



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: **201400050 0-110 Allen Road, 5820-5840 Sandy Springs Circle, 5830-5865 Lake Allen Lane, 5809-5831 Lake Forrest Drive** a request to rezone the subject property from O-I (Office and Institutional District) and R-3 (Single Family Dwelling District) to TR (Townhouse Residential District), with concurrent variances.

Department of Community Development Recommendation:

APPROVAL CONDITIONAL of a request to rezone the subject property from O-I (Office and Institutional District) and R-3 (Single Family Dwelling District) to TR (Townhouse Residential District), with concurrent variances.

Background:

The subject site is located on the east side of Lake Forrest Drive, north side of Allen Road, and west side of Sandy Springs Circle . The property is currently zoned O-I (Office and Institutional District) and R-3 (Single Family Dwelling District) and is developed with single family homes and office buildings. The property contains approximately 14.724 acres.

Discussion:

To rezone the subject property from R-3(Single Family Dwelling District) and O-I (Office and Institutional District) conditional to TR (Townhouse Residential District) to allow the development of 88 (45 detached and 43 attached) townhome units.

Additionally, the applicant is requesting ten (10) concurrent variances from the Zoning Ordinance, Development Regulations and Stream Buffer Protection Ordinance as follows:

1. Variance from Section 4.23.1 to reduce the required front yard landscape strip from 40 feet to 15 feet (Sandy Springs Circle and Allen Road) and 10 feet along (Lake Forrest Drive)
2. Variance from Section 4.23.1 to reduce the required 25 foot side yard buffer and 10 foot improvement setback to 10 feet.
3. Variance from Section 7.2.3.G.4 to reduce the front perimeter setback from 40 feet to 15 feet (Sandy Springs Circle and Allen Road) and 32 feet along (Lake Forrest Drive)
4. Variance from Section 7.2.3.G.5 to reduce the side perimeter setback from 30 feet to 10 feet.
5. Variance from Section 7.2.3.H.1 to reduce the front yard setback from 20 feet to 0 feet.
6. Variance from Section 7.2.3.H.2 to reduce the side yard setback from 7 feet to 5 feet.

7. Variance from Section 7.2.3.H.2 to reduce the minimum distance between houses from 14 feet to 10 feet.
8. Variance from Section 12B.4 to delete the streetscape requirement along the Allen Road frontage, allow a 5 foot sidewalk along Lake Forrest Drive and a 5 foot sidewalk on Sandy Springs Circle north of the entrance drive.
9. Variance from Section 103-75 to reduce the minimum right of way from 50 feet to 44 feet on the proposed internal streets.
10. Variance from Section 109-225 a. 1 &2 to reduce the stream buffer as noted on the site plan.

Staff recommendations vary from the City Center Master Plan cross section for a 2-lane street with parking due to the severe topography, streams, and water bodies on the site. Additionally, the recommended conditions allow relief to be granted as a part of the development permitting process from the on street parking requirements in areas where topography and water features restrict the ability to construct the full streetscape cross section.

City Center Master Plan					
	Travel Lane	Parking	Landscape Strip	Sidewalk	Supplemental Zone
2-lane with parking	11"	8'	12'	6'	10'
Recommendations					
Sandy Springs Circle	11'	8'	4'	12'	2'
Allen Road	11'	8'	4'	6'	1'

Main Street Overlay				
	Pavers	Sidewalk	Trees	Pedestrian Lighting
Main Street Requirement	2' brick paver	9'	40' on center	100' on center
Recommendation Lake Forrest Drive	2' brick pavers	6'	40' on center	100' on center

The petition was heard at the March 20, 2014 Planning Commission meeting. Nickles moved to recommend approval seconded by Tart. The Commission **recommended approval** (6-0, Tart, Frostbaum, Nickles, Maziar, Porter for; Squire against; Duncan not voting) subject to staff's conditions with the revision to condition number three (3) change 15 feet to 32 feet and for the applicant to meet with the members of the community who had not been notified.



Rezoning Petition No. 201400050

PROPERTY INFORMATION	
Address, Land Lot, and District	0-110 Allen Road, 5820-5840 Sandy Springs Circle, 5830-5865 Lake Allen Lane, 5809-5831 Lake Forrest Drive Land Lot 9, District 17 th
Council District	3 (Graham McDonald)
Frontage	approximately 1,150' frontage along the north side Allen Road, 550' along the west side of Sandy Springs Circle and 575' along the east side of Lake Forrest Drive
Area	14.724 acres
Existing Zoning and Use	R-3 (Single Family Dwelling District), O-I (Office and Institutional District) under Fulton County zoning cases Z82-0123, Z83-003, Z83-0109, Z3-0110, and Z87-0020, currently developed with single family homes and office buildings.
Overlay District	Main Street District
2027 Comprehensive Future Land Use Map Designation	LWC (Live Work Regional) and LWN (Live Work Neighborhood) Node 7: Roswell Road and I-285 (Downtown)
Proposed Zoning	TR (Townhouse Residential District)

APPLICANT/PETITIONER INFORMATION		
Property Owner Various (on file)	Petitioner JW Homes, LLC	Representative Nathan V. Hendricks

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

INTENT

To rezone the subject property from R-3 (Single Family Dwelling District) and O-I (Office and Institutional District) conditional to TR (Townhouse Residential District) to allow the development of 88 (45 detached and 43 attached) townhome units.

Additionally, the applicant is requesting ten (10) concurrent variances from the Zoning Ordinance, Development Regulations and Stream Buffer Protection Ordinance as follows:

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10. Variance from Section 109-225 a. 1 &2 to reduce the stream buffer as noted on the site plan.

DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION
201400050- APPROVAL CONDITIONAL
201400050 Variance #1-10- APPROVAL CONDITIONAL

Staff has made recommendations that vary from the City Center Master Plan cross section for a 2-lane with parking and the Main Street Overlay Standards. Additionally, conditions have been proposed to allow the Director of Public Works to provide relief from the on street parking requirements in situations where topography and water features restrict the ability to construct the full recommended streetscape.

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The proposed site plan does not comply with minimum standards in a number of areas:

- Minimum road separation between the intersection of Sandy Springs Circle and Allen Road and proposed alley.
- Site distance at the eastern most internal intersection
- Proposed gate location

PLANNING COMMISSION

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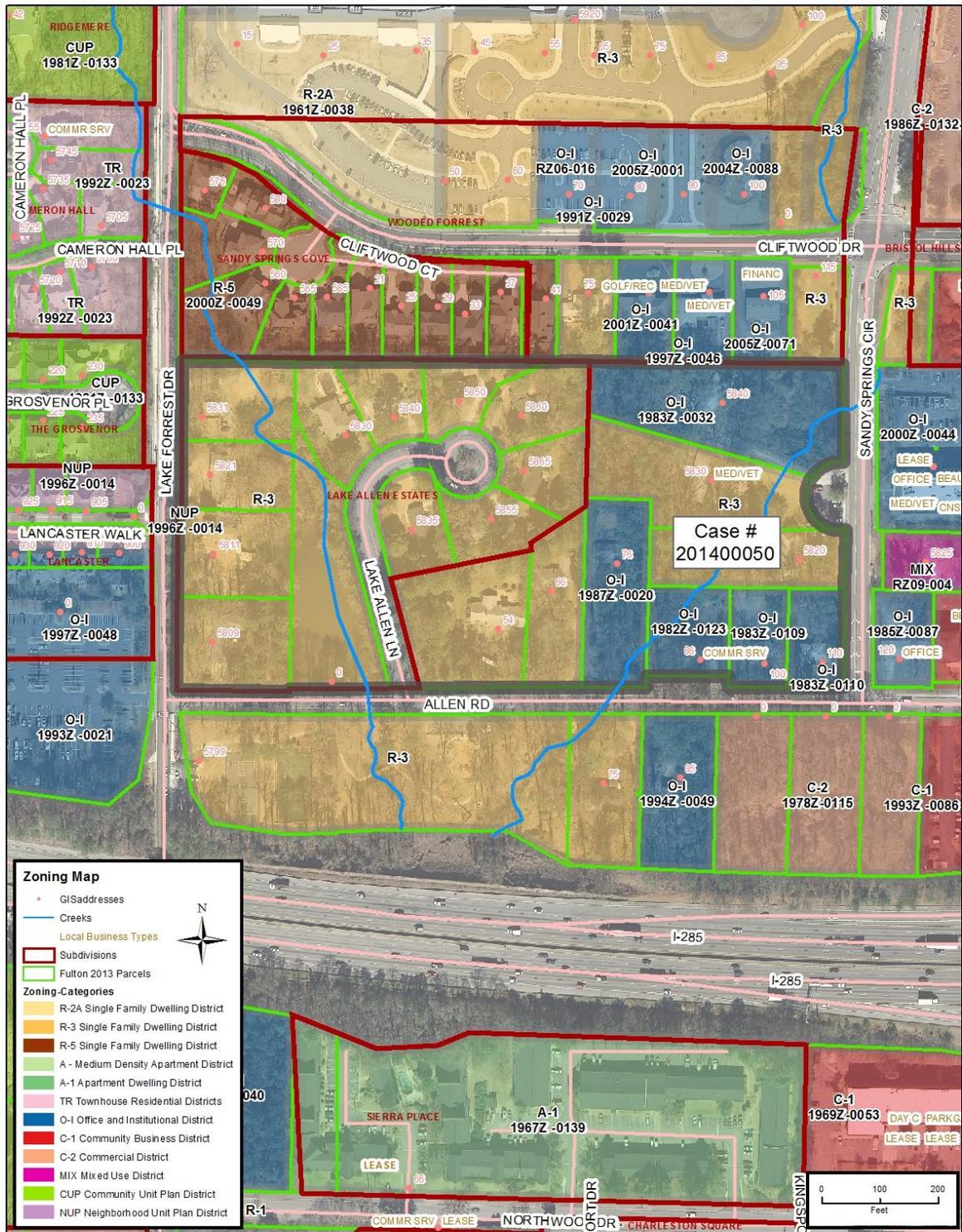
EXISTING LAND USE AND ZONING OF ABUTTING PROPERTIES

SUBJECT PETITION 201400050	Requested Zoning	Proposed Use	Land Area (Acres)	Units	Density (Units per Acre)
	TR	Townhomes	14.724	88	5.98 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	R-5 Z00-0049	Sandy Springs Cove Subdivision	3.639	13 units	3.57 units/ac
North	R-3	75 Cliftwood Drive	0.42	1 unit	2.38 units/ac
North	O-I Z01-0041	85 Cliftwood Drive Office	0.42	3,045sf	7,250 sf/ac
North	O-I Z97-0046	95 Cliftwood Drive	0.40	1,620 sf	4,050 sf/ac
North	O-I Z05-0071	105 Cliftwood Drive	0.41	2,520 sf	6,146.35 sf/ac
North	R-3	115 Cliftwood Drive	0.43	1 unit	2.33 units/ac
East	O-I Z00-0044	5855 Sandy Sprigs Circle	1.23	31,067 sf	25,257.73 sf/ac
East	MIX RZ09-004	5825 Sandy Springs Circle	0.425	2,030 sf 36 units	4,776.47 sf.ac 84.71 units/ac
East	O-I Z85-0087	120 Allen Road	0.40	±5,000sf	12,500 sf/ac
South	C-2 Z78-0115	0 Allen Road	4.77	32,000 sf	6,708.60 sf/ac
South	O-I Z94-0049	85 Allen Road	0.76	2,382 sf	3,218.92 sf/ac
South	R-3	75 Allen Road	0.743	1 unit	1.35 units/ac
South	R-3	Allen Road Park	3.19	-	-
West	O-I Z93-0021	5784 Lake Forrest Drive Board of Realtors	3.23	39,000 sf	12,074 sf/ac
West	O-I Z97-0048	5784 Lake Forrest Drive	1.34	-	-
West	NUP Z96-0014	Lancaster Subdivision	8.401	37 units	4.4 units/ac
West	CUP Z81-0133	Grosvenor Place Subdivision	41	20.863 units	2 units/ac

