

**ZONING COMMITTEE MINUTES
WEDNESDAY, FEBRUARY 28, 2007
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CONSENT AGENDA

C. ORDINANCES FOR FIRST READING

07-O-0385 (4)
Z-07-20 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 **3830 Old Gordon Road, SW**, fronting approximately 93.34 feet on the west side of Old Gordon Road beginning approximately 609 feet from the northwest corner of Old Gordon Road and Martin Luther King, Jr. Drive.
Depth: Approximately 396 Feet
Area: Approximately 0.8 Acre
Land Lot: 15, 14ff District, Fulton County, Georgia
Owners: Winifred Gayle-Brown/Astley Brown
Applicant: Winifred Gayle-Brown
NPU-H Council District 10

FAVORABLE - TO BE REFERRED TO ZRB AND ZONING COMMITTEE

07-O-0386 (5)
Z-07-21A An Ordinance by Zoning Committee to rezone from the MR-2 (Multi-Family Residential) District to the MR-3 (Multi-Family Residential) District, property located at **370-A Peeples Street, SW**, fronting approximately 399 feet on the east side of Peeples Street.
Depth: Approximately 90 Feet
Area: Approximately 0.826 Acre
Land Lot: 117, 14th District, Fulton County, Georgia
Owner: Housing Authority of the City of Atlanta
Applicant: Jason C. McLin
NPU-T Council District 4

FAVORABLE - TO BE REFERRED TO ZRB AND ZONING COMMITTEE

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CONSENT AGENDA

C. ORDINANCES FOR FIRST READING

07-O-0387 (6)
Z-07-21B An Ordinance by Zoning Committee to rezone from the MR-2 (Multi-Family Residential) District to the MR-3 (Multi-Family Residential) District, property located at **370-B Peeples Street, SW**, fronting approximately 89.40 feet on the east side of Peeples Street.

Depth: Approximately 90 Feet
Area: Approximately 0.185 Acre
Land Lot: 117, 14th District, Fulton County, Georgia
Owner: Housing Authority of the City of Atlanta
Applicant: Jason C. McLin

NPU-T Council District 4

FAVORABLE - TO BE REFERRED TO ZRB AND ZONING COMMITTEE

07-O-0388 (7)
Z-07-22 An Ordinance by Zoning Committee to rezone from the R-LC-C (Residential Limited Commercial-Conditional) District to the R-LC (Residential Limited Commercial) District property located at **2264 Childress Drive, SW**, fronting approximately 376 feet on the east side of Childress Drive.

Depth: Varies
Area: Approximately 2.96 Acres
Land Lot: 219, 14th District, Fulton County, Georgia
Owner: Rachelle Dennis-Smith
Applicant: Rachelle Dennis-Smith

NPU-R Council District 11

FAVORABLE - TO BE REFERRED TO ZRB AND ZONING COMMITTEE

07-O-0389 (8)
Z-07-24 An Ordinance by Zoning Committee to amend Ordinance 04-O-2076/Z-04-127 which amended Z-03-85 which rezoned property from the RG-2 (Residential General-Sector 2) District to the PD-H (Planned-Development-Housing) District, property located at **201 Moury Avenue, SE** for the purpose of a Site Plan Amendment.

Owner: Villages at Carver, LLC.
Applicant: James R. Bailey

NPU-Y Council District 11

FAVORABLE - TO BE REFERRED TO ZRB AND ZONING COMMITTEE

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REGULAR AGENDA

D. ZRB SUMMARY REPORT (See Attached List)

E. ORDINANCE FOR SECOND READING

07-O-0372 (1) An Ordinance by Councilmembers Cleeta Winslow and Jim Maddox to correct Ordinance Number 06-O-1868 adopted by City Council on September 18, 2006 and approved by the Mayor on September 26, 2006, correcting the deletion of Code Section 16-25.004; and for other purposes.

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

FAVORABLE

F. RESOLUTION

07-R-0377 (1) A Resolution by Councilmember Carla Smith requesting that the Director of the Bureau of Planning assist the Grant Park Neighborhood Association in the preparation of a Neighborhood Commercial (NC) District for Grant Park; and for other purposes.

