

**ZONING COMMITTEE
MINUTES
WEDNESDAY, NOVEMBER 14, 2007**

The regularly scheduled meeting of the Zoning Committee was held on **Wednesday, November 14, 2007** in the Council Chambers, at 11:13 a.m.

The following members were present:

**The Honorable Ivory Lee Young, Jr., Chair
The Honorable C. T. Martin
The Honorable Carla Smith
The Honorable Howard Shook
The Honorable Anne Fauver**

The following member was absent:

**The Honorable Joyce Sheperd, Vice Chair
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, Peter Andrews and Jeffery Heymore, Law Department; and members of the Public and Council staff.

- A. ADOPTION OF AGENDA - ADOPTED**
- B. APPROVAL OF MINUTES - APPROVED**
- C. COMMUNICATION**

07-C-2407 (1) A Communication by Councilmembers Jim Maddox, District 11; Joyce M. Sheperd, District 12 and H. Lamar Willis, Post 3 At-Large; appointing **Mr. David A. Coleman** 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.

**FORWARDED WITH NO RECOMMENDATION TO
COMMITTEE ON COUNCIL**

- D. ORDINANCES FOR SECOND READING**

06-O-0038 (1) An Ordinance by Councilmembers Carla Smith and Ivory Lee Young, Jr. 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 **Z-05-56**

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D. ORDINANCES FOR SECOND READING (CONT'D)

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. **(Favorable by Zoning Committee 10/31/07) (Referred back by Council 11/5/07) (Held for a Public Hearing on 12/12/07)**

HELD

07-O-2221 (2)
Z-07-38

An Ordinance by Zoning Committee correcting Ordinance 07-O-0514, adopted by City Council September 4, 2007, approved by the Mayor September 12, 2007 amending the 1982 Zoning Ordinance of the City of Atlanta by replacing Chapter 18A. SPI-1 Central Core District Regulations with a Chapter entitled 18A. SPI-1 Downtown Special Public Interest District Regulations; and to eliminate Chapter 18B. SPI-2 North Avenue District Regulations and Chapter 18M. SPI-13 Centennial Olympic Park Special Public Interest District Regulations; and to amend the Official Zoning Map by supplanting existing Zoning Districts SPI-1, SPI-2, SPI-13, C-4 and C-5, with said SPI-1 Downtown District Map, and to eliminate the SPI-1 and SPI-2 Parking Limitation District Maps; to amend the Pedestrian Space Plan Map Part 2 of 2; and to amend Chapter 28A.0010 by supplanting Subsection (12) Special Public Interest District 1 and eliminating Subsection (13) Special Public Interest District 2 and Subsection (34) SPI-13; for the purpose of including all of the pages of the Legislation and the Pedestrian Space Plan Map.

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

FAVORABLE

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D. ORDINANCES FOR SECOND READING (CONT'D)

07-O-2222 (3)
Z-06-101 An Ordinance by Zoning Committee correcting Ordinance 07-O-1432, adopted by City Council August 20, 2007, approved by the Mayor August 28, 2007 rezoning property located at **415 Gartrell Street, NE**, (also addressed as 70 Jackson Street) from the R-5 (Two-Family Residential) District to the MR-3 (Multi-family Residential) District for the purpose of including the correct legal description.

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

FAVORABLE

E. PAPERS HELD IN COMMITTEE

06-O-0273 (1) 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 (2)
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

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E. PAPERS HELD IN COMMITTEE (CONT'D)

06-O-0007 (3)
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 (4)
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 (5)
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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E. PAPERS HELD IN COMMITTEE (CONT'D)

06-O-0955 (6)
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 (7) 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 (8)
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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E. 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 (9)
Z-06-138 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

06-O-1445 (10)
Z-06-74 An Ordinance by Zoning Committee to rezone from the R-G-3 (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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E. PAPERS HELD IN COMMITTEE (CONT'D)

06-O-2308 (11) An Ordinance by Zoning Committee to rezone
Z-06-113 from the SPI-6 (Poncey 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 (12) 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 (13) 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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E. 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**

HELD

There being no further business to come before the Zoning Committee the meeting was adjourned at 11:32 a.m.

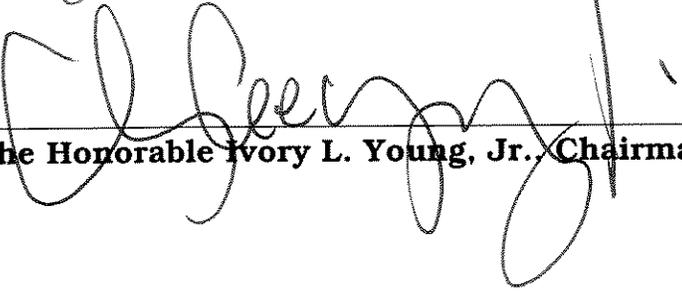
Respectfully submitted:



Angela H. Campbell, Legislative Secretary



Alfred Berry, Jr., Research & Policy Analyst



The Honorable Ivory L. Young, Jr., Chairman