

STATE OF GEORGIA  
COUNTY OF FULTON

**AN ORDINANCE TO REZONE FROM MIX (MIXED USE DISTRICT) TO MIX (MIXED USE DISTRICT), PROPERTIES LOCATED AT 5901-5909 PEACHTREE DUNWOODY ROAD**

**BE IT ORDAINED** by the City Council for the City of Sandy Springs, Georgia while in regular session on April 15, 2014 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 properties located 5901-5909 Peachtree Dunwoody Road, consisting of a total of approximately 22.96 acres, be changed from MIX (Mixed Use District) to MIX (Mixed Used District) conditional, to wit;

ALL THAT TRACT or parcel of land lying and being Land Lot 17 of the 17<sup>th</sup> 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 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**SECTION 5.** That all ordinances or part of ordinances in conflict with the terms of this ordinance are hereby repealed; and

**SECTION 6.** This Ordinance shall become effective upon adoption by the City Council and the signature of approval of the Mayor.

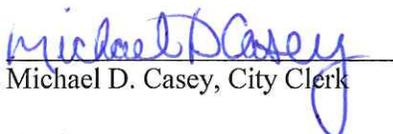
**APPROVED AND ADOPTED** this the 15<sup>th</sup> day of April, 2014.

Approved:



Russell K. Paul, Mayor

Attest:



Michael D. Casey, City Clerk

(Seal)



CONDITIONS OF APPROVAL

201400049

5901-5909 Peachtree Dunwoody Road

Please be advised, the City of Sandy Springs Mayor and City Council approved the rezoning of properties owned by Shorenstein Reality at 5901- 5909 Peachtree Dunwoody Road. Rezoning petition 201400049 was approved to rezone from MIX (Mixed Use District) to MIX (Mixed Use District), conditional by the Mayor and City Council at the April 15, 2014 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 associated accessory uses at a density of 27,308.36 square feet per acre or 627,000 square feet, whichever is less.
  - b. Retail uses at a density of 2,177.70 square feet per acre or 50,000 square feet, whichever is less.
  - c. Residential uses at a density of 28.10 units per acre or 645 units, whichever is less. **Said property shall be limited to a maximum of 1,000 bedrooms.**
  - d. Hotel use at a density of 8.71 rooms per acre or 200 rooms, whichever is less.
  - e. To a maximum building height of 35 stories for the 200 unit multi- family/ 200 room hotel and 6 stories for the parking deck as shown on the site plan received by the Department of Community Development dated March 13, 2014.
  - f. To a maximum building height of 20 stories for the 260 unit multi-family building as shown on the site plan received by the Department of Community Development dated March 13, 2014.
  - g. To a maximum building height of 16 stories for the 165 unit multi-family building as shown on the site plan received by the Department of Community Development dated March 13, 2014.
  
2. To the owner's agreement to abide by the following:
  - a. To the site plan received by the Department of Community Development dated March 13, 2014. 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. 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. The minimum design standards are:
    - Minimum front yard: 5 feet
    - Minimum side yard: 15 feet
    - Minimum rear yard: 0 feet
    - Minimum internal setback: 15 feet
    - Minimum landscaping and buffering between uses: 5 feet

