

STATE OF GEORGIA
COUNTY OF FULTON

AN ORDINANCE TO MODIFY CONDITION(S) OF A RESOLUTION BY THE FULTON COUNTY BOARD OF COMMISSIONERS APPROVING PETITION Z83-0185 ON JANUARY 18, 1984 PROPERTY LOCATED AT 1100 JOHNSON FERRY ROAD

BE IT ORDAINED by the City Council for the City of Sandy Springs, Georgia while in regular session on January 19, 2010 at 7:00 p.m. as follows:

SECTION 1. That the condition(s) of a Resolution by the Fulton County Board of Commissioners, approved on January 18, 1984, for petition Z83-0185 that allowed the property to be rezoned to the O-I (Office and Institutional District) be changed for the property located at **1100 Johnson Ferry Road**, consisting of a total of approximately 13.697 acres, to wit;

ALL THAT TRACT or parcel of land lying and being Land Lot 16 of the 17th District, Fulton County, Georgia by the attached legal description; and

SECTION 2. That the property shall be developed in compliance with the conditions of approval, as attached to this ordinance. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations; and

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 That all ordinances or part of ordinances in conflict with the terms of this ordinance are hereby repealed; and

SECTION 4. This Ordinance shall become effective upon adoption by the Mayor and City Council and the signature of approval of the Mayor.

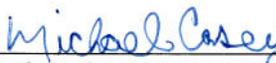
ORDAINED this the 19th day of January, 2010.

Approved:



Eva Galambos, Mayor

Attest:



Michael Casey, City Clerk
(Seal)



CONDITIONS OF APPROVAL

ZM09-009
1100 Johnson Ferry Road

The City of Sandy Springs Mayor and City Council approved the modification of the conditions of Z83-0185, with regard to the above referenced property currently zoned O-I (Office and Institutional District). Zoning modification petition ZM09-009 was approved by the Mayor and City Council at the January 19, 2010 hearing, subject to the following conditions:

1. To the owner's agreement to restrict the use of the subject property as follows:
 - a. Office and accessory uses at a maximum density of 27,816.31 gross square feet per acre zoned or 381,000 gross square feet, whichever is less. A maximum of 181,000 square feet may be used as Medical Office.
 - b. Limit the height of the two proposed buildings to no more than 6 floors and 11 floors, respectively.
2. To the owner's agreement to abide by the following:
 - a. To the site plan received by the Department of Community Development dated ~~November 5, 2007~~ November 3, 2009. Said site plan is conceptual only and must meet or exceed the requirements of the Zoning Ordinance and these conditions prior to the approval of a Land Disturbance Permit. Unless otherwise noted herein, compliance with all conditions shall be in place prior to the issuance of a Certificate of Occupancy.
 - a. To submit to the Director of Community Development for his approval, prior to any defoliation or alteration of the site, a Land Disturbance application with shall include a grading Plan, hydrological study, soil sedimentation and erosion control plan, and proposed provisions for permanent storm water retention and the method of continuing maintenance of these facilities.
 - b. To submit to the Director of Community Development for his approval, prior to the approval of a Land Disturbance Permit, a detailed landscape plan for all required buffers and landscape strips. Said landscaping for each phase of development shall be in place within 90 days after the issuance of a Certificate of Occupancy or the connection of permanent power for each phase provided, however, that all landscaping shall be in place prior to the issuance of a Certificate of Occupancy or the connection of permanent power for the final phase of the development.
 - c. To provide and maintain off-street parking on the subject property during the entire construction period.
3. To the owner's agreement to the following site development considerations:

