

STATE OF GEORGIA  
COUNTY OF FULTON

**AN ORDINANCE TO REZONE TO C-1 (COMMUNITY BUSINESS DISTRICT)  
CONDITIONAL TO ALLOW ADDITIONAL USES NORMALLY PERMITTED UNDER THE C-1  
ZONING CLASSIFICATION, PROPERTY LOCATED AT 7700-7760 SPALDING DRIVE**

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 official maps established in connection therewith be changed so that the following property located at 7700-7760 Spalding Drive, consisting of a total of approximately 9.02 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 313 of the 6<sup>th</sup> 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**SECTION 4.** That all ordinances or part of ordinances in conflict with the terms of this ordinance are hereby repealed; and

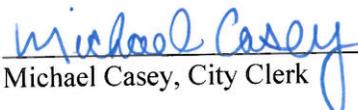
**SECTION 5.** This Ordinance shall become effective upon adoption by the Mayor and City Council and the signature of approval of the Mayor.

APPROVED AND ADOPTED this the 1<sup>st</sup> day of March, 2011.

Approved:

  
Eva Galambos, Mayor

Attest:

  
Michael Casey, City Clerk

(Seal)



SHOWN ON SURVEY.

## Measured Legal Description

All that tract or parcel of land lying and being in Land Lot 313 of the 6<sup>th</sup> District of Fulton County, Georgia, and being more particularly described as follows:

Beginning at a ½ inch rebar set on the northerly right-of-way of Spalding Drive (R/W varies 40' to centerline) said ½ inch rebar set being 384.19 feet southwesterly from its intersection with the southwesterly right-of-way of Holcomb Bridge Road (R/W varies 52' to centerline) as presently located; thence continuing along said right-of-way of Spalding Drive the following courses and distances: South 66 degrees 17 minutes 36 seconds West a distance of 67.68 feet to a point; thence South 61 degrees 29 minutes 39 seconds West a distance of 102.03 feet to a point; thence South 57 degrees 10 minutes 08 seconds West a distance of 86.54 feet to a point; thence South 54 degrees 36 minutes 00 seconds West a distance of 145.84 feet to a point; thence South 55 degrees 17 minutes 38 seconds West a distance of 122.37 feet to a point; thence South 54 degrees 50 minutes 54 seconds West a distance of 91.04 feet to a ½ inch rebar set; thence departing said right-of-way North 21 degrees 34 minutes 08 seconds West a distance of 633.32 feet to a ½ inch rebar found; thence North 66 degrees 54 minutes 19 seconds East a distance of 788.77 feet to a ½ inch rebar set on the said right-of-way of Holcomb Bridge Road; thence along said right-of-way South 42 degrees 15 minutes 53 seconds East a distance of 9.20 feet to a point; thence continuing along said right-of-way South 42 degrees 22 minutes 53 seconds East a distance of 42.40 feet to a ½ inch rebar set; thence departing said right-of-way South 66 degrees 54 minutes 18 seconds West a distance of 164.81 feet to a ½ inch rebar set; thence South 43 degrees 08 minutes 53 seconds East a distance of 139.11 feet to a ½ inch rebar found; thence North 67 degrees 10 minutes 04 seconds East a distance of 179.77 feet to a ½ inch rebar found on said right-of-way of Holcomb Bridge Road; thence along said right-of-way South 43 degrees 49 minutes 53 seconds East a distance of 53.55 feet to a ½ inch rebar found; thence departing said right-of-way South 67 degrees 08 minutes 18 seconds East a distance of 197.73 feet to a ½ inch rebar found; thence South 43 degrees 49 minutes 53 seconds East a distance of 138.06 feet to a ½ inch rebar found; thence South 68 degrees 33 minutes 22 seconds West a distance of 144.83 feet to a ½ inch rebar found; thence South 21 degrees 21 minutes 33 seconds East a distance of 179.29 feet to said ½ inch rebar set and the POINT OF BEGINNING. Said tract containing 9.0207 acres as shown on survey prepared by Pearson & Associates, Inc. dated January 18, 2001.

## CONDITIONS OF APPROVAL

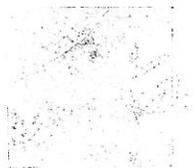
**RZ10-010**  
**7700-7760 Spalding Drive**

The City of Sandy Springs Mayor and City Council approved the rezoning of property located at 7700-7760 Spalding Drive. Rezoning petition RZ10-010 was approved to rezone from C-1 (Community Business District) conditional to C-1 (Community Business District) conditional to allow additional uses normally permitted under the C-1 zoning classification 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 total density of 7,735.81 square feet per acre.
  - 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 September 28, 2010. Said site plan is conceptual only and must meet or exceed the requirements of the Zoning Ordinance, the Development Standards contained therein, 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.
3. To the property owners' agreement to provide the following site development standards:
  - a. To reduce the zoning regulations to the extent necessary for the existing legal non-conforming (grandfathered) structure(s) to comply.



*Shelton & Associates, Inc.*



HOLCOMB BRIDGE ROAD  
R/W VARIES  
(R.A. & STATE ROUTE 140)

SPALDING DRIVE  
R/W VARIES

TOTAL ACREAGE = 9.0207  
792,142.83 SQ. FT.

12-210-010

**RECEIVED**

SEP 28 2010

City of Sandy Springs  
Community Development



SELLIG ENTERPRISES, INC. & OLD REPUBLIC  
NATIONAL TITLE INSURANCE COMPANY  
& LUTHERAN BROTHERHOOD  
PLANS LOT 110 COUNTY, GA. COURSE  
FALCON DIST. CONVEYANCE  
SCALE 1" = 20'



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