

11-0-1284

(Do Not Write Above This Line)

U-11-29-

AN ORDINANCE
BY: ZONING COMMITTEE

An Ordinance granting a Special Use Permit pursuant to Section 16-11.005 (1) (l) 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 664 NORTH HIGHLAND AVENUE, N.E., fronting approximately 75 feet on the north side of Blue Ridge Avenue at the northwest intersection of North Highland and Blue Ridge Avenue. Depth: 100 feet. Area: approximately 0.172 acres. Land Lot 16, 14th District, Fulton County, Georgia

OWNER: SOUTHERN
BUFFALO, LLC
APPLICANT: MICHAEL SARD
NPU-N
COUNCIL DISTRICT 2
ADOPTED BY
FEB 04 2013
COUNCIL
As Amended

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

Date Referred 9/9/11
 Referred To: ZRB + Zoning
 Date Referred
 Referred To:
 Date Referred
 Referred To:

Committee Zoning **First Reading**
 Date August 31, 2011
 Chair [Signature]
 Referred To ZRB + Zoning

Zoning Committee
 Date 1/30/13
 Chair [Signature]
 Action
 Fav, Adv, Hold (see rev. side)
 Other As Amended
 Members
[Signatures]
 Refer To

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

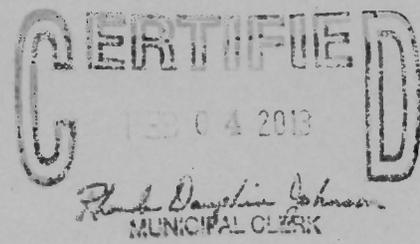
Committee
 Date
 Chair
 Action
 Fav, Adv, Hold (see rev. side)
 Other
 Members
 Refer To

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



MAYOR'S ACTION

APPROVED

FEB 13 2013

WITHOUT SIGNATURE
BY OPERATION OF LAW



Municipal Clerk
Atlanta, Georgia

11-O-1284

AN AMENDED ORDINANCE
BY: ZONING COMMITTEE

U-11-29

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

SECTION 1. Under the provisions of to Section 16-06A.005 (1) (b), of the Zoning Ordinance of the City of Atlanta, a special use permit for a **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 **SOUTHERN BUFFALO, LLC** to be located at **664 NORTH HIGHLAND AVENUE, N.E.**, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 16, 14th District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

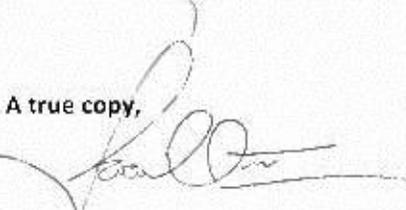
SECTION 2. That this amendment is approved under the provisions of Section 16-25.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Special Use Permits, Procedural Requirements", and the Director, Bureau of Buildings, shall issue a building permit only in compliance with the applicable provisions 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,

