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## CITY COUNCIL AGENDA ITEM

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**TO:** Mayor & City Council                      **DATE:** October 15, 2014

**FROM:** John McDonough, City Manager

**AGENDA ITEM:** **201402384** - 6860 Peachtree-Dunwoody Road & 1001 Peachtree-Dunwoody Court, *Applicant: Edge City Properties, Inc.*, to rezone the subject property from O-I (Office and Institutional District) conditional to A (Medium Density Apartment District) for the construction a 38-unit townhouse dwelling unit development

**MEETING DATE:** For Submission onto the October 21, 2014, City Council Regular Meeting Agenda

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**BACKGROUND INFORMATION:** *(Attach additional pages if necessary)*

See attached:

Memorandum  
Rezoning Petition

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CITY MANAGER APPROVAL: \_\_\_\_\_

PLACED ON AGENDA FOR: **10/21/2014**

CITY ATTORNEY APPROVAL REQUIRED: (  ) YES      (  ) NO

CITY ATTORNEY APPROVAL: \_\_\_\_\_



To: John McDonough, City Manager

From: Angela Parker, Director of Community Development 

Date: October 6, 2014 for submission onto the October 21, 2014 City Council meeting

Agenda Item: **201402384 6860 Peachtree Dunwoody Road and 1000 Peachtree Dunwoody Court** a request to rezone the subject property from O-I (Office and Institutional District) conditional to A (Medium Density Apartment District) to allow the development of 38 townhome units.

**DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION**

**APPROVAL CONDITIONAL** of a request to rezone the subject property from O-I (Office and Institutional District) conditional to A (Medium Density Apartment District) to allow the development of 38 townhome units.

**Discussion:**

To rezone the subject property from O-I (Office and Institutional District) conditional to A (Medium Density Apartment District) to allow the development of 38 townhome units.

Additionally, the applicant is requesting four (4) concurrent variances from the Zoning Ordinance as follows:

1. Variance from Section 4.23.1 to reduce the required front and side corner landscape strip from forty (40) feet to zero (0) feet.
2. Variance from Section 7.3.3.B to reduce the front yard setback from forty (40) feet to five (5) feet.
3. Variance from Section 7.3.3.C to reduce the side setback from forty (40) feet to five (5) feet along Peachtree Dunwoody Court and twenty (20) feet for the rest of the property.
4. Variance from Section 7.3.3.D to reduce the rear yard setback from twenty-five (25) feet to twenty (20) feet.

<b>PROPERTY INFORMATION</b>	
<b>Address, Land Lot, and District</b>	6860 Peachtree Dunwoody Road and 1000 Peachtree Dunwoody Court Land Lot 20, District 17 <sup>th</sup>
<b>Council District</b>	4 (Gabriel Sterling)
<b>Frontage</b>	153.58 feet of frontage along the west side Peachtree Dunwoody Road and 293.58 feet of frontage along Peachtree Dunwoody Court
<b>Area</b>	3.091 acres
<b>Existing Zoning and Use</b>	O-I (Office and Institutional District) under Fulton County zoning case Z85-0074 and Sandy Spring zoning case RZ09-009, currently developed with Place of Worship and office building.
<b>Overlay District</b>	PCID (Perimeter Center Improvement District)
<b>2027 Comprehensive Future Land Use Map Designation</b>	R12-20 (Residential 12 to 20 units per acre)
<b>Proposed Zoning</b>	A (Medium Density Apartment District)

**COMMUNITY DEVELOPMENT**

**APPLICANT/PETITIONER INFORMATION**

**Property Owner**  
Various (on file)

**Petitioner**  
Edge City Properties, Inc.

**Representative**  
Mark W Forsling, Esq

**HEARING & MEETING DATES**

**Community Zoning  
Information Meeting**  
July 22, 2014

**Community Developer  
Resolution Meeting**  
August 28, 2014

**Planning Commission  
Hearing**  
September 18, 2014

**Mayor and City Council  
Hearing**  
October 21, 2014

**DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION**

201402384- APPROVAL CONDITIONAL

201402384 Variance #1-4- APPROVAL CONDITIONAL

**PLANNING COMMISSION RECOMMENDATION- September 18, 2014**

The petition was heard at the September 18, 2014 Planning Commission meeting. Nickles moved to recommend approval seconded by Tart. The Commission recommended **approval** (6-0, Maziar, Frostbaum, Tart, Porter, Nickles and Squire for; and Duncan not voting), with staff's conditions.