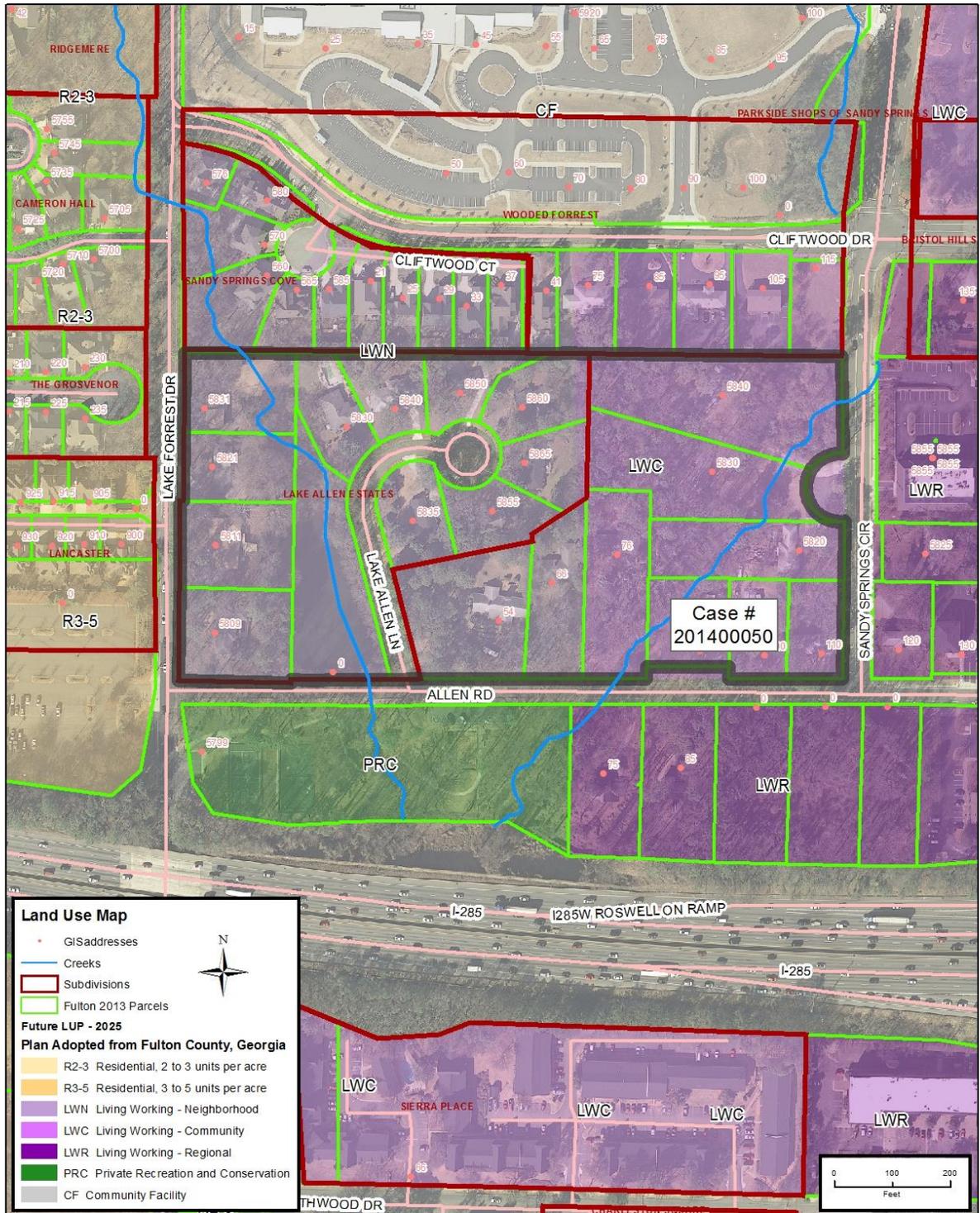
Zoning Map

110 Allen Road



Future Land Use Map

110 Allen 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 R-3 (Single Family Dwelling District), R-5 (Single Family Dwelling District) and O-I (Office and Institution District) to the north; O-I (Office and Institution District) and MIX (Mixed Use District) to the east; R-3(Single Family Dwelling District), O-I (Office and Institution District) and C-2 (Commercial District) to the south; and O-I (Office and Institution District), NUP (Neighborhood Unit Plan) and CUP (Community Unit Plan) to the west.

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

Findings: The staff is of the opinion that the proposal if approved will not have an adverse impact on the use or usability of adjacent or nearby properties because the use would be consistent with adjacent properties. The Future Land Use map recommends LWC (Live Work Community) for the eastern half of the property and LWN (Live Work Neighborhood) for the western portion. The proposed density of 5.98 is consistent with the Comprehensive Plan density of up to 20 units/acre recommended in the LWC and is slightly higher than the up to 5 units per acre recommended in the LWN category. The application meets land use policies set forth in the Comprehensive Plan for living working areas. The surrounding properties consist of a variety of housing and office uses. Additionally, other plan policies that staff considered in developing the recommendation for this proposal are the creation of a mixture of housing types, especially workforce housing for the area.

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

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

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

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

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

Findings: The staff is of the opinion that the proposed use is consistent with the intent of the Comprehensive Plan. However, the westerly portion of the property is not consistent with the Future Land Use Map designation of Live Work Neighborhood (LWN) and the

recommended density of above up to 5 units per acre for residential. The applicant is proposing a density 5.98 units per acre. This proposal is well within the requirements of the LWC category of up to 20 units per acre. The proposal also provided a transition from the more intense office and commercial uses along Sandy Springs Circle, Allen Road and Lake Forrest. 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 7: Roswell Road and I-285 (Downtown)

Vision:

1. The area should be dedicated for high density commercial, office, and residential uses.
2. This area should be considered for some of the highest densities in the City.
3. Consolidation of properties and the collective redevelopment of multiple properties should be encouraged in the area to perpetuate economic vitality, increased green space, and an improved transportation system.

Guidelines and Policies:

1. Residential density should be above 20 units per acre. Commercial and office densities should be above 25,000 square feet per acre. Building heights should not be limited in this area. At least 15% of a site shall be maintained as open and green space.
2. Densities and heights of a significant nature should not be supported on properties less than four (4) acres in size. Increased levels of open and green space, limiting direct vehicular access to Roswell Road, and improving the area's transportation network shall be important considerations for the highest densities and building heights.
3. The transition of densities and heights to levels similar to those in the Town Center area should be considered on the northern boundary of the area along Cliftwood Drive and Carpenter Drive.
4. Automobile-oriented uses should be discouraged from this area.

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 ten (10) concurrent variances as outlined below. The applicant has indicated that the variances being requested will be in harmony with the policy and intent of the Zoning Ordinance and will not result in any harm to the health, safety and welfare of the general.

1. Variance from Section 4.23.1 to reduce the required front yard landscape strip from 40 feet to 15 feet (Sandy Springs Circle and Allen Road) and 10 feet along (Lake Forrest Drive).

Findings:

Staff is of the opinion that the request to reduce the forty (40) foot front landscape strip to fifteen (15) foot (Sandy Springs Circle and Allen Road) and 10 feet along (Lake Forrest Drive) is in harmony with the intent on the Zoning Ordinance and would not cause a detriment to the public. The Main Street Overlay and the City Center Master Plan recommends building constructed closer to the street to create more walkability. Additionally, the site does exhibit extraordinary and exceptional conditions pertaining to that property topography. Therefore, based on these reasons, the staff recommends APPROVAL of this variance request.

2. Variance from 4.23.1 to reduce the required 25 foot side yard buffer and 10 foot improvement setback to 10 feet.

Findings:

Staff is of the opinion that the reduction of the required 25 foot side yard buffer and 10 foot improvement setback to 10 feet is in harmony with the intent of the Zoning Ordinance. The reduction to 10 feet is only in two places as shown on the site plan dated February 20, 2014 (adjacent to lots 6, 7, and 8 of Sandy Spring Cove and lot 9 on Cliftwood). Additionally, the applicant has been working on a landscape plan with the abutting neighbors and staff will require the plan as part of the zoning approval. Therefore, based on these reasons, the staff recommends APPROVAL of this variance request.

3. Variance from 7.2.3.G.4 to reduce the front perimeter setback from 40 feet to 15 feet (Sandy Springs Circle and Allen Road) and 10 feet along (Lake Forrest Drive).

Findings:

Staff is of the opinion that the request to reduce the forty (40) foot front landscape strip to fifteen (15) foot (Sandy Springs Circle and Allen Road) and 10 feet along (Lake Forrest Drive) is in harmony with the intent on the Zoning Ordinance and would not cause a detriment to the public. The Main Street Overlay and the City Center Master Plan recommends building constructed closer to the street to create more walkability. Additionally, the site does exhibit extraordinary and exceptional conditions pertaining to that

property topography. Therefore, based on these reasons, the staff recommends APPROVAL of this variance request.

4. Variance from 7.2.3.G.5 to reduce the side perimeter setback from 30 feet to 10 feet.

Findings:

Staff is of the opinion that the reduction of the required 30 foot side perimeter setback to 10 feet is in harmony with the intent of the Zoning Ordinance. The reduction to 10 feet is only in two places as shown on the site plan dated February 20, 2014 (adjacent to lots 6, 7, and 8 of Sandy Spring Cove and lot 9 on Cliftwood). Additionally, the applicant has been working on a landscape plan with the abutting neighbors and staff will require the plan as part of the zoning approval. Therefore, based on these reasons, the staff recommends APPROVAL of this variance request.

5. Variance from 7.2.3.H.1 to reduce the front yard setback from 20 feet to 0 feet.

Findings:

Staff is of the opinion that the reduction of the required twenty (20) foot front yard setback to zero (0) feet is in harmony with the intent of the Zoning Ordinance. The reduction only affects the internal portion of the property and would not be a detriment to the general public. Therefore, based on these reasons, the staff recommends APPROVAL of this variance request.

6. Variance from 7.2.3.H.2 to reduce the side yard setback from 7 feet to 5 feet.

Findings:

Staff is of the opinion that the reduction of the required seven (7) foot side yard setback to five (5) feet is in harmony with the intent of the Zoning Ordinance. The reduction only affects the internal portion of the property and would not be a detriment to the general public. Therefore, based on these reasons, the staff recommends APPROVAL of this variance request.

7. Variance from 7.2.3.H.2 to reduce the minimum distance between houses from 14 feet to 10 feet.

Findings:

Staff is of the opinion that the reduction of the required fourteen (14) foot building separation to ten (10) feet is in harmony with the intent of the Zoning Ordinance. The reduction only affects the internal portion of the property and would not be a detriment to the general public. Additionally, the homes would be required to meeting the fire safety and building code on building separation. Therefore, based on these reasons, the staff recommends APPROVAL of this variance request.

8. Variance from 12B.4 to delete the requirement along the Allen Road frontage, allow a 5 foot sidewalk along Lake Forrest Drive

Findings:

Staff is of the opinion that the reduction of sidewalk along Allen Road from a 2 foot wide brick paver and 9 foot sidewalk to a 5 foot sidewalk and a 2 foot grass strip and 5 foot sidewalk north of the entrance along Sandy Spring Circle is not in harmony with the intent of the ordinance. This property is located in the Main Street overlay and is part of the City Center Master Plan. The goal in this area is to create walkability. The reduction of the sidewalk and deletion of the streetscape could cause a detriment to the public. Additionally, not having sidewalks would discourage walkability in the area. The site does exhibit topographical challenges, but modification could be made to the requirement to meet the intent of the

ordinance. Staff has made recommendations that vary from the City Center Master Plan cross section for a 2-lane with parking and the Main Street Overlay Standards. Additionally, conditions have been proposed to allow the Director of Public Works to provide relief from the on street parking requirements in situations where topography and water features restrict the ability to construct the full recommended streetscape.

