

STATE OF GEORGIA
COUNTY OF FULTON

**AN ORDINANCE TO REZONE TO R-6 (TWO-FAMILY DWELLING DISTRICT), WITH A
USE PERMIT & CONCURRENT VARIANCES, PROPERTY LOCATED AT 5400 & 5420
PEACHTREE DUNWOODY ROAD**

BE IT ORDAINED by the City Council for the City of Sandy Springs, Georgia while in regular session on December 6, 2011 at 6:00 p.m. as follows:

SECTION 1. That the Zoning Ordinance of the City of Sandy Springs be amended, and the official maps established in connection therewith be changed so that the following property located at 5400 & 5420 Peachtree Dunwoody Road, consisting of a total of approximately 2.048 acres, be changed from the TR (Townhouse Residential District) and the R-6 (Two-family Dwelling District) to the R-6 (Two-family Dwelling District) conditional, to wit;

ALL THAT TRACT or parcel of land lying and being Land Lots 15 & 16 of the 17th District, Fulton County, Georgia by the attached legal description; and

SECTION 2. That the use permit(s), as listed in the attached conditions of approval, be approved under the provisions of Section 19.2.3 of the Zoning Ordinance of the City of Sandy Springs; and

SECTION 3. 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 4. 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 5. That the official maps referred to, on file in the Office of the City Clerk, be changed to conform with the terms of this ordinance; and

SECTION 6. That all ordinances or part of ordinances in conflict with the terms of this ordinance are hereby repealed; and

SECTION 7. This Ordinance shall become effective upon adoption by the Mayor and City Council and the signature of approval of the Mayor.

ORDINANCE NO. 2011-12-18
PETITION NO. RZ11-007/U11-003/CV11-004

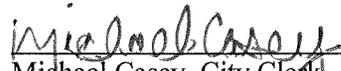
APPROVED AND ADOPTED this the 6th day of December, 2011.

Approved:



Eva Galambos, Mayor

Attest:



Michael Casey, City Clerk

(Seal)



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LEGAL DESCRIPTION

City of Sandy Springs
Community Development

5400 and 5420 Peachtree Dunwoody Road

All that tract or parcel of land situate, lying and being in Land Lot 15 and 16 of the 17th Land District, Fulton County, Georgia, containing 2.048 acres, more or less, and being more particularly described as follows:

BEGINNING at the South-West corner intersection of the Right-of-Ways of Georgia State Route 407 (Glenridge Connector) (125' R\W) and Peachtree Dunwoody Road (90' R\W), said point being the Point Of Beginning;

THENCE running along the West Right-Of-Way of Peachtree Dunwoody Road having a curve to the right with a radius of 409.00 feet and an arc length of 146.81 feet, a chord bearing of South 07 degrees 04 minutes 06 seconds West and a chord distance of 146.03 feet to a point;

THENCE continuing along the Right-Of-Way of Peachtree Dunwoody Road having a curve to the right with a radius of 409.00 feet and an arc length of 42.36 feet, a chord bearing of South 20 degrees 19 minutes 07 seconds West and a chord distance of 42.34 feet to a point;

THENCE continuing along said Right-of-Way of Peachtree Dunwoody Road, South 23 degrees 17 minutes 05 seconds West for a distance of 101.14 feet to a point;

THENCE continuing along said Right-Of-Way of Peachtree Dunwoody Road having a curve to the left with a radius of 543.09 feet and an arc length of 106.29 feet, a chord bearing of South 17 degrees 40 minutes 41 seconds West and a chord distance of 106.12 feet to a point at the Intersection of the Right-of-Ways of Peachtree Dunwoody Road and Clementstone Drive (50' Right-of-Way);

THENCE continuing along said Right-Of-Way of Clementstone Drive having a curve to the left with a radius of 450.39 feet and an arc length of 160.51 feet, a chord bearing of North 80 degrees 49 minutes 46 seconds West and a chord distance of 159.66 feet to a 1/2" rebar found;

THENCE leaving said Right-of-Way of Clementstone Drive, North 05 degrees 53 minutes 31 seconds East for a distance of 254.10 feet to a point;

THENCE North 89 degrees 58 minutes 55 seconds West for a distance of 84.40 feet to a point;

THENCE North 01 degrees 54 minutes 28 seconds East for a distance of 124.94 feet to a point;

THENCE South 89 degrees 52 minutes 58 seconds East for a distance of 160.03 feet to a point;

THENCE South 81 degrees 17 minutes 30 seconds East for a distance of 159.46 feet to the Point Of Beginning.

