

**ZONING COMMITTEE
MINUTES
WEDNESDAY, JANUARY 31, 2007**

The regularly scheduled meeting of the Zoning Committee was held on **Wednesday, January 31, 2007** in Council Chambers, at 11: 15 a.m.

The following members were present:

**The Honorable Ivory Lee Young, Jr., Chair
The Honorable Joyce Sheperd, Vice Chair
The Honorable Carla Smith
The Honorable C. T. Martin
The Honorable Anne Fauver
The Honorable Howard Shook
The Honorable Natalyn Archibong**

Others present at the meeting were, Charletta Wilson Jacks, Zoning Administrator, Department of Planning and Community Development; City Attorneys Peter Andrews and Jeffery Heymore, Law Department; and members of the Public and Council staff.

A. ADOPTION OF AGENDA - ADOPTED

B. APPROVAL OF MINUTES - APPROVED

CONSENT AGENDA

D. ORDINANCES FOR FIRST READING

07-O-0143 (1) An Ordinance by Zoning Committee to rezone from the I-1
Z-06-132 (Light Industrial) District to the MRC-3-C (Mixed Residential-
Commercial-Conditional) District, property located at **640,
660, 680 and 700 Ralph McGill Boulevard, NE and 645
Angier Avenue, NE**, fronting approximately 874.5 feet on
the north side of Ralph McGill Boulevard beginning
approximately 370 feet from the eastern corner of Glen Iris
Drive.

Depth:	Varies
Area:	Approximately 7.86 Acres
Land Lot:	18, 14 th District, Fulton County, Georgia
Owner:	H. Inman Allen
Applicant:	Caleb Racicot/SEC Development c/o Southeast Capital Partners
NPU-M	Council District 2

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

CONSENT AGENDA

D. ORDINANCES FOR FIRST READING (CONT'D)

07-O-0144 (2)
Z-06-133 An Ordinance by Zoning Committee to rezone from the C-1-C (Community Business-Conditional) and I-1 (Light Industrial) District to the MR-5A-C (Multi-Family Residential-Conditional) District, property located at **608 Ralph McGill Boulevard, NE and a parcel formerly designated as the former Fortune Street public Right-of-Way (Parcel Number-14-0018-0007-020-21)** fronting approximately 370 feet on the north side of Ralph McGill Boulevard at the eastern corner of the intersection of Ralph McGill Boulevard and Glen Iris Drive.

Depth: Varies
Area: Approximately 2.44 Acres
Land Lot: 18, 14th District, Fulton County, Georgia
Owner: H. Inman Allen
Applicant: Caleb Racicot/SEC Development c/o Southeast Capital Partners

NPU-M Council District 2

FAVORABLE - TO BE REFERRED TO ZRB AND ZONING COMMITTEE

07-O-0145 (3)
Z-06-134 An Ordinance by Zoning Committee to rezone from the RG-1 (Residential General-Sector 1) District to the RG-2 (Residential General-Sector 2) District, property located at **287 Fortune Street, NE (also known as 283 Fortune Street)** fronting approximately 53.32 feet on the east side of Fortune Street beginning approximately 213.33 feet from the northeasterly corner of Highland Avenue.

Depth: Approximately 98 Feet
Area: Approximately .06 Acre
Land Lot: 19, 14th District, Fulton County, Georgia
Owners: Russell G. Seekatz and Philip J. Westermann

Applicant: Russell G. Seekatz

NPU-M Council District 2

FAVORABLE - TO BE REFERRED TO ZRB AND ZONING COMMITTEE

CONSENT AGENDA

D. ORDINANCES FOR FIRST READING (CONT'D)

07-O-0146 (4) An Ordinance by Zoning Committee to amend Ordinance 03-
Z-06-136/Z-03-06 O-0423 (Z-03-06/Z-99-48) adopted by City Council on May
5, 2003 and approved by the Mayor on May 13, 2003, for
property rezoned from the R-3 (Single-Family Residential)
District to the RG-3-C (Residential General-Sector 3-
Conditional) District, property located at **3475 Roxboro
Road, NE** for the purpose of a Site Plan Amendment.
Land Lot: 9, 17th District, Fulton County, Georgia
Owner: Gary Brock
Applicant: Clovia Hamilton
NPU-B **Council District 7**

