



CITY COUNCIL AGENDA ITEM

TO: Mayor & City Council **DATE:** July 10, 2014

FROM: John McDonough, City Manager

AGENDA ITEM: **201401170** - 400 Carpenter Drive, *Applicant: Holt Persinger*, to rezone the subject property from C-1 (Community Business District) conditional to A-L (Apartment Limited District) to allow for a 45-unit residential building, with concurrent variances

MEETING DATE: For Submission onto the July 15, 2014, City Council Regular Meeting Agenda

BACKGROUND INFORMATION: (Attach additional pages if necessary)

See attached:

Memorandum
Rezoning Petition

APPROVAL BY CITY MANAGER: JMM APPROVED

PLACED ON AGENDA FOR: 7/15/2014

CITY ATTORNEY APPROVAL REQUIRED: () YES () NO

CITY ATTORNEY APPROVAL: [Signature]

REMARKS:



To: John McDonough, City Manager
From: Angela Parker, Director of Community Development 
Date: July 2, 2014 for submission onto the July 15, 2014 City Council meeting
Agenda Item: **201301170 400 Carpenter Drive** a request to rezone the subject property from C-1 (Community Business District) to A-L (Apartment Limited Dwelling District) to allow 45multi-family units, with concurrent variances.

DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION

DEFERRAL of a request to rezone the subject property from C-1 (Community Business District) to A-L (Apartment Limited Dwelling District) to allow 45multi-family units, with concurrent variances.

Discussion:

To rezone the subject property from C-1 (Community Business District) to A-L (Apartment Limited Dwelling District) to allow 45multi-family units.

Additionally, the applicant is requesting three (3) concurrent variances from the Zoning Ordinance and two (2) from the Development Regulations as follows:

1. Variance from 4.23.1 to reduce the required ten (10) foot rear and side (east) landscape strip to three (3) feet.
2. Variance from 12.B.8.C .4 to reduce the required five (5) foot side yard setback to three (3) feet.
3. Variance from 7.4.3.D to reduce the required twenty (20) foot rear setback to three (3) feet
4. Variance from Section 103-73(k)(1) to reduce the driveway separation from 200 feet to 121 feet.
5. Variance from section 103-73(k)(5) to allow a second driveway on a property with less than 200 feet of frontage.

PROPERTY INFORMATION

Address, Land Lot, and District	400 Carpenter Drive Land Lot 90, District 17
Council District	6 (Andy Bauman)
Frontage	191.29 feet of frontage along the south side of Carpenter Drive.
Area	0.63Acres
Existing Zoning and Use	C-1 (Community Business District) under Sandy Springs zoning case RZ07-026 currently undeveloped.
Overlay District	Main Street Overlay District
2027 Comprehensive Future Land Use Map Designation	LWR (Live Work Regional)
Proposed Zoning	A-L (Apartment Limited Dwelling District)

COMMUNITY DEVELOPMENT

APPLICANT/PETITIONER INFORMATION

Property Owner Masoud Zahedi	Petitioner Holt Presinger	Representative Holt Presinger
Community Zoning Information Meeting April 22, 2014	Community Developer Resolution Meeting May 29, 2014	Planning Commission Hearing June 19, 2014
		Mayor and City Council Hearing July 15, 2014

DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION

201401170- DEFERRAL
201401170 Variances 1-3- DEFERRAL
201401170 Variances 4-5- DEFERRAL

PLANNING COMMISSION RECOMMENDATION- June 19, 2014

The petition was heard at the June 19, 2014 Planning Commission meeting. Nickles moved to recommend approval seconded by Tart. The Commission **recommended deferral** (6-0, Maziar, Porter, Frostbaum, Tart, Nickles and Squire for; and Duncan not voting), to allow the applicant time to work with Public Works and provide elevations.

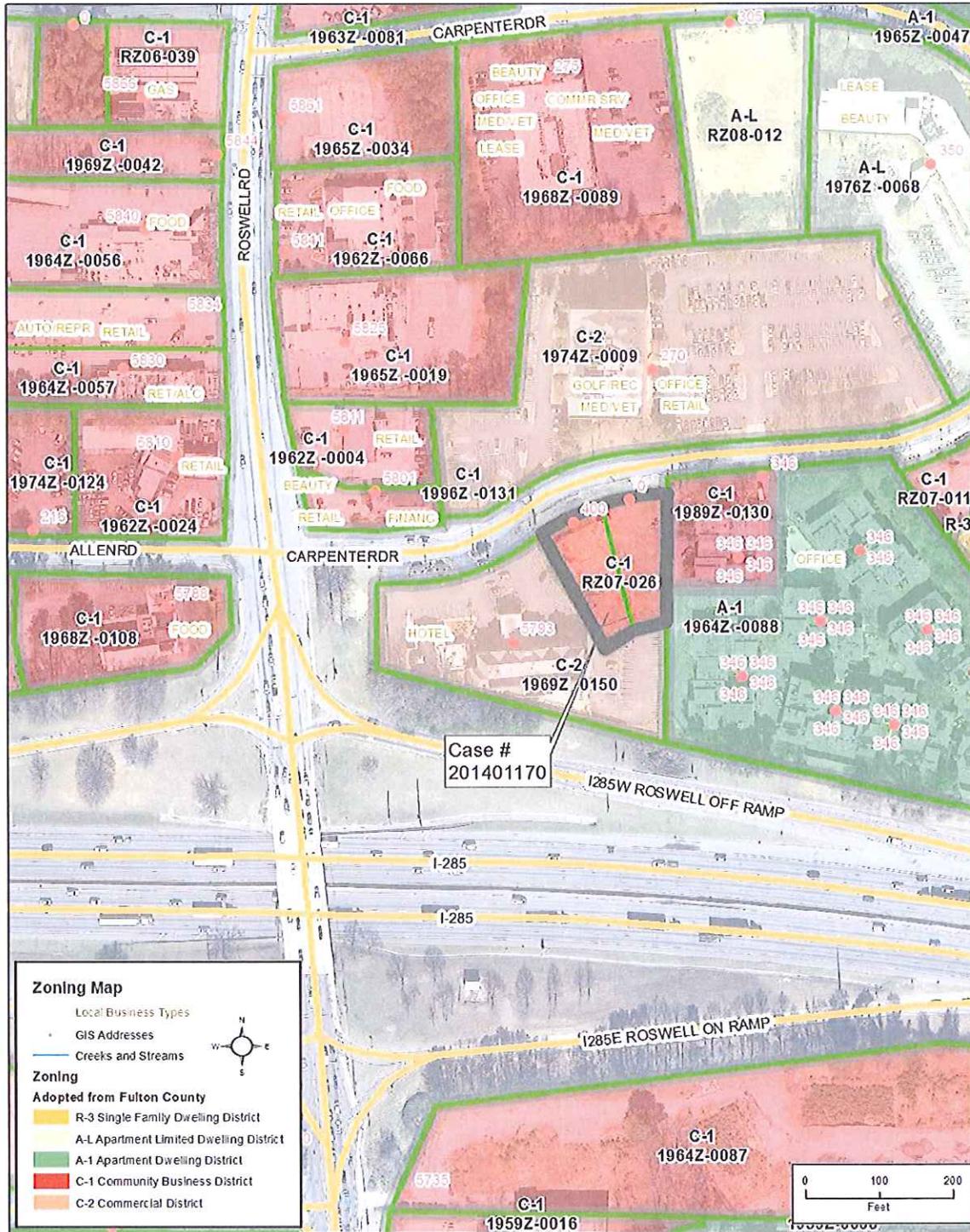
EXISTING LAND USE AND ZONING OF ABUTTING PROPERTIES

SUBJECT PETITION 201401170	Requested Zoning	Proposed Use	Land Area (Acres)	Square feet/Units	Density (Units per Acre)
	A-L	Multifamily	0.63	45	71.43 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	C-2 conditional Z74-0009	Office Building – 270 Carpenter Drive	3.748	186,480	49,754.54
East	C-1 conditional Z89-0130	Laurel Grove condominiums – 346 Carpenter Drive	4.89	93	19.02
	A-1 conditional Z64-0088				
South & West	C-2 conditional Z69-0150	Comfort Inn hotel – 5793 Roswell Road (SR 9)	1.67	41,565	24,889.22