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

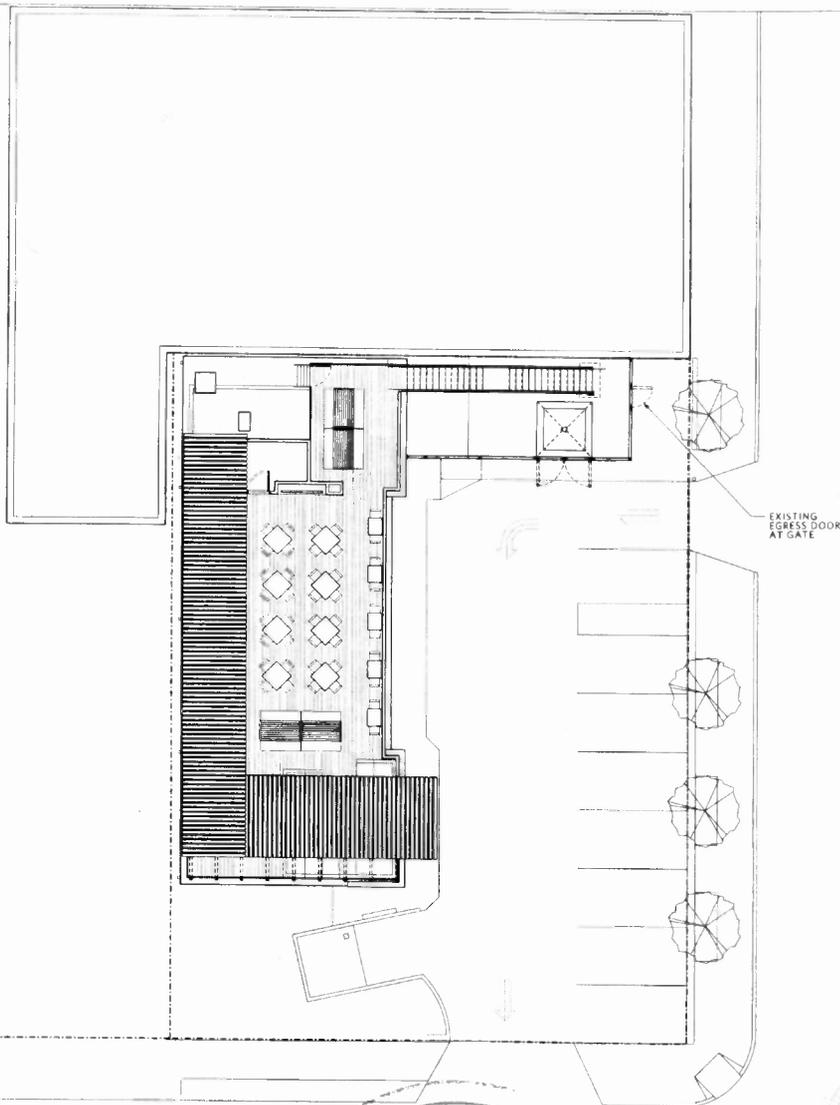
February 04, 2013
February 13, 2013


Deputy Municipal Clerk



Conditions for U-11-29 for 664 North Highland Avenue, N.E.

- 1) Conceptual site plan (sheet A100): a site plan showing the outdoor dining rooftop area, similar to the site plan (sheet A-100), dated October 26, 2012 and stamped "received" by the Office of Planning on October 30, 2012. The site plan is conceptual. Final plan shall be approved by the Office of Planning prior to obtaining a building permit.
- 2) Size limitation: the rooftop outdoor dining shall be limited to 1,585 square feet in area.
- 3) Sound barrier: installation of solid opaque walls or glass panels a minimum of six (6) feet in height adjacent to the western and the southern parapet façade to deflect and mitigate noise into the abutting residential neighborhood.
- 4) Music: outdoor amplified music shall be limited to four (4) speakers as shown on the conceptual rooftop patio plan (Sheet A-201) and specified speaker model (in Sheet A-501, or similar model), both drawings stamped received by the Office of Planning October 30, 2012. No outdoor live music or live performances shall be permitted.
- 5) Lighting: light spillage onto adjacent properties shall be minimized through any combination of cut-off luminaire, solid or tinted glass walls, window curtains or shades.
- 6) Hours: rooftop outdoor dining shall be permitted only during the hours:
 - a. Sunday through Thursday: 9am until 11pm
 - b. Friday and Saturday: 9am until midnight
- 7) Duration: The special use permit shall be valid for a period of four (4) years from the date of Council adoption.



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 phone 404.223.3804
 web www.ai3inc.com

ai3
 HDI RESTAURANT
 ROOF TOP PATIO ADDITION
 664 North Highland Avenue
 Atlanta, Georgia 30306

Project Data
 Submitter: _____
 Released for Construction: **October 26, 2012**

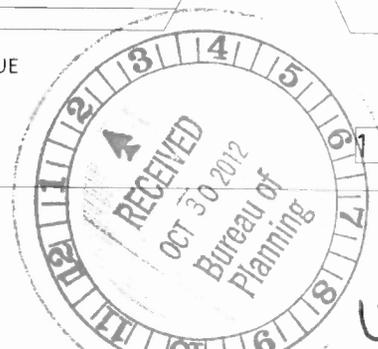
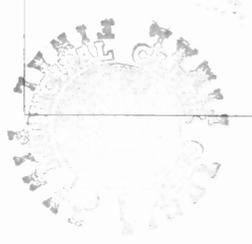


