

STATE OF GEORGIA
COUNTY OF FULTON

AN ORDINANCE TO MODIFY CONDITION(S) OF A RESOLUTION BY THE FULTON COUNTY BOARD OF COMMISSIONERS APPROVING PETITION Z97-0080 AUGUST 6, 1997, PROPERTY LOCATED AT 6010 SANDY SPRINGS CIRCLE

BE IT ORDAINED by the City Council for the City of Sandy Springs, Georgia while in regular session on May 18, 2010 at 6:00 p.m. as follows:

SECTION 1. That the condition(s) of a Resolution by the Fulton County Board of Commissioners, approved on August 6, 1997, for petition Z97-0080 that allowed the property to be rezoned to the C-1(Community Business District) be changed for the property located at 6010 Sandy Springs Circle, consisting of a total of approximately 8.62 acres, to wit;

ALL THAT TRACT or parcel of land lying and being Land Lot 89 of the 17th District, Fulton County, Georgia by the attached legal description; and

SECTION 2. That the variance(s), as listed in the attached conditions of approval, be approved under the provisions of Section 22.9 of the Zoning Ordinance of the City of Sandy Springs; and

SECTION 3. 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 4. That all ordinances or part of ordinances in conflict with the terms of this ordinance are hereby repealed; and

SECTION 5. This Ordinance shall become effective upon adoption by the Mayor and City Council and the signature of approval of the Mayor.

ORDAINED this the 18st day of May 2010.

Approved:


Eva Galambos, Mayor

Attest:


Michael Casey, City Clerk
(Seal)



CONDITIONS OF APPROVAL

ZM10-005/CV10-0004

6010 Sandy Springs Circle

Mayor and City Council meeting on May 18, 2010

1. To the owner's agreement to restrict the use of the subject property as follows:
 - a. Retail, service commercial and/or office and accessory uses, including all exterior food and beverage service areas, at a maximum density of 8,944.74 gross square feet per acre zoned or a total of 77,732 square feet, whichever is less, but excluding fast food restaurants, service stations, commercial amusements and billboards.
2. To the owner's agreement to abide by the following:
 - a. To the site plan received by the ~~development Services~~ Department of Community Development on ~~June 10, 1997~~ August 4, 2009. Said site plan is conceptual only and must meet or exceed the requirements of the Zoning ~~Resolution~~ 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 the first Certificate of Occupancy.
3. To the owner's agreement to the following site development considerations:
 - a. Provide for the reduction of all landscape strips and buffers to the extent to allow existing structures to remain.
 - b. No more than the existing exit/entrances on Hammond Drive. Curb cut location and alignment are subject to the approval of the ~~Fulton County~~ Sandy Springs Traffic Engineer.
 - c. No more than the existing exit/entrances on Sandy Springs Circle. Curb cut location and alignment are subject to the approval of the ~~Fulton County~~ Sandy Springs Traffic Engineer.
4. To the owner's agreement to abide by the following requirements, dedication and improvements:
 - a. Reserve for the ~~Fulton County~~ City of Sandy Springs along the necessary property frontage of the following roadways, prior to the approval of a land disturbance permit, sufficient land as necessary to provide for compliance with the Comprehensive Plan. All building setback lines shall be measured from the dedication but at no time shall a building be allowed inside the area of reservation. All required landscape strips and buffers shall straddle the reservation line so that the reservation bisects the required landscape strip of buffer. At a minimum, 10 feet of the required landscape strip or buffer shall be located outside the area of reservation. All required tree plantings per Article 4.23 shall be placed within the portion of the landscape strip or buffer that lies outside the area of reservation.

45 feet from the centerline of Hammond Drive

- b. Dedicate at no cost to ~~Fulton County~~ Sandy Springs along the entire property frontage, prior to the approval of a Land Disturbance Permit, sufficient land as necessary to provide the following rights-of-way, and dedicate at no cost to ~~Fulton County~~ Sandy Springs such additional right-of-way as may be required to provide at least 10.5 feet of right-of-way from the back of curb of all abutting road improvements, as well as allow the necessary construction easements while the rights-of-way are being improved:

55 feet from the centerline of Sandy Springs Circle.

30 feet from the centerline of Hammond Drive.

- c. Improve roadways along the entire property frontage with curb and gutter per ~~Fulton County~~ Sandy Springs standards or as may be required by the Georgia Department of Transportation.
 - d. Provide a deceleration lane for each project entrance or as may be required by the ~~Fulton County~~ Sandy Springs Traffic Engineer.
 - e. Provide a left turn lane for each project entrance or as may be required by the ~~Fulton County~~ Sandy Springs Traffic Engineer.
5. To the owner's agreement to abide by the following:
- a. To contact the Director of Public Works, prior to the application for a Land Disturbance Permit ~~with the Development Services Department~~, to meet with the Fulton County Traffic Engineer. A signed copy of the results of these meetings will be required to be submitted along with the application for a Land Disturbance Permit.
 - b. To contact the Director of ~~Public Works~~ Community Development, prior to the application for a Land Disturbance Permit ~~with the Development Services Department~~, to arrange an on-site evaluation of existing specimen trees/stands, buffers, and tree protection zones within the property boundaries with the ~~Fulton County~~ City Arborist. A signed copy of the results of these meetings will be required to be submitted along with the application for a Land Disturbance Permit.
 - c. At the time of submittal for a Land Disturbance Permit and after the approval of the Preliminary Plat, the engineer/developer is required to provide written documentation verifying on-site evaluation and any other necessary downstream constraints.
 - d. Provide documentation (cross-section etc.) as to the existing conditions for all natural streams/creeks within the boundary of the project. Show, by documentation, the appropriate erosion protection of the stormwater conveyance system.
 - e. The developer/engineer is responsible to demonstrate to the ~~County~~ City by engineering analysis, that the developed land use (proposed development) stormwater runoff conditions are controlled at the maximum pre-developed land use level, so that downstream properties/conveyance systems are not impacted or aggravates existing flooding/drainage nor creates new drainage/flooding problems off-site.

- f. Upon receiving zoning, rezoning or a special use approval from the County City and prior to submitting for a Land Disturbance Permit, the developer/engineer shall contact and submit to the ~~Stormwater Management Section of the Public Works Department~~ Department of Community Development a stormwater concept plan. The stormwater concept plan shall be a preliminary drawing describing the proposed location of storage facilities, discharge path of storage facilities, downstream and upstream constraints and other matters with potential stormwater implementations. The stormwater concept plan shall be submitted to the County City when the design engineer determines the preliminary location, type of stormwater facilities or at approximately 35% project completion.
- g. To allow an additional free standing sign along the west side of Sandy Springs Circle frontage for building "A" as identified on the site plan dated received March 02, 2010 and located at the southeast corner of the parcel (Sign #1)(CV10-004-Part 1).
- h. To allow a non monument sign not to exceed 29 square feet of sign area, eight (8) fee height for building "A" as identified on the site plan dated received March 02, 2010 and located at the southeast corner of the parcel (Sign #1)(CV10-004-Part 2).