

COMMITTEE AMENDMENT FORM

DATE: 1-30-13

COMMITTEE ZONING COMMITTEE

PAGE NUMBER(S):

ORDINANCE I. D.: 11-O-1284

SECTION(S):

RESOLUTION:

PARAGRAPH(S):

AMENDMENT:

AMENDS THE LEGISLATION BY ADDING SEVEN CONDITIONS.

AMENDMENT DONE BY COUNCIL STAFF 1/29/13

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:

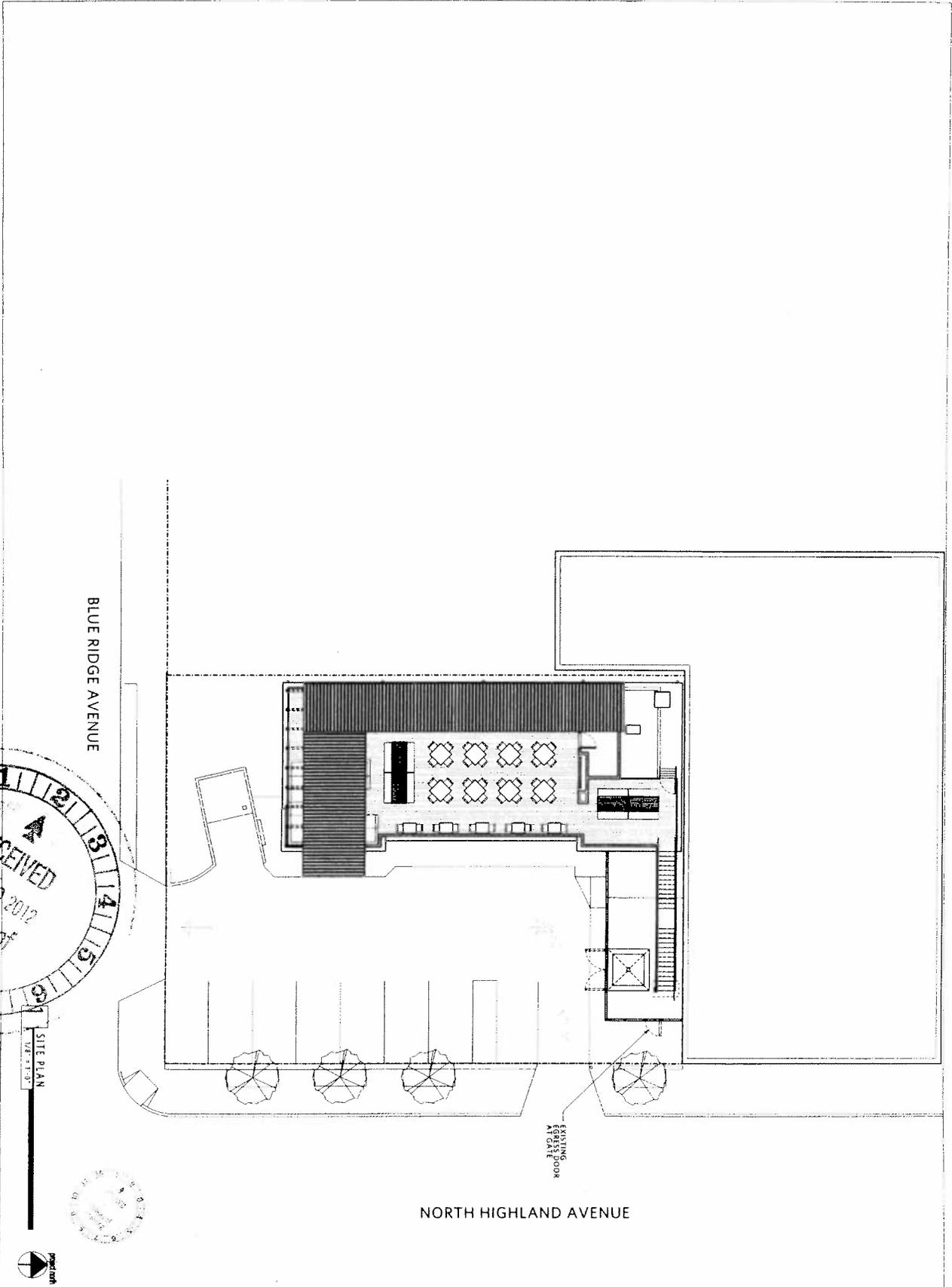
ALL THAT TRACT or parcel of land lying and being in Land Lot 16, 14th District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

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 That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

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.



RECEIVED
OCT 30 2012
Bureau of
Planning

U-11-009

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

OWNER
HD1 RESTAURANT
664 North Highland Avenue
Atlanta, Georgia 30306

DATE
2012.10.11

SCALE
AS SHOWN

PROJECT NO.
A100



PROJECT NO.
A100

DATE
2012.10.11

SCALE
AS SHOWN

HD ONE

**HD1 RESTAURANT
ROOF TOP PATIO ADDITION**

664 North Highland Avenue
Atlanta, Georgia 30306

ai3

505 Georgia Street, Suite 1000
Atlanta, Georgia 30308
Phone: 404.527.2100
Fax: 404.527.2101

Municipal Clerk
Atlanta, Georgia

11-0-1284

U-11-29

AN ORDINANCE
BY: ZONING COMMITTEE

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 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:

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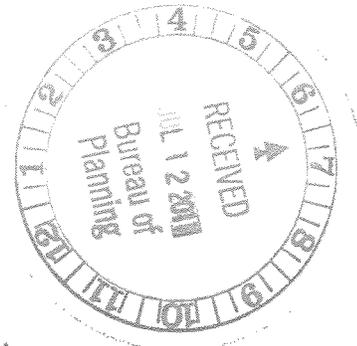
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SECTION 3. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

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# 1384
9/06/11
4:22 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE

11-O-1279/1280/1281/1282/1283/1284/1285
1286/1287 AND 1288

REFER

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

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

MULTIPLE