Zoning Map

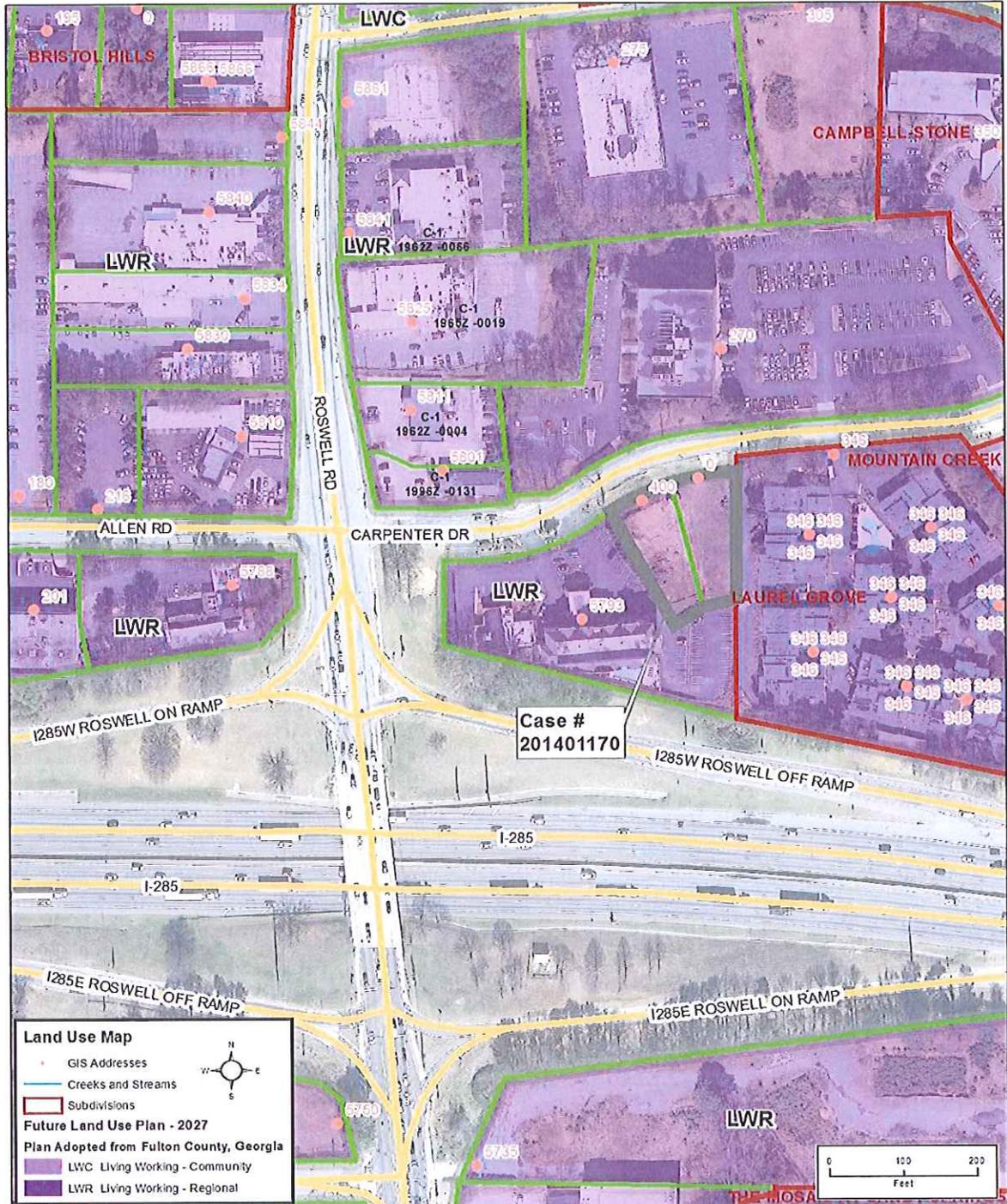
400 Carpenter Drive



Prepared by the City of Sandy Springs Department of Community Development for the Mayor and City Council Meeting July 15, 2014

Future Land Use Map

400 Carpenter Drive



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 uses are suitable in view of the use and development of adjacent and nearby property. The surrounding areas consist of: C-2 (Commercial District) to the north, south and west; A-1 (Apartment Dwelling District) and C-1 (Community Business District) to the east.

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 would not have an adverse impact on the use or usability of adjacent or nearby properties. The surrounding has a variety of housing types such as Condominiums, Townhouses, Senior, and Multifamily. The area also has office and commercial uses.

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.

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 Future Land Use Map. The Future Land Use Map designation of LWR (Live Work Regional) which recommends a density over 20 units per acre. The applicant is proposing 71.43 units per acre. The proposed request is in harmony with the Comprehensive Plan policies on densities and is consistent with surrounding developments.

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.

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.

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 five (5) 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 the Development Regulations and will not result in any harm to the health, safety and welfare of the general.

1. Variance from 4.23.1 to reduce the required ten (10) foot rear and side (east) landscape strip to three (3) feet.

Findings:

Staff is of the opinion that the reduction of the landscape strip is in harmony with the intent of the Zoning Ordinance and would not cause a detriment to the public. The applicant is proposing the reduction adjacent to a parking lot and within 200 feet from I-285. Additionally, the lot narrows in the rear and has a significant change in topography along the west side of the property. Therefore, based on these reasons, the staff recommends APPROVAL of this variance request.

2. Variance from 12.B.8.C .4 to reduce the required five (5) foot side yard setback to three (3) feet.

Findings:

Staff is of the opinion that the reduction of the landscape is in harmony with the intent of the Zoning Ordinance and would not cause a detriment to the public. The applicant is proposing the reduction adjacent to a parking lot. Additionally, the lot narrows in the rear and has a significant change in topography along the west side of the property. Therefore, based on these reasons, the staff recommends APPROVAL of this variance request.

3. Variance from 7.4.3.D to reduce the required twenty (20) foot rear setback to three (3) feet

Findings:

Staff is of the opinion that the reduction of the landscape is in harmony with the intent of the Zoning Ordinance and would not cause a detriment to the public. The applicant is proposing the reduction adjacent to a parking lot and within 200 feet from I-285. Additionally, the lot narrows in the rear and has

a significant change in topography along the west side of the property. Therefore, based on these reasons, the staff recommends APPROVAL of this variance request.

4. Variance from Section 103-73(k)(1) to reduce the driveway separation from 200 feet to 121 feet.

Findings:

Staff is of the opinion that the reduction of the 200 foot driveway separation is not in harmony with the intent of the Ordinance. The Development Regulations require only one driveway is permitted per every 200 feet of frontage (two driveways are not permitted on this site.) The minimum driveway spacing for 25 mph street is 200 feet. The property only has a frontage of 191.29 feet. Additionally, the site is located where the roadway curves potentially creating a site distance problem. Therefore, based on these reasons, the staff recommends DENIAL of this variance request.

5. Variance from section 103-73(k)(5) to allow a second driveway on a property with less than 200 feet of frontage.

Findings:

Staff is of the opinion that the reduction of the 200 foot driveway separation is not in harmony with the intent of the Ordinance. The Development Regulations require only one driveway is permitted per every 200 feet of frontage (two driveways are not permitted on this site.) The minimum driveway spacing for 25 mph street is 200 feet. The property only has a frontage of 191.29 feet. Additionally, the site is located where the roadway curves potentially creating a site distance problem. Therefore, based on these reasons, the staff recommends DENIAL 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 May 7, 2014 at which the following departments had comments. The staff has received additional comments from Fulton County Department of Water Resources (see attachments).

