

**ZONING COMMITTEE
MINUTES
WEDNESDAY, FEBRUARY 14, 2007**

The regularly scheduled meeting of the Zoning Committee was held on **Wednesday, February 14, 2007** in Council Chambers, at 11: 20 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, and Karl Smith-Davids, Principal Planner, 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 BY ADDING ONE PIECE OF LEGISLATION**
- B. APPROVAL OF MINUTES - APPROVED
CONSENT AGENDA**
- C. ORDINANCES FOR FIRST READING**

07-O-0257 (1) An Ordinance by Zoning Committee to adopt a Digital Zoning Map for the City of Atlanta.

FAVORABLE - REFERRED TO ZRB AND ZONING COMMITTEE

07-O-0258 (2)
Z-06-135 An Ordinance by Zoning to Committee to rezone from the I-1 (Light-Industrial) and I-2 (Heavy Industrial) Districts to the PD-MU (Planned Development-Mixed Use) District, property located at **1393 Ellsworth Drive, NW/1293, 1295, 1455 and 1429 Fairmont Avenue, NW/ 1296, 1338, 1365, 1385, 1310, 1314, 1339, 1335, 1331, 1329, 1372, 1319, 1315, 1333, 1305, 1310, 1295, 1289, 1285 English Street, NW/, 1039, 1031, 1025, 991 Huff Road, NW/ 1314, 1313, 1309, 1291 Booth Avenue/ 1370 Culpepper Street, NW and 1284, 1288, 1324, 1336, 1340, 1368, 1296, 1373, 1363 Boyd Avenue, NW.**

CONSENT AGENDA

C. ORDINANCES FOR FIRST READING (CONT'D)

Depth: Varies
Area: Approximately 43 Acres
Land Lots: 187 and 188, 17th District, Fulton County, Georgia
Owners: Brock Built, LLC., Terrell Mill Road, LLC., Marietta Road III, LLC., Northwest InTown Development, LLC., Steve Brock with Brock Built, Marietta Road I, LLC., Glenn Schick, Steve Brock, Al Little, John Cary, Joyie Gibson
Applicant: Brock Built, LLC./Bob Zoeckler
NPU-Z Council District 12

FAVORABLE - REFERRED TO ZRB AND ZONING COMMITTEE

07-O-0259 (3)
Z-06-143 An Ordinance by Zoning Committee to rezone from the R-5 (Two-Family Residential) District to the MR-3 (Multi-Family Residential) District, property located at **186 Walthall Street, SE**, fronting approximately 96.80 feet on the east side of Walthall Street and the northeast corner of Arkwright Place.

Depth: Varies
Area: Approximately 0.56 Acre
Land Lot: 13, 14th District, Fulton County, Georgia
Owner: Pastor Clifford Ice
Applicant: Jim Peera
NPU-N Council District 5

FAVORABLE - REFERRED TO ZRB AND ZONING COMMITTEE

07-O-0260 (4)
Z-06-145 An Ordinance by Zoning Committee to rezone from the R-4 (Single-Family Residential) District to the R-LC (Residential-Limited Commercial) District, property located at **216 Southside Industrial Parkway, SE (also known as Poole Creek Road)**, fronting approximately 112 feet on the north side of Southside Industrial Parkway beginning 310 feet from the northwest corner of Gilbert Road.

CONSENT AGENDA

C. ORDINANCES FOR FIRST READING (CONT'D)

Depth: Varies
Area: Approximately 0.38 Acre
Land Lot: 64, 14th District, Fulton County, Georgia
Owner: Charles S.W. Rainey
Applicant: Charles S. W. Rainey
NPU-Z Council District 12

FAVORABLE - REFERRED TO ZRB AND ZONING COMMITTEE

07-O-0261 (5)
Z-07-01

An Ordinance by Zoning Committee to rezone from the R-4 (Single-Family Residential) District to the C-1 (Community Business) District, property located at **1450 Ralph David Abernathy Boulevard, SW, (formerly known as Gordon Street)**, fronting approximately 318 feet on the north side of Stokes Avenue and approximately 616 feet on the west side of Ralph David Abernathy Boulevard. Property is located at the intersection of Ralph David Abernathy Boulevard, Willard Avenue and Stokes Avenue.

