



SANDY SPRINGS

GEORGIA

P&Z STAFF REPORT

Planning Commission, December 18, 2019

Case: **CA19-0001 – 230 Windsor Parkway**
Staff Contact: Madalyn Smith (madalyn.smith@sandyspringsga.gov)
Report Date: November 26, 2019

REQUEST

Request for a **Comprehensive Plan Character Area Map Amendment** from Neighborhood Village to Commercial/Mixed Use.

APPLICANT

Property Owner: Paul Brown	Petitioner: Matt Bowman	Representative: N/A
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SUMMARY

The applicant requests a **Comprehensive Plan Character Area Map Amendment** from Neighborhood Village to Commercial/Mixed Use for the proposed parcel at the corner of Roswell Road and Windsor Parkway

RECOMMENDATION

Department of Community Development

Staff recommends approval of **Comprehensive Plan Character Area Map Amendment CA19-0001**.

Planning Commission (September 24, 2019)

Planning Commission recommended denial of the request CA19-0001 on the basis that it opens up the possibility of too many undesirable uses, that it would set a precedent for further legislative actions, and because a significant amount of time was devoted to the development of the Neighborhood Village Character Area during the development of the Comprehensive Plan and Planning Commission wishes to honor the pact between the City and Protected Neighborhoods.

Motion:

Commissioner Nickles motioned to deny the request CA19-0001. Commissioner Settles seconded. Motion passed unanimously.

Mayor and City Council (October 15, 2019)

The public hearing was postponed due to a potential fault with the Legal Ad's description of the project, Staff amended the Legal Ad and has restarted the hearing process over again, starting with the Planning Commission on December 18th.

MATERIALS SUBMITTED AND REVIEWED

1. Application, submitted July 2, 2019
2. Legal description, submitted October 4, 2019

PROPERTY INFORMATION	
Location:	230 Windsor Parkway Parcel # 17 009400010729
Council District:	5 – Tibby DeJulio
Road frontage:	Approximately 130 feet of frontage on Roswell Road Approximately 340 feet of frontage on Windsor Parkway
Acreage:	Approximately 1.56 acres
Current Zoning: Existing Land Use:	ON-3 (Office Neighborhood, maximum height 3 stories) Animal Care
Previous Zoning Cases:	RZ12-007
Character Area:	Neighborhood Village
Environmental Constrains:	Nancy Creek Declared Sensitive Area

PROCESS			
Initial Community Meeting (CMI): June 5, 2019	Second Community Meeting (CMII): July 31, 2019	Planning Commission Hearing: September 24, 2019	Mayor and City Council Hearing: October 15, 2019 (Postponed)
		Planning Commission Hearing: December 18, 2019	Mayor and City Council Hearing: January 21, 2020

PROPOSED DEVELOPMENT
<p>The applicant seeks to subdivide the existing property, 230 Windsor Parkway, into two parcels and amend the character area of the parcel at the corner of Roswell Road and Windsor Parkway from the Neighborhood Village Character Area to Commercial/Mixed Use Character Area. The remaining parcel abuts the townhome development to the east and will remain in the Office Neighborhood (ON-) Zoning District, within the Neighborhood Village Character Area.</p> <p>The applicant would then apply to rezone the property at the corner of 230 Windsor Parkway to CX-3 (Commercial Mixed Use) to accommodate a retail use.</p>

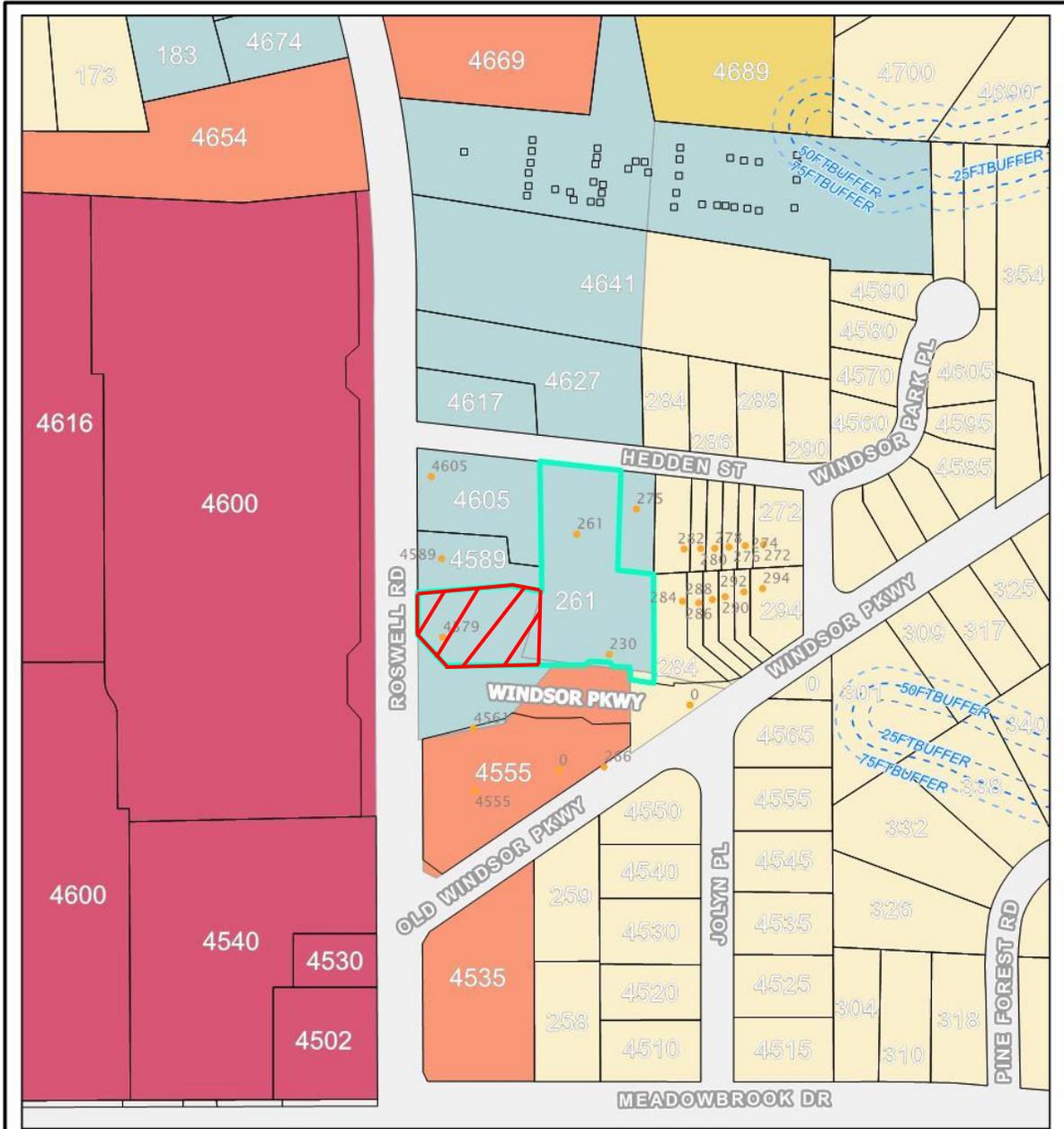
EXISTING CHARACTER AREAS, ZONING, AND LAND USES OF PROPERTY IN THE VICINITY	
Location relative to subject property	Character Area / Zoning / Land use
North	Neighborhood Village/ ON-3 (Office Neighborhood)
South	Commercial/Mixed Use, CX-3 (Commercial Mixed Use)
East	Neighborhood Village/ ON-3 (Office Neighborhood) & Protected Neighborhood/ RD-12 (Residential Detached), RT-3 (Residential Townhome)

