

U-14-01-AN AMENDED ORDINANCE BY ZONING COMMITTEE GRANTING A SPECIAL USE PERMIT FOR A COMMUNITY CENTER PURSUANT TO SECTION 16.04B, 005 (1) (I) FOR PROPERTY LOCATED AT 1160 MOORES MILL ROAD, N.W. FRONTING APPROXIMATELY 195 FEET ON THE SOUTH SIDE OF MOORES MILL ROAD AT THE NORTH BOUND RAMP OF INTERSTATE 75. DEPTH: APPROXIMATELY 1052 FEET. AREA: APPROXIMATELY 13 ACRES. LAND LOT 183, 17TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: YMCA OF METROPOLITAN ATLANTA, INC. APPLICANT: JEFF KOWALCZYK NPU C COUNCIL DISTRICT 8

Application File Date	January 7, 2104
Zoning Number	U-14-01
NPU / CD	C/8
Staff Recommendation	Approval Conditional
NPU Recommendation	Approval Conditional
ZRB Recommendation	Approval Conditional

Workflow List:

Office of Research and Policy Analysis	Completed	02/17/2014 9:58 AM
Zoning Committee	Completed	03/05/2014 2:35 PM
Atlanta City Council	Completed	03/05/2014 5:25 PM
Zoning Review Board Staff	Completed	04/18/2014 1:07 PM
Office of Research and Policy Analysis	Completed	04/18/2014 2:55 PM
Zoning Committee	Pending	
Mayor's Office	Pending	

HISTORY:

02/26/14	Zoning Committee	
03/03/14	Atlanta City Council	REFERRED TO ZRB AND ZC

RESULT:	REFERRED TO ZRB AND ZC [12 TO 0]
AYES:	Bond, Dickens, Smith, Young Jr., Archibong, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd
ABSENT:	Cleta Winslow
AWAY:	Mary Norwood, Kwanza Hall

RESULT:	REFERRED TO ZRB AND ZC [12 TO 0]
AYES:	Bond, Dickens, Smith, Young Jr., Archibong, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd
ABSENT:	Cleta Winslow
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Certified by Presiding Officer	Certified by Clerk
<p>Mayor's Action <i>See Authentication Page Attachment</i></p>	

U-14-01-AN AMENDED ORDINANCE BY ZONING COMMITTEE GRANTING A SPECIAL USE PERMIT FOR A COMMUNITY CENTER PURSUANT TO SECTION 16.04B, 005 (1) (I) FOR PROPERTY LOCATED AT 1160 MOORES MILL ROAD, N.W. FRONTING APPROXIMATELY 195 FEET ON THE SOUTH SIDE OF MOORES MILL ROAD AT THE NORTH BOUND RAMP OF INTERSTATE 75. DEPTH: APPROXIMATELY 1052 FEET. AREA: APPROXIMATELY 13 ACRES. LAND LOT 183, 17TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: YMCA OF METROPOLITAN ATLANTA, INC. APPLICANT: JEFF KOWALCZYK NPU C COUNCIL DISTRICT 8

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AN AMENDED ORDINANCE
BY: ZONING COMMITTEE

U-14-01

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

SECTION 1. Under the provisions of Section 16.04B, 005 (1) (i) of the Zoning Ordinance of the City of Atlanta, a Special Use Permit for a COMMUNITY CENTER, is hereby approved. Said use is granted to YMCA OF METROPOLITAN ATLANTA, INC. and is to be located at 1160 MOORES MILL ROAD, N.W., to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 183, 17th 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.

LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 183 of the 17th Land District, City of Atlanta, Fulton 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 & Associates, Inc. (Job #13-039; Drawing/File #13-039), bearing the seal of Glenn A. Valentino, Ga. Registered Land Surveyor #2528, and being more particularly described, with bearings relative to Grid North, Georgia West Zone, as follows:

To find the POINT OF BEGINNING, Commence at a point of intersection of the easterly right-of-way line of Interstate Highway #I-75 (variable width limited access public r/w per Deed Book 2214, page 438) and the southeasterly right-of-way line of Moores Mill Road (variable width public r/w).

