

**ZONING COMMITTEE
MINUTES
WEDNESDAY, JULY 12, 2006**

The regularly scheduled meeting of the Zoning Committee was held on **Wednesday, July 12, 2006** in Committee Room #2, at 11: 20 a.m.

The following members were present:

**The Honorable Carla Smith, Chair
The Honorable Mary Norwood, Vice Chair
The Honorable Howard Shook
The Honorable Anne Fauver
The Honorable Natalyn Archibong
The Honorable Joyce Sheperd**

The following member was absent:

The Honorable C. T. Martin

Others present at the meeting were Nyna Gentry, Senior Planner, Department of Planning and Community Development; City Attorneys Lem Ward, Terry Grandison, and Peter Andrews, 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-1487 (1) An Ordinance by Zoning Committee granting a Special Use
U-06-17 Permit for an Automobile Salvage Yard pursuant to Section
16-17.005(1)(c), property located at **2124 Jonesboro Road, SE**,
fronting approximately 864.9 feet on the east side of
Jonesboro Road and located approximately 211 feet north of
the intersection of Constitution Road and Jonesboro Road.

Depth: Varies

Area: Approximately 23.5 Acres

Land Lots: 27 and 38, 14th District, Fulton County,
Georgia

Owner: Transus, Inc.

Applicant: A-Tow, Inc.

NPU-Z

Council District 1

**FAVORABLE - TO BE REFERRED TO ZRB AND ZONING
COMMITTEE**

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C. ORDINANCES FOR FIRST READING (CONT'D)

06-O-1488 (2) An Ordinance by Zoning Committee to rezone from the I-1
Z-06-75 (Light Industrial) District to the LW (Live-Work) District,
property located at **3806 Stone Road, SW**, fronting
approximately 428.50 feet on the south side of Stone Road
beginning approximately 1,063 feet from the southeast
corner of Fairburn Road.

Depth: Varies
Area: Approximately 3.27 Acres
Land Lot: 5, 14th District, Fulton County, Georgia
Owner: Cobblestone Development
Applicant: Jexandria D. Prince
NPU-P Council District 11

**FAVORABLE – TO BE REFERRED TO ZRB AND ZONING
COMMITTEE**

06-O-1556 (3) An Ordinance by Zoning Committee authorizing the Mayor or
her designee to amend Ordinance Number 06-O-0033/Z-05-
117 by correcting the re-zoning Designation in the
legislation; and for other purposes.

**FAVORABLE – TO BE REFERRED TO ZRB AND ZONING
COMMITTEE**

06-O-1557 (4) A **Substitute** Ordinance by Zoning Committee authorizing
an amendment to Ordinance Number 06-O-0036/Z-05-122
by correcting the address in the legislation; and for other
purposes.

**FAVORABLE ON SUBSTITUTE – TO BE REFERRED TO
ZRB AND ZONING COMMITTEE**

REGULAR AGENDA

D. ORDINANCES FOR SECOND READING

06-O-1567 (1) An Ordinance by Councilmember Howard Shook to authorize
the installation of Public Art at 351 Peachtree Hills Ave., NE,
Atlanta, GA 30305, as pursuant to Section 16-28.025
28.025 of the City of Atlanta Land Development Code; and
for other purposes.

FAVORABLE

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D. ORDINANCES FOR SECOND READING (CONT'D)

06-O-1578 (2) An Ordinance by Councilmembers Carla Smith and Natalyn M. Archibong to extend Interim Development Controls on all construction on vacant parcels or on parcels made vacant through the demolition of existing structures in the Memorial Drive/Martin Luther King, Jr. Drive Corridor Study Area for a period not to exceed ninety (90) days from August 31, 2006 or until legislation rezoning the Memorial Drive/Martin Luther King, Jr. Drive Corridor to implement the study has been approved and adopted by the Mayor and Council, whichever occurs first; and for other purposes.

FAVORABLE

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

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E. PAPERS HELD IN COMMITTEE (CONT'D)

06-O-0286 (3)
Z-06-05 An Ordinance by Zoning Committee to rezone 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)**
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

Councilmember Shook made a motion to forward with no recommendation.

FORWARDED WITH NO RECOMMENDATION

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E. PAPERS HELD IN COMMITTEE (CONT'D)

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)**

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

FAVORABLE

06-O-0007 (6)
Z-05-65 An Ordinance by Councilmember Carla Smith **as amended by Zoning Committee** to rezone the portion of the property located at **1821 W. Anderson Avenue** that is zoned R-4 (Single Family Residential) to the O-I (Office Institutional) Classification, to issue a Special Use Permit for the subject property; and for other purposes. **(Held 6/28/06 at the request of Councilmember of the District)**

HELD

06-O-0022 (7)
U-05-22 An Ordinance by Councilmember Carla Smith to issue a Special Use Permit for a Nursing Home at **1821 W. Anderson Avenue (a.k.a. 31 Anderson Avenue)**; to waive the 2,000 foot distance requirement for this location; and for other purposes. **(Held 6/28/06 at the request of Councilmember of the District)**

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

FAVORABLE

06-O-0945 (8)
Z-06-57 An Ordinance by Councilmember Ivory Lee Young, Jr. to rezone 840, 850, 854 and 858 Simpson Street within the SPI-11 Vine City and Ashby Station Special Public Interest District from Subarea 7: Vine City Single-Family Residential to Subarea 9: Simpson Mixed-Use; and for other purposes. **(Held 6/28/06 pending CDP Amendment Hearing)**

HELD

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E. PAPERS HELD IN COMMITTEE (CONT'D)

06-O-0956 (9) An Ordinance by Zoning Committee to rezone from the R-4
Z-06-45 (Single-Family Residential) District to the R4-A (Single-Family Residential) District, property located at **705 Pershing Avenue, SE.**, fronting approximately 201.74 feet on the south side of Pershing Avenue. **(Held 6/28/06 at the request of Councilmember of the District)**

Depth: Varies
Area: Approximately 1.056 Acres
Land Lot: 24, 14th District, Fulton County, Georgia
Owner: Edwin Duke
Applicant: David Stewart
NPU-W Council District 1

HELD

F. ITEM NOT ON THE AGENDA

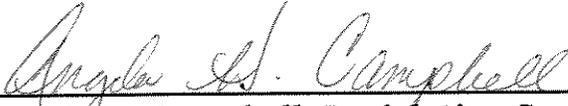
06-O-1051 (1) An Ordinance by Councilmembers Natalyn M. Archibong and
Z-06-58 Carla Smith amending Chapter 20A Cabbagetown Landmark District Section 16-20A.009 (Subarea 3) to allow Day Care Centers/Preschool as a use permitted by Special Use Permit; and for other purposes.

Councilmember Archibong made a motion to approve. The vote was unanimous.

FAVORABLE

There being no further business to come before the Zoning Committee the meeting was adjourned at 11:30 a.m.

Respectfully submitted:



Angela H. Campbell, Legislative Secretary



Alfred Berry, Jr., Research & Policy Analyst



The Honorable Carla Smith, Chairperson