



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, July 31, 2013

9:30 AM

Committee Room 2

A. CALL TO ORDER

The regularly scheduled meeting of the **Zoning Committee** was held on **Wednesday, July 31, 2013**, at **9:34 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	9:33 AM
Alex Wan	Vice-Chair	Present	9:31 AM
Keisha Lance Bottoms	Chair	Absent	
Howard Shook	Councilmember, District 7	Absent	
Carla Smith	Councilmember, District 1	Present	9:32 AM
Ivory Lee Young Jr.	Councilmember, District 3	Present	9:30 AM

Others in Attendance:

Attorney Lem Ward, Law Department; Director Charletta Wilson-Jacks, Office of Planning; Deputy Commissioner Dexter White, Department of Public Works; members of the Public and Council Staff

C. ADOPTION OF AGENDA

ADOPTED

D. APPROVAL OF MINUTES

APPROVED

E. ORDINANCE(S) FOR FIRST READING

13-O-1201 (1) - MRP-13-02 AN ORDINANCE BY ZONING COMMITTEE TO GRANT A CERTIFICATE UNDER THE PROVISIONS OF THE METROPOLITAN RIVER PROTECTION ACT FOR A NEW POOL, LOCATED AT 4322 SENTINEL VIEW COURT, A.K.A. 4691 SENTINEL POST ROAD (P.I.N. - 17 02140001002), 1.229ACRES IN LAND LOT 214, 17TH DISTRICT, FULTON COUNTY, GEORGIA. (TO BE ADVERTISED FOR A PUBLIC HEARING) OWNER: MICHAEL AND DEBORAH PILLE APPLICANT: MICHAEL AND DEBORAH PILLE NPU-A COUNCIL DISTRICT 8

Application File Date	May 20, 2013
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Zoning Number	MRPA-13-02
NPU / CD	A/8
Staff Recommendation	Staff concurs with ARC findings
NPU Recommendation	Not required
ZRB Recommendation	Not required

TO BE REFERRED TO ZONING COMMITTEE

F. ORDINANCES FOR SECOND READING

(ID # 2568) (2) - 13-O-0333/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 ON THE NORTH SIDE OF PIEDMONT ROAD AT THE NORTHWEST CORNER OF LENOX ROAD (THE LOOP). DEPTH: VARIES. AREA: APPROXIMATELY 11.41 ACRES, LAND LOT17, 17TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: CP PROMINENCE LLC AND SGCP PROMINENCE LAND LLC APPLICANT: SGCP PROMINENCE LAND LLC

Application File Date	February 12, 2013
Zoning Number	Z-13-06
NPU / CD	B/7
Staff Recommendation	Approval
NPU Recommendation	Approval
ZRB Recommendation	Approval

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

13-O-1041 (3) - Z-13-09 AN ORDINANCE BY ZONING COMMITTEE TO ZONE THE FORMER CASCADE ROAD LANDFILL PROPERTY LOCATED OFF CASCADE ROAD TO THE R-3 (SINGLE FAMILY RESIDENTIAL) ZONING DISTRICT AND FOR OTHER PURPOSES.

NPU/ CD	Q, H/10
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Staff Recommendation	Approval
NPU Q Recommendation	Approval
NPU H Recommendation	Denial
ZRB Recommendation	Approval (7/11/2013)

RESULT: FAVORABLE [UNANIMOUS]

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

(ID # 2522) (4) - 13-O-0331/Z-13-03/Z-8-43- A SUBSTITUTE ORDINANCE BY ZONING COMMITTEE TO REZONE FROM THE RG-3-C (RESIDENTIAL GENERAL SECTOR 3-CONDITIONAL) DISTRICT TO THE RG-3-C (RESIDENTIAL GENERAL SECTOR 3-CONDITIONAL) DISTRICT FOR THE PURPOSES OF A SITE PLAN AMENDMENT, PROPERTY LOCATED AT 3150, 3156 AND 3160 HOWELL MILL ROAD, N.W., 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, 17TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: THE WILLIAM BREMAN JEWISH HOME APPLICANT: SHARON GAY, ESQ. NPU C
COUNCIL DISTRICT 8

