

**ZONING COMMITTEE
MINUTES
WEDNESDAY, OCTOBER 10, 2007**

The regularly scheduled meeting of the Zoning Committee was held on **Wednesday, October 10, 2007** in the Council Chambers, at 11:17 a.m.

The following members were present:

**The Honorable Ivory Lee Young, Jr., Chair
The Honorable Joyce Sheperd, Vice Chair
The Honorable Natalyn Archibong
The Honorable Carla Smith
The Honorable Howard Shook**

The following members were absent:

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

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

A. ADOPTION OF AGENDA - ADOPTED AS AMENDED BY ADDING AN ADDENDUM AGENDA

B. APPROVAL OF MINUTES - APPROVED

CONSENT AGENDA

C. ORDINANCES FOR FIRST READING

**07-O-2151 (1)
Z-07-90/
Z-07-23/
Z-06-28** An Ordinance by Zoning Committee to amend Ordinance 07-O-0628 (Z-07-23) adopted by City Council May 21, 2007 and approved by the Mayor May 29, 2007 and Ordinance 06-O-0690 (Z-06-28) adopted by the City Council on June 5, 2006 and approved by the Mayor on June 9, 2006 rezoning from R-4A (Single-Family Residential) District to RG-2-C (Residential General-Sector 2-Conditional) District for the purpose of a Site Plan Amendment for property located at **1339 and 1297 Northwest Drive, NW and 1315 Northwest Drive, NW.**

FAVORABLE - TO BE REFERRED TO ZRB AND ZONING COMMITTEE

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C. ORDINANCES FOR FIRST READING (CONT'D)

07-O-2152 (2)
Z-07-100 An Ordinance by Zoning Committee to rezone from the I-1 (Light Industrial) District to the MRC-3 (Mixed Residential Commercial) District, for property located at **1035-1039 Grant Street, SE**, fronting approximately 540 feet on the west side of Grant Street beginning approximately 1,060 feet north from the northwest corner of Englewood Avenue.
Depth: Approximately 310 Feet
Area: Approximately 3.8 Acres
Land Lots: 1 and 2, 14th District, Fulton County, Georgia
Owner: Arthur Cohen
Applicant: John A. Bell
NPU-W **Council District 1**

FAVORABLE – TO BE REFERRED TO ZRB AND ZONING COMMITTEE

07-O-2153 (3)
Z-07-101 An Ordinance by Zoning Committee to rezone from the SPI-15-Subarea 8 (Special Public Interest-Lindbergh Transit Station Area-Subarea 8 Lindbergh Residential) District to the SPI-15 Subarea 3 (Special Public Interest-Lindbergh Transit Station Area-Subarea 3-Piedmont Commercial) District, for property located at **690 Lindbergh Drive, NE**, fronting approximately 1,500 feet on the north side of Lindbergh Drive, approximately 700 feet on the south side of Morosgo Drive and approximately 488 feet on the west side of East Morosgo Way.
Depth: Varies
Area: Approximately 13.69 Acres
Land Lot: 48, 17th District, Fulton County, Georgia
Owner: Northmoor, LLC/Lion Gables Realty Limited Partnership
Applicant: Gables Residential Trust
NPU-B **Council District 7**

FAVORABLE – TO BE REFERRED TO ZRB AND ZONING COMMITTEE

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C. ORDINANCES FOR FIRST READING (CONT'D)

07-O-2154 (4)
Z-07-102 An Ordinance by Zoning Committee to rezone from the I-2 (Heavy Industrial) District to the MR-4A (Multi-Family Residential) District, for property located at **1329-1339 Ellsworth Industrial Boulevard, NW**, fronting approximately 329 feet on the east side of Ellsworth Industrial Boulevard beginning 519 feet on the northeast corner of Huff Road.
Depth: Varies
Area: Approximately 4.84 Acres
Land Lot: 188, 17th District, Fulton County, Georgia
Owners: Raco Ventures, LLC, (c/o Kevin Cleveland) and Harry P. Kuniansky Limited Partnership (c/o Kevin Cleveland)
Applicant: The Worthing Companies (a.k.a. WSE, LLC.)
NPU-D Council District 9

