



CITY COUNCIL AGENDA ITEM

TO: Mayor & City Council **DATE:** December 11, 2014

FROM: John McDonough, City Manager

AGENDA ITEM: **201403165** - 5737 Long Island Drive, *Applicant: Rockhaven Homes, LLC*, to rezone from CUP (Community Unit Plan District) conditional to R-2A (Single Family Dwelling District) for the development of a 3-lot subdivision

MEETING DATE: For Submission onto the December 16, 2014, City Council Regular Meeting Agenda

BACKGROUND INFORMATION: (Attach additional pages if necessary)

See attached:

Memorandum
Rezoning Petition

CITY MANAGER APPROVAL: JPM

PLACED ON AGENDA FOR: 12/16/2014

CITY ATTORNEY APPROVAL REQUIRED: () YES () NO

CITY ATTORNEY APPROVAL: [Signature]



To: John McDonough, City Manager

From: Angela Parker, Director of Community Development 

Date: December 3, 2014 for submission onto the December 16, 2014 Mayor and City Council Meeting

Agenda Item: 201403165 5737 Long Island Drive Road

DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION

APPROVAL CONDITIONAL of a request to rezone the subject property from CUP (Community Unit Plan District) conditional to R-2A (Single Family Dwelling District) to allow for the development of two (2) single family lots.

PLANNING COMMISSION RECOMMENDATION- November 20, 2014

The petition was heard at the November 20, 2014 Planning Commission meeting. Frostbaum moved to recommend withdrawal seconded by Nickles. The Commission recommended **approval** (4-0, Duncan, Frostbaum, Squire, and Nickles for; Tart, Porter and Maziar absent) subject to staff conditions.

PROPERTY INFORMATION

Address, Land Lot, and District	5737 Long Island Drive Land Lot 123, District 6
Council District	6 (Andy Bauman)
Frontage	263.07 feet of frontage along the east side of Long Island Drive
Area	3.11 Acres
Existing Zoning and Use	CUP (Community Unit Plan District) under Fulton County zoning case Z03-0174 currently undeveloped.
Overlay District	N/A
2027 Comprehensive Future Land Use Map Designation	R0-1 (0-1 unit per acre)
Proposed Zoning	R-2A (Single Family Dwelling District)

APPLICANT/PETITIONER INFORMATION

Property Owner	Petitioner	Representative
Robert P. Edwards Jr. & Sandra Edwards	Rockhaven Homes	Nathan V. Hendricks

Community Zoning Information Meeting	Community Developer Resolution Meeting	Planning Commission Hearing	Mayor and City Council Hearing
September 23, 2014	October 30, 2014	November 20, 2014	December 16, 2014

COMMUNITY DEVELOPMENT

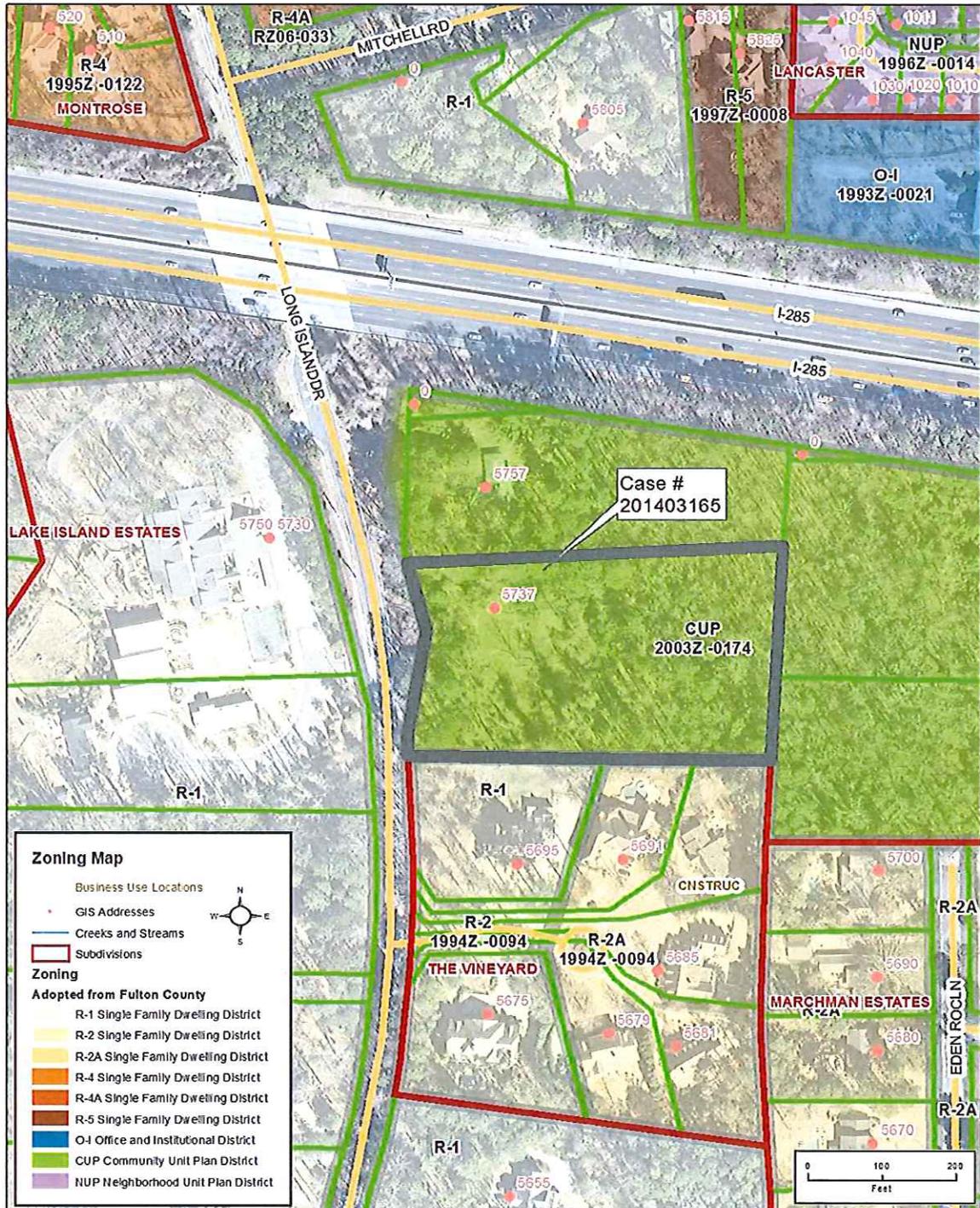
EXISTING LAND USE AND ZONING OF ABUTTING PROPERTIES
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SUBJECT PETITION 201403165	Requested Zoning	Proposed Use	Land Area (Acres)	Units	Density (Units per Acre)
	R-2A	Single Family	3.11	2	0.643 units/ac

