

STATE OF GEORGIA
COUNTY OF FULTON

**AN ORDINANCE TO MODIFY CONDITION(S) OF A RESOLUTION BY THE FULTON
COUNTY BOARD OF COMMISSIONERS APPROVING PETITION Z87-0040 AUGUST 5, 1977,
PROPERTY LOCATED AT 8200 ROBERTS DRIVE**

BE IT ORDAINED by the City Council for the City of Sandy Springs, Georgia while in regular session on August 17, 2010 at 6:00 p.m. as follows:

SECTION 1. That the condition(s) of a Resolution by the Fulton County Board of Commissioners, approved on August 5, 1987, for petition Z87-0040 that allowed the property to be rezoned to the O-I(Office and institutional District) be changed for the property located at **8200 Roberts Drive**, consisting of a total of approximately 7.44 acres, to wit;

ALL THAT TRACT or parcel of land lying and being Land Lot 385 of the 18th District, Fulton County, Georgia by the attached legal description; and

SECTION 2. 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 3. That all ordinances or part of ordinances in conflict with the terms of this ordinance are hereby repealed; and

SECTION 4. This Ordinance shall become effective upon adoption by the Mayor and City Council and the signature of approval of the Mayor.

ORDAINED this the 17st day of August, 2010.

Approved:



Eva Galambos, Mayor

Attest:



Michael Casey, City Clerk

(Seal)



CONDITIONS OF APPROVAL

ZM10-006 **8200 Roberts Drive**

The City of Sandy Springs Mayor and City Council approved the modification of the conditions of Z87-040, with regard to the above referenced property currently zoned O-I (Office and Institutional District). Zoning modification petition ZM10-006 was approved by the Mayor and City Council at the August 17, 2010 hearing, subject to the following conditions:

1. To the owner's agreement to restrict the use of the subject property as follows:
 - a. Office and accessory uses at a minimum density of 17,822 square feet of gross floor area per acre zoned or total gross floor area of 132,424 square feet, whichever is less.
 - b. Limit the height of buildings to no more than 6 stories.
2. To the owner's agreement to abide by the following:
 - a. To the Site Plan received by the zoning department on 4/1/87 and to submit to the Director of Public Works for his approval, prior to the approval of Land Disturbance Permit, a revised Site Plan based on certified boundary survey of the entire property zoned, incorporating the stipulations of these conditions of zoning approval at a meeting or exceeding the requirements of the Zoning ~~Resolution~~ Ordinance.
 - b. To submit to the Director of Public Works for his approval, prior to any defoliation or alteration of the site, a Land Disturbance application which shall include a grading plan including phasing, a hydrological study, a separate soil sedimentation and erosion control plan, and proposed provisions for permanent storm water retention and the method of continuing maintenance of these facilities.
 - c. To submit to the Director of Public Works for his approval, prior to the approval of a Land Disturbance Permit, a detailed landscape and/or tree protection plan for all required buffers, landscape strips, and tree protection zones. Said landscaping for each phase of development shall be in place within 90 days after the issuance of Certificate of Occupancy or the connection of permanent power for each phase is provided, however, that all landscaping shall be in place prior to the issuance of a Certificate of Occupancy or the connection of permanent power for the final phase of the development.
3. To the owner agreement to the following site development considerations:
 - a. Provide a natural buffer, undisturbed except for approved access and utility crossings, improvements, and replanting where sparsely vegetated and subject to the approval of the ~~Fulton County~~ Sandy Springs Arborist, Adjacent to the following property lines and in the widths shown (the width of the buffers shall be measured from the limits of construction for existing and proposed public roadways as applicable):

Provide a 25-foot wide landscape strip planted to buffer standards with an additional 10-foot setback for all improvements and an additional building setback of 50 feet or as may be approved by the Director of **Community Development Services** adjacent to all property zoned Single Family Residential (97VC-149).

40 feet wide along the right-of-way of Georgia 400. Two landscape walls are allowed in said buffer outside of any tree line areas as shown on the site plan submitted to the Development Services Department on June 9, 1997 pursuant to 97ZM-038NFC (97VC-149).

