

**11-0-0695**  
(Do Not Write Above This Line)

AN ORDINANCE U-11-20  
BY ZONING COMMITTEE.

An Ordinance granting a Special Use Permit pursuant to Section 16-08.005 (1) (b) of the City of Atlanta Zoning Ordinance for a Pre-Kindergarten, property located at 34 and 38 Peachtree Avenue, N.E., fronting approximately 179 feet on the north side of Peachtree Avenue approximately 50 feet east of the intersection of Peachtree Avenue and North Fulton Avenue. Depth: varies. Area: approximately 0.959 acres. Land Lot 100, 17<sup>th</sup> District, Fulton County, Georgia.

OWNER: PEACHTREE AVENUE DEVELOPMENT, LLC AND LARRY L. AND JUDITH T. BENTON  
APPLICANT: ATLANTA INTERNATIONAL SCHOOL NPU B  
COUNCIL DISTRICT 7

**ADOPTED BY**  
AUG 15 2011  
**COUNCIL**

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

Date Referred 05/02/11

Referred To: ZRB/Zoning

Date Referred

Referred To:

Date Referred

Referred To:

Committee Zoning  
Date July 27, 2011  
Chair [Signature]  
Referred To ZRB + Zoning

Committee Zoning  
Date July 27, 2011  
Chair [Signature]  
Action Fav, Adv, Hold (see rev. side) AS AMENDED  
Other  
Members [Signatures]  
Refer To

Committee  
Date  
Chair  
Action Fav, Adv, Hold (see rev. side) Other  
Members  
Refer To

Committee  
Date  
Chair  
Action Fav, Adv, Hold (see rev. side) Other  
Members  
Refer To

Committee  
Date  
Chair  
Action Fav, Adv, Hold (see rev. side) Other  
Members  
Refer To

FINAL COUNCIL ACTION  
 2nd  1st & 2nd  3rd  
Readings  
 Consent  V Vote  RC Vote

CERTIFIED  
AUG 15 2011  
ATLANTA CITY COUNCIL PRESIDENT  
[Signature]

CERTIFIED  
AUG 15 2011  
Ronda Daughin Johnson  
MUNICIPAL CLERK

MAYOR'S ACTION  
APPROVED  
AUG 24 2011  
WITHOUT SIGNATURE  
BY OPERATION OF LAW



Municipal Clerk  
Atlanta, Georgia

**11-O-0695**

AN AMENDED ORDINANCE  
BY: ZONING COMMITTEE

**U-11-20**

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

SECTION 1. Under the provisions of Section 16-08.005 (1) (b) of the Zoning Ordinance of the City of Atlanta, a special use permit for a Pre-Kindergarten, is hereby approved. Said use is granted to **ATLANTA INTERNATIONAL SCHOOL** to be located at **34 AND 38 PEACHTREE AVENUE, N.E.**, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 100, 17<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.

A true copy,

*Rhonda Daughin Johnson*  
Municipal Clerk

ADOPTED as amended by the Atlanta City Council  
APPROVED as per City Charter Section 2-403