Location in relation to subject property	Zoning	Use	Land Area (Acres)	Square Footage or Number of Units	Density (Square Feet or Units Per Acre)
North	CUP Z03-0174	Vacant	12.74	25	2 units/ac
East	CUP Z03-0174	Vacant	12.74	25	2 units/ac
South	R-2 & R-2A Z94-0094	The Vineyard	5.9	7	1.18 units/ac
West	R-1	5696 Long Island Drive	±3.47	1	±0.29 units/ac
West	R-1	First Montessori School 5730 & 5750 Long Island Drive	±6.69	25,389	±3,795.07 sf/ac

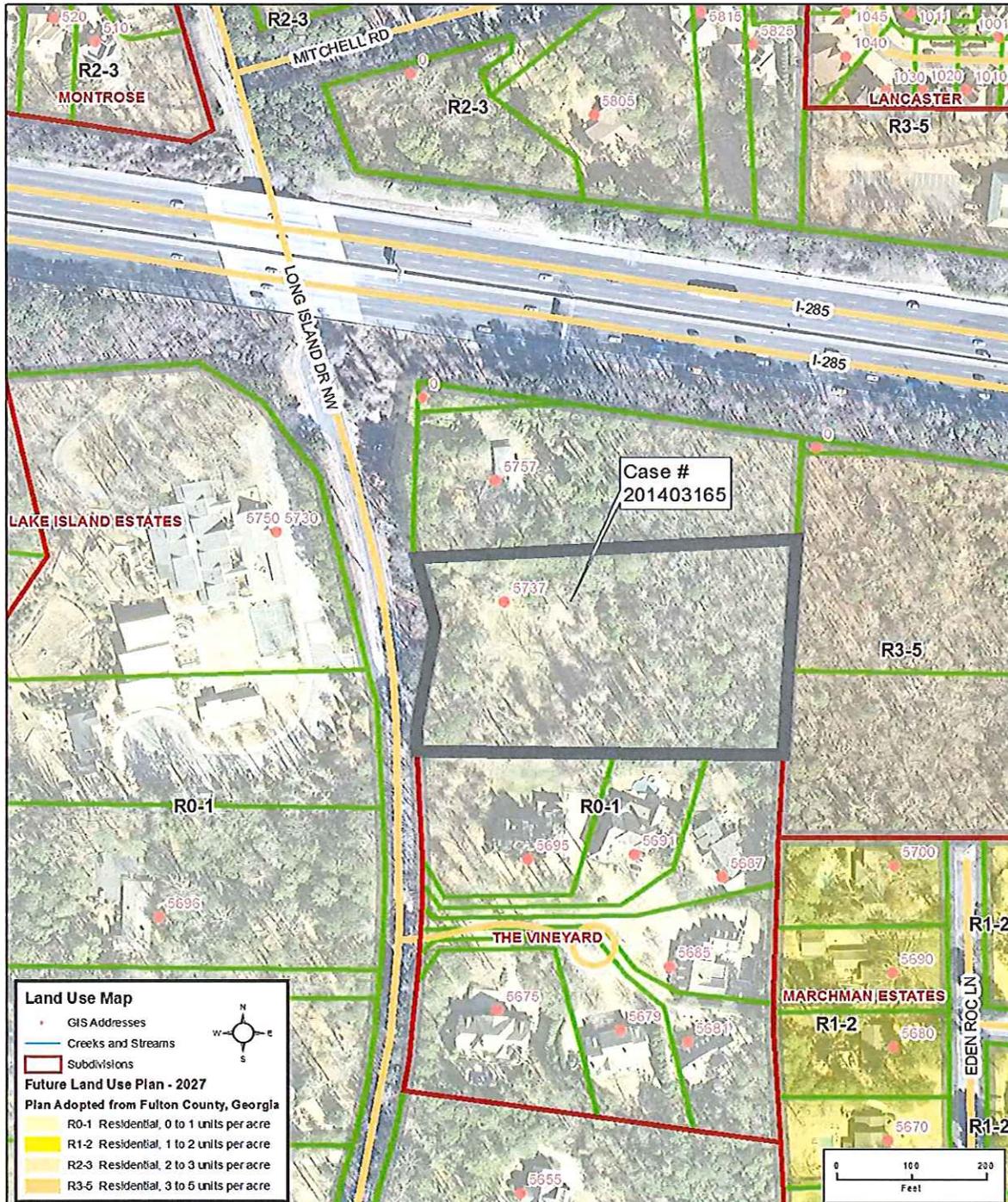
Zoning Map

5737 Long Island Drive



Future Land Use Map

5737 Long Island Drive



ZONING IMPACT ANALYSIS

To rezone the subject property from CUP (Community Unit Plan District) to R-2A (Single Family Dwelling District) to allow for the development of two (2) single family lots.

Per Article 28.4.1, *Zoning Impact Analysis by the Planning Commission and the Department*, the staff shall make a written record of its investigation and recommendation on each rezoning petition with respect to the following factors:

A. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.

Findings: The staff is of the opinion that the proposed use is suitable in view of the use and development of adjacent and nearby property. The surrounding area consists of: CUP (Community Unit Plan District) to the north and east, R-2 (Single Family Dwelling District) and R-2A to the south; R-1 (Single Family Dwelling District) to the west.

B. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.

Findings: The staff is of the opinion that the proposal if approved will not have an adverse impact on the use or usability of adjacent or nearby properties because the use would be consistent with adjacent properties. The proposal is for a density of 0.643 units per acre. The proposed density is consistent with the Comprehensive Plan density of 0-1 unit per acre. Additionally, the proposal is less dense than the existing zoning on the property. The current zoning allows 2 units per acre.

C. Whether the property to be affected by the zoning proposal may have reasonable economic use as currently zoned.

Findings: The staff is of the opinion that the subject property has a reasonable economic use as currently zoned.

D. Whether the zoning proposal will result in a use which will or could cause an excessive burdensome use of existing streets, transportation facilities, utilities, or schools.

Findings: The staff is of the opinion that the proposal will not result in a use which will cause an excessive or burdensome use of the existing infrastructure. The proposed development will be required to meet all current City codes and ordinances.

E. Whether the zoning proposal is in conformity with the policies and intent of the land use plan.

Findings: The staff is of the opinion that the proposal is consistent with the future land use plan, which designates the property as R0-1 (0 to 1 units per acre). The applicant is proposing 0.643 units per acre. The proposal is consistent with the surrounding properties. The surrounding properties have the following densities: north and east 2 units per acre, south 1.18 units per acre, and west 0.29 units per acre and the First Montessori School.

F. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

Findings: The staff is of the opinion that there are no existing or changing conditions affecting the use and development of the property, which give supporting grounds for approval or denial of the applicant's proposal.

