

ZONING COMMITTEE

MINUTES

WEDNESDAY, JUNE 28, 2006

The regularly scheduled meeting of the Zoning Committee was held on **Wednesday, June 28, 2006** in Committee Room #2, at 11: 05 a.m.

The following members were present:

The Honorable Carla Smith, Chair
The Honorable Mary Norwood, Vice Chair
The Honorable Howard Shook
The Honorable C. T. Martin
The Honorable Anne Fauver
The Honorable Natalyn Archibong
The Honorable Joyce Sheperd

Others present at the meeting were Charletta Wilson Jacks, Zoning Administrator, Department of Planning and Community Development; Lem Ward, Terry Grandison, Peter Andrews and Jeffery Haymore, Law Department; and members of the Public and Council staff.

A. ADOPTION OF AGENDA - ADOPTED

B. APPROVAL OF MINUTES - APPROVED

CONSENT AGENDA

C. ORDINANCES FOR FIRST READING

06-O-1439 (1) An Ordinance by Zoning Committee to rezone from the R-3
Z-06-67 (Single-Family Residential) District to the PD-H (Planned
Development-Housing) District, property located at **653-711**
Longleaf Drive, NE, fronting approximately 690 feet on the
south side of Longleaf Drive, beginning approximately 445
feet from the southeast corner of North Stratford Road.

Depth: Approximately 200 feet
Area: Approximately 2.97 Acres
Land Lot: 44, 17th District, Fulton County, Georgia
Owners: Andrew Fleshner, Executor for the Estate
 of Ruth B. Fleshner, Lee H. Wysong,
 James T. and Elaine H. Horton, Maxwell
R. Calloway, Mary L. and Craig G. Adams,
and Mark R. and Virginia D. Simpson
Applicant: Jim Brown

NPU-B

Council District 7

TO BE REFERRED TO ZRB AND ZONING COMMITTEE

**ZONING COMMITTEE MINUTES
WEDNESDAY, JUNE 28, 2006
PAGE TWO**

C. ORDINANCES FOR FIRST READING (CONT'D)

06-O-1440 (2)
Z-06-68 An Ordinance by Zoning Committee to rezone from the R-4 (Single-Family Residential) District to the MR-2 (Multi-Family Residential) District, property located at **2829 Hapeville Road, SE**, fronting approximately 420 feet on the west side of Hapeville Road at the northern intersection of Waters Road.
Depth: Varies
Area: Approximately 4.50 Acres
Land Lot: 68, 14th District, Fulton County, Georgia
Owner: Joseph P. Harris
Applicant: Joseph P. Harris
NPU-Z Council District 12

TO BE REFERRED TO ZRB AND ZONING COMMITTEE

06-O-1441 (3)
Z-06-69 An Ordinance by Zoning Committee to rezone from the R-5 (Two-Family Residential)/HD-20L (Inman Park Historic District) District to the RG-3 (Residential General-Sector 3)/HD-20L (Inman Park Historic District) District, property located at **850 Euclid Drive, NE**, fronting approximately 109.48 feet on the north side of Euclid Avenue, and approximately 108 feet on the west side of Druid Circle.
Depth: Varies
Area: Approximately .431 Acre
Land Lot: 19, 14th District, Fulton County, Georgia
Owner: William Bartlett
Applicant: William Bartlett
NPU-N Council District 6

TO BE REFERRED TO ZRB AND ZONING COMMITTEE

06-O-1442 (4)
Z-06-71 An Ordinance by Zoning Committee to rezone from the RG-4 (Residential General-Sector 4) District to the MR5-A (Multi-Family Residential) District, property located at **3057 North Pharr Court, NE**, fronting approximately 320.72 feet on the northeast side of Pharr Court and located on the southwesterly side by Pharr Road Connector, private drive.

