

**AN ORDINANCE TO MODIFY CONDITION(S) OF A RESOLUTION BY THE FULTON COUNTY  
BOARD OF COMMISSIONERS APPROVING PETITION U99-0023 ON AUGUST 4, 1999,  
PROPERTY LOCATED AT 5455 GLENRIDGE DRIVE**

**BE IT ORDAINED** by the City Council for the City of Sandy Springs, Georgia while in regular session on July 15, 2008 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 August 4, 1999, for petition U99-0023 that allowed a use permit for the development of an assisted living facility for the property located at **5455 Glenridge Drive**, consisting of a total of approximately 2.67 acres, to wit;

ALL THAT TRACT or parcel of land lying and being Land Lot 68 of the 17<sup>th</sup> 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**SECTION 4.** That all ordinances or part of ordinances in conflict with the terms of this ordinance are hereby repealed; and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 15<sup>th</sup> day of July, 2008.

Approved:



Eva Galambos, Mayor

Attest:



Christina Rowland, CMC, City Clerk  
(Seal)



CONDITIONS OF APPROVAL

**ZM008-005**  
**5455 Glenridge Drive**

The City of Sandy Springs Mayor and City Council approved the modification of the conditions of U99-0023, with regard to the above referenced property currently zoned TR (Townhouse Residential District). Zoning modification petition ZM08-005/CV08-015 was approved by the Mayor and City Council at the July 15, 2008 hearing, subject to the following:

1. To the owner's agreement to restrict the use of the subject property to the following:
  - a. Restrict the use of the subject property to a personal care home
  - b. The maximum number of beds shall be 90.
  - c. Limit the height to two stories.
2. To the owner's agreement to abide by the following:
  - a. To the site plan received by the Department of Community Development dated May 30, 2008. 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. Unless otherwise noted herein, compliance with all conditions shall be in place prior to the issuance of a Certificate of Occupancy. (ZM08-005)
3. To the owner's agreement to the following site development considerations:
  - a. No more than 1 exit/entrance on Glenridge Drive. Utilize the existing curb cut on Glenridge Drive subject to the approval of the Sandy Springs Traffic Engineer.
  - b. Provide a 100% opaque fencing along the south and east sides of the dumpster.
  - c. Provide opaque fencing along the east property line along the area where the chain link fence exists. Existing chain link fence may be modified to make opaque. Fence material is subject to the approval of the Director of Community Development.
  - d. Provide evergreen trees along the southeast end of the building for screening. Said plantings and specifications shall be subject to the approval of the Sandy Springs Arborist.
  - e. Plant a double staggered row of evergreen shrubs along the east property line from the end of the existing fence to the existing Virginia Pines and along the south property line. Said plantings and specifications shall be subject to the approval of the Sandy Springs Arborist.
  - f. Replace all trees that have lost their central leaders and all plants that are not healthy, as determined by the Sandy Springs Arborist.
  - g. Compliance with conditions 3.b. through 3.h. shall be within 120 days of the approval of this use permit.

- h. To allow the proposed surface parking area to encroach into the required twenty-five (25) foot zoning buffer and ten (10) foot improvement setback along the east property line as shown on the site plan received by the Department of Community Development dated May 30, 2008 (CV08-015).
  - i. To allow parking lot landscape islands to be installed every seventh (7<sup>th</sup>) parking space as opposed to every sixth (6<sup>th</sup>) space in the proposed parking area along the east property line and to delete the requirement for parking lot landscaping in the existing parking areas located along the east side of the existing building as shown on the site plan received by the Department of Community Development dated May 30, 2008 (CV08-015).
  - j. To reduce the required number of parking spaces from 56 to 41 as shown on the site plan received by the Department of Community Development dated May 30, 2008 (CV08-015).
  - k. To allow the proposed and existing parking areas to encroach within the minimum forty (40) foot setback the north (front) property line as shown on the site plan received by the Department of Community Development dated May 30, 2008 (CV08-015).
4. To the owner's agreement to abide by the following requirements, dedication, and improvements:
- a. Reserve for Sandy Springs along the necessary property frontage of the following roadways, prior to the approval of a Land Disturbance permit, sufficient land as necessary to provide for compliance with the Comprehensive Plan. All building setback lines shall be measured from the dedication but at no time shall a building be allowed inside the area of reservation. All required landscape strips and buffers shall straddle the reservation line so that the reservation line bisects the required landscape strip or buffer. At a minimum, 10 feet of the required landscape strip or buffer shall be located outside the area of reservation. All required tree plantings per Article 4.23 shall be placed within the portion of the landscape strip or buffer that lies outside the area of reservation.
 

