
CITY COUNCIL AGENDA ITEM

TO: Mayor & City Council

DATE: October 30, 2012

FROM: John McDonough, City Manager

AGENDA ITEM: **201201735** - 915 Crestline Parkway, *Applicant: Perimeter Atlanta Hotel Group, LLC*, To modify conditions 2.a., 3.c., and 3.d. of RZ08-006 for the hotel development, with concurrent variances

MEETING DATE: For Submission onto the November 6, 2012, City Council Regular Meeting Agenda

BACKGROUND INFORMATION: *(Attach additional pages if necessary)*

See attached:

Memorandum
Zoning Modification Petition

APPROVAL BY CITY MANAGER:  APPROVED

PLACED ON AGENDA FOR: 11/6/2012

CITY ATTORNEY APPROVAL REQUIRED: () YES () NO

CITY ATTORNEY APPROVAL: 

REMARKS:



To: John McDonough, City Manager

From: Angela Parker, Director of Community Development

Date: October 5, 2012 For Submission onto the onto the November 6, 2012 City Council meeting

Agenda Item: **201201735 915 Crestline Parkway**, Request for a zoning modification to modify conditions 2.a., 3.c., and 3.d. of RZ08-006 with a concurrent variance.

Department of Community Development Recommendation:

APPROVAL CONDITIONAL of the request for a zoning modification to the conditions of Sandy Springs zoning case RZ08-006 and a concurrent variance.

Background:

The site is located on the western side of Crestline Parkway, between a hotel and townhouse development. The property is zoned O-I (Office Institutional District) conditional under Sandy Springs zoning case RZ08-006 and is currently undeveloped. The applicant is seeking to modify the conditions of case RZ08-006 to remove the portions that address an underground parking garage along the property's Georgia 400 frontage. This request will modify the original setback reduction for a more general purpose, allowing for the changes presented in the revised site plan, and not a specific reduction for a parking structure as previously approved. Additionally, the applicant is seeking a concurrent variance to allow for a suspended patio along the property line shared with the hotel. The proposed hotel will be up to 114 rooms. In conclusion, the requested modifications address changes to the site plan for the originally approved hotel and will update the recorded conditions to include the most up to date site plan for the project, and allow for the addition of a suspended patio.

*Community
Development*



Zoning Modification Petition No. 201201735

HEARING & MEETING DATES

Community Zoning Information Meeting
August 28, 2012

Mayor and City Council Hearing
November 6, 2012

APPLICANT/PETITIONER INFORMATION

Property Owners	Petitioner	Representative
Perimeter Atlanta Hotel Group, LLC	Perimeter Atlanta Hotel Group, LLC	Ben Berry Miller-McCoy

PROPERTY INFORMATION

Address, Land Lot, and District	915 Crestline Parkway Land Lot 19, 17 th District
Council District	5
Frontage and Area	Approximately 285.13 feet of frontage on Crestline Parkway. Approximate area of 1.257 acres.
Existing Zoning and Use	O-I (Office Institutional District) conditional under zoning case RZ08-006 and is currently undeveloped.
Overlay District	Perimeter Center Improvement Design District
2027 Comprehensive Future Land Use Map Designation	LWR (Living-Working Regional)
Existing Use	Undeveloped

INTENT

MODIFICATION OF CONDITIONS 2.A., 3.C., AND 3.D. OF RZ08-006 APPROVED BY THE CITY OF SANDY SPRINGS MAYOR AND CITY COUNCIL ON APRIL 15, 2008.

The applicant is seeking approval to modify conditions 2.a., 3.c., and 3.d. as follows:

- 2.a. To the site plan received by the Department of Community Development dated ~~March 10, 2008~~ August 1, 2012. 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. Unless otherwise noted herein, compliance with all conditions shall be in place prior to the issuance of a Certificate of Occupancy.
- 3.c. To reduce the required forty (40) front yard setback to ten (10) feet along the west property line adjacent to the GA-400 ~~frontage to allow the construction of an underground parking deck (CV08-003).~~
- 3.d. To reduce the required twenty (20) foot landscape strip to ten (10) feet along the west property line adjacent to the GA-400 ~~frontage to allow the construction of an underground parking deck (CV08-003).~~

Additionally, the applicant is requesting one (1) concurrent variance as follows:

- 1. Variance from Section 4.3.4.B.3 of the Zoning Ordinance to reduce the required twenty (20) foot side yard setback to ten (10) feet to allow for the encroachment of a suspended patio as indicated on the Site Plan received by the Department of Community Development on September 24, 2012.

