



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, October 30, 2013

9:30 AM

Committee Room 2

I. CALL TO ORDER

The regularly scheduled meeting of the **Zoning Committee** was held on **Wednesday, October 30, 2013**, at **9:34 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	9:41 AM
Alex Wan	Councilmember, District 6, Vice-Chair	Present	9:30 AM
Keisha Lance Bottoms	Councilmember, District 11, Chair	Present	9:34 AM
Howard Shook	Councilmember, District 7	Present	9:30 AM
Carla Smith	Councilmember, District 1	Present	9:34 AM
Ivory Lee Young Jr.	Councilmember, District 3	Present	9:39 AM

Others in Attendance:

Senior City Attorney Lem Ward, Law Department; Zoning Administrator Charletta Wilson Jacks, Senior Planner Racquel Jackson, Office of Planning; members of the Public and Council staff

III. ADOPTION OF AGENDA

ADOPTED

IV. APPROVAL OF MINUTES

APPROVED

V. ORDINANCES FOR FIRST READING

13-O-1363 (1) - AN ORDINANCE BY ZONING COMMITTEE TO REZONE CERTAIN PROPERTIES WITHIN SUBAREA 5 OF THE ATLANTA BELTLINE PLANNING AREA FROM VARIOUS DISTRICTS TO VARIOUS DISTRICTS TO IMPLEMENT THE ATLANTA BELTLINE MASTER PLAN: SUBAREA 5 (FREEDOM PARKWAY) STUDY.

Application File Date	
Zoning Number	
NPU / CD	N and M /2 and 5

Staff Recommendation	
NPU Recommendation	
ZRB Recommendation	

TO BE REFERRED TO ZRB AND ZONING COMMITTEE

13-O-1364 (2) - AN ORDINANCE BY ZONING COMMITTEE TO REZONE CERTAIN PROPERTIES WITHIN SUBAREA 3 OF THE ATLANTA BELTLINE PLANNING AREA FROM VARIOUS DISTRICTS TO VARIOUS DISTRICTS TO IMPLEMENT THE ATLANTA BELTLINE MASTER PLAN: SUBAREA 3 (BOULEVARD CROSSING) STUDY.

Application File Date	
Zoning Number	
NPU / CD	W and Y/1
Staff Recommendation	
NPU Recommendation	
ZRB Recommendation	

TO BE REFERRED TO ZRB AND ZONING COMMITTEE

13-O-1365 (3) - Z-13-44- AN ORDINANCE BY ZONING COMMITTEE TO REZONE FROM THE I-1 (LIGHT INDUSTRIAL) AND R-4A (SINGLE FAMILY RESIDENTIAL) TO THE C-2 (COMMERCIAL SERVICE) DISTRICT FOR PROPERTY LOCATED AT 720 DONALD LEE HOLLOWELL PARKWAY, N.W.. FRONTING APPROXIMATELY 100 FEET ON THE SOUTH SIDE OF DONALD LEE HOLLOWELL AT THE SOUTHWEST CORNER OF ECHO STREET. DEPTH: APPROXIMATELY 287 FEET. AREA: .737 ACRES. LAND LOT 112, 14TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER:

HAMILTON PROPERTIES, LLC APPLICANT:
HAMILTON PROPERTIES, LLC NPU L
COUNCIL DISTRICT 3

Application File Date	October 3, 2013
Zoning Number	Z-13-44
NPU / CD	L/3
Staff Recommendation	

NPU Recommendation	
ZRB Recommendation	

TO BE REFERRED TO ZRB AND ZONING COMMITTEE

VI. ORDINANCES FOR SECOND READING

13-O-1335 (4) - AN ORDINANCE BY COUNCILMEMBER KWANZA HALL AUTHORIZING THE INSTALLATION OF PUBLIC ART (HISTORY AND CULTURE) SOUTH FACING WALL OF 599 HIGHLAND AVE, ATLANTA, GEORGIA 30307 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.