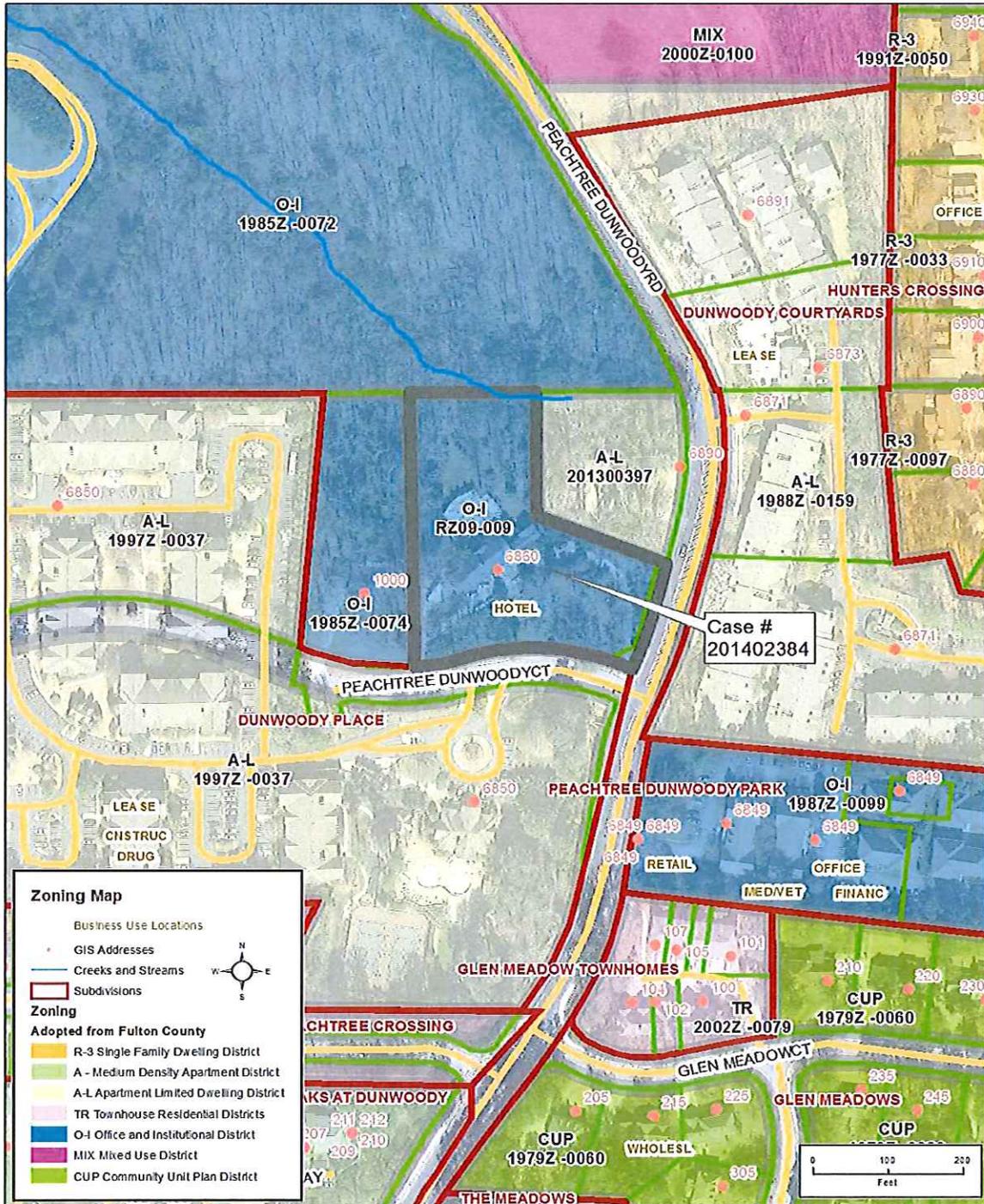
**EXISTING LAND USE AND ZONING OF ABUTTING PROPERTIES**

SUBJECT PETITION 201402384	Requested Zoning	Proposed Use	Land Area (Acres)	Units	Density (Units per Acre)
	A	Townhomes	3.091	38	12.29 units/ac

Location in relation to subject property	Zoning	Use	Land Area (Acres)	Square Footage or Number of Units	Density (Square Feet or Units Per Acre)
North	A-L	6890 Peachtree Dunwoody Road Multi-Family	.97	19	19.59 units/ ac
North	O-I conditional Z85-0072	MARTA – 7010 Peachtree-Dunwoody Road	27.70	1,074,760	38,800sqft/ac
East	A-L conditional Z88-0159	Dunwoody Courtyard apartments – 6871 Peachtree-Dunwoody Road	8.50	240 units	28.23 units/acre
Southeast	O-I conditional Z87-0099	Peachtree-Dunwoody Park office park – 6849 Peachtree-Dunwoody Road	4.0213	50,000 square feet	12,557 sf/acre
South & West	A-L conditional Z97-0037	Dunwoody Place apartments – 6850 Peachtree-Dunwoody Road	17.81	398 units	22.35 units/acre

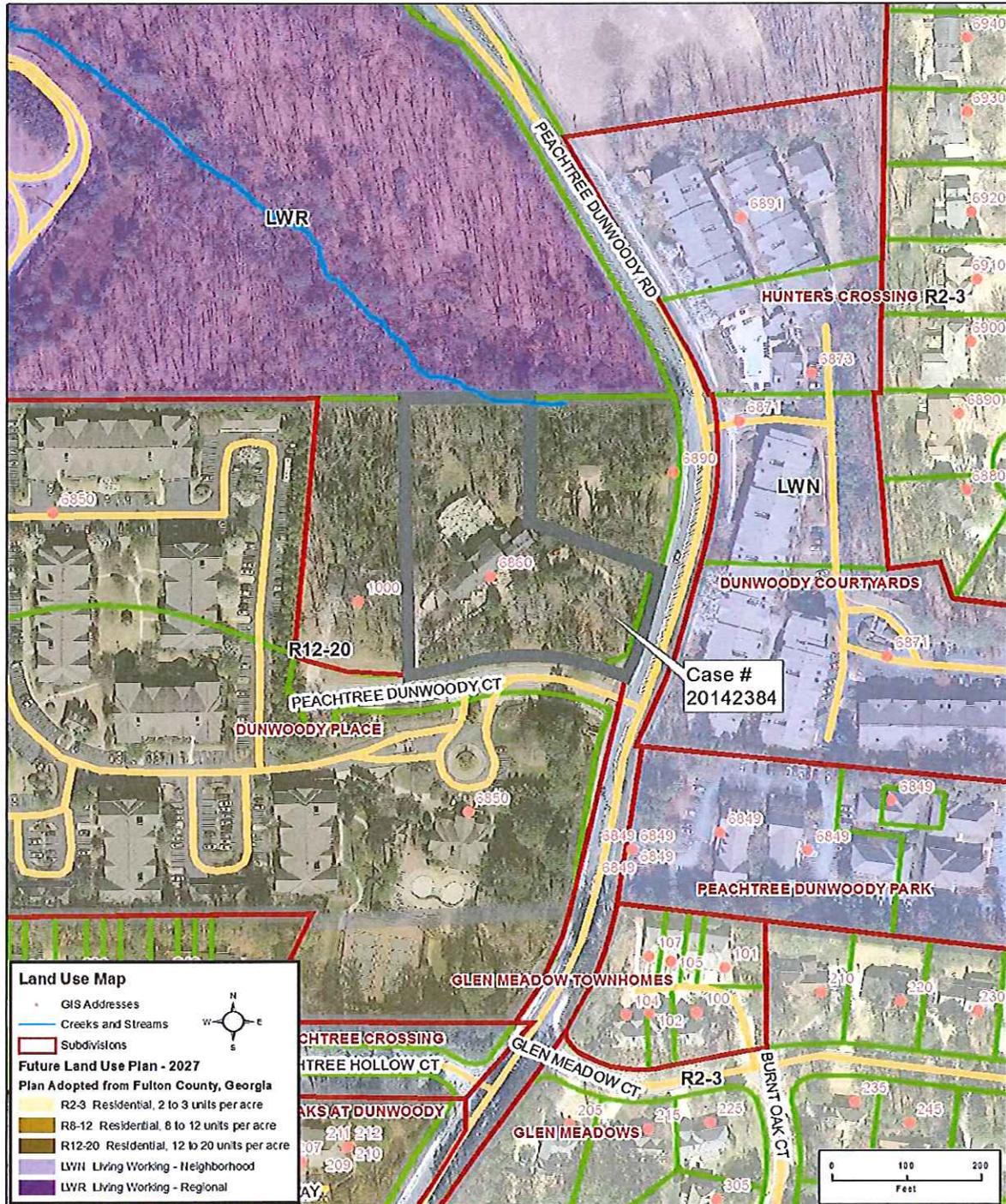
Zoning Map

6860 Peachtree Dunwoody Road



Future Land Use Map

6860 Peachtree Dunwoody Road



Prepared by the City of Sandy Springs Department of Community Development for the Mayor and City Council Meeting October 21, 2014

