



To: John McDonough, City Manager

From: Angela Parker, Director of Community Development 

Date: February 7, 2014 for submission onto the February 18, 2014 City Council meeting

Agenda Item: **201303719 6545, 6555, 6555 (rear) Roswell Road** a request to rezone the subject property from C-1(Community Business District) to C-1(Community Business District) to allow restaurant and commercial uses, with concurrent variances.

Department of Community Development Recommendation:

APPROVAL CONDITIONAL of a request to rezone the subject property from C-1(Community Business District) to C-1(Community Business District) to allow restaurant and commercial uses.

Background:

The subject site is located on the east side of Roswell Road. The property is currently zoned C-1(Community Business District) and is developed with a carwash and vacant building. The property contains approximately 4.19 acres.

Discussion:

The applicant is requesting to rezone the subject property C-1(Community Business District) to C-1(Community Business District) to allow restaurant and commercial uses.

Additionally, the applicant is requesting seven (7) concurrent variances from the Zoning Ordinance and Sandy Springs Development Regulations as follows:

1. Variance from 4.23.1 to reduce the fifty (50) foot rear buffer to ten (10) feet along rear property line and to zero (0) for the access to the rear portion of the property.
2. Variance from 12. B.8.A.3 to the increase maximum number of parking space permitted from 37 to 43 spaces.
3. Variance from Section 12B.8.E.2 to decrease the minimum height from 25 feet to 18 feet.
4. Variance from Section 103-72 of the Sandy Springs Development Regulations to delete the requirement for interparcel access along the south property line.
5. Variance from Section 33.22.C to reduce the 10 foot setback to 0 feet.
6. Variance from Section 33.25.H to allow an additional wall sign on the north elevation.
7. Variance from section 12B.8.F.2.c. To reduce the required 60% of ground level façade to 18%.

The petition was heard at the January 16, 2014 Planning Commission meeting. The Commission made a recommendation for **approval** (5-1, Tart, Frostbaum, Nickles, Maziar, Porter for; Squire against; Duncan not voting) subject to screen the rear of the building (south elevation) and staff's conditions.

The petition was heard at the December 10, 2013 Design Review Board meeting. The Board made a recommendation for **approval** (4-1, Bartlett, Ealick-Anderson, Richard, and Roberts in support; Landeck in opposition; Mobley absent; Lichtenstein not voting.).



Rezoning Petition No. 201303719

PROPERTY INFORMATION	
Address, Land Lot, and District	6545, 6555, 6555 (rear) Roswell Road Land Lot 88, District 17 th
Council District	4
Frontage	330.58 feet along the east side of Roswell Road
Area	4.19Acres
Existing Zoning and Use	C-1 (Community Business District) under Fulton County zoning cases Z78-0009, Z63-0003 currently developed with a carwash and a vacant building.
Overlay District	Main Street Overlay District
2027 Comprehensive Future Land Use Map Designation	LWC (Live Work Community) Node 9: Roswell Road and Vernon Woods Drive (Uptown)
Proposed Zoning	C-1 (Community Business District)

APPLICANT/PETITIONER INFORMATION		
Property Owner 6545 Roswell Road, LLC	Petitioner V&V Land, LLC	Representative Ray S. Smith, III, Esq.

HEARING & MEETING DATES				
Design Review Board Meeting	Community Zoning Information Meeting	Community Developer Resolution Meeting	Planning Commission Hearing	Mayor and City Council Hearing
December 10, 2013	November 26, 2013	December 18, 2013	January 16, 2014	February 18, 2014

INTENT

To rezone the subject property from C-1 (Community Business District) to C-1 (Community Business District) to allow restaurant and commercial uses.

Additionally, the applicant is requesting seven (7) concurrent variances from the Zoning Ordinance and Sandy Springs Development Regulations as follows:

1. Variance from 4.23.1 to reduce the fifty (50) foot rear buffer to ten (10) feet along rear property line and to zero (0) for the access to the rear portion of the property.
2. Variance from 12. B.8.A.3 to the increase maximum number of parking space permitted from 37 to 43 spaces.
3. Variance from Section 12B.8.E.2 to decrease the minimum height from 25 feet to 18 feet.
4. Variance from Section 103-72 of the Sandy Springs Development Regulations to delete the requirement for interparcel access along the south property line.
5. Variance from Section 33.22.C to reduce the 10 foot setback to 0 feet.
6. Variance from Section 33.25.H to allow and additional wall sign on the north elevation.
7. Variance from section 12B.8.F.2.c. To reduce the required 60% of ground level façade to 18%.

Prepared by the City of Sandy Springs Department of Community Development for the Mayor and City Council February 18, 2014

DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION

201303719- APPROVAL CONDITIONAL

201303719 Variance #1 - APPROVAL CONDITIONAL

201303719 Variance #2- APPROVAL CONDITIONAL

201303719 Variance #3 - APPROVAL CONDITIONAL

201303719 Variance #4 – APPROVAL CONDITIONAL

201303719 Variance #5 – APPROVAL CONDITIONAL

201303719 Variance #6 – DENIAL

201303719 Variance #7 – APPROVAL CONDITIONAL

PLANNING COMMISSION RECOMMENDATION- January 16, 2014

The petition was heard at the January 16, 2014 Planning Commission meeting. The Commission made a recommendation for **approval** (5-1, Tart, Frostbaum, Nickles, Maziar, Porter for; Squire against; Duncan not voting) subject to screen the rear of the building (south elevation) and staff's conditions.

DESIGN REVIEW BOARD RECOMMENDATION- December 10, 2013

The petition was heard at the December 10, 2013 Design Review Board meeting. The Board made a recommendation for **approval** (4-1, Bartlett, Ealick-Anderson, Richard, and Roberts in support; Landeck in opposition; Mobley absent; Lichtenstein not voting.)

