

STATE OF GEORGIA
COUNTY OF FULTON

AN ORDINANCE TO MODIFY CONDITION(S) OF A RESOLUTION BY THE FULTON COUNTY BOARD OF COMMISSIONERS APPROVING PETITION U94-0005 ON MAY 4, 1994, PROPERTY LOCATED AT 335 COLEWOOD WAY

BE IT ORDAINED by the City Council for the City of Sandy Springs, Georgia while in regular session on January 16, 2007 at 7:00 p.m. as follows:

SECTION 1. That the condition(s) of a Resolution by the Fulton County Board of Commissioners, approved on May 4, 1994, for petition U94-0005 that allowed for a use permit for a private school for the property located at **335 Colewood Way**, consisting of a total of approximately 11.27 acres, to wit;

ALL THAT TRACT or parcel of land lying and being Land Lot 131 of the 17th 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 That all ordinances or part of ordinances in conflict with the terms of this ordinance are hereby repealed; and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 16th day of January, 2007.

Approved:



Eva Galambos, Mayor

Attest:



Christina Rowland, City Clerk

(Seal)



CONDITIONS OF APPROVAL

ZM06-013/CV06-041

335 Colewood Way

The City of Sandy Springs Mayor and City Council approved the modification of the conditions of U94-0005/CV94-0037 and ZM05-0035/CV05-0119, with regard to the above referenced property currently zoned C-1 (Community Business District). Zoning modification petition ZM06-013/CV06-041 was approved by the Mayor and City Council at the January 16, 2007 hearing, subject to the following conditions:

1. To the owner's agreement to restrict the use of the subject property to the following:
 - a. A private school for elementary and middle school grades at a maximum density of 10,251 gross square feet per acre zoned or a total gross floor area of 114,806 square feet, whichever is less.
 - b. Restrict the number of students to 650.
 - c. To abide by the conditions of U87-008 NFC for a preschool for 200 students, except as otherwise required in these conditions.
2. To the owner's agreement to abide by the following prior to commencement of operation of the private school:
 - a. To the Site Plan received by the Department of Community Development on January 4, 2007 and to submit to the Director of Community Development for his approval, prior to the approval of a Land Disturbance Permit, a revised Site Plan based on a certified boundary survey of the entire property zoned, incorporating the stipulations of these conditions of zoning approval and meeting or exceeding the requirements of the Zoning Ordinance.
3. To the owner's agreement to the following site development considerations:
 - a. Provide a natural buffer, undisturbed except for approved access and utility crossings, improvements, and replantings where sparsely vegetated and subject to the approval of the City of Sandy Springs Arborist, adjacent to the following property lines and in the widths shown:

25 feet wide adjacent to all property to the east property line with an additional setback for all improvements of 10 feet or as may be approved by the Director of the Department of Community Development. The existing parking lot, existing building, and play area fence shall remain as shown on the site plan referenced in condition 2.a. (94VC-037 NFC, Part 4)

25 feet wide adjacent to the west property line with an additional setback for all improvements of 10 feet or as may be approved by the Director of the Department of

Community Development.

50 feet wide adjacent to the north, northeastern, and the northwestern property lines with an additional setback for all improvements of 10 feet or as may be approved by the Director of the Department of Community Development.

- b. Provide a 20-foot wide landscape strip outside of the new dedicated right-of-way of Colewood Way. Said landscape strip shall be planted with shrubs, a minimum size of 3 gallons upon installation, planted at a minimum spacing of 3 feet on center, and trees, a minimum 3 inch caliper upon installation, planted at a maximum spacing of 30 feet on center. Plantings and specifications shall be subject to the approval of the City of Sandy Springs Arborist.
 - c. Provide a 100-foot setback for facilities and service areas and active outdoor recreation areas. Existing building, service areas, and active outdoor recreation areas may remain adjacent to the east property line and the northwestern property line identified as N42°E41'00" 273.00' as shown on the site plan referenced in condition 2.a. (94VC-037 NFC, Parts 1, 2, and 5.)
 - d. Provide a 50-foot setback for parking adjacent to the eastern property line. Existing parking may remain adjacent to the east property line as shown on the site plan referenced in condition 2.a. (94VC-037 NFC, Part 3)
 - e. No more than 3 exits/entrances on Colewood Way. Curb cut location and alignment are subject to the approval of the Sandy Springs Traffic Engineer.
 - f. To allow 23 new parking spaces within the front yard setback along Colewood Way. Said parking spaces shall be constructed on pervious material (05VC-199 NFC)
 - g. To encroach into the critical root zone of five (5) specimen trees [Trees E, F, G, I, and J] and into the critical root zone of five (5) other trees [Trees A, B, C, D, and H] as shown on the site plan received by the Department of Community Development dated November 17, 2006(CV06-041).
4. To the owner's agreement to abide by the following requirements, dedications, and improvements:
- a. Dedicate at no cost of Sandy Springs along the entire property frontage, prior to the approval of a Land Disturbance Permit, sufficient land as necessary to provide the following rights-of-way, and dedicate at no cost to Sandy Springs such additional right-of-way as may be required to provide at least 10.5 feet of right-of-way from the back of curb of all abutting road improvements, as well as allow the necessary construction easements while the rights-of-way are being improved.

