

**AN ORDINANCE TO ALLOW FOR A USE PERMIT TO FOR THE DEVELOPMENT OF
ATHLETIC FIELDS AND AN ALUMNI/ADMINISTRATIVE BUILDING FOR HOLY SPIRIT
PREPARATORY SCHOOL**

BE IT ORDAINED by the City Council for the City of Sandy Springs, Georgia while in regular session on August 19, 2008 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 **5757 Long Island Drive, 5730 Lake Forrest Drive, 0 Long Island Drive (PIN 17 0123 LL096), & 0 I-285 (PIN 17 0123 LL090)**, consisting of a total of approximately 7.985 acres, be allowed a use permit under the CUP (Community Unit Plan) District with conditions, to wit;

ALL THAT TRACT or parcel of land lying and being Land Lot 123 of the 17th District, Fulton County, Georgia by the attached legal description; and

SECTION 2. 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 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 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 5. That all ordinances or part of ordinances in conflict with the terms of this ordinance are hereby repealed; and

SECTION 6. This Ordinance shall become effective upon adoption by the Mayor and City Council and the signature of approval of the Mayor.

ORDAINED this the 19th day of August, 2008.

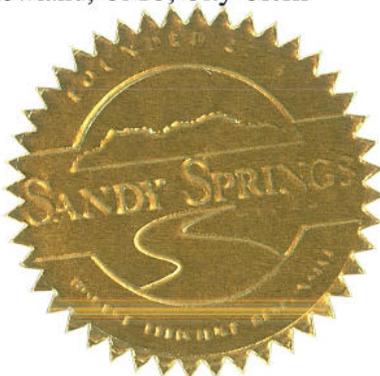
Approved:


Eva Galambos, Mayor

Attest:



Christina Rowland, CMC, City Clerk
(Seal)



CONDITIONS OF APPROVAL

U08-005/CV08-007

5757 Long Island Drive, 5730 Lake Forrest Drive, 0 Long Island Drive (PIN 17 0123 LL096), & 0 I-285 (PIN 17 0123 LL090)

The City of Sandy Springs Mayor and City Council approved the use permit petition for property at 5757 Long Island Drive, 5730 Lake Forrest Drive, 0 Long Island Drive (PIN 17 0123 LL096), & 0 I-285 (PIN 17 0123 LL090). Use permit petition U08-005/CV08-007 was approved for the development of football/soccer field with bleacher seating to accommodate 400 people, a 15,000 square foot field house/administrative office building, a swimming pool, and tennis courts by the Mayor and City Council at the August 19, 2008 hearing, subject to the following conditions:

1. To the owner's agreement to restrict the use of the subject property as follows:
 - a. Restrict the use of the subject property to one (1) football/soccer field with a maximum of 400 bleacher seats, two (2) tennis courts, and one (1) swimming pool.
 - b. Field house, concession stand, administrative offices, and associated accessory uses at a density of 1,878.52 square feet per acre or 15,000 square feet, whichever is less. There shall be no classrooms for students permitted in the building.
 - c. The maximum height of the field house/athletic department staff administrative office building shall be forty (40) feet.
 - d. The hours of operation shall be limited to the following:

Monday through Friday 7:00 a.m. to 8:00 p.m.

Saturday 8:00 a.m. to 7:00 p.m.

Sunday 11:00 a.m. to 7:00 p.m.

Exceptions: The closing hour on Friday evenings during the months of August through November shall be extended to 11:00 p.m. for Varsity and Junior Varsity football games only, up to twelve (12) times per season.

The gates along Long Island Drive shall be closed and locked within thirty (30) minutes of the above required closing hour of the facility.

2. To the owner's agreement to abide by the following:
 - a. To the site plan submitted to the Department of Community Development dated received June 20, 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.