BACKGROUND

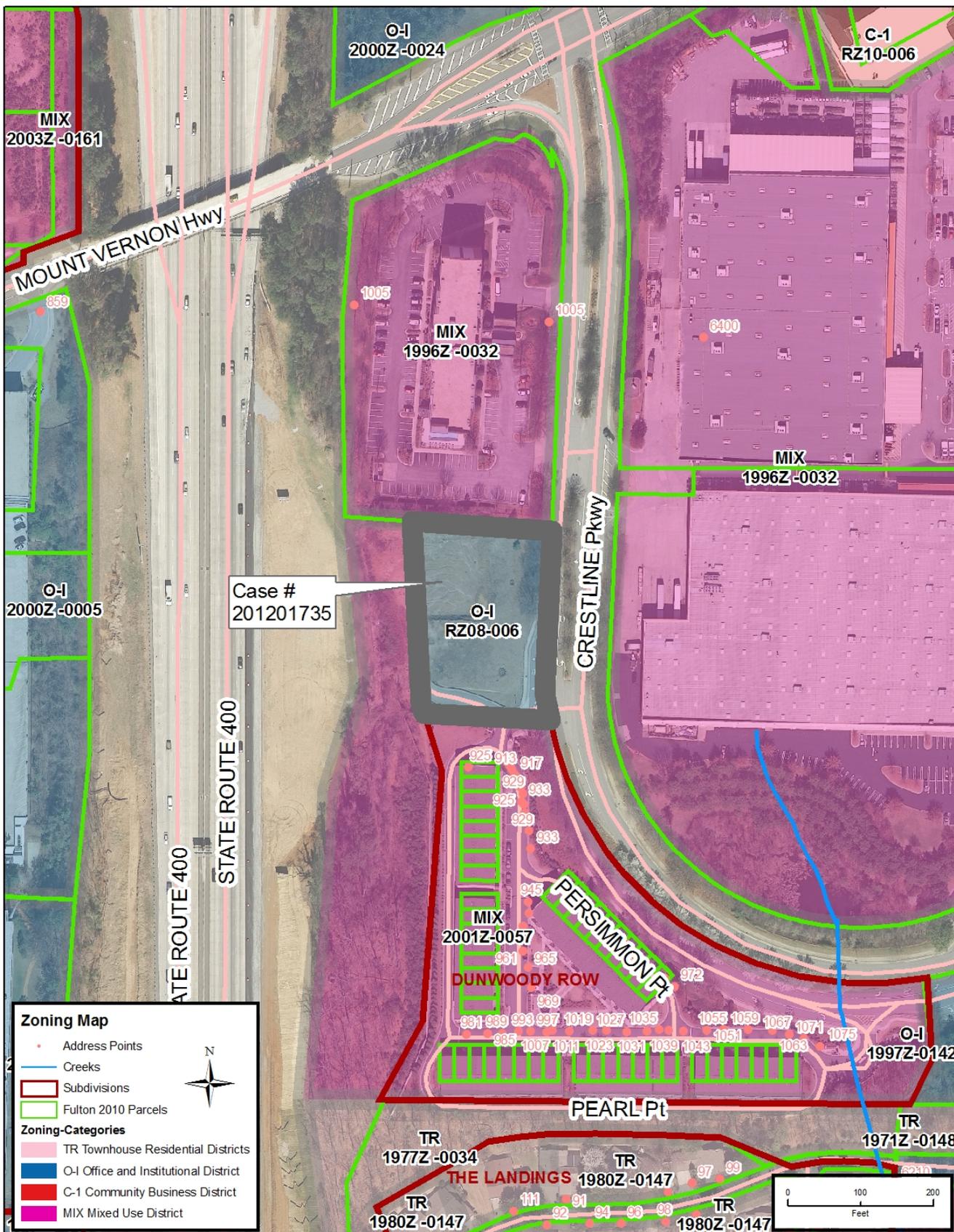
The site is located on the western side of Crestline Parkway, between a hotel and townhouse development. The property is zoned O-I (Office Institutional District) conditional under Sandy Springs zoning case RZ08-006 and is currently undeveloped.

EXISTING LAND USE AND ZONING OF ABUTTING PROPERTY

SUBJECT PETITION ZM12-07	Existing Use		Land Area (Acres)	Number of Rooms	Density (Rooms per Acre)
	Undeveloped		1.257	114	13,255 S.F./ Acre
Location in relation to subject property	Zoning	Use	Land Area (Acres)	Number of Units or Square Footage	Density (Units or Square Footage Per Acre)
North	MIX conditional Z96-0032	Hyatt Place Hotel	3.38	152 rooms	44.97 rooms per acre
East	MIX conditional Z96-0032	Home Depot	10.48	111,600	10,648.85 square feet per acre
East	MIX conditional Z96-0032	Costco	13.27	140,000	10,550.11 square feet per acre
South	MIX conditional Z01-0057	Dunwoody Road townhomes	6.62	40 units	6.05 units per acre
West	Georgia 400				

