

**ZONING COMMITTEE  
MINUTES  
WEDNESDAY, FEBRUARY 27, 2008**

The regularly scheduled meeting of the Zoning Committee was held on **Wednesday, February 27, 2008** in the Council Chambers, at 11:05 a.m.

The following members were present:

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

The following members were absent:

**The Honorable Joyce Sheperd  
The Honorable C. T. Martin**

Others present at the meeting were: Charletta Wilson-Jacks, Zoning Administrator, Department of Planning and Community Development; City Attorneys, 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. ZRB SUMMARY REPORT**
- D. PAPERS HELD IN COMMITTEE**

06-O-0273 ( 1) 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-0007 ( 2)  
**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**

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**D. PAPERS HELD IN COMMITTEE (CONT'D)**

06-O-0022 ( 3) An Ordinance by Councilmember Carla Smith  
**U-05-22** 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-0955 ( 4) 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, 14<sup>th</sup> 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 ( 5) 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**

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**D. PAPERS HELD IN COMMITTEE (CONT'D)**

07-O-0396 ( 6)  
**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 14<sup>th</sup> Street**, from the "Low Density Commercial" Land Use Designation; to the "Mixed-Use" Land Use Designation; and for other purposes. **(1<sup>st</sup> 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 ( 7)  
**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 14<sup>th</sup> Street, NW**, fronting approximately 134 feet on the south side of 14<sup>th</sup> Street, at the southwest corner.  
Depth: Approximately 152 Feet  
Area: Approximately 0.47 Acre  
Land Lot: 149, 17<sup>th</sup> 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 ( 8)  
**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)**

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**D. PAPERS HELD IN COMMITTEE (CONT'D)**

Depth: Varies  
Area: Approximately 27 Acres  
Land Lot: 15, 14<sup>th</sup> District, Fulton County, Georgia  
Owner: Atlanta Neighborhood Development Partnership  
Applicant: Marvin Greer  
**NPU-H Council District 10**

**HELD**

06-O-2308 ( 9)  
**Z-06-113**

An Ordinance by Zoning Committee to rezone 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, 14<sup>th</sup> District, Fulton County, Georgia  
Owner: Robert T. Budd  
Applicant: Kevin A. Ross  
**NPU-N Council District 2**

**HELD**

07-O-1524 (10)  
**Z-07-40**

An Ordinance by Councilmember Joyce Sheperd to rezone 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, 14<sup>th</sup> District, Fulton County, Georgia  
Owner: Brian Turner, President Southern Saw  
Applicant: David N. Hauseman

**NPU-X**

**Council District 12**

**HELD**

07-O-1910 (11)  
**Z-07-99**

An Ordinance by Councilmember Carla Smith to rezone the properties located at **760 Confederate Avenue, also known as 766 Confederate Avenue and 750 Confederate Avenue** from the R-5 (Two Family Residential District) District to the C-1-C (Community Business District Conditional); to modify the Official Zoning Maps; and for other purposes. **(Held 11/28/07)**

**HELD**

06-O-1888 (12)  
**CDP-06-65**

An Ordinance by Community Development/Human 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 property located at **3700 Martin Luther King, Jr. Drive, SW**, from the "Medium Density Residential" Land Use Designation to the "Mixed-Use" Land Use Designation; and for other purposes. **(Public Hearing held 9/11/06) (Filed by CD/HR Committee 11/27/07)**

**NPU-H**

**Council District 1**

**HELD**

07-O-2300 (13)  
**CDP-07-42**

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 **760 Confederate Avenue**, from the "Low Density Residential" Land Use Designation to the "Low Density Commercial" Land Use Designation; and for other purposes. **(Held 11/13/07) (CDP Amendment Public Hearing held 11/26/07) (Favorable by CD/HR Committee 11/27/07)**

**NPU-W**

**Council District 1**

**HELD**

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**D. PAPERS HELD IN COMMITTEE (CONT'D)**

07-O-2594 (14) An Ordinance by Councilmember Kwanza Hall requesting that Chapter 28A.010 of the Code Ordinances, the Sign Ordinance, Subsection (12) Special Public Interest District 1 (Central Core) District of the City of Atlanta Zoning Ordinance be waived to allow for the construction of two (2) Signs at 100 Auburn Avenue, NE; and for other purposes. **(Held 12/12/07)**

