



ZONING COMMITTEE
REGULAR COMMITTEE MEETING

Atlanta City Hall
55 Trinity Ave.
Atlanta, GA 30303
<http://www.atlantaga.gov/>

~Minutes~

CITY OF ATLANTA

Chairperson
The Honorable Yolanda Adrean

Theodis Pace
(404) 330-6314
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Wednesday, September 16, 2015

9:30 AM

Council Chamber

A. CALL TO ORDER

The regularly scheduled meeting of the **Zoning Committee** was held on **Wednesday, September 16, 2015, at 9:52 AM.** in **Council Chamber.** The following members were present:

B. INTRODUCTION OF MEMBERS

Attendee Name	Title	Status	Arrived
Yolanda Adrean	Chair	Present	9:32 AM
Carla Smith	Vice Chair	Present	9:32 AM
Keisha Lance Bottoms	Councilmember, District 11	Absent	
Kwanza Hall	Councilmember, District 2	Absent	
Mary Norwood	Councilmember, Post 2 At-Large	Present	9:34 AM
Howard Shook	Councilmember, District 7	Absent	
Ivory Lee Young Jr.	Councilmember, District 3	Present	9:52 AM

Others in Attendance:

Director Charletta Wilson Jacks, Interim Zoning Administrator Brandy Crawford, Department of Planning; Attorney Jeffery Haymore, **Law Department**; members of the Public and Council staff.

C. ADOPTION OF AGENDA

ADOPTED AS AMENDED TO ADD THREE PIECES OF LEGISLATION

D. APPROVAL OF MINUTES

APPROVED

E. ORDINANCE(S) FOR FIRST READING

15-O-1414 (1) - TR-15-10 AN ORDINANCE BY ZONING COMMITTEE TO AMEND ORDINANCE U-80-21 AS ADOPTED BY THE CITY COUNCIL ON JULY 7, 1980 AND APPROVED BY THE MAYOR JULY 11, 1980 FOR THE PURPOSES OF APPROVING A TRANSFER OF OWNERSHIP FOR A SPECIAL USE PERMIT FOR A DAY CARE CENTER FOR PROPERTY LOCATED AT 2475 FAIRBURN ROAD, S.W. AND FOR OTHER PURPOSES.
NPU P COUNCIL DISTRICT 11

Application File Date	6-16-15
Zoning Number	TR-15-10

NPU / CD	P/11
Staff Recommendation	N/A
NPU Recommendation	N/A
ZRB Recommendation	N/A

TO BE REFERRED TO ZONING COMMITTEE

15-O-1415 (2) - TR-15-12 AN ORDINANCE BY ZONING COMMITTEE TO AMEND ORDINANCE U-70-54 AS ADOPTED BY THE CITY COUNCIL ON NOVEMBER 21, 2011 AND APPROVED BY THE MAYOR NOVEMBER 30, 2011 WITHOUT SIGNATURE BY OPERATION OF LAW PER SECTION 2-405 OF THE 1996 CHARTER FOR THE PURPOSES OF APPROVING A TRANSFER OF OWNERSHIP FOR A SPECIAL USE PERMIT FOR A DAY CARE CENTER FOR PROPERTY LOCATED AT 1699 WESTWOOD AVENUE, S.W. AND FOR OTHER PURPOSES. NPU T COUNCIL DISTRICT 10

Application File Date	7-8-15
Zoning Number	TR-15-12
NPU / CD	T/10
Staff Recommendation	N/A
NPU Recommendation	N/A
ZRB Recommendation	N/A

TO BE REFERRED TO ZONING COMMITTEE

15-O-1416 (3) - TR-15-15 AN ORDINANCE BY ZONING COMMITTEE TO AMEND ORDINANCE U-73-51 AS ADOPTED BY THE CITY COUNCIL ON NOVEMBER 19, 1973 AND APPROVED BY THE MAYOR NOVEMBER 23, 1973 FOR THE PURPOSES OF APPROVING A TRANSFER OF OWNERSHIP FOR A SPECIAL USE PERMIT FOR A DAY CARE CENTER FOR PROPERTY LOCATED AT 690 BOLTON ROAD, N.W. AND FOR OTHER PURPOSES. NPU H COUNCIL DISTRICT 10