- b. To the Long Island Drive street frontage elevations received by the Department of Community Development dated June 20, 2008. Said improvements shall be 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 thirty (30) feet of right-of-way from centerline of Lake Forrest Drive 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. The owner/developer shall dedicate thirty (30) feet of right-of-way from centerline of Long Island Drive 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.
 - c. No more than one (1) exit/entrance on Long Island Drive or as may be approved by the Sandy Springs Traffic Engineer. Curb cut location and alignment are subject to the approval of the Sandy Springs Traffic Engineer.
 - d. Outdoor lighting of the recreation fields shall be permitted on Friday evenings during the months of August through November ending at 11:00 p.m. for Varsity and Junior Varsity football games only, up to twelve (12) times per season.
 - e. To a sound system designed consistent with Alternative "Sketch 2" as detailed in the Noise Study submitted to the Department of Community Development dated received August 8, 2008. Said sound system shall be directed away from the southern property line and toward the interior of the property facing north to I-285. The sound system shall be attached to and suspended from a structure (e.g. truss or roof) over the bleacher seating and the bleachers shall be designed with a wall that will shield any noise spillover into adjacent residential properties. The sound system shall only be permitted on Friday evenings during the months of August through November ending at 11:00 p.m. for Varsity and Junior Varsity football games only, up to twelve (12) times per season.
 - f. No parking lot lighting shall be installed within 50 feet of the south property line.
 - g. Parking lot lighting installed shall be no taller than 20 feet from finished grad.
 - h. All outdoor light fixtures, including but not limited to parking lot lighting and security lighting, shall be baffled or diffused in a manner so as to prevent light spillover onto the neighboring residential properties.
 - i. To a lighting system for the football field designed consistent with the "Musco Illumination Study" submitted to the Department of Community Development dated received May 29, 2008. The lighting system for the football field shall only be permitted

- on Friday evenings during the months of August through November ending at 11:00 p.m. for Varsity and Junior Varsity football games only, up to twelve (12) times per season.
- j. Musical bands, orchestras, marching bands, etc. shall be permitted to play or perform on the property on Friday evenings during the months of August through November ending at 11:00 p.m. for Varsity and Junior Varsity football games only, up to twelve (12) times per season.
 - k. The swimming pool shall be a lap pool for practice only. No swim meets or competitions shall be permitted.
 - l. To construct an eight (8) foot tall, decorative fence with a gate along the Long Island Drive frontage. Said fence design shall be subject to the approval of the Design Review Board.
 - m. The owner/developer shall provide streetscape including sidewalks, street trees, pedestrian lighting, and landscaping consistent with the Urban District standards of the Sandy Springs Overlay District along the Lake Forrest Drive and Long Island Drive frontages of the property. Said streetscape improvements shall be subject to the approval of the Design Review Board.
 - n. Trash collection shall be limited to between the hours of 9:00 AM and 4:00 PM Monday through Friday. All trash receptacles shall be screened from view from the adjoining residentially zoned property to the south.
 - o. Delivery hours shall be limited to the hours of 7:30 AM to 7:30 PM Monday through Friday. Deliveries shall be prohibited on Saturday and Sunday.
 - p. Grounds maintenance shall be limited to the hours of 9:00 AM to 5:00 PM Monday through Friday and 9:00 AM to 4:00 PM on Saturday. Ground maintenance shall be permitted on Sunday under only one or more of the following exceptions, subject to the approval of the Director of Community Development:
 - i. The inability to conduct any grounds maintenance work during four (4) of the preceding six (6) days due to inclement weather;
 - ii. Emergency situations;
 - iii. The cleaning or repairing of storm damage.
 - q. The owner/developer shall submit a written parking and busing plan to the Public Works Department prior to the issuance of a Land Disturbance Permit for this site. The plan shall include an analysis of parking needs and transportation options for participants and spectators to the facility. The applicant shall install additional signage, markings, or modifications called for in the plan at their expense concurrent with

development. The plan is subject to the approval of the Public Works Department and all work called for must be completed prior to issuance of any Certificates of Occupancy.