- a. Provide a 50 foot wide landscape strip outside of the new dedicated right-of-way of Johnson Ferry Road penetrated only by approved access drives and utility crossings, and further provide a 250 foot setback from Johnson Ferry Road for the office buildings.
 - b. Provide a landscape strip adjacent to the following property lines in the widths shown:
 - 40 feet wide adjacent to the area reserved for the relocation of Johnson Ferry Road except for the driveway encroachment indicated on the Site Plan received by the Zoning Department on October 4, 1983.
 - 15 feet wide on the north property line.
 - 25 feet wide on the east property line.
 - 5 feet wide on the west property line.
 - c. Maintain as a natural buffer, that area to the southeast and east of the right-of-way reservation for the proposed relocation of Johnson Ferry Road. Said buffer shall be undisturbed except as needed for the removal of the existing structure and shall be replanted where disturbed or sparsely vegetated.
 - d. Any exterior illumination on the site shall not exceed 1.2 footcandles on any property line adjacent to a residential use or zoning district, nor will the light source be directly visible from adjoining residential properties.
 - e. No more than 2 exits/entrances on Johnson Ferry Road; one of which shall be located at or adjacent to the west property line. The second entrance shall be aligned with the entrance to the Johnson Ferry Park townhomes.
 - f. The exterior of all concrete blocks shall be coated with an architectural treatment (e.g., epoxy, stucco, brick veneer, etc.) or an alternate solution as may be approved by the Director of Planning and Community Development.
 - g. No roof signs are permitted.
 - h. Provide landscape islands throughout the surface parking areas, including a minimum 10 foot wide landscape at the end of each parking bay and a minimum 5 foot wide landscape island for each 225 feet of continuous bay length.
4. To the owner's agreement to abide by the following requirements, dedications and improvements:
- a. Improve the following roadways along the property frontage from the center or road to back of curb as follows:

26 feet from centerline of Johnson Ferry Road west of the easternmost entrance and, for a distance of 200 feet east of said entrance.

- b. Connect to metropolitan water and public sanitary sewer, available to the site as well as pay all required tap-on fees, front footage assessments and the pro-rated share of the cost of public utility extensions as determined by the Department of Community Development.
- c. Provide designated fire lanes adjacent to all structures and provide water mains, fire hydrants and access for firefighting equipment if required by the Sandy Springs Fire Department.
- d. Design required on-site storm water detention facilities such that they are not located within any required buffers or on any required parking areas.
- e. Pay for the materials necessary for the construction of sidewalks along existing public roads by the Department of Community Development if they are constructed within 5 years of this approval.
- f. Reserve an 80 foot wide future right-of-way strip running from the intersection of Johnson Ferry Road and south Johnson Ferry Road to the northeast corner of the property, as located and approved by the Director of Community Development.

LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 16 OF THE 17TH DISTRICT OF FULTON COUNTY, GEORGIA, AND IN LAND LOT 328 OF THE 18TH DISTRICT OF DEKALB COUNTY, CITY OF SANDY SPRINGS, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO FIND THE POINT OF BEGINNING, COMMENCE AT A POINT MARKED BY AN IRON PIN ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF OLD JOHNSON FERRY ROAD (HAVING AN 80-FOOT RIGHT-OF-WAY) AT ITS INTERSECTION WITH THE LINE DIVIDING FULTON AND DEKALB COUNTIES, AND RUNNING THENCE NORTH 68 DEGREES 13 MINUTES 50 SECONDS WEST ALONG THE NORTHEASTERLY RIGHT-OF-WAY LINE OF OLD JOHNSON FERRY ROAD A DISTANCE OF 354.36 FEET TO A POINT;

CONTINUING THENCE ALONG THE NORTHEASTERLY RIGHT-OF-WAY LINE OF OLD JOHNSON FERRY ROAD AND THE NORTHEASTERLY RIGHT-OF-WAY LINE OF JOHNSON FERRY ROAD, BEING THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 716.20 FEET AND A CHORD BEARING NORTH 62 DEGREES 39 MINUTES 27 SECONDS WEST 139.05 FEET, AN ARC DISTANCE OF 139.27 FEET TO A POINT MARKED BY AN IRON PIN SET ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF JOHNSON FERRY ROAD (VARIABLE WIDTH RIGHT-OF-WAY), WHICH POINT IS THE POINT OF BEGINNING;

FROM SAID POINT OF BEGINNING, RUNNING THENCE ALONG THE NORTHEASTERLY RIGHT-OF-WAY LINE OF JOHNSON FERRY ROAD ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 716.20 FEET AND A CHORD BEARING NORTH 51 DEGREES 03 MINUTES 50 SECONDS WEST 150.30 FEET, AN ARC DISTANCE OF 150.58 FEET TO A POINT ON SAID RIGHT-OF-WAY LINE;