West	Mixed Use/ SX-4 (Shopfront Mixed Use)
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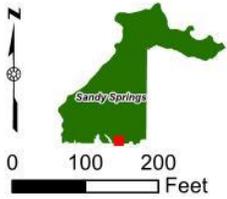
AERIAL IMAGE

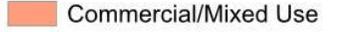
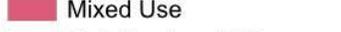
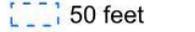
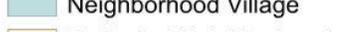
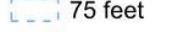
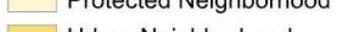
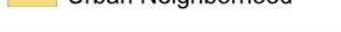


CHARACTER AREA MAP

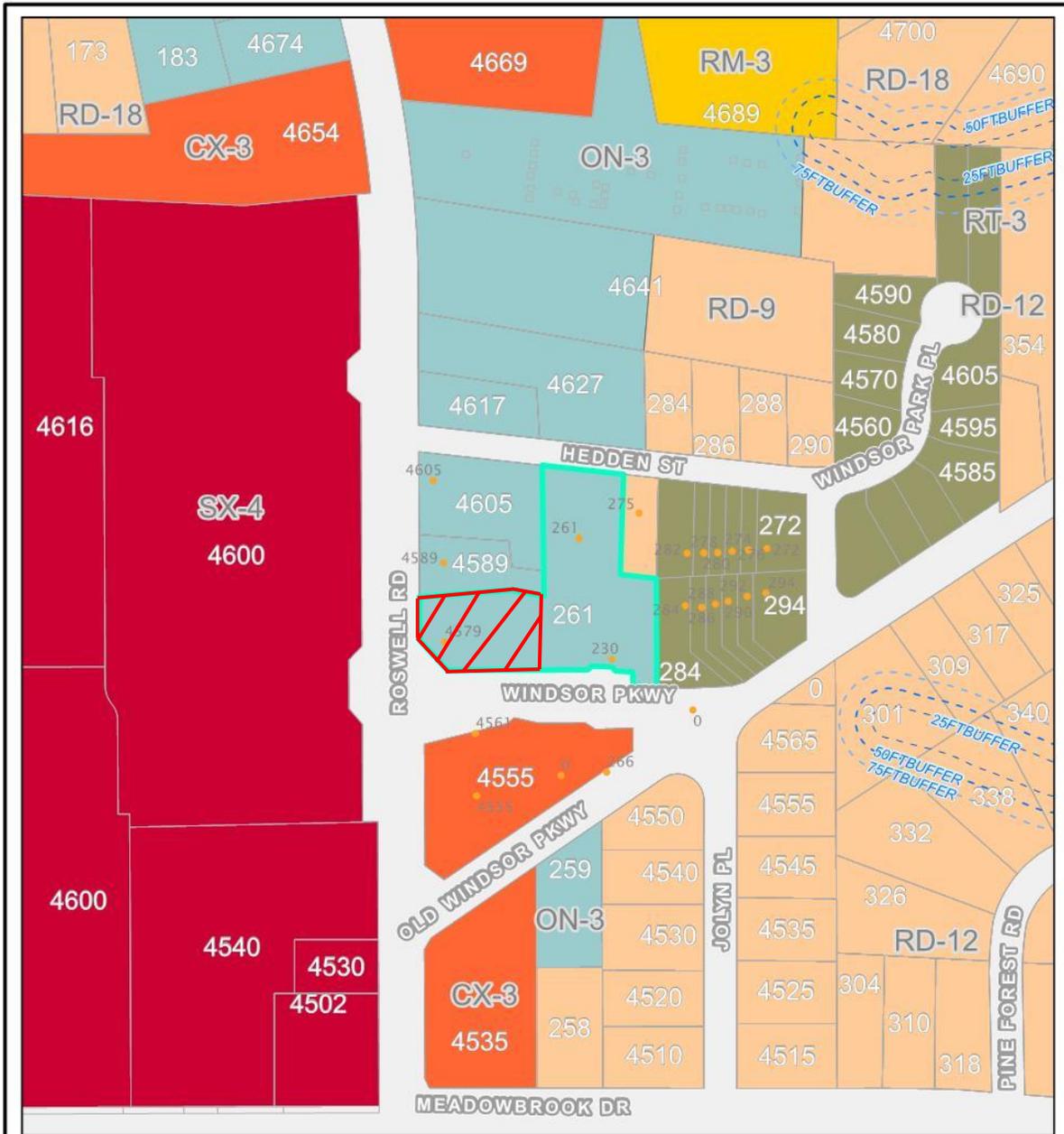


230 WINDSOR PKWY

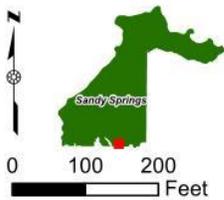


 CA19-0001	Character Areas
 Stream Buffer	 Commercial/Mixed Use
 25 feet	 Mixed Use
 50 feet	 Neighborhood Village
 75 feet	 Protected Neighborhood
	 Urban Neighborhood

ZONING MAP



230 WINDSOR PKWY



CA19-0001

Zoning (Adopted 8-15-2017)

Stream Buffer

- 25 feet
- 50 feet
- 75 feet

- CX - COMMERCIAL MIXED USE
- SX - SHOPFRONT MIXED USE
- ON - OFFICE NEIGHBORHOOD
- RD - RESIDENTIAL DETACHED
- RM - RESIDENTIAL MULTI-UNIT
- RT - RESIDENTIAL TOWNHOUSE

Allowed Use Table: ON- District vs CX- District

Permitted uses in ON-	Permitted uses in CX-		Conditional Uses in ON-	Conditional Uses in CX-	Limited uses in ON-	Limited uses in CX-
single unit attached	single unit attached	passenger terminal	skywalk	skywalk	single unit detached	single unit detached
place of assembly	place of assembly	live/work		cemetery/mausoleum	place of worship	place of worship
conservation	conservation	restaurant		major utilities	community garden	community garden
subdivision amenity	subdivision amenity	retail		amateur radio antenna (more than 90 feet)	swimming pool, multi-family	swimming pool, multi-family
minor utilities	minor utilities	recreational facility		tower antenna		private school
alternative support structure	alternative support structure	micro-producer		hospital		short-term rental
animal care, indoor	animal care, indoor	group living		fuel pump		minor vehicle service/repair
medical	medical	urban farm		self-storage		
office	office	farmer's market		amphitheater		
bed & breakfast	bed & breakfast	green house, non-commercial		drive-thru		
Personal service	personal service	personal care home, 3 residents		personal care home, 4 or more residents		
artisanal	artisanal	livestock raising				
research and development	research and development	outdoor dining				
home occupation	home occupation	college/university				
poultry raising	poultry raising	amateur radio antenna (up to 90 feet)				
residential accessory structure	residential accessory structure	adult establishment				
solar panels	solar panels	unmanned retail structure				
	government facility	parking, commercial				
	daycare	boutique hotel				
	library/museum					
	multi-unit					
	public school					

