

To: John McDonough, City Manager

From: Angela Parker, Director of Community Development 

Date: February 6, 2012 For Submission onto the onto the February 21, 2012 City Council meeting

Agenda Item: **ZM11-005/CV11-007 201 Mount Vernon Highway**, Request for a zoning modification to the conditions of zoning cases Z93 -030 and ZM08-016/CV08-034.

Director of Community Development Recommendation:

APPROVAL CONDITIONAL of the request for a zoning modification to the conditions of zoning cases Z93 -030 and ZM08-016/CV08-034.

Background:

The site is located on the north side of Mt. Vernon Highway at the intersection with Hammond Drive. The property is zoned AG-1 (Agricultural District) conditional under zoning case Z93-030 and zoning modification case ZM08-016/CV08-034 and is currently developed with a cemetery. It is mostly surrounded by single-family residential development, except for some small scale commercial development (real estate offices) across the street on Mt. Vernon.

Discussion:

The applicant is seeking approval to revise the cemetery site plan approved as Condition 2.a. of applications Z93-030 and ZM08-016/CV08-034 to primarily allow for the relocation of an internal drive.

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

- 1) Variance from Section 109-225.a 1 and 2 of the Stream Buffer Protection Ordinance to reduce the seventy-five (75) foot buffer and setback requirements (50 foot undisturbed natural buffer and 25 foot impervious surface setback) to the extent necessary to allow for existing and proposed improvements in accordance with the site plan and letter of intent received by the Department of Community Development on December 6, 2012 (CV11-007).

Concurrent Review:

The staff held a Focus Meeting on January 11, 2012 at which the following city departments provided comments:

- Building and Development Division
- Code Enforcement
- Fire Department
- Transportation Division

In addition, the following external departments were contacted for comment:

- Atlanta Regional Commission
- Fulton County Board of Education
- Fulton County Department of Environment and Community Development (*comments received*)
- Fulton County Department of Public Works
- Fulton County Environmental Health Services
- Sandy Springs Council of Neighborhoods
- Sandy Springs Revitalization Inc.
- Georgia Department of Transportation
- City of Atlanta Department of Watershed Management
- U.S. Postal Service Address Management Systems
- MARTA
- Fulton County Emergency Management



Zoning Modification Petition No. ZM11-005/CV11-007

HEARING & MEETING DATES

**Community Zoning
Information Meeting**
January 10, 2012

Mayor and City Council Hearing
February 21, 2012

APPLICANT/PETITIONER INFORMATION

Property Owners
SCI Management

Petitioner
Seyfarth Shaw

Representative
Carl E. Westmoreland, Jr.

PROPERTY INFORMATION

**Address, Land Lot,
and District** 201 Mount Vernon Highway
Land Lot 89, 123 and 124, District 17

Council District 3

Frontage and Area 1,104.96 feet of frontage along Mt. Vernon Highway. The subject property has a total area of 122.22 acres.

**Existing Zoning
and Use** AG-1 (Agricultural District) conditional under zoning case Z93 -030 and zoning modification case ZM08-016/CV08-034, developed with a cemetery and mausoleums.

Overlay District N/A

**2027 Comprehensive
Future Land Use
Map Designation** Community Facility

Existing Use Cemetery and Mausoleums

INTENT

MODIFICATION OF CONDITIONS OF Z93 -030 AND ZM08-016/CV08-034 APPROVED BY THE CITY OF SANDY SPRINGS MAYOR AND CITY COUNCIL ON AUGUST 4, 1993 AND FEBRUARY 17, 2009

The applicant is seeking approval to revise the cemetery site plan approved as Condition 2.a. of applications Z93 -030 and ZM08-016/CV08-034 to primarily allow for the relocation of an internal drive.

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

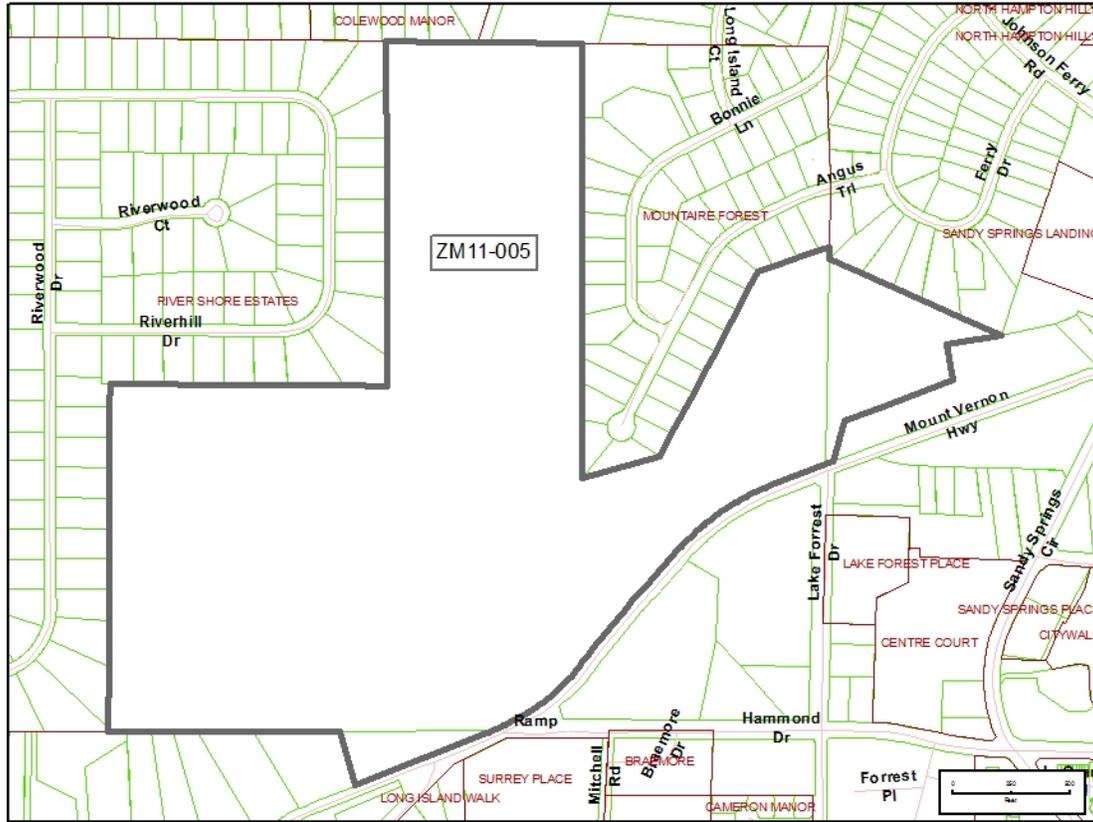
- 1) Variance from Section 109-225.a 1 and 2 of the Stream Buffer Protection Ordinance to reduce the seventy-five (75) foot buffer and setback requirements (50 foot undisturbed natural buffer and 25 foot impervious surface setback) to the extent necessary to allow for existing and proposed improvements in accordance with the site plan and letter of intent received by the Department of Community Development on December 6, 2012 (CV11-007).

DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION

**ZM11-005 - APPROVAL CONDITIONAL
CV11-007 - APPROVAL CONDITIONAL**

Location Map

201 Mount Vernon Highway NW



BACKGROUND

The site is located on the north side of Mt. Vernon Highway at the intersection with Hammond Drive. The property is zoned AG-1 (Agricultural District) conditional under zoning case Z93-030 and zoning modification case ZM08-016/CV08-034 and is currently developed with a cemetery. It is mostly surrounded by single-family residential development, except for some small scale commercial development (real estate offices) across the street on Mt. Vernon.

The following are the current set of conditions that run with the land:

1. To the owner's agreement to restrict the use of the subject property to the following:
 - a. A Cemetery and Mausoleums, and accessory structures (U93-011).
 - b. Administrative offices and sales offices incidental to the use described in condition 1.a., for a total gross square footage, including existing structures, not to exceed 7,500 square feet.
 - c. Funeral establishments shall be prohibited.
 - d. The manufacturing of vaults shall be prohibited. Storage of vaults shall be allowed.
2. To the owner's agreement to abide by the following:
 - a. To the Site Plan received by the Zoning Department on February 3, 2009 and to submit to the Director of Public Works for approval, prior to the approval of a Land Disturbance Permit, a revised Site Plan based on a certified boundary survey of the entire property zoned, incorporating the stipulations of these conditions of zoning approval and meeting or exceeding the requirements of the Zoning Resolution. (ZM08-016)
3. To the owner's agreement to the following site development considerations:
 - a. No vehicle traffic shall come within 25 feet of residential property, except along existing paved roadways permitted within the said setback pursuant to this petition.
 - b. Replant to buffer standards the area between the existing Oak Hill Drive and the north property line. Arlington Memorial Park will replace 17 pines next to the fence line behind 460 Riverhill Drive with 23 holly. Species of holly to be determined by the City of Sandy Springs Arborist. Plantings shall be completed prior to issuance of a Land Disturbance Permit (LDP).
 - c. Replant to buffer standards the area between the existing drive and the property line (by the Masonic, Cross, and Monument sections).
 - d. Provide a 50-foot setback for all buildings and above ground burial structures of every kind, excluding those existing, as shown on the site plan referenced in condition 2.a. except for headstones and identification monuments in Area 2 and the area adjacent to Area 2 identified on the site plan referenced in condition 2.a. (V93-049)
 - e. No more than the two existing exits/entrances on Mt. Vernon Highway. Curb cut location and alignment are subject to the approval of the City of Sandy Springs Traffic Engineer.
 - f. No access shall be allowed from Long Island Drive where it adjoins the northern property line.