THENCE proceeding along the southeasterly right-of-way line of said Moores Mill Road the following courses and distances, North 34 degrees 07 minutes 45 seconds East for a distance of 150.00 feet to a PK nail set;

THENCE North 34 degrees 07 minutes 45 seconds East for a distance of 40.00 feet to a 1/2" iron pin set, said 1/2" iron pin set being the POINT OF BEGINNING.

THENCE continuing along the southeasterly right-of-way line of said Moores Mill Road the following courses and distances, North 34 degrees 07 minutes 45 seconds East for a distance of 195.00 feet to a 1/2" iron rebar found;

THENCE North 35 degrees 34 minutes 33 seconds East for a distance of 135.73 feet to a 1/2" iron rebar found;

THENCE departing the southeasterly right-of-way line of said Moores Mill Road, South 37 degrees 08 minutes 33 seconds East for a distance of 1051.93 feet to a point in the center of a creek, passing over a 3/4" open top pipe found a distance of 14.91 feet from the end thereof;

THENCE proceeding along said center line of creek the following courses and distances, South 56 degrees 43 minutes 07 seconds West for a distance of 9.96 feet to a point;

THENCE South 82 degrees 07 minutes 52 seconds West for a distance of 25.63 feet to a point;

THENCE North 47 degrees 04 minutes 08 seconds West for a distance of 19.99 feet to a point;

THENCE North 77 degrees 36 minutes 43 seconds West for a distance of 19.98 feet to a point;

THENCE South 67 degrees 04 minutes 15 seconds West for a distance of 22.82 feet to a point;

THENCE South 27 degrees 17 minutes 26 seconds West for a distance of 35.25 feet to a point;

THENCE South 22 degrees 24 minutes 47 seconds West for a distance of 10.00 feet to a point;

THENCE South 00 degrees 45 minutes 35 seconds East for a distance of 27.35 feet to a point;

THENCE South 28 degrees 07 minutes 13 seconds West for a distance of 28.24 feet to a point;

THENCE South 71 degrees 10 minutes 06 seconds West for a distance of 30.97 feet to a point;

THENCE South 63 degrees 28 minutes 27 seconds West for a distance of 50.37 feet to a point;

THENCE South 50 degrees 37 minutes 29 seconds West for a distance of 48.16 feet to a point;

THENCE South 52 degrees 39 minutes 21 seconds West for a distance of 48.24 feet to a point;

THENCE South 43 degrees 44 minutes 27 seconds West for a distance of 40.27 feet to a point;

THENCE South 34 degrees 21 minutes 56 seconds West for a distance of 51.96 feet to a point;

THENCE South 50 degrees 47 minutes 42 seconds West for a distance of 41.53 feet to a point;

THENCE South 55 degrees 23 minutes 19 seconds West for a distance of 40.35 feet to a point;

THENCE South 34 degrees 19 minutes 37 seconds West for a distance of 49.23 feet to a point;

THENCE South 38 degrees 56 minutes 46 seconds West for a distance of 45.20 feet to a point;

THENCE South 44 degrees 05 minutes 10 seconds West for a distance of 44.40 feet to a point;

THENCE South 18 degrees 05 minutes 49 seconds West for a distance of 30.52 feet to a point;

THENCE South 32 degrees 01 minute 25 seconds West for a distance of 34.22 feet to a point;

THENCE South 25 degrees 16 minutes 01 second West for a distance of 14.35 feet to a point;

THENCE South 29 degrees 14 minutes 44 seconds West for a distance of 30.33 feet to a point;

THENCE South 05 degrees 51 minutes 08 seconds West for a distance of 57.97 feet to a point;

