

STATE OF GEORGIA
COUNTY OF FULTON

AN ORDINANCE TO MODIFY CONDITION(S) OF AN ORDINANCE BY THE CITY OF SANDY SPRINGS MAYOR AND CITY COUNCIL APPROVING PETITION RZ06-052 ON MARCH 20, 2007, 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 October 20, 2009 at 6:00 p.m. as follows:

SECTION 1. The City of Sandy Springs Mayor and City Council, approved on March 20, 2007 petition RZ06-052 that allowed the property to be rezoned to the C-1(Community Business District) be changed for the property located at 6780 Roswell Road (SR 9), consisting of a total of approximately 7.3 acres, be modified 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

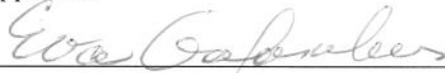
SECTION 3. That the property shall be developed in compliance with the conditions of approval, as attached to this ordinance. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations; and

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 That all ordinances or part of ordinances in conflict with the terms of this ordinance are hereby repealed; and

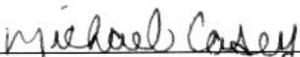
SECTION 5. This Ordinance shall become effective upon adoption by the Mayor and City Council and the signature of approval of the Mayor.

ORDAINED this the 20th day of October, 2009.

Approved:


Eva Galambos, Mayor

Attest:


Michael Casey, City Clerk
(Seal)



CONDITIONS OF APPROVAL

ZM09-006/CV09-010
6780 Roswell Road (SR 9)

Mayor and City Council meeting on October 20, 2009

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~~ August 4, 2009. 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.
- h. To allow an additional monument sign on a lot which has up to 500 linear feet of frontage.