Depth: Varies
Area: Approximately 1.71 Acres
Land Lot: 140, 14th District, Fulton County, Georgia
Owner: Onesimus Properties, LLC.
Applicant: Ramon Tookes
NPU-T Council District 10

FAVORABLE - REFERRED TO ZRB AND ZONING COMMITTEE

07-O-0262 (6)
Z-07-02

An Ordinance by Zoning Committee to rezone from the I-1 (Light Industrial) and I-2 (Heavy Industrial) District to the PD-MU (Planned Development-Mixed Use) Districts, property located at **659 Auburn Avenue, NE**, fronting approximately 572 feet on the south side of Auburn Avenue at the northeast corner of Airline Street.

CONSENT AGENDA

C. ORDINANCES FOR FIRST READING (CONT'D)

Depth: Approximately 1,135 Feet
Area: Approximately 8.93 Acres
Land Lot: 19, 14th District, Fulton County, Georgia
Owner: Dillon Baynes as Manager/Studioplex, LLC.
Applicant: Dillon Baynes
NPU-M Council District 2

FAVORABLE - REFERRED TO ZRB AND ZONING COMMITTEE

07-O-0263 (7)
Z-07-03 An Ordinance by Zoning Committee to rezone from the SPI-11-Subarea 7 (Vine City and Ashby Station Special Public Interest) District to SPI-11-Subarea 9 (Vine City and Ashby Station Special Public Interest) District, property located at **217, 227, 231, 235, 243, 257, 261, 267, 279, 289, 293 Elm Street, NW, 641 Spencer Street and 641 Thurmond Street, NW**, fronting approximately 849 feet on the east side of Elm Street, approximately 200 feet on the north side of Spencer Street, approximately 268 feet on the west side of Vine Street.

Depth: Varies
Area: Approximately 4.15 Acres
Land Lot: 110, 14th District, Fulton County, Georgia
Owner: Elm Street, LLC.
Applicant: Brock Built, LLC.
NPU-L Council District 3

FAVORABLE - REFERRED TO ZRB AND ZONING COMMITTEE

07-O-0264 (8)
Z-07-04 An Ordinance by Zoning Committee to rezone from the R-3 (Single-Family Residential) District to the RG-3 (Residential General-Sector 3) District, property located at **3764, 3718, 3770, 3748, 3726, 3734, 3710, 3756 Powers Ferry Road, NW**, fronting approximately 553 feet on the south side of Powers Ferry Road beginning approximately 546 feet from the northwest corner of Roswell Road.

Depth: Approximately 309 Feet
Area: 4.40 Acres

CONSENT AGENDA

C. ORDINANCES FOR FIRST READING (CONT'D)

Land Lot: 97, 17th District, Fulton County, Georgia
Owners: Douglas J. McAlpine,
Carol W. McAlpine, Phillip Y. Young, Popi
Y. Young, Kenneth P. Martin/Ruth M.
Lomason, Susan F. Abrahams, David G.
Abrahams, Kae P. Gershon, Gregory F.
Camia, Charles P. Owens, Farhad,
Abbassi
Applicant: Alexander Properties Group, Inc.
NPU-A Council District 8

FAVORABLE - REFERRED TO ZRB AND ZONING
COMMITTEE

07-O-0265 (9)
Z-07-05 An Ordinance by Zoning Committee to rezone from the SPI-
18-Subarea 4 (Mechanicsville Special Public Interest) District
to SPI-18-Subarea 3 (Mechanicsville Special Public Interest)
District, property located at **422, 424, 501 and 509 Pryor
Street, SW**, fronting approximately 255 feet on the west side
of Pryor Street.
Depth: Varies
Area: Approximately 1.03 Acres
Land Lot: 76, 14th District, Fulton County, Georgia
Owner: Devin L. Rhodriguez
Applicant: Valerie Edwards
NPU-V Council District 4

FAVORABLE - REFERRED TO ZRB AND ZONING
COMMITTEE

07-O-0266 (10)
Z-07-06 An Ordinance by Zoning Committee to rezone from the R-3
(Single-Family Residential) District to the PD-H (Planned
Development-Housing) District, property located at **3931
Land O' Lakes Drive, NE**, fronting approximately 50 feet on
the east side of Land O' Lakes Drive, beginning
approximately 790 feet northwest of the intersection of
Sheldon Drive and Land O'Lakes Drive.

