

STATE OF GEORGIA  
COUNTY OF FULTON

**TO REZONE FROM O-I (OFFICE AND INSTITUTIONAL DISTRICT) CONDITIONAL AND R-2 (SINGLE FAMILY DWELLING DISTRICT) TO MIX (MIXED USE DISTRICT), PROPERTY LOCATED AT 5775 AND 5795 GLENRIDGE DRIVE**

**BE IT ORDAINED** by the City Council for the City of Sandy Springs, Georgia while in regular session on August 21, 2012 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 5775 and 5795 Glenridge Drive, consisting of a total of approximately 26.03 acres, be changed from O-I (Office and Institutional District) conditional and R-2 (Single Family Dwelling District) to MIX (Mixed Use District), to wit;

ALL THAT TRACT or parcel of land lying and being Land Lot 37 of the 17<sup>th</sup> 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 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 4.** 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 5.** 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**SECTION 6.** That all ordinances or part of ordinances in conflict with the terms of this ordinance are hereby repealed; and

**SECTION 7.** This Ordinance shall become effective upon adoption by the Mayor and City Council and the signature of approval of the Mayor.

## CONDITIONS OF APPROVAL

### **RZ07-021/CV07-020/U07-008 5775 & 5795 Glenridge Drive**

Rezoning petition RZ07-021/CV07-020/U07-008 to rezone the subject property from O-I (Office and Institutional District) conditional and R-2 (Single Family Dwelling District) to MIX (Mixed Use District) is hereby approved by the Mayor and City Council at the August 21, 2012 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 associated accessory uses at a density of 26,893 square feet per acre or 700,000 square feet, whichever is less.
  - b. One (1) freestanding restaurant at a density of 307.34 square feet per acre or 8,000 square feet, whichever is less.
  - c. Residential and associated accessory uses at a density of 19.98 units per acre or 520 units, whichever is less.
  - d. Accessory commercial uses at a density of 1,613.52 square feet per acre or 42,000 square feet, whichever is less. Said accessory commercial uses shall be contained entirely within either the office buildings and/or the residential buildings. Exterior entrances and signage shall be prohibited.
  - e. The maximum height for new office buildings is dependent on the location of the buildings with respect to the curved line dividing the property into two portions as shown on the site plan referenced in condition 2.a. For any new office building to the right of the line and within the southeastern wedge closest to the intersection of Ga.-400 and I-285, the maximum height shall be sixteen (16) stories, exclusive of any penthouses for mechanical equipment. (U07-008). For any new office building to the left of the line and to the north and west of the wedge, the maximum height shall be eight (8) stories, exclusive of any penthouses for mechanical equipment. (U07-008).
  - f. The restaurant shall have a maximum height of one (1) story.
  - g. The residential building shall have a maximum height of 80 feet (7 stories) except that the building shall not exceed 60 feet (4 stories) along the Glenridge Drive frontage (west elevation), excluding any penthouses for mechanical equipment. (U09-009) Any residential buildings shall meet the design standards of the Sandy Springs Overlay District (Article 12B).
  - h. The following uses are prohibited: Amusements, Indoor; Assembly Halls; Automotive Parking Lots; Automotive Specialty Shops; Church, Temple or Other Place of Worship; Funeral Homes; Garage, Automobile Repair including painting, body repair and overhaul of major components; Group Residences; Gymnasiums; Landscaping Business; Garden Center; Lawn Service Businesses; Millinery or Similar Trade whenever products are sold commercial, exclusively on the site where produced; Motels; Personal Care Homes; Plant Nurseries; Repair Shops not involving any manufacturing on the site; Research Laboratories; Service Stations; Stadiums; Theaters; Recycling Centers, Collecting; Automotive Garage; Automotive Repair Garage; Automobile & Light Truck Sales/Leasing; Batting Cage, Outdoor; Bowling Alley; Car Wash;

Check Cashing Establishment; Drive-in Theater; Drive-thru banking facilities; Garage, Automobile Repair; Laundry and/or Dry Cleaning Plant Distribution Center; Pawn Shop; Plumbing Shop associated with commercial sales; Skating Rink; Tinsmithing Shop; Self Storage/Mini; Self Storage/Multi; Drive-thru restaurants.