30 feet from centerline of Colewood Way.

- b. Improve Colewood Way along the entire property frontage with curb and gutter per

Sandy Springs Standards.

- c. Provide a deceleration lane for each project entrance as approved by the Sandy Springs Traffic Engineer.
 - d. Align the parking lot entrance with Rivershore Parkway.
 - e. Provide a four-way stop at the intersection of Colewood Way, Rivershore Parkway, and the newly aligned entrance of the parking lot.
5. To the owner's agreement to abide by the following:
- a. To contact the Director of Public Works, prior to the application for a Land Disturbance Permit, to arrange with the City Arborist an on-site evaluation of existing specimen trees/stands, buffers, and tree protection zones within the property boundaries.
 - b. To maintain as a minimum, the tree density requirements as prescribed by the Sandy Springs Tree Preservation Ordinance Administrative Guidelines, either through the retention of existing trees, or tree replacement, in perpetuity.
 - c. Prior to the submittal for a Land Disturbance Permit, the engineer/developer must contact the Department of Public Works to arrange an on-site visit and evaluation as to the location of stormwater facilities, discharge path of detention/retention pond(s) and other downstream constraints.
 - d. At the time of submittal for a Land Disturbance Permit and after the approval of the Preliminary Plat, the engineer/developer is required to provide written documentation verifying on-site evaluation and any other necessary downstream constraints.
 - e. Provide documentation (cross-section etc.) as to the existing conditions for all natural streams/creeks within the boundary of the project. Show, by documentation, the appropriate erosion protection of the stormwater conveyance system.

TREES TO BE AFFECTED BY MODIFICATION	
A	16.5" OAK
B	16" OAK
C	18" OAK
D	20.5" OAK
E	27.5" OAK
F	32" OAK
G	33.5" OAK
H	25.5" OAK
I	37" OAK
J	28.5" OAK

