

**ZONING COMMITTEE
MINUTES
WEDNESDAY, MAY 2, 2007**

The regularly scheduled meeting of the Zoning Committee was held on **Wednesday, May 2, 2007** in the 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 Anne Fauver
The Honorable Howard Shook
The Honorable C. T. Martin
The Honorable Natalyn Archibong**

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

A. ADOPTION OF AGENDA - ADOPTED

B. APPROVAL OF AGENDA - APPROVED

CONSENT AGENDA

C. ORDINANCES FOR FIRST READING

07-O-0851 (1) An Ordinance by Zoning Committee to amend the City of Atlanta Land Development Code; to create Code Section 16-28.023(a) titled Transfer of Development Rights in the BeltLine Planning Area; to provide for definitions; and for other purposes.

TO BE REFERRED TO ZRB AND ZONING COMMITTEE

07-O-0852 (2) An Ordinance by Zoning Committee authorizing the Mayor or her designee to amend Ordinance 06-O-2311 (Z-06-105B) by correcting the zoning designations in the legislation; and for other purposes.

TO BE REFERRED TO ZRB AND ZONING COMMITTEE

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CONSENT AGENDA

C. ORDINANCES FOR FIRST READING (CONT'D)

- 07-O-0853 (3) An Ordinance by Zoning Committee authorizing the Mayor or her designee to amend Ordinance 06-O-2310 (Z-06-105C) by correcting the zoning designations in the legislation; and for other purposes.

TO BE REFERRED TO ZRB AND ZONING COMMITTEE

- 07-O-0854 (4)
Z-07-15 An Ordinance by Zoning Committee to rezone from the R-4 (Single-Family Residential) District to the PD-H (Planned Development-Housing) District, property located at **850 Ormewood Avenue, SE**, fronting approximately 153 feet on the north side of Ormewood Avenue at the northwest corner of Mercer Place.

Depth: Varies
Area: Approximately 1.25 Acres
Land Lot: 22, 14th District, Fulton County, Georgia
Owner: CAS Development-Cecil Francis
Applicant: James Bailey
NPU-W **Council District 1**

TO BE REFERRED TO ZRB AND ZONING COMMITTEE

- 07-O-0855 (5)
Z-07-41 An Ordinance by Zoning Committee to amend Ordinance 04-O-2302 (Z-04-136) and Ordinance 04-O-1292 (Z-04-62) which rezoned property to the PD-MU (Planned Development-Mixed Use) District, for the purpose of a Site Plan Amendment. Property is located at **2011 Bolton Road, NW**.

Depth: Varies
Area: Approximately 1.168 Acres
Land Lot: 256, 17th District, Fulton County, Georgia
NPU-D **Council District 9**

TO BE REFERRED TO ZRB AND ZONING COMMITTEE

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CONSENT AGENDA

C. ORDINANCES FOR FIRST READING (CONT'D)

07-O-0856 (6)
Z-07-45 An Ordinance by Zoning Committee to amend Ordinance 04-O-0482 (Z-04-27) which rezoned property located at **935 Marietta Street, NW**, from the I-2 (Heavy Industrial) and I-1 (Light Industrial) Districts to the PD-MU (Planned Development-Mixed Use) District for the purpose of a Site Plan Amendment. Property fronts 191.50 feet on the northwesterly side of Hampton Street beginning at the northwest corner of Marietta Street.
Depth: Approximately 173 Feet
Area: 2.455 Acres
Land Lot: 112, 14th District, Fulton County, Georgia
Owner: M-Street Condominiums, LLC.
Applicant: Alliance Realty Partners, LLC.
NPU-E Council District 3

TO BE REFERRED TO ZRB AND ZONING COMMITTEE

07-O-0857 (7)
Z-07-46 An Ordinance by Zoning Committee to rezone from the C-1 (Community Business) District to the C-3 (Commercial Residential) District, property located at **305, 311, 317 and 323 Buckhead Avenue, NE and 312 Pharr Road, NE**, fronting approximately 235 feet on the south side of Buckhead Avenue at the southeast corner of Buckhead Avenue and North Fulton Drive.
Depth: Varies
Area: Approximately 2.13 Acres
Land Lot: 61, 17th District, Fulton County, Georgia
Owners: Cash, Krugler and Fredericks (Alwyn R. Fredericks, David N. Krugler, Andrew B. Cash) Walda S. Abner, John L. Brooks, Teresa S. Fleming, Deborah S. Payne, Claire S. Peterson, Mary Janice S. Sawyer, Tony W. Sims and Walter S. Sterns, Buckhead Avenues Development Co., LLC.
Applicant: Buckhead Avenues Development Co., LLC.
NPU-B Council District 7