City Center Master Plan					
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Therefore, based on these reasons, the staff recommends APPROVAL CONDITIONAL of this variance request.

Sec. 103-9. Of the Sandy Springs Development Regulations- Appeals and variances to this chapter.

- (a) Appeals. All appeals shall be pursuant to Article XXII of the City of Sandy Springs Zoning Ordinance.
- (b) Variance. Variance requests to the requirements of this chapter shall be submitted on an application form as prescribed by the director, along with such fees as shall be established by the mayor and city council. The director shall coordinate the review of each variance request with all other affected city departments and shall summarize such comments or recommendations as may be received to the board of appeals for action in their normal course of business.

9. Variance from Section 103-75 to reduce the minimum right-of-way from 50 feet to 44 feet.

Findings:

Staff is of the opinion that the reduction of minimum right-of-way from fifty (50) feet to forty-four (44) feet for internal streets is in harmony with the intent of the Development Regulation. The request has been reviewed and approved by the Department of Public Works. Therefore, based on these reasons, the staff recommends APPROVAL of this variance request.

Section 109.225 of the Sandy Springs Stream Buffer Protection Ordinance provides the following:

Sec. 109-225. Land development requirements.

- (b) Variance procedures. Variances from subsection (a) of this section may be granted in accordance with the following provisions:

(3) Variances will be considered only in the following cases:

a. When a property's shape, topography or other physical conditions existing at the time of the adoption of the ordinance from which this article is derived prevents land development unless a buffer variance is granted.

Finding:

The property's shape, topography, and physical conditions existed at the time of the adoption of the ordinance. Staff notes the stream buffer covers approximately 35% of the property with a stream running north to south along the eastern side of the property and a lake on the south west portion of the property. Based on these reasons, staff is of the opinion this condition has been satisfied.

b. Unusual circumstances when strict adherence to the minimal buffer requirements in this article would create an extreme hardship.

Finding:

Staff notes the stream buffer covers approximately 35% of the property of the buildable area of the lot. An extreme hardship is presented when strict adherence to the minimal buffer requirement is followed. The applicant is proposed encroachments are as follows:

	0-25' State Buffer	25'-50' Undisturbed	50'-75' Impervious Setback
Existing Encroachments	6,672 sf	29,026 sf	15,152 sf
Proposed Encroachments	10,969 sf	13,922 sf	10,706 sf
Reduction/ Increase	+4,297 sf	-15,104 sf	-4,446 sf

All encroachments are labeled on the site plan dated received February 20, 2014. There is an overall reduction of 15, 253 square feet of impervious surface in the stream buffer. The additional square footage in the 0 to 25 foot state buffer is due the installation of the entrance road which is permitted by the state. Based on these reasons, staff is of the opinion this condition not has been satisfied.

(5) The following factors will be considered in determining whether to issue a variance:

a. The shape, size, topography, slope, soils, vegetation and other physical characteristics of the property;

Finding:

The property is rectangular in shape. The parcel has rolling topography. Staff is of the opinion that the property does exhibit extraordinary and exceptional conditions related to its topography.

b. The locations of all streams on the property, including along property boundaries;

Finding:

All streams on the property have been identified on the site plan. The stream buffer covers approximately 35% of the property with a stream running north to south along the eastern side of the property and a lake on the south west portion of the property.

c. The location and extent of the proposed buffer or setback intrusion;

Findings:

All buffer and setback intrusions have been identified on the site plan. The applicant is proposing to construct pervious paver deck, portion of the private drives in the eyebrow (Lake Forrest Drive) and turn

around (Sandy Springs Circle). Additionally, there will be some grading as identified on the site plan. All grade areas will be brought to buffer standard where applicable.

- d. Whether alternative designs are possible which require less intrusion or no intrusion;

Findings:

Alternative designs have been discussed with the staff regarding the proposed building location. The applicant has reduced the number of home proposed and decreased the encroachments from the original submittal. Therefore, staff is of the opinion this condition has been satisfied.

- e. The long-term and construction water quality impacts of the proposed variance;

Findings:

The applicant will be required to use Best Management Practice (BMP) during the construction of the house. The City will monitor the sites BMPs.

- f. Whether issuance of the variance is at least as protective of natural resources and the environment.

Findings:

Staff is of the opinion that issuance of the variance is as protective of the natural resources and environment as the existing site condition. There is an overall reduction of 15, 253 square feet of impervious surface in the stream buffer. The additional square footage in the 0 to 25 foot state buffer is due the installation of the entrance road which is permitted by the state.

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).

Transportation Planner	<p>Allen Road is classified a minor street and has a posted speed limit of 35 mph, Lake Forrest Drive is classified a Collector street and has a posted speed limit of 35 mph, and Sandy Springs Circle is classified a minor street and has a posted speed limit of 35 mph. The existing daily traffic counts in the vicinity of this project are 3,050 (2007) on Allen Road and 5,310 (2012) on Lake Forrest Drive. All street frontages are included in the City’s adopted Sidewalk Master Plan and within the Main Street Overlay District. The City Center Master Plan recommended frontages of Allen Road and Sandy Springs Circle be reconstructed as 2-Lane Streets with Parking which includes a 6-foot sidewalk adjacent to residential development, 12-foot landscape strip, 8-foot parking lane, and 11-foot travel lane. In addition, the Plan recommended that a trail be constructed from Allen Park to City Center.</p> <p>Sandy Springs Development Ordinance Requirements include:</p> <p>Private streets shall be constructed to public street standards (Section 103-70).</p> <p>Right-of-way dedications for frontages of Lake Forrest Drive, Allen Road, and Sandy Springs Circle and miters or equivalent radius at intersections. The minimum</p>
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	<p>right of way or shared easement width on proposed minor streets is 50 feet.</p> <p>Proposed intersections shall meet sight distance requirements of Section 103-77.</p> <p>Deceleration and left-turn lane may be required for primary entrance on Sandy Springs Circle.</p> <p>Uninterrupted ingress/egress shall be provided based on peak hour volumes.</p> <p>Applicant may need to compensate the city for the Lake Allen Road right of way and cul de sac on Sandy Springs Circle.</p> <p>The City Center Master Plan recommended the parcel for a future stormwater Best Management Practice (BMP) structure to provide regional stormwater detention.</p>
Fire/Building	<p>Walls that are less than five feet from the property line must be one hour rated, projections from the wall such as roof overhangs cannot be less than four feet from the property line, and the area of openings in such a wall is limited. This is covered in Section R302 of the 2012 International Residential Code.</p>

PUBLIC INVOLVEMENT

Public Comments

- Concerned about reduction of 30' setback would like 35'
- Create a landscaping buffer which would screen proposed development
- Would like a sidewalk on Allen Road even if it is smaller than required
- Fulton County Sewer back up
- Fence around property during construction
- Size/material of the retaining walls
- Additional traffic concerns with the apartments on Allen Road (6 min to get through light)
- Traffic at Allen Road and Roswell merge on to I-285
- Keep detention pond clean during construction (no dyes) install a fountain or device to move water around after construction is completed
- Number of variances
- Change in elevation
- Drainage environmental issues, topographical challenges
- Realigning Cliftwood at Roswell Road
- Buffer along Sandy Springs Cove, install a high fence
- Install landscaping at 16'-24' to create privacy
- Continue sidewalk along Cliftwood to the school
- Install 4' sidewalk with a grass strip
- Good Project
- Lots to close to lake
- Adding additional volume in to lake
- Storm water run-off from homes backing up to the lake
- Downstream bridge under sized at Lake Forrest currently causing flooding
- Project is too dense
- Relocate pool parking lot away from wetlands
- Decks can't be covered

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

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. Although, the proposed density is slightly higher than the ranges suggested by the Future Land Use Map on the west portion of the property, it is the opinion of the staff that the proposal is in conformity with the intent of the Comprehensive Plan Policies. Therefore, based on these reasons; the staff recommends **APPROVAL CONDITIONAL** of the rezoning petition and the concurrent variances numbers 1- 10.

STAFF RECOMMENDED CONDITIONS

Should the Mayor and City Council decide to rezone the subject property from O-I (Office and Institutional District) and R-3 (Single Family Dwelling District) to TR (Townhouse Residential District), the staff recommends the approval be subject to the following conditions. The applicant's agreement to these conditions would not change staff recommendations. These conditions shall prevail unless otherwise stipulated by the Mayor and City Council.

1. To the owner's agreement to restrict the use of the subject property as follows:
 - a. Townhouses at a density of 5.98 units per acre or 88 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 February 20, 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.
 - b. To the landscape plan received by the Department of Community Development dated March 20, 2014. Said site plan is conceptual only and must meet or exceed the requirements of the all City Ordinance. All planting are subject to the approval of the City of Sandy Springs Arborist. Plantings shall be installed prior to the issuance of the first certificate of occupancy.
3. To the owner's agreement to provide the following site development standards:
 - a. Streetscape shall be installed similar to the standards set forth for a 2-lane with parking street cross section as in the City Center Master Plan except where noted below. Variations of said on street parking standard shall be subject to the approval of the Director of Public Works, in the circumstance of a hardship due to topography and water features on the subject property. (CV201400050 #8)

	Travel Lane	Parking	Landscape Strip	Sidewalk	Supplemental Zone
Sandy Springs Circle	11'	8'	4'	12'	2'
Allen Road	11'	8'	4'	6'	1'

- b. To reduce the nine (9) foot sidewalk along Lake Forrest Drive to six (6) feet. (CV201400050 #8)
- c. The owner/developer shall dedicate thirty (30) feet of right-of-way from centerline of Allen 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.
- d. The owner/developer shall dedicate thirty-seven (37) feet of right-of-way from centerline of Sandy Springs Circle 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.
- e. Decks encroaching into stream buffers shall not be covered or enclosed.
- f. One (1) pedestrian access point shall be located on both Allen Road and Lake Forrest Drive.
- g. 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.
- h. To reduce the required front yard landscape strip from 40 feet to 40 feet to 15 feet (Sandy Springs Circle and Allen Road) and 10 feet along Lake Forrest Drive. (CV201400050 #1)
- i. To reduce the required 25 foot side yard buffer and 10 foot improvement setback to 10 feet. (CV201400050 #2)
- j. To reduce the front perimeter setback from 40 feet to 15 feet (Sandy Springs Circle and Allen Road) and 32 feet along Lake Forrest Drive. (CV201400050 #3)
- k. To reduce the side perimeter setback from 30 feet to 25 feet. (CV201400050 #4)
- l. To reduce the front yard setback from 20 feet to 0 feet. (CV201400050 #5)
- m. To reduce the side yard setback from 7 feet to 5 feet. (CV201400050 #6)
- n. To reduce the minimum distance between houses from 14 feet to 10 feet. (CV201400050 #7)
- o. To reduce the minimum right of way from 50 feet to 44 feet for internal roads. (CV201400050 #9)
- p. To reduce the stream buffer to allow pervious decks, private driveways and grading as noted on the site plan. (CV201400050 #10)

Attachments

- Letter of Intent dated received January 7, 2014
- Site Plan dated received February 20, 2014
- Landscape Plan dated received March 20, 2014
- Streetscape cross section dated received February 25, 2014
- Site Photos
- 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 of support (9)

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

LETTER OF INTENT

The property contains approximately 14.83 acres and is located at the northeast corner of the intersection of Lake Forrest Drive and Allen Road and the northwest corner of the intersection of Sandy Springs Circle and Allen Road (the "Property"). The Property is currently zoned to the R-3 and O-I Classifications.

