

STATE OF GEORGIA
COUNTY FULTON

**A RESOLUTION TO PROVIDE FUNDING TO MERCEDES BENZ TO CONSTRUCT
PUBLIC IMPROVEMENTS AND TO CLARIFY ZONING CONDITIONS**

WHEREAS, Mercedes Benz USA has made the decision to relocate their corporate headquarters to the City of Sandy Springs; and

WHEREAS, the Mercedes Benz USA property is part of 75.752 acres that was rezoned from R-2 (Single Family Dwelling District) to MIX (Mixed Use District) by this City Council on August 18, 2015 (Zoning Case #201501168); and

WHEREAS, the rezoning was conditioned in part on the assessment of fees to offset the impact of the development on the surrounding community, including traffic congestion; and

WHEREAS, the Georgia Regional Transit Authority (“GRTA”) has required Mercedes Benz USA to construct certain public improvements associated with the development pursuant to the Development of Regional Impact Review Notice of Decision #2494; and

WHEREAS, Mercedes Benz USA is making a significant investment in Sandy Springs and creating extraordinary economic development and employment growth; and

WHEREAS, construction of the Mercedes Benz USA headquarters qualifies as a Tier 3 project pursuant to the Sandy Springs Economic Incentive Program.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SANDY SPRINGS, GEORGIA:

That the City of Sandy Springs Mayor and City Council shall amend the Sandy Springs Capitol Improvement Element to provide for an amount of up to One Million Twenty-Seven Thousand and 00/100 Dollars (\$1,027,000.00) to be expended for the following improvements in conjunction with the Mercedes Benz development:

1. Streetscape design, to include all sidewalk, landscape buffer/strips, street furniture, street lighting and landscaping.
2. The installation of all bicycle and pedestrian facilities, including bike racks and crosswalks.
3. Traffic improvements, including:
 - (a). Access management, including curb cuts and associated right of way improvements, to allow access from the Mercedes Benz property to Abernathy and Barfield Roads. This shall include the costs associated with the installation of one full movement intersection along Abernathy Road (Driveway #2 of the GRTA plans), and the costs associated with the installation of the right in/out from Abernathy Road to the property (Driveway #3), and the full movement intersection, not signalized on property to Barfield Road (Driveway #5).

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- (b). Roadway improvements including
 - (i) Dedicated turn lanes along Abernathy Road into the Southern Site (Driveway #2);
 - (ii) Northbound dedicated left turn lane along Barfield Road.
- 4. Utility relocation to allow for transportation infrastructure improvements; watering upgrades, extensions, meters, backflows and vaults, storm water and sanitary sewer tie-ins; natural gas service; fiber service.

Mercedes Benz USA will construct or cause the foregoing improvements to be constructed. The City shall provide reimbursement to Mercedes Benz USA upon completion and acceptance by the City of the foregoing improvements in an amount not to exceed One Million Twenty-Seven Thousand and 00/100 Dollars (\$1,027,000.00).

BE IT FURTHER RESOLVED that the City of Sandy Springs Mayor and City Council will further assist with the following:

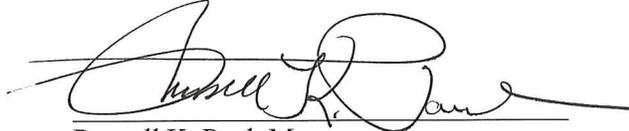
1. The City will provide one bus shelter at a cost of \$15,000.
2. The City shall provide signage associated with the re-naming of Barfield Road.
3. The City will not assess Mercedes Benz for the cost of resurfacing Barfield Road upon project completion.
4. The City will work with the Company, the Perimeter CID, MARTA, GDOT, and other relevant agencies regarding a shuttle service and potential future shuttle or bus stop to provide transit access to the property.
5. The City will expedite permit review.
6. The City will not assess Mercedes Benz for any fees or infrastructure costs associated with
 - (i) Implementing the GRTA Notice of Decision #2494, and
 - (ii) Any permitting, infrastructure or other improvements outside the project boundaries; and
 - (iii) Nothing in this section will relieve the Company of complying with all requirements of GRTA Notice of Decision #2494 or any condition of zoning in this matter;**
7. The City will not withhold issuance of the Company's Certificate of Occupancy for failure of completion of any GRTA #2494 Attachment A conditions outside the project.
8. The City agrees to waive the required use of Silva Cells in planting trees in the surface parking lot area, and will review plans in other areas where trees are planted to determine if it is appropriate to use the Silva Cells in those locations.

The Mayor and City Manager are authorized to execute any documents necessary to further the intent of this Resolution.

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RESOLVED this the 1st day of December, 2015.

Approved:


Russell K. Paul, Mayor

Attest:


Michael D. Casey, City Clerk

(Seal)

