



**ZONING COMMITTEE**  
**REGULAR COMMITTEE MEETING**  
 ~Minutes~

Atlanta City Hall  
 55 Trinity Ave.  
 Atlanta, GA 30303  
<http://www.atlantaga.gov/>

**CITY OF ATLANTA**

**Chairperson**  
 The Honorable Keisha Lance Bottoms

Steven Tam  
 (404) 330-6694  
[stam@atlantaga.gov](mailto:stam@atlantaga.gov)

**Wednesday, June 12, 2013**

**9:30 AM**

**Committee Room 2**

**A. CALL TO ORDER**

The regularly scheduled meeting of the **Zoning Committee** was held on **Wednesday, June 12, 2013, at 9:30 AM.** in **Committee Room 2.** The following members were present:

**B. INTRODUCTION OF MEMBERS**

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>	<b>Arrived</b>
Joyce Sheperd	Councilmember, District 12	Absent	
Alex Wan	Vice-Chair	Present	9:30 AM
Keisha Lance Bottoms	Chair	Present	9:32 AM
Howard Shook	Councilmember, District 7	Present	9:34 AM
Carla Smith	Councilmember, District 1	Present	9:30 AM
Ivory Lee Young Jr.	Councilmember, District 3	Absent	

**Others in Attendance:**

Zoning Administrator Charletta Wilson Jacks, Department of Planning, Attorney Jeffery Haymore, Law Department and members of the public, and Council staff.

**C. ADOPTION OF AGENDA**

**ADOPTED AS AMENDED BY ADDING ONE PIECE OF LEGISLATION**

**D. APPROVAL OF MINUTES**

**APPROVED**

**E. ORDINANCES FOR FIRST READING**

13-O-1083 (1) - U-74-13/(TR13-03) AN ORDINANCE BY ZONING COMMITTEE TO AMEND ORDINANCE U-74-13) ADOPTED BY THE CITY COUNCIL ON JUNE 17, 1974 FOR PROPERTY LOCATED AT 957 METROPOLITAN PARKWAY, S.W. (FORMERLY KNOWN AS 957 STEWART AVENUE, S.W.) TO APPROVE A TRANSFER OF SPECIAL USE PERMIT FOR A CHURCH; AND FOR OTHER PURPOSES. NPU V COUNCIL DISTRICT 4

Application File Date	May 15, 2013
Zoning Number	U-74-13/TR13-03
NPU / CD	V/4

Staff Recommendation	
NPU Recommendation	Not Required. Transfer of a Previously Approved SUP
ZRB Recommendation	Not Required. Transfer of a Previously Approved SUP

**TO BE REFERRED TO ZONING COMMITTEE**

13-O-1084 (2) - AN ORDINANCE BY ZONING COMMITTEE GRANTING A SPECIAL USE PERMIT FOR A PRESCHOOL, PURSUANT TO SECTION 16-06.005 (1) (B), PROPERTY LOCATED AT 2490 HOSEA L. WILLIAMS DRIVE, S.E., FRONTING APPROXIMATELY 152 FEET ON THE NORTH SIDE OF HOSEA L. WILLIAMS DRIVE AND APPROXIMATELY 200 FEET ON THE WEST SIDE OF FIFTH AVENUE. PROPERTY LOCATED AT THE NORTHWESTERLY INTERSECTION OF HOSEA L. WILLIAMS DRIVE AND FIFTH AVENUE. DEPTH: VARIES. AREA: APPROXIMATELY 0.697 ACRES. LAND LOT 204, 15TH DISTRICT, DEKALB COUNTY, GEORGIA. OWNER: RICHARD DORSEY, CHAIRMAN OF TRUSTEE BOARD OF EAST LAKE UNITED METHODIST CHURCH  
 APPLICANT: WILLIAM ASP NPU O COUNCIL  
 DISTRICT 5

Application File Date	May 7, 2013
Zoning Number	U-13-12
NPU / CD	O/5
Staff Recommendation	
NPU Recommendation	
ZRB Recommendation	

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

13-O-1085 (3) - U-13-13- AN ORDINANCE BY ZONING COMMITTEE GRANTING A SPECIAL USE PERMIT FOR A DAY CARE CENTER, PURSUANT TO SECTION 16-06.005 (1) (B), PROPERTY LOCATED AT 788 MCDONOUGH BOULEVARD, S.E. FRONTING APPROXIMATELY 173 FEET ON THE NORTH SIDE OF MCDONOUGH BOULEVARD, BEGINNING APPROXIMATELY 46 FEET FROM NORTHEAST CORNER OF ELLEBY ROAD. DEPTH: VARIES. AREA: APPROXIMATELY 1.137 ACRES. LAND LOT 25, 14TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: KEILLEN F. SMITH APPLICANT: DAHJIA'S LEARNING ACADEMY C/O G. DOUGLAS DILLIARD NPU W, Y AND Z

COUNCIL DISTRICT 1

Application File Date	May 23, 2013
Zoning Number	U-13-13
NPU / CD	W, Y and Z/1
Staff Recommendation	
NPU Recommendation	
ZRB Recommendation	

