



To: John McDonough, City Manager

From: Angela Parker, Director of Community Development 

Date: November 21, 2011 for submission onto the December 6, 2011 City Council meeting

Agenda Item: **RZ11-007/U11-003/CV11-004 5400 & 5420 Peachtree Dunwoody Road**, a request to rezone to R-6 (Two-family Dwelling District), with a Use Permit and Concurrent Variances, to allow for the consolidation of properties (5420 & 5400 Peachtree Dunwoody Road) and to allow for the redevelopment of a Medical Related Lodging facility (Ronald McDonald House) having 55,000 square feet (including underground parking).

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

**APPROVAL CONDITIONAL** of the request to rezone to R-6 (Two-family Dwelling District), with a Use Permit and Concurrent Variances, to allow for the consolidation of properties (5420 & 5400 Peachtree Dunwoody Road) and to allow for the redevelopment of a Medical Related Lodging facility (Ronald McDonald House) having 55,000 square feet (including underground parking).

***Background:***

The site is located at the southwest corner of Peachtree-Dunwoody Road and the Glenridge Connector. The property is zoned TR (Townhouse Residential District) conditional under zoning case Z92-036/U92-030/CV92-082 and R-6 (Two-family Dwelling District) conditional under zoning case Z05-053/U05-013/CV05-115. The Z92-036/U92-030/CV92-082 conditions of approval were modified under zoning modification case ZM05-034/CV05-113. The property zoned TR, at 5420 Peachtree Dunwoody Rd., is developed with a 4,919 square foot Medical Related Lodging house. The property zoned R-6, at 5400 Peachtree Dunwoody Rd., is vacant.

The conditions of zoning include the following:

Z92-036/U92-030/CV92-082 (For 5420 Peachtree Dunwoody Road):

- To no more than seventeen (17) Medical Related Lodging units in the existing 4,919 square foot building (U92-030).
- To shrubs planted as approved by the Arborist for the following required Landscape Strips: A ten (10) feet wide on the north property line where space is needed to accommodate parking in the rear of the house (CV92-082) and a thirty (30) foot landscape strip shall be maintained along the remaining north property line where applicable.
- To a twenty (20) foot side yard setback adjacent to the Glenridge Connector (CV92-082) only in the area adjacent to the new building and to a thirty (30) foot side yard setback in all other areas.
- To no access allowed on the Glenridge Connector.
- To maintain at least the minimum requirement for trees as required by law.

ZM05-034/CV05-113 (For 5420 Peachtree Dunwoody Road):

- To an overall approved site plan dated received June 28, 2005.
- To a minimum six (6) foot high opaque fence/wall as approved by the Arborist along the entire length of the southern property line adjoining 5420 and 5400 Peachtree Dunwoody Road (except for approved access crossings) as shown on the approved site plan dated received June 28, 2005.

- To a twenty-five (25) foot setback from the southern property line adjoining 5420 and 5400 Peachtree Dunwoody Road (CV05-113).
- To delete the required Landscape Strip along the southern property line adjoining 5420 and 5400 Peachtree Dunwoody Road (CV05-113) as shown on the overall approved site plan dated received June 28, 2005.

Z05-053/U05-013/CV05-115 (For 5400 Peachtree Dunwoody Road):

- To Medical Related Lodging at a maximum density, including underground parking, of 28,132.73 square feet/acre or a total of 30,946 square feet (including underground parking) with a maximum of twenty (20) units (U05-013).
- To no more than two (2) stories (above underground parking).
- To an overall approved site plan dated received June 28, 2005.
- To delete the (20) foot setback from the northern property line adjoining 5420 and 5400 Peachtree Dunwoody Road (CV05-115).
- To delete the required ten (10) foot Landscape Strip along the northern property line adjoining 5420 and 5400 Peachtree Dunwoody Road (CV05-115).
- To no more than one (1) exit/entrance on Peachtree Dunwoody Road as shown on the overall approved site plan dated received June 28, 2005 subject to the approval of the Traffic Engineer.
- To no access from Clemenstone Drive.

***Discussion:***

The applicant is requesting to rezone to R-6 (Two-family Dwelling District), with a Use Permit, to allow for the consolidation of properties (5420 & 5400 Peachtree Dunwoody Road) and to allow for the redevelopment of a Medical Related Lodging facility (Ronald McDonald House) having 55,000 square feet (including underground parking).

Additionally, the applicant is requesting eight (8) concurrent variances as follows:

1. Variance from Section 19.4.28.1.B.1. of the Zoning Ordinance to increase the permitted number of bedrooms/units for Medical Related Lodging from twenty (20) to thirty-one (31) bedrooms/units,
2. Variance from Section 19.4.28.1.B.5. of the Zoning Ordinance to encroach into the required twenty (20) foot landscape strip (per Section 4.23.1 of the Zoning Ordinance) to allow installation of an eight (8) inch sanitary sewer line substantially in the location depicted on the site plan (along the southern property line),
3. Variance from Section 19.4.28.1.B.5. of the Zoning Ordinance to encroach into the required twenty-five (25) foot Zoning Buffer, the ten (10) improvement setback, and the twenty (20) foot landscape strip (per Section 4.23.1 of the Zoning Ordinance) to allow installation of an underground stormwater management facility substantially in the location depicted on the site plan (adjacent to the western and northern property lines),
4. Variance from Section 19.4.28.1.B.5. of the Zoning Ordinance to encroach into the required ten (10) improvement setback (per Section 4.23.1 of the Zoning Ordinance) to allow installation of a proposed retaining wall and the proposed building substantially in the location depicted on the site plan (adjacent to the western property lines),

5. Variance from Section 19.4.28.1.B.5. of the Zoning Ordinance to encroach into the required twenty-five (25) foot Zoning Buffer, the ten (10) improvement setback, and the twenty (20) foot landscape strip (per Section 4.23.1 of the Zoning Ordinance) to allow installation of a retaining wall substantially in the location depicted on the site plan (adjacent to the western and northern property lines),
6. Variance from section 7.1.3.B. of the Zoning Ordinance to reduce the required twenty-five (25) foot front setback from the Glenridge Connector (SR 407) to twenty (20) feet to allow construction of the proposed building,
7. Variance from section 7.1.3.A. of the Zoning Ordinance to increase the maximum height limitation from forty (40) feet to sixty (60) feet (4 stories including underground parking) for the proposed building, and
8. Variance from Section 19.4.28.1.B.6. of the Zoning Ordinance to reduce the required off-street parking for Medical Related Lodging from thirty-six (36) spaces to thirty (30) spaces.

***Concurrent Review:***

The staff held a Focus Meeting on September 7, 2011 at which the following city departments provided comments:

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

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 (*comments received*)
- Sandy Springs Council of Neighborhoods
- Sandy Springs Revitalization Inc.
- Georgia Department of Transportation
- City of Atlanta Department of Watershed Management (*comments received*)
- U.S. Postal Service Address Management Systems
- MARTA
- Fulton County Emergency Management

**Rezoning Petition No. RZ11-007/U11-003/CV11-004**

<b>HEARING &amp; MEETING DATES</b>			
<b>Community Zoning Information Meeting</b>	<b>Community Developer Resolution Meeting</b>	<b>Planning Commission Hearing</b>	<b>Mayor and City Council Hearing</b>
August 23, 20011	September 21, 2011	October 20, 2011 November 17, 2011	November 15, 2011 December 6, 2011
<b>APPLICANT/PETITIONER INFORMATION</b>			
<b>Property Owners</b>	<b>Petitioner</b>	<b>Representative</b>	
Atlanta Ronald McDonald House Charities, Inc.	Atlanta Ronald McDonald House Charities, Inc.	James Ney and Ellen Smith/Holt, Ney, Zatcoff & Wasserman, LLP	
<b>PROPERTY INFORMATION</b>			
<b>Address, Land Lot(s), and District</b>	5400 & 5420 Peachtree Dunwoody Road Land Lot(s) 15 & 16, District 17		
<b>Council District</b>	5		
<b>Frontage and Area</b>	161 feet of frontage along the north side of Clementstone Drive, 400 feet of frontage along the west side of Peachtree Dunwoody Drive, and 320 feet of frontage along the south side of the Glenridge Connector (SR 407). The subject property has a total area of 2.048 acres (approximately 89,211 s.f.)		
<b>Existing Zoning and Use</b>	TR (Townhouse Residential District) conditional under zoning case Z92-036/U92-030/CV92-082 and R-6 (Two-family Dwelling District) conditional under zoning Z05-053/U05-013/CV05-115. The property zoned TR, at 5420 Peachtree Dunwoody Rd., is developed with a 4,919 square foot Medical Related Lodging facility. The property zoned R-6, at 5420 Peachtree Dunwoody Rd., is vacant.		
<b>Overlay District</b>	N/A		
<b>2027 Comprehensive Future Land Use Map Designation</b>	5420 Peachtree Dunwoody Road: R5 to 8 (Residential 5 to 8 units per acre), Protected Neighborhood. 5400 Peachtree Dunwoody Road: R0 to 1 (Residential 0 to 1 units per acre), Protected Neighborhood.		
<b>Proposed Zoning</b>	R-6 (Two-family Dwelling District)		

**INTENT**

**TO REZONE THE SUBJECT PROPERTY FROM TR (TOWNHOUSE RESIDENTIAL DISTRICT) CONDITIONAL AND R-6 (TWO-FAMILY DWELLING DISTRICT) CONDITIONAL TO R-6 (TWO-FAMILY DWELLING DISTRICT), WITH A USE PERMIT & CONCURRENT VARIANCES.**

The applicant is requesting to rezone to R-6 (Two-family Dwelling District), with a Use Permit, to allow for the consolidation of properties (5420 & 5400 Peachtree Dunwoody Road) and to allow for the redevelopment of a Medical Related Lodging facility (Ronald McDonald House) having 55,000 square feet (including underground parking).

Additionally, the applicant is requesting nine (9) concurrent variances as follows:

1. Variance from Section 19.4.28.1.B.1. of the Zoning Ordinance to increase the permitted number of bedrooms/units for Medical Related Lodging from twenty (20) to thirty-one (31) bedrooms/units,

2. Variance from Section 19.4.28.1.B.5. of the Zoning Ordinance to encroach into the required twenty (20) foot landscape strip (per Section 4.23.1 of the Zoning Ordinance) to allow installation of an eight (8) inch sanitary sewer line substantially in the location depicted on the site plan (along the southern property line),
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6. Variance from section 7.1.3.B. of the Zoning Ordinance to reduce the required twenty-five (25) foot front setback from the Glenridge Connector (SR 407) to twenty (20) feet to allow construction of the proposed building,
7. Variance from section 7.1.3.A. of the Zoning Ordinance to increase the maximum height limitation from forty (40) feet to sixty (60) feet (4 stories including underground parking) for the proposed building,
8. Variance from Section 19.4.28.1.B.6. of the Zoning Ordinance to reduce the required off-street parking for Medical Related Lodging from thirty-six (36) spaces to thirty (30) spaces, and
9. Variance from the Tree Conservation Ordinance, Administrative Standards, & Best Management Practices - Landscape Strips, Buffers, and Parking (F.1) to relieve the requirement of planting a large shade tree every 6 parking spaces for all new parking lots. (WITHDRAWN)

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**DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION**

**RZ11-007 - APPROVAL CONDITIONAL**  
**U11-003 - APPROVAL CONDITIONAL**  
**CV11-004 #1 - APPROVAL CONDITIONAL**  
**CV11-004 #2 - APPROVAL CONDITIONAL**  
**CV11-004 #3 - APPROVAL CONDITIONAL**  
**CV11-004 #4 - APPROVAL CONDITIONAL**  
**CV11-004 #5 - APPROVAL CONDITIONAL**  
**CV11-004 #6 - APPROVAL CONDITIONAL**  
**CV11-004 #7 - APPROVAL CONDITIONAL**  
**CV11-004 #8 - APPROVAL CONDITIONAL**  
**CV11-004 #9 - WITHDRAWN**

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**PLANNING COMMISSION RECOMMENDATION**


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**RZ11-007 - APPROVAL CONDITIONAL**  
**U11-003 - APPROVAL CONDITIONAL**  
**CV11-004 #1 - APPROVAL CONDITIONAL**  
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**CV11-004 #4 - APPROVAL CONDITIONAL**  
**CV11-004 #5 - APPROVAL CONDITIONAL**  
**CV11-004 #6 - APPROVAL CONDITIONAL**  
**CV11-004 #7 - APPROVAL CONDITIONAL**  
**CV11-004 #8 - APPROVAL CONDITIONAL**  
**CV11-004 #9 - WITHDRAWN**

**The petition was heard at the October 20, 2011 Planning Commission meeting.** The Commission recommended deferral to allow staff sufficient time to review and properly analyze the case. Approved (6-0, Maziar, Thatcher, Rupnow Pond, Rubenstein, and Tart for; Duncan not voting).

**The petition was heard at the November 17, 2011 Planning Commission meeting.** The Commission recommended approval subject to Staff conditions amended as follows: Add a condition 3.o. reading that for the subject property, all conditions of zoning approved under RZ11-007/U11-003/CV11-004 shall supersede all previous conditions of zoning and all previous conditions of zoning shall no longer apply to the subject property. Approved (6-0, Thatcher, Pond, Rubenstein, Maziar, Rupnow, and Tart for; Duncan not voting).

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**MAYOR AND CITY COUNCIL ACTION**

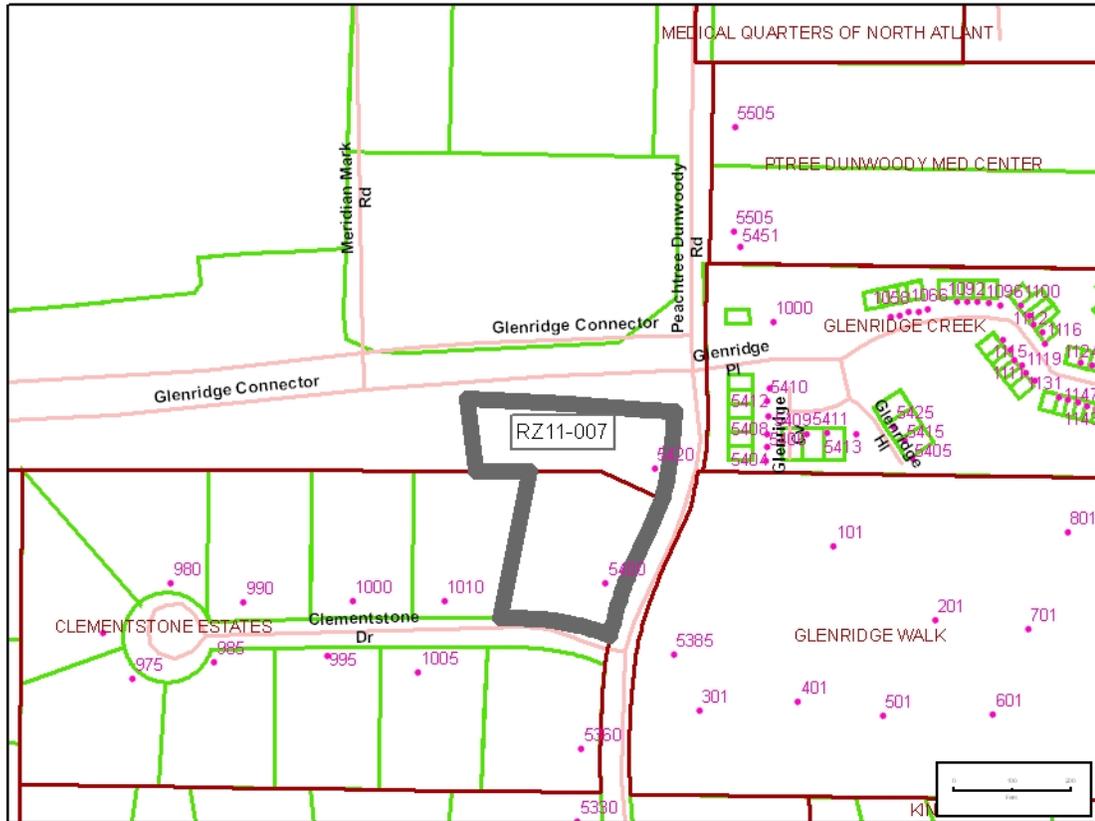

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**RZ11-007 - DEFERRAL**  
**U11-003 - DEFERRAL**  
**CV11-004 #1 - DEFERRAL**  
**CV11-004 #2 - DEFERRAL**  
**CV11-004 #3 - DEFERRAL**  
**CV11-004 #4 - DEFERRAL**  
**CV11-004 #5 - DEFERRAL**  
**CV11-004 #6 - DEFERRAL**  
**CV11-004 #7 - DEFERRAL**

**The petition was heard at the November 15, 2011 Mayor and City Council Hearing.** The Council approved a deferral until the December 6, 2011 hearing. The deferral was unanimously approved to allow staff time to update the analysis and to allow the Planning Commission to consider the application at its November 17, 2011 meeting.

Location Map

5400 & 5420 Peachtree Dunwoody Road



## BACKGROUND

The site is located at the southwest corner of Peachtree-Dunwoody Road and the Glenridge Connector. The property is zoned TR (Townhouse Residential District) conditional under zoning case Z92-036/U92-030/CV92-082 and R-6 (Two-family Dwelling District) conditional under zoning case Z05-053/U05-013/CV05-115. The Z92-036/U92-030/CV92-082 conditions of approval were modified under zoning modification case ZM05-034/CV05-113. The property zoned TR, at 5420 Peachtree Dunwoody Rd., is developed with a 4,919 square foot Medical Related Lodging house. The property zoned R-6, at 5400 Peachtree Dunwoody Rd., is vacant.

The conditions of zoning include the following:

### Z92-036/U92-030/CV92-082 (For 5420 Peachtree Dunwoody Road):

- To no more than seventeen (17) Medical Related Lodging units in the existing 4,919 square foot building (U92-030).
- To shrubs planted as approved by the Arborist for the following required Landscape Strips: A ten (10) feet wide on the north property line where space is needed to accommodate parking in the rear of the house (CV92-082) and a thirty (30) foot landscape strip shall be maintained along the remaining north property line where applicable.
- To a twenty (20) foot side yard setback adjacent to the Glenridge Connector (CV92-082) only in the area adjacent to the new building and to a thirty (30) foot side yard setback in all other areas.
- To no access allowed on the Glenridge Connector.
- To maintain at least the minimum requirement for trees as required by law.

### ZM05-034/CV05-113 (For 5420 Peachtree Dunwoody Road):

- To an overall approved site plan dated received June 28, 2005.
- To a minimum six (6) foot high opaque fence/wall as approved by the Arborist along the entire length of the southern property line adjoining 5420 and 5400 Peachtree Dunwoody Road (except for approved access crossings) as shown on the approved site plan dated received June 28, 2005.
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- To delete the required Landscape Strip along the southern property line adjoining 5420 and 5400 Peachtree Dunwoody Road (CV05-113) as shown on the overall approved site plan dated received June 28, 2005.

### Z05-053/U05-013/CV05-115 (For 5400 Peachtree Dunwoody Road):

- To Medical Related Lodging at a maximum density, including underground parking, of 28,132.73 square feet/acre or a total of 30,946 square feet (including underground parking) with a maximum of twenty (20) units (U05-013).
- To no more than two (2) stories (above underground parking).
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- To no access from Clemenstone Drive.