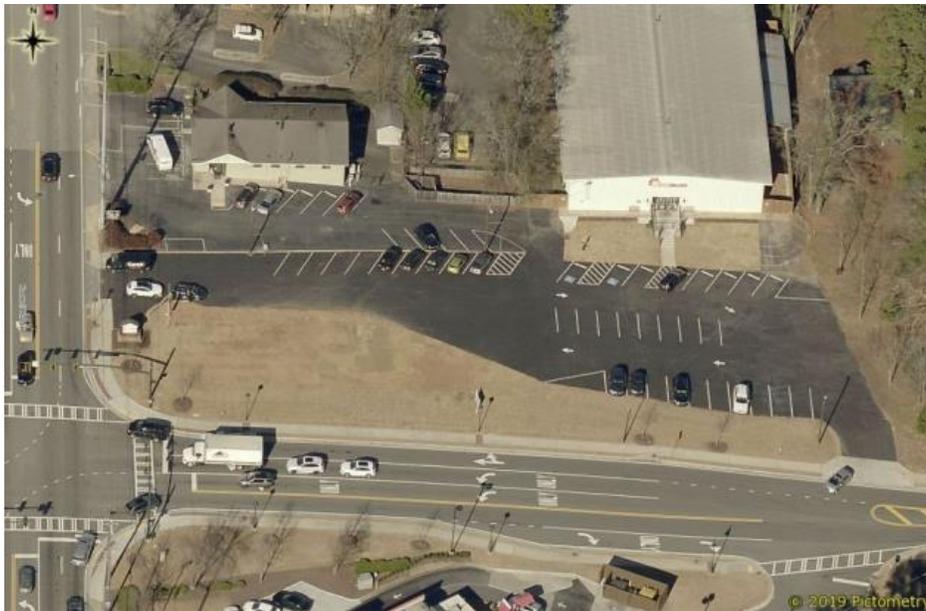
***Red indicates uses not allowed in ON-3**

Photos

Google streetview at corner (Oct. 2018):



Fulton County Pictometry (2019), view looking north:



Fulton County Pictometry (2019), view looking east:



COMPREHENSIVE PLAN CHARACTER AREA MAP AMENDMENT CONSIDERATIONS

Per Sec. 11.3.6.B of the Development Code, the following list of approval criteria for a Character Area Map Amendment provides guidance for making decisions on approval:

1. The Character Area Map Amendment corrects an error or meets the challenge of some changing condition, trend or fact.

Finding: The request does not seek to correct an error. This property, formerly 4579 Roswell Road prior to the Windsor Parkway realignment, was rezoned (RZ12-0007) to O-I and restricted to the use Funeral Home, Art/Auction Gallery. During the Development Code and Zoning Map update in 2017, the property was given the Character Area designation of Neighborhood Village and zoned Office Neighborhood (ON-3). This zoning district is substantially similar to the previous designation of O-I, however the property is no longer restricted to a Funeral Home, Art/Auction Gallery.

South Roswell Road, as it is delineated in the Roswell Road Small Area Plan, has received an influx of redevelopment over the past few years. The proposed corner lot is directly across Roswell Road from the mixed-use development, Gateway (4600 Roswell Road) and just south of the new townhome and apartment developments at the corner of Franklin Road and Roswell Road.

Future redevelopment along Roswell Road will all accomplish the same goals for the Roswell Road Small Area Plan in terms of promoting human-scale development and better streetscapes regardless of the Commercial/Mixed Use or Neighborhood Village designation because zoning districts within these Areas have similar standards. The main difference between the Character Areas Neighborhood Village and Commercial/Mixed Use are the types of uses allowed.

Looking at the big picture, changing the Character Area to allow greater intensity uses does not meet the challenge of any changing conditions, trends, or facts. The existing Character Area does not present a problem or issue on the Roswell Road corridor.

Given the small size of the proposed lot, no matter the use, the difference in intensity would likely not be significant. The size of property limits any major redevelopment. While staff does not see any harm in the applicant's specific proposal for small scale retail on this undeveloped lot, their request does not meet the above mentioned criteria.

2. *The Character Area Map Amendment substantially conforms with the remainder of the Comprehensive Plan.*

Finding: Staff believes the proposed Commercial/Mixed Use Character Area would result in development that is in accordance with the Comprehensive Plan.

The Next Ten states, “development outside the edges of protected neighborhoods will be carefully managed to prevent encroachment of non-residential or higher-intensity residential uses into this character area and to ensure compatible transitions between land uses and development intensities.” (Page 104) . The proposal would amend the Character Area of a vacant corner of Roswell Road and Windsor Parkway but would maintain a buffer of the Neighborhood Village Character Area adjacent to the townhome development to the east.

The Roswell Road Small Area Plan lists one of the strengths of South Roswell Road as “Adjacent to Buckhead”. This property is only one tenth of a mile from the city limits, making its proximity Buckhead attractive. It is also one of the few undeveloped, vacant lots on Roswell Road, which was also listed as a challenge on South Roswell Road.

3. *The Character Area Map Amendment will reinforce the existing or planned character of the area.*

Finding: The corner of Roswell and Windsor is adjacent to Commercial/Mixed Use to the south and Mixed Use to the west (Gateway). To the north and east it would be directly adjacent to Neighborhood Village.

Given the small size of the proposed lot, the physical scale of any development will be compatible with the existing character of the Neighborhood Village Character Area. The potential for commercial uses will match the existing and planned character to the south and west, especially given the proximity to Gateway and Buckhead.

4. *The Character Area Map Amendment will not significantly impact the natural environment, including air, water, noise, stormwater management, wildlife and vegetation.*

Finding: The subject property is located in the Nancy Creek Sensitive Area, any improvement on the site would have to meet higher standards for water quality as required by the City. Staff does not anticipate negative impacts to the natural environment, water, noise, wildlife and vegetation.

5. *The Character Area Map Amendment will not have a significant adverse impact on property in the vicinity of the subject property.*

Finding: The proposal will maintain a buffer of Office Neighborhood between a higher intensity commercial zoning district and the townhomes to the east which is in accordance with the Comprehensive Plan. As previously stated, the proposed lot size would be ~.5 acre, limiting any proposed development to a lesser scale, creating a naturally smaller impact on the surrounding area.

COMMENTS FROM OTHER PARTIES

Sandy Springs Economic Development:

No Comment

Sandy Springs Public Works:

Public Works supports the applicant reducing the number of curb cuts on the property along Roswell Road in order to improve safety and operations. The project should comply with the access and nonresidential driveway standards described in section 10.3.2 of the City’s code Access Standards and section 3 Roadway Design and Pavement. Access on Roswell Road should also comply with GDOT’s Regulations for Driveways and Encroachment Control.

