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**CITY COUNCIL AGENDA ITEM**

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**TO:** Mayor & City Council

**DATE:** April 8, 2014

**FROM:** John McDonough, City Manager

**AGENDA ITEM:** **201400049** - 5901-5909 Peachtree Dunwoody Road, *Applicant: Shorenstein Realty, LLC*, to rezone from MIX (Mixed Use District) to MIX (Mixed Use District), with concurrent variances

**MEETING DATE:** For Submission onto the April 15, 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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APPROVAL BY CITY MANAGER: gmm APPROVED

PLACED ON AGENDA FOR: 4/15/2014

CITY ATTORNEY APPROVAL REQUIRED: (  ) YES (  ) NO

CITY ATTORNEY APPROVAL: gmm

REMARKS:



To: John McDonough, City Manager  
From: Angela Parker, Director of Community Development   
Date: April 2, 2014 for submission onto the April 15, 2014 City Council meeting

Agenda Item: **201400049 5901-5909 Peachtree Dunwoody Road** a request to rezone the subject property from MIX (Mixed Use District) to MIX (Mixed Use District), with concurrent variances.

***Department of Community Development Recommendation:***

**APPROVAL CONDITIONAL** of a request to rezone the subject property from MIX (Mixed Use District) to MIX (Mixed Use District), with concurrent variances.

***Background:***

The subject site is located on the east side Peachtree Dunwoody Road. The property is currently zoned MIX (Mixed Use District) and is developed with office complex. The property contains approximately 22.96 acres.

***Discussion:***

To rezone the subject property MIX (Mixed Use District) to MIX (Mixed Use District) to allow the development of 50,000 square feet of retail, 627,000 square feet of office, 200 room hotel, and 645 multi-family units, with a use permit to exceed the district height limit.

Additionally, the applicant is requesting two (2) concurrent variances from the Zoning Ordinance as follows:

1. Variance from Section 4.23.1 to reduce the required twenty (20) foot landscape strip to five (5) feet.
2. Variance from Section 4.23.1 to reduce the ten (10) foot rear landscape strip to five (5) feet.

	Currently Permitted	Current Density	Proposed	Proposed Density
<b>Retail</b>	50,000 sqft	2,177.70 sqft/ac	50,000 sqft	2,177.70sqft/ac
<b>Office</b>	1,151,200 sqft	50,139.37 sqft/ac	627,000 sqft	27,308.36 sqft/ac
<b>Hotel</b>	200 rooms	8.71 rooms/ac	200 rooms	8.71 rooms/ac
<b>Multi-Family</b>	210 units	9.15 units/ac	645 units	28.10 units/ac

The petition was heard at the March 20, 2014 Planning Commission meeting. Squire moved to recommend approval seconded by Nickles. The Commission recommended approval (6-0, Tart, Frostbaum, Nickles, Maziar, Porter for; Squire against; Duncan not voting) subject to staff's conditions and for staff to have dialog with the City of Dunwoody and PCID regarding road connections.



## Rezoning Petition No. 201400049

<b>PROPERTY INFORMATION</b>	
<b>Address, Land Lot, and District</b>	5901-5909 Peachtree Dunwoody Road Land Lot 17, District 17 <sup>th</sup>
<b>Council District</b>	5 (Tiberio "Tibby" DeJulio)
<b>Frontage</b>	827.15' frontage along the east side of Peachtree Dunwoody Road
<b>Area</b>	22.96 acres
<b>Existing Zoning and Use</b>	MIX (Mixed Use District) under Sandy Spring zoning case RZ06-021/CV06-012/U06-004, currently developed with office buildings
<b>Overlay District</b>	PCID (Perimeter Center Improvement District)
<b>2027 Comprehensive Future Land Use Map Designation</b>	LWC (Live Work Regional) Node 6: PCID (Perimeter Community Improvement District)
<b>Proposed Zoning</b>	MIX (Mixed Use District)

<b>APPLICANT/PETITIONER INFORMATION</b>		
<b>Property Owner</b>	<b>Petitioner</b>	<b>Representative</b>
Shorenstein Properties, LLC	Shorenstein Properties, LLC	Harold Buckley, Jr.

<b>HEARING &amp; MEETING DATES</b>			
<b>Community Zoning Information Meeting</b>	<b>Community Developer Resolution Meeting</b>	<b>Planning Commission Hearing</b>	<b>Mayor and City Council Hearing</b>
February 6, 2014	February 27, 2014	March 20, 2014	April 15, 2014

### **INTENT**

To rezone the subject property MIX (Mixed Use District) to MIX (Mixed Use District) to allow the development of 50,000 square feet of retail, 627,000 square feet of office, 200 room hotel, and 645 multi-family units, with a use permit to exceed the district height limit.

Additionally, the applicant is requesting two (2) concurrent variances from the Zoning Ordinance as follows:

1. Variance from Section 4.23.1 to reduce the required twenty (20) foot landscape strip to five (5) feet.
2. Variance from Section 4.23.1 to reduce the ten (10) foot rear landscape strip to five (5) feet.

	<b>Currently Permitted</b>	<b>Current Density</b>	<b>Proposed</b>	<b>Proposed Density</b>
<b>Retail</b>	50,000 sqft	2,177.70 sqft/ac	50,000 sqft	2,177.70sqft/ac
<b>Office</b>	1,151,200 sqft	50,139.37 sqft/ac	627,000 sqft	27,308.36 sqft/ac
<b>Hotel</b>	200 rooms	8.71 rooms/ac	200 rooms	8.71 rooms/ac
<b>Multi-Family</b>	210 units	9.15 units/ac	645 units	28.10 units/ac

### **DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION**

**201400049- APPROVAL CONDITIONAL**  
**201400049 Use Permit - APPROVAL CONDITIONAL**  
**201400049 Variance #1- APPROVAL CONDITIONAL**  
**201400049 Variance #2 - APPROVAL CONDITIONAL**

<b>PLANNING COMMISSION</b>
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The petition was heard at the March 20, 2014 Planning Commission meeting. Squire moved to recommend approval seconded by Nickles. The Commission recommended approval (6-0, Tart, Frostbaum, Nickles, Maziar, Porter for; Squire against; Duncan not voting) subject to staff's conditions and for staff to have dialog with the City of Dunwoody and PCID regarding road connections.

*Staff holds monthly meetings with Perimeter Community Improvement Design District PCID and the City of Dunwoody. Dialog of the road connections has been discussed.*