Minimum heated floor area per dwelling unit: 600 square feet

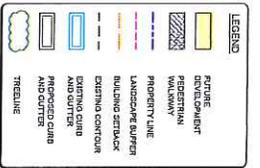
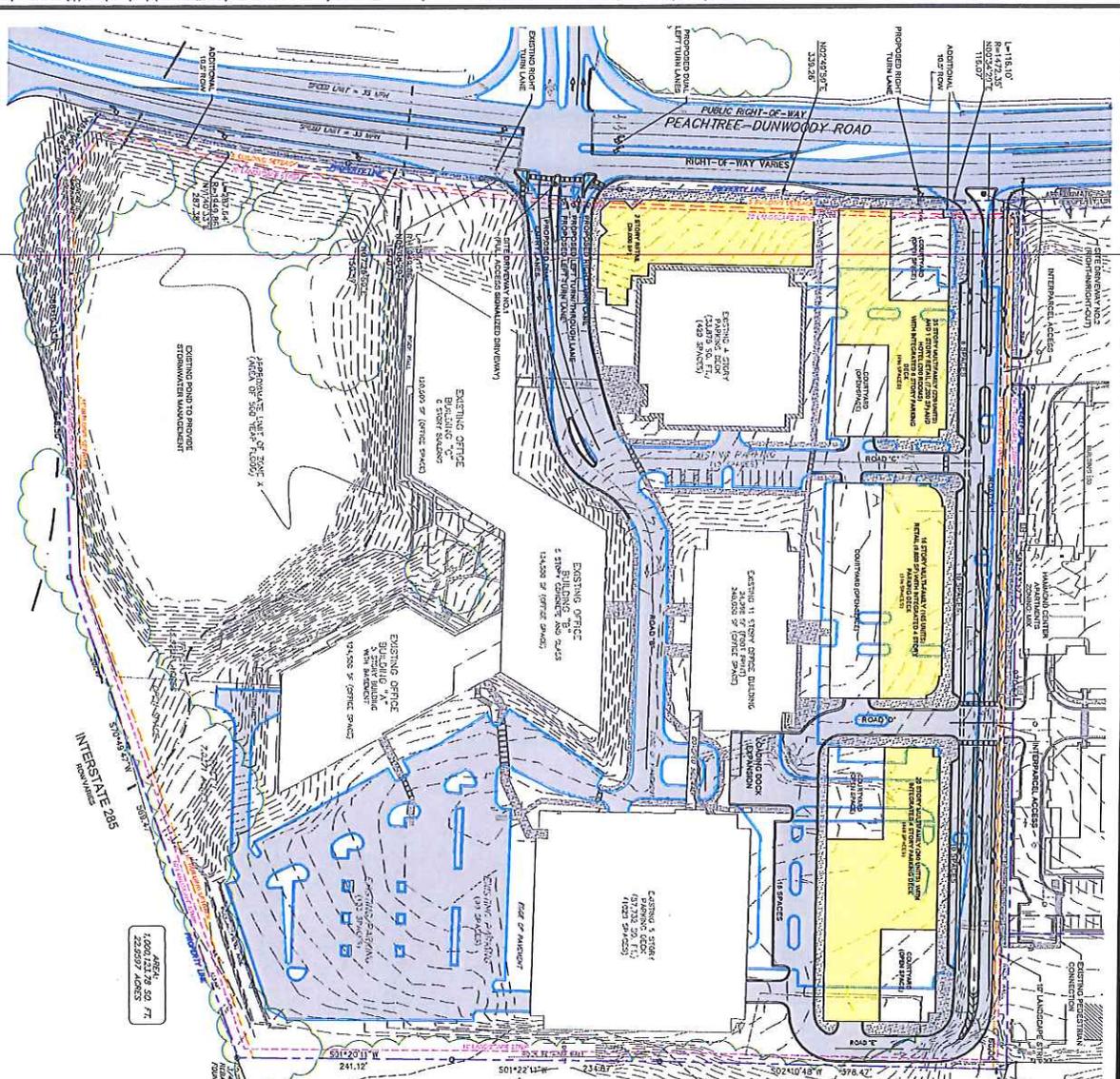
- b. The owner/developer shall dedicate fifty-five (55) feet of right-of-way from centerline of Peachtree-Dunwoody Road along the entire property frontage or ten and one-half (10.5) feet from back of curb, whichever is greater, to the City of Sandy Springs.
- c. No less than 20% of the site shall be maintained as open/green space.
- d. Development shall comply with the Georgia Stormwater Management Manual Stormwater Runoff Quality Standard by providing practices that treat the water quality volume by infiltration and/or evapotranspiration.
- e. Prior to issuance of an LDP, the owner/developer shall attempt to provide interparcel access with the properties to the north and east. Should the owner/developer not come to an agreement on interparcel access at this time with the property owners to the north or east, the owner/developer shall provide documentation of such. In addition, if an interparcel access agreement is not obtained; permanent easements shall be recorded allowing for future inter-parcel access along the entirety of the northern and eastern boundaries of the property, prior to the issuance of an LDP.
- f. The street between Peachtree Dunwoody Road and Road "C" along Road "A" shall be constructed with a stub end at the north property line.
- g. Road "A" shall be constructed so the back of curb is located no more than five (5) feet from the northern property line for the entire length of the road.
- h. Provide an additional left turn lane for northbound and southbound Peachtree-Dunwoody Road at Palisades' driveway/Concourse Parkway (creating dual left turn lanes). The median along Peachtree-Dunwoody shall be maintained at its existing width throughout the entire property frontage.
- i. Provide two receiving lanes eastbound along Palisades' driveway and westbound along Concourse Parkway at the intersection with Peachtree-Dunwoody Road.
- j. Provide westbound left turn lane along Palisades' driveway onto Peachtree-Dunwoody Road.
- k. Provide exclusive right turn lane for driveway #2 northbound along Peachtree-Dunwoody Road.
- l. Provide an exclusive northbound right turn lane along Peachtree-Dunwoody Road between the I-285 westbound off ramp and Palisades driveway. This lane shall be an additional channelized right turn lane off the I-285 westbound off ramp.
- m. Upgrade the signal at Peachtree-Dunwoody Road and Palisades' driveway/Concourse Parkway to accommodate the required geometric changes. All signal design and equipment must conform to the Perimeter Community Improvement District standards. All changes must be approved by the City of Sandy Springs Department of Public Works.
- n. Upgrade the signal at Peachtree-Dunwoody Road and the I-285 westbound off ramp to accommodate the required geometric changes. All signal design and equipment must conform to the Perimeter Community Improvement District standards. All changes must be approved by the City of Sandy Springs Department of Public Works and the Georgia Department of Public Works.