Forty-five (45) feet from centerline of Glenridge Drive
  - b. Dedicate at no cost to 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 the 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 Glenridge Drive
  - c. Improve roadway along the entire property frontage with curb and gutter per Fulton County standards or as may be approved by the Sandy Springs Traffic Engineer and/or the Georgia Department of Transportation.
  - d. Provide a deceleration lane for each project entrance or as may be required by the Sandy Springs Traffic Engineer.
  - e. Provide a left turn for each project entrance or as may be required by the Sandy Springs Traffic Engineer

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 with the Department of Community Development, to meet with the Sandy Springs Traffic Engineer. A signed copy of the results of these meetings will be required to be submitted along with the application for a Land Disturbance Permit.
  - b. Prior to submitting the application for a Land Disturbance Permit with the Department of Community Development, arrange an on-site evaluation of existing specimen trees/stands, buffers, and tree protection zones within the property boundaries with the Sandy Springs Arborist. A signed copy of the results of these meetings will be required to be submitted along with the application for a Land Disturbance Permit.
  - c. To contact the Director of Public Works, prior to the application for a Land Disturbance Permit with the Department of Community Development, to meet with the Sandy Springs Drainage Engineer. A signed copy of the results of these meetings will be required to be submitted along with the application for a Land Disturbance Permit.
  - 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, profile, 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.
  - f. The developer/engineer is responsible to demonstrate to the City by engineering analysis, that the developed land use (proposed development) stormwater runoff conditions are controlled at the maximum pre-developed land use level, so that downstream properties/conveyance systems are not impacted or aggravates existing flooding/drainage nor creates new drainage/flooding problems off-site.
  - g. Prior to application for a Land Disturbance Permit, the developer/engineer shall submit to the Stormwater Management Section of the Public Works Department a stormwater concept plan. The stormwater concept plan shall be preliminary drawings describing the proposed location of storage facilities, discharge paths, downstream and upstream constraints and other matters with potential stormwater implications.

BF MONT VILLAGE  
5455 GLENRIDGE DR.

EXHIBIT A

Legal Description

ZM08 005

ALL THAT TRACT or parcel of land lying and being in Land Lot 68 of the 17<sup>th</sup> District of Fulton County, Georgia, to which specific reference is made hereto and being more particularly described as follows:

To reach the Point of Beginning: Commence at the intersection formed by the southeasterly right of way of Glenridge Drive (variable r/w) and the northeasterly right of way of Greenland Road (60-foot right of way) and proceed thence South 80 degrees 13 minutes 30 seconds West for a distance of 168.03 feet to an iron pin found on the southerly right of way of Glenridge Drive (variable right of way) and which point is the POINT OF BEGINNING. From the Point of Beginning thus established, leave said right of way line and running thence South 00 degrees 17 minutes 56 seconds West, a distance of 553.90 feet to a point; running thence North 89 degrees 51 minutes 48 seconds West, a distance of 208.99 feet to a point; running thence North 00 degrees 25 minutes 36 seconds East, a distance of 563.60 feet to a point on the southerly right of way of Glenridge Drive (variable r/w); running thence south 87 degrees 11 minutes 28 seconds East along the southerly right of way of Glenridge Drive (variable r/w) a distance of 207.93 feet to the POINT OF BEGINNING, said tract containing 2.6728 acres.

All as shown on that certain ALTA/ACSM Land Title Survey for AEW Senior Housing Company, LLC and Stewart Title Guaranty Company, dated January 17, 2001, last revised October 11, 2004, prepared by Travis Pruitt & Associates, Inc., bearing the seal and certification of Bruce W. Hamilton, Georgia Registered Land Surveyor Number 2951.

Sandy Springs, GA  
Community Development

MAY 14 2008

