

STATE OF GEORGIA
COUNTY OF FULTON

**AN ORDINANCE TO REZONE PROPERTY FROM THE A-O (APARTMENT OFFICE)
DISTRICT TO THE C-1 (COMMUNITY BUSINESS) DISTRICT, PROPERTY LOCATED AT
6780 ROSWELL ROAD (SR 9)**

BE IT ORDAINED by the City Council for the City of Sandy Springs, Georgia while in regular session on March 20, 2007 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 6780 Roswell Road (SR 9), consisting of a total of approximately 7.462 acres, be changed from the A-O (Apartment Office) District to C-1 (Community Business) District with conditions, to wit;

ALL THAT TRACT or parcel of land lying and being Land Lot 73 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 use permit(s), as listed in the attached conditions of approval, be approved under the provisions of Section 19.2.3 of the Zoning Ordinance of the City of Sandy Springs; and

SECTION 4. 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 5. 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 6. That all ordinances or part of ordinances in conflict with the terms of this ordinance are hereby repealed; and

SECTION 7. This Ordinance shall become effective upon adoption by the Mayor and City Council and the signature of approval of the Mayor.

ORDAINED this the 20th day of March, 2007.

Approved:



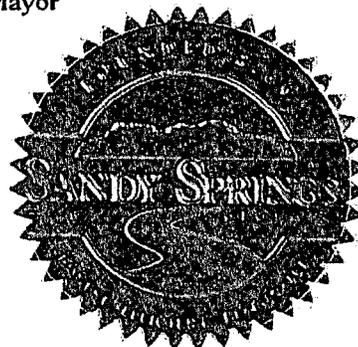
Eva Galambos, Mayor

Attest:



Christina Rowland, CMC, City Clerk

(Seal)



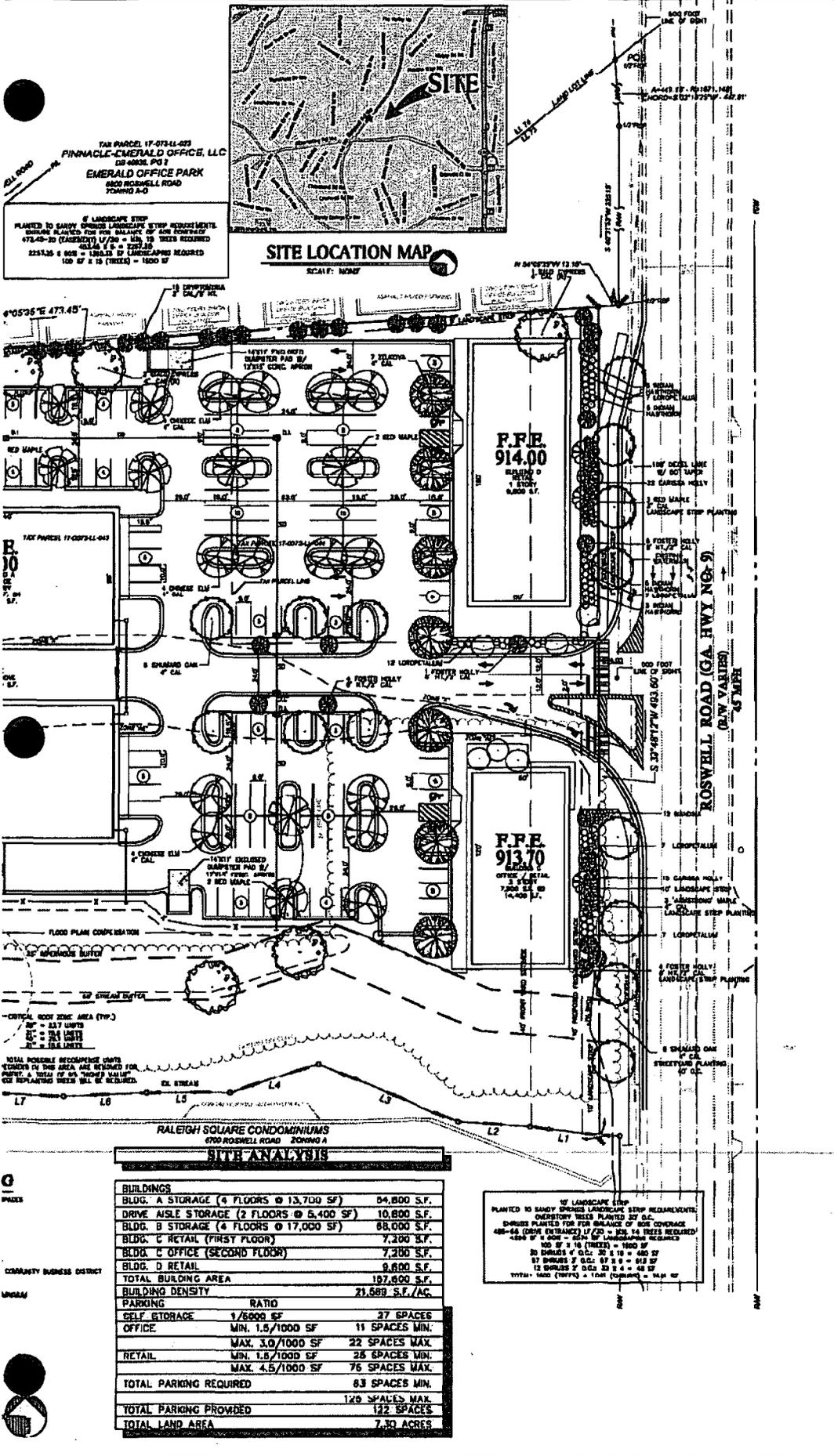
CONDITIONS OF APPROVAL

RZ06-052/CV06-037/U06-007
6780 Roswell Road (SR 9)

