



**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, March 12, 2014

9:30 AM

Committee Room 2

**A. CALL TO ORDER**

The regularly scheduled meeting of the **Zoning Committee** was held on **Wednesday, March 12, 2014**, at **10:03 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	9:40 AM
Carla Smith	Vice Chair	Present	9:40 AM
Keisha Lance Bottoms	Councilmember, District 11	Absent	
Kwanza Hall	Councilmember, District 2	Present	10:03 AM
Mary Norwood	Councilmember, Post 2 At-Large	Present	9:40 AM
Howard Shook	Councilmember, District 7	Absent	
Ivory Lee Young Jr.	Councilmember, District 3	Absent	

**Others in Attendance:**

Attorney Lem Ward, Law Department; Zoning Administrator Charletta Wilson Jacks; members of the public and Council staff.

**C. ADOPTION OF AGENDA**

**ADOPTED**

**D. APPROVAL OF MINUTES**

**APPROVED**

**CONSENT AGENDA**

**E. ORDINANCES FOR FIRST READING**

14-O-1150 (1) - U-14-05-AN ORDINANCE BY ZONING COMMITTEE GRANTING A SPECIAL USE PERMIT FOR A PRIVATE SCHOOL PURSUANT TO SECTION 16.09, 005 (1) (K) FOR PROPERTY LOCATED AT 678 MORELAND AVENUE, N.E. FRONTING APPROXIMATELY 160 FEET ON THE EAST SIDE OF MORELAND AVENUE BEGINNING 60 FEET FROM THE NORTHWEST CORNER OF BLUE RIDGE AVENUE. DEPTH: APPROXIMATELY 164 FEET. AREA: APPROXIMATELY 0.23 ACRE. LAND LOT 16, 14TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: JNS2, INC. (STEVE WALLACE) APPLICANT: MIT ASSOCIATES, INC. (NANNETTE FISCHER AND AUGUSTA MCDONALD) NPU N COUNCIL DISTRICT 2

Application File Date	February 4, 2014
Zoning Number	U-14-05
NPU / CD	N/2
Staff Recommendation	
NPU Recommendation	
ZRB Recommendation	

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

- 14-O-1151 (2) - Z-14-04- AN ORDINANCE BY ZONING COMMITTEE TO REZONE FROM THE C-2-C (COMMERCIAL SERVICE-CONDITIONAL) DISTRICT TO THE R-5 (TWO FAMILY RESIDENTIAL) DISTRICT, PROPERTY LOCATED AT 170 CHESTER AVENUE, S.E., FRONTING APPROXIMATELY 56 FEET ON THE EAST SIDE OF CHESTER AVENUE BEGINNING 64 FEET FROM THE NORTHEAST CORNER OF FULTON TERRACE. ROAD. DEPTH: 117 FEET. AREA: APPROXIMATELY 0.15 ACRE. LAND LOT 13, 14TH DISTRICT FULTON COUNTY, GEORGIA. OWNER: BOLSTER PROPERTIES APPLICANT: NATHAN D. BOLSTER NPU N COUNCIL DISTRICT 2

Application File Date	January 8, 2014
Zoning Number	Z-14-04
NPU / CD	N/2
Staff Recommendation	
NPU Recommendation	
ZRB Recommendation	

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

- 14-O-1152 (3) - U-14-03-AN ORDINANCE BY ZONING COMMITTEE GRANTING A SPECIAL USE PERMIT FOR A PERSONAL CARE HOME PURSUANT TO SECTION 16.06.005 (1) (G) FOR PROPERTY LOCATED AT 2362 BURROUGHS AVENUE, S.E., FRONTING APPROXIMATELY 149.37 ON THE WEST SIDE OF BURROUGHS AVENUE AND APPROXIMATELY 259 FEET SOUTH TO THE INTERSECTION OF THE RIGHT OF WAY OF MCWILLIAMS DRIVE. DEPTH: VARIES. AREA: APPROXIMATELY 0.833 ACRE. LAND LOT 38, 14TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: LATANYA R. BURTON APPLICANT: LATANYA R. BURTON NPU Z COUNCIL DISTRICT 1

Application File Date	1-16-2014
Zoning Number	U-14-03
NPU / CD	Z/1
Staff Recommendation	
NPU Recommendation	
ZRB Recommendation	

