



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
tpace@atlantaga.gov

Tuesday, November 10, 2015

9:30 AM

Council Chamber

A. CALL TO ORDER

The regularly scheduled meeting of the **Zoning Committee** was held on **Tuesday, November 10, 2015**, at **9:35 AM**. in **Council Chamber**.

B. INTRODUCTION OF MEMBERS

Attendee Name	Title	Status	Arrived
Yolanda Adrean	Chair	Present	9:30 AM
Carla Smith	Vice Chair	Absent	
Keisha Lance Bottoms	Councilmember, District 11	Present	9:30 AM
Kwanza Hall	Councilmember, District 2	Present	9:42 AM
Mary Norwood	Councilmember, Post 2 At-Large	Present	9:30 AM
Howard Shook	Councilmember, District 7	Present	9:30 AM
Ivory Lee Young Jr.	Councilmember, District 3	Present	9:34 AM

Others in Attendance:

C. ADOPTION OF AGENDA

ADOPTED AS AMENDED TO ADD FOUR WALK IN LEGISLATION

D. APPROVAL OF MINUTES

APPROVED

E. ORDINANCES FOR SECOND READING

15-O-1506 (1) - AN ORDINANCE BY COUNCILMEMBER NATALYN M. ARCHIBONG AUTHORIZING THE OFFICE OF PLANNING TO ACCEPT AND PROCESS APPLICATIONS FOR VARIANCES AND A SPECIAL EXCEPTION ON PROPERTIES LOCATED AT 754, 760, AND 768 KIRKWOOD A VENUE; AND FOR OTHER PURPOSES.

RESULT: FAVORABLE/AMENDED [4 TO 0] Next: 11/16/2015
1:00 PM
AYES: Adrean, Bottoms, Norwood, Shook
ABSENT: Smith
AWAY: Hall, Young Jr.

15-O-1180 (2) - Z-15-16- AN AMENDED ORDINANCE BY ZONING COMMITTEE TO

REZONE FROM THE R-4 (SINGLE FAMILY RESIDENTIAL) DISTRICT TO MR-3-C (MULTI-FAMILY RESIDENTIAL- SECTOR 3 CONDITIONAL) DISTRICT, FOR PROPERTY LOCATED AT 3650 BAKERS FERRY ROAD, S.W., FRONTING APPROXIMATELY 682.8 FEET ON THE WEST SIDE OF BAKERS FERRY ROAD BEGINNING AT THE SOUTHWEST INTERSECTION OF BAKERS FERRY ROAD AND FAIRBURN ROAD. DEPTH: VARIES AREA: APPROXIMATELY 4.277 ACRES. LAND LOT 14, 14FF DISTRICT FULTON COUNTY, GEORGIA. OWNER: EXECUTIVE REAL ESTATE, LLC. APPLICANT: DEWAYNE MARTIN NPU H COUNCIL DISTRICT 10

Application File Date	3-31-2015
Zoning Number	Z-15-16
NPU / CD	H/10
Staff Recommendation	Approval, conditional
NPU Recommendation	Denial
ZRB Recommendation	Approval, conditional

(Held 11/10/15) (Held for the companion paper in CD/HR Committee)

RESULT: HELD IN COMMITTEE Next: 11/16/2015 1:00 PM

15-O-1449 (3) - U-15-11 AN AMENDED ORDINANCE BY ZONING COMMITTEE GRANTING A SPECIAL USE PERMIT FOR OUTDOOR DINING AND EATING AND DRINKING ESTABLISHMENTS WHEN ANY PART OF SUCH USE IS LOCATED WITHIN 1,000 FEET OF A RESIDENTIAL ZONING AND USE, PURSUANT TO SECTION 1611.005(1)(L), FOR PROPERTY LOCATED AT 3700-3802 ROSWELL ROAD, N.E. (AKA 3714 ROSWELL ROAD), FRONTING APPROXIMATELY 600 FEET ON THE WEST SIDE OF ROSWELL ROAD. DEPTH VARIES; AREA: APPROXIMATELY 10.082 ACRES. LAND LOT 97, 17TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: REGENCY REALTY GROUP, INC. APPLICANT: REGENCY REALTY GROUP, INC. C/O PATRICIA A. WALLIS NPU B COUNCIL DISTRICT 8

