



TO: John McDonough, City Manager
FROM: Jim Tolbert, Assistant City Manager
DATE: October 12, 2016 for the October 18, 2016 Regular Agenda for the Mayor and City Council
ITEM: Text Amendment Regarding New Car Sales

Background

Some time ago the Sandy Springs Zoning Ordinance was amended to not allow the sale of automobiles north of Dalrymple Road within the overlay zone. Because there are several new car sales lots located within this area the City Council is concerned that this change made them non-conforming uses and made it essentially impossible to upgrade or expand the dealerships.

Discussion

Attached is a proposal that will allow automobile sales by New Car Franchisees within the overlay and will also establish a set of design criteria for any dealership in the City. This will allow these dealers to expand and to upgrade their businesses to stay relevant and competitive with other metro dealers. The use will be restricted to sales only by a dealer who is operating with a new car franchise and while allowing used car sales they must be part of a new car franchise operation. Currently north of Dalrymple there are four dealerships that meet this criteria. They are the Ford dealer, the Mercedes, the Cadillac/Subaru, and the Lamborghini dealers.

The draft ordinance has been amended to address concerns raised by the City Council and several of the dealership owners impacted by the code change. The changes are highlighted on the draft attached to this memo.

The Design Criteria that are included in this ordinance were ones suggested by our Comprehensive Planning team and would be intended to carry over to the new code if the City Council approves this change.

Planning Commission

The amendment was presented at the Planning Commission hearing of August 18, 2016.

Ms. Trisha Thompson of the Sandy Springs Council of Neighborhood spoke in opposition of the amendment, stating that automotive uses don't bring a lot of value to a community.

The Commission expressed general support for the supplemental use regulations for all new automotive and light truck sales/leasing, but did not desire to allow the sale of automobiles in the Suburban Overlay, north of the intersection of Roswell Road and Dalrymple Road. There was discussion as whether the use permit should be granted administratively or by Mayor and City Council with public hearings.

Motion 1: To **deny** the amendment.

First: Nickles Second: Johns	In favor: Haggard, Johns, Maziar, Nickles	In opposition: Porter Abstained: Tart
---------------------------------	--	--

The motion carried.

Alternatives

The alternative is to leave the ordinance as it is currently written.

Attachments

) Ordinance

**STATE OF GEORGIA
COUNTY OF FULTON**

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF SANDY SPRINGS, GEORGIA, TO AMEND ARTICLE XII-B AND ARTICLE XIX OF THE CITY'S ZONING ORDINANCE

BE IT ORDAINED by the Mayor and City Council of the City of Sandy Springs, Georgia that Article XII-B and Article XIX of the City's Zoning Ordinance be amended as follows:

SECTION I: Article XII-B, Section 7, of the City of Sandy Springs Zoning Ordinance, regarding prohibited uses in the Sandy Springs Overlay District, is amended by amending Subsection (C) as follows:

12.B.7 PROHIBITED USES

...

C. Suburban District

The following uses shall be prohibited from the Suburban District of the Sandy Springs Overlay District on Roswell Road, north of the intersection of Roswell Road and Dalrymple Road:

- a. Automotive Garage
- b. Automotive & Light Truck Sales/Leasing (unless otherwise permitted pursuant to Section 19.3.21 of this ordinance).
- c. Automotive Specialty Shops

SECTION II: Article XIX, Part 2, of the City of Sandy Springs Zoning Ordinance, regarding Minimum Administrative Permit Standards, is amended by adding Section 19.3.21 as follows:

19.3.21 AUTOMOBILE SALES

A. Allowed in this District with Administrative Permit Only: C-2

B. Standards:

1. No more than one access point per two hundred (200) linear feet of frontage on Roswell Road shall be permitted. No more than one access point per one hundred (100) linear feet of frontage on other public roads shall be permitted.
2. The principal building shall be located no more than 120 feet from the right-of-way.

3. No trailer or mobile building shall be permitted on the property, other than as a temporary office during construction of the permanent buildings.
4. Buildings shall be a maximum of two (2) stories or twenty-four (24) feet in height, whichever is less, on parcels sharing a property line with a parcel located in a Protected Neighborhood, as identified in the adopted Comprehensive Plan.
5. The principal building shall have a public entrance facing the primary road. Entrances shall be articulated to create visual interest and legibility.
6. A minimum of sixty percent (60%) of the ground level floor of the principal building shall be transparent glazing, on all elevations facing a public road. Reflective and/or opaque glass is not permitted on ground level floors.
7. Service buildings shall be located in the side or rear yards. Facades facing a public road shall have windows, belt courses or other architectural articulations.
8. Roll-up, garage, bay doors and other wide openings shall not face the primary road. The primary road shall be the road on which the principal building faces.
9. Site lighting shall use cut-off fixtures, with a maximum height of fourteen (14) feet.
10. A landscape strip of twenty (20) feet along Roswell Road, and ten (10) feet on other public roads shall be maintained between the right-of-way and edge of the parking and/or display area.
11. A continuous hedge or wall of a minimum of three (3) feet in height shall be maintained along the edge of any parking and/or display area facing a public road. This shall not apply if the finished elevation of the parking lot nearest the road is five (5) feet higher than the adjacent road elevation. Such hedge may be included in the landscape strip width.
12. Vehicles shall not be displayed on elevated platforms. Display areas shall be at normal ground level.
13. Vehicles shall be parked in an orderly fashion similar to a regular parking lot.
14. Outdoor display of tires is prohibited.
15. Outdoor washing and detailing of vehicles is prohibited. All vehicle services shall be conducted inside buildings.

For any new site established after the date of passage of this ordinance all loading and unloading of vehicles must occur on site and shall not be designed to require maneuvering or parking on public roads.

16. Balloons, banners, pennants, inflatables, ribbons and other types of temporary signs shall be prohibited, unless otherwise permitted by Article XXXIII, Signs, of this ordinance.

17. Additionally, for property located in the Suburban Overlay District, north of the intersection of Trowbridge Road and south of the intersection of Grogan's Ferry Road:

Only manufacturer-authorized, new vehicle franchise dealerships allowed, which offer customary sales and service of new automobiles, as well as pre-owned automobiles as an accessory use only. The property used for such use may be on distinct and separate parcels, provided there is no greater distance than one thousand five hundred (1,500) linear feet between the closest property lines, measured in a straight line. The minimum total acreage of the dealership shall be at a minimum three (3) acres in size.

SECTION III: All ordinances and parts of ordinances in conflict herewith are hereby repealed.

PASSED AND APPROVED the 18th day of October, 2016.

CITY OF SANDY SPRINGS, GEORGIA

By: _____

Russell K. Paul, Mayor

Attest:

Michael Casey, City Clerk

(SEAL)