TITLE
SITE PLAN

ai3 Project Number: 2572-321
 Drawing Date: October 26, 2012
 Scale: As Noted

Drawing Number:
A100

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U-11-029

SITE PLAN
 1/8" = 1'-0"





HD1 RESTAURANT
ROOF TOP PATIO ADDITION
 664 North Highland Avenue
 Atlanta, Georgia 30306

Project Data

Submittal	October 26, 2012
Released for Construction	

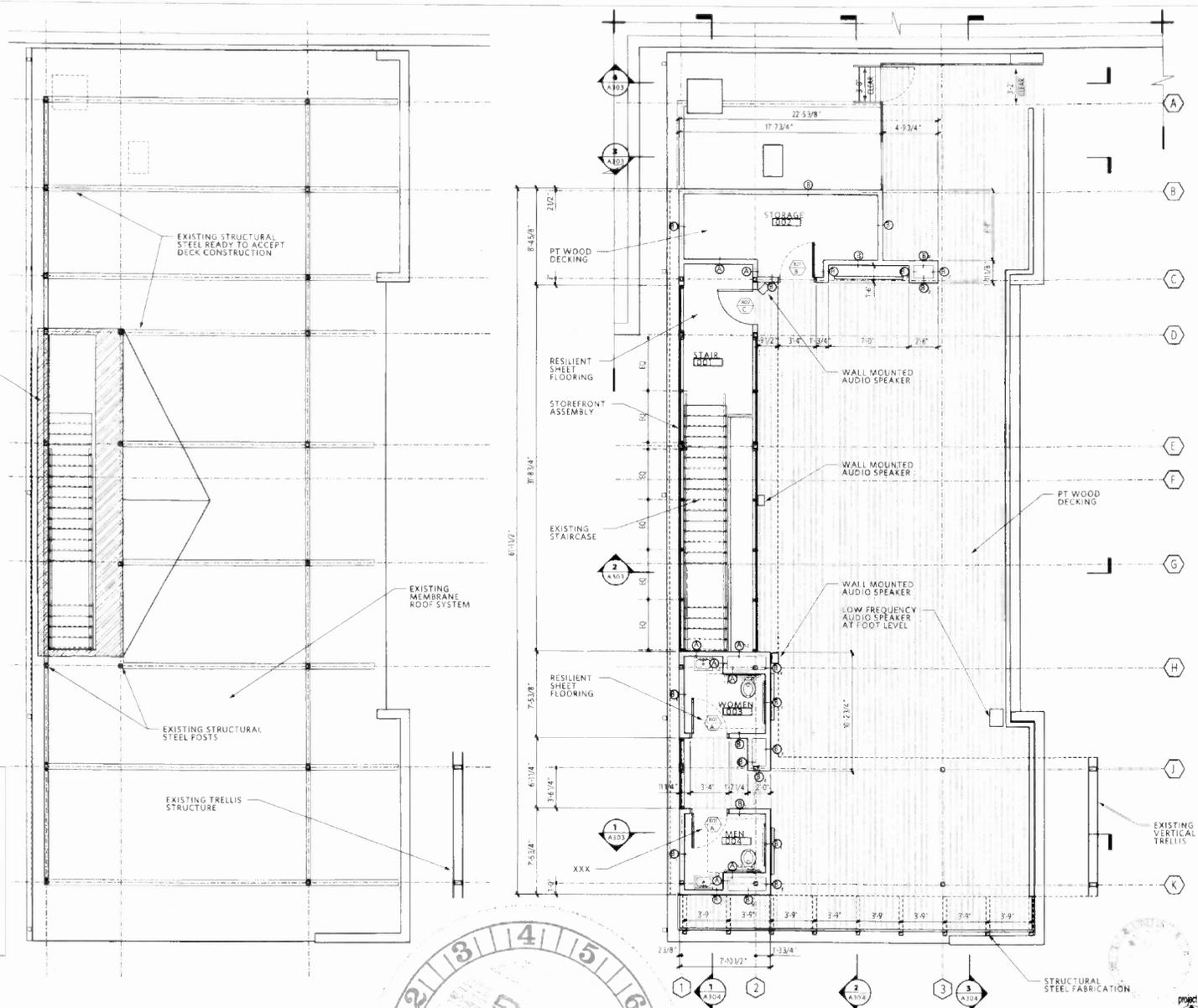


TITLE
**EXISTING ROOF PLAN &
 NEW ROOF TOP PATIO
 PLAN**

ai3 Project Number: 2012-021
 Drawing Date: October 26, 2012
 Scale: As Noted

Drawing Number
A201

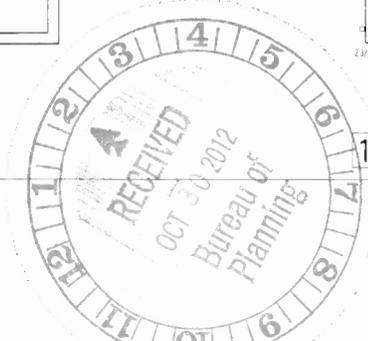
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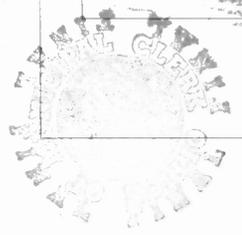
- GENERAL NOTES**
- 1) ALL NEEDED ROOF PENETRATIONS ARE EXISTING AND PROPERLY WATERPROOFED.
 - 2) FRAMED STAIR ENCLOSURE IS TO BE REMOVED TO THE FLOOR LINE AND PROPERLY PREPARED TO RECEIVE THE NEW CONSTRUCTION.

2 EXISTING PLAN
 1/4" = 1'-0"

1 FLOOR PLAN
 1/4" = 1'-0"



V-11-029

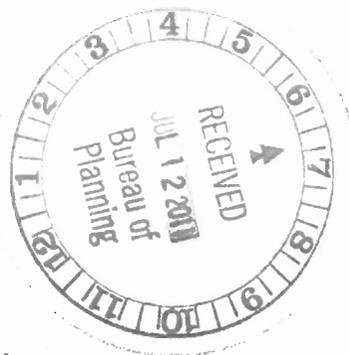