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

**REGULAR AGENDA**

**F. ORDINANCES FOR SECOND READING**

14-O-1127 (4) - U-71-56 (TR-14-001)- AN ORDINANCE BY ZONING COMMITTEE TO AMEND ORDINANCE 07-O-0638 (U-71-56) ADOPTED BY THE CITY COUNCIL ON MAY 7, 2007 AND APPROVED BY THE MAYOR ON MAY 14, 2007 APPROVING A TRANSFER OF OWNERSHIP FOR A SPECIAL USE PERMIT FOR A DAY CARE CENTER FOR PROPERTY LOCATED AT 2365 COUNTY LINE ROAD, S.W.; AND FOR OTHER PURPOSES.

Application File Date	January 21, 2014
Zoning Number	TR-14-01 for U-71-56
NPU / CD	P-11
Staff Recommendation	
NPU Recommendation	
ZRB Recommendation	Not Required

**RESULT: FAVORABLE [UNANIMOUS]**

**AYES:** Yolanda Adrean, Carla Smith, Kwanza Hall, Mary Norwood

**ABSENT:** Keisha Lance Bottoms, Howard Shook, Ivory Lee Young Jr.

14-O-1138 (5) - AN ORDINANCE BY COUNCILMEMBER NATALYN ARCHIBONG AUTHORIZING THE INSTALLATION OF PUBLIC ART AT THE BOULEVARD UNDERPASS (WHERE BOULEVARD CROSSES UNDER DEKALB AVENUE BETWEEN EDGEWOOD AVENUE AND MEMORIAL DRIVE), ATLANTA, GEORGIA 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:** Yolanda Adrean, Carla Smith, Kwanza Hall, Mary Norwood  
**ABSENT:** Keisha Lance Bottoms, Howard Shook, Ivory Lee Young Jr.

14-O-1139 (6) - AN ORDINANCE BY COUNCILMEMBER HOWARD SHOOK EXTENDING THE AUTHORIZING, ORDERING AND DIRECTING OF THE DIRECTOR OF THE OFFICE OF BUILDINGS TO CONDITION THE ISSUANCE OF ALL BUILDING PERMITS AND CERTIFICATES OF OCCUPANY FOR STRUCTURES TO BE USED FOR COMMERCIAL AND INDUSTRIAL PURPOSES SUCH THAT NO SIGN INSIDE OF ANY BUILDING SHALL EXCEED SIX SQUARE FEET IF SUCH SIGN WOULD BE VISIBLE FROM THE PUBLIC RIGHT OF WAY; FOR A PERIOD NOT TO EXCEED ONE HUNDRED TWENTY (120) DAYS OR UNTIL THE EFFECTIVE DATE OF ANY SIGN ORDINANCE AMENDMENT CONCERNING THE MANNER IN WHICH SIGNS INSIDE OF BUILDINGS AND VISIBLE FROM THE PUBLIC RIGHT OF WAY ARE DEFINED AND REGULATED, WHICH EVER OCCURS FIRST SO AS TO ALLOW FOR THE CONSIDERATION OF THIS PROPOSED LEGISLATION; AND FOR OTHER PURPOSES.

**RESULT:** FAVORABLE [UNANIMOUS]  
**MOVER:** Howard Shook, Councilmember, District 7  
**AYES:** Yolanda Adrean, Carla Smith, Kwanza Hall, Mary Norwood  
**ABSENT:** Keisha Lance Bottoms, Howard Shook, Ivory Lee Young Jr.

**ZRB SUMMARY REPORT**

14-O-1038 (7) - U-13-22- AN ORDINANCE BY ZONING COMMITTEE GRANTING A SPECIAL USE PERMIT FOR PROPERTY LOCATED 1050 WHITE STREET, S.W., PURSUANT TO SECTION 16-16.005 (1) (O) FOR A SOLID WASTE HANDLING FACILITY (TIRE RECYCLING), FRONTING APPROXIMATELY 453 FEET ON THE SOUTH SIDE OF WHITE STREET AND APPROXIMATELY 258 FEET ON THE EAST SIDE OF LAWTON STREET. DEPTH: VARIES. AREA: APPROXIMATELY 3.56 ACRES. LAND LOT 118, 14TH DISTRICT FULTON COUNTY, GEORGIA. OWNER: MIMMS ENTERPRISES APPLICANT: TIRE KINGZ OF ATLANTA, INC. NPU T AND S COUNCIL DISTRICT 4