G. *Whether the zoning proposal will permit a use which can be considered environmentally adverse to the natural resources, environment and citizens of Sandy Springs.*

Findings: The staff is of the opinion that the proposal would not permit a use which could be considered environmentally adverse to the natural resources, environment, or citizens of Sandy Springs. The proposal will be required to meet all current City Codes including a stormwater management system.

DEPARTMENT COMMENTS

The staff held a Focus Meeting with Transportation, Building and Permitting, Fire, Code Enforcement, Site Development, and the Arborist on June 4, 2014 at which the following departments had comments. The staff has received additional comments from the Fulton County Board of Education and Fulton County Department of Water Resources (see attachments).

Transportation Planner	<p>Background Information</p> <ul style="list-style-type: none"> • Long Island Drive is classified as a Collector Street and is included in the Sidewalk Master Plan Network. • The posted speed limit is 35 mph and daily traffic is approximately 2,510 vehicles per day (2010). <p>At the time of permitting, the site shall meet requirements of Articles 11 and 12 of the Development Ordinance. Based on a review of the zoning site plan, please note the following:</p> <ul style="list-style-type: none"> • Proposed access shall meet requirements of sight distance §103-77. • Frontage shall meet requirements for curb and gutter and sidewalks, §103-79 and §103-80. <p>The minimum right-of-way dedication for Long Island Drive is 40 feet from centerline, 11 feet from back of curb or 1 foot from back of sidewalk, whichever is greater, along entire property frontage, §103-75.</p>
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PUBLIC INVOLVEMENT

Public Comments

None

CONCLUSION TO FINDINGS

It is the opinion of the staff that the proposal is in conformity with the Future Land Use Map. The proposed density of 0.643 units per acre falls within the range recommended by the Future Land Use Map. Additionally, the proposal meets the intent of the Comprehensive Plan Policies. The proposal is consistent with policies to develop similar densities to adjacent properties. Therefore, based on these reasons, the staff recommends **APPROVAL CONDITIONAL** of the rezoning petition and concurrent variance.

Should the Mayor and City Council decide to rezone the subject property from CUP (Community Unit Plan District) to R-2A (Single Family Dwelling District), the staff recommends the approval be subject to the R-2A regulations in the Sandy Springs Zoning Ordinance and the Sandy Springs Code of Ordinances and the following conditions:

1. To the owner's agreement to restrict the use of the subject property as follows:
 - a. Residential units at a density of 0.643 units per acre or 2 units, whichever is less.
2. To the owner's agreement to abide by the following:
 - a. To the site plan received by the Department of Community Development dated October 22, 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.

Attachments

- Letter of Intent received September 3, 2014
- Site Plans dated received October 22, 2014
- Additional comments from the Fulton County Department of Water Resources, Fulton County Health Department, and Fulton County School System.

201403165

LETTER OF INTENT

The property contains approximately 3.11 acres and is located on the easterly side of Long Island Drive just south of the point at which Interstate Highway 285 crosses over Long Island Drive (the "Property"). The Property is commonly known as 5737 Long Island Drive and is zoned to the CUP Classification.

The Applicant requests a rezoning to the R-2A Classification for the development of three (3) single family detached homes. Due to the narrow and elongated shape of the Property which condition imposes a hardship unique to the Property, the Applicant requests a Concurrent Variance to reduce the required 120 foot lot width to 90 feet pursuant to Article 6.3.3.F. The approval of this Concurrent Variance request would be in harmony with the policies and intent of the Zoning Ordinance and would nor result in any harm to the health, safety and welfare of the general public. The Sandy Springs Comprehensive Land Use Plan Map suggests residential development for the Property at a density range of 0 to 1 unit per acre. The request of the Applicant to develop three (3) single family detached homes on the Property results in a density of 1.03 units per acre which effectively is within the density range suggested by the Sandy Springs Comprehensive Land Use Plan Map. Further, it is to be noted that the Property is bounded by property now or formerly owned by The Donnellan School to the east and north which property is undeveloped and directly across Long Island Drive to the west of the Property is a Montessori School. Single family properties contiguous and to the south are respectively zoned R-2 and R-2A. Accordingly, this Application for Rezoning and Concurrent Variance is entirely appropriate and the appropriateness of this Application for Rezoning and Concurrent Variance and the constitutional assertions of the Applicant are more particularly stated and set forth on Exhibit "A" attached hereto and by reference thereto made a part hereof.

Now, therefore, the Applicant requests that this Application for Rezoning and Concurrent Variance be approved as submitted in order that the Applicant be able to proceed with the lawful use and development of the Property.

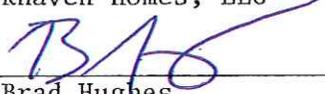
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SEP 03 2014

City of Sandy Springs
Community Development

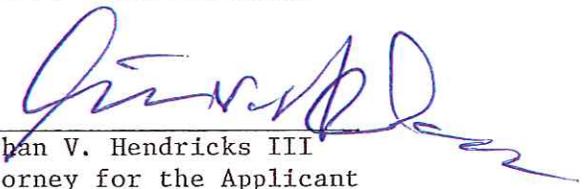
APPLICANT:

Rockhaven Homes, LLC

By: 

Brad Hughes

Its: Vice President


Nathan V. Hendricks III
Attorney for the Applicant

6085 Lake Forrest Drive
Suite 200
Sandy Springs, Georgia 30328
(404) 255-5161

Exhibit "A"

APPROPRIATENESS OF APPLICATION
AND
CONSTITUTIONAL ASSERTIONS

The portions of the Zoning Resolution of the City of Sandy Springs as applied to the subject Property which classify or may classify the Property so as to prohibit its development as proposed by the Applicant are or would be unconstitutional in that they would destroy the Applicant's property rights without first paying fair, adequate and just compensation for such rights in violation of Article I, Section I, Paragraph I of the Constitution of the State of Georgia of 1983, Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983 and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

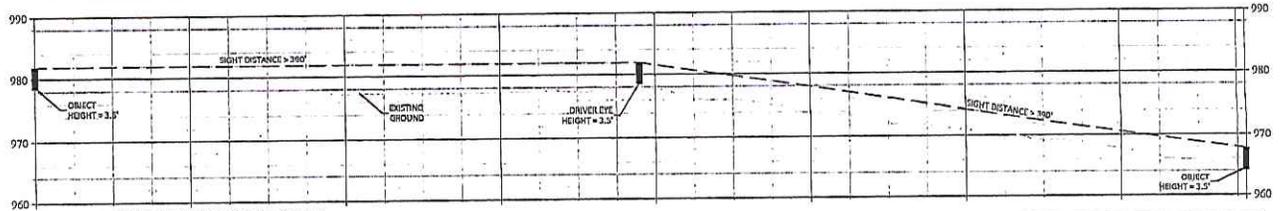
The application of the Zoning Resolution of the City of Sandy Springs to the Property which restricts its use to any classification other than that proposed by the Applicant is unconstitutional, illegal, null and void, constituting a taking of Applicant's Property in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States, Article I, Section I, Paragraph I and Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983 and the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States denying the Applicant an economically viable use of its land while not substantially advancing legitimate state interests.