Legal Description of Land

ALL THAT TRACT AND OR PARCEL OF LAND LYING AND BEING IN LAND LOT 16 OF THE 14TH DISTRICT OF FULTON COUNTY, GEORGIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTH WEST CORNER OF THE INTERSECTION OF NORTH HIGHLAND AVENUE AND BLUE RIDGE AVENUE; RUNNING THENCE WEST ALONG THE NORTH SIDE OF BLUE RIDGE AVENUE 75 FEET TO A POINT; THENCE NORTH, PARALLEL TO THE WEST SIDE OF NORTH HIGHLAND AVENUE, 100 FEET TO A POINT; THENCE EAST, PARALLEL TO THE NORTH SIDE OF BLUE RIDGE AVENUE, 75 FEET TO A POINT ON THE WEST SIDE OF NORTH HIGHLAND AVENUE; THENCE SOUTH ALONG THE WEST SIDE OF NORTH HIGHLAND AVENUE 100 FEET TO THE POINT OF BEGINNING; BEING KNOWN AS 664 NORTH HIGHLAND AVENUE, N.E., ACCORDING TO THE PRESENT SYSTEM OF NUMBERING IN THE CITY OF ATLANTA, GEORGIA.



U-11-029

RCS# 2550
2/04/13
4:40 PM

Atlanta City Council

MULTIPLE

11-O-1284 AND 12-O-1740

ADOPT AS AMNDED

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 0

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

MULTIPLE