- o. To allow for an encroachment by the proposed Road "E" into the required ten (10) foot landscape strip along the east property line as shown on the site plan received by the Department of Community Development dated January 19, 2007 (CV201400049).
- p. Drive-thru restaurants shall be prohibited.
- q. To reduce the twenty (20) foot front landscape strip to five (5) foot to allow for the encroachments as shown on the site plan received by the Department of Community Development dated January 19, 2007 (CV201400049).

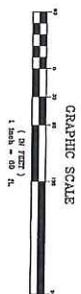
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MAR 13 2014

City of Sandy Springs  
Community Development



**NOTES**  
BUILDING SETBACKS ARE NOT REQUIRED PER MAP ZONING  
UNDEVELOPED BUFFERS AND/OR PROTECTED NATURAL AREAS  
ARE NOT PRESENT WITHIN DEVELOPMENT LIMITS



LAND USE	REQUIRED RATIO	REQUIRED PARKING	REQUIRED PAVING	MAXIMUM NUMBER OF PAVEMENT SPACES PROVIDED
Office Building	1:800	1:750	1:750	5,000
Subtotal	2,345	2,143	2,002	7,482 Shared Parking
TOTALS	3,350	3,033	2,889	3,295

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**APPLICANT:** SHORENSTEIN REALTY SERVICES EAST, LLC  
450 LEVINGTON AVENUE  
NEW YORK, NY 10017  
CONTACT: MARK KILBY, P.E.  
PHONE: (212) 545-7254

**ENGINEER:** KIMLEY-HORN AND ASSOCIATES, INC.  
2350 COURT SUITE 450  
ATLANTA, GA 30346  
CONTACT: MARK KILBY, P.E.  
PHONE: (404) 201-6150

**SURVEYOR:** HOB ENGINEERING, INC.  
301 REMICK CENTER NORTH, SUITE 400  
ATLANTA, GA 30346  
CONTACT: PHILIP CURRY  
PHONE: (978) 775-8800

**GENERAL NOTES**  
TOTAL PROPERTY AREA: 238,946 SQ. FT.  
TOTAL DEVELOPABLE AREA: 1,122,105 SQ. FT.  
PROPOSED ZONING: COMM-1 (OFFICE)

