ORDINANCE NO. 2006-08-56
PETITION NO. RZ06-023

STATE OF GEORGIA
COUNTY OF FULTON

AN ORDINANCE TO REZONE PROPERTY FROM THE O-I (OFFICE AND INSTITUTIONAL) DISTRICT TO THE O-I (OFFICE AND INSTITUTIONAL) DISTRICT, PROPERTY LOCATED AT 5229 ROSWELL ROAD

BE IT ORDAINED by the City Council for the City of Sandy Springs, Georgia while in regular session on August 1, 2006 at 7:00 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 **5229 Roswell Road**, consisting of a total of approximately 1.17 acres, be changed from the O-I (Office and Institutional) District to the O-I (Office and Institutional) District with conditions, to wit;

ALL THAT TRACT or parcel of land lying and being Land Lot 92 of the 17th 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 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 4. That all ordinances or part of ordinances in conflict with the terms of this ordinance are hereby repealed; and

SECTION 5. This Ordinance shall become effective upon adoption by the Mayor and City Council and the signature of approval of the Mayor.

ORDAINED this the 1st day of August, 2006.

Approved:

Eva Galambos

Eva Galambos, Mayor

Attest:

Jeanette R. Marchiafava

Jeanette R. Marchiafava, City Clerk

(Seal)

CONDITIONS OF APPROVAL

RZ06-023
5229 Roswell Road

The City of Sandy Springs Mayor and City Council approved the rezoning of property owned by Hammond Property Investors, LLC located at 5229 Roswell Road. Rezoning petition RZ06-023 to rezone the subject property to O-I (Office and Institutional District) was approved by the Mayor and City Council at the August 1, 2006 hearing, subject to the following conditions:

1. To the owner's agreement to restrict the use of the subject property as follows:

    a. To a density of 4,102.56 square feet per acre or 4,800 square feet, whichever is less.

    b. To the uses provided for in the O-I (Office and Institutional District) zoning district, excluding the following: assembly halls; automotive parking lots; automotive specialty shops; church, temple, or other place of worship; convalescent center, nursing, hospice; day care facilities; garage, automobile repair; group residences; gymnasiums; hotels; motels; personal care homes; plant nurseries; service stations; stadiums; recycling centers.

2. To the owner's agreement to abide by the following:

    a. To the site plan dated received by the Department of Community Development May 2, 2006. 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.

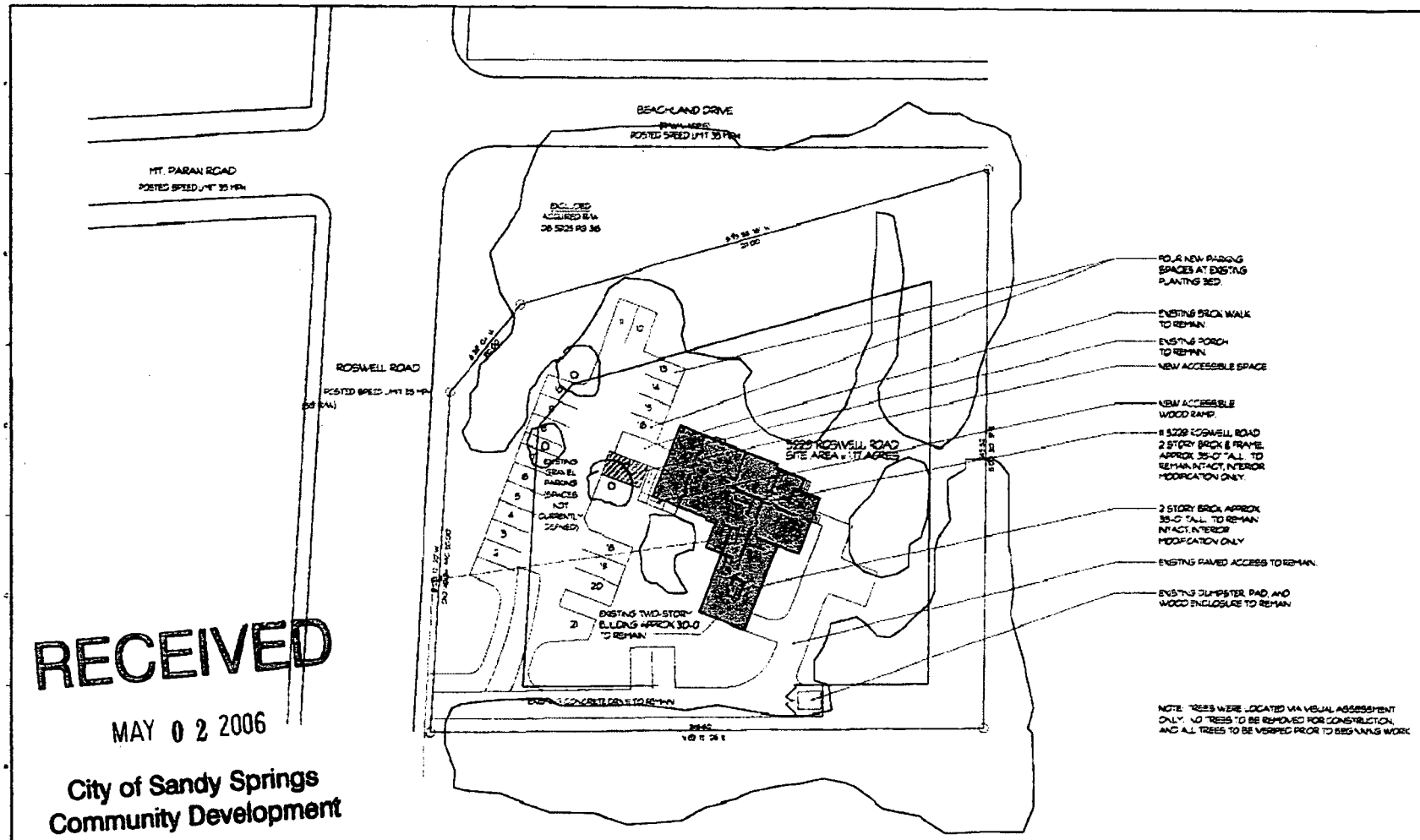
3. To the owner's agreement to provide the following site development standards:

    a. The owner/developer shall provide documentation of the shared parking agreement allowing the use of 22 parking spaces obtained from the property to the south of the site prior to the issuance of a business license for the operation of an events facility. Said agreement shall be provided for through a lease that is to run concurrently with the tenant's lease on the subject property.

    b. The owner/developer shall provide interparcel access to include pedestrian access connecting the subject property to the adjacent property to the south where shared parking is proposed.

    c. The owner/developer shall dedicate 55' of right-of-way to the City of Sandy Springs along entire property frontage along Roswell Road (SR 9).

d. Prior to the issuance of a certificate of occupancy the owner/developer shall be required to install streetscape improvements to Sandy Springs Overlay District standards along the entire length of the property frontage on Roswell Road (SR 9).



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MAY 0 2 2006

City of Sandy Springs
Community Development

2 / A0.1 **SITE LOCATION MAP**

1 / A0.1 **ARCHITECTURAL SITE PLAN**

1" = 30'-0"

PINSLER + HOSS

FOOD101 CONCEPTS
EVENTS HALL
8229 ROSWELL ROAD, NE
SANDY SPRINGS, GEORGIA

ARCHITECTURAL SITE PLAN

A0.1

PIMSLER • HOSS
ARCHITECTS INC

To: City of Sandy Springs Zoning Department

From: W. Allen Hoss, AIA
Pimsler Hoss Architects, Inc.

Date: 04.01.06

Project: Food 101 Events Hall

Job No: 06164

Remarks:

LEGAL DESCRIPTION

5229 Roswell Road, NE
Sandy Springs, Georgia

Per the survey dated 3.27.97, the legal description is as follows:

Beginning at an iron pin at the corner formed by the intersection of the easterly right of way side of Roswell Road with the southerly right of way of Beachland Drive, and running thence in a southerly direction along the easterly right of way of Roswell Road along a curve having an arc distance of 150.00 feet and subtended by a chord of South 03 degrees 21 minutes 20 seconds West a distance of 149.94 feet to a half inch (1/2") rebar found, thence North 89 degrees 15 minutes 08 seconds East a distance of 246.60 feet to a half inch (1/2") rebar found, thence North 00 degrees 30 minutes 31 seconds East a distance of 245.52 feet to a half inch (1/2") rebar found, thence running along the southerly right of way of Beachland Drive South 73 degrees 53 minutes 16 seconds West a distance of 217.00 feet to an iron pin placed, thence continuing along said right of way South 39 degrees 04 minutes 00 seconds West a distance of 50.00 feet to an iron pin placed and the POINT OF BEGINNING being improved property known as 5229 Roswell Road and being more particularly shown on a plat of Survey prepared by Josh L. Lewis, III, for Georgia land Surveying Co., Inc., dated March 27, 1997 and said tract containing 1.17 acres.

W. Allen Hoss
wah:ltc

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