PUBLIC PARTICIPATION

Community Meeting I (June 5, 2019):

Attended by approximately 25 community members. The applicant, Mr. Bowman, opened the meeting by explain the character area map amendment process. Mr. Bowman explained his intentions to subdivide the property, maintain the Neighborhood Village buffer, explained his specific business proposal, and his intentions to rezone to Commercial Mixed Use in order to accommodate a retail use.

Attendees had questions mainly regarding, parking and parking lot configuration, especially given existing cut-through traffic on the lot. There were suggestions to fence the new property line between the existing business, Puppy Haven, and the proposed lot to prevent traffic issues. There were also concerns regarding streetscape and ROW dedication. Additionally, attendees also questioned how many new uses would then be permitted under the zoning district CX-3 versus the existing zoning.

Community Meeting II (July 31, 2019):

The meeting was attended by approximately 6-10 residents. Mr. Bowman opened the meeting once again with an explanation of his proposal. It did not change since the first meeting. At the request of attendees from the first Community Meeting, Mr. Bowman provided preliminary renderings of a building on his proposed site. Many concerns from the community were substantially similar to the previous meeting, such as traffic and the possibility of a gas station at the site, to which Mr. Bowman reiterated his intentions for only small scale retail.

Public Comment:

There were 36 public comments submitted. 35 were in opposition, 1 was in support.

DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION

The City, along with constituents from the south end, went through an extensive public process as we shaped our new Development Code, only two years ago. Significant effort and collaboration went into the text that now comprises the Office Neighborhood District. It is important to note that the Next Ten Comprehensive Plan was developed before the Citywide rewrite of our Zoning Code, which is why the Office Neighborhood does not necessarily align line with the vision of the Comprehensive Plan. Page 113 of the Plan lists neighborhood serving retail/commercial as appropriate land uses, but this portion of the plan was not implemented, thus necessitating this request.

Staff evaluated this request, CA19-0001, strictly based on the criteria listed in Section 11.3.6.B of the Development Code. Staff finds that the proposal sufficiently meets a majority of the criteria. While there may be

compelling information regarding the history and development of the Comprehensive Plan and Development Code, staff must be objective in their recommendation.

Staff recommends approval of the request CA19-0001 to amend the Character Area of the proposed parcel, as defined in the legal description provided on October 4, 2019, from Neighborhood Village to Commercial/Mixed Use.



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Case No.: CA19-0001
Planner's initials: MG

APPLICATION FORM

APPLICATION	Purpose of the application: <u>AMEND CHARACTER AREA MAP</u>
	Detailed request: <u>APPLICANT PROPOSES TO SUBDIVIDE 230 WINDSOR PARK</u> <u>+ amend the new parcel to COMMERCIAL/MIXED USE IN ORDER</u> <u>to rezone to CX. Existing lot is 1.68 acres, proposed</u> <u>subdivide is .39 acres</u>

COMMUNITY MEETING 1 REPORT	Date and location of CM1: <u>6/5/2019 @ TUPELO HANGOUT CAFE</u>
	Beginning time: <u>6:00</u> End time: <u>7:00</u>
	Summary of concerns discussed: <u>biggest concern was allowing for commercial</u> <u>use in general. Many attendees do not trust owner Paul</u> <u>Brown. Concern was raised about setbacks, streetscape &</u> <u>circumstances.</u>
	Does the application address the concerns discussed at the CM1? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Explain: <u>Many of the concerns about setbacks etc. are already</u> <u>in the Code. The proposed subdivide provides protection due</u> <u>to its small size.</u>	

- TO BE FILLED OUT BY P&Z STAFF -

Application date: <u>7/2/19</u>	Planning Commission date: <u>9/24/19</u>
CM2 date and time: <u>7/3/19</u>	Mayor and City Council date: <u>10/15/19</u>
OFFICIAL REQUEST (FOR PUBLICATION):	



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Case No.: CA19-0001
Planner's initials: MM

PROJECT INFORMATION SHEET

PROPERTY	Address(es):	<u>230 Windsor Parkway / 1577 Roswell Rd 30342</u>	
	Parcel Tax ID(s):	<u>17 009400010729</u>	
	Total acreage:	<u>1.56 acres</u>	Council District: <u>5</u>
	Current zoning:	<u>ON-3</u>	Current use: <u>Day Care</u>
	Character Area:	<u>Neighborhood Village</u>	

APPLICATION	Purpose of the application:	<u>Change a subdivision of the parcel to CX</u>	
	Detailed request:	<u>Applicant proposes a zoning change to CX from ON and need character map amendment. Applicant proposes to subdivide parcel so that only needed lot will be rezoned. Proposed character area: Commercial/Mixed Use</u>	
	Petitioner:	<u>MAT Bowman</u>	
	Petitioner's address:	[REDACTED]	
	Phone:	[REDACTED]	

OWNER	Property owner:	<u>PAUL BROWN</u>	
	Owner's address:	<u>230 Windsor Pkwy SANDY SPRINGS GA, 30342</u>	
	Phone:	[REDACTED]	
	Signature (authorizing initiation of the process):	[REDACTED]	
<i>If the property is under contract and the owner is unavailable to sign, provide a copy of the contract</i>			

- TO BE FILLED OUT BY P&Z STAFF -

Pre-Application Meeting date:	<u>5/13/19</u>	Anticipated application date:	<u>07/02/19</u>
CMI date, time, and location:	<u>6/5/19</u>		
ADDITIONAL INFORMATION NEEDED:			
SUBMITTAL ITEMS WAIVED BY DIRECTOR:			

SUMMARY OF COMMUNITY MEETING #1 FOR CA19-0001

Applicant Matt Bowman hosted the first community meeting at the Tupelo Honey Café on June 5, 2019 at 6:00 pm. It was well attended with over 25 attendees. Mr. Bowman spent the first ten minutes explaining his proposal using a printed site map, the protocols required by the City Code, and then gave a description of his proposed business. He then opened up the meeting to questions from the community of which there were many. Most concerns centered around the potential change to a commercial usage for the property with fears that if Mr. Bowman's business failed, another higher impact business might get involved. There were other considerations raised that require further research by Mr. Bowman such as GADOT requirements and Sandy Springs streetscape requirements. Many people expressed their dislike for owner Paul Brown as well. Many people appreciated the idea of Mr. Bowman's business but still were reluctant to allow for a commercial use on the property. For the most part the meeting was not contentious and attendees expressed a desire to stay updated on the process.

Upon further review, Mr. Bowman has determined that the proposed subdivided parcel meets all the requirements of the Sandy Springs Development Code and other state requirements from agencies such as the Georgia Department of Transportation.