Transportation Planner	<ul style="list-style-type: none"> • Carpenter Drive is classified a minor street and has a posted speed limit of 25 mph. Carpenter Drive is included in the Main Street Overlay District and the designated street type within the City Center Master Plan is “2-Lane with Parking”. From the street centerline, the cross-section includes an 11-foot travel lane, eight-foot parking lane, 12-foot landscape strip, 6-foot sidewalk, and 10-foot supplemental zone adjacent to residential development. • For the Land Disturbance Permit, site shall meet requirements of Articles 11 and 12 of the Development Ordinance. Based on review of the zoning site plan, please note the following: • Only one driveway is permitted per every 200 feet of frontage (two driveways are not permitted on this site.) The minimum driveway spacing for 25 mph street is 200 feet. Show driveway spacing on site plan from one drive. • Driveway location shall meet requirements of Section 103-77 for sight distance and Section 103-73 for uninterrupted ingress/egress. • The right-of-way shall meet the requirements of Section 103-75.
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	<p>Applicant shall dedicate 37 feet of right-of-way from centerline, 11 feet from back of curb, or one foot from back of sidewalk, whichever is greater along the entire property frontage.</p> <ul style="list-style-type: none"> • ADA-compliant paths shall be provided from the sidewalk network to site arrival point(s).
<p style="text-align: center;">Fire</p>	<ul style="list-style-type: none"> • Refer to 120-3-3 Modifications to IFC “503.1.1 Buildings and facilities. Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction as determined by the local Fire Chief and/or Fire Code Official of the responding fire department or agency. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet (45.7 m) of all portions of the facility or any portion of the exterior wall of the first story of the building as measured by an approved route around the exterior of the building or facility.” • “Exception: The local Fire Chief and/or Fire Code Official of the responding fire department or agency is authorized to increase the dimension of 150 feet (45.7 m) where: <ul style="list-style-type: none"> • “1. The building is equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3. • “2. Fire apparatus access roads cannot be installed because of location on property, topography, waterways, nonnegotiable grades or other similar conditions, and an approved alternative means of fire protection is provided. • “3. There are not more than two Group R-3 or Group U occupancies.”

PUBLIC INVOLVEMENT

Public Comments

- Play area for kids to reduce gang problems

CONCLUSION TO FINDINGS

The Comprehensive Plan clearly supports a variety of housing types and uses. The Plan notes that the designation of areas in the Living Working Category was done to encourage redevelopment. The proposed density is within the ranges suggested by the Future Land Use Map, it is the opinion of the staff that the proposal is in conformity with the intent of the Comprehensive Plan Policies. However, the Planning Commission recommended the application be deferred to allow the applicant time to work with Public Works and provide elevations drawings. Therefore, based on these reasons; the staff recommends **DEFERRAL** of the rezoning petition and the concurrent variances numbers 1-3 and **DEFERRAL** of variances numbers 4 and 5.

STAFF RECOMMENDED CONDITIONS

Should the Mayor and City Council decide to rezone the subject property from C-1 (Community Business District) to A-L (Apartment Limited Dwelling 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. Multifamily at a density of 71.43 units per acre or 45 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 April 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 along Carpenter Drive shall be installed to the standards set forth in the City Center Master Plan.
 - b. The owner/developer shall dedicate thirty-seven (37) feet of right-of-way from centerline of Carpenter Drive along the entire property frontage to the City of Sandy Springs.
 - c. Not less than 20% of the site shall be maintained as Open Space of which 15% shall be Green Space.
 - d. To reduce the required ten (10) foot rear and side (east) landscape strip to three (3) feet. (CV201401170 #1)
 - e. To reduce the required five (5) foot side yard setback to three (3) feet. (CV201401170 #2)
 - f. To reduce the required twenty (20) foot rear setback to three (3) feet (CV201401170 #3)

Attachments

- Letter of Intent dated received April 1, 2014
- Site Plan dated received April 1, 2014
- Support list for variance approval dated received July 2, 2014
- Site Photographs
- Additional comments from the Fulton County Department of Water Resources, Fulton County Department of Health and Wellness and Fulton County Schools.

Letter of Intent

The applicant is requesting to rezone the site located at 400 Carpenter Drive consisting of 2 - 0.33 acre parcels that total 0.66 acres before RW dedication. The current zoning is C1-C. The request zoning is A-L. The site was issued a Land Disturbance Permit in 2006 (LDP2006-00073). The current approved plans are for 29,000 square feet of Office/Retail with 4 residential units. The applicant is proposing to maintain the permitted building footprint and underground parking as currently shown in the plan set for LDP2006-00073. The applicant is requesting to rezone the use from C1-C to A-L to accommodate 45 "for-sale" condominiums with a maximum building height of 60 feet. The applicant is also requesting variances to the building setbacks as follows: Front-from 40' to 12', sides- from 20' to 3', rear from 20' to 3'. The reduction in setbacks is being requested to allow the use of the currently approved building. Due to the size of the site and the fact that it tapers toward the rear the standard setback for the proposed district would place an extraordinary hardship on the proposed site.

The Comprehensive Land Use plan designates this area as Living-Working Regional. The CLUP defines Living-Working Regional as "a high intensity/density category that applies adjacent to major transportation interchanges and/or rail transit stations (with the exception of the live-work area at Dunwoody Place and Roswell Road). These areas have significant concentrations of employment." Table 1.6 specifies the acceptable Residential density in the Living-Working category to be over 20 units/acre.

Based on the location of the site within the Living-Working Regional Land Use category the applicant respectfully requests the approval of the proposed rezoning request.

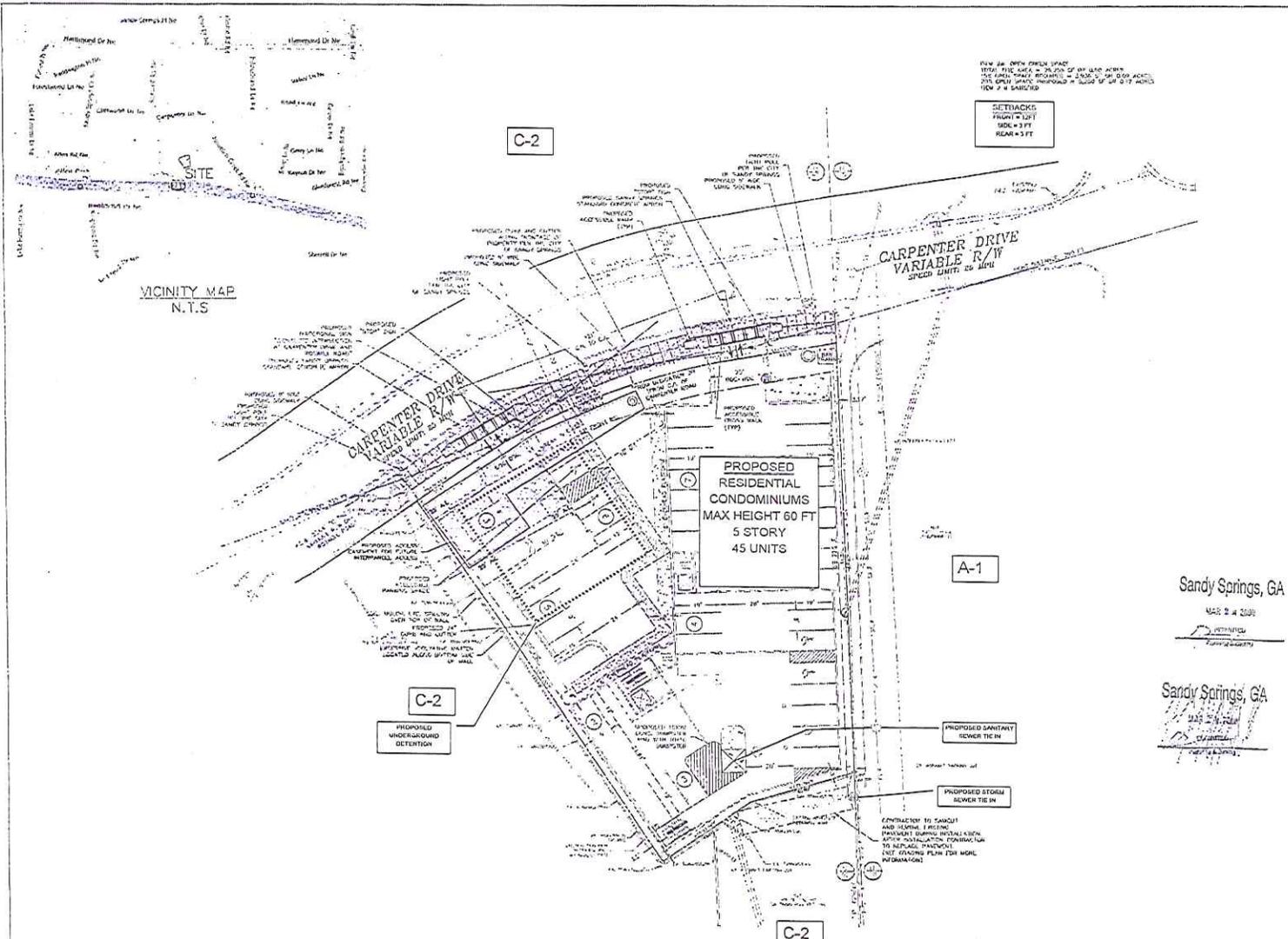
Sincerely,
Ridgeline Land Planning, Inc.