RUNNING THENCE ALONG SAID RIGHT-OF-WAY LINE NORTH 45 DEGREES 02 MINUTES 30 SECONDS WEST A DISTANCE OF 26.58 FEET TO A POINT ON SAID RIGHT-OF-WAY LINE; RUNNING THENCE ALONG SAID RIGHT-OF-WAY LINE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 954.93 FEET AND A CHORD BEARING NORTH 41 DEGREES 08 MINUTES 31 SECONDS WEST 129.90 FEET, AN ARC DISTANCE OF 130.00 FEET TO A POINT ON SAID RIGHT-OF-WAY LINE;

RUNNING THENCE ALONG SAID RIGHT-OF-WAY LINE NORTH 37 DEGREES 12 MINUTES 49 SECONDS WEST A DISTANCE OF 228.59 FEET TO A POINT ON SAID RIGHT-OF-WAY LINE; RUNNING THENCE ALONG SAID RIGHT-OF-WAY LINE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 548.05 FEET AND A CHORD BEARING OF NORTH 38 DEGREES 34 MINUTES 40 SECONDS WEST 25.77 FEET, AN ARC DISTANCE OF 25.78 FEET TO A POINT MARKED BY A PARKER-KALON NAIL SET ON SAID RIGHT-OF-WAY LINE;

THENCE LEAVING SAID RIGHT-OF-WAY LINE AND RUNNING NORTH 20 DEGREES 06 MINUTES 00 SECONDS EAST A DISTANCE OF 326.51 FEET TO A POINT MARKED BY AN IRON PIN SET;

RUNNING THENCE NORTH 24 DEGREES 54 MINUTES 00 SECONDS WEST A DISTANCE OF 150.59 FEET TO A POINT MARKED BY AN IRON PIN SET; RUNNING THENCE NORTH 88 DEGREES 19 MINUTES 50 SECONDS WEST A DISTANCE OF 118.24 FEET TO A POINT MARKED BY A NAIL SET;

RUNNING THENCE NORTH 69 DEGREES 54 MINUTES 00 SECONDS WEST A DISTANCE OF 79.08 FEET TO A POINT MARKED BY A 5/8 INCH REINFORCING BAR FOUND;

RUNNING THENCE SOUTH 88 DEGREES 19 MINUTES 50 SECONDS EAST A DISTANCE OF 802.86 FEET TO A POINT MARKED BY A 5/8 INCH REINFORCING BAR FOUND;

RUNNING THENCE SOUTH 88 DEGREES 36 MINUTES 30 SECONDS EAST A DISTANCE OF 201.60 FEET TO A POINT ON THE COUNTY LINE DIVIDING DEKALB AND FULTON COUNTIES;

RUNNING THENCE SOUTH 88 DEGREES 36 MINUTES 30 SECONDS EAST A DISTANCE OF 169.05 FEET TO A POINT MARKED BY AN IRON PIN SET; RUNNING THENCE SOUTH 21 DEGREES 19 MINUTES 00 SECONDS WEST A DISTANCE OF 421.45 FEET TO A POINT MARKED BY A PARKER-KALON NAIL SET;

RUNNING THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 458.41 FEET AND A CHORD BEARING SOUTH 38 DEGREES 42 MINUTES 16 SECONDS WEST 273.98 FEET, AN ARC DISTANCE OF 278.23 FEET TO A POINT MARKED BY AN IRON PIN SET;

RUNNING THENCE SOUTH 56 DEGREES 05 MINUTES 33 SECONDS WEST A DISTANCE OF 300.97 FEET TO A POINT MARKED BY AN IRON PIN SET;

RUNNING THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 286.16 FEET AND A CHORD BEARING SOUTH 44 DEGREES 47 MINUTES 15 SECONDS WEST FOR A DISTANCE OF 112.98 FEET, AN ARC DISTANCE OF 113.71 FEET TO THE POINT OF BEGINNING.