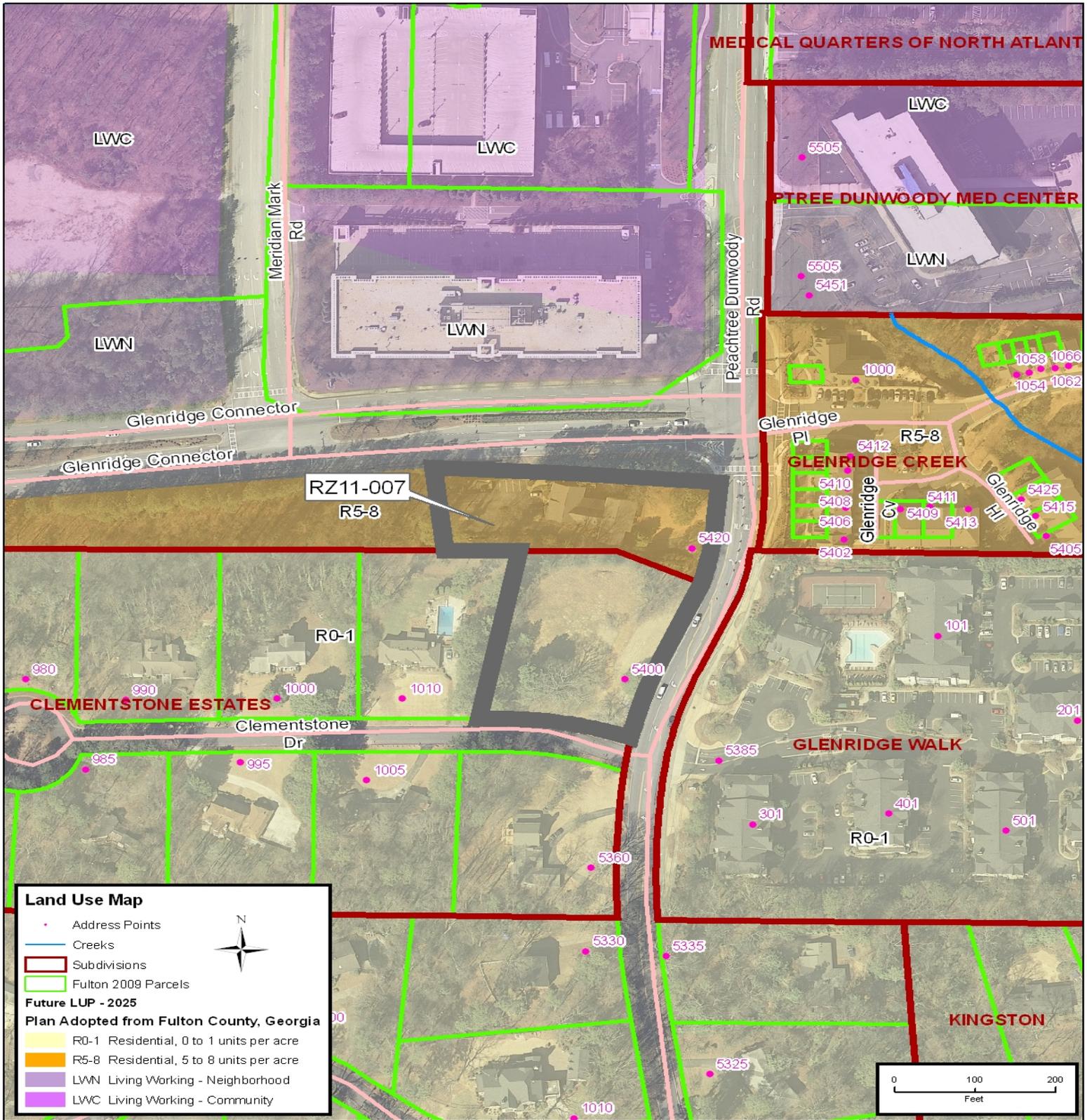
## EXISTING LAND USE AND ZONING OF ABUTTING PROPERTY

SUBJECT PETITION RZ11-007/U11-003/CV11-004	Requested Zoning	Proposed Use	Land Area (Acres)	Square Feet/Units	Density (Square Feet/Units per acre)
	R-6	Medical Related Lodging	2.048 (total)	55,000 SF (including underground parking)	26,856 SF/ Ac.
Location in relation to subject property	Zoning	Use	Land Area (Acres)	Square Feet/Units	Density (Square Feet/Units per acre)
North	O-I, conditional Z84-247	Office	3.28	168,000 SF	51,220 SF/ Ac.
East	MIX, conditional RZ06-012	Townhomes Office/Institutional	14.413	130 units 3,000 SF	9.02 Units/ Ac. 208.15 SF/ Ac.
East	A-L conditional, Z89-104	Windsor at Glenridge Apartments	13.83±	420 units	30.37 Units/ Ac.
South	R-2	Single-family	1.11	1 unit	0.90 Units/ Ac.
West	R-2	Single-family	1.01	1 unit	0.99 Units/ Ac.
West	O-I, conditional Z84-247	Vacant	1.29	-----	-----



# Future Land Use Map

## 5400 & 5420 Peachtree Dunwoody Road





Subject Property



Subject Property



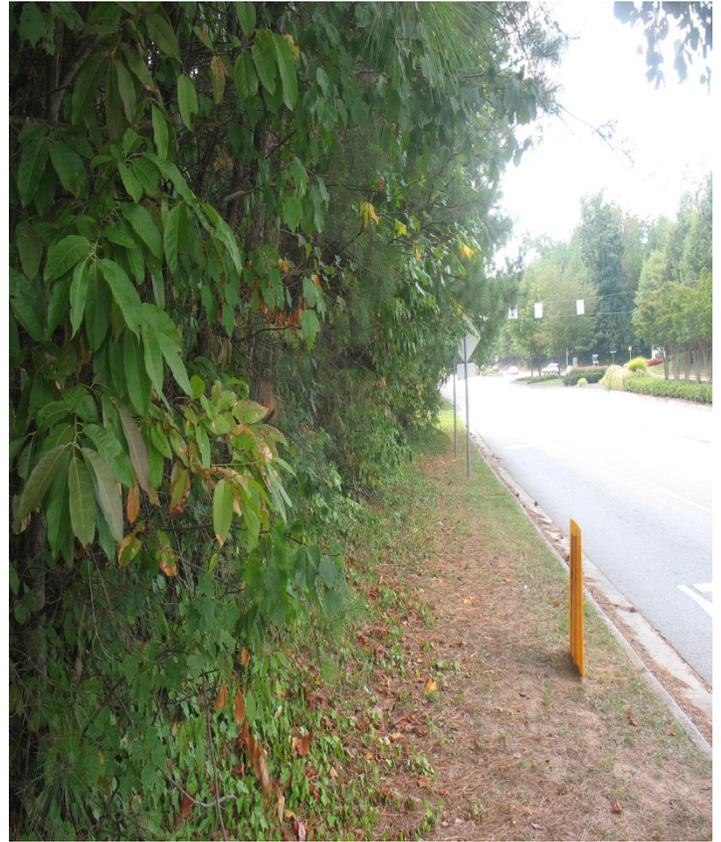
Subject Property



Subject Property



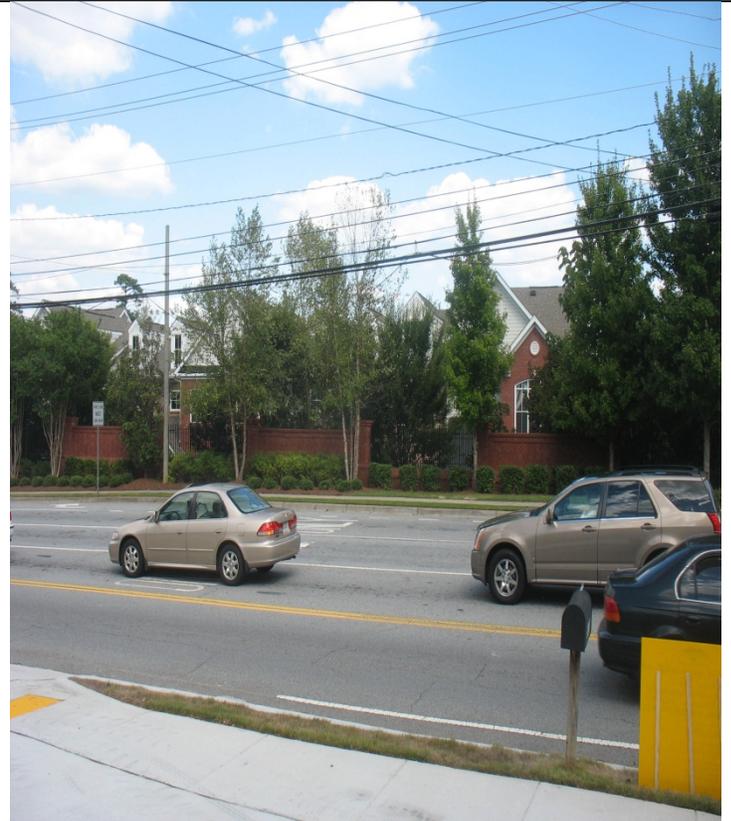
North of Subject Property



North Property Line along the Glenridge Collector



Northeast of Subject Property



Northeast of Subject Property



East of the Subject Property



Southeast of the Subject Property



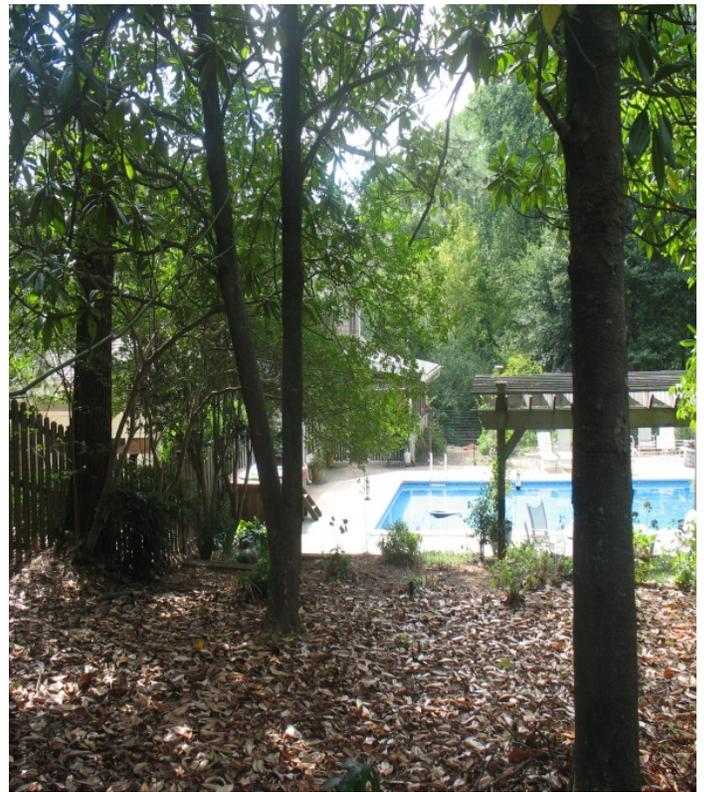
Southeast of the Subject Property



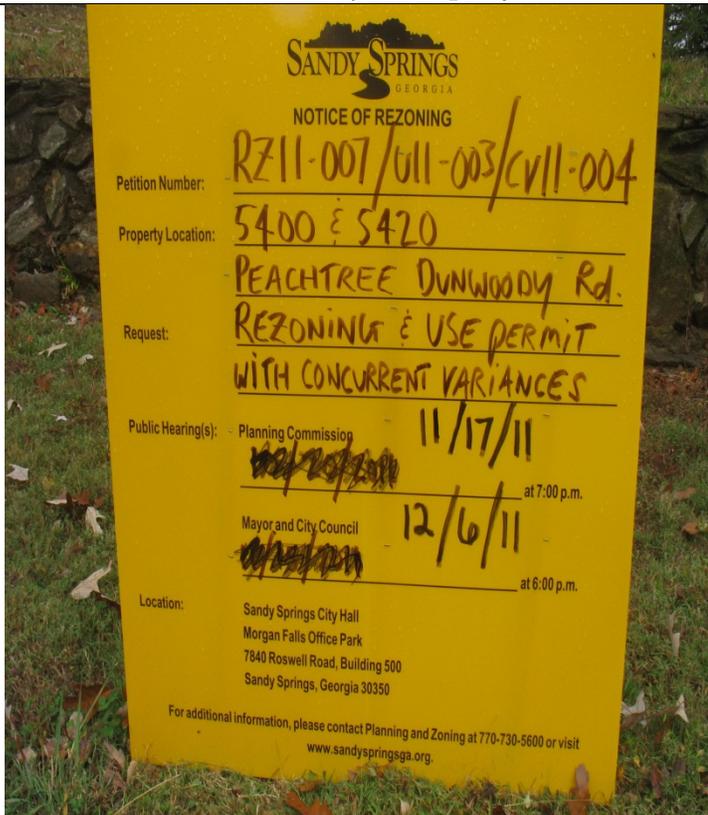
South of Subject Property



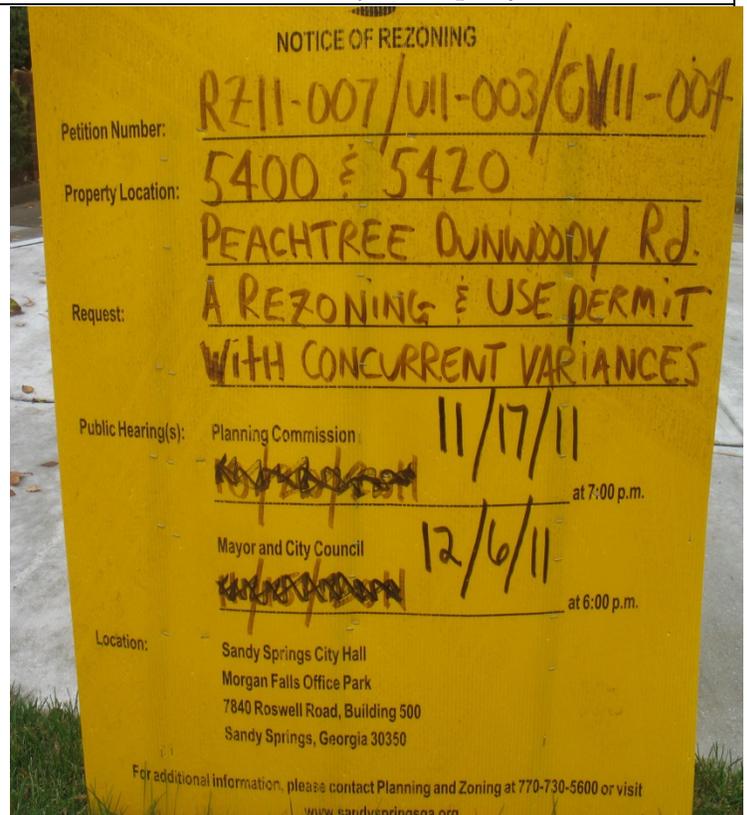
West of Subject Property



West of Subject Property



Sign



Sign

NOTICE OF REZONING

Petition Number: RZ11-007 / U11-003 / CV11-004

Property Location: 5400 & 5420  
PEACHTREE DUNWOODY Rd.

Request: REZONING & USE PERMIT  
WITH CONCURRENT VARIANCES

Public Hearing(s): Planning Commission 11/17/11  
~~10/20/2011~~ at 7:00 p.m.

Mayor and City Council 12/6/11  
~~11/02/2011~~ at 6:00 p.m.

Location: Sandy Springs City Hall  
Morgan Falls Office Park  
7840 Roswell Road, Building 500  
Sandy Springs, Georgia 30350

For additional information, please contact Planning and Zoning at 770-730-5600 or visit

Sign

### SITE PLAN ANALYSIS

The site plan indicates two (2) existing lots intended to be consolidated as a single parcel and developed with a proposed 55,000 square foot (including underground parking), four (4) story (over underground parking) medical related lodging building having thirty-one (31) rooms and associated parking. The site plan also indicates the following:

- Total Impervious Surface of 37,407 square feet (41.93%)
- Landscaping of 35,809 square feet (40.14%)
- Undeveloped and/or Open Space 15,995 square feet (17.93%)

### PARKING AND TRAFFIC IMPACT ANALYSIS

Section 19.4.28.1.B.6. of the Zoning Ordinance, requires a minimum amount of off-street parking spaces for a Medical Related Lodging use. Based on the aforementioned proposed use, the minimum required parking is thirty-six (36) spaces calculated as follows:

- One (1) space required per living unit: Thirty-one (31) units X one (1) = Thirty-one (31) spaces required.
- Plus one (1) space required per nonresident employee: Five (5) employees X one (1) = Five (5) spaces required.
- Total spaces required: Thirty-one (31) + five (5) = Thirty-six (36) spaces required.

NOTE: The applicant is requesting a Variance from Section 19.4.28.1.B.6. of the Zoning Ordinance to reduce the required off-street parking for Medical Related Lodging from thirty-six (36) spaces to thirty (30) spaces.

## LANDSCAPE PLAN ANALYSIS

The site plan indicates 35,809 square feet of the total site (89,211 square feet) is Landscaping. This equates to 40.14% of the subject property that would be dedicated to Landscaping.

The applicant is requesting a Variance from the Tree Conservation Ordinance, Administrative Standards, & Best Management Practices - Landscape Strips, Buffers, and Parking (F.1) to relieve the requirement of planting a large shade tree every 6 parking spaces for all new parking lots.

## ENVIRONMENTAL SITE ANALYSIS

The Environmental Site Analysis Report is sufficient and satisfies the requirements of the Sandy Springs Zoning Ordinance. The reporting on all items of the analysis stated either positive, minimal, or no environmental issues, with the exception of the following: The Property has a small area that exceeds a twenty-five (25) percent slope and has a total of six (6) Landmark trees. The report, in its entirety, is within the case file as a matter of record.

## DEPARTMENT COMMENTS

The staff held a Focus Meeting on September 7, 2010 at which the following departmental comments were provided:

<b>BUILDING AND DEVELOPMENT DIVISION</b>	Sandy Springs Building Officer	<ul style="list-style-type: none"> <li>No building comments need to be addressed at this time.</li> </ul>
	Sandy Springs Engineering Plan Reviewer	<ul style="list-style-type: none"> <li>No site development comments need to be addressed at this time.</li> </ul>
	Sandy Springs Landscape Architect/Arborist	<ul style="list-style-type: none"> <li>Refer to Z92-036/U92-030/CV92-082 and ZM05-034/CV05-113 and Z05-053/U05-013/CV05-115 for conditions related to landscape requirements. The MCC could also amend conditions to reword landscape strips that abut residential properties to landscape strips planted to buffer standards.</li> </ul>
<b>CODE ENFORCEMENT</b>	Officer	<ul style="list-style-type: none"> <li>No code enforcement comments need to be addressed at this time.</li> </ul>
<b>FIRE DEPT.</b>	Sandy Springs Fire Protection Engineer	<ul style="list-style-type: none"> <li>No Fire Department comments need to be addressed at this time.</li> </ul>
<b>TRANSPORTATION</b>	Sandy Springs Transportation Planner	<ul style="list-style-type: none"> <li>To facilitate safe and orderly access and egress at the proposed driveway, applicant will need to provide restriping of Peachtree Dunwoody Road in front of the site per Public Works Director.</li> </ul>
	Georgia Department of Transportation	<ul style="list-style-type: none"> <li>There are no GDOT requirements that need to be met at this time.</li> </ul>

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

## PUBLIC INVOLVEMENT

### Required Meetings

The applicant attended the following required meetings:

- Community Zoning Information Meeting held August 23, 2011 at the Sandy Springs City Hall
- Community/Developer Resolution Meeting held September 21, 2011 at the Sandy Springs City Hall

### Public Comments

The following issues have been raised by the community:

- Prior approval(s) compared to current request (see BACKGROUND section of this report)
- Drainage concerns
- Ancillary uses as a part of the Medical Related Lodging
- Landscape Buffering (see STAFF RECOMMENDED CONDITION 3.h.)
- Nuisance to neighbors during construction
- Building elevations as they relate to surrounding properties
- Sewer connectivity and concerns over operation and overload

### Notice Requirements

The petition will have been advertised on October 13, 2011 and October 27, 2011. The applicant posted a signs issued by the Department of Community Development along the frontages of the Glenridge Connector, Peachtree Dunwoody Road, and Clemenstone Drive on September 9, 2011.