Application File Date	February 6, 2013
Zoning Number	Z-13-03-Z-8-43
NPU / CD	C/8
Staff Recommendation	Approval Conditional of Substitute Ordinance
NPU Recommendation	Approval Conditional
ZRB Recommendation	Approval Conditional of Substitute Ordinance (7-11-13)

RESULT: APPROVED ON SUBSTITUTE [UNANIMOUS]

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

(ID # 2526) (5) - 12-O-1614/Z-12-43 – A ORDINANCE BY COUNCILMEMBER CARLA SMITH AS SUBSTITUTED BY ZONING COMMITTEE TO REZONE PROPERTY HAVING A STREET ADDRESS OF 1104, 1144 AND 1174 AVONDALE AVENUE FROM THE O-I/BELTLINE (OFFICE-INSTITUTIONAL/BELTLINE

OVERLAY) ZONING DISTRICT TO THE MR4A-C/BELTLINE (MULTI FAMILY RESIDENTIAL-CONDITIONAL/BELTLINE OVERLAY) ZONING DISTRICT. NPU W COUNCIL DISTRICT 1

Application File Date	N/A
Zoning Number	Z-12-43
NPU / CD	W/1
Staff Recommendation	Approval
NPU Recommendation	Approval Conditional of Substitute Ordinance
ZRB Recommendation	Approval Conditional of Substitute Ordinance 7-11-13

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

13-O-1008 (6) - Z-13-13- AN AMENDED 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 APPLICANT: CLERMONT HOTEL PARTNERS, LLC BY SHARON A GAY, ESQ. NPU N COUNCIL DISTRICT 2

Application File Date	April 9, 2013
Zoning Number	Z-13-13
NPU/CD	N/2
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-1040 (7) - Z-13-15 AN AMENDED ORDINANCE BY ZONING COMMITTEE TO REZONE PROPERTY FROM R-4 (SINGLE-FAMILY RESIDENTIAL) DISTRICT TO THE PD-H (PLANNED DEVELOPMENT-HOUSING),

PROPERTY LOCATED AT 1175 AND 1185 SHERIDAN ROAD, N.E. FRONTING APPROXIMATELY 253 FEET ON THE SOUTH SIDE OF SHERIDAN ROAD BEGINNING APPROXIMATELY 720 FEET FROM THE EAST SIDE OF CHESHIRE BRIDGE ROAD. DEPTH: VARIES AREA: APPROXIMATELY 2.15 ACRES. LAND LOT 108, 18TH DISTRICT FULTON COUNTY, GEORGIA. OWNER: BEVERLY D. DELOACH/EDITH L. PLACEK APPLICANT: STEPHEN D. FICARRA NPU F COUNCIL DISTRICT 6

Application File Date	April 16, 2013
Zoning Number	Z-13-15
NPU / CD	F/6
Staff Recommendation	Approval Conditional
NPU Recommendation	Approval Conditional
ZRB Recommendation	Approval Conditional (7/11/2013)

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

13-O-1013 (8) - U-13-11- AN AMENDED 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

Application File Date	April 9, 2013
Zoning Number	U-13-11
NPU/CD	N/2
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-1084 (9) - U-13-12 AN AMENDED 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	Approval Conditional
NPU Recommendation	Approval
ZRB Recommendation	Approval Conditional (7/11/2013)

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

13-O-1011 (10) - 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

Application File Date	March 12, 2013
Zoning Number	U-13-08
NPU / CD	T/4
Staff Recommendation	File
NPU Recommendation	Denial
ZRB Recommendation	File

RESULT: FILED BY COMMITTEE [UNANIMOUS]
AYES: Sheperd, Wan, Bottoms, Shook, Smith, Young Jr.

