



**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 Yolanda Adrean

Theodis Pace  
 (404) 330-6314  
[tpace@atlantaga.gov](mailto:tpace@atlantaga.gov)

**Wednesday, May 28, 2014**

**9:30 AM**

**Committee Room 2**

**A. CALL TO ORDER**

The regularly scheduled meeting of the **Zoning Committee** was held on **Wednesday, May 28, 2014**, at **9:30 AM** in **Committee Room 2**. The following members were present:

**B. INTRODUCTION OF MEMBERS**

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>	<b>Arrived</b>
Yolanda Adrean	Chair	Present	9:30 AM
Carla Smith	Vice Chair	Present	9:35 AM
Keisha Lance Bottoms	Councilmember, District 11	Present	9:39 AM
Kwanza Hall	Councilmember, District 2	Present	9:45 AM
Mary Norwood	Councilmember, Post 2 At-Large	Present	9:35 AM
Howard Shook	Councilmember, District 7	Present	9:30 AM
Ivory Lee Young Jr.	Councilmember, District 3	Present	9:30 AM

**Others in Attendance:**

**C. ADOPTION OF AGENDA**

**ADOPTED**

**D. APPROVAL OF MINUTES**

**APPROVED**

**E. ORDINANCES FOR FIRST READING**

14-O-1275 (1) - Z-14-21-AN ORDINANCE BY ZONING COMMITTEE TO REZONE FROM THE R-5 (TWO-FAMILY RESIDENTIAL) DISTRICT TO THE C-1 (COMMUNITY BUSINESS) DISTRICT FOR PROPERTY LOCATED AT 380 14TH STREET, N.W., AND 1131 MECASLIN STREET, N.W., FRONTING APPROXIMATELY 162 FEET ON THE EAST SIDE OF MESCALIN STREET, APPROXIMATELY 172 FEET ON THE SOUTH SIDE OF 14TH STREET AND LOCATED AT THE SOUTHEASTERLY INTERSECTION OF MESCALIN AND 14TH STREET. DEPTH: VARIES AREA: APPROXIMATELY 0.925 ACRE LAND LOT 149. 14TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: 380 PROPERTIES, LLC APPLICANT: ROBERT PINDER NPU E COUNCIL DISTRICT 3

Application File Date	May 6, 2014
Zoning Number	Z-14-21

NPU / CD	E-3
Staff Recommendation	
NPU Recommendation	
ZRB Recommendation	

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

- 14-O-1276 (2) - Z-14-22-AN ORDINANCE BY ZONING COMMITTEE TO REZONE FROM THE R-4 (SINGLE FAMILY RESIDENTIAL) DISTRICT TO THE R-4A (SINGLE FAMILY RESIDENTIAL) DISTRICT FOR PROPERTY LOCATED AT 946 DELAWARE AVENUE, S.E., FRONTING APPROXIMATELY 175 FEET ON THE WEST SIDE OF DELAWARE AVENUE AND APPROXIMATELY 163 FEET ON THE EAST SIDE OF ORMEWOOD TERRACE. DEPTH: APPROXIMATELY 554 FEET. AREAS: APPROXIMATELY 1.9 ACRES. LAND LOT 11, 14TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: 946 DELAWARE AVENUE INVESTMENT, LLC APPLICANT: BRAD GOOD NPU W COUNCIL DISTRICT 1

Application File Date	May 6, 2014
Zoning Number	Z-14-22
NPU / CD	W-1
Staff Recommendation	
NPU Recommendation	
ZRB Recommendation	

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

- 14-O-1277 (3) - Z-14-24-AN ORDINANCE BY ZONING COMMITTEE TO REZONE FROM THE R-5 (TWO FAMILY RESIDENTIAL) DISTRICT TO THE MR-4B (MULTI-FAMILY RESIDENTIAL) DISTRICT FOR PROPERTY LOCATED AT 471 AND 495 RANKIN PLACE, N.E., FRONTING APPROXIMATELY 168 FEET ON THE EAST SIDE OF RANKIN PLACE BEGINNING APPROXIMATELY 91.38 FEET FROM THE NORTHEAST CORNER OF RANKIN STREET. DEPTH: APPROXIMATELY 160 FEET. AREAS: APPROXIMATELY 0.71 ACRE LAND LOT 47, 14TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: PACIFICPOINT REALTY, LLC APPLICANT: PACIFICPOINT REALTY, LLC/KARIM SHARIFF C/O G. DOUGLAS DILLARD NPU M COUNCIL DISTRICT 2