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

07-O-0147 (5) An Ordinance by Zoning Committee to rezone from the R-4
Z-06-137 (Single-Family Residential) District to the PD-H (Planned
Development-Housing) District, property located at **3260
Katomarick Street, SE. (also addressed as 919 Hutchens
Avenue, SE).**
Depth: Varies
Area: Approximately 23.4 Acres
Land Lots: 3 and 30, 14th District, Fulton County,
Georgia
Owners: Rich Kirk, Scott Rich, Land to Sea
Properties, LLC. and Michael Porez
Applicant: Clovia Hamilton
NPU-Z **Council District 12**

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

07-O-0148 (6) An Ordinance by Zoning Committee to rezone from the C-2
Z-06-138 (Commercial Service) District to the MRC-3 (Mixed
Residential-Commercial) District, property located at **349
Fourteenth Street, NW**, fronting approximately 134 feet on
the south side of 14th Street, at the southwest corner.

**ZONING COMMITTEE MINUTES
WEDNESDAY, JANUARY 31, 2007
PAGE FOUR**

CONSENT AGENDA

D. ORDINANCES FOR FIRST READING (CONT'D)

Depth: Approximately 152 Feet
Area: Approximately 0.47 Acre
Land Lot: 149, 17th District, Fulton County, Georgia
Owner: Julian W. Rikard
Applicant: Michael Gamble

NPU-E

Council District 2

FAVORABLE - TO BE REFERRED TO ZRB AND ZONING COMMITTEE

07-O-0149 (7)
Z-06-139

An Ordinance by Zoning Committee to rezone from the I-2 (Heavy Industrial) District to the MRC-3 (Mixed Residential-Commercial) District, property located at **1020, 1040 and 1060 Huff Road, NW**, fronting approximately 593 feet on the south side of Huff Road beginning approximately 714 feet from the westerly corner of the Seaboard Airlines Railroad and Huff Road.

Depth: Approximately 621 Feet
Area: Approximately 7.733 Acres
Land Lot: 188, 17th District, Fulton County, Georgia
Owner: Julian W. Rikard
Applicant: Michael Gamble

NPU-D

Council District 9

FAVORABLE - TO BE REFERRED TO ZRB AND ZONING COMMITTEE

07-O-0150 (8)
Z-06-140

An Ordinance by Zoning Committee to rezone from the I-1 (Light Industrial) District to the MR4-A (Multi-Family Residential) District, property located at **1101 Donnelly Avenue, SW**, fronting approximately 600 feet on the north side of Donnelly Avenue at the northeast corner of Lawton Street.

Depth: Varies
Area: Approximately 4.225 Acres
Land Lots: 118 and 119, 14th District, Fulton County, Georgia
Owner: The Trust for Public Land
Applicant: William L. Stephenson

NPU-S

Council District 4

FAVORABLE - TO BE REFERRED TO ZRB AND ZONING COMMITTEE

CONSENT AGENDA

D. ORDINANCES FOR FIRST READING

07-O-0151 (9)
Z-06-141A An Ordinance by Zoning Committee to rezone from the R-5 (Two-Family Residential) District to the RG-3 (Residential General-Sector 3) District, property located at **1027 Baldwin Street, SW**, fronting approximately 145 feet on the north side of Baldwin Street at the northwest corner of Baldwin Place and Baldwin Street.
Depth: 225 Feet
Area: Approximately 1.06 Acres
Land Lots: 116 and 117, 14th District, Fulton County, Georgia
Owner: Housing Authority of the City of Atlanta
Applicant: Harris Development, LLC. c/o Amon Martin

NPU-T

Council District 4

FAVORABLE - TO BE REFERRED TO ZRB AND ZONING COMMITTEE

07-O-0152 (10)
Z-06-141B An Ordinance by Zoning Committee to rezone from the R-5 (Two-Family Residential) District to the RG-3 (Residential General-Sector 3) District, property located at **990 Westview Drive, SW**, fronting approximately 267.39 feet on the south side of Westview Drive at the southeast corner of Westview Drive and Baldwin Place.
Depth: 313 Feet
Area: Approximately 2.29 Acres
Land Lots: 116 and 117, 14th District, Fulton County, Georgia
Owner: Housing Authority of the City of Atlanta
Applicant: Harris Development, LLC. c/o Amon Martin