Name	Address	Email
John Sample		
Karen Thompson		
Patty Conti		
Mary Alice Shinnall		
GABY Jackson		
Christine Alberici		
Bill Mauro		
DIANA FLOYD		
Craig Llewellyn		
Jane Kelley		
Sallie Duncan		
BOB FALCETTI		
Joe Weins		
Kenny Treber		
Chris Laird 82		
Stephanie Boone		
Janet Wells		
Vladimir Shklovsk		
Tim Doyle		
Robin Conklin		
RONDA SMITH		
Norris Br		
Kevin Kuchar		
TRAVIS THORNE		
Susan Heard		



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AUTHORIZATION FORM – PART I

A- The property owner must fill out the following section and have it notarized. If a property has multiple owners, each owner must separately fill out a copy of the authorization form.

Owner states under oath that he/she is the owner of the property described in the attached legal description, which is made part of this application.	
Owner's name:	Sworn and subscribed before me this ____ th day of _____ 20____ Notary public: Seal: Commission expires:
Address:	
City, State, Zip Code:	
Email address:	
Phone number:	
Owner's signature:	

B- If the applicant is *not* the owner of the subject property:
Fill out the following section, check the appropriate statement and have it notarized.

Applicant states under oath that:	
<input type="checkbox"/> He/she is the executor or Attorney-in-Fact under a Power-of-Attorney for the owner (<i>attach a copy of the contract</i>); or <input type="checkbox"/> He/she has an option to purchase the subject property (<i>attach a copy of the contract</i>); or <input checked="" type="checkbox"/> He/she has an estate of years which permits the applicant to apply (<i>attach a copy of the lease</i>)	
Applicant's name: <u>MATT BOWMAN</u>	Sworn and subscribed before me this <u>2</u> th day of <u>July</u> 20 <u>19</u> Notary public: <u>Joseph Wong</u> Seal: Commission expires:
Company name: <u>TRADITION COMPANY</u>	
Address: [REDACTED]	
City, State,	
Email address	
Phone number	
Applicant's signature: <u>[Signature]</u>	



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DISCLOSURE OF CONTRIBUTION FORM

Within the two (2) years immediately preceding the filing of this application have you made any campaign contributions aggregating \$250.00 or more or made gifts having an aggregate value of \$250.00 to the Mayor or any member of the City Council? Yes No

List all individuals or business entities which have an ownership interest in the property which is the subject of this application:

Table with 4 columns: Name of Government Official, Total Dollar Amount, Date of Contribution, Enumeration and Description of Gift Valued at \$250.00 or more

The undersigned acknowledges that this disclosure is made in accordance with the Official Code of Georgia, Section 36-67A-1 et. seq. Conflict of interest in zoning actions, and that the information set forth herein is true to the undersigned's best knowledge, information and belief.

Name: [Signature] Signature: [Signature] Date: 6/30/2019

Note: Each party involved in the application must sign an individual copy of this form.

CHARACTER MAP AMEDMENT APPLICANT'S LETTER OF INTENT

The applicant, Matt Bowman, requests a character map amendment in order to rezone the subject property for the purpose of developing a retail business. The property is located at the corner of Windsor Parkway and Roswell Road currently numbered 230 Windsor Parkway, Sandy Springs GA 30342 and contains approximately 1.68 acres. The property is currently zoned ON (Office Neighborhood) and in order for it to be rezoned, the character map must be amended. Mr. Bowman proposes to subdivide the property, creating a new parcel on the hard corner of Windsor Parkway and Roswell Road that is approximately .38 acres. This new parcel will be the only portion of the property amended and then rezoned. The remaining parcel (1.2 acres) housing the Puppy Haven business will remain ON. The developable portion of the subdivided parcel is 8881 square feet. The proposed subdivide is contingent on the Character map amendment passing. The proposal protects the neighborhood as it will keep a buffer of ON zoned properties surrounding any residential properties.

Access to the property will remain as is with curb cuts on Windsor Parkway and Roswell Road. The applicant intends to plant native plants and shrubs along the south facing slope of the property as well as the west facing frontage of Roswell Road. The building will conform to all building codes as defined in the City Code and will adhere to the aesthetic and architectural principals of neighboring properties. The applicant appreciates the qualities envisioned within the "Neighborhood Village" concept and believes this business concept truly personifies them. The use of this portion of the property is common to all citizens and visitors to the city, is of low developmental impact, and of economically beneficial uses to the City, residents, and owner.

CHARACTER AREA MAP AMENDMENT APPLICANT'S CHARACTER AREA ANALYSIS

The proposed Character Area Map amendment for the property 230 Windsor Parkway addresses the changed condition of the area around the subject property. Prior to the adoption of the Sandy Springs Development Code in 2017, the property was zoned O&I (Office and Institutional) as it had been a church for several preceding decades. More recently several acres across the street were rezoned from multi-family residential to CX (commercial mixed use) to make the development of the Gateway shopping center. In addition, this re-zoning also predicated the moving of Windsor Parkway creating a true 4-way intersection. This re-development was the latest in a significant area makeover where now three other hard corners of the intersection are CX zonings with large footprint retail enterprises. Clearly the nature of the intersection has changed. In addition, the current non-subdivided parcel houses the Puppy Haven business and the adjoining property hosts a veterinarian. While both of these uses are allowed under the current ON zoning designation, both of these businesses are retail/commercial in nature. A character area map amendment to Commercial/Mixed Use that allows for a subsequent rezoning recognizes the changed condition of the property and its' surrounding neighbors.

The proposed Character Area Map amendment conforms with the Comprehensive Plan and reinforces its intent. The Comprehensive Plan recognizes that many of the development patterns that succeeded in the 20th century, no longer fit the community needs and expectations of the modern world. While still generating cash flow for owners, many retail centers and strip malls remain problematic with frequent tenant turnover and car-centric shopping experiences. Specifically for Character Area Type 5: Neighborhood Village, amending the map for the proposed subdivided parcel (.38 acres) meets the challenges of carefully considered re-development while protecting existing neighborhoods. The small footprint of the proposed parcel will create a unique, neighborhood serving, commercial environment that can contribute to the "walkable village" concept described in the Neighborhood Village Character area type that fosters pedestrian activity. The proposed subdivide will have parking available at the proscribed ratios per the Development Code as well as sharing spaces with the existing Puppy Haven business again fostering pedestrian activity.

The developable parcel under consideration is currently bare so development would have little to no impact on the natural environment. Similarly the small total area of the proposed subdivide would create little impact for stormwater run off and of course whatever building is proposed would meet all stormwater run-off standards as well as any other environmental requirements needed to be met for a building permit.

As the parcel is currently undeveloped, there would be no major impacts to surrounding properties and in fact it could be argued that a development would increase values. The uninhabited property now is currently used a short cut for cars turning north on Roswell Road from Windsor Parkway creating a safety issue as well as being a relative eye sore. A development that meets the requirements of the City Code at the City's southern entrance could be an enhancement at the minimum. Again the proposed subdivide makes any development low impact in nature.

