

#12

3340

11-0-1177
AN ORDINANCE (See Above This Line)

BY: CARLA SMITH and Clara Winslow Z-11-22

AN ORDINANCE TO AMEND SECTIONS 16-29.001(16)(e) OF THE ZONING CODE OF THE CITY OF ATLANTA FOR THE PURPOSE OF AMENDING THE DISTANCE REQUIREMENT BETWEEN CERTAIN SUPPORTIVE HOUSING OR REHABILITATION FACILITIES LOCATED IN THE CITY OF ATLANTA; AND FOR OTHER PURPOSES

FILED
DEC 02 2013

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred: 8/15/11
 Referred To: ZRB + Zoning
 Date Referred:
 Referred To:
 Date Referred:
 Referred To:

First Reading

Committee _____
 Date _____
 Chair _____
 Referred To _____

Committee <i>Zoning</i>	Committee
Date <i>11/20/13</i>	Date
Chair <i>[Signature]</i>	Chair
Action Fav, Adv, Hold (see rev. side) Other <i>FILE</i>	Action Fav, Adv, Hold (see rev. side) Other
Members <i>[Signatures]</i>	Members
Refer To	Refer To

Committee	Committee
Date	Date
Chair	Chair
Action Fav, Adv, Hold (see rev. side) Other	Action Fav, Adv, Hold (see rev. side) Other
Members	Members
Refer To	Refer To

FINAL COUNCIL ACTION

- 2nd
- 1st & 2nd
- 3rd
- Readings
- Consent
- V Vote
- RC Vote

CERTIFIED
 DEC 02 2013
 ATLANTA CITY COUNCIL PRESIDENT
[Signature]

CERTIFIED
 DEC 02 2013
 Ronda Dauslin Johnson
 MUNICIPAL CLERK

MAYOR'S ACTION

RCS# 3210
12/02/13
5:59 PM

Atlanta City Council

MULTIPLE

ITEMS 9-40 OF THE ZONING COMMITTEE
REPORT
FILE

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Bond
B Hall	NV Wan	Y Martin	NV Watson
Y Young	Y Shook	Y Bottoms	Y Willis
Y Winslow	Y Adrean	Y Sheperd	NV Mitchell

MULTIPLE

CITY COUNCIL
ATLANTA, GEORGIA

11-0-1177

Z-11-22

AN ORDINANCE BY COUNCILMEMBER CARLA SMITH

and C. Hensler

AN ORDINANCE TO AMEND SECTIONS 16-29.001(16)(e) OF THE ZONING CODE OF THE CITY OF ATLANTA FOR THE PURPOSE OF AMENDING THE DISTANCE REQUIREMENT BETWEEN CERTAIN SUPPORTIVE HOUSING OR REHABILITATION FACILITIES LOCATED IN THE CITY OF ATLANTA; AND FOR OTHER PURPOSES.

WHEREAS, Section 16-29.001 of the City of Atlanta Zoning Code contains definitions of terms that describe the permitted uses; and

WHEREAS, Section 16-29.001(16)(c) defines a rehabilitation center use and limits the location of such use/facility to at least 2,000 feet from any other such rehabilitation facility as well as any personal care home, assisted living facility, nursing home, or supportive housing facility, or shelter; and

WHEREAS, Section 16-29.001(16)(e) defines that the required separation between personal care homes, assisted living facilities, rehabilitation centers, supportive housing facilities, and/or nursing homes shall be measured in a straight line from the nearest lot line of such a use to the nearest lot line of the property occupied by or proposed to be occupied by, any other such use; and

WHEREAS, Section 16-29.001(73) defines a supportive housing use and limits the location of such use/facility to at least 2,000 feet from any other such supportive housing facility as well as personal care home, assisted living facility, nursing home, rehabilitation center, or shelter; and

WHEREAS, a program providing rehabilitation and supportive housing services has existed for thirty years at 827 Pryor Street and 835 Pryor Street in Council District 1 and said program was a respected part of the Mechanicsville Community; and

WHEREAS, an application has been made to continue providing rehabilitation and supportive housing services pursuant to a Community Development Block Grant application and it appears that said application would be subject to the 2000 feet restriction set forth in Section 16-29.001(16)(c) and Section 16-29.001(73) and, while a special use facility is located within 2000 feet as measured by a straight line but is across the expressway and is actually 1.5 miles away in reasonable traveling distance;

WHEREAS, the local community organization and the NPU have indicated their support for the application to purchase, build and restore said property for use as a rehabilitation and supportive housing facility;