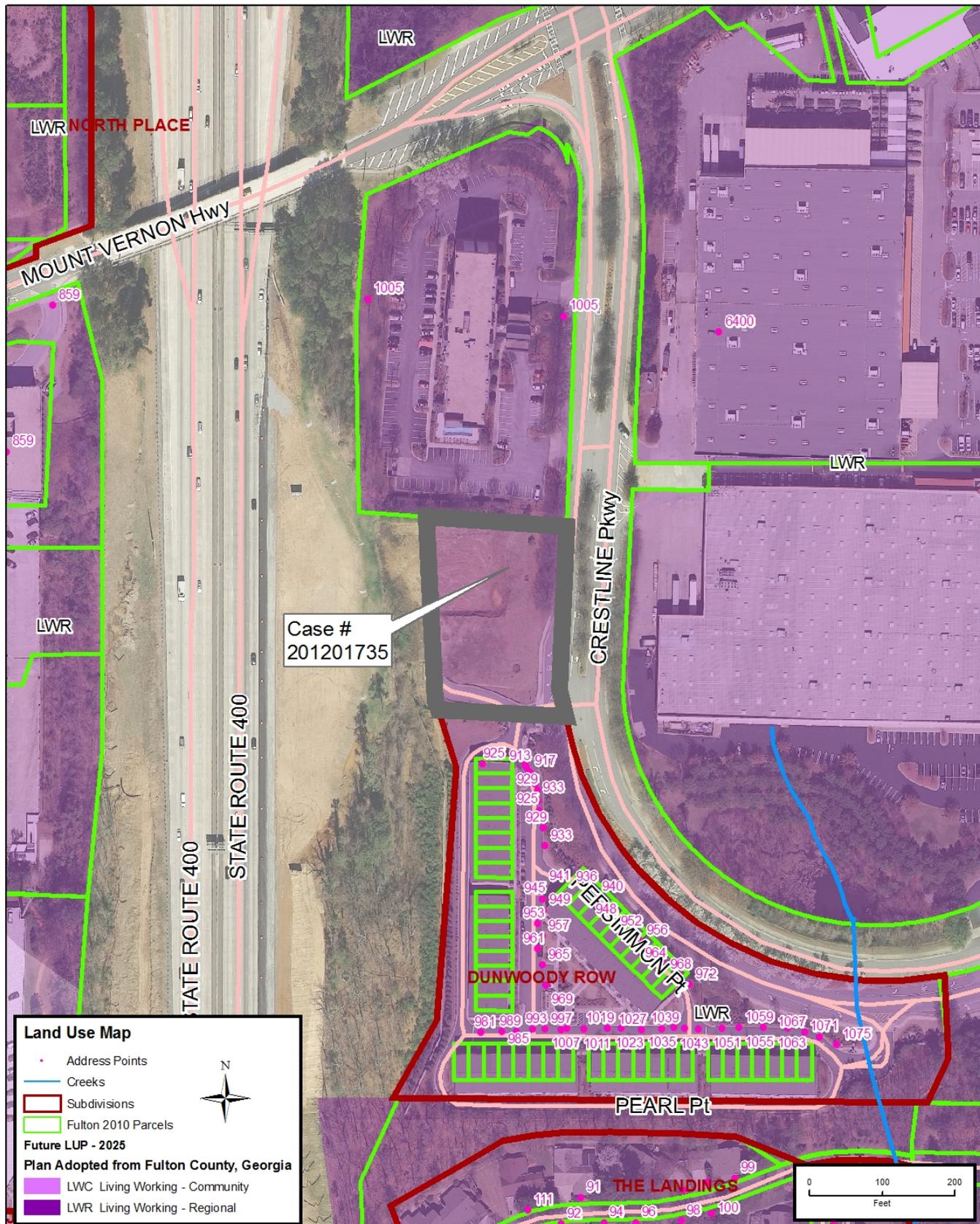
Zoning Map

915 Crestline Parkway



Future Land Use Map

915 Crestline Parkway



Photographs



Subject Property



Modification Sign



Georgia 400 Buffer



Concurrent Variance - Northern Property Line

APPLICANT'S INTENT

The applicant is seeking approval to modify conditions 2.a., 3.c., and 3.d. as follows:

- 2.a. To the site plan received by the Department of Community Development dated ~~March 10, 2008~~ August 1, 2012. 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. Unless otherwise noted herein, compliance with all conditions shall be in place prior to the issuance of a Certificate of Occupancy.
- 3.c. To reduce the required forty (40) front yard setback to ten (10) feet along the west property line adjacent to the GA-400 ~~frontage to allow the construction of an underground parking deck (CV08-003).~~
- 3.d. To reduce the required twenty (20) foot landscape strip to ten (10) feet along the west property line adjacent to the GA-400 ~~frontage to allow the construction of an underground parking deck (CV08-003).~~

The requests of the applicant are to remove the conditions that were specific to the originally submitted site plan for a proposed hotel. Since the rezoning in 2008, the property has changed ownership and a new site plan has been created. The first modification, condition 2.a., removes the original site plan from the conditions and replaces it with the most recently submitted site plan. The second and third modifications, conditions 3.c. and 3.d., address the revised layout of the site which includes the removal of the underground parking deck that was previously shown in the setback along Georgia 400.

*The staff is of the opinion that the request to update the date of the project site plan and deletion of the portions of the condition that address the underground parking deck is warranted and is in harmony with the intent of the Zoning Ordinance. The conditions of zoning as provided in RZ08-006 allowed for the development of parking in the setback of the western property line, bordering Georgia 400, and the removal of the underground parking does little to change what was previously approved. Additionally, the remaining encroachment is not intrusive to neighboring uses. Therefore, based on these reasons the staff recommends **APPROVAL CONDITIONAL** of the modification of Conditions 2.a., 3.c., and 3.d.*

VARIANCE CONSIDERATIONS

Article 22 of the Zoning Ordinance indicates the following are considerations in granting variances, of which only one has to be proven:

- A. 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,
- B. 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,
- C. Conditions resulting from existing foliage or structures bring about a hardship whereby a sign meeting minimum letter size, square footage and height requirements cannot be read from an adjoining public road.