- g. Replace the existing fence with a new fence along Mount Vernon Highway and angled back on the west side of the main entrance as it currently exists on the property as referenced on the maps showing the surveyed fence location submitted to the Department of Community Development on May 22, 2000. The fence must be located a minimum of 10.5 feet from the back of curb. The new fence shall be composed of black metal. It shall be 6 feet in height, consisting of 3 rail, 2-inch post and 8-foot panels. The fence shall be installed by September 1, 2000.
- h. Provide a setback for graves along Mount Vernon Highway in Area #1 from the right-of way line to the fence line on the east side of the main entrance as shown on the revised site plan submitted to the Department of Community Development on February 3, 2009. (2000VC-0062 NFC-Part 1). On the west side of the main entrance, the setback shall be 60 feet and no graves shall be allowed at the 60- foot setback line and within the area up to the fence as shown on the site plan.
- i. Provide a 10-foot side yard setback for graves in Area #2 as shown on the revised site plan submitted to the Department of Community Development on February 3, 2009. (2000VC-0062 NFC-Part 2)
- j. Provide a 5-foot side yard setback for graves in Area #3 as shown on the revised site plan submitted to the Department of Community Development on February 3, 2009. (2000VC-0062 NFC-Part 3)
- k. Provide a 5-foot rear yard setback for graves in Area #3 as shown on the revised site plan submitted to the Department of Community Development on February 3, 2009. (2000VC-0062 NFC-Part 4)
- l. Provide a 20-foot side yard setback for graves in Area #4 for a distance of 313 feet as shown on the revised site plan submitted to the Department of Community Development on February 3, 2009. (2000VC-0062 NFC-Part 5)
- m. Provide a landscape strip along Mount Vernon Highway in Area 1 in varying widths from the fence line to the property line on the east side of the main entrance as shown on the revised site plan submitted to the Department of Community Development on February 3, 2009. In areas where the fence line and property line overlap, a landscape strip shall be planted 3 feet into the right-of-way subject to approval from the Department of Public Works. The City of Sandy Springs will not be responsible for maintaining the landscaping. Should the County need to provide maintenance that eliminates the landscaping, the City of Sandy Springs will not be responsible for restoring the landscaping. The area on the west side of the main entrance shall remain an undisturbed buffer between the angled fence and the property line. Landscape strip shall be completed by March 31, 2001. (2000VC-0062 NFC-Part 6)
- n. The landscape plan for Area 1 shall be submitted to the Department of Community Development for review by the City of Sandy Springs no later than August 1, 2000. Planning Staff shall convene a meeting with the City of Sandy Springs Arborist, the applicant and representatives of the community to review the landscape plan within 30 days after approval from the City of Sandy Springs Arborist.
- o. The applicant shall provide a performance bond to the City of Sandy Springs at the time the landscape plan for Area 1 is approved. An appropriate indemnification agreement should be drafted to satisfy the County Attorney.

- p. Provide a landscape strip planted to buffer standards in the following widths shown. Said plantings and specifications shall be subject to the approval of the City of Sandy Springs Arborist. (2000VC-0062 NFC-Part 7)

Area #2- Ten feet

Area #3- Five feet (along property line labeled for a distance of 340 ft)

Area #4-Twenty feet (along property line labeled for a distance of 313 feet)

- q. Provide a 5-foot landscape strip planted to buffer standards in Area #3 along property line labeled for a distance of 635 feet. (2000VC-0062 NFC-Part 8)
- r. Reduce setbacks to extent necessary to allow existing driveways, paths, buildings and structures to remain.
- s. Demarcate existing and future grave sites along all interior property lines, interior to any required landscape strip, buffer, improvement setback or tree save area whichever applies as follows. The replacement fence will serve as demarcation in Area 1 for existing and future graves along Mount Vernon Highway. Areas 2, 3 and 4 as identified on the site plan shall be demarcated with 6" x 6" flush markers every 50 feet that are painted and readily identifiable. In undeveloped areas, a 4-foot high above ground metal fence post shall be installed every 50 feet with the top of post painted and readily identifiable subject to the approval of the Director of Community Development.
- t. The tree save area as identified on the site plan received by the Department of Community Development on February 3, 2009 shall be demarcated with 6x6 flush markers on all corners that are painted and readily identifiable subject to the approval of the Director of Community Development.
- u. All demarcation shall be in place no later than March 1, 2009.
- v. Demarcation plan subject to the approval of the Director of Community Development must be posted within public view no later than March 1, 2009 in the Arlington Park sales office and shall be maintained there at all times.
- w. Provide a 35-foot side yard setback for a distance of 213 feet for graves in Area #4 starting beyond the 313 feet referenced in condition t. as shown on the revised site plan submitted to the Department of Community Development on February 3, 2009.
- x. Provide a tree save area as shown on Exhibit 1 submitted to the Department of Environment and Community Development on May 31, 2000, subject to the approval of the City of Sandy Springs Arborist. A separate map of the tree save area shall be posted within public view no later than September 1, 2000 in the Arlington Park sales office and shall be maintained there at all times.
- y. Plant one (1) row of 6 plants to be approved by the City of Sandy Springs Arborist behind 430 Riverhill Drive beginning at the edge of the residents' south property line and running north for a distance of 50 feet. Plantings shall be completed prior to issuance of a Land Disturbance Permit (LDP).
- z. Arlington Cemetery shall maintain the required planted buffers and landscape strips as conditioned pursuant to zoning modification 2000ZM-0021 NFC and concurrent variances 2000VC-0062 NFC, Parts 1-8.

- aa. To allow the applicant an exemption from the requirements of the Urban Overlay District Streetscape standards for planting strip, sidewalks, street trees and lighting due to the existence of graves along the majority of the property line along Mt. Vernon Highway. (CV08-028).
 - bb. Reserve an area extending 130' from the centerline of Mt. Vernon Highway from the vehicular entrance southwest to the property line adjacent to 211 Mt. Vernon Highway as future right of way. The reserved area may not include any permanent structures or burial plots.
 - cc. No above ground monuments will be placed within the 50-foot building setback.
 - dd. Prior to each major phase of expansion, construction fencing shall be installed along all clearing limits and inspected by the City of Sandy Springs prior to clearing. Said fencing shall be subject to the approval of the City of Sandy Springs Arborist.
 - ee. Planting of trees in compliance with the City of Sandy Springs shall be made in buffer areas along the property lines, as practically as possible, to enhance the existing vegetative buffer. Said tree planting plan shall be subject to the approval of the City of Sandy Springs Arborist.
 - ff. Proposed mausoleums shall not exceed 35 feet in height and shall not be located closer than 65 feet to any property line.
 - gg. Any security lighting on mausoleums shall have a controlled footprint and be screened from adjacent residential areas.
 - hh. The relocated maintenance building shall not exceed 35 feet in height, shall not be located closer than 70 feet to the closest property line and be painted a dark or neutral color to limit its visibility from surrounding residential areas.
 - ii. Construction shall not commence on the mausoleums identified as mausoleums A,B and C on the site plan dated January 30, 2009 prior to the date specified for each:
 - A. 15 years from the date of approval of this application.
 - B. 20 years from the date of approval of this application.
 - C. 25 years from the date of approval of this application.
 - jj. Proposed mausoleums located along the eastern property line adjacent to properties fronting Bonnie Lane shall be set back 115 feet. Said mausoleums shall be located consistent with the existing grade of the land in this area.
4. To the owner's agreement to abide by the following requirements, dedications, and improvements:
- a. Dedicate at no cost to the City of Sandy Springs along the entire property frontage, prior to the approval of a Land Disturbance Permit, sufficient land as necessary to provide at no cost to the City of Sandy Springs such additional right-of-way as may be required to provide at least 10.5 feet of right-of-way from the back of curb of all abutting road improvements, as well as allow the necessary construction easements while the rights-of-way are being improved.
 - b. Improve Mount Vernon Highway along the entire property frontage with curb and gutter per City of Sandy Springs standards.

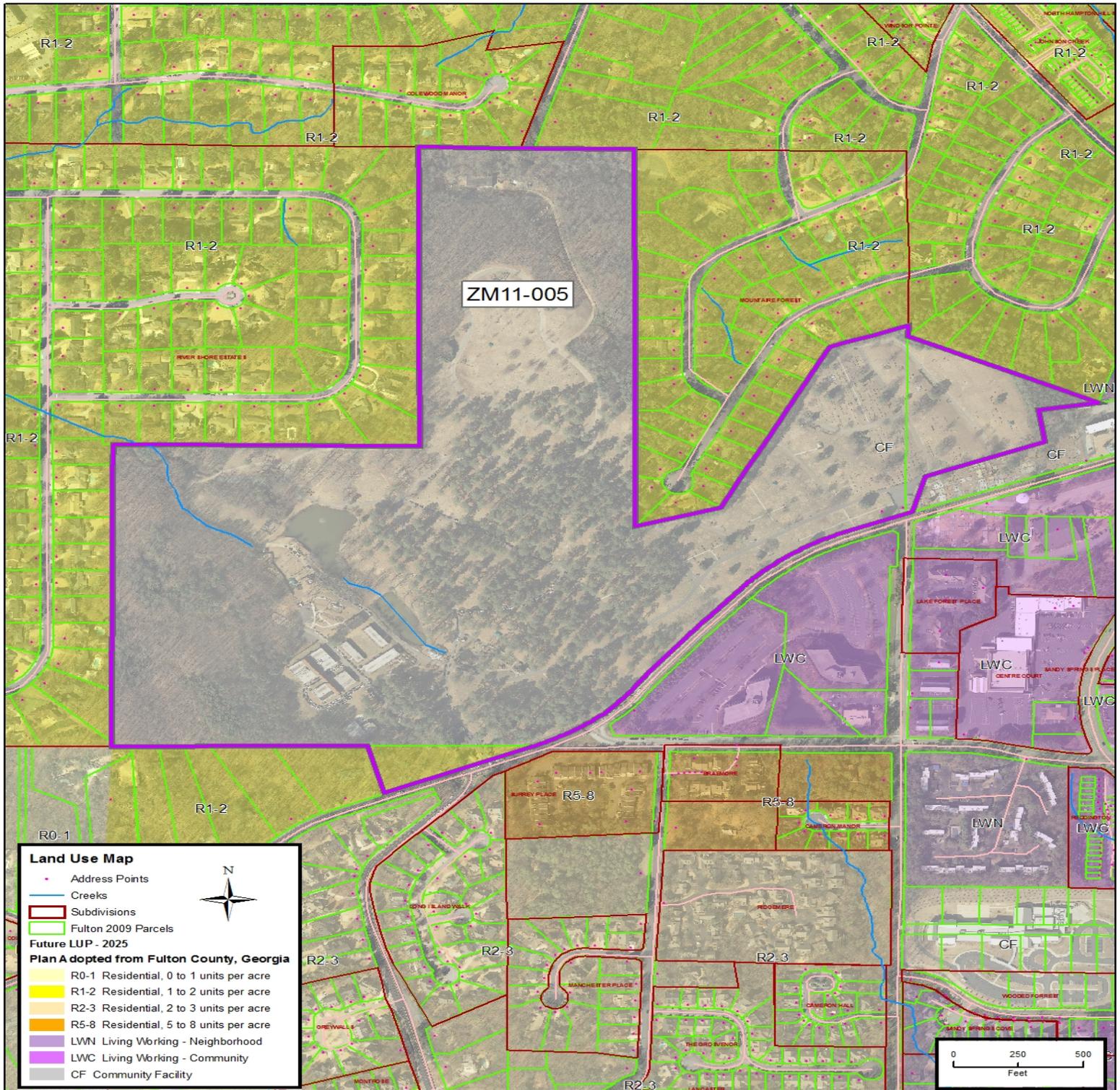
- c. Provide a deceleration lane for each project entrance or as may be approved by the City of Sandy Springs Engineer.
5. To the owner's agreement to abide by the following:
- a. To contact the Director of Public Works, prior to the application for a Land Disturbance Permit, to arrange with the County Arborist an on-site evaluation of existing specimen trees/ stands, buffers, and tree protection zones within the property boundaries.
 - b. To maintain as a minimum, the tree density requirements as prescribed by the City of Sandy Springs Tree Preservation Ordinance Administrative Guidelines, either through the retention of existing trees, or tree replacement in perpetuity.
 - c. Analyze the downstream effect from stormwater management structures and the development, hydrologic-hydraulic engineering studies shall extend downstream to a point where development represents less than 10% of the total watershed at this point.
 - d. Evaluate the downstream ditch stability and bank erosion protection potential of existing downstream conveyance system. Provide all necessary documentation to the Department of Public Works at construction drawing phase.
 - e. Provide downstream analysis of the flood discharge timing effect on the existing conveyance systems due to each storm frequency.
 - f. All natural streams within the limit of project must be stable and be expected to remain stable under ultimate development or provide appropriate erosion protection for the streams subject to the approval of the Department of Public Works.
 - g. The design discharge at the outlet of drainage system shall not result in velocities that equal/exceed the erosive velocity or the existing velocity of the receiving channel/ draw, unless dissipation and erosion protection measures are placed at the outlet. Provide Public Works with documentation.
 - h. Detention must be provided subject to the approval of Public Works.
 - i. To contact the Drainage Basin Engineer prior to any application for a Land Disturbance Permit, subsequent to this petition, to arrange an on-site visit evaluation as to the location, stormwater discharge path of detention pond and other downstream constraints.
 - j. Lots should generally be graded in such a manner that the surface runoff does not affect downstream lots or flow through lots shall be collected and conveyed in appropriate storm drainage system. (Provide documentation at the construction drawing phase and subject to the approval of Public Works.
 - k. Conditions c, d, e, f, and g are subject to the approval of the Drainage Engineer.

