

June 9, 1970

APRIL 9, 1970

A regular meeting of the Zoning Committee of the Board of Aldermen was held in the Aldermanic Chamber Thursday, April 9, 1970 at 2:00 P.M.

The following members were present:

- Mr. Richard Freeman, Chairman
- Mr. Jack Summers, Vice Chairman
- Mr. Joel Stokes
- Mr. Hugh Pierce

For all matters under the 1954 Zoning Ordinance of the City of Atlanta a description of the property appears in the Ordinance on file in the office of the Clerk of the Board of Aldermen.

The Chairman explained the rules of the committee to the public and the following business was considered:

#Z-70-37-S - An ordinance to rezone from R-3 (Residential) District to C-1 (Commercial) District property located at Sewell Road, fronting 741 feet on the northeasterly side of Sewell Road, beginning 0 feet from the northeast corner of Lynhurst Drive. Depth 761 feet. Area 9 acres. Land Lot 235, 14th District, Fulton County, Georgia.

- E. Everett Burrell - Owner
- C. Everett Burrell - Applicant
- Proposed Use - Shopping Center
- (Planning Board - Adverse Recommendation)

Mr. Freeman explained to the public that the developer of this petition wishes to withdraw it with prejudice, which means the same thing as if the committee had denied it. He further explained that under ordinary circumstances the developer could not re-file this application for 18 months.

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#Z-70-27-S - An ordinance to rezone from R-4 (Residential) District to C-1 (Commercial) District property located at 2227, 2233, 2237, and 2225 Cascade Road, S.W., fronting 215 feet on the north side of Cascade Road, beginning at the northeast corner of Dolphin Street and Cascade Road. Depth 272.5 feet. Area 57,936 square feet. Land Lots 184 and 183, 14th District, Fulton County, Georgia.

- Bessie C. Mills, William C. Ward, Ruby W. Hand - Owners
- Miller Johnson, Jr. - Applicant
- Proposed Use - Not Stated
- (Planning Board - Adverse Recommendation)

Five people appeared in favor of this ordinance; there was no opposition.

Mr. Miller Johnson, applicant, explained that the property is surrounded by commercial zoning such as a Gulf Oil Service Station and a U. S. Post Office to the west, a floor-covering firm directly across the street and 60 units of apartments to the north.

Mr. Johnson further stated that there have been only two commercial zonings within this area in the last two years--the last tract of land to be zoned commercially is located eight blocks away.

Alderman Richard Freeman explained to Mr. Johnson that one of the problems the committee is having with this petition is due to the fact that the developer has not furnished any plans.

In reply to this statement, Mr. Johnson stated that he had sent a letter to Tom Shuttleworth stating that the proposed site would be developed as a fast-food service.

Alderman Freeman asked if actual plans accompanied the letter. He indicated that the Zoning Committee, as well as the Board of Aldermen, refrain from taking action on a petition which does not have any concrete plans to show the committee. In addition, he pointed out that the reason given by the planning staff for an adverse recommendation directly related to the lack of plans.

Mr. Johnson expressed his desire to defer this petition until such time as plans may be acquired. In addition, he asked the committee if they required architectural drawings.

Alderman Freeman replied that he wanted the applicant to read the zoning manual and find out what is required for this land in the way of buffers, structure, density, etc., as well as the restrictions imposed upon its use, and file a plan according to this information.

Mr. George Samples, 390 Lynhurst Drive, stated that in conferring with Mr. Johnson he was informed that the proposal was for a fast-food service, in which case he feels the neighbors have something other than this in mind for the area.

Mrs. Bolden, 975 Delane Circle, stated that she is opposed to a plan which she knows nothing about and that Mr. Samples does not speak for the entire neighborhood.

In reply to this statement, Mr. Samples stated that when he made a reference to the neighbors he was referring to the Georgia Tech Study.

Alderman Freeman answered that he was aware that the Georgia Tech Study had been conducted at the request of the residents and asked if there was any objection to the petition being deferred until constructive plans could be submitted.

Upon approval of the concerned parties, the Committee instructed deferral of this petition for two months in order to allow the developer an opportunity to submit plans.

