

**ZONING COMMITTEE  
AGENDA  
WEDNESDAY, SEPTEMBER 26, 2012**

The regularly scheduled meeting of the Zoning Committee was held on **Wednesday, September 26, 2012** in Committee Room #2, at 9:41 a.m.

The following members were present:

**The Honorable Alex Wan, Chair  
The Honorable Keisha Lance Bottoms, Vice Chair  
The Honorable Howard Shook  
The Honorable Ivory Lee Young, Jr.  
The Honorable Aaron Watson  
The Honorable H. Lamar Willis  
The Honorable Carla Smith**

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

- A. ADOPTION OF AGENDA - ADOPTED AS AMENDED BY MAKING ONE CHANGE TO LEGISLATION NO. 11-O-1067**
- B. APPROVAL OF MINUTES - APPROVED**

**CONSENT AGENDA**

**C. ORDINANCES FOR FIRST READING**

**12-O-1326 ( 1)**     An Ordinance by Zoning Committee to rezone from the MR-2 (Multi-Family Residential), MR-2-C (Multi-Family Residential-Conditional) and MRC-2-C (Mixed Residential Commercial-Conditional) Districts to the MRC-2-C (Mixed Residential Commercial-Conditional) District, property located at **2626 Burtz Street, 2590 Burtz Street, 2580 Burtz Street, 1884 Hollywood Road, 2633 and 2641 Burtz Street, 2615 Burtz Street, 2622 Peyton Road, 2612 Peyton Road, 2614 Peyton Road, 2616 Peyton Road, 2597 Burtz Street and 1900, 1906 and 1910 Hollywood Road and 2585 Burtz Street**, approximately 443.6 feet on the west side of Hollywood Road beginning 78 feet from the southwest corner of Peyton Road.

Depth:                     Varies  
Area:                        Approximately 10.50 Acres  
Land Lot:                 252, 17<sup>th</sup> District, Fulton County, Georgia  
Owner;                     Bolton Park, L.P.  
Applicant:                Bolton Park, L.P.

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**C. ORDINANCES FOR FIRST READING (CONT'D)**

**NPU-D**

**Council District 9**

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

12-O-1327 ( 2)  
**U-12-19**

An Ordinance by Zoning Committee granting a Special Use Permit for a Processing Operation Facility pursuant to Section 16-16.005(1)(n) of the Zoning Ordinance, property located at **1313 Sylvan Road, NW**, fronting approximately 215.30 feet on the west side of Sylvan Road and approximately 560 feet on the south side of Cox Avenue.

Depth: Varies

Area: Approximately 2.5 Acres

Land Lot: 120, 14<sup>th</sup> District, Fulton, County, GA

Owner: 1313 Sylvan Road, LLC- John Colquitt as Manager

Applicant: Frances Boahene

**NPU-X**

**Council District 12**

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

**D. ORDINANCES FOR SECOND READING**

11-O-1067 ( 1)  
**Z-11-19**

An **Amended** Ordinance by Zoning Committee to rezone property known as **690 Lindbergh Drive, 723-745 Morosgo Drive, 2472-2480 Adina Drive and 2455 Piedmont Road**, from the SPI-15 Subarea 8 (Special Public Interest Lindbergh Transit Station Area, Subarea 8, Lindberg Residential) to the SPI-15 Subarea 3 (Special Public Interest Lindbergh Transit Station Area Subarea 3 Piedmont Commercial) Zoning District; fronting approximately 1,500 feet on the north side of Lindbergh Drive, approximately 1,200 feet on the south side of Morosgo Drive, and approximately 800 feet on the west side of Adina Drive north, and 60 feet on the east side of Piedmont Road. **(Amended and held 8/20/12) (Forwarded with no recommendation by Zoning**

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**D. ORDINANCES FOR SECOND READING (CONT'D)**