The Applicant requests a rezoning to the TR (Townhouse-Residential) Classification for the development of 48 single family detached residential homes and 49 for sale townhomes. The 97 residential homes results in a density of 6.54 units per acre. The single family detached homes shall have a minimum of 2,500 square feet of heated floor area excluding garages and 34 of the homes are planned to have attached garages with the balance of the 14 homes being planned to have detached garages. The for sale townhomes shall have a minimum of 2,300 square feet of heated floor area excluding garages. The Property suffers from substantial hardships which are unique to the Property consisting of severe constrains of topography across the entire Property and the existence of a small lake at the westerly side of the Property and a stream at the at the easterly side of the Property. Accordingly, the Applicant requests thirteen (13) Concurrent Variance as more particularly stated and set forth on Exhibit "A" attached hereto and by reference thereto made a part hereof. The approval of these Concurrent Variances would conform with the policies and intent of the Zoning Ordinance and would be in harmony with the policies and intent of the Zoning Ordinance. The approval of these Concurrent Variances would not cause any harm to the health, safety and welfare of the general public and conversely would bring a much need homeownership development to the Sandy Springs Community. The Comprehensive Land Use Plan for Sandy Springs suggests Live/Work Neighborhood residential development on the westerly half of the Property at a density of up to 5 units per acre and Live/Work Community on the easterly half of the Property at a density of up to 20 units per acre. Accordingly, this Application for Rezoning and Concurrent Variances at a density of 6.54 units per acre is entirely appropriate and the appropriateness of this Application for Rezoning and Concurrent Variances and the constitutional assertions of the Applicant are more particularly stated and set forth on Exhibit "B" attached hereto and by reference thereto made a part hereof.

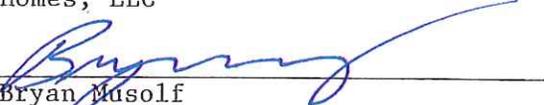
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Sandy Springs
Community Development

Now therefore, the Applicant requests that this Application for Rezoning and Concurrent Variances be approved as submitted in order that the Applicant be able to proceed with the lawful use, enjoyment and development fo the Prop-erty.

APPLICANT:

JW Homes, LLC

By: 

Bryan Musolf

Its: Director of Land Acquisitions



Nathan V. Hendricks III

Attorney for the Applicant

6085 Lake Forrest Drive
Suite 200
Sandy Springs, Georgia 30328
(404) 255-5161

Exhibit "A"

Regulation	Description	Required	Provided
Ord 7.2.3.G.4	Entire TR Front Yard	40'	25'
Ord 7.2.3.G.5	Entire TR Side Yard (adj to lot line)	30'	25'
	Entire TR Side Yard (adj to street)	40'	25'
Ord 7.2.3.G.6	Entire TR Rear Yard	35'	25'
Ord 7.2.3.H.1	Single Lot Front Yard	20'	0'
Ord 7.2.3.H.2	Single Lot Side Yard (adj to lot line)	7'	5'
	Min Distance between Houses	14'	10'
	Single Lot Side Yard (adj to street)	14'	0'
Ord 7.2.3.H.3	Single Lot Rear Yard	25'	10'
* Ord 7.2.3.J	Lot Coverage	50%	63%
Ord 12B.4	Streetscape Standards on Allen Road and Lake Forest Drive	Main Street Overlay	none
Code Sec 103-75	Minimum R.O.W.	50'	44'
Code Sec 109-225.a.1	Undisturbed Natural Vegetative Buffer (50' measured from Wrested Vegetation)	See Note 1	See Note 1
Code Sec 109-225.a.2	Impervious Buffer (25' measured from Undisturbed Buffer)	See Note 2	See Note 2

1.) 29,022 s.f. of disturbance to encroach into City Natural Vegetative Buffer
 Existing development encroaches 29,026 s.f. of disturbance
 Proposed development decreases encroachment by 4 s.f.

2.) 13,564 s.f. of impervious area to encroach into City Natural Impervious Buffer
 Existing development encroaches 15,152 s.f. of impervious area
 Proposed development decreases encroachment by 1,588 s.f.

* No Variance Needed.

Exhibit "B"

APPROPRIATENESS OF APPLICATION
AND
CONSTITUTIONAL ASSERTIONS

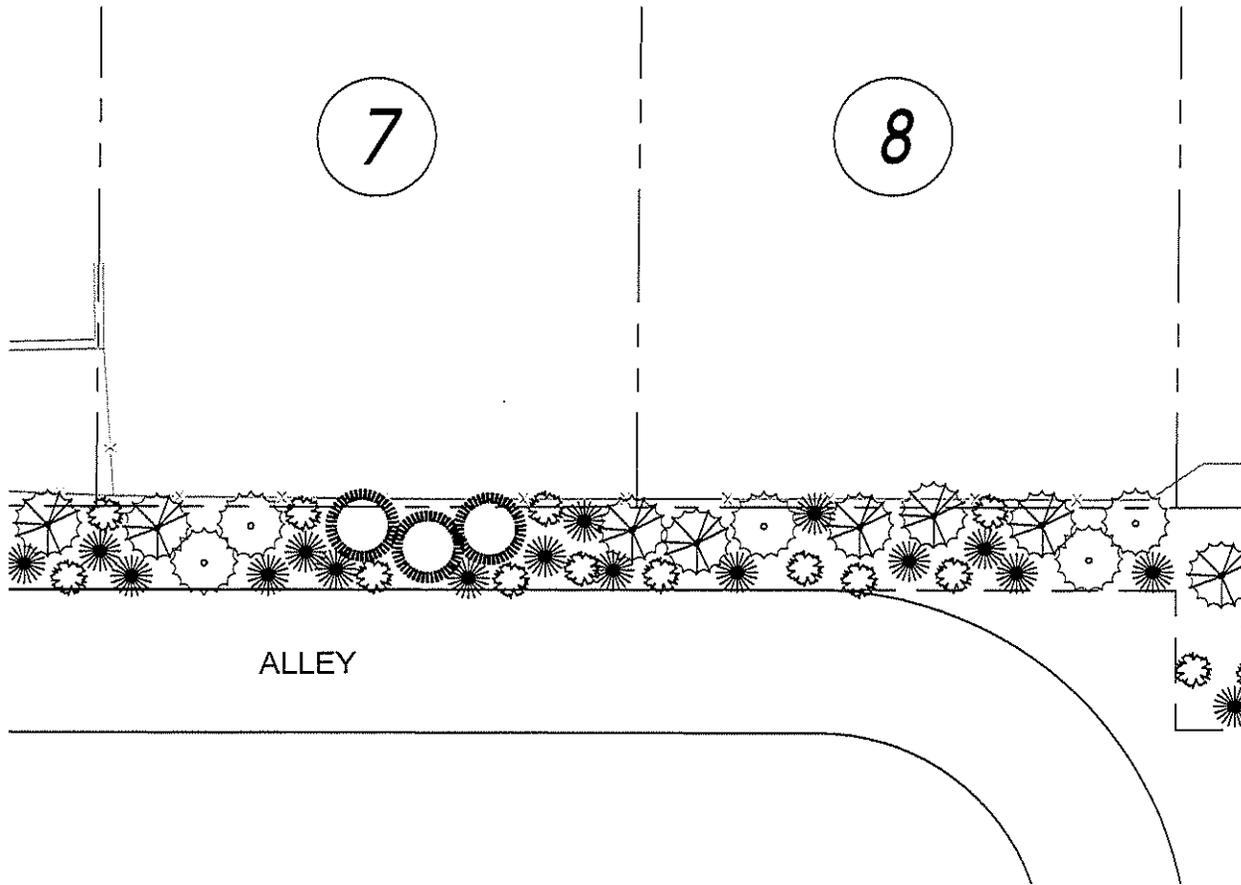
The portions of the Zoning Resolution of the City of Sandy Springs as applied to the subject Property which classify or may classify the Property so as to prohibit its development as proposed by the Applicant are or would be unconstitutional in that they would destroy the Applicant's property rights without first paying fair, adequate and just compensation for such rights in violation of Article I, Section I, Paragraph I of the Constitution of the State of Georgia of 1983, Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983 and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

The application of the Zoning Resolution of the City of Sandy Springs to the Property which restricts its use to any classification other than that proposed by the Applicant is unconstitutional, illegal, null and void, constituting a taking of Applicant's Property in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States, Article I, Section I, Paragraph I and Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983 and the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States denying the Applicant an economically viable use of its land while not substantially advancing legitimate state interests.

A denial of this Application would constitute an arbitrary and capricious act by the Sandy Springs City Council without any rational basis therefore constituting an abuse of discretion in violation of Article I, Section I, Paragraph I of the Constitution of the State of Georgia of 1983, Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983 and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

A refusal by the Sandy Springs City Council to rezone the Property as proposed by the Applicant would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any rezoning of the subject Property subject to conditions which are different from the conditions requested by the Applicant, to the extent such different conditions would have the effect of further restricting the Applicant's utilization of the subject Property would also constitute an arbitrary, capricious and discriminatory act in zoning the Property to an unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.

Any rezoning of the Property without the simultaneous approval of the Concurrent Variances requested would also constitute an arbitrary, capricious and discriminatory act and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.



BUFFER FOR LOT 7 AND 8

Scale: 1" = 20'-0"

Key

	Brackens Beauty Magnolia
	Deodar Cedar
	Cryptomeria
	Loblolly Pine
	Waxleaf Ligustrum

Proposed Qty Buffer Trees

	Size	LOT 7	LOT 8
Magnolia	10-12' ht	2	4
Cedar	10-12' ht	2	3
Cryptomeria	12-14' ht	3	0
Pine	7 gallon	9	6
Ligustrum	7 gallon	6	5



STAMP

CHAU WALL & ASSOCIATES
 1000 Peachtree Street, N.E.
 Suite 200
 Atlanta, GA 30309
 Phone: (404) 525-1234



ASCHENBRENNER DESIGN STUDIOS
 4125 ATLANTA ROAD SE SUITE 101, CA 30680
 PH: (770) 938-1400

CLIENT

Allen Road Project
Sandy Springs, Georgia

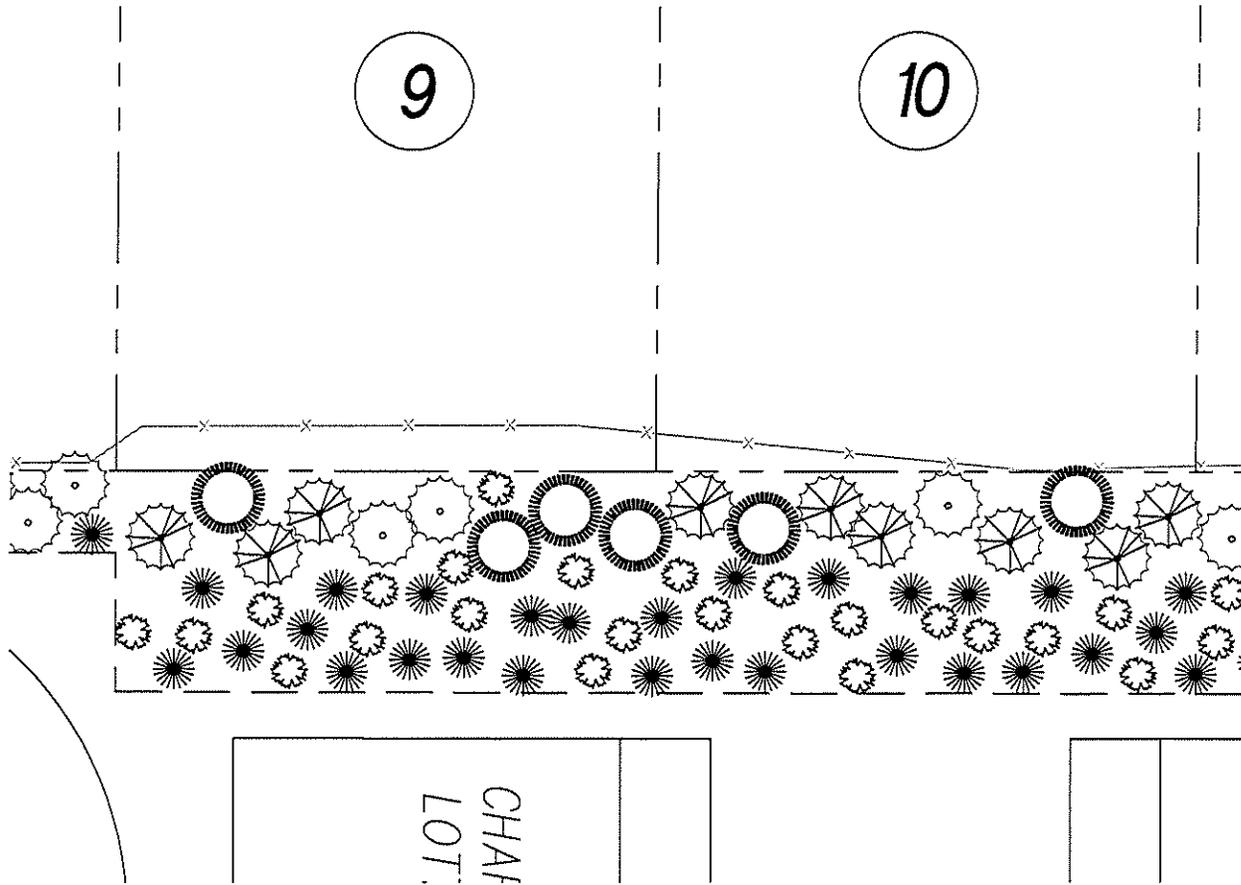
PROJECT

REVISIONS

DATE: 03-12-14
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 CV: [Signature] CV: [Signature]