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#Z-70-32-S - An ordinance to rezone from R-4 (Residential) District to A-2 (Apartment) District property located at the southwest corner of Springdale Road and Perkerson Road, S.W., fronting 389 feet on the south side of

## ZONING COMMITTEE

Thursday, April 9, 1970 - Page 3

Perkerson Road, beginning 0 feet from the west corner of Springdale Road. Depth 675 feet. Land Lot 102, 14th District, Fulton County, Georgia.

E. W. Keappler - Owner

Atlanta Area Christian Churches - Applicant

Proposed Use - High-rise for elderly

(Planning Board - Favorable Recommendation)

#U-70-9-S - An application for a Special Use Permit for a high-rise apartment for the elderly, to be located at the southwest corner of Springdale Road and Perkerson Road, S.W., fronting 389 feet on the south side of Perkerson Road, beginning 0 feet west from the corner of Springdale Road. Depth 675 feet. Land Lot 102, 14th District, Fulton County, Georgia.

E. W. Keappler - Owner

Atlanta Area Christian Churches - Applicant

Proposed Use - High-rise apartments for the elderly

(Planning Board - Favorable Recommendation)

Eleven people appeared in favor of this ordinance; eight people appeared in opposition.

Mr. Robert Camel, minister of Springdale Christian Church, introduced pictures showing the location of the proposed development. He explained that the Atlanta Area Christian Churches maintain a non-profit organization for the construction of homes for the aged and provision of housing for the Senior Citizens. Mr. Camel stressed the fact that his organization has been contacted by several residents of the area and have received favorable recommendations from those residing on Springdale Drive.

Alderman Pierce asked if the applicant controls any property west of the proposed development. Mr. Camel answered that they do not.

Alderman Pierce asked if the list of residents introduced to the committee represents the approval of this development.

Mr. Camel answered that the list represents the residents of the community. However, not all of the residents are in favor of this petition.

Mr. J. T. Bryan, resident of 2036 Springdale Circle, introduced a petition in opposition and explained that he does not speak for the list of names. Mr. Bryan explained that this is a residential section; that the fact that the proposal is church-sponsored does not change the fact that it is a proposal for apartment buildings.

Alderman Freeman asked Mr. Bryan if he would build a residential dwelling on this tract if it were subdivided. Mr. Bryan answered that he would.

Alderman Freeman asked Mr. Bryan how old the houses are in the community and what price range they are in.

Mr. Bryan answered that the homes are approximately five or six years old and range in price from \$15,000 to \$30,000.

Alderman Pierce brought out the fact that Mr. Bryan had referred to the proposed development as apartments but that it is actually a home for the aged.

Mr. Bryan replied that even though the proposal is a beautiful building, it is out of character and would tend to lower the value of the residential tracts in the community.

Alderman Pierce explained that there is commercial development on the east side of this tract; he further indicated that land is becoming more and more scarce and that in the future, something less desirable may develop in this location.

Alderman Freeman pointed out that the point the committee wanted from the opposition was what type of development would they, in fact, propose for this tract.

Mr. Bryan replied that the tract is zoned R-4 (Residential).

Mr. C. E. Quinton, 2172 Springdale Road, stated that the proposal is an example of spot zoning, considering the fact that there is not an apartment development in this residential section.

In rebuttal, Mr. R. Allen, representing the Atlanta Area Christian Churches, explained that this proposal will not generate much additional traffic due to the fact that the majority of the residents of the development do not drive. He further stated that in his opinion this is the most ideal development for this area.

Alderman Freeman asked Mr. Allen what the height of the proposed structure is. Mr. Allen answered that the proposal was for 12 stories.

Alderman Pierce asked what the restriction is for ages in the home. Mr. Allen replied that the retirement age is 62; that retirement age is required for admission with the exception of handicapped people who will be admitted before the retirement age.

Alderman Summers asked if the home would provide any type of transportation for the residents since the majority do not drive. Mr. Allen answered that the home would provide transportation and that the proposed development is located near shopping facilities.

Mrs. Walter G. Smith explained that she was a member of that group which could benefit from this development; that she has been connected with a similar establishment and would like to be recorded in favor of this petition.

This matter was referred to Executive Session.

In Executive Session, the committee brought forth a 3-0 vote.

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