

11-1590
 (Do Not Write Above This Line)

U-11-39/U-08-20-U-07-01

AN ORDINANCE
 BY: ZONING COMMITTEE

An Ordinance to amend Ordinance 08-O-1146 and Ordinance 07-O-0633 which granted a Special Use Permit for an Assisted Living Facility for property located at **2045 Graham Circle, S.E. and 1017 Fayetteville Road, S.E.** for the purpose of a site plan amendment. Depth: varies. Area: 2.145. Land Lot 147, 15th District, DeKalb County, Georgia.
 OWNER: CHRIS PROPERTIES GRAHAM CIRCLE, INC.
 APPLICANT: JONATHAN R. TOPPEN NPU-W
 COUNCIL DISTRICT 5.

As Amended

COUNCIL

ADOPTED BY

JAN 17 2012

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

Date Referred: 11/7/11
 Referred To: Zoning
 Date Referred
 Referred To:
 Date Referred
 Referred To:

First Reading

Committee Date 11/21/2011
 Chair [Signature]
 Referred To [Signature]

Committee Zoning
 Date 11/21/2011
 Chair [Signature]

Action Fav, Adv, Hold (see rev. side) [Signature]
 Other [Signature]

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

Refer 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-1590

AN AMENDED ORDINANCE
BY: ZONING COMMITTEE

U-11-39/U-08-20-U-07-01

AN ORDINANCE AMENDING ORDINANCE 08-O-1146 AND ORDINANCE 07-O-0633, ADOPTED BY THE CITY COUNCIL ON AUGUST 18, 2008 AND APPROVED BY THE MAYOR ON AUGUST 19, 2008 AND ADOPTED BY THE CITY COUNCIL ON MAY 21, 2007 AND APPROVED BY THE MAYOR ON MAY 29, 2007 WHICH GRANTED A SPECIAL USE PERMIT FOR AN ASSISTED LIVING FACILITY FOR PROPERTY LOCATED AT 2045 GRAHAM CIRCLE, S.E. AND 1017 FAYETTEVILLE ROAD, S.E. FOR THE PURPOSE OF A SITE PLAN AMENDMENT. DEPTH: VARIES. AREA: 2.145 ACRES. LAND LOT 147, 15TH DISTRICT, DEKALB COUNTY, GEORGIA.

NPU-W

COUNCIL DISTRICT 5

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) (f) of the Zoning Ordinance of the City of Atlanta, a Special Use Permit for an Assisted Living Facility is hereby amended for property located at 2045 Graham Circle, S.E. and 1017 Fayetteville Road, S.E. Said use is granted to CHRIS KIDS, INC., to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 147, 15th District, Dekalb County, Georgia being more particularly described by the attached legal description and/or map.

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-11-39 for 2045 Graham Circle, S.E. and 1017 Fayetteville Road, S.E

1. A site plan entitled "CHRIS Kids Summit Trail" by Smith Dalia Architects, LLC dated 08.05.10 and marked received by the Bureau of Planning October 6, 2011.
2. The special use permit shall be issued to CHRIS Properties Graham Circle, Inc.



LEGAL DESCRIPTION; TRACT 1 (BASED ON SURVEY BY VALENTINO)

All that tract or parcel of land lying and being in Land Lot 147 of the 15th Land District, City of Atlanta, Dekalb County, Georgia, said tract or parcel of land being more fully shown and designated as Tract 1 on a plat of survey prepared by Valentino and Associates, Inc., (Job #27015; Drawing/File #27015-SD), bearing the seal of Glenn A. Valentino, Ga. Registered Land Surveyor #2528, and being more particularly described as follows:

TO FIND THE POINT OF BEGINNING, COMMENCE at a 1/2"iron pin set at the intersection of the southwesterly right-of-way line of Graham Circle (60 ft right-of-way) and the northwesterly right-of-way line of Fayetteville Road (Apparent 45 foot right-of-way), said 1/2"iron pin set being located 0.66 feet northwest of a 3/4"open top pipe found.