**HELD**

06-O-0038 (15) 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 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) (Public Hearing held 12/12/07) (Held 12/12/07)**

**HELD**

07-O-1916 (16) An Ordinance by Zoning Committee to rezone property from the RG-2-C (Residential General-Sector 2-Conditional) to the MR-3 (Multi-Family) District, property located at **2853 Campbellton Road, SW**, fronting approximately 1,098 feet on the north side of Campbellton Road. **(Held 1/16/08)**

Depth: Varies  
Area: Approximately 10.179 Acres  
Land Lot: 218, 14<sup>th</sup> District, Fulton County, Georgia  
Owner: Cascade Walk, LLC  
Applicant: Michael B. Vinson  
**NPU-R** **Council District 11**

**HELD**

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**D. PAPERS HELD IN COMMITTEE (CONT'D)**

07-O-0860 (17) An Ordinance by Zoning Committee to rezone from the MR-  
**Z-07-49** 4B (Multi-Family Residential) District to the MR5-A (Multi-Family Residential) District, property located at **930 Mauldin Street, SE (aka addressed as 922 Mauldin Street, SE)**, fronting approximately 198.65 feet on the north side of Mauldin Street and is located at the northwest corner of Holtzclaw Street.  
Depth: Varies  
Area: Approximately 1.309 Acres  
Land Lot: 13, 14<sup>th</sup> District, Fulton County, Georgia  
Owner: 930 Mauldin Associates, LLC.  
Applicant: David Green  
**NPU-N Council District 5**

**HELD**

06-O-2697 (18) An Ordinance by Councilmember Carla Smith to amend  
**Z-06-144** Chapter 28 of Part 16 of the Atlanta City Land Development Code to provide for density increases in exchange for affordable workforce housing; to define certain terms; to provide limitations and requirements; and for other purposes. **(Held 1/30/08)**

**HELD**

07-O-1620 (19) An Ordinance by Zoning Committee to rezone certain  
**Z-07-92** properties within the BeltLine Overlay District from R4-A (Single Family Residential) and RG-3 (Residential General-Sector 3) Districts to MR-4A (Multifamily Residential) District; and for other purposes. **(Held 2/13/08)**

**HELD**

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**D. PAPERS HELD IN COMMITTEE (CONT'D)**

07-O-1348 (20) An Ordinance by Zoning Committee to rezone from the R-4  
**Z-07-69** (Single-Family Residential) District to MRC-2 (Mixed Residential Commercial) District, property located at **3601 Campbellton Road, SW (aka 2875 Campbellton Road)**, fronting approximately 515 feet on the north side of Campbellton Road at the intersection of Barge Road. **(Held 2/27/08 for CDP Amendment)**  
Depth: Varies  
Area: Approximately 15 Acres  
Land Lot: 251, 14<sup>th</sup> District, Fulton County, Georgia  
Owner: Young Women's Christian Association of Greater Atlanta  
Applicant: Rob Adamson  
**NPU-P Council District 11**

**HELD**

07-O-1917 (21) An Ordinance by Zoning Committee to rezone property from  
**Z-07-89** the RG-4 (Residential General-Sector 4) to the C-1 (Community Business) Districts, property located at **626-628 Parkway Drive, NE**, fronting approximately 100 feet on the west side of Parkway Drive and approximately 700 feet north of the intersection of North Avenue and Parkway Drive. **(Held 2/27/08 for CDP Amendment)**  
Depth: Varies  
Area: 0.448 Acre  
Land Lot: 48, 14<sup>th</sup> District, Fulton County, Georgia  
Owner: Renee C. McPhee and Kendrick Armistead  
Applicant: Kendrick P. Armistead  
**NPU-M Council District 2**

**HELD**

07-O-2225 (22) An Ordinance by Zoning Committee to rezone from the R4-B  
**Z-07-107** (Single-Family Residential) District to the C-1 (Community Business) District, property located at **847 McDaniel Street, SE**, fronting approximately 29 feet on the west side of McDaniel Street and approximately 110 feet on the south side of Rockwell Street. **(Held 2/27/08 for CDP Amendment)**

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**D. PAPERS HELD IN COMMITTEE (CONT'D)**