EXISTING LAND USE AND ZONING OF ABUTTING PROPERTIES

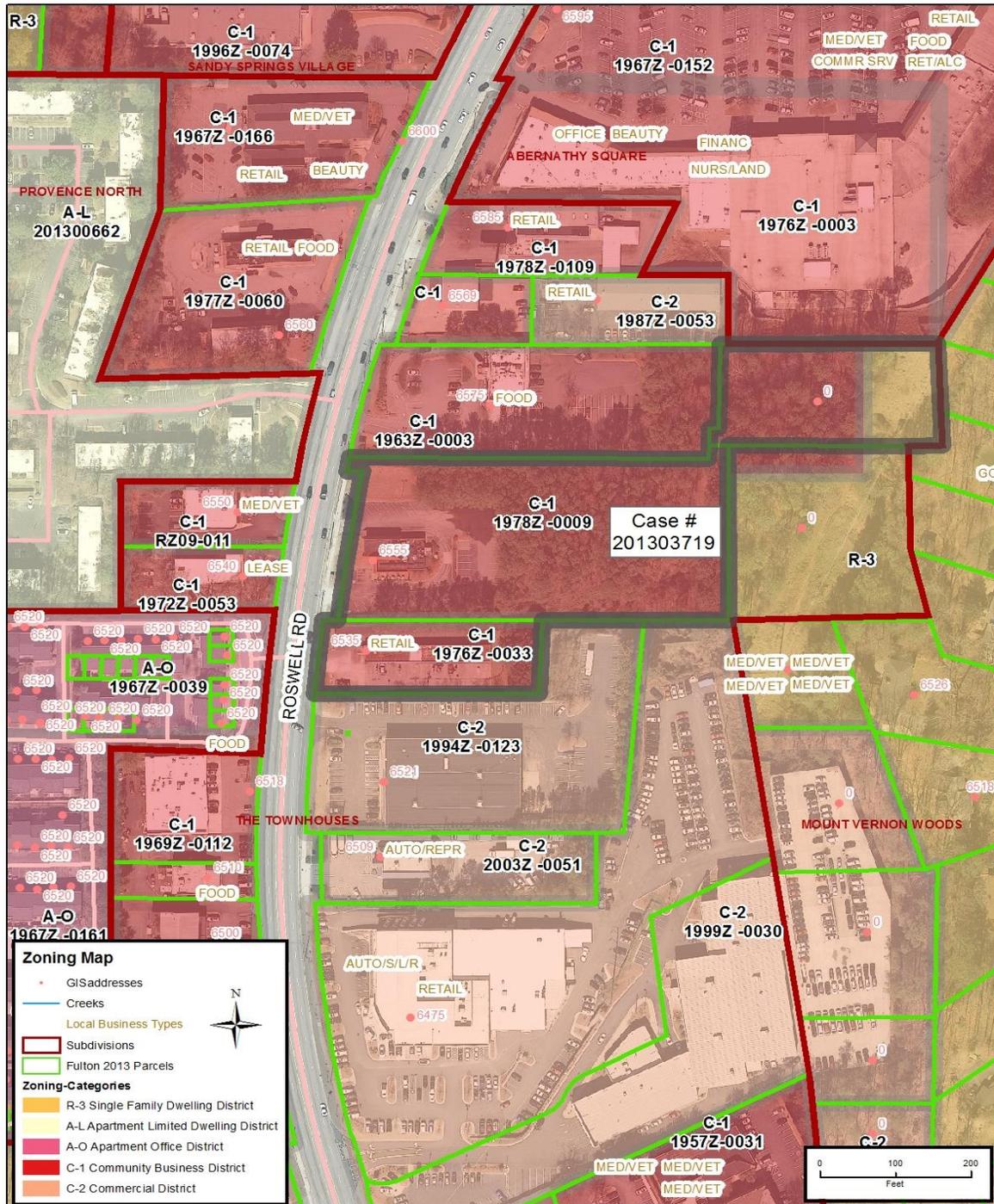
SUBJECT PETITION 201303719	Requested Zoning	Proposed Use	Land Area (Acres)	Square feet/Units	Density (Units per Acre)
	C-1	Restaurant and Commercial	4.192	3,652 sf	871.18 sf/ac

Location in relation to subject property	Zoning	Use	Land Area (Acres)	Square Footage or Number of Units	Density (Square Feet or Units Per Acre)
North	C-1 Z63-0003	6575 Roswell Rd	.8035	3,710	±4,617 sf/acre
North	C-1	6569 Roswell Rd	0.376	2,944	±7,829.79 sf/ac
North	C-2 Z87-0053	6569 Roswell Rd (rear)	0.06	6,400	10,666 sf/ac
East	R-3	0 Roswell Rd (vacant)	1.35	-	-
East	R-3	Vernon Woods	1.3	2	±1.54 units/ac
South	C-2 Z94-0123	6521 Roswell Rd Pep Boys	2.5	22,354	8,941 sf/ac
South	C-2 Z03-0051	6500 Roswell Rd	0.88	2,800	3,181.82 sf/ac
West	A-O Z67-0039	6520 Roswell Rd	7.64	116 Units	15 units/ac
West	C-1 Z72-0053	6540 Roswell Rd	.43	2,442	±5,679 sf/ac
West	C-1 RZ09-011	6550 Roswell Rd Medical Office	.47	5,583	±11,878 sf/ac
West	A-L 201300662	6558 Roswell Rd	7.699	230	29.87 units/ac

Prepared by the City of Sandy Springs Department of Community Development for the Mayor and City Council February 18, 2014