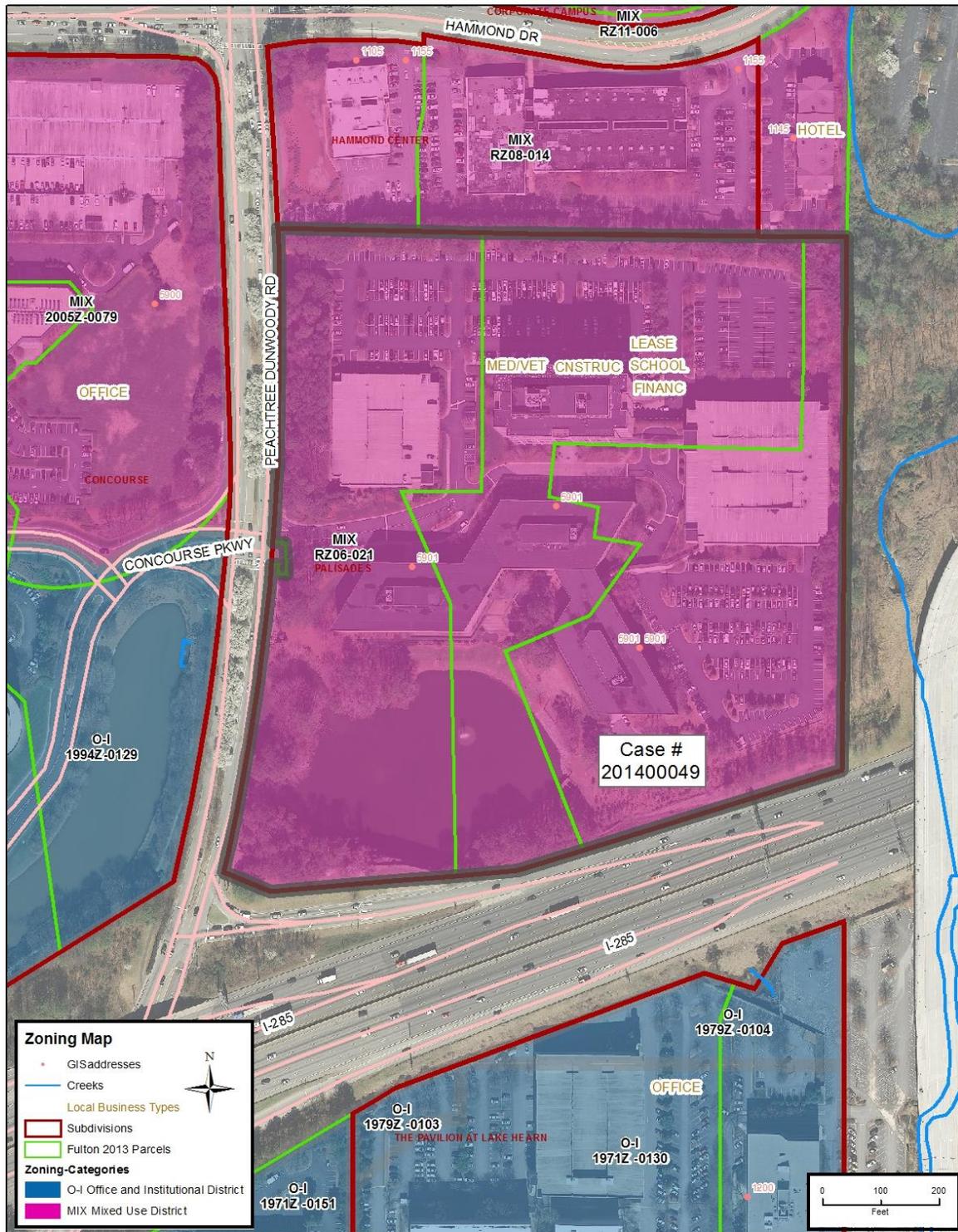
<b>EXISTING LAND USE AND ZONING OF ABUTTING PROPERTIES</b>
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SUBJECT PETITION 201400049	Requested Zoning	Proposed Use	Land Area (Acres)	Units	Density (Units per Acre)
	MIX	Retail Office Hotel Multi-Family	22.96	50,000 627,000 200 645	2,177.70sqft/ac 27,308.36 sqft/ac 8.71 rooms/ac 28.10 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	MIX RZ11-006	Corporate Campus - Retail/Office Residential Hotel	21.32	753,000 sf 345 units 160 rooms	35,318.95 sf/ac 16.18 units/ac 7.5 rooms/ac
North	MIX RZ08-014	Hammond Center – Office Retail Restaurant Residential Hotel	7.28	20,000 sf 50,000 sf 20,000 sf 400 units 120 rooms	2,770.08 sf/ac 6,925.21 sf/ac 2,770.08 sf/ac 55.12 units/ac 16.48 rooms/ac
North & East	C-1 Z96-0119	Publix Shopping Center – Retail/Office	9.29	99,628 sf	10,724.22 sf/ac
East	DeKalb County -Zoned: O-I				
South	I-285				
West	MIX Z05-0079	Concourse – Retail Office Residential	11.28	70,000 sf 181,913 sf 650 units	6,205.67 sf/ac 16,127.04 sf/ac 57.62 units/ac
West	O-I Z94-0129	Office	65.34	4,439,958 sf	67,952 sf/ac

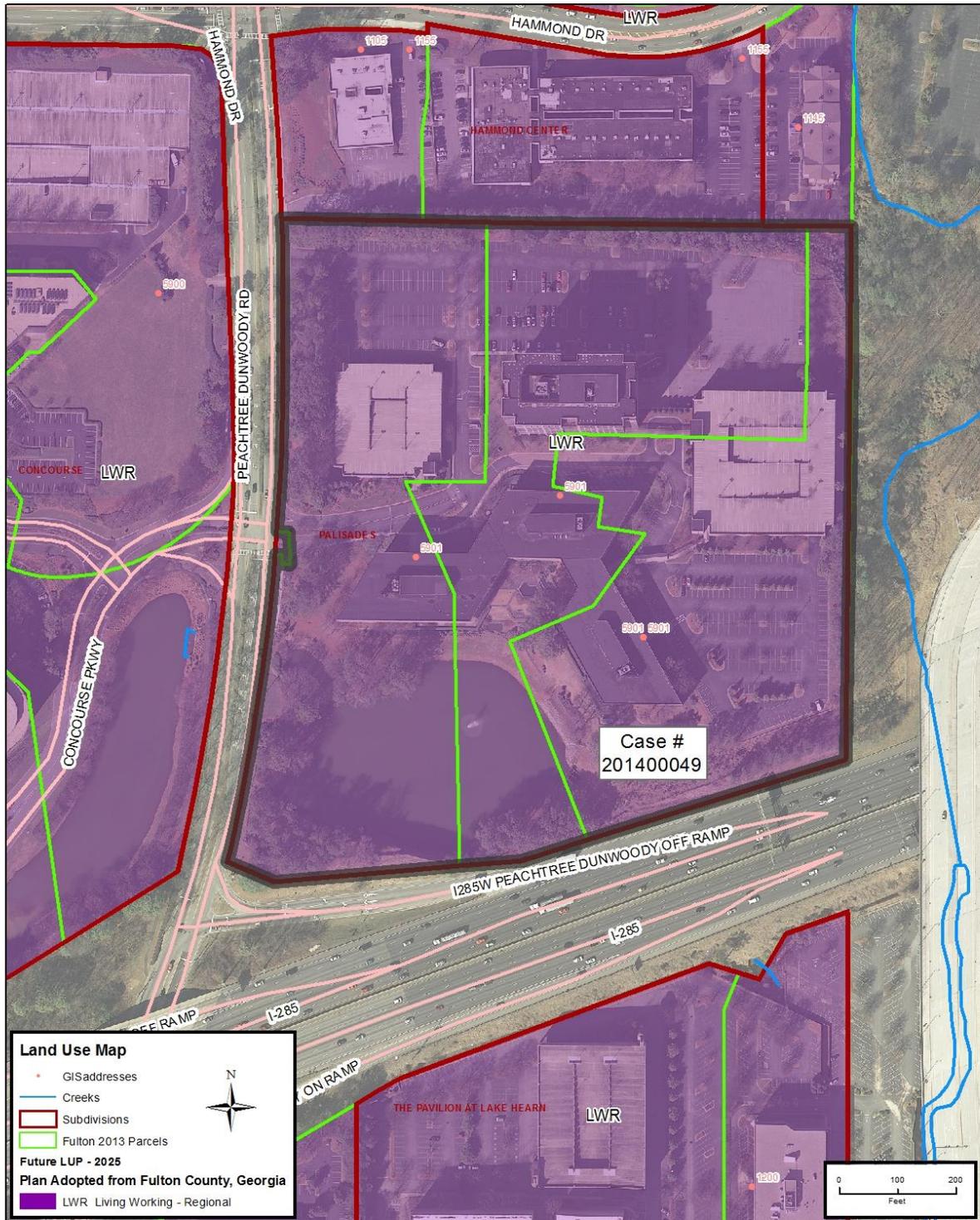
### Zoning Map

### 5901-5909 Peachtree Dunwoody Road



### Future Land Use Map

#### 5901-5909 Peachtree Dunwoody Road



## 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 of a mixture high density uses.

*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 property is surrounded by high density office and retail uses and the additional multi-family would create 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 and the Future Land Use Map designation of Live Work Regional (LWR) and the recommended density of above 20 units per acre for residential and above 25,000 square feet an acre for commercial. The applicant is proposing the following

	Proposed	Proposed Density
<b>Retail</b>	50,000 sqft	2,177.70sqft/ac
<b>Office</b>	627,000 sqft	27,308.36 sqft/ac
<b>Hotel</b>	200 rooms	8.71 rooms/ac
<b>Multi-Family</b>	645 units	28.10 units/ac

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.

**Node 6: PCID (Perimeter Community Improvement District - Live Work Regional only)**

Boundaries:

- Properties along the GA-400 Corridor, generally located within the boundaries of the Perimeter Center Improvement District.

Guidelines and Policies:

1. Residential density should be above 20 units per acre.
2. Commercial and office densities should be above 25,000 square feet per acre.
3. Building heights should not be limited in this area.
4. At least 20% of a site shall be maintained as open space.
5. The densities and heights referenced as appropriate for this area shall be reduced when there are conflicts with existing single-family neighborhoods.
6. Density and/or height bonuses, beyond the recommendations of the Comprehensive Plan, may be approved by the Mayor and City Council for the development or redevelopment of assembled properties consisting of a minimum of five (5) or more acres. The approval of bonuses will be based on the merits of the project relative to whether it provides desirable attributes that meet or exceed the goals and objective of the Comprehensive Plan. Such goals may include, but not be limited to the following:
7. Providing significant green space or open space that exceeds the minimums established in Table 1.5.
8. Providing shared parking to other properties in the area or encouraging/requiring the use of alternative transportation options. This may include, but not be limited to, providing direct or planned access to MARTA services.