Holt Persinger, RLA

RECEIVED

APR 10 2008

City of Sandy Springs
Community Development



OWNER/DEVELOPER:
 DAVIS DEVELOPMENT
 5801 HOSWELL ROAD
 ATLANTA, GA 30328
 404-229-6330

NORTH:

SCALE:

- SITE NOTES**
1. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE STANDARDS AND SPECIFICATIONS AND SHALL COMPLY WITH ALL APPLICABLE FEDERAL, STATE AND LOCAL CODES.
 2. SURFACE ADJUSTMENTS SHALL BE MADE TO MAINTAIN PROPER DRAINAGE AND TO MAINTAIN EXISTING UTILITIES.
 3. ALL EXISTING UTILITIES SHALL BE PROTECTED AND SHALL REMAIN IN PLACE UNLESS OTHERWISE SPECIFIED.
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 20. ALL EXISTING UTILITIES SHALL BE PROTECTED AND SHALL REMAIN IN PLACE UNLESS OTHERWISE SPECIFIED.

PROPOSED RESIDENTIAL CONDOMINIUMS
 MAX HEIGHT 60 FT
 5 STORY
 45 UNITS

Sandy Springs, GA
 MAY 24 2010

Sandy Springs, GA
 MAY 24 2010

- TRAFFIC NOTES**
1. ALL TRAFFIC CONTROL AND SIGNALING SHALL BE IN ACCORDANCE WITH THE STANDARDS AND SPECIFICATIONS AND SHALL COMPLY WITH ALL APPLICABLE FEDERAL, STATE AND LOCAL CODES.
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 20. ALL TRAFFIC CONTROL AND SIGNALING SHALL BE IN ACCORDANCE WITH THE STANDARDS AND SPECIFICATIONS AND SHALL COMPLY WITH ALL APPLICABLE FEDERAL, STATE AND LOCAL CODES.

DATE:
 10/17/2006

PROPOSED OFFICE/RETAIL:
 ALL CITY OF SANDY SPRINGS
 PARCEL ID: 5-024-426
 PLAT: 05215504

B & D Engineering, Inc.
 220 HERMAN WAY
 KODOLTA, GEORGIA 30147
 PHONE: (404) 445-5167
 FAX: (404) 445-4290

SUBMITALS

REVISIONS

SETBACKS

ZONING	C-2
FRONT	30'
SIDE	5'
REAR	0'
ADJACENT	N/A

SEAL:
 MASSOUD ZAHEDI
 CIVIL ENGINEER
 STATE OF GEORGIA

SHEET: 2
SITE PLAN



ALL NOTES IN BOXES
 HOLD FOR DRAWING
 PURPOSES

CONCURRENT VARIANCES REQUESTED
 FRONT SETBACK- 40 TO 17
 SIDE SETBACK- 20 TO 5'
 REAR SETBACK- 20 TO 7'

RECEIVED

EMERGENCY CONTACT: MASSOUD ZAHEDI 404-229-6330

APR 01 2014

City of Sandy Springs
 Community Development

ISSUED FOR CONSTRUCTION

RECEIVED

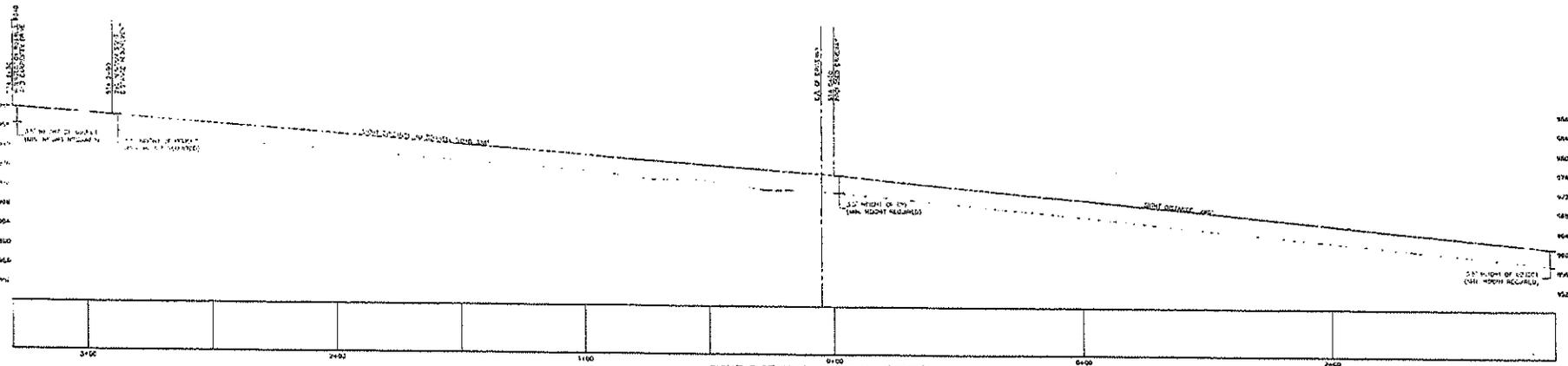
City of Sandy Springs
Community Development

OWNER/DEVELOPER:
PARKS DEVELOPMENT
3801 ROSMELL ROAD
ATLANTA, GA 30328
404-229-6330

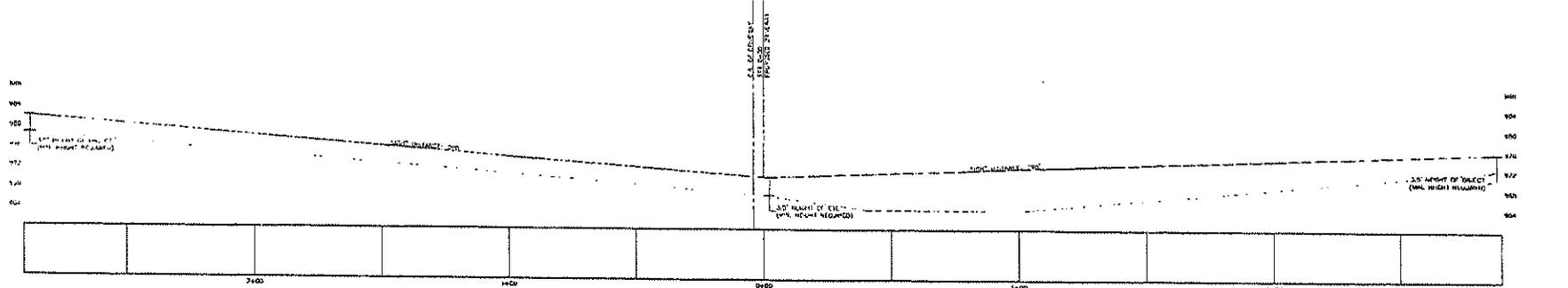


DATE
10/17/2003

PROPOSED OFFICE/RETAIL
FULTON COUNTY
CITY OF SANDY SPRINGS
LAND LOT 80
DISTRICT 174
PARCEL 1: 5-02-4-425
8-85 7084 2504 5-85 7084 2504 5-85 7084 2504 5-85 7084 2504