- r. To delete the required twenty (20) foot landscape strip along the north property line for a distance of 880 feet adjacent to I-285 as shown on the site plan received by the Department of Community Development dated June 20, 2008 (CV08-007).
- s. To reduce the required twenty-five (25) foot buffer and ten (10) foot improvement setback around the proposed retaining wall along the south property line adjacent to property zoned CUP (Community Unit Plan District) to a twenty (20) foot landscape strip as shown on the site plan received by the Department of Community Development dated June 20, 2008 (CV08-007). Said landscape strip shall be replanted where sparsely vegetated, subject to the approval of the Sandy Springs Arborist. The proposed retaining wall shall be designed as a Filtrex Living Wall system as provided in the detail received by the Department of Community Development dated May 29, 2008.
- t. To reduce the required 100 foot outdoor recreation area setback to thirty-five (35) feet adjacent to residentially zoned property to the south received by the Department of Community Development dated June 20, 2008 (CV08-007).
- u. To allow encroachments into the required twenty-five (25) foot impervious surface setback as shown on the site plan received by the Department of Community Development dated June 20, 2008 (CV08-007). Runoff that drains to the stream buffer from developed areas of the site, including athletic fields, shall pass through a water quality device that facilitates infiltration of the water quality volume into the soil. The water quality volume shall be calculated as specified in Section 1.3.2.1 of the Georgia Stormwater Management Manual.
- v. Leasing or renting the subject property and/or the facilities thereon to others shall be prohibited. Use of the subject property and/or the facilities thereon shall be limited to activities conducted by the Holy Spirit Community. These conditions shall not prohibit the owner, however, from allowing the subject property to be used without charge (except recovery of any expense incurred) by civic and/or community groups located within the City of Sandy Springs and/or civic and/or community groups designed to serve the interests of the citizens of Sandy Springs, including but not limited to persons, organizations and/or agencies affiliated with the government of the City of Sandy Springs or prevent Holy Spirit itself offering recreational opportunities to children resident in Sandy Springs notwithstanding that they may not be members of the Holy Spirit community.
- w. All driveways, paths, and/or parking areas shall be constructed of pervious surfaces.
- x. The owner/developer shall install eight (8) foot tall security fencing around the entire perimeter of the property, except for the area described in condition 3.l. above. Said security fence design and location shall be subject to the approval of the Sandy Springs Arborist.

INTERSTATE #1-285
(A.K.A. S.R. #407)
LIMITED ACCESS HIGHWAY
R/W VARIES

LAKE FOREST DRIVE
(R/W VARIES)
(35 MPH)

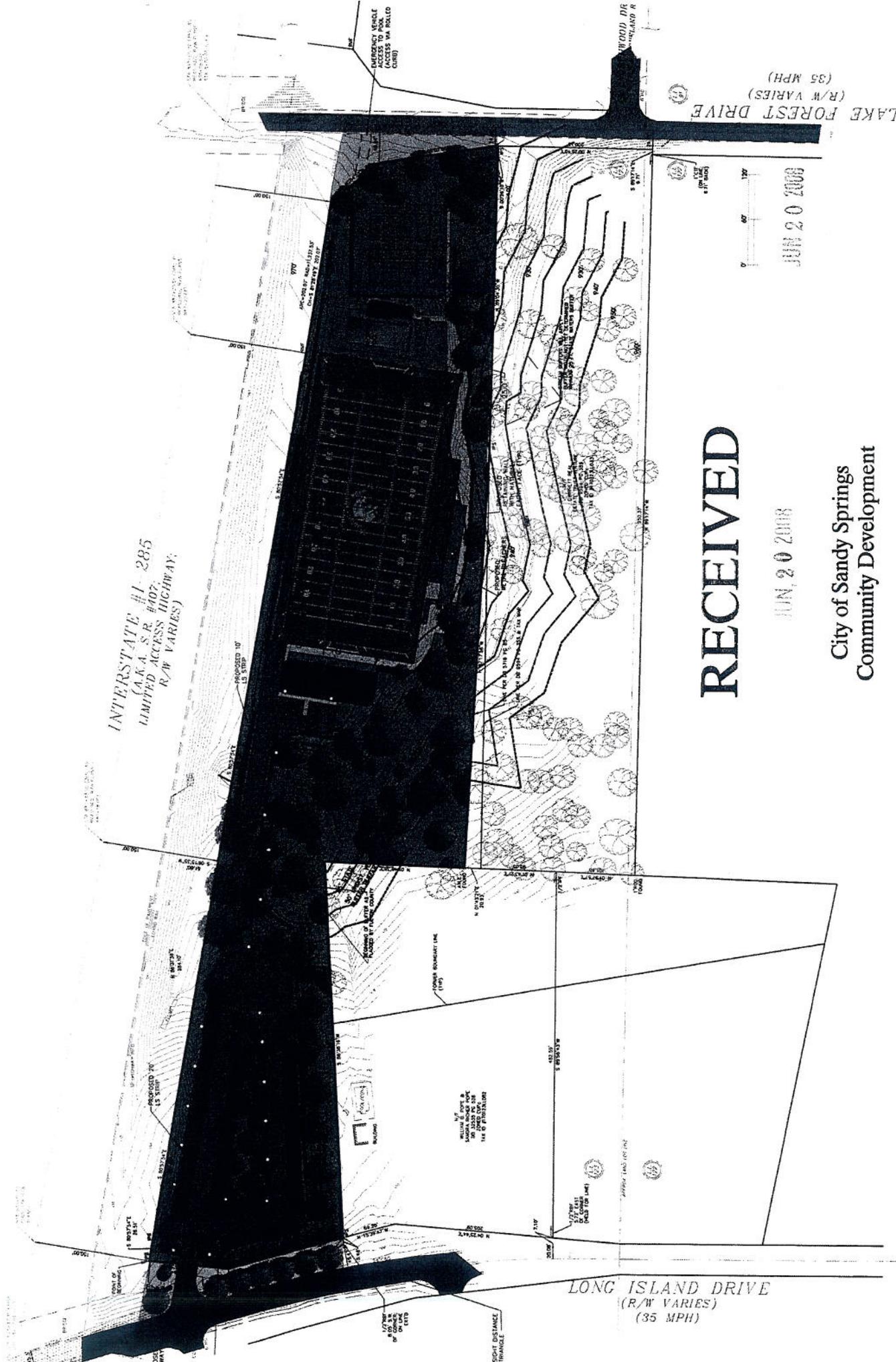
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JUN 20 2008