BUFFER
PLAN
LOT 7-8

SHEET
L-2



BUFFER FOR LOT 9 AND 10

Scale: 1" = 20'-0"

Key

	Brackens Beauty Magnolia
	Deodar Cedar
	Cryptomeria
	Loblolly Pine
	Waxleaf Ligustrum

Proposed Qty Buffer Trees

	Size	LOT 9	LOT 10
Magnolia	10-12' ht	3	6
Cedar	10-12' ht	2	1
Cryptomeria	12-14' ht	4	2
Pine	7 gallon	12	15
Ligustrum	7 gallon	11	11



STAMP

CHAU HILL & ASSOCIATES
 ARCHITECTS AND PLANNERS
 1000 N. 17th St.
 Suite 100
 San Mateo, CA 94401
 (415) 351-1100
 chauhill.com

ASPECT ENGINEERING SERVICES
 1125 ALANTA ROAD SE SUITE 101
 SANDY SPRINGS, GA 30086
 PH: (770) 992-1409

CLIENT

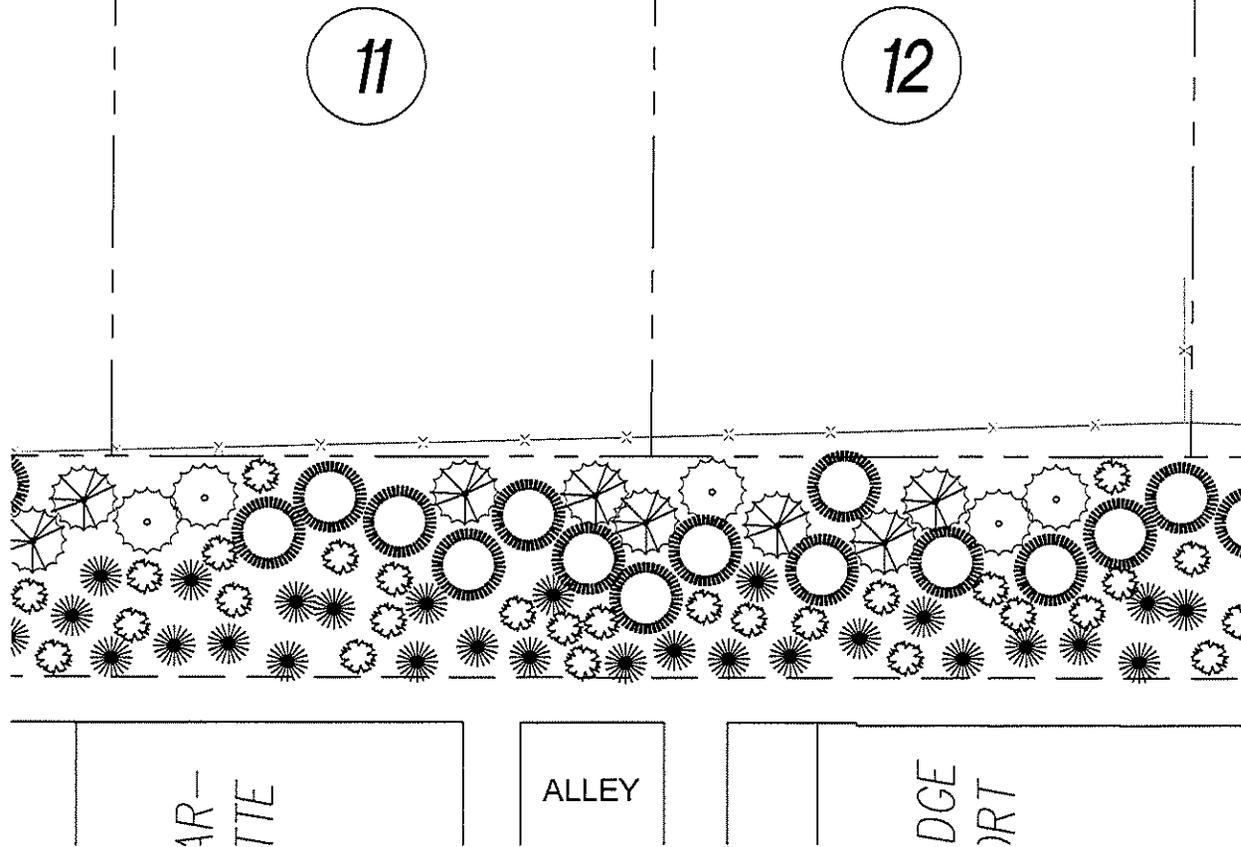
PROJECT
Allen Road Project
Sandy Springs, Georgia

REVISIONS

DATE: 03-12-14
 DRAWN BY: [] CHECKED BY: []
 CA: []

BUFFER PLAN LOT 9-10

SHEET
L-3



BUFFER FOR LOT 11 AND 12

Scale: 1" = 20'-0"

Key

	Brackens Beauty Magnolia
	Deodar Cedar
	Cryptomeria
	Loblolly Pine
	Waxleaf Ligustrum

Proposed Qty Buffer Trees

	Size	LOT 11	LOT 12
Magnolia	10-12' ht	3	3
Cedar	10-12' ht	2	3
Cryptomeria	12-14' ht	6	8
Pine	7 gallon	12	12
Ligustrum	7 gallon	13	11



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CHAUHILL & ASSOCIATES
 ARCHITECTS & PLANNERS
 1000 W. 10th St.
 SUITE 200
 ATLANTA, GA 30334
 404.525.1234



CLIENT
 ARCHITECTURE DESIGN STUDIOS
 4125 ATLANTA ROAD SE. SUITE 101, ATLANTA, GA 30380
 PH: (770) 396-1400

PROJECT
Allen Road Project
Sandy Springs, Georgia

REVISIONS

NO.	DATE	DESCRIPTION

DATE: 03-12-14
 DRAWN BY: [Signature] CHECKED BY: [Signature]
 CIP

BUFFER
PLAN
LOT 11-12
 SHEET
L-4



1 BRACKENS BROWN BEAUTY MAGNOLIA
MAGNOLIA GRANDIFLORA 'BRACKEN'S BROWN BEAUTY'



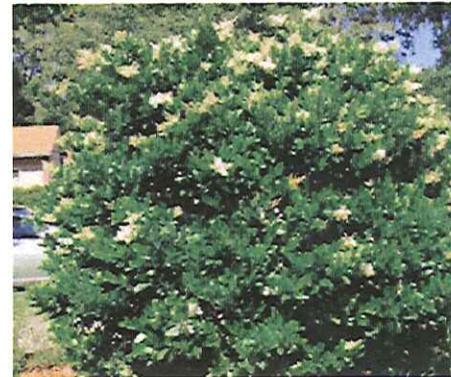
2 DEODAR CEDAR
CEDRUS DEODARA



3 CRYPTOMERIA
CRYPTOMERIA JAPONICA 'YOSHINO'



4 LOBLOLLY PINE
PINUS TAEDA



5 WAXLEAF LIGUSTRUM
LIGUSTRUM JAPONICUM



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CHAU WALL & ASSOCIATES
 1000 Peachtree Street, NE
 Suite 1000
 Atlanta, GA 30309
 404.525.7171



4125 ATLANTA ROAD SE, SUITE 100
 SANDY SPRINGS, GA 30086
 PH. (770) 996-1100

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Allen Road Project
 Sandy Springs, Georgia

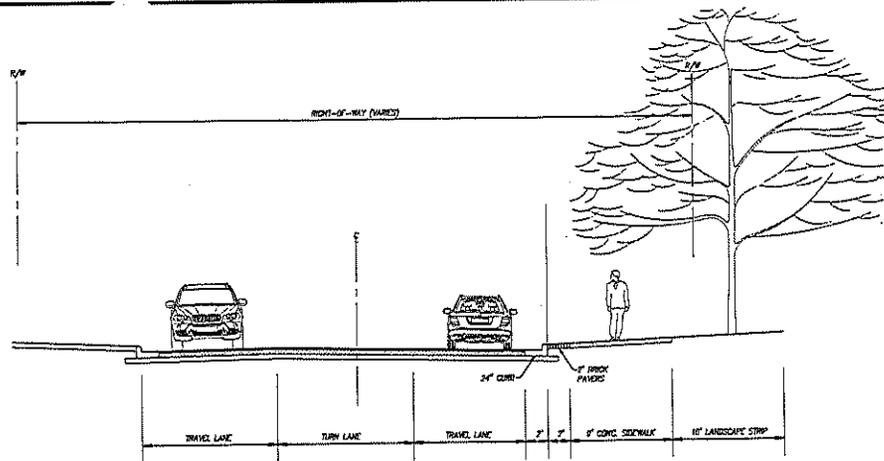
PROJECT

REVISIONS

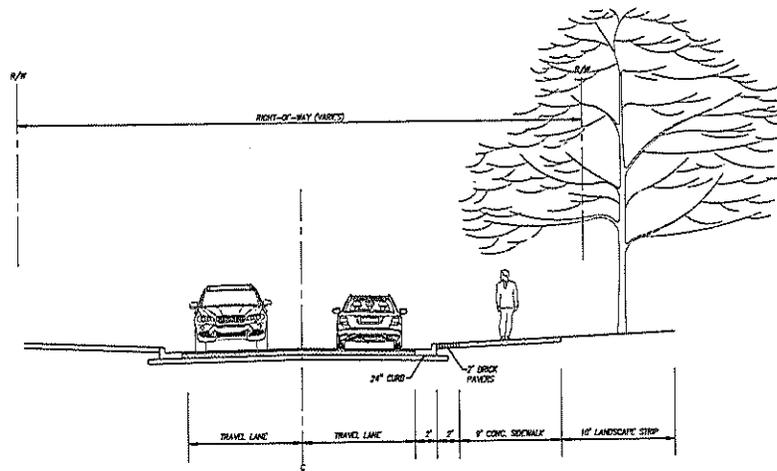
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TREE IMAGES

SHEET
 L-5



SANDY SPRINGS CIRCLE
CROSS SECTION
 (LOOKING SOUTH)
 SCALE: HORIZONTAL: 1" = 5'
 VERTICAL: 1" = 5'

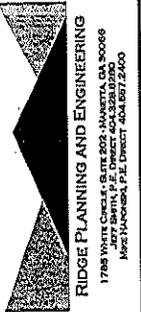


LAKE FORREST DRIVE
CROSS SECTION
 (LOOKING NORTH)
 SCALE: HORIZONTAL: 1" = 5'
 VERTICAL: 1" = 5'