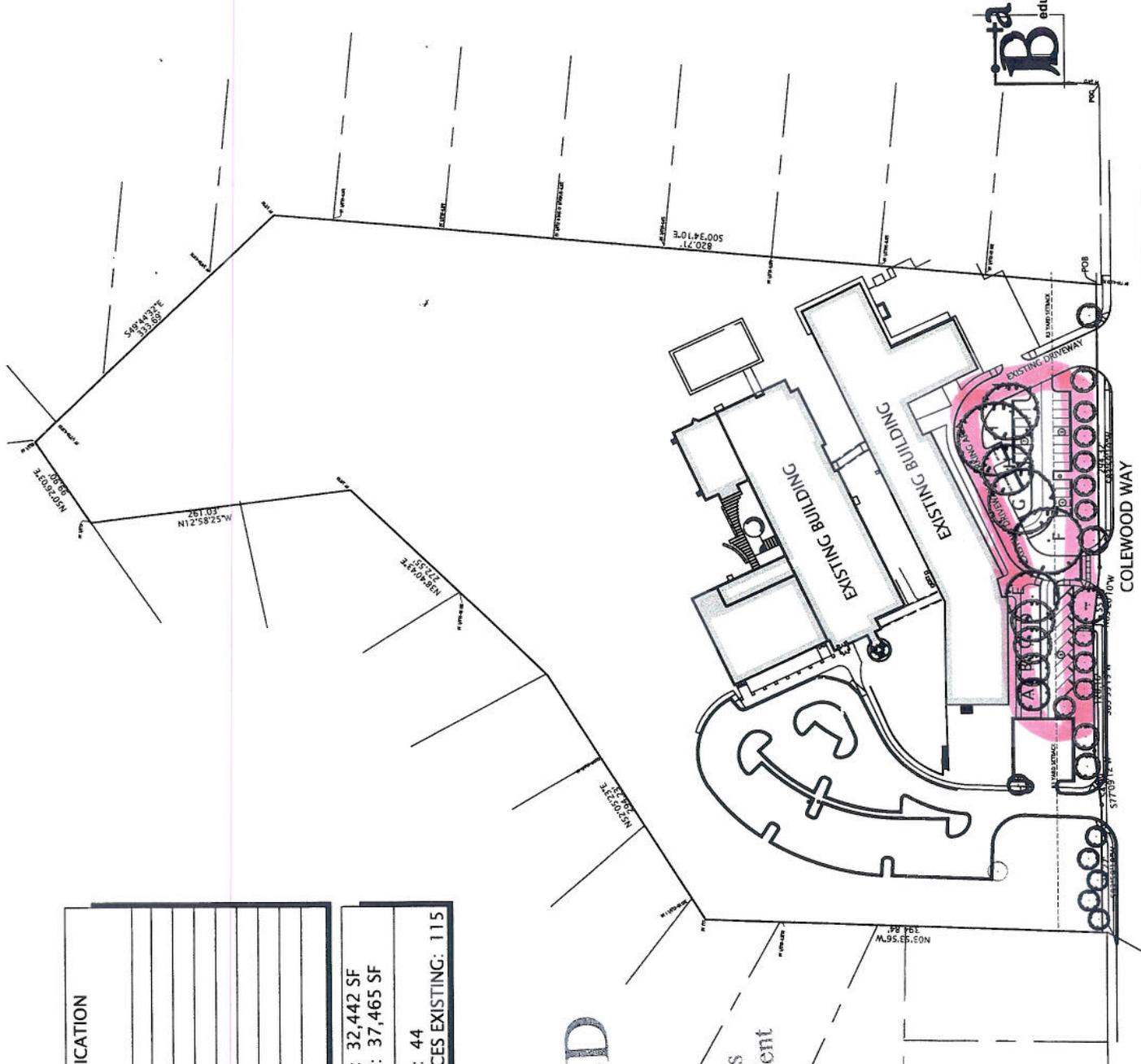
BUILDING ONE SQUARE FOOTAGE: 32,442 SF
BUILDING TWO SQUARE FOOTAGE: 37,465 SF
TOTAL NUMBER OF CLASSROOMS: 44
TOTAL NUMBER OF PARKING SPACES EXISTING: 115

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City of Sandy Springs
Community Development