City of Sandy Springs
Community Development

LONG ISLAND DRIVE
(R/W VARIES)
(35 MPH)

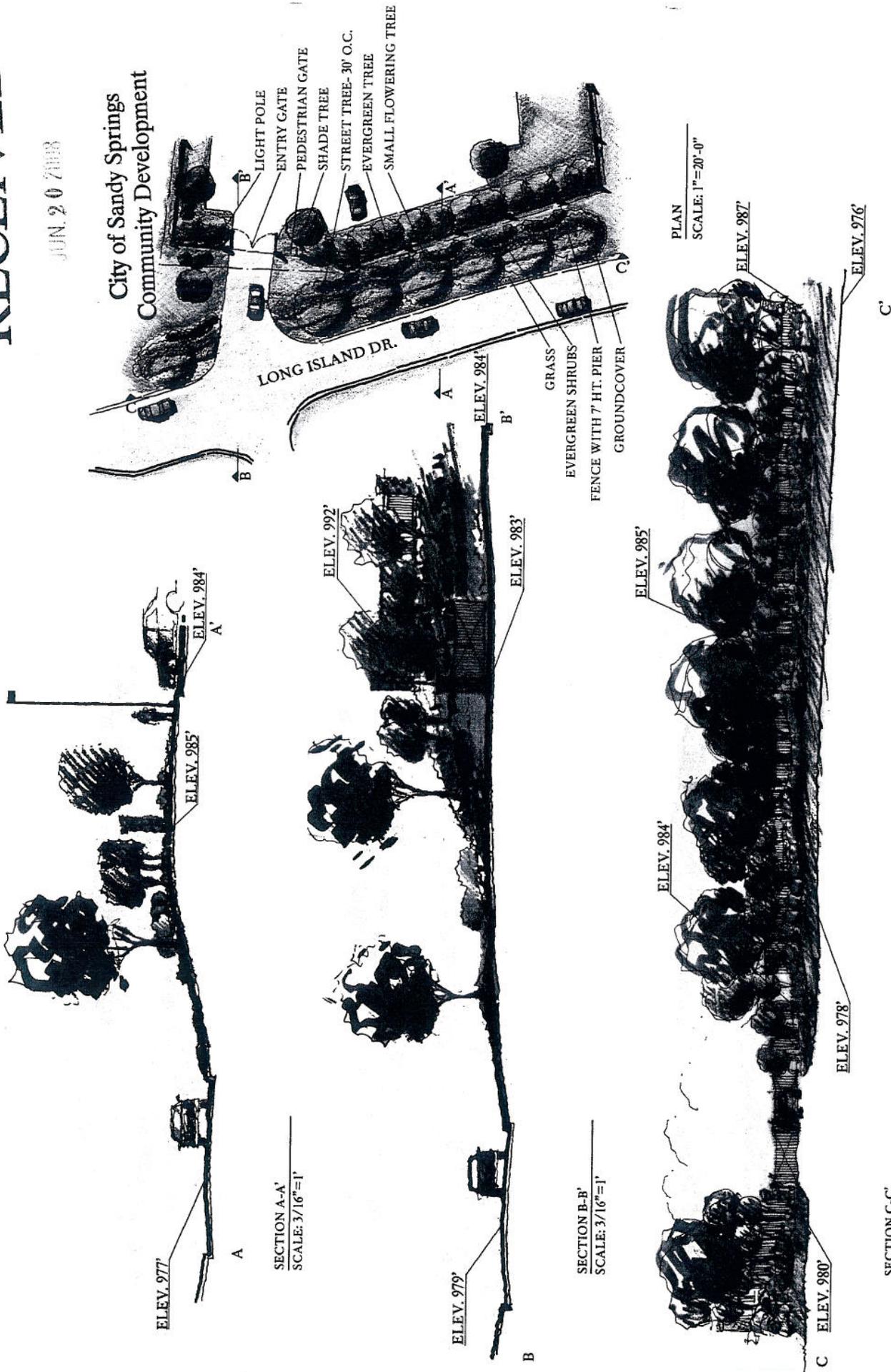
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JUN. 20 7:00B

