



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, May 1, 2013

9:30 AM

Committee Room 2

I. CALL TO ORDER

The regularly scheduled meeting of the **Zoning Committee** was held on **Wednesday, May 1, 2013**, at **9:30 AM**, in **Committee Room 2**. The following members were present:

II. INTRODUCTION OF MEMBERS

Attendee Name	Title	Status	Arrived
Joyce Sheperd	Councilmember, District 12	Present	9:40 AM
Alex Wan	Vice Chair, Councilmember District 6	Present	9:40 AM
Keisha Lance Bottoms	Chair, Councilmember District 11	Present	9:40 AM
Howard Shook	Councilmember, District 7	Present	9:40 AM
Carla Smith	Councilmember, District 1	Present	9:40 AM
Ivory Lee Young Jr.	Councilmember, District 3	Present	9:41 AM

III. ADOPTION OF AGENDA

IV. APPROVAL OF MINUTES

CONSENT AGENDA

V. ORDINANCES FOR FIRST READING

Favorable to be Referred to ZRB and Zoning Committee

RESULT: ADOPTED [UNANIMOUS]

AYES: Sheperd, Wan, Bottoms, Shook, Smith, Young Jr.

13-O-1005 (1) - Z-13-10- An Ordinance by Zoning Committee to rezone from the RG-2 (Residential General-Sector 2) District to the RG-3 (Residential General-Sector 3) District, Property Located at 3700 PEACHTREE ROAD, N.E., Fronting Approximately 99 Feet on the North Side of Peachtree Road Beginning Approximately 151 Feet from the Northwest Corner of Vermont Road.

Depth: Varies.
 Area: Approximately 1.147 Acres.
 Land Lot: 10, 17TH District, Fulton County, Georgia.
 OWNER: Peachtree at Capitol City, LLC.
 APPLICANT: Peachtree at Capitol City, LLC
NPU B COUNCIL DISTRICT 7

13-O-1006 (2) - Z-13-11- An Ordinance by Zoning Committee to Rezone from the RG-2C (Residential General-Sector 2-Conditional) District to the RG-2 (Residential General-Sector 2-Conditional) District, Property Located at 1856 Defoor Avenue, 1138 Davis Street and 1180 Davis Circle, Fronting Approximately 515.32 Feet on the South Side of Defoor Avenue Beginning 110 Feet from the Westerly Intersection of Davis Street.

Depth: Varies
Area: Approximately 13.9 Acres.
Land Lot 186 and 187, 17Th District, Fulton County, Georgia.
OWNER: TABAS TWO LLLP
APPLICANT: TABAS TWO LLLP
NPU D COUNCIL DISTRICT 9

13-O-1007 (3) - Z-13-12-An 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

13-O-1008 (4) - Z-13-13- An Ordinance by Zoning Committee to Rezone from the C-1 (Community Business) District and the R-5 (Two-Family Residential) District to the MRC-2 (Mixed Residential Commercial) District, Property Located at 789 PONCE DE LEON AVENUE AND 672 AND 676 BONAVENTURE AVENUE, N.E., Fronting Approximately 161 Feet on the South Side of Ponce De Leon Avenue at the Southwest Corner of Bonaventure Avenue.

Depth: Approximately 330 Feet
Area: Approximately 1.33 Acres
Land Lot: 17, 14Th District, Fulton County, Georgia.
OWNER: CLERMONT HOTEL PARTNERS, LLC A
APPLICANT: CLERMONT HOTEL PARTNERS, LLC BY SHARON A. GAY, ESQ.
NPU N COUNCIL DISTRICT 2

13-O-1009 (5) - U-13-06 - An Ordinance by Zoning Committee Granting a Special Use Permit Pursuant to Section 16-06.005 (1) (G) for Property Located 1107 GRAYMONT DRIVE, S.W. for a PERSONAL CARE HOME. Property Fronts Approximately 105 Feet on the West Side of Graymont Drive Near the Intersection of Bluefield Drive and Graymont Drive.