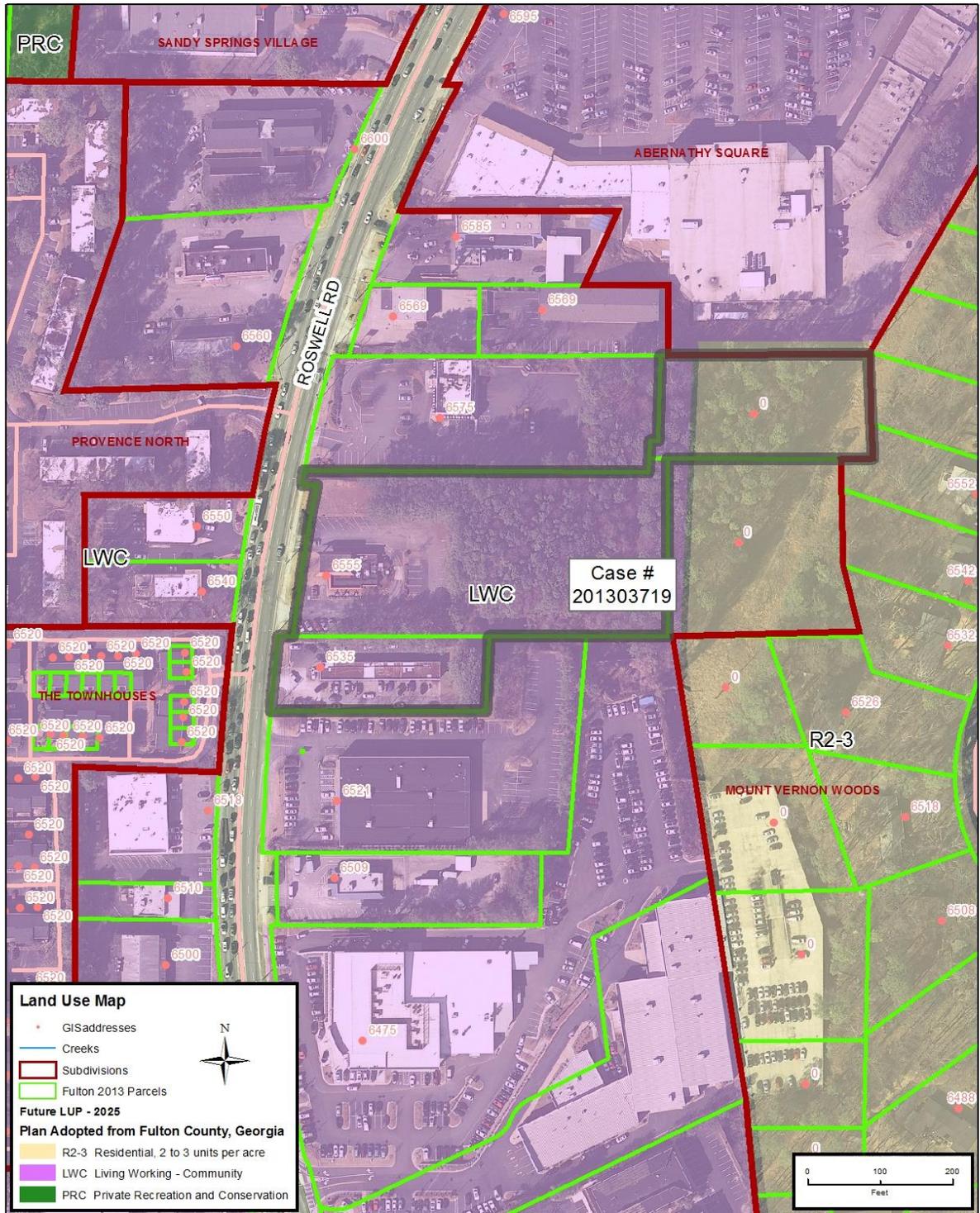
Zoning Map

6555 Roswell Road (SR 9)



Future Land Use Map

6555 Roswell Road (SR 9)



ZONING IMPACT ANALYSIS

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

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

Findings: The staff is of the opinion that the proposed uses are suitable in view of the use and development of adjacent and nearby property. The surrounding area consist of: C-1 (Community Business District) and C-2 (Commercial District) to the north; R-3 (single Family Dwelling District) to the east; C-2 (Commercial District) to the south; and C-1 (Community Business District), A-L (Apartment Limited Dwelling District), and A-O (Apartment Office District) to the west. The proposed restaurant will be located adjacent to Roswell Road and the remaining property is proposed to be developed with commercial 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 uses are consistent with the adjacent properties. The applicant has not provided an overall density for the property because they currently do not have plans to develop the remaining 3.24 acres. The proposed 3,652 square foot restaurant will be constructed on 0.95 acres giving it a density of 3,844.21 square feet per acre. Comprehensive Plan recommended density of up to 25,000 square feet per acre.

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 Future Land Use Map. The Future Land Use Map designation of Live Work Community (LWC) and recommends a density up to 25,000 square feet. The applicant has not provided an overall density for the property because they currently do not have plans to develop the remaining 3.24 acres, but future development would be limited by development standards in the Zoning Ordinance (building height, parking, landscape strips and buffers). The proposed 3,652 square foot restaurant will be constructed on 0.95 acres giving it a density of 3,844.21 square feet per acre. The proposed request is in harmony with the Comprehensive Plan policies on densities being consistent with surrounding developments, including the following:

Node 9: Roswell Road and Vernon Woods Drive (Uptown)

Vision:

1. The area is characterized by narrow lots with frontage on Roswell Road.
2. The assemblage of multiple properties is not necessarily encouraged in this area; however, the elimination of individual curb cuts and increased interparcel access is supported.
3. The area should incorporate a mix of less dense office and residential uses; however, it is not necessary to develop both office and residential uses on a single parcel.

Guidelines and Policies:

1. Residential density should be 20 units per acre or less. Commercial and office densities should be 25,000 square feet per acre or less. There should be a maximum building height of four (4) stories. At least 10% of a site shall be maintained as open space.
2. An ability to achieve maximum densities should be supported by the elimination of consolidate of curb cuts, providing interparcel access, and meeting or exceeding recommended open space.

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 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 seven (7) 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 fifty (50) foot rear buffer to ten (10) feet along rear property line and to zero (0) for the access to the rear portion of the property.

Findings:

Staff is of the opinion that the reduction of the buffer is in harmony with the intent of the zoning ordinance. The rear property line is adjacent to R-3 (Single Family Dwelling District) which contains a high intensity transmission line easement. The easement creates a buffer between the single family residential homes of approximately 100 feet. Additionally, the applicant is requesting to reduce the buffer to zero (0) along the 69x10 foot access point to the north east portion of the property. Therefore, based on these reasons, the staff recommends APPROVAL of this variance request.

2. Variance from Section 12.B.8.A.3 to increase the maximum number of parking spaces permitted from 37 to 43 spaces.

Findings:

Staff is of the opinion that the increase in the maximum number of parking spaces is in harmony with the intent of the Zoning Ordinance and would not cause a detriment to the public. The applicant has indicated that their restaurant would require more spaces than allowed by the ordinance. The applicant will be required to install parking lot landscaping per the current regulations. Not allowing additional parking spaces could lead to overflow parking on other properties. Therefore, based on these reasons, the staff recommends APPROVAL of this variance request.

3. Variance from section 12.B.8.E.2 to decrease the minimum height from twenty-five (25) feet to eighteen (18) feet.

Findings:

Staff is of the opinion that the request to decrease the minimum height of the building is in harmony with the intent of the Zoning Ordinance and would not cause a detriment to the public. The applicant has indicated that the standard style Zaxby's building is eighteen (18) feet. There are currently other buildings in the surrounding area that do not meet the twenty-five (25) foot height requirement, based on these reasons, the staff recommends APPROVAL of this variance request.

4. Variance from Section 103-72 of the Sandy Springs Development Regulations to delete the requirement for interparcel access along the south.

Findings:

Staff is of the opinion that the request to delete the requirement for interparcel access along the south property line is in harmony with the intent of the Zoning Ordinance and would not cause a detriment to the public. Additionally, a hardship is created due to the topography along the south property line which makes it impractical to install interparcel access. Therefore, based on these reasons, the staff recommends APPROVAL of this variance request.

5. Variance from Section 33.22.C to reduce the ten (10) foot setback to zero (0).

The standards which shall be considered for granting a variance from the standards of this Article shall be only the following:

Section 33.12.D. Standards

The topography of the lot on which the sign is located or to be located renders it impossible to comport with the strict standards of this Article.

Findings:

There is approximately a seven (7) foot elevation difference between Roswell Road and the location of the proposed restaurant. Also, the Main Street Overlay District requires the building be pushed closer to Roswell Road which would create an obstruction of the sign from the south if it is required to be setback ten (10) feet. Therefore, based on this reason the staff is of the opinion this standard has been satisfied.

The natural features of the lot on which the sign is located or to be located, or of the land immediately adjacent to the lot, impairs the visibility of the sign such that it cannot be seen.

Findings:

The natural features of the property would impact visibility of the sign from the adjoining DOT right-of-way. There is approximately a seven (7) foot elevation difference between Roswell Road and the location of the proposed restaurant. Additionally, the requirement for the building to be close to the road would obstruct the sign. Therefore, based on this reason the staff is of the opinion this standard has been satisfied.

6. Variance from Section 33.22.H to allow an additional wall sign on the north elevation.

The topography of the lot on which the sign is located or to be located renders it impossible to comport with the strict standards of this Article.

Findings:

The topography of the property does not restrict the location of the proposed sign on the north elevation. The applicant is requesting an additional sign to identify the front entrance of the building. To provide adequate drive thru stacking and meet City regulations the front of the Zaxby's building face the north elevation. The west elevation (Roswell Road) will be the side of the building. The sign ordinance allows wall signs on street facing walls. Therefore, based on this reason the staff is of the opinion this standard has not been satisfied.

The natural features of the lot on which the sign is located or to be located, or of the land immediately adjacent to the lot, impairs the visibility of the sign such that it cannot be seen.