**Kimley-Horn and Associates, Inc.**  
2350 COURT SUITE 450 - NORCROSS, GEORGIA 30072  
PHONE: (770) 850-5044

**SHORENSTEIN REALTY SERVICES EAST LLC**  
ZONING MODIFICATION SITE PLAN

**PAUSADES MASTER DEVELOPMENT**

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EXHIBIT A  
LEGAL DESCRIPTION

City of Sandy Springs  
Community Development

All of that tract or parcel of land lying in Land Lot 17 of the 17<sup>th</sup> District of Fulton County, Georgia, and being more particularly described as follows:

Beginning at an iron pin at the intersection of the easterly right-of-way of Peachtree Dunwoody Road (right-of-way width varies) (said iron pin being 40 feet from the centerline of Peachtree Dunwoody Road) and the northerly right-of-way of Interstate 285 (right-of-way width varies) and from this POINT OF BEGINNING thus established, run along the easterly right-of-way of Peachtree Dunwoody Road (40 feet from the parallel to the centerline) along a curve to the left having a radius of 1949.86 feet and an arc length of 287.64 feet, being subtended by a chord of North 11 degrees 40 minutes 33 seconds East for a distance of 287.38 feet to a point;

Thence continuing along the easterly right-of-way of Peachtree Dunwoody Road (40 feet from and parallel to the centerline), run North 07 degrees 26 minutes 59 seconds East a distance of 44.21 feet to an iron pin;

Thence continuing along the easterly right-of-way of Peachtree Dunwoody Road (40 feet from and parallel to the centerline), run North 16 degrees 40 minutes 34 seconds East a distance 55.17 feet to an iron pin;

Thence continuing along the easterly right-of-way of Peachtree Dunwoody Road, run North 7 degrees 29 minutes 27 seconds East for a distance of 101.13 feet to a point;

Thence continuing along the easterly right-of-way of Peachtree Dunwoody Road, run North 83 degrees 42 minutes 50 seconds West a distance of 9.54 feet to a point;

Thence continuing along the easterly right-of-way of Peachtree Dunwoody Road (40 feet from and parallel to the centerline), run along a curve to the left having a radius of 1472.35 feet and an arc length of 116.10 feet, being subtended by a chord of North 00 degrees 34 minutes 27 seconds East for a distance of 116.07 feet to an iron pin;

Thence leaving the easterly right-of-way of Peachtree Dunwoody Road, run South 87 degrees 57 minutes 17 seconds East for a distance of 970.54 feet to a one inch diameter open top iron pipe on the east line on Land Lot 17;

Thence run South 02 degrees 10 minutes 48 seconds West along said east line of Land Lot 17 for a distance of 378.47 feet to an iron pin;

Thence run South 01 degrees 22 minutes 11 seconds West along said east line of Land Lot 17 for a distance of 234.87 feet to a one inch diameter crimp top iron pipe;

Thence run South 01 degrees 20 minutes 11 seconds West along said east line of Land Lot 17 for a distance of 241.12 feet to a three quarter inch diameter reinforcing bar on the northerly right-of-way of Interstate 285 (right-of-way width varies);

Thence leaving said Land Lot line, and along the northerly right-of-way of Interstate 285 (right-of-way width varies) run South 70 degrees 49 minutes 47 seconds West for a distance of 569.47 feet to an iron pin;

Thence continuing along the northerly right-of-way of Interstate 285 (right-of-way width varies) run South 88 degrees 15 minutes 13 seconds West for a distance of 448.50 feet to a concrete right-of-way monument;

Thence continuing along the northerly right-of-way of Interstate 285 (right-of-way width varies), run North 55 degrees 06 minutes 34 seconds West for a distance of 82.65 feet to an iron pin at the POINT OF BEGINNING;

Said tract or parcel of land contains 22.93329 acres according to that certain Survey prepared by HDR/WLJorden dated April 18, 2001, last revised May 14, 2001.