Application File Date	8-17-2015
Zoning Number	TR-15-15
NPU / CD	H/10

Staff Recommendation	N/A
NPU Recommendation	N/A
ZRB Recommendation	N/A

TO BE REFERRED TO ZONING COMMITTEE

- 15-O-1417 (4) - Z-15-40 AN ORDINANCE BY ZONING COMMITTEE TO AMEND THE 1982 ATLANTA ZONING ORDINANCE, AS AMENDED, SO AS TO REVISE THE DRUID HILLS LANDMARK DISTRICT REGULATIONS (CHAPTER 20B OF THE ZONING ORDINANCE); SO AS TO REVISE THE TYPES OF CERTIFICATES OF APPROPRIATENESS REQUIRED; SO AS TO REVISE THE LANGUAGE REGARDING SUBDIVISIONS AND CONSOLIDATIONS; SO AS TO ESTABLISH CONTRIBUTING AND NON-CONTRIBUTING STATUS WITHIN THE DRUID HILLS LANDMARK DISTRICT; SO AS TO CLARIFY CERTAIN DESIGN REQUIREMENTS; AND FOR OTHER PURPOSES.

Application File Date	7-29-15
Zoning Number	Z-15-40
NPU / CD	N (F within 300 feet)
Staff Recommendation	
NPU Recommendation	
ZRB Recommendation	

TO BE REFERRED TO ZRB AND ZONING COMMITTEE

- 15-O-1418 (5) - U-15-03 AN ORDINANCE BY ZONING COMMITTEE GRANTING A SPECIAL USE PERMIT FOR A NURSING HOME, ASSISTED LIVING AND REHABILITATION CENTER FACILITY PURSUANT TO SECTION 16-13.005 (1) (D) FOR PROPERTY LOCATED AT 1875 PEACHTREE ROAD, N.E., FRONTING APPROXIMATELY 400 FEET ON THE EAST SIDE OF PEACHTREE ROAD AND BEGINNING APPROXIMATELY 405 FEET NORTH OF THE NORTHEAST INTERSECTION OF PEACHTREE ROAD AND PALISADES ROAD. DEPTH: VARIES. AREA: APPROXIMATELY 3.25 ACRES. LAND LOT 110, 17TH DISTRICT, FULTON COUNTY, OWNERS: CDP MEDICAL BUILDING, LLC AND RBW HOLDINGS, LLC., SEMAH, INC. AND CHIC-FIL-A. INC. APPLICANT: WESLEY DEFOOR NPU E COUNCIL DISTRICT 2

Application File Date	2-3-15
Zoning Number	U-15-03

NPU / CD	E/2
Staff Recommendation	
NPU Recommendation	
ZRB Recommendation	

TO BE REFERRED TO ZRB AND ZONING COMMITTEE

F. ORDINANCE(S) FOR SECOND READING

15-O-1391 (6) - AN ORDINANCE BY COUNCILMEMBER NATALYN ARCHIBONG AUTHORIZING THE INSTALLATION OF PUBLIC ART (ENTITLED "HARMONY") LOCATED AT 484 FLAT SHOALS AVENUE, S.E., ATLANTA, GEORGIA 30316, PURSUANT TO CODE SECTION 16-28.025 OF THE 1982 ZONING ORDINANCE OF THE CITY OF ATLANTA; AND FOR OTHER PURPOSES.

RESULT: FAVORABLE [UNANIMOUS] Next: 9/21/2015 1:00 PM
AYES: Adrean, Smith, Norwood, Young Jr.
ABSENT: Bottoms, Hall, Shook

15-O-1392 (7) - AN ORDINANCE BY COUNCILMEMBER NATALYN ARCHIBONG AUTHORIZING THE INSTALLATION OF PUBLIC ART (ENTITLED "UNITY") LOCATED AT THE REAR OF 520 FLAT SHOALS AVENUE, S.E., ATLANTA, GEORGIA 30316, PURSUANT TO CODE SECTION 16-28.025 OF THE 1982 ZONING ORDINANCE OF THE CITY OF ATLANTA; AND FOR OTHER PURPOSES.