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CONSENT AGENDA

C. ORDINANCES FOR FIRST READING (CONT'D)

Depth: Varies
Area: Approximately 3.78 Acres
Land Lot: 63, 17th District, Fulton County, Georgia
Owner: Gerald and Michele K. Palmer
Applicant: Wayne H. Knox

NPU-B Council District 7

FAVORABLE - REFERRED TO ZRB AND ZONING COMMITTEE

07-O-0267 (11)
Z-07-07 An Ordinance by Zoning Committee to rezone from the R4-A (Single-Family Residential) District to MR-2 (Multi-Family Residential) District, property located at **2612 and 2622 Peyton Road, NW**, fronting approximately 210 feet on the south side of Peyton Road and approximately 100 feet on the west side of Grandview Avenue. Property is located at the southwest corner of the intersection of Peyton Road and Grandview Avenue.

Depth: Varies
Area: Approximately 0.220 Acre
Land Lot: 252, 17th District, Fulton County, Georgia
Owner: Alliance Real Estate Ventures, LLC./Rod Batiste
Applicant: Alliance Real Estate Ventures, LLC.

NPU-D Council District 9

FAVORABLE - REFERRED TO ZRB AND ZONING COMMITTEE

07-O-0268 (12)
Z-07-08 An Ordinance by Zoning Committee to rezone from the R4-A (Single-Family Residential) District to LW (Live Work) District, property located at **located at 1901, 1907, 1909 and 1913 Hollywood Road, NW**, fronting approximately 200 feet on the east side of Hollywood Road and at the intersection of Burtz Street and Hollywood Road.

Depth: Varies
Area: Approximately 0.644 Acre
Land Lot: 252, 17th District, Fulton County, Georgia
Owner: Rod Batiste
Applicant: Rod Batiste

NPU-D Council District 9

FAVORABLE - REFERRED TO ZRB AND ZONING COMMITTEE

CONSENT AGENDA

C. ORDINANCES FOR FIRST READING (CONT'D)

07-O-0269 (13) An Ordinance by Zoning Committee granting a Special Use
U-06-34 Permit for a Recreational Center/ Community Center pursuant to Section 16-06.005 (1)(k), property located at **3750 Stone Road, SW (also known as 3651 Hampshire Park Way, SW)**, fronting approximately 158 feet on the north side of Hampshire Park Way.

Depth: Approximately 192 Feet

Area: Approximately 0.64 Acre

Land Lot: 5, 14th ff District, Fulton County, Georgia

Owner: Hampshire Park Partners, LLC.

Applicant: Joe Padilla

NPU-P

Council District 11

FAVORABLE - REFERRED TO ZRB AND ZONING COMMITTEE

REGULAR AGENDA

D. 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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D. PAPERS HELD IN COMMITTEE (CONT'D)

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)
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-0007 (4) An Ordinance by Councilmember Carla Smith
Z-05-65 **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 (5) An Ordinance by Councilmember Carla Smith
U-05-22 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)**

HELD

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D. PAPERS HELD IN COMMITTEE (CONT'D)

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

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

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D. PAPERS HELD IN COMMITTEE (CONT'D)

06-O-2485 (11) An Ordinance by Councilmember Ceasar C. Mitchell to
Z-06-142 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 1/31/07 pending CDP Amendment Public Hearing)**

HELD

E. ITEM NOT ON THE AGENDA

06-O-2496 (1) An Ordinance by Councilmembers Jim Maddox, H. Lamar
Z-06-121B Willis, Joyce M. Sheperd, Cleta Winslow, Ivory Lee Young, Jr., Carla Smith, Ceasar C. Mitchell and Mary Norwood **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 36. BeltLine Overlay District; to establish Overlay Regulations for said District; to enact, by reference and incorporation, a Map establishing the Boundaries of said District; and to designate and include in the Overlay certain properties, exclusive of property Zoned R-1 (Single-Family Residential) through R-5 (Two-Family Residential) and property zoned as a Special Public Interest District that are recognized lots of record at the enactment of this part, so as to support the future implementation of the Atlanta BeltLine; and for other purposes.

FAVORABLE ON SUBSTITUTE (1 NAY) (1 ABSTENTION)

There being no further business to come before the Zoning Committee the meeting was adjourned at 12:00 noon.

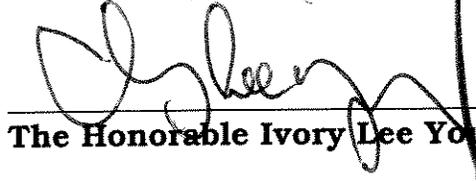
Respectfully submitted:



Angela H. Campbell, Legislative Secretary



Alfred Berry, Jr., Research & Policy Analyst



The Honorable Ivory Lee Young, Jr., Chairman