A denial of this Application would constitute an arbitrary and capricious act by the Sandy Springs City Council without any rational basis therefore constituting an abuse of discretion in violation of Article I, Section I, Paragraph I of the Constitution of the State of Georgia of 1983, Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983 and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

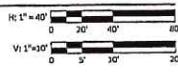
A refusal by the Sandy Springs City Council to approve this Use Permit Application as proposed by the Applicant would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of similarly situated property in violation of Article I, Section I, Paragraph II of the Constitutions of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any approval of this Application subject to conditions which are different from the conditions requested by the Applicant, to the extent such different conditions would have the effect of further restricting the Applicant's utilization of the subject Property would also constitute an arbitrary, capricious and discriminatory act and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.

Any approval of this Use Permit without the simultaneous approval of the Concurrent Variances requested would also constitute an arbitrary, capricious and discriminatory act and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.

SYMBOLS	
	IRON PIN FOUND
	IRON PIN SET
	CONCRETE MONUMENT
	LAND LOT SYMBOL
	SIGN
	MAILBOX
	HEADWALL
	DOUBLE WING CATCH BASIN
	SINGLE WING CATCH BASIN
	CURB INLET
	DROP INLET
	PEDESTAL INLET
	UTILITY POLE
	GUY WIRE
	LIGHT POLE
	TRAFFIC SIGNAL POLE
	UTILITY MANHOLE (UTILITY SPECIFIED)
	UTILITY METER BOX (UTILITY SPECIFIED)
	UTILITY VALVE (UTILITY SPECIFIED)
	SANITARY SEWER CLEANOUT
	FIRE HYDRANT
	PUMP / CAP



1. SIGHT DISTANCE PROFILE



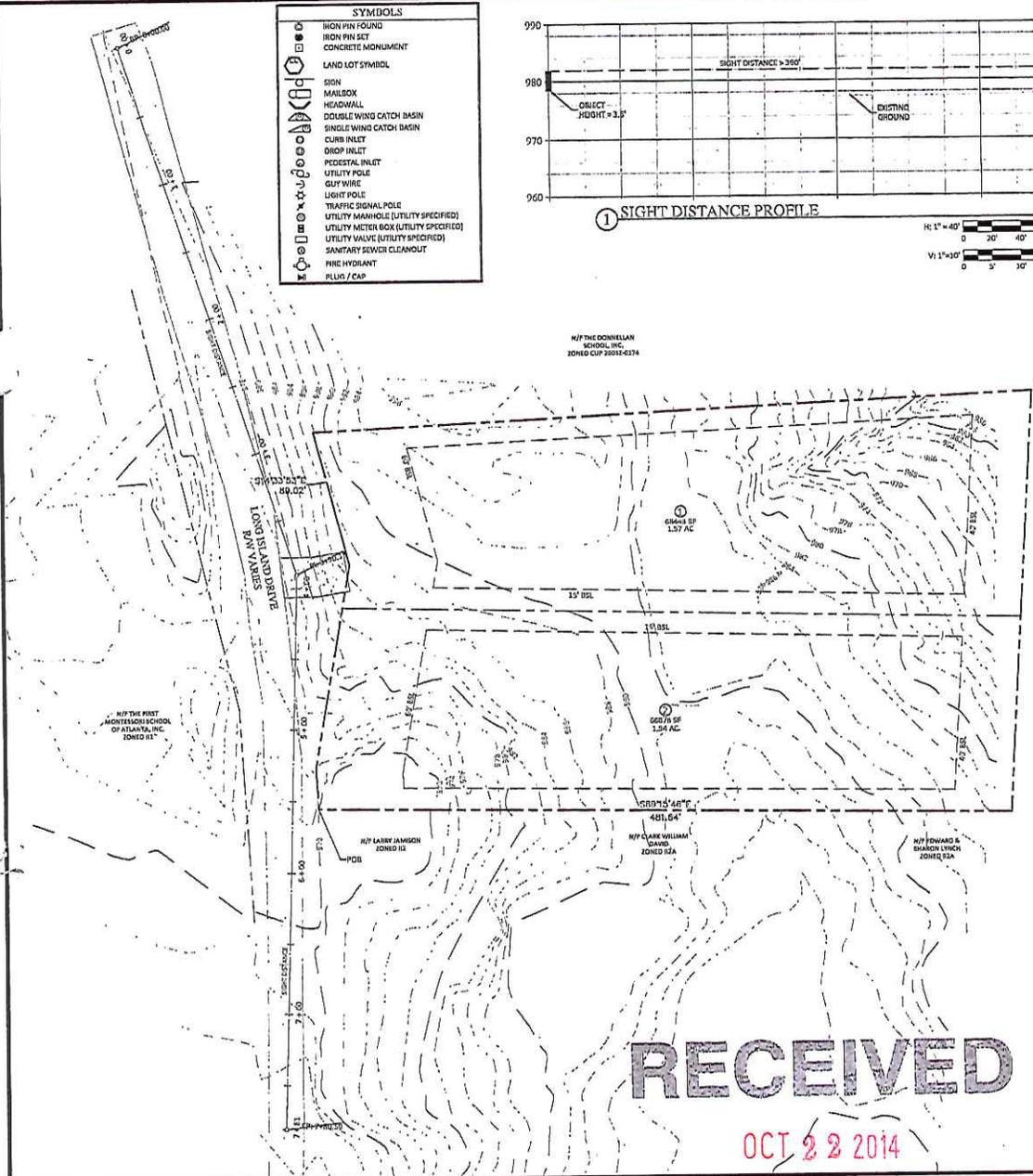
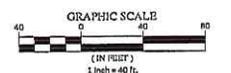
DEVELOPMENT STATISTICS SUMMARY CHART WITH PERCENTAGE (%) OF TOTAL SITE COVERAGE

TOTAL SITE AREA:	3.1 ACRES (135,026 SF)	7.8%
BUILDINGS:	10,300 SF (APPROXIMATE FUTURE HOMES)	0%
PARKING SPACES:	TO BE PROVIDED IN GARAGES	4.8%
IMPERVIOUS SURFACE:	6,300 SF (APPROXIMATE)	11.1%
LANDSCAPING:	15,000 SF (APPROXIMATE)	0%
ROAD PAVEN:	N/A	76.3%
REMAINING LOT AREA:	123,326 SF	100.0%
TOTAL:		

THE SITE IS CURRENTLY WOODED. TREES WITHIN THE FOOTPRINT OF THE DEVELOPMENT WOULD BE REMOVED.

