connectivity for all modes of transportation;
- Strengthened economic viability; and

- Coordination among public and private partners.

The proposed waivers and development plan are consistent with these objectives and advance the long-term vision for a vibrant, walkable, and economically sustainable downtown.

Tier 1 Waiver Review Criteria (Sec. 21-7.4.8)

The city manager may authorize tier 1 waivers from the provisions of this zoning ordinance based on consideration of the following criteria:

- 1. Features such as topography, high frequency transmission lines, existing trees of specimen or significant quality, underlying rock, or other condition outside the owner's control to the extent that strict adherence to said requirements would be unreasonable and not consistent with the purposes and goals of this Code;**

The subject property has significant topography across the site which is outside the control of the owner. The subject site is uniquely located in the downtown and has the potential to provide connectivity in the downtown area with several different layouts such that strict adherence to said requirements would be unreasonable and not consistent with the purposes and goals of the Zoning Code.

- 2. Alternative streetscape or building/façade design configurations are provided; and**

Alternative streetscape or building/façade design configurations are provided to create a connected downtown street grid and a human scale urban design with variation in the block layout and building architecture so the block length will not be too large and will create a pedestrian oriented urban environment as intended by the Zoning Code.

- 3. Proposal will not result in any detriment to the public good, including without limitation, detriment to the interest of the public, and will not result in any harm to the health, safety or general welfare of the city and its citizens.**

The proposed increase in block length and block perimeter will not result in any detriment to the public good, including without limitation, detriment to the interest of the public, and will not result in any harm to the health, safety or general welfare of the city and its citizens. The proposed waivers would not be in conflict with the adopted master plan, or with the purposes and intent of the zoning ordinance to allow multifamily housing with an alternate street layout and block length. The Downtown Master Plan concept recommends mixed use with a focus on multifamily and single family attached housing for the subject parcel. The proposed waivers support this vision, and the plans specifically state that *"The exact location, scale and design character of public and private improvements may differ from the illustrative plans and concept sketches."*

Recommendation

The proposed development represents a significant improvement to the central business district of Avondale Estates. It will enhance downtown connectivity, introduce a range of housing choices, and implement an attractive, pedestrian-oriented street network. The project will bring new residents to the downtown area,

