



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

Wednesday, June 26, 2013

9:30 AM

Committee Room 2

A. CALL TO ORDER

The regularly scheduled meeting of the **Zoning Committee** was held on **Wednesday, June 26, 2013, at 9:30 AM.** in **Committee Room 2.** The following members were present:

B. INTRODUCTION OF MEMBERS

Attendee Name	Title	Status	Arrived
Joyce Sheperd	Councilmember, District 12	Present	9:29 AM
Alex Wan	Vice-Chair	Present	9:29 AM
Keisha Lance Bottoms	Chair	Present	9:33 AM
Howard Shook	Councilmember, District 7	Present	9:26 AM
Carla Smith	Councilmember, District 1	Present	9:34 AM
Ivory Lee Young Jr.	Councilmember, District 3	Present	9:31 AM

Others in Attendance:

Zoning Administrator Charletta Wilson Jacks, Department of Planning, Senior City Attorneys Lem Ward and Jeffery Haymore, Law Department; members of the Public and Council staff.

C. ADOPTION OF AGENDA

ADOPTED

D. APPROVAL OF MINUTES

APPROVED

CONSENT AGENDA

E. ORDINANCES FOR FIRST READING

13-O-1096 (1) - Z-13-22 AN ORDINANCE TO AMEND THE GENERAL OFF STREET PARKING REQUIREMENTS FOR EATING AND DRINKING ESTABLISHMENTS ASSOCIATED WITH HOTELS IN THE MIXED RESIDENTIAL COMMERCIAL (MRC) ZONING DISTRICT SO AS TO CORRELATE WITH THE OFF STREET PARKING REQUIREMENTS FOR FREE STANDING OR MIXED USE EATING AND DRINKING ESTABLISHMENTS IN THE VARIOUS MRC DESIGNATIONS; AND FOR OTHER PURPOSES.

Application File Date	
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Zoning Number	Z-13-22
NPU / CD	All
Staff Recommendation	
NPU Recommendation	
ZRB Recommendation	

TO BE REFERRED TO ZRB AND ZONING COMMITTEE

- 13-O-1097 (2) - AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF ATLANTA BY REDEFINING THE TERM "PRINCIPAL OCCUPANT" AS SET FORTH IN SECTION 16-28.004; ADDING AND DELETING CERTAIN LANGUAGE IN SECTION 16-28.007 () CONCERNING THE PROCEDURES APPLICABLE TO BUILDING SIGNATURE SIGNS, THE DISTRICTS IN WHICH SUCH SIGNS CAN BE LOCATED AND FOR OTHER PURPOSES.

Application File Date	
Zoning Number	
NPU / CD	All
Staff Recommendation	
NPU Recommendation	
ZRB Recommendation	

TO BE REFERRED TO ZRB AND ZONING COMMITTEE

F. ORDINANCES FOR SECOND READING

- 13-O-1083 (3) - 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

RESULT: FAVORABLE [UNANIMOUS]
AYES: Sheperd, Wan, Bottoms, Shook, Smith, Young Jr.

13-O-1101 (4) - AN ORDINANCE BY COUNCILMEMBER KWANZA HALL AND MICHAEL MICHAEL J. BOND AUTHORIZING THE INSTALLATION OF PUBLIC ART (A MURAL “YOUNG AMERICANS”), AT DAVID T. HOWARD SCHOOL (OFW) 551 JOHN WESLEY DOBBS BLVD, NE, ATLANTA, GEORGIA AS PURSUANT TO CODE SECTION 16-28.025 OF THE 1982 ZONING ORDINANCE OF THE CITY OF ATLANTA; AND FOR OTHER PURPOSES.

FORWARDED WITH NO RECOMMENDATION

RESULT: FORWARDED [UNANIMOUS]
AYES: Sheperd, Wan, Bottoms, Shook, Smith, Young Jr.

(ID # 2280) (5) - 11-O-0533/Z-11-12 AN ORDINANCE BY COUNCILMEMBER NATALYN ARCHIBONG AS SUBSTITUTED BY ZONING COMMITTEE #5 TO AMEND CHAPTER 32B NC-2 EAST ATLANTA VILLAGE NEIGHBORHOOD COMMERCIAL DISTRICT OF THE 1982 ZONING ORDINANCE OF THE CITY OF ATLANTA CODE OF ORDINANCES FOR THE PURPOSE OF ADDING SPECIAL REGULATIONS: AND FOR OTHER PURPOSES. (SUBSTITUTED #5 AND HELD 6/26/13)

Application File Date	September 28, 2011
Zoning Number	Z-11-12
NPU / CD	W-5
Staff Recommendation	Approval of Substitute Ordinance #5 (C
NPU Recommendation	Approval of Substitute Ordinance #4
ZRB Recommendation	Approval of Substitute Ordinance #5 (C

RESULT: HELD IN COMMITTEE

(ID # 2279) (6) - 13-O-0313 AND Z-13-07 AN ORDINANCE BY COUNCILMEMBER

NATALYN MOSBY ARCHIBONG AS AMENDED BY ZONING COMMITTEE TO ZONE PROPERTY LOCATED AT THE GLENAIRE SUBDIVISION, PHASE II, 1783 AND 187 GLENWOOD AVENUE, S.E., TO THE R-4 (SINGLE FAMILY RESIDENTIAL) ZONING DISTRICT; AND FOR OTHER PURPOSES. (HELD 6/26/13)

