

**ZONING COMMITTEE
MINUTES
WEDNESDAY, JANUARY 14, 2009**

The regularly scheduled meeting of the Zoning Committee was held on **Wednesday, January 14, 2009** in Committee Room 2, at 11:07 a.m.

The following members were present:

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

The following members were absent:

**The Honorable Natalyn Archibong, Vice Chair
The Honorable Mary Norwood**

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

A. ADOPTION OF AGENDA - ADOPTED

B. APPROVAL OF MINUTES APPROVED

C. ELECTION OF VICE CHAIR

Councilmember Archibong was elected as Vice Chair with a unanimous vote upon nomination by Councilmember Smith.

CONSENT AGENDA

D. ORDINANCES FOR FIRST READING

09-O-0089 (1) An Ordinance by Zoning Committee to amend Ordinance 07-O-
U-08-29/ 2531 (U-07-35) and 03-O-0692 (U-03-13) which granted a
U-07-35/ Special Use Permit for a Church pursuant to Section 16-05.005 (1)
U-03-12 (c) for purposes of a Site Plan Amendment.

**FAVORABLE - TO BE REFERRED TO ZRB AND ZONING
COMMITTEE**

09-O-0090 (2) An Ordinance by Zoning Committee to grant a Special Use Permit
U-08-30 pursuant to Section 16-05.005 (1) (c) for a Church, property
located at **311 and 329 Peyton Road, SW**, fronting approximately
619.41 feet on the west side of Peyton Road, SW, beginning
approximately 746.95 feet from the Northwest corner of Peyton
Place.

**FAVORABLE - TO BE REFERRED TO ZRB AND ZONING
COMMITTEE**

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REGULAR AGENDA

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) An Ordinance by Councilmember Carla Smith
Z-05-65 **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 (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

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E. PAPERS HELD IN COMMITTEE (CONT'D)

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 (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

07-O-0396 (6) An Ordinance by Community Development/Human
CDP-07-09 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) An **Amended** Ordinance by Zoning Committee to rezone
Z-06-138 from the C-2 (Commercial Service) District to the MRC-3-C (Mixed Residential-Commercial Conditional) District, property located at

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E. PAPERS HELD IN COMMITTEE (CONT'D)

349 Fourteenth Street, NW, fronting approximately 134 feet on the south side of 14th 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, 17th 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
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

07-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

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E. PAPERS HELD IN COMMITTEE (CONT'D)

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

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

08-O-1009 (13) An Ordinance by Community Development/Human
CDP-08-22 Resources Committee to amend the Land Use Element of the City of Atlanta 2008 Atlanta Strategic Action Plan (ASAP) so as to re-designate property that is located at **1040 Grant Street**, from

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E. PAPERS HELD IN COMMITTEE (CONT'D)

"Industrial" Land Use Designation to "Mixed Use" Land Use Designation; and for other purposes. **(Public Hearings held 6/9/08 and 9/8/08) (Favorable by CD/HR Committee 9/9/08) (Favorable by Zoning Committee 9/10/08) (Referred back by Full Council 9/15/08) (Held 10/1/08)**

NPU-W

Council District 1

HELD

08-O-0838 (14)
Z-08-20

An Ordinance by Councilmember Ivory L. Young, Jr. **as amended by Zoning Committee** to rezone from the I-1 (Light Industrial) District to the MRC-3-C (Mixed Residential-Commercial-Conditional) 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. **(Favorable by Zoning Committee 9/10/08) (Referred back by Full Council 9/15/08) (Held 10/1/08)**

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)

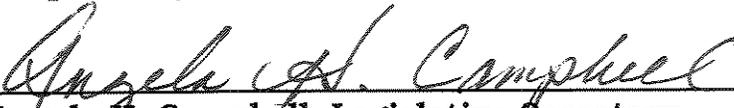
NPU-W

Council District 1

HELD

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

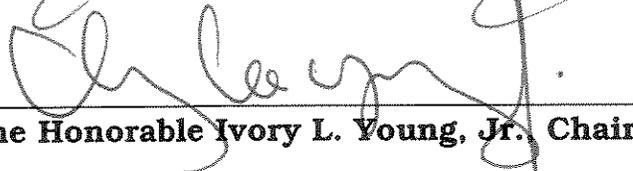
Respectfully submitted:



Angela H. Campbell, Legislative Secretary



Alfred Berry, Jr., Research & Policy Analyst



The Honorable Ivory L. Young, Jr. Chair