Application File Date	10-7-2013
Zoning Number	U-13-22
NPU / CD	T and S/4
Staff Recommendation	Denial
NPU Recommendation	Approval
ZRB Recommendation	Approval

**RESULT: HELD IN COMMITTEE**

14-O-1039 (8) - Z-13-53-AN AMENDED ORDINANCE BY ZONING COMMITTEE TO REZONE FROM THE R-5/BELTLINE OVERLAY DISTRICT (TWO-FAMILY RESIDENTIAL AND BELTLINE OVERLAY) DISTRICTS TO THE MRC-3/BELTLINE OVERLAY DISTRICT (MIXED RESIDENTIAL COMMERCIAL/BELTLINE OVERLAY) DISTRICT FOR PROPERTY LOCATED AT 102, 108, 112,118, 122, 128, 136, AND 144 MORELAND AVENUE, 1117, 1121, 1125 AND 1129 SEABOARD AVENUE, N.W. AND 146, 150, 156, 158, 162, AND 166 BRANTLEY STREET, N.E., AND 1150 AND 1154 WADE STREET, N.E., FRONTING APPROXIMATELY 194 FEET ON THE NORTH SIDE OF WADE STREET AT THE NORTHWEST CORNER OF MORELAND AVENUE. FEET FROM THE NORTHEAST CORNER OF HUFF ROAD. DEPTH: VARIES AREA: APPROXIMATELY 4.458 ACRES. LAND LOT 14, 14TH DISTRICT, FULTON COUNTY, GEORGIA. OWNERS: BUDDY CHRISTIAN, DIANE CHRISTIAN, CHRISTINA MUZZI, BERNARDINA MALDONADO, VENITA HOWELL, YOUNG HUGHLEY, MESFIN BEZUNEH, MEHERET ASFAW, JOHN PREWITT, FORREST WARD, RUKIA ROGERS, VUONG PHI PHILLIOPS, FISHAL GHAVAMZADEH RAZAVI, CRIM DEVELOPMENT, INC., GWERKLE LIMITED, LLC, KYLE ARMOUR, FERRIS CAPITAL, LLC. APPLICANT: JESSICA HILL, ESQ. NPU N COUNCIL DISTRICT 5

Application File Date	11-5-13
Zoning Number	Z-13-53
NPU / CD	N/5
Staff Recommendation	Approval Conditional
NPU Recommendation	Approval
ZRB Recommendation	Approval Conditional

**RESULT: HELD IN COMMITTEE**

14-O-1042 (9) - Z-13-54-AN AMENDED ORDINANCE BY ZONING COMMITTEE TO REZONE FROM THE I-1/BELTLINE OVERLAY DISTRICT (LIGHT INDUSTRIAL AND BELTLINE OVERLAY) DISTRICTS TO THE MR-4/BELTLINE OVERLAY DISTRICT (MULTI FAMILY RESIDENTIAL /BELTLINE OVERLAY) DISTRICT FOR PROPERTY LOCATED AT 1390 NORTHSIDE DRIVE, N.W., 638 GREEN STREET, N.W., AND 637 HOKE STREET, N.W., (ALSO KNOWN AS THE FOLLOWING PARCEL IDENTIFICATION NUMBERS 17-01510002945, 17-01510002012, 17-01510002045, 17-01510002044, 17-01510002046 AND 17-0151 LL052) FRONTING APPROXIMATELY 113 FEET ON THE WEST SIDE OF NORTHSIDE DRIVE AT THE NORTHWEST CORNER OF HOKE STREET. DEPTH: VARIES AREA: APPROXIMATELY 1.28 ACRES. LAND LOT 151,

17TH DISTRICT, FULTON COUNTY, GEORGIA. OWNERS: ETPC, LLC  
 APPLICANT: WESTPLAN INVESTORS PARTNERS, LP NPU D AND E  
 COUNCIL DISTRICT 8

Application File Date	12-3-13
Zoning Number	Z-13-54
NPU / CD	D and E/8
Staff Recommendation	Approval
NPU Recommendation	Approval Conditional
ZRB Recommendation	Approval Conditional

