

**ZONING COMMITTEE
MINUTES
WEDNESDAY, MAY 11, 2011**

The regularly scheduled meeting of the Zoning Committee was held on **Wednesday, May 11, 2011** in Committee Room #2, at 9:44 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: Brandy Crawford, Senior Planner, Department of Planning and Community Development; City Attorneys Lem Ward and Jeffery Haymore, Dan Young, Urban Design Commission and members of the public and Council staff.

**A. ADOPTION OF AGENDA - ADOPTED AS AMENDED BY ADDING TWO
PIECES OF LEGISLATION**

B. APPROVAL OF MINUTES - APPROVED

C. ORDINANCE FOR SECOND READING

11-O-0779 (1) An Ordinance by Councilmember Cleta Winslow authorizing the installation of public art (Entitled "Comm-Unity Ties") at the Georgia Power Company's Substation located at **627 Whitehall Street, SW, Atlanta, GA 30310** as pursuant to Code Section 16-28.025 of the 1982 Zoning Ordinance of the City of Atlanta; and for other purposes.

Councilmember Winslow made a motion to forward with no recommendation. The vote was unanimous.

FORWARDED WITH NO RECOMMENDATION

D. ORDINANCE FOR FIRST READING

11-O-0784 (1) An Ordinance by Zoning Committee to rezone property from
Z-11-16 R-4A (Single-Family Residential) District to the C-1
(Community Business) District, property located at **607 and 611 Joseph E. Boone Boulevard, NW**, fronting approximately 90 feet on the north side of Joseph E. Boone

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D. ORDINANCE FOR FIRST READING (CONT'D)

Boulevard, beginning 45 feet from the northeasterly corner of Vine Street and Joseph E. Boone Boulevard.

Depth: 120 Feet
Area: 0.247 Acre
Land Lot: 82, 14th District, Fulton County, Georgia
Owner: Asghar Memarzadeh
Applicant: Kaveh Kamooneh (Lili Properties, Inc.)
NPU-L Council District 3

FAVORABLE TO BE REFERRED TO ZRB AND ZONING COMMITTEE

E. ZRB SUMMARY REPORT

F. PAPERS HELD IN COMMITTEE

10-O-0013 (1) An Ordinance by Councilmember Aaron Watson as
Z-07-113 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) An Ordinance by Councilmember Aaron Watson as
Z-08-73 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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F. 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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F. 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)**

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F. PAPERS HELD IN COMMITTEE (CONT'D)

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

NPU-N

Council District 5

HELD

G. ITEMS NOT ON THE AGENDA

11-O-0074 (1) An Ordinance by Councilmember Cleta Winslow
Z-02-18 as **substituted by Zoning Committee** amending Ordinance 02-O-0253 adopted by the City Council March 17, 2003 and approved by the Mayor March 25, 2003 to rezone certain properties within the Pittsburgh Community Redevelopment Plan Area; and for other purposes. **(Substituted and referred to ZRB and Zoning Committee 5/11/11)**

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

11-O-0447 (2) An **Substitute** Ordinance by Zoning Committee to amend
Z-11-06 the 1982 Zoning Ordinance of the City of Atlanta, as amended, so as to create a new Chapter to be entitled 20P, Sunset Avenue Historic District; to establish overlay regulations for said district; to enact, by reference and incorporation, a map establishing the boundaries of said district; and to designate and zone all properties lying within the boundaries of said district to the overlay zoning category of Historic District (HD) pursuant to Chapter 20 of the Zoning Ordinance of the City of Atlanta, rezoning from SPI-11, Subarea 7 and 9 (Special Public Interest, Subarea 7 and 9) to SPI-11 Subarea 7 and 9/HD (Special Public Interest, Subarea 7 and 9/Historic District), to repeal conflicting laws; and for other purposes.

Councilmember Hall made a motion to approve on substitute. The vote was unanimous.