EXISTING LAND USE AND ZONING OF ABUTTING PROPERTY

SUBJECT PETITION ZM11-005	Existing Use		Land Area (Acres)	Square Footage	Density (Square Feet per Acre)
	Cemetery		122.22	n/a	n/a
Location in relation to subject property	Zoning	Use	Land Area (Acres)	Square Footage or Number of Units	Density (Square Feet or Units Per Acre)
North	R-3	170, 180, 190 Colewood Way Single Family Homes	.41, .58, .59	1	1.69 - 2.43 du/ac
North	R-3	6375 Long Island Drive Single Family Home	2.63	1	.38 du/ac
East	R-4 1998Z-0113	0 Mt. Vernon Hwy. Single family homes	4.45	1	.224 du/ac
East	R-3	Bonnie Lane, Long Island Ct. Single family homes	1.61, 2.21, .42, .43	1	2.38 - .452 du/ac
South East	O-I 1982Z-0043	6095 Lake Forrest Drive	3.0	1	.33 du/ac
South East	O-I 1985Z-0172	6000 & 6100 Lake Forrest Drive Century Springs West Real Estate	6.67	20,363.62±	3,053 s.f./ac
South	TR 1981Z-0016	Surrey Place Townhomes 5996 Mitchell Road	5.32	29 units	5.45 du/ac
South	R-4A 1989Z-0019	5825 - 5880 Long Grove Drive Single family homes	.31 to .37	1	2.70 to 3.22 du/ac
South	R-2A 1995Z-0036	5970 - 5990 Long Island Drive Single family homes	.77 to 1.02	1	.98 to 1.29 du/ac
South East	R-1	211, 233, 251, 261, 277 Mt. Vernon Highway Single family homes	2.11, 2.13, 2.17, 2.17, 2.61	1	.38 to .47 du/ac
East	R-3 1962Z-0002, 1962Z-0003	Residential single family homes	.61 to .87	1	1.14 to 1.63

Future Land Use Map

201 Mount Vernon Highway NW



Photographs



Subject Internal Road



Subject Internal Road



Subject Internal Road



Subject Internal Road

Photographs



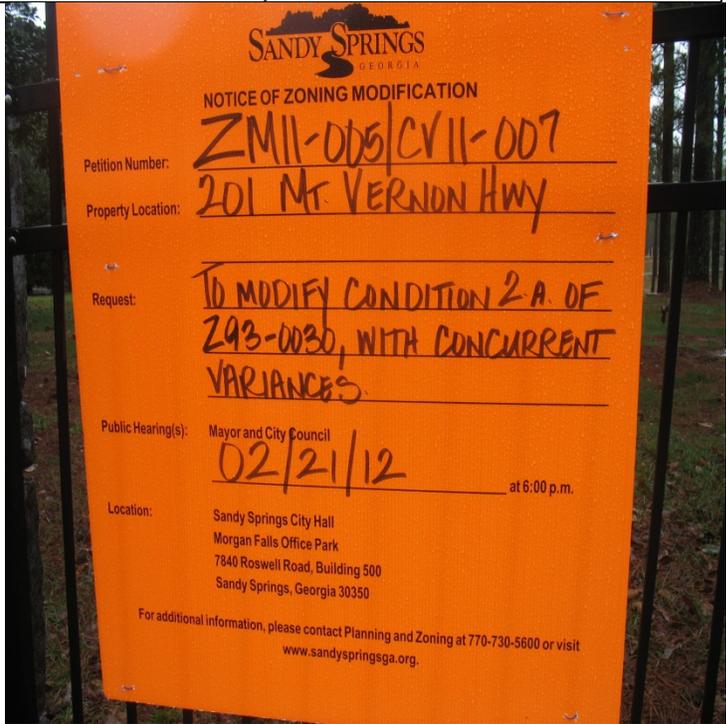
Subject Internal Road



Subject Internal Road



Subject Detention Area



Sign

APPLICANT'S INTENT

The applicant is seeking approval to revise the cemetery site plan approved as Condition 2.a. of applications Z93 -030 and ZM08-016/CV08-034 to primarily allow for the relocation of an internal drive.

The staff is of the opinion that the request to amend the approved site plan is warranted and is in harmony with the intent of the Zoning Ordinance. The staff is aware of concern and opposition to this application from nearby property owners in that the relocation and construction of the internal drive might negatively affect water quality and stormwater drainage onto adjacent properties. The applicant has submitted an "Arlington Cemetery Master Hydrology Report" that includes a proposal to increase stormwater detention capacity to result in post-development peak stormwater discharge rates that do not exceed current peak discharge rates for the 1, 2, 5, 10, 25, 50, and 100 year design storm events, in accordance with current design standards, upon completion of the cemetery expansion at the west end of the cemetery. Permits for future development shall also comply with current water quality standards. The Master Hydrology Report is in the file as a matter of record. Therefore, based on these reasons the staff recommends APPROVAL CONDITIONAL of the modification of this condition.

VARIANCE CONSIDERATIONS

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

1. Variance from Section 109-225.a 1 and 2 of the Stream Buffer Protection Ordinance to reduce the seventy-five (75) foot buffer and setback requirements (50 foot undisturbed natural buffer and 25 foot impervious surface setback) to the extent necessary to allow for existing and proposed improvements in accordance with the site plan and letter of intent received by the Department of Community Development on December 6, 2012 (CV11-007).

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.

Section 109.225 of the Sandy Springs Stream Buffer Protection Ordinance provides the following:

Sec. 109-225. Land development requirements.

(b) *Variance procedures.* Variances from subsection (a) of this section may be granted in accordance with the following provisions:

(3) Variances will be considered only in the following cases:

a. When a property's shape, topography or other physical conditions existing at the time of the adoption of the ordinance from which this article is derived prevents land development unless a buffer variance is granted.

Finding:

The property's shape, topography, and physical conditions existed at the time of the adoption of the ordinance. Staff notes the stream buffer covers approximately one eighth (1/8) of the property. The 122.26 acres property has an irregular shape, and slopes from the Mount Vernon Highway towards the two (2) ponds on the western side of the property. The cemetery has a rolling topography. The topography changes from an elevation of 1,100 feet at Mount Vernon Highway to 990 feet to the western property line. The proposed storm water piping is designed to alleviate erosion and flooding of the onsite road. The applicant can not address the erosion or flooding issue without a stream buffer variance. Based on these reasons, staff is of the opinion this condition has been satisfied.

Prepared by the City of Sandy Springs Department of Community Development for the Mayor and City Council Hearing on February 21, 2012.

b. *Unusual circumstances when strict adherence to the minimal buffer requirements in this article would create an extreme hardship.*

Finding:

Staff notes the stream buffer covers approximately one eighth (1/8) of the property. An extreme hardship is presented when strict adherence to the minimal buffer requirement is followed. The proposed storm water piping is designed to alleviate erosion and flooding of the onsite road. The applicant can not address the erosion or flooding issue without a stream buffer variance. Based on these reasons, staff is of the opinion this condition has been satisfied.

*Staff is of the opinion that relief from this ordinance requirement will not compromise the public health, safety or welfare because the applicant has submitted an "Arlington Cemetery Master Hydrology Report" that includes a proposal to increase stormwater detention capacity to result in post-development peak stormwater discharge rates that do not exceed current peak discharge rates for the 1, 2, 5, 10, 25, 50, and 100 year design storm events, in accordance with current design standards, upon completion of the cemetery expansion at the west end of the cemetery. Permits for future development shall also comply with current water quality standards. The Master Hydrology Report is in the file as a matter of record. Therefore, based on these reasons, the staff recommends **APPROVAL** of this concurrent variance request.*

DEPARTMENT COMMENTS

The staff held a Focus Meeting on January 11, 2012 at which the following departmental comments were provided.

BUILDING & DEVELOPMENT DIVISION	Sandy Springs Building Officer	<ul style="list-style-type: none"> There are no Building Code requirements that need to be addressed at this time.
	Sandy Springs Chief Engineer	<ul style="list-style-type: none"> The applicant has submitted an "Arlington Cemetery Master Hydrology Report" that includes a proposal to increase stormwater detention capacity to result in post-development peak stormwater discharge rates that do not exceed current peak discharge rates for the 1, 2, 5, 10, 25, 50, and 100 year design storm events, in accordance with current design standards, upon completion of the cemetery expansion at the west end of the cemetery. Permits for future development shall also comply with current water quality standards. The Master Hydrology Report is in the file as a matter of record. Any Land Development Permit related to this Zoning Modification or Variance shall include providing detention, compliant with current standards, for the drainage basin containing the proposed development, considering the basin to be fully developed as represented on the Zoning Modification site plan. Operation and maintenance of detention shall be the responsibility of the property owner.
	Sandy Springs Chief Environmental Compliance Officer	<ul style="list-style-type: none"> The proposed encroachment into the stream buffer will facilitate work in the detention pond to correct current deficiencies.
CODE ENFORCEMENT	Officer	<ul style="list-style-type: none"> There are no maintenance code violations.
FIRE DEPT.	Sandy Springs Fire Protection Engineer	<ul style="list-style-type: none"> There are no Fire Department requirements that need to be addressed at this time.
TRANSPORTATION	Sandy Springs Transportation Planner	<ul style="list-style-type: none"> Public works has reviewed the petition and does not anticipate the modification will have an adverse impact on the existing streets or transportation network.
	Georgia Department of Transportation	<ul style="list-style-type: none"> There are no GDOT requirements that need to be addressed at this time.

The staff has not received any additional comments from the Fulton County Board of Education.