LEGAL DESCRIPTION
 ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT #2 OF THE 17TH DISTRICT, CITY OF SANDY SPRINGS, FLATON COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 BEGINNING AT A POINT LOCATED ON THE WESTLY RIGHT OF WAY OF LONG ISLAND DRIVE; THENCE PROCEEDING NORTH 03 DEGREES 24 MINUTES 47 SECONDS WEST FOR A DISTANCE OF 283.1 FEET TO A POINT; THENCE PROCEEDING NORTH 01 DEGREES 50 MINUTES 04 SECONDS EAST FOR A DISTANCE OF 145.74 FEET TO A POINT; THENCE PROCEEDING NORTH 14 DEGREES 33 MINUTES 53 SECONDS WEST FOR A DISTANCE OF 89.02 FEET TO A POINT; THENCE PROCEEDING NORTH 87 DEGREES 09 MINUTES 27 SECONDS EAST FOR A DISTANCE OF 300.30 FEET TO A POINT; THENCE PROCEEDING SOUTH 03 DEGREES 14 MINUTES 31 SECONDS WEST FOR A DISTANCE OF 207.48 FEET TO A POINT; THENCE PROCEEDING NORTH 89 DEGREES 15 MINUTES 46 SECONDS EAST FOR A DISTANCE OF 481.64 FEET TO A POINT AND THE POINT OF BEGINNING.
 SAID PARCEL CONTAINS 135,322 SQUARE FEET OR 3.11 ACRES.

SITE DATA
 OWNER/DEVELOPER: ROCKHAVEN HOMES, LLC
 11 LUMPKIN STREET, SUITE 200
 LAWRENCEVILLE, GA 30046
 PHONE: 404-254-6216
 ENGINEER/SURVEYOR: SOUTHEASTERN ENGINEERING, INC.
 2470 SANDY SPRINGS ROAD
 MARIETTA, GA 30066
 PHONE: 770-321-7976
 CITY OF SANDY SPRINGS GIS
 BOUNDARY: 17-0123-100B2
 TAX PARCEL ID: CITY OF SANDY SPRINGS GIS
 SITE AREA: 3.1 ACRES
 NUMBER OF LOTS: 2
 DENSITY: 2 LOTS / 3.1 ACRES = 0.65 UNITS PER ACRE
 CURRENT ZONING: CUP (2002-017-7) & (2002-0261)
 PROPOSED ZONING: R2A RESIDENTIAL
 FLOOD INFO: THIS SITE NOT LOCATED WITHIN THE 100 YEAR FLOOD ZONE PER FEMA FLOOD PANELS 9 13121C0142F, DATED 9-18-13.
 DEVELOPMENT STANDARDS:
 MIN. LOT SIZE: 27,000 SF
 MIN. LOT WIDTH AT FRONT SETBACK LINE: 125'
 MAX. HOUSE HEIGHT: 40'
 MIN. OPEN SPACE: 15%
 MIN. FRONT BUILDING SETBACK: 60'
 MIN. SIDE BUILDING SETBACK: 10'
 MIN. REAR BUILDING SETBACK: 40'
 MIN. HEATED SQ. FT. 1700 SF FOR LESS THAN 2 STORIES, 3000 FOR 2 STORIES WITH 1050 SF ON GRADE FLOOR
 WATER & SEWER: WATER TO BE PROVIDED FROM THE PUBLIC WATER SYSTEM LOCATED WITHIN THE PUBLIC RIGHT OF WAY.
 SEWER TO BE PROVIDED VIA ON-SITE SEPTIC SYSTEMS.



MAPS

THIS SITE NOT LOCATED WITHIN THE 100 YEAR FLOOD ZONE PER FEMA FLOOD PANELS # 13121C0142F, DATED 9-18-13.

FEMA MAP

LOCATION MAP
SCALE: NTS

RECEIVED

OCT 22 2014

THE UTILITIES SHOWN HEREON ARE FOR THE CONTRACTORS CONVENIENCE ONLY. THERE MAY BE OTHER UTILITIES NOT SHOWN ON THESE PLANS. THE ENGINEER ASSUMES NO RESPONSIBILITY FOR THE LOCATIONS SHOWN AND IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO VERIFY ALL UTILITIES WITHIN THE LIMITS OF THE WORK. ALL DAMAGE MADE TO EXISTING UTILITIES BY THE CONTRACTOR SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR. IT IS THE OWNER/DEVELOPER'S RESPONSIBILITY TO VERIFY EXISTING UTILITY CAPACITY PRIOR TO INITIATING DESIGN. ENGINEER MAKES NO GUARANTEES, NEITHER EXPRESSED OR IMPLIED, REGARDING EXISTING UTILITY LOCATION, CAPACITY OR CONDITION.

