

**ZONING COMMITTEE
MINUTES
WEDNESDAY, APRIL 27, 2011**

The regularly scheduled meeting of the Zoning Committee was held on **Wednesday, April 27, 2011** in Committee Room #2, at 9:46 a.m.

The following members were present:

**The Honorable Aaron Watson, Chair
The Honorable Cleta Winslow, Vice Chair
The Honorable Keisha Lance Bottoms
The Honorable Carla Smith
The Honorable Kwanza Hall
The Honorable Howard Shook
The Honorable Ivory Lee Young, Jr.**

Others present at the meeting were: Director Charletta Wilson-Jacks, Department of Planning and Community Development; City Attorney Lem Ward, members of the public and Council staff.

- A. ADOPTION OF AGENDA - ADOPTED AS AMENDED BY ADDING ONE PIECE OF LEGISLATION AND AN ADDENDUM AGENDA**
- B. APPROVAL OF MINUTES - APPROVED**
- C. ORDINANCES FOR SECOND READING**

**11-O-0538 (1)
Z-11-11** An Ordinance by Zoning Committee authorizing the Mayor or his designee to amend Ordinance Number 09-O-0841/Z-09-13 by inserting the attached Legal Descriptions in lieu of that originally adopted by the Council on July 6, 2009 and approved by the Mayor on July 13, 2009; and for other purposes.

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

FAVORABLE

**11-O-0333 (2)
U-11-06** An **Amended** Ordinance by Zoning Committee granting a Special Use Permit pursuant to Section 16-07.005 (l)(k) and 16-10.005 (l)(g) of the City of Atlanta Zoning Ordinance for a Community Center, property located at **790 Berne Street, SE**, fronting approximately 485 feet on the east side of Berne Street and approximately 291 feet on the north side of

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C. ORDINANCES FOR SECOND READING (CONT'D)

Marion Street and approximately 378 feet on the north side of Eloise Street. **(Referred from ZRB 4/14/11)**

Depth: Varies

Area: Approximately 4.30 Acres

Land Lot: 22, 14th District, Fulton County, Georgia

Owner: Boys and Girls Club of Metro Atlanta

Applicant: Drew Kinney and Cooper Pierce

NPU-W

Council District 1

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

FAVORABLE AS AMENDED

D. PAPERS HELD IN COMMITTEE

10-O-0013 (1)
Z-07-113

An Ordinance by Councilmember Aaron Watson **as substituted and 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. **(Substituted as amended and held 1/13/10 at the request of the District Councilmember)**

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

10-O-0018 (2)
Z-08-73

An Ordinance by Councilmember Aaron Watson **as substituted and amended 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, properties located at

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D. PAPERS HELD IN COMMITTEE (CONT'D)

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. **(Substituted and held 1/13/10 at the request of the District Councilmember)**

HELD

10-O-0035 (3)
U-09-22

An Ordinance by Councilmember Aaron Watson granting a Special Use Permit for a Day Care Center pursuant to Section 16-08.005 (l) (b) for property located at **3751 Martin Luther King, Jr. Drive, SW**, fronting approximately 165 feet on the southeasterly side of Martin Luther King, Jr. Drive at the northeastern intersection of Martin Luther King, Jr. Drive and Bolton Road. **(Held 1/27/10 at the request of the District Councilmember)**

Depth: Varies

Area: Approximately 5.8 Acres

Land Lot: 15, 14th District, Fulton County, Georgia

Owner: Charitable Connections, Inc.

Applicant: Charitable Connections, Inc./Michelle R. Uchiyema

NPU-H

Council District 10

HELD

10-O-0031 (4)
U-09-17

An Ordinance by Councilmember Aaron Watson **as amended by Zoning Committee** granting a Special Use Permit for a Personal Care Home pursuant to Section 16-08.005 (1)(f) for property located at **762 Bender Street, SW**, fronting approximately 60 feet on the east side of Bender Street, at the southeast corner of Bender Street and Stephens Street. **(Amended and held**

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D. PAPERS HELD IN COMMITTEE (CONT'D)

2/24/10 at the request of the Councilmember of the District)

Depth: Varies
Area: Approximately 0.147 Acre
Land Lot: 86, 14th District, Fulton County, Georgia
Owner: Deborah L. Turner
Applicant: Deborah L. Turner
NPU-V **Council District 4**

HELD

10-O-1473 (5)
U-10-24

An **Amended** Ordinance by Zoning Committee granting a Special Use Permit under the provisions of Section 16-06.005(l)(g) for a Personal Care Home, property located at **2695 Dodson Terrace, SW**, fronting 75 feet on the north side of Dodson Terrace and approximately 480 feet west of the intersection of Dodson Terrace and Dodson Drive. **(Held 9/29/10) (Held at the request of the District Councilmember)**

Depth: Varies
Area: Approximately 0.2894 Acre
Land Lot: 199, 14th District, Fulton County, Georgia
Owner: Nnenna M. Ekeke
Applicant: Nnenna M. Ekeke
NPU-R **Council District 11**

HELD

10-O-1886 (6)
Z-10-29

An Ordinance by Zoning Committee to rezone property from the R-5 (Two Family Residential) district to the R-4B (Single-Family Residential) District, for property located at **815 Kirkwood (a.k.a. 812 Harold Avenue), SE**, property fronting approximately 50 feet on the north side of Harold Avenue beginning 400 feet from the west side of Chester Avenue. **(Held 3/2/11) (Held at the request of the District Councilmember)**