(ID # 2604) (11) 13-O-0461/Z-13-09 (DUPLICATE)AN ORDINANCE BY ZONING COMMITTEE TO ZONE THE FORMER CASCADE ROAD LANDFILL PROPERTY LOCATED OFF CASCADE ROAD TO THE R-3 (SINGLE FAMILY RESIDENTIAL) ZONING DISTRICT; AND FOR OTHER PURPOSES.

Application File Date	
Staff Recommendation	Approval
NPU Recommendation	NPU Q= approval, NPU H= Denial
ZRB Recommendation	Approval

PULLED FROM ZRB AND FILED

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

G. PAPERS HELD IN COMMITTEE

(ID # 1821) (12) 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) (13) 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

13-O-1146 (14) - AN ORDINANCE BY COUNCILMEMBER KWANZA HALL AUTHORIZING THE INSTALLATION OF PUBLIC ART (A MURAL, "UNTITLED"), AT 483 EDGEWOOD AVENUE, ATLANTA, GEORGIA AS PURSUANT TO CODE SECTION 16-28.025 OF THE 1982 ZONING ORDINANCE OF THE CITY OF ATLANTA; AND FOR OTHER PURPOSES. (HELD 7/10/13 FOR CERTIFICATION FROM OFFICE OF TRANSPORTATION)

RESULT: HELD IN COMMITTEE

13-R-3310 (15) - A RESOLUTION BY COUNCILMEMBERS MICHAEL J. BOND, CLETA WINSLOW, KWANZA HALL, AND IVORY L. YOUNG, JR. REQUESTING THE DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT, BUREAU OF PLANNING BEGIN THE PROCESS OF STUDYING AND MAKING RECOMMENDATIONS TO AMEND THE 1982 ZONING ORDINANCE, AS AMENDED, BY CREATING A NEW CHAPTER TO BE ENTITLED CASTLEBERRY HILL SPECIAL PUBLIC INTEREST; AND FOR OTHER PURPOSES. (HELD 7/10/13)

RESULT: HELD IN COMMITTEE

H. WALK IN LEGISLATION

13-O-1207 (16) - *** AN ORDINANCE TO AMEND THE BUCKHEAD/LENOX STATIONS BLOCK AREA MAP TO INCORPORATE THE PROPERTY LOCATED AT 3463 (AKA 3465) PIEDMONT ROAD N.E. AND ASSIGN A BLOCK AREA THERETO; TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF ATLANTA TO REVISE THE BUCKHEAD/LENOX STATIONS DISTRICT STREET FRAMEWORK MAP AND TO REVISE THE BUCKHEAD/LENOX STATIONS HEIGHT FRAMEWORK MAP TO INCLUDE 3463 (AKA 3465) PIEDMONT ROAD N.E. IN THE TRANSITION STATION AREA; AND FOR OTHER PURPOSES.

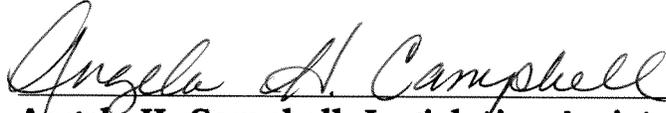
TO BE REFERRED TO ZRB AND ZONING COMMITTEE

I. REMARKS FROM THE PUBLIC

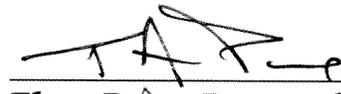
J. ADJOURNMENT

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

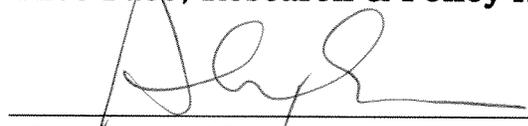
Respectfully submitted:



Angela H. Campbell, Legislative Assistant



Theo Pace, Research & Policy Analyst



The Honorable Alex Wan, Vice Chair