Depth: Varies
Area: Approximately 0.316 Acres
Land Lot: 130, 14Th District, Fulton County, Georgia.
OWNER: ROBERT FLOYD
APPLICANT: JUDITH D. RIDLEY-ROBERT
NPU S COUNCIL DISTRICT 4

13-O-1010 (6) - U- 13-07-An Ordinance by Zoning Committee Granting a Special Use Permit for the Severance of Excess Development Rights for the Future Use for Property Located at 659 PEACHTREE STREET, N.E., and for Other Purposes.

OWNER: CSC GEORGIAN TERRACE LIMITED
PARTNERSHIP
APPLICANT: CSC GEORGIAN TERRACE LIMITED
PARTNERSHIP
NPU E COUNCIL DISTRICT 2

13-O-1011 (7) - U- 13-08-An Ordinance by Zoning Committee to Grant a Special Use Permit Pursuant to Section 16-07.005 (1) (G) for a REHABILITATION CENTER, Property Located at 957 and 961 ATLANTA STUDENT MOVEMENT BOULEVARD, (FORMERLY FAIR STREET), Fronting Approximately 75 Feet on the North Side of Atlanta Student Movement Boulevard (Formerly Fair Street) and Approximately 387.5 Feet East of the Intersection of Joseph E. Lowery Boulevard and Atlanta Student Movement Boulevard (Formerly Fair Street).

Depth: Approximately 125
Feet Area: Approximately 0.214 Acres
Land Lot: 116, 14Th District, Fulton County, Georgia.
OWNER: GEORGE DOE
APPLICANT: PASCHAL U. IKE
NPU T COUNCIL DISTRICT 4

13-O-1012 (8) - U- 13-09-An Ordinance by Zoning Committee to Grant a Special Use Permit Pursuant to Section 16-18P.007 (1) (B) (Ii) for an Eating and Drinking Establishment Greater Than 2,000 Square Feet or Floor Area or for Outdoor Accessory Dining, Property Located at 905 JUNIPER STREET, N.E., Fronting Approximately 219 Feet on the East Side of Juniper Street and Approximately 196 Feet on the South Side of 8TH Street.

Depth: Varies
Area: Approximately 1.02 Acres

Land Lot: 49, 14Th District, Fulton County, Georgia.
OWNER: 905 JUNIPER STREET HOMEOWNERS
ASSOCIATION
APPLICANT: MARK DARREN CARR
NPU E COUNCIL DISTRICT 2

13-O-1013 (9) - U-13-11- An Ordinance by Zoning Committee Granting a Special Use Permit for a HOTEL pursuant to Section 16-11.005 (1) (H), property located at **789 PONCE DE LEON AVENUE AND 672 AND 676 BONAVENTURE AVENUE, N.E.**, Fronting Approximately 161 Feet on the South Side of Ponce De Leon Avenue at the Southwest Corner of Bonaventure Avenue

Depth: Approximately 330 Feet
Area: Approximately 1.33 Acres
Land Lot: 17, 14Th District, Fulton County, Georgia.
OWNER: CLERMONT HOTEL PARTNERS, LLC
APPLICANT: CLERMONT HOTEL PARTNERS, LLC BY SHARON A. GAY, ESQ.
NPU N COUNCIL DISTRICT 2

VI. ORDINANCE FOR SECOND READING

(ID # 1721) (1) - 13-O-0634 An Ordinance by Councilmember Yolanda Adrean authorizing the Installation of public art (mural at the Collier Road Bridge over Tanyard Creek); adjacent to 471 Collier Road at Tanyard Creek, 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: Sheperd, Wan, Bottoms, Shook, Smith, Young Jr.

(ID # 1866) (2) - 13-O-0330/Z-13-01 An Ordinance by Zoning Committee to Amend the 1982 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. (Held 3/27/13 at the Request of the Councilmember of the District)

RESULT: FAVORABLE [UNANIMOUS]

AYES: Sheperd, Wan, Bottoms, Shook, Smith, Young Jr.