Site Description
Proposed Out Parcel Area

All that tract or parcel of land lying and being in Land Lot 94 of the 17th District, City of Sandy Springs, Fulton County Georgia and being more particularly described as follows:

Beginning at a point located at the southeasterly end of a mitered Right of Way corner lying at the intersection of the northerly Right of Way line of Windsor Road (Right of Way Varies) and the easterly Right of Way line of Roswell Road (Right of Way Varies); thence along said miter North 42 Degrees 47 Minutes 39 Seconds West, 60.43 feet to a point; thence along the easterly Right of Way line of Roswell Road North 01 degrees 13 Minutes 46 Seconds West, 53.59 feet to an iron pin set; thence leaving the easterly Right of Way line of Roswell Road North 84 Degrees 25 Minutes 56 Seconds East, 193.52 feet to an iron pin set; thence South 01 Degrees 28 Minutes 04 Seconds West, 88.95 feet to a point; thence South 00 Degrees 13 Minutes 04 Seconds East, 27.21 feet to a point on the northerly Right of Way of Windsor Road; thence along the northerly Right of Way of Windsor Road South 89 Degrees 46 Minutes 56 Seconds West, 148.23 feet to The Point of Beginning containing 0.45 acres.

PUBLIC COMMENTS

Craig	Walters	30342	<p>I do not support this request for a change in the character map for the following reasons:</p> <ol style="list-style-type: none">1) This neighborhood already has a surfeit of retail and services (grocery, restaurants, gas stations, cleaning, banking, pharmacy, fitness, etc). How much more do we really need? 2) The character map exists as it does for a reason. Rezoning should be permitted only if an overwhelming case can be made that the local community will benefit short (and long) term. This application does not demonstrate a substantial neighborhood benefit. 3) This business, as others, is unlikely to exist long-term (i.e., years). This change allows a larger variety of businesses to reside in this space. Several of this larger set of businesses are undesirable. We should be thinking of the future as well as the present impacts to the area. 4) Traffic in/outflows from the existing curb cuts will increase. There are already conflicts with folks turning left into the property from Roswell Road with the folks trying to turn left onto Windsor Parkway. This is likely to exacerbate this situation. <p>Please consider the long-term implications and deny this change.</p> <p>Regards, craig walters</p>
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PUBLIC COMMENTS

Paul	Brown	30328	I have owned and paid taxes on this property since 2006. I am asking for a character map amendment so that I may attempt to generate income on the property, as is my right under Georgia Law. Please consider allowing me to do so with Matt Bowman, applicant, so that he may operate a produce stand.
Robyn	Winnick	30342	<p>We are writing to express our opposition to proposed zoning changes to the property located at 230 Windsor Parkway. We are committed to maintaining the residential nature of the area to the best of our ability and are concerned about the changes to traffic and lifestyle that this change may lead to. Even a well-intentioned plan now can turn into an unwanted project down the road if this planned business were to close.</p> <p>Thank you for your consideration,</p> <p>Robyn & Keith Winnick</p>

PUBLIC COMMENTS

Hilary	Haddad	30342	<p>To Whom It May Concern, My family and I live on Windsor Park Place, a neighborhood nestled behind Windsor Pkwy and Hedden St. We were so excited to move from midtown into this neighborhood because we wanted a family friendly neighborhood, good public schools, and also important to us was walkable restaurants (Gateway). Currently we can walk there without significant concern for a children's safety with respect to the traffic. Should a frequently used establishment and parking lot be placed on the corner of Roswell Rd and Windsor Pkwy, then I would not feel safe walking with my children to utilize Gateway. Cars entering and exiting in that type of situation are often focused on the cars on the busier roads and not possible children running down the sidewalk. Also, many business types in that location would not look cosmetically appealing. Gateway started making this area look nicer. The possibility of a gas station (even if not immediately, but it could happen in the future) would look awful and is unnecessary. PLEASE save our walking neighborhood.</p> <p>Regards, Hilary Haddad</p>
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PUBLIC COMMENTS

Jill	Mauro	30342	<p>The zoning for the city has already been established and this property was maintained as O/N. There is no reason to change the zoning at this time. With only part of the property being changed, it will easily open it up for the entire property to be rezoned. There were already sewer issues in this area when Puppy Haven began. Adding a commercial property is not suited for this plot and feeding into residential infrastructure. There are numerous other properties within the city that are vacant and zoned commercial where this business can go without disrupting a neighborhood. Sandy Springs should not open the door to share a parking lot and rights of way with an O/N lot as the lines will blur very quickly. Once commercial, there is nothing stopping the owners from making the entire property commercial. Please maintain the zoning already approved in the overall city plan.</p>
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PUBLIC COMMENTS

Kristen	McNair Traber	30342- 2780	<p>I oppose the petition to amend the Character Area designation at 230 Windsor Parkway Sandy Springs, GA 30328 from Neighborhood Village to Commercial/Mixed Use. My property immediately neighbors this area. We already experience noise, traffic, and trash issues from Puppy Haven next door. Allowing this Character Area change would introduce 37+ additional allowed uses and would be a slippery slope for what would be allowed on the property now and in the future. Adult establishments, restaurants, boutique hotels, and fuel pumps are a few of the many concerning allowed uses that would be added if this change passes. My neighbors and I have fought hard to maintain the integrity of our neighborhood and we will continue to do so by opposing this change.</p>
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PUBLIC COMMENTS

Jane	Kelley	30342	<p>Dear Planning Commission,</p> <p>I live in the immediate neighborhood of this property and am President of the Windsor Park Community Association. The neighborhood has been quite vocal in opposition to this proposed change to the Character Area at the two Community Meetings. This proposed commercial business belongs in another location! We fought hard to protect the current Character Area and Zoning for our area on the southern border of Sandy Springs during the NextTen process. Please protect us!</p> <p>If the Character Area is allowed to be changed, we are opened up to over 30 additional uses to the property, most of which are undesired. The current zoning allows dozens of acceptable businesses. Please do not subject us to the potential of 30+ more that we fought hard against.</p> <p>We have already been impacted by the rerouting of Windsor Parkway to allow the Gateway development (which has seen restaurants close and apartments draw blatant crime), and we contend with barking dogs from Puppy Haven. This is already a terribly congested intersection. Allowing a commercial business versus a lower intensity office-type business will only add to the traffic woes. And we would likely lose the one greenspace visible at the "gateway" to Sandy Springs as well.</p> <p>Please protect our neighborhood!</p> <p>And thank you for serving.</p> <p>Sincerely,</p> <p>Mrs. Jane Kelley</p>
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PUBLIC COMMENTS

Julia	Hodges	30342	<p>Please make a wise decision for now and the future of the Gateway Area of Sandy Springs. As I have already commented earlier, we who live right next to this property have already fought for the coding of this area. Sandy Springs came into being with the slogan of caring about the people who live here. Poor decisions have already been made. Please do not add to them. Try to visualize the Gateway as more open spaces than commercializing the area. Is commercial what you want people to first see when they enter Sandy Springs?</p> <p>With the relocation of Windsor Parkway drainage problems were created or overlooked for your people. Sandy Springs has not maintained or policed the inlet drains on Hedden which caused all the townhouses that back up to Hedden to flood by a recent heavy rain. Your people have not been cared for as you promised.</p> <p>I will not repeat everything Jane Kelley said in her comments but agree with everything she said.</p> <p>I repeat, please be wise people.</p> <p>Julia Hodges</p>
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PUBLIC COMMENTS