Aug. 15, 2011  
Aug. 24, 2011



### Conditions for U-11-20 for 34 & 38 Peachtree Ave., N.E.

1. Site plan entitled "Atlanta International School", dated April 12, 2011 and marked received by the Office of Planning April 12, 2011 (the "Site Plan").
2. The total enrollment of the prekindergarten program operated on the subject property will be limited to no more than 128 students.
3. The special use permit shall be valid as long as the Atlanta International School, Inc. ("AIS") is the operator.
4. AIS shall not further expand its campus onto any properties located across North Fulton Drive to the east of the Main Campus or the subject property.
5. No temporary buildings shall be allowed on the subject property except as may be required on a temporary basis for construction or due to casualty loss occurring in the pre-K school building. The AIS shall simultaneously notify the City of Atlanta, NPU-B and Garden Hills Civic Association ("GHCA") of any requests to locate temporary buildings due to casualty loss or construction. Landscaping shall be installed around any temporary buildings located on the subject property due to casualty loss or construction.
6. Nineteen (19) angle parking slots on the Main Campus directly across from the subject property will be reserved throughout the school day for visitors to the subject property. AIS will provide pedestrian access through the gate from the Main Campus parking lot within the fenced areas of the Main Campus to allow people parking in this lot to walk across Peachtree Avenue to the subject property. AIS shall request in writing that the City of Atlanta provide a crosswalk at the appropriate place on Peachtree Avenue to facilitate pedestrian traffic between the subject property and the remainder of the Main Campus and NPU-B and GHCA shall support such request. Granting of this special use permit is not contingent on the City's response to this request nor is the City obligated to respond affirmatively to this request.
7. AIS will not request any administrative amendment to the Site Plan which seeks to change any of the conditions contained herein without first giving notice of such request to the President of the GHCA. AIS will have the right to request administrative changes in the site plan to the extent allowed by the Zoning Ordinance without such notification so long as such changes are required to comply with technical permitting requirements of the City of Atlanta or site conditions and do not: (a) increase the height in stories or square footage of any building or the number and/or location of parking spaces; (b) change any of the uses or location of said uses specified on the Site Plan; (c) decrease any exterior setback or the amount of landscaped area; (d) materially reduce public access or public spaces; or (e) otherwise materially alter these conditions.
8. The appearance of the prekindergarten school building on the subject property from street level on Peachtree Avenue will be substantially in accordance with that rendering of the building elevation prepared by Collins Cooper Carusi Architects, Inc. a copy of which is attached hereto as Exhibit A.



U-11-20

LEGAL DESCRIPTION:

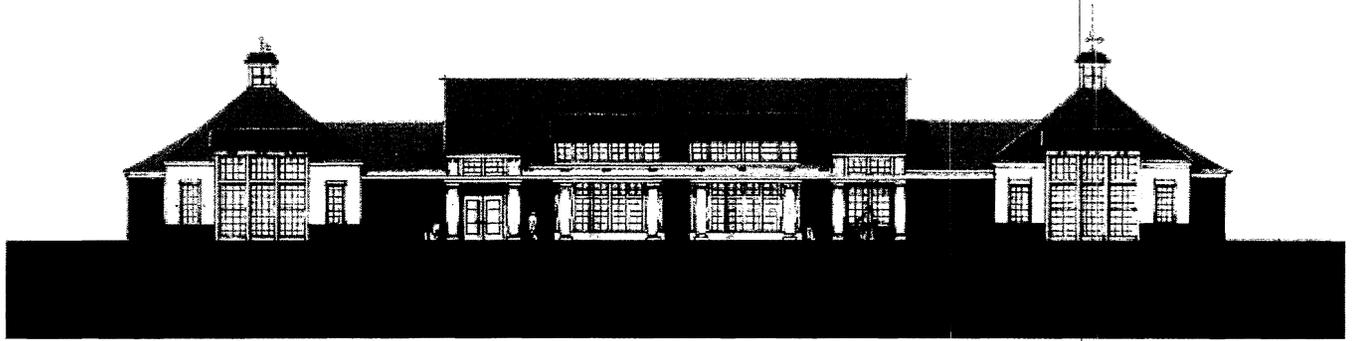
ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 100 OF THE 17TH DISTRICT, CITY OF ATLANTA, FULTON COUNTY, GEORGIA, BEING LOTS 13, 14 AND 15 OF R.R. ARNOLD SUBDIVISION, AS RECORDED IN PLAT BOOK 9, PAGE 8, AMONG THE PUBLIC RECORDS OF FULTON COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

