

# COMMITTEE AMENDMENT FORM

DATE: 05/13/09

COMMITTEE	<u>ZONING</u>	PAGE NUM(S)
ORDINANCE I. D.	<u>#09-O-0089/90</u>	SECTION (S)
RESOLUTION I. D.	<u>#09-R-</u>	PARA.

AMENDS THE LEGISLATION BY ADDING AN ADDITIONAL CONDITION WHICH READS AS FOLLOWS:

- (1) REDUCE THE NUMBER OF YOUTH/CHILDREN IN THE DAYCARE CENTER FROM 300 TO 150 AS WELL AS REDUCE THE FOOTPRINT OF THE FACILITY PROPORTIONALLY BASED ON THE REDUCTION OF YOUTH/CHILDREN FROM 300 TO 150.

AMENDMENT DONE BY COUNCIL STAFF 5/13/09

# COMMITTEE AMENDMENT FORM

DATE: 04/01/09

COMMITTEE	<u>ZONING</u>	PAGE NUM. (S)
ORDINANCE I. D.	<u>#09-O-0089</u>	SECTION (S)
RESOLUTION I. D.	<u>#09-R-</u>	PARA.

AMENDS THE LEGISLATION BY ADDING SIX (6) CONDITIONS ONE OF WHICH IS A SITE PLAN AMENDMENT RECEIVED BY THE BUREAU OF PLANNING 01/14/09.

AMENDMENT DONE BY COUNCIL STAFF 4/01/09

Municipal Clerk  
Atlanta, Georgia

**09-O-0089**

AN AMENDED ORDINANCE  
BY: ZONING COMMITTEE

**U-08-29/U-07-35/U-03-13**

**AN ORDINANCE BY ZONING COMMITTEE TO AMEND ORDINANCE 07-O-2531 (U-07-35) and 03O0692 (U0313) WHICH GRANTED A SPECIAL USE PERMIT FOR A CHURCH PURSUANT TO SECTION 1605.005 (1) (C) FOR PURPOSES OF A SITE PLAN AMENDMENT.**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. Under the provisions of Section 16.05.005 (1) (c) of the Zoning Ordinance of the City of Atlanta, a Special Use Permit for a **CHURCH**, is hereby amended pursuant to a new site plan. Said use granted to **SAINT PAUL'S EPISCOPAL CHURCH** to be located at **294-312 Peyton Road, S.W.**, to wit:

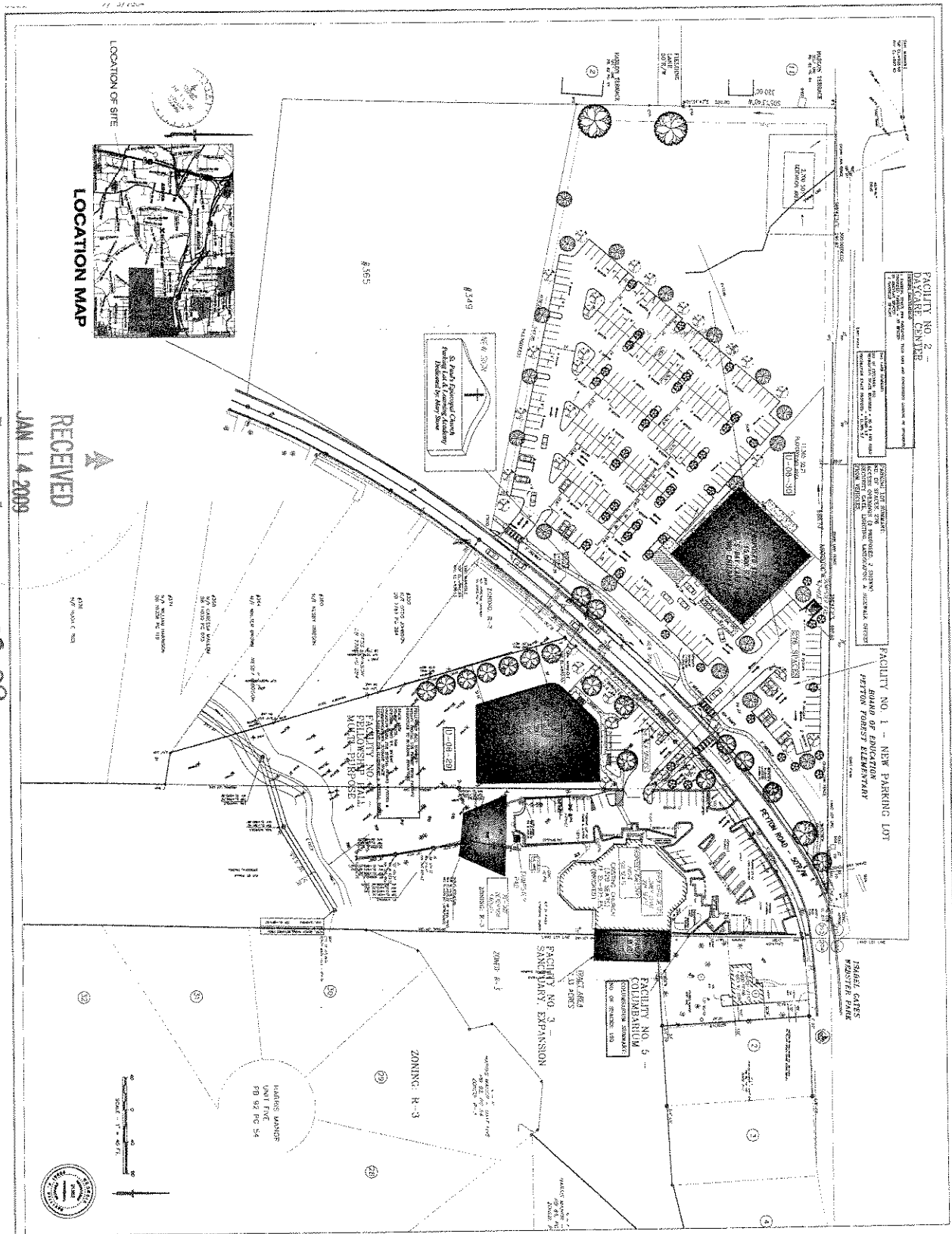
ALL THAT TRACT or parcel of land lying and being in Land Lots 213 and 204, 14<sup>th</sup> District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. That this amendment is approved under the provisions of Section 16-25.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Special Use Permits, Procedural Requirements", and the Director, Bureau of Buildings, shall issue a building permit only in compliance with the applicable provisions of this part. The applicable conditional site plan and any other conditions hereby imposed are enumerated by attachment. The Special Use Permit hereby approved does not authorize the violation of any zoning district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

