

**ZONING COMMITTEE  
MINUTES  
WEDNESDAY, JULY 16, 2008**

The regularly scheduled meeting of the Zoning Committee was held on **Wednesday, July 16, 2008** in Council Chambers, at 11:25 a.m.

The following members were present:

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

The following member was absent:

**The Honorable C. T. Martin**

Others present at the meeting were: Brandy Crawford, 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 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)  
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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**C. 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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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 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 **Amended** Ordinance by Zoning Committee to rezone from the C-2 (Commercial Service) District to the MRC-3-C (Mixed Residential-Commercial Conditional) District, property located at **349 Fourteenth Street, NW**, fronting approximately 134 feet on the south side of 14<sup>th</sup> Street, at the southwest corner. **(Held 3/28/07 at the request of the applicant)**  
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  
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)**  
Depth: Varies

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C. PAPERS HELD IN COMMITTEE (CONT'D)

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-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)**

**Councilmember Smith made a motion to file. The vote was unanimous.**

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D. 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**

**Councilmember Shook made a motion to approve. The  
vote was unanimous.**

FAVORABLE

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

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

06-O-2697 (14) 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 (15) 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**

08-O-0306 (16) An **Amended** Ordinance by Zoning Committee to rezone  
**Z-08-02** from the R-4 (Single-Family Residential), RG-1 (Residential General-Sector 1) and C-1 (Community Business) Districts to the I-1-C (Light Industrial-Conditional) 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, 14<sup>th</sup> 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**

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

08-O-0098 (17) An **Amended** Ordinance by Zoning Committee to rezone  
**Z-07-122** from the I-2 (Heavy Industrial) District to the MR5-A-C  
(Multi-Family Residential-Conditional) District, property  
located at **575 14<sup>th</sup> Street, NW**, fronting approximately 470  
feet on the west side of Mecaslin Street, beginning  
approximately 100 feet from the southwest intersection of  
Mecaslin and Sixteenth Street. **(Held 7/2/08)**

Depth: Varies

Area: Approximately 7.141 Acres

Land Lots: 148 and 149, 17<sup>th</sup> District, Fulton County,  
Georgia

Owner: Georgia Tech Foundation

Applicant: Pollack Partners

**NPU-E**

**Council District 3**

**FAVORABLE AS AMENDED**

**D. ITEMS NOT ON THE AGENDA**

08-O-0326 ( 1) A **Substitute** Ordinance by Community Development/  
**CDP-08-13** 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  
**Mecaslin and a portion of 575 14<sup>th</sup> Street**, from "Industrial  
and Low Density Commercial" Land Use Designation to the  
"Very High Density Residential" Land Use Designation; and  
for other purposes. **(CDP Amendment Public Hearing held  
3/10/08) (Substituted 3/11/08) (Favorable by CD/HR  
Committee 7/15/08)**

**NPU-E**

**Council District 3**

**FAVORABLE ON SUBSTITUTE**

08-O-0297 ( 2) An Ordinance by Councilmember Carla Smith as  
**Z-08-13** **substituted and amended by Zoning Committee** to amend  
the 1982 Zoning Ordinance of the City of Atlanta to create a  
new Chapter 32G- NC-7 Grant Park Neighborhood  
Commercial; and for other purposes.

**Councilmember Shook made a motion to approve on  
substitute as amended. The vote was unanimous.**

**FAVORABLE ON SUBSTITUTE AS AMENDED**

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D. ITEMS NOT ON THE AGENDA

08-O-0196 ( 3) An Ordinance by Councilmembers Howard Shook, Natalyn  
Z-08-10 Archibong, Clair Muller, Ivory L. Young, Jr., Carla Smith and  
Mary Norwood **as substituted by Zoning Committee** to  
amend the City of Atlanta Zoning Code to add regulations  
governing the appearance of parking structures; and for  
other s purposes.

Councilmember Shook made a motion to approve on  
substitute. The vote was unanimous.

FAVORABLE ON SUBSTITUTE

There being no further business to come before the Zoning Committee the  
meeting was adjourned at 11:50 a.m.

Respectfully submitted:

  
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Angela H. Campbell, Legislative Secretary

  
\_\_\_\_\_  
Alfred Berry, Jr., Research & Policy Analyst

  
\_\_\_\_\_  
The Honorable Ivory L. Young, Jr., Chair