FAVORABLE - TO BE REFERRED TO ZRB AND ZONING COMMITTEE

07-O-2155 (5)
Z-07-103 An Ordinance by Zoning Committee to rezone from the R-4 (Single-Family Residential) and the C-2 (Commercial Service) Districts to the MRC-2 (Mixed Residential Commercial) District, property located at **1845-1895 Piedmont Road, NE**, fronting approximately 554.51 feet on the east side of Piedmont Road beginning 151.71 feet from the northerly corner of Rock Springs Road.
Depth: Varies
Area: 6.072 Acres
Land Lot: 50, 17th District, Fulton County, Georgia
Owners: Morton Realty Co., SM&M Realty Corp, Stanleyton Realty Co., and Atlanta Peachtree Associates.
Applicant: David E. Green
NPU-F Council District 6

FAVORABLE - TO BE REFERRED TO ZRB AND ZONING COMMITTEE

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C. ORDINANCES FOR FIRST READING (CONT'D)

07-O-2156 (6)
Z-07-104 An Ordinance by Zoning Committee to rezone from the RL-C (Residential Limited Commercial) District to the C-1 (Community Business) District, for property located at **715 Edgewood Avenue, NE**, fronting approximately 38 feet on the south side of Edgewood Avenue and fronting approximately 100 feet on the east side of Krog Street. Property is located at the intersection of Edgewood Avenue and Krog Street.

Depth: Varies
Area: Approximately 0.087 Acre
Land Lot: 20, 14th District, Fulton County, Georgia
Owner: Sarita M. Hannah
Applicant: Sarita M. Hannah

NPU-N Council District 2

FAVORABLE - TO BE REFERRED TO ZRB AND ZONING COMMITTEE

07-O-2157 (7)
U-07-29 An Ordinance by Zoning Committee to amend Ordinance 05-O-0751 (U-05-11) which granted a Special Use Permit for a Church for the purpose of a Site Plan Amendment for property located at **2800, 2814 and 2820 Queensbury Lane and 530 and 540 Kingswood Lane and 2799 Northside Drive, NW.**

Land Lot: 143, 17th District, Fulton County, Georgia
Owner: Northside United Methodist Church, Inc.
Applicant: Northside United Methodist Church, Inc.

NPU-C Council District 8

FAVORABLE - TO BE REFERRED TO ZRB AND ZONING COMMITTEE

REGULAR AGENDA

D. 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

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D. PAPERS HELD IN COMMITTEE (CONT'D)

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

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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D. 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-1950 (6)
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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D. PAPERS HELD IN COMMITTEE (CONT'D)

06-O-0955 (7)
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

06-O-1927 (8) 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 (9)
CDP-07-09 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**

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D. PAPERS HELD IN COMMITTEE (CONT'D)

**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 (10) 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 (11) 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

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D. PAPERS HELD IN COMMITTEE (CONT'D)

06-O-2308 (12) 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

07-O-0389 (13) An Ordinance by Zoning Committee to amend Ordinance 04-
Z-07-24 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. **(Held 6/27/07)**

Owner: Villages at Carver, LLC.

Applicant: James R. Bailey

NPU-Y

Council District 11

HELD

07-O-1524 (14) An Ordinance by Councilmember Joyce Sheperd to rezone
Z-07-40 from the R-4 (Single-Family Residential) district to the R-4A
(Single-Family Residential) District, property located at
**1623, 1619, 1615, 1609, 1603, 1599, 1595, 1589, 1585,
1579, 1575, 1573, 1569 and 1559 Langston Avenue, SE**,
fronting approximately 716.50 feet on the west side of
Langston Avenue. Property is located approximately 150 feet
on north of the intersection of Langston Avenue and
Katherwood Drive. **(Held 8/29/07 for further review)**

