

**ZONING COMMITTEE
MINUTES
WEDNESDAY, MAY 16, 2007**

The regularly scheduled meeting of the Zoning Committee was held on **Wednesday, May 16, 2007** in the Council Chambers, at 11: 22 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 following member was absent:

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 MINUTES - APPROVED**
- C. ZRB SUMMARY REPORT (SEE ATTACHED LIST)**
- D. COMMUNICATION**

07-C-0880 (1) A Communication by Councilmembers Anne Fauver, District 6; Natalyn Archibong, District 5 and Mary Norwood, Post 2 At-Large re-appointing **Ms. Martha Porter Hall** to serve as a member of the Zoning Review Board. This appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation.

FAVORABLE - REFERRED TO COMMITTEE ON COUNCIL

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E. ORDINANCES FOR SECOND READING

07-O-0852 (1) 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.

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

FAVORABLE

07-O-0853 (2) 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.

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

FAVORABLE

F. 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

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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F. 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-0007 (4)
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 (5)
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)**

HELD

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F. PAPERS HELD IN COMMITTEE (CONT'D)

06-O-0145 (6)
Z-05-134 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 **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)
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

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F. PAPERS HELD IN COMMITTEE (CONT'D)

07-O-0396 (11) An Ordinance by Community Development/Human
CDP-07-09 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

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 at the
request of Councilmember of the District)**

**SUMMARY REPORT
ZONING COMMITTEE
May 16, 2007**

<u>LEGISLATION NUMBER</u>	<u>ZONING NUMBER</u>	<u>LOCATION (NPU/CD)</u>	<u>CHANGE</u>	<u>STAFF RECOMM.</u>	<u>NPU RECOMM.</u>	<u>ZRB RECOMM</u>
<u>FAVORABLE AS AMENDED</u>						
07-O-0633	U-07-01	2045 Graham Circle, SE and 1017 Fayetteville Road, SE (W-5)	Special Use Permit for an Assisted Living Facility	Approval Conditional	Approval	Approval Conditional
07-O-0628	Z-07-23	1339 & 1297 Northwest Drive, NW (G-9)	R4A to RG-2-C	Approval Conditional	Approval	Approval Conditional

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

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F. PAPERS HELD IN COMMITTEE (CONT'D)

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)**
Depth: Approximately 589 Feet
Area: Approximately 4.98 Acres
Land Lot: 92, 14th 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.

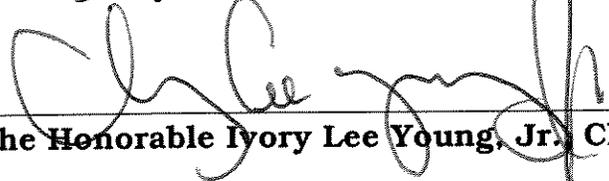
Respectfully submitted:



Angela H. Campbell, Legislative Secretary



Alfred Berry, Jr., Research & Policy Analyst



The Honorable Ivory Lee Young, Jr., Chairman