RZ11 - 007
U11 - 003
CV11 - 004

CONDITIONS OF APPROVAL

RZ11-007/U11-003/CV11-004
5400 & 5420 Peachtree Dunwoody Road

The City of Sandy Springs Mayor and City Council approved the rezoning of property located at 5400 & 5420 Peachtree Dunwoody Road. Rezoning petition RZ11-007/U11-003/CV11-004 was approved to rezone the subject property from TR (Townhouse Residential District) conditional and R-6 (Two-family Dwelling District) conditional to R-6 (Two-family Dwelling District), with a Use Permit & Concurrent Variances by the Mayor and City Council at the December 6, 2011 hearing, subject to the following conditions:

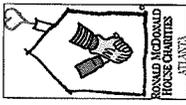
1. To the owner's agreement to restrict the use of the subject property as follows:
 - a. To Medical Related Lodging Use (U11-003).
 - b. To a 55,000 square foot (including underground parking) Medical Related Lodging building developed at a total density of 26,856 square feet per acre including underground parking.
 - c. To a maximum of thirty-one (31) units/rooms (CV11-004#1)
2. To the owner's agreement to abide by the following:
 - a. To the site plan received by the Department of Community Development on October 19, 2011. Said site plan is conceptual only and must meet or exceed the requirements of the Zoning Ordinance, the Development Standards contained therein, and these conditions prior to the approval of a Land Disturbance Permit. The applicant shall be required to complete the concept review procedure prior to application for 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.
3. To the owner's agreement to provide the following site development standards:
 - a. Variance from Section 19.4.28.1.B.5. of the Zoning Ordinance to encroach into the required twenty (20) foot landscape strip (per Section 4.23.1 of the Zoning Ordinance) to allow installation of an eight (8) inch sanitary sewer line substantially in the location depicted on the site plan (along the southern property line) (CV11-004#2).
 - b. Variance from Section 19.4.28.1.B.5. of the Zoning Ordinance to encroach into the required twenty-five (25) foot Zoning Buffer, the ten (10) improvement setback, and the twenty (20) foot landscape strip (per Section 4.23.1 of the Zoning Ordinance) to allow installation of an underground stormwater management facility substantially in the location depicted on the site plan (adjacent to the western and northern property lines) (CV11-004#3).

- c. Variance from Section 19.4.28.1.B.5. of the Zoning Ordinance to encroach into the required ten (10) improvement setback (per Section 4.23.1 of the Zoning Ordinance) to allow installation of a proposed retaining wall and the proposed building substantially in the location depicted on the site plan (adjacent to the western property lines) (CV11-004#4).
- d. Variance from Section 19.4.28.1.B.5. of the Zoning Ordinance to encroach into the required twenty-five (25) foot Zoning Buffer, the ten (10) improvement setback, and the twenty (20) foot landscape strip (per Section 4.23.1 of the Zoning Ordinance) to allow installation of a retaining wall substantially in the location depicted on the site plan (adjacent to the western and northern property lines) (CV11-004#5).
- e. Variance from section 7.1.3.B. of the Zoning Ordinance to reduce the required twenty-five (25) foot front setback from the Glenridge Connector (SR 407) to twenty (20) feet to allow construction of the proposed building (CV11-004#6).
- f. Variance from section 7.1.3.A. of the Zoning Ordinance to increase the maximum height limitation from forty (40) feet to sixty (60) feet (4 stories including underground parking) for the proposed building (CV11-004#7).
- g. Variance from Section 19.4.28.1.B.6. of the Zoning Ordinance to reduce the required off-street parking for Medical Related Lodging from thirty-six (36) spaces to thirty (30) spaces (CV11-004#8).
- h. The owner/developer shall install and maintain Landscape Buffering to adjacent residentially zoned properties and along western, northern and eastern property lines as approved by the City Arborist and with input from the owners of the property commonly known as 1010 Clementstone Drive (the single family residence immediately to the west of the subject property).
- i. To no more than one (1) vehicular exit/entrance on Peachtree Dunwoody Road.
- j. To no vehicular access from the Glenridge Connector and from Clemenstone Drive.
- k. For the proposed driveway, the owner/applicant shall provide restriping of Peachtree Dunwoody Road in front of the site as approved by the Public Works Director.
- l. The owner/developer shall dedicate forty (40) feet of right-of-way from centerline of Peachtree Dunwoody Road along the entire property frontage or ten and one-half (10.5) feet from back of curb, whichever is greater, to the City of Sandy Springs.