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FEB 05 2014

City of Sandy Springs
 Community Development



RIDGE PLANNING AND ENGINEERING
 1785 WHITE CIRCLE, SUITE 202 - NUNNETTA, GA 30069
 JAYE SMITH, P.E., DIRECTOR 404.238.0390
 JANE HOPKINS, P.E., DESIGNER 404.687.1840

LAND PLAN
 ALLEN TRACT
 PARCEL 99
 070 DISTRICT
 SANDY SPRINGS, GEORGIA

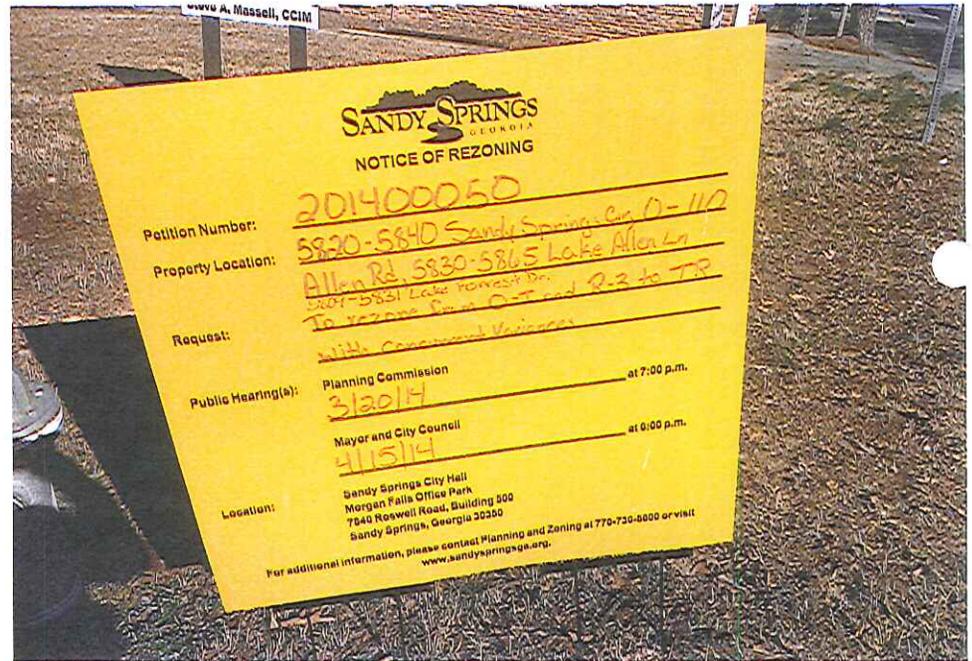
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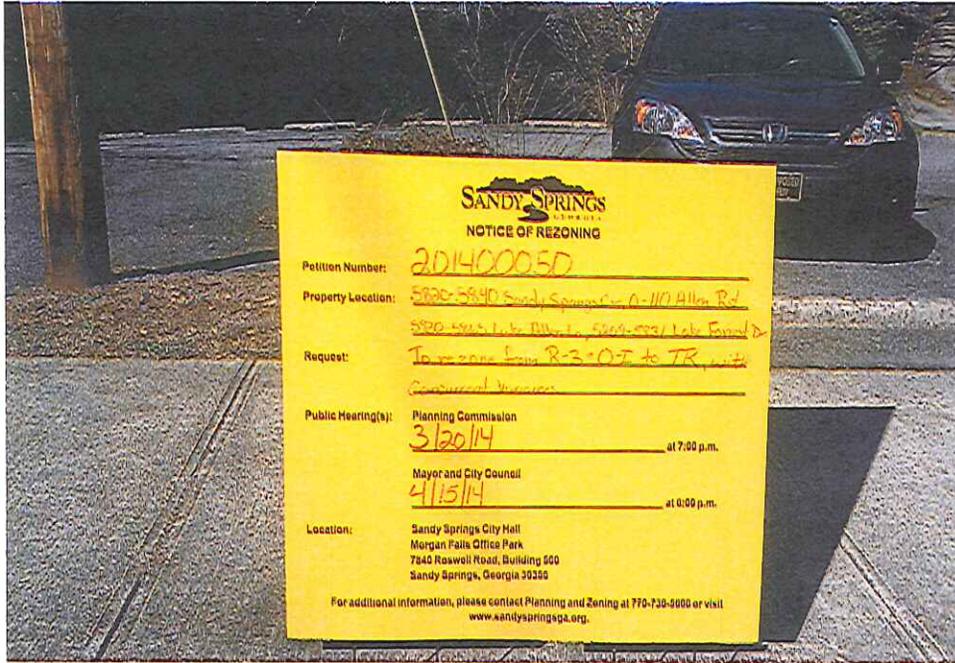
John Wieland Homes
JOHN WIELAND HOMES
 AND NEIGHBORHOODS
 1400 Peachtree Street, NE
 Atlanta, Georgia 30309
 404.525.1100

REVISIONS

TYPICAL CROSS SECTIONS

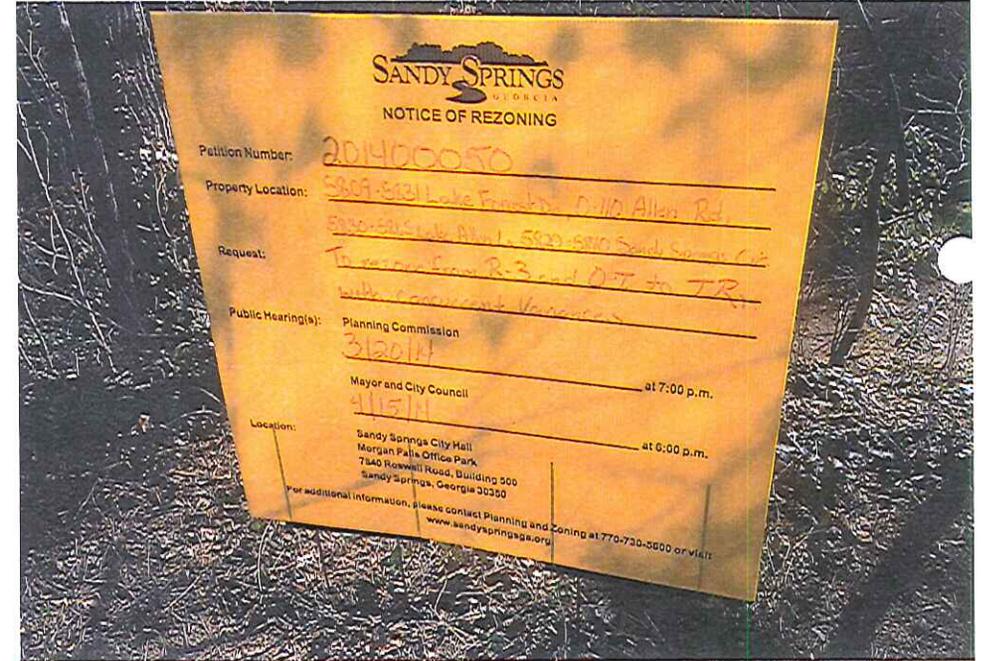
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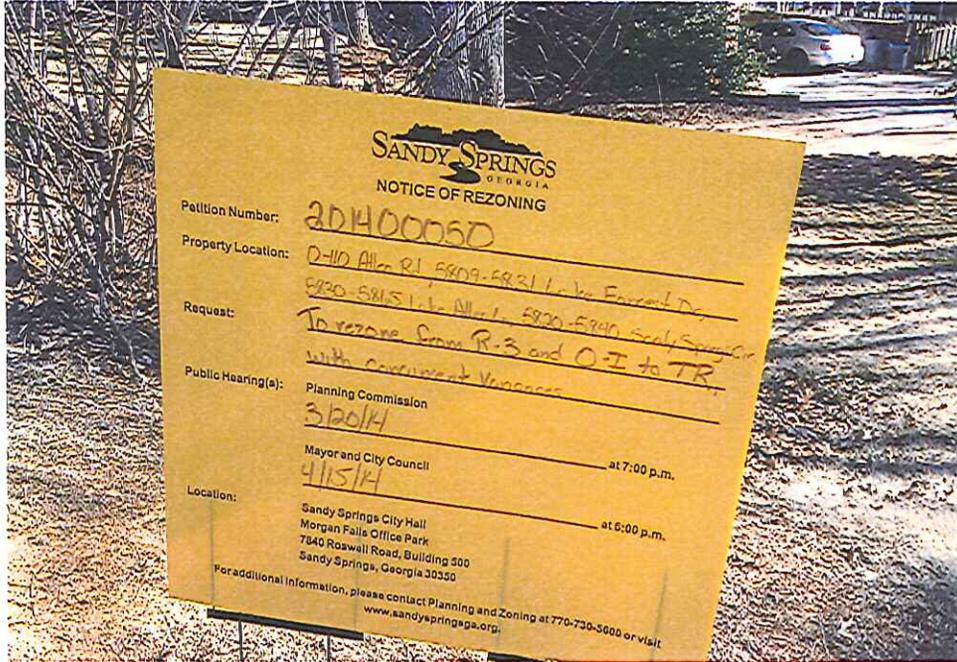
















Akbar, Abdul

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; Parett 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

Agenda Item		Council District	Meeting Dates
Rezoning			
1.	201400049 5901-5909 Peachtree Dunwoody Road Applicant: Shorenstein Realty, LLC ▪ 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.	201400050 0-110 Allen Road, 5820-5840 Sandy Spring Circle, 5830-5865 Lake Allen Lane, 5809-5831 Lake Forrest Drive Applicant: J W Home, LLC ▪ To rezone the property from R-3 (Single Family Dwelling District) and O-1 (Office and Institutional District) to TR (Townhouse Residential District), with concurrent variances.	3	CZIM - 1/28/14 CDRM - 2/27/14 PC- 3/20/14 MCC- 4/15/14
3.	201400094 6780 Roswell Road Applicant: Sandy Springs Plaza Investments, LLC ▪ 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: 270 gallons per day (gpd) per residential townhouse unit x 98 units = 26,460 gallons per day plus 500 gallons per day (gpd) per clubhouse, total daily water usage = 26,960 gpd.

This project is within the City of Atlanta water jurisdiction.