**CONDITIONS FOR U-08-29 for 294, 306, 312 Peyton Road, SW**

1. Site plan entitled "St. Paul's Episcopal Church" dated November 14, 2008 and marked by the Bureau of Planning on January 14, 2009.
2. The sidewalk shall be extended to front the entire length of the property frontage (294, 306 and 312 Peyton Road).
3. The developer shall submit detailed landscape plans to the Bureau of Planning for review and approval prior to the issuance of a permit for land disturbance activities.
4. Elevations of all new constructions shall be submitted to the Bureau of Planning for review and approval prior to the issuance of a building permit.
5. No building or structure shall be over 35 feet in height as measured by the City of Atlanta Zoning Ordinance. Notwithstanding the foregoing, the Church may attempt to secure a variance from the Board of Zoning Adjustment.
6. Parking shall not exceed 276 spaces.



RECEIVED  
 JAN 14 2009  
 Bureau of  
 Planning

U-08-29

Master Plan  
**St. Paul's Episcopal Church**  
 306 Peyton Road, Atlanta, GA 30311

NO.	DATE	DESCRIPTION
1	1/14/2009	APPROVED
2		
3		
4		
5		
6		
7		
8		
9		
10		

ST. PAUL'S EPISCOPAL CHURCH  
 MASTER PLAN COMMITTEE  
 CITY OF ATLANTA

H & A  
 Hillard & Associates, Inc.  
 100 Peachtree Street, N.E.  
 Atlanta, Georgia 30309  
 Phone: (404) 525-1742 Fax: (404) 525-1743

Municipal Clerk  
Atlanta, Georgia

09-0-0089

AN ORDINANCE  
BY: ZONING COMMITTEE

U-08-29/U-07-35/U-03-13

**AN ORDINANCE BY ZONING COMMITTEE TO AMEND ORDINANCE 07-O-2531 (U-07-35) and 03O0692 (U0313) WHICH GRANTED A SPECIAL USE PERMIT FOR A CHURCH PURSUANT TO SECTION 1605.005 (1) (C) FOR PURPOSES OF A SITE PLAN AMENDMENT.**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. Under the provisions of Section 16.05.005 (1) (c) of the Zoning Ordinance of the City of Atlanta, a Special Use Permit for a **CHURCH**, is hereby amended pursuant to a new site plan. Said use granted to **SAINT PAUL'S EPISCOPAL CHURCH** to be located at **294-312 Peyton Road, S.W.**, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lots 213 and 204, 14<sup>th</sup> District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

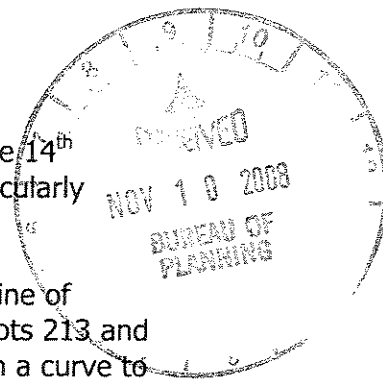
SECTION 2. That this amendment is approved under the provisions of Section 16-25.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Special Use Permits, Procedural Requirements", and the Director, Bureau of Buildings, shall issue a building permit only in compliance with the applicable provisions of this part. The applicable conditional site plan and any other conditions hereby imposed are enumerated by attachment. The Special Use Permit hereby approved does not authorize the violation of any zoning district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