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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 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 two (2) 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 twenty (20) foot front landscape strip to five (5) foot.

**Findings:**

*Staff is of the opinion that the request to reduce the twenty (20) foot front landscape strip to five (5) feet is in harmony with the intent on the Zoning Ordinance. The applicant is proposing that the retail building and a multi-family building will be located along this encroachment. Pulling these building closer to Peachtree Dunwoody Road will create a more walkable area and pedestrian-friendly access from the surrounding area. Therefore, based on these reasons, the staff recommends APPROVAL of this variance request.*

2. Variance from 4.23.1 to reduce the ten (10) foot rear landscape strip to five (5) foot.

**Findings:**

*Staff is of the opinion that the reduction from ten (10) foot rear landscape strip to five (5) feet is in harmony with the intent of the Zoning Ordinance. The reduction is only for the internal road along the north east portion of the property. Additionally, the road will allow interparcel access to the property to the east. Therefore, based on these reasons, the staff recommends APPROVAL of this variance request.*

**USE PERMIT CONSIDERATIONS**

The applicant is requesting a use permit to exceed the district height of sixty (60) feet.

The applicant is requesting a use permit to allow a thirty-five (35) story hotel and multi-family building, twenty (20) story multi-family building, a sixteen (16) story multi-family building and a six (6) story parking deck.

Per Article 19.2.4, *Use Permit Considerations*, the City Council shall consider each of the following:

- A. *Whether the proposed use is consistent with the Comprehensive Land Use Plan and/or Economic Development Revitalization plans adopted by the City Council;*

**Findings:** The staff is of the opinion that the proposed use is consistent with the intent of the Comprehensive Plan and the Future Land Use Map designation of Live Work Regional (LWR) and the recommended density. The Plan recommends density of above 20 unit/acre and over 25,000 square feet per acre. The applicant is requesting the following densities:

	<b>Proposed</b>	<b>Proposed Density</b>
<b>Retail</b>	50,000 sqft	2,177.70sqft/ac
<b>Office</b>	627,000 sqft	27,308.36 sqft/ac
<b>Hotel</b>	200 rooms	8.71 rooms/ac
<b>Multi-Family</b>	645 units	28.10 units/ac

The applicant is requesting a use permit to exceed the district required sixty (60) foot height limit to allow a thirty-five (35) story hotel and multi-family building, twenty (20) story multi-family building, a sixteen (16) story multi-family building and a six (6) story parking deck. The adjacent office buildings are approximately thirty-four (34) stories. The request to exceed the sixty (60) feet is consistent with the buildings in the surrounding area. The Node 6: PCID (Perimeter Community Improvement District - Live Work Regional only) states that building height should not be limited in this area. 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.

*B. Compatibility with land uses and zoning districts in the vicinity of the property for which the Use Permit is proposed;*

Findings: The staff is of the opinion that the proposed use is compatible with the land uses and zoning districts within the vicinity of the property.

*C. Whether the proposed use may violate local, state and/or federal statutes, ordinances or regulations governing land development;*

Findings: The staff is of the opinion the proposed uses would not violate any local, state, and/or federal statutes, ordinances, or regulations.

*D. The effect of the proposed use on traffic flow, vehicular and pedestrian, along adjoining streets;*

Findings: The staff is of the opinion that the proposal will not result in a use that will cause an excessive or burdensome use of the existing infrastructure. The RZ06-021 application has an approved Development of Regional Impact (DRI). The Atlanta Regional Commission (ARC) has reviewed the recent request and has determined that it would not require an additional DRI review. The DRI conditions from the RZ06-021 zoning petition will carry over to this proposal.

*E. The location and number of off-street parking spaces;*

Findings: The total parking required:

	<b>Required</b>	<b>Proposed</b>
<b>Multi-Family</b>	1,003	945
<b>Commercial</b>	2,094	2,047
<b>Total</b>	2,992 (5% MARTA Reduction)	<b>2,992(5%MARTA Reduction)</b>

*F. The amount and location of open space;*

Findings: The applicant is proposing 25.34% green space where 15% is required and 21% open space where 5% is required.

*G. Protective screening;*

Findings: The applicant is not proposing protective screening. The proposal will be added into the current mixed use development. Additionally, the area is currently developed with high rise and high density developments.

*H. Hours and manner of operation;*

Findings: The standard/typical hours and manner of operation would be consistent with other mixed use developments.

*I. Outdoor lighting; and*

Findings: Any modification to or addition of outdoor lighting will be required to meet the minimum requirements of the Zoning Ordinance.

*J. Ingress and egress to the property*

Findings: The two (2) ingress and egress points will remain in the same location as currently exists along Peachtree Dunwoody Road. Two (2) additional access points will be located on the north side of the property connecting to Hammond Drive. Additionally, sidewalks will be provided to facilitate pedestrian access to the site from Peachtree Dunwoody Road and interparcel pedestrian access to the adjoining parcel to the north.

**DEPARTMENT COMMENTS**

The staff held a Focus Meeting with Transportation, Building and Permitting, Fire, Code Enforcement, Site Development, and the Arborist on February 5, 2014 at which the following departments had comments. The staff has received additional comments from the Fulton County Board of Education and Fulton County Department of Water Resources (see attachments).

<p><b>Transportation Planner</b></p>	<p>Peachtree Dunwoody Road is classified a Minor Arterial street and has a posted speed limit of 35 mph. The existing daily traffic counts in the vicinity of this project are 32,630 (2013). The frontage is included in the City’s adopted Sidewalk Master Plan and within the Perimeter Community Improvement Design District (PCID) Overlay. The recommended PCID streetscape includes a minimum 8-foot sidewalk with 5-foot planting strip, street lights, and street furniture. A PCID pedestrian plaza is recommended for the intersection of Peachtree Dunwoody Road and Concourse Parkway. The <i>Transportation Master Plan</i> recommended that sidewalks be constructed on Peachtree Dunwoody Road at this location (Project E16).</p> <p>ADA-accessible paths shall be provided from all street frontages into interior development. The right-of-way dedication for Peachtree Dunwoody Road is 55 feet from street centerline or 11 feet from future back of curb or one foot behind future sidewalk, whichever is greater, along the entire property frontage in addition to 20-foot miters or equivalent radii at the access locations. Show proposed easement or right-of-way for the north interparcel access road.</p> <p>The following transportation conditions were required per Georgia Regional Transportation Authority (GRTA) Notice of Decision (NOD) for Development of Regional Impact (DRI) 1152 Palisades Development, December 8, 2006:</p> <ul style="list-style-type: none"> <li>• Provide a stub street to the northern property line abutting the property labeled “Equitel-79 Real Estate Inc”.</li> <li>• Provide sidewalks along property frontage abutting Peachtree-Dunwoody Road as shown on the site plan.</li> <li>• Provide sidewalks along both sides of all internal roads as shown on the site plan.</li> <li>• Provide a pedestrian path connecting the property to the north labeled “Equitel- 79 Real Estate Inc” on the site plan.</li> </ul>
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	<ul style="list-style-type: none"> <li>• Provide an articulated crosswalk between this pedestrian path and the sidewalks abutting the proposed condominium tower.</li> <li>• Provide covered shelters at all existing bus stops on the site.</li> <li>• Provide bicycle racks near the entrances of all non-residential and residential uses.</li> <li>• Coordinate with the Perimeter Center CID on installation of sidewalks and pedestrian facilities as included in the TIP project #FN-AR-144, GDOT #0006984. [Project Constructed 2012]</li> </ul> <p>Roadway Improvements as Conditions to GRTA Notice of Decision:</p> <p><u>Peachtree-Dunwoody Road @ Hammond Drive</u></p> <ul style="list-style-type: none"> <li>• Provide a westbound right-turn lane along Hammond Drive. [Project Constructed 2011]</li> <li>• Provide a northbound right-turn lane along Peachtree-Dunwoody Road. [Project Constructed 2014]</li> <li>• Provide an additional northbound left-turn lane (creating dual left-turn lanes) along Peachtree-Dunwoody Road.</li> </ul> <p><u>Peachtree-Dunwoody Road @ Concourse Parkway / Palisades Driveway #1</u></p> <ul style="list-style-type: none"> <li>• Provide an additional southbound left-turn lane (creating dual left-turn lanes) along Peachtree-Dunwoody Road.</li> <li>• Provide two receiving lanes along the Palisades driveway.</li> <li>• Provide a dedicated westbound left-turn lane along the Palisades driveway.</li> </ul> <p><u>Peachtree-Dunwoody Road @ Right-in/Right-out Driveway #2</u></p> <p>Install a northbound right-turn lane along Peachtree-Dunwoody Road.</p>
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## PUBLIC INVOLVEMENT

### *Public Comments*

- See attachment Exhibit A

## 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. It is the opinion of the staff that the proposal is in conformity with the intent of the Comprehensive Plan Policies. The proposed densities are within the ranges suggested by the Future Land Use Map. Therefore, based on these reasons, the staff recommends **APPROVAL CONDITIONAL** of the rezoning petition and the associated use permit and concurrent variances.