SEWER:

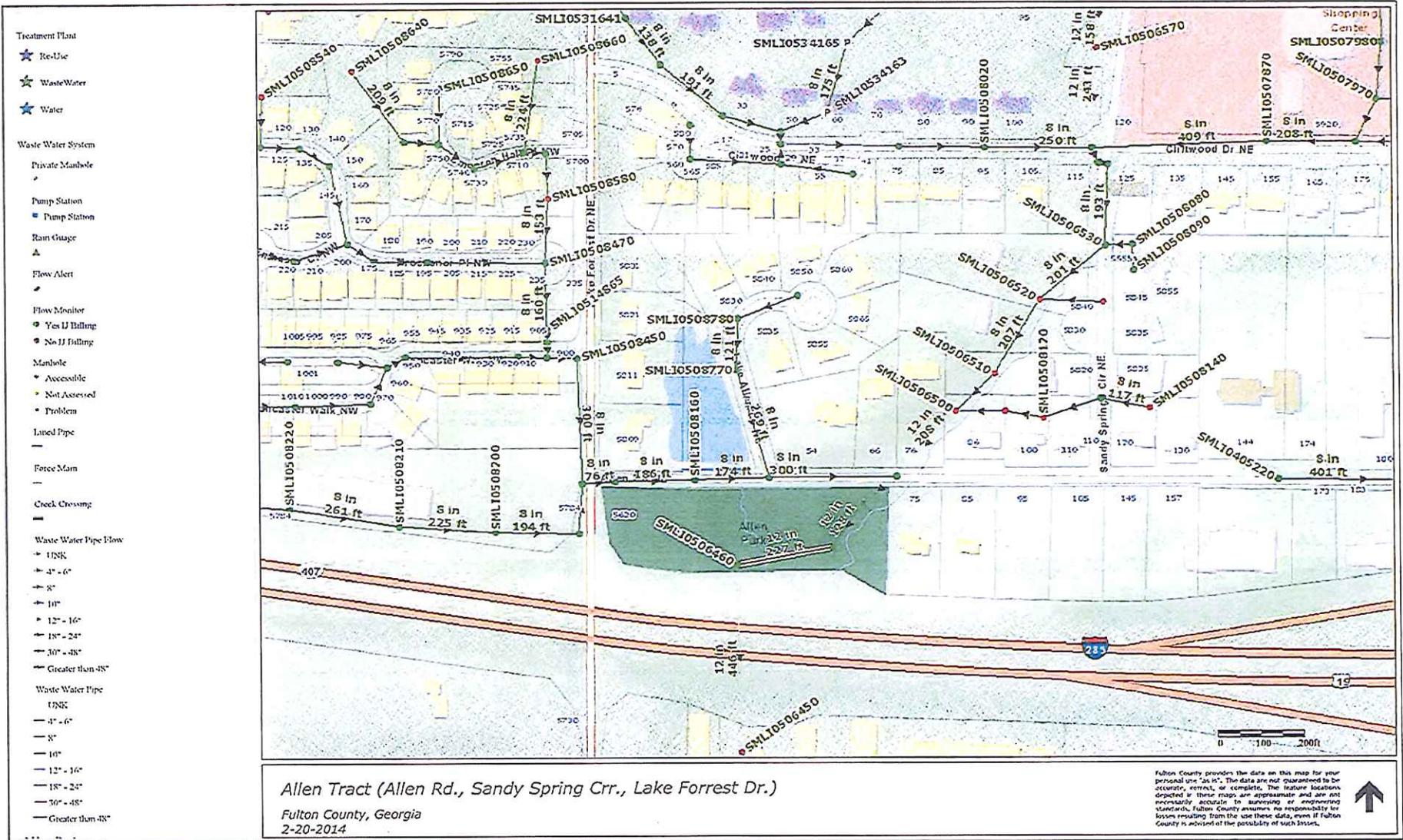
Basin: Long Island Creek

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

Anticipated sewer demand: 24,264 gallons per day

There are eight wastewater manholes within the property boundaries of the proposed Allen Tract townhouse development (ending with sewer manhole # SMLI0506500) and there are four wastewater manholes within the Allen Road right of way near the southern property boundary of the Allen Tract (ending with sewer manhole # SMLI0506490) located in Land Lot 90, 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
- ▲
- Dump Station
-
- Dump Station
-
- Rain Gauge
- ▲
- Flow Alert
- ▲

- Flow Monitor
- Yes If Filling
- No If Filling

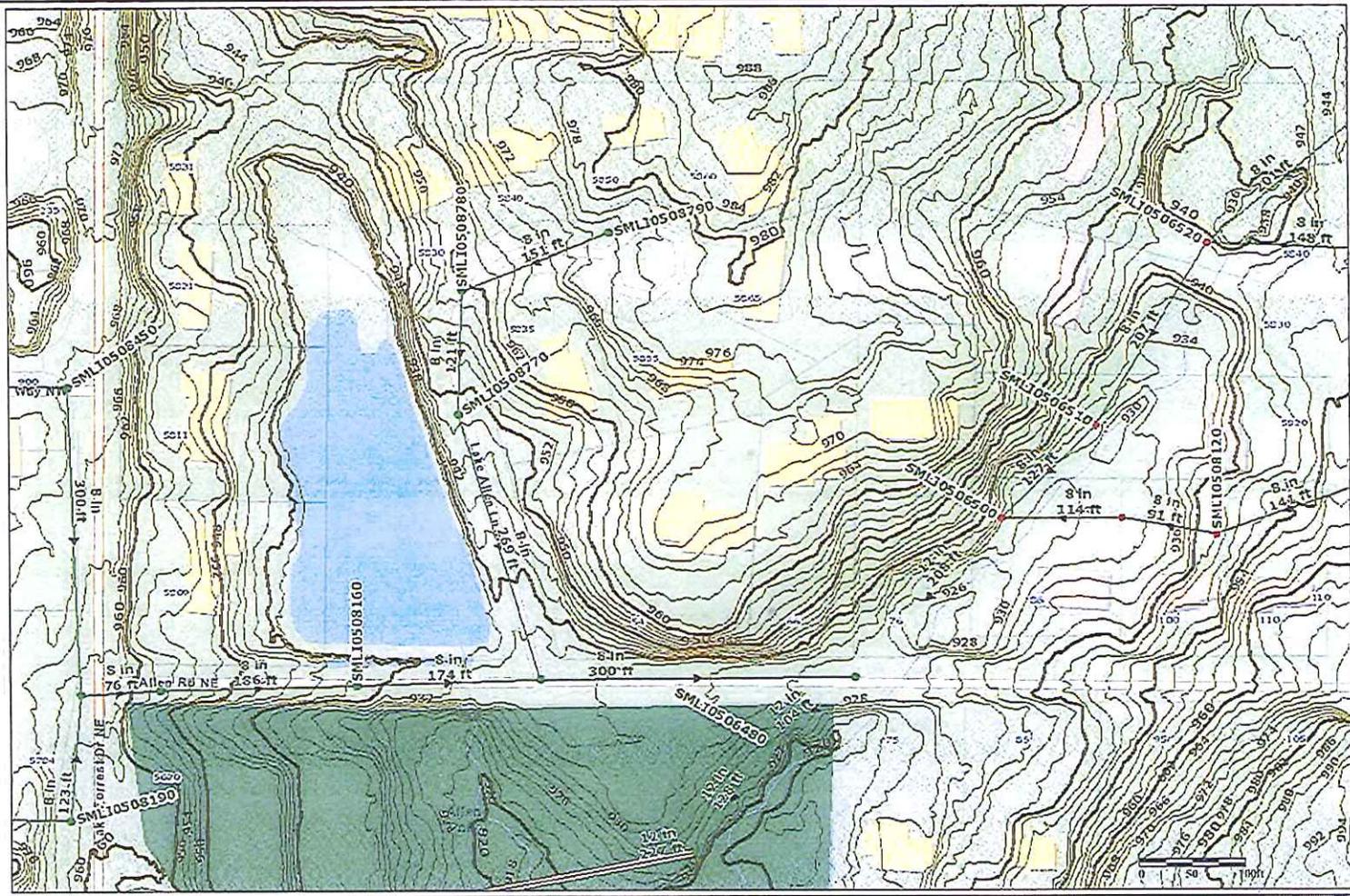
- Manhole
- Accessible
- Not Assessed
- Problem

- Lined Pipe
-
- Force Main
-

- Creek Crossing
-

- Waste Water Pipe Flow
- DNK
- 4" - 6"
- 8"
- 10"
- 12" - 16"
- 18" - 24"
- 30" - 48"
- Greater than 48"

- Waste Water Pipe
- DNK
- 4" - 6"
- 8"
- 10"
- 12" - 16"
- 18" - 24"
- 30" - 48"
- Greater than 48"



Allen Tract (Allen Rd., Sandy Spring Crr., Lake Forrest Dr.)
 Fulton County, Georgia
 2-20-2014

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 in 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.



**Rezoning Impact Statement
Fulton County School System**

PETITION 201400050

JURISDICTION: Sandy Springs

USE	# UNITS
SF	48
TR / Condo	49
MF	0

HOME SCHOOL	ESTIMATED # STUDENTS GENERATED	CAPACITY ^A	CURRENT ENROLLMENT ^B	CURRENT UNDER/OVER CAPACITY ^C	# PORTABLE CLASSROOMS	CAN FACILITY MEET DEMAND?***
Lake Forest ES	8 to 14	850	934	84	4	NO
Ridgeview MS	2 to 5	1200	1,092	-108	0	YES
Riverwood HS	7 to 13	1325	1,673	348	3	NO
TOTAL	17 to 32					

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

^A Updated Georgia Department of Education state capacity.

^B Enrollment is the official 20-day student count for the 2013-14 school year.

^C 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 special programs at the school, portable classrooms may be needed to accommodate the instructional needs.

** Impact based on 2013-14 school boundaries. Does not take portables into account.



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

AGENDA ITEM	ZONING COMMENTS
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>

Abaray, Linda

From: dustin wise <dwise1979@gmail.com>
Sent: Sunday, March 09, 2014 11:28 PM
To: Abaray, Linda
Subject: Petition Number: #201400050

3/9/2013

Ms. Linda Abaray
Senior Planner
CITY OF SANDY SPRINGS
7840 Roswell Road
Bldg. 500
Sandy Springs, GA 30350

RECEIVED
City of Sandy Springs
Community Development

RE: Petition Number: #201400050
Petitioner: JW Homes, LLC
Property Location: 0-110 Allen Rd.
5820-5840 Sandy Springs Cir.
5830-5865 Lake Forrest Drive
5909-5831 Lake Forrest Drive

Dear Ms. Abaray:

I am writing this letter to affirm my support for the zoning petition submitted by JW Homes, LLC. As property owner in the assemblage, I believe that I am being fairly compensated for the sale of my home. More importantly, I believe JW Homes to be the most capable and responsible company to turn what is essentially a block of old, dilapidated houses that are falling in on themselves into a beautiful, new City Center that will greatly benefit both the citizens of Sandy Springs and the city itself.

JW Homes, LLC has demonstrated an extremely high degree of concern and care for the residents that the development will impact. They have gone so far as to meet with individuals one on one to listen to their needs and have adjusted their plans accordingly. In my opinion, this speaks volumes about their professionalism and commitment to make this city an overall better place. This is a fantastic opportunity to greatly improve our community and I hope the City Council and Planning Departments agree.

Sincerely,

Dustin Wise

5840 Lake Allen Lane

Sandy Springs, GA 30328

678-357-8672

Abaray, Linda

From: Mark Alterman <marklalterman@yahoo.com>
Sent: Wednesday, March 12, 2014 12:52 PM
To: Abaray, Linda
Subject: Allen Road assemblage

RECEIVED

MAR 12 2014

City of Sandy Springs
Community Development

Re: Petition # 2001400050
Petitioner JW Homes LLC
Property location 5850 Lake Allen

Dear Ms Abaray

I am writing in support of this zoning petition by JW homes LLC. As a property owner, I believe I am getting fair compensation for the sale of my property. Second all prior attempts at assembling the neighborhood have failed, but I believe this buyer has the capabilities to close the sale and increase the beauty of sandy spring's. As the owner of other homes in sandy spring I feel cleaning this part of sandy springs will help with the value of all sandy springs homes.

I hope the city council and planing department concur.

Sincerely

Mark Alterman

RECEIVED

MAR 13 2014

City of Sandy Springs
Community Development

Date: *March 11, 2014*

Ms. Linda Abaray
Senior Planner
CITY OF SANDY SPRINGS
7840 Roswell Road
Bldg. 500
Sandy Springs, GA 30350

RE: Petition Number: # 201400050
Petitioner: JW Homes, LLC
Property Location: 0-110 Allen Road
5820-5840 Sandy Springs Circle
5830-5865 Lake Forrest Drive
5909-5831 Lake Forrest Drive

Dear Ms. Abaray:

I am writing today in support of this zoning petition by JW Homes, LLC. As a property owner, I believe I am getting fair compensation for the sale of my property. Second, all prior attempts at assembling the neighborhood for redevelopment have failed, but I believe this buyer has the capabilities to close the sale.

Third, and most important, based on the quality of other JWH communities I have seen, this will ultimately become a jewel in the new City Center of Sandy Springs. With a history spanning 40 years developing many of Atlanta and Sandy Springs' finer residences, I can think of no one better suited for this project.

I hope the City Council and Planning Departments concur.