Application File Date	May 6, 2014
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Zoning Number	Z-14-24
NPU / CD	M-2
Staff Recommendation	
NPU Recommendation	
ZRB Recommendation	

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

14-O-1278 (4) - AN ORDINANCE BY ZONING COMMITTEE AMENDING CHAPTER 16 OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA GEORGIA FOR THE PURPOSE OF DEFINING CERTAIN TERMS RELATING THE CHARGING OF ELECTRIC VEHICLES AND ALTERNATIVE FUEL STATIONS; SETTING FORTH REGULATIONS CONCERNING THE INSTALLATION AND USE OF CHARGING STATIONS FOR ELECTRIC VEHICLES; AND FOR OTHER PURPOSES.

Application File Date	
Zoning Number	Z-14-26
NPU / CD	City Wide Text Amendment
Staff Recommendation	
NPU Recommendation	
ZRB Recommendation	

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

14-O-1279 (5) - Z-14-25-AN ORDINANCE BY ZONING COMMITTEE TO REZONE FROM THE R-4A (SINGLE FAMILY RESIDENTIAL) DISTRICT TO THE RG-2 (RESIDENTIAL GENERAL-SECTOR 2) DISTRICT FOR PROPERTY LOCATED AT 1767 AND 1777 MARIETTA ROAD, N.W. FRONTING APPROXIMATELY 263 FEET ON THE NORTH SIDE OF MARIETTA ROAD AT THE NORTHEASTERN CORNER OF MARIETTA AND ALMA. DEPTH: APPROXIMATELY VARIES AREA: APPROXIMATELY 2.23 ACRES. LAND LOTS 222 AND 223 17TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: ANITA C. SERRATO AND KYLE E. JONES APPLICANT: CHURCHILL PARTNERS, LLC NPU D COUNCIL DISTRICT 9

Application File Date	May 13, 2014
Zoning Number	Z-14-25

NPU / CD	D-9
Staff Recommendation	
NPU Recommendation	
ZRB Recommendation	

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

14-O-1280 (6) - AN ORDINANCE BY ZONING COMMITTEE TO EXTEND THE DEVELOPMENT TIME TABLES FOR PROPERTY LOCATED AT 207, 211, 219, 223 AND 225 13TH STREET (RECEIVING PARCEL) IN CONNECTION WITH THE TRANSFER OF DEVELOPMENT RIGHTS AUTHORIZED PURSUANT TO SPECIAL USE PERMIT U-13-10; AND FOR OTHER PURPOSES.

Application File Date	
Zoning Number	
NPU / CD	E-2
Staff Recommendation	Not required
NPU Recommendation	Not required
ZRB Recommendation	No public hearing required

**TO BE REFERRED TO ZONING COMMITTEE**

14-O-1281 (7) - AN ORDINANCE BY ZONING COMMITTEE CORRECTING ORDINANCE 14-O-1034, ADOPTED BY CITY COUNCIL FEBRUARY 3, 2014, AND APPROVED BY THE MAYOR ON FEBRUARY 12, 2014 WITHOUT SIGNATURE BY OPERATION OF LAW REZONING PROPERTY LOCATED AT 1875, 1891, 1895 AND 1901 PEACHTREE ROAD, N.E. WHICH REZONED SAID PROPERTY FROM THE C-3 (COMMERCIAL RESIDENTIAL) , C-3-C (COMMERCIAL RESIDENTIAL-CONDITIONAL) AND R-4 (SINGLE FAMILY RESIDENTIAL) DISTRICTS TO THE C-3-C (COMMERCIAL RESIDENTIAL-CONDITIONAL) AND R-4 (SINGLE FAMILY RESIDENTIAL) DISTRICTS SO THAT THE CONDITIONS ARE FURTHER CLARIFIED REGARDING THE SITE PLAN; AND FOR OTHER PURPOSES.