Now therefore,

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS, as follows:

Section 1. That Section 16-29.001(16)(e) of the Zoning Code of the City of Atlanta which reads as follows:

Measurement of distance: The required separation between personal care homes, assisted living facilities, rehabilitation centers and/or nursing homes established in paragraphs (a) (b) (c) and (d) above shall be

measured in a straight line from the nearest lot line of such a use to the nearest lot line of the property occupied by or proposed to be occupied by, any other such use. The required access to public transportation station or transit stops for personal care homes and/or rehabilitation centers established in paragraphs (a) (b) (c) and (d) above shall be measured in a straight line from the nearest lot line of such use to the nearest lot line of public transportation station or the marker establishing the transit stop.

is amended to read as follows:

Section 2. That Section 16-29.001(16)(e) of the Zoning Code of the City of Atlanta which reads as follows:

Measurement of distance: The required separation between personal care homes, assisted living facilities, rehabilitation centers and/or nursing homes established in paragraphs (a) (b) (c) and (d) above shall be measured in a straight line from the nearest lot line of such a use to the nearest lot line of the property occupied by or proposed to be occupied by, any other such use except that, where an interstate highway separates the two facilities, the distance, for purposes of the 2000 feet sitting rule, shall be the measured by the number of feet a vehicle must travel between the two facilities. The required access to public transportation station or transit stops for personal care homes and/or rehabilitation centers established in paragraphs (a) (b) (c) and (d) above shall be measured in a straight line from the nearest lot line of such use to the nearest lot line of public transportation station or the marker establishing the transit stop.

/attachments



August 9, 2011

Mr. James Talley, Director
City of Atlanta
Office of Grants Management
68 Mitchell Street
Suite 8100
Atlanta, GA 30303

Dear Mr. Talley:

WestCare Georgia is pleased to inform you that we have recently received formal support from two (2) additional Community Partners in support of our pending CDBG application with the City of Atlanta.

Attached are support letters from the Mechanicsville Civic Association, and Neighborhood Planning Unit-V (NPU-V). Please include these two significant support documents in our WestCare application.

Sincerely,

A handwritten signature in black ink that reads "Michael Langford". The signature is written in a cursive, flowing style.

Michael Langford
Regional Vice President
WestCare Georgia

MECHANICSVILLE CIVIC ASSOCIATION INC.

A Beautiful Atlanta Neighborhood

President David Holder Sr.
Vice-President Ocie Fulford, Esq.
Secretary Elizabeth Berkes
Treasurer Lisa Francis
Parliamentarian Kwame Thompson, Esq.
Chaplain Doristine Samuel
Membership Officer Natalie Johns, Esq.

200 Ormond St SW
Atlanta GA 30315
(404) 307-7174

August 8, 2011

The City of Atlanta and
Neighborhood Planning Unit –V

To Whom It May Concern:

We, the residents of the Mechanicsville neighborhood of Atlanta, by an affirmative vote taken at the August 2011 meeting of the Mechanicsville Civic Association, do hereby support Westcare, Inc. and its plans for developing properties located in Mechanicsville for the benefit of veteran women and their children, as well as assisting disabled persons. Because of the noble intentions of this undertaking, the Association approves this letter of support.

The residents of Mechanicsville look forward to maintaining a positive working relationship with Westcare, Inc. for years to come.

If you have any questions, please feel free to contact me.

Sincerely,

David M. Holder, Sr.
President
The Mechanicsville Civic Association



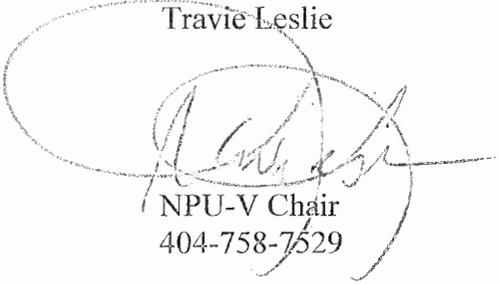
Neighborhood Planning Unit - V
1007 Metropolitan Parkway
Atlanta, Ga. 30310

The WESTCARE Inc. representative Mr. Michael Langford, appeared before NPU-V on August 8, 2011 seeking additional approval for developing properties in the Mechanicsville Community.

The Corporation appeared before the MCA (Mechanicsville Civic Association) neighborhood association on August 1, 2011 with their proposal and were approved.

The NPU-V also approved the proposal to establish a home for Veteran women and their children along with assistance for the disabled, in the Mechanicsville Community.

Travie Leslie



NPU-V Chair
404-758-7529