THENCE proceeding along said southwesterly right-of-way line of Graham Circle North 53 degrees 01 minutes 45 seconds West for a distance of 154.00 feet to a PK (masonry) nail set, said PK nail set being the POINT OF BEGINNING;

THENCE departing said southwesterly right-of-way line of Graham Circle South 37 degrees 04 minutes 20 seconds West for a distance of 183.97 feet to a 1/2"iron pin set;

THENCE North 47 degrees 51 minutes 22 seconds West for a distance of 44.06 feet to a 1/2"iron pin set;

THENCE North 53 degrees 23 minutes 25 seconds West for a distance of 76.22 feet to a 1"crimp top pipe found;

THENCE North 53 degrees 26 minutes 02 seconds West for a distance of 13.84 feet to an angle iron found;

THENCE North 53 degrees 14 minutes 36 seconds West for a distance of 134.81 feet to a 1"solid rod found;

THENCE North 49 degrees 43 minutes 05 seconds West for a distance of 22.77 feet to an angle iron found on the easterly right-of-way line of Interstate I-20 (variable right-of-way).

THENCE proceeding along said easterly right-of-way line of Interstate I-20 the following courses and distances:

North 03 degrees 32 minutes 46 seconds West for a distance of 41.32 feet to a 1/2"rebar found;

THENCE North 08 degrees 27 minutes 45 seconds West for a distance of 38.91 feet to a concrete right-of-way monument found;

THENCE North 10 degrees 19 minutes 34 seconds West for a distance of 100.52 feet to a concrete right-of-way monument found;

THENCE North 10 degrees 27 minutes 36 seconds East for a distance of 53.37 feet to a concrete right-of-way monument found;

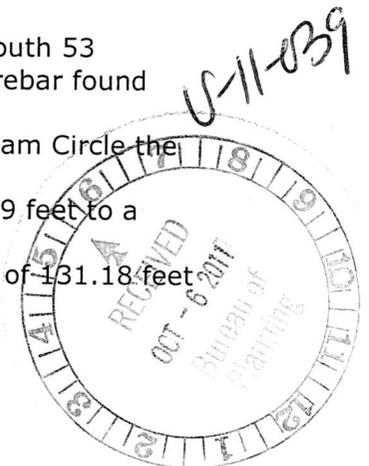
THENCE North 03 degrees 41 minutes 14 seconds West for a distance of 5.60 feet to a bent 1/2"rebar found;

THENCE departing said easterly right-of-way line of Interstate I-20 South 53 degrees 06 minutes 34 seconds East for a distance of 71.44 feet to a 1/2"rebar found located at the northwest corner of Graham Circle;

THENCE proceeding along the southwesterly right-of-way line of Graham Circle the following courses and distances:

South 53 degrees 12 minutes 31 seconds East for a distance of 245.09 feet to a 1"open top pipe found;

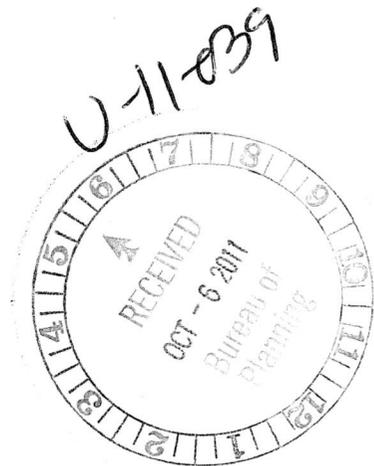
THENCE South 53 degrees 01 minutes 45 seconds East for a distance of 131.18 feet to a PK nail set, said PK nail set being the POINT OF BEGINNING.





Together with and subject to covenants, easements, and restrictions of record.

Said tract or parcel of land contains 1.557 acres or 67,840 square feet, and is intended to be a portion of the same tract of land that was previously conveyed in Deed Book 21370, Pages 442 & 447, Dekalb County Georgia Records.



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