Application File Date	
Zoning Number	Z-13-30 A (corrective)
NPU / CD	C-8

Staff Recommendation	Not required
NPU Recommendation	Not required
ZRB Recommendation	Not required

**TO BE REFERRED TO ZONING COMMITTEE**

**F. ORDINANCES FOR SECOND READING**

14-O-1233 (8) - U-81-23 (TR 14-03) AN ORDINANCE BY ZONING COMMITTEE TO AMEND ORDINANCE 81-23 ADOPTED BY THE CITY COUNCIL ON SEPTEMBER 8, 1981 AND APPROVED BY THE MAYOR ON SEPTEMBER 15, 1981 APPROVING A TRANSFER OF OWNERSHIP FOR A SPECIAL USE PERMIT FOR A DAY CARE CENTER FOR PROPERTY LOCATED AT 1100, 1102 AND 1127 CASCADE AVENUE, S.W., AND FOR OTHER PURPOSES. NPU S COUNCIL DISTRICT 4

Application File Date	4-30-14
Zoning Number	U-81-23 (TR-14-03)
NPU / CD	S/4
Staff Recommendation	Not Required
NPU Recommendation	Not Required
ZRB Recommendation	Not Required

**RESULT: FAVORABLE [UNANIMOUS]**

**AYES:** Adrean, Smith, Bottoms, Hall, Norwood, Shook, Young Jr.

14-O-1133 (9) - AN ORDINANCE BY COUNCILMEMBER YOLANDA ADREAN TO AMEND CHAPTER 29 OF THE ZONING CODE OF THE CITY OF ATLANTA, ENTITLED "DEFINITIONS" AT SECTION 16-29.001(2) SO AS TO CLARIFY THE MANNER IN WHICH THE DEFINITION OF ACCESSORY STRUCTURES AND USES SHOULD BE APPLIED TO PUBLIC SCHOOLS; AND FOR OTHER PURPOSES.

Application File Date	Personal Paper
Zoning Number	Z-14-13
NPU / CD	All

Staff Recommendation	Approval
NPU Recommendation	See Attached Worksheet
ZRB Recommendation	Approval

**RESULT: FAVORABLE [UNANIMOUS]**

**MOVER:** Yolanda Adrean, Chair

**AYES:** Adrean, Smith, Bottoms, Hall, Norwood, Shook, Young Jr.

14-O-1118 (10) - A SUBSTITUTE ORDINANCE BY FINANCE/EXECUTIVE COMMITTEE TO AMEND THE 1982 ZONING ORDINANCE OF THE CITY OF ATLANTA BY REPLACING CHAPTER 20C. MARTIN LUTHER KING, JR. LANDMARK DISTRICT WITH A NEW CHAPTER 20C. ENTITLED "MARTIN LUTHER KING, JR. LANDMARK DISTRICT"; TO AMEND THE OFFICIAL ZONING MAP WITHIN SAID MARTIN LUTHER KING, JR. LANDMARK DISTRICT CONSISTENT WITH SAID CHAPTER 20C. AMENDMENTS; TO AMEND SECTION 28A.010 OF THE CITY OF ATLANTA SIGN ORDINANCE BY REPLACING SUBSECTION (27) OF SAID SECTION WITH A NEW SUBSECTION (27) ENTITLED MARTIN LUTHER KING, JR. LANDMARK DISTRICT SIGN REGULATIONS; AND FOR OTHER PURPOSES.

Application File Date	
Zoning Number	Z-14-09
NPU / CD	M-2
Staff Recommendation	Approval of Substitute Ordinance
NPU Recommendation	Approval Conditional
ZRB Recommendation	Approval Conditional-Substitute Ordinance

**RESULT: APPROVED ON SUBSTITUTE [UNANIMOUS]**

**MOVER:** Kwanza Hall, Councilmember, District 2

**AYES:** Adrean, Smith, Bottoms, Hall, Norwood, Shook, Young Jr.

14-O-1043 (11) - Z-13-52-A SUBSTITUTE ORDINANCE AS AMENDED BY ZONING COMMITTEE TO REZONE FROM THE PD-H (PLANNED-DEVELOPMENT-MIXED USE) DISTRICT TO THE MR-2-C (MULTI FAMILY RESIDENTIAL)/BELTLINE OVERLAY DISTRICTS FOR PROPERTY LOCATED AT 1455 FAIRMONT ROAD, N.W., 1393 ELLSWORTH INDUSTRIAL BOULEVARD, N.W. AND ALSO KNOWN AS PARCEL NUMBERS 17-0188-0001-023 AND 17-0188-0001-020 (NOW KNOWN AS 17-0188-0001-024 AND 17-0188-000-026) FRONTING APPROXIMATELY 1,249 FEET FROM THE NORTHEAST CORNER OF HUFF ROAD. DEPTH: VARIES AREA: APPROXIMATELY 24.077 ACRES. LAND LOT 188, 17TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: ENGLISH FAIRMONT

