



CITY COUNCIL AGENDA ITEM

TO: Mayor & City Council **DATE:** August 14, 2013

FROM: John McDonough, City Manager

AGENDA ITEM: **201301779** - 5776, 5792, 5806, 5820, 5836, 5850, 5866, 5880
Glenridge Drive, *Applicant: Pulte Home Corporation*, to modify
condition 2.a. (site plan) of Sandy Springs zoning case 201300437,
with a concurrent variance to reduce the 40 foot perimeter setback
(front)

MEETING DATE: For Submission onto the August 20, 2013, City Council Regular
Meeting Agenda

BACKGROUND INFORMATION: (Attach additional pages if necessary)

See attached:

Memorandum
Zoning Modification Petition

APPROVAL BY CITY MANAGER: JFM APPROVED

PLACED ON AGENDA FOR: 8/20/2013

CITY ATTORNEY APPROVAL REQUIRED: () YES () NO

CITY ATTORNEY APPROVAL: SM

REMARKS:



To: John McDonough, City Manager

From: Angela Parker, Director of Community Development 

Date: August 2, 2013 for submission onto the August 20, 2013 City Council meeting

Agenda Item: **201301779 5776, 5792, 5806, 5820, 5836, 5850, 5866, 5880 Glenridge Drive,**
request for a zoning modification to the conditions of Sandy Springs zoning case
201300437

Department of Community Development Recommendation:

APPROVAL CONDITIONAL of the request for a zoning modification to the conditions of Sandy Springs zoning case 201300437 and the associated concurrent variances.

Background:

The subject site is located on the west side of Glenridge Drive and the north side of Glenforest Road. The properties are currently zoned TR (Townhouse residential District). The properties contain approximately 8.231 acres.

Sandy Springs zoning case 201300437 was approved at the May 21, 2013 Mayor and City Council meeting.

Discussion:

To modify the following condition of Sandy Springs zoning cases 201300437:

2.a. The site plan received by the Department of Community Development on April 5, 2013.

The applicant is also requesting one (1) concurrent variance:

A variance from section 7.2.G.4 to reduce the forty (40) perimeter setback to thirty (30) feet to allow the encroachment of townhome units and drive access.



Zoning Modification Petition No. 201301779

HEARING & MEETING DATES

Community Zoning Information Meeting
June 25, 2013

Mayor and City Council Hearing
August 20, 2013

APPLICANT/PETITIONER INFORMATION

Property Owners
Pulte Home Corporation

Petitioner
Pulte Home Corporation

Representative
Ted Turner

PROPERTY INFORMATION

Address, Land Lot, and District 5776, 5792, 5806, 5820, 5836, 5850, 5866, 5880 Glenridge Drive
Land Lot 37, District 17

Council District 5

Frontage 440 feet of frontage along the west side of Peachtree Dunwoody. Approximately 1,200 feet along the west side of Glenridge Drive and 304.97 feet along the north side of Glenforest Road.

Area 8.231 acres

Existing Zoning and Use TR (Townhouse Residential District) under Sandy Spring zoning case 201300437

Overlay District N/A

2027 Comprehensive Future Land Use Map Designation R5-8 (5 to 8 units per acre)

INTENT

To modify the following condition of Sandy Springs zoning cases 201300437:

- 2.a. The site plan received by the Department of Community Development on April 5, 2013.

The applicant is also requesting one (1) concurrent variance:

A variance from section 7.2.G.4 to reduce the forty (40) perimeter setback to thirty (30) feet to allow the encroachment of townhome units and drive access.

DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION

201301779-APPROVAL CONDITIONAL

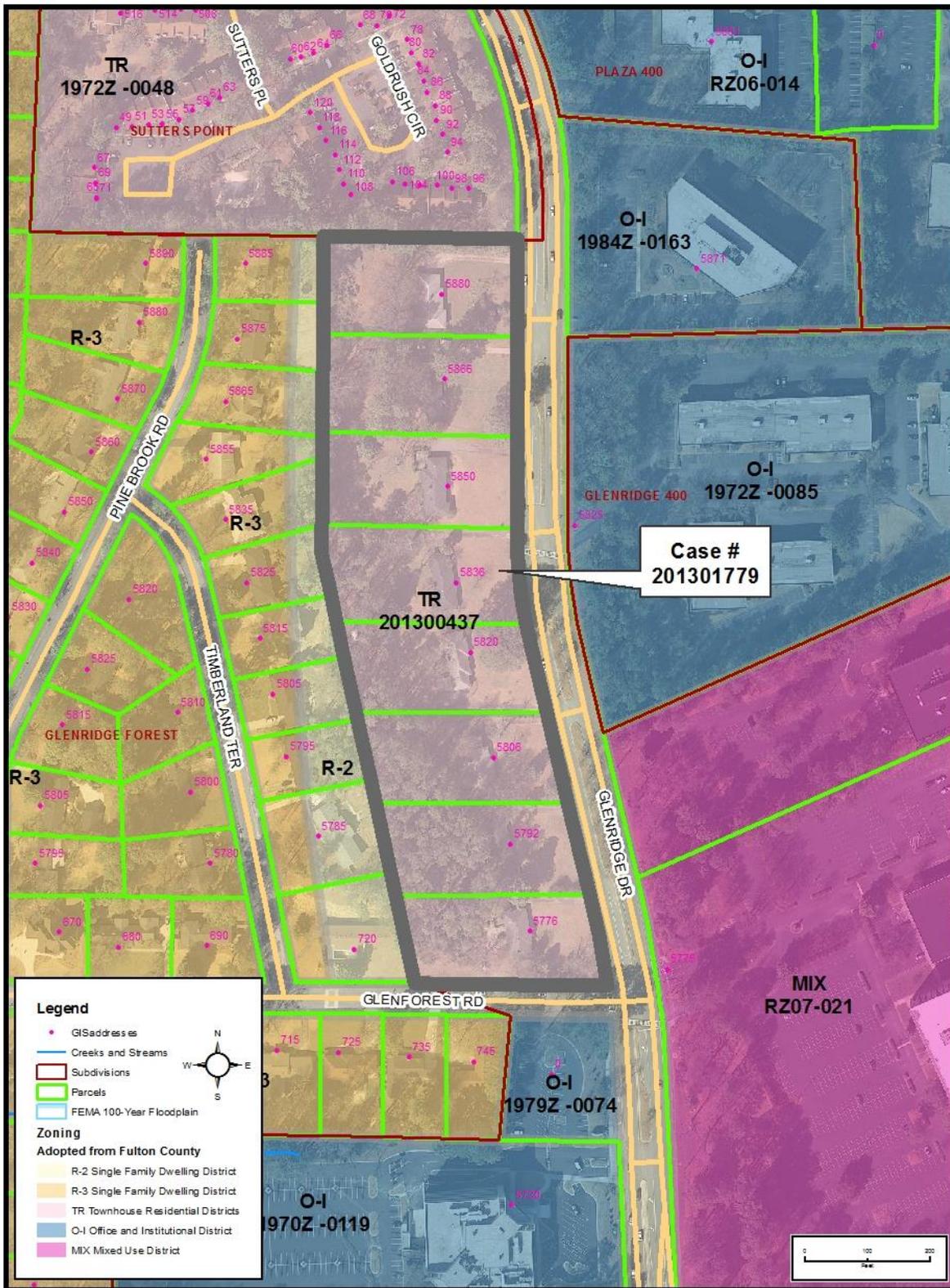
201301779 Variance #1- APPROVAL CONDITIONAL

EXISTING LAND USE AND ZONING OF ABUTTING PROPERTY

SUBJECT PETITION 201301779	Proposed Use		Land Area (Acres)	Square footage	Density (Number of Units per Acre)
		Townhouses		8.231	63
Location in relation to subject property	Zoning	Use	Land Area (Acres)	Square Footage or Number of Units	Density (Number of Units per Acre)
North	TR Z72-0048	Glen Court	5.698	24 units	4.21± units
North	TR Z72-0048	Sutters Point	9.1±	60	6.59± units/ac
East	O-I Z84-0163	5871 Glenridge Drive	3.5	71,122 sf	9,470 sf/ac
East	O-I Z72-0085	5825 Glenridge Drive	11.2	110,980 sf	20,320.57± sqft/ac
East	MIX RZ07-021	5775 Glenridge Drive Lakeside	26.03	700,000 (office) 8,000 (restaurant) 520 units 42,000 (commercial)	26,893 sqft/ac 307.34 sqft/ac 19.98 units/ac 1,613.52 sqft/ac
South	O-I Z79-0074	5730 Glenridge Drive Glenridge Medical Center	6.52	102,692 sf	15,750.30± units/ac
South	R-3	Glenridge Hammond (Adjacent to south property line)	.86	2 units	2± units/ac
West	R-3	Glenridge Hammond (Adjacent to south property line)	5.52	11 units	2± units/ac