**ZONING COMMITTEE MINUTES
WEDNESDAY, JUNE 28, 2006
PAGE THREE**

C. ORDINANCES FOR FIRST READING (CONT'D)

Depth: Varies
Area: Approximately 2.7 Acres
Land Lot: 99, 17th District, Fulton County, Georgia
Owners: George W. Rohrig, Jr., Rohrig
Investments, LP, Lilian Bayley, N. W. Mickwee, Leah C.
Vanlever and Michael A. Bradley as attorney in fact on
behalf of certain unit owners and as owner of certain units.
Applicant: William Bartlett
NPU-B **Council District 7**

TO BE REFERRED TO ZRB AND ZONING COMMITTEE

06-O-1443 (5)
Z-06-72

An Ordinance by Zoning Committee to rezone from the R-3 (Single-Family Residential)/SPI-12 (Special Public Interest-Buckhead/Lenox Station) Districts to the C-3 (Commercial Residential)/SPI-12 (Special Public Interest-Buckhead/Lenox Station) Districts, property located at **3401 North Stratford Road, NE**, fronting approximately 48.85 feet on the northeasterly side of North Stratford Road and approximately 136 feet on the northwesterly side of Peachtree Road (a.k.a. State Route 141).

Depth: Varies
Area: Approximately .53 Acre
Land Lot: 45, 17th District, Fulton County, Georgia
Owner: Dante Stephenson
Applicant: Ronald M. Daneault
NPU-B **Council District 7**

TO BE REFERRED TO ZRB AND ZONING COMMITTEE

06-O-1444 (6)
Z-06-73

An Ordinance by Zoning Committee to rezone from the R-G-2 (Residential General-Sector-2) District to the RG-3 (Residential General-Sector 3) District, property located at **1687 Monroe Drive, NE**, fronting approximately 311 feet on the east side of Monroe Drive beginning approximately 331 feet on the southeast corner of Montgomery Ferry Drive.

**ZONING COMMITTEE MINUTES
WEDNESDAY, JUNE 28, 2006
PAGE FOUR**

C. ORDINANCES FOR FIRST READING (CONT'D)

Depth: Varies
Area: Approximately 2.7517 Acres
Land Lot: 56, 17th District, Fulton County, Georgia
Owner: Monroe Northwoods Group, LLC c/o
Harbor Community Development
Corporation
Applicant: Lane Investment and Development, LLC
NPU-F Council District 6

TO BE REFERRED TO ZRB AND ZONING COMMITTEE

06-O-1445 (7) An Ordinance by Zoning Committee to rezone from the R-G-3
Z-06-74 (Residential General-Sector 3) District to the PD-MU
(Planned Development-Mixed Use) District, property located
at **3700 Martin Luther King, Jr. Drive, SW**, fronting
approximately 474.25 feet on the south side of Martin Luther
King, Jr. Drive beginning approximately 183 feet from the
southwest corner of Adamsville Drive.

Depth: Varies
Area: Approximately 27 Acres
Land Lot: 15, 14th District, Fulton County, Georgia
Owner: Atlanta Neighborhood Development Partnership
Applicant: Marvin Greer
NPU-H Council District 10

TO BE REFERRED TO ZRB AND ZONING COMMITTEE

06-O-1446 (8) An Ordinance by Zoning Committee granting a Special Use
U-06-16 Permit for a Personal Care Home pursuant to Section 16-
06.005(1)(g), property located at **1067 Constitution Road,**
SE, fronting approximately 110 feet on the south side of
Constitution Road and located approximately 1,580 feet west
of the southwest corner of Constitution Road and
McDonough Road.

Depth: Varies
Area: Approximately 1.57 Acres
Land Lot: 6, 14th District, Fulton County, Georgia
Owner: Beverly Callahan
Applicant: Charles E. Callahan
NPU-Z Council District 1

TO BE REFERRED TO ZRB AND ZONING COMMITTEE

**ZONING COMMITTEE MINUTES
WEDNESDAY, JUNE 28, 2006
PAGE FIVE**

REGULAR AGENDA

D. ZRB SUMMARY REPORT - (SEE ATTACHED LIST)

E. PAPERS HELD IN COMMITTEE

06-O-0038 (1) An Ordinance by Councilmember Carla Smith to
Z-05-56 amend Various Sections of the Zoning Code of the City of
Atlanta, for the purpose of clarifying and/or defining certain
terms related to Supportive Housing; to provide how
applications for such uses are to be processed; defining the
term Community Center and removing certain redundant
terms related to such use; redefining the conditions under
which dormitories, Sorority Houses and Fraternity Houses
are permitted; deleting rooming houses and boarding houses
as permitted uses in certain districts; and for other
purposes. **(Held 2/1/06 for further review)**