### Public Participation Plan and Report

The applicant has met the Public Participation Plan requirements. The applicant will be required to submit the Public Participation Report seven (7) days prior to the Mayor and City Council Hearing on November 15, 2011. The Public Participation Report must be submitted on or before November 8, 2011.

## ZONING IMPACT ANALYSIS

Per Article 28.4.1, *Zoning Impact Analysis by the Planning Commission and the Department*, the staff shall make a written record of its investigation and recommendation on each rezoning petition with respect to the following factors:

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A. *Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.*

Finding: The staff is of the opinion that the proposed facility use is appropriate in view of the density and use of the surrounding developments. Land uses in the vicinity include Medical Centers, Offices, and Multi-family residences. Please see pages 6, 7, and 8 of this report.

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B. *Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.*

Finding: The proposal is not expected to adversely affect the existing use or usability of adjacent commercial, office, and residential properties (Please see pages 6, 7, and 8 of this report.). The zoning proposal provides for buffering from adjacent residential properties, and ingress & egress would be off of Peachtree Dunwoody Road.

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C. *Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.*

Finding: The staff is of the opinion that the property has a reasonable economic use as currently zoned.

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*D. Whether the zoning proposal will result in a use which will or could cause an excessive burdensome use of existing streets, transportation facilities, utilities, or schools.*

Finding: The staff anticipates that the proposal will have no significant impact on the existing infrastructure.

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*E. Whether the zoning proposal is in conformity with the policies and intent of the land use plan.*

Finding: 5420 Peachtree Dunwoody Road has a designation of R5 to 8 (Residential 5 to 8 units per acre), Protected Neighborhood. And 5400 Peachtree Dunwoody Road has a designation of R0 to 1 (Residential 0 to 1 units per acre), Protected Neighborhood.

The staff is of the opinion the owner's/developer's proposal for a consolidated zoning district of R-6 corresponds directly with what would be expected, in terms of density, for the portion of the lot having a land use designation of R5 to 8 (Residential 5 to 8 units per acre).

Additionally, staff notes the subject property is currently zoned both R-6 and TR; therefore, the requested proposal for a consolidated zoning district of R-6 could be viewed as an overall less intense zoning on the subject property.

Further, two (2) Medical Related Lodging buildings, having thirty-one (31) rooms total, are already allowed on the subject property, so the proposed development and its corresponding use are consistent with prior approved uses and consistent with nearby uses in the area that include Medical Centers, Offices, and Multi-family residences.

Lastly, Medical Related Lodging is allowed by right in the R-6 Zoning District upon attaining a Use Permit.

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*F. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.*

Finding: The staff is of the opinion that there are no existing or changing conditions affecting the use and development of the property, which give supporting grounds for approval or denial of the applicant's proposal.

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*G. Whether the zoning proposal will permit a use which can be considered environmentally adverse to the natural resources, environment and citizens of Sandy Springs.*

Finding: The staff is of the opinion that the zoning proposal will not permit a use which can be considered environmentally adverse to the natural resources, environment and citizens of Sandy Springs.

## USE PERMITS

The applicant is requesting a use permit to allow Medical Related Lodging (Article 19.4.28.1).

Per Article 19.2.4, Use Permit Considerations, the City Council shall consider each of the following:

*A. Whether the proposed use is consistent with the Comprehensive Land Use Plan and/or Economic Development Revitalization plans adopted by the City Council;*

**Finding:** 5420 Peachtree Dunwoody Road has a designation of R5 to 8 (Residential 5 to 8 units per acre), Protected Neighborhood. And 5400 Peachtree Dunwoody Road has a designation of R0 to 1 (Residential 0 to 1 units per acre), Protected Neighborhood.

The staff is of the opinion the owner/developer's proposal for a consolidated zoning district of R-6 corresponds directly with what would be expected for the portion of the lot having a land use designation of R5 to 8 (Residential 5 to 8 units per acre).

Additionally, staff notes the subject property is currently zoned both R-6 and TR; therefore, the requested proposal for a consolidated zoning district of R-6 could be viewed as an overall less intense zoning on the subject property.

Further, two (2) Medical Related Lodging buildings are already allowed on the subject property, so the proposed development and its corresponding use are consistent with prior approved uses and consistent with nearby uses in the area.

Lastly, Medical Related Lodging is allowed by right in the R-6 Zoning District upon attaining a Use Permit.

*B. Compatibility with land uses and zoning districts in the vicinity of the property for which the Use Permit is proposed;*

**Finding:** The staff is of the opinion that the proposal is compatible with the land uses and zoning districts in the vicinity of the property. Land uses in the vicinity include Medical Centers, Offices, and residential properties (Please see pages 6, 7, and 8 of this report.). The zoning proposal provides for buffering from adjacent residential properties, and ingress & egress would be off of Peachtree Dunwoody Road.

*C. Whether the proposed use may violate local, state and/or federal statutes, ordinances or regulations governing land development;*

**Finding:** The staff is of the opinion that the proposed use would not violate any local, state, and/or federal statutes, ordinances, or regulations.

*D. The effect of the proposed use on traffic flow, vehicular and pedestrian, along adjoining streets;*

**Finding:** The staff is of the opinion that the proposal will not have an adverse impact on vehicular and pedestrian traffic flow along the property frontages. To facilitate safe and orderly access and egress at the proposed driveway, applicant will need to provide restriping of Peachtree Dunwoody Road in front of the site per Public Works Director.

*E. The location and number of off-street parking spaces;*

Finding: The applicant is requesting a Variance from Section 19.4.28.1.B.6. of the Zoning Ordinance to reduce the required off-street parking for Medical Related Lodging from thirty-six (36) spaces to thirty (30) spaces. The parking would be both surface (in front of the proposed building) and underground parking.

*F. The amount and location of open space;*

Finding: The site plan indicates the following:

- Total Impervious Surface of 37,407 square feet (41.93%)
- Landscaping of 35,809 square feet (40.14%)
- Undeveloped and/or Open Space 15,995 square feet (17.93%)

The proposed landscape/open space primarily surrounds the proposed building and parking area.

*G. Protective screening;*

Finding: Staff recommended conditions 2.a. and 3.h. ensure landscape screening/buffering from adjacent residential properties.

*H. Hours and manner of operation;*

Finding: The applicant has stated the Medical Related Lodging facility would be open twenty-four (24) hours, Monday to Friday, with family check in from between 9:00 a.m. to 9:00 p.m. On weekends and holidays, the office would be open from 10:00 a.m. until 12:00 noon and from 5:00 p.m. to 9:00 p.m., and families check in during those office hours.

*I. Outdoor lighting; and*

Finding: The applicant has stated the lighting for the driveway and building would be for security and access and would be installed in such a way that light spillage would be minimal.

*J. Ingress and egress to the property.*

Finding: The applicant provides one curb cut for the site from Peachtree Dunwoody Road. To facilitate safe and orderly access and egress at the proposed driveway, applicant will need to provide restriping of Peachtree Dunwoody Road in front of the site per Public Works Director.

## CONCURRENT VARIANCES

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 nine (9) concurrent variances, as follows:

1. Variance from Section 19.4.28.1.B.1. of the Zoning Ordinance to increase the permitted number of bedrooms/units for Medical Related Lodging from twenty (20) to thirty-one (31) bedrooms/units.

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 request is in harmony with the intent of the Zoning Ordinance and the proposal will not pose a detriment to the public because this variance request was previously vetted and approved under Z92-036/U92-030/CV92-082, ZM05-034/CV05-113, and Z05-053/U05-013/CV05-115. Therefore, based on these reasons, the staff recommends APPROVAL of the variance to increase the permitted number of bedrooms/units for Medical Related Lodging from twenty (20) to thirty-one (31) bedrooms/units.*

2. Variance from Section 19.4.28.1.B.5. of the Zoning Ordinance to encroach into the required twenty (20) foot landscape strip (per Section 4.23.1 of the Zoning Ordinance) to allow installation of an eight (8) inch sanitary sewer line substantially in the location depicted on the site plan (along the southern property line).

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 request is in harmony with the intent of the Zoning Ordinance and the proposal will not pose a detriment to the public because the landscape strip would be restored and maintained. Therefore, based on these reasons, the staff recommends APPROVAL of the variance to encroach into the required twenty (20) foot landscape strip (per Section 4.23.1 of the Zoning Ordinance) to allow installation of an eight (8) inch sanitary sewer line substantially in the location depicted on the site plan (along the southern property line).*

3. Variance from Section 19.4.28.1.B.5. of the Zoning Ordinance to encroach into the required twenty-five (25) foot Zoning Buffer, the ten (10) improvement setback, and the twenty (20) foot landscape strip (per Section 4.23.1 of the Zoning Ordinance) to allow installation of an underground stormwater management facility substantially in the location depicted on the site plan (adjacent to the western and northern property lines).

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 request is in harmony with the intent of the Zoning Ordinance and the proposal will not pose a detriment to the public because the disturbed area would be restored and maintained. Therefore, based on these reasons, the staff recommends APPROVAL of the variance to encroach into the required twenty-five (25) foot Zoning Buffer, the ten (10) improvement setback, and the twenty (20) foot landscape strip (per Section 4.23.1 of the Zoning Ordinance) to allow installation of an underground stormwater management facility substantially in the location depicted on the site plan (adjacent to the western and northern property lines).*

4. Variance from Section 19.4.28.1.B.5. of the Zoning Ordinance to encroach into the required ten (10) improvement setback (per Section 4.23.1 of the Zoning Ordinance) to allow installation of a proposed retaining wall and the proposed building substantially in the location depicted on the site plan (adjacent to the western property lines).

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 request is in harmony with the intent of the Zoning Ordinance and the proposal will not pose a detriment to the public because the improvement setback would be restored and maintained. Therefore, based on these reasons, the staff recommends APPROVAL of the variance to encroach into the required ten (10) improvement setback (per Section 4.23.1 of the Zoning Ordinance) to allow installation of a proposed retaining wall and the proposed building substantially in the location depicted on the site plan (adjacent to the western property lines).*

5. Variance from Section 19.4.28.1.B.5. of the Zoning Ordinance to encroach into the required twenty-five (25) foot Zoning Buffer, the ten (10) improvement setback, and the twenty (20) foot landscape strip (per Section 4.23.1 of the Zoning Ordinance) to allow installation of a retaining wall substantially in the location depicted on the site plan (adjacent to the western and northern property lines).

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 request is in harmony with the intent of the Zoning Ordinance and the proposal will not pose a detriment to the public because conditioned landscape plantings would be incorporated into the location of the proposed retaining wall. Therefore, based on these reasons, the staff recommends APPROVAL of the variance to encroach into the required twenty-five (25) foot Zoning Buffer, the ten (10) improvement setback, and the twenty (20) foot landscape strip (per Section 4.23.1 of the Zoning Ordinance) to allow installation of a retaining wall substantially in*

*the location depicted on the site plan (adjacent to the western and northern property lines).*

6. Variance from section 7.1.3.B. of the Zoning Ordinance to reduce the required twenty-five (25) foot front setback from the Glenridge Connector (SR 407) to twenty (20) feet to allow construction of the proposed building.

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 request is in harmony with the intent of the Zoning Ordinance and the proposal will not pose a detriment to the public because this variance request was previously vetted and approved under Z92-036/U92-030/CV92-082, ZM05-034/CV05-113, and Z05-053/U05-013/CV05-115. Additionally, landscape buffering between the proposed building and the Glenridge Connector would be installed and maintained. Therefore, based on these reasons, the staff recommends **APPROVAL** of the variance to reduce the required twenty-five (25) foot front setback from the Glenridge Connector (SR 407) to twenty (20) feet to allow construction of the proposed building.*

7. Variance from section 7.1.3.A. of the Zoning Ordinance to increase the maximum height limitation from forty (40) feet to sixty (60) feet (4 stories including underground parking) for the proposed building.

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 request is in harmony with the intent of the Zoning Ordinance and the proposal will not pose a detriment to the public because the proposed sixty (60) foot tall building would be primarily located adjacent to the Glenridge Connector, to commercial uses, and to a building of similar height (office building across the Glenridge Connector). Additionally, a good portion of the building would be screened by landscape buffering. Therefore, based on these reasons, the staff recommends **APPROVAL** of the variance to increase the maximum height limitation from forty (40) feet to sixty (60) feet (4 stories including underground parking) for the proposed building.*

8. Variance from Section 19.4.28.1.B.6. of the Zoning Ordinance to reduce the required off-street parking for Medical Related Lodging from thirty-six (36) spaces to thirty (30) spaces.

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 request is in harmony with the intent of the Zoning Ordinance and the proposal will not pose a detriment to the public because, as explained in the letter of intent, the nature of how the Ronald McDonald House operates and the nature of how its residents come and go do not warrant the necessity for thirty-six (36) spaces. Therefore, based on these reasons, the staff recommends **APPROVAL** of the variance to reduce the required off-street parking for Medical Related Lodging from thirty-six (36) spaces to thirty (30) spaces.*

9. Variance from the Tree Conservation Ordinance, Administrative Standards, & Best Management Practices - Landscape Strips, Buffers, and Parking (F.1) to relieve the requirement of planting a large shade tree every 6 parking spaces for all new parking lots.

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 request is not in harmony with the intent of the Zoning Ordinance and the proposal would pose a detriment to the public because the subject property has enough room to accommodate the parking lot landscaping requirements and the shading of parking lots is important to quality of life in general. Therefore, based on these reasons, the staff recommends DENIAL of the variance to delete the parking lot landscaping requirements. (WITHDRAWN)*

## CONCLUSION TO FINDINGS

It is the opinion of the staff that the proposal is in conformity with the intent of the Comprehensive Plan Policies and the Future Land Use Map, as the proposal involves a use and density that is consistent with abutting and nearby properties. Therefore, based on these reasons, the staff recommends **APPROVAL CONDITIONAL** of this petition. The staff also recommends approval of the associated concurrent variances numbered 1 through 8 and recommends **DENIAL** of concurrent variance numbered 9. (WITHDRAWN)

## STAFF RECOMMENDED CONDITIONS

The Staff recommends **APPROVAL CONDITIONAL** of the rezoning from TR (Townhouse Residential District) conditional and R-6 (Two-family Dwelling District) conditional to R-6 (Two-family Dwelling District), Use Permit (U11-003), and Concurrent Variances numbered 1 through 8 (CV11-004) subject to the following conditions. Where these conditions 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. To Medical Related Lodging Use (U11-003).
  - b. To a 55,000 square foot (including underground parking) Medical Related Lodging building developed at a total density of 26,856 square feet per acre including underground parking.
  - c. To a maximum of thirty-one (31) units/rooms (CV11-004#1)
2. To the owner's agreement to abide by the following:
  - a. To the site plan received by the Department of Community Development on October 19, 2011. Said site plan is conceptual only and must meet or exceed the requirements of the Zoning Ordinance, the Development Standards contained therein, and these conditions prior to the approval of a Land Disturbance Permit. The applicant shall be required to complete the concept review procedure prior to application for a Land Disturbance Permit. Unless otherwise noted herein, compliance with all conditions shall be in place prior to the issuance of a Certificate of Occupancy.
3. To the owner's agreement to provide the following site development standards:
  - a. Variance from Section 19.4.28.1.B.5. of the Zoning Ordinance to encroach into the required twenty (20) foot landscape strip (per Section 4.23.1 of the Zoning Ordinance) to allow installation of an eight (8) inch sanitary sewer line substantially in the location depicted on the site plan (along the southern property line) (CV11-004#2).
  - b. Variance from Section 19.4.28.1.B.5. of the Zoning Ordinance to encroach into the required twenty-five (25) foot Zoning Buffer, the ten (10) improvement setback, and the twenty (20) foot landscape strip (per Section 4.23.1 of the Zoning Ordinance) to allow installation of an underground stormwater management facility substantially in the location depicted on the site plan (adjacent to the western and northern property lines) (CV11-004#3).
  - c. Variance from Section 19.4.28.1.B.5. of the Zoning Ordinance to encroach into the required ten (10) improvement setback (per Section 4.23.1 of the Zoning Ordinance) to allow installation of a proposed retaining wall and the proposed building substantially in the location depicted on the site plan (adjacent to the western property lines) (CV11-004#4).
  - d. Variance from Section 19.4.28.1.B.5. of the Zoning Ordinance to encroach into the required twenty-five (25) foot Zoning Buffer, the ten (10) improvement setback, and

the twenty (20) foot landscape strip (per Section 4.23.1 of the Zoning Ordinance) to allow installation of a retaining wall substantially in the location depicted on the site plan (adjacent to the western and northern property lines) (CV11-004#5).

- e. Variance from section 7.1.3.B. of the Zoning Ordinance to reduce the required twenty-five (25) foot front setback from the Glenridge Connector (SR 407) to twenty (20) feet to allow construction of the proposed building (CV11-004#6).
- f. Variance from section 7.1.3.A. of the Zoning Ordinance to increase the maximum height limitation from forty (40) feet to sixty (60) feet (4 stories including underground parking) for the proposed building (CV11-004#7).
- g. Variance from Section 19.4.28.1.B.6. of the Zoning Ordinance to reduce the required off-street parking for Medical Related Lodging from thirty-six (36) spaces to thirty (30) spaces (CV11-004#8).
- h. The owner/developer shall install and maintain Landscape Buffering to adjacent residentially zoned properties and along western, northern and eastern property lines as approved by the City Arborist and with input from the owners of the property commonly known as 1010 Clementstone Drive (the single family residence immediately to the west of the subject property).
- i. To no more than one (1) vehicular exit/entrance on Peachtree Dunwoody Road.
- j. To no vehicular access from the Glenridge Connector and from Clemenstone Drive.
- k. For the proposed driveway, the owner/applicant shall provide restriping of Peachtree Dunwoody Road in front of the site as approved by the Public Works Director.
- l. The owner/developer shall dedicate forty (40) feet of right-of-way from centerline of Peachtree Dunwoody 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.
- m. The owner/developer shall dedicate thirty (30) feet of right-of-way from centerline of Clemenstone 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.
- n. Upon commencement of construction to develop the Property according to the Site Plan, ARMHC shall install temporary fencing along all Property lines excluding those along a public right-of-way to assist in screening adjacent properties from construction activities. ARMHC shall maintain such temporary fencing until construction is completed. In addition, ARMHC shall comply with the requirements of the Code of the City of Sandy Springs, Georgia, with respect to noise control, expressly including without limitation, Article III, Division 2, Section 38-87, and time limitations for construction activities. During construction, Applicant shall ensure that there are such trash cans / dumpsters which are emptied on a regular basis and that the Property shall be kept as clean as reasonably possible. During construction, ARMHC shall notify the City of Sandy Springs of a contact name and telephone number which shall be answered 24 hours a day, 7 days a week regarding disturbances from construction.

- o. For the subject property, all conditions of zoning approved under RZ11-007/U11-003/CV11-004 shall supersede all previous conditions of zoning and all previous conditions of zoning shall no longer apply to the subject property.