<b>STAFF RECOMMENDED CONDITIONS</b>
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Should the Mayor and City Council decide to rezone the subject property from MIX (Mixed Use District) to MIX (Mixed Use 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. Office and associated accessory uses at a density of 27,308.36 square feet per acre or 627,000 square feet, whichever is less.
  - b. Retail uses at a density of 2,177.70 square feet per acre or 50,000 square feet, whichever is less.
  - c. Residential uses at a density of 28.10 units per acre or 645 units, whichever is less.
  - d. Hotel use at a density of 8.71 rooms per acre or 200 rooms, whichever is less.
  - e. To a maximum building height of 35 stories for the 200 unit multi-family/ 200 room hotel and 6 stories for the parking deck as shown on the site plan received by the Department of Community Development dated March 13, 2014.
  - f. To a maximum building height of 20 stories for the 260 unit multi-family building as shown on the site plan received by the Department of Community Development dated March 13, 2014.
  - g. To a maximum building height of 16 stories for the 165 unit multi-family building as shown on the site plan received by the Department of Community Development dated March 13, 2014.
  
2. To the owner's agreement to abide by the following:
  - a. To the site plan received by the Department of Community Development dated March 13, 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. The minimum design standards are:
    - Minimum front yard: 5 feet
    - Minimum side yard: 15 feet
    - Minimum rear yard: 0 feet
    - Minimum internal setback: 15 feet
    - Minimum landscaping and buffering between uses: 5 feet
    - Minimum heated floor area per dwelling unit: 600 square feet
  
  - b. The owner/developer shall dedicate fifty-five (55) feet of right-of-way from centerline of Peachtree-Dunwoody Road 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.

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

- c. No less than 20% of the site shall be maintained as open/green space.
- d. Development shall comply with the Georgia Stormwater Management Manual Stormwater Runoff Quality Standard by providing practices that treat the water quality volume by infiltration and/or evapotranspiration.
- e. Prior to issuance of an LDP, the owner/developer shall attempt to provide interparcel access with the properties to the north and east. Should the owner/developer not come to an agreement on interparcel access at this time with the property owners to the north or east, 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 inter-parcel access along the entirety of the northern and eastern boundaries of the property, prior to the issuance of an LDP.
- f. The street between Peachtree Dunwoody Road and Road "C" along Road "A" shall be constructed with a stub end at the north property line.
- g. Road "A" shall be constructed so the back of curb is located no more than five (5) feet from the northern property line for the entire length of the road.
- h. Provide an additional left turn lane for northbound and southbound Peachtree-Dunwoody Road at Palisades' driveway/Concourse Parkway (creating dual left turn lanes). The median along Peachtree-Dunwoody shall be maintained at its existing width throughout the entire property frontage.
- i. Provide two receiving lanes eastbound along Palisades' driveway and westbound along Concourse Parkway at the intersection with Peachtree-Dunwoody Road.
- j. Provide westbound left turn lane along Palisades' driveway onto Peachtree-Dunwoody Road.
- k. Provide exclusive right turn lane for driveway #2 northbound along Peachtree-Dunwoody Road.
- l. Provide an exclusive northbound right turn lane along Peachtree-Dunwoody Road between the I-285 westbound off ramp and Palisades driveway. This lane shall be an additional channelized right turn lane off the I-285 westbound off ramp.
- m. Upgrade the signal at Peachtree-Dunwoody Road and Palisades' driveway/Concourse Parkway to accommodate the required geometric changes. All signal design and equipment must conform to the Perimeter Community Improvement District standards. All changes must be approved by the City of Sandy Springs Department of Public Works.
- n. Upgrade the signal at Peachtree-Dunwoody Road and the I-285 westbound off ramp to accommodate the required geometric changes. All signal design and equipment must conform to the Perimeter Community Improvement District standards. All changes must be approved by the City of Sandy Springs Department of Public Works and the Georgia Department of Public Works.
- o. To allow for an encroachment by the proposed Road "E" into the required ten (10) foot landscape strip along the east property line as shown on the site plan received by the Department of Community Development dated January 19, 2007 (CV201400049).

- p. Drive-thru restaurants shall be prohibited.
- q. To reduce the twenty (20) foot front landscape strip to five (5) foot to allow for the encroachments as shown on the site plan received by the Department of Community Development dated January 19, 2007 (CV201400049).

### **Attachments**

- Letter of Intent dated received January 7, 2014
- Site Plan dated received January 7, 2014
- Site Pictures
- Additional comments from the Fulton County Department of Water Resources, Fulton County Department of Health Services , Fulton County School System Impact Report
- Public Comment Letter

# WILSON BROCK & IRBY, L.L.C.

ATTORNEYS AT LAW

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January 7, 2014

**RECEIVED**

VIA: HAND DELIVERY

Ms. Patrice S. Dickerson, AICP  
City of Sandy Springs Community Dev. Dept.  
7840 Roswell Road, Bldg 500  
Sandy Springs, GA 30350

City of Sandy Springs  
Community Development

RE: Application by SRI Sever Palisades LLC ("Shorenstein Realty") to Rezone Property Located at 5901 – 5909 Peachtree-Dunwoody Road from MIX to MIX to Facilitate a Site Plan Amendment; and for a Use Permit and Concurrent Variances.

Dear Patrice:

Shorenstein Realty currently owns the Palisades office development, which is located on the subject property described above. The property was formerly owned by Tishman Speyer, for whom the city rezoned the property from O-I (Office – Institutional) to MIX (Mixed Use) on May 15, 2007 (see RZ06-021). This site plan-specific rezoning approved the following uses for the property:

1. Hotel – 200 units
2. Retail – 50,000 square feet
3. Office (Existing) – 627,000 square feet
4. Office (Proposed) – 524,200 square feet (25 stories)
5. Multi-Family – 200 units (35 stories)
6. Live/Work Office Condos – 10 units (1 story above 3-level parking)
7. Parking Deck – 9 stories

Shorenstein purchased the property but was unable to proceed with development due to rapidly deteriorating economic conditions.

Due to currently improving market conditions, Shorenstein is now evaluating development opportunities for the subject property. However, due to severe shifts in the national and local economy occurring after the 2007 rezoning, the approved mixed use development is no longer economically feasible. Therefore, Shorenstein desires to revise the conditional site plan to reflect the following changes:

**WILSON BROCK & IRBY, L.L.C.**

**SHORENSTEIN LETTER OF INTENT**

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1. Replace the 524,000 square feet of proposed office space (see item (1) above) with a mixed-use building housing a 200 hotel rooms and 200 multi-family residential units (35 stories).
2. Increase the amount of on-site retail from 50,000 square feet (see item (2) above) to 54,000 square feet.
3. Replace the 200 multi-family units (see item (5) above) with 260 multi-family units (20 stories).
4. Replace the 10 live/work office condo units (see item (6) above) with 165 multi-family residential units (16 stories).
5. Reduce the proposed parking deck from 9 stories to 6 stories.

These site plan revisions would reduce proposed office space by 524,000 square feet, increase proposed retail space by 4,000 square feet, add 435 multi-family residential units, and reduce on-site parking by 445 spaces. Shorenstein respectfully requests a rezoning of the subject property from MIX to MIX for the sole purpose of the above-described site plan amendment.

In addition, the MIX zoning regulations limit maximum building heights to sixty feet. The uses proposed in Shorenstein's revised master plan either exceed this maximum height or expand the footprint of existing buildings that exceed the maximum height. Therefore, Shorenstein respectfully requests a use permit to allow the hotel/residential building (#1 above), the residential building (# 3 above), the residential/retail building (#4 above), and reduced parking deck to be taller than sixty feet.