HELD

06-O-0273 (2) An Ordinance by Councilmembers Carla Smith, Ivory Lee
Young, Jr. and Cleta Winslow correcting Ordinance Number
04-O-0179/Z-04-24 which amended Section 16-29.001(16)
"Human Services" including Personal Care Homes,
Rehabilitation Centers and Nursing Homes by clarifying
and/or redefining certain terms; and for other purposes.
(Held 2/1/06 for further review)

HELD

06-O-0286 (3) An Ordinance by Zoning Committee to rezone
Z-06-05 from the RG-4-C-HBS (Residential General-Sector 4
Conditional-Historic Building/Site) and RG-4-C (Residential
General-Sector 4-Conditional) Districts, to the RG-4-C
(Residential General-Sector 4-Conditional) District, property
located at **2494 and 2510 Peachtree Road (a.k.a. 2500
Peachtree Road), NE**, fronting approximately 387.76 feet on
the west side of Peachtree Road, beginning 400 feet from the
southwest corner of Muscogee Avenue and Peachtree Road.
(Held 3/29/06 for further review)

**ZONING COMMITTEE MINUTES
WEDNESDAY, JUNE 28, 2006
PAGE SIX**

E. PAPERS HELD IN COMMITTEE (CONT'D)

Depth: Varies
Area: Approximately 3.086 Acres
Land Lot: 112, 17th District, Fulton County, Georgia
Owner: 2500 Peachtree Condominium Association, Inc.
Applicant: 2500 Peachtree Condominium Association, Inc.
NPU-C Council District 8

HELD

06-O-0146 (4)
Z-05-135 An Ordinance by Zoning Committee to rezone from the C-3 (Commercial Residential) District and the R-4 (Single-Family Residential) District to the C-3-C (Commercial Residential-Conditional) District, property located at **1891, 1895 and 1875 Peachtree Road, NE**, fronting approximately 300 feet on the east side of Peachtree Street, beginning 500 feet northeast of Palisades. **(Held 4/26/06 for further discussion and review of the Site Plan)**

Depth: Varies
Area: Approximately 1.78 Acres
Land Lot: 110, 17th District, Fulton County, Georgia
Owner: Semah, Inc., RBW Holdings, LLC/James Cunningham c/o Scott Schulten
Applicant: The Paradise Group
NPU-E Council District 7

HELD

06-C-1221 (5) A Communication by Mayor Shirley Franklin re-appointing **Ms. Fredalyn Frasier** to serve as a member of the Zoning Review Board in the Municipal Planning category for the City of Atlanta. This re-appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation. **(Held 6/14/06 so appointee could be present)**

HELD

**SUMMARY REPORT
ZONING COMMITTEE
June 28, 2006**

LEGISLATION NUMBER	ZONING NUMBER	LOCATION (NPU/CD)	CHANGE	STAFF RECOMM.	NPU RECOMM.	ZRB RECOMM
<u>FAVORABLE CDP AMENDMENT REQUIRED</u>						
06-O-0945	Z-06-57	840, 850, 854 and 858 Simpson Street, N.W. L-3	SPI-11 -Subarea 7 (Vine City/Ashby Station Special Public Interest- Single Family Residential) to SPI-11 Subarea 9 (Vine City/Ashby Station Special Public Interest- Simpson Mixed-Use)	Approval	Approval	Approval

Councilmember Smith made a motion to hold. The vote was unanimous. (Pending CDP Amendment Hearing)

**FAVORABLE
AS AMENDED**

06-O-0151	Z-05-140	499 Northside Circle, N.W. E-8	RG-3 to MR4-A-C	Approval Conditional	Approval Conditional	Approval Conditional
-----------	----------	-----------------------------------	-----------------	-------------------------	-------------------------	-------------------------

Councilmember Smith made a motion to approve as amended. The vote was unanimous.

06-O-0497	Z-06-07	125 Moreland Avenue, S.E. N-5	R-5 to MR4-A-C	Approval	Approval Conditional	Approval Conditional
-----------	---------	----------------------------------	----------------	----------	-------------------------	-------------------------

Councilmember Smith made a motion to approve as amended. The vote was unanimous.

06-O-0954	Z-06-41	1042 Lindbergh Drive, N.E. F-6	Change of Conditions	Approval Conditional	Approval	Approval Conditional
-----------	---------	-----------------------------------	----------------------	-------------------------	----------	-------------------------

Councilmember Smith made a motion to approve as amended. The vote was unanimous.