13-O-1336 (5) - AN ORDINANCE BY COUNCILMEMBER KWANZA HALL AUTHORIZING THE INSTALLATION OF PUBLIC ART (ROCK SPINNER) ON THE NORTHEAST CORNER OF THE INTERSECTION OF TENTH STREET AND PEACHTREE STREET, 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.

13-O-1324 (6) - AN ORDINANCE BY COUNCILMEMBER YOLANDA ADREAN IMPOSING A MORATORIUM WITHIN THE COLLIER VILLAGE, AS DEFINED HEREIN, ON THE ACCEPTANCE OF ANY BUILDING PERMIT APPLICATION FOR NEW CONSTRUCTION FOR A PERIOD NOT TO EXCEED ONE HUNDRED AND EIGHTY (180) DAYS; AND FOR OTHER PURPOSES.

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

13-O-1196 (7) - AN ORDINANCE BY COUNCILMEMBERS CLETA WINSLOW AND CARLA SMITH TO AMEND THE SPI-18 MECHANICSVILLE NEIGHBORHOOD SPECIAL PUBLIC INTEREST DISTRICT REGULATIONS OF THE 1982 ATLANTA ZONING ORDINANCE, AS AMENDED, SO AS TO PERMIT EXISTING SURFACE PARKING LOTS ACCESSORY TO PERMITTED NON-RESIDENTIAL PRINCIPAL USES IN SUB-AREAS 3, 4, 5, 6, AND 9 FOR PARK-FOR-HIRE OPERATIONS DURING EVENTS AT TURNER FIELD; AND FOR OTHER PURPOSES.

RESULT: FAVORABLE [UNANIMOUS]
MOVER: Carla Smith, Councilmember, District 1
AYES: Sheperd, Wan, Bottoms, Shook, Smith, Young Jr.

13-O-1207 (8) - A SUBSTITUTE ORDINANCE BY ZONING COMMITTEE 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.

Application File Date	
Zoning Number	
NPU / CD	B/7
Staff Recommendation	Approval on Substitute
NPU Recommendation	Approval
ZRB Recommendation	Approval on Substitute (10-10 public hearing)

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

13-O-1223 (9) - A SUBSTITUTE ORDINANCE BY ZONING COMMITTEE TO REZONE FROM THE R-5 (TWO FAMILY RESIDENTIAL) DISTRICT TO THE MR-1 (MULTI-FAMILY RESIDENTIAL L) DISTRICT FOR PROPERTY LOCATED AT 951 AND 961 FAIR STREET, S.W., FRONTING APPROXIMATELY 75 FEET ON THE NORTH SIDE OF FAIR STREET BEGINNING APPROXIMATELY 387.5 FEET FROM THE NW CORNER OF FAIR STREET AND JOSEPH E. LOWERY BOULEVARD. DEPTH: VARIES. AREA: 0.215 ACRE. LAND LOT 116, 14TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: GEORGE DOE APPLICANT: PASCHAL U. IKE

Application File Date	8-2-13
Zoning Number	Z-13-29
NPU / CD	T/4
Staff Recommendation	Approval of Substitute Ordinance
NPU	Approval

Recommendation	
ZRB Recommendation	Approval of Substitute Ordinance (10-10-13 public hearing)

RESULT: APPROVED ON SUBSTITUTE [UNANIMOUS]

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

13-O-1221 (10) - AN AMENDED ORDINANCE BY ZONING COMMITTEE GRANTING A SPECIAL USE PERMIT FOR A PRESCHOOL PURSUANT TO SECTION 16-06A.005 (1) (B), PROPERTY LOCATED AT 1223 HARDEE STREET, N.E. FRONTING APPROXIMATELY 199 FEET ON THE SOUTH SIDE OF HARDEE STREET AND APPROXIMATELY 160 FEET EAST OF THE OF THE INTERSECTION OF HARDEE STREET AND SCREVEN AVENUE. DEPTH: VARIES. AREA: APPROXIMATELY 3.32 ACRES. LAND LOT 208, 15TH DISTRICT, DEKALB COUNTY, GEORGIA. OWNER: JAMES L. SMITH/ANTIOCH EAST BAPTIST CHURCH, INC. APPLICANT: NEW MORNING COMMUNITY PRESCHOOL AND DEBORAH N. VICKERY