Depth: Varies  
Area: Approximately 0.0732 Acre  
Land Lot: 86, 14<sup>th</sup> District, Fulton County, Georgia  
Owner: Marcus and Ayanna Jones  
Applicant: Marcus and Ayanna Jones  
**NPU-V Council District 4**

**HELD**

07-O-2529 (23) An Ordinance by Zoning Committee to rezone from the R-4  
**Z-07-115** (Single-Family Residential), RG-3 ( Residential General-Sector 3) and C-2 (Commercial Services) Districts to the MR-5A (Multi-Family Residential) District, property located at **345 and 355 Moreland Avenue, SE and 1144 Faith Avenue, SE**, fronting approximately 375 feet on the west side of Moreland Avenue at the southwest corner of I-20 and Moreland Avenue. **(Held 2/27/08 for CDP Amendment)**  
Depth: Approximately 250 Feet  
Area: Approximately 1.297 Acres  
Land Lot: 12, 14<sup>th</sup> District, Fulton County, Georgia  
Owner: Taylor Interest, LLC.  
Applicant: Cortland Partners  
**NPU-W Council District 5**

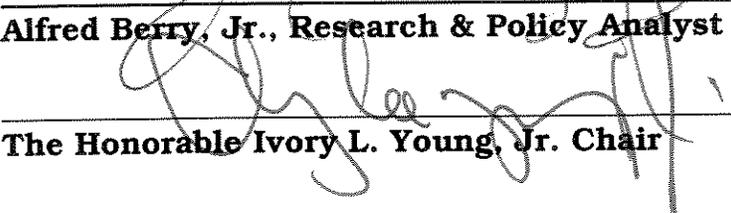
**HELD**

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

**Respectfully submitted:**

  
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**Angela H. Campbell, Legislative Secretary**

  
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**Alfred Berry, Jr., Research & Policy Analyst**

  
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**The Honorable Ivory L. Young, Jr. Chair**

**SUMMARY REPORT**  
February 27, 2008

<b>LEGISLATION NUMBER</b>	<b>ZONING NUMBER</b>	<b>LOCATION (NPU/CD)</b>	<b>CHANGE</b>	<b>STAFF RECOMM.</b>	<b>NPU RECOMM.</b>	<b>ZRB RECOMM.</b>
<b><u>FAVORABLE AS AMENDED</u></b> 07-O-2533	U-07-38/U-88-34	1730 Hollywood Road, N.W. G-9	Site Plan Amendment	Approval Conditional	Approval	Approval Conditional
Councilmember Fauver made a motion to approve as amended. The vote was unanimous.						
08-O-0101	U-07-40/U-80-5	155 West Paces Ferry Road, N.W. B-8	Site Plan Amendment	Approval Conditional	Approval	Approval Conditional
Councilmember Fauver made a motion to approve as amended. The vote was unanimous.						
07-O-1914	Z-07-86	1464 Simpson Road, N.W. K-3	C-1-C to MRC-1-C	Approval Conditional	Approval	Approval Conditional
Councilmember Fauver made a motion to approve as amended. The vote was unanimous.						
07-O-2155	Z-07-103	1845-1895 Piedmont Road, N.E. F-6	R-4 and C-2 to MRC-2-C	Approval Conditional	Approval Conditional	Approval Conditional
Councilmember Fauver made a motion to approve as amended. The vote was unanimous.						
08-O-0206	Z-07-120	2370 Metropolitan Parkway, S.W. X-12	RG-2 to C-2-C	Approval Conditional	Approval Conditional	Approval Conditional
Councilmember Fauver made a motion to approve as amended. The vote was unanimous.						
<b><u>FAVORABLE ON SUBSTITUTE AS AMENDED</u></b>						
07-O-2599	Z-07-118	Buckhead Overlay District B-7	Text and Map Amendment	Approval of Substitute Ordinance	Approval	Approval of Substitute Ordinance
Councilmember Shook made a motion to approve on substitute as amended. The vote was unanimous.						

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**FILE**

07-O-22226	Z-07-108	2999 and 3005 Lookout Place, N.E. and 405 Pharr Road, N.E. (aka as 3009) Lookout Place B-7	R-G-3 to R-1C	File	Denial	File
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Councilmember Shook made a motion to file. The vote was unanimous.