

**ZONING COMMITTEE
MINUTES
WEDNESDAY, MAY 14, 2008**

The regularly scheduled meeting of the Zoning Committee was held on **Wednesday, May 14, 2008** in Committee Room # 2, at 11:06 a.m.

The following members were present:

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

The following members were absent:

**The Honorable Natalyn Archibong, Vice Chair
The Honorable Anne Fauver**

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

- A. ADOPTION OF AGENDA – ADOPTED AS AMENDED**
- B. APPROVAL OF MINUTES - APPROVED**
- C. 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) 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

**ZONING COMMITTEE MINUTES
WEDNESDAY, MAY 14, 2008
PAGE THREE**

C. 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 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 (7)
Z-06-138 An **Amended** 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 Fourteenth 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 (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)**

**ZONING COMMITTEE MINUTES
WEDNESDAY, MAY 14, 2008
PAGE FOUR**

C. 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

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, 14th District, Fulton County, Georgia
Owner: Robert T. Budd
Applicant: Kevin A. Ross
NPU-N **Council District 2**

HELD

07-O-1910 (10)
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

**ZONING COMMITTEE MINUTES
WEDNESDAY, MAY 14, 2008
PAGE FIVE**

C. PAPERS HELD IN COMMITTEE (CONT'D)

- 06-O-1888 (11) An Ordinance by Community Development/Human
CDP-06-65 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 (12) An Ordinance by Community Development/Human
CDP-07-42 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**
- 07-O-2594 (13) 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 (14) An Ordinance by Councilmembers Carla Smith and Ivory Lee
Z-05-56 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

**ZONING COMMITTEE MINUTES
WEDNESDAY, MAY 14, 2008
PAGE SIX**

C. PAPERS HELD IN COMMITTEE (CONT'D)

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

06-O-2697 (15) 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 (16) 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

07-O-1917 (17) An **Amended** Ordinance by Zoning Committee to rezone
Z-07-89 property from 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, 14th District, Fulton County, Georgia
Owner: Renee C. McPhee and Kendrick Armistead
Applicant: Kendrick P. Armistead

NPU-M

Council District 2

HELD

**ZONING COMMITTEE MINUTES
WEDNESDAY, MAY 14, 2008
PAGE SEVEN**

C. PAPERS HELD IN COMMITTEE (CONT'D)

07-O-2152 (18) An Ordinance by Zoning Committee to rezone from the I-1
Z-07-100 (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. **(Held**
4/2/08)

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

HELD

08-O-0306 (19) An Ordinance by Zoning Committee to rezone from the R-4
Z-08-02 (Single-Family Residential), RG-1 (Residential General-Sector
1) and C-1 (Community Business) Districts to the I-1 (Light
Industrial) District, for various properties bounded by Simon
Street on the north, Ruby Harper Boulevard (a.k.a. Gilbert
Road) on the east, Southside Industrial Parkway (a.k.a. Poole
Creek Road) on the south. Property fronts approximately
751 feet on the east side of Ruby Harper Boulevard at the
northeast corner of Ruby Harper Boulevard and Southside
Industrial Parkway. **(Held 4/2/08)**

Depth: Varies

Area: Approximately 22.85 Acres

Land Lot: 33, 14th District, Fulton County, Georgia

Owner: The Housing Authority of the City of
Atlanta/City of Atlanta Department of
Aviation/Annie McClendon

Applicant: Atlanta Economic Renaissance
Corporation/AMB Property Corporation

NPU-Z

Council District 12

HELD

**ZONING COMMITTEE MINUTES
WEDNESDAY, MAY 14, 2008
PAGE NINE**

D. ITEMS NOT ON THE AGENDA (CONT'D)

07-O-2534 (3) An Ordinance by Zoning Committee granting a Special Use
U-07-33 Permit pursuant to Section 16-18K.004 (3) (a) for a Day Care
Center, property located at **222 Walnut Street, NW**, fronting
approximately 64 feet on the west side of Walnut Street.

Depth: Varies
Area: Approximately 0.146 Acre
Land Lot: 83, 14th District, Fulton County, Georgia
Owner: Carnell Thomas
Applicant: Barbara G. Thomas

NPU-L

Council District 3

FILE

08-O-0099 (4) An Ordinance by Zoning Committee to rezone from the C-1
Z-07-123 (Commercial Business) and the R-4 (Single-Family
Residential) Districts to the MRC-2 (Mixed Residential
Commercial) District, property located at **2889 and 2271
Memorial Drive, SE**, fronting approximately 275 feet on the
south side of Memorial Drive and the southwest intersection
of Memorial Drive and Candler Road.

Depth: 285 Feet
Area: Approximately 1.68 Acres
Land Lot: 182, 15th District, Dekalb County, Georgia
Owner: R. Matt Wilson
Applicant: Heywood Cole (H. Cole Development, LLC)

NPU-O

Council District 5

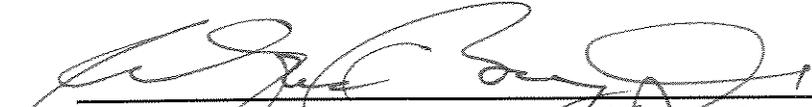
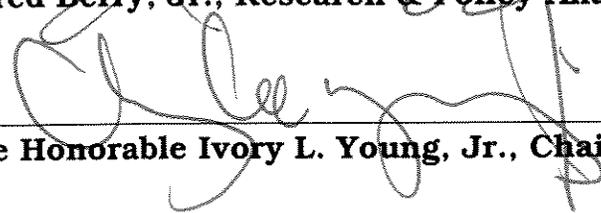
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**There being no further business to come before the Zoning Committee the
meeting was adjourned at 11:12 a.m.**

Respectfully submitted:



Angela H. Campbell, Legislative Secretary


Alfred Berry, Jr., Research & Policy Analyst
The Honorable Ivory L. Young, Jr., Chair