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D. PAPERS HELD IN COMMITTEE (CONT'D)

Depth: Varies
Area: Approximately 6.03 Acres
Land Lot: 121, 14th District, Fulton County, Georgia
Owner: Brian Turner, President Southern Saw
Applicant: David N. Hauseman
NPU-X Council District 12

HELD

D. ITEMS NOT ON THE AGENDA

06-O-1895 (1) An Ordinance by Community Development/Human
CDP-06-72 Resources Committee to amend the Land Use Element of the
City of Atlanta's 2004-2019 Comprehensive Development
Plan (CDP) so as to re-designate properties located at **578
Rosalia Street and 575 Boulevard, SE**, from the "Low
Density Residential" Land Use Designation to the "High
Density Residential" Land Use Designation; and for other
purposes. **(Public Hearing held 9/11/06) (Held 9/12/06)
(Filed by CD/HR Committee 10/9/07)**
NPU-W Council District 5

FILE

07-O-1779 (2) An Ordinance by Community Development/Human
CDP-07-32 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 **2343,
2347 and 2368 Hosea L. Williams Drive**, from the "Single
Family Residential" Land Use Designation to the "Low
Density Commercial" Land Use Designation; and for other
purposes. **(Public Hearing held 9/10/07) (Held 9/11/07
at the request of the Department) (Favorable by CD/HR
Committee 10/9/07)**
NPU-O Council District 5

HELD

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E. ITEMS NOT ON THE AGENDA

07-O-1123 (3)
Z-07-57A An **Amended** Ordinance by Zoning Committee to rezone from the C-1 (Community Business) and R-4 (Single-Family Residential) Districts to the C-1-C (Community Business) District, property located at **2343 and 2347 Hosea Williams Drive, SE**, fronting approximately 200.72 feet on the south side of Hosea Williams Drive, at the southwest corner of Hosea Williams and Second Avenue.
Depth: 200 Feet
Area: 0.917 Acre
Land Lot: 204, 15th District, Dekalb County, Georgia
Owner: 2nd Avenue Associates, LLC
Applicant: Eric Kronberg
NPU-O **Council District 5**

HELD

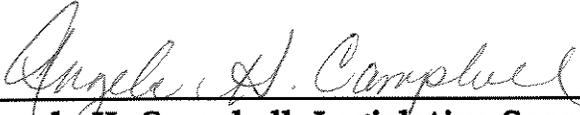
07-O-1124 (4)
Z-07-57B An **Amended** Ordinance by Zoning Committee to rezone from the C-1 (Community Business) and R-4 (Single-Family Residential) Districts to the C-1-C (Community Business) District, property located at **2365 and 2371 Hosea Williams Drive, SE**, fronting approximately 99.83 feet on the south side of Hosea Williams Drive, at the southeast corner of Hosea Williams and Second Avenue.
Depth: 200 Feet
Area: 0.857 Acre
Land Lot: 204, 15th District, Dekalb County, Georgia
Owner: 2nd Avenue Associates, LLC
Applicant: Eric Kronberg
NPU-O **Council District 5**

HELD

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There being no further business to come before the Zoning Committee the meeting was adjourned at 11:22 a.m.

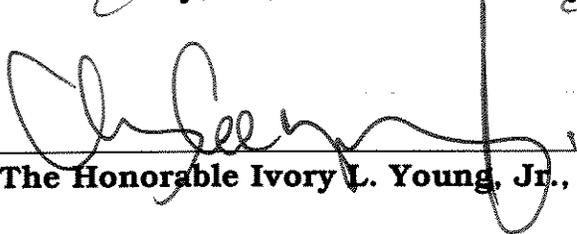
Respectfully submitted:



Angela H. Campbell, Legislative Secretary



Alfred Berry, Jr., Research & Policy Analyst



The Honorable Ivory L. Young, Jr., Chairman