## ZONING IMPACT ANALYSIS

Per Article 28.4.1, *Zoning Impact Analysis by the Planning Commission and the Department*, the staff shall make a written record of its investigation and recommendation on each rezoning petition with respect to the following factors:

*A. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.*

Findings: The staff is of the opinion that the proposed use is suitable in view of the use and development of adjacent and nearby property. The surrounding area consists O-I (Office and Institution District) and A-L (Apartment Limited Dwelling District) to the north; A-L (Apartment Limited Dwelling District) to the east, south and west.

*B. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.*

Findings: The staff is of the opinion that the proposal if approved will not have an adverse impact on the use or usability of adjacent or nearby properties because the use would be consistent with adjacent properties. The Future Land Use map recommends R12-20 (12 to 20 units per acre). The proposed density of 12.29 is consistent with the Comprehensive Plan density of 12-20 units/acre recommended in R12-20 (12 to 20 units per acre). The application meets the land use policies set forth in the Comprehensive Plan. The surrounding properties consist of a variety of housing and office uses. Additionally, other plan policies that staff considered in developing the recommendation for this proposal are the creation of a mixture of housing types, especially workforce housing for the area.

*C. Whether the property to be affected by the zoning proposal may have reasonable economic use as currently zoned.*

Findings: The staff is of the opinion that the subject property has a reasonable economic use as currently zoned.

*D. Whether the zoning proposal will result in a use which will or could cause an excessive burdensome use of existing streets, transportation facilities, utilities, or schools.*

Findings: The staff is of the opinion that the proposal will not result in a use which will cause an excessive or burdensome use of the existing infrastructure. The proposed development will be required to meet all current City codes and ordinances, which will require a stormwater management system.

*E. Whether the zoning proposal is in conformity with the policies and intent of the land use plan.*

Findings: The staff is of the opinion that the proposed use is consistent with the intent of the Comprehensive Plan. The Plan recommends densities of R12-20 (12 to 20 units per acre). The applicant is proposing a density 12.29 units per acre. This proposal is well within the requirements of the R12-20 category. Additionally, other plan policies that staff considered in developing the recommendation for this proposal are the creation of a mixture of housing types, especially workforce housing for the area.

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F. *Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.*

Findings: The staff is of the opinion that there are no existing or changing conditions affecting the use and development of the property, which give supporting grounds for approval or denial of the applicant's proposal.

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G. *Whether the zoning proposal will permit a use which can be considered environmentally adverse to the natural resources, environment and citizens of Sandy Springs.*

Findings: The staff is of the opinion that the proposal would not permit a use which could be considered environmentally adverse to the natural resources, environment, or citizens of Sandy Springs. The proposal will be required to meet all current City codes.

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#### **VARIANCE CONSIDERATIONS**

Article 22 Appeals, of the Zoning Ordinance indicates the following are considerations in granting variances, of which only one has to be proven:

1. *Relief, if granted, would be in harmony with, or, could be made to be in harmony with, the general purpose and intent of the Zoning Ordinance; or,*
2. *The application of the particular provision of the Zoning Ordinance to a particular piece of property, due to extraordinary and exceptional conditions pertaining to that property because of its size, shape, or topography, would create an unnecessary hardship for the owner while causing no detriment to the public; or*

The applicant is requesting four (4) concurrent variances as outlined below. The applicant has indicated that the variances being requested will be in harmony with the policy and intent of the Zoning Ordinance and will not result in any harm to the health, safety and welfare of the general.

1. Variance from Section 4.23.1 to reduce the required front and side corner landscape strip from forty (40) feet to zero (0) feet (Peachtree Dunwoody Road)

Findings:

*Staff is of the opinion that the request to reduce the forty (40) foot front landscape strip to zero (0) is in harmony with the intent on the Zoning Ordinance and would not cause a detriment to the public. The proposal is within walking distance to the MARTA station. Pulling houses closer to the road creates a more walkable environment. Additionally, the reduction in the setback moves the development away from the stream buffer. Therefore, based on these reasons, the staff recommends APPROVAL of this variance request.*

2. Variance from Section 7.3.3.B to reduce the front yard setback from forty (40) feet to five (5) feet (Peachtree Dunwoody Road).

Findings:

*Staff is of the opinion that the request to reduce the forty (40) foot front setback to five (5) feet is in harmony with the intent on the Zoning Ordinance and would not cause a detriment to the public. The*

*proposal is within walking distance to the MARTA station. Pulling houses closer to the road creates a more walkable environment. Additionally, the reduction in the setback moves the development away from the stream buffer. Therefore, based on these reasons, the staff recommends APPROVAL of this variance request.*

3. Variance from Section 7.3.3.C to reduce the side setback from forty (40) feet to five (5) feet along Peachtree Dunwoody Court and twenty (20) feet for the rest of the property.

**Findings:**

*Staff is of the opinion that the request to reduce the forty (40) foot side setback to five (5) feet along Peachtree Dunwoody Court and twenty (20) feet for the rest of the property is in harmony with the intent on the Zoning Ordinance and would not cause a detriment to the public. The proposal is within walking distance to the MARTA station. Pulling houses closer to the road creates a more walkable environment. Additionally, the reduction in the setback will pull the site forward out of the stream buffer. Therefore, based on these reasons, the staff recommends APPROVAL of this variance request.*

4. Variance from Section 7.3.3.D to reduce the rear yard setback from twenty-five (25) feet to twenty (20) feet.

**Findings:**

*Staff is of the opinion that the reduction of the required twenty-five (25) foot side setback to twenty (20) feet is in harmony with the intent of the Zoning Ordinance. The proposed areas of the encroachment are adjacent to more intense uses, which would not cause a detriment to the public. Therefore, based on these reasons, the staff recommends APPROVAL of this variance request.*

**DEPARTMENT COMMENTS**

The staff held a Focus Meeting with Transportation, Building and Permitting, Fire, Code Enforcement, Site Development, and the Arborist on August 6, 2014 at which no departments had comments. The staff has received additional comments from the Fulton County Board of Education and Fulton County Department of Water Resources, Fulton County Health Department and City of Atlanta Water (see attachments).

