

ZONING COMMITTEE

MINUTES

JUNE 13, 2012

The scheduled meeting of the Zoning Committee was held on **Wednesday, June 13, 2012 at 9:45 p.m., in Committee Room #2.** The following members were present:

The Honorable Alex Wan, Chair
The Honorable Ivory L. Young, Jr.
The Honorable Carla Smith
The Honorable Howard Shook
The Honorable Aaron Watson

The following member was absent:

The Honorable Keisha Lance Bottoms, Vice-Chair
The Honorable H. Lamar Willis

Others present at the meeting were: Deputy City Attorneys, Lem Ward and Jeffery Haymore; Charletta Wilson-Jacks, Zoning Administrator; media, members of the public and Council Staff.

Chairman Wan called the meeting to order at 9:45 p.m. after declaring a quorum present. He then proceeded with the following order of business:

- A. ADOPTION OF AGENDA - ADOPTED**
- B. APPROVAL OF MINUTES - APPROVED**

CONSENT AGENDA

- C. ORDINANCES FOR FIRST READING**

12-O-0847 (1) An Ordinance by Zoning Committee to rezone from the C-2
Z-12-23 (Community Services) District and PD-MU (Planned
Development-Mixed Use) District and HC-20L-SA3 (Inman
Park Historic) District and BeltLine Overlay District to the C-
2 (Community Services) District and HC-20L-SA3 (Inman
Park Historic) District and BeltLine Overlay District, property
located at **280 Elizabeth Street and 885 North Highland
Avenue, NE**, fronting approximately 284 feet on the north
side of Lake Avenue at the northwest intersection of Lake
Avenue.

ORDINANCES FOR FIRST READING (CONT'D)

Depth: Varies
Area: Approximately 3.309 Acres
Land Lots: 10 and 14, 14th District, Fulton County, Georgia
Owner: Peter hand and Muha, LLC
Applicant: JPX Works, LLC

NPU-N

Council District 2

TO BE REFERRED TO ZRB AND ZONING COMMITTEE

12-O-0848 (2)
Z-12-24

An Ordinance by Zoning Committee to rezone from the R-4A (Single Family Residential) District to the RL-C (Residential Limited-Commercial) District, property located at **472 Paines Avenue, NW**, fronting approximately 71 feet on the west side of Paines Avenue at the northwest intersection of Paines Avenue and Jett Street.

Depth: Approximately 125 Feet
Area: Approximately 0.204 Acre
Land Lot: 111, 14th District, Fulton County, Georgia
Owner: Residential Fund 46, LLC
Applicant: Jeffery Mcdowell

NPU-L

Council District 3

TO BE REFERRED TO ZRB AND ZONING COMMITTEE

12-O-0849 (3)
U-12-13

An Ordinance by Zoning Committee granting a Special Use Permit pursuant to Section 16-08.005(l)(f) for an Assisted Living Facility located at **3755 Peachtree Road, NE**, fronting approximately 108 feet on the north side of Peachtree Road, NE, and approximately 753 feet west of the intersection of East Club Drive and Peachtree Road.

Depth: Varies
Area: Approximately 0.466 Acre
Land Lot: 10, 17th District, Fulton County, Georgia
Owner: CRP FDG Buckhead, LLC
Applicant: CRP FDG Buckhead, LLC

NPU-B

Council District 7

TO BE REFERRED TO ZRB AND ZONING COMMITTEE

PAPERS HELD IN COMMITTEE (CONT'D)

11-O-0693 (3)
U-11-17 An **Amended** 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 (C 665) North Avenue, NE (Perlman Tract) (Donor Parcel)**. **(Referred back by Full Council 7/18/11) (Amended and held 7/27/11)**

HELD

11-O-0857 (4)
U-11-18 An **Amended** 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 **690 Morgan Street, NE, (a.k.a. O North Avenue** Tax Parcel Identification 14-0018-0001-026-5), **(Donor Parcel)**. **(Referred back by Full Council 7/18/11) (Held 7/27/11)**

HELD

11-O-1686 (5)
U-11-42 An Ordinance by Zoning Committee to grant a Special Use Permit pursuant to Section 16-06.005(l)(b) for a Daycare Center, property located at **260 West Lake Avenue, NW**, approximately 132 feet on the west side of West Lake Avenue and approximately 373 feet northwesterly of the intersection of Ezra Church and West Lake Avenue. **(Adverse by Zoning Committee 2/29/12) (Referred back by Council 3/5/12) (Held 3/14/12)**

Depth: Varies
Area: Approximately 0.489 Acre
Land Lot: 147, 14th District, Fulton County, Georgia
Owner: GBG Management Company
Applicant: Lashana T. Glasper