Finally, like the currently approved master plan, the revised development plan calls for the development of new sidewalk retail within the 20-foot landscape strip required along Peachtree-Dunwoody Road. Also, like the currently approved master plan, the revised development plan calls for a small roadway encroachment within the landscape strip along the rear of the property. Shorenstein respectfully requests concurrent variances to allow these two encroachments into the required landscape strips.

**I. Rezoning Application Analysis**

Our requested rezoning meets the city's prescribed rezoning standards as follows:

**WILSON BROCK & IRBY, L.L.C.**

**SHORENSTEIN LETTER OF INTENT**

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1. The proposed use is not only suitable in light of surrounding development; it will enhance the use and usability of surrounding properties.

The subject property is located within a large commercial development node (centering on the Peachtree-Dunwoody Road/Hammond Drive intersection) that Fulton County and the city have consistently zoned for mixed use development since 2005.<sup>1</sup> Our revised mixed use development plan presents a development that will include office, hotel, multi-family residential, and retail facilities. Shorenstein simply seeks the city's approval of a change in the mix of uses proposed for the subject property. Therefore, our revised mixed use development plan will reflect and reinforce the character of the surrounding area.

For the foregoing reasons, our revised mixed use development plan also complies with the first two use permit considerations set forth in Section 19.2.4 of the zoning ordinance.

2. The current mix of uses approved for the site does not have a reasonable economic use.

The subject property's current MIX site plan includes more than a half million square feet of unbuilt office space. Based on current market conditions, new office development is completely unfeasible from an economic perspective and it will remain so far into the foreseeable future. In contrast, residential markets conditions are rapidly improving. Therefore, our requested site plan amendment is necessary for the proposed mixed-use development to achieve reasonable economic viability.

3. The proposed site plan amendment will not increase the subject property's demand for physical public infrastructure.

While the proposed site plan amendment will significantly increase the number of on-site residential units, it will also effect a 524,000-square-foot reduction in approved office space. This enormous reduction in office space will more than offset the subject property's future demand for public infrastructure. Therefore, not only does the revised development plan comply with this rezoning approval criterion, it also complies with the fourth use permit consideration set forth in Section 19.2.4 of the zoning ordinance.

4. The proposed mixed-use development is in complete conformity with the comprehensive plan's policies and intent.

The comprehensive plan designates the subject property and all of the property in the area surrounding it for LWR (Living Working Regional) use. Shorenstein's revised mixed-use development plan is completely consistent with the comprehensive plan. For this reason, and those set forth in our attached environmental site analysis/impact report which is incorporated herein by reference, the revised development plan complies with the third use permit consideration set forth in Section 19.2.4 of the zoning ordinance.

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<sup>1</sup> See zoning cases 2005Z-0079, RZ06-021, RZ08-014, and RZ11-006.

5. Changing market conditions support the approval of the revised mixed-use development plan.

As explained above, substantially improving residential market conditions support a revision in Shorenstein's mixed-use development plan to reduce the commercial component and increase the residential component.

6. The proposed development cannot be considered adverse to the city's citizens, natural resources, or environment.

The proposed mixed-use development plan revision would substantially reduce the proposed development's commercial character and increase its residential character. Therefore, the revised development cannot be considered to be adverse to citizens, natural resources, or the environment within the City of Sandy Springs.

For all of the foregoing reasons, Shorenstein's rezoning application (which is incorporated herein by reference), and the development proposed therein, satisfies the city's standards for rezoning approval. Therefore, the denial of this application (or the approval of lesser relief than requested) would violate Shorenstein's constitutional rights as guaranteed by the constitutions of the State of Georgia and the United States of America.

## **II. Use Permit Application Analysis**

As explained in paragraphs (1), (3), and (4) above, our use permit request to increase building heights complies with the first three use permit considerations set forth in Section 19.2.4 of the zoning ordinance. Our use permit request meets the remainder of the zoning ordinance's prescribed standards as follows:

### **1. Off-Street Parking**

The revised development plan calls for the development of 390 one-bedroom residential units and 255 two-bedroom residential units. Because of the site's proximity to MARTA, the zoning ordinance requires a minimum of 488 on-site parking spaces for the one-bedroom residential units and 446 on-site parking spaces for the two-bedroom residential units. The revised development plan meets these minimum parking requirements.

The zoning ordinance also requires 2,684 shared on-site parking spaces for the remaining non-residential use components on the site. The revised development plan includes 2,723 shared parking spaces for these non-residential uses, which exceeds the zoning ordinance's minimum parking requirement.

2. Open Space

The zoning ordinance requires at least 20% (4.59 acres) of the site to be set aside as permanent open space. The revised development plan sets aside 21.3% (4.89 acres) of the site as permanent open space, which exceeds the minimum zoning requirement.

3. Protective Screening

The Subject Property is located within a large commercial activity node, which is designated for mixed-use development. The public purpose behind the mixed-use designation is to seamlessly integrate diverse land uses into a walkable community. Therefore, rather than screen the revised development configuration from the surrounding, our intent is to knit it into the fabric of the surrounding community to achieve the city's public policy goals and intent. For example, rather than hiding the on-site retail, we very deliberately push it up to the sidewalk along Peachtree-Dunwoody Road. In addition, rather than screening our development from the adjoining property to the north, we designed our development plan to provide opportunities for interparcel connectivity to the north. More specifically, the roadway along our northern boundary has been designed to facilitate connections to driveways on the adjacent parcel.

4. Hours and Manner of Operation

The operation of the existing office facilities on the Subject Property will remain unchanged by any approval of this use permit request. The proposed residential, retail, and hotel uses will complement the existing office development by allowing office tenants to live, work and shop on the Subject Property. In addition, future residents and hotel guests can take advantage of amenities on the site, and in the surrounding area, without the use of a private automobile.

5. Outdoor Lighting

Outdoor lighting is currently used to facilitate the use of walkways and parking areas. Outdoor lighting in the revised development plan will serve the same purpose, and it will also be used to facilitate the use of new street-level retail shops.

6. Ingress and Egress

Sideways will be provided to facilitate pedestrian access to the site from (and along) Peachtree-Dunwoody Road and interparcel pedestrian access to the adjoining parcel to the north. Sidewalks will also be provided to facilitate on-site pedestrian movement, particularly in on-site areas with street-level shops and amenities. On-street parking spaces are provided along the north side of the property to serve as a buffer between pedestrians and moving vehicles.

**WILSON BROCK & IRBY, L.L.C.**

**SHORENSTEIN LETTER OF INTENT**

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In the immediate term, vehicular ingress and egress will be primarily accomplished via two roadways from Peachtree-Dunwoody Road. The roadway along the north side of the site will be limited to right in/right out vehicular movements from Peachtree-Dunwoody Road, with a deceleration lane provided to support incoming vehicles. This northern roadway is also designed to allow interparcel vehicular movement between the Subject Property and the adjoining property to the north, as well as a potential connection to the 'flyover' roadway.

For all of the foregoing reasons, Shorenstein respectfully requests a rezoning of the subject property from MIX to MIX, and the approval of its requests for a use permit and concurrent variances. Please let me know if I may provide any additional information or clarify anything in this letter.

Sincerely,

WILSON BROCK & IRBY, L.L.C.