City of Sandy Springs
Community Development

SEI
SOUTHEASTERN ENGINEERING, INC.
1105 GOLF POND DR. MARIETTA, GA 30067

DATE: _____

ISSUED DESCRIPTION: _____

NO. _____

ROCKHAVEN HOMES
11 LUMPKIN ST.
SUITE 200
LAWRENCEVILLE, GA 30045

ZONING SITE PLAN
5737 LONG ISLAND DRIVE
PROJECT LOCATED AT: _____

SHORE
NO. 3377
PROFESSION
EXPIRES
MAY 1997

Project No.: 4083
Designed By: TWM
Issue Date: 0847

811
Call before you dig



Date: 10/24/2014

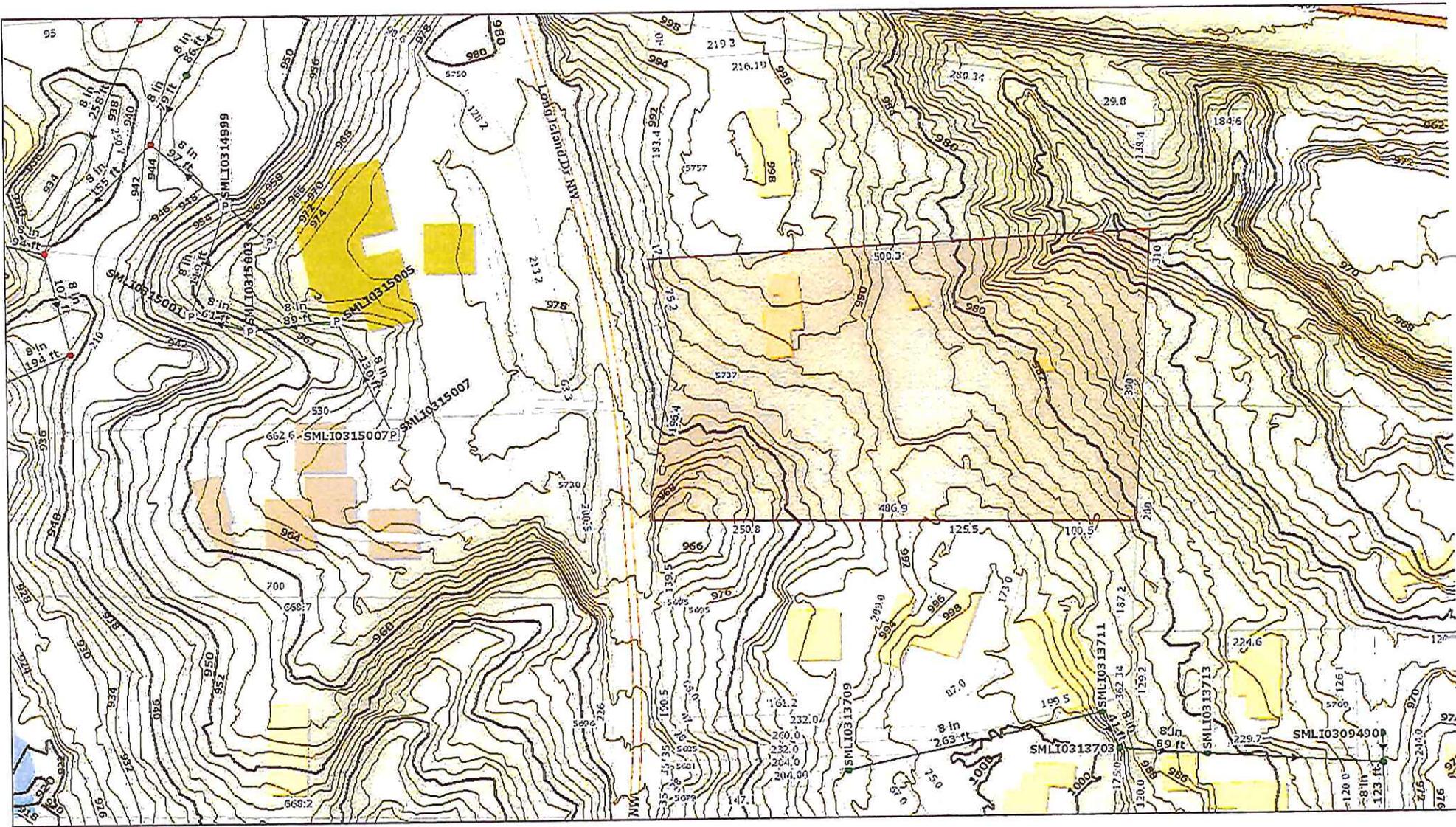
Map Scale: 17x11 (TABLOID)

5737 Long Island Drive

Fulton County provides the data on this map for your personal use only. The data is not guaranteed to be accurate, current, or complete. The location information displayed on this map is approximate and may not necessarily be accurate to surveying or engineering standards. Fulton County assumes no responsibility for losses resulting from the use of this data, even if Fulton County is advised of the possibility of such losses.



Prepared By:
GIS Section
Water Resources Department
Fulton County Government



Date: 10/24/2014

5737 Long Island Drive

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Prepared By:
GIS Section
Water Resources Department
Fulton County Government

COMMENTS ON PUBLIC SERVICES AND UTILITIES

NOTE: Various Fulton County departments or divisions that may or may not be affected by the proposed development provide the following information. Comments herein are based on the applicant's conceptual site plan and are intended as general non-binding information and in no manner suggest a final finding by the commenter. All projects, if approved, are required to complete the City of Sandy Springs and the Fulton County Plan Review process prior to the commencement of any construction activity.

WATER AND WASTEWATER (SEWER):

WATER:

Anticipated water demand: 270 gallons per day (gpd) per residential lot x 3 lots = 810 gallons per day (gpd)

This project is within the City of Atlanta water jurisdiction.

SEWER:

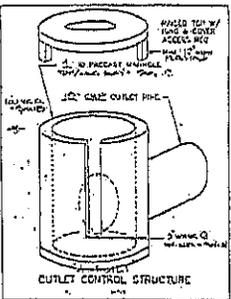
Basin; Long Island Creek

Treatment Plant: R.L. Sutton (Cobb County)

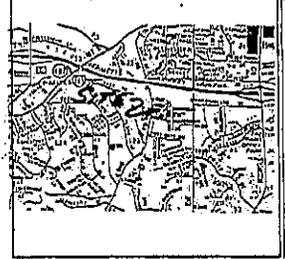
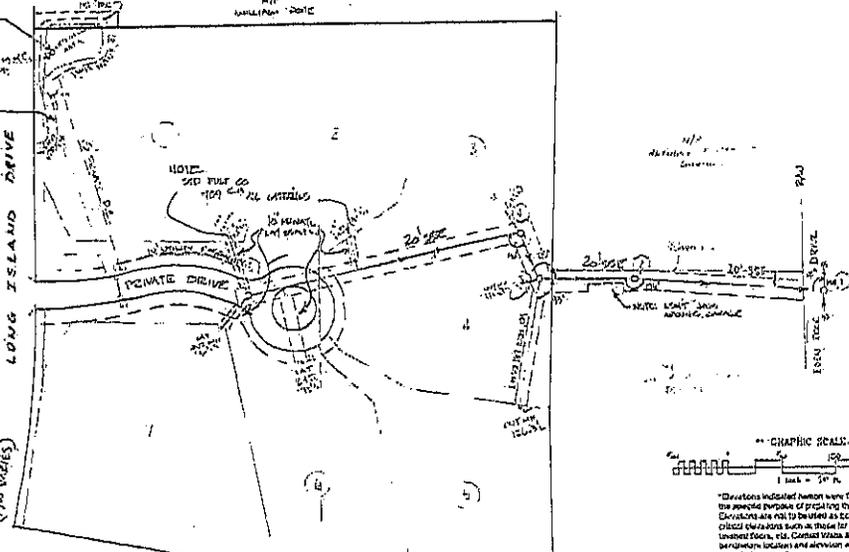
Anticipated sewer demand: 729 gallons per day

There are two wastewater manholes approximately 230 feet south of the southeastern property corner of the 3.10 acre tract (5737 Long Island Drive) (sewer manholes # SMLI10313703 and # SMLI10313711) located in Land Lot 122, District 17 that can service this location.

Comments: This information does not guarantee that adequate sewer capacity is available at this time or will be available upon application of permits. Please contact the Department of Public Works for more information.



