





To: John McDonough, City Manager  
From: Wendell Willard, City Attorney  
Date: June 13, 2012 for submission onto the June 19, 2012 City Council Regular Meeting  
Agenda Item: **RZ09-001** - 5395 Roswell Road, Modification of the Approved Zoning Conditions

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***CMO (City Manager's Office) Recommendation:***

**APPROVAL** of the modification of the approved zoning conditions for the subject property.

***Background:***

A petition for rezoning was submitted by the property owner on March 3, 2009 to allow for redevelopment of the property to allow for a church. The owner proposed to enclose the underground parking portion of the building to bring the gross square footage to 43,916 square feet and provide 111 parking spaces.

The property was rezoned by the Sandy Springs Mayor and City Council on December 15, 2009. The City Council approval allowed the owner to maintain the existing 32,053 square foot building, without the potential to enclose the underground parking structure.

Following City Council approval, the owner appealed the decision to both the Superior and Federal Courts.

***Discussion:***

Pursuant to the direction of the Court and as required by state law a public hearing must be held regarding the zoning of the subject property. At this time, subject to the settlement of the litigation, staff is recommending approval of the modification of the zoning conditions for the property as outlined in the attached conditions of approval and site plan. The modified site plan showing the redeveloped 43,916 square foot building with 130 parking spaces is recommended by counsel for the City, as it meets the development standards of the Zoning Ordinance and other city codes.

**Attachment(s)**

Site Plan dated received June 4, 2012  
Revised Conditions of Approval

CONDITIONS OF APPROVAL

**RZ09-001/CV09-003**

**5395 Roswell Road**

1. To the owner's agreement to restrict the use of the subject property as follows:
  - a. Office and/or Church and associated accessory uses in the existing structure at a density of 24,672 square feet per acre or 43,916 square feet, whichever is less.
  - b. No overnight stays (11:00 PM to 6:00AM).
  - c. To prohibit any drug, alcohol, substance abuse, chemical dependence, and/or criminal rehabilitation programs.
2. To the owner's agreement to abide by the following:
  - a. To the site plan received by the Department of Community Development dated June 4, 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. Streetscape including sidewalks will be required at time of building permit or land disturbance permit, whichever occurs first, subject to the approval of the Public Works Department.
  - b. The owner/developer shall dedicate forty-five (45) feet of right-of-way from centerline of Glenridge Drive 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.
  - c. The owner/developer shall dedicate fifty-five (55) feet of right-of-way from centerline of Roswell Road along the entire property frontage or ten and one-half (10.5) feet from back of curb, whichever is greater, to the City of Sandy Springs.
  - d. Reserve for the City of Sandy Springs along the necessary property frontage of the following roadways, prior to the approval of a Land Disturbance permit, sufficient land as necessary to provide for compliance with the Comprehensive Plan. All building setback lines shall be measured from the dedication but at no time shall a building be allowed inside the area of reservation. All required landscape strips and buffers shall straddle the reservation line so that the reservation line bisects the required landscape strip or buffer. At a minimum, 10 feet of the required landscape strip or buffer shall be located outside the area of reservation. All required tree plantings per Article 4.23 shall

be placed within the portion of the landscape strip or buffer that lies outside the area of reservation.

Fifty-five (55) feet from centerline of Glenridge Drive

- e. To allow parking within the required minimum front and side yard setback (CV09-003).
- f. To reduce the twenty (20) foot side setbacks to five (5) feet (CV09-003).
- g. To allow for a parking lot without the required parking islands (CV09-003).
- h. To allow for relief from the requirement of planting a large shade tree every 6 parking spaces (CV09-003).
- i. The owner/developer shall provide a minimum of 130 on-site parking spaces, including the easement area, as shown on the site plan referenced in condition 2.a. above.

**PERVIOUS/GREEN SPACE:**  
 40,075 SF = 0.92 AC  
 39% OF SITE AREA (0.91 AC / 2.334 AC)  
 \*MEETS ARTICLE VIII SECTION 8.1.2 J REQUIRING PERVIOUS AREA TO BE 30% OR GREATER  
 \*SITE AREA INCLUDES BOTH PARCEL AND EASEMENT IN WHICH SITE IMPROVEMENTS ARE PROPOSED.  
 (1.78 AC PARCEL + 0.554 AC EASEMENT)  
 TOTAL SITE AREA = 2.334 AC

STREETSCAPE IMPROVEMENTS PER SANDY SPRINGS OVERLAY URBAN DISTRICT TO BE ADDRESSED AT BUILDING PERMIT PHASE. THE OWNER/DEVELOPER SHALL DEDICATE FIFTY-FIVE (55) FEET OF RIGHT-OF-WAY FROM CENTERLINE OF ROSWELL ROAD ALONG THE ENTIRE PROPERTY FRONTAGE OR TEN AND ONE-HALF (10.5) FEET FROM BACK OF CURB, WHICHEVER IS GREATER, TO THE CITY OF SANDY SPRINGS.