Sincerely,

Victoria Louise Burnett
5855 Lake Allen Lane
Sandy Springs, GA 30328

March-7, 2014

Ms. Linda Abaray
Senior Planner
City of Sandy Springs
7840 Roswell Rd - Bldg 500
Sandy Springs, GA 30350

RECEIVED
MAR 19 2014
City of Sandy Springs
Community Development

Re: Petition # 201400050
Petitioner: JW Homes LLC
Property Location: 0-110 Allen Rd; 5820-5840 Sandy Spgs Circle; 5830-5865 Lake Allen Lane; 5909-5831 Lake Forrest Dr

Dear Ms. Abaray:

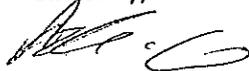
We write in support of this zoning petition by JW Homes, LLC. Our home is one of the homes that is part of this proposed development. We believe we are getting a fair price for our home. We support this request because we believe that unlike previous failed re-development attempts, JW Homes has potential to transform these properties into a well built, attractive community that fits well with the city's redevelopment initiatives. We also think that it is time to develop these properties. For over two years, homes on Allen Road and Sandy Springs Circle have been vacant and an eyesore. This is a great opportunity to change that.

While the topography of this area presents challenges for builders, we believe JW Homes is the kind of builder who can ably meet those challenges. They have done their homework and they know what they are doing with this development. That they have the ability to meet the challenges this topography presents is evident from their other projects. JW Homes is one of the few builders in the Atlanta metro area that has a consistently strong reputation for building high quality higher end homes. In fact, we would be happy to buy a JW Home because of the company's strong reputation for designing and constructing well-built homes in well-planned neighborhood communities.

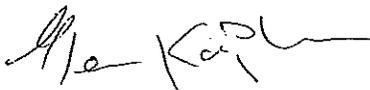
We also think their proposed community will benefit Sandy Springs both in terms of an additional tax base, and will bring people to the area who will contribute to the local shops and to the community itself.

In sum, we believe JW Homes is the right builder for this property and the proposed community will contribute to the city's overall plan. We also believe it is the right time to develop these properties. Thus, we hope the Planning Department and City Council agree and will grant the zoning petition.

Sincerely,



Andi Curcio
404 429 6956
acurcio@gsu.edu



Glenn Kaplan
404 421 8689
gkaplan54@gmail.com

RECEIVED

MAR 13 2014

City of Sandy Springs
Community Development

Date: 3-6-14

Ms. Linda Abaray
Senior Planner
CITY OF SANDY SPRINGS
7840 Roswell Road
Bldg. 500
Sandy Springs, GA 30350

RE: Petition Number: # 201400050
Petitioner: JW Homes, LLC
Property Location: 0-110 Allen Road
5820-5840 Sandy Springs Circle
5830-5865 Lake Forrest Drive
5909-5831 Lake Forrest Drive

Dear Ms. Abaray:

I am writing today in support of this zoning petition by JW Homes, LLC. As a property owner, I believe I am getting fair compensation for the sale of my property. Second, all prior attempts at assembling the neighborhood for redevelopment have failed, but I believe this buyer has the capabilities to close the sale.

Third, and most important, based on the quality of other JWH communities I have seen, this will ultimately become a jewel in the new City Center of Sandy Springs. With a history spanning 40 years developing many of Atlanta and Sandy Springs' finer residences, I can think of no one better suited for this project.

I hope the City Council and Planning Departments concur.

Sincerely,


Tyler Dixon

P.S. I own 5840 Sandy Springs Circle. It is a rental home. I just moved to Sandy Springs in 1961. I graduated from Sandy Springs High School (where the Kroger is now), I still live and work in Sandy Springs. I raised my family here. This is my community, and I care how it is developed. I genuinely believe this proposed development will be a great "plus" to our community, especially for those in that general area. TD

Abaray, Linda

From: Sandy Sweeny <sandyksweeny@gmail.com>
Sent: Tuesday, April 01, 2014 3:50 PM
To: Abaray, Linda
Cc: atlynkee@bellsouth.net; jhuntws2@gmail.com; Char.Fortune@avisonyoung.com; hgatl@comcast.net; rafisch@bellsouth.net; Phil Sweeny; lindasimns@aol.com; atlcpa@bellsouth.net; dorcas.winton@harrynorman.com; Linda Gordon; IamJo@aol.com
Subject: Cameron Manor' s Response

Linda,

Hello. My name is Sandy Sweeny. I am the President of the Cameron Manor Home Owners Association. On behalf of all the residents in Cameron Manor, I am sending this email in response to the proposed John Weiland development on Lake Forrest. We stand with the majority in supporting the petition with the exception of asking for denial of variance 8. Please add this to the documents to be submitted to the Planning Commission and City Council. Thank you.

Kind regards,

Sandy Sweeny
Cameron Manor HOA

Sent from my iPad

RECEIVED
APR 01 2014
City of Sandy Springs
Community Development



RECEIVED
APR 31 2014
City of Sandy Springs
Community Development

3/31/2014

RE: Rezoning Petition 20140050 (JW Homes, LLC)

Dear Mayor Paul and City Council Members:

The Board of Lake Forrest Summit Community Association, Inc. (LFSCA), representing the 35 homeowners of LFSCA, has been working with Mr. Pete Hendricks and Mr. Bryan Musolf to address our concerns with the rezoning of parcel assemblage at Lake Forrest Drive, Allen Road and Sandy Springs Circle.

The Board unanimously supports this rezoning petition with one exception. The Board is requesting you *deny* variance 8 regarding exemptions from the Main Street District Overlay Standards.

Overlay District Standards impart civic pride and help raise expectations for build quality. The Standards ensure impartiality is applied to enhance the character and visual quality of the community. Overlay Standards improve traffic and the pedestrian environment. Sidewalks, pedestrian and site lighting, street trees and other landscape features are all necessary.

The City Staff and Planning Commission both recommend denial of this variance.

We also encourage you to immediately address infrastructure concerns in this area. The double right turn at Allen Road onto Roswell Road was eliminated when the bridge at I-285 was widened. Attached are pictures of before and after. Currently, we are only allowed to turn right on Allen Road and then go onto the ramp for I-285W. The intersection at Cliftwood Drive and Carpenter Drive should be aligned. We are prevented from making a right turn on red at this intersection.

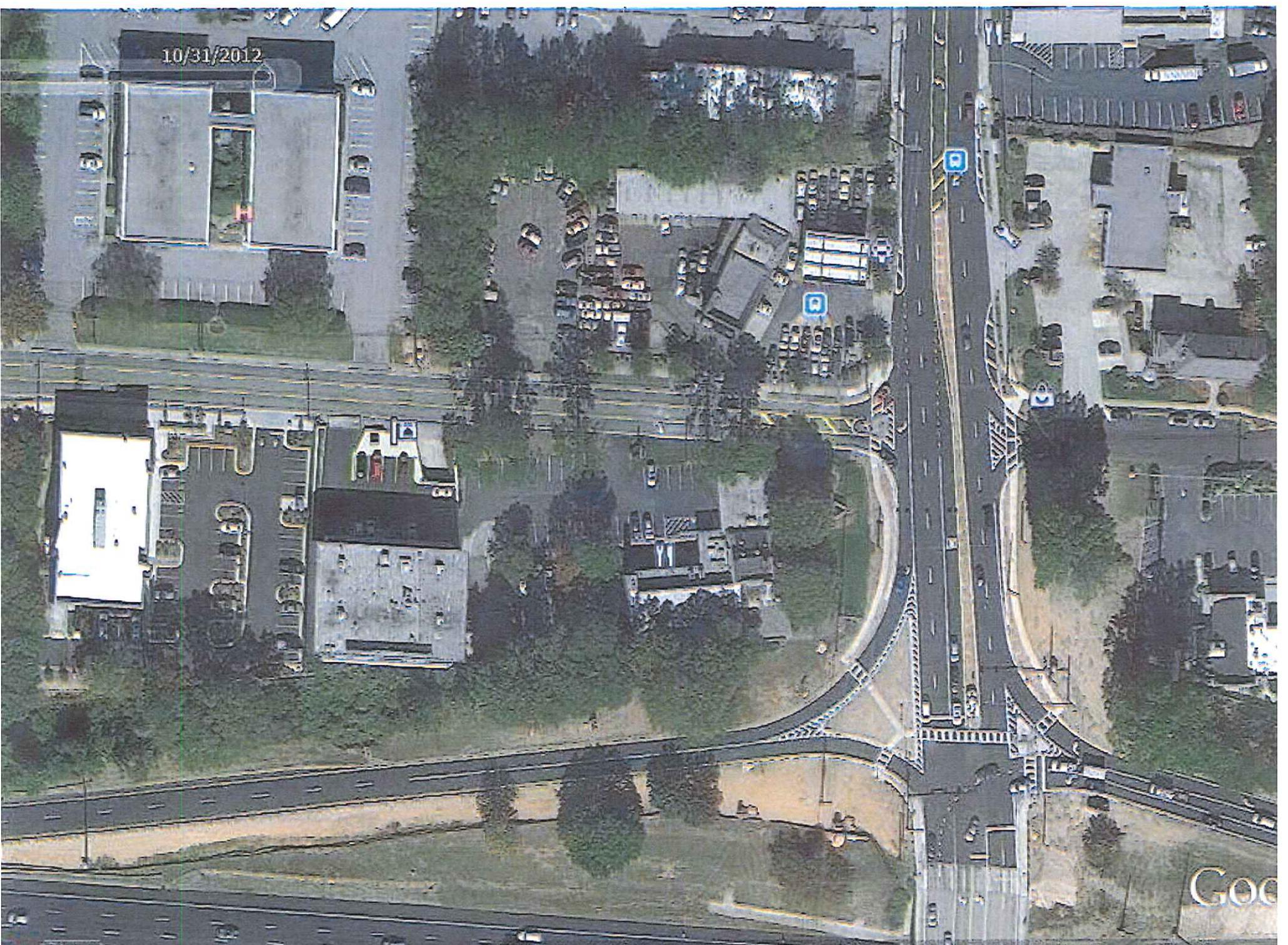
Thank you for your hard work and consideration of our requests.

Regards,

A handwritten signature in cursive script that reads "Susan Baldwin Yeosock".

Susan Baldwin Yeosock
President
Lake Forrest Summit Community Association, Inc.
785 Lake Summit Drive
Sandy Springs, GA 30342

10/31/2012



1993

Imagery Date: 10/31/2012 - 33°54'47.97" N - 84°22'47.78" W elev - 985 ft - eye

Go

10/16/2011



1993

Imagery Date: 10/16/2011 33°54'47.10" N 84°22'47.71" W elev 975 ft eye

GOO

RECEIVED

MAR 31 2014

City of Sandy Springs
Community Development

**Cameron Hall Place Community Association
5780 Cameron Hall PL NW
Sandy Springs, GA 30328-4896**

March 29, 2014

City Council
City of Sandy Springs
7840 Roswell RD
Sandy Springs, GA 30350

Re: 201400050 - Application for Rezoning -- JW Homes, LLC

Dear Members of the Sandy Springs City Council,

The board members of the Cameron Hall Place Community Association, on behalf of community homeowners hereby endorse and support the rezoning of properties bordered by Allen Rd, Lake Forrest Dr. and Sandy Springs Circle by JW Homes, LLC. We also concur with allowing all requested variances except for #8 which we feel should be denied as per City staff recommendations.

We believe that the proposed development of 88 single family and townhomes will be an excellent addition to the area by improving property values and increasing the home ownership ratio in the city. Moreover, JW Homes, LLC's strong reputation for quality design and product ensures the project will be completed to the highest possible standards.

We strongly support smart private community residential redevelopment as the City of Sandy Springs begins its plans to spend millions of dollars on the City Center redevelopment project.

As Sandy Springs residents and neighbors of the proposed community development, we request that you support and approve this rezoning application with the exception of variance #8.

Sincerely yours,



Herschel W. Lawson, MD, President
Cameron Hall Place Community Association
5780 Cameron Hall Place
Sandy Springs, GA 30328
E-mail: hw.lawson@gmail.com
Ph. 404-250-0457