Application File Date	8-4-15
Zoning Number	U-15-11
NPU / CD	B/8
Staff Recommendation	Approval, conditional
NPU Recommendation	Approval

ZRB Recommendation	Approval, conditional
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RESULT: FAVORABLE/AMENDED [5 TO 0] Next: 11/16/2015

1:00 PM

AYES: Adrean, Bottoms, Norwood, Shook, Young Jr.

ABSENT: Smith

AWAY: Hall

- 15-O-1417 (4) - Z-15-40 A SUBSTITUTE 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) Approval (Approval)
Staff Recommendation	Approval of Substitute Ordinance
NPU Recommendation	Approval
ZRB Recommendation	Approval of Substitute Ordinance

RESULT: FAVORABLE/SUBSTITUTE [5 TO 0] Next: 11/16/2015

1:00 PM

AYES: Adrean, Bottoms, Norwood, Shook, Young Jr.

ABSENT: Smith

AWAY: Hall

- 15-O-1302 (5) - Z-15-45 AN ORDINANCE BY COUNCILMEMBER FELICIA A. MOORE AS SUBSTITUTED BY ZONING COMMITTEE TO AMEND THE ATLANTA ZONING ORDINANCE, CHAPTER 16 OF PART III (LAND DEVELOPMENT CODE) OF THE CITY OF ATLANTA CODE OF ORDINANCE TO DEFINE THE TERM "RECOVERED MATERIALS PROCESSING FACILITY"; TO REGULATE SUCH USE IN THE 1-1 AND 1-2 ZONING DISTRICTS; AND FOR OTHER PURPOSES.

Application File Date	
Zoning Number	Z-15-45

NPU / CD	ALL
Staff Recommendation	Approval of Substitute Ordinance
NPU Recommendation	See Attached
ZRB Recommendation	Approval of Substitute Ordinance

RESULT: FAVORABLE/SUBSTITUTE [5 TO 0] Next: 11/16/2015 1:00 PM

AYES: Adrean, Bottoms, Norwood, Shook, Young Jr.

ABSENT: Smith

AWAY: Hall

- 15-O-1331 (6) - Z-15-30- AN ORDINANCE BY ZONING COMMITTEE TO REZONE FROM THE C-1-C (COMMUNITY BUSINESS-CONDITIONAL) DISTRICT TO THE C-1 (COMMUNITY BUSINESS) DISTRICT FOR PROPERTY LOCATED AT 373 WEST LAKE AVENUE, N.W., FRONTING APPROXIMATELY 100 FEET ON THE EAST SIDE OF WEST LAKE AVENUE AND BEGINNING APPROXIMATELY 105.75 FEET FROM THE SOUTHEAST INTERSECTION OF WEST LAKE AVENUE AND CARLISLE STREET. DEPTH: VARIES AREA: APPROXIMATELY 0.459 ACRES. LAND LOT 146, 14TH DISTRICT FULTON COUNTY, GEORGIA. OWNER: VETERANS EMPOWERMENT ORGANIZATION OF GEORGIA APPLICANT: JONATHAN D. MAYWEATHER NPU J COUNCIL DISTRICT 3

Application File Date	6-29-15
Zoning Number	Z-15-30
NPU / CD	J/3
Staff Recommendation	File
NPU Recommendation	Approval
ZRB Recommendation	File

(Held 11/10/15) (Held at the request of the District Councilmember)