RETENTION AREA
OUTLET CONTROL
STRUCTURE (SEE DETAILS)
TO THE 100' POINT AND
100' POINT - SEE 100'
A 100' SQUARE EDGE



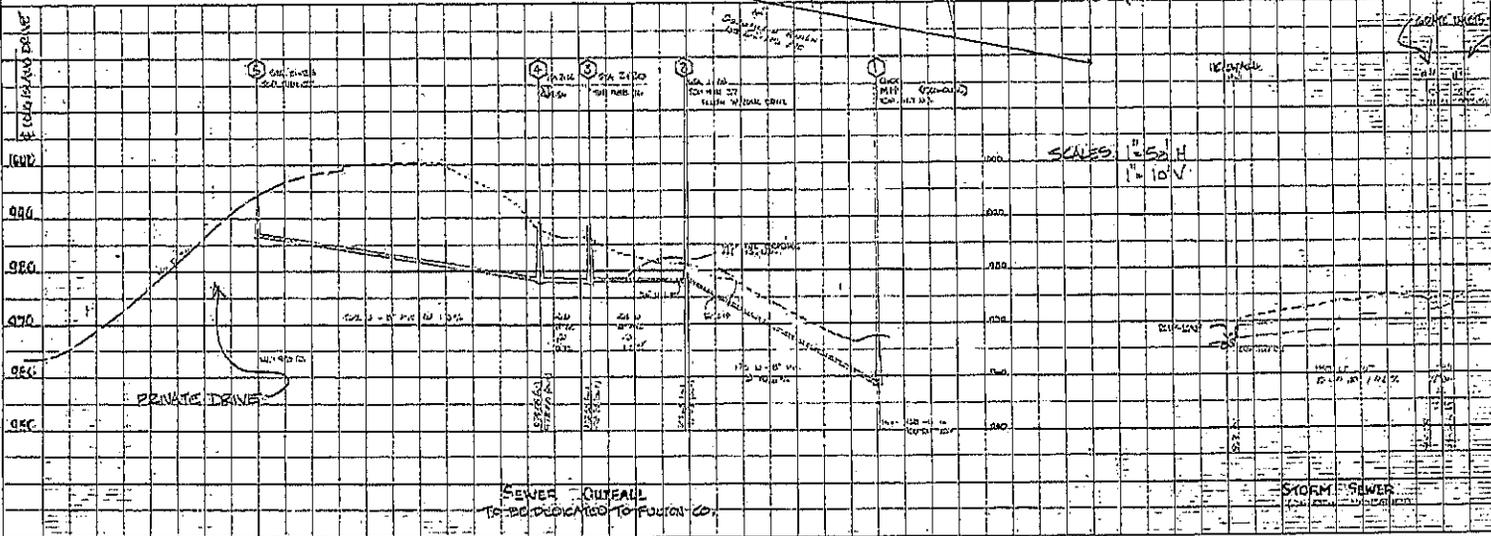
LOCATION MAP

OWNER DEVELOPER
CARROLL GREENE PROP.
1502 HANNAH DR. PLACE
ATLANTA, GA 30320
Phone: 252-7100

ENGINEER
WATTS & ASSOCIATES, INC.
CIVIL ENGINEERS AND PLANNERS
1000 N. W. 10TH ST.
ATLANTA, GA 30309



county project no. 95-002 LP
scales: horizontal - 1" = 50'
vertical - 1" = 10'



lateral locations by:
- 24' from centerline
- 20' from centerline
- 20' from centerline
- 20' from centerline
phone 252-6000

No bury pits on site per contr
detection is provided
N 10' - N 10' (SEE SHEET)

ASBUILT storm sanitary
for:
project name THE VINEYARD
OR A LONG ISLAND DRIVE TRACT
land lots 122412 - 17th district sect
- Fulton county, Georgia
project aka - Long Island Drive Tract

sheet (1) of (1)

wand & job number: 941708

DATE	REVISION

DATE	REVISION

PLATE 4 PREPARED BY S. S. & S. ENGINEERS
ATLANTA, GEORGIA

Abaray, Linda

From: Beck, Randy <Randy.Beck@fultoncountyga.gov>
Sent: Thursday, October 23, 2014 3:30 PM
To: Abaray, Linda
Subject: RE: Sandy Springs Preliminary Zoning Agenda- September

Thank you for the opportunity to review your upcoming zoning agenda for the December 16, 2014 Mayor and City Council meeting. The Fulton Department of County Planning and Community Services has no additional comment to make.

Randy Beck, Director
Department of Planning & Community Services
5440 Fulton Industrial Boulevard
Atlanta, GA 30336
Tel: 404-612-8053
FAX: 404-893-6375

Think Green! Save energy and trees - print only when necessary.

From: Abaray, Linda [<mailto:L.Abaray@SandySpringsga.gov>]
Sent: Thursday, September 18, 2014 4:46 PM
To: Abaray, Linda
Subject: Sandy Springs Preliminary Zoning Agenda- September

All:

Please be advised, the material details the zoning petitions received on or before the September 2, 2014 submittal deadline. We are writing to solicit your comments with regard to these applications. Please forward a response in writing detailing your comments, or lack thereof to the attention of the Linda Abaray. Correspondence may be sent to the following address:

City of Sandy Springs
Department of Community Development
Planning and Zoning Division
7840 Roswell Road, Building 500
Sandy Springs, Georgia 30350
labaray@sandyspringsga.gov

Agenda Item		Council District	Meeting Dates
Rezoning			
1.	201403165 5737 Lake Forrest Drive <i>Applicant: Rockhaven Homes</i> <ul style="list-style-type: none">To rezone the subject property from CUP (Community Unit Plan District) to R-2A (Single Family Dwelling District) to develop three (3) single	6	CZIM – 9/23/14 CDRM – 10/30/14 PC- 11/20/14 MCC- 12/16/14

	family lots, with concurrent variances.		
2.	201403178 0 Wyndham Drive (17-0127-0001-043) <i>Applicant: HSC Intown, LLC</i> <ul style="list-style-type: none"> ▪ To rezone the subject property from R-3 (Single Family Dwelling District) to R-4 (Single Family Dwelling District) to increase the size of the existing lot, with concurrent variances. 	3	CZIM – 9/23/14 CDRM – 10/30/14 PC- 11/20/14 MCC- 12/16/14
3.	201403227 6337 Roswell Road <i>Applicant: Quintus Development</i> <ul style="list-style-type: none"> ▪ To rezone the property from C-1 (community Business District), R-3 (Single Family Dwelling District) and R-4 (Single Family Dwelling District) to MIX (Mixed Use District) 	4	CZIM – 9/23/14 CDRM – 10/30/14 PC- 11/20/14 MCC- 12/16/14
Zoning Modifications			
4.	201403130 5900 Peachtree Dunwoody Road <i>Applicant: Regent Partners</i> <ul style="list-style-type: none"> ▪ To modify conditions 1.d, 1.e, 1.f, 2.a, 4.c, 5.l, 5.n, and 6 of Fulton County zoning case Z05-0079/U05-0016, with concurrent variances. 	5	CZIM – 9/23/14 MCC- 11/20/14

**** Meeting Codes: CZIM - Community Zoning Information Meeting; CDRM - Community/Developer Resolution Meeting; PC - Planning Commission; MCC - Mayor and City Council**

Thanks!