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

- 13-O-1086 (4) - AN ORDINANCE BY ZONING COMMITTEE TO REZONE FROM THE C-2 (COMMERCIAL SERVICE-CONDITIONAL) DISTRICT AND R-5 (TWO-FAMILY RESIDENTIAL) DISTRICT TO THE C-2 (COMMERCIAL SERVICE-CONDITIONAL) DISTRICT, PROPERTY LOCATED AT 25, 27 , 33 AND 39 DANIEL STREET AND PROPERTIES ON GARTRELL STREET (496 AND 492) WITH THE FOLLOWING PARCEL IDENTIFICATION NUMBERS 14-0045-0003-016-1 AND 14-0045-0003-017-9, AND 40 AND 46 BOULEVARD, S.E. FRONTING APPROXIMATELY 166 FEET ON THE NORTH SIDE OF GARTRELL STREET AND 256 FET ON THE WEST SIDE OF DANIEL STREET AND APPROXIMATELY 307 FEET ON THE EAST SIDE OF BOULEVARD. DEPTH: VARIES. AREA: APPROXIMATELY 1.36 ACRES. LAND LOT 45, 14TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: IPARCEL, NETM LLC, MAN HOLDING, LLC AND VALU INVESTMENT GROUP, LLC/ABE PODBER APPLICANT: MOST REVEREND WILTON D. GREGORY, S.L.D. AS ARCHBISHOP OF THE ROMAN CATHOLIC ARCHDIOCESE OF ATLANTA AND/OR HIS SUCCESSORS IN OFFICE. NPU M COUNCIL DISTRICT 2

Application File Date	May 7, 2013
Zoning Number	Z-13-17
NPU / CD	M/2
Staff Recommendation	
NPU Recommendation	
ZRB Recommendation	

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

- 13-O-1094 (5) - AN ORDINANCE BY ZONING COMMITTEE TO CLARIFY THE USE

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

**F. ORDINANCES FOR SECOND READING**

13-O-1065 (6) - MRPA-13-01-AN ORDINANCE BY ZONING COMMITTEE TO GRANT A CERTIFICATE UNDER THE PROVISIONS OF THE METROPOLITAN RIVER PROTECTION ACT FOR A NEW SINGLE-FAMILY HOUSE AND DETACHED GARAGE LOCATED AT 4369 SENTINEL VIEW COURT, N.W. (PARCEL IDENTIFICATION NUMBER-17-02140002007), 1.1364 ACRES IN LAND LOT 214, 17TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: DONZAK, LLC APPLICANT: DAVID DONNELLY NPU A COUNCIL DISTRICT 8 (ADVERTISED FOR A PUBLIC HEARING SCHEDULED ON 6/12/13)

Application File Date	
Zoning Number	MRPA-13-01
NPU / CD	A/8
Staff Recommendation	Concur with ARC recommendation of compliance
NPU Recommendation	
ZRB Recommendation	Not required

**RESULT: FAVORABLE [UNANIMOUS]**  
**AYES:** Alex Wan, Keisha Lance Bottoms, Howard Shook, Carla Smith  
**ABSENT:** Joyce Sheperd, Ivory Lee Young Jr.

13-O-1073 (7) - AN ORDINANCE BY COUNCILMEMBER NATALYN ARCHIBONG AUTHORIZING THE INSTALLATION OF PUBLIC ART (A MURAL “BROWNWOOD PARK”), AT 730 BROWNWOOD AVE, ATLANTA, GA 30316 AS PURSUANT TO CODE SECTION 16-28.025 OF THE 1982 ZONING ORDINANCE OF THE CITY OF ATLANTA; AND FOR OTHER PURPOSES.

**RESULT: FAVORABLE [UNANIMOUS]**  
**AYES:** Alex Wan, Keisha Lance Bottoms, Howard Shook, Carla Smith  
**ABSENT:** Joyce Sheperd, Ivory Lee Young Jr.

**G. PAPERS HELD IN COMMITTEE**

(ID # 1821) (8) - 10-O-0013/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**

(ID # 1865) (9) - 11-O-0824 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**

(ID # 2069) (10) - 13-O-0332/Z-13-05- A SUBSTITUTE ORDINANCE BY ZONING COMMITTEE TO REZONE FROM THE C-1 AND R-4 (COMMUNITY BUSINESS AND SINGLE FAMILY RESIDENTIAL) DISTRICT TO THE MR-4B (MULTIFAMILY RESIDENTIAL DISTRICT, PROPERTY LOCATED AT 2114 AND 2116 (REAR) DEFOORS FERRY ROAD, N.W. AND 2108 AND 2110 DEFOOR AVENUE, N.W., FRONTING APPROXIMATELY 234 FEET ON THE WEST SIDE OF DEFOORS FERRY ROAD AND APPROXIMATELY 92 FEET SOUTHWEST OF THE INTERSECTION OF DEFOORS FERRY ROAD AND CROSS CREEK PARKWAY DEPTH: VARIES. AREA: APPROXIMATELY 1.75 ACRES. LAND LOTS 185 AND 186, 17TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: WYATT AMD KNOX INVESTMENTS, LLC. APPLICANT: VALENTIN CIUPERCA NPU C COUNCIL DISTRICT 9

Application File Date	February 13, 2013
Zoning Number	Z-13-05
NPU / CD	D/9

Staff Recommendation	Approval conditional of substitute ordin
NPU Recommendation	Approval conditional of substitute ordin
ZRB Recommendation	Approval conditional of substitute ordin

**HELD**

**H. REMARKS FROM THE PUBLIC**

Ron Shakir-Public Speaker

**I. ADJOURNMENT**

**There being no further business to come before the Zoning Committee the meeting was adjourned at 9:43 AM**

**Respectfully submitted:**

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**Angela H. Campbell, Legislative Assistant**

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**Steve Tam, Research & Policy Analyst**

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**The Honorable Keisha Lance Bottoms, Chair**