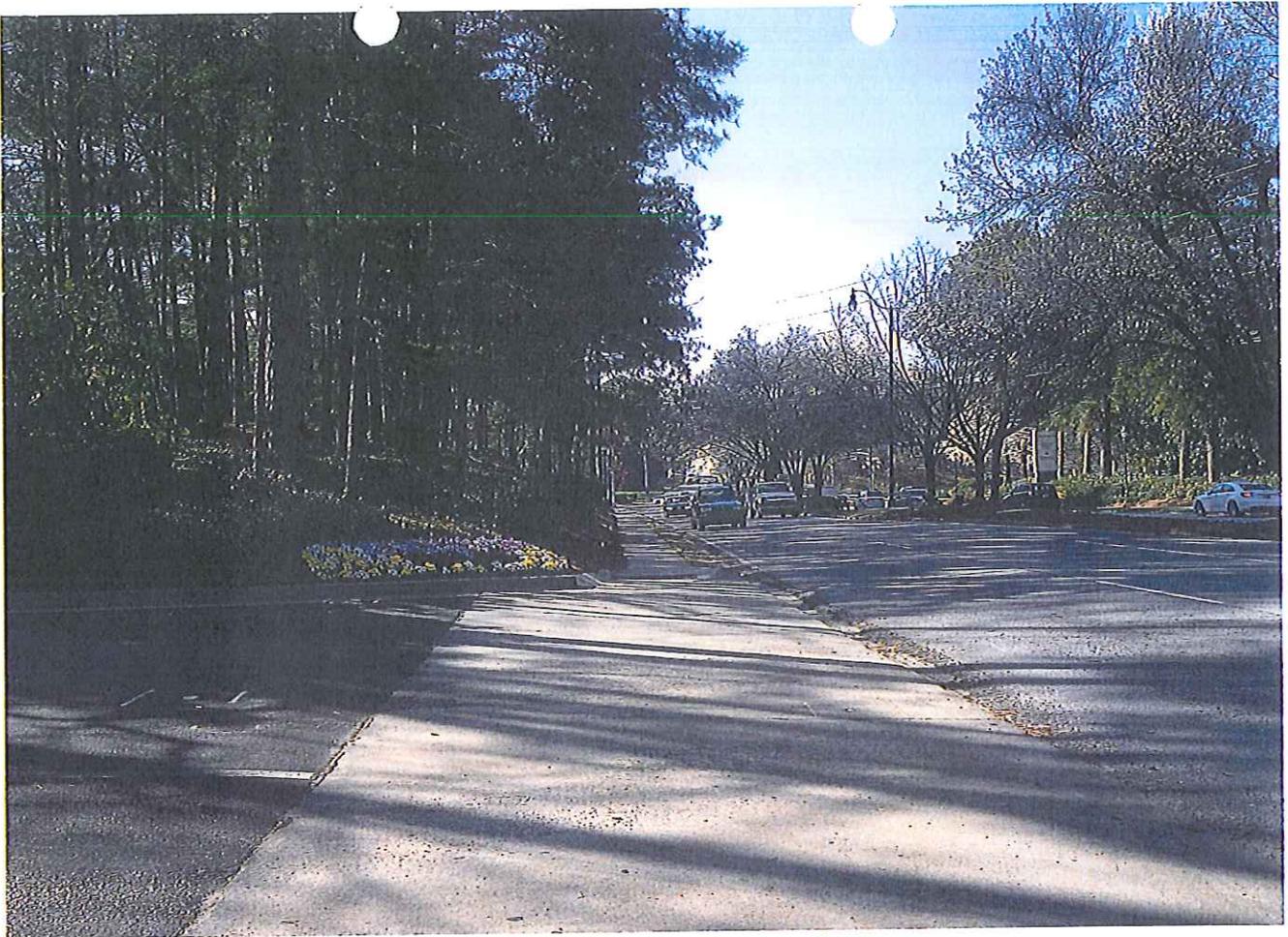
By: Harold Buckley Jr., AICP  
Attorneys for Shorenstein Realty

Attachments.

cc: Mr. Kevin Kuzemchak







**SANDY SPRINGS**  
GEORGIA  
**NOTICE OF REZONING**

Petition Number: 201400047

Property Location: 5901-5909 Peachtree  
Dunwoody Rd

Request: To rezone from MIX to MIX with  
all the Base and General Variances

Public Hearing(s): Planning Commission at 7:00 p.m.  
3/20/14

Mayor and City Council at 6:00 p.m.  
4/15/14

Location: Sandy Springs City Hall  
Morgan Falls Office Park  
7840 Roswell Road, Building 500  
Sandy Springs, Georgia 30350

For additional information, please contact Planning and Zoning at 770-730-5500 or visit  
[www.sandyspringsga.org](http://www.sandyspringsga.org)





## Akbar, Abdul

**From:** Abaray, Linda <LAbaray@SandySpringsga.gov>  
**Sent:** Thursday, January 23, 2014 3:25 PM  
**To:** Akbar, Abdul; Brenan Stearns (Stearns@fultonschools.org); JTuley@atlantaregional.com; Robinson, Monica; Paret Smith; Beck, Randy; Tim Taylor; Toby Carr; Tom Mahaffey; trishathompsonfox@comcast.net; Tshaka Malik Al-Kush (malkush@dot.ga.gov)  
**Subject:** Sandy Springs Preliminary Zoning Agenda  
**Attachments:** 201400049 5901-5909 PTDW (LO I and Site Plan).pdf; 201400050 Allen Rd, SS Cir, Lake Forrest (LOI and Site Plan).pdf; 201400094 6780 Roswell Road (LOI and Site Plan).pdf

All:

Please be advised, the material details the zoning petitions received on or before the January 7, 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](mailto:labaray@sandyspringsga.gov)

Agenda Item		Council District	Meeting Dates
<b>Rezoning</b>			
1.	201400049 5901-5909 Peachtree Dunwoody Road Applicant: <i>Shorenstein Realty, LLC</i> ▪ To rezoning from MIX (Mixed Use District) to MIX (Mixed Use District), with concurrent variances.	5	CZIM - 1/28/14 CDRM - 2/27/14 PC- 3/20/14 MCC- 4/15/14
2.	<del>201400050 0-110 Allen Road, 5820-5840 Sandy Spring Circle, 5830-5865 Lake Allen Lane, 5809-5831 Lake Forrest Drive Applicant: <i>J W Home, LLC</i> ▪ To rezone the property from R-3 (Single Family Dwelling District) and O-I (Office and Institutional District) to TR (Townhouse Residential District), with concurrent variances.</del>	3	<del>CZIM - 1/28/14 CDRM - 2/27/14 PC- 3/20/14 MCC- 4/15/14</del>
3.	201400094 6780 Roswell Road Applicant: <i>Sandy Springs Plaza Investments, LLC</i> ▪ To rezone from C-1 (Community Business District) to C-1 (Community Business District), with concurrent variances.	3	CZIM - 1/28/14 CDRM - 2/27/14 PC- 3/20/14 MCC- 4/15/14

\*\* Meeting Codes: CZIM - Community Zoning Information Meeting; DRB - Design Review Board; CDRM - Community/Developer Resolution Meeting; PC - Planning Commission; MCC - Mayor and City Council

Linda Abaray  
Senior Planner  
City of Sandy Springs  
7840 Roswell Road, Bldg. 500  
Sandy Springs, GA 30350  
O. 770-206-1577  
F. 770-206-1562

## 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: 100 gpd per 1,000 (retail space) sq. ft. x 54,000 sq. ft. = 5,400 gpd plus 270 gallons per day (gpd) per housing unit x 625 units = 168,750 gallons per day plus 100 gallons per day (gpd) per hotel room (with a hotel restaurant) x 200 hotel rooms = 20,000 gpd for a total daily water usage = 194,150 gpd.

This project is within the City of Atlanta water jurisdiction.

#### **SEWER:**

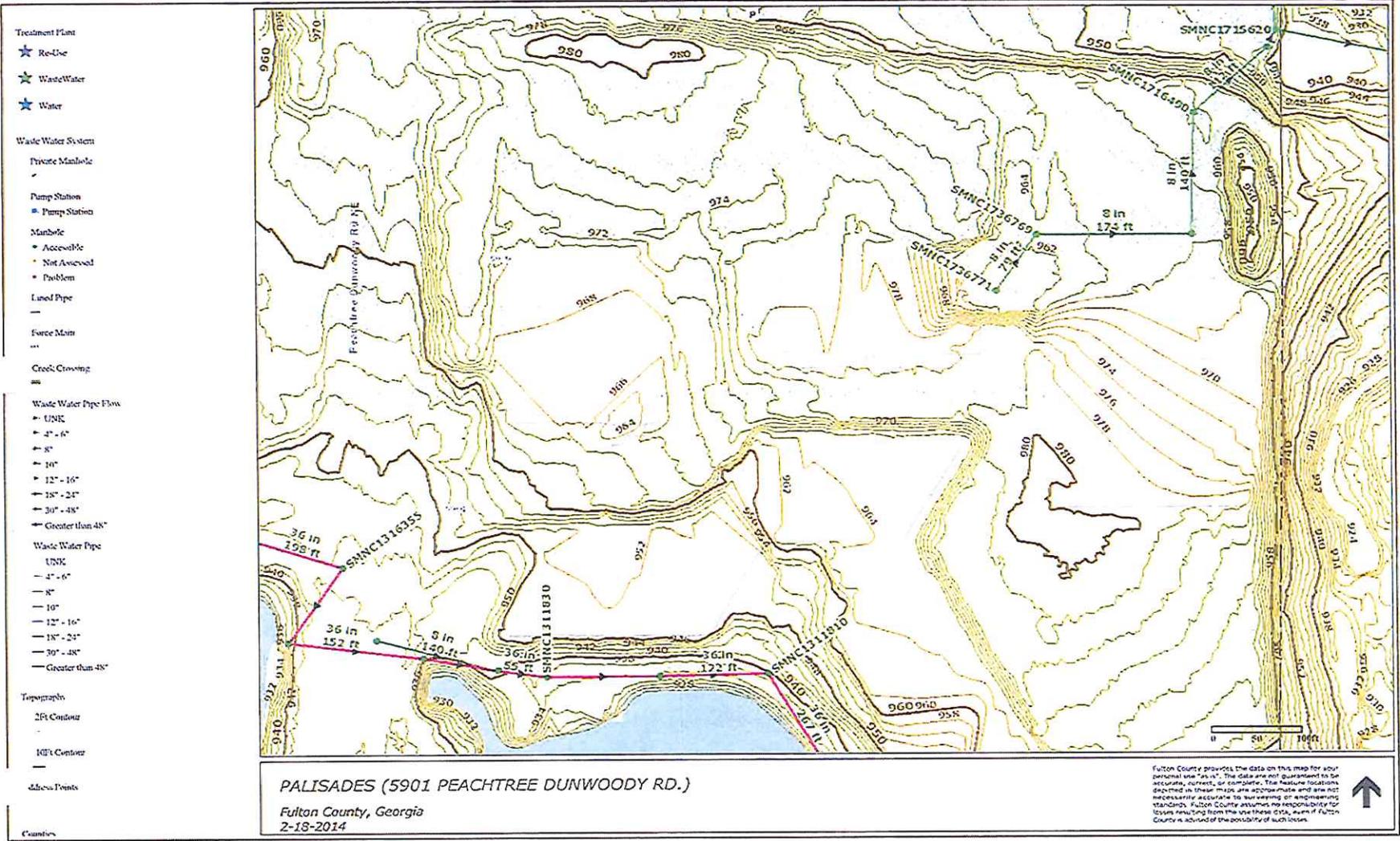
Basin: Nancy Creek  
Treatment Plant: R.M. Clayton (City of Atlanta)  
Anticipated sewer demand: 174,735 gallons per day