The applicant is requesting one (1) concurrent variance as follows:

Variance from Section 4.3.4.B.3 of the Zoning Ordinance to reduce the required twenty (20) foot side yard setback to ten (10) feet to allow for the encroachment of a suspended patio as indicated on the site plan, dated received by the Department of Community Development on September 24, 2012.

The applicant has indicated this variance will not result in any harm to the health and safety of the general public and that application of the requirement would place a hardship on the applicant. The

applicant has indicated that this variance is in harmony with the area and in harmony with the general purpose and intent of the Zoning Ordinance.

*The staff is of the opinion the variance requests are in harmony with the intent of the Zoning Ordinance and the proposal would not be a detriment to the public. The northern property line is adjacent to the parking lot of an existing hotel and allowing the encroachment would not negatively impact this neighboring land use. Therefore, based on these reasons, the staff recommends **APPROVAL CONDITIONAL** of the variances to reduce the required twenty (20) foot side yard setback to ten (10) feet to allow for the encroachment of a suspended patio as indicated on the Site Plan, dated received by the Department of Community Development on September 24, 2012.*

DEPARTMENT COMMENTS

The staff held a Focus Meeting with Transportation, Building and Permitting, Fire, Code Enforcement, Site Development, and the Arborist on September 5, 2012 at which the following departments commented:

Sandy Springs Fire	- Fire truck access must be provided within 150' from the most remote corner of the building per 120-3-3.
Sandy Springs Transportation Planner	- Applicant shall provide a minimum of one bicycle parking space for every 20 automobile spaces. - Site is located within the Perimeter Community Improvement Design District.

STAFF RECOMMENDATION

The staff recommends **APPROVAL CONDITIONAL** of the zoning modification request. The staff recommends that the conditions be read as follows. Where these revisions conflict with the stipulations and offerings contained in the Letter of Intent, these conditions shall supersede unless specifically stipulated by the Mayor and City Council.

1. To the owner's agreement to restrict the use of the subject property as follows:
 - a. A 130-room hotel (without a restaurant) and associated accessory uses.
 - b. The maximum building height shall be 100 feet or 6 stories over 2 stories of structured parking, excluding any penthouses for mechanical equipment. (U08-002)

2. To the owner's agreement to abide by the following:
 - a. To the site plan received by the Department of Community Development dated ~~March 10, 2008~~ **September 24, 2012**. 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. Unless otherwise noted herein, compliance with all conditions shall be in place prior to the issuance of a Certificate of Occupancy.

3. To the owner's agreement to provide the following site development standards:
 - a. The owner/developer shall dedicate forty-five (45) feet of right-of-way from centerline of Crestline Parkway along the entire property frontage or ten and one-half (10.5) feet from back of curb, whichever is greater, to the City of Sandy Springs.
 - b. To reduce the required front yard setback from forty (40) feet to fifteen (15) feet along the Crestline Parkway frontage of the subject property to allow conformity with the Perimeter Community Improvement Design District standards (CV08-003).
 - c. To reduce the required forty (40) front yard setback to ten (10) feet along the west property line adjacent to the GA-400 frontage ~~to allow the construction of an underground parking deck~~ (CV08-003).
 - d. To reduce the required twenty (20) foot landscape strip to ten (10) feet along the west property line adjacent to the GA-400 frontage ~~to allow the construction of an underground parking deck~~ (CV08-003).
 - e. To reduce the required twenty (20) foot landscape strip to ten (10) feet along the east property line adjacent to the Crestline Parkway frontage to allow the construction of a patio, steps, and pedestrian walkway to the proposed building (CV08-003).
 - f. To change the required twenty-five (25) foot buffer and ten (10) foot improvement setback to a ten (10) foot landscape strip planted to buffer standards along the south property line adjacent to a residential use to allow the existing shared driveway to remain (CV08-003).
 - g. To increase the number of parking spaces between landscape islands from every sixth space to every ninth (CV08-003).
 - h. No less than 27% of the site shall be maintained as greenspace as shown on the site plan received by the Department of Community Development dated January 7, 2008.

- i. The owner/developer shall construct the hotel building with a brick and/or stucco architectural finish.
- j. The external lighting in the development shall be screened, cut-off type and shall not glare into adjoining residential properties.
- k. To a maximum illuminance level of 0.5 footcandles along all property lines abutting residentially zoned property.
- l. At the time of application for a Land Disturbance Permit, the owner/developer shall be required to submit a photometric study detailing the illuminance level as outlined in the previous condition and illustrating the proposed lighting fixtures.
- m. The owner/developer shall install a decorative fence along the south property line adjacent to the townhouse residential development and heavily landscape both sides to provide a visual screen. The location and type of said fence and landscaping shall be subject to the approval of Sandy Springs Arborist.
- n. To reduce the required twenty (20) foot side yard setback to ten (10) feet to allow for the encroachment of a suspended patio. (CV201201735)

Attachments

Letter of Intent dated received August 3, 2012

Revised Site Plan dated received September 24, 2012

Letter from Fulton County Dept. of the Environment and Community Development received September 17, 2012

Letter from Fulton County Dept. of Planning and Community Services received September 25, 2012

MILLER / Mc COY, INC.
C O N S U L T I N G E N G I N E E R S
915 CREEKSIDE ROAD CHATTANOOGA, TENNESSEE 37406
PHONE (423) 698-2661 FAX (423) 698-2664

August 1, 2012

Department of Community Development
City of Sandy Springs
Ms. Patrice Dickerson
7840 Roswell Road, Building 500
Sandy Springs, Georgia 30350

RECEIVED

AUG 03 2012
ZM 20120735
City of Sandy Springs
Community Development

Re: Zoning Modification – Letter of Intent

This letter is to explain the circumstances for the requested change in zoning conditions for the property located at 915 Crestline Parkway that is currently covered by existing rezoning petition RZ08-006, dated April 16, 2008.