James Duffy	Hickey	30342	<p>I am a 32 year resident of Sandy Springs.</p> <p>I oppose the change in character map for this case petition, CA19-0001.</p> <p>First, the reason for the development of the character map was to prevent petitions like this from creeping into zones that specifically restrict such use.</p> <p>Second, the petition includes revisions to the property that could severely impact the residents in the immediate area, with regard to storm drainage, flooding, traffic and lighting.</p> <p>Third, while the specific petition for the specific use of the property appears to be somewhat innocent, changing the character map means that ore than 30 other uses could be implemented under the new zoning, most of which would be unacceptable to the residents in the area.</p> <p>I appreciate your consideration in the matter and call on you to reject this petition.</p> <p>You are welcome to call me as you need to further discuss the matter.</p> <p>Sincerely,</p> <p>James Duffy Hickey</p> <p>770-891-2374</p>
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PUBLIC COMMENTS

Norris	Broyles	30342	<p>September 2, 2019</p> <p>To: The Sandy Springs Planning Commission</p> <p>§ Lane Frostbaum, Chair</p> <p>§ Andy Porter, Vice Chair</p> <p>§ Reed Haggard</p> <p>§ Craig Johns</p> <p>§ Elizabeth Kelly</p> <p>§ Dave Nickles</p> <p>§ Andrea Settles</p> <p>Re: CA19-0001 Petition of Matt Bowman; 230 Windsor Parkway at Roswell Rd.</p> <p>Dear Commissioners,</p> <p>The High Point Civic Association recommends that the application CA19-0001 be denied approval.</p> <p>We believe there is not sufficient justification to alter the land use character map and the proposed resultant zoning change that would allow the establishment of many diverse commercial uses adjacent to our Protected Neighborhood.</p> <p>It is our opinion that it would be inappropriate to make these significant changes to the Character Map merely to accommodate the wishes of a single individual. The impact of this change, if allowed, would be seen to be extremely detrimental to our neighborhood's character and offensive to our residents.</p> <p>Thank you for your thoughtful consideration of our concerns. Feel free to contact us if further</p>
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PUBLIC COMMENTS

			<p>explanation of our objections is desired.</p> <p>Best regards,</p> <p>Norris Broyles</p> <p>Zoning Chair for The High Point Civic Association</p>
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PUBLIC COMMENTS

Christopher	Laird	30342-2822	<p>I am a 25 year resident of Sandy Springs.</p> <p>I oppose the change in character map for this case petition, CA19-0001.</p> <p>First, the reason for the development of the character map was to prevent petitions like this from creeping into zones that specifically restrict such use.</p> <p>Second, the petition includes revisions to the property that could severely impact the residents in the immediate area, with regard to storm drainage, flooding, traffic and lighting.</p> <p>Third, while the specific petition for the specific use of the property appears to be somewhat innocent, changing the character map means that more than 30 other uses could be implemented under the new zoning, most of which would be unacceptable to the residents in the area.</p> <p>I appreciate your consideration in the matter and call on you to reject this petition.</p> <p>You are welcome to call me as you need to further discuss the matter.</p> <p>Sincerely,</p> <p>Christopher Laird</p> <p>404-408-4490</p>
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PUBLIC COMMENTS

Benjamin	Gordon	30342	As a nearby property owner and new father I am concerned about the effect of the new use of the property on the safety of the surrounding neighborhood. On our small street there are almost a dozen children. The new development of the property may cause our street to be used as a cut through. Please keep the property zoned as it currently is. Any proposed new use should be considered through the variance process rather than a re-characterization.
Joe	Shanley	30342	Against any changes to the character map
Ruth	Sprinkle	30342	I object to Change in zoning, and the subdividing. Traffic is a mess there NOW, and with something else commercial potentially going in, it will just add to traffic woes!
Lisl	Dickinson	30342	I'm opposed to the character map amendment. I'm generally opposed to more commercial development in Sandy Springs, and I feel that this specific change could lead to more undesirable types of businesses down the road. In addition, changes to this current space will negatively impact the adjacent neighborhoods. Thank you.

PUBLIC COMMENTS

Zach	Wilson	30342	Changing the character map is a mistake. The Council must realize that, while realizing any property owner wishes to maximize their value, changing the character expands opportunities for the corner property owners but raises significant value risks for contiguous homeowners.
John	Stembridge	30342	My family is opposed to changing the character of the property from Neighborhood Village to Commercial. We raised opposition to the increased density just north of this intersection at the corner of Franklin Rd/Roswell Rd, due to the proximity to the Westfield Park and High Point neighborhoods. However, the property remained multi-family housing. Here, the applicant wants the property rezoned to commercial, which could have a significant impact on the same neighborhoods, as well as the neighborhoods abutting this property. The change will be permanent and the neighborhoods will have no control over what type of commercial business occupies that location, and this is a slippery slope - approving this change sets a precedent for adjoining properties to be rezoned for commercial use. This application should be denied consistent with Sandy Springs' Land Use plan.

PUBLIC COMMENTS

Amelia	Luke	30342	<p>Changing the zoning of this space will only add to the current over development of the Sandy Springs portion of Roswell Road inside the perimeter. Traffic is a nightmare already. This will directly impact the neighborhood for all of us in the Highpoint area, increasing traffic, creating more impervious surfaces, and removing the only piece of green along that stretch of Roswell Road. Aside from trees as traffic breaks in parking lots, there is no other natural surface along the Roswell Road corridor. Don't contribute to the heat island effect that is already out of control.</p>
Allyson	Miller	30342	<p>I highly oppose any chances in zoning or restructuring of the property at the corner of Windsor Pkwy and Roswell Road. Daily the traffic on Roswell Rd increases and construction on the roads near this intersection make this a very populated intersection. It would be a detriment to our neighborhood to add more traffic and more construction needs. Please keep the Christmas tree lot alive!</p>

PUBLIC COMMENTS

Karen	Fuerst	30342	<p>I am opposed to this Petition as submitted. There is nothing in the Petition that supports the need for the requested Character Map Amendment; i.e., there is no expressed need for such change. The Petition itself is forward looking towards a subdivision and zoning amendment for the subdivided parcel (the latter of which presumably would not occur without the requested Character Map Amendment); again, there is nothing explaining the need for either of those actions.</p> <p>In addition to the absence of explanation of the need for the requested change, the following should be noted: (i) because the subject property is within a protected neighborhood on the Character Map, any proposed change needs to take into consideration the overriding goal of protecting the existing neighborhood (per the Roswell Road LCI Master Plan Policy LU-A1, the integrity of Single Family Residential Neighborhoods is to be maintained, and they are to be protected from the encroachment of non-residential land uses); and (ii) the currently existing ON-3 zoning classification for the subject property is more restrictive and compatible with the goals of the preceding clause (i) than the petitioner's proposed subdivision/upzone to CX, which, if adopted, would allow for many unacceptable and neighborhood-intrusive uses including gas stations, car washes, etc.</p> <p>This Petition is a piecemeal step towards an upzoning that would permit uses for the subject parcel that will hurt the goals of protecting existing residential neighborhoods from the intrusive impacts of non-residential land uses. It violates the goals and policies of the City's Roswell Road LCI Master Plan, and for that reason, alone, should be denied.</p>
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PUBLIC COMMENTS