PARTNERS, LLC. APPLICANT: JESSICA HILL, ESQ. NPU D COUNCIL DISTRICT 9

Application File Date	11-5-2013
Zoning Number	Z-13-52
NPU / CD	D/9
Staff Recommendation	Approval Conditional-Substitute Ordinance
NPU Recommendation	Approval
ZRB Recommendation	Approval Conditional-Substitute Ordinance

**FAVORABLE ON SUBSTITUTE AS AMENDED**

**RESULT: APPROVED ON SUBSTITUTE [UNANIMOUS]**

**AYES:** Adrean, Smith, Bottoms, Hall, Norwood, Shook, Young Jr.

14-O-1206 (12) - U-14-04- AN AMENDED ORDINANCE BY ZONING COMMITTEE GRANTING A SPECIAL USE PERMIT FOR A CHURCH PURSUANT TO SECTION 16-34. 007 (1) (C) FOR PROPERTY LOCATED AT 1085 PONCE DE LEON AVENUE, N.E., FRONTING APPROXIMATELY 237 FEET ON THE SOUTH SIDE OF PONCE DE LEON AVENUE AT THE SOUTHEAST CORNER OF NORTH HIGHLAND AVENUE. DEPTH: VARIES. AREA: APPROXIMATELY 3.058 ACRES. LAND LOT 16, 14TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: DRUID HILLS BAPTIST CHURCH (MARY ANN WALKER-PASTOR) APPLICANT: ERIC KRONBERG NPU N COUNCIL DISTRICT 2

Application File Date	2-3-2014
Zoning Number	U-14-04
NPU / CD	N/2
Staff Recommendation	Approval Conditional
NPU Recommendation	Approval Conditional
ZRB Recommendation	Approval Conditional

**RESULT: APPROVED AS AMENDED [UNANIMOUS]**

**AYES:** Adrean, Smith, Bottoms, Hall, Norwood, Shook, Young Jr.

14-O-1092 (13) - AN AMENDED ORDINANCE BY ZONING COMMITTEE TO AMEND VARIOUS SECTIONS OF THE ATLANTA ZONING ORDINANCE FOR THE PURPOSE OF DEFINING URBAN GARDENS AND MARKET GARDENS AS

A PERMITTED USE; TO PROVIDE WHERE AND UNDER WHAT CONDITIONS SUCH USES SHALL BE PERMITTED; AND FOR OTHER PURPOSES.

Application File Date	
Zoning Number	Z-14-05
NPU / CD	All
Staff Recommendation	Approval
NPU Recommendation	See attached NPU worksheet
ZRB Recommendation	Approval

**RESULT: APPROVED AS AMENDED [UNANIMOUS]**

**AYES:** Adrean, Smith, Bottoms, Hall, Norwood, Shook, Young Jr.

14-O-1212 (14) - Z-14-06- AN AMENDED ORDINANCE BY ZONING COMMITTEE TO REZONE FROM THE I-1 (LIGHT INDUSTRIAL) AND R-4 (SINGLE FAMILY RESIDENTIAL) DISTRICT TO THE C-1-C (COMMUNITY BUSINESS-CONDITIONAL) DISTRICT, PROPERTY LOCATED AT 560, 568 AND 576 TRABERT AVENUE, N.W., FRONTING APPROXIMATELY 234 FEET ON THE SOUTH SIDE OF TRABERT AVENUE APPROXIMATELY 270 FEET FROM THE SOUTHEAST CORNER OF NORTHSIDE DRIVE. DEPTH: VARIES. AREA: APPROXIMATELY 1.34 ACRES. LAND LOT 148, 17TH DISTRICT FULTON COUNTY, GEORGIA. OWNER: ALDERMAN DRIVE HOLDINGS, LLC/BRIAN E. FEES, TRUSTEE FOR THE BRIAN E. FEES LIVING TRUST. APPLICANT: ALDERMAN DRIVE HOLDINGS, LLC BY ROBERT L. ZOECKLER, ESQ. NPU E COUNCIL DISTRICT 8

Application File Date	2-19-2014
Zoning Number	Z-14-06
NPU / CD	E/8
Staff Recommendation	Approval Conditional
NPU Recommendation	Approval Conditional
ZRB Recommendation	Approval Conditional