City of Sandy Springs
Community Development



**LEGAL DESCRIPTION (PERIMETER OF TRACTS 1 THRU 5 COMBINED;
BASED ON SURVEY BY VALENTINO)**

All that tract or parcel of land lying and being in Land Lot 123 of the 17th Land District, City of Sandy Springs, Fulton County, Georgia, said tract or parcel of land being more fully shown and designated as Tracts 1 thru 5 on a plat of survey prepared by Valentino and Associates, Inc., (Job #28005; Drawing #28005), bearing the seal of Glenn A. Valentino, Ga. Registered Land Surveyor #2528, and being more particularly described as follows:

BEGINNING at a 1/2"iron pin set at the intersection of the easterly right-of-way line of Long Island Drive (r/w varies) and the southerly right-of-way line of Interstate Highway #I-285 (AKA S.R. #407; limited access r/w varies). Said 1/2"iron pin set is located 150.00 feet southwest and opposite of station 875+10.00 of the centerline of said Interstate Highway #I-285, and is witnessed by a disturbed concrete monument found 0.87 feet south thereof.

THENCE proceeding along said southerly right-of-way line of Interstate Highway #I-285 the following courses and distances:

South 80 degrees 57 minutes 54 seconds East for a distance of 26.51 feet to a 1/2"iron pin set;

THENCE South 80 degrees 57 minutes 54 seconds East for a distance of 227.05 feet to a computed point;

THENCE South 80 degrees 57 minutes 54 seconds East for a distance of 280.34 feet to a 1/2"rebar found;

THENCE South 80 degrees 57 minutes 54 seconds East for a distance of 317.39 feet to a computed point;

THENCE South 80 degrees 57 minutes 54 seconds East for a distance of 359.62 feet to a concrete monument found;

THENCE along a curve to the left having a radius of 11,237.53 feet for an arc distance of 202.07 feet (said arc being subtended by a chord of South 81 degrees 28 minutes 49 seconds East for a distance of 202.07 feet) to a concrete monument found on the westerly right-of-way line of Lake Forrest Drive (r/w varies);

THENCE departing said southerly right-of-way line of Interstate Highway #I-285 and proceeding along said westerly right-of-way line of Lake Forrest Drive the following courses and distances:

THENCE South 40 degrees 54 minutes 52 seconds East for a distance of 81.75 feet to a concrete monument found;

THENCE South 09 degrees 07 minutes 05 seconds East for a distance of 151.50 feet to a concrete monument found;

THENCE South 02 degrees 53 minutes 54 seconds West for a distance of 4.68 feet to a 1/2"rebar found;

THENCE departing said westerly right-of-way line of Lake Forrest Drive North 89 degrees 15 minutes 32 seconds West for a distance of 395.67 feet to a 1/2"iron pin set;

THENCE North 87 degrees 05 minutes 52 seconds West for a distance of 556.33 feet to a 1.25"solid iron pin found;

THENCE North 01 degrees 52 minutes 12 seconds East for a distance of 119.19 feet to a 1.25"solid iron pin found;

THENCE North 01 degrees 41 minutes 42 seconds East for a distance of 613.39 feet to a 2"open-top pipe found;

THENCE South 86 degrees 38 minutes 16 seconds West for a distance of 495.58 feet to a 1/2"iron pin set on the easterly right-of-way line of Long Island Drive;

THENCE proceeding along said easterly right-of-way line of Long Island Drive the following courses and distances:

THENCE North 15 degrees 39 minutes 47 seconds West for a distance of 20.61 feet to a 1/2"iron pin set;

THENCE North 15 degrees 39 minutes 47 seconds West for a distance of 134.49 feet to a concrete monument found;

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FEB 05 2008

City of Sandy Springs
Community Development