SIGHT DISTANCE: DRIVEWAY (WEST)
SCALE: 1"=10' (V)
1"=20' (H)



SIGHT DISTANCE: DRIVEWAY (EAST)
SCALE: 1"=10' (V)
1"=20' (H)

for the *[Signature]*



BH Engineering, Inc.
280 NORTLAGE AVE.
ROCKFORD, GEORGIA 30083
PHONE: (770) 418-3488
FAX: (770) 487-4255

SUBMITTALS

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REVISIONS

NO.	DATE	DESCRIPTION

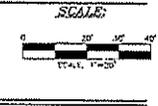
SETBACKS

ROWING	0'-0"
FRONT SIDE WALK	12'-0"
REAR WALK	0'-0"
REAR WALK	N/A



SHEET 13
SIGHT DISTANCE
PROFILES

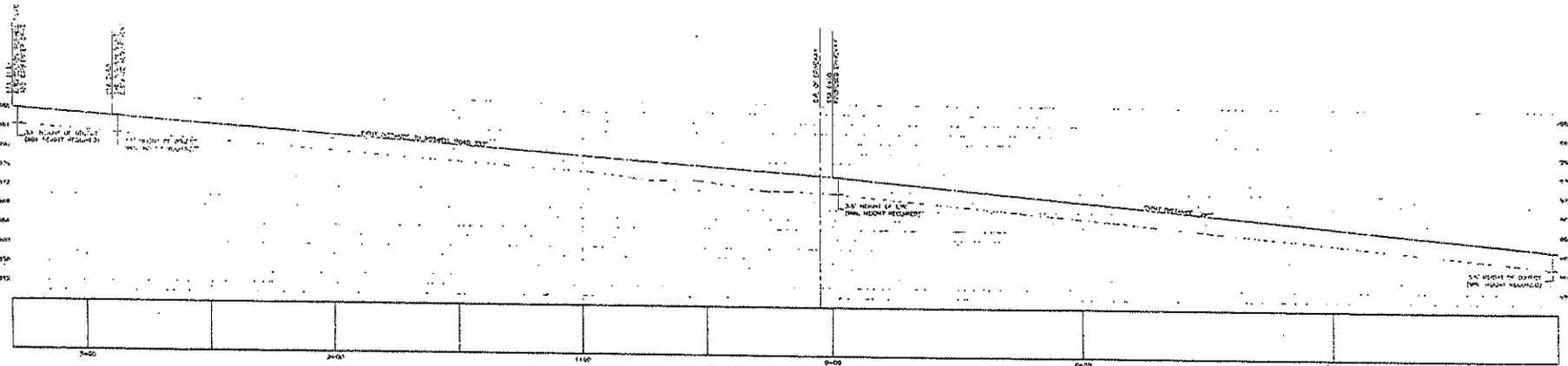
OWNER/DEVELOPER:
 MASSOUD ZAHEDI
 2800 SPOWELL ROAD
 ATLANTA, GA 30328
 404-229-6330



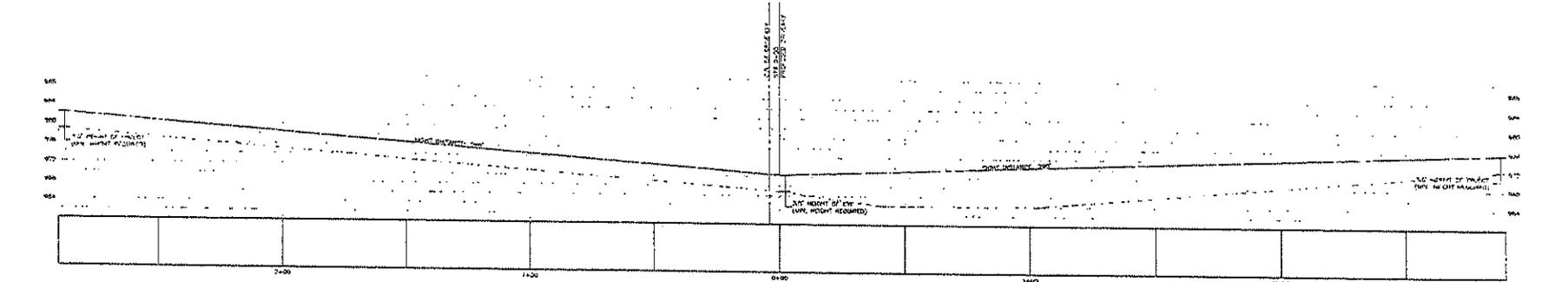
DATE
18/11/2008

PROPOSED OFFICE/RETAIL
 FULTON COUNTY
 CITY OF FANCY DRAWINGS
 LAND LOT 90
 DISTRICT 1/11
 PARCEL ID: 5-024-426
 P&G COMPANY - BUREAU SERVICES

B & D Engineering, Inc.
 240 SERVICE WALK
 CONCORD, GEORGIA 30088
 PHONE: (678) 445-9122
 FAX: (678) 445-4326



SIGHT DISTANCE: DRIVEWAY (WEST)
 SCALE: 1"=10' (V)
 1"=20' (H)



SIGHT DISTANCE: DRIVEWAY (EAST)
 SCALE: 1"=10' (V)
 1"=20' (H)

SUBMITTALS

REVISIONS

01/21/08-CITY COMMENTS
01/21/08-CITY COMMENTS
01/21/08-CITY COMMENTS
01/21/08-CITY COMMENTS

KEYBACKS

FINISH: G-C
SPACING: 12" 3" 0"
BURDEN: N/A



SHEET: 13
SIGHT DISTANCE
PROFILES

for the *Jah*



24 HOUR EMERGENCY CONTACT: MASSOUD ZAHEDI 404-229-6330

Abaray, Linda

From: Masoud Zahedi <mas30328@yahoo.com>
Sent: Wednesday, July 02, 2014 11:58 AM
To: Abaray, Linda; kwescott@sandysprings.com
Subject: Fwd: 400 Carpenter DR Zoning

RECEIVED
JUL 02 2014
City of Sandy Springs
Community Development

Sent from my HTC

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

From: "Amir Safaie" <amirsafaie@gmail.com>
To: "Masoud Zahedi" <mas30328@yahoo.com>
Subject: 400 Carpenter DR Zoning
Date: Wed, Jul 2, 2014 11:49 AM

Mrs, Abaray and Wescott,

Here is the recap of our July 1st meeting:

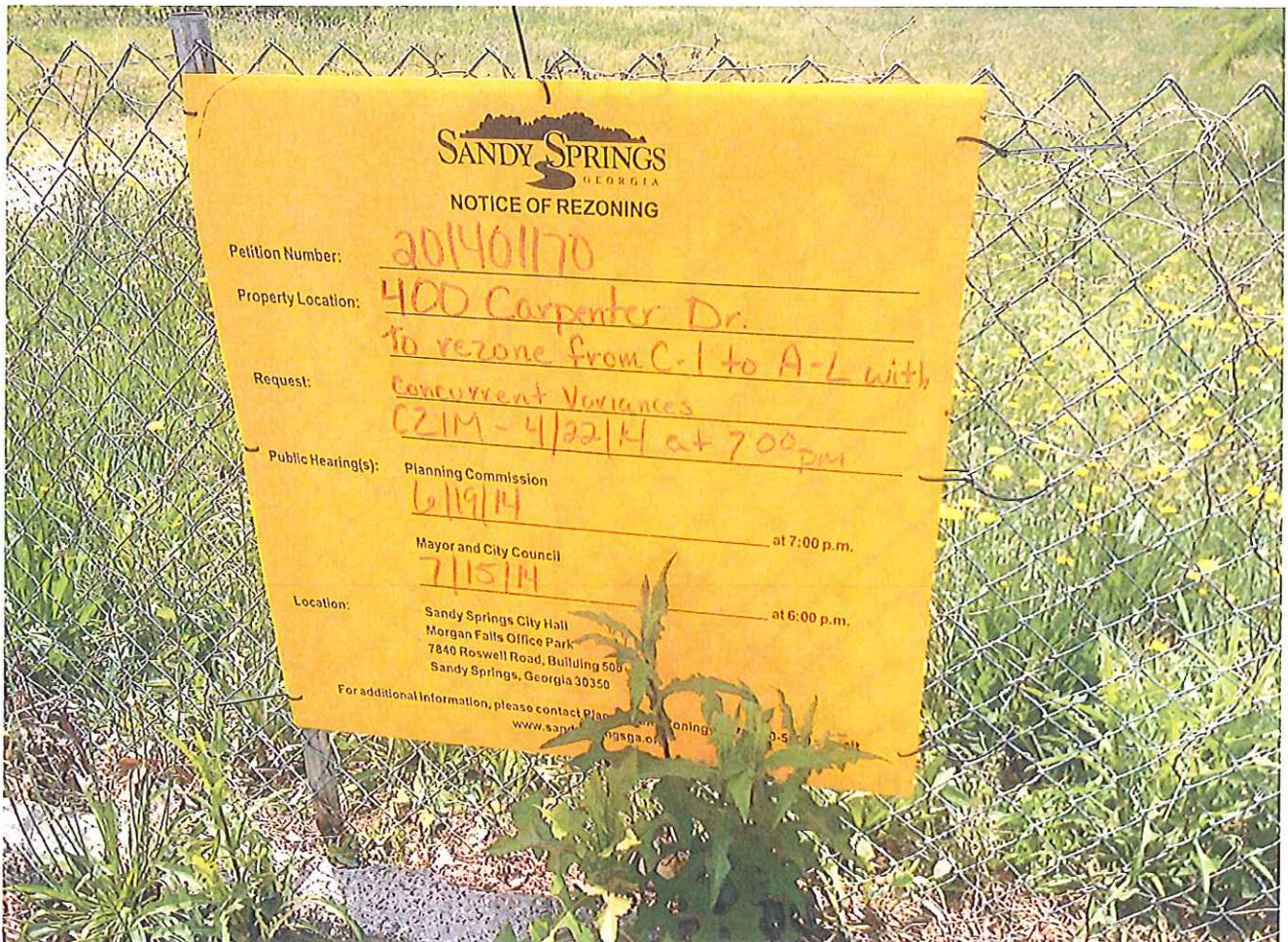
We would like to point out our reasoning to reinstate of having two driveways:

1. Site plans with two driveways submitted to PublicWorks and the Community Development department on 2007.
2. LDP was issued on March 7, 2008.
3. Site work started, completed and inspected (by Dec 2008).
4. All architectural, Structural, Mechanical, Electrical, Plumbing and Foundation Plans with over \$500,000 cost was completed and submitted to the city on 2008.
5. Two driveways have adequate sight distance clearance from Carpenter DR.
6. One curb cut is only used for guest parking (mostly in the evenings)
7. Traffic count on Carpenter DR had been very low and with the addition of the median on Roswell road directly in from of the Carpenter DR it is even less today.
8. Separation of two drive ways is not much off from the ordinance.
9. The new proposed residential zoning traffic will reduce/improve even more by not having the peak time during the business hours.
10. Due to topographe of the site connecting two driveways internally is not possible.

Would you please make your recommendations with the new known facts to the City Counsel so we can start the project in much needed Carpenter DR with no further delay.

Regards,

Masoud Zahedi









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: May 6, 2014

SUBJECT: Zoning Comments for May 2014

AGENDA ITEM	ZONING COMMENTS
201300687	<p>The Fulton County Department of Health and Wellness will require that the applicant connects the proposed mixed-use 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>If this proposed development includes a public swimming pool as defined in the 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 for review and approval by this department and must obtain a Department of Health and Wellness permit to construct 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>Since this proposed development includes a tourist accommodation, as defined in the Department of Human Resources rules and regulations for tourist accommodations as adopted by Fulton County as the Fulton County Code of Ordinances and Code of Resolutions, Chapter 34 – Health and Sanitation, Article XIII – Tourist Accommodations, is proposed, the owner or contractor must submit plans for review and approval by this department before issuance of a building permit and beginning construction. The owner must obtain a tourist accommodation 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>
201401133	<p>The Fulton County Department of Health and Wellness will require that the applicant connects the proposed apartment 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>If this proposed development includes a public swimming pool as defined in the 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 for review and approval by this department and must obtain a Department of Health and Wellness permit to construct 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>

AGENDA ITEM	ZONING COMMENTS
201401164	<p>The Fulton County Department of Health and Wellness will require that the applicant connects the proposed assisted living 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>If there are existing structures that will be demolished, this department is requiring that those structures 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>
201401170	<p>The Fulton County Department of Health and Wellness will require that the applicant connects the proposed condominium 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>If this proposed development includes a public swimming pool as defined in the 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 for review and approval by this department and must obtain a Department of Health and Wellness permit to construct 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>
201401173	<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>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>The Fulton County Department of Health and Wellness recommends this facility meet all permit requirements for child care learning centers under Bright from the Start: Georgia Department of Early Care and Learning.</p> <p>If there are existing structures that will be demolished, this department is requiring that those structures 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
201401257	<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>Since this site is served by public water and public sanitary sewer and adequate facilities are required, the Department of Health and Wellness recommends that the appropriate jurisdiction conducts an inspection of the internal plumbing to assure that the facilities are appropriate for the proposed use.</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>

Akbar, Abdul

From: Abaray, Linda <LAbaray@SandySpringsga.gov>
Sent: Tuesday, April 15, 2014 12:04 PM
To: Abaray, Linda
Cc: Allen, Colleen
Subject: Sandy Springs Preliminary Zoning Agenda- April
Attachments: 201300687 Letter of Intent.pdf; 201300687 Site Plan 3.5.13.pdf; 201401133 Site Plan.pdf; 201401133 LOI.pdf; 201401164 LOI & Site Plan.pdf; 201401170 LOI & Site Plan.pdf; 201401173 Letter of Intent & Site Plan.pdf; 201401257 LOI & Site Plan.pdf

All:
 Please be advised, the material details the zoning petitions received on or before the April 2, 2014 submittal deadline. We are writing to solicit your comments with regard to these applications. Please forward a response in writing detailing your comments, or lack thereof to the attention of the Linda Abaray. Correspondence may be sent to the following address:

City of Sandy Springs
 Department of Community Development
 Planning and Zoning Division
 7840 Roswell Road, Building 500
 Sandy Springs, Georgia 30350
labaray@sandyspringsga.gov