### **Attachments**

Site Plans received October 19, 2011 and August 2, 2010

Letter of Intent received August 2, 2010

First Supplement to Application received October 19, 2011

Second Supplement to Application received October 28, 2011

Applicant Zoning Impact Analysis dated received August 2, 2010

Applicant Use Permit Considerations dated August 2, 2010

Letter Fulton County Dept. of Environment and Community Development received September 20, 2011

Letter City of Atlanta Dept. of Watershed Management received September 20, 2011

Letter Fulton County Dept. of Health Services received October 10, 2011

RECEIVED

AUG 02 2011

City of Sandy Springs  
Community Development

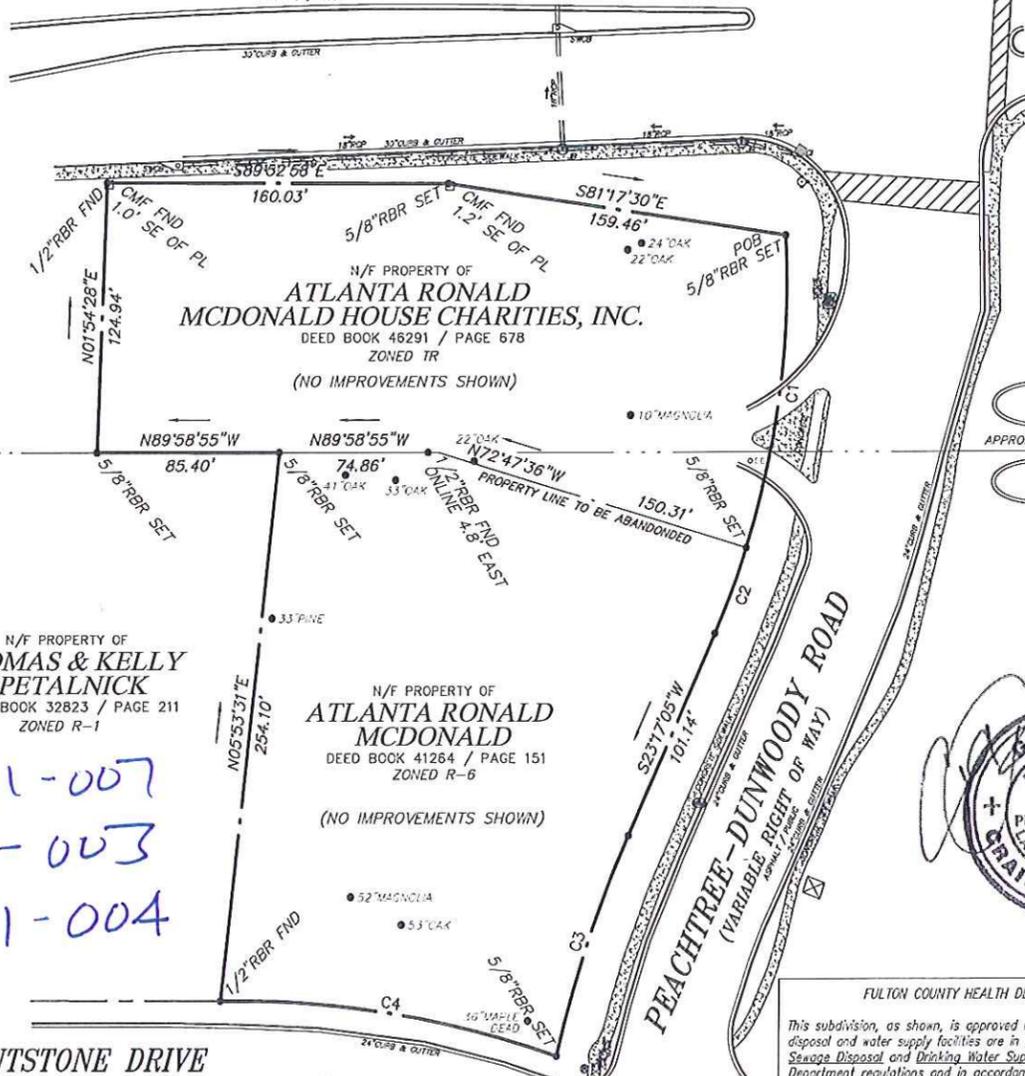
**CURVE TABLE**

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	409.00'	146.81'	146.03'	S07°04'06"W	20°33'59"
C2	409.00'	42.36'	42.34'	S20°19'07"W	05°56'02"
C3	543.09'	106.29'	106.12'	N17°40'41"E	11°12'48"
C4	450.39'	160.51'	159.66'	S80°49'46"E	20°25'08"

**OWNER/DEVELOPER**

ATLANTA RONALD McDONALD  
HOUSE CHARITIES  
795 GATEWOOD ROAD, NE  
ATLANTA, GA 30329  
PH (404) 315-1133

**GLENRIDGE CONNECTOR**  
(VARIABLE RIGHT OF WAY)  
ASPHALT / PUBLIC



R211-007  
U11-003  
CY11-004

**CLOSURE STATEMENT**

THE FIELD CLOSURE UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 32,543, AND WAS ADJUSTED USING THE LEAST SQUARES METHOD. A TOPCON 8005 ROBOTIC TOTAL STATION AND TDS RANGER DATA COLLECTOR WERE USED TO COLLECT THIS FIELD DATA.

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND WAS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 125,473 FEET. CAJ INIT.

**IF YOU DIG**



Know what's below.  
Call before you dig.  
Dial 811

**MINOR SUBDIVISION APPROVAL**

The Director of the Department of Community Development of Sandy Springs, Georgia, certifies that this plat complies with the City of Sandy Springs Zoning Ordinances, Conditions of Zoning, and the City of Sandy Springs Subdivision Regulations as amended.

**FULTON COUNTY HEALTH DEPARTMENT**

This subdivision, as shown, is approved upon the condition that sewage disposal and water supply facilities are in compliance with Articles C and D, Sewage Disposal and Drinking Water Supply, of the Fulton County Health Department regulations and in accordance with the requirements below:

WATER SUPPLY	SEWAGE DISPOSAL
( ) Public Water Supply	( ) Public Sanitary
( ) Individual Water Supplies	( ) Individual Onsite Sewage
Service Requirements -S/D	Type Service Requirements -S/D Type
( ) Type "A"	( ) Type "A" ( ) Type "C"
( ) Type "B"	( ) Type "B" ( ) Type "D"

Date \_\_\_\_\_ Fulton County Health Department  
Revision Date \_\_\_\_\_ Fulton County Health Department

**RECORDING INFO**

This is to certify that this plat has been recorded in Plat Book \_\_\_\_\_ Page \_\_\_\_\_ of Fulton County Recorded on \_\_\_\_\_ 20\_\_\_\_

Clerk, Superior Court  
Fulton County, Georgia

GRID NORTH - GA. WEST ZONE



**LEGEND**

- STANDARD ABBREVIATIONS**
- CI CURB INLET
  - CMP CORRUGATED METAL PIPE
  - CMF CONCRETE MONUMENT FND
  - CPED COMMUNICATION PEDESTAL
  - DI DROP INLET
  - DWCB DOUBLE WING CATCH BASIN
  - FND FOUND
  - JB JUNCTION BOX
  - MH MANHOLE
  - POB POINT OF BEGINNING
  - PCP REINFORCED CONCRETE PIPE
  - RBR IRON REINFORCING BAR
  - RBS 5/8" RBR SET
  - SWCB SINGLE WING CATCH BASIN

- STANDARD SYMBOLS**
- POWER POLE
  - GUY WIRE
  - POWER LINE
  - LIGHT POLE
  - ELECTRIC TRANSFORMER
  - WATER VAULT
  - WATER VALVE
  - WATER METER
  - FIRE HYDRANT

**SLOPE EASEMENT STATEMENT**

This plat is approved with the understanding that easement is granted the City of Sandy Springs along all road frontage for the purpose of sloping cuts and fill s as follows:  
0' to 5' - not less than 3 to 1 slope  
5' to 10' - not less than 2 to 1 slope

**DRAINAGE STATEMENT**

The owner of record, on behalf of him self (itself) and all successors in interest, specifically releases the City of Sandy Springs from any and all liability and responsibility for flooding or erosion from storm drains or from flooding from high water of natural creeks, rivers or drainage features. A drainage easement is hereby established for the sole purpose of providing for the emergency protection of the free flow of surface waters along all watercourses as established by these Regulations and the Director of the Department of Public Works. Said Director may conduct emergency maintenance operations within this easement where emergency conditions exist. Emergency maintenance shall be the removal of trees and other debris, excavation, filling and the like, necessary to remedy a condition, which in the judgment of staff and Director, is potentially injurious to life, property or the public road or utility system. Such emergency maintenance, conducted for a common good, shall not be construed as constituting a maintenance obligation on the part of the City of Sandy Springs, nor an abrogation of the City of Sandy Springs' right to seek reimbursement for expenses from the owner/s of the property or the lands that generated the conditions.

**OWNER'S ACKNOWLEDGEMENT**

(STATE OF GEORGIA)  
(CITY OF SANDY SPRINGS)

The owner of record of the land shown on this plat and whose name is subscribed thereto, in person or through a duly authorized agent, hereby acknowledges that this plat was made from an actual survey, dedicates to Fulton County, the complete ownership and use of all water and sewer improvements constructed or to be constructed in accordance with this plat, and dedicated to the use of the public forever the following:

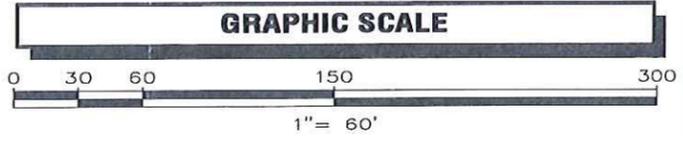
Public Streets	_____ 0.00 acres
Public Sewer Easements	_____ 0.00 acres
Public Drainage Easements	_____ 0.00 acres
Public Parks/Open Space	_____ 0.00 acres

Atlanta Ronald McDonald House Charities, Inc.  
Typed Name of Subdivider & Owner of Record

Signature of Subdivider & Owner of Record \_\_\_\_\_

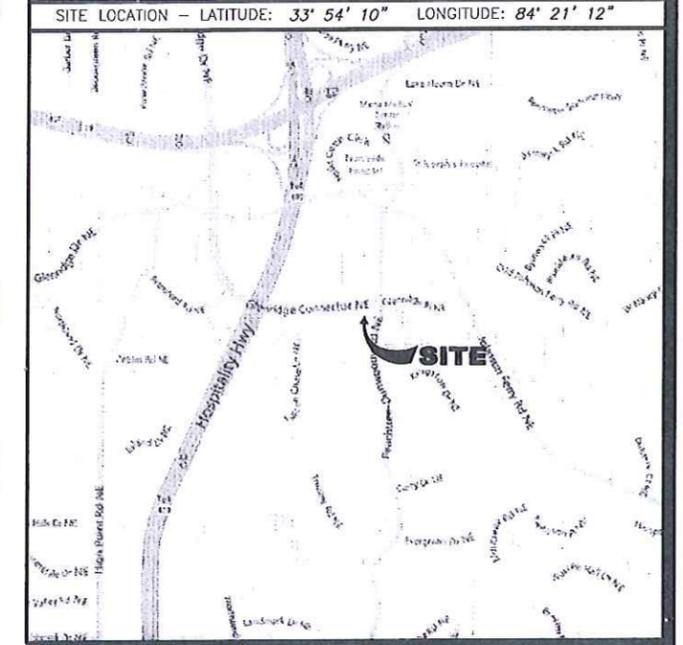
Date \_\_\_\_\_

Page  
**1 of 2**



Land Surveying & Mapping  
1170 Atlanta Industrial Drive  
Marietta, Georgia 30066  
Phone: (770) 795-9900  
Fax: (770) 795-8880

**VICINITY MAP**



**GENERAL NOTES**

THIS SURVEY HAS BEEN PREPARED FOR THE EXCLUSIVE USE OF THE PERSON OR ENTITIES NAMED HEREON. NO EXPRESS OR IMPLIED WARRANTIES WITH RESPECT TO THE INFORMATION SHOWN HEREON IS TO BE EXTENDED TO ANY PERSONS OR ENTITIES OTHER THAN THOSE SHOWN HEREON.

THIS SURVEY HAS BEEN PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE INSPECTION REPORT. EASEMENTS OR OTHER ENCUMBRANCES MAY EXIST ON PUBLIC RECORD BUT NOT BE SHOWN HEREON.

THIS PROPERTY IS NOT LOCATED IN A 100 YEAR FLOOD HAZARD AREA BASED ON THE FLOOD INSURANCE RATE MAP FOR THIS AREA. THE MAP NUMBER FOR THIS AREA IS 13121C0163E, AND THE DATE OF SAID MAP IS JUNE 22, 1998. THIS DETERMINATION WAS MADE BY GRAPHICALLY DETERMINING THE POSITION OF THIS SITE ON SAID FIRM MAPS UNLESS OTHERWISE NOTED.

THE HORIZONTAL DATUM FOR THIS SURVEY IS BASED ON THAT INFORMATION SHOULD ON THE SURVEY FOR RONALD MCDONALD HOUSE AS REFERENCED IN SURVEY REFERENCE NO. 1

WATER SERVICE PROVIDED BY: FULTON COUNTY  
SEWER SERVICE PROVIDED BY: FULTON COUNTY

"THIS PLAT IS SUBJECT TO THE COVENANTS SET FORTH IN THE SEPARATE DOCUMENT(S) AS RECORDED IN DEED BOOK \_\_\_\_\_, PAGE(S) \_\_\_\_\_, WHICH HEREBY BECOMES A PART OF THIS PLAT."

BEARINGS SHOWN HEREON ARE BASED ON ANGLES TURNED IN THE FIELD

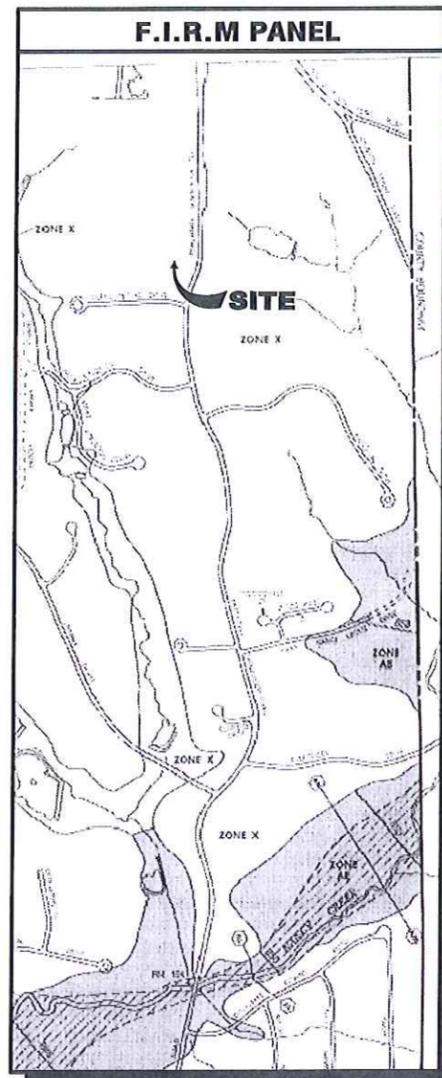
MINOR CONSOLIDATION PLAT OF

**Atlanta Ronald McDonald House**

FOR

**ATLANTA RONALD MCDONALD HOUSE CHARITIES, INC.**

GS JOB NO:	RONALD-01	DRAWING SCALE:	1" = 60'	SURVEY DATE:	06-24-2011
FIELD WORK:	CAJ	CITY:	SANDY SPRINGS STATE: GEORGIA	REVISIONS	
PROJ MGR:	CAJ	COUNTY:	FULTON	No.	Date
REVIEWED:	TDT	LAND LOT:	15 & 16	Description	
DWG FILE:	RONALD-01.dwg	DISTRICT:	17th		



**F.I.R.M PANEL**

NATIONAL FLOOD INSURANCE PROGRAM

**FIRM  
FLOOD INSURANCE RATE MAP**  
FULTON COUNTY,  
GEORGIA  
AND INCORPORATED AREAS

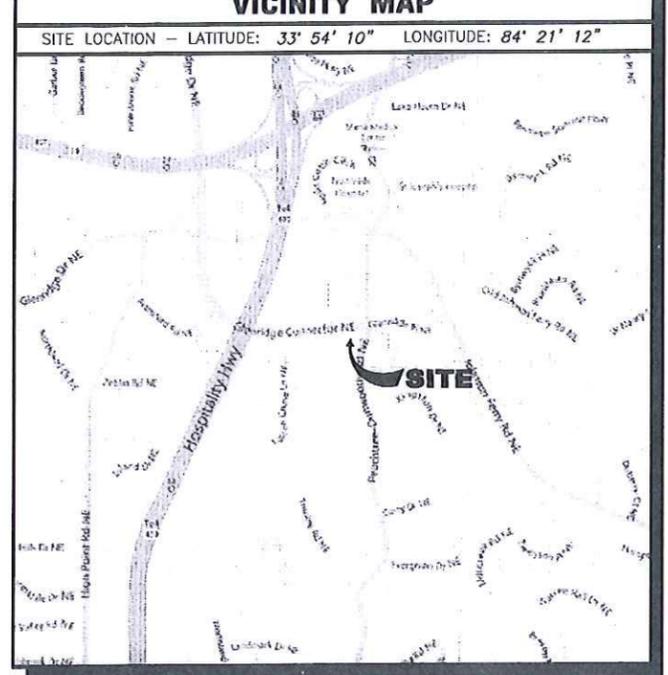
PANEL 163 OF 490  
(SEE MAP INDEX FOR PANELS NOT PRINTED)

COMMUNITY	NUMBER	PANEL	SUFFIX
ATLANTA CITY OF	13577	013	E
FULTON COUNTY	14950	013	E

MAP NUMBER  
13121C0163 E

EFFECTIVE DATE:  
JUNE 22, 1998

Federal Emergency Management Agency



**GENERAL NOTES**

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BEARINGS SHOWN HEREON ARE BASED ON ANGLES TURNED IN THE FIELD



1211-007  
11-003  
11-004  
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City of Sandy Springs  
Community Development

**ZONING INFORMATION**

A PORTION OF THIS SITE IS ZONED "R-6" (TWO FAMILY DWELLING DISTRICT). THE MINIMUM YARD SETBACKS ARE: FRONT - 25 FEET; SIDE - 7 FEET (INTERIOR) 20 FEET (STREET); AND REAR - 20 FEET. MINIMUM LOT AREA: 9,000 SF. ADDITIONALLY THIS PROPERTY MAY BE SUBJECT TO RESTRICTIONS SET FORTH IN THE FOLLOWING ZONING CASE NUMBERS 2005Z-0953; 2005U-0013; 2005VC-0115

A PORTION OF THIS SITE IS ZONED "TR" (TOWNHOUSE RESIDENTIAL DISTRICT). THE MINIMUM YARD SETBACKS ARE: FRONT - 40 FEET; SIDE - 30 FEET (INTERIOR) 40 FEET (STREET); AND REAR - 35 FEET. ADDITIONALLY THIS PROPERTY MAY BE SUBJECT TO RESTRICTIONS SET FORTH IN THE FOLLOWING ZONING CASE NUMBERS Z92-036, U92-030, V92-082, M93-042, M94-005, 2005ZM-0034, and 2005VC-0113

IT IS PROPOSED TO REZONE THE TR PORTION OF THIS PROPERTY TO R-6 WITH A MEDICAL RELATED LODGING USE PERMIT AND CONCURRENT VARIANCES

PLEASE NOTE: ZONING AND SETBACKS SHOULD BE CONFIRMED AND VERIFIED BY PLANNING AND ZONING PRIOR TO DESIGN OR CONSTRUCTION ACTIVITIES.

**SURVEY REFERENCES**

1> BOUNDARY AND TOPOGRAPHIC SURVEY FOR RONALD MCDONALD HOUSE DATED JULY 29, 2004 AND PREPARED BY DONALD, GARRETT, & ASSOCIATES, INC.

**IF YOU DIG**

**811** Know what's below.  
Call before you dig.  
Dial 811

**CLOSURE STATEMENT**

THE FIELD CLOSURE UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 32,543, AND WAS ADJUSTED USING THE LEAST SQUARES METHOD. A TOPCON 8005 ROBOTIC TOTAL STATION AND TDS RANGER DATA COLLECTOR WERE USED TO COLLECT THIS FIELD DATA.

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND WAS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 125,473 FEET. CAJ INIT.