TO BE REFERRED TO ZRB AND ZONING COMMITTEE

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CONSENT AGENDA

C. ORDINANCES FOR FIRST READING (CONT'D)

Depth: Varies
Area: Approximately 1.309 Acres
Land Lot: 13, 14th District, Fulton County, Georgia
Owner: 930 Mauldin Associates, LLC.
Applicant: David Green
NPU-N **Council District 5**

TO BE REFERRED TO ZRB AND ZONING COMMITTEE

07-O-0861 (11) An Ordinance by Zoning Committee to rezone from the R-4A-
Z-07-50 (Single-Family Residential) District to the MR-2 (Multi-Family Residential) District, property located at **710 North Avenue, NW**, fronting approximately 53.78 feet on the south side of North Avenue, beginning approximately 124.27 feet from the southeast corner of Griffin Street.
Depth: Approximately 139.50 Feet
Area: Approximately 0.172 Acre
Land Lot: 111, 14th District, Fulton County, Georgia
Owner: F. Hitt
Applicant: Bruce S. Hammond
NPU-L **Council District 3**

TO BE REFERRED TO ZRB AND ZONING COMMITTEE

07-O-0862 (12) An Ordinance by Zoning Committee to amend the 1982
Z-07-51 Zoning Ordinance of the City of Atlanta, as amended, so as to create a New Chapter to be entitled 200, Atkins Park Historic 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 zone all properties lying within the boundaries of said district to the Overlay Zoning Category of Historic District (HD) Pursuant to Chapter 20 of the Zoning Ordinance of the City of Atlanta, rezoning from R-4 (Single-Family Residential) to R-4/HD (Single-Family Residential/Historic District), to repeal conflicting laws; and for other purposes.

TO BE REFERRED TO ZRB AND ZONING COMMITTEE

CONSENT AGENDA

C. ORDINANCES FOR FIRST READING (CONT'D)

07-O-0863 (13) An Ordinance by Zoning Committee to grant a Special Use
U-07-07 Permit for a Church pursuant to Section 16-05.005(1)(c),
property located at **3693 and 3175 Wieuca Road, NE**,
fronting approximately 400 feet on the north side of Wieuca
Road and approximately 840 feet north of the intersection of
Peachtree Road and Wieuca Road.
Depth: Approximately 400 Feet
Area: Approximately 3.67 Acres
Land Lot: 44, 17th District, Fulton County, Georgia
Owner: David Norris, Church Administrator
Applicant: Wieuca Road Baptist Church
NPU-B Council District 7

TO BE REFERRED TO ZRB AND ZONING COMMITTEE

07-O-0864 (14) An Ordinance by Zoning Committee to grant a Special Use
U-07-08 Permit for a Private Club pursuant to Section 16-
05.005(1)(1), property located at **53 West Brookhaven
Drive, NE**, fronting approximately 350.38 feet on the south
side of Davidson Avenue, approximately 2,111.29 feet on the
northwesterly side of West Brookhaven Drive, approximately
686.97 feet on the southeasterly side of East Brookhaven
Drive and approximately 2,467.11 feet on the south side of
East Club Lane.
Area: Approximately 86.774 Acres
Land Lots: 11 and 12, 17th District, Fulton County,
Georgia
Owner: Capital City Club
Applicant: Capital City Club
NPU-B Council District 7

TO BE REFERRED TO ZRB AND ZONING COMMITTEE

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CONSENT AGENDA

C. ORDINANCES FOR FIRST READING (CONT'D)

07-O-0865 (15) An Ordinance by Zoning Committee to grant a Special Use
U-07-09 Permit for a Hotel pursuant to Section 16-13.005(1)(g),
property located at **3135 Peachtree Road and 288, 290,
292 308, 310, 312 and 314 East Paces Ferry Road, NE,**
fronting approximately 297 feet on the north side of East
Paces Ferry Road and approximately 327.35 feet on the east
side of Bolling Way and approximately 99 feet on the south
side of Peachtree Road. Property is located at the
northeastern intersection of Bolling Way and East Paces
Ferry Road and the southeastern intersection of Bolling Way
and Peachtree Road.
Depth: Varies
Area: Approximately 1.561 Acres
Land Lot: 99, 17th District, Fulton County, Georgia
Owner: The S. Stephen Selig III Life Trust and
Place on Paces, LLC.
Applicant: Buckhead Avenues Development Co., LLC.
NPU-B Council District 7