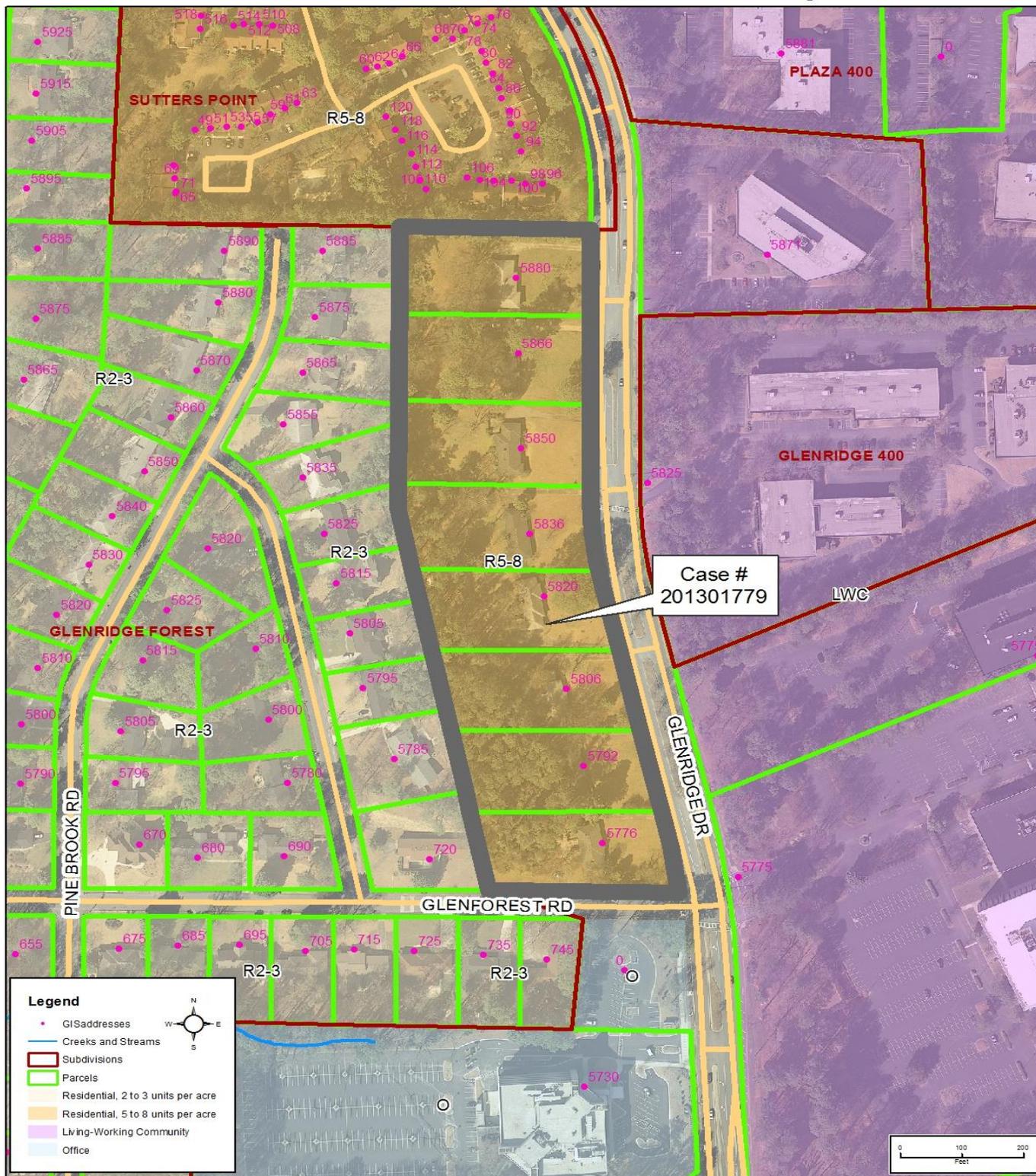
Zoning Map

5776, 5792, 5806, 5820, 5836, 5850, 5866, 5880 Glenridge Drive



Future Land Use Map

5776, 5792, 5806, 5820, 5836, 5850, 5866, 5880 Glenridge Drive



APPLICANT'S INTENT

The applicant is requesting a zoning modification to the conditions of Sandy Springs zoning case 201300437 as follows:

To modify condition 2.a. to amend the site plan received by the Department of Community Development on April 5, 2013.