FAVORABLE ON SUBSTITUTE

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LEGISLATION NUMBER	ZONING NUMBER	LOCATION (NPU/CD)	CHANGE	STAFF RECOMM.	NPU RECOMM.	ZRB RECOMM
11-O-0094	Z-10-36	631 Glenwood Place, S.E. W-1	R-4 to R-4A	Approval	Approval	Approval
Councilmember Young made the motion to approve. The vote was unanimous.						
10-O-1418	Z-10-20	Text Amendment K.L and T-3 and 4	Prohibit rooming houses, shelters and two-family dwellings	Approval of a Substitute Ordinance	K, L and T- Approval of original ordinance	Approval of Substitute Ordinance
Councilmember Young made the motion to approve the legislation without the substitute added. The vote was unanimous.						
<u>FAVORABLE ON SUBSTITUTE</u>						
11-O-0332	U-11-05	1765 Memorial Drive, S.E. O-5	Special Use Permit for a Community Center	Approval of a Substitute Ordinance	Approval Conditional	Approval of a Substitute Ordinance
Councilmember Winslow made the motion to approve on substitute. The vote was unanimous.						
10-O-2096	Z-10-33	Text Amendment T and V-4	Signage in SPI-21 Historic West End/Adair Park	Approval of a Substitute Ordinance	T and V- Approval	Approval of a Substitute Ordinance
Councilmember Winslow made the motion to approve on substitute. The vote was unanimous.						
<u>FAVORABLE AS AMENDED</u>						
11-O-0233	U-11-01/U-08-06	From 875 West Peachtree Street to 1007 Williams Street/97 Tenth Street, N.E. E-2	Special Use Permit for Transfer of Development Rights	Approval Conditional	Approval	Approval Conditional
Councilmember Winslow made the motion to approve as amended. The vote was unanimous.						

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LEGISLATION NUMBER	ZONING NUMBER	LOCATION (NPU/CD)	CHANGE	STAFF RECOMM.	NPU RECOMM.	ZRB RECOMM.
11-O-0234	U-11-02	2461 Peachtree Road, N.E. E-7	Special Use Permit for a Day Care Center	Approval Conditional	Approval Conditional	Approval Conditional
Councilmember Shook made the motion to approve as amended. The vote was unanimous.						
11-O-0235	U-11-03/U-01-48	1629 Beecher Street, S.W. T-4	Special Use Permit for a Day Care Center	Approval Conditional	Approval	Approval Conditional
Councilmember Lance Bottoms made the motion to approve as amended. The vote was unanimous.						
11-O-0334	U-11-07	442 14th Street, N.W. E-3	Special Use Permit for a Private School and Community Center	Approval Conditional	Approval	Approval Conditional
Councilmember Lance Bottoms made the motion to approve as amended. The vote was unanimous.						
11-O-0229	Z-11-01	A portion of 668 Fair Street, S.W. (also known as Atlanta Student Movement Way) T-4	RG-3 to RG-4 C	Approval Conditional	Approval	Approval Conditional
Councilmember Lance Bottoms made the motion to approve as amended. The vote was unanimous.						
11-O-0230	Z-11-03	4317 East Conway Drive, N.E. A-8	R-2 to PDH	Approval Conditional	Approval Conditional	Approval Conditional
Councilmember Lance Bottoms made the motion to approve as amended. The vote was unanimous.						
10-O-1889	U-10-34	51 Polar Rock Road, S.E. Z-12	Special Use Permit for a Day Care Center	Approval Conditional	Approval	Approval Conditional
Councilmember Lance Bottoms made the motion to approve as amended. The vote was unanimous.						
10-O-2158	Z-10-31	1450 Donnelly Avenue, S.W. T-4	C-1-C to C-1-C	Approval Conditional	Approval	Approval Conditional
Councilmember Lance Bottoms made the motion to approve as amended. The vote was unanimous.						

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ADVERSE

11-O-0093

Z-10-34

2121 Hollywood Road, N.W.
D-9

RG-2 to C-1

Denial

Approval of
zoning to RL-C

Denial

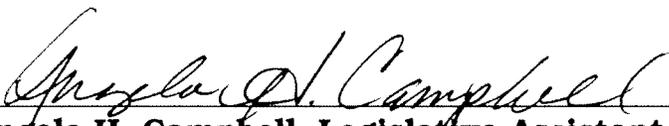
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LINK TO ZRB PENDING LEGISLATION

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

There being no further business to come before the Zoning Committee the meeting was adjourned at 10:13 a.m.

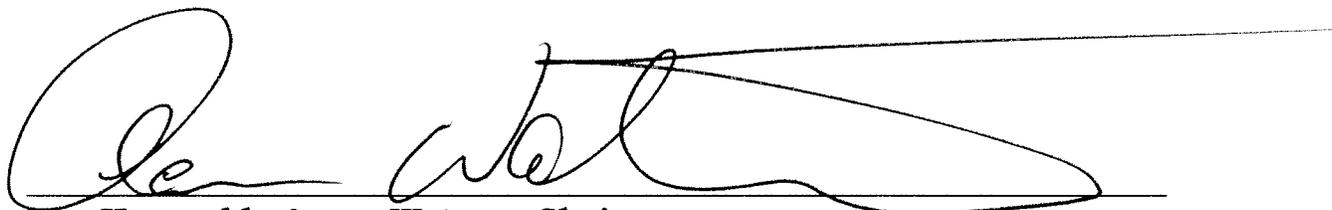
Respectfully submitted:



Angela H. Campbell, Legislative Assistant



Alfred Berry, Jr., Research & Policy Analyst



The Honorable Aaron Watson, Chair