The initial rezoning and applicable conditions apply to a hotel design by a previous owner matching a site plan dated March 10, 2008. Since the rezoning, the previous did not complete his development plans and resold the property. The current owner is planning on constructing a hotel that meets the majority of the conditions outlined within the rezoning, but is requesting some minor aspects of the conditions be modified. The conditions requesting modification include:

+Condition 2a: To the site plan received by the Department of Community Development dated March 10, 2008. 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. Unless otherwise noted herein, compliance with all conditions shall be in place prior to the issuance of a Certificate of Occupancy.

The request is to update this condition to the enclosed site plan dated August 1, 2012.

+Condition 3c: To reduce the required forty (40) front yard setback to ten (10) feet along the west property line adjacent to the GA-400 frontage to allow the construction of an underground parking deck (CV08-003).

The request is to remove the portion *'to allow the construction of an underground parking deck'* in order for the modified setback to be a general setback modification rather than only specifically to an underground parking deck.

+Condition 3d: To reduce the required twenty (20) foot landscape strip to ten (10) feet along the west property line adjacent to the GA-400 frontage to allow the construction of an underground parking deck (CV08-003).

The request is to remove the portion *'to allow the construction of an underground parking deck'* in order for the modified landscape strip to apply generally rather than only specifically to an underground parking deck.

MILLER / McCOY, INC.
CONSULTING ENGINEERS
915 CREEKSIDE ROAD CHATTANOOGA, TENNESSEE 37406
PHONE (423) 698-2661 FAX (423) 698-2664

The changes are necessary in order to allow the new owner to develop a hotel with a different layout than the site plan submitted with the rezoning by the previous owner. It is not anticipated at this time that additional condition modifications or variances will be needed for the proposed development. Thank you for your review of this request.

Sincerely,

MILLER-McCOY, INC.

Christopher M. Berry

Christopher M. Berry, P.E.

Project Engineer

PRELIMINARY

CIVIL ENGINEER:
MILLER MCCOY, INC.
CONSULTING ENGINEERS
915 CRESTSIDE ROAD CHATTANOOGA, TENNESSEE 37408
PHONE (423) 688-2661 FAX (423) 688-2664