**RESULT: HELD IN COMMITTEE**

14-O-1093 (10) - AN AMENDED ORDINANCE BY ZONING COMMITTEE TO AMEND ORDINANCE 05-O-1941 (U-05-31) WHICH GRANTED A SPECIAL USE PERMIT FOR A DAY CARE CENTER PURSUANT TO SECTION 16-05.005 (1) (B), PROPERTY LOCATED AT 2700 BUTNER ROAD, S.W., FRONTING APPROXIMATELY 282 FEET ON THE SOUTHEASTERLY SIDE OF BUTNER ROAD. DEPTH: VARIES; AREA: .37 ACRE; LAND LOT 66, 14TH FF DISTRICT, FULTON COUNTY, GEORGIA. OWNER: SHIWILA M. WILLIS. APPLICANT: SHIWILA M. WILLIS. NPU P. COUNCIL DISTRICT 11

Application File Date	8-6-13
Zoning Number	U-13-18/U-05-31
NPU / CD	P-11
Staff Recommendation	Approval Conditional
NPU Recommendation	Approval
ZRB Recommendation	Approval Conditional

**RESULT: APPROVED AS AMENDED [UNANIMOUS]**  
**AYES:** Yolanda Adrean, Carla Smith, Kwanza Hall, Mary Norwood  
**ABSENT:** Keisha Lance Bottoms, Howard Shook, Ivory Lee Young Jr.

**G. PAPERS HELD IN COMMITTEE**

14-O-1029 (11) - Z-13-17 AN AMENDED ORDINANCE BY ZONING COMMITTEE TO REZONE FROM THE C-2 (COMMERCIAL SERVICE-CONDITIONAL) DISTRICT AND R-5 (TWO-FAMILY RESIDENTIAL) DISTRICT TO THE C-2 (COMMERCIAL SERVICE-CONDITIONAL) DISTRICT, PROPERTY LOCATED AT 25, 27 , 33 AND 39 DANIEL STREET AND PROPERTIES ON GARTRELL STREET (496 AND 492) WITH THE FOLLOWING PARCEL IDENTIFICATION NUMBERS 14-0045-0003-016-1 AND 14-0045-0003-017-9, AND 40 AND 46 BOULEVARD, S.E. FRONTING APPROXIMATELY 166 FEET ON THE NORTH SIDE OF GARTRELL STREET AND 256 FEET ON THE WEST SIDE OF DANIEL STREET AND APPROXIMATELY 307 FEET ON THE EAST SIDE OF BOULEVARD. DEPTH: VARIES. AREA: APPROXIMATELY 1.36 ACRES. LAND LOT: 45, 14TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: IPARCEL, NETM LLC, MAN HOLDING, LLC AND VALUE INVESTMENT GROUP, LLC/ABE PODBER APPLICANT: MOST REVEREND WILTON D. GREGORY, S.L.D. AS ARCHBISHOP OF THE ROMAN CATHOLIC ARCHDIOCESE OF ATLANTA AND/OR HIS SUCCESSORS IN OFFICE. NPU M COUNCIL DISTRICT 2

Application File Date	May 7, 2013
Zoning Number	Z-13-17
NPU / CD	M/2
Staff Recommendation	Approval Conditional
NPU Recommendation	Denial
ZRB Recommendation	Approval Conditional: ZRB public hearing: 12-12-13
<b>(Held 2/3/14)</b>	

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

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

**ABSENT:** Keisha Lance Bottoms, Howard Shook

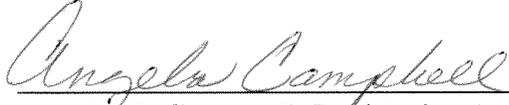
**H. REMARKS FROM THE PUBLIC**

**I. ADJOURNMENT**

**J. REQUESTED ITEMS**

**There being no further business to come before the Zoning Committee the meeting was adjourned at 10:25 AM**

**Respectfully submitted:**



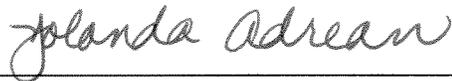
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**Angela H. Campbell, Legislative Assistant**



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**Theo Pace, Research & Policy Analyst**



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**The Honorable Yolanda Adrean, Chair**