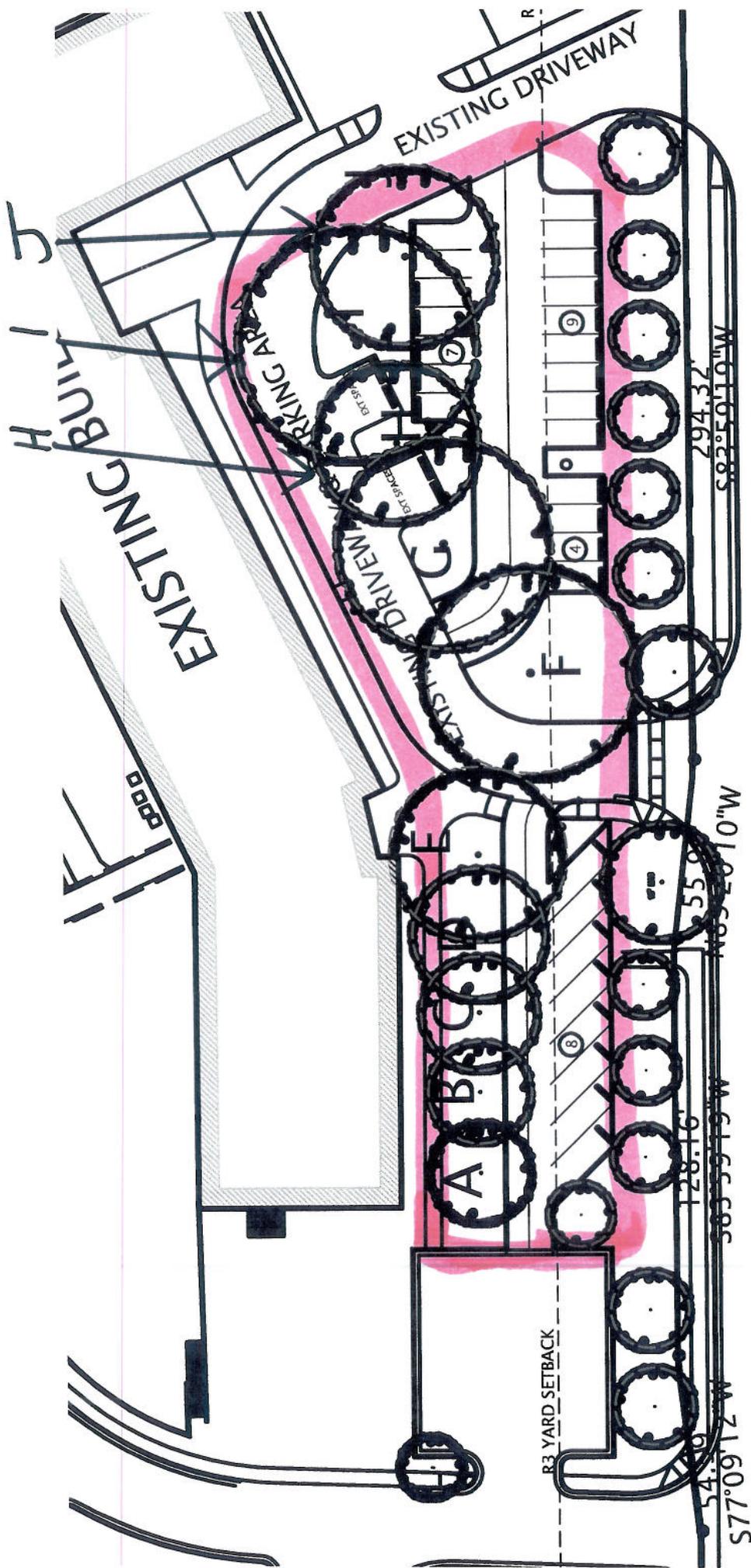
02M06013



PREPARED FOR THE EPSTEIN SCHOOL
VARIANCE APPLICATION



education design studio
JB+a, inc.
 700 galleria parkway,
 suite 400
 atlanta, georgia 30339
 770.803.0900
 fax 770.805.0903
 planning + landscape architecture



COLEWOOD WAY

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ZM 06013

City of Sandy Springs
Community Development

EXHIBIT "A"

ALL THAT TRACT or parcel of land lying and being in Land Lot 131, 17th District, Fulton County, Georgia, being more particularly described as follows:

Beginning at an iron pin found (3/4 inch crimped top pipe) on the northern right-of-way line of Colewood Way (50 foot Right-of-Way) a distance of 200.48 feet as measured south 84 degrees 04 minutes 17 seconds west along said right-of-way line from an iron pin found at the point of intersection of the northern right-of-way line of Colewood Way and the western right-of-way line of Bridgewood Valley Road; running thence along the northern right-of-way line of Colewood Way, south 83 degrees 59 minutes 37 seconds west a distance of 660.39 feet to an iron pin found; thence leaving said right-of-way line and running north 03 degrees 52 minutes 12 seconds west, a distance of 399.62 feet to an iron pin found (3/4 inch crimped top pipe); running thence north 52 degrees 01 minutes 58 seconds east a distance of 294.17 feet to an iron pin found (3/4 inch crimped top pipe); running thence north 38 degrees 41 minutes 49 seconds east a distance of 272.51 feet to an iron pin found (Number 3 reinforcing rod); running thence north 12 degrees 59 minutes 39 seconds west a distance of 261.11 feet to an iron pin found (3/4 crimped top pipe); running thence north 50 degrees 27 minutes 55 seconds east a distance of 99.90 feet to an iron pin found; running thence south 49 degrees 44 minutes 54 seconds east a distance of 333.68 feet to an iron pin found (1/2 inch open top pipe); running thence south 00 degrees 35 minutes 18 seconds east a distance of 825.73 feet to the iron pin found at the POINT OF BEGINNING; said tract of land being shown on and described according to "Boundary Survey for Epstein School," dated April 25, 1994, last revised June 30, 1994, prepared by Planners and Engineers Collaborative, under the seal of Robert L. White, Georgia Registered Land Surveyor Number 2080, said tract containing 11.27 acres according to said survey, which said survey is by this reference incorporated herein and made a part hereof.

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