DEVELOPER:
THOMAS BUILDERS INC.
855 W. WILSON STREET
NIOTA, TENNESSEE 37826
423-568-2134

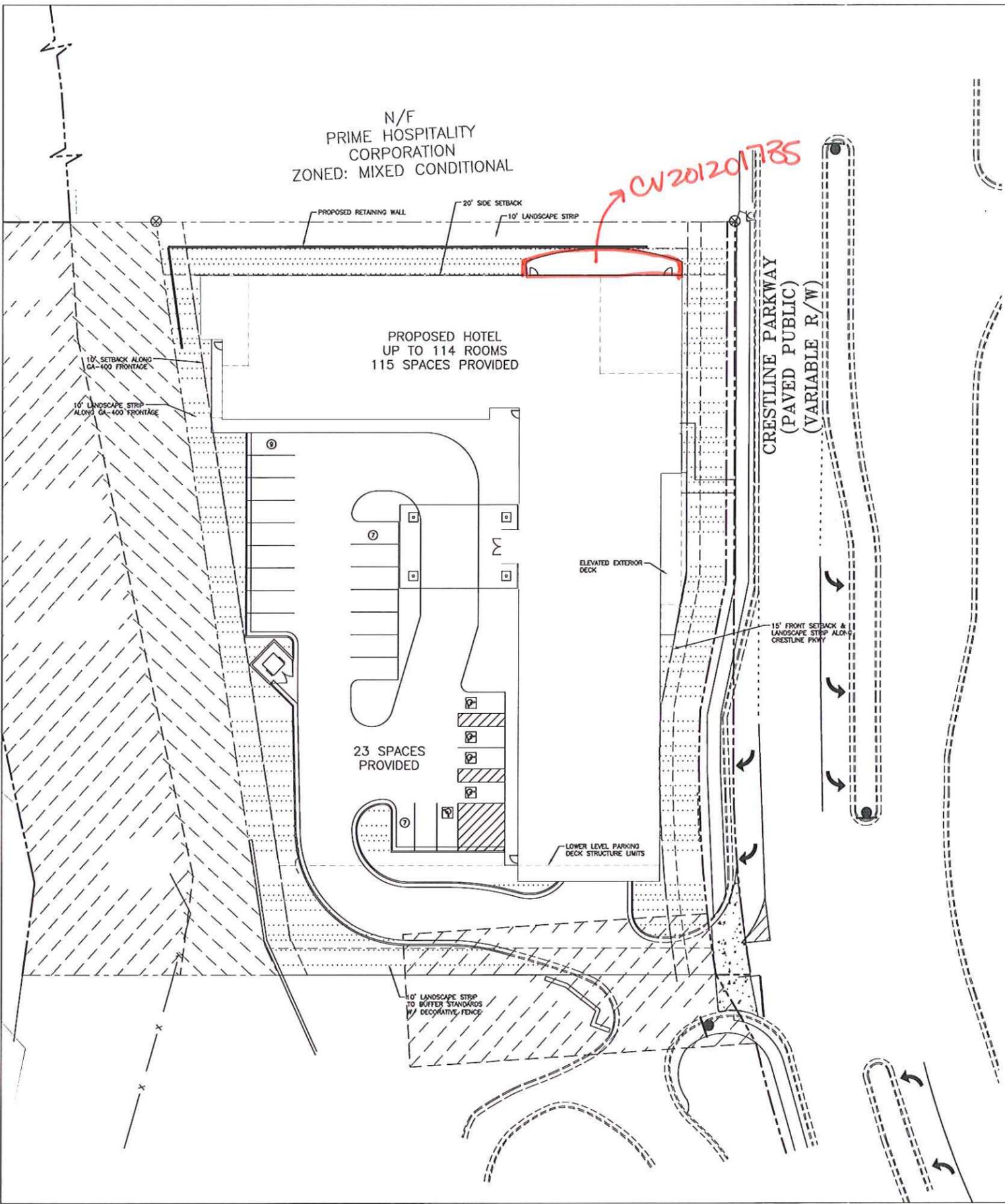
PROJECT:
HOMEWOOD SUITES
BY HILTON
915 CRESTLINE PARKWAY
SANDY SPRINGS, GEORGIA

REVISIONS	
1	
2	
3	
4	
5	
6	
7	
8	
9	
10	

SHEET NAME:
PARKING & PAVING
-UPPER LEVEL

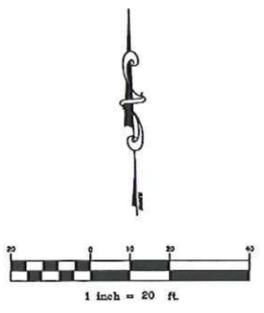
DATE: 08/01/12
DRAWN BY: CMB
CHECKED BY: BMB
PROJECT NO.: 12051

SHEET NUMBER:
C-02.1



RECEIVED

SEP 24 2012
201201735
City of Sandy Springs
Community Development



PRELIMINARY

CIVIL ENGINEER:
MILLER + McCOY, INC.
CONSULTING ENGINEER
915 CRESTLINE ROAD
SANDY SPRINGS, GEORGIA 30087
PHONE (404) 998-2881 FAX (404) 998-2884

