

10-0-1245

(Do Not Write Above This Line)

AN ORDINANCE
BY ZONING COMMITTEE U-10-22

An Ordinance granting a Special Use Permit for an EATING AND DRINKING ESTABLISHMENT pursuant to Section 16-18P.007 (1)(b) property located at 1075 PEACHTREE STREET, N.E. fronting approximately 443 feet on the east side of Peachtree Street beginning at the intersection of Peachtree Street and 12th Street. Depth: varies. Area: approximately 2.95 acres. Land Lot 106, 17th District, Fulton County, Georgia.

OWNER: THE DEVELOPMENT
AUTHORITY OF FULTON COUNTY
APPLICANT: 1075 PEACHTREE, LLC
NPU-E
COUNCIL DISTRICT 6

ADOPTED BY

SEP 07 2010

COUNCIL

AS AMENDED

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER

Date Referred 7/6/2010

Referred To: ZRB/zoning

First Reading

Committee ZONING
Date SEP 06, 2010
Chair [Signature]

Committee ZONING
Date SEPT. 7, 2010
Chair [Signature]
Actions:
Fav, Adv, Held (see rev. side)
Other: AS AMENDED
Members [Signatures]
Refer To

Committee
Date
Chair
Actions:
Fav, Adv, Held (see rev. side)
Other:
Members
Refer To

Committee
Date
Chair
Actions:
Fav, Adv, Held (see rev. side)
Other:
Members
Refer To

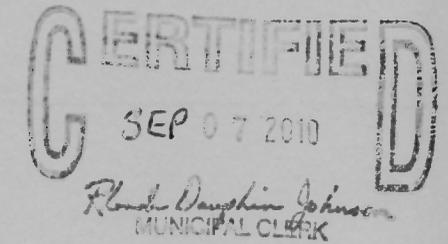
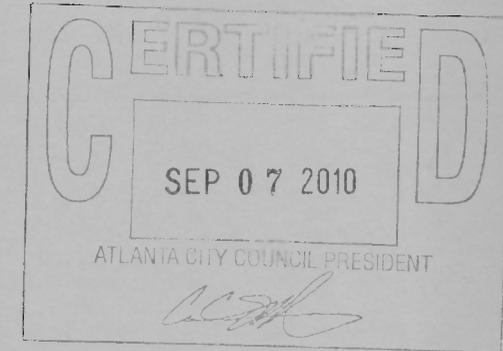
Committee
Date
Chair
Actions:
Fav, Adv, Held (see rev. side)
Other:
Members
Refer To

COUNCIL ACTION

2nd 1st & 2nd 3rd
Readings

Consent V Vote RC Vote

CERTIFIED



MAYOR'S ACTION
APPROVED

SEP 16 2010

WITHOUT SIGNATURE
BY OPERATION OF LAW



Municipal Clerk
Atlanta, Georgia

10-O-1245

AN AMENDED ORDINANCE
BY: ZONING COMMITTEE

U-10-22

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

SECTION 1. Under the provisions of Section 16-18P.007 (1) (b) of the Zoning Ordinance of the City of Atlanta, a Special Use Permit for an **EATING AND DRINKING ESTABLISHMENT**, is hereby approved. Said use is granted to **1075 PEACHTREE, LLC.** is to be located at **1075 PEACHTREE STREET, N.E.**, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 106, 17th 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.

A true copy,

Phonda Daughin Johnson
Municipal Clerk

ADOPTED as amended by the Council
RETURNED WITHOUT SIGNATURE OF THE MAYOR
APPROVED as per City Charter Section 2-403

SEP 07, 2010

SEP 16, 2010



**CONDITIONS FOR
U-10-22 FOR 1075 PEACHTREE STREET, N.E.**

1. The hours of operations shall be limited each day for kitchen service until 12:00 midnight and until 2:00 a.m. for any overall business use.
2. Each separately identified establishment occupying space on the ground floor (sidewalk-level) shall provide separate entrances which are directly visible and accessible from the adjacent sidewalk.



Legal Description of 1075 Peachtree

All that tract or parcel of land lying and being in Land Lot 106 of the 17th District, 1st. Section, City of Atlanta, Fulton County, Georgia and being more particularly described as follows:

BEGINNING at an iron pin found at the intersection of the south right-of-way line of 12th Street (variable right-of-way) with the easterly right of way line of Peachtree Street (80' R/W), proceed South 89 degrees 29 minutes 00 seconds East along the southerly right of way line of 12th Street for 186.52 feet to an iron pin found on the westerly right of way line (50' R/W) of Juniper Street; THENCE leaving said right of way line of 12th Street, proceed along the westerly right of way line of Juniper Street the following courses: South 02 degrees 20 minutes 55 seconds West for 176.50 feet to an iron pin found; THENCE South 02 degrees 20 minutes 54 seconds West for 20.00 feet to an iron pin found; THENCE continue along the arc of a 1950.30 foot radius curve to the right for a distance of 228.31 feet, said curve being subtended by a chord bearing South 04 degrees 21 minutes 51 seconds West for a distance of 228.18 feet to an iron pin found on the northerly right of way line (Variable R/W) of 11th Street; THENCE leaving the westerly right of way line of Juniper Street, continue North 89 degrees 41 minutes 24 seconds West along the northerly right of way line of 11th Street for 255.29 feet to an iron pin found; THENCE continue along said right of way line North 89 degrees 41 minutes 24 seconds West for 10.00 feet to an iron pin found; THENCE continue North 89 degrees 41 minutes 24 seconds West for 132.80 feet to an iron pin found on the easterly right of way line of Peachtree Street; THENCE leaving the northerly right of way line of 11th Street and proceed along the easterly right of way line of Peachtree Street along a 340.71 foot radius curve to the right an arc distance of 47.81 feet, said curve being subtended by a chord bearing North 12 degrees 04 minutes 27 seconds East for 47.77 feet to an iron pin found; THENCE along the arc of a 340.71 foot radius curve to the right, an arc distance of 101.01 feet, said curve being subtended by a chord bearing North 24 degrees 35 minutes 15 seconds East for 100.64 feet to an iron pin found; THENCE North 37 degrees 54 minutes 28 seconds East for 26.59 feet to an iron pin found; THENCE North 37 degrees 24 minutes 49 seconds East for 144.43 feet to an iron pin found; THENCE along the arc of a 621.73 foot radius curve to the left an arc distance of 86.33 feet, said curve being subtended by a chord bearing North 33 degrees 26 minutes 12 seconds East for 86.26 feet to an iron pin found; THENCE along the arc of a 398.84 foot radius curve to the left an arc distance of 84.57 feet, said curve being subtended by a chord bearing North 23 degrees 23 minutes 07 seconds East for 84.41 feet to an iron pin found on the southerly right of way line of 12th Street, and THE TRUE POINT OF BEGINNING.

Said tract contains 2.95 acres or 128,424 square feet of land, more or less.

RECEIVED
JUN 8 2010
Bureau of
Planning

11-10-20

~~11-10-20~~

RCS# 540
9/07/10
4:35 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE 10-O-1243, 10-O-0960, 10-O-1244, 10-O-1245
10-O-1246, 10-O-0646 ~~10-O-0646~~
ADOPT AS AMEND

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 1
ABSENT 0

Y Smith	E Archibong	Y Moore	Y Bond
Y Hall	Y Wan	Y Martin	NV Watson
Y Young	Y Shook	Y Bottoms	Y Willis
Y Winslow	Y Adrean	Y Sheperd	NV Mitchell

MULTIPLE