Findings:

The natural features of the property would not impact visibility of the sign from the adjoining DOT right-of-way. The restaurant is allowed to have one (1) wall sign on a street facing wall or two wall signs if they are not on a monument sign. Therefore, based on this reason the staff is of the opinion this standard has not been satisfied.

7. Variance from Section 12B.8.F.2.c. To reduce the required 60% of ground level façade to 18%.

Findings:

Staff is of the opinion that the request to reduce the 60% transparent glazing on the ground floor façade to 18% is in harmony with the intent of the Zoning Ordinance and would not cause a detriment to the public. Additionally, it is consistent with other restaurants and buildings in the surrounding area. The proposed building is similar in design to other fast food restaurants, with the storage and kitchen area located in the rear of the building. It is not desirable to have transparent glazing in these locations. Also, due to the building conforming to additional Overlay District requirement the building has been turned to have the main entrance facing the north elevation. The intent of the Ordinances is to address multi story

buildings to create an open feel on the ground floor. Therefore, based on these reasons, the staff recommends APPROVAL of this variance request.

DEPARTMENT COMMENTS

The staff held a Focus Meeting with Transportation, Building and Permitting, Fire, Code Enforcement, Site Development, and the Arborist on December 4, 2013 at which the following departments had comments. The staff has received additional comments from Fulton County Department of Water Resources (see attachments).

Transportation Planner	<ul style="list-style-type: none"> • Roswell Road is Georgia State Route 9, classified a Principal Arterial street, and has a posted speed limit of 35 mph. The existing daily traffic count in the vicinity of this project is 28,720 (2012). A Georgia Department of Transportation (GDOT) encroachment permit will be required for any work within the public right-of-way. The minimum right-of-way for Roswell Road is 55 feet from the street centerline. • Sandy Springs Development Ordinance Requirements include: • The minimum spacing of roadways/driveways with posted speeds of 35
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PUBLIC INVOLVEMENT

Public Comments

- Detention pond type
- Stormwater discharge
- Reduction in rear buffer
- Create a faux front

CONCLUSION TO FINDINGS

It is the opinion of staff that the proposal is in conformity with the intent of the Comprehensive Plan Policies. While the proposal does not call out an overall density, the Plan clearly contemplates density of 25,000 square feet per acre. The City’s regulations would address the impact of the proposed project surrounding properties. Therefore, based on these reasons, the staff recommends APPROVAL CONDITIONAL of the rezoning petition and concurrent variances.

STAFF RECOMMENDED CONDITIONS

Should the Mayor and City Council decide to rezone the subject property from C-1 (Community Business District) to C-1 (Community Business District), the staff recommends the approval be subject to the C-1 (Community Business District) regulations in the Sandy Springs Zoning Ordinance and the Sandy Springs Code of Ordinances and 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 provide the following site development standards:
 - a. Variance from Section 4.23.1 to reduce the fifty (50) foot rear buffer to ten (10) feet along rear property line and to zero (0) for the access to the rear portion of the property. (CV-201303719 #1)
 - b. Variance from Section 12. B.8.A.3 to the maximum number of parking space permitted from 37 to 43 spaces. (CV-201303719 #2)
 - c. Variance from Section 12.B.8.E.2 to decrease the minimum height from 25 feet to 18 feet. (CV-201303719 #3)
 - d. Variance from Section 103-72 of the Sandy Springs Development Regulations to delete the requirement for interparcel access to the property to the south. (CV-201303719 #4)
 - e. Variance from Section 33.22.C to reduce the 10 foot setback to 0 feet. (CV-201303719 #5)
 - f. Variance from Section Section12B.8.F.2.c to reduce the 60% transparent glazing on the ground floor façade to 18%. (CV-201303719 #7)
 - g. Southwest elevation of the building shall be screened from street view subject to the approval of the Sandy Springs Arborist.

Attachments

- Letter of Intent dated received December 5, 2013
- Site Plan dated received December 5, 2013
- Rendering dated received December 3, 2013
- Amendment to the rezoning application dated received February 7, 2014
- Site Photographs
- Additional comments from the Fulton County Department of Water Resources

RECEIVED

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LETTER OF INTENT

City of Sandy Springs
Community Development

The property contains approximately 4.218 acres and is located on the eastern side of Roswell Road just south of its intersection with Abernathy Road and is commonly known as 6545 Roswell Road, 6555 Roswell Road and 6555 Roswell Road (Rear), Sandy Springs, Georgia 30328 (the "Property"). A current Site Plan with elevations is attached hereto as Exhibit "A".

The Property is presently zoned to the C-1 Classification (Conditional) and is developed as a vacant Arby's restaurant and an outdated car wash with very little landscaping. The Property is terribly aged as the Arby's has been vacant for quite some time. The Applicant requests rezoning to the C-1 classification with condition for a drive-thru restaurant for development of a new and beautifully landscaped Zaxby's restaurant. The proposed Site Plan with Zaxby's restaurant and drive-thru is attached hereto as Exhibit "B". Applicant requests six concurrent variances as outlined below.

- (1) A variance pursuant to Article 12B.8.A.3 is requested for an increase in the maximum parking spaces permitted on the proposed 3,700 square-foot Zaxby's restaurant from 37 to 43 allowable parking spaces. Also, it is to be noted on the Site Pan that the amount of trees on the Property exceeds that suggested for the Living Working Community designation, even with the granting of a variance for a maximum of 43 parking spaces.
- (2) A variance is requested pursuant to Article 4.23.1 for a reduction in the 50-foot buffer requirement to a 10 foot buffer regarding that portion of the Property known as 6555 Roswell Road and 6555 Roswell Road Rear (an undeveloped portion of the Property). 6555 Roswell Road Rear has an existing High Intensity Transmission Line Easement ranging from 75.4 feet from the rear property line to 125.2 feet, which strictly limits the development within a substantial portion of the rear Property. A 50-foot building buffer is not needed on this area of the Rear Property, as the existing limitations and buffer are already in place due to the existing easement and are in harmony with the purpose of the City's buffer regulations.

In addition, a waiver is requested regarding the buffer requirements because interparcel access from 6555 Roswell Road to 6555 Roswell Road Rear must be constructed and this cannot be accomplished if there is a 50-foot buffer in place at the point in which interparcel access is constructed. A variance waiving the buffer requirement for the specific 69' x 10' section of the properties where interparcel access will be constructed is required in order to provide a driveway for adequate access to the Rear parcel. Said proposed area of waiver for access and driveway is indicated in color on the attached Site Plan labeled Exhibit "C".

- (3) A variance is requested pursuant to 12.B.8.C.1 to increase the building offset from the curb from 21 feet to 25 feet from the curb, because the building cannot be physically placed any closer to the Property line.
- (4) A variance pursuant to Article 33.22.C is requested for a waiver of the 10 foot sign offset requirement from the property line. Because the City requires the proposed Zaxby's

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restaurant to be placed within such close proximity to the property line, it is not practical to have the Zaxby's sign 10 feet from the property line and a waiver is requested in accordance with Applicant's Site Plan.