**SURVEYOR'S CERTIFICATE**

"It is hereby certified that this Minor Subdivision Plat is true and correct and was prepared from an actual survey of the property, made by me or under my supervision; that all monuments shown hereon actually exist, or are marked as "Future"; and their location, size, type and material is correctly shown."



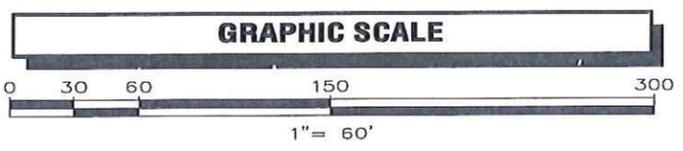
Surveyor's Name: Craig A. Jennings

TOTAL SITE AREA  
2.048 Acres  
89,215 sf  
ZONED R-6 & TR



Land Surveying & Mapping  
1170 Atlanta Industrial Drive  
Marietta, Georgia 30066  
Phone: (770) 795-9900  
Fax: (770) 795-8880

**Page**  
**2 of 2**



MINOR CONSOLIDATION PLAT OF

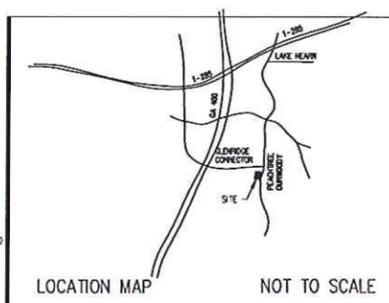
**Atlanta Ronald McDonald House**

FOR

**ATLANTA RONALD  
MCDONALD HOUSE CHARITIES, INC.**

GS JOB NO:	RONALD-01	DRAWING SCALE:	1" = 60'	SURVEY DATE:	06-24-2011
FIELD WORK:	CAJ	CITY:	SANDY SPRINGS STATE: GEORGIA	REVISIONS	
PROJ MGR:	CAJ	COUNTY:	FULTON	No.	Date
REVIEWED:	TDT	LAND LOT:	15 & 16	Description	
DWG FILE:	RONALD-01.dwg	DISTRICT:	17th		





SPECIMEN TREES TO BE REMOVED:  
33" OAK  
41" OAK

**RECEIVED**  
OCT 19 2011  
City of Sandy Springs  
Community Development

**SITE DATA:**  
LAND LOTS 15, 16  
17TH LAND DISTRICT  
CITY OF SANDY SPRINGS  
FULTON COUNTY, GEORGIA

**TOTAL ACRES:** 2.048 ACRES  
**EXISTING ZONING:** RESIDENTIAL R-6 & TR  
**PROPOSED ZONING:** RESIDENTIAL R-6  
**PROPOSED UNIT COUNT:** 31

**PARKING DATA:**  
**REQUIRED PARKING:**  
35 SPACES (1 SPACE PER UNIT + 1 SPACE PER FULL TIME EMPLOYEE)  
**PROPOSED PARKING:**  
30 SPACES INCLUDING 2 HANDICAP (22 SPACES UNDER BUILDING)

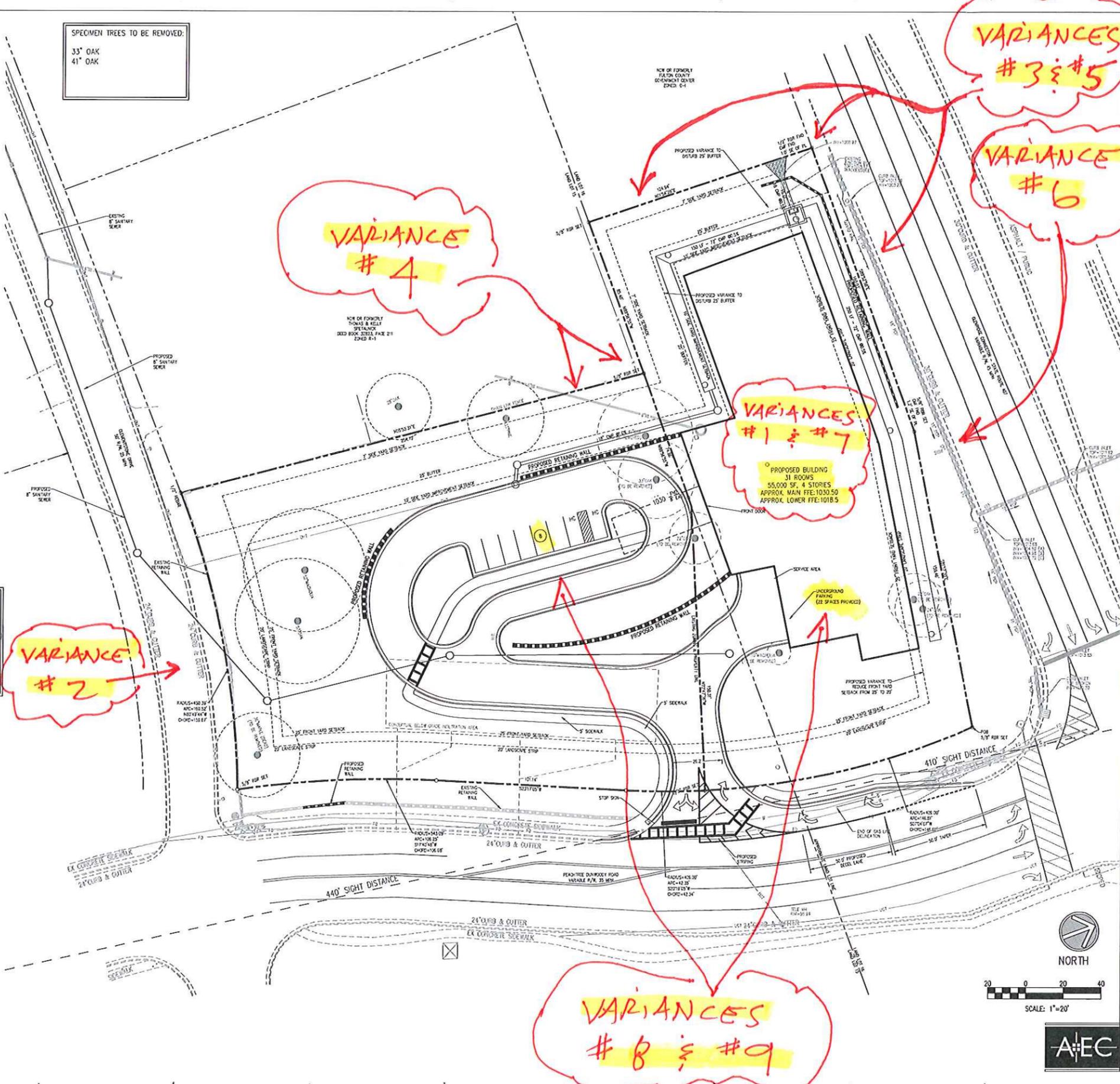
**DEVELOPMENT STATISTICS SUMMARY CHART**

TOTAL AREA OF SITE:	2.048 ACRES (89,211 SF)
BUILDING FOOTPRINT:	17,600 SF (19.95%)
PARKING SPACES:	30 SPACES (23.3% FOR SURFACE PARKING)
TOTAL IMPERVIOUS SURFACE:	37,407 SF (41.93%)
LANDSCAPING:	35,803 SF (40.14%)
FLOODPLAIN:	0.00 SF (0%)
UNDEVELOPED AND/OR OPEN SPACE:	15,995 SF (17.93%)

- NOTES:**
- THIS SITE IS NOT WITHIN 2,000 FEET OF THE CHATTAHOOCHEE RIVER.
  - THIS SITE IS NOT WITHIN 200 FEET OF A PLANNED CENTERLINE FOR MARTA.

- CONCURRENT VARIANCES:**
- 5' VARIANCE TO FRONT YARD SETBACK ALONG GLENRIDGE CONNECTOR (FROM 25' TO 20' AS SHOWN)
  - REDUCE TOTAL PARKING PROVIDED TO 30 SPACES (REDUCTION OF 6 SPACES).
  - ALLOW 31 UNITS.
  - INCREASE BUILDING HEIGHT IN LOCATION SHOWN TO 60 FEET.
  - DISTURB BUFFER ALONG NORTHWEST PROPERTY LINE TO INSTALL THE STORMWATER MANAGEMENT SYSTEM.

RZ11-007  
U11-003  
CV11-004



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1315 Peachtree St NE  
Atlanta, GA 30309  
T 404.873.2200  
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www.perkinswill.com

**Ronald McDonald House**  
8420 P tree Dunwoody Rd NE  
Sandy Springs, GA 30342



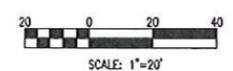
IN ASSOCIATION WITH  
AEC, Inc.  
50 West Springs Circle  
Roswell, GA 30075  
T 770.841.1542  
www.aecall.com

NO.	REVISION	DATE
1	REVISED LAYOUT	10-16-11
2	ADDED FRONT LANDSCAPE ISLAND	8-29-11
NO.	ISSUE	DATE

Sheet Information  
Date: 7-25-11  
Job Number:  
Drawn:  
Checked:  
Approved:

**SITE LAYOUT PLAN**

Sheet **C3.0**



**HOLT NEY ZATCOFF & WASSERMAN, LLP**

ATTORNEYS AT LAW

100 GALLERIA PARKWAY, SUITE 1800

ATLANTA, GEORGIA 30339-5960

TELEPHONE 770-956-9600 FACSIMILE 770-956-1490

James M. Ney  
e-mail jney@honzw.com

Ellen W. Smith  
e-mail esmith@honzw.com

August 2, 2011

RZ11 - 007  
**RECEIVED**

AUG 02 2011

**BY HAND DELIVERY**

Department of Community Development  
City of Sandy Springs  
7840 Roswell Road, Building 500  
Sandy Springs, Georgia 30350

City of Sandy Springs  
Community Development  
U11 - 003  
EV11 - 004

Re: Application for Rezoning, Use Permit and Concurrent Variance (“*Application*”) by Atlanta Ronald McDonald House Charities, Inc., relating to that certain property commonly known as 5400 and 5420 Peachtree Dunwoody Road, Sandy Springs, Georgia (collectively, the “*Property*”)

Ladies and Gentlemen:

This law firm has the pleasure of representing Atlanta Ronald McDonald House Charities, Inc. (“*ARMH*”), the Applicant with respect to the referenced Application. ARMH respectfully submits for your consideration the Application, the approval of which will allow Applicant to redevelop the Property with a new single, consolidated and updated Ronald McDonald House. Specifically, ARMH seeks to rezone the Property from R-6 (conditional) and TR (conditional) with use permits for Medical Related Lodging to R-6 with a use permit for Medical Related Lodging. As part of its Application, ARMH also seeks several concurrent variances to allow the redevelopment of the Property in such a manner to minimize impact on its residential neighbors to the rear or west of the Property.

**Background – ARMH and The Property**

The Ronald McDonald House serves as a temporary residence -- a “home-away-from-home” – for families of seriously ill children who are receiving treatment at nearby hospitals or medical facilities. More than 20 years ago, ARMH acquired the portion of the Property known as 5420 Peachtree Dunwoody Road (the “*5420 Property*”). The 5420 Property is approximately 0.948 acres located at the corner of the Glenridge Connector and Peachtree Dunwoody Road. In a series of Fulton County zoning cases in the early 1990’s, the 5420 Property was rezoned to TR-Conditional (Townhouse Residential District with Conditions) with a use permit for Medical

**HOLT NEY ZATCOFF & WASSERMAN, LLP**

Department of Community Development  
City of Sandy Springs  
August 2, 2011  
Page 2 of 6

Related Lodging<sup>1</sup> to allow the renovation of an existing single-family residence for the operation of a Ronald McDonald House. (See Z92-036, U92-030, V92-082; see also M93-042, M94-005.) The 5420 Property has been operating continuously as a Ronald McDonald House since approximately June 1994, serving as a “home away from home” for nearly 10,000 families.

Almost from its inception, the 11-room capacity at the existing Peachtree Dunwoody Ronald McDonald House has been too small. For almost a decade, ARMH has recognized a significant need to expand the accommodations for the families it serves. ARMH has continually searched the area for appropriate expansion and/or relocation and in 2005, having found exhausted other alternatives, ARMH had the opportunity to acquire the property immediately adjacent to the 5420 Property to the south, 5400 Peachtree Dunwoody Road (the “5400 Property”). The 5400 Property is approximately 1.100 acres located on the corner of Clementstone Drive and Peachtree Dunwoody Road. In the late summer of 2005, ARMH successfully rezoned the 5400 Property from R-2 to R-6 with a use permit for Medical Related Lodging, and several variances. (See 2005Z-0053, 2005U-0013 and 2005VC-0115.)<sup>2</sup>

The Fulton County Board of Commissioners (the “Board”) approved ARMH’s applications, with certain limitations. Specifically, with respect to the 5400 Property, the Board granted the rezoning and the use permit requests as well as all but one of the variances (with respect to the number of units) requested by ARMH. There were a number of zoning conditions applicable to the 2005 zoning approvals.

Although ARMH was successful in rezoning and acquiring the 5400 Property, pending litigation over the zoning approval, economic times and, more importantly, changes in medical services and the kinds of accommodations needed, have prevented it from redeveloping the existing house located on the 5400 Property. Nevertheless, its needs for expansion remain constant. With only 11 bedroom units and an average stay of ten days, this Ronald McDonald House has continually operated at or near capacity with a waiting list almost every day for the past five years. Last year alone, ARMH had to turn away just over 200 families because rooms were not available on the nights they needed accommodations. ARMH has continued to search the general vicinity for opportunities for a complete relocation of its Peachtree Dunwoody House, but redevelopment of the Property remains the most viable and sensible option for this area. The proximity of the Property to the surrounding hospitals and major roadways remain significant and compelling reasons that the Property is the ideal location for a new Ronald McDonald House.

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<sup>1</sup> In fact, the Medical Related Lodging use was added to the Fulton County Zoning Resolution in 1991 expressly with Ronald McDonald House facilities in mind.

<sup>2</sup> To allow the effective use of the 5400 Property in conjunction with the 5420 Property, ARMH also concurrently requested and was granted several modifications and variances with respect to the 5420 Property. (See 2005ZM-0034 and 2005VC-0113).

Department of Community Development  
City of Sandy Springs  
August 2, 2011  
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### Proposed Rezoning and Use Permit

In response to the needs of its families and demand, to promote better rehabilitation and home care and to ensure more efficient and effective services for its families, ARMH intends to demolish the existing, out-of-date homes and redevelop the Property with one state of the art facility to house the families it serves at its Peachtree Dunwoody location. Specifically, to allow this redevelopment to occur, ARMH requests that the City of Sandy Springs City Council (the "**Council**") rezone the Property from R-6 (conditional) and TR (conditional) to R-6 with a use permit for Medical Related Lodging to allow the demolition of the existing structures and Ronald McDonald House on the Property and the redevelopment of the Property with a new Ronald McDonald House.

The proposed new Ronald McDonald House is anticipated to provide 31 units for families to be served. The improvements that ARMH is proposing are more particularly shown on the site plan submitted herewith.

The merits of the proposed redevelopment and its negligible impact on surrounding properties are more particularly described on the Impact Analysis (Form B) and the Use Permit Considerations Form submitted herewith. Because approximately half of the Property is already zoned R-6 and because ARMH already holds two Medical Related Lodging use permits for a combined total of 31 units, the Application does not present a significant shift in the proposed use of the Property. Instead, the primary purpose of the Application is to allow ARMH to present the City with a new site plan and allow the consolidation of the 5400 and the 5420 Properties.<sup>3</sup>

---

<sup>3</sup>ARMH hereby notifies the City of its constitutional concerns with respect to its Application. Specifically, if the Council denies the Application in whole or in part, then the Property does not have a reasonable economic use under the current 2005 Zoning Ordinance of Sandy Springs, as the same is amended from time to time (the "**Zoning Ordinance**"). Moreover, the Application meets the test set out by the Georgia Supreme Court to be used in establishing the constitutional balance between private property rights and zoning and planning as an expression of the government's police power. See *Guhl vs. Holcomb Bridge Road*, 238 Ga. 322 (1977). If the Council denies the Application in whole or in part, such an action will deprive ARMH of the ability to use the Property in accordance with its highest and best use. Similarly, if the Council rezones the Property to some classification other than the R-6 zoning district without ARMH's consent, or if the Council limits its approval by attaching conditions to such approval affecting the Property or the use thereof without ARMH's consent, then such approval would deprive ARMH of any reasonable use and development of the Property. Any such action is unconstitutional and will result in a taking of property rights in violation of the just compensation clause of the Constitution of the State of Georgia (see *Ga. Const. 1983, Art. I, § 3, para. 1(a)*), and the just compensation clause of the Fifth Amendment to the United States Constitution (see *U.S. Const. Amend. 5*). To the extent that the Zoning Ordinance allows such an action by the Council, the Zoning Ordinance is unconstitutional. Any such denial or conditional approval would discriminate between ARMH and owners of similarly situated property in an arbitrary, capricious, unreasonable and unconstitutional manner in violation of Article I, Section I, Paragraph 2 of the Constitution of the State of Georgia and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Finally, a failure to grant the Application or a conditional approval of the Application (with conditions not expressly approved by ARMH) would constitute a gross abuse of discretion and would constitute an unconstitutional violation ARMH's

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City of Sandy Springs  
August 2, 2011  
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### Concurrent Variances

In addition to the rezoning and use permit, ARMH seeks the following variances as part of its Application:

- (1) increase the 20-unit limit to 31 units/bedrooms to allow ARMH (*Zoning Ordinance § 19.4.28.1.B.1*) (identified on Site Plan as Concurrent Variance 4);
- (2) vary the buffer requirement along the Glenridge Connector property line (*Zoning Ordinance § 19.4.28.1.B.5; Table 4.23.1*) by 5 feet (identified on Site Plan as Concurrent Variance 1);
- (3) vary the buffer requirement along the northwest property line to allow for construction, replanting and location of sanitary sewer (*Zoning Ordinance § 19.4.28.1.B.5; Table 4.23.1*) (identified on the Site Plan as Concurrent Variances 2 and 6);
- (4) reduce the required parking from 36 spots to 30 spots, or a 17% reduction (*Zoning Ordinance § 19.4.28.1.B.6*) (identified on the Site Plan as Concurrent Variance 3); and
- (5) increase the height of the portion of the new building parallel to the Glenridge Connector to 53 feet (a variance of 13 feet) (*Zoning Ordinance § 7.1.3.A*).

The variances requested herein are the minimum variances necessary to allow ARMH to redevelop the Property in a manner that maximizes the use of the Property for ARMH's purpose while minimizing the impact of that use on its neighbors. The first two variances are identical to existing variances and conditions impacting the Property; ARMH is not seeking to increase the density nor the proximity of the building to Glenridge Connector any more than ARMH is already entitled to do. If granted, the relief sought would be in harmony with the general purpose and intent of the Zoning Resolution. (*See Zoning Ordinance 22.3.1.A.*) Although it appears that ARMH is requesting a significant number of variances, its request actually reduces the number of variances that currently benefit the Property.

Furthermore, the application of certain provisions of the Zoning Resolution to the Property, due to extraordinary and exceptional conditions pertaining to the Property because of its shape, topography, and location would create an unnecessary hardship for ARMH while causing no detriment to the public. (*See Zoning Ordinance § 22.3.1.B.*) Specifically, with respect to the buffer variance requests, because of the topography of the Property and the

---

rights to substantive and procedural due process as guaranteed by the Constitution of the State of Georgia (*see Ga. Const. 1983, Art. I, § 1, para. 1*) and the Fifth and Fourteenth Amendments of the Constitution of the United States (*see U.S. Const. Amend. 5 and 14*). ARMH further challenges the constitutionality and enforceability of the Zoning Ordinance (together with all applicable land use and zoning maps, comprehensive plans, zoning regulations, conditions and site plans), in whole and in relevant part, for lack of objective standards, guidelines or criteria limiting the City's discretion in considering or deciding applications for rezonings, use permits and variances. Nevertheless, ARMH remains optimistic that the City's consideration of the Application will be conducted in a constitutional manner.