NPU-J

Council District 3

HELD

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PAPERS HELD IN COMMITTEE (CONT'D)

- 11-O-0824 (6) An Ordinance by Zoning Committee to amend Section 6-4028 and to create Section 6-4028.1 of the Land Development Code, Part III of the Code of Ordinances, so as to change the Deferral Fee for Variance and Special Exception Applications before the Board of Zoning Adjustment to a flat fee for each instance that the Board grants an applicant's request for deferral to a subsequent public hearing on the application; and for other purposes. **(Held 6/15/11) (Public Hearing held 5/2/12)**

HELD

- 12-O-0384 (7)
Z-12-04 A **Substitute** Ordinance by Zoning Committee to rezone from the R/5/HD20K(Two-Family Residential/Grant Park Historic) Districts to the SPI-22/HD20K (Special Public Interest/Grant Park Historic) Districts, property located at **313 and 317 Cherokee Avenue, SE** fronting approximately 83 feet on the west side of Cherokee Avenue beginning 112.50 feet from the northwest corner of Woodward Avenue.

Depth: Varies

Area: Approximately 0.153 Acres

Land Lot: 44, 124th District, Fulton County, Georgia

Owner: James R. Claxton

Applicant: Allen Hoss

NPU-W

Council District 1

(Councilmember Smith made a motion to approve on substitute)

FAVORABLE ON SUBSTITUTE

- 12-O-0387 (8)
U-12-03 An **Amended** Ordinance by Zoning Committee granting a Special Use Permit pursuant to Section 16-11.005(l)(b) for a mortuary located at **2891 Lakewood Avenue, SE**, on property known as the Lakewood Shopping Center and is more specifically located near the intersection of Fleet Street and Lakewood Avenue. The overall property (Lakewood Shopping Center) is approximately 998 feet on the north side of Lakewood Avenue, approximately 450 feet on the east side of Fleet Street and approximately 1,189 feet on the west side of Metropolitan Parkway. **(Held 5/16/12)**

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PAPERS HELD IN COMMITTEE (CONT'D)

Depth: Varies
Area: 26.52 Acres (Shopping Center)
Land Lot: 103, 14th District, Fulton County, Georgia
Owner: Metropolitan Parkway, LLC, C.X.R. LLC and
Footprint Group V, LLC
Applicant: Bianca Smith
NPU-Z **Council District 12**

HELD

LINK TO ZRB PENDING LEGISLATION

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

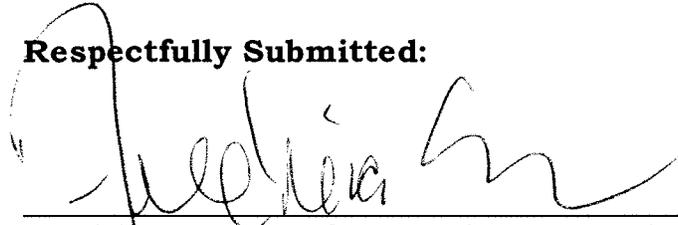
SUMMARY REPORT
June 13, 2012

LEGISLATION NUMBER	ZONING NUMBER	LOCATION (NPU/CD)	CHANGE	STAFF RECOMM	NPU RECOMM	ZRB RECOMM
<u>FAVORABLE AS AMENDED</u>						
12-O-0389	U-12-06	966 West Paces Ferry Road, NW A-8	Site Plan Amendment	Approval Conditional	Approval	Approval Conditional
(Councilmember Young made a motion to approve as amended) The vote was unanimous						
<u>FAVORABLE ON SUBSTITUTE</u>						
11-O-0533	Z-11-12	NC-2 East Atlanta W-5	Text Amendment	Approval of a Substitute Ordinance	Approval of Neighborhood Version	Approval of a Substitute Ordinance
(Councilmember Young made a motion to hold on substitute) The vote was unanimous						
<u>ADVERSE</u>						
12-O-0612	U-12-07	1740 and 1748 Donald Lee Hollowell Parkway, NW J-3	Special Use Permit for a Day Care Center	Approval Conditional	Denial	Denial
(Councilmember Young made a motion to adverse) The vote was unanimous						

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There being no further business to come before the Committee, the meeting was adjourned at 9:50 a.m.

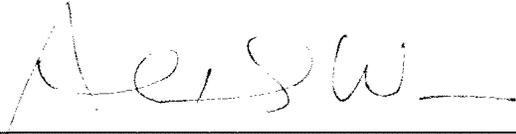
Respectfully Submitted:



**Fredrieca Cooper for Angela H. Campbell
Legislative Assistant**



**Steve Tam for Alfred Berry, Jr.
Research and Policy Analyst**



**The Honorable Alex Wan, Chair
Zoning Committee**