RESULT: HELD IN COMMITTEE Next: 11/16/2015 1:00 PM

- 14-O-1535 (7) - Z-14-66- AN ORDINANCE BY ZONING COMMITTEE TO REZONE FROM THE I-2 (HEAVY INDUSTRIAL) DISTRICT TO THE MR-5A (MULTIFAMILY RESIDENTIAL) DISTRICT, PROPERTY LOCATED A PORTION OF 490 BISHOP STREET, N.W. AND A PORTION OF 1299 NORTHSIDE DRIVE,

N.W., FRONTING APPROXIMATELY 461 FEET ON THE SOUTH SIDE OF 17TH STREET BEGINNING APPROXIMATELY 672 FEET FROM THE SOUTHWEST CORNER OF NORTHSIDE DRIVE. DEPTH: VARIES. AREA: APPROXIMATELY 8.3 ACRES. LAND LOT 148, 17TH FULTON COUNTY, GEORGIA. OWNERS: STATE ROAD AND TOLLWAY AUTHORITY/LU12 ATLANTA 17TH STREET, L.P. APPLICANT: FAIRFIELD RESIDENTIAL COMPANY, LLC. NPU E COUNCIL DISTRICT 8

Application File Date	10-7-14
Zoning Number	Z-14-66
NPU / CD	E/8
Staff Recommendation	File
NPU Recommendation	No Recommendation
ZRB Recommendation	File

**RESULT: FILED BY COMMITTEE [5 TO 0] Next: 11/16/2015
1:00 PM**

AYES: Adrean, Bottoms, Norwood, Shook, Young Jr.

ABSENT: Smith

AWAY: Hall

F. PAPERS 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: 11/16/2015 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: 11/16/2015 1:00 PM

15-O-1491 (10) - AN ORDINANCE BY COUNCILMEMBER HOWARD SHOOK AS SUBSTITUTED BY ZONING COMMITTEE E TO AMEND ORDINANCE U-12-13 ADOPTED BY THE CITY COUNCIL ON SEPTEMBER 4, 2012 AND APPROVED AS PER THE CITY CHARTER SECTION 2-403 ON SEPTEMBER 13, 2012 FOR PROPERTY LOCATED 3755 PEACHTREE ROAD, N.E. TO APPROVE A TRANSFER OF SPECIAL USE PERMIT FOR AN ASSISTED LIVING FACILITY.

(Substituted and Held 10/28/15) (Held for pending legislation in ZRB)

RESULT: FAVORABLE/SUBSTITUTE [UNANIMOUS] Next: 11/16/2015 1:00 PM

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

ABSENT: Smith

G. LEGISLATION WALKED INTO COMMITTEE

15-O-1474 (1) - AN ORDINANCE
15-O-1474 BY COUNCILMEMBER NATALYN ARCHIBONG Z-15-63 AS SUBSTITUED BY ZONING COMMITTEE AN ORDINANCE TO ZONE PROPERTY LOCATED AT 2575 ALSTON DRIVE, 2012 & 2124 GLENWOOD AVENUE, 1714 GLENCOVE AVENUE, 1715 R. GLENCOVE AVENUE AND 2173 R. MEMORIAL DRIVE TO THE R-4 (SINGLE FAMILY RESIDENTIAL) ZONING DISTRICT; TO ZONE PROPERTY LOCATED AT 697

FAYETTEVILLE ROAD TO THE R-4 (SINGLE FAMILY RESIDENTIAL) ZONING DISTRICT; TO ZONE PROPERTY LOCATED AT 2201 GLENWOOD AVENUE TO THE O-I (OFFICE-INSTITUTIONAL) ZONING DISTRICT; TO ZONE PROPERTY LOCATED AT 2229 GLENWOOD AVENUE TO THE C-I-C (COMMUNITY BUSINESS) ZONING DISTRICT AND FOR OTHER PURPOSES.