*The staff is of the opinion that the applicant's request to modify the site plan to allow a ten (10) foot encroachment into the perimeter setback in the southeast corner of the property would not cause a detriment to the public. The proposed encroachment will allow the building adjacent to Glenforest Road to be separated into one (1) three unit building and one (1) four unit building. Based on these reasons, the staff recommends **APPROVAL CONDITIONAL** of this modification request.*

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 one (1) concurrent variance as outlined below. The applicant has indicated that the variance 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 7.2.G.4 to reduce the forty (40) perimeter setback to thirty (30) feet to allow the encroachment of townhome units and drive access.

Findings:

*Staff is of the opinion that the request to reduce the forty (40) foot perimeter setback is in harmony with the intent of the Zoning Ordinance. The proposal will allow the creation of two buildings instead of one (1) seven (7) unit building adjacent to Glenforest Road. The encroachment is located in the southeast corner of the property near the intersection of Glenridge Drive and Glenforest Road. There are no abutting residential properties in this area. 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 July 10, 2013 at which the no comments were generated.

STAFF RECOMMENDATION

Should the Mayor and City Council decide to approve the modification the staff recommends the approval be subject to the following conditions. The applicant's agreement to these conditions would not change staff recommendations. These conditions shall prevail unless otherwise stipulated by the Mayor and City Council.

1. To the owner's agreement to restrict the use of the subject property as follows:
 - a. Townhouses at a density of 7.65 units per acre or 63 units, whichever is less.
2. To the owner's agreement to abide by the following:
 - a. To the site plan received by the Department of Community Development on ~~April 5, 2013~~ **June 4, 2013**. Said site plan is conceptual only and must meet or exceed the requirements of the Zoning Ordinance and these conditions prior to the approval of a Land Disturbance Permit. In the event the Recommended Conditions of Zoning cause the approved site plan to be substantially different, the applicant shall be required to complete the concept review procedure prior to application for a Land Disturbance Permit. Unless otherwise noted herein, compliance with all conditions shall be in place prior to the issuance of the first Certificate of Occupancy.
3. To the owner's agreement to provide the following site development standards:
 - a. A 25-foot landscape strip planted to buffer standards along the length of the westerly property line meeting the following standards:
 - i. A six (6) foot earthen berm (slopes no greater than 3:1)
 - ii. Two staggered rows of the following evergreen trees at 14 feet in height (planting spaced 14 feet on center) planted atop the 6-foot berm creating a visual screen using the following trees: Cryptomeria, Southern Magnolia, American Holly
 - iii. Remainder of landscape strip planted to buffer standards to be planted with a mix of one third deciduous trees (3 ½ in. caliper, 30 feet on center), one third large evergreen shrubs (8-10 ft. at 12 feet on center), and one third medium evergreen flowering shrubs (6-8 feet in height at 8 feet on center)
 - iv. All planting subject to the approval of the City of Sandy Springs Arborist
 - v. All plantings to be installed prior to the issuance of the first building permit.
 - b. Prior to the issuance of the Land Disturbance permit, provide analysis of downstream conveyance conditions and capacities along the downstream conveyances between the project site and the point at which the project site drainage basin area is no greater than 10% of the total drainage basin area. Development shall provide stormwater management facilities as necessary to avoid exceeding capacity of downstream conveyances for up to a 100 year storm event between the site and the 10% point. Where proposal will result in a concentrated surface flow across a property line where no existing channel or pipe exists to receive and convey a concentrated flow developer shall obtain, execute, and record a drainage easement from property line to location of a conveyance possessing capacity to convey a 100 year concentrated flow or to the 10% point. Drainage from all new improvements shall be routed to the detention system.
 - c. Townhouses adjacent to the westerly property line shall not exceed 2-stories in height.
 - d. Developer shall construct a fence along the westerly property line with a brick column 7 feet in height, 24-square inches at each corner abutting the west property line. Between the columns shall be constructed a decorative metal picket fence between the columns, 6 feet in height along the length of the westerly property line in accordance with Sandy Spring Code.
 - e. Along the westerly property line, units 29-40 shall be 4-sides brick. Along Glenforest units 41-47 shall have a front faux façade consisting of brick, stone and other cementitious materials. The units along Glenridge Drive shall have faux front facades or brick sides.

- f. No vehicular access is permitted from Glenforest Road.
- g. No construction access is permitted from Glenforest Road.
- h. The building facades along the westerly property line shall be varied by at least 2 feet for every unit within each building.
- i. To reduce the forty (40) foot perimeter setback to thirty (30) feet to allow the encroachment of townhome units and drive access, where necessary, to accommodate the portion of the encroachment(s) only. (CV 201301779).