Exhibit "A"

U-08-29

All that tract or parcel of land lying and being in Land Lot 204 and 213 of the 14<sup>th</sup> District; being in the City of Atlanta, Fulton County, Georgia; and more particularly described as follows:

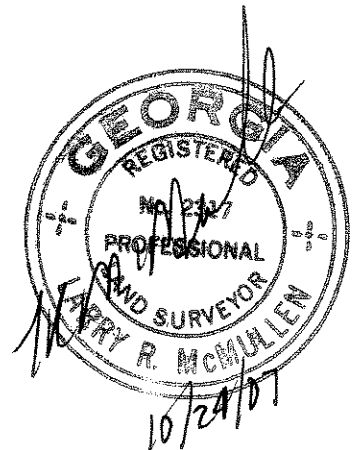


Beginning at a nail set at the intersection of the southeasterly right-of-way line of Peyton Road (50-foot right-of-way) with the common land lot line of Land Lots 213 and 204; thence easterly along the southerly right-of-way line of Peyton Road on a curve to the right having a radius of 1,051.27 feet, an arc length of 100.04 feet, a chord bearing of N 85° 50' 30" E, and a chord distance of 100.00 feet to an iron pin found; thence leaving said right-of-way line S 03° 01' 21" E, 181.93 feet to an iron pin found; thence N 87° 10' 30" E, 200.11 feet to a point; thence N 77° 01' 30" E, 130.00 feet to an iron pin set; thence S 43° 53' 30" W, 279.00 feet; thence N 38° 23' 30" W, 9.84 feet to a point in the centerline of creek; thence along the centerline of creek following a traversed line of the following five (5) courses and distances:

- N 84° 12' 32" W, 59.19 feet; thence
- S 50° 35' 38" W, 94.71 feet; thence
- S 13° 29' 00" E, 28.30 feet; thence
- S 58° 08' 34" W, 119.32 feet; thence
- S 22° 49' 53" W, 68.27 feet; thence

S 01° 28' 06" W, 472.36 feet to an iron pin found; thence N 87° 59' 36" W, 178.36 feet to an iron pin found; thence N 01° 17' 43" E, 219.84 feet to an iron pin found, thence N 80° 28' 40" W, 39.97 to an iron pin found; thence N 15° 46' 59" W, 507.75 feet to an iron pin set on the southeasterly right-of-way of Peyton Road; thence northeasterly along the southeasterly right-of-way of Peyton Roan on a curve to the right having a radius of 2,296.28 feet, an arc length of 188.05 feet, a chord bearing of N 44° 41' 35" E, and a chord distance of 188.00 feet to a point; thence continuing northeasterly along said right-of-way on a curve to the right having a radius of 941.72 feet, an arc length of 205.23 feet, a chord bearing of N 53° 18' 52" E, and a chord distance of 204.82 feet to a point; thence continuing northeasterly along said right-of-way on a curve to the right having a radius of 259.10 feet, an arc length of 89.52 feet, a chord bearing of N 69° 27' 18" E, and a chord distance of 89.07 feet to the Point of Beginning.

All that tract or parcel of land containing 7.78 acres, more or less as shown on a survey plat entitled "Boundary Survey for St. Paul's Episcopal Church" dated January 15, 2000 prepared by Dan Moore, Georgia RLS# 2290.



RCS# 2699  
1/22/09  
3:39 PM

Atlanta City Council

SPECIAL SESSION

MULTIPLE

09-O-0089, 09-O-0090, 09-O-0091, 09-O-0092

REFER ZONE/ZRB

YEAS: 12  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 2  
EXCUSED: 2  
ABSENT 0

Y Smith	E Archibong	Y Moore	Y Mitchell
Y Hall	Y Fauver	E Martin	NV Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

MULTIPLE

# **TABLED**

CT martin Motion to Ref

RCS# 2932  
5/04/09  
2:38 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE

09-O-0089, 09-O-0090

REFER ZONING

YEAS: 14  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 2  
EXCUSED: 0  
ABSENT 0

Y Smith	Y Archibong	Y Moore	NV Mitchell
Y Hall	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

MULTIPLE

RCS# 2931  
5/04/09  
2:35 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE

09-0-0089,09-0-0090

REMOVE FR TABLE

YEAS: 14  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 2  
EXCUSED: 0  
ABSENT 0

Y Smith	Y Archibong	Y Moore	NV Mitchell
Y Hall	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

MULTIPLE

RCS# 2894  
4/20/09  
4:10 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE

09-O-0089,09-O-0090

TABLE

YEAS: 14  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 2  
EXCUSED: 0  
ABSENT 0

Y Smith	Y Archibong	Y Moore	NV Mitchell
Y Hall	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

MULTIPLE