Application File Date	8-6-13
Zoning Number	U-13-17
NPU / CD	O/5
Staff Recommendation	
NPU Recommendation	
ZRB Recommendation	

RESULT: APPROVED AS AMENDED [UNANIMOUS]

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

13-O-1225 (11) - AN AMENDED ORDINANCE BY ZONING COMMITTEE TO REZONE FROM THE C-1-C (COMMUNITY BUSINESS-CONDITIONAL) DISTRICT TO THE MR-4B-C (MULTI-FAMILY RESIDENTIAL-CONDITIONAL) DISTRICT FOR PROPERTY LOCATED AT 627 IRWIN STREET, N.E. FRONTING APPROXIMATELY 100 FEET ON THE SOUTH SIDE OF IRWIN BEGINNING 400 FEET FROM THE SOUTHWEST CORNER OF RANDOLPH. DEPTH: APPROXIMATELY 200 FEET. AREA: APPROXIMATELY .49 ACRE. LAND LOT 19, 14TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: JIM LAVALLEE/EPIC DEVELOPMENT, LLC. APPLICANT: JIM LAVALLEE/EPIC DEVELOPMENT, LLC.

Application File Date	8-6-13
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Zoning Number	Z-13-31
NPU / CD	M/2
Staff Recommendation	Approval Conditional
NPU Recommendation	Approval
ZRB Recommendation	Approval Conditional (10-10-13 public hearing)

RESULT: APPROVED AS AMENDED [UNANIMOUS]

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

13-O-1005 (12) - Z-13-10- AN AMENDED 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

Application File Date	3-12-13
Zoning Number	Z-13-10
NPU / CD	B-7
Staff Recommendation	Approval Conditional
NPU Recommendation	Approval
ZRB Recommendation	Approval Conditional (ZRB Public Hearing: 10-10-13)

RESULT: APPROVED AS AMENDED [UNANIMOUS]

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

VII. PAPERS HELD IN COMMITTEE

(ID # 1821) (13) 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. DEPTH: APPROXIMATELY 1,010 FEET AREA: APPROXIMATELY 10.32 ACRES LAND LOT: 42, 14TH DISTRICT, FULTON COUNTY, GEORGIA OWNER: JWGST LLC/JOSEPH WILESAPPLICANT: JASON FRITZ NPU-Y COUNCIL DISTRICT 1

(Substituted and amended and held 1/13/10 at the request of the District Councilmember)

RESULT: HELD IN COMMITTEE

(ID # 1865) (14) - 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 (15) - 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 (16) - 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

13-O-1310 (17) - AN ORDINANCE BY COUNCILMEMBER AARON WATSON TO AUTHORIZE THE REDUCTION OF SPECIAL ADMINISTRATIVE PERMIT FEES FOR URBAN GARDENS AS PRINCIPAL USES ON LOTS IN RESIDENTIAL ZONING DISTRICTS; AND FOR OTHER PURPOSES.
(Held 10/16/13)

RESULT: HELD IN COMMITTEE

VIII. REMARKS FROM THE PUBLIC

Brother Anthony Muhammad, Public Speaker
Senior Attorney Lem Ward

IX. ADJOURNMENT

X. REQUESTED ITEMS

10/2/13

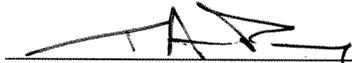
A request was made by Councilmember Wan to receive quarterly reports from the Office of Planning, containing information regarding rezoning industrial property from industrial districts. Concerns for the decreasing inventory of industrial property prompted Mr. Wan to ask the department to track changes that have been made to the existing inventory. The Department agreed to provide the first report by December of this year.

There being no further business to come before the Zoning Committee the meeting was adjourned at 9:56 AM

Respectfully submitted:



Angela H. Campbell, Legislative Assistant



Steve Tam, Research & Policy Analyst



The Honorable Keisha Lance Bottoms, Chair