Attachments

Letter of Intent dated received June 25, 2013

Site Plan(s) received June 4, 2013

Additional comments from the Fulton County Department of Health Services

Pictures



RECEIVED

JUN 25 2013

City of Sandy Springs
Community Development

June 24, 2013

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

Re: Modification Application – RZ 201300437

Linda,

Pulte Homes submitted an application on June 3, 2013 requesting a modification to condition 2A of the subject zoning to allow an encroachment in the 40' perimeter setback.

Please be advised that Pulte Homes is under contract to purchase the property and expects to become the owner on or about June 30, 2013. Our contracts with the 8 different sellers empower us to act as seller's agent on zoning matters relative to the property.

Please find attached a revised signature page to the application signed by me as the applicant and agent.

Sincerely,

Ted Turner
Vice President, Land Development

:tt

Attachment





MEMORANDUM

RECEIVED

JUL 15 2013

City of Sandy Springs
Community Development

TO: Linda Abaray, Senior Planner
City of Sandy Springs, Department of Community Development

FROM: Monica Robinson, B.S., M.B.A., Environmental Planner
Department of Health Services, Office of the Director

DATE: July 15, 2013

SUBJECT: Zoning Comments for July 2013

AGENDA ITEM	ZONING COMMENTS
201301778	<p>The Fulton County Department of Health and Wellness requires that the plat be submitted for review and approval regarding water supply and sewage disposal prior to the approval by the appropriate jurisdiction and recording. The owner may not sell, offer for sale, lease, begin construction or begin physical improvements of a residential development, nor shall a building permit be issued until this Department has reviewed and approved the plat.</p> <p>The Department of Health and Wellness will require that the applicant connect the proposed development to public water and public sanitary sewer available to the site.</p> <p>Since any future development of this property would constitute a premise where people walk, live or congregate, onsite sanitary facilities will be mandatory, prior to use or occupancy.</p> <p>This department is requiring that all existing structures to be demolished must be inspected by a certified pest control operator to insure that the premise is rat free. If evidence of rodent infestation is found, the property must be baited prior to demolition.</p> <p>If the site includes an existing individual onsite sewage management system(s) and the system(s) will be abandoned, it shall be abandoned in accordance with Fulton County Code of Ordinance and Code of Resolutions, Chapter 34 – Health and Sanitation, Article XI – Sewage Disposal.</p> <p>If this proposed development includes an existing individual onsite water supply system(s), and the system(s) will be abandoned, it shall be abandoned in accordance with Fulton County Code of Ordinances and Code of Resolutions, Chapter 34 – Health and Sanitation, Article IV – Drinking Water.</p>

AGENDA ITEM	ZONING COMMENTS
201301810	<p>The Fulton County Department of Health and Wellness requires that the plat be submitted for review and approval regarding water supply and sewage disposal prior to the approval by the appropriate jurisdiction and recording. The owner may not sell, offer for sale, lease, begin construction or begin physical improvements of a residential development, nor shall a building permit be issued until this Department has reviewed and approved the plat.</p> <p>The Department of Health and Wellness will require that the applicant connect the proposed development to public water and public sanitary sewer available to the site.</p> <p>Since any future development of this property constitutes a premise where people walk, live or congregate, onsite sanitary facilities will be mandatory, prior to use or occupancy.</p> <p>This department is requiring that all existing structures to be demolished must be inspected by a certified pest control operator to insure that the premise is rat free. If evidence of rodent infestation is found, the property must be baited prior to demolition.</p> <p>If the site includes an existing individual onsite sewage management system(s) and the system(s) will be abandoned, it shall be abandoned in accordance with Fulton County Code of Ordinance and Code of Resolutions, Chapter 34 – Health and Sanitation, Article XI – Sewage Disposal.</p> <p>If this proposed development includes an existing individual onsite water supply system(s), and the system(s) will be abandoned, it shall be abandoned in accordance with Fulton County Code of Ordinances and Code of Resolutions, Chapter 34 – Health and Sanitation, Article IV – Drinking Water.</p>
201301779	<p>The Fulton County Department of Health and Wellness does not anticipate any health problems with the proposed variance regarding a modification of the zoning conditions and site plan to allow a townhome unit, a driveway, and drive access to extend into the required 40' perimeter setback.</p>