- (5) A variance is requested pursuant to Article 12B.8.E.2 for a decrease in the minimum roof size of 25 feet for the building to be constructed on the Property to a minimum roof size of 18 feet. The standard style Zaxby's restaurant building, which has been built across the state of Georgia, has a maximum roof size of 18 feet and 20 feet at its highest point. A variance is required in order to construct the standard style Zaxby's restaurant on the Property.
- (6) A variance pursuant to Article XI, Section 103-72 is requested for a waiver of the interparcel access requirement only as to the parcel adjacent to the south of 6545 Roswell Road. Due to the large elevation differences between 6545 and its adjacent parcel to the south, it is impractical to create interparcel access between 6545 and 6555 and a waiver of this requirement is needed. However, Applicant was able to provide proposed interparcel access from the new Zaxby's to an undeveloped portion of 6555 and to the 6555 Roswell Road Rear property as indicated on the Applicant's Site Plan.

The Property is designated on the Sandy Springs Comprehensive Land Use Plan in a Living Working Community area. The proposed zoning classification and concurrent variances are in harmony with the intent of the Comprehensive Land Use Plan. A copy of the Site Plan with an in-color landscaping overview is attached hereto as Exhibit "D".

Accordingly, this Application for Rezoning is entirely appropriate and the appropriateness of this Application for Rezoning and the constitutional assertions of the Applicant are more particularly stated as set forth on the Exhibits and Forms attached hereto and by reference thereto made a part hereof.

Now, therefore, the Applicant requests that this Application for Rezoning be approved as submitted in order that the Applicant be able to proceed with the lawful use and development of the Property.

SIGNATURES ON FOLLOWING PAGE

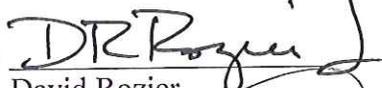
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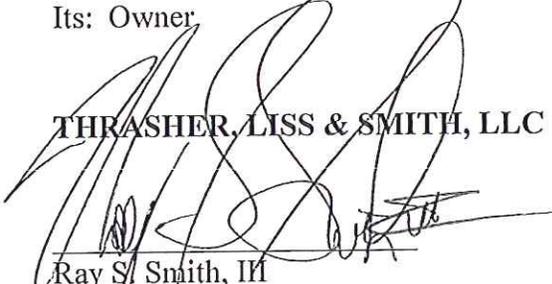
City of Sandy Springs
Community Development

APPLICANT:

V & V LAND, LLC

By: 
David Rozier

Its: Owner


THRASHER, LISS & SMITH, LLC

Ray S. Smith, III
Attorney for Applicant
Georgia Bar No.: 662555

Five Concourse, Suite 2600
Atlanta, GA 30028
(404) 760-6000
(404) 760-0225 fax

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City of Sandy Springs
Community Development

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DEC 05 2013

City of Sandy Springs
Community Development



LOCATION MAP

REVISION BLOCK	DATE	DESCRIPTION



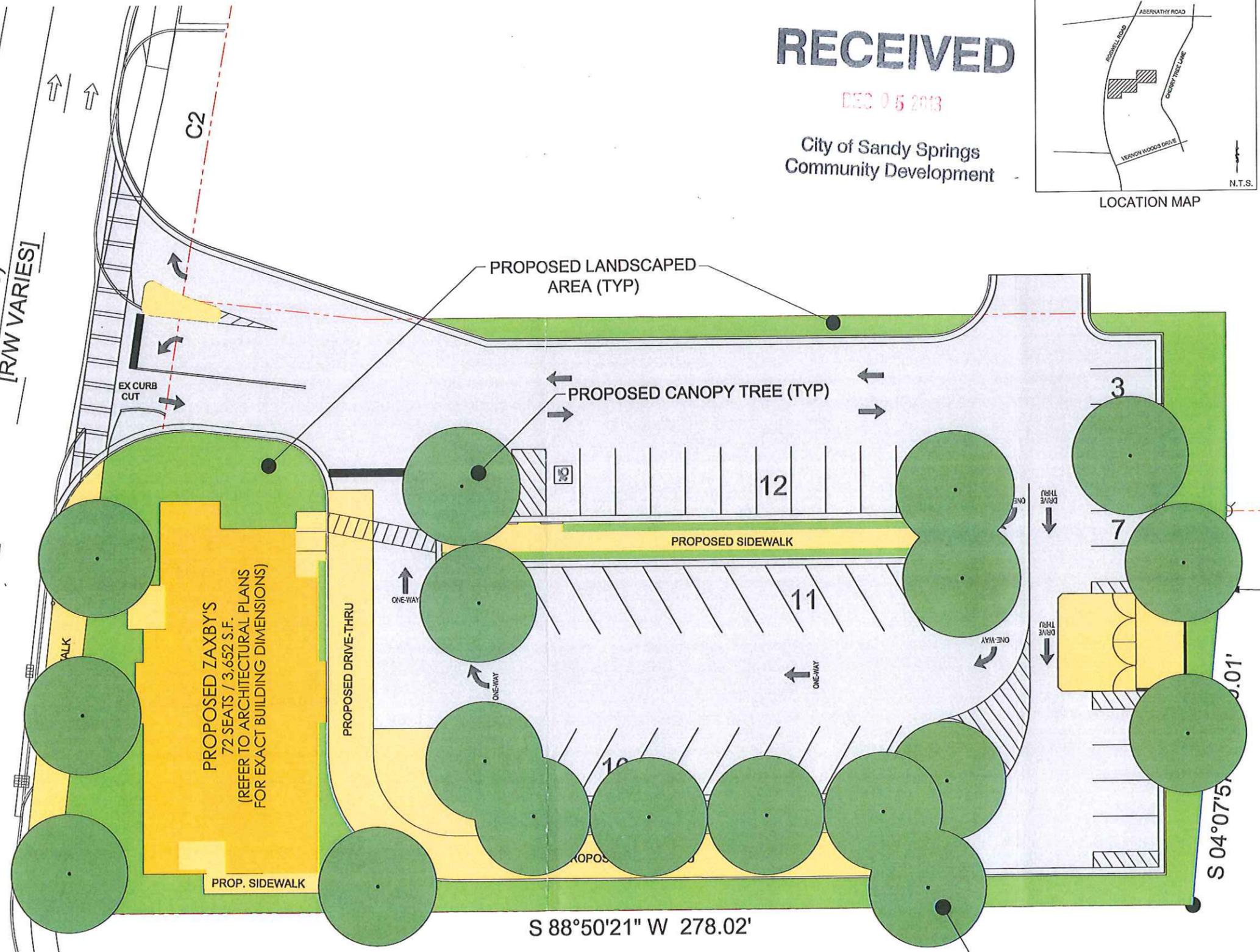
CARTER ENGINEERING CONSULTANTS

Carter Engineering Consultants, Inc.
1591 Jerrington ME3 Rd.
Building 500, Suite B
Roswell, GA 30662
P: 706.559.7400
F: 706.559.7415
www.cartereng.com

SITE DEVELOPMENT PLANS
for
V & V LAND, LLC
6555 Roswell Road, Sandy Springs, Georgia

PROJECT NAME:	ZAXBY'S
SHEET TITLE:	SITE PLAN
SHEET NUMBER:	1
PROJECT NUMBER:	12726ZAX
DATE:	10/30/13

ROSWELL ROAD
(S.R. 9)
[RW VARIES]