Application File Date	
Zoning Number	Z-15-63
NPU / CD	O/5
Staff Recommendation	Approval of Substitute Ordinance
NPU Recommendation	Approval of Substitute Ordinance
ZRB Recommendation	Approval of Substitute Ordinance

RESULT: FAVORABLE/SUBSTITUTE [UNANIMOUS] Next: 11/16/2015 1:00 PM

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

ABSENT: Smith

15-O-1475 (2) - AN ORDINANCE BY COUNCILMEMBER NATALYN ARCHIBONG TO ZONE PROPERTY LOCATED AT 513, 517, 522, 525, 529 AND 530 QUILLIAN A VENUE TO THE R-4 (SINGLE FAMILY RESIDENTIAL) ZONING DISTRICT; AND FOR OTHER PURPOSES.

Application File Date	
Zoning Number	Z-15-61
NPU / CD	O/5
Staff Recommendation	Approval
NPU Recommendation	Approval
ZRB Recommendation	Approval

RESULT: FAVORABLE [UNANIMOUS] Next: 11/16/2015 1:00 PM

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

ABSENT: Smith

15-O-1492 (3) - AN ORDINANCE BY COUNCILMEMBER HOWARD SHOOK GRANTING A SPECIAL USE PERMIT (ORDINANCE 12-0-0969-U-12-13) PURSUANT TO SECTION 16-08,.005 (1) (F) FOR AN ASSISTED LIVING FACILITY IS HEREBY AMENDED TO DELETE CONDITION 2 WHICH READS: "THE SPECIAL USE PERMIT IS NOT TRANSFERABLE". SAID USE OF THE

PERMIT WAS GRANTED TO CRP FOG BUCKHEAD, LLC. AND PROPOSED TO BE LOCATED AT 3755 PEACHTREE ROAD, N.E., FRONTING APPROXIMATELY 108 FEET ON THE NORTH SIDE OF PEACHTREE ROAD, N.E. AND APPROXIMATELY 753 FEET WEST OF THE INTERSECTION OF EAST CLUB DRIVE AND PEACHTREE ROAD. DEPTH: VARIES. AREA: APPROXIMATELY 0.466 LAND LOT 10, 17TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: CRP FDG BUCKHEAD, LLC APPLICANT: CRP FDG BUCKHEAD, LLC NPU B – COUNCIL DISTRICT 7

Application File Date	
Zoning Number	U-15-17
NPU / CD	B/7
Staff Recommendation	Approval, conditional
NPU Recommendation	Approval
ZRB Recommendation	Approval, conditional

RESULT: FAVORABLE/AMENDED [UNANIMOUS] Next: 11/16/2015 1:00 PM
AYES: Adrean, Bottoms, Hall, Norwood, Shook, Young Jr.
ABSENT: Smith

15-O-1505 (4) -

***AN ORDINANCE BY ZONING COMMITTEE TO ZONE PROPERTY LOCATED AT THE SOUTH OAKS NEIGHBORHOOD TO THE RG-2 (SINGLE FAMILY RESIDENTIAL) ZONING DISTRICT; AND FOR OTHER PURPOSES.

Application File Date	
Zoning Number	Z-15-62
NPU / CD	P/11
Staff Recommendation	Approval
NPU Recommendation	Approval
ZRB Recommendation	Approval

RESULT: FAVORABLE [UNANIMOUS] Next: 11/16/2015 1:00 PM
AYES: Adrean, Bottoms, Hall, Norwood, Shook, Young Jr.
ABSENT: Smith

H. REMARKS FROM THE PUBLIC

I. ADJOURNMENT

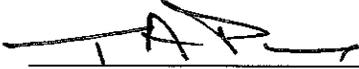
J. REQUESTED ITEMS

There being no further business to come before the Zoning Committee the meeting was adjourned at 9:49 AM

Respectfully submitted:



Angela Campbell, Legislative Assistant



Theo Pace, Research & Policy Analyst



The Honorable Yolanda Adrean, Chair