**PUBLIC INVOLVEMENT**

*Public Comments*

- None

**CONCLUSION TO FINDINGS**

The Comprehensive Plan clearly supports a variety of housing types and uses. It is the opinion of the staff that the proposal of 12.29 units per acre is in conformity with the intent of the Comprehensive Plan Policies. The Comprehensive Plan recommends R-12-20 (12 to 20 units per acre). Additionally the densities are similar to the abutting properties. Therefore, based on these reasons, the staff recommends APPROVAL CONDITIONAL of the rezoning petition and the concurrent variances numbers 1- 4.

<b>STAFF RECOMMENDED CONDITIONS</b>
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Should the Mayor and City Council decide to rezone the subject properties from O-I (Office and Institutional District) to A (Medium Density Apartment District), the staff recommends the approval be subject to the following conditions. The applicant's agreement to these conditions would not change staff recommendations. These conditions shall prevail unless otherwise stipulated by the Mayor and City Council.

1. To the owner's agreement to restrict the use of the subject property as follows:
  - a. Townhouses at a density of 12.29 units per acre or 38 units, whichever is less.
2. To the owner's agreement to abide by the following:
  - a. To the site plan received by the Department of Community Development dated July 1, 2014. 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.
3. To the owner's agreement to provide the following site development standards:
  - a. Streetscape to reduce the required front and side corner landscape strip from forty (40) feet to zero (0) feet (CV201402384 #1)
  - b. To reduce the front yard setback from forty (40) feet to five (5) feet. (CV201402384 #2)
  - c. To reduce the side setback from forty (40) feet to five (5) feet along Peachtree Dunwoody Court and twenty (20) feet for the rest of the property. (CV201402384 #3)
  - d. To reduce the rear yard setback from twenty-five (25) feet to twenty (20) feet. (CV201402384 #4)

#### Attachments

- Letter of Intent dated received July 1, 2014
- Site Plan dated received July 1, 2014
- Additional comments from the Fulton County Department of Water Resources, Fulton County Department of Health Services , Fulton County School System Impact Report and City of Atlanta Water
- Public Comment Letter of support (1)
- Public Comment Letter of opposition (1)

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City of Sandy Springs  
Community Development

LETTER OF INTENT

Edge City Properties, Inc. seeks rezoning of approximately 3.091 acres located at the intersection of Peachtree Dunwoody Road, N.E. and Peachtree Dunwoody Court (the "Property"). The Property is currently zoned O-I (Office-Institutional) and is being utilized by its current tenant as a Buddhist meditation center.

The applicant requests a rezoning to the A Medium Density Apartment zoning classification for the development of thirty-eight (38) attached fee simple townhomes. The thirty-eight (38) residential homes results in a density of 12.29 units per acre. Although the property frontage is located along Peachtree Dunwoody Road, the residents of the proposed development will access the property along Peachtree Dunwoody Court.

The conceptual site plan shows that the applicant anticipates that eleven (11) of the townhome units will be front entry units, while twenty-seven (27) of the units will be rear entry units. The townhomes shall have a minimum of 1,500 square feet of heated flooring space (excluding garages), which exceeds the minimum unit requirement of 1,100 square feet as provided by Section 7.3.3.I of the Sandy Springs Zoning Ordinance.

The Property suffers from hardships which are unique to the Property consisting of topographical, size and shape constraints due to the existence of a mandated seventy-five foot undisturbed stream buffer along the northern edge of the Property and an irregular shape. Further, although the property fronts along Peachtree Dunwoody Road, these six units will have vehicular entrance from the interior of the property.

The applicant seeks approval of the following four (4) concurrent variances:

- (1) Reduce front yard setback along Peachtree Dunwoody Road from 40' to 5';
- (2) Reduce side yard setback along Peachtree Dunwoody Court from 40' to 5' and from 40' to 20' otherwise;
- (3) Reduce rear yard setback from 25' to 20'; and
- (4) Reduce front yard landscape strip from 40' to 0'.

The approval of these concurrent variances will conform with the policies and intent of the zoning ordinance and will be in harmony with the policies and intent thereof. The reduction in the setbacks will promote the urban design which encourages the placement of townhomes such as these along the adjoining right of way and promotes integration of the townhomes with the street-scape. Further, the approval of these concurrent variances will not cause any harm to the health, safety or welfare of the general public and, conversely, will bring a much needed homeownership development to this particular area of Peachtree Dunwoody Road.

The comprehensive land use plan for Sandy Springs suggests that the Property be redeveloped for residential use at a density of 12-20 units per acre. Accordingly, this application for rezoning and concurrent variances at a density of 12.29 units per acre does not exceed the recommended density by the comprehensive land use plan, and is actually at the low end of the density suggested by the comprehensive land use plan. The proposed development of the property is therefore consistent with the comprehensive land use plan and provides for a development consistent with current design policies of encouraging the integration of medium density residential development into the adjoining streetscape.

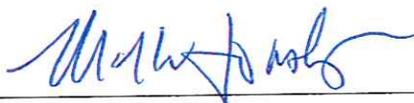
In accordance with the requirements of law, the applicant attaches his constitutional assertions on Exhibit "A" attached hereto in the event the application is denied.

Now, therefore, the applicant requests that this application for rezoning and concurrent variances be approved in order to allow the applicant to proceed with a lawful use, enjoyment and development of the Property.

APPLICANT:

Edge City Properties, Inc.

By:   
Michael K. Dye, President

  
Mark W. Forsling  
Attorney for Applicant

SCHREEDER, WHEELER & FLINT, LLP  
1100 Peachtree Street, N.E.  
Atlanta, Georgia 30309  
(404) 681-3450

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EXHIBIT "A"

PRESERVATION OF CONSTITUTIONAL RIGHTS

The failure to allow Applicant's proposed use or to grant the requested zoning would constitute a taking of private property without just compensation and without due process in violation of the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph I of the Constitution of the State of Georgia. Denial of the application would constitute an arbitrary, irrational abuse of discretion and unreasonable use of the zoning power because it would bear no substantial relationship to the public health, safety, morality or general welfare of the public and substantially harm the Applicant in violation of the due process and equal protection rights guaranteed by the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph I of the Constitution of the State of Georgia.

The Applicant respectfully submits that the City Council's failure to approve the requested rezoning would be unconstitutional and would discriminate in an arbitrary, capricious and unreasonable manner between the Subject Property's owner and owners of similarly situated property in violation of Article I, Section III, Paragraph I of the Constitution of the State of Georgia and the Equal Protection Clause of the Fourteenth Amendment of the Constitution of the United States.

