

**11-0-1585**  
 (Do Not Write Above This Line)

U-11-35

AN ORDINANCE  
 BY: ZONING COMMITTEE

An Ordinance granting a Special Use Permit pursuant to Section 16-11.005 (1) (I) for outdoor dining at eating and drinking establishments when any part of such use is located within 1,000 feet of property that is zoned R-1 through R-5, or that is used as a residential property. Property located at 900 MONROE DRIVE, N.E., fronting approximately 96.19 feet on the west side of Monroe Drive, beginning 52.5 feet from the southwest corner of Monroe Drive and 8<sup>th</sup> Street. Depth: approximately 199 feet. Area: approximately 0.537 acres. Land Lot 48, 14<sup>th</sup> District, Fulton County, Georgia  
 OWNER: ALEX KUIROS  
 APPLICANT: MIGUEL YELOS SAN MARTIN  
 NPU-E  
 COUNCIL DISTRICT 6

- CONSENT REFER
  - REGULAR REPORT REFER
  - ADVERTISE & REFER
  - 1st ADOPT 2nd READ & REFER
  - PERSONAL PAPER REFER
- Date Referred: 1/7/11  
 Referred To: ZRB + Zoning  
 Date Referred: \_\_\_\_\_  
 Referred To: \_\_\_\_\_  
 Date Referred: \_\_\_\_\_  
 Referred To: \_\_\_\_\_

First Reading  
 Committee Date: 1/10/2011  
 Chair: [Signature]  
 Referred To: 2/20/2011

Committee: Zoning  
 Date: 1/20/12  
 Chair: [Signature]  
 Action: Fav, Adv, Hold (see rev. side)  
 Other: [Signature]  
 Members: [Signature]  
 Referred To: \_\_\_\_\_

Committee: \_\_\_\_\_  
 Date: \_\_\_\_\_  
 Chair: \_\_\_\_\_  
 Action: Fav, Adv, Hold (see rev. side)  
 Other: \_\_\_\_\_  
 Members: \_\_\_\_\_  
 Referred To: \_\_\_\_\_

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

CERTIFIED

CERTIFIED  
 JAN 17 2012  
 ATLANTA CITY COUNCIL PRESIDENT  
 [Signature]

CERTIFIED  
 JAN 17 2012  
 [Signature]  
 MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

JAN 26 2012

WITHOUT SIGNATURE  
 BY OPERATION OF LAW



City Council  
Atlanta, Georgia

**11-O-1585**

AN AMENDED ORDINANCE  
BY: ZONING COMMITTEE

**U-11-35**

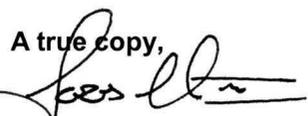
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. Under the provisions of to Section 16-11.005 (1) (l) of the Zoning Ordinance of the City of Atlanta, a Special Use Permit for an **outdoor dining at eating and drinking establishments when any part of such use is located within 1,000 feet of property that is zoned R-1 through R-5, or that is used as a residential property** is hereby approved. Said use is granted to **XAVIER CUELLAR** and is to be located at **900 MONROE DRIVE, N.E.**, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 48, 14<sup>th</sup> District, Fulton County, Georgia being more particularly described by the attached legal description and/or site plan.

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,  
  
Deputy Clerk

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

JAN 17, 2012  
JAN 26, 2012



**Conditions for U-11-35 for 900 Monroe Drive, N.E.**

1. Conceptual Rooftop plan: A rooftop plan similar to site plan A101, marked received by the Bureau of Planning November 17, 2011. Outdoor, rooftop dining shall be limited to no more than 520 square feet. This rooftop floor plan is conceptual. Final plan shall be approved by the Office of Planning prior to obtaining a building permit.
2. Conceptual elevations: Rooftop elevation plan similar to site plan A501, marked received by the Bureau of Planning November 21, 2011. This rooftop elevation plan is conceptual. Final plan shall be approved by the Office of Planning prior to obtaining a building permit.
3. Sound barrier: installation of partition walls similar to those depicted on the conceptual elevation site plan A501.
4. Lighting: light spillage onto adjacent properties shall be minimized through a combination of cut-off luminaire, solid or tinted glass walls, window curtains or shades;
5. Music: there shall be no outdoor amplified music or speakers.
6. The Special Use Permit shall be valid for a period of five years from the date of Council adoption.
7. The Special Use Permit shall be valid only as long as Xavier Cuellar is the operator of the establishment.