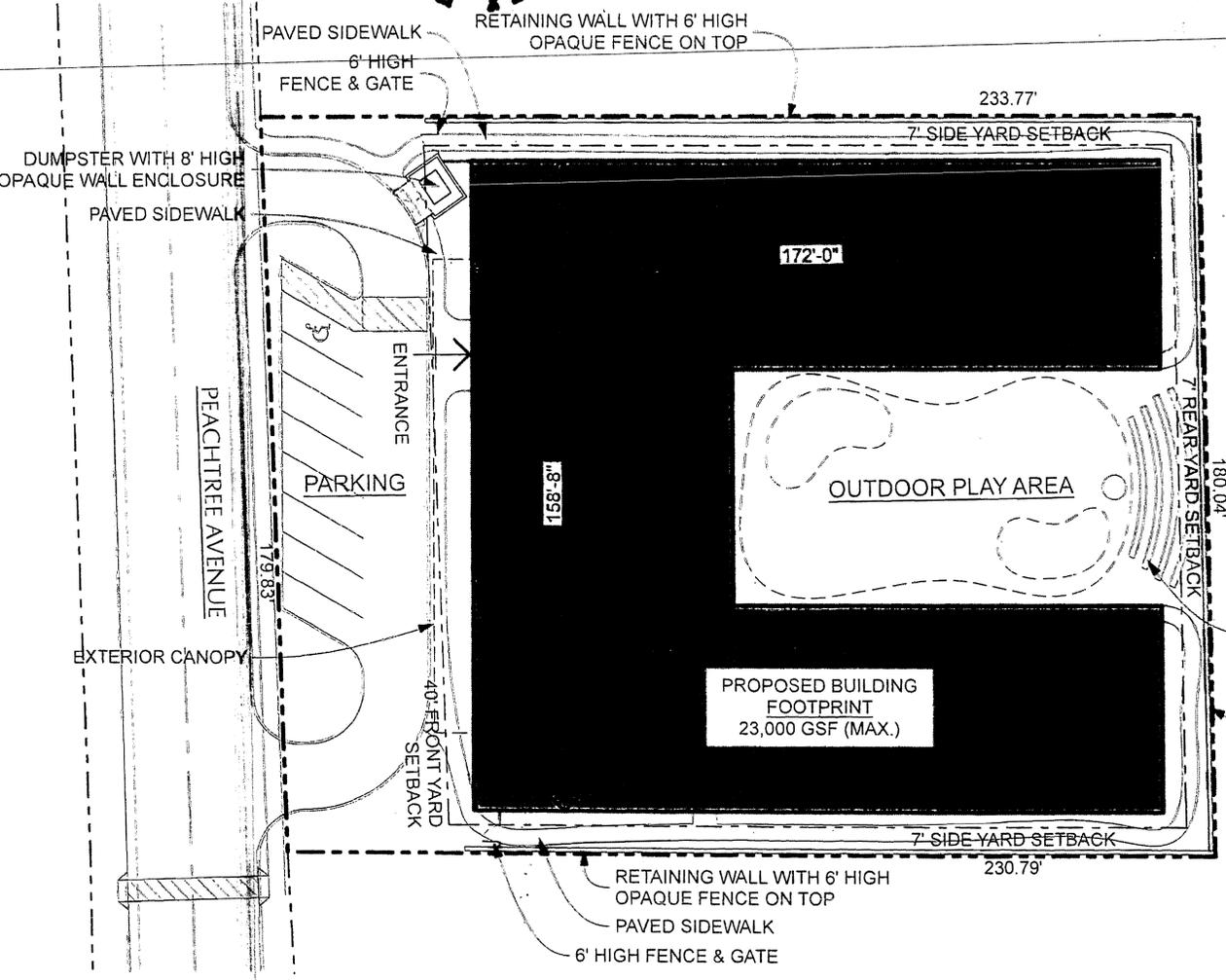
COMMENCING AT THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY LINE OF PEACHTREE ROAD AND THE NORTHERLY RIGHT-OF-WAY LINE OF PEACHTREE AVENUE (50' RIGHT-OF-WAY), THENCE EASTERLY 950 FEET ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, TO A 1/2" REBAR AND THE POINT OF BEGINNING; THENCE DEPART SAID NORTHERLY RIGHT-OF-WAY LINE AND RUN ALONG THE EASTERLY LINE OF LOT 12 OF SAID SUBDIVISION, N 08°01'10" E, A DISTANCE OF 233.74 FEET, TO A 1" OPEN TOP PIPE; THENCE ALONG THE SOUTHERLY LINE OF A TRACT OR PARCEL OF LAND NOW OR FORMERLY OWNED BY JO NEZ FAMILY LTD PARTNERSHIP, S 82°43'44" E, A DISTANCE OF 120.51 FEET, TO A 1/2" REBAR; THENCE CONTINUE ALONG SAID SOUTHERLY LINE, S 83°18'04" E, A DISTANCE OF 59.71 FEET, TO A 3/4" CRIMPED TOP PIPE; THENCE ALONG THE WESTERLY LINE OF LOT 16 OF SAID SUBDIVISION, S 08°07'09" W, A DISTANCE OF 230.79 FEET, TO A 1/2" REBAR AND A POINT ON THE AFOREMENTIONED NORTHERLY RIGHT-OF-WAY LINE OF PEACHTREE AVENUE; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, N 83°27'16" W, A DISTANCE OF 59.64 FEET, TO A 1/2" REBAR; THENCE CONTINUE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, N 84°03'39" W, A DISTANCE OF 120.25 FEET, TO THE POINT OF BEGINNING.