There are five wastewater manholes (8 inch sewer line) within the northeast property boundary (sewer manholes # SMNC1736771, # SMNC1736769, # SMNC1736767, # SMNC1716490 # SMNC1716480) and there is a sewer manhole within the southern property boundary of the Palisades development (sewer manhole # SMNC1315590) located in Land Lot 17, District 17.

Because of the size of this development, Fulton County Government is requesting that the developer pay to have a downstream analysis performed on the impact on the Fulton County sewer system by the sewer discharge of this proposed project. The contact for the Department of Water Resources of Fulton County Government to further coordinate this request will be with either Lamar Lambert (404-612-7470) or Ray Wooten (404-612-7547).

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.





**PALISADES (5901 PEACHTREE DUNWOODY RD.)**

Fulton County, Georgia  
2-18-2014

Fulton County provides the data on this map for your personal use "as is". The data are not guaranteed to be accurate, current, 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 these data, even if Fulton County is advised of the possibility of such losses.

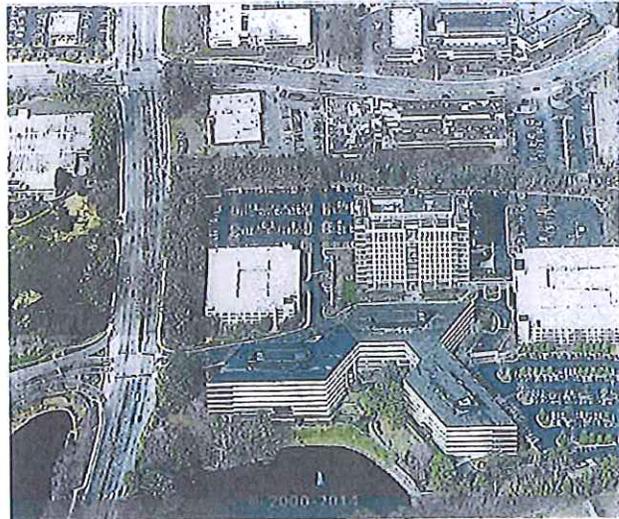


Property Profile for **5901 PEACHTREE DUNWOODY RD C**

Property Tax Information

Tax Year	2013
Parcel ID	17 0017 LL0964
Property Address	5901 PEACHTREE DUNWOODY RD C
Owner	SRI SEVEN PALISADES LLC
Mailing Address	5901 PEACHTREE DUNWOODY RD SUITE C155 ATLANTA GA 30328
Total Appraisal	\$40,642,800
Improvement Appraisal	\$30,457,000
Land Appraisal	\$10,185,800
Assessment	\$16,257,120
Tax District	59B
Land Area	11.9 ac
Property Class	Commercial Small Tracts
Land Use Class	Office Bldg (High Rise < 5) Class A
TAD	
CID	Fulton Perimeter CID
<b>Zoning</b>	
Zoning Class	not available
Overlay District	
2030 Future Development	not available
<b>Political</b>	
Municipality	Sandy Springs
Commission District	4
Commission Person	Tom Lowe
Council District	not available
Council Person	not available
Voting Precinct	SS08A
Poll Location	Hammond Park Gym, 705 Hammond Drive Ne
Congressional District	006
State Senate District	006
State House District	080
<b>School Zones</b>	
Elementary School	High Point
Middle School	Ridgeview
High School	Riverwood
<b>Other Information</b>	
Zip Code	30328
Census Tract	101.10
In Less Developed Census Tract	No

Oblique Aerial View (looking north)



Property Map



Vicinity Map

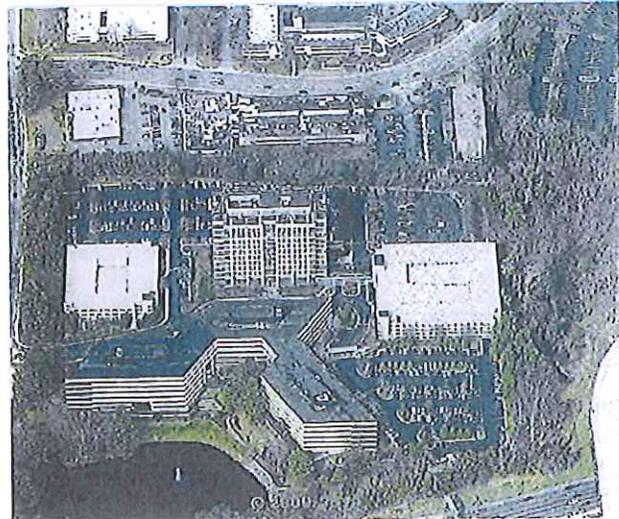


Property Profile for **5901 PEACHTREE DUNWOODY RD B**

Property Tax Information

Tax Year	2013
Parcel ID	17 0017 LL0972
Property Address	5901 PEACHTREE DUNWOODY RD B
Owner	SRI SEVEN PALISADES LLC
Mailing Address	5901 -C PEACHTREE DUNWOODY RD STE 155 ATLANTA GA 30328
Total Appraisal	\$10,496,500
Improvement Appraisal	\$3,378,600
Land Appraisal	\$7,117,900
Assessment	\$4,198,600
Tax District	59B
Land Area	7.030004 ac
Property Class	Commercial Small Tracts
Land Use Class	Office Bldg (High Rise < 5) Class B
TAD	
CID	Fulton Perimeter CID
<b>Zoning</b>	
Zoning Class	not available
Overlay District	
2030 Future Development	not available
<b>Political</b>	
Municipality	Sandy Springs
Commission District	4
Commission Person	Tom Lowe
Council District	not available
Council Person	not available
Voting Precinct	SS08A
Poll Location	Hammond Park Gym, 705 Hammond Drive Ne
Congressional District	006
State Senate District	006
State House District	080
<b>School Zones</b>	
Elementary School	High Point
Middle School	Ridgeview
High School	Riverwood
<b>Other Information</b>	
Zip Code	30328
Census Tract	101.10
In Less Developed Census Tract	No

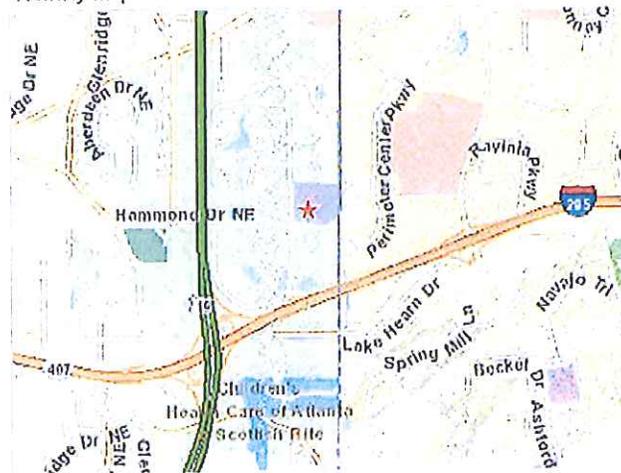
Oblique Aerial View (looking north)