Linda Abaray
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MEMORANDUM

TO: Linda Abaray, Senior Planner
City of Sandy Springs, Department of Community Development

FROM: Monica Robinson, B.S., M.B.A., Environmental Planner
Department of Health and Wellness, Office of the Director

DATE: October 23, 2014

SUBJECT: Zoning Comments for September and October 2014 Deadlines

AGENDA ITEM	ZONING COMMENTS
201403165	<p>The Fulton County Department of Health and Wellness requires that the plat be submitted for review and approval regarding water supply and sewage disposal prior to the approval by the appropriate jurisdiction and recording. The owner may not sell, offer for sale, lease, begin construction or begin physical improvements of a residential development, nor shall a building permit be issued until this Department has reviewed and approved the plat.</p> <p>Since two of the three proposed lots are less than one acre, the Fulton County Department of Health and Wellness will require that the owner/developer connect the development to public water and public sanitary sewer, if available. A public or community sewerage system shall be considered available if it is within 200 feet of the nearest property line of the development, such distance being measured along the appropriate natural drainage course (gravity flow).</p> <p>If public sanitary sewer is not available and the use of onsite sewage management system is needed, a minimum of one (1) acre (43,560 square feet) of gross lot area is required for each lot.</p> <p>If the sewer is not available and the gross lot area minimum for each lot is satisfied, the Department of Health and Wellness will require the submission of site plans, all necessary percolation and soil data, required layouts, and supportive data for review and determined acceptable.</p> <p>Since this proposed development constitutes a premise where people work or congregate, onsite sanitary facilities will be mandatory, prior to use or occupancy.</p> <p>Motor vehicle exhaust is a major contributor to air pollution, and persons living near roadways have increased exposure to air pollutants. Heart disease and stroke, lung diseases such as chronic obstructive pulmonary disease and asthma, and diabetes can be aggravated by air pollution. Since the proposed development is near I-285, it is recommended that the owner/developer consider design modifications to the structure to reduce potential exposure.</p>
201403178	<p>The Fulton County Department of Health and Wellness requires that the plat be submitted for review and approval regarding water supply and sewage disposal prior to the approval by the appropriate jurisdiction and recording. The owner may not sell, offer for sale, lease, begin construction or begin physical improvements of a residential development, nor shall a building permit be issued until this Department has reviewed and approved the plat.</p> <p>The Fulton County Department of Health and Wellness will require that the applicant connects to public water and public sanitary sewer available to the site.</p> <p>Since this proposed development constitutes a premise where people work or congregate, onsite sanitary facilities will be mandatory, prior to use or occupancy.</p>

AGENDA ITEM	ZONING COMMENTS
201403227	<p>The Fulton County Department of Health and Wellness recommends that the applicant be required to connect the proposed development to public water available to the site.</p> <p>Since this proposed development constitutes a premise where people work, live, or congregate, onsite sanitary facilities will be mandatory, prior to use or occupancy.</p> <p>This development must comply with the Fulton County Code of Ordinances and Code of Resolutions, Chapter 34 – Health and Sanitation, Article III – Smokefree Air. If persons under the age 18 will be served, no smoking will be allowed on the premises at any time.</p> <p>If this proposed development includes a food service facility as defined in Fulton County Code of Ordinances and Code of Resolutions, Chapter 34 – Health and Sanitation, Article V – Food Service, the owner must submit kitchen plans for review and approval by this department before issuance of a building permit and beginning construction. The owner must obtain a food service permit prior to opening.</p> <p>If this proposed development includes a public swimming pool as defined in Fulton County Code of Ordinances and Code of Resolutions, Chapter 34 – Health and Sanitation, Article XII – Swimming Pools and Natural Bathing Beaches (including spas, whirlpools, etc.), the owner or contractor must submit plans and approval by this department and must obtain a Department of Health Services permit to construct, modify, or renovate before issuance of a building permit. Also, the owner of the facility must obtain a Department of Health and Wellness permit to operate the pool prior to opening.</p> <p>This Department is requiring that plans indicating the number and location of outside refuse containers along with typical details of the pad and approach area for the refuse containers be submitted for review and approval.</p> <p>This department is requiring that all existing structures to be demolished must be inspected by a certified pest control operator to insure that the premise is rat free. If evidence of rodent infestation is found, the property must be baited prior to demolition.</p>
201403130	<p>The Fulton County Department of Health and Wellness recommends that the applicant be required to connect the proposed development to public water available to the site.</p> <p>Since this proposed development constitutes a premise where people work, live, or congregate, onsite sanitary facilities will be mandatory, prior to use or occupancy.</p> <p>This development must comply with the Fulton County Code of Ordinances and Code of Resolutions, Chapter 34 – Health and Sanitation, Article III – Smokefree Air. If persons under the age 18 will be served, no smoking will be allowed on the premises at any time.</p> <p>If this proposed development includes a food service facility as defined in Fulton County Code of Ordinances and Code of Resolutions, Chapter 34 – Health and Sanitation, Article V – Food Service, the owner must submit kitchen plans for review and approval by this department before issuance of a building permit and beginning construction. The owner must obtain a food service permit prior to opening.</p> <p>If this proposed development includes a public swimming pool as defined in Fulton County Code of Ordinances and Code of Resolutions, Chapter 34 – Health and Sanitation, Article XII – Swimming Pools and Natural Bathing Beaches (including spas, whirlpools, etc.), the owner or contractor must submit plans and approval by this department and must obtain a Department of Health Services permit to construct, modify, or renovate before issuance of a building permit. Also, the owner of the facility must obtain a Department of Health and Wellness permit to operate the pool prior to opening.</p> <p>This Department is requiring that plans indicating the number and location of outside refuse containers along with typical details of the pad and approach area for the refuse containers be submitted for review and approval.</p>

AGENDA ITEM	ZONING COMMENTS
201403566	<p>The Fulton County Department of Health and Wellness requires that the plat be submitted for review and approval regarding water supply and sewage disposal prior to the approval by the appropriate jurisdiction and recording. The owner may not sell, offer for sale, lease, begin construction or begin physical improvements of a residential development, nor shall a building permit be issued until this Department has reviewed and approved the plat.</p> <p>The Fulton County Department of Health and Wellness will require that the applicant connects to public water and public sanitary sewer available to the site.</p> <p>Since this proposed development constitutes a premise where people work or congregate, onsite sanitary facilities will be mandatory, prior to use or occupancy.</p> <p>This department is requiring that all existing structures to be demolished must be inspected by a certified pest control operator to insure that the premise is rat free. If evidence of rodent infestation is found, the property must be baited prior to demolition.</p>
201403259	<p>The Fulton County Department of Health and Wellness does not anticipate any health problems with the proposal to adding the 9 square feet of area to the variance in order to accommodate the existing garage.</p>