SAID TRACT OR PARCEL OF LAND CONTAINING 0.958 ACRES (41,732 SQUARE FEET) MORE OR LESS AS SHOWN ON AN ALTA/ACSM LAND TITLE SURVEY PREPARED BY BOUNDARY ZONE, INC., DATED APRIL 11, 2011.

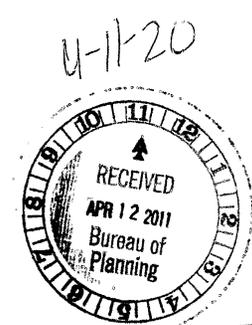


EXHIBIT A



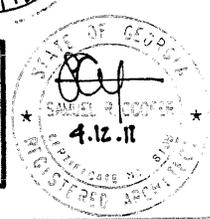


SITE INFORMATION:	
EXISTING ZONING:	R-C3
SITE AREA:	.958 Acres (41,732 SF)
SETBACKS:	Front Yard: 40 Feet Side Yard: 7 Feet Rear Yard: 7 Feet
LAND USE INTENSITY RATIO:	.696 (FAR)
ALLOWABLE FLOOR AREA:	696 X 41,732 SF = 29,045 SF Allowed
PROPOSED FLOOR AREA:	23,000 SF Proposed (MAX.)
PROPOSED OCCUPANCY:	Occupancy Group E (Educational)
PROPOSED BUILDING:	New Pre-School Facility
PARKING REQUIRED:	1 Space per 600 square feet of floor area 23,000 SF / 600 = 38.3 spaces
PARKING PROVIDED:	7 standard spaces + 1 accessible space = 8 Spaces



STEPPED CONCRETE AMPHITHEATER SEATING  
RETAINING WALL WITH 6' HIGH OPAQUE FENCE ON TOP

"I am familiar with the City of Atlanta Zoning Ordinance, including revisions, and I certify that to the best of my ability, these plans are accurate and comply with the general and district regulations of the zoning ordinance."



Atlanta International School

Collins Cooper Carusi Architects, Inc.

SITE PLAN



12 APRIL 2011

RCS# 1337  
8/15/11  
6:17 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE

ZONING SUMMARY ITEMS 11-O-0948  
11-O-0695, 11-O-0690  
ADOPT/AMENDED

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

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

MULTIPLE