RESULT: FAVORABLE [UNANIMOUS] Next: 9/21/2015 1:00 PM
AYES: Adrean, Smith, Norwood, Young Jr.
ABSENT: Bottoms, Hall, Shook

G. PAPER(S) HELD IN COMMITTEE

14-O-1348 (8) - U-14-13- 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 929 CASCADE AVENUE, S.W., FRONTING APPROXIMATELY 95 FEET ON THE NORTH SIDE OF CASCADE AVENUE APPROXIMATELY 60 FEET EAST OF THE INTERSECTION OF ALTADENA PLACE AND CASCADE AVENUE. DEPTH VARIES. AREA: APPROXIMATELY 0.45 ACRE. LAND LOT 151, 14TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: FLORENCE M. DEMOSTHENES APPLICANT: MAURICE SESSOMS, NPU S, COUNCIL DISTRICT 10

Application File Date	5-22-14
Zoning Number	U-14-13
NPU / CD	S/10
Staff Recommendation	Denial
NPU Recommendation	Approval
ZRB Recommendation	Denial

(Held 8/27/14)

RESULT: HELD IN COMMITTEE Next: 9/21/2015 1:00 PM

14-O-1366 (9) - AN ORDINANCE BY COUNCILMEMBER HOWARD SHOOK AS SUBSTITUTED BY ZONING COMMITTEE TO AMEND SEC. 15-06.001 OF THE SUBDIVISION ORDINANCE OF THE CITY OF ATLANTA SO AS TO AMEND THE DEFINITION OF THE TERM "HISTORIC NEIGHBORHOOD" AS A NEIGHBORHOOD ACTUALLY LISTED ON THE NATIONAL REGISTER OF HISTORIC PLACES; TO AMEND SEC. 15-08.005(D)(6) OF THE SUBDIVISION ORDINANCE SO AS TO REGULATE THE SUBDIVISION OF PROPOSED LOTS IN HISTORIC NEIGHBORHOODS; TO ADD SEC. 15-08.005(D)(7) TO REGULATE THE SUBDIVISION OF PROPOSED LOTS WHERE NEW STREET(S) ARE PROPOSED IN NEIGHBORHOODS IDENTIFIED BY ORDINANCE AS POTENTIALLY ELIGIBLE FOR LISTING ON THE NATIONAL REGISTER OF HISTORIC PLACES; AND FOR OTHER PURPOSES.

(Referred back by Council 9/15/14) (Substituted and held 9/24/14)

RESULT: HELD IN COMMITTEE Next: 9/21/2015 1:00 PM

H. REMARKS FROM THE PUBLIC

I. LEGISLATION WALKED INTO COMMITTEE

15-O-1252 (1) - Z-15-24- A SUBSTITUTE ORDINANCE TO REZONE CERTAIN PROPERTIES ALONG A PORTION OF THE HOWELL MILL ROAD CORRIDOR FROM C-1, C-1-C, C-2, C-2-C, I-1, AND I-1-C TO MRC-2-C (MIXED RESIDENTIAL COMMERCIAL – CONDITIONAL) IN WHICH TO IMPLEMENT VARIOUS PLANS AND STUDIES ALONG THE HOWELL MILL ROAD CORRIDOR. NPU D COUNCIL DISTRICT 9

Application File Date	
Zoning Number	Z-15-24

NPU / CD	C-9
Staff Recommendation	Approval of Substitute Ordinance
NPU Recommendation	Approval of Substitute Ordinance
ZRB Recommendation	Approval of Substitute Ordinance

RESULT: FAVORABLE/SUBSTITUTE [UNANIMOUS] Next: 9/21/2015 1:00 PM

AYES: Adrean, Smith, Norwood, Young Jr.

