ZONING COMMITTEE
MINUTES
WEDNESDAY, JUNE 10, 2009

The regularly scheduled meeting of the Zoning Committee was held on **Wednesday, June 10, 2009** in Council Chambers, at 11:15 a.m.

The following members were present:

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

The following members were absent:

The Honorable Mary Norwood
The Honorable C. T. Martin

Others present at the meeting were: Zoning Administrator Charletta Wilson-Jacks, Department of Planning and Community Development; City Attorney 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. COMMUNICATION

09-C-1006 (1) A Communication by Councilmembers Felicia A. Moore, District 9; Councilmember C. T. Martin, District 10 and H. Lamar Willis, Post 3 At-Large appointing **Dr. Steven Lee, Sr**. to serve as a member of the Zoning Review Board. This appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation.

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

FAVORABLE – REFERRED TO COMMITTEE ON COUNCIL

D. RESOLUTIONS

09-R-1066 (1) A Resolution by Councilmembers Anne Fauver and Kwanza Hall extending the time of operation of the Transferable Development Rights Special Use Permit approved by Ordinance 08-O-1145 (U-08-19); and for other purposes. **(Held 06/10/09)**

HELD

D. RESOLUTIONS (CONT'D)

09-R-1067 (2) A Resolution by Councilmembers Anne Fauver and Kwanza Hall extending the time of operation of the Transferable Development Rights Special Use Permit approved by Ordinance 08-O-0653 (U-08-14); and for other purposes. **(Held 06/10/09)**

HELD

E. ORDINANCE FOR FIRST READING

09-O-1079 (1)
U-84-20

An Ordinance by Zoning Committee to amend Ordinance U-84-20, as adopted by the City Council on August 6, 1984 and approved by the Mayor on August 8, 1984, for the purposes of approving a transfer of ownership for a Community Service Facility for property located at **320 W. Paces Ferry Road, NW**; and for other purposes.

FAVORABLE – TO BE REFERRED TO ZONING COMMITTEE

F. 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

F. PAPERS HELD IN COMMITTEE (CONT'D)

06-O-0022 (3)
U-05-22

An Ordinance by Councilmember Carla Smith 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)
Z-06-44

A **Substitute** Ordinance by Zoning Committee to rezone from 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

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

F. PAPERS HELD IN COMMITTEE (CONT'D)

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

06-O-1888 (7)
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 (8)

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

F. PAPERS HELD IN COMMITTEE (CONT'D)

06-O-2697 (9)
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

08-O-1009 (10)
CDP-08-22

An Ordinance by Community Development/Human 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**

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

FAVORABLE

08-O-0838 (11)
Z-08-20

An Ordinance by Councilmember Ivory L. Young, Jr. **as amended (#2) 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**

F. PAPERS HELD IN COMMITTEE (CONT'D)

Councilmember Smith made a motion to approve as amended #2. The vote was unanimous.

FAVORABLE AS AMENDED (#2)

07-O-2527 (12)
Z-07-113

A **Substitute** Ordinance **as amended** by Zoning Committee to rezone from the I-1-C (Light Industrial-Conditional) District to the MRC-3 (Mixed Residential Commercial) District, property located at **430 and 460 Englewood Avenue, SE**, fronting approximately 678 feet on the north side of Englewood Avenue beginning approximately 132 feet from the northeast corner of Mailing Avenue. **(Held 4/29/09)**

Depth: Approximately 1,010 Feet
Area: Approximately 10.32 Acres
Land Lot: 42, 14th District, Fulton County, Georgia
Owner: JWGST LLC/Joseph Wiles
Applicant: Jason Fritz
NPU-Y **Council District 1**

HELD

08-O-2125 (13)
Z-08-73

A **Substitute** Ordinance by Zoning Committee to rezone from the R-4 (Single Family Residential) and NC-2 (Neighborhood Commercial) Districts to the NC-2 (Neighborhood Commercial) District, property located at **1146 Portland Street, SE, 1152 Portland Street, SE, 1131 Glenwood Avenue, SE, 1137 Glenwood Avenue, SE 525/527 Moreland Avenue, SE, 529 Moreland Avenue, SE, 535 Moreland Avenue, SE and 537 Moreland Avenue, SE** fronting approximately 250 feet on the north side of Portland Avenue, approximately 300 feet on the west side of Moreland Avenue and approximately 250 feet on the south side of Glenwood Avenue. **(Held 5/27/09)**

Depth: Varies
Area: Approximately 1.75 Acres
Land Lot: 12, 14th District, Fulton County, Georgia
Owner: George Rohrig
Applicant: Joseph Alcock
NPU-W **Council District 1**
HELD

There being no further business to come before the Zoning Committee the meeting was adjourned at 11:45 a.m.

Respectfully submitted:

Angela H. Campbell

Angela H. Campbell, Legislative Secretary

Alfred Berry, Jr., Research & Policy Analyst

The Honorable Ivory L. Young, Jr, Chair