Department of Community Development  
City of Sandy Springs  
August 2, 2011  
Page 5 of 6

location of existing sewer lines, there is no other place for the sewer pipes to run but the location as proposed by ARMH. Furthermore, once construction is completed, ARMH will replant the disturbed buffer areas to the standards required by the City and, above ground, the Property will appear to comply with the buffer requirements. The impact to the existing buffer is really a temporary impact to allow the construction to take place.

The parking variance is discussed in greater detail in the Use Permit Consideration form.

The height variance is intended only with respect to the portion of the building running parallel to Glenridge Connector. Because of existing topography, the architects are planning this building to be taller while at the same time ensuring that the height has as little impact on ARMH's neighbors to the South and West. The proposed layout and design of the building on the Property is an attempt to mitigate to the greatest extent possible its impact on neighbors while at the same time ensuring that the building will support the needs of ARMH's families.

#### Application Requirements

Articles XIX, XXII and XXVIII of the Zoning Ordinance set forth the various requirements applicable to requests for use permits, variances and rezonings, some of which are addressed above and the rest are addressed in supporting documents. Specifically, in support of the Application, Applicant submits the following documents:

- (1) Pre-Application Review Form (original and 1 copy);
- (2) Application for Rezoning, Use Permit and Concurrent Variances Form (original and 1 copy);
- (3) \$2,000.00 Fee (\$750.00 for rezoning, \$500.00 for use permit, and \$750.00 for concurrent variances);
- (4) Site Plan with Development Statistics Summary Chart (2 full size and 1 reduced copy);
- (5) Existing Conditions (2 full size and 1 reduced copy);
- (6) Survey (2 full size and 1 reduced copy);
- (7) Metes and bounds legal description of the Property (2 copies);
- (8) Letter of Intent (an original and one copy);
- (9) Environmental Site Analysis (an original and one copy)
- (10) Impact Analysis (an original and one copy);
- (11) Disclosure Forms by Applicant and Attorneys (an original and one copy of each);
- (12) Public Participation Plan (an original and one copy);
- (13) Site Plan Checklist (an original and one copy);
- (14) Use Permit Considerations Form (an original and one copy);
- (15) Adjacent Property Owner List (one copy);
- (16) Metropolitan River Protection Certification (one copy);

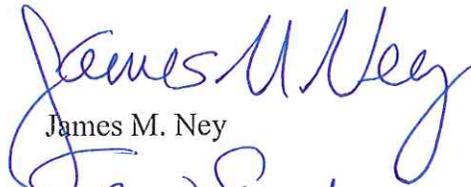
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August 2, 2011  
Page 6 of 6

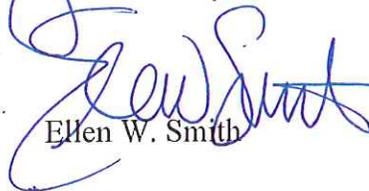
- (17) Watershed Evaluation Certification) (one copy); and
- (18) MARTA Corridor Certification (one copy).

ARMH believes that this letter of intent, and the accompanying documents support the Application. ARMH is happy to answer any questions or provide any additional information that you may have with regard to this Application. ARMH respectfully requests the approval of the Application to allow it to better serve more families that are in desperate need of its services.

Sincerely,  
HOLT NEY ZATCOFF & WASSERMAN, LLP



James M. Ney



Ellen W. Smith

JMN/EWS/ews

Enclosures

cc: Mr. Thomas Kirbo  
Ms. Linda M. Morris

IMPACT ANALYSIS  
FORM B

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AUG 02 2011

Applicant: *Atlanta Ronald Mc Donald House Charities, Inc.*

City of Sandy Springs  
Community Development

Analyze the impact of the proposed rezoning and answer the following questions:

1. Does the zoning proposal permit a use that is suitable in view of the use and development of adjacent and nearby property? \_\_\_\_\_  
see attached
2. Does the zoning proposal adversely affect the existing use or usability of adjacent or nearby property? \_\_\_\_\_  
see attached
3. Does the property to be rezoned have a reasonable economic use as currently zoned? \_\_\_\_\_  
see attached
4. Will the zoning proposal result in a use that could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools? \_\_\_\_\_  
see attached
5. Is the zoning proposal in conformity with the policies and intent of the land use plan? \_\_\_\_\_  
see attached
6. Are there existing or changing conditions that affect the use and development of the property which support either approval or denial of the zoning proposal? \_\_\_\_\_  
see attached
7. Does the zoning proposal permit a use that can be considered environmentally adverse to the natural resources, environment and citizens of the City of Sandy Springs? \_\_\_\_\_  
see attached

Attach additional sheets as needed.

*RZ11-007*  
*U11-003*  
*CR11-004*

**FORM B**  
**ZONING IMPACT ANALYSIS**

Article XXVIII, Section 28.4.1 of the City of Sandy Springs Zoning Ordinance and Official Code of Ga. Ann. § 36-67-3 require a governing body with zoning authority, such as the City of Sandy Springs City Council, to consider seven general lines of inquiry when attempting to balance the general public's interests in health, safety, morality, and general welfare against the private interest of a landowner.

Applying these guideposts to the Application<sup>1</sup> shows that the Property should be rezoned to the R-6 zoning district, with the requested use permit and concurrent variances, and the Application should be granted.

**1. Does the zoning proposal permit a use that is suitable in view of the use and development of adjacent and nearby property?**

Yes, the Application, if granted, will permit a use that is suitable in view of the use and development of adjacent or nearby property. First, the Property is already entitled for the use that ARMH seeks to make of the Property with its redevelopment, and the determination that a Ronald McDonald House is appropriate on the Property has been made by Fulton County in previous zoning cases. The Property lies one lot south the intersection of the Glenridge Connector and Peachtree Dunwoody Road, and in close proximity to the intersection of Georgia Highway 400 and Interstate 285. Nearby are a number of office buildings and hospital facilities, making the Property a perfect candidate for the location of a Ronald McDonald House. Likewise, the property located across Peachtree Dunwoody Road is zoned A-L and is developed as a large apartment complex. Even the adjacent properties along Clementstone Drive and to the south of the Property along Peachtree Dunwoody road which are developed as single family residences, zoned R-2, will be well buffered from the proposed Ronald McDonald House, and will be impacted only minimally by ARMH's proposed use of the Property. A decision to grant the Application and to rezone the Property to R-6 would be entirely consistent with and suitable in view of the surrounding properties.

**2. Does the zoning proposal adversely affect the existing use or usability of adjacent or nearby property?**

No, the Application does not present a proposed use that will adversely affect the existing use of adjacent or nearby property. Granting the Application will ensure that the Property will continue to have a residential-like use, fully consistent with, and complimenting, the uses next-door and across Peachtree Dunwoody Road. Already, ARMH's development of the Property has eliminated one access point from Peachtree Dunwoody Road (the existing driveway on the 5400 Property). Additionally, ARMH has provided for significant buffering between the Property and the residential lot (shown as n/f Thomas and Kelly Spetalnick) to the rear or south west of the Property to minimize its impact on that neighbor.

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<sup>1</sup> Words with beginning capital letters not defined in this Analysis should be given the meanings used in the Letter of Intent filed by ARMH concurrently herewith.

**3. Does the property to be rezoned have a reasonable economic use as currently zoned?**

Although the Property has a reasonable economic use as currently zoned (which is for a Ronald McDonald House), ARMH has determined that the highest and best use of the Property is for the Ronald McDonald House use to be centralized in one modern building expressly designed for its use (instead of new construction of one building and the continued retrofitting of the existing, single family structure on the Property).

**4. Will the zoning proposal result in a use that could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools?**

No, the zoning proposal will not result in a use that could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools. Currently, Fulton County's infrastructure appears sufficient generally to handle the proposed use of the Property. Previously, in connection with its 2005 rezoning, ARMH had commissioned and submitted to Fulton County a traffic study that reflected the impact on the existing streets and transportation facilities would be minimal. (Because ARMH's proposed redevelopment does not meet the thresholds dictating the need for a new traffic study, ARMH has not submitted on with this Application.) Furthermore, ARMH has a shuttle service designed to eliminate multiple users of its facilities from having to drive their own vehicles to and from area hospitals and doctors' offices as they transport and visit their family members receiving medical attention. Finally, because the families who stay at the Ronald McDonald House are only there temporarily, there will be no impact or increase on area schools by this proposed redevelopment and the Ronald McDonald House use.

**5. Is the zoning proposal is in conformity with the policies and intent of the land use plan?**

The Sandy Springs Future Land Use Map reflects that this area of the County is low density residential. Although the R-6 category is considered a middle density residential category, there is precedence (including the existing TR-Condition zoning of the 5420 Property and the property across Peachtree Dunwoody Road to the east which is zoned A-L) for higher density zoning districts in this area. The rezoning of the Property to R-6 ensure the continuation of an appropriate transitional buffer between these uses and the R-2 properties to its west and south. Likewise, ARMH has provided for appropriate landscape and improvement setbacks to ensure buffers to the single-family residence to the rear of the Property, and is designing the Ronald McDonald House in a way that will be as residential-looking as possible, both to allow the structure to blend in with the residential uses adjacent to it.

**6. Are there existing or changing conditions that affect the use and development of the property which support either approval or denial of the zoning proposal?**

A number of other conditions exist affecting the redevelopment of the Property, and support granting the Application. The single most compelling reason is that there are simply no other properties in the vicinity that are available and that could so effectively serve as a Ronald McDonald House. If this Application is granted, ARMH could maximize the use of the Property to provide services to needy families that it currently has to turn away. The location of the Property in close proximity to the existing Ronald McDonald House, to the hospitals and medical offices nearby, and major roadways including Georgia Highway 400 and Interstate 285 is ideal for this proposal. This is a rapidly changing area and this minor change to R-6 across from the existing A-L use is entirely appropriate.

**7. Does the zoning proposal permit a use that can be considered environmentally adverse to the natural resources, environment and citizens of Fulton County?**

No, as demonstrated by the Environmental Site Analysis and the site plan submitted with the Application, the zoning proposal does not permit a use that could be considered environmentally adverse to the natural resources, environment and citizens of Fulton County.

AUG 02 2011

City of Sandy Springs  
Community DevelopmentR211-007  
U11-003  
CV11-004**USE PERMIT CONSIDERATION FORM**

Article XIX, Section 19.2.4 of the City of Sandy Springs Zoning Ordinance outlines the items which the City of Sandy Springs City Council should consider in exercising its discretion in evaluating the site proposed for a use which requires a Use Permit. Consideration of these ten items shows that the City Council should grant ARMH<sup>1</sup> a use permit for Medical Related Lodging at the Property.

**A. Whether the proposed Use is consistent with the Comprehensive Plan and/or other plans adopted by the City Council.**

Given that the proposed use of the Property and the density of that proposed use has been approved since 2005 (albeit in a different configuration of improvements), and that the current Ronald McDonald House has been operating at the 5420 Property since 1994, the proposed use of the Property is consistent with the existing neighborhood and surrounding area. Moreover, the medical related lodging use of the Property is consistent with the November 20, 2007 Adopted Character Map reflects that the Property is located in the "Employment Visionary Character Area" of the City. Specifically, this category "corresponds with areas of Sandy Springs near Interstate 285... and SR 400". Development in this area "usually has a campus-type environment". Given the Property's proximity to the intersections of Glenridge Connector and Peachtree Dunwoody Road and Georgia Highway 400 and Interstate 285 and also given the number of nearby office buildings and hospital facilities, the Property is a perfect candidate from pragmatic and land use perspectives for the Ronald McDonald House.

**B. Whether the proposed Use is compatible with land Uses and Zoning Districts in the vicinity of the Property for which the Use Permit is proposed.**

As more particularly discussed on the Zoning Impact Analysis (Form B) submitted herewith, the proposed use is compatible with land uses and zoning districts in the vicinity of the Property. The Medical Related Lodging use is only allowed in two zoning categories under the Zoning Ordinance: R-6 and TR. Accordingly, a determination has already been made that it is appropriate for this Property in this vicinity. Moreover, a quick glance at the zoning map for the surrounding area reflects that there are properties zoned R-2 and OI immediately adjacent to the Property to the west, and properties zoned A-L, OI and MIX across Peachtree Dunwoody Road and Glenridge Connector. The R-6 zoning and the Medical Related Lodging use permit provides an appropriate buffer between the more densely properties to the north and east of the Property.

**C. Whether the proposed Use is may violate local, state and/or federal statutes, ordinances or regulations governing land Development.**

The proposed use does not violate any local, state or federal statute, ordinance or regulation governing land use development.

<sup>1</sup> Words with beginning capital letters not defined in this Analysis should be given the meanings used in the Letter of Intent filed by ARMH concurrently herewith.

**D. The effect of the proposed Use on traffic flow, vehicular and pedestrian, along Adjoining Streets.**

The effect of the proposed use is not anticipated to be substantial. Previously, in connection with its 2005 rezoning, ARMH had commissioned and submitted to Fulton County a traffic study that reflected the impact on the existing streets and transportation facilities would be negligible. (Because ARMH's proposed redevelopment does not meet the thresholds dictating the need for a new traffic study, ARMH has not submitted on with this Application.) Furthermore, ARMH has a shuttle service designed to eliminate multiple users of its facilities from having to drive their own vehicles to and from area hospitals and doctors' offices as they transport and visit their family members receiving medical attention. The proposed new site plan and the redevelopment of the Property with one building serving the families who are staying at the Ronald McDonald House is intended to improve the existing site plan and traffic design that was approved in 2005. Specifically, the new site plan will significantly improve access for guests of the Ronald McDonald House particularly internally to the facilities that serve them.

**E. The location and number of off-Street Parking Spaces.**

The proposed parking for the Property is intended to be a mix of underground parking and surface parking, as more particularly shown on the Site Plan, with the majority of the spaces being underground and near the Glenridge Connector portion of the Property. Based on the number of employees and the number of units, the required number of parking spaces is 36, and ARMH has asked for a 17% reduction (6 spaces) in required parking. (Currently, there are 14 parking spaces serving the Property.) The required number of spaces, based partly on the number of units that a facility has, is simply not needed for this property. Specifically, it is rare that the families ARMH serves drives a car to the Property. Generally, only one parent comes to stay at ARMH, while the other parent remains at home to work and may come only on weekends. Some do not own cars at all. Accordingly, the Zoning Ordinance requirement of one parking space per every living unit is simply not needed at this Property. The benefit to providing less parking is greater open and buffer space remaining on the Property.

**F. The amount and location of Open Space.**

The amount of open space on the Property is more than the minimum required under the Zoning Ordinance and is oriented as much as possible to be adjacent to existing neighbors, driving impervious surfaces toward the rights of way as much as possible.

**G. Protective Screening.**

ARMH has attempted to locate the bulk of the proposed building on the Property as close to Glenridge Connector and Peachtree Dunwoody Road as possible, to attempt to minimize the impact on its residential neighbors to the greatest extent possible. Also, ARMH has attempted to leave the existing landscaping and mature trees, particularly along the Clementstone and northwest portion of the Property as intact as possible. Nevertheless, as a result of the location of existing sewer tie-ins, ARMH will be forced to impact that buffer as indicated on the Site Plan. ARMH will, upon completion of construction, replant that buffer as required by the City.

**H. Hours and manner of operation.**

The ARMH office on the Property is open twenty-four (24) hours, Monday to Friday, with family check in from between 9:00 a.m. to 9:00 p.m. On weekends and holidays, the office is open from 10:00 a.m. until 12:00 noon and from 5:00 p.m. to 9:00 p.m., and families check in during those office hours. ARMH has three employee shifts, as more particularly described above.

**I. Outdoor lighting.**

ARMH does have, and will continue to have, outdoor lighting of its driveway and house both for security and access. Its current light fixtures are designed to avoid light spillage onto any neighboring residential property. ARMH will ensure that any new lighting is designed to minimize disturbance to and avoid light spillage onto adjacent neighboring properties.

**J. Ingress and egress to the Property.**

Ingress and egress to the Property is shown on the Site Plan submitted herewith. As described above, there is a shuttle or van service to the Property 24 hours a day (during the night it is a van as timing is typically lower occupancy for night-time visits). The benefit to the redevelopment of the Property is better located access to the Property (as opposed to the existing access point which is close to the Glenridge Connector / Peachtree Dunwoody intersection).



# CITY OF ATLANTA

KASIM REED  
MAYOR

BUREAU OF OPERATIONS  
651 14<sup>TH</sup> STREET, NW  
ATLANTA, GEORGIA 30318  
Office: (404) 235-2020 Fax: (404) 982-1400

DEPARTMENT OF  
WATERSHED MANAGEMENT  
JO ANN MACRINA  
Commissioner

September 8, 2011

Ms. Patrice S. Ruffin  
City of Sandy Springs  
Department of Community Development  
Planning and Zoning Division  
7840 Roswell Road, Building 500  
Sandy Springs, GA. 30350

**Subject: Water Availability at 5400 & 5420 Peachtree Dunwoody Road**

Dear Ms. Ruffin:

Our records indicate there is an existing 16-inch water main and an existing 12-inch water main along Peachtree Dunwoody Road which are owned and maintained by the City of Atlanta.

To integrate into Atlanta Water System or rearrange water facilities, the developer must submit the following to the City of Atlanta-Bureau of Drinking Water:

1. A set of stamped engineering drawings showing their developmental objectives for review and approval,
2. The enclosed basis of design,
3. A two thousand dollar deposit (\$2,000.00). Check must be made payable to City of Atlanta.

Once the plans have been approved, the developer will then receive additional instructions regarding the process and procedures from the Bureau of Drinking Water.

Should you need additional information, please contact me at 404-235-2095.