The City of Sandy Springs Mayor and City Council approved the rezoning of property owned by BREI-Sandy Springs, L.P. located at 6780 Roswell Road (SR 9). Rezoning petition RZ06-052/CV06-037/U06-007 to rezone the subject property from A-O (Apartment Office District) conditional to C-1 (Community Business District) was approved by the Mayor and City Council at the March 20, 2007 hearing, subject to the following conditions:

1. To the owner's agreement to restrict the use of the subject property as follows:
 - a. Self storage and accessory uses at a density of 18,296.36 square feet per acre or 133,600 square feet, whichever is less (U06-007).
 - b. Office and accessory uses at a density of 986.03 square feet per acre or 7,200 square feet, whichever is less.
 - c. Retail and accessory uses at a density of 2,300.74 square feet per acre or 16,800 square feet, whichever is less.
 - d. To a maximum height of 4 stories.
 - e. Businesses renting vehicles shall be prohibited from the subject property.
 - f. To limit public access to the storage facility to the hours of 6 a.m. to 10 p.m.
2. To the owner's agreement to abide by the following:
 - a. To the site plan received by the Department of Community Development dated March 14, 2007. 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.
 - b. To the building elevation received by the Department of Community Development dated March 20, 2007. All buildings proposed shall comply with that elevation subject to the approval of the Design Review Board.
3. To the owner's agreement to provide the following site development standards:
 - a. The owner/developer shall dedicate forty-five (45) feet of right-of-way from centerline of Roswell Road (SR 9) along the entire property frontage or ten and one-half (10.5) feet from back of curb, whichever is greater, to the City of Sandy Springs.

- b. Prior to issuance of a Land Disturbance Permit, the owner/developer shall attempt to provide interparcel access with the properties to the north and south. Should the owner/developer not come to an agreement on interparcel access at this time, the owner/developer shall provide documentation of such. In addition, if an interparcel access agreement is not obtained, permanent easements shall be recorded allowing for future inter-parcel access, prior to the issuance of a Land Disturbance Permit.
- c. To the removal of the existing acceleration lane on Roswell Road (SR 9).
- d. To reduce the required forty (40) foot front yard setback to ten (10) feet as shown on the site plan received by the Department of Community Development dated March 14, 2007 (CV06-037).
- e. A maximum limit of 0.5 footcandles of light shall prohibited along residential property lines abutting the subject property. The owner/developer shall submit a photometric study to the Department of Community Development prior to the issuance of a Land Disturbance Permit.
- f. The owner/developer shall commence construction of Buildings C and D prior to or simultaneously with the construction of Buildings A and B as shown on the site plan received by the Department of Community Development dated March 14, 2007.
- g. The owner/developer shall attempt to shift the location of Buildings A and B as shown on the site plan received by the Department of Community Development dated March 14, 2007 closer to the north property line if it is determined to be feasible. The relocation of these buildings shall be subject to the approval of the Design Review Board.



LAND PLANNERS
DESIGNERS & SURVEYORS
LANDSCAPE ARCHITECTS
P.O. BOX 288
ROSWELL, GEORGIA 30075
PHONE 770-588-1000
FAX 770-588-1001
WWW.PAULSONMITCHELL.COM

PAULSON MITCHELL
INCORPORATED

**PROJECT:
PROPOSED
DEVELOPMENT**
LAND LOT 73
17TH DISTRICT
CITY OF
SANDY SPRINGS
FULTON COUNTY
GEORGIA

FOR:
**KEYSTONE
DEVELOPMENT
SERVICES, LLC**
172 EAST SHADBLIRN
AVENUE
BUFORD
GEORGIA 30518
678-730-4813

REVISIONS
01.17.07
03.14.07

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MAR 14 2007

City of Sandy Springs
Community Development

2006.3292.DWG 10.26.06

ZONING PLAN **Z.1**

EXHIBIT "A"

Legal Description of the Land

Page 1 of 1 Page

ALL THAT TRACT or parcel of land lying and being in Land Lot 73 of the 17th District of Fulton County, Georgia, and being more particularly described as follows:

TO ARRIVE AT THE TRUE POINT OF BEGINNING, begin at a point on the northwesterly right-of-way of Roswell Road, as the same was formerly located, 785.60 feet southwesterly as measured along said right-of-way from the intersection of the northwesterly right-of-way of Roswell Road and the north line of Land Lot 73, thence running north 56' 12' 38" west 12.03 feet to a point on the present northwesterly right-of-way line of Roswell Road (as the same is now located having a 104 foot right-of-way); being the TRUE POINT OF BEGINNING; thence running south 37' 59' 07" west along the northwesterly right-of-way line of Roswell Road, 493.60 feet to a point at the center line of Marsh Creek; thence running northwesterly along the center line of Marsh Creek; and following the meanderings thereof, 945.00 feet to a point; thence running south 89' 41' 48" east 405.71 feet to a 1/2 inch rebar found; thence running north 89' 54' 50" east 174.60 feet to a 1/2 inch rebar found; thence running south 56' 12' 38" east 473.57 feet to point on the northwesterly right-of-way line of Roswell Road, said point being the point of beginning, being 7.462 acres.

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NOV 07 2006

City of Sandy Springs
Community Development

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