Depth: 100 Feet
Area: Approximately 0.114 Acre
Land Lot: 20, 14th District, Fulton County, Georgia
Owner: Drum Custom Renovations, LLC

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E. ITEMS NOT ON THE AGENDA (CONT'D)

ORDINANCES FOR FIRST READING

FAVORABLE TO BE REFERRED TO ZRB AND ZONING COMMITTEE

11-O-0692 (3)
U-11-16

An Ordinance by Zoning Committee granting a Special Use Permit pursuant to Section 16-28.023 (2)(c)(3) and Section 16-28.027 (3)(c) of the City of Atlanta Zoning Ordinance for a Transfer of Excess Development Rights. Said use is granted to Atlanta BeltLine, Inc. (Recipient Parcel) its successors, assigns and all subsequent owners and are to be transferred from the 544 North Angier Avenue, NE (Donor Parcel).

FAVORABLE TO BE REFERRED TO ZRB AND ZONING COMMITTEE

11-O-0693 (4)
U-11-17

An Ordinance by Zoning Committee granting a Special Use Permit pursuant to Section 16-28.023(2)(c)(3) and Section 16-28.027 (3)(c) of the City of Atlanta Zoning Ordinance for a Transfer of Excess Development Rights. Said use is granted to Atlanta BeltLine, Inc. (Recipient Parcel) its successors, assigns and all subsequent owners and are to be transferred from 641 (aka 665) North Avenue, NE (Perlman Tract) (Donor Parcel).

FAVORABLE TO BE REFERRED TO ZRB AND ZONING COMMITTEE

11-O-0694 (5)
U-11-19

An Ordinance by Zoning Committee granting a Special Use Permit pursuant to Section 16-06.005 (l)(g) for a Personal Care Home, property located at **470 Macedonia Road, SE**, fronting approximately 102 feet on the north side of Macedonia Road and approximately 180 feet west of the intersection of Macedonia and Jonesboro Road.

Depth: Varies
Area: Approximately 0.468 Acre
Land Lot: 34, 14th District, Fulton County, Georgia
Owner: Tuan Le
Applicant: Thomas Kirven
NPU-Z **Council District 12**

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E. ITEMS NOT ON THE AGENDA (CONT'D)

ORDINANCES FOR FIRST READING

FAVORABLE TO BE REFERRED TO ZRB AND ZONING COMMITTEE

11-O-0695 (6)
U-11-20

An Ordinance by Zoning Committee granting a Special Use Permit pursuant to Section 16-08.005(l)(b) of the City of Atlanta Zoning Ordinance for a Pre-Kindergarten, property located at **34 and 38 Peachtree Avenue, NE**, fronting approximately 179 feet on the north side of Peachtree Avenue approximately 50 feet east of the intersection of Peachtree Avenue and North Fulton Avenue.
Depth: Varies
Area: Approximately 0.959 Acre
Land Lot: 100, 17th District, Fulton County, Georgia
Owner: Peachtree Avenue Development, LLC and Larry L. and Judith T. Benton
Applicant: Atlanta International School
NPU-B Council District 7

FAVORABLE TO BE REFERRED TO ZRB AND ZONING COMMITTEE

11-O-0696 (7)
U-11-21

An Ordinance by Zoning Committee granting a Special Use Permit pursuant to Section 16-19A.003 (Text Amendment Pending) for an Assisted Living Facility, property located at **650 Phipps Boulevard, NE**, fronting approximately 950 feet along Phipps Boulevard (f.k.a. Wieuca Connector) and approximately 1,300 feet along Alexander Road (a private road).
Depth: Varies
Area: Approximately 1.2 Acres
Land Lot: 44, 17th District, Fulton County, Georgia
Owner: Parc at Buckhead Development, LLC
Applicant: Parc at Buckhead Development, LLC
NPU-B Council District 7

FAVORABLE TO BE REFERRED TO ZRB AND ZONING COMMITTEE

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E. ITEMS NOT ON THE AGENDA (CONT'D)

ORDINANCE FOR SECOND READING

11-O-0372 (1) An Ordinance by Councilmember Yolanda Adrean, Kwanza
Z-11-10 Hall, and Ivory Lee Young, Jr. as **substituted by Zoning
Committee** to rezone property located at **1300 Mecaslin
Street, NW**, from the C-4-C (Central Area Commercial
Residential-Conditional) to the C-4-C (Central Area
Commercial Residential-Conditional) District for the purpose
of a change of conditions; to modify the Official Zoning Maps;
and for other purposes.

Councilmember Winslow made a motion to approve. the vote
was unanimous.

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

LINK TO ZRB PENDING LEGISLATION

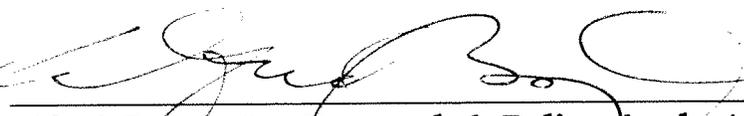
<http://citycouncil.atlantaga.gov/2011/pendingzrb.htm>

**There being no further business to come before the Zoning Committee the
meeting was adjourned at 9:51 a.m.**

Respectfully submitted:



Angela H. Campbell, Legislative Assistant



Alfred Berry, Jr., Research & Policy Analyst



The Honorable Aaron Watson, Chair