Council Member Felicia Moore

(ID # 2018) (3) - 13-O-0518 /U-13-04 An Ordinance by Zoning Committee granting a Special Use Permit for a Private Park pursuant to Section 16-06A.005(l)(k) of the Zoning Ordinance, property located at **1499, 1503, 1507 Hardee Street NE and 53 and 57 Mayson Avenue, NE**, fronting approximately 150 feet on the east side of Mayson Avenue at the intersection of Hardee Street and Mayson Avenue.

Depth: Approximately 115 Feet

Area: 0.415 Acre

Land Lot: 207, 15th District, Dekalb County, Georgia

Owner: Mayson Avenue Cooperative, LLC

Applicant: Smith Dalia Architects, LLC

NPU-O

Council District 5

RESULT: FAVORABLE [UNANIMOUS]

AYES: Sheperd, Wan, Bottoms, Shook, Smith, Young Jr.

Ron Shakir

VII. RESOLUTION

(ID # 1722) (1) - 13-R-0635 A Resolution by Councilmembers Felicia A. Moore and C. T. Martin extending Interim Development Controls for the properties located within the proposed Collier Heights Historic District (Z-13-01), from 120 days to 180 days or until such time as the Collier Heights Historic District Is approved by the City of Atlanta, which ever is sooner; to repeal conflicting Resolutions; and for other purposes.

RESULT: FILED BY COMMITTEE [UNANIMOUS]

AYES: Sheperd, Wan, Bottoms, Shook, Smith, Young Jr.

VIII. PAPERS HELD IN COMMITTEE

(ID # 1821) (1) - 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 [UNANIMOUS] Next: 5/15/2013 9:30 AM
AYES: Sheperd, Wan, Bottoms, Shook, Smith, Young Jr.

(ID # 1822) (2) - 11-O-0692/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)

RESULT: HELD IN COMMITTEE [UNANIMOUS] Next: 5/15/2013 9:30 AM
AYES: Sheperd, Wan, Bottoms, Shook, Smith, Young Jr.

(ID # 1824) (3) - 11-O-0693/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)

RESULT: HELD IN COMMITTEE [UNANIMOUS] Next: 5/15/2013 9:30 AM
AYES: Sheperd, Wan, Bottoms, Shook, Smith, Young Jr.

(ID # 1827) (4) - 11-O-0857 An Amended Ordinance by Zoning Committee granting a U-11-18 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) An Ordinance

RESULT: HELD IN COMMITTEE [UNANIMOUS] Next: 5/15/2013 9:30 AM
AYES: Sheperd, Wan, Bottoms, Shook, Smith, Young Jr.

(ID # 1865) (5) - 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 [UNANIMOUS] Next: 5/15/2013 9:30 AM
AYES: Sheperd, Wan, Bottoms, Shook, Smith, Young Jr.

6. Moved from held status

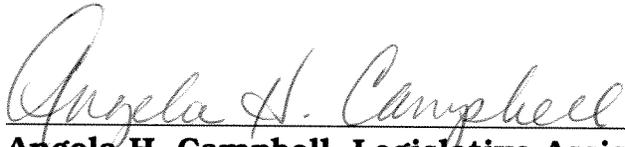
IX. REMARKS FROM PUBLIC

Ron Shakir

X. ADJOURNMENT

There being no further business to come before the Zoning Committee the meeting was adjourned at

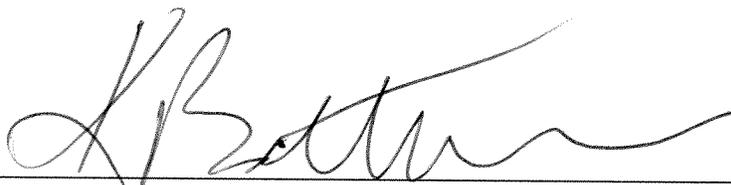
Respectfully submitted:



Angela H. Campbell, Legislative Assistant



Steve Tam, Research & Policy Analyst



The Honorable Keisha Lance Bottoms, Chair