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 to the following:
 - a. A Cemetery and Mausoleums, and accessory structures (U93-011).
 - b. Administrative offices and sales offices incidental to the use described in condition 1.a., for a total gross square footage, including existing structures, not to exceed 7,500 square feet.
 - c. Funeral establishments shall be prohibited.
 - d. The manufacturing of vaults shall be prohibited. Storage of vaults shall be allowed.

2. To the owner's agreement to abide by the following:
 - a. To the Site Plan received by the Zoning Department of Community Development on ~~February 3, 2009~~ **December 6, 2011** and to submit to the Director of Public Works for approval, prior to the approval of a Land Disturbance Permit, a revised Site Plan based on a certified boundary survey of the entire property zoned, incorporating the stipulations of these conditions of zoning approval and meeting or exceeding the requirements of the Zoning Resolution. (ZM08-016)
 - b. **Any Land Development Permit related to this Zoning Modification application (ZM11-005/CV11-007) shall include providing detention, compliant with current standards, for the drainage basin containing the proposed development, considering the basin to be fully developed as represented on the Zoning Modification site plan received by the Department of Community Development on December 6, 2011. Any proposed additional development, resulting from approval of this Zoning Modification petition, including work associated with the relocation of the road, shall be contingent upon the owner accepting ownership of the pond and holding the City of Sandy Springs harmless for the pond, its operation, and its maintenance by executing an Indemnification Agreement. Operation and maintenance of detention shall be the responsibility of the property owner.**

3. To the owner's agreement to the following site development considerations:
 - a. No vehicle traffic shall come within 25 feet of residential property, except along existing paved roadways permitted within the said setback pursuant to this petition.
 - b. Replant to buffer standards the area between the existing Oak Hill Drive and the north property line. Arlington Memorial Park will replace 17 pines next to the fence line behind 460 Riverhill Drive with 23 holly. Species of holly to be determined by the City of Sandy Springs Arborist. Plantings shall be completed prior to issuance of a Land Disturbance Permit (LDP).
 - c. Replant to buffer standards the area between the existing drive and the property line (by the Masonic, Cross, and Monument sections).
 - d. Provide a 50-foot setback for all buildings and above ground burial structures of every kind, excluding those existing, as shown on the site plan referenced in condition 2.a. except for

headstones and identification monuments in Area 2 and the area adjacent to Area 2 identified on the site plan referenced in condition 2.a. (V93-049)

- e. No more than the two existing exits/entrances on Mt. Vernon Highway. Curb cut location and alignment are subject to the approval of the City of Sandy Springs Traffic Engineer.
- f. No access shall be allowed from Long Island Drive where it adjoins the northern property line.
- g. Replace the existing fence with a new fence along Mount Vernon Highway and angled back on the west side of the main entrance as it currently exists on the property as referenced on the maps showing the surveyed fence location submitted to the Department of Community Development on May 22, 2000. The fence must be located a minimum of 10.5 feet from the back of curb. The new fence shall be composed of black metal. It shall be 6 feet in height, consisting of 3 rail, 2-inch post and 8-foot panels. The fence shall be installed by September 1, 2000.
- h. Provide a setback for graves along Mount Vernon Highway in Area #1 from the right-of way line to the fence line on the east side of the main entrance as shown on the revised site plan submitted to the Department of Community Development on February 3, 2009. (2000VC-0062 NFC-Part 1). On the west side of the main entrance, the setback shall be 60 feet and no graves shall be allowed at the 60-foot setback line and within the area up to the fence as shown on the site plan.
- i. Provide a 10-foot side yard setback for graves in Area #2 as shown on the revised site plan submitted to the Department of Community Development on February 3, 2009. (2000VC-0062 NFC-Part 2)
- j. Provide a 5-foot side yard setback for graves in Area #3 as shown on the revised site plan submitted to the Department of Community Development on February 3, 2009. (2000VC-0062 NFC-Part 3)
- k. Provide a 5-foot rear yard setback for graves in Area #3 as shown on the revised site plan submitted to the Department of Community Development on February 3, 2009. (2000VC-0062 NFC-Part 4)
- l. Provide a 20-foot side yard setback for graves in Area #4 for a distance of 313 feet as shown on the revised site plan submitted to the Department of Community Development on February 3, 2009. (2000VC-0062 NFC-Part 5)
- m. Provide a landscape strip along Mount Vernon Highway in Area 1 in varying widths from the fence line to the property line on the east side of the main entrance as shown on the revised site plan submitted to the Department of Community Development on February 3, 2009. In areas where the fence line and property line overlap, a landscape strip shall be planted 3 feet into the right-of-way subject to approval from the Department of Public Works. The City of Sandy Springs will not be responsible for maintaining the landscaping. Should the County need to provide maintenance that eliminates the landscaping, the City of Sandy Springs will not be responsible for restoring the landscaping. The area on the west side of the main entrance shall remain an undisturbed buffer between the angled fence and the property line. Landscape strip shall be completed by March 31, 2001. (2000VC-0062 NFC-Part 6)
- n. The landscape plan for Area 1 shall be submitted to the Department of Community Development for review by the City of Sandy Springs no later than August 1, 2000. Planning Staff shall convene a meeting with the City of Sandy Springs Arborist, the applicant and representatives of the

community to review the landscape plan within 30 days after approval from the City of Sandy Springs Arborist.

- o. The applicant shall provide a performance bond to the City of Sandy Springs at the time the landscape plan for Area 1 is approved. An appropriate indemnification agreement should be drafted to satisfy the County Attorney.
- p. Provide a landscape strip planted to buffer standards in the following widths shown. Said plantings and specifications shall be subject to the approval of the City of Sandy Springs Arborist. (2000VC-0062 NFC-Part 7)
 - Area #2- Ten feet
 - Area #3- Five feet (along property line labeled for a distance of 340 ft)
 - Area #4-Twenty feet (along property line labeled for a distance of 313 feet)
- q. Provide a 5-foot landscape strip planted to buffer standards in Area #3 along property line labeled for a distance of 635 feet. (2000VC-0062 NFC-Part 8)
- r. Reduce setbacks to extent necessary to allow existing driveways, paths, buildings and structures to remain.
- s. Demarcate existing and future grave sites along all interior property lines, interior to any required landscape strip, buffer, improvement setback or tree save area whichever applies as follows. The replacement fence will serve as demarcation in Area 1 for existing and future graves along Mount Vernon Highway. Areas 2, 3 and 4 as identified on the site plan shall be demarcated with 6" x 6" flush markers every 50 feet that are painted and readily identifiable. In undeveloped areas, a 4-foot high above ground metal fence post shall be installed every 50 feet with the top of post painted and readily identifiable subject to the approval of the Director of Community Development.
- t. The tree save area as identified on the site plan received by the Department of Community Development on February 3, 2009 shall be demarcated with 6x6 flush markers on all corners that are painted and readily identifiable subject to the approval of the Director of Community Development.
- u. All demarcation shall be in place no later than March 1, 2009.
- v. Demarcation plan subject to the approval of the Director of Community Development must be posted within public view no later than March 1, 2009 in the Arlington Park sales office and shall be maintained there at all times.
- w. Provide a 35-foot side yard setback for a distance of 213 feet for graves in Area #4 starting beyond the 313 feet referenced in condition t. as shown on the revised site plan submitted to the Department of Community Development on February 3, 2009.
- x. Provide a tree save area as shown on Exhibit 1 submitted to the Department of Environment and Community Development on May 31, 2000, subject to the approval of the City of Sandy Springs Arborist. A separate map of the tree save area shall be posted within public view no later than September 1, 2000 in the Arlington Park sales office and shall be maintained there at all times.
- y. Plant one (1) row of 6 plants to be approved by the City of Sandy Springs Arborist behind 430 Riverhill Drive beginning at the edge of the residents' south property line and running north for a

distance of 50 feet. Plantings shall be completed prior to issuance of a Land Disturbance Permit (LDP).

- z. Arlington Cemetery shall maintain the required planted buffers and landscape strips as conditioned pursuant to zoning modification 2000ZM-0021 NFC and concurrent variances 2000VC-0062 NFC, Parts 1-8.
- aa. To allow the applicant an exemption from the requirements of the Urban Overlay District Streetscape standards for planting strip, sidewalks, street trees and lighting due to the existence of graves along the majority of the property line along Mt. Vernon Highway. (CV08-028).
- bb. Reserve an area extending 130' from the centerline of Mt. Vernon Highway from the vehicular entrance southwest to the property line adjacent to 211 Mt. Vernon Highway as future right of way. The reserved area may not include any permanent structures or burial plots.
- cc. No above ground monuments will be placed within the 50-foot building setback.
- dd. Prior to each major phase of expansion, construction fencing shall be installed along all clearing limits and inspected by the City of Sandy Springs prior to clearing. Said fencing shall be subject to the approval of the City of Sandy Springs Arborist.
- ee. Planting of trees in compliance with the City of Sandy Springs shall be made in buffer areas along the property lines, as practically as possible, to enhance the existing vegetative buffer. Said tree planting plan shall be subject to the approval of the City of Sandy Springs Arborist.
- ff. Proposed mausoleums shall not exceed 35 feet in height and shall not be located closer than 65 feet to any property line.
- gg. Any security lighting on mausoleums shall have a controlled footprint and be screened from adjacent residential areas.
- hh. The relocated maintenance building shall not exceed 35 feet in height, shall not be located closer than 70 feet to the closest property line and be painted a dark or neutral color to limit its visibility from surrounding residential areas.
- ii. Construction shall not commence on the mausoleums identified as mausoleums A,B and C on the site plan dated January 30, 2009 prior to the date specified for each:
 - A. 15 years from the date of approval of this application.
 - B. 20 years from the date of approval of this application.
 - C. 25 years from the date of approval of this application.
- jj. Proposed mausoleums located along the eastern property line adjacent to properties fronting Bonnie Lane shall be set back 115 feet. Said mausoleums shall be located consistent with the existing grade of the land in this area.
- kk. Variance from Section 109-225.a 1 and 2 of the Stream Buffer Protection Ordinance to reduce the seventy-five (75) foot buffer and setback requirements (50 foot undisturbed natural buffer and 25 foot impervious surface setback) to the extent necessary to allow for existing and proposed improvements in accordance with the site plan and letter of intent received by the Department of Community Development on December 6, 2012 (CV11-

007).