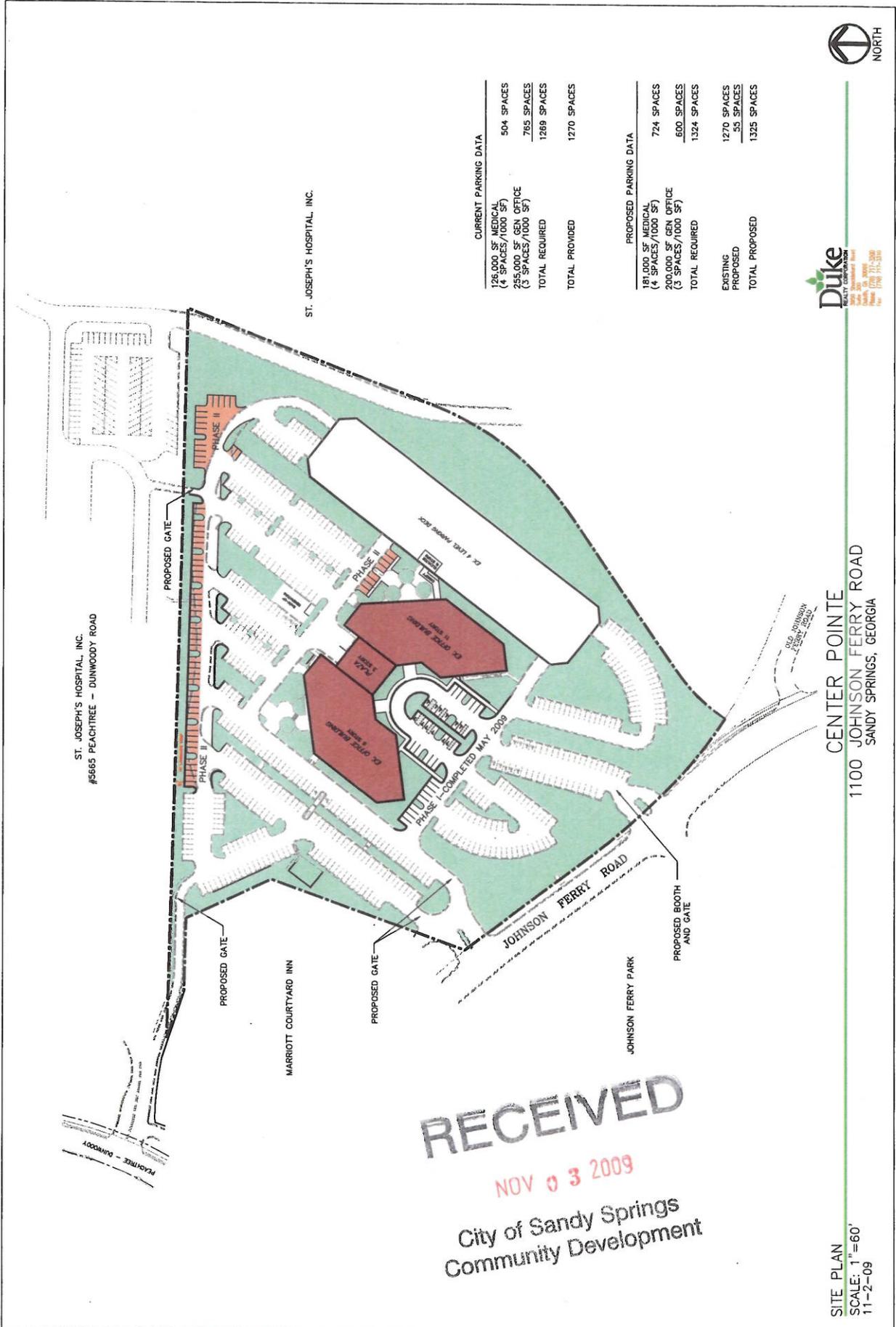
SAID TRACT CONTAINING 596,626 SQUARE FEET OR 13.6966 ACRES.

RECEIVED

NOV 03 2009

City of Sandy Springs
Community Development

7M09-009



CURRENT PARKING DATA	
126,000 SF MEDICAL (4 SPACES/1000 SF)	504 SPACES
255,000 SF GEN OFFICE (3 SPACES/1000 SF)	765 SPACES
TOTAL REQUIRED	1269 SPACES
TOTAL PROVIDED	1270 SPACES

PROPOSED PARKING DATA	
181,000 SF MEDICAL (4 SPACES/1000 SF)	724 SPACES
200,000 SF GEN OFFICE (3 SPACES/1000 SF)	600 SPACES
TOTAL REQUIRED	1324 SPACES
EXISTING PROPOSED	1270 SPACES
TOTAL PROPOSED	1325 SPACES



CENTER POINTE
 1100 JOHNSON FERRY ROAD
 SANDY SPRINGS, GEORGIA

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NOV 03 2009

City of Sandy Springs
 Community Development

SITE PLAN
 SCALE: 1" = 60'
 11-2-09

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