THENCE South 30 degrees 10 minutes 32 seconds West for a distance of 24.39 feet to a point on the easterly right-of-way line of said Interstate Highway #I-75;

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THENCE North 24 degrees 00 minutes 45 seconds West for a distance of 102.58 feet to a 1/2" iron rebar found;

THENCE South 70 degrees 45 minutes 06 seconds West for a distance of 49.61 feet to a 1/2" iron rebar found;

THENCE North 19 degrees 07 minutes 14 seconds West for a distance of 566.16 feet to a 1/2" iron rebar found;

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THENCE North 15 degrees 44 minutes 15 seconds West for a distance of 319.87 feet to a 1/2" iron pin set on the southeasterly right-of-way line of said Moores Mill Road, said 1/2" iron pin set being the POINT OF BEGINNING.

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

Said tract or parcel of land contains 13.300 acres or 579,368 square feet, and is intended to be the same tracts of land that were previously conveyed in Deed Book 31187, Page 319, and Deed Book 21975, Page 14, Fulton County Georgia Records.

NOTICE TO APPLICANT

Address of Property:
1160 Moores Mill RD NW



OFFICE OF PLANNING

55 Trinity Avenue S.W., Suite 3350
Atlanta, Georgia 30303
(404) 330-6145

APPLICATION #: **U-14-001**

DATE ACCEPTED: **01/07/2014**

City Council District: **8** Neighborhood Planning Unit (NPU): **C**

Zoning Review Board (ZRB) Hearing Date:

Thursday, March 6 or 13, 2014 at 6:00 p.m.

Council Chambers, 2nd Floor, City Hall
55 Trinity Avenue, S.W.

The contact person for NPU C is:

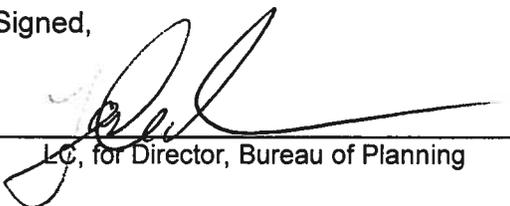
Michael Swick
404-323-9808
mswick@choateco.com

Contact info for adjacent NPUs is provided below if necessary:

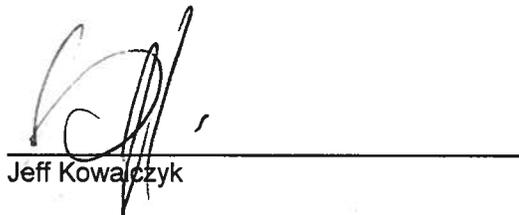
Additional Contacts:
Nina Schwartz (NPU A)
404-233-4007
nina.schwartz@comcast.net

Please contact the person(s) listed above within two days to find out which meetings you will be required to attend before the next NPU meeting. If you are unable to reach the contact person, please call the city's NPU Coordinator at 404-330-6145.

Signed,



LC, for Director, Bureau of Planning



Jeff Kowalczyk



Application for Special Use Permit

City of Atlanta

Date Filed _____ Application Number U-14-001

I hereby Request That The Property Described in this Application be Granted a Special Use Permit

Name of Applicant: Kowalczyk Jeff
Last Name First Name M.I.

Address 100 Suite 1100 Street Name Edgewood Avenue, NE

City Atlanta State GA Zip Code 30303

Phone 404.267.5326 Fax 404.527.7693

Email Address jeffko@ymcaatlanta.org

Name of Property Owner: YMCA of Metropolitan Atlanta, Inc.
Last Name First Name M.I.