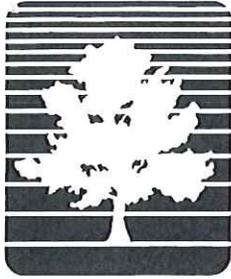
Sincerely

Nar Chaudhry, P.E. Chief Engineer  
Bureau of Drinking Water  
Department of Watershed Management  
651 14<sup>th</sup> Street, N.W.  
Atlanta, Georgia 30318  
Phone 404-235-2095  
Fax 404-235-1400  
E-mail nar.chaudhry@atlwater.com

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SEP 20 2011

City of Sandy Springs  
Community Development



**FULTON COUNTY**

Department of the Environment and Community Development  
Fulton County Government Service Center at Fulton Industrial  
5440 Fulton Industrial Boulevard  
Atlanta, GA 30336

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September 14, 2011

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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 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,  
Deputy Director, E&CD

RECEIVED

SEP 20 2011

City of Sandy Springs  
Community Development



# MEMORANDUM

**TO:** Patrice S. Ruffin, Assistant Director of Planning & Zoning  
City of Sandy Springs, Department of Community Development

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

**DATE:** October 3, 2011

**SUBJECT:** Zoning Comments for October 20, 2011 Planning Commission

**RECEIVED**

OCT 10 2011

City of Sandy Springs  
Community Development

AGENDA ITEM	ZONING COMMENTS
RZ11-007/ U11-003/ CV11-004	<p>If the two properties of 5400 and 5420 Peachtree Dunwoody Road are to be combined, the Fulton County Department of Health and Wellness requires that the plat be submitted for review and approval regarding water supply and sewage disposal prior to the approval by the appropriate jurisdiction and the recording of the plat. The owner may not sell, offer for sale, lease, begin construction or begin physical improvements of a residential development, nor shall a building permit be issued until this Department has reviewed and approved the plat.</p> <p>The Fulton County Department of Health Services recommends that the applicant be required to connect the proposed medical-related lodging to public water and public sanitary sewer available to the site.</p> <p>Since this proposed redevelopment constitutes a premise where people work, live or congregate, onsite sanitary facilities will be mandatory, prior to use or occupancy.</p> <p>This development must comply with the Fulton County Code of Ordinances and Code of Resolutions, Chapter 34 – Health and Sanitation, Article III – Smokefree Air.</p> <p>This department is requiring that plans indicating the number and location of outside refuse containers along with typical details of the pad and approach area for the refuse container be submitted for review and approval.</p> <p>This department is requiring that all existing structures to be demolished must be inspected by a certified pest control operator to insure that the premise is rat free. If evidence of rodent infestation is found, the property must be baited prior to demolition.</p> <p>The Fulton County Department of Health Services recommends that the developer reconsider a request for a variance for the requirement to plant trees. Trees and green spaces have been proven to provide health and environmental benefits.</p>
RZ11-008	<p>The provided offices and other uses proposed for the renovation of the existing building must comply with the Fulton County Code of Ordinances and Code of Resolutions, Chapter 34 – Health and Sanitation, Article III – Smokefree Air.</p> <p>The Fulton County Department of Health Services recommends that this proposed development be approved, provided the internal plumbing is inspected and adequate for the proposed use.</p> <p>If this proposed development includes a food service facility, the owner must submit kitchen plans for review and approval by this Department before issuance of a building permit and beginning construction. The owner must obtain a food service permit prior to opening.</p> <p>This department is requiring that plans indicating the number and location of outside refuse containers along with typical details of the pad and approach area for the refuse container be submitted for review and approval.</p>

**HOLT NEY ZATCOFF & WASSERMAN, LLP**

ATTORNEYS AT LAW  
100 GALLERIA PARKWAY, SUITE 1800  
ATLANTA, GEORGIA 30339-5960  
TELEPHONE 770-956-9600 FACSIMILE 770-956-1490

Ellen W. Smith  
e-mail [esmith@honzw.com](mailto:esmith@honzw.com)

October 19, 2011

**BY HAND DELIVERY**

Mr. Doug Trettin, Senior Planner  
Department of Community Development  
City of Sandy Springs  
7840 Roswell Road, Building 500  
Sandy Springs, Georgia 30350

RECEIVED

OCT 19 2011

City of Sandy Springs  
Community Development

Re: **RZ11-007/U11-003/CV11-004**  
Application for Rezoning, Use Permit and Concurrent Variance (“*Application*”) by Atlanta Ronald McDonald House Charities, Inc., relating to that certain property commonly known as 5400 and 5420 Peachtree Dunwoody Road, Sandy Springs, Georgia (collectively, the “*Property*”)

**SUPPLEMENT TO APPLICATION**

Dear Doug:

As you know, this law firm has the pleasure of representing Atlanta Ronald McDonald House Charities, Inc. (“*ARMHC*”) with respect to the Application. ARMHC respectfully submits for consideration this supplement to its initial Application.

**Background – Initial Application and Results of Public Meeting**

In its Application, ARMHC seeks to rezone the Property from R-6 (conditional) and TR (conditional) with use permits for Medical Related Lodging to R-6 with a use permit for Medical Related Lodging. As part of its initial Application, ARMHC sought several concurrent variances to allow the redevelopment of the Property in such a manner to minimize impact on its residential neighbors to the rear or west of the Property.

Prior to filing the Application, ARMHC had meetings and discussions with its immediately adjacent neighbors, and initially proposed a Site Plan with one “L”-shaped building with a one story portion being located on the 5400 Property<sup>1</sup> (a now vacant tract of land) and a three-story portion being located on the portion of the Property known as 5420 Peachtree Dunwoody Road. This initial site plan and building design was intended to address to the

<sup>1</sup> Capitalized terms not otherwise defined in this supplement shall have the meanings ascribed to them in the initial Letter of Intent filed with the Application.

**HOLT NEY ZATCOFF & WASSERMAN, LLP**

Mr. Doug Trettin, Senior Planner  
Department of Community Development  
City of Sandy Springs  
October 19, 2011  
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greatest extent possible community-voiced concerns that they wanted as short and as residential looking a structure as possible on the 5400 Property.

Subsequently, ARMHC has had numerous additional communications and meetings with community members, expressly including its immediate next door neighbors on Clementstone Drive and representatives from the Sandy Springs Council of Neighborhoods (“SSCN”). As a result of those conversations, ARMHC is pleased to submit the enclosed new site plan for consideration by the City.

**Proposed Site Plan Revisions**

ARMHC’s zoning and use permit requests remain as originally stated: ARMHC seeks to consolidate the zoning of the Property to R-6 with a use permit for Medical Related Lodging, which rezoning will allow the demolition of the existing Ronald McDonald House and the redevelopment of the Property with a new Ronald McDonald House. However, the proposed building on the Property has been redesigned in an effort to shift as much of the improvements on the Property as possible to the portion of the Property along Glenridge Connector. Two full-sized copies and an 8 ½ x 11 copy of the revised site plan reflecting this redesign are enclosed.

The chart below reflects some of the significant changes resulting from the redesigned building:

<b>Original Site Plan Development Statistics</b>	<b>Revised Site Plan Development Statistics</b>
Building Footprint: 25,338 sf (28.4%)	Building Footprint: 17,800 sf (19.95%)
Impervious Surface: 39,054 sf (43.18%)	Impervious Surface: 37,407 sf (41.93%)

In its October 2011 report, Staff recommended approval of ARMHC’s zoning and use permit requests and, given that these requests have not changed, ARMHC seeks confirmation that Staff continues to recommend approval of these requests.

**Proposed Concurrent Variances**

With a shift in building design, ARMHC proposes to modify the concurrent variances it initially sought. In its October 2011 report, Staff recommended approval of all variances with the exception of one relating to tree planting requirements in parking lots. ARMHC has alleviated the need for that variance, but also is proposing to modify several of the other variances it initially sought. Specifically, with the revised site plan, ARMHC seeks the following-described concurrent variances, with modifications as indicated.

**HOLT NEY ZATCOFF & WASSERMAN, LLP**

Mr. Doug Trettin, Senior Planner  
Department of Community Development  
City of Sandy Springs  
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(1) **Unit Number.** ARMHC seeks to increase the 20-unit limit to 31 units/bedrooms. (*Zoning Ordinance § 19.4.28.1.B.1; Staff Report Variance #1; Revised Site Plan Variance #3.*) This requested variance is identical to the original request by ARMHC and is consistent with the already-existing variances applicable to the Property with respect to density.

(2) **Setback Encroachment.** ARMHC seeks to encroach into the 25-foot zoning buffer and 10-foot improvement setback to install an 8" sanitary sewer line to connect with an existing sanitary sewer line in Clementstone Drive (*Zoning Ordinance § 19.4.28.1.B.5; Staff Report Variance #2*), as shown on the revised site plan. Initially proposed to be located relatively close to the western Property line, ARMHC's revised plan moves the encroachment away from the western adjacent residence. As with the initial proposed variance, this variance request is in harmony with the intent of the Zoning Ordinance because the buffer will be restored once the line is installed.

(3) **Setback Encroachment.** Similar to the above request in that buffers will be restored upon completion of construction, ARMHC proposes to encroach into the 25-foot buffer and 10-foot improvement setback to allow the installation of an underground storm water management facility adjacent to the north, northwest and western property lines as shown on the revised site plan. (*Zoning Ordinance § 19.4.28.1.B.5; Staff Report Variance #3; Revised Site Plan Variance #5.*) Initially, the storm water vault was shown at the extreme northwest portion of the Property. However, the new proposed building design left insufficient room for the storm water vault system in that location, and requires that ARMHC seek a similar variance but with the location of the encroachments in different areas as shown on the revised site plan. This request includes, as part of the storm water vault system, a retaining wall as shown on the revised site plan. Also, although SSCN initially expressed a preference for open storm water detention, ARMHC's engineers have considered that request and determined it to be not feasible and, in any event, other members of the community prefer that the storm water be underground.

(4) **Setback Reduction.** ARMHC seeks a variance to reduce the 25-foot front setback from Glenridge Connector to 20 feet. (*Zoning Ordinance § 7.1.3.B; Staff Report Variance #4; Revised Site Plan Variance #1.*) This is identical to the variance originally requested in connection with the Application and mimics an existing variance that has been in place since the 1990s when ARMHC first zoned the 5420 Property.

(5) **Height Increase.** Initially, ARMHC had requested a variance to increase the height of a portion of its building from 40-feet to 53-feet. With the proposed building redesign, ARMHC seeks to increase the maximum height of the building from 40-feet to 60-feet. (*Zoning Ordinance § 7.1.3.A; Staff Report Variance #5; Revised Site Plan Variance #4.*) This request is consistent with existing heights approved on adjacent and nearby properties including, without limitation: Meridian Mark (approved for one 10-story building and 6-stories for all other buildings) to the immediate north; Children's Healthcare of Atlanta at Scottish Rite Hospital (a

**HOLT NEY ZATCOFF & WASSERMAN, LLP**

Mr. Doug Trettin, Senior Planner  
Department of Community Development  
City of Sandy Springs  
October 19, 2011  
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mix of 3 to 6 stories), farther north; Peachtree Dunwoody Medical Offices (petition 2003Z-0179 NFC/U84-031, 6 stories), to the northeast; and Windsor at Glenridge Apartments (5 stories), to the east.

In addition to blending with existing adjacent skylines (and being lower than those buildings directly north and east of the proposed ARMHC building), ARMHC's proposed building will benefit from significant existing and proposed landscape buffering. Existing topography also supports this request. The height variance requested herein is an appropriate scaled request particularly considering that the Property is located at the intersection of Glenridge Connector and Peachtree Dunwoody Road.

(6) **Reduced Parking**. Even with the revised site plan, ARMHC continues to seek to reduce the required parking spaces from 36 to 30. (*Zoning Ordinance § 19.4.28.1.B.6; Staff Report Variance #6; Revised Site Plan Variance #2.*)

The proposed layout and design of the building on the Property, which necessitates a number of the above requested variances, are a direct result of ARMHC's good faith attempt to mitigate to the greatest extent possible its impact on neighbors while at the same time ensuring that the building will support the needs of ARMH's families.

**Downstream Sanitary Sewer Considerations**

A Clementstone Drive property owner has raised concerns relating to sewer connectivity and operation / overload. ARMHC's engineers have communicated with Fulton County Public Works to confirm that there is adequate immediate sanitary sewer capacity. Additionally, ARMHC's engineers have prepared the enclosed memorandum (2 copies enclosed) which reflects an engineering analysis of the sewer connectivity and use.

**Support**

ARMHC encloses several letters and e-mails evidencing support for the Application and requests that staff make these letters a part of the zoning file on this matter (in addition to previous e-mails of support which have already been provided to staff).

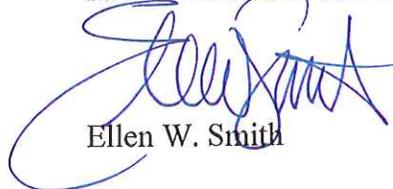
**HOLT NEY ZATCOFF & WASSERMAN, LLP**

Mr. Doug Trettin, Senior Planner  
Department of Community Development  
City of Sandy Springs  
October 19, 2011  
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ARMHC is carefully considering the proposed zoning conditions included in Staff's October 2011, and is working with adjacent neighbors and SSCN to include additional conditions which will address as many developmental and use items as possible with respect to ARMHC's use and redevelopment of the Property. ARMHC acknowledges that it is submitting this supplement and revised site plan immediately prior to the initial Planning Commission hearing on the Application, but requests that the City consider the revised site plan and this supplement as the matter moves forward in a thoughtful and deliberate manner. ARMHC appreciates the willingness of its neighbors, SSCN, Staff and the City to work with it to move the Application forward in a thoughtful and deliberate manner.

ARMHC is happy to answer any questions or provide any additional information that you may have with regard to this Application. ARMH respectfully requests the approval of the Application, with the revised site plan and modified concurrent variances, to allow it to better serve more families that are in desperate need of its services.

Sincerely,  
HOLT NEY ZATCOFF & WASSERMAN, LLP



Ellen W. Smith

JMN/EWS/ews

Enclosures

cc: Mr. Thomas Kirbo  
Ms. Linda M. Morris



50 Warm Springs Circle  
Roswell, Georgia 30075  
Phone: (770) 641-1942  
Fax: (770) 998-6924  
www.aecatl.com

Planning ■ Civil Engineering ■ Landscape Architecture  
Water Resources ■ Property Services ■ Arborist Services

## MEMORANDUM

TO: Ellen Smith Holt Ney Zatcoff & Wasserman, LLP  
FROM: Mark Van De Water, P.E. AEC, Inc.  
DATE: October 10, 2011

RE: **Ronald McDonald House at Peachtree Dunwoody Road  
Downstream Sanitary Sewer Outfall (Clementstone Drive Basin)**

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AEC, Inc (AEC) has obtained and reviewed sanitary sewer as-built information on file at Fulton County Public Works for the immediate downstream sanitary sewer outfall located in the Right of Way of Clementstone Drive, as well as design information for the downstream 18 inch sewer line known as the Johnson Ferry Road Relief Sewer. Upon review of these documents, as well as discussions with Fulton County Public Works Officials, AEC has determined that there is adequate immediate sanitary sewer capacity for the existing basin as well as the proposed Ronald McDonald House facility.

In the past, the region downstream of the Clementstone Drive basin experienced sanitary sewer capacity and blockage issues. In the late 1990's Fulton County addressed these issues by installing the 18 inch Johnson Ferry Road Relief Sewer.

The total estimated maximum build out of the Clementstone Drive sanitary sewer basin consist of 10 residential homes on Clementstone Drive plus 40 residential facilities (rooms plus common area) on the Ronald McDonald House property. The peak sanitary sewer flow rate from the maximum build out is 38 gallons per minute (gpm). The existing sanitary sewer in Clemenstone Drive has a ½ full capacity of 764 gpm. Therefore, the maximum build out area will use approximately 5% of the sanitary sewer line's ½ full capacity.

Attached to this Memorandum is a current letter of sanitary sewer availability from Fulton County Public Works. If you have any questions or need further information please feel free to call at your convenience.

END OF MEMORANDUM.

MDV/jwm

CC:

Jeff Tyner, Perkins+Will  
Tom Kirbo, ARMH

October 14, 2011  
 AEC, Inc.

**Clementstone Drive Sanitary Sewer**  
 (Immediate Downstream Sewer Basin)

Sanitary Sewer Calculation Sheet  
 Maximum Build Out for Basin

Clementstone Drive Residents	Homes	Usage (gpd)	Total Usage (gpd)	
Homes	10	270	2,700	gpd
		Peaking Factor	4	
		Total Total	10,800 8	gpd gpm

\* Use 270 gpd per residential home

Ronald McDonald House	Homes / Rooms	Usage (gpd)	Total Usage (gpd)	
ARMH Rooms*	40	270	10,800	gpd
		Peaking Factor	4	
		Total Total	43,200 30	gpd gpm

\* Use 270 gpd per residential home

<b>Total Flow from Developed Basin</b>	54,000 38	gpd gpm
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	cfs		
The Capacity of an 8" DIP Sewer Line at 6.5%	3.38	1517	gpm
1/2 Full 8" DIP Sanitary Sewer Line at 6.5%	1.702	764	gpm
(From Existing MH to End of Clementstone Drive)			
The Capacity of an 8" DIP Sewer Line at 1.0%	1.326	595	gpm
1/2 Full 8" DIP Sanitary Sewer Line at 1.0%	0.668	300	gpm
(From Proposed ARMH Building to Existing MH)			

ARMH will use 10% of the 1/2 full capacity on the 8" DIP line (leaving ARMH @ 1.0%)  
 The overall basin will use 5% of the 1/2 full capacity of the 8 inch DIP line (down Clementstone @ 6.5%)

Department of Public Works  
141 Pryor Street, S.W., Suite 6001  
Atlanta, GA 30303  
Telephone: (404) 730-7400  
Fax: (404) 224-0978



Angela Parker  
Director

September 7, 2011

Mark Van De Water, P.E., Principal  
AEC, Inc.  
50 Warm Springs Circle  
Roswell, GA 30075

Address: 5400 and 5420 Peachtree Dunwoody Road, Temporary living facility,  
Land Lot 15, District 17, Fulton County, Georgia  
File: 317.112011

Dear Mr. Van De Water:

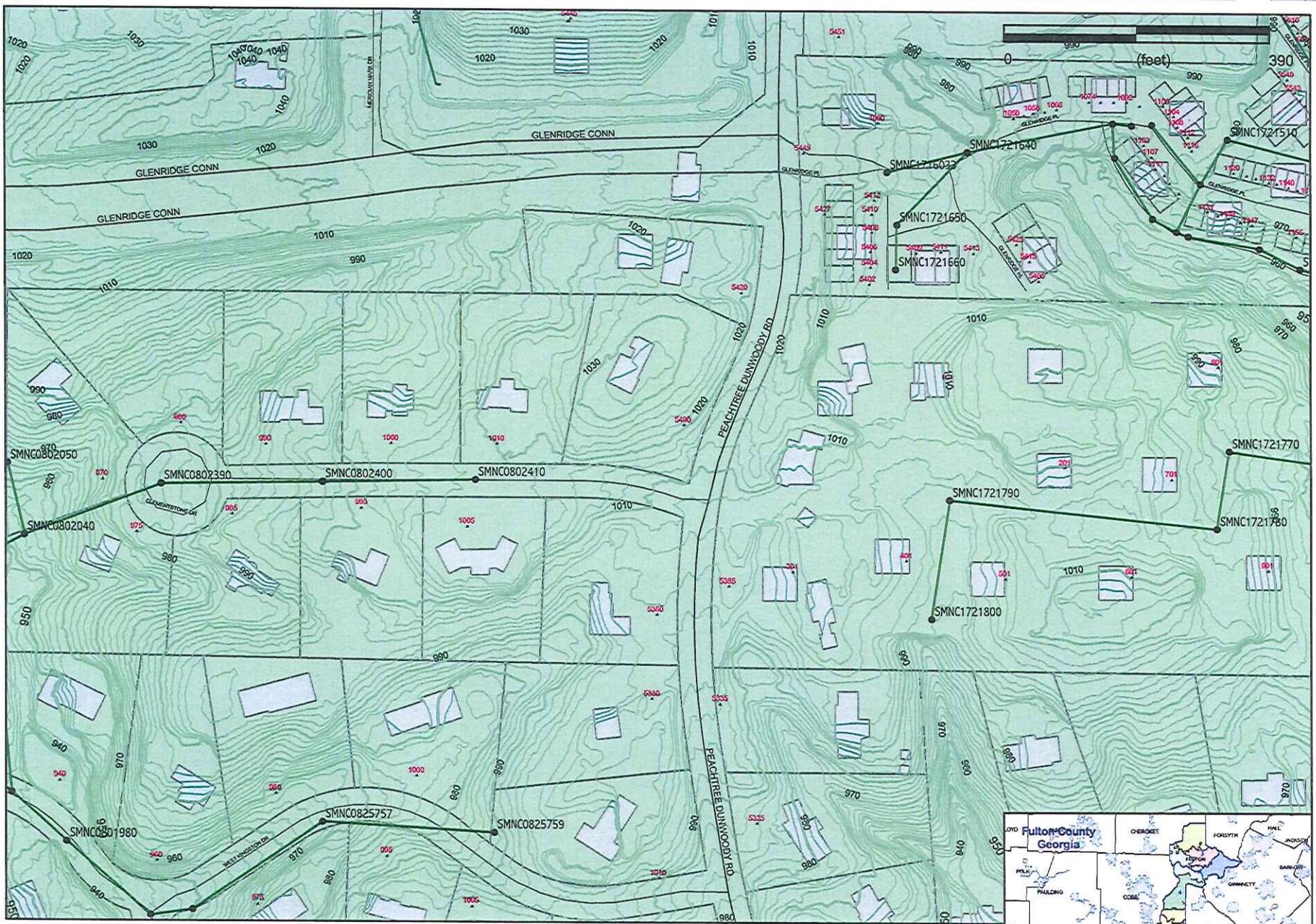
The above subject property is located in the Nancy Creek Sewer Service Area. Sewage treatment capacity is available. Sewerage is located in Clemenstone Drive 150 feet west of the site. Your plan indicates that the two properties will be consolidated into one site.