Agenda Item	Council District	Meeting Dates
Rezoning		
1. 201300687 Abernathy Road, Mount Vernon Highway, Peachtree Dunwoody Drive Applicant: <i>Hines Interest Limited Partnership</i> ▪ To rezone the subject property from O-I (Office and Institutional District) to MIX (Mixed Use District), with a use permit and concurrent variances.	4	CZIM - 4/22/14 CDRM - 5/29/14 PC- 6/19/14 MCC- 7/15/14
2. 201401133 305 Carpenter Drive Applicant: <i>Masoud Zahedi</i> ▪ To rezone the subject property from A-L (Apartment Limited Dwelling District) to A-L (Apartment Limited Dwelling District) to allow multi-family, with concurrent variances.	5	CZIM - 4/22/14 CDRM - 5/29/14 PC- 6/19/14 MCC- 7/15/14
3. 201401164 8730 Roswell Road Applicant: <i>Centric Development, LLC</i> ▪ To rezone the subject property from AG-1 (Agricultural District) and O-I (Office and Institutional District) to A-L (Apartment Limited Dwelling District), with concurrent variances.	2	CZIM - 4/22/14 CDRM - 5/29/14 PC- 6/19/14 MCC- 7/15/14
4. 201401170 400 Carpenter Drive Applicant: <i>Holt Persinger</i> ▪ To rezone the subject property from C-1 (Community Business District) to A-L (Apartment Limited Dwelling District), with concurrent variances.	6	CZIM - 4/22/14 CDRM - 5/29/14 PC- 6/19/14 MCC- 7/15/14
5. 201401173 5188 & 5208 Roswell Road, 141,151,161,171 Mt. Paran Road Applicant: <i>Halpern Enterprises, Inc</i> ▪ To rezone the subject property from O-I (Office and Institutional District) and R-3 (Single Family Dwelling District) to MIX (Mixed Use District), with concurrent variances.	6	CZIM - 4/22/14 CDRM - 5/29/14 PC- 6/19/14 MCC- 7/15/14
6. 201401257 220 and 230 Sandy Springs Place	3	CZIM - 4/22/14 CDRM - 5/29/14

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 lot x 45 condominium units = 12,150 gallons per day (gpd)

This project is within the City of Atlanta water jurisdiction.

SEWER:

Basin: Long Island Creek

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

Anticipated sewer demand: 10,935 gallons per day

There is a wastewater manhole northeast of the northeast property corner of the 0.463 acre tract (0 Carpenter Drive) within the Carpenter Drive right of way (sewer manhole # SMLI0404310) located in Land Lot 70, 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.

Treatment Plant

- ★ Re-Use
- ★ Waste Water
- ★ Water

Waste Water System

Private Manhole

P

Pump Station

■ Pump Station

Manhole

○ Accessible

○ Not Assessed

● Problem

Lined Pipe

—

Force Main

—

Creek Crossing

≡

Waste Water Pipe Flow

▶ UNK

▶ 4" - 6"

▶ 8"

▶ 10"

▶ 12" - 16"

▶ 18" - 24"

▶ 30" - 48"

▶ Greater than 48"

Waste Water Pipe

UNK

— 4" - 6"

— 8"

— 10"

— 12" - 16"

— 18" - 24"

— 30" - 48"

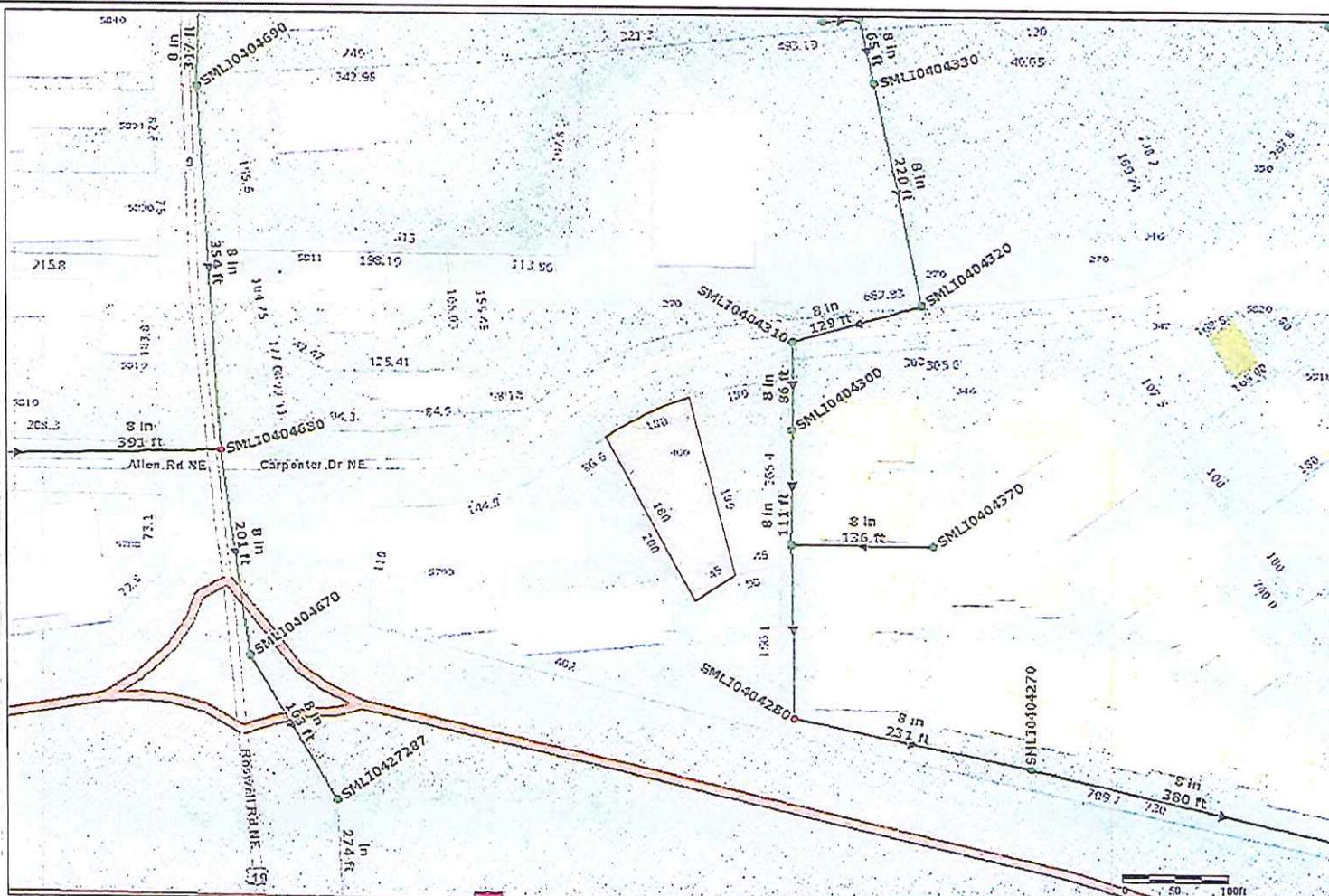
— Greater than 48"

Parcel Dimensions

Address Points

□

Address Points



400 Carpenter Drive
 Fulton County, Georgia
 5-7-2014

Fulton County provides the data on this map for your personal use "as is". The data are not guaranteed to be accurate, correct, or complete. The feature boundaries depicted in these maps are approximate and are not necessarily accurate to surveying or engineering standards. Fulton County assumes no responsibility for issues resulting from the use of these data, even if Fulton County is advised of the proximity of such issues.