2. To the owner's agreement to abide by the following:
  - a. To the site plan dated June 11, 2012 and received by the Department of Community Development on June 12, 2012 (as entered pursuant to the Court Order of May 14, 2012). 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.
3. To the owner's agreement to provide the following site development standards:
  - a. The minimum design standards are:
    - Minimum front yard: 40 feet
    - Minimum side yard: 10 feet
    - Minimum rear yard: 10 feet
    - Minimum internal setback: 0 feet
    - Minimum landscaping and buffering between uses: 0 feet
    - Minimum heated floor area per dwelling unit: 700 square feet
  - b. The owner/developer shall dedicate fifty-five (55) feet of right-of-way from centerline of Glenridge 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 less than 34% of the site shall be maintained as open space of which 15% shall be green space.
  - d. Prior to issuance of an LDP, the owner/developer shall attempt to provide interparcel access with adjacent properties. Should the owner/developer not come to an agreement on interparcel access at this time with the adjacent property owners, 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 interparcel access along the entirety of the boundary of the adjacent properties, prior to the issuance of an LDP.
  - e. The owner/developer shall update the existing signalization to accommodate the new roadway configuration at the project entrance and provide pedestrian access consistent with current city standards. Said signalization and pedestrian access shall be subject to the approval of the Public Works Department as part of the LDP and shall be installed prior to the issuance of the first Certificate of Occupancy for the development.
  - f. The owner/developer shall install a dedicated northbound right turn lane to serve project entrances on Glenridge Drive. Location and design of said lane shall be subject to the approval of the Public Works Department as part of the LDP and shall be installed prior to the issuance of the first Certificate of Occupancy for the development.

- g. The owner/developer shall install southbound right turn lane from Glenridge Drive onto I-285 westbound ramp. The lane will begin to the south of the existing driveway for the building located at 5730 Glenridge Drive, and the lane taper will begin at the point of tangency of the existing driveway at the travel lane. Location and design of said lane shall be subject to the approval of the Public Works Department as part of the LDP and shall be installed prior to the issuance of the first Certificate of Occupancy for the development.
- h. The owner/developer shall install a parallel lane on the westbound entrance ramp from Glenridge Drive onto I-285. Location and design of said lane shall be subject to the approval of the Georgia Department of Transportation and shall be installed prior to the issuance of the first Certificate of Occupancy for the development.
- i. No outparcel shall have direct access to Glenridge Drive.
- j. To modify the surface parking landscape island requirement to provide for an alternate landscaping plan by maintaining the existing surface parking landscaping as shown on the site plan referenced in condition 2.a. (CV07-020)
- k. The tree buffer at the western boundary line of the property abutting Glenridge Drive, shall be retained as configured on the latest site plan as presented to the City with rezoning application RZ09-010/U09-009/CV09-019 as measured from the dedicated right-of-way. The buffer will be forty feet (40') in width and will be supplemented with understory plantings to provide enhanced visual screen of the development from Glenridge Drive. Plantings will be made subject to approval of the Sandy Springs Arborist and will be located to minimize any adverse impact on the critical root zone of existing trees in the buffer.

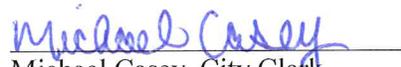
ORDINANCE NO. 2012-08-28  
PETITION NO. RZ07-021/CV07-020/U07-008

APPROVED AND ADOPTED this the 21<sup>st</sup> day of August, 2012.

Approved:

  
Eva Galambos, Mayor

Attest:

  
Michael Casey, City Clerk

(Seal)