**Committee 9/12/12) (Referred back by Full Council  
9/17/12)**

Area: Approximately 21.87 Acres  
Land Lot: 48, 17<sup>th</sup> District, Fulton County, Georgia  
Owner: Buckhead at Lindbergh, LLC, Buckhead  
South, LLC, and San Lucia Land, LLC

**NPU-B Council District 7**

**FORWARDED WITH NO RECOMMENDATION AS  
AMENDED ON CONDITION - 6 YEAS (BOTTOMS,  
SMITH, WATSON, SHOOK, WILLIS & YOUNG) 1 NAY  
(WAN)**

12-O-1319 ( 2) An Ordinance by Councilmember Felicia A. Moore correcting  
**Z-12/01/Z-08-14** Ordinance 12-O-0156, adopted by City Council May 21,  
2012 approved per the City Charter Section 2-403 on May  
30, 2012 rezoning property located at **1185 Collier Road,  
NW**, which rezoned said property from the MR-3-C  
(Multifamily Residential-Conditional) to the MR-3-C  
(Multifamily Residential-Conditional) so that the conditions  
are further clarified regarding the publicly accessible streets;  
and for other purposes.

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

**FAVORABLE**

12-O-1322 ( 3) An Ordinance by Councilmember Kwanza Hall authorizing  
the installation of Public Art ("Elevate South Broad Mural")  
at 64, 72, 79, 90, 92, 94, 98 and 100 on Broad Street, SW as  
pursuant to Code Section 16-28.025 of the 1982 Zoning  
Ordinance of the City of Atlanta; and for other purposes.

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

**FAVORABLE**

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**E. RESOLUTION**

12-R-1320 ( 1) A Resolution by Councilmember Howard Shook appointing additional members to the SPI-9 Buckhead Village District Development Review Committee.

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

**FAVORABLE**

**F. PAPERS HELD IN COMMITTEE**

10-O-0013 ( 1) 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, 14<sup>th</sup> District, Fulton County, Georgia

Owner: JWGST LLC/Joseph Wiles

Applicant: Jason Fritz

**NPU-Y**

**Council District 1**

**HELD**

11-O-0533 ( 2) An Ordinance by Councilmember Natalyn Mosby Archibong **as substituted (#2) by Zoning Committee** to amend Section 16-32B of the 1982 Zoning Ordinance of the City of Atlanta by amending the existing NC-2 East Atlanta Village Business Neighborhood Commercial District; and for other purposes. **(Substituted and held 6/13/12)**

**HELD**

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**F. PAPERS HELD IN COMMITTEE (CONT'D)**

11-O-0692 ( 3)  
**U-11-16** 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 the **544 North Angier Avenue, NE (Donor Parcel)**. **(Referred back by Full Council 7/18/11) (Amended and held 7/27/11)**

**HELD**

11-O-0693 ( 4)  
**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 ( 5)  
**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. 0 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**

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**F. 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**

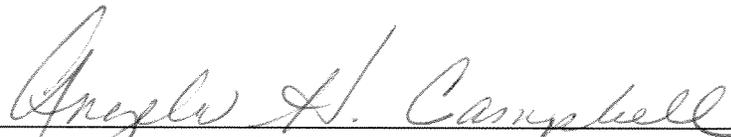
**LINK TO ZRB PENDING LEGISLATION**

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

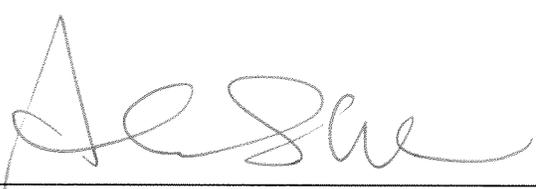
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**There being no further business to come before the Zoning Committee the meeting was adjourned at 10:32 a.m.**

**Respectfully submitted:**

  
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**Angela H. Campbell, Legislative Assistant**

  
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**Alfred Berry, Jr., Research & Policy Analyst**

  
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**The Honorable Alex Wan, Chair**