Treatment Plant

- ★ Re-Use
- ★ Waste Water
- ★ Water

Waste Water System

Private Manhole

Pump Station

Manhole

○ Accessible

○ Not Assessed

◆ Problem

Lined Pipe

Force Main

Creek Crossing

Waste Water Pipe Flow

UNIK

4" - 6"

8"

10"

12" - 16"

18" - 24"

30" - 48"

Greater than 48"

Waste Water Pipe

UNIK

4" - 6"

8"

10"

12" - 16"

18" - 24"

30" - 48"

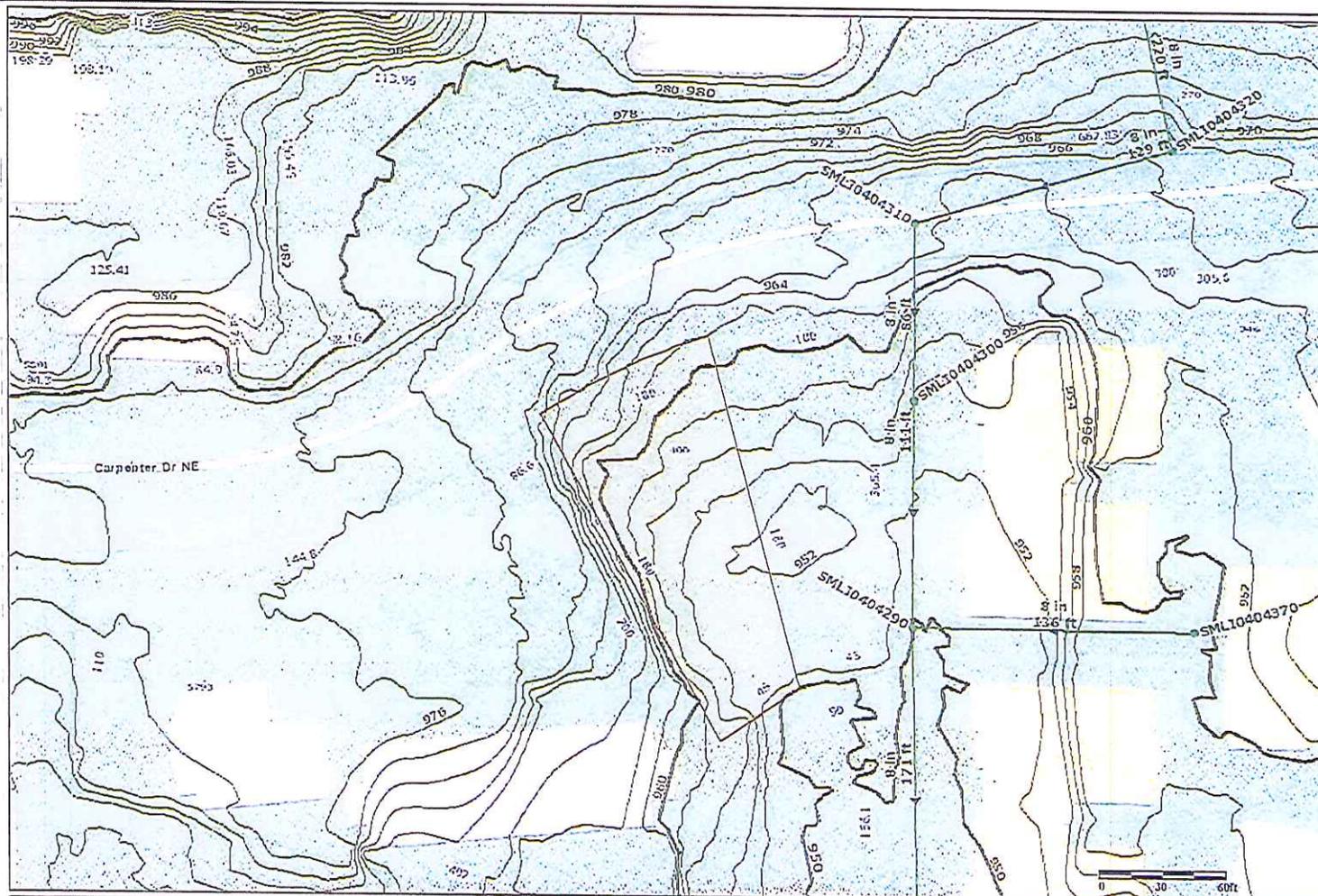
Greater than 48"

Topography

2ft Contour

10ft Contour

Parcel Dimensions



400 Carpenter Drive

Fulton County, Georgia
5-7-2014

Fulton County provides the data on this map for your personal use "as is". The data are not guaranteed to be accurate, correct, or complete. The feature locations depicted on these maps are approximate and are not necessarily accurate to surveying or engineering standards. Fulton County assumes no responsibility for losses resulting from the use of these data, even if Fulton County is advised of the possibility of such losses.



Property Profile for **0 CARPENTER DR**

Property Tax Information

Tax Year	2014
Parcel ID	17 009000020334
Property Address	0 CARPENTER DR
Owner	FOUR ZERO ZERO CARPENTER DRIVE LLC
Mailing Address	5801 ROSWELL RD ATLANTA GA 30328
Total Appraisal	\$150,000
Improvement Appraisal	\$0
Land Appraisal	\$150,000
Assessment	\$60,000
Tax District	59
Land Area	0.462809 ac
Property Class	Commercial Lots
Land Use Class	Vacant Commercial Land
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	SS11C
Poll Location	Highpoint Elementary School, 520 Greenland Rd
Congressional District	006
State Senate District	006
State House District	080
School Zones	
Elementary School	Lake Forest
Middle School	Ridgeview
High School	Riverwood
Other Information	
Zip Code	30328
Census Tract	101.10
In Less Developed Census Tract	No

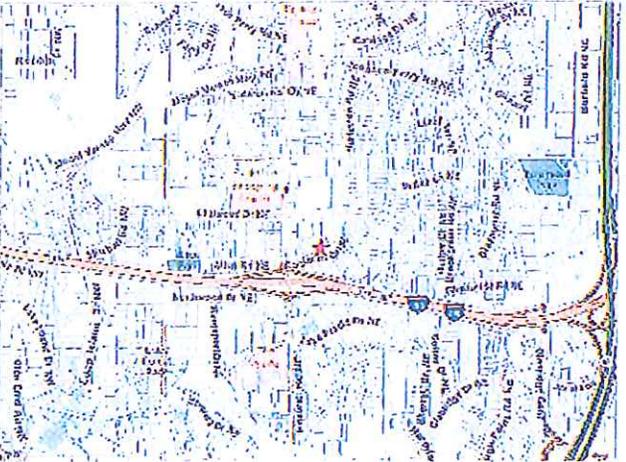
Oblique Aerial View (looking north)



Property Map



Vicinity Map



Fulton County Schools - Rezoning Impact Statement

4/16/2014

PETITION: 201401170

Proposed Residential Units

JURISDICTION: Sandy Springs

<u>Single-family detached</u>	<u>Townhouses</u>	<u>Apartments</u>	<u>Condominiums</u>
0	0	0	45

HOME SCHOOL	PROJECTED BASELINE ENROLLMENT ^A	GADOE CAPACITY	ESTIMATED # NEW STUDENTS GENERATED	PROJECTED UNDER/OVER CAPACITY ^B			
				WITHOUT DEV		WITH DEV	
Lake Forest ES	948 to 1,006	850	0 to 13	98	to 156	98	to 169
Ridgeview MS	1,161 to 1,233	1200	0 to 2	-39	to 33	-39	to 35
Riverwood HS	1,553 to 1,649	1325	0 to 5	228	to 324	228	to 329
TOTAL			0 to 20				

<u>HS REGION:</u> Riverwood HS	<u>AVERAGE - 1 STD DEV</u>		<u>AVERAGE + 1 STD. DEV.</u>		
<i>One single-family detached unit generates:</i>	0.013091	to	0.208131		<i>elementary school students</i>
	0.000000	to	0.056933		<i>middle school students</i>
	0.000000	to	0.162666		<i>high school students</i>
<i>One townhouse unit generates:</i>	0.007704	to	0.089494		<i>elementary school students</i>
	0.000000	to	0.039527		<i>middle school students</i>
	0.007502	to	0.107628		<i>high school students</i>
<i>One apartment unit generates:</i>	0.000000	to	0.737742		<i>elementary school students</i>
	0.000000	to	0.167478		<i>middle school students</i>
	0.036368	to	0.207204		<i>high school students</i>
<i>One condominium unit generates:</i>	0.000000	to	0.288299		<i>elementary school students</i>
	0.000000	to	0.053888		<i>middle school students</i>
	0.004129	to	0.100313		<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

^A Projected enrollment for the 2014-15 school year based on forecasted enrollment.

^B 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.