

COMMITTEE AMENDMENT FORM

DATE: 07/29/09

COMMITTEE	<u>ZONING</u>	PAGE NUM(S)
ORDINANCE I. D.	<u>#09-O-0508</u>	SECTION (S)
RESOLUTION I. D.	<u>#09-R-</u>	PARA.

AMENDS THE LEGISLATION BY ADDING NINE (9) CONDITIONS.

AMENDMENT DONE BY COUNCIL STAFF 07/29/09

Municipal Clerk
Atlanta, Georgia

09-O-0508

AN ORDINANCE
BY: ZONING COMMITTEE

U-09-07

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

SECTION 1. Under the provisions of Section 16-32.007 (1)(f) of the Zoning Ordinance of the City of Atlanta, a Special Use Permit for an **ASSISTED LIVING FACILITY**, is hereby approved. Said use is granted to **EMMANUEL COMMUNITY DEVELOPMENT CORPORATION** and is to be located at **1318, 1322, 1326 SYLVAN ROAD, 1309 HARTFORD AVENUE, 883, 893, 895, 897-901, 905, 907 AND 909 DILL AVENUE, S.W.** to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 105, 14th District, Fulton County, Georgia, being more particularly described by the attached legal description.

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 That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.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-09-07
for
1318, 1322, 1326 Sylvan Road, 1309 Hartford Road,
883, 893, 897, 897-901, 905, 907 and 909 Dill Avenue, S.W.

1. The facility shall be restricted to no more than 176 residents who are 55 years of age or older.
2. The Special Use Permit shall be valid for a duration of five (5) years from the date of adoption.
3. The Special Use Permit shall only be valid as long as Emmanuel CDC is the operator.
4. The applicant shall provide on-street parking along all street frontages with the exact location and layout to be determined at the time of the Special Administrative Permit review and approval. Said layout shall be coordinated with the Departments of Public Works and Watershed Management to avoid any vehicular traffic flow and infrastructure and issues.
5. Applicant must provide a minimum of 50 on-site parking spaces.
6. Pursuant to the Beltline and NC-8 district regulations, the primary pedestrian entrances to all uses with sidewalk-level street frontage shall be directly accessible from the sidewalk. Entrances to non-residential uses (for business establishments) shall remain unlocked and accessible to the general public during normal business hours. Architecture shall appear commercial in nature and shall be in accordance to the regulations of the NC-8 district.
7. Building facades shall be constructed to a minimum height of 18 feet and such facades shall be built to the back of and predominately parallel to the required sidewalk or supplemental zone for a minimum of 75% of the length of each street frontage, except as necessary for ingress and egress points into parking or loading areas. All uses (with the exception of parking and storage) shall be provided for a minimum depth of 20 feet from such street-facing facade.
8. Any proposed interior courtyard that is accessible from the sidewalk shall be secured during the evening hours with ornamental gates. Said gates shall allow a minimum 50% visibility into the courtyard area.
9. The courtyard shall be designed with a combination of landscaping and hardscaping in a manner that shall accommodate on-site parking. The exact design and layout shall be determined at the time of the Special Administrative Permit review and approval.

RCS# 2901
4/20/09
4:22 PM

Atlanta City Council

REGULAR SESSION

MULTIPL

09-O-0507,09-O-0508

REFER ZRB/ZONE

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 1
ABSENT 0

Y Smith	Y Archibong	Y Moore	E 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

MULTIPL

Municipal Clerk
Atlanta, Georgia

09-0-0508

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BY: ZONING COMMITTEE

U-09-07

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ALL THAT TRACT or parcel of land lying and being in Land Lot 105, 14th 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.

CITY OF NEW HOPE

BEGINNING AT A POINT ON THE NORTH SIDE OF DILL AVE 50.0 FEET
From the POINT OF BEGINNING;

- Thence, S 89° 30' 00.0" W for a distance of 100.00 feet to a point on a line.
 - Thence, N 00° 30' 00.0" W for a distance of 150.00 feet to a point on a line.
 - Thence, N 00° 19' 41.2" W for a distance of 10.00 feet to a point on a line.
 - Thence, N 00° 30' 00.0" W for a distance of 50.00 feet to a point on a line.
 - Thence, N 00° 30' 00.0" W for a distance of 100.00 feet to a point on a line.
 - Thence, N 89° 30' 00.0" E for a distance of 150.00 feet to a point on a line.
 - Thence, N 89° 30' 00.0" E for a distance of 10.00 feet to a point on a line.
 - Thence, N 89° 30' 00.0" E for a distance of 150.00 feet to a point on a line.
 - Thence, S 00° 30' 00.0" E for a distance of 50.00 feet to a point on a line.
 - Thence, S 00° 30' 00.0" E for a distance of 260.00 feet to a point on a line.
 - Thence, S 89° 30' 00.0" W for a distance of 99.85 feet to a point on a line.
 - Thence, S 89° 30' 00.0" W for a distance of 34.68 feet to a point on a line.
 - Thence, S 89° 30' 00.0" W for a distance of 23.00 feet to a point on a line.
- Thence S 89° 30' 00.0" W a distance of 52.50 feet to the POINT OF

BEGINNING; Containing 2.206 acre

