

**ZONING COMMITTEE
MINUTES
WEDNESDAY, FEBRUARY 25, 2009**

The regularly scheduled meeting of the Zoning Committee was held on **Wednesday, February 25, 2009** in Committee Room 2, at 11:13 a.m.

The following members were present:

**The Honorable Ivory Lee Young, Jr., Chair
The Honorable Natalyn Archibong, Vice Chair
The Honorable Mary Norwood
The Honorable Carla Smith**

The following members were absent:

**The Honorable C. T. Martin
The Honorable Howard Shook
The Honorable Anne Fauver**

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

- A. ADOPTION OF AGENDA - ADOPTED**
- B. APPROVAL OF MINUTES - APPROVED**
- C. ORDINANCES FOR SECOND READING**

09-O-0261 (1) An Ordinance by Zoning Committee to amend Ordinance U-
U-96-31/ 96-31/U-79-29, as adopted by the City Council on November
U-79-29 19, 1979 and approved by the Mayor per Section 2-403 of the
 1974, Charter for a Special Use Permit, for the purposes of
 approving a Transfer of Ownership for a Special Use Permit for a
 Day Care Center for property located at 1860 North Avenue, NW;
 and for other purposes.

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

FAVORABLE

09-O-0383 (2) An Ordinance by Councilmember Natalyn Archibong to amend
 Ordinance 06-O-0507 adopted by the City Council April 17, 2006
 and approved by the Mayor April 25, 2006 for property located at
 18-48 Montgomery Street, SE, 54 Montgomery Street, SE and

C. ORDINANCES FOR SECOND READING (CONT'D)

19-53 Hutchinson Street, SE, for the purposes of adding conditions.

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

FAVORABLE

09-O-0384 (3) An Ordinance by Councilmember Natalyn Archibong to amend Ordinance 06-O-0508 adopted by the City Council April 17, 2006 and approved by the Mayor April 25, 2006 for property located at 1412, 1416, 1418 and 1420 Hardee Street, SE, 84 and 86 Hutchinson Street, SE., 90-124 Hutchinson Street, SE, 125 Hutchinson Street, SE and 128-178 Hutchinson Street, SE, for the purposes of adding conditions.

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

FAVORABLE

09-O-0385 (4) An Ordinance by Councilmember Natalyn Archibong to amend Ordinance 06-O-0510 adopted by the City Council April 17, 2006 and approved by the Mayor April 25, 2006 for property located at 126, 130 and 134 Mayson Avenue, NE and 1469-1483 Chipley Street, NE, and Ordinance 06-O-1203 adopted by City Council September 18, 2006 and approved by the Mayor September 26, 2006 for property located at 140 Mayson Avenue, NE and 1472 (also known as 1470) Chipley Street, NE, for the purposes of adding conditions.

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

FAVORABLE

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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) 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

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

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D. PAPERS HELD IN COMMITTEE (CONT'D)

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

06-O-1445 (6)
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 (7)
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)**

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D. PAPERS HELD IN COMMITTEE (CONT'D)

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 (8)
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-2594 (9) 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 (10)
Z-06-144 An Ordinance by Councilmember Carla Smith to amend 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

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D. PAPERS HELD IN COMMITTEE (CONT'D)

08-O-1009 (11) 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
"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 (12) An Ordinance by Councilmember Ivory L. Young,
Z-08-20 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

08-O-1767 (13) An **Amended** Ordinance by Zoning Committee to rezone from the
Z-08-63 I-2 (Heavy Industrial) District to the PD-MU (Planned
Development-Mixed Use) District, property located at **1260 Foster
Street, NW**, fronting approximately 558.58 feet on the
northwesterly side of Foster Street at the northwest right-of-way of
the Norfolk Southern Railroad. **(Held 2/11/09)**
Depth: Varies
Area: Approximately 11.74 Acres
Land Lot: 150 and 189, 14th District, Fulton County, Georgia
Owner: Robert S. Haywood
Applicant: John A. Bell

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D. PAPERS HELD IN COMMITTEE (CONT'D)

NPU-D

Council District 9

HELD

08-O-1769 (14)
Z-08-65

An **Amended** Ordinance by Zoning Committee to rezone from the R-5 (Two Family Residential) District to the MRC-3 (Mixed Residential Commercial) District, property located at **629 Highland Avenue, 214 Corley Street, NE and 221 Lampkin Street, NE, 229 Lampkin Street, and 235 Lampkin Street, NE**, fronting approximately 5,144.59 feet on the south side of Highland Avenue, at the northeast intersection of Highland Avenue and Corley Street. **(Held 2/11/09)**

Depth: 271.42 Feet

Area: Approximately 1.571 Acres

Land Lot: 19, 14th District, Fulton County, Georgia

Owner: James H. Bradshaw

Applicant: Joseph Alcock

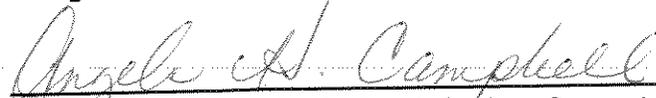
NPU-M

Council District 2

HELD

There being no further business to come before the Zoning Committee the meeting was adjourned at 11:25 a.m.

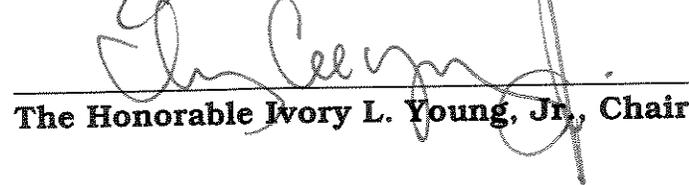
Respectfully submitted:



Angela H. Campbell, Legislative Secretary



Alfred Berry, Jr., Research & Policy Analyst



The Honorable Ivory L. Young, Jr., Chair