A refusal to allow the use in question would be unjustified from a fact-based standpoint and instead would result only from constituent opposition, which would be an

unlawful delegation of authority in violation of Article IX, Section II, Paragraph IV of the Georgia Constitution.

A refusal to allow the use in question would be invalid inasmuch as it would be denied pursuant to an ordinance which is not in compliance with the Zoning Procedures Law, O.C.G.A. § 36-66-1 et seq., due to the manner in which the Ordinance as a whole and its map(s) have been adopted.

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City of Sandy Springs  
Community Development







## MEMORANDUM

**TO:** Linda Abaray, Senior Planner  
City of Sandy Springs, Department of Community Development

**FROM:** Monica Robinson, B.S., M.B.A., Environmental Planner  
Department of Health and Wellness, Office of the Director

**DATE:** August 15, 2014

**SUBJECT:** Zoning Comments for August 2014

<b>AGENDA ITEM</b>	<b>ZONING COMMENTS</b>
201402366	<p>If a plat is anticipated for this property, the Fulton County Department of Health and Wellness requires that the plat be submitted for review and approval regarding water supply and sewage disposal prior to the approval by the appropriate jurisdiction and recording. The owner may not sell, offer for sale, lease, begin construction or begin physical improvements of an exemption/minor plat development, nor shall a building permit be issued until this Department has reviewed and approved the plat.</p> <p>The Fulton County Department of Health and Wellness recommends that the applicant be required to connect the proposed development to public water available to the site.</p> <p>If public sanitary sewer is available to the site, the Fulton County Department of Health and Wellness will require mandatory connection. As per Fulton County Code of Ordinances and Code of Resolutions, Chapter 34 – Health and Sanitation, Article XI – “Sewage Disposal”, public sanitary sewer is considered available if it is within 200 feet of the nearest property line of the development, such distances being measured along the appropriate natural drainage course (gravity flow).</p> <p>If public sewer is unavailable to the site, this Department requires that each lot be a minimum of 43,560 square feet and have 30,000 square feet minimum usable area to be considered for use of onsite sewage management system(s). This Department will require all necessary percolation and soil data, required plans, and supportive data be submitted for review and determined acceptable prior to preliminary plat and/or Land Disturbance Permit (LDP) approval.</p> <p>Since this proposed development constitutes a premise where people work, live, or congregate, onsite sanitary facilities will be mandatory, prior to use or occupancy.</p> <p>If this proposed development includes an existing individual onsite sewage management system(s), and the system(s) will be abandoned, it shall be abandoned in accordance with Fulton County regulations.</p> <p>If this proposed development includes an existing individual onsite water supply system(s), and the system(s) will be abandoned, it shall be abandoned in accordance with Fulton County regulations.</p> <p>This department is requiring that existing structures that will be demolished be inspected by a certified pest control operator to insure that the premise is rat free. If evidence of rodent infestation is found, the property must be baited prior to demolition.</p> <p>Research shows that childhood exposure to traffic exhaust when living near a freeway can lead to substantial deficits in lung function that can last a lifetime and can increase the risk of developing allergies and asthma. In addition, exposure to traffic noise increases blood pressure, and long-term exposure to air pollution is known to increase the risk of death from heart disease.</p>

AGENDA ITEM	ZONING COMMENTS
201402368	<p>The Fulton County Department of Health and Wellness will require that the applicant connects the proposed development to public water and public sanitary sewer available to the site.</p> <p>Since this proposed development constitutes a premise where people work, live, or congregate, onsite sanitary facilities will be mandatory, prior to use or occupancy.</p> <p>The commercial parts of this development must comply with the Fulton County Code of Ordinances and Code of Resolutions, Chapter 34 – Health and Sanitation, Article III – Smokefree Air.</p> <p>If this proposed development includes a food service facility as defined in Fulton County Code of Ordinances and Code of Resolutions, Chapter 34 – Health and Sanitation, Article V – Food Service, the owner must submit kitchen plans for review and approval by this department before issuance of a building permit and beginning construction. The owner must obtain a food service permit prior to opening.</p> <p>If this proposed development includes a public swimming pool as defined in Fulton County Code of Ordinances and Code of Resolutions, Chapter 34 – Health and Sanitation, Article XII – Swimming Pools and Natural Bathing Beaches (including spas, whirlpools, etc.), the owner or contractor must submit plans and approval by this department and must obtain a Department of Health Services permit to construct, modify, or renovate before issuance of a building permit. Also, the owner of the facility must obtain a Department of Health and Wellness permit to operate the pool prior to opening.</p> <p>This Department is requiring that plans indicating the number and location of outside refuse containers along with typical details of the pad and approach area for the refuse containers be submitted for review and approval.</p>
201402384	<p>The Fulton County Department of Health and Wellness will require that the applicant connects the proposed townhome and residential development to public water and public sanitary sewer available to the site.</p> <p>Since this proposed development constitutes a premise where people work, live, or congregate, onsite sanitary facilities will be mandatory, prior to use or occupancy.</p> <p>This department is requiring that existing structures that will be demolished be inspected by a certified pest control operator to insure that the premise is rat free. If evidence of rodent infestation is found, the property must be baited prior to demolition.</p>

AGENDA ITEM	ZONING COMMENTS
201402388	<p>The Fulton County Department of Health and Wellness will require that the applicant connects the proposed gas station development to public water and public sanitary sewer available to the site.</p> <p>Since this proposed development constitutes a premise where people work, live, or congregate, onsite sanitary facilities will be mandatory, prior to use or occupancy.</p> <p>This development must comply with the Fulton County Code of Ordinances and Code of Resolutions, Chapter 34 – Health and Sanitation, Article III – Smokefree Air.</p> <p>If this proposed development includes a food service facility as defined in Fulton County Code of Ordinances and Code of Resolutions, Chapter 34 – Health and Sanitation, Article V – Food Service, the owner must submit kitchen plans for review and approval by this department before issuance of a building permit and beginning construction. The owner must obtain a food service permit prior to opening.</p> <p>This Department is requiring that plans indicating the number and location of outside refuse containers along with typical details of the pad and approach area for the refuse containers be submitted for review and approval.</p> <p>This Department is requiring that existing structures that will be demolished be inspected by a certified pest control operator to insure that the premise is rat free. If evidence of rodent infestation is found, the property must be baited prior to demolition.</p> <p>This department encourages that the owner reduce any potential pollution of the air and soil by consistently following best practices and complying with all applicable mandates.</p>
201402339	<p>If this property is served by an onsite sewage management system(s), plans for the proposed pool and fence must be submitted to this department for review and approval.</p>
201402352	<p>If this property is served by an onsite sewage management system(s), plans for the proposed deck/patio modification must be submitted to this department for review and approval.</p>

## COMMENTS ON PUBLIC SERVICES AND UTILITIES

**NOTE:** Various Fulton County departments or divisions that may or may not be affected by the proposed development provide the following information. Comments herein are based on the applicant's conceptual site plan and are intended as general non-binding information and in no manner suggest a final finding by the commenter. All projects, if approved, are required to complete the City of Sandy Springs and the Fulton County Plan Review process prior to the commencement of any construction activity.