PROPOSED ZAXBY'S
72 SEATS / 3,652 S.F.
(REFER TO ARCHITECTURAL PLANS
FOR EXACT BUILDING DIMENSIONS)

PROPOSED LANDSCAPED
AREA (TYP)

PROPOSED CANOPY TREE (TYP)

PROPOSED SIDEWALK

PROPOSED DRIVE-THRU

PROP. SIDEWALK

S 88°50'21" W 278.02'

S 04°07'51" W 13.01'

PROPOSED CANOPY TREE (TYP)

EX CURB CUT

EXHIBIT
tabbies
D
AMENDED

LEGEND OF SURVEY ABBREVIATIONS/SYMBOLS

A	ARC LENGTH	⬇	BACKFLOW PREVENTER
AC	AIR CONDITIONER	⬇	BECHMARK CONTROL
AE	ACCESS EASEMENT	⬇	BOLLARD
BC	BACK OF CURB	⬇	BURIED CABLE POST
BDL	BUILDING SETBACK LINE	⬇	CABLE TV PEDESTAL
C&O	CURB AND GUTTER	⬇	CATCH BASIN (SHOULDER WING)
CM	CONCRETE MONUMENT	⬇	CATCH BASIN (DOUBLE WING)
CONC	CONCRETE	⬇	CHAIN LINK FENCE
COV	COVERED	⬇	ELECTRIC BOX
DB	DEED BOOK	⬇	ELECTRIC MANHOLE
DE	DRAINAGE EASEMENT	⬇	ELECTRIC METER
ENCL	ENCLOSED	⬇	ELECTRIC PEDESTAL
ENCR	ENCROACHMENT	⬇	FIRE HYDRANT
EP	EDGE OF PAVEMENT	⬇	GAS BOX
ESVIT	EASEMENT	⬇	GAS LINE (BURIED)
ET	ELECTRIC TRANSFORMER	⬇	GAS METER
FES	FINISHED END SECTION	⬇	GAS POST
FND	FOUND	⬇	GAS VALVE
FF	FINISHED FLOOR	⬇	GAS VENT STACK
IP	IRON PIPE	⬇	GATEWATER VALVE
IPC	IRON PIPE WITH CAP	⬇	GREASE TRAP
IR	IRON REBAR	⬇	OUTANCHOR
IRC	IRON REBAR WITH CAP	⬇	IRIGATION CONTROL VALVE
M	MEASURED	⬇	METAL LIGHT POLE
HP	HOW OR FORMERLY	⬇	OVERHEAD UTILITIES
NTS	NOT TO SCALE	⬇	PHONE LINE (BURIED)
P	PLAT	⬇	POWER (BURIED)
FB	PLAT BOOK	⬇	SANITARY SEWER CLEAN-OUT
P3	PAGE	⬇	SS LINE (BURIED)
PC	POINT OF CURVATURE	⬇	SANITARY SEWER MANHOLE
POB	POINT OF BEGINNING	⬇	SOB
POC	POINT OF COMMENCEMENT	⬇	STORM SEWER MANHOLE
R	RADIUS	⬇	STORM SEWER LINE (BURIED)
RAD	RADIUS	⬇	STREET LIGHT
RW	RIGHT-OF-WAY	⬇	STUB (UNWOUND)
SWB	STATE WATERS BUFFER	⬇	TELEPHONE PEDESTAL
SS	SANITARY SEWER	⬇	TRAFFIC SIGNAL BOX
TYP	TYPICAL	⬇	WATER LINE (BURIED)
UE	UTILITY EASEMENT	⬇	WATER METER
		⬇	WELL
		⬇	WOOD FENCE
		⬇	WOOD LIGHT POLE
		⬇	WOOD POLE
		⬇	FENCE POST
		⬇	OBSERVATION WELL
		⬇	TEST WELL

CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	2563.29'	100.74'	N 65°43'30" E	100.74'
C2	2554.85'	200.17'	N 69°41'30" E	200.12'

LINE	BEARING	DISTANCE
L1	N 01°15'44" W	14.85
L2	N 00°43'21" W	30.01
L3	N 89°28'29" E	11.99
L4	N 88°55'33" E	8.79
L5	N 78°11'45" W	8.58

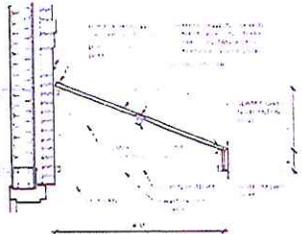
N/F CHARLES HAAS et al
PARCEL # 17 008800060060
D.B. 29919, P. 664
ZONED C-2

RECEIVED

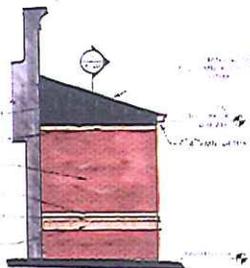
EXTERIOR FINISH SCHEDULE

DEC 03 2013

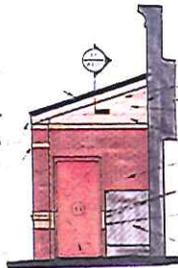
City of Sandy Springs
Community Development



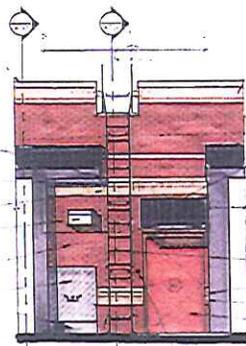
REAR AWNING DETAIL



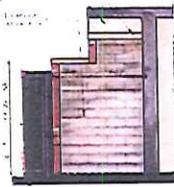
REAR ELEVATION @ CAN WASH



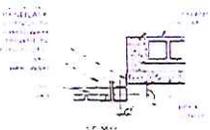
REAR ELEVATION @ CAN WASH



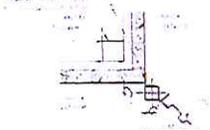
REAR ELEVATION (HIDDEN)



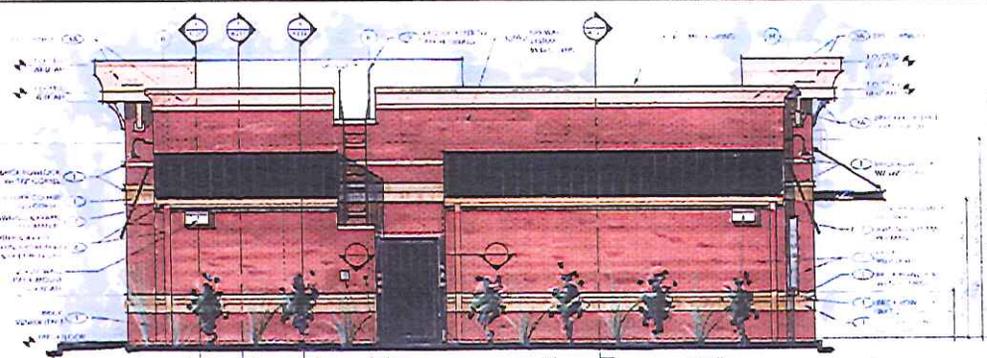
ELEVATION



GATE STRIKE JAMB DETAIL



GATE HINGE JAMB DETAIL



REAR ELEVATION



FRONT ELEVATION

HFR
HILLIARY FROST
ARCHITECTURE
ENGINEERING

ZAXBY'S

ZAXBY'S
70 MODEL
145 BOWELL DR.
SPRINGFIELD, GA

FRONT & REAR
LATHING ELEVATIONS

PROJECT NO.
13-066-00

A105

AMENDMENT TO REZONING APPLICATION

February 7, 2014

RECEIVED

City of Sandy Springs
Attn: Linda Abaray
7840 Roswell Road, Bldg. 500
Sandy Springs, GA 30350
VIA EMAIL: labaray@sandyspringsga.gov

City of Sandy Springs
Community Development

RE: Applicant: V & V Land, LLC
Case No.: 201303719; 6545, 6555 and 6555 (Rear) Roswell Road
Petition: To Rezone the subject property from C-1 conditional to C-1
for a drive thru restaurant and other commercial uses.