1440 Dutch Valley Pl #1175  
 Atlanta, GA 30324  
 404-249-4555 tel  
 404-249-0770 fax

www.ysmdesign.com



I am familiar with the City of Atlanta Zoning Ordinance, and I hereby certify that these plans are accurate and comply with the general and district regulations of this zoning ordinance

U-11-35

# La Hacienda Mexican Restaurant

900 Monroe Dr., Atlanta, GA 30308

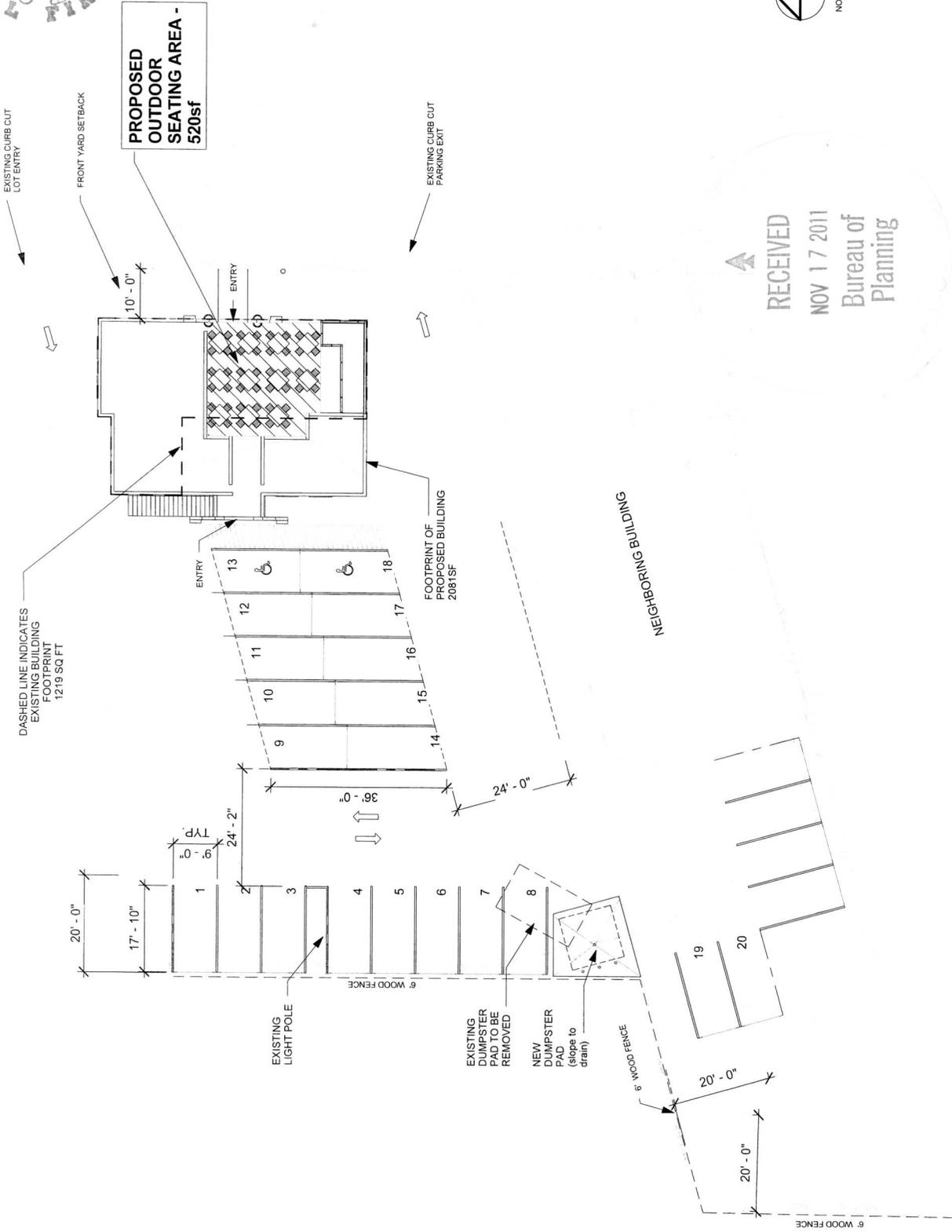
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**Site Plan**  
 for special use application  
 Scale: 1:20

# A101.



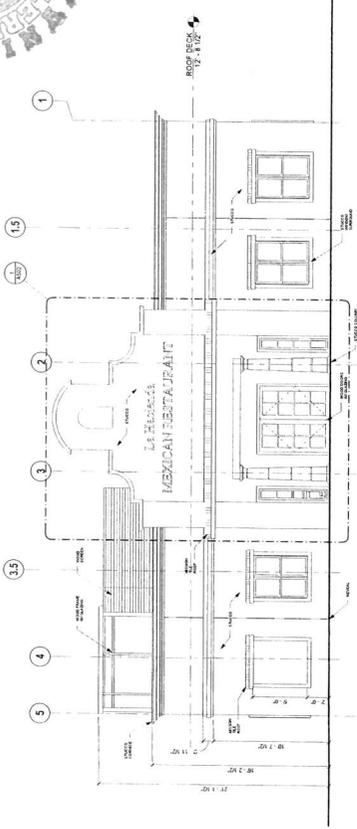


Signal & Signal  
 144 Peachtree Street, N.W.  
 Atlanta, Georgia 30309  
 Phone: 404.525.8800  
 Fax: 404.525.8801  
 www.signalandsignal.com