NPU-T

Council District 4

FAVORABLE - TO BE REFERRED TO ZRB AND ZONING COMMITTEE

**ZONING COMMITTEE MINUTES
WEDNESDAY, JANUARY 31, 2007
PAGE SIX**

E. ZRB SUMMARY REPORT (SEE ATTACHED LIST)

F. ORDINANCES FOR SECOND READING

06-O-2263 (1) An **Amended** Ordinance by Zoning Committee to rezone
Z-06-111 from the I-1 (Light Industrial) District and R-4 (Single-Family Residential) District to the I-1-C (Light Industrial-Conditional) District, property located at **84,88, 96 98, 100, 120 and 130 Poole Creek Road and 3715 and 3711 Wilson Drive, SE**, fronting approximately 240 feet on the south side of Southside Industrial Boulevard beginning approximately 419.82 feet from the northwest corner of Southside Industrial Boulevard and Wilson Road. **(Referred back by Council 1/16/07)**

Depth: Approximately 1,324 Feet

Area: Approximately 20.392 Acres

Land Lot: 64, 14th District, Fulton County, Georgia

Owners: Mary Glover c/o Darren E. Williams,
Darren E. Williams, Pamela R. Bailey,
Southern Region Industrial Realty, Inc,
and City of Atlanta c/o Atlanta
Development Authority

Applicant: AMB Property Corporation and Atlanta
Economic Renaissance Corporation

NPU-Z

Council District 12

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

FAVORABLE AS AMENDED

07-O-0093 (2) An Ordinance by Zoning Committee to amend Ordinance U-
U-73-14 73-14, as adopted by the Board of Alderman on May 21, 1973 and approved by the Mayor on May 25, 1973, for the purposes of approving a Transfer of Ownership for a Special Use Permit for a Day Care Center for property located at **1039 Camilla Street, SW**; and for other purposes.

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

FAVORABLE

**ZONING COMMITTEE MINUTES
WEDNESDAY, JANUARY 31, 2007
PAGE NINE**

G. PAPERS HELD IN COMMITTEE (CONT'D)

Depth: Varies
Area: Approximately 0.339 Acre
Land Lot: 44, 14th District, Fulton County, Georgia
Owner: Atlanta Decatur Oxford District United
Methodist Church, Bobby A. Jones, Trustee
Chair

Applicant: Jeffrey L. Wilson

NPU-W

Council District 1

HELD

06-O-0955 (8)
Z-06-44

A **Substitute** Ordinance by Zoning Committee to rezone from the I-1-C (Light Industrial-Conditional) District to the MR5-A (Multi-Family Residential) District, property located at **1155 Hill Street, SE**, fronting approximately 350 feet on the west side of Hill Street and approximately 272 feet on the north side of Englewood Avenue. **(Held 11/1/06 at the request of District Council Person)**

Depth: Varies
Area: Approximately 8.719 Acres
Land Lot: 55, 14th District, Fulton County, Georgia
Owner: Jack and Harvey Taffel
Applicant: Chaz E. Waters/Skyline Partners, LLC.

NPU-Y

Council District 1

HELD

06-O-2283 (9)

An Ordinance by Councilmembers Joyce M. Sheperd and Cleta Winslow authorizing the Mayor or her designee to place interim development controls on construction on all vacant parcels in the Murphy Triangle (lying within the boundaries of Murphy Avenue, Warner Street, Allene Avenue and Sylvan Road) for a period not to exceed nine (9) months; and for other purpose. **(Held 11/1/06 at the request of the author of the legislation)**

HELD

**ZONING COMMITTEE MINUTES
WEDNESDAY, JANUARY 31, 2007
PAGE TEN**

G. PAPERS HELD IN COMMITTEE (CONT'D)

06-O-1927 (10) An Ordinance by Councilmembers Howard Shook, H. Lamar Willis, Jim Maddox and Ceasar C. Mitchell **as substituted by Zoning Committee** to amend the 1982 Zoning Ordinance of the City of Atlanta, As Amended, so as to create a New Chapter to be entitled, 8B, Fulton County Townhouse Residential; to establish design guidelines for said District; to enact, by reference and incorporation, a Map establishing the boundaries of said District for the Cascade Glenn; to amend the City of Atlanta Zoning Maps; to modify the zoning process for annexations; and for other purposes. **(Forwarded with no recommendation by Zoning Committee 9/13/06) (Referred back by Council 12/04/06) (Held 12/13/06 for further review)**