TO BE REFERRED TO ZRB AND ZONING COMMITTEE

07-O-0866 (16) An Ordinance by Zoning Committee to grant a Special Use
U-07-10 Permit for a Daycare Center pursuant to Section 16-
07.005(1)(b), property located at **1448 Iverson Street, SE,**
fronting approximately 57 feet on the north side of Iverson
Street and approximately 157.81 feet west of the Candler
Park Drive right-of-way.
Depth: Varies
Area: Approximately 0.19 Acre
Land Lot: 209, 15th District, Dekalb County, Georgia
Owner: Kelly Mann
Applicant: Shannon N. Smith
NPU-N Council District 6

TO BE REFERRED TO ZRB AND ZONING COMMITTEE

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CONSENT AGENDA

C. ORDINANCES FOR FIRST READING (CONT'D)

07-O-0867 (17) An Ordinance by Zoning Committee to amend Ordinance
U-07-11/U-80-69 U-80-69 that granted a Special Use Permit for a Church, for
property located at **Capitol and Haygood Avenue**, now
addressed as 1011 Hank Aaron Drive, SW for the purpose of
a Site Plan Amendment.

NPU-V

Council District 1

TO BE REFERRED TO ZRB AND ZONING COMMITTEE

07-O-0868 (18) An Ordinance by Zoning Committee to grant a Special Use
U-07-12 Permit for a Daycare Center pursuant to Section 16-
06.005(1)(b), property located at **1800 Jonesboro Road, SE**,
fronting approximately 319.94 feet on the east side of
Jonesboro Road and approximately 323 feet on the south
side of Sawtell Avenue.

Depth: Varies

Area: Approximately 2.10 Acres

Land Lots: 39 and 40, 14th District, Fulton County,
Georgia

Owner: Kiamsha House Ministries, Inc.

Applicant: Juakena N. Winston

NPU-Y

Council District 1

TO BE REFERRED TO ZRB AND ZONING COMMITTEE

REGULAR AGENDA

D. ZRB SUMMARY REPORT

E. ORDINANCE FOR SECOND READING

07-O-0638 (1) An Ordinance by Zoning Committee to amend Ordinance U-
U-71-56 71-56, as adopted by the Board of Alderman on October 7,
1974 and approved by the Mayor on October 10, 1974, for
the purposes of approving a transfer of Ownership for a
Special Use Permit for a Day Care Center for property located
at 2365 County Line Road, SW; and for other purposes.

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

FAVORABLE

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F. PAPERS HELD IN COMMITTEE (CONT'D)

06-O-1950 (7)
Z-06-92 An **Amended** Ordinance by Zoning Committee to rezone 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

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

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F. PAPERS HELD IN COMMITTEE (CONT'D)

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

07-O-0396 (11) An Ordinance by Community Development/Human Resources Committee to amend the Land Use Element of the City of Atlanta 2004-2019 Comprehensive Development Plan (CDP) so as to re-designate property that is located at **349 14th Street**, from the "Low Density Commercial" Land Use Designation; to the "Mixed-Use" Land Use Designation; and for other purposes. **(1st Quarter CDP Public Hearing held 3/12/07) (Held 3/13/07 awaiting companion Zoning legislation) (Favorable by CD/HR Committee 3/27/07) (Held 3/28/07 at the request of the applicant)**

NPU-E

Council District 2

HELD

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F. PAPERS HELD IN COMMITTEE (CONT'D)

07-O-0148 (12) 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 14th Street, NW**, fronting approximately 134 feet on the south side of 14th Street, at the southwest corner.
Depth: Approximately 152 Feet
Area: Approximately 0.47 Acre
Land Lot: 149, 17th District, Fulton County, Georgia
Owner: Julian W. Rikard
Applicant: Michael Gamble
(Held 3/28/07 at the request of the applicant)
NPU-E Council District 2

HELD

06-O-1445 (13) 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. **(Held 5/2/07)**
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

