

STATE OF GEORGIA  
COUNTY OF FULTON

**AN ORDINANCE TO MODIFY CONDITIONS OF A RESOLUTION BY SANDY SPRINGS CITY COUNCIL APPROVING PETITION 201400049 ON APRIL 15, 2014 FOR PROPERTY LOCATED AT 5900 PEACHTREE DUNWOODY ROAD (TAX PARCEL # 170017LL0931, 170017LL0972, & 170017LL0964)**

**BE IT ORDAINED** by the City Council for the City of Sandy Springs, Georgia while in regular session on June 16, 2015 at 6:00 p.m. as follows:

**SECTION 1.** That the conditions of a Resolution by the Sandy Springs City Council on, for petition 201400049 that allowed the property to be rezoned to MIX (Mixed Use District) be changed for the property located at 5900 Peachtree Dunwoody Road, consisting of a total of approximately 22.91 acres, to wit; and

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**SECTION 3.** That all ordinances or part of ordinances in conflict with the terms of this ordinance are hereby repealed; and

**SECTION 4.** This Ordinance shall become effective upon adoption by the City Council and the signature of approval of the Mayor.

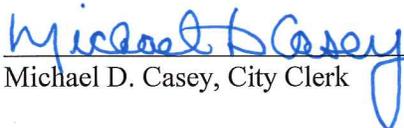
**APPROVED AND ADOPTED** this the 16<sup>th</sup> day of June, 2015.

Approved:



Russell K. Paul, Mayor

Attest:

  
Michael D. Casey, City Clerk

(Seal)



## CONDITIONS OF APPROVAL

**201501708****5900 Peachtree Dunwoody Road**

Please be advised, the zoning modification petition #201501708 for conditions 1(b), 1(c), 1(e), 1(f), 2(a), 3(e.i), 3(e.ii), 3(e.iii), 3(g), 3(h), 3(i), 3(l), and 3(r) of rezoning case 201400049 for property at 5900 Peachtree Dunwoody Road (Tax ID # 170017LL0931, 170017LL0972, & 170017LL0964) was approved by the Mayor and City Council at the June 16, 2015 hearing subject to the following conditions:

To the owner's agreement to provide the following site development standards:

1. To the owner's agreement to restrict the use of the subject property as follows:
  - b. Retail uses at a density of 436.79 square feet per acre or 10,000 square feet, whichever is less.
  - c. Residential uses at a density of 18.77 units per acre or 430 units, whichever is less. Said property shall be limited to a maximum of 677 bedrooms.
  - e. To a maximum building height of 10 stories for Building 100 and 7 stories for the New Parking Garage as shown on the site plan received by the Department of Community Development received April 23, 2015.
  - f. To a maximum building height of 10 stories for Building 200 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 and 7 stories for the New Parking Garage as shown on the site plan received by the Department of Community Development received May 21, 2015.
  
2. To the owner's agreement to abide by the following:
  - a. To the site plan received by the Department of Community development received May 21, 2015. Said site plan is intended to reflect as accurately as possible the road improvements and dimensions required. The applicant shall be required to complete the review process 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 final Certificate of Occupancy.
  
3. To the owner's agreement to provide the following site development standards:
  - e.i. Notwithstanding anything to the contrary on the site plan referred in 2.a above, the interparcel access will be installed as a stub out road to the property line at an elevation of 967.8(+/- 1') which is consistent with the original East West Connector proposed grade. When the East West Connector is complete, the road and right of way will be dedicated to the City of Sandy Springs prior to the issuance of a Certificate of Occupancy for any new construction on the property. The property abutting the East West Connector (1105-1115 Hammond) will have future connection access to the East West Connector, including an exclusive left hand turn lane into such abutting property, which is consistent with the original East West Connector right-of-way and improvement design.
  - e.ii. The interparcel access will be installed to connect the East West Connector to the existing driveway with Hammond Light access at the "Citizen" Apartments located at 1155 Hammond Drive. When the East West Connector is complete, the road and right of way will be dedicated to the City of Sandy Springs prior to the issuance of a Certificate of Occupancy for any new

construction on the property. The property abutting the East West Connector will have future connection access to the East West Connector.

- e.iii The interparcel access will be installed to provide a connection to the East West Connector at the City of Dunwoody property line. The East West Connector will be terminated at the property line at an elevation of 961 (+/- 1') which is consistent with the original East West Connector proposed grade to allow for future connection. The road section at the point will be built "Typical Section B" or as approved by the Director of Public Works.
- g. The East West Connector shall be constructed no more than five (5) feet from the northern property line for the entire length of the road built to "Typical Section B" or as approved by Director of Public Works. Prior to the issuance of a Certificate of Occupancy for any new construction on the property, the East West Connector and Right of Way will be completed and deeded to the City of Sandy Springs.
- h. Provide an additional turn lane for northbound Peachtree-Dunwoody, creating dual left turn lanes into Concourse Parkway. The median width may be reduced to accommodate the turn lane subject to the approval of the Public Works Director. Provide two receiving lanes westbound onto Concourse Parkway at the intersection of Peachtree-Dunwoody Road. The owner/developer shall attempt to gain access rights to the Concourse property to construct the improvements and shall provide documentation of such, but without an access agreement the owner/developer cannot construct this improvement.
- i. Restripe the Palisades entrance to extend the dedicated right turn lane.
- l. Provide an exclusive northbound right turn lane along Peachtree Dunwoody Road between the I-285 westbound off ramp and Palisades driveway. The lane shall be an additional channelized right turn lane off the 1-285 westbound off ramp. If City of Sandy Springs Public Works decides the improvement are not warranted, the developer/owner will dedicate the additional right of way and construct other required frontage improvements per PCID Overlay District streetscape requirements in the area of the proposed improvement to the City of Sandy Springs.
- r. Minimum right-of-way width on new East-West Connector shall be 66 feet throughout the entire length of the road.