HELD

06-O-0961 (11) An Ordinance by Zoning Committee granting a Special Use Permit for a Community Service Facility (Section 16-06.005 (1) (g)), property located at **8 East Lake Drive, NE**, fronting approximately 160 feet on the west side of East Lake Drive and approximately 182 feet on the north side of Hosea Williams Drive. **(Held 1/31/06 pending CDP Amendment Public Hearing)**

Depth: Varies
Area: Approximately .66 Acre
Land Lot: 204, 15th District, Dekalb County, Georgia
Owner: Elizabeth Omilami
Applicant: Patrise Perkins-Hooker
NPU-O Council District 5

HELD

06-O-2485 (12) An Ordinance by Councilmember Ceasar C. Mitchell to amend the 1982 City of Atlanta's Zoning Ordinance as amended to rezone the property located at 559 Pryor Street from the Mechanicsville Neighborhood SPI-18, Subarea #4 District to the SPI-18, Subarea #1 District; and for other purposes. **(Held 1/31/06 pending a report from the Fire Marshal)**

HELD

SUMMARY REPORT
ZONING COMMITTEE
January 31, 2007

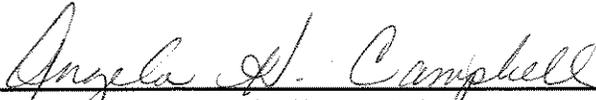
LEGISLATION NUMBER	ZONING NUMBER	LOCATION (NPU/CD)	CHANGE	STAFF RECOMM.	NPU RECOMM.	ZRB RECOMM.
FAVORABLE AS AMENDED						
06-O-2581	U-06-29	3100 Northside Drive, N.W.	Special Use Permit for a Church	Approval Conditional	Approval	Approval Conditional
Councilmember Fauver made a motion to approve as amended. The vote was unanimous.						
06-O-1919	U-06-19	330 Edgewood Avenue, N.E.	Special Use Permit for a Church	Approval Conditional	Approval	Approval Conditional
Councilmember Fauver made a motion to approve as amended. The vote was unanimous.						
06-O-2258	Z-06-102	23-41 Peachtree Avenue, N.E.	RG-2 to RG-3-C	Approval Conditional	Approval Conditional	Approval Conditional
Councilmember Fauver made a motion to approve as amended. The vote was unanimous.						
06-O-2254	U-06-23	23-41 Peachtree Avenue, N.E.	Special Use Permit for a Private School (temporary location of trailers)	Approval Conditional	Approval Conditional	Approval Conditional
Councilmember Fauver made a motion to approve as amended. The vote was unanimous.						
06-O-2261	Z-06-107	3415 and O Fairburn Road, S.W.	I-1-C and R-4 and PD-H	Approval Conditional	Approval Conditional	Approval Conditional
Councilmember Fauver made a motion to approve as amended. The vote was unanimous.						
ADVERSE						
06-O-2253	U-06-22	825 Warner Street, N.W.	Special Use Permit for a Materials Recovery Facility	Denial	S= Denial X=Denial V=Denial	Denial

Councilmember Sheperd made a substitute motion to adverse. The vote was unanimous

**ZONING COMMITTEE MINUTES
WEDNESDAY, JANUARY 31, 2007
PAGE ELEVEN**

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

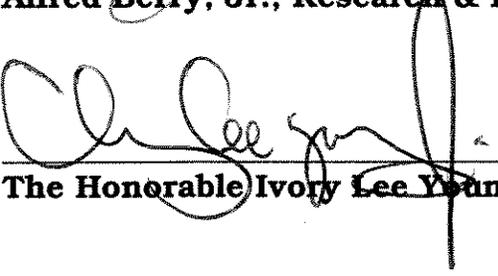
Respectfully submitted:



Angela H. Campbell, Legislative Secretary



Alfred Berry, Jr., Research & Policy Analyst



The Honorable Ivory Lee Young, Jr., Chairman