4. To the owner's agreement to abide by the following requirements, dedications, and improvements:
 - a. Dedicate at no cost to the City of Sandy Springs along the entire property frontage, prior to the approval of a Land Disturbance Permit, sufficient land as necessary to provide at no cost to the City of Sandy Springs such additional right-of-way as may be required to provide at least 10.5 feet of right-of-way from the back of curb of all abutting road improvements, as well as allow the necessary construction easements while the rights-of-way are being improved.
 - b. Improve Mount Vernon Highway along the entire property frontage with curb and gutter per City of Sandy Springs standards.
 - c. Provide a deceleration lane for each project entrance or as may be approved by the City of Sandy Springs Engineer.
5. To the owner's agreement to abide by the following:
 - a. To contact the Director of Public Works, prior to the application for a Land Disturbance Permit, to arrange with the County Arborist an on-site evaluation of existing specimen trees/stands, buffers, and tree protection zones within the property boundaries.
 - b. To maintain as a minimum, the tree density requirements as prescribed by the City of Sandy Springs Tree Preservation Ordinance Administrative Guidelines, either through the retention of existing trees, or tree replacement in perpetuity.
 - c. Analyze the downstream effect from stormwater management structures and the development, hydrologic-hydraulic engineering studies shall extend downstream to a point where development represents less than 10% of the total watershed at this point.
 - d. Evaluate the downstream ditch stability and bank erosion protection potential of existing downstream conveyance system. Provide all necessary documentation to the Department of Public Works at construction drawing phase.
 - e. Provide downstream analysis of the flood discharge timing effect on the existing conveyance systems due to each storm frequency.
 - f. All natural streams within the limit of project must be stable and be expected to remain stable under ultimate development or provide appropriate erosion protection for the streams subject to the approval of the Department of Public Works.
 - g. The design discharge at the outlet of drainage system shall not result in velocities that equal/exceed the erosive velocity or the existing velocity of the receiving channel/draw, unless dissipation and erosion protection measures are placed at the outlet. Provide Public Works with documentation.
 - h. Detention must be provided subject to the approval of Public Works.
 - i. To contact the Drainage Basin Engineer prior to any application for a Land Disturbance Permit, subsequent to this petition, to arrange an on-site visit evaluation as to the location, stormwater discharge path of detention pond and other downstream constraints.

- j. Lots should generally be graded in such a manner that the surface runoff does not affect downstream lots or flow through lots shall be collected and conveyed in appropriate storm drainage system. (Provide documentation at the construction drawing phase and subject to the approval of Public Works.
- k. Conditions c, d, e, f, and g are subject to the approval of the Drainage Engineer.
- l. At such time as work begins on the Phase 1 Improvements, as defined below in condition 5.m., dirt generated by cemetery operations will be placed in the stockpile areas identified as the "Phase 1 Improvements" on the Grading & Drainage Detention Pond Plans received by the Department of Community Development on February 10, 2012 which will contain erosion protection that is compliant with all Federal, State, and Local laws and regulations.
- m. Owner's obligation to begin implementation of the improvements detailed in the November 1, 2011 Master Hydrology Report by Prime Engineering and identified as the "Phase 1 Improvements" on the plans attached hereto "Grading & Drainage Detention Pond" numbered C-201.1 and C-201.2 and received by the Department of Community Development on February 10, 2012 (the "Phase 1 Improvements") are conditioned on the issuance of all permits and approvals from any relevant agency needed for such implementation. These include, without limitation, issuance of any variances and permits from federal agencies including the Army Corps of Engineers, any state agencies including the Environmental Protection Division and the Georgia Soil and Water Conservation Commission, Fulton County agencies and the City of Sandy Springs (collectively, the "Agencies"). The City agrees that it will be the named party and applicant requesting approval from the Agencies, such request to be based on Phase 1 Improvement Plans to be provided to the City by the Owner. The Owner's responsibilities shall include and be limited to preparation of the Phase 1 drainage, grading and erosion and sedimentation control plans for the Phase 1 Improvements and payment of application fees and permit fees specific to those plans and the Phase 1 Improvements. The Owner will cooperate promptly and as necessary with any requests specific to those plans made of the City by the Agencies and will pay any fees required in that process. Owner shall begin implementation of the Phase 1 Improvements within 90 days after issuance of all necessary approvals for the Phase 1 Improvements. Owner's obligation to implement the Phase 1 Improvements is further conditioned on receipt of a construction easement from Fulton County to allow implementation of the Phase 1 Improvements. Upon completion and final approval by the Agencies of the Phase 1 Improvements, the Owner shall execute the Indemnification and Maintenance Agreement for Detention Ponds with the City of Sandy Springs and accept a quitclaim deed from Fulton County releasing the County's interest and responsibility to the Owner for maintenance of the County Detention Basin identified as Basin #1 in the master hydrology report and drainage plans.
- n. No mausoleums or estate lots (impervious markers) shall be within the 75 foot stream buffer as shown on the site plan received by the Department of Community Development on December 6, 2012.
- o. The owner/applicant shall restore the 25 foot stream buffer areas that are currently disturbed and are disturbed as a result from any proposed additional development that is a part of this application (ZM11-005/CV11-007). The aforementioned stream buffer areas shall be restored and maintained to riparian standards as regulated.

Attachments

Letter of Intent received dated December 6, 2011

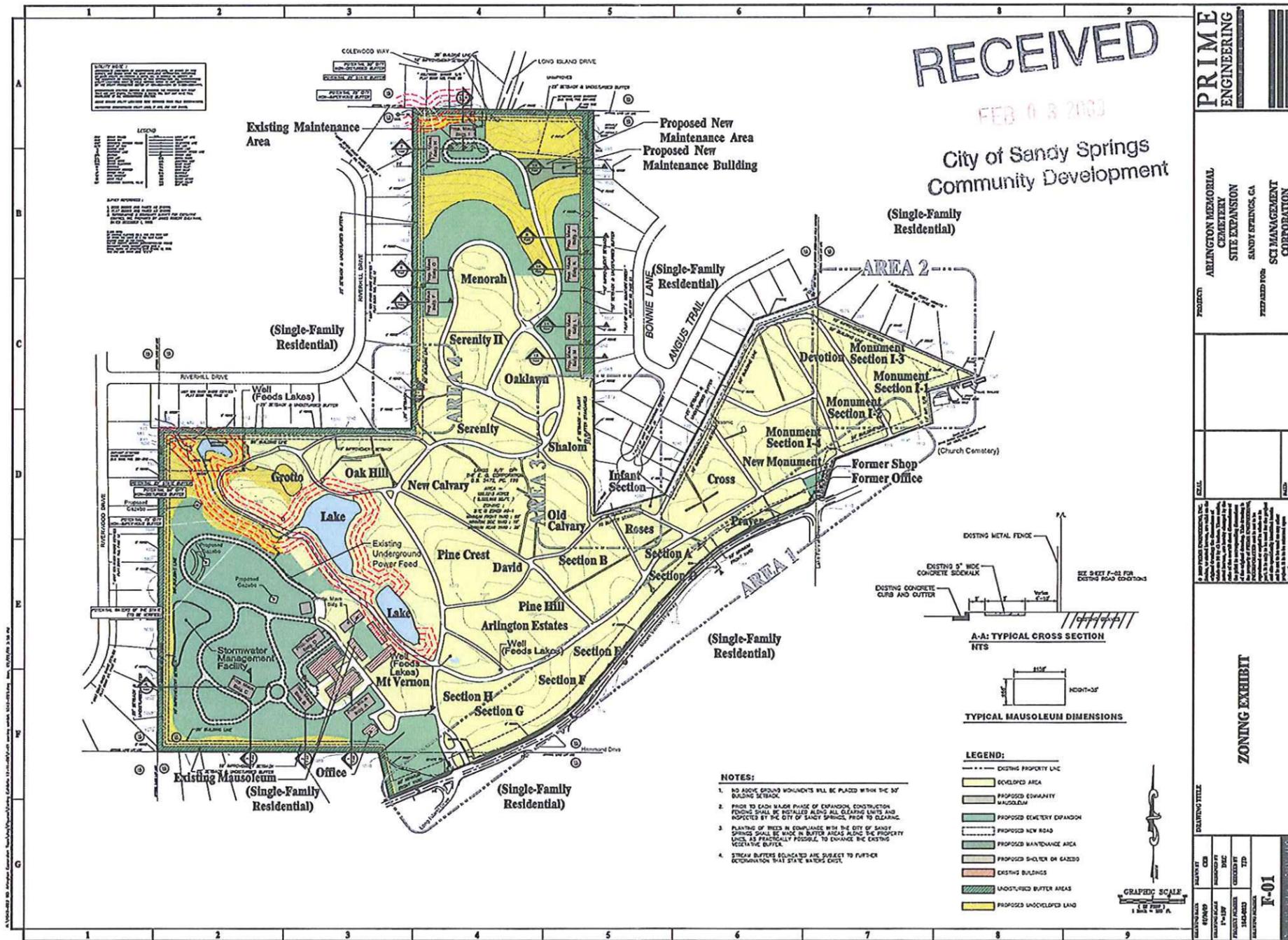
Site Plans received dated December 6, 2011

Grading & Drainage Detention Pond Plans received by the Department of Community Development on February 10, 2012

Previously Approved Site Plan received February 3, 2009

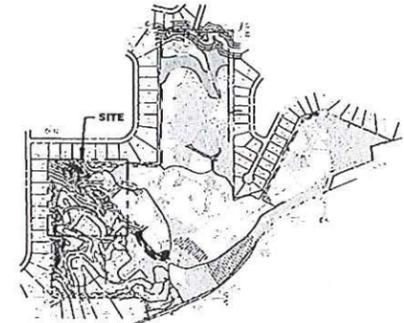
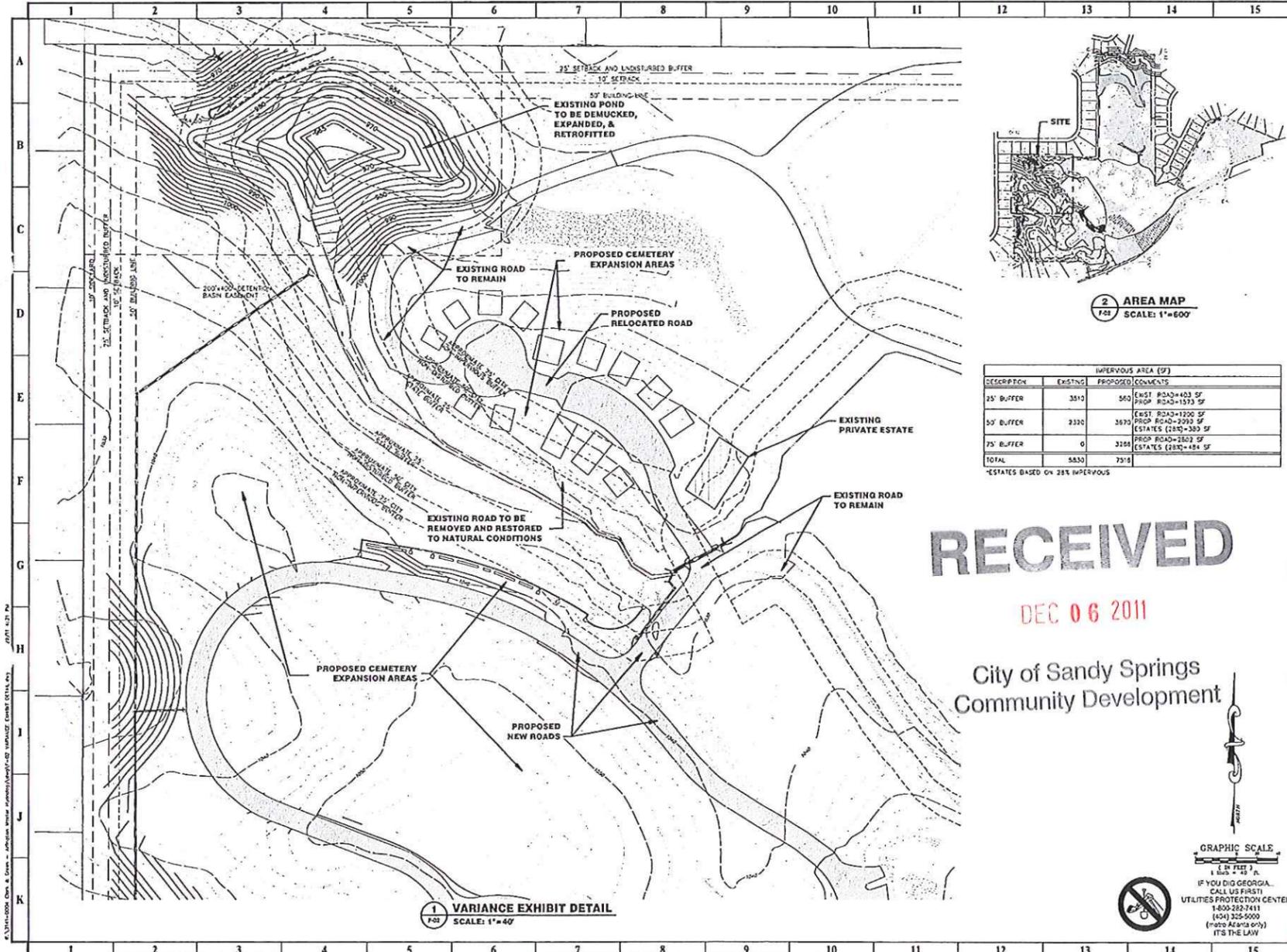
Letter from Fulton County Dept. of the Environment and Community Development received January 27, 2012