DEVELOPER:
THOMAS BUILDERS INC.
855 W. WILSON STREET
NIOTA, TENNESSEE 37826
423-568-2134

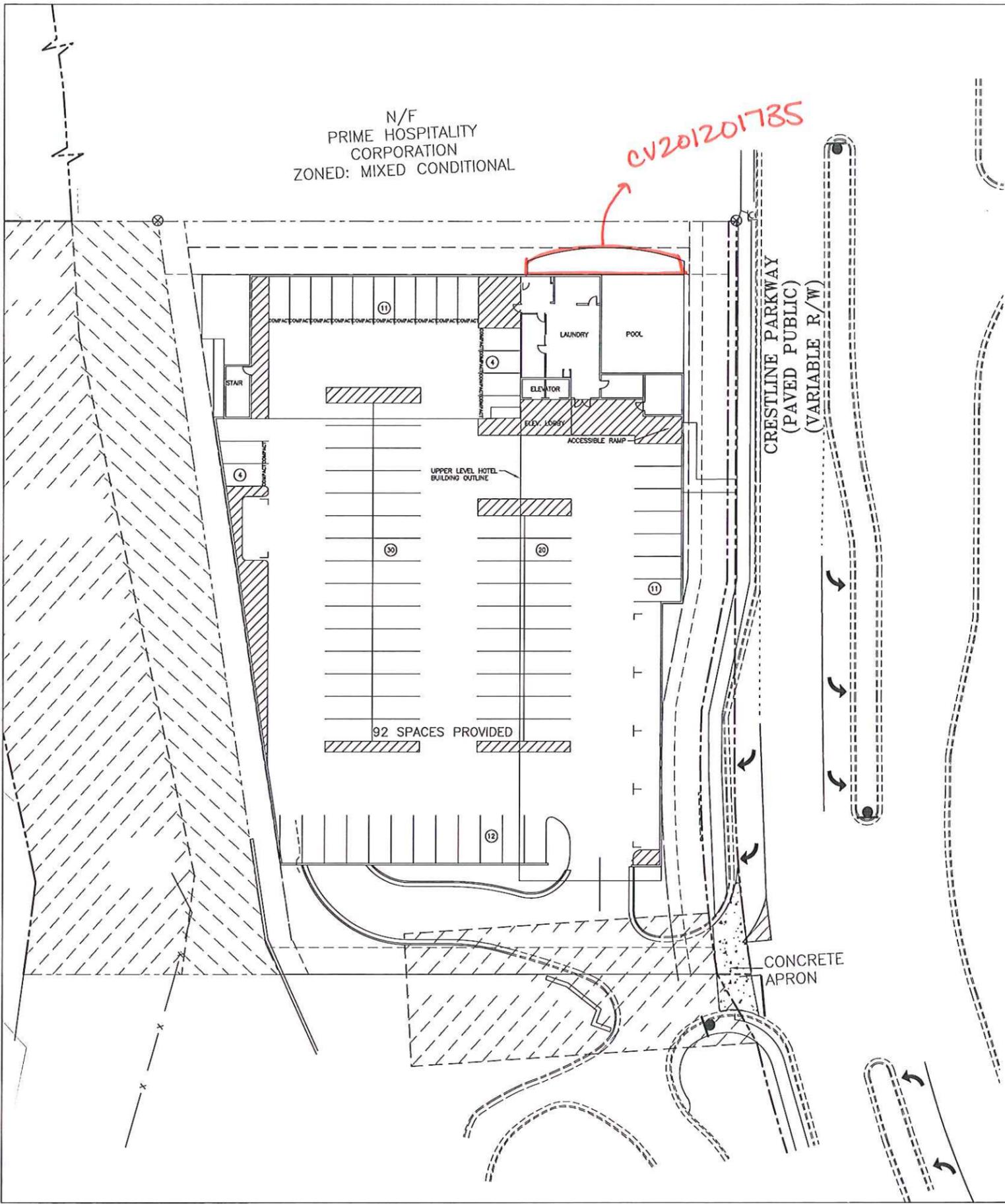
PROJECT:
HOMEWOOD SUITES
BY HILTON
915 CRESTLINE PARKWAY
SANDY SPRINGS, GEORGIA

REVISIONS	
1	
2	
3	
4	
5	
6	
7	
8	
9	
10	

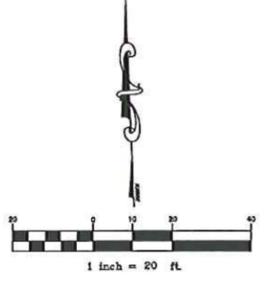
SHEET NAME:
**PARKING & PAVING
-LOWER LEVEL**

DATE: 08/01/12
DRAWN BY: CMB
CHECKED BY: BMB
PROJECT NO.: 12051

SHEET NUMBER:
C-02.2



RECEIVED
SEP 24 2012
201201735
City of Sandy Springs
Community Development



Allen, Colleen

From: Abaray, Linda
Sent: Monday, September 17, 2012 12:02 PM
To: Allen, Colleen
Subject: FW: sewer and water technical review comments for Zoning Case 201201735
Attachments: map_1347894391.pdf; 201201735. 915 Crestline Pkwy. (Hotel), LL 19, Dist. 17.pdf

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

RECEIVED
SEP 17 2012
201201735
City of Sandy Springs
Community Development

From: Akbar, Abdul [mailto:Abdul.Akbar@fultoncountyga.gov]
Sent: Monday, September 17, 2012 11:13 AM
To: Abaray, Linda
Cc: Dickerson, Patrice
Subject: sewer and water technical review comments for Zoning Case 201201735

Dear Linda Abaray and Patrice Dickerson,

Please take a look at the attached information. It has my sewer and water technical review comments for Zoning Case 201201735, the proposed hotel at 915 Crestline Parkway (Land Lot 38, District 17) in Sandy Springs. Please contact me if you have any questions. Have a good day.

Yours truly,

Abdul Akbar
Engineer
Water Services Division
Department of Water Resources (Public Works)
Fulton County Government
141 Pryor Street, Atlanta, Georgia 30303
404-612-7518

http://www.gis.fc/apps/taxq/full_layout.php?pin=17 0019 LL143&caller=external

Sewer Line Information:

Manhole UP	SMNC1314060	Manhole Dwn	SMNC1313990
UPStreamInv	1055.09700000	DwnStreamInv	1044.14800000
Basin	NANCY CREEK	Sub-Basin	NC13
Up Size	8	Dwn Size	8
Up Material	IRON	Dwn Material	IRON

UpRodDepth	11.8000000000	DwnRodDepth	19.6000000000
UpSurveyDate	2006-12-12	DwnSurveyDate	
UpSurveyBy	COMP	DwnSurveyBy	COMP
UPComment	NONE		
DwnComment			

Abdul,

Attached is the new Sandy Springs zoning cases. Please let me know if you have any questions.

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

This e-mail message (including any attachments) is for the sole use of the intended recipient(s) and may contain confidential and privileged information. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this message (including any attachments) is strictly prohibited. If you have received this message in error, please contact the sender and destroy all copies of the original message (including attachments). The City of Sandy Springs is a public entity subject to the Official Code of Georgia Annotated §§ 50-18-70 to 50-18-76 concerning public records. Email is covered under such laws and thus may be subject to disclosure.

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: 75 gallons per day (gpm) per 1 hotel room x 114 hotel rooms = 8,550 gallons per day

This project is within the City of Atlanta water jurisdiction.