EXISTING STORMWATER STRUCTURES TO BE MODIFIED

OVERHEAD POWER TRANSMISSION LINES

PROPERTY ZONED A-1

STRIPING IMPROVEMENTS

PHYSICAL IMPROVEMENTS

**PROVIDED PARKING:**  
 5 HANDICAP  
 21 COMPACT (16%) (8' X 18' MIN)  
 95 REGULAR (8.5' X 18' MIN)  
 9 PARALLEL (8.5' X 18' MIN)  
 130 TOTAL

STREETSCAPE IMPROVEMENTS PER SANDY SPRINGS OVERLAY URBAN DISTRICT TO BE ADDRESSED AT BUILDING PERMIT PHASE. THE OWNER/DEVELOPER SHALL DEDICATE FORTY-FIVE (45) FEET OF RIGHT-OF-WAY FROM CENTERLINE OF GLENRIDGE DRIVE 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.

EXISTING STORMWATER DETENTION. HYDROLOGY ANALYSIS TO BE PERFORMED TO DETERMINE IF RETROFIT IS REQUIRED DUE TO PROPOSED SITE IMPROVEMENTS.

EXISTING STORMWATER STRUCTURES TO BE MODIFIED

ROSWELL ROAD 104' RW  
 35 MPH SPEED LIMIT  
 (DEED BOOK 8588 PAGE 126)  
 [EXCEPTION (4)]

N 08°53'34"E  
 RADIUS=B44.19  
 CHORD=343.27  
 ARC=345.68

S 59°33'52"W  
 RADIUS=1243.63  
 CHORD=102.51  
 ARC=102.54

GLENRIDGE DRIVE RW VARIES  
 35 MPH SPEED LIMIT  
 (DEED BOOK 8588 PAGE 124)  
 [EXCEPTION (J)]

(DEED BOOK 8588 PAGE 124)  
 [EXCEPTION (J)]

EXISTING WATER SERVICE  
 SANITARY SEWER SERVICE

OFFICE BUILDING  
 1 STORY ~23,000sf

IF NEEDED EXISTING PIPE WILL BE UPSIZED AND EXISTING STRUCTURE WILL BE RETROFITTED AS OUTLET CONTROL STRUCTURE TO PROVIDE ANY ADDITIONAL DETENTION CAPACITY NEEDED.

EXTENT OF EASEMENT BOUNDARY

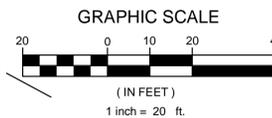
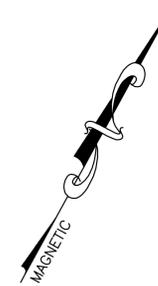
CONCRETE DUMPSTER PAD. WOODEN FENCE AND GATE ENCLOSURE TO BE INSTALLED.

FIRE TRUCK TEMPLATE PROVIDED AROUND ALL DRIVE CORNERS IS PER THE PIERCE 105' HFL AERIAL FIRE ENGINE TURNING PERFORMANCE ANALYSIS PROVIDED BY THE CITY OF SANDY SPRINGS (TYP. OF ALL RED TEMPLATE RADII)

EXISTING STORMWATER STRUCTURES TO BE MODIFIED (TYP.)

U.S. N/F OFFICE

ADJACENT PROPERTY  
 ZONED O-1  
 POST OFFICE  
 2 STORY ~11,000sf



NOT FOR CONSTRUCTION

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No.	REVISIONS	DATE

ZONING SITE PLAN  
 PARKING IMPROVEMENTS

CSI FACILITY  
 5395 ROSWELL RD., NE  
 SANDY SPRINGS, GA 30342  
 LL 91 & 92; 17TH DISTRICT

SCALE (H): 1" = 20'  
 SCALE (V): NONE  
 DESIGNED BY: EFM  
 DRAWN BY: BWS  
 CHECKED BY: EFM  
 DATE: 06/01/2012

SHEET NUMBER  
 SITE

Drawing name: K:\MFM\PROJECTS\10311004 Church of Scientology, March 2012, Eifer, Sandy Springs Site\Civil\ZONING SITE PLAN\2012-05-25 Zoning Site Plan Exhibiting Exhibit 24x36 Jun 04, 2012 12:22pm by: ben.stidmore  
 This document, together with the concepts and designs presented herein, is intended only for the specific purpose and client for which it was prepared. Release of and improper reliance on this document without written authorization and approval by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.