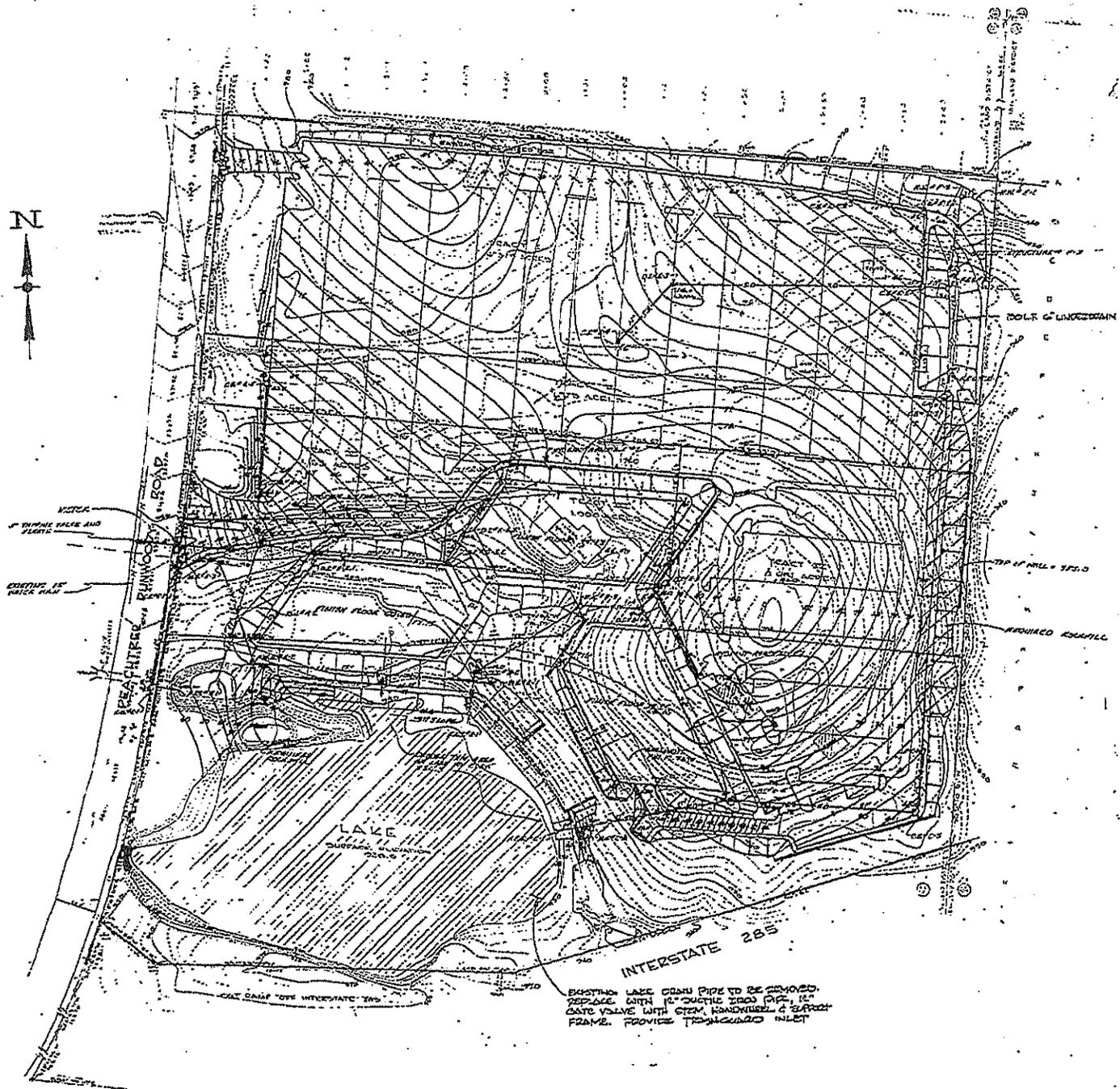
Property Map



Vicinity Map







EXISTING LAVE COASH PIPE TO BE REMOVED.  
REPLACE WITH 12" DUCTILE IRON PIPE, 12"  
CAST IRON VALVE WITH STEM, HOUSING, & SUPPORT  
FRAME. PROVIDE TYPICAL PLAN.

*J. P. ...*  
*D. ...*

<b>PALISADES OFFICE BUILDING</b> PEACHTREE DUNWOODY ROAD The Landmarks Group and John Laing America 80 JOHNSON FERRY ROAD ATLANTA, GEORGIA 30305	
	<b>UTILITY PLAN</b>
DATE: 11/10/11 SCALE: AS SHOWN	



**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 Services, Office of the Director

**DATE:** February 27, 2014

**SUBJECT:** Zoning Comments for March 2014

<b>AGENDA ITEM</b>	<b>ZONING COMMENTS</b>
201400049	<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>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> <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
201400050	<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>Since 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>
201400094	<p>The Department of Health and Wellness does not anticipate in health problems with allowing the additional use of leasing cars and light trucks provided that public sanitary sewer and public water serves the site and that the additional use does not change the number of sanitary facilities required.</p> <p>This Department recommends that the internal plumbing is inspected to determine whether or not the sanitary facilities are adequate with the additional use. If additional sanitary facilities are need, this Department recommends that the applicant be required to make the appropriate changes.</p>

**Rezoning Impact Statement  
Fulton County School System**

PETITION 201400049

JURISDICTION: Sandy Springs

USE	# UNITS
SF	0
TR / Condo	0
MF	625

HOME SCHOOL	ESTIMATED # STUDENTS GENERATED	CAPACITY <sup>A</sup>	CURRENT ENROLLMENT <sup>B</sup>	CURRENT UNDER/OVER CAPACITY <sup>C</sup>	# PORTABLE CLASSROOMS	CAN FACILITY MEET DEMAND? <sup>**</sup>
High Point ES	228 to 461	850	874	24	3	NO
Ridgeview MS	50 to 105	1200	1,092	-108	0	YES
Riverwood HS	76 to 130	1325	1,673	348	3	NO
<b>TOTAL</b>	<b>354 to 696</b>					

HS REGION:	AVERAGE	AVERAGE + 1 STD. DEV.	
Riverwood HS			
One single famiy unit generates:	0.110611	0.208131	elementary school students per unit
	0.022166	0.056933	middle school students per unit
	0.080473	0.162666	high school students per unit
One multifamily or apartment unit generates:	0.364178	0.737742	elementary school students per unit
	0.080335	0.167478	middle school students per unit
	0.121786	0.207204	high school students per unit
One residential town home unit generates:	0.048599	0.089494	elementary school students per unit
	0.016443	0.039527	middle school students per unit
	0.057565	0.107628	high school students per unit

**AVERAGE OPERATIONAL COST PER STUDENT:**

TOTAL COST:\$na

PORTION LOCAL REVENUE SOURCES: \$tbd

PORTION STATE AND OTHER REVENUE SOURCES: \$tbd

<sup>A</sup> Updated Georgia Department of Education state capacity.

<sup>B</sup> Enrollment is the official 20-day student count for the 2013-14 school year.

<sup>C</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.

<sup>\*</sup> State capacity indicates space. However, due to special programs at the school, portable classrooms may be needed to accommodate the instructional needs.

<sup>\*\*</sup> Impact based on 2013-14 school boundaries. Does not take portables into account.

**Abaray, Linda**

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**From:** Trisha Thompson <trishathompsonfox@comcast.net>  
**Sent:** Thursday, February 27, 2014 9:34 AM  
**To:** Abaray, Linda; Dickerson, Patrice  
**Subject:** Palisades Resolution Meeting

**RECEIVED**

FEB 27 2014

City of Sandy Springs  
Community Development

Ladies,  
If I am unable to attend the Resolution Meeting this evening, I would like to make one comment for the record.

With the announcement of the enormous State Farm campus in DeKalb immediately to the east of this project, *interparcel access* is critical. It will take a strong effort across City/County lines.

This new Palisades project will afford nearby and walkable housing to those who work at the State Farm campus.

We at SSCN strongly urge our own Public Works Department, the Assistant City Manager, Mr. Poole, and the applicant to work with State Farm, the City of Dunwoody, and DeKalb to reduce vehicular traffic at this difficult Peachtree/Hammond intersection.

Interparcel access will be an economic benefit to all concerned.  
Trisha Thompson  
Zoning Chair  
SSCN