SEWER:

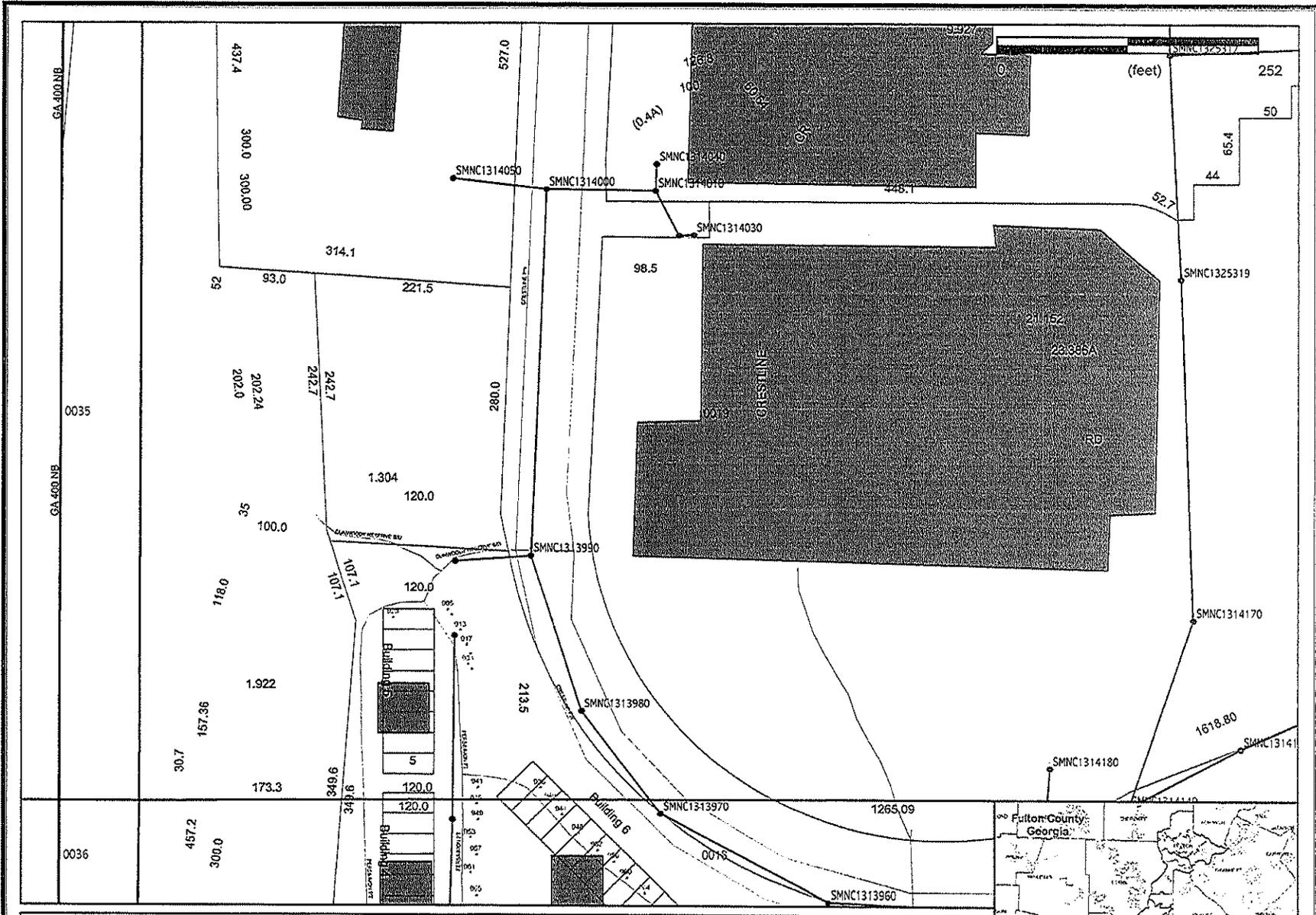
Basin: Nancy Creek

Treatment Plant: R.M. Clayton Treatment facility (City of Atlanta)

Anticipated sewer demand: 7,695 gallons per day

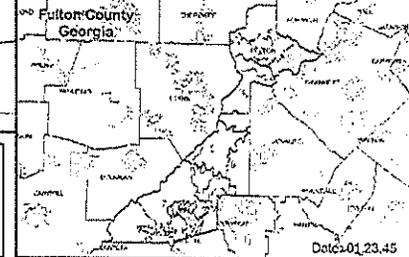
The nearest wastewater manhole to this project is located next to the south property line of 915 Crestline Parkway (SMNC1314060) located in Land Lot 19, District 17.

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.



Prepared by Fulton County Department of
 Environment and Community Development
 Support Services Division
 Geographic Information System

Fulton County provides the data within this page for your personal use "as is".
 The data is not guaranteed to be accurate, correct, or complete.



Date: 01.23.45



FULTON COUNTY

Department of Planning and Community Services
Fulton County Government Service Center at Fulton Industrial
5440 Fulton Industrial Boulevard
Atlanta, GA 30336

September 21, 2012

Patrice S. Dickerson, Manager of Planning & Zoning
City of Sandy Springs
Department of Community Development
Planning and Zoning Division
7840 Roswell Road, Building 500
Sandy Springs, Georgia 30350

Dear Ms. Dickerson:

I am in receipt of your zoning package soliciting comments on the upcoming City of Sandy Springs zoning agenda for the October Planning Commission and November Mayor and City Council Meetings. I have reviewed all items within the package and find none of them have a significant impact on Unincorporated Fulton County. Thank you for the opportunity to review the requests.

Sincerely,

Randy Beck, Director
Planning and Community Services

RECEIVED

SEP 25 2012

City of Sandy Springs
Community Development