Leslie	Rose	30342	<p>As a resident of Sandy Springs, specifically living on Windsor Parkway for almost 30 years, I have seen many changes in our area. I understand that the Character Map and 10 year plan went through years of negotiations, turmoil, cost the taxpayers money, and is now in place for a reason. If this petition goes through, it will bring a change to the Character Map that will not be beneficial to the citizens and neighborhood of the Windsor/Meadowbrook/High Point area. I vehemently oppose this petition and will be following closely to see how our elected officials respond to the citizens of South Sandy Springs.</p> <p>Sincerely, Leslie Rose</p>
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PUBLIC COMMENTS

Rupen	Patel	30342	<p>We oppose the rezoning of this property as it falls outside the plan for sandy springs and will reduce the property values and tax revenue in the area even further while not offering anything additional to the community as there is plenty of grocery (Sprouts, Kroger, Publix, Fresh Market are literally in walking distance) and retail in the area.</p> <p>In addition there are specific issues:</p> <ol style="list-style-type: none">1. This goes against Sandy Springs plan for the area2. Competing cities are enhancing their in town living with high quality establishments - roswell , Alpharetta, kennesaw, norcross - you name it. Sandy springs needs to become less of a hodgepodge dumping ground for random businesses and start sticking to the plan. As it stands today I would rather spend time in any of those cities than sandy springs.3. The townhomes behind the property flood regular and regrading and building will cause even more runoff4. The applicant for the zoning change does not own the property and his prior property on briarcliff was only part market but he also put a car wash on it. There is a high likelihood the owner and/or leased will build some low end business. This doesn't raise the quality or character of sandy springs.
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PUBLIC COMMENTS

Alfred	Fernandez	30342	I am AGAINST the change in zoning and re-grading of this property. As a homeowner this could negatively change our community by adding undesired commercial business and/or changes in topography that would alter the current environment.
Floyd	Reifein	30319	It would be nice for Sandy Springs to purchase the land and landscape it with flowers at Roswell Road and Windsor Parkway.
Sallie	Duncan	30342	Our family is very much AGAINST changing the zoning on this property. We want to protect the neighborhood around this property.
Mendy	Eskew		<p>To Whom It May Concern:</p> <p>A change in the character map for this petition is inadvisable. Please do not agree to a change. The map was just settled and the guidelines should remain as they are, most particularly in high traffic areas. This corner was already designed poorly and dangerously. Almost every time a car turns from the far left lane off Windsor Parkway onto Roswell Road southbound there's an incident due to poor measurement on turning radius. Further development and traffic created at this important and busy corner is unwelcome to the residents of the community and of course to the neighbors who live adjacent to it.</p>

PUBLIC COMMENTS

Jason	Haddad	30342	I am a resident in the High Point community at 4600 Windsor Park Place, and I strongly oppose the rezoning that's being considered at the corner of Roswell Road and Windsor Parkway. Changing the zoning could allow any number of businesses in the future to open at that site, many of which would be undesirable to our neighborhood. Please consider our wishes and do not make this change.
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PUBLIC COMMENTS

Susan	Heard	30342	<p>Dear Sandy Springs,</p> <p>I am absolutely opposed to this change of zoning for the property right next door to me.</p> <p>This property is, except for a Popeyes and Walgreens, the first thing you see on the right when entering Sandy Springs. We suspect that the owner of this property wants to, in a couple of years, lease to a gas station that would be open 24 hours a day, and are afraid he is wanting to change the zoning of the property for that. I believe both he and the petitioner don't even live in Sandy Springs, so it is possible they may not care about how this will affect the City's citizens.</p> <p>Please do not allow this. We do not need this proposed store and the change in zoning that it will require. That change of zoning opens up a large can of worms. It is such a shame that, since Sandy Springs finally became its own city, the junk would continue to be allowed to go in here.</p> <p>Here's an idea. Since the current police station is up almost to the River, it would make a lot of sense for another one to be down here at this border. We need protection too. This would be a welcome addition to the neighborhood and much better than yet another gas station and store. The petitioner could even still have his Christmas Tree and Pumpkins but no zoning changes and no gas station.</p> <p>Please help us with making Sandy Springs a better place at its entrance!!</p>
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PUBLIC COMMENTS

			<p>Thank you,</p> <p>Susan Heard</p>
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PUBLIC COMMENTS

kimberley	russell	30342	<p>Dear Mayor and Council</p> <p>Please deny this change to the Character map. This site is too small for the proposed use and the probability of a new business (character map allowed) is very high. All of which are not desired by the neighborhood residents. Keep this corner GREEN.</p>
Elaine	LaCour	30342	<p>The HPCA has indicated to the city planning commission and to our councilman, Tibby DeJulio, that we oppose the change. While the petition is about a particular use of the property, any change to the requested classification would not limit the property to that one use and could eventually open it up to more than 30 other options, many of which (gas station, car wash, etc.) we would even more strongly oppose – but would have lost that ability due to the initial requested change. We also feel that changes in the landscaping and parking could negatively impact our neighbors to the east (and downhill) in the Hedden Rd and Windsor Park Place neighborhoods.</p>

PUBLIC COMMENTS

Ronald	Barfield	30342	I am very opposed to this proposal of building a retail store and re-grading of the property at the corner of Roswell Rd and Windsor Parkway. My townhouse is located next door to the said property and was one of the six that flooded weeks ago. Any potential zoning changes made to that area for future construction and re-grading could lead to the reoccurrence of flooding. Therefore I oppose to this proposal to protect my property, and that of others around me from further damage.
ann	cyphers	30342	I am opposed to changing the zoning that would allow a convenience store or a gas station.

			Traffic patterns and density of proposal oppose Sandy Springs goals of neighborhood village and walkability. We petition that rezoning be denied.
Jan and Ja	Byrd	30342	Thank you, Jan and Jack Byrd Windsor Parkway residents
Ruth	Sprinkle	30342	I object to the zoning change!Traffic is already a problem, and commercial zoning would just increase that problem.
			I oppose this petition.
Mary	Ford	30342	I attended the Planning meeting on September 24th and agree with all of the points that were presented by the neighbors in opposition of the petition. Thank you
			I submitted detailed comments within the past couple of weeks. Although I saw something that indicated that my comment had been successfully sent, it also said I'd receive an email confirmation. The latter was not received, and I'm concerned that my comments may not have gotten to the City. Please advise as to status.
Karen	Fuerst	30342	Thank you.
			230 Windsor Parkway
Kim	Russell	30342	Please vote to deny this petition. The small space is not conducive to character map change. There is too much risk of other business being placed on this section of land that is not desired by the neighborhood. High Point residents worked diligently with the city to keep this area of density down as the entrance to a residential neighborhood. There is not an urgent need for a business at this location to better the neighborhood. Please deny this petition.

PUBLIC COMMENTS

Andrei	Stieber	30342	I firmly oppose a change in the city's character map for this property.
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