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

FAVORABLE

G. PAPERS HELD IN COMMITTEE

06-O-0038 (1)
Z-05-56 An Ordinance by Councilmember Carla Smith to 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

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G. PAPERS HELD IN COMMITTEE (CONT'D)

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)**

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

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G. PAPERS HELD IN COMMITTEE (CONT'D)

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

06-O-0145 (6) An Ordinance by Zoning Committee to rezone
Z-05-134 from the R-4 (Single-Family Residential) District to the PD-H (Planned Development-Housing) District, property located at **2228 Bicknell Street, SE**, fronting approximately 257.5 feet on the southeast side of Bicknell Street, beginning 109 feet from the southeast corner of Bagwell Drive. **(Held 8/16/06 at the request of the Councilmember of District 12)**

Depth: Varies
Area: Approximately 3.5 Acres
Land Lot: 70, 14th District, Fulton County, Georgia
Owner: Portfolio Properties Construction Co., LLC.
Applicant: Portfolio Properties Construction Co., LLC.
NPU-Z Council District 12

HELD

06-O-1950 (7) An **Amended** Ordinance by Zoning Committee to rezone
Z-06-92 from the R-5 (Single-Family Residential) District to the RG-4 (Residential General-Sector 4) District, property located at **575 Boulevard, SE, (578 Rosalia Street, SE)**, fronting approximately 100 feet on the west side of Boulevard. **(Held 11/1/06 pending CDP Public Hearing)**

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

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G. 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

06-O-2689 (12) An Ordinance by Zoning Committee to rezone from the
Z-06-127 C-1 (Community Business) and R-4 (Single-Family Residential) Districts to the MRC-1 (Mixed Residential Commercial) District, property located at **2370 and 2380 Hosea Williams Drive, (formerly known as Boulevard Drive and also addressed as 2374) SE**, fronting approximately 150.27 feet on the north side of Hosea Williams Drive and located at the intersection of Hosea Williams Drive and Second Avenue. **(Held 2/28/07 for pending CDP Amendment)**

Depth: Approximately 200 Feet

Area: Approximately 0.688 Acre

Land Lot: 204, 15th District, Dekalb County, Georgia

Owner: 2nd Avenue Associates, LLC.

Applicant: Eric Kronberg

NPU-O

Council District 5

07-O-0144 (13) An Ordinance by Zoning Committee to rezone from the C-1-C
Z-06-133 (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. **(Held 2/28/07 for pending CDP Amendment)**

**SUMMARY REPORT
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LEGISLATION NUMBER	ZONING NUMBER	LOCATION (NPU/CD)	CHANGE	STAFF RECOMM.	NPU RECOMM.	ZRB RECOMM.
<u>FAVORABLE</u>						
06-O-2621	Z-06-130	566, 570, 574, 582, 586, 590, 594, 598, 602, 608, 614, Western Avenue and 549, 553, 555, 561, 565, 569, 575, 581, 585, 591, 603, 607, 611, 617 Jones Avenue L-3	I-1 to R-4A	Approval	No Quorum	Approval
Councilmember Shook made a motion to approve. The vote was unanimous.						
<u>FAVORABLE ON SUBSTITUTE</u>						
06-O-2312	Z-06-105A	1785 Kimberly Road, S.W. P-11	R-1 to PD-H	Approval Conditional of substitute ordinance	Approval Conditional	Approval Conditional of substitute ordinance
Councilmember Sheperd made a motion to approve on substitute. The vote was unanimous.						
06-O-2311	Z-06-105B	O Kimberly Road, S.W. P-11	R-1 to PD-H	Approval Conditional of substitute ordinance	Approval Conditional	Approval Conditional of substitute ordinance
Councilmember Sheperd made a motion to approve on substitute. The vote was unanimous.						
06-O-2310	Z-06-105C	1675 Kimberly Road, S.W. P-11	R-1 to PD-H	Approval Conditional of substitute ordinance	Approval Conditional	Approval Conditional of substitute ordinance

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

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LEGISLATION NUMBER	ZONING NUMBER	LOCATION (NPU/CD)	CHANGE	STAFF RECOMM.	NPU RECOMM.	ZRB RECOMM.
07-O-0145	Z-06-134	287 Fortune Street, N.E. (also known as 283 Fortune Street) M-2	RG-1 to R4B-C	Approval Conditional of Substitute ordinance	Approval Conditional	Approval Conditional of Substitute ordinance

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

**FAVORABLE AS
AMENDED**

06-O-2580	Z-06-125	3312-3316 Piedmont Road, N.E. and 3232-3242 Peachtree Road, N.E. B-7	Site Plan Amendment	Approval Conditional	Approval Conditional	Approval Conditional
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Councilmember Shook made a motion to approve as amended. The vote was unanimous.

