

STATE OF GEORGIA
COUNTY OF FULTON

AN ORDINANCE TO REZONE TO C-1 (COMMUNITY BUSINESS DISTRICT) TO ALLOW THE PROPERTY TO LEASE TO A BROADER RANGE OF TENANTS THAN THOSE SPECIFIED IN THE CONDITIONS OF Z81-108, PROPERTY LOCATED AT 220 SANDY SPRINGS CIRCLE

BE IT ORDAINED by the City Council for the City of Sandy Springs, Georgia while in regular session on March 1, 2011 at 6:00 p.m. as follows:

SECTION 1. That the Zoning Ordinance of the City of Sandy Springs be amended, and the maps established in connection therewith be changed so that the following property located at 220 Sandy Springs Circle, consisting of a total of approximately 4.12 acres, be changed from the C-1 (Community Business District) to C-1 (Community Business District), to wit;

ALL THAT TRACT or parcel of land lying and being Land Lot 89 of the 17th 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 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 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 That all ordinances or part of ordinances in conflict with the terms of this ordinance are hereby repealed; and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.

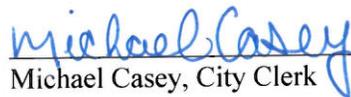
APPROVED AND ADOPTED this the 1st day of March, 2011.

Approved:



Eva Galambos, Mayor

Attest:


Michael Casey, City Clerk

(Seal)



TRACT DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 89 OF THE 17TH LAND DISTRICT, FULTON COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO LOCATE THE TRUE POINT OF BEGINNING, COMMENCE FROM THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF SANDY SPRINGS CIRCLE (HAVING A VARIABLE WIDTH RIGHT-OF-WAY) AND THE CENTERLINE OF JOHNSON FERRY ROAD IF THE SAID WESTERLY RIGHT-OF-WAY LINE OF SANDY SPRINGS CIRCLE WERE EXTENDED NORTHERLY TO SAID CENTERLINE, THENCE RUNNING SOUTHERLY ALONG THE WESTERLY MARGIN OF THE RIGHT-OF-WAY LINE OF SANDY SPRINGS CIRCLE AND FOLLOWING THE CURVATURE THEREOF A DISTANCE OF 274.00 FEET TO A POINT; THENCE NORTH 63 DEGREES 07 MINUTES 30 SECONDS WEST A DISTANCE OF 5.74 FEET TO AN IRON PIN FOUND (ONE HALF INCH REBAR) AT THE TRUE POINT OF BEGINNING; THENCE FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED AND CONTINUING ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SANDY SPRINGS CIRCLE THE FOLLOWING TWO COURSES AND DISTANCES: ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 2734.56 FEET, AN ARC DISTANCE OF 368.58 FEET, BEING SUBTENDED BY A CHORD BEARING OF SOUTH 06 DEGREES 28 MINUTES 04 SECONDS EAST AND A CHORD DISTANCE OF 368.30 FEET TO A POINT; THENCE SOUTH 10 DEGREES 19 MINUTES 53 SECONDS EAST A DISTANCE OF 147.41 FEET TO AN IRON PIN FOUND (ONE HALF INCH REBAR); THENCE DEPARTING THE SAID WESTERLY RIGHT-OF-WAY LINE OF SANDY SPRINGS CIRCLE AND ALONG A PROPERTY LINE OF PROPERTY NOW OR FORMERLY BELONGING TO SANDY SPRINGS CHAPEL, INC. NORTH 72 DEGREES 08 MINUTES 26 SECONDS WEST A DISTANCE OF 481.83 FEET TO AN IRON PIN FOUND (THREE FOURTHS INCH PIPE); THENCE ALONG A PROPERTY LINE OF PROPERTY NOW OR FORMERLY BELONGING TO PATRICK E. McMAHON NORTH 18 DEGREES 54 MINUTES 46 SECONDS EAST A DISTANCE OF 172.91 FEET TO AN IRON PIN FOUND (ONE HALF INCH REBAR); THENCE ALONG A PROPERTY LINE OF PROPERTY NOW OR FORMERLY BELONGING TO SUZANNE E. WORNER NORTH 18 DEGREES 29 MINUTES 27 SECONDS EAST A DISTANCE OF 129.98 FEET TO AN IRON PIN FOUND (TWO INCH OPEN TOP PIPE); THENCE ALONG A PROPERTY LINE OF PROPERTY NOW OR FORMERLY BELONGING TO CARL L. CLARK ET AL. NORTH 18 DEGREES 09 MINUTES 14 SECONDS EAST A DISTANCE OF 75.31 FEET TO AN IRON PIN FOUND (ONE HALF INCH REBAR); THENCE ALONG A PROPERTY LINE OF PROPERTIES NOW OR FORMERLY BELONGING TO SHEILA CHAMPION AND WILLIAM A. NIX NORTH 18 DEGREES 33 MINUTES 21 SECONDS EAST A DISTANCE OF 127.28 FEET TO AN IRON PIN FOUND (ONE HALF INCH REBAR); THENCE ALONG A PROPERTY LINE OF PROPERTY NOW OR FORMERLY BELONGING TO FULTON COUNTY, GEORGIA SOUTH 63 DEGREES 12 MINUTES 28 SECONDS EAST A DISTANCE OF 257.05 FEET TO THE IRON PIN FOUND (ONE HALF INCH REBAR) AT THE TRUE POINT OF BEGINNING.

SAID TRACT OR PARCEL OF LAND CONTAINS 3.969 ACRES (BEING 172,876 SQUARE FEET) INCLUDING ALL EASEMENTS.

CONDITIONS OF APPROVAL

RZ10-008
220 Sandy Springs Circle

The City of Sandy Springs Mayor and City Council approved the rezoning of property located at 220 Sandy Springs Circle. Rezoning petition RZ10-008 was approved to rezone from C-1 (Community Business District) Conditional to C-1 (Community Business District) to allow the property to lease to a broader range of tenants than those specified in the conditions of Z81-108 by the Mayor and City Council at the March 1, 2011 hearing, subject to the following conditions:

1. To the owners' agreement to restrict the use of the subject properties as follows:
 - a. Retail uses (including non-drive-through restaurants), service commercial activities, complementary non-commercial uses (including offices/clinics), and accessory uses at a maximum density of 10,220 square feet of gross floor area per acre zoned, or a total gross floor area of 40,563 square feet, whichever is less.
 - b. To prohibit the following uses: Adult Establishments, Businesses Performing Specified Sexual Activities, and Massage Parlors, Lingerie/Bathing Suit Modeling. The aforementioned uses shall be prohibited as determined by the Director of Community Development.
 - c. To prohibit Drive-through restaurants.
2. To the owners' agreement to abide by the following:
 - a. To the site plan received by the Department of Community Development on August 17, 2010.
3. To the owner's agreement to abide by the following:
 - a. The owner/developer shall dedicate 45 feet from the centerline of Sandy Springs Circle along the entire street frontage.
4. To reduce minimum yards, landscape strips, and any other development standards to the extent necessary for the existing structures and site improvements, as shown on the Site Plan, to comply with the requirements of the Zoning Ordinance.