Address 100 Suite 1100 Street Name Edgewood Avenue, NE

City Atlanta State GA Zip Code 30303

Daytime Phone 404.267.5326 Fax 404.527.7693

Email Address jeffko@ymcaatlanta.org

Description of Property

Street Address of Property 1160 Moores Mill Road

City Atlanta State Georgia Zip Code 30327

Property is Zoned: R-2B Council District 8 Neighborhood Planning Unit: C

The subject fronts 195 feet on the South side of Moores Mill Road, beginning zero
feet from the North bound on ramp to Interstate 75

Depth: 1051.93 feet Area: 13.3 Ac / 579,368 Sf Land Lot: 183 Land District: 17th

A. Summary of Proposed Project – What kind of special use would you be operating?

X other: YMCA operating as a community center. This application is to replace the YMCA's current Special Use Permit as the YMCA intends to add approximately 30,500 square feet to their existing facility at this location (phased construction) and new parking to support operations.

B. Impact Analysis – Type or legibly print on a separate piece of paper a complete and descriptive response to each one of the following questions:1. Ingress and Egress

- a. How will employee and client vehicles enter and leave the property? *All vehicles enter and leave the property at Moores Mill Road. There is no other vehicular entry into the site.*
- b. How will emergency vehicles (fire, police, and ambulance) gain access to the property? *All vehicles enter and leave the property at the existing Moores Mill curb cut. There is no other vehicular entry into the site.*
- c. Will the way in which vehicles enter and leave the property cause traffic congestions? Why or why not? *The existing entry/exit off of Moores Mill Road has not caused any significant traffic issues. We do not expect a large increase in membership and therefore do not expect a significant change in traffic patterns.*

2. Off Street Parking and Loading

- a. How will the operator of the facility dispose of refuse and garbage? *The YMCA will be re-using a renovated service area that currently exists to the west of the building. What kind of containers would be used? A standard metal dumpster will be used. Will the City or a private garbage disposal service be used? The YMCA currently contracts with Republic Services for garbage disposal services. How often will the service pick up the garbage? The service picks up the garbage on Mondays and Thursdays. Republic picks up the recycling materials on Thursdays.*
- b. How will products and supplies be delivered to the facility? *Deliveries are made at the front entrance of the Y. Once inside, an elevator is available for ground floor deliveries.*
- c. Where and how will service personnel (such as electric and gas maintenance personnel) park their vehicles and gain access to the property for routine maintenance? *All services vehicles will enter the property through the existing entrance at Moores Mill Road.*
- d. How will employees and clients park their vehicles and gain access to the property? *All employees and members will enter from Moores Mill Road. All parking, including the proposed parking expansion is located inside the property, is conveniently adjacent to the facility.*

3. Buffering and Screening

- a. How will adjoining properties be buffered or screened from any noise or glare from lights that might be generated from the facility? *The facility expansions are not expected to generate exterior noise and are located on an area of the site where light spillage will not impact adjacent neighbors. The Phase 1 parking expansion is adjacent to one neighboring property. All lighting for the parking lot will provided by cut-off fixtures and will be directed down to avoid light spillage onto adjacent property. The future structured parking below the tennis courts will employee cut off fixtures and light spillage will be avoided. Any new tennis court lighting (tennis courts are currently lit) will be full cut off type fixtures directing light down and not out of the site. At the re-constructed tennis courts and structured parking, adjacent properties are a significant distance away.*
- b. How many vehicles will travel to and from the facility every day? Are you planning to make any road improvements to accommodate heavy traffic to and from the facility? *The expanded facility is estimated to generate 4240 trips in a 24-hour period. No road improvements are planned.*

4. Hours and Manner of Operation:

- a. Proposed Use of Site? Please state ***exactly*** and in ***detail*** what is intended to be done on, or with the property.

Since opening in 2000, the Carl E. Sanders Family YMCA at Buckhead has provided essential programs, services and opportunities to people of all backgrounds, cultures, incomes, ages and abilities. At the YMCA people in the community can connect, pursue active lifestyles and physical activity, use quality recreation facilities, feel a sense of community, find encouragement in learning, and inspiration in leadership opportunities. Children and adults come to the Y for recreation, rejuvenation and relaxation. Seniors remain healthy and active at the YMCA. Y staff and volunteers are actively engaged in addressing the needs of the community. Our programs include coaching in healthy living, activities for special populations, group exercise classes, and a host of services for children, including camp, after-school, swim lessons, gymnastics, tennis, karate, and basketball. With this expansion we can better serve the community with increased facility space for wellness, family programs, teen leadership, youth and after-school programming.