Application File Date	February 19, 2013
Zoning Number	Z-13-07
NPU / CD	W/5
Staff Recommendation	Approval Conditional
NPU Recommendation	Approval
ZRB Recommendation	Approval Conditional (6-6-2013)

RESULT: HELD IN COMMITTEE

- 13-O-1007 (7) - Z-13-12-AN AMENDED ORDINANCE BY ZONING COMMITTEE TO REZONE FROM THE R-3 (SINGLE FAMILY RESIDENTIAL) DISTRICT TO THE PDH (PLANNED DEVELOPMENT-HOUSING) DISTRICT, PROPERTY LOCATED AT 3002 LENOX ROAD, N.E. PROPERTY FRONTS APPROXIMATELY 144 FEET ON THE SOUTHWEST SIDE OF LENOX ROAD BEGINNING APPROXIMATELY 680 FEET FROM THE NORTHWEST CORNER OF BURKE ROAD. DEPTH: VARIES AREA: APPROXIMATELY 0.84 ACRES LAND LOTS: 7 AND 47, 17TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: LENOX CORNER, LLC APPLICANT: LINDA I. DUNLAVEY NPU B COUNCIL DISTRICT 7

Application File Date	April 4, 2013
Zoning Number	Z-13-12
NPU / CD	B/7
Staff Recommendation	Approval Conditional
NPU Recommendation	Approval Conditional
ZRB Recommendation	Approval Conditional

RESULT: APPROVED AS AMENDED [UNANIMOUS]
AYES: Sheperd, Wan, Bottoms, Shook, Smith, Young Jr.

- 13-O-1038 (8) - U-13-10/U-08-14 AN AMENDED ORDINANCE BY ZONING COMMITTEE GRANTING A SPECIAL USE PERMIT FOR THE TRANSFER OF EXCESS

DEVELOPMENT DENSITY FROM PROPERTY LOCATED AT 979 CRESCENT STREET (SENDING PARCEL) TO 207-225 13TH STREET (RECEIVING PARCEL) AND FOR OTHER PURPOSES. NPU E
 COUNCIL DISTRICT 2 (FAVORABLE - TO BE REFERRED ZRB AND ZONING COMMITTEE)

Application File Date	April 4, 2013
Zoning Number	U-13-10/U-08-14
NPU / CD	E/2
Staff Recommendation	Approval Conditional
NPU Recommendation	Approval
ZRB Recommendation	Approval Conditional

RESULT: APPROVED AS AMENDED [UNANIMOUS]
AYES: Sheperd, Wan, Bottoms, Shook, Smith, Young Jr.

13-O-1077 (9) - AN ORDINANCE BY COUNCILMEMBER IVORY L. YOUNG, JR. AS AMENDED BY ZONING COMMITTEE TO REZONE PROPERTY FROM C-2-C (COMMERCIAL SERVICE-CONDITIONAL) DISTRICT TO THE C-2-C (COMMERCIAL SERVICE-CONDITIONAL) DISTRICT FOR THE PURPOSE OF A CHANGE OF CONDITIONS, PROPERTY LOCATED AT 887 WEST MARIETTA STREET, N.W., FRONTING APPROXIMATELY 745 FEET ON THE NORTH SIDE OF WEST MARIETTA STREET NEAR THE INTERSECTION OF WEST MARIETTA AND JOSEPH E. LOWERY BOULEVARD AND A BORDERED ON THE SOUTHERN RAILWAY COMPANY. DEPTH: VARIES AREA: APPROXIMATELY 10.25 ACRES. LAND LOTS 150 AND 189, 17TH DISTRICT FULTON COUNTY, GEORGIA.

Application File Date	
Zoning Number	Z-13-16
NPU / CD	L, D,E, K
Staff Recommendation	Approval Conditional
NPU Recommendation	Approval
ZRB Recommendation	Approval Conditional

RESULT: APPROVED AS AMENDED [UNANIMOUS]
MOVER: Ivory Lee Young Jr., Councilmember, District 3
AYES: Sheperd, Wan, Bottoms, Shook, Smith, Young Jr.

G. PAPERS HELD IN COMMITTEE

(ID # 1821) (10) 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

RESULT: HELD IN COMMITTEE

(ID # 1865) (11) 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)

RESULT: HELD IN COMMITTEE

(ID # 2069) (12) 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

RESULT: APPROVED ON SUBSTITUTE [UNANIMOUS]
AYES: Sheperd, Wan, Bottoms, Shook, Smith, Young Jr.

H. REMARKS FROM THE PUBLIC

I. ADJOURNMENT

There being no further business to come before the Zoning Committee the meeting was adjourned at 10:00 AM

Respectfully submitted:

Angela H. Campbell, Legislative Assistant

Steve Tam, Research & Policy Analyst

The Honorable Keisha Lance Bottoms, Chair