### **WATER AND WASTEWATER (SEWER):**

#### **WATER:**

Anticipated water demand: 270 gallons per day (gpd) per residential townhouse unit x 38 units = 10,260 gallons per day (gpd).

This project is within the City of Atlanta water jurisdiction.

#### **SEWER:**

Basin: Marsh Creek

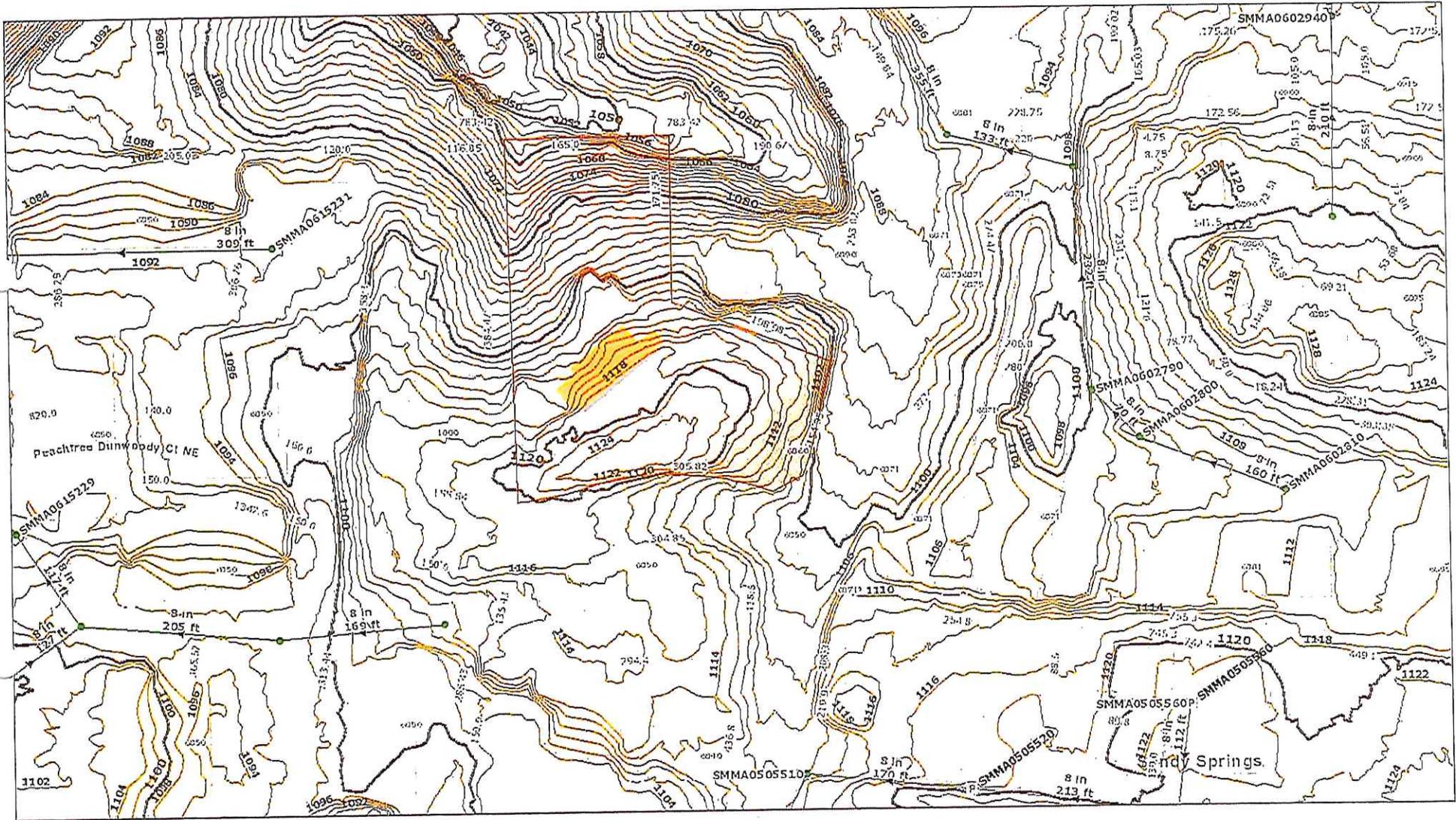
Treatment Plant: R.L. Sutton (Cobb County)

Anticipated sewer demand: 9,234 gallons per day

There is a wastewater manholes approximately 115 feet west of the 1.164 acre tract (1000 Peachtree Dunwoody Court) (ending with sewer manhole # **SMMA0615231**) located in Land Lot 20, District 17.

Comments: This information does not guarantee that adequate sewer capacity is available at this time or will be available upon application of permits. Please contact the Department of Public Works for more information.





0 0.015 0.03 0.045 mi

Date: 8/13/2014

Map file: 17x11 (TABL010)

### 6860 PEACHTREE DUNWOODY RD.

Fulton County provides this data as a map for your personal use only. The data was prepared from aerial photography, ground surveys, and other sources. The data is not guaranteed to be accurate, complete, or up-to-date. Fulton County assumes no responsibility for issues resulting from the use of this data, even if Fulton County is a user of the data.