**SUMMARY REPORT
ZONING COMMITTEE
June 28, 2006**

LEGISLATION NUMBER	ZONING NUMBER	LOCATION (NPU/CD)	CHANGE	STAFF RECOMM.	NPU RECOMM.	ZRB RECOMM.
06-O-0784	Z-06-42	Castleberry Hill M and V 2, 3 and 4	C-5-C, C-3, C-3-C and SPI-1 to MRC-3-C	Approval Conditional	Approval	Approval Conditional

Councilmember Smith made a motion to approve as amended. The vote was unanimous.

06-O-0785	Z-06-43	Castleberry Hill M and V 2, 3 and 4	C-5-C, C-3, I-1 and SPI-1 to MRC-2-C	Approval Conditional	Approval	Approval Conditional
-----------	---------	---	---	-------------------------	----------	-------------------------

Councilmember Smith made a motion to approve as amended. The vote was unanimous.

ADVERSE

06-O-0956	Z-06-45	705 Pershing Avenue, S.E. W-1	R-4 to R4-A	Denial	Approval	Denial
-----------	---------	----------------------------------	-------------	--------	----------	--------

Councilmember Smith made a motion to hold. The vote was unanimous.

06-O-0960	Z-06-49	2248 County Line Road, S.W. P-11	R-4 to PD-H	Denial	Deferral	Denial
-----------	---------	-------------------------------------	-------------	--------	----------	--------

Councilmember Smith made a motion to adverse. The vote was unanimous.

FILE

06-O-0007	Z-05-65	1821 W. Anderson Avenue (also known as 31 Anderson Avenue, N.W.) J-3	R-4 to O-I	Deferral	Deferral	File
-----------	---------	---	------------	----------	----------	------

Councilmember Smith made a motion to hold. The vote was unanimous.

**SUMMARY REPORT
ZONING COMMITTEE
June 28, 2006**

LEGISLATION NUMBER	ZONING NUMBER	LOCATION (NPU/CD)	CHANGE	STAFF RECOMM.	NPU RECOMM.	ZRB RECOMM.
06-O-0022	U-05-22	1821 W. Anderson Avenue (also known as 31 Anderson Avenue, N.W.) J-3	Special Use Permit for a Nursing Home/Rehabilitation Center	Deferral	Deferral	File

Councilmember Smith made a motion to hold. The vote was unanimous.

06-O-0570	Z-06-21	1753 Peachtree Street, N.E. E-7	C-1 and R-4 to PD-MU	File	Deferral	File
-----------	---------	------------------------------------	----------------------	------	----------	------

Councilmember Smith made a motion to file. The vote was unanimous.

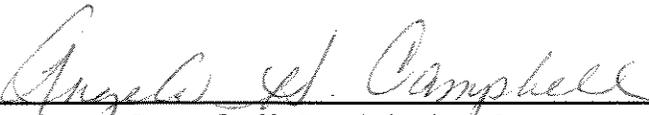
06-O-0575	Z-06-14	3541 and 3571 Campbellton Road, S.W. P-11	R-4 to O-1	File	Withdrawal	File
-----------	---------	--	------------	------	------------	------

Councilmember Smith made a motion to file. The vote was unanimous.

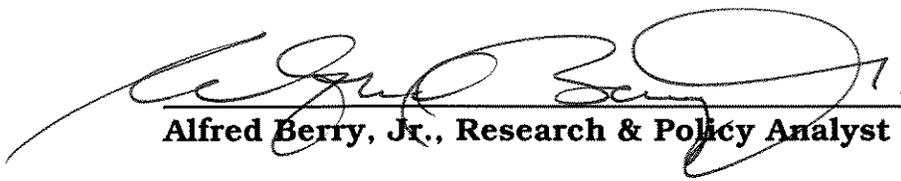
**ZONING COMMITTEE AGENDA
WEDNESDAY, JUNE 28, 2006
PAGE SEVEN**

There being no further business to come before the Zoning Committee the meeting was adjourned at 11:20 a.m.

Respectfully submitted:



Angela H. Campbell, Legislative Secretary



Alfred Berry, Jr., Research & Policy Analyst



The Honorable Carla Smith, Chairperson