Dear Ms. Abaray:

We hereby amend the Rezoning Application previously filed on November 7, 2013 by V & V Land, LLC to make the following change:

Add the following variance:

A variance to waive the Overlay District requirement which requires a minimum of 60% of ground level facades to be transparent glazing. Applicant intends to construct the standard Zaxby's drive-thru restaurant which does not meet this requirement as stated in ARTICLE XIII, Section 12B.8.F.2(c)(i).

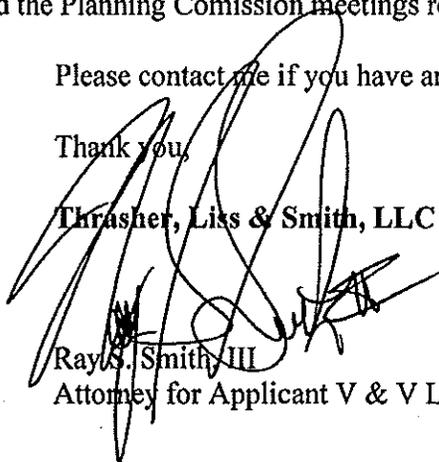
Applicant's variance request is in harmony with the intended purpose of the Overlay District. In addition, the proposed elevation of the standard Zaxby's drive thru restaurant has multiple windows and is much more aesthetically pleasing for the community than the vacant Arby's and dilapidated carwash, which is the current use of the property.

Applicant previously submitted the proposed Zaxby's elevations with the original filing of its Application and the elevations have been approved by both the Design and Review Board and the Planning Commission meetings recommended approval as well.

Please contact me if you have any questions or would like to further discuss this matter.

Thank you,

Thrasher, Litt & Smith, LLC


Ray S. Smith III
Attorney for Applicant V & V Land, LLC

AMENDMENT TO REZONING APPLICATION

February 7, 2014

City of Sandy Springs
Attn: Linda Abaray
7840 Roswell Road, Bldg. 500
Sandy Springs, GA 30350
VIA EMAIL: labaray@sandyspringsga.gov

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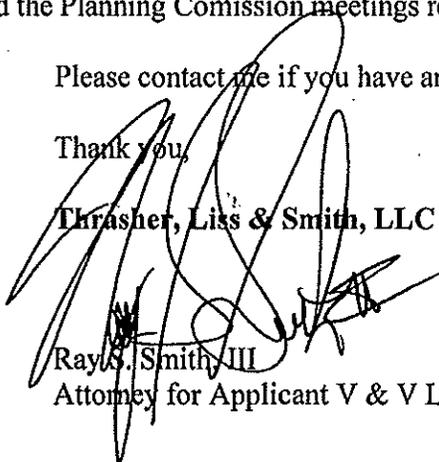
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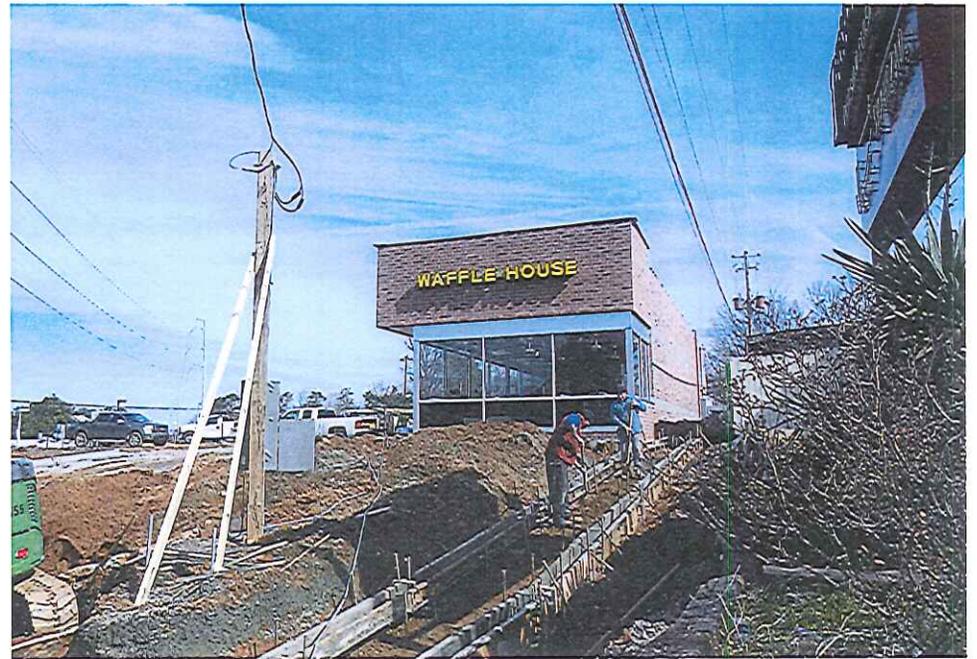
Thrasher, Liss & Smith, LLC

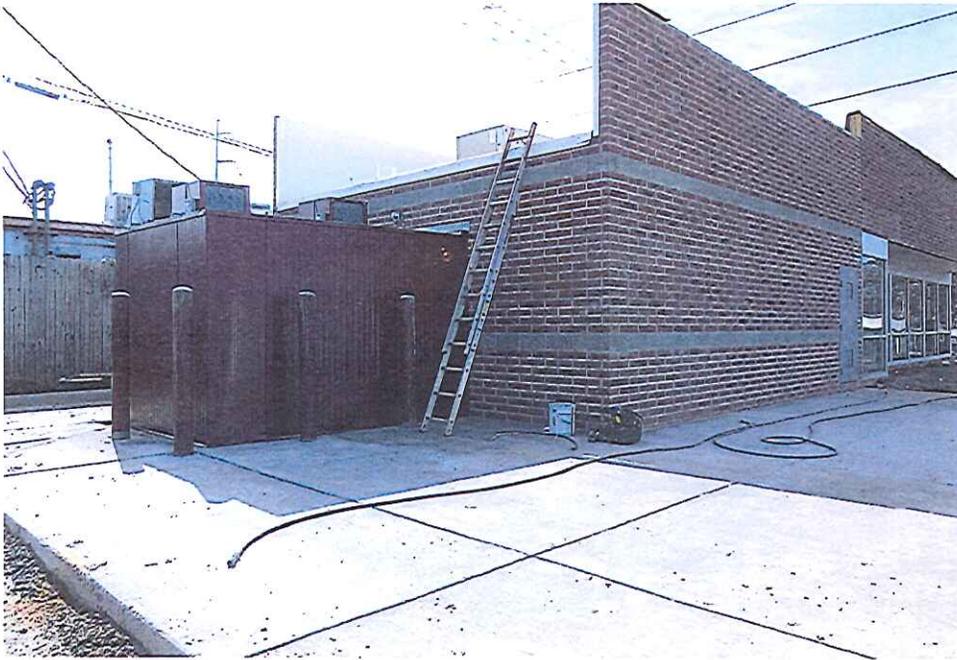

Ray S. Smith III

Attorney for Applicant V & V Land, LLC





















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: 50 gallons per day (gpd) per seat x 75 seats (3,652 square feet) = **3,750** gallons per day.