Emails of opposition dated as sent and received



PREVIOUSLY APPROVED
SITE PLAN

ZM11-005



2 AREA MAP
SCALE: 1"=600'

DESCRIPTION	IMPERVIOUS AREA (SF)		COMMENTS
	EXISTING	PROPOSED	
35' BUFFER	3510	560	EXIST. ROAD=403 SF PROP. ROAD=1573 SF
50' BUFFER	3330	3570	EXIST. ROAD=1200 SF PROP. ROAD=2370 SF
75' BUFFER	0	3266	PROP. ROAD=2602 SF ESTATES (185)-380 SF
TOTAL	5830	7396	ESTATES (185)-454 SF

*ESTATES BASED ON 28% IMPERVIOUS

RECEIVED

DEC 06 2011

City of Sandy Springs
Community Development

PRIME ENGINEERING
1000 W. WINDY HILL RD. SUITE 100
ALPHARETTA, GA 30201
TEL: 404.252.5000

PROJECT: ARLINGTON MEMORIAL PARK DETENTION POND REMEDIATION
PREPARED FOR: CLARK & GREEN

NO.	DATE	DESCRIPTION
1		
2		

SCALE: _____ DATE: _____

VARIANCE EXHIBIT DETAIL

DRAWN BY	DESIGNED BY	CHECKED BY	TYPED
AMH	JAB	TJD	

F-02

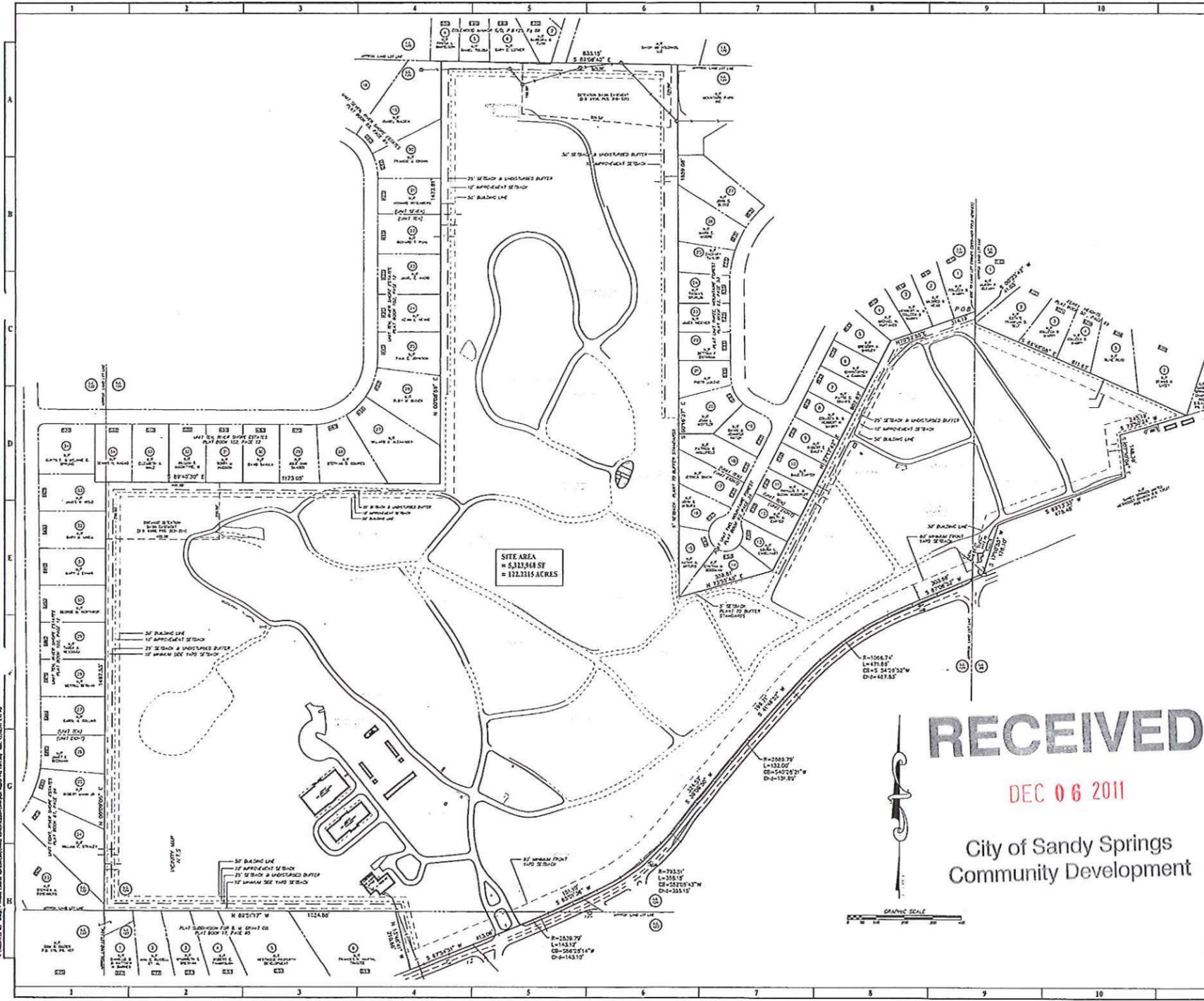
NOT USED FOR CONSTRUCTION

GRAPHIC SCALE
1"=40'
1"=600'

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(404) 326-5000
(Mobile Atlanta only)
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PROPOSED SITE PLAN

ZM11-005



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 City of Sandy Springs
 Community Development

PRIME ENGINEERING	
PROJECT: ARLINGTON MEMORIAL PARK OVERALL SITE	
PREPARED FOR: CITY OF SANDY SPRINGS	
DATE: 11/15/11	SCALE: AS SHOWN
BY: [Signature]	CHECKED: [Signature]
PROJECT NO: 11-000000-001	DATE: 11/15/11
PROJECT TITLE: ARLINGTON MEMORIAL PARK OVERALL SITE	DATE: 11/15/11
PROJECT NUMBER: 11-000000-001	DATE: 11/15/11
PROJECT NAME: ARLINGTON MEMORIAL PARK OVERALL SITE	DATE: 11/15/11
PROJECT ADDRESS: 11-000000-001	DATE: 11/15/11
PROJECT CITY: SANDY SPRINGS, GA	DATE: 11/15/11
PROJECT COUNTY: DEKALB COUNTY, GA	DATE: 11/15/11
PROJECT STATE: GEORGIA	DATE: 11/15/11
PROJECT ZIP: 30076	DATE: 11/15/11
PROJECT PHONE: 770-440-1111	DATE: 11/15/11
PROJECT FAX: 770-440-1111	DATE: 11/15/11
PROJECT EMAIL: info@prime-engineering.com	DATE: 11/15/11
PROJECT WEBSITE: www.prime-engineering.com	DATE: 11/15/11

LETTER OF INTENT

The subject property is an existing cemetery containing thousands of burial sites located on over 122 acres of property. Pursuant to this application, the Applicant seeks a zoning modification to substitute the site plan submitted to the Department of Community Development with this Application for the site plan referenced in Condition 2(a) of application Z93-0030/CV93-0049/U93-0011, ZM00-0021/CV00-0062 and ZM08-016/CV08-34. The balance of the existing zoning conditions will remain the same.

In addition, the Applicant requests a variance to reduce the 75' stream buffer and setback provided in Section 109-225(a)(1) and (2) to accommodate the improvements shown on the site plan included in this Application and as more particularly detailed in the November 28, 2011 letter from Prime Engineering Incorporated (the "Prime Letter"). A copy of the Prime Letter is included in this Application, as is a "Variance Exhibit Detail" which indicates the relative impact with the stream buffer.

The Sandy Springs Stream Buffer Protection Ordinance permits a stream buffer variance in the following circumstances: (a) when a property's shape, topography or other physical conditions existing at the time of the adoption of the ordinance from which Stream Buffer Protection Ordinance is derived prevents land development unless a buffer variance is granted; or (b) unusual circumstances when strict adherence to the minimal buffer requirements in the Stream Buffer Protection Ordinance would create an extreme hardship.

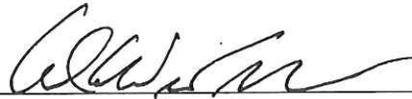
The Applicant had previously filed an application for stream buffer variance to allow piping to address an erosion issue. During the pendency of that application, the Applicant had discussions with the City and it became apparent that the preferable solution for the City, the Applicant and downstream neighbors was to substitute an application for site plan amendment, which site plan amendment would contemplate rehabilitation and expansion of the existing detention pond located in the northeast corner of the cemetery property. That pond was dedicated to Fulton County after its construction and is currently the subject of litigation between the City and County over its lack of maintenance. The new site plan reflects the Applicant's obligation to restore and maintain the pond and also indicates, as precisely as possible, future cemetery development on the property. The great majority of the stream buffer variance is necessary in order to reconstruct the detention pond and the variance is therefore justified as allowing an improvement which will result in better water quality and a controlled and greatly reduced flow for offsite neighbors.