- b. Provide a 20 foot wide landscape strip, planted to buffer standards, outside of the new dedicated right-of-way of Roberts Drive. Said landscape strip shall include a minimum 4-foot high landscape earth berm with a maximum slope of 2 to 1 subject to the approval of the Director of **Planning and Economic Community Development** and the **Sandy Springs** Arborist.
- c. Any exterior illumination on the site shall not exceed 1.2 foot candles on any property line adjacent to a residential use or zoning district, nor will the light source be directly visible from adjoining properties.
- d. No more than 2 exit/entrances on Roberts Drive to be located a minimum of 250 feet from the existing right-of-way of Northridge Road or any other curb cut, subject to the approval of the Director of Public Works.
- e. The exterior of all concrete blocks shall be coated with an architectural treatment (e.g., epoxy, stucco, brick veneer, etc.) or an alternate solution as many be approved by the Director of **Planning and Economic Community Development**.
- f. Limit the free-standing project identification signage on the entire property to no more than two unlighted, double faced monument signs adjacent to Roberts Drive, having no more than 20 square feet of surface area per face and further not to exceed a height of 4 feet from finished grade measured from the base of the sign structure (95ZM-063).
- g. ~~No roof signs are permitted and not wall signs are permitted other than the one wall sign directly facing and having exposure to Georgia Highway 400 (95ZM 063).~~ **To allow a street facing wall sign on the building directly facing Georgia Highway 400 and a wall sign on the retaining wall, not exceeding 45 square feet pursuant to the sign detail, submitted by the applicant, and dated received June 1, 2010 by the Department of Community Development.**
- h. Provide landscape islands throughout the parking areas, including a minimum 10 foot wide landscape island at the end of each parking bay and 5 foot wide Landscape Island for each 150 feet of length. Said parking islands must be planted with shade trees, subject to the approval of the **Fulton County Sandy Springs** Arborist.
- i. Provide and maintain off-street parking on the subject property during construction period.
- j. Provide interparcel access to adjacent property(ies) as may be required by the Director of Public Works.

4. To the owner's agreement to abide by the following requirements, dedications and improvements.
 - a. Dedicate at no cost to ~~Fulton County~~ Sandy Springs, prior to the approval of a Land Disturbance Permit, sufficient land as necessary to provide a minimum of 45 feet of right-of-way from the centerline of Roberts Drive, and dedicate at no cost to ~~Fulton County~~ 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 improve said road 26 feet from center of road to back of curb, and further to allow the necessary construction easements while the right-of-way is being improved.
 - b. Pay a fair share of the cost of signalization of the Northridge Road/Georgia 400/Roberts Drive intersection as determined by the Director of Public works.
 - c. Construct a left turn lane northbound on Roberts Drive for each project entrance. Said turn lanes shall be a minimum of 200 feet long with a 50 foot taper.
 - d. Connect to metropolitan water and public sanitary sewer available to the site as well as pay all required tap-on fees, from footage assessments and the pro-rated share of the cost of public utility extensions as determined by the Department of Public Works.
 - e. Provide designated fire lanes adjacent to all structures and provide water mains, fire hydrants and access for fire-fighting equipment as required by the ~~Fulton County~~ Sandy Springs Fire Department.
 - f. Design required on- site storm water detention facilities such that they are not located within any required buffers, landscape strips or on required parking areas.
 - g. Construct sidewalks along entire property frontage on Roberts Drive. Said sidewalks shall be in place prior to the issuance of a Certificate of Occupancy or the connection of permanent power for the development.
5. To the owner's agreement to abide by the following:
 - a. To contact the Director of Public Works, prior to the application for Land Disturbance Permit, to arrange with the ~~County~~ 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 ~~Fulton County~~ Sandy Springs Tree Preservation Ordinance Administrative Guidelines, either through the retention of existing trees, or tree replacement, in perpetuity.
6. To the owner's agreement that the owner and the Northridge Community Association, Inc. have mutually agreed upon the stipulations, enumerated as 1 through 9 in the agreement dated August 5, 1987 and stipulated in (Z87-040) are incorporated into the conditions by mutual consent of both parties.