

ZONING COMMITTEE MINUTES
WEDNESDAY, JULY 30, 2008
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CONSENT AGENDA

C. ORDINANCES FOR FIRST READING (CONT'D)

on the north side of Pharr Road at the southwest corner of Old Decatur Road.

Depth: Varies
Area: Approximately 3.63 Acres
Land Lot: 61, 17th District, Fulton County, Georgia
Owner: 475 Buckhead Avenue, LLC
Applicant: Cannon Equities, Inc.
NPU-B **Council District 7**

FAVORABLE - TO BE REFERRED TO ZRB AND ZONING COMMITTEE

08-O-1468 (5)
Z-08-53 An Ordinance by Zoning Committee to rezone from the C-3 (Commercial Residential) District to the MRC-3 (Mixed Residential Commercial) District, property located at **359 East Paces Ferry Road, NE**, fronting approximately 213.5 feet on the south side of East Paces Ferry Road at the southeast corner of Grandview Avenue.

Depth: Varies
Area: Approximately 0.96 Acre
Land Lot: 61, 17th District, Fulton County, Georgia
Owner: 359 East Paces Ferry Road
Applicant: Cannon Equities, Inc.
NPU-B **Council District 7**

FAVORABLE - TO BE REFERRED TO ZRB AND ZONING COMMITTEE

08-O-1469 (6)
Z-08-57 An Ordinance by Zoning Committee to rezone from the I-1-C (Light Industrial-Conditional) District to the I-1 (Light Industrial) District, property located at **705 Constitution Road, SE**, approximately 175 feet on the south side of Constitution Road beginning at the northeasterly intersection of Jonesboro Road and Constitution Road.

CONSENT AGENDA

C. ORDINANCES FOR FIRST READING (CONT'D)

Depth: Varies
Area: Approximately .779 Acre
Land Lot: 27, 14th District, Fulton County, Georgia
Owner: Desmond Q. McKnight
Applicant: Lee Mayweather
NPU-Z **Council District 1**

FAVORABLE - TO BE REFERRED TO ZRB AND ZONING COMMITTEE

08-O-1470 (7)
Z-08-58 An Ordinance by Zoning Committee to rezone from the I-2 (Heavy Industrial) District to the MR-5A (Multi-Family Residential) District, property located at 1299 Northside Drive, NW, fronting approximately 520.66 feet on the eastside of Northside Drive, beginning approximately 314.66 feet from the southeast corner of 17th Street.

Depth: Varies
Area: Approximately 4.44 Acres
Land Lot: 148, 17th District, Fulton County, Georgia
Owner: LUI2 Atlanta, 17th Street, LP
Applicant: Inland American Communities Development, LLC

NPU-E **Council District 8**

FAVORABLE - TO BE REFERRED TO ZRB AND ZONING COMMITTEE

08-O-1471 (8)
Z-08-07 An Ordinance by Zoning Committee correcting Ordinance 08-O-0310, adopted by City Council on June 2, 2008, approved by the Mayor on June 10, 2008 which rezoned property located at 1175, 1197 and 1195 McDonald Drive, SE from the I-1-C (Light Industrial-Conditional/BeltLine Overlay) Districts to the MR-4A-C (Multi-Family Residential-Conditional) District for the purpose of including the correct legal description.

FAVORABLE - TO BE REFERRED TO ZONING COMMITTEE

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CONSENT AGENDA

C. ORDINANCES FOR FIRST READING (CONT'D)

08-O-1472 (9)
U-08-03 An Ordinance by Zoning Committee to amend Ordinance U-08-03, as adopted by the City Council on May 5, 2008 and approved by the Mayor on May 13, 2008, for the purpose of approving a Transfer of Ownership for a Special Use Permit for a Metal and Plastics Recycling Center (Processing Facility) for property located 3760 Browns Mill Road, SE; and for other purposes.

FAVORABLE - TO BE REFERRED TO ZONING COMMITTEE

REGULAR AGENDA

D. ZRB SUMMARY REPORT

E. 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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PAPERS HELD IN COMMITTEE (CONT'D)

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) 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

06-O-1888 (10) 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

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PAPERS HELD IN COMMITTEE (CONT'D)

07-O-2594 (11) 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-2697 (12) 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 (13) 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)**

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

FAVORABLE

08-O-0306 (14) 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

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PAPERS HELD IN COMMITTEE (CONT'D)

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

08-O-0838 (15)
Z-08-20

An Ordinance by Councilmember Ivory L. Young, Jr. to rezone from the I-1 (Light Industrial) District to the MRC-3 (Mixed Residential Commercial) District, property located at **1040 Grant Street, SE**, fronting approximately 194.5 feet on the east side of Grant Street at the intersection of Grant Circle. **(Held 7/30/08)**

Depth: Approximately 360 Feet

Area: 1.57 Acres

Land Lot: 42, 14th District, Fulton County, Georgia

Owner: David S. Stith (for Grant Street Partners)

Applicant: Caleb Racioct (for Grant Street Partners)

NPU-W

Council District 1

Councilmember Smith made a motion to hold. The vote was unanimous.