The City of Atlanta operates the potable water system for this area. Please contact that jurisdiction for verification of water service.

Sincerely,

A handwritten signature in blue ink, appearing to read "Lamar Lambert".

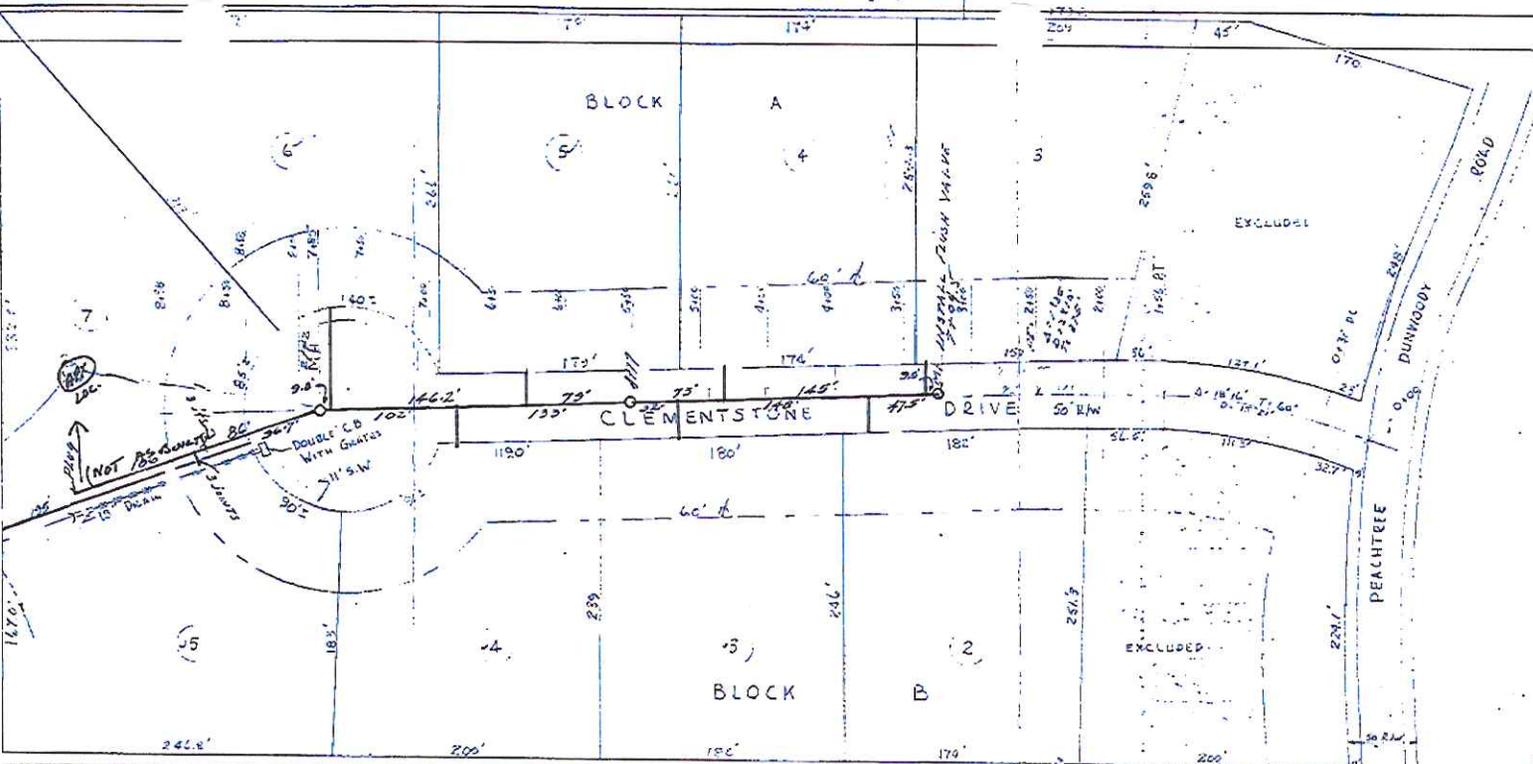
Lamar Lambert,  
Engineering Administrator




 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.



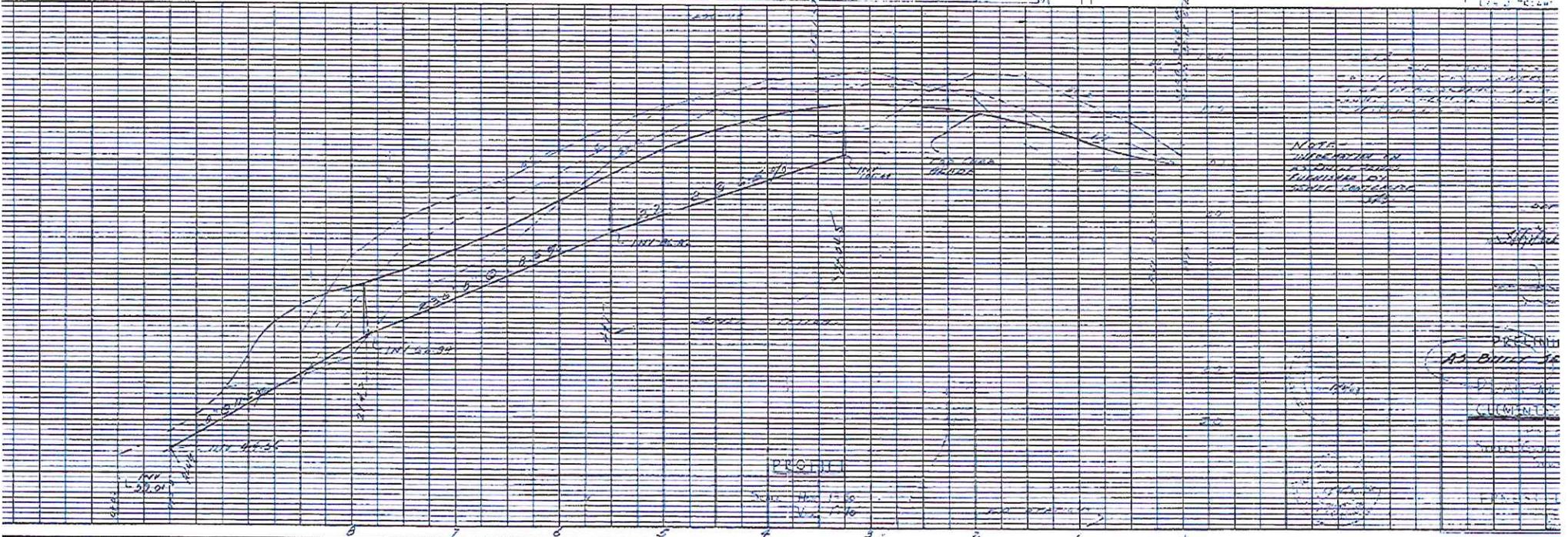


Note - DEVELOPER TO  
 ADD A CATCH BASIN  
 ASSIGNED BY DISTRICT  
 CATCH BASIN ON WEST SIDE  
 OF PEACHTREE DUNWOODY ROAD  
 AT KIMBLE DRIVE.



PLAN  
 Scale 1"=20'

CLEMENTS  
 LAMAR  
 PUGH  
 SCALE 1"=20'  
 ENGINEER



NOTE -  
 INFORMATION TO  
 BE PROVIDED BY  
 ENGINEER OR  
 OWNER.

PREPARED  
 AS BUILT

**Smith, Ellen W.**

---

**From:** Barbara Snow [bgsnow@bellsouth.net]

**Sent:** Wednesday, October 12, 2011 11:57 AM

**To:** Smith, Ellen W.; Eva Galambos

**Subject:** RZ11-007/U11-003/CV11-004 (Application)

To Whom it May Concern (Please route to those involved)

I am a resident of Sandy Springs and own my property at 806 Woodcliff Drive, 30350.

I have been a volunteer at the Ronald McDonald House for the last four years and have come to realize what a wonderful asset this place is to our community. The property at Peachtree-Dunwoody Road is entirely too small to fill the needs of so many. It only contains 11 bedrooms and at times it has been necessary to turn away those families that are in dire need of a place to stay while their children are receiving their much needed medical attention.

It is imperative that the above mentioned application be approved. Please be aware of the fact that all of the Ronald McDonald Houses get their finances from private sources and receive no government assistance. This proves how needed these places are and what an asset they are to their respective communities.

Please make sure that this Application is approved.

Thank you so much for your attention.

Sincerely,

Barbara G. Snow

10/13/2011



**JAVIER C. GOIZUETA**  
President, McDonald's Division Worldwide  
Vice President, The Coca-Cola Company

The Coca-Cola Company  
P. O. Box 1734  
Atlanta, GA 30301  
T 404-676-6069  
F 404-598-6069

October 10, 2011

Ms. Patrice S. Ruffin, AICP  
c/o Ellen W. Smith, Esq.  
Holt Ney Zatzoff & Wasserman, LLP  
100 Galleria Parkway, Suite 1800  
Atlanta, Georgia 30339

Re: Application for Rezoning, Use Permit and Concurrent Variance RZ11-007/U11-003/CV11-004 ("*Application*") by Atlanta Ronald McDonald House Charities, Inc., relating to that certain property commonly known as 5400 and 5420 Peachtree Dunwoody Road, Sandy Springs, Georgia (collectively, the "*Property*")

Dear Ms. Ruffin:

Please accept this letter of support for the referenced Application by Atlanta Ronald McDonald House Charities, Inc. As a board member of this wonderful charity for the past three years, I've had the distinct pleasure of visiting many of the 300 houses globally. I am confident and do approve of this application and feel it is the right thing to do. My wife and I own the property located at 5001 Powers Ferry Road, within the City of Sandy Springs, and have enjoyed living in Sandy Springs the past six years.

The Ronald McDonald House serves as a "home-away-from-home" for families whose children receive treatment at nearby hospitals or medical facilities. More than 20 years ago, ARMHC acquired the portion of the Property known as 5420 Peachtree Dunwoody Road. The existing House has served approximately 10,000 families since opening in June 1994.

Almost from its inception, the 11-bedroom capacity at the existing Peachtree Dunwoody Ronald McDonald House has been too small. This Ronald McDonald House has continually operated at or near capacity with a waiting list almost every day for the past five years. Last year alone, ARMHC had to turn away just over 200 families because rooms were not available on the nights they needed accommodations. For almost a decade, ARMHC has recognized a significant need to expand the accommodations for the families it serves and has been working towards expanding in a thoughtful manner. Currently, the Property is entitled for 31 units. But, changes in medical services and the kind of accommodations needed have spurred ARMHC to propose a full-blown redevelopment of the Property.

After review and consideration of the Application, we would like to offer our support for and request approval of the referenced Application. The Ronald McDonald House is an invaluable asset to the City of Sandy Springs community and to the hospital and medical facilities located here.

Thank you for accepting and considering this letter of support.

  
Print Name: Javier C. Goizueta

October 18, 2011

Ms. Patrice S. Ruffin, AICP  
c/o Ellen W. Smith, Esq.  
Holt Ney Zatzoff & Wasserman, LLP  
100 Galleria Parkway, Suite 1800  
Atlanta, Georgia 30339

Re: Application for Rezoning, Use Permit and Concurrent Variance **RZ11-007/U11-003/CV11-004** ("*Application*") by Atlanta Ronald McDonald House Charities, Inc., relating to that certain property commonly known as 5400 and 5420 Peachtree Dunwoody Road, Sandy Springs, Georgia (collectively, the "*Property*")

Dear Ms. Ruffin:

Please accept this letter of support for the referenced Application by Atlanta Ronald McDonald House Charities, Inc. As a former (11-year) employee of Egleston Children's Hospital (now Children's Healthcare of Atlanta), I experienced firsthand how families benefitted from the ARMHC. We happen to own property located at 6150 Weatherly Drive, within the City of Sandy Springs.

The Ronald McDonald House serves as a "home-away-from-home" for families whose children receive treatment at nearby hospitals or medical facilities. More than 20 years ago, ARMHC acquired the portion of the Property known as 5420 Peachtree Dunwoody Road. The existing House has served approximately 10,000 families since opening in June 1994.

Almost from its inception, the 11-bedroom capacity at the existing Peachtree Dunwoody Ronald McDonald House has been too small. This Ronald McDonald House has continually operated at or near capacity with a waiting list almost every day for the past five years. Last year alone, ARMHC had to turn away just over 200 families because rooms were not available on the nights they needed accommodations. For almost a decade, ARMHC has recognized a significant need to expand the accommodations for the families its serves and has been working towards expanding in a thoughtful manner. Currently, the Property is entitled for 31 units. But, changes in medical services and the kind of accommodations needed have spurred ARMHC to propose a full-blown redevelopment of the Property.

After review and consideration of the Application, we would like to offer our support for and request approval of the referenced Application. The Ronald McDonald House is an invaluable asset to the City of Sandy Springs community and to the hospital and medical facilities located here.

Thank you for accepting and considering this letter of support.

Celia Williams

**Smith, Ellen W.**

---

**To:** Smith, Ellen W.  
**Subject:** FW: RMH Support

---

**From:** Dawn Stark [mailto:dawn@curechildhoodcancer.org]  
**Sent:** Wednesday, October 19, 2011 1:08 PM  
**To:** Smith, Ellen W.  
**Subject:** RMH Support

Gabriel,

I live in your district and also work in Sandy Springs. I wanted to let you know that I recently appreciate your approved support for Community Action Center for 2012 and also ask for support for the re-zoning of the Ronald McDonald House property.

I believe in their mission and the families they serve and a new updated facility in the location near Scottish Rite is appropriate for our community.

Thank you.

Dawn M. Stark  
Director of Development

**cure**

1117 Perimeter Center West  
Suite N402  
Atlanta, GA 30338  
770-986-0035 ext. 25  
770-986-0038 (fax)  
770-598-6070 (cell)

October 19, 2011

Ms. Patrice S. Ruffin, AICP  
c/o Ellen W. Smith, Esq.  
Holt Ney Zatzoff & Wasserman, LLP  
100 Galleria Parkway, Suite 1800  
Atlanta, Georgia 30339

Re: Application for Rezoning, Use Permit and Concurrent Variance **RZ11-007/U11-003/CV11-004** ("*Application*") by Atlanta Ronald McDonald House Charities, Inc., relating to that certain property commonly known as 5400 and 5420 Peachtree Dunwoody Road, Sandy Springs, Georgia (collectively, the "*Property*")

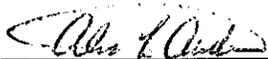
Dear Ms. Ruffin:

Please accept this letter of support for the referenced Application by Atlanta Ronald McDonald House Charities, Inc. I have recently had a work relationship with ARMHC and have had the opportunity to tour the Gatewood Ronald McDonald House in order to learn more about how the mission of the Charity and how when properly equipped, fully meet the needs of families of sick children. While I have been privileged of not having to personally use a medical housing facility, I can say that ARMHC represents a quality organization that any community would be honored and proud of supporting, expanding and fostering their desired need of resources in order to help our local families medical challenges. I own property located at 6530 Wright Circle within the City of Sandy Springs and would like to express my desire and support for ARMHC in expansion desired facility.

The Ronald McDonald House serves as a "home-away-from-home" for families whose children receive treatment at nearby hospitals or medical facilities. More than 20 years ago, ARMHC acquired the portion of the Property known as 5420 Peachtree Dunwoody Road. The existing House has served approximately 10,000 families since opening in June 1994.

Almost from its inception, the 11-bedroom capacity at the existing Peachtree Dunwoody Ronald McDonald House has been too small. This Ronald McDonald House has continually operated at or near capacity with a waiting list almost every day for the past five years. Last year alone, ARMHC had to turn away just over 200 families because rooms were not available on the nights they needed accommodations. For almost a decade, ARMHC has recognized a significant need to expand the accommodations for the families its serves and has been working towards expanding in a thoughtful manner. Currently, the Property is entitled for 31 units. But, changes in medical services and the kind of accommodations needed have spurred ARMHC to propose a full-blown redevelopment of the Property.

After review and consideration of the Application, I would like to offer my support for and request approval of the referenced Application. The Ronald McDonald House is an invaluable asset to the City of Sandy Springs/Atlanta community and to the hospital and medical facilities located here. Thank you for accepting and considering this letter of support.



Print Name: Alan Andrew

# HOLT NEY ZATCOFF & WASSERMAN, LLP

ATTORNEYS AT LAW

100 GALLERIA PARKWAY, SUITE 1800

ATLANTA, GEORGIA 30339-5960

TELEPHONE 770-956-9600 FACSIMILE 770-956-1490

Ellen W. Smith  
e-mail [esmith@hnzw.com](mailto:esmith@hnzw.com)

October 28, 2011

## **BY HAND DELIVERY**

Department of Community Development  
City of Sandy Springs  
7840 Roswell Road, Building 500  
Sandy Springs, Georgia 30350

RECEIVED

OCT 28 2011

City of Sandy Springs  
Community Development

Re: **RZ11-007/U11-003/CV11-004**

Application for Rezoning, Use Permit and Concurrent Variance ("*Application*") by Atlanta Ronald McDonald House Charities, Inc., relating to that certain property commonly known as 5400 and 5420 Peachtree Dunwoody Road, Sandy Springs, Georgia (collectively, the "*Property*")

## **SECOND SUPPLEMENT TO APPLICATION**

Ladies and Gentlemen:

This law firm has the pleasure of representing Atlanta Ronald McDonald House Charities, Inc. ("*ARMHC*") with respect to the Application. ARMHC respectfully submits for consideration this second supplement to its Application.

ARMHC seeks to rezone the Property from the existing R-6 and TR (conditional) districts with use permits for Medical Related Lodging to a consolidated zoning for the entire Property of R-6 (conditional) with a use permit for Medical Related Lodging. This Application will allow ARMHC to demolish the existing Ronald McDonald House and redevelop the Property in a manner that responds to the needs of the families it serves with more efficient and effective services and which promotes better rehabilitation and home care.

As a result of meetings and discussions with immediately adjacent neighbors, SSCN and City Council members, ARMHC has redesigned the initially proposed "L"-shaped building to a single, 4 story building running parallel to the Glenridge Connector, shifting the bulk of the improvements on the Property away from its single-family residential neighbors. This redesign and the modification to the proposed concurrent variances were described in detail in the Supplemental Letter of Intent filed on October 19, 2011. The bottom line: the variances requested and the analysis of those variances remains virtually identical to the variances initially sought. More importantly, ultimately even with the number of variances sought in this

**HOLT NEY ZATCOFF & WASSERMAN, LLP**

Department of Community Development  
City of Sandy Springs  
October 28, 2011  
Page 2 of 2

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Application, the number of variances on the Property will be reduced and there will be a consolidated, unified development as a result of the approval of this Application.

Support for Application Approval

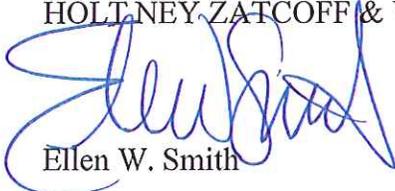
ARMHC has a large support base in Metro-Atlanta and especially in the City of Sandy Springs. Previously, we have submitted several letters and e-mails reflecting that support base, and we are pleased to enclose a number of additional letters and e-mails from Sandy Springs residents evidencing additional support for the Application.

Zoning Conditions

ARMHC has carefully reviewed the Staff's October 2011 report and the recommended zoning conditions included therein. Also, ARMHC has worked diligently and in good faith with adjacent neighbors and SSCN to revise the recommended conditions to address additional issues to the extent possible. ARMHC submