

**ZONING COMMITTEE  
MINUTES  
WEDNESDAY, FEBRUARY 27, 2013  
9:30AM**

The regularly scheduled meeting of the Zoning Committee was held on **Wednesday, February 27, 2013** in Committee Room #2, at 9:40 a.m.

The following members were present:

**The Honorable Keisha Lance Bottoms, Chair  
The Honorable Howard Shook  
The Honorable Carla Smith  
The Honorable Joyce Sheperd**

The following members were absent:

**The Honorable Alex Wan, Vice Chair  
The Honorable Ivory Lee Young, Jr.**

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

**A. ADOPTION OF AGENDA - ADOPTED**

**B. APPROVAL OF MINUTES - APPROVED**

**CONSENT AGENDA**

**C. ORDINANCES FOR FIRST READING**

**13-O-0330 ( 1)** An Ordinance by Zoning Committee to amend the 1982  
**Z-13-01** Zoning Ordinance of the City of Atlanta, as amended, so as to create a new Chapter to be entitled 20Q, Collier Heights 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 R-3 (Single-Family Residential), R-3A (Single-Family Residential), R-4 (Single-Family Residential), MR-3 (Multi-Family Residential), MR-4-A (Multi-Family Residential), and PD-H (Planned Development-Housing) to R-3/HD (Single-Family Residential/Historic District), R-3A/HD (Single-Family Residential/Historic District), R-4/HD (Single-Family Residential/ Historic District), MR-3/HD (Multi-Family Residential/Historic District), MR-4-A/HD (Multi-Family Residential/Historic District), and PD-H/HD (Planned Development-Housing/Historic District), to repeal conflicting Laws; and for other purposes.

**ZONING COMMITTEE MINUTES  
WEDNESDAY, FEBRUARY 27, 2013  
PAGE TWO**

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

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

13-O-0331 ( 2)  
**Z-13-03/Z-843** An Ordinance by Zoning Committee to rezone from the C-2-C (Commercial Service-Conditional) District to the C-2-C (Commercial Service-Conditional) District for the purposes of a site plan amendment, property located at **3150 Howell Mill Road, NW**, fronting approximately 600 feet on the west side of Howell Mill Road, beginning approximately 220 feet from the southeast corner of Margaret Mitchell Drive.  
Depth: Approximately 530 Feet  
Area: Approximately 10.28 Acres  
Land Lot: 197, 17<sup>th</sup> District, Fulton County, Georgia  
Owner: The William Breman Jewish Home  
Applicant: Rex K. Bray

**NPU-C Council District 8**

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

13-O-0332 ( 3)  
**Z-13-05** An Ordinance by Zoning Committee to rezone from C-1 and R-4 (Community Business and Single Family Residential) District to the C-1 (Community Business) District, property located at **2114 and 2116 Defoors Ferry Road, NW and 2106 Defoors Mill Drive, NW**, 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, 17<sup>th</sup> District, Fulton County, Georgia  
Owner: Wyatt AMD Knox Investments, LLC  
Applicant: Valentin Ciuperca

**NPU-C Council District 9**

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

13-O-0333 ( 4)  
**Z-13-06** An Ordinance by Zoning Committee to rezone from O-I-C (Office Institutional-Conditional) District to the Special Public Interest 12-Subarea 1 (Buckhead/Lenox Stations) District, property located at **3463 Piedmont Road, NE (aka 3475 Piedmont Road, NE)** fronting approximately 575 feet

**ZONING COMMITTEE MINUTES  
WEDNESDAY, FEBRUARY 27, 2013  
PAGE THREE**

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

on the north side of Piedmont Road at the northwest corner of Lenox Road (the Loop).

Depth: Varies  
Area: Approximately 11.41 Acres  
Land Lot: 17, 17<sup>th</sup> District, Fulton County, Georgia  
Owner: CP Prominence LLC and SGCP Prominence Land LLC  
Applicant: SGCP Prominence Land LLC

**NPU-B Council District 7**

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

13-O-0335 ( 5)  
**U-13-01/  
U-08-02/  
U/84-48**

An Ordinance by Zoning Committee to amend Ordinance 08-O-0315 (U-08-02) and 84-O-0616 (U-84-48) which granted a Special Use Permit for a Private Club for purposes of a site plan amendment. Property located at **196 Montgomery Ferry Drive, NE**, fronting approximately 550 feet on the west side of Montgomery Ferry Drive, beginning 0 feet from the southwest corner of Golf Circle.

Depth: Varies  
Area: Approximately 45 Acres  
Land Lots: 56, 57, 103 and 104, 17<sup>th</sup> District, Fulton County, Georgia  
Owner: Ansley Golf Club, Inc.  
Applicant: Ben W. Giles

**NPU-E Council District 6**

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

13-O-0336 ( 6)  
**U-13-02**

An Ordinance by Zoning Committee granting a Special Use Permit for a Church and Daycare Center pursuant to Section 16-06.005 (l)(b and c) of the Zoning Ordinance, property located at **470 Candler Park Drive, NE**, fronting approximately 164 feet on the west side of Candler Park Drive and located at the southwest intersection of Candler Park Drive and Magnolia Street.

Depth: Approximately 214 Feet  
Area: 0.762 Acre  
Land Lot: 240, 15<sup>th</sup> District Dekalb County, Georgia  
Owner: First Existentialist Congregation  
Applicant: Randy Pimsler

**NPU-N Council District 6**

**ZONING COMMITTEE MINUTES  
WEDNESDAY, FEBRUARY 27, 2013  
PAGE FOUR**

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

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

- 13-O-0337 ( 7)  
**U-13-03**
- An Ordinance by zoning Committee granting a Special Use Permit for a Personal Care Home pursuant to Section 16-06A.005 (l) (g) of the zoning Ordinance, property located at **974 North Eugenia Place, NW**, fronting approximately 50 feet on the west side of North Eugenia Place and approximately 50 feet southwest of the intersection of North Eugenia Place and Clark Place.
- Depth: Varies  
Area: 0.222. Acre  
Land Lot 226, 17<sup>th</sup> District, Fulton County, Georgia  
Owner: Elgin Jordan  
Applicant: Cyclyn R. Smith-Mobley  
**NPU-J Council District 9**

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

**D. ORDINANCES FOR SECOND READING**

- 13-O-0314 ( 1)
- An Ordinance by Councilmember Natalyn Archibong authorizing the installation of Public Art (Mural at the Graveyard Tavern on south facing wall), 1245 Glenwood Avenue, SE, 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.

**FAVORABLE**

- 13-O-0315 ( 2)
- An Ordinance by Councilmember Natalyn Archibong authorizing the installation of Public Art (Mural at Tomatillos on the east wall), 1242 Glenwood Avenue SE, 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.

**FAVORABLE**

**ZONING COMMITTEE MINUTES  
WEDNESDAY, FEBRUARY 27, 2013  
PAGE FIVE**

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

13-O-0310 ( 3) An Ordinance by Councilmember Natalyn Archibong authorizing the installation of Public Art (Ladder to the Sky Sculpture) at 538 Flat Shoals Avenue, SE, 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.

**FAVORABLE**

**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, 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  
**Z-11-12** 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**

**ZONING COMMITTEE MINUTES  
WEDNESDAY, FEBRUARY 27, 2013  
PAGE SIX**

**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-0824 ( 5) 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**

11-O-0857 ( 6)  
**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**

**ZONING COMMITTEE MINUTES  
WEDNESDAY, FEBRUARY 27, 2013  
PAGE SEVEN**

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

- 12-O-0450 ( 7)  
**Z-12-13**      An Ordinance by Councilmember Keisha Bottoms **as Substituted by Zoning Committee** to rezone certain properties within the **Campbellton Road Corridor** in NPU-S from the RG-3 (Residential General), C-1 (Community Business), and C-1-C (Community Business-Conditional) Districts to the MR-3-C (Multi-Family Residential-Conditional) and MRC-2-C (Mixed Residential Commercial) Districts; and for other purposes. **(Held 2/27/13)**
- 12-O-0494 ( 8)  
**Z-12-16**      An Ordinance by Councilmembers Clela Winslow and C. T. Martin **as Substituted by Zoning Committee** to rezone certain properties within the Cascade Avenue Corridor in NPU-S and NPU-T from the C-1 (Community Business), and C-1-C (Community Business-Conditional), Districts to the NC-14 (Cascade Avenue Beecher Street Neighborhood Commercial) District; and for other purposes. **(Held 2/27/13)**

**LINK TO ZRB PENDING LEGISLATION**

<http://citycouncil.atlantaga.gov/2013/pendingzrb.htm>

**SUMMARY REPORT**  
February 27, 2013

<b>LEGISLATION NUMBER</b>	<b>ZONING NUMBER</b>	<b>LOCATION (NPU/CD)</b>	<b>CHANGE</b>	<b>STAFF RECOMM</b>	<b>NPU RECOMM</b>	<b>ZRB RECOMM</b>
<b>FAVORABLE</b> 13-O-0109	Z-12-48	930 Howell Mill Road, N.W. E-3	I-1 and I-2 to MRC-3	Approval	Approval	Approval
13-O-0110	Z-12-49	2131 and 2137 College Avenue, N.E. and 364 and 370 Murray Hill, N.E. O-5	R4-A /C-1 to R4-A	Approval	Approval	Approval
Councilmember Smith made a motion to approve. The vote was unanimous.						
<b>FAVORABLE ON SUBSTITUTE</b>						
13-O-0108	Z-12-47	1583 Howell Mill Road, N.W. D-8	R-4A/C-1/Beltline Overlay to C-1/Beltline Overlay	Approval	Approval	Approval
12-O-0457	Z-12-14	Campbellton Road Corridor in NPU S S-4 and 12	R-4, C-1 and C-2-C to MRC-1-C	Approval Conditional of a Substitute Ordinance	Approval	Approval Conditional of a Substitute Ordinance
12-O-0493	Z-12-17	Cascade Avenue Corridor T-4 and 10	R-4, C-1 and C-1-C to MRC-1-C and MRC-2-C	Approval Conditional of a Substitute Ordinance	Approval	Approval Conditional of a Substitute Ordinance
Councilmember Smith made a motion to approve. The vote was unanimous.						
<b>FAVORABLE AS AMENDED</b>						
12-O-1603	U-12-25	1685 Memorial Drive, S.E. (aka 225 Clifton Street) O-5	Special Use Permit	Approval Conditional	Approval	Approval Conditional
Councilmember Shook made a motion to approve as amended. The vote was unanimous.						

**SUMMARY REPORT**  
February 27, 2013

<b>LEGISLATION NUMBER</b>	<b>ZONING NUMBER</b>	<b>LOCATION (NPU/CD)</b>	<b>CHANGE</b>	<b>STAFF RECOMM</b>	<b>NPU RECOMM</b>	<b>ZRB RECOMM</b>
12-O-1604	Z-12-42	Text Amendment	Removal of outdoor sales and displays for greater than 90 days from special use permit to a permitted principal use	File	No Actions Taken	File
12-O-0489	Z-12-15	Campbellton Road Corridor in NPU-S	R-4, C-1 and C-2-C to MRC-1-C	File	Denial	File
12-O-1435	Z-12-38	908-930 Canterbury Lane@Canterbury Road, N.E. B-7	PD-H to PD-H for change of conditions	File	Deferral	File

Councilmember Smith made the motion to file. The vote was unanimous.

**ZONING COMMITTEE MINUTES  
WEDNESDAY, FEBRUARY 27, 2013  
PAGE EIGHT**

**There being no further business to come before the Zoning Committee the meeting was adjourned at 9:55 a.m.**

**Respectfully submitted:**

  
\_\_\_\_\_  
**Angela H. Campbell, Legislative Assistant**

  
\_\_\_\_\_  
**Steve Tam, Research & Policy Analyst**

  
\_\_\_\_\_  
**The Honorable Keisha Lance Bottoms, Chair**