

**ZONING COMMITTEE
MINUTES
WEDNESDAY, JULY 11, 2007**

The regularly scheduled meeting of the Zoning Committee was held on **Wednesday, July 11, 2007** in the Council Chambers, at 11:19 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 Natalyn Archibong
The Honorable Howard Shook**

The following members were absent:

**The Honorable Anne Fauver
The Honorable C. T. Martin**

Others present at the meeting were: Councilmembers Kwanza Hall, Mary Norwood and Clair Muller; Commissioner Steve Cover, Alice Wakefield, Director, Bureau of Planning, Charletta Wilson-Jacks, Zoning Administrator, Karl David-Smith, Principal Planner, 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

CONSENT AGENDA

C. ORDINANCES FOR FIRST READING

07-O-1454 (1) An Ordinance by Zoning Committee to amend the 1982
Z-07-73 Zoning Ordinance of the City of Atlanta by replacing Chapter
18I.SPI-9 Buckhead Commercial Core District Regulations
with a Chapter entitled 18I.SPI-9 Buckhead Village Overlay
District; and to amend the Official Zoning Map by overlaying
said SPI-9 District Map; and for other purposes.

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

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REGULAR AGENDA

D. ZRB SUMMARY REPORT

ORDINANCE FOR SECOND READING

07-O-0642 (1) A **Substitute** Ordinance by Zoning Committee to amend
Z-07-44 the 1982 Zoning Ordinance of the City of Atlanta, as Amended, so as to provide Maximum Floor Area Ratios in the R-4A and R-4B Zoning Districts and Maximum Lot Coverage in the R-4B Zoning District; amend Maximum Lot Coverage in the R-4A Zoning District; provide New Maximum Floor Area Ratios and Amend Lot Coverage for the various types of structures allowed in the R-5 Zoning District; to create a New Section 16-24.008 concerning the Measurement of Floor Area for Additions to Residential Structures; amend Sec. 16.28.008(5) concerning the Height of Walls in required Yards; amend Section 16-28.009 to clarify application of the Floor Area Ratio Calculation; create a New Section 16-28.026 concerning Limiting Height of the Main Floor Level; to amend Section 16-29.001(12)(a)(3) concerning the definition of Two-Family and Duplex Dwellings; to amend Section 16-29.001(13) to provide for a new definition of Floor Area; to amend Section 16-29.001(27) to provide for a new definition of Building Height; to amend Section 16-29.001(37) to provide for an amended definition of Floor Area Ratio; create New Section 16-29.001(67) Defining Attics; Create New Section 16-29.001(68) Defining Basements; create New Section 16-29.001(69) Defining Main Floor Level; and for other purposes. **(Held 7/11/07) (Held for further review)**

HELD

STAFF RECOMM

NPU RECOMM

ZRB RECOMM

Approval of Substitute Ordinance

See NPU Work Sheet

Approval of Substitute Ordinance

E. RESOLUTION

07-R-1457 (1) A Resolution by Zoning Committee authorizing the Creation of the SPI-1 Downtown District Development Review Committee; and for other purposes.

FAVORABLE

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F. 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 Clela 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

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F. PAPERS HELD IN COMMITTEE (CONT'D)

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

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

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F. PAPERS HELD IN COMMITTEE (CONT'D)

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

06-O-0955 (8) A **Substitute** Ordinance by Zoning Committee to rezone from
Z-06-44 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

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F. 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

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

07-O-0148 (12) An Ordinance by Zoning Committee to rezone from the C-2 (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

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F. PAPERS HELD IN COMMITTEE (CONT'D)

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)**

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

06-O-2308 (14) An Ordinance by Zoning Committee to rezone
Z-06-113 from the SPI-6 (Ponce Highland Special Public Interest)
District to the C-1 (Community Business) District, property
located at **863 Ponce de Leon (rear), NE**, fronting
approximately 63 feet on the east side of Barnett Street,
beginning 150 feet from the westerly corner of Barnett Street
and Ponce de Leon Avenue. **(Filed by ZRB and Zoning
Committee 5/20.07) (Referred by back by Full Council
6/4/07) (Held 6/13/07)**

Depth: Approximately 74 Feet
Area: Approximately 0.861 Acre
Land Lot: 17, 14th District, Fulton County, Georgia
Owner: Robert T. Budd
Applicant: Kevin A. Ross
NPU-N **Council District 2**

HELD