06-O-2314	U-06-27	1150 Philadelphia Avenue, S.W. S-11	Special Use Permit for a Church	Approval Conditional	Approval	Approval Conditional
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Councilmember Shook made a motion to approve as amended. The vote was unanimous.

06-O-2055	Z-06-103	61 16th Street, N.E. E-6	SPL-16 sub area 1 to RG-3	Approval	Approval	Approval
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Councilmember Fauver made a motion to approve as amended. The vote was unanimous.

07-O-0146	Z-06-136	3475 Roxboro Road, N.E. B-7	Site Plan Amendment	Approval Conditional	Approval Conditional	Approval Conditional
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Councilmember Shook made a motion to approve as amended. The vote was unanimous.

**SUMMARY REPORT
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LEGISLATION NUMBER	ZONING NUMBER	LOCATION (NPU/CD)	CHANGE	STAFF RECOMM.	NPU RECOMM.	ZRB RECOMM
06-O-0147	Z-06-137	3260 Katomartick Street, SE (also addressed as 919 Hutchens Avenue, SE) Z-12	R-4 to PD-H	Approval Conditional	Approval Conditional	Approval Conditional
Councilmember Sheperd made a motion to approve as amended. The vote was unanimous.						
07-O-0149	Z-06-139	1020, 1040 and 1060 Huff Road, N.W. D-9	I-2 to MR4A	Approval	Approval	Approval
Councilmember Shook made a motion to approve as amended. The vote was unanimous.						
06-O-2302	Z-06-119	34 and 36 Peachtree Avenue, N.E. B-7	RG-2 to RG-3	Approval	Approval Conditional	Approval Conditional
Councilmember Shook made a motion to approve as amended. The vote was unanimous.						
<u>FILE</u>						
06-O-2313	U-06-28	838 Holly Street, N.W., 1800 Howell Mill Road, N.W., 1796 Howell Mill Road, N.W. and 1810 Howell Mill Road, N.W., D-9	Special Use Permit for a Hotel	File	File	File
Councilmember Sheperd made a motion to approve. The vote was unanimous.						
06-O-2585	Z-06-108	Jones Road (north), S.W. I-9	PD-H and R-4 to MR-3	File	File	File
Councilmember Sheperd made a motion to approve. The vote was unanimous.						

**SUMMARY REPORT
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LEGISLATION NUMBER	ZONING NUMBER	LOCATION (NPU/CD)	CHANGE	STAFF RECOMM.	NPU RECOMM.	ZRB RECOMM
06-O-2586	Z-06-109	Jones Road (south), S.W. I-9	PD-H and R-4 to MR-3	File	File	File

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

06-O-0569	Z-06-22	705 Constitution Road Z-1	I-1-C to I-1	Deferral	No Vote	File
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Councilmember Sheperd made a motion to approve. The vote was unanimous.

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G. PAPERS HELD IN COMMITTEE (CONT'D)

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

07-O-0143 14)
Z-06-132

An Ordinance by Zoning Committee to rezone from the I-1 (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. **(Held 2/28/07 to travel with companion legislation)**

Depth: Varies
Area: Approximately 7.86 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

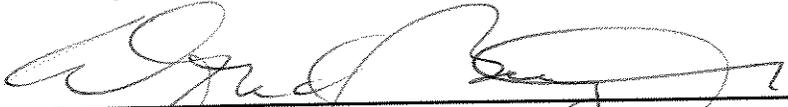
Council District 2

There being no further business to come before the Zoning Committee the meeting was adjourned at 11:45 a.m.

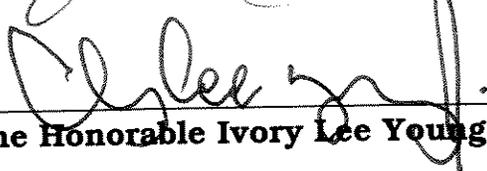
Respectfully submitted:



Angela H. Campbell, Legislative Secretary



Alfred Berry, Jr., Research & Policy Analyst



The Honorable Ivory Lee Young, Jr., Chairman