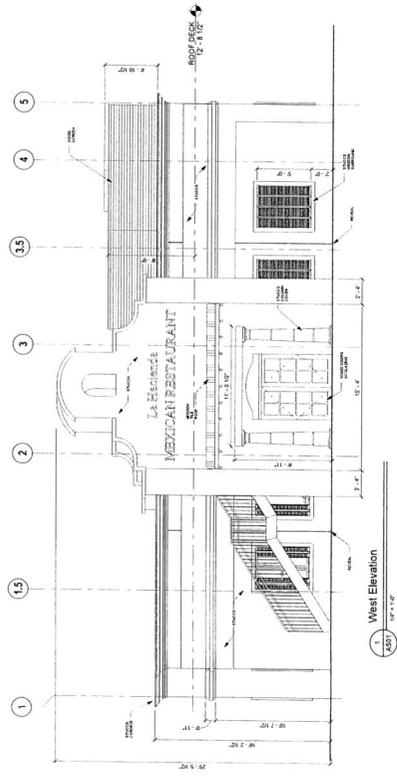


U-11-25

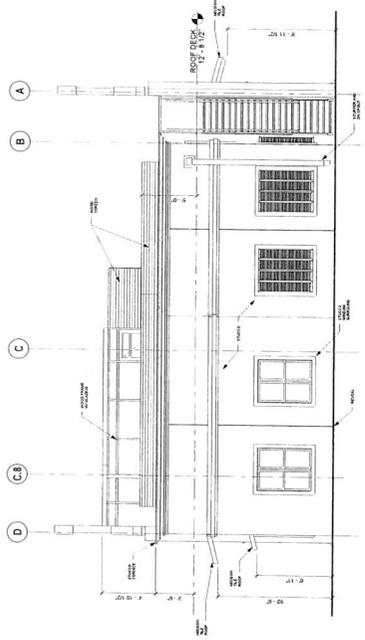
Client	XAVIER CUELLAR
Project	La Hacienda Restaurant
Address	500 Monroe Dr., Atlanta, GA
Contract Number	00710
Contract Date	07/11/11
Contracted By	Signal & Signal
Contracted For	Signal & Signal
Sheet Title	Exterior Elevations
Sheet Number	A501



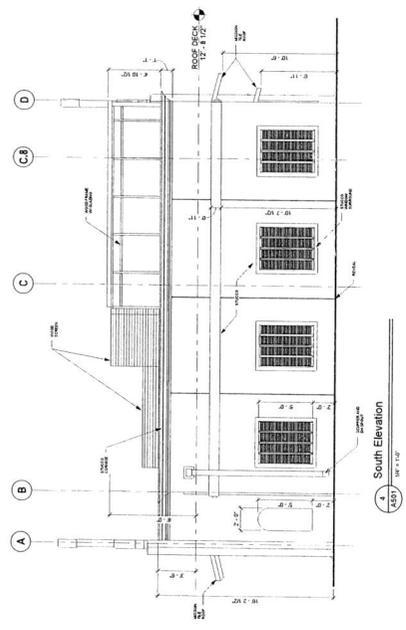
2 East Elevation  
 1/8" = 1'-0"



1 West Elevation  
 1/8" = 1'-0"



3 North Elevation  
 1/8" = 1'-0"



4 South Elevation  
 1/8" = 1'-0"





Written Description

880, 888 & 890 Monroe Drive



All that tract or parcel of land lying and being in Land Lot 48, 14<sup>th</sup> District, City of Atlanta, Fulton County, Georgia, and being more particularly described as follows:

**BEGINNING** at a chisel mark made on the westerly right of way of Monroe Drive (60' right of way), said point being 52.5 feet southerly, as measured along said right of way from the intersection of said right of way of Monroe Drive with the southerly right of way of Eighth Street (50' right of way); thence along said right of way of Monroe Drive S15°51'11"W for a distance of 96.19 feet to a 1" open top pipe found; thence continuing along said right of way S15°42'49"W for a distance of 48.86 feet to a 3/4" open top pipe found; thence leaving said right of way N89°45'38"W for a distance of 200.58 feet to a 3/4" open top pipe found; thence N16°54'52"E for a distance of 49.87 feet to a 3/8" rebar found; thence S89°33'44"E for a distance of 49.51 feet to an iron pin set; thence N15°45'45"E for a distance of 96.03 feet to an iron pin set; thence S89°36'21"E for a distance of 149.99 feet to the **POINT OF BEGINNING**. Said tract contains 23,377 square feet (0.537 acre) and is more particularly shown on a Boundary & Topographic Survey for Xavier Cuellar by Barton Surveying, Inc. dated September 29, 2010.

RCS# 1702  
1/17/12  
4:53 PM

Atlanta City Council

MULTIPLE

11-O-1281/11-O-1585/11-O-1586/11-O-1587  
11-O-1590/11-O-1583 AND 11-O-1584  
ADOPT AS AMNDED

YEAS: 10  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 5  
EXCUSED: 0  
ABSENT 1

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

MULTIPLE