ABSENT: Bottoms, Hall, Shook

15-O-1336 (2) - Z-15-35- A SUBSTITUTE ORDINANCE BY ZONING COMMITTEE TO REZONE FROM THE C-1 (COMMUNITY BUSINESS) AND R-4 (SINGLE FAMILY RESIDENTIAL) DISTRICT TO THE PD-MU (PLANNED DEVELOPMENT-MIXED USE) FOR PROPERTY LOCATED AT 590 AND 602 NORTH HIGHLAND AVENUE AND 1051 NORTH AVENUE, N.E. PARCEL 1 FRONTS APPROXIMATELY 109.84 FEET ON THE WEST SIDE OF NORTH HIGHLAND AVENUE BEGINNING AT THE NORTHWEST INTERSECTION OF NORTH HIGHLAND AVENUE AND WILLIAMS MILL ROAD. PARCEL 2 FRONTS 171.63 FEET ON THE SOUTH SIDE OF WILLIAMS MILL ROAD BEGINNING AT THE SOUTHWEST INTERSECTION OF WILLIAMS MILL ROAD AND NORTH HIGHLAND AVENUE. DEPTH: VARIES AREA: APPROXIMATELY 1.283 ACRES. LAND LOT 15, 14TH DISTRICT FULTON COUNTY, GEORGIA. OWNER: MP HIGHLAND, LLC. APPLICANT: GREEN STREET PROPERTIES NPU N COUNCIL DISTRICT 2

Application File Date	6-30-15
Zoning Number	Z-15-35
NPU / CD	N/2
Staff Recommendation	Approval of a Substitute Ordinance
NPU Recommendation	Approval of a Substitute Ordinance
ZRB Recommendation	Approval of a Substitute Ordinance

RESULT: FAVORABLE/SUBSTITUTE [UNANIMOUS] Next: 9/21/2015 1:00 PM

AYES: Adrean, Smith, Norwood, Young Jr.

ABSENT: Bottoms, Hall, Shook

15-O-1050 (3) - Z-14-75- AN AMENDED ORDINANCE BY ZONING COMMITTEE TO REZONE FROM THE R-3 (SINGLE FAMILY RESIDENTIAL) TO THE MR-2-

C (MULTIFAMILY RESIDENTIAL), PROPERTY LOCATED 4707, 4715, 4723, 4731, 4739, 4749, 4755, AND 4765 WIEUCA ROAD N.W., FRONTING APPROXIMATELY 687 FEET ON THE NORTH SIDE OF WIEUCA ROAD BEGINNING APPROXIMATELY 373 FEET WEST FROM THE INTERSECTION OF WIEUCA ROAD AND ROSWELL ROAD.. DEPTH: VARIES. AREA: APPROXIMATELY 4.41 ACRES. LAND LOT 95, 17TH DISTRICT FULTON COUNTY, GEORGIA. OWNER: WAYNE C. WILSON/REVOCABLE LIVING TRUST OF VIVIAN J. WILSON/ ANDREW MIDDLETON/THOMAS CHAPMAN/MICHAEL G. COLES/ FRITZ HAMILTON/LISA ANN SEVERANCE/LOUIS WENITRAUB APPLICANT: SOUTHEAST CAPITAL LAND, LLC NPU B COUNCIL DISTRICT 7

Application File Date	12-29-14
Zoning Number	Z-14-75
NPU / CD	B-7
Staff Recommendation	Approval, conditional
NPU Recommendation	Approval, conditional
ZRB Recommendation	Approval, conditional

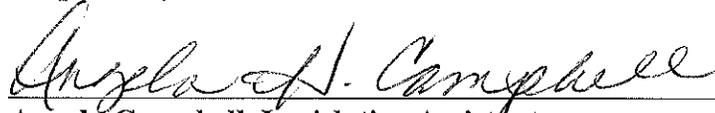
RESULT: FAVORABLE/SUBSTITUTE [UNANIMOUS] Next: 9/21/2015 1:00 PM
AYES: Adrean, Smith, Norwood, Young Jr.
ABSENT: Bottoms, Hall, Shook

J. ADJOURNMENT

K. REQUESTED ITEMS

There being no further business to come before the Zoning Committee the meeting was adjourned at 10:07 AM

Respectfully submitted:



Angela Campbell, Legislative Assistant



Theo Pace, Research & Policy Analyst



The Honorable Yolanda Adrean, Chair