The YMCA of Metropolitan Atlanta's 2012 Annual Report is included in this submittal. Highlighted in this report are the YMCA's achievements in a four-part agenda of Ensuring school readiness, Improving academic achievement, Empowering healthy living, and Inspiring teen leadership.

- b. What will be the hours and days of the week during which the facility will be open?

The YMCA's current operating hours are: Monday-Thursday 5:00 a.m. – 10:00 p.m.; Fridays 5:00 a.m. – 9:00 p.m.; Saturday 7:00 a.m. – 6:00 p.m.; Sunday 8:30a.m. – 6:00 p.m. There are no plans to alter these hours, but we do consider members' requests for an adjustment to operating hours

- c. How many employees will be employed at the facility? Include the number of shifts and number of employees per shift.

An average payroll consists of 135 employees.

An early morning shift of 6 employees, and three 4-hour shifts, M-F, between 8:00 a.m. and closing, each with 30~40 staff.

The YMCA also employs an average of 62 seasonal staff (camp and aquatics).

- d. How many clients will be served by the facility, and what will be their ages?

The Sanders Buckhead YMCA currently has 4,840 membership units (a unit can be one single adult, a family with several children, a senior couple, etc.) The breakdown is Family memberships 47%, Adults 32%, Senior Family/Adult 15%, and Teen/Youth 6%.

The Y also serves children and adults on a program basis rather than through a full facility membership. These programs include the following. Summer day camp: 300~400/day. After-school 75~100/day. Swim lessons: 75~100/day. Swim team: 75~100/day. Gymnastics, Dance: 80/week. Tennis: 200~500/week. Basketball: 10~20/week.

The proposed expansion is focused on better serving our existing members and program participants. With the expansion we will be able to offer a wider variety of camp, family and healthy living programs.

The Y is a charitable, non-profit organization and does very limited paid advertising. Therefore, if any increase in membership occurs as a result of the expansion it will be of a size that can be accommodated by the YMCA.

- e. Will you offer meals; and if so, when will they be offered.

The YMCA does not offer meals as a general practice. Food may be brought in for meetings, after school and outreach programs.

- f. Will there be any other special programs offered at the facility; and if so, will they cause vehicles to park at or on the site?

No special programs are planned beyond the scope of what the YMCA is presently offering.

5. Duration of Special Use Permit:

- a. How long would you like the special use permit to last (for example: 3 years, 5 years, indefinitely, etc.)? *Indefinitely.*

6. Tree Preservation and Replacement:

- a. Will any trees be damaged or cut down to accommodate renovation or new construction at the facility? *It will be necessary to remove some trees to construct the building additions and the new surface parking.* If so, how will recompense for the trees be furnished? *We will consult with the City Arborist, but plan to*

accommodate new trees on the site to replace trees that must be removed due to construction. It will be necessary to (Please consult with the City Arborist, (404) 330-6874, about this issue.)

7. Required Yards and Open Spaces:

- a. Will there be any additions to the existing facility structure, and if so would they encroach into any required yard setbacks or required open space? *The building additions will NOT encroach into any required yard setbacks or required open space.* (Please consult with the Office of Planning, Current Planning Division staff to find out the yard setback requirements or open space requirements for the property.)

AUTHORIZATION BY PROPERTY OWNER

(Required only if applicant is not the owner of property subject to the proposed Special Use Permit)

I, YMCA of Metropolitan Atlanta, Inc. (OWNER'S NAME)

SWEAR AND AFFIRM THAT I AM THE OWNER OF THE PROPERTY AT 1160 Moores Mill Rd., Atlanta, GA (PROPERTY ADDRESS).