This project is within the City of Atlanta water jurisdiction.

SEWER:

Basin: Marsh Creek

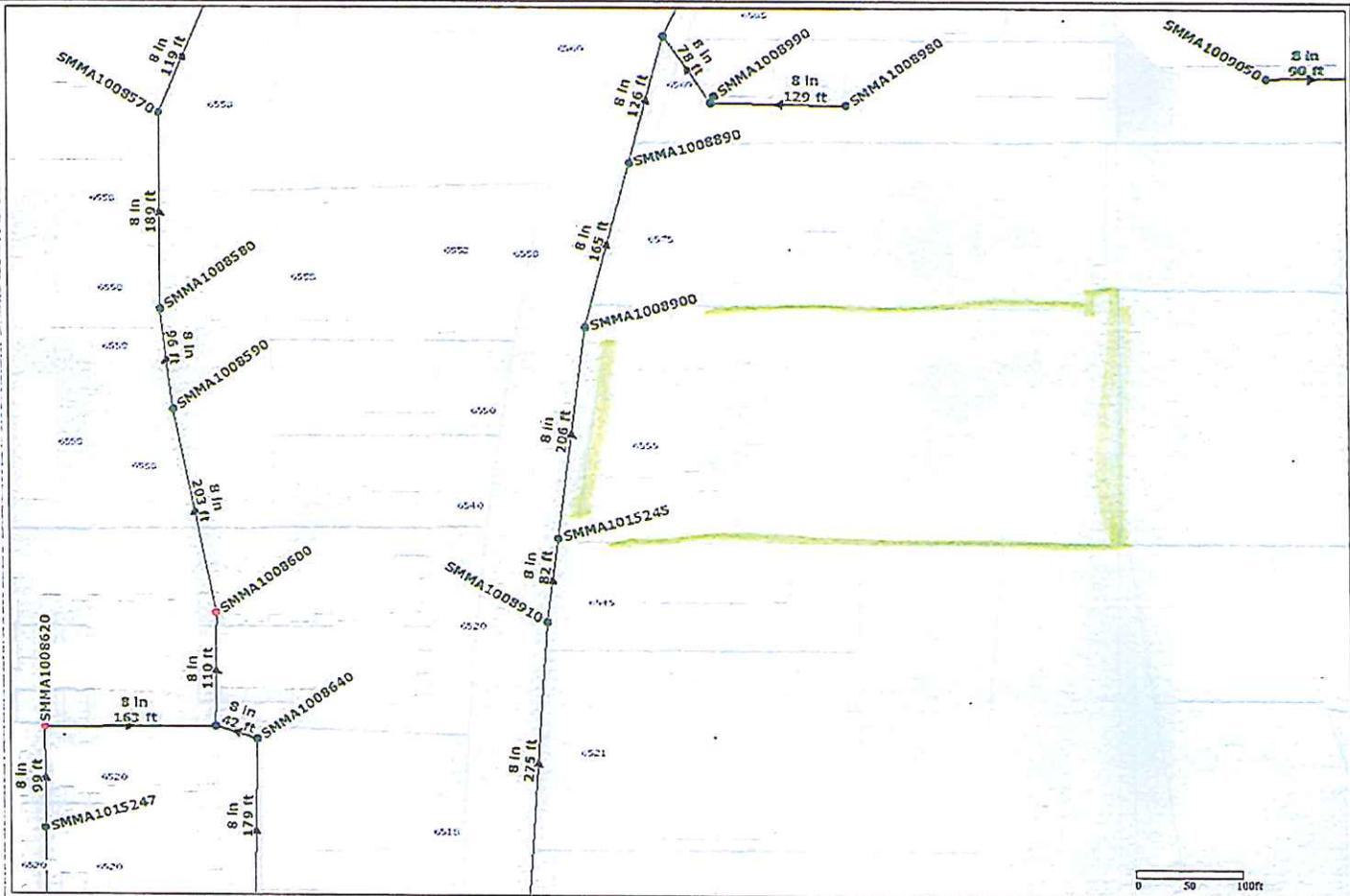
Treatment Plant: R.L. Sutton (Cobb County)

Anticipated sewer demand: **3,375** gallons per day

There are two wastewater manholes along the western property line of 6555 Roswell Road within the Roswell Road right of way (SMMA1015245 and SMMA1008900) located in Land Lot 88, 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
- Pump Station
- Pump Station
- Manhole
- Accessible
- Not Assessed
- Problem
- Lined Pipe
- Force Main
- Creek Crossing
- Waste Water Pipe Flow
- UNK
- 4" - 6"
- 8"
- 10"
- 12" - 16"
- 18" - 24"
- 30" - 48"
- Greater than 48"
- Waste Water Pipe
- UNK
- 4" - 6"
- 8"
- 10"
- 12" - 16"
- 18" - 24"
- 30" - 48"
- Greater than 48"
- Address Points
- Countries



6555 Roswell Road
 Fulton County, Georgia
 12-6-2013

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.

Property Profile for **6555 ROSWELL RD**

Property Tax Information

Tax Year 2013
 Parcel ID 17 008800060300
 Property Address 6555 ROSWELL RD
 Owner WILMER MARY C F
 Mailing Address P.O. BOX 550166 ATLANTA GA 30355
 Total Appraisal \$1,250,000
 Improvement Appraisal \$32,600
 Land Appraisal \$1,217,400
 Assessment \$500,000
 Tax District 59
 Land Area 2.73999 ac
 Property Class Commercial Small Tracts
 Land Use Class Franchise Food
 TAD
 CID

Zoning

Zoning Class not available
 Overlay District
 2030 Future Development not available

Political

Municipality Sandy Springs
 Commission District 4
 Commission Person Tom Lowe
 Council District not available
 Council Person not available
 Voting Precinct SS07A
 Poll Location Hammond Park Comm Center, 6005 Glenridge Dr
 Congressional District 006
 State Senate District 006
 State House District 052

School Zones

Elementary School Spalding Drive Charter
 Middle School Ridgeview
 High School Riverwood

Other Information

Zip Code 30328
 Census Tract 101.21
 In Less Developed Census Tract No

Oblique Aerial View (looking north)



Property Map



Vicinity Map

