

11-0-1686

(Do Not Write Above This Line)

U-11-42

AN ORDINANCE  
BY: ZONING COMMITTEE

An Ordinance to grant a Special Use Permit pursuant to Section 16-06.005 (1) (b) for a **Day Care Center**, property located at **260 WEST LAKE AVENUE, NW**. approximately 132 feet on the west side of West Lake Avenue and approximately 373 feet northwesterly of the intersection of Ezra Church and West Lake Avenue. Depth: varies. Area: approximately 0.489 acres. Land Lot 147, 14<sup>th</sup> District, Fulton County, Georgia.  
OWNER: GBG MANAGEMENT COMPANY  
APPLICANT: LASHANA T. GLASSPER NPU J  
COUNCIL DISTRICT 3

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

Date Referred: 11/21/11  
 Referred To: ZRB + Zoning  
 Date Referred: 3/5/12  
 Referred To: Zoning  
 Date Referred: 7/2/12  
 Referred To: ZRB + Zoning

Committee Date: [Signature]  
 Chair: [Signature]  
 Referred To: [Signature]

First Reading

Zoning Committee  
 Date: 2/20/12  
 Chair: [Signature]  
 Action: Fav, Adv, Hold (see rev. side)  
 Other: [Signature]

Members: [Signatures]  
 Referred To: [Signature]

Committee Date: 1/4/2012  
 Chair: [Signature]  
 Action: Fav, Adv, Hold (see rev. side)  
 Other: [Signature]  
 Members: [Signatures]

Refer To: [Signature]

Committee Date: 2/27/12  
 Chair: [Signature]  
 Action: Fav, Adv, Hold (see rev. side)  
 Other: [Signature]

Members: [Signatures]  
 Referred To: [Signature]

Committee Date: 2/29/2012  
 Chair: [Signature]  
 Action: Fav, Adv, Hold (see rev. side)  
 Other: [Signature]  
 Members: [Signatures]

Refer To: [Signature]

Refer To: [Signature]

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

CERTIFIED

CERTIFIED  
 SEP 04 2012  
 ATLANTA CITY COUNCIL PRESIDENT  
 [Signature]

CERTIFIED  
 SEP 04 2012  
 [Signature]  
 MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

SEP 13 2012  
 WITHOUT SIGNATURE  
 BY OPERATION OF LAW



Municipal Clerk  
Atlanta, Georgia

**11-O-1686**

AN AMENDED ORDINANCE  
BY: ZONING COMMITTEE

U-11-42

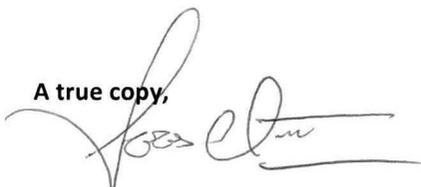
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. Under the provisions of to Section 16-06.005 (1) (b) of the Zoning Ordinance of the City of Atlanta, a Special Use Permit for a **Day Care Center** is hereby approved. Said use is granted to **LASHANA T. GLASPER** and is to be located at **260 WEST LAKE AVENUE, N.W.**, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 147, 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 Municipal Clerk

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

September 04, 2012  
September 13, 2012



**Conditions for U-11-42 for 260 West Lake Avenue, N.W.**

1. The special use permit shall be valid for a period of five (5) years from the date of Council adoption.
2. The special use permit for a day care center shall be valid only as long as LaShana Glasper and/or Taletha Banks are the applicant/operator. The special use permit is not transferable.
3. As part of the building permit process, the applicant must provide to the Office of Buildings the following:
  - a. A parking plan similar to the plan entitled "Little Rascals Daycare Parking Plan" stamped "received" by the Bureau of Planning on May 31, 2012. This plan is conceptual. Final parking plan shall be approved by the Department of Public Works prior to obtaining a building permit.
  - b. ADA parking requirements
  - c. Show City of Atlanta (ADA) driveway aprons
4. A transportation management plan shall be approved by the Director of the Office of Planning prior to obtaining a building permit.
5. A maximum number of 25 clients shall be served at the facility.





**LEGAL DESCRIPTION: #260 WESTLAKE AVENUE (BASED ON SURVEY BY VALENTINO)**



All that tract or parcel of land lying and being in Land Lot 147 of the 14th Land District, City of Atlanta, Fulton County, Georgia, said tract or parcel of land being more fully shown and designated on a plat of survey prepared by Valentino & Associates, Inc. (Job #11-071; Drawing/File #11-071), bearing the seal of Glenn A. Valentino, Ga. Registered Land Surveyor #2528, and being more particularly described as follows:

BEGINNING at a disturbed 1"open-top pipe found on the westerly right-of-way line of Westlake Avenue (apparent 60' r/w), said disturbed 1"open-top pipe found being located 444.30' south, as measured along said westerly right-of-way line of Westlake Avenue, from its intersection with the southerly right-of-way line of Simpson Road.

THENCE proceeding along said westerly right-of-way line of Westlake Avenue the following courses and distances:

South 16 degrees 41 minutes 35 seconds West (Magnetic bearing, typical) for a distance of 54.30 feet to a computed point;

THENCE along a curve to the right having a radius of 264.17 feet for an arc distance of 74.92 feet (said arc being subtended by a chord of South 24 degrees 49 minutes 02 seconds West for a distance of 74.67 feet) to a disturbed 1/2"rebar found;

THENCE departing said westerly right-of-way line of Westlake Avenue South 89 degrees 52 minutes 55 seconds West for a distance of 155.08 feet to a 1"open-top pipe found;

THENCE North 00 degrees 00 minutes 00 seconds East for a distance of 75.38 feet to a 1"crimp-top pipe found;

THENCE North 00 degrees 00 minutes 00 seconds East for a distance of 39.62 feet to a nail set in the base of a 48"oak tree;

THENCE North 88 degrees 33 minutes 11 seconds East for a distance of 202.08 feet to a disturbed 1"open-top pipe found on the westerly right-of-way line of Westlake Avenue, said disturbed 1"open-top pipe found being the POINT OF BEGINNING.

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

Said tract or parcel of land contains 0.489 acres or 21,315 square feet, and is intended to be the same tract of land that was previously conveyed in Deed Book 46320, Page 399, Fulton County Georgia Records.

RCS# 2258  
9/04/12  
4:19 PM

Atlanta City Council

MULTIPLE

11-O-1686/12-O-0388/12-O-0969/12-O-0970  
12-O-0971 AND 12-O-0972  
ADOPT AS AMNDED

YEAS: 12  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 2  
EXCUSED: 0  
ABSENT 2

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

MULTIPLE