Prepared By:  
GIS Section  
Water Resources Department  
Fulton County Government

Property Profile for **6860 PEACHTREE DUNWOODY RD**

**Property Tax Information**

Tax Year 2014  
 Parcel ID 17 002000010025  
 Property Address 6860 PEACHTREE DUNWOODY RD  
 Owner KADAMPA MEDITATION CENTER  
 NEW YORK  
 Mailing Address 47 SWEENEY RD GLEN SPEY NY  
 12737  
 Total Appraisal \$750,000  
 Improvement Appraisal \$297,700  
 Land Appraisal \$452,300  
 Assessment \$0  
 Tax District 59  
 Land Area 2.010009 ac  
 Property Class Exempt - Churches  
 Land Use Class Churches, Synagogue, Mosque  
 TAD  
 CID

**Zoning**

Zoning Class not available  
 Overlay District  
 2030 Future Development not available

**Political**

Municipality Sandy Springs  
 Commission District 4  
 Commission Person Tom Lowe  
 Council District not available  
 Council Person not available  
 Voting Precinct SS29A  
 Poll Location 1st Baptist Ch. Sandy Springs, 650  
 Mt Vernon Hwy

Congressional District 006  
 State Senate District 032  
 State House District 080

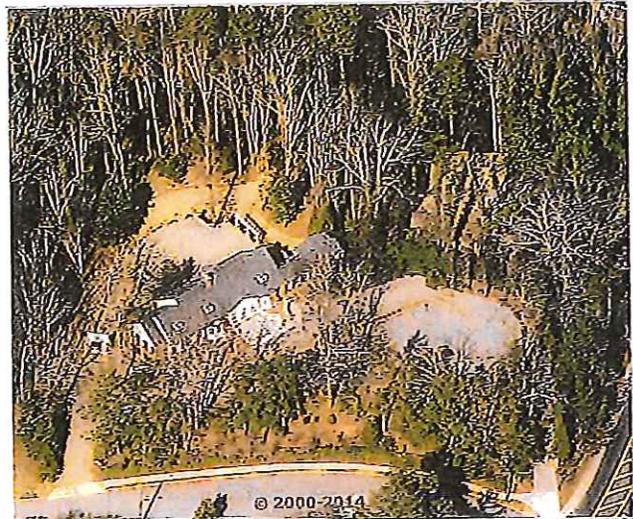
**School Zones**

Elementary School Woodland  
 Middle School Sandy Springs  
 High School North Springs

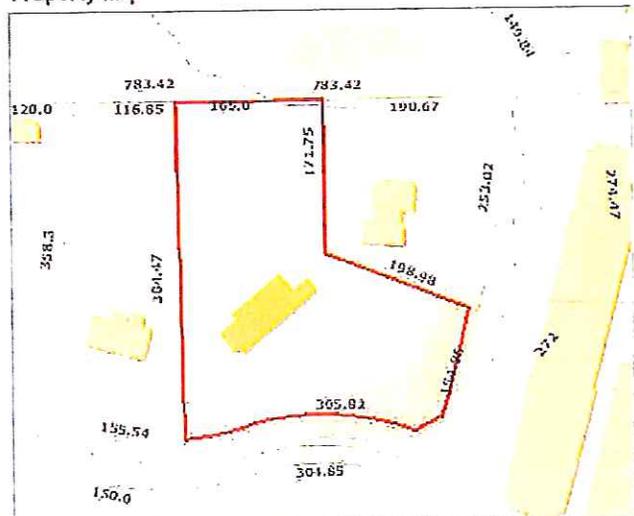
**Other Information**

Zip Code 30328  
 Census Tract 101.22  
 In Less Developed Census Tract No

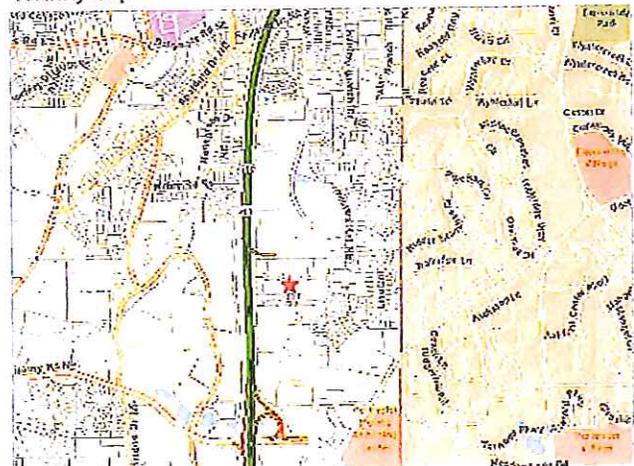
Oblique Aerial View (looking north)



Property Map



Vicinity Map



Property Profile for **1000 PEACHTREE DUNWOODY CT**

**Property Tax Information**

Tax Year 2014  
 Parcel ID 17 002000010033  
 Property Address 1000 PEACHTREE DUNWOODY CT  
 Owner LANZER BARBARA SHANKS ET AL  
 Mailing Address 1005 HAMMOND DR ATLANTA GA 30328  
 Total Appraisal \$233,300  
 Improvement Appraisal \$180,900  
 Land Appraisal \$52,400  
 Assessment \$93,320  
 Tax District 59  
 Land Area 1.164095 ac  
 Property Class Commercial Lots  
 Land Use Class Mixed Residential/Comm (built as res)

TAD  
 CID

**Zoning**

Zoning Class not available  
 Overlay District  
 2030 Future Development not available

**Political**

Municipality Sandy Springs  
 Commission District 4  
 Commission Person Tom Lowe  
 Council District not available  
 Council Person not available  
 Voting Precinct SS29A  
 Poll Location 1st Baptist Ch. Sandy Springs, 650 Mt Vernon Hwy

Congressional District 006  
 State Senate District 032  
 State House District 080

**School Zones**

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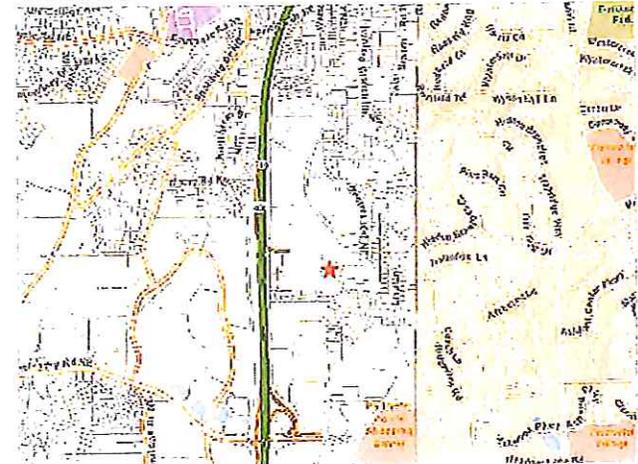
Oblique Aerial View (looking north)



Property Map



Vicinity Map



**Fulton County Schools - Rezoning Impact Statement**

7/28/2014

PETITION: 201402384

*Proposed Residential Units*

JURISDICTION: Sandy Springs

<u>Single-family detached</u>	<u>Townhouses</u>	<u>Apartments</u>	<u>Condominiums</u>
0	38	0	0