**(Held 5/28/14)**

**RESULT: HELD IN COMMITTEE**

14-O-1214 (15) - Z-14-10-AN AMENDED 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, PROPERTY LOCATED AT 3663-3667 PEACHTREE ROAD, N.E., FRONTING APPROXIMATELY 162 FEET ON THE SOUTH SIDE OF PEACHTREE ROAD BEGINNING APPROXIMATELY 836.47 FEET FROM THE NORTHWEST CORNER OF CANTRELL ROAD DEPTH: VARIES. AREA: APPROXIMATELY 1.49 ACRES. LAND LOT 10, 17TH DISTRICT FULTON COUNTY, GEORGIA. OWNER: 3663 PEACHTREE, LLC C/O FRED FILSOOF. APPLICANT: 3663 PEACHTREE, LLC C/O FRED FILSOOF. NPU B COUNCIL DISTRICT 7

Application File Date	3-14-14
Zoning Number	Z-14-10
NPU / CD	B/7
Staff Recommendation	Approval Conditional
NPU Recommendation	Approval
ZRB Recommendation	Approval Conditional

**RESULT: APPROVED AS AMENDED [UNANIMOUS]**

**AYES:** Adrean, Smith, Bottoms, Hall, Norwood, Shook, Young Jr.

14-O-1217 (16) - Z-14-16-AN AMENDED ORDINANCE BY ZONING COMMITTEE TO REZONE FROM THE RG-2 (RESIDENTIAL GENERAL-SECTOR 2) DISTRICT TO THE MR-3-C (MULTIFAMILY RESIDENTIAL-CONDITIONAL) DISTRICT FOR PROPERTY LOCATED AT 18 PEACHTREE AVENUE, N .E., FRONTING 120 FEET ON THE NORTH SIDE OF PEACHTREE AVENUE BEGINNING APPROXIMATELY 480 FEET FROM THE NORTHEAST CORNER OF PEACHTREE ROAD. DEPTH: VARIES. AREA: APPROXIMATELY 0.66 ACRE. LAND LOT 100, 17TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: JW HOMES, LLC APPLICANT: JW HOMES, LLC NPU B COUNCIL DISTRICT 7

Application File Date	3-7-2014
Zoning Number	Z-14-16
NPU / CD	B/7
Staff Recommendation	Approval Conditional
NPU Recommendation	Approval

ZRB Recommendation	Approval Conditional
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**RESULT: APPROVED AS AMENDED [UNANIMOUS]**

**AYES:** Adrean, Smith, Bottoms, Hall, Norwood, Shook, Young Jr.

14-O-1035 (17) - Z-13-35- AN AMENDED ORDINANCE BY ZONING COMMITTEE TO REZONE FROM THE C-3-C/BL (COMMERCIAL RESIDENTIAL-CONDITIONAL/BELTLINE OVERLAY) DISTRICT AND C-3/BL (COMMERCIAL RESIDENTIAL/BELTLINE OVERLAY) DISTRICT TO THE C-3-C/BL (COMMERCIAL RESIDENTIAL-CONDITIONAL/BELTLINE OVERLAY) DISTRICT FOR PROPERTY LOCATED AT (A PORTION OF) 2140 PEACHTREE ROAD, N.W., FRONTING APPROXIMATELY 339 FEET ON THE WEST SIDE OF PEACHTREE ROAD BEGINNING APPROXIMATELY 149 FEET FROM THE SOUTHWEST INTERSECTION OF PEACHTREE ROAD AND COLONIAL HOMES DRIVE. DEPTH: VARIES; AREA: 1.91 ACRES. LAND LOT 111, 17TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: BROOKWOOD SQUARE, LLC APPLICANT: GRAYCO PARTNERS, LLC NPU C COUNCIL DISTRICT 8

**RESULT: APPROVED AS AMENDED [UNANIMOUS]**

**AYES:** Adrean, Smith, Bottoms, Hall, Norwood, Shook, Young Jr.

**G. PAPERS HELD IN COMMITTEE**

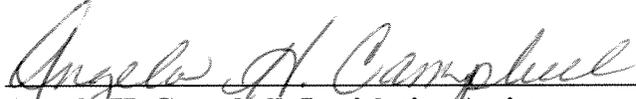
**H. REMARKS FROM THE PUBLIC**

**I. ADJOURNMENT**

**J. REQUESTED ITEMS**

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

**Respectfully submitted:**

  
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**Angela H. Campbell, Legislative Assistant**

  
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**Theo Pace, Research & Policy Analyst**

  
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**The Honorable Yolanda Adrean, Chair**