F. ITEM NOT ON THE AGENDA

07-O-0614 (1)
Z-07-43

An Ordinance by Councilmember Jim Maddox to amend the City of Atlanta Zoning Code; to amend the City of Atlanta Zoning Maps; to enact, by reference and incorporation, a map establishing the boundaries for the **Cascade Falls Subdivision**; to modify the Zoning Process for Annexations; and for other purposes.

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

FILE

SUMMARY REPORT
August 18, 2008

LEGISLATION NUMBER	ZONING NUMBER	LOCATION (NPU/CD)	CHANGE	STAFF RECOMM.	NPU RECOMM.	ZRB RECOMM.
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FAVORABLE

08-O-0201	Z-08-09	Text Amendment T-2, 3, 4	Regulating certain development controls relating to the spacing between establishments licensed to sell alcoholic beverages; revising the off street parking regulations for establishments licensed to sell alcohol; prohibiting certain uses.	Approval	Approval	Approval
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Councilmember Smith made a motion to approve. The vote was unanimous.

08-O-1023	U-08-16	606 Flat Shoals Ave., SE W-5	Revoke Special Use Authorized by U-95-32/95-O-1461	Approval of the Revocation	Approval of the Revocation	Approval of the Revocation
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Councilmember Smith made a motion to approve. The vote was unanimous.

08-O-1133	U-08-21	503 Boulevard, SE W-1	Revoke Special Use Authorized by U-94-36/94-O-1564	Approval of the Revocation	Approval of the Revocation	Approval of the Revocation
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Councilmember Smith made a motion to approve. The vote was unanimous.

FAVORABLE AS AMENDED

08-O-0515	Z-08-14	1185 Collier Rd., NW C-9	RG-2 to MR-3-C	Approval Conditional	Approval Conditional	Approval Conditional
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Councilmember Smith made a motion to approve as amended. The vote was unanimous.

08-O-1136	Z-08-30	456 Patterson Ave, SE W-1	Change of Conditions	Approval Conditional	Approval	Approval Conditional
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Councilmember Smith made a motion to approve as amended. The vote was unanimous.

SUMMARY REPORT
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LEGISLATION NUMBER	ZONING NUMBER	LOCATION (NPU/CD)	CHANGE	STAFF RECOMM.	NPU RECOMM.	ZRB RECOMM.
<u>FAVORABLE AS AMENDED</u>						
08-O-1139	Z-08-33	3727 and 3733 Peachtree Rd., N.E. and 3685 Kingsboro Road, NE B-7	RG-2 to RG-3-C	Approval Conditional	Approval Conditional	Approval Conditional
Councilmember Smith made a motion to approve as amended. The vote was unanimous.						
08-O-1140	Z-08-36	1071 and 1061 Veltre Circle, SW 1-11	R-3 to PD-H	Approval Conditional	Approval	Approval Conditional
Councilmember Smith made a motion to approve as amended. The vote was unanimous.						
08-O-1143	U-08-17	350 Boulevard, SE W-5	Special Use Permit for a Nursing Home	Approval Conditional	Approval	Approval Conditional
Councilmember Smith made a motion to approve as amended. The vote was unanimous.						
08-O-1145	U-08-19	990 Peachtree St., NE (sending Parcel) to property located at 1138 Peachtree St., NE (receiving parcel) E-2	Special Use Permit for the transfer of excess development density	Approval Conditional	Approval	Approval Conditional
Councilmember Smith made a motion to approve as amended. The vote was unanimous.						
08-O-1146	U-08-20	2045 Graham Circle, SE W-5	Site Plan Amendment	Approval Conditional	Approval Conditional	Approval Conditional
Councilmember Smith made a motion to approve as amended. The vote was unanimous.						
<u>FAVORABLE ON SUBSTITUTE</u>						
08-O-1020	Z-08-17	Properties within the Cascade Heights Neighborhood, R, S and 1-11	C-1, C-2, R-1C, R-4 to NC-6(Cascade Heights)	Approval of Substitute Ordinance	Approval	Approval of Substitute Ordinance

SUMMARY REPORT
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LEGISLATION NUMBER	ZONING NUMBER	LOCATION (NPU/CD)	CHANGE	STAFF RECOMM.	NPU RECOMM.	ZRB RECOMM
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FORWARDED WITH NO RECOMMENDATION

08-O-1137	Z-08-32	3355 Ridgewood Rd., NW A-8	Site Plan Amendment	Approval Conditional	Denial	Approval Conditional
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Councilmember Smith made a motion to forward with no recommendation. The vote was unanimous.

ADVERSE

08-O-0839	U-08-11	1447 Andrews Street, NW K-3	Special Use Permit for a Personal Care Home	Approval Conditional	Denial	Denial
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Councilmember Smith made a motion to adverse. The vote was unanimous.

FILE

08-O-1144	U-08-18	1529 and 1539 Carlisle Street, NW J-3	Special Use Permit for a Clubhouse and Pool	File	Deferral	File
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Councilmember Smith made a motion to file. The vote was unanimous.

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There being no further business to come before the Zoning Committee the meeting was adjourned at 11:29 a.m.

Respectfully submitted:



Angela H. Campbell, Legislative Secretary



Alfred Berry, Jr., Research & Policy Analyst



The Honorable Natalyn M. Archibong, Vice Chair