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City of Sandy Springs
Community Development

ZM11-005



Carl E. Westmoreland, Jr.
Attorney for Applicant

PRIME
ENGINEERING
INCORPORATED®

November 28, 2011

ZM11-005
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DEC 06 2011

Mr. Carl Westmoreland
Seyfarth Shaw LLP
1075 Peachtree Street, NE Suite 2500
Atlanta, Georgia 30309

City of Sandy Springs
Community Development

Re: Description of Buffer Encroachment
Arlington Cemetery

Dear Mr. Westmoreland:

This letter describes proposed activities in the buffer areas at the Arlington Cemetery as a result of the latest Site Plan (attached). More detailed information is shown in the Construction Drawing (attached as Figure C-201.1).

1) Existing Detention Pond Modifications

The proposed improvements associated with the existing detention pond are a result of dredging and enlargement of the pond. Furthermore, the existing outlet structure will be modified as outlined in Prime Engineering's Master Hydrology Report dated November 1, 2011.

To enlarge and dredge the pond, several buffer areas will need to be disturbed as follows:

a) Northeast side of pond:

- i. **25-foot State Buffer** – The entire (25-foot) buffer will be regraded and disturbed in order to enlarge and dredge the pond.
- ii. **50-foot City Buffer** – Approximately 20 feet of this buffer will be disturbed in order to construct proposed improvements.
- iii. **75-foot City Buffer** – Only minor activity should occur in this portion of the buffer. Activity will include a temporary construction access driveway near the existing roadway, hand clearing of underbrush, and installation of a new chain link fence.

b) Northwest side of pond:

- i. **25-foot State Buffer** – The entire (25-foot) buffer will be regraded and disturbed in order to enlarge and dredge the pond. Work in this area will also include modifications to the earthen dam, principal spillway (outlet pipe through dam), and secondary spillway (concrete/earthen flume).
- ii. **50-foot City Buffer** – The entire 25 feet of this buffer will be disturbed in order to construct the proposed improvements identified above.
- iii. **75-foot City Buffer** – The entire 25 feet of this buffer will be disturbed in order to construct the proposed improvements identified above.

c) South side of pond:

- i. **25-foot State Buffer** – The entire (25-foot) buffer will be regraded and disturbed in order to enlarge and dredge the pond.
- ii. **50-foot City Buffer** – The entire 25 feet of this buffer will be disturbed in order to construct the proposed improvements identified above.
- iii. **75-foot City Buffer** – The entire 25 feet of this buffer north of the existing roadway will be disturbed in order to construct the proposed improvements identified above. The existing roadway will be widened to the south approximately 6 feet to allow for a 20-foot roadway section.

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INCORPORATED®

Mr. Carl Westmoreland
November 28, 2011
Page 2

2) North Side of Waters of the State

Proposed improvements to the area on the north side of the State Waters between the existing detention pond and the middle pond are as follows:

- a) **25-foot State Buffer** – The existing asphalt roadway is located within the 25-foot State Buffer. The proposed plan includes removal of approximately 2,950 sf of roadway, leaving approximately 560 sf within this buffer. In order to remove this pavement, an encroachment of approximately 18 feet will be required. This will allow for installation of two rows of silt fence, removal of the pavement, and minor grading for proper transition upon pavement removal.
- b) **50-foot City Buffer** – The existing asphalt roadway is located within the 50-foot City Buffer. The proposed plan includes removal of approximately 1,140 sf of the existing roadway. In order to remove this section of roadway, a 25-foot encroachment will be required. Relocation of the roadway will add approximately 1,880 sf of roadway back into this buffer. In addition, five estate lots are proposed within this buffer. To install these estates, an encroachment of up to 22 feet will be required.
- c) **75-foot City Buffer** – To reroute the roadway out of the 25-foot State Buffer, approximately 1300 sf of new asphalt will be required. In addition, the new estate lots will disturb the 75-foot buffer up to 25 feet.

3) South Side of Waters of the State

Proposed improvements associated with the area on the south side of the State Waters between the existing detention pond and the middle pond are as follows:

- a) **25-foot State Buffer** – A new 18" RCP storm drain pipe and roadway will be routed through the State Buffer. The storm drain will discharge into the Waters of the State. This is exempt under the State Buffer regulations. The roadway is needed to gain access to the relocated driveway on the north side of the Waters of the State.
- b) **50-foot City Buffer** – A new 18" RCP storm drain pipe and roadway will be routed through the City Buffer. The roadway is needed to gain access to the relocated driveway on the north side of the Waters of the State.
- c) **75-foot City Buffer** – A new 18" RCP storm drain pipe and roadway will be routed through the City Buffer. The roadway is needed to gain access to the relocated driveway on the north side of the Waters of the State. In addition, a small retaining wall will be constructed parallel to this roadway to prevent the grading from sloping further down into the buffer.

If more clarification is needed, please feel free to contact me.

Sincerely,



Robert R. MacPherson, PE
Vice President
Prime Engineering, Inc.

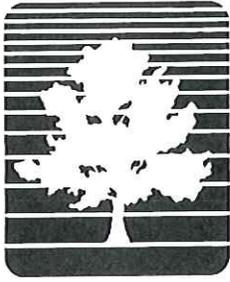
cc: Mike Green – Clark & Green
3141-0004

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DEC 06 2011

City of Sandy Springs
Community Development

ZM11-005



FULTON COUNTY

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

January 20, 2012

Patrice S. Ruffin, AICP, 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. Ruffin:

I am in receipt of your zoning package soliciting comments on the upcoming City of Sandy Springs zoning agenda for the February Mayor and City Council Meeting. 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,

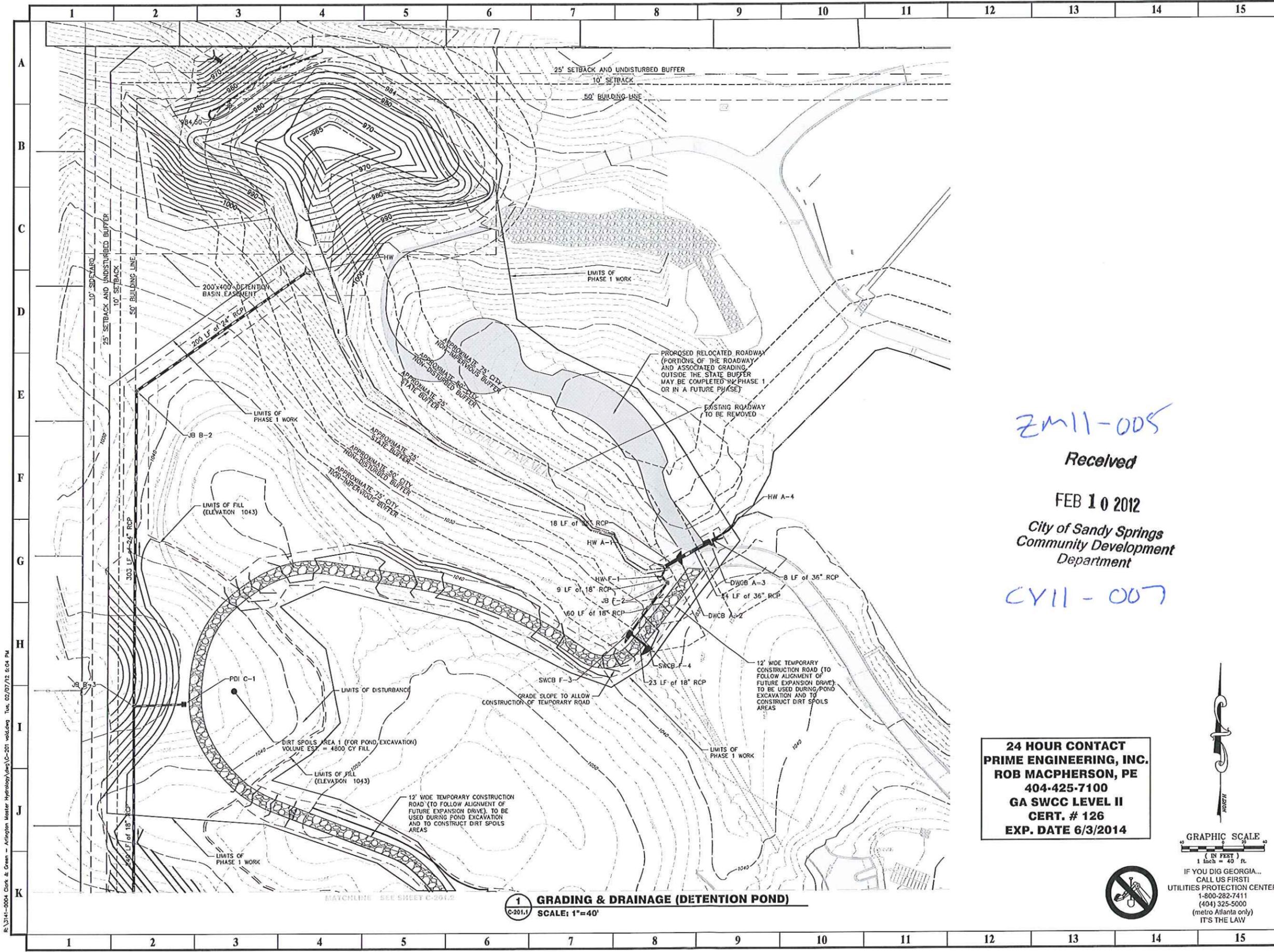
Randy Beck,
Deputy Director, E&CD

Received

JAN 27 2012

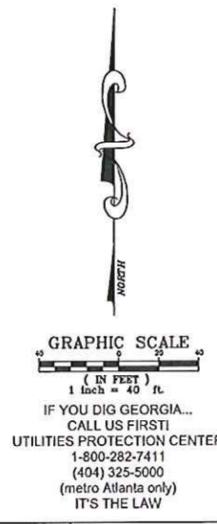
**City of Sandy Springs
Community Development
Department**

ZM11-005



ZM11-005
 Received
 FEB 10 2012
 City of Sandy Springs
 Community Development
 Department
 CY11-007

24 HOUR CONTACT
PRIME ENGINEERING, INC.
ROB MACPHERSON, PE
404-425-7100
GA SWCC LEVEL II
CERT. # 126
EXP. DATE 6/3/2014



1 GRADING & DRAINAGE (DETENTION POND)
 SCALE: 1"=40'

PRIME ENGINEERING INCORPORATED
 5715 NORTHSIDE PARKWAY NW
 300 NORTHCREEK SUITE 200
 ATLANTA, GEORGIA 30327
 404-425-7100

PROJECT:
ARLINGTON MEMORIAL PARK DETENTION POND REMEDIATION
 PREPARED FOR:
CLARK & GREEN

NO.	DATE	DESCRIPTION
0		
1		
2		

SEAL
 DATE:

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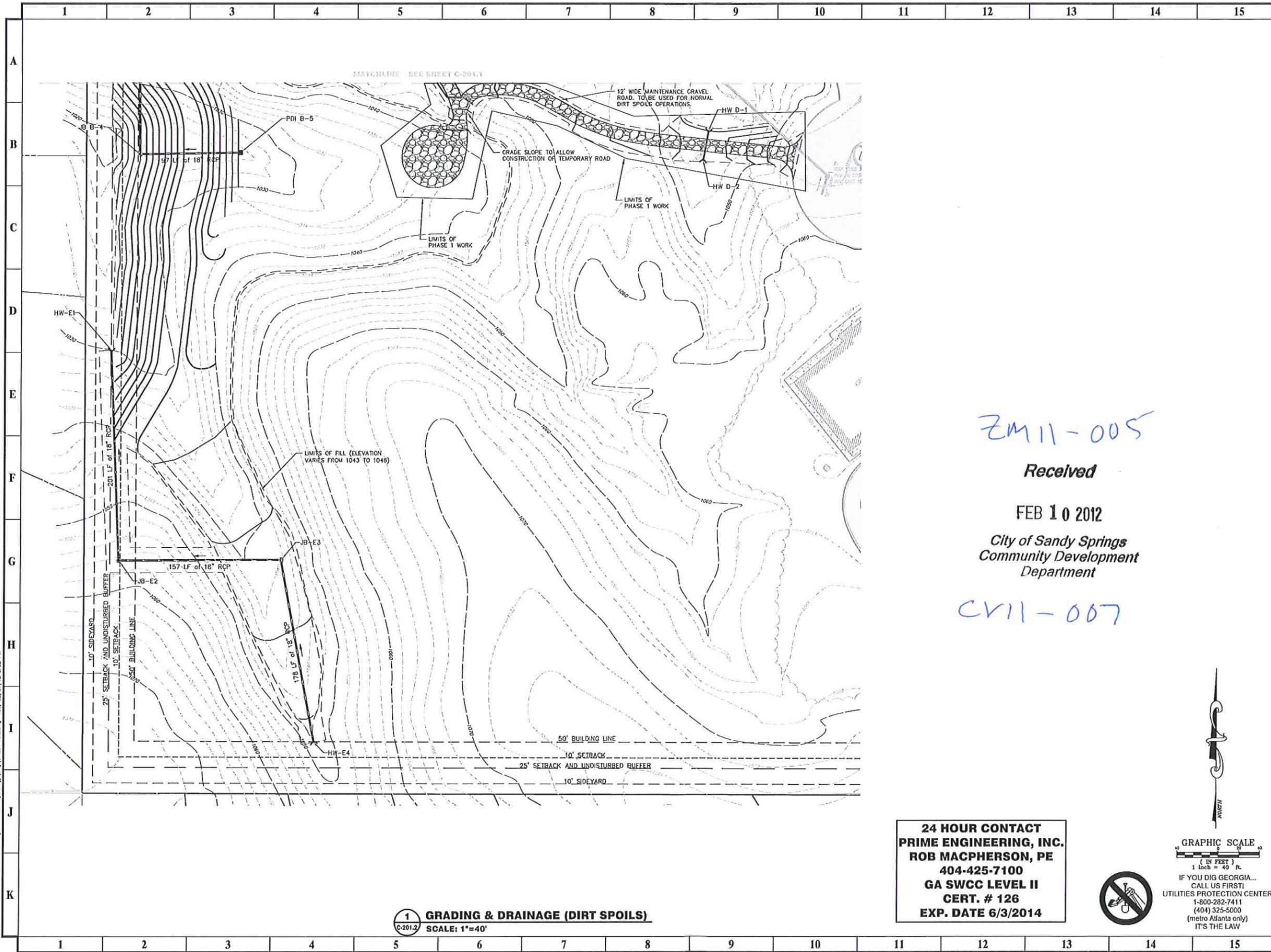
DRAWING TITLE
**GRADING & DRAINAGE
 DETENTION POND**

DRAWING DATE	07/14/11
DRAWN BY	AMH
DESIGNED BY	JAB
CHECKED BY	TJD
DRAWING SCALE	1"=40'
PROJECT NUMBER	
DRAWING NUMBER	C-201.1

NOT ISSUED FOR CONSTRUCTION

R:\3141-0004 Clark & Green - Arlington Master Hydrology\m\c-201\vol1.dwg Tue, 02/07/12 8:04 PM

R:\314-0004 Clark & Green - Arlington Master Hydrology\314-C-201 v04.dwg Tue, 02/07/12 8:02 PM



1 GRADING & DRAINAGE (DIRT SPOILS)
 C-201.2 SCALE: 1"=40'

24 HOUR CONTACT
PRIME ENGINEERING, INC.
ROB MACPHERSON, PE
404-425-7100
GA SWCC LEVEL II
CERT. # 126
EXP. DATE 6/3/2014



GRAPHIC SCALE
 (IN FEET)
 1 inch = 40 ft
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ZM11-005
 Received
 FEB 10 2012
 City of Sandy Springs
 Community Development
 Department
 CV11-007

PRIME ENGINEERING INCORPORATED
 3715 NORTHSIDE PARKWAY NW
 300 NORTHCREEK SUITE 200
 ATLANTA, GEORGIA 30327
 404-425-7100

PROJECT:
 ARLINGTON
 MEMORIAL PARK
 REMEDIATION
 POND
PREPARED FOR:
 CLARK & GREEN

REVISIONS		DESCRIPTION
NO.	DATE	
0		
1		
2		

SEAL
 DATE:

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DRAWING TITLE
GRADING & DRAINAGE
DIRT SPOILS

DRAWING DATE	07/14/11	DRAWN BY	AMH
DRAWING SCALE	1"=40'	DESIGNED BY	JAB
PROJECT NUMBER		CHECKED BY	TJD
DRAWING NUMBER	C-201.2		

NOT ISSUED FOR CONSTRUCTION

Trettin, Doug

From: Dickerson, Patrice
Sent: Thursday, February 09, 2012 8:01 PM
To: Jim Wold
Cc: judywold@mac.com; jwalz@mindspring.com; tlevitt2001@yahoo.com; Collins, William "Chip"; Trettin, Doug; Barnett, Michael; White, Bennett; Parker, Angela
Subject: RE: Arlington Cemetery Detention Pond

Jim:

Thank you for getting us your comments. I will discuss additional options with other members of our staff and the applicant and follow-up with you next week.

I did receive Judy's voicemail this evening and the staff recommendation will be finalized and released with the normal package for the Mayor and City Council at the end of next week and will be available from the City's website at that time.

Should you have any additional questions or concerns in the interim, please do not hesitate to contact our department.

Thanks!

Patrice S. Dickerson, AICP
Manager of Planning and Zoning

Department of Community Development
City of Sandy Springs
7840 Roswell Road, Building 500
Sandy Springs, Georgia 30350
Main: 770-730-5600
Direct: 770-206-1513
Mobile: 770-687-5273
Fax: 770-206-1562
www.sandyspringsga.org

From: Jim Wold [<mailto:jkwold@att.net>]
Sent: Thursday, February 09, 2012 7:18 PM
To: Dickerson, Patrice
Cc: judywold@mac.com; jwalz@mindspring.com; tlevitt2001@yahoo.com; Collins, William "Chip"
Subject: Arlington Cemetery Detention Pond

Ms. Dickerson,
Thank you for calling me back.

My wife and I are very surprised that Arlington plans to significantly increase the size of the detention pond located behind our house and the houses of several of our neighbors on Riverhill and Riverwood. I had heard before that Arlington would be repairing the pond, which seems very appropriate. The post card that we received from the city mentioned a variance to a stream buffer ordinance only. This just did not register with me that the detention pond would be involved.

I have talked with Arlington's engineer, Rob Macpherson several times. I came away from those conversations with the understanding that the variance was only to relocate a portion of an existing road and that all of the rest of the site plan had been previously approved. I did not understand that the detention pond work was also not yet approved. I have walked around the detention pond area and the engineering plans for the new pond will require a great deal of grading

and the removal of at least a couple of hundred trees. Since the original pond has apparently never been maintained, some of the trees are over 30 years old and quite large.

My request is that the pond only be expanded to the minimum size necessary, and that as few trees as possible be removed. Also, that trees be replanted between the pond and the adjacent neighbors to the extent possible.

Would it be possible not to remove the many trees on the back side of the dam? Presently the dam looks like a wooded hill. If it is graded, with all trees removed, it is not going to be attractive.

Any assistance from the city will be greatly appreciated.

Thank you,
Jim & Judy Wold
5820 Riverwood Drive
404-252-9877

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Trettin, Doug

From: Jack Walz <jwalz@mindspring.com>
Sent: Friday, February 10, 2012 12:30 PM
To: Dickerson, Patrice
Cc: Jim Wold; judywold@mac.com; tlevitt2001@yahoo.com; Collins, William "Chip"; Trettin, Doug; Barnett, Michael; White, Bennett; Parker, Angela
Subject: Re: Arlington Cemetery Detention Pond

Ms. Patrice Dickerson:

I am one of the homeowners most impacted by the Arlington request to expand the existing detention pond.

A bit of background: I built my home at 510 Riverhill Drive in 1976. At that time I was not informed by either Arlington or Fulton County of plans to construct a detention pond adjacent to my property. In the late summer, my wife called with disturbing news that crews had arrived without notice and began cutting the old-growth hard wood forest behind our house. When I arrived I learned the details from an on-site supervisor. There was no opportunity for discussion; the County proceeded without pause and the pond was completed. The area was devastated.

Shortly after its completion, a major storm occurred and the dam was unable to hold the water buildup and was breached. It was determined there was a major design flaw. The crews returned and built a second dam which is the existing detention pond. I am searching for the pictures I took at that time which will show the virgin forest before clear cutting and the after the completed detention pond.

A few additional points:

1. There was an attempt to landscape the top of the dam and areas around it. It also was a poorly designed plan and did little to shield the area. Some of these original trees remain.
2. When we experienced the terrible rain and flooding in September 2009 the creek was swollen with the excess runoff but the detention pond dam performed quite well at this location. The water cascading down into the creek came from the two lakes on Arlington property. I wonder the need for a major expansion of the pond based on past performance.

Without a doubt any plan to enlarge the detention pond is a major expansion project. The removal of the current buffer will abut my property and will with a doubt decrease its value.

It is difficult to imagine that after almost 36 years we will go through this same situation again and lose the shelter provided by this reborn forest. It appears the entire proposal has not been well thought out and the homeowners in my subdivision have been given conflicting answers to our many concerns.

I would request that any final decision on this request from Arlington Memorial Park be postponed until further study determines the necessity that would require such a major expansion. Further, unlike the present situation, I would suggest that those impacted homeowners be included in any discussion so all parties

would be given an opportunity to understand and participate in any final determination.

Thank you for your consideration.

Jack V. Walz
510 Riverhill Drive, NW
(404)255-8803

Jim:

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Manager of Planning and Zoning

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