AS SHOWN IN THE RECORDS OF Fulton COUNTY, GEORGIA, WHICH IS THE SUBJECT MATTER OF THE ATTACHED APPLICATION. I AUTHORIZE THE PERSON NAMED BELOW TO FILE THIS APPLICATION AS MY AGENT.

NAME OF APPLICANT

LAST NAME Kowalczyk FIRST NAME Jeff

ADDRESS 100 STREET NAME Edgewood Ave. SUITE 1100

CITY Atlanta STATE GA ZIP CODE 30303

TELEPHONE NUMBER

AREA CODE (404) NUMBER 588 - 9622

Edward G. Munster
Signature of Owner

Edward G. Munster, President/CEO, YMCA of Metropolitan Atlanta
Print name of owner

Personally Appeared Before Me this 9th day of January, 2014.

Sherie F. Slaughter
Notary Public



AUTHORIZATION TO INSPECT PREMISES

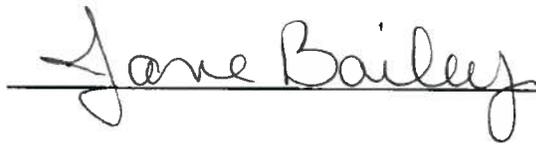
With the signature below, I authorize the staff of the Office of Planning of the City of Atlanta to inspect the premises, which are the subject of this special use permit application.

I swear and affirm that the information contained in this application is true and accurate to the best of my knowledge and belief.



Owner or Agent of Owner (Applicant)

Sworn to and subscribed before me this 7th day of January, 2014.





LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 183 of the 17th Land District, City of Atlanta, Fulton 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 & Associates, Inc. (Job #13-039; Drawing/File #13-039), bearing the seal of Glenn A. Valentino, Ga. Registered Land Surveyor #2528, and being more particularly described, with bearings relative to Grid North, Georgia West Zone, as follows:

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Said tract or parcel of land contains 13.300 acres or 579,368 square feet, and is intended to be the same tracts of land that were previously conveyed in Deed Book 31187, Page 319, and Deed Book 21975, Page 14, Fulton County Georgia Records.

RECEIPT

CITY OF ATLANTA
ATLANTATEST
55 TRINITY AVE SW

Application: U-14-001
Application Type: Planning/ZRB/Special use/NA
Address: 1160 MOORES MILL RD NW, ATLANTA, GA 30327
Owner Name: Y M C A OF METRO ATLANTA INC
Owner Address: 100 EDGEWOOD AV S- 902 ATLANTA,GA 30303
Application Name:

Receipt No.	Ref Number	Amount Paid	Payment Date	Cashier ID	Received	Comments
354892	001250	\$400.00	01/07/2014	SGUILDARIE		

Owner Info.: Y M C A OF METRO ATLANTA INC
100 EDGEWOOD AV S- 902
ATLANTA, GA 30303

Work Description: special use permit for expansion of a community center

PAID
CITY OF ATLANTA

01/07/2014

EX OFFICIO MUNICIPAL
REVENUE COLLECTOR

SS.

CONDITIONS FOR U-14-01 FOR 1160 MOORES MILL ROAD, N.W.

1. A site plan dated 01-07-14 by Collins Cooper Carusi Architects entitled “Sanders Buckhead YMCA, Atlanta GA” and marked received by the Office of Planning January 15, 2014.
2. The total area of all buildings on the site shall not exceed 85,000 square feet.
3. The height of any addition shall not exceed 35 feet.
4. There shall be no residential facilities on the site.
5. The entrance sign will not change in size, height, or lighting intensity from the existing sign but may be altered and /or reoriented for better visibility.
6. The new parking lot of 87 spaces will be equipped with a card access system and will be sited, landscaped and lighted as to minimize visibility from Moores Mill Road.
- 7.