HELD

07-O-0383 (14) An Ordinance by Zoning Committee to rezone from the RG-2
Z-07-10 (Residential General-Sector 2) District to the MR-3 (Multi-Family Residential) District, property located at **421 Connell Avenue, SE**, fronting approximately 400 feet on the north side of Connell Avenue beginning approximately 100 feet from the northeast corner of Cleveland Circle. **(Held 5/2/07)**

**SUMMARY REPORT
ZONING COMMITTEE
May 2, 2007**

LEGISLATION NUMBER	ZONING NUMBER	LOCATION (NPU/CD)	CHANGE	STAFF RECOMM.	NPU RECOMM.	ZRB RECOMM.
07-O-0512	Z-07-27	881 Memorial Drive, S.E. Great Atlantic and Pacific Tea Company Building N-5	I-1 to I-1/LBS	Approval	Approval	Approval
Councilmember Fauver made a motion to approve. The vote was unanimous.						
07-O-0513	Z-07-28	650 Glen Iris Drive, N.E. Troy-Peerless Laundry Building M-2	RG-4C to RG-4C/LBS	Approval	Approval	Approval
Councilmember Fauver made a motion to approve. The vote was unanimous.						
<u>FAVORABLE AS AMENDED</u>						
06-O-2579	Z-06-124	510 Sawtell Avenue, S.E. (also addressed as 150 Blashfield Street, S.E.) Y-1	I-2 to MRC-3-C	Approval Conditional	Approval	Approval Conditional
Councilmember Shook made a motion to approve as amended. The vote was unanimous.						
07-O-0258	Z-06-135	1393 Ellsworth Drive, N.W./1291, 1293, 1295 1315, 1455 and 1429 Fairmont Avenue, N.W. 1296, 1338, 1365, 1385, 1385A, 1310, 1314, 1339, 1335, 1331, 1329, 1327, 1319, 1315, 1333, 1305, 1310, 1295, 1289, 1285, 1291, 1351 English Street, N.W./O, 1021, 1039, 1031, 1025, 991 Huff Road, N.W./1314, 1313, 1309, 1291, 1292 Booth Avenue, N.W./1370 Culpepper Street, N.W. and 1284, 1288, 1324, 1336, 1340, 1368, 1296, 1373, 1363 Boyd Avenue, N.W. D-9	I-1 and I-2 to PDMU	Approval Conditional	Approval	Approval Conditional
Councilmember Shook made a motion to approve as amended. The vote was unanimous.						

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F. PAPERS HELD IN COMMITTEE (CONT'D)

Depth:	Approximately 589 Feet
Area:	Approximately 4.98 Acres
Land Lot:	92, 14 th District, Fulton County, Georgia
Owner:	Oyuind Jordhoy
Applicant:	Kevin S. Edwards
NPU-X	Council District 12

HELD

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

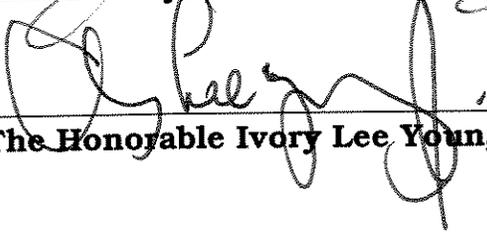
Respectfully submitted:



Angela H. Campbell, Legislative Secretary



Alfred Berry, Jr., Research & Policy Analyst



The Honorable Ivory Lee Young, Jr., Chairman

**SUMMARY REPORT
ZONING COMMITTEE**

May 2, 2007

LEGISLATION NUMBER	ZONING NUMBER	LOCATION (NPU/CD)	CHANGE	STAFF RECOMM.	NPU RECOMM.	ZRB RECOMM.
07-O-0262	Z-07-02	659 Auburn Avenue, N.E. M-2	I-1 and I-2 to PDMU	Approval Conditional	Approval	Approval Conditional
Councilmember Shook made a motion to approve as amended. The vote was unanimous.						
07-O-0386	Z-07-21A	370-A Peeples Street, S.W. T-4	MR-2 to MR-3-C	Approval Conditional	Approval	Approval Conditional
Councilmember Shook made a motion to approve as amended. The vote was unanimous.						
07-O-0387	Z-07-21B	370-B Peeples Street, S.W. T-4	MR-2 to MR-3-C	Approval Conditional	Approval	Approval Conditional
Councilmember Shook made a motion to approve as amended. The vote was unanimous.						

**FAVORABLE
AS AMENDED**