- m. The owner/ developer shall dedicate thirty (30) feet of right-of-way from centerline of Clemenstone Drive along the entire property frontage or ten and one-half (10.5) feet from back of curb, whichever is greater, to the City of Sandy Springs.
- n. Upon commencement of construction to develop the Property according to the Site Plan, ARMHC shall install temporary fencing along all Property lines excluding those along a public right-of-way to assist in screening adjacent properties from construction activities. ARMHC shall maintain such temporary fencing until construction is completed. In addition, ARMHC shall comply with the requirements of the Code of the City of Sandy Springs, Georgia, with respect to noise control, expressly including without limitation, Article III, Division 2, Section 38-87, and time limitations for construction activities. During construction, Applicant shall ensure that there are such trash cans / dumpsters which are emptied on a regular basis and that the Property shall be kept as clean as reasonably possible. During construction, ARMHC shall notify the City of Sandy Springs of a contact name and telephone number which shall be answered 24 hours a day, 7 days a week regarding disturbances from construction.
- o. For the subject property, all conditions of zoning approved under RZ11-007/U11-003/CV11-004 shall supersede all previous conditions of zoning and all previous conditions of zoning shall no longer apply to the subject property.
- p. Applicant agrees that during construction to demolish the existing house on the Property and during redevelopment of the Property in accordance with the Site Plan, Applicant shall instruct its contractors or subcontractors not to park any vehicles or equipment on Clementstone Drive. Applicant further agrees to comply with the requirements of the Code of the City of Sandy Springs, Georgia with respect to construction parking and traffic.

PERKINS + WILL
75 Years of Design Knowledge

Ronald McDonald House Charities
4400 Peachtree Dunwoody Road, Suite 100
Atlanta, GA 30340



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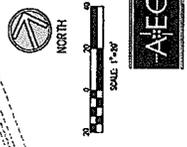
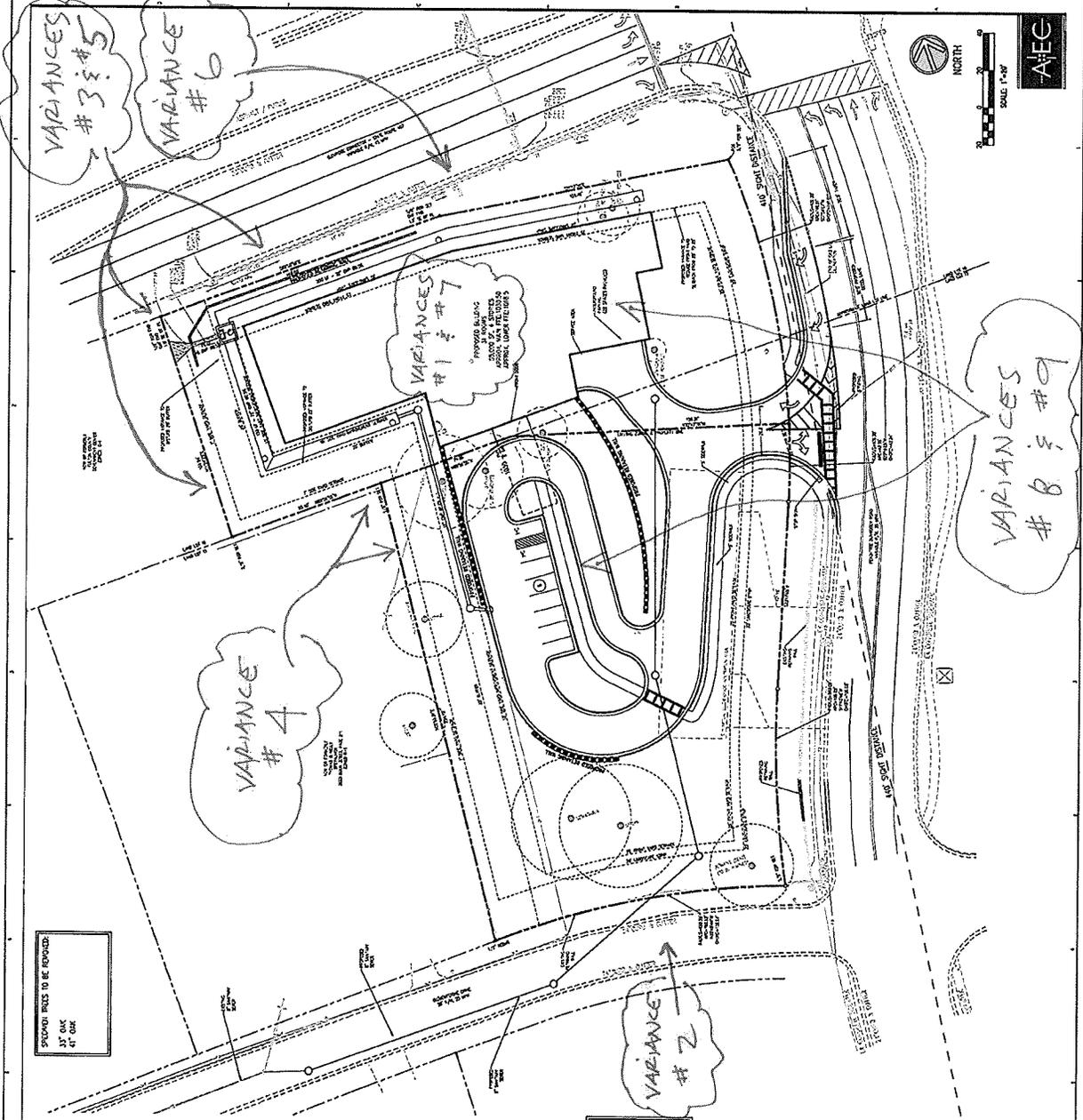