HOME SCHOOL	PROJECTED BASELINE ENROLLMENT <sup>A</sup>	GADOE CAPACITY	ESTIMATED # NEW STUDENTS GENERATED	PROJECTED UNDER/OVER CAPACITY <sup>B</sup>			
				WITHOUT DEV		WITH DEV	
Woodland ES	911 to 967	1000	0 to 5	-89 to -33	-89 to -28		
Sandy Springs Charter MS	859 to 913	875	0 to 2	-16 to 38	-16 to 40		
North Springs HS	1,617 to 1,717	1775	0 to 3	-158 to -58	-158 to -55		
<b>TOTAL</b>			0 to 10				

HS REGION: North Springs HS	<u>AVERAGE - 1 STD DEV</u>		<u>AVERAGE + 1 STD. DEV.</u>		
<i>One single-family detached unit generates:</i>	0.000000	to	0.176711		<i>elementary school students</i>
	0.000000	to	0.036594		<i>middle school students</i>
	0.012234	to	0.106988		<i>high school students</i>
<i>One townhouse unit generates:</i>	0.007004	to	0.123488		<i>elementary school students</i>
	0.000000	to	0.041552		<i>middle school students</i>
	0.006959	to	0.079127		<i>high school students</i>
<i>One apartment unit generates:</i>	0.073270	to	0.230894		<i>elementary school students</i>
	0.013858	to	0.051136		<i>middle school students</i>
	0.025386	to	0.105466		<i>high school students</i>
<i>One condominium unit generates:</i>	0.000000	to	0.169492		<i>elementary school students</i>
	0.000000	to	0.040585		<i>middle school students</i>
	0.000000	to	0.112642		<i>high school students</i>

**AVERAGE OPERATIONAL COST PER STUDENT (FY14):**

TOTAL COST: \$12,286	PORTION LOCAL REVENUE SOURCES: \$8,209	PORTION STATE AND OTHER REVENUE SOURCES: \$4,077
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<sup>A</sup> Projected enrollment for the 2014-15 school year based on forecasted enrollment.  
<sup>B</sup> Positive values indicate numbers of students a facility is over state capacity / negative values indicate number of students a facility is under state capacity.  
\* State capacity indicates space. However due to the number of special programs, portable classrooms or other measures may be needed to accommodate the instructional needs of the school.  
\*\* Student yields are calculated annually based on geocode of enrolled FCS students in built-out developments within the high school zone in which the proposed development is located.



Kasim Reed  
MAYOR

**CITY OF ATLANTA**

Jo Ann J. Macrina, PE  
COMMISSIONER

DEPARTMENT OF WATERSHED MANAGEMENT  
72 Marietta Street  
ATLANTA, GEORGIA 30303-3544

July 17 2014

**Linda Abaray**  
Senior Planner  
City of Sandy Springs  
7840 Roswell Road, Bldg. 500  
Sandy Springs, GA 30350

**Subject: Water Availability at 6860 Peachtree-Dunwoody Rd.**

Dear Ms. Abaray

Our records indicate that there is an existing 16 inch water main along the west side of Peachtree-Dunwoody Rd. These water mains are owned and maintained by the City of Atlanta.

To integrate into Atlanta Water System or rearrange water facilities, the developer must submit the following to the City of Atlanta-Bureau of Engineering Services:

1. A set of stamped engineering drawings showing their developmental objectives for review and approval.
2. The enclosed basis of design form to include all applicable information, with a copy of a City of Atlanta fire hydrant flow test. Contact the Bureau of Engineering Services office of Meter Application at 404-330-6091 for payment and scheduling for the flow test.
3. A two thousand dollar deposit (\$2000.00). Check must be payable to City of Atlanta.

Once the plans have been approved, the developer will then receive additional instructions regarding the process and procedures from the Bureau of Engineering Services.

Should additional information be needed, please contact Ron Brown at 404-546-3289 or @ cell # 404 449-2528

Sincerely,

Ron Brown  
Field Engineer

Cc: Parett Smith



Kasim Reed  
MAYOR

**CITY OF ATLANTA**

Jo Ann J. Macrina, PE  
COMMISSIONER

DEPARTMENT OF WATERSHED MANAGEMENT

72 Marietta Street  
ATLANTA, GEORGIA 30303-3544

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Sincerely,

Ron Brown  
Field Engineer

Cc: Paret Smith

**Abaray, Linda**

---

**From:** Gabriel Sterling <gabrielsterling1@gmail.com>  
**Sent:** Wednesday, August 13, 2014 2:12 PM  
**To:** Abaray, Linda; Dickerson, Patrice; Parker, Angela  
**Subject:** Fwd: New Project Yes, But Want More (6860 Peachtree Dunwoody Road)  
**Attachments:** 201402384-6860-PTDW-Rd-and-1000-PTDW-Ct-focus-package.pdf

For your records on this case...

----- Forwarded message -----

**From:** Jennifer Johnson <[atlanta.jen@gmail.com](mailto:atlanta.jen@gmail.com)>  
**Date:** Wed, Aug 13, 2014 at 1:55 PM  
**Subject:** New Project Yes, But Want More (6860 Peachtree Dunwoody Road)  
**To:** Gabriel Sterling <[gabrielsterling1@gmail.com](mailto:gabrielsterling1@gmail.com)>

Hello Gabriel,

I am all for new townhouses a block from me, BUT, I wish they would do some retail space too. Would be nice to have a restaurant or 2 to walk to. A more mixed use would make us look more like a city. JUST a thought. Maybe a Felini's pizza . . .smile.

Hope you are having a great day!

Jennifer Johnson  
Carrington Place

## Abaray, Linda

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**From:** Tochie Blad <tblad1@comcast.net>  
**Sent:** Monday, September 22, 2014 2:38 PM  
**To:** Coleman, Garrin  
**Cc:** Abaray, Linda  
**Subject:** Peachtree Dunwoody Peachtree Court Rezoning Petition No. 201402384

Glen Meadows and Sandy Springs Council of Neighborhoods both are concerned that if the variance on the streetside of Peachtree Dunwoody Rd. is granted in the **Rezoning Petition No. 201402384** case, the road will not be straightened. The proposed redevelopment of the meditation center is not taking consideration the turn in Peachtree Dunwoody Rd. and the stacking on the turn lane into Peachtree Dunwoody Ct. Traffic flow will be underserved for the traffic headed north and turning left. We ask that staff take these characteristics of the land into consideration when considering the variance requests on the redevelopment to apartments.