NO.	REVISION	DATE
1	ISSUED FOR PERMITS	08/21/11
2	ISSUED FOR PERMITS	08/21/11
3	ISSUED FOR PERMITS	08/21/11
4	ISSUED FOR PERMITS	08/21/11
5	ISSUED FOR PERMITS	08/21/11
6	ISSUED FOR PERMITS	08/21/11
7	ISSUED FOR PERMITS	08/21/11
8	ISSUED FOR PERMITS	08/21/11
9	ISSUED FOR PERMITS	08/21/11
10	ISSUED FOR PERMITS	08/21/11

SITE LAYOUT PLAN

C3.0

DATE: 08/21/11



STANDARD RULES TO BE REPRODUCED
1/8" = 1'-0"
1/4" = 3'-0"
1/2" = 6'-0"



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OCT 19 2011

City of Sney Springs
Community Development

PERMITS AS IS
17TH LANE DISTRICT
17TH LANE DISTRICT
FALLOUT COUNTY, GEORGIA

TOTAL SQUARE FOOTAGE: 2,848 SQUARE FEET
PROPOSED TOTAL SQUARE FOOTAGE: 2,848 SQUARE FEET
PROPOSED UNIT COUNT: 31

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DEVELOPMENT STATISTICS SUMMARY CHART

TOTAL AREA OF SITE: 2,848 SQUARE FEET (65.31 SQ. ACRES)
BUILDING FOOTPRINT: 17,000 SQ. FEET (3.91 ACRES)
PARKING SPACES: 30 SPACES (2.15 ACRES)
LANDSCAPING: 3,000 SQ. FEET (0.69 ACRES)
TOTAL AREA: 2,848 SQ. FEET (0.65 ACRES)

- NOTES:
1. THIS SITE IS NOT WITHIN 2,000 FEET OF THE CHANGELINE AND IS NOT WITHIN 700 FEET OF A PLANNED CHANGELINE FOR FUTURE DEVELOPMENT.
 2. REDUCE TOTAL PARKING PROVIDED TO 30 SPACES.
 3. REDUCE TOTAL PARKING PROVIDED TO 30 SPACES.
 4. REDUCE TOTAL PARKING PROVIDED TO 30 SPACES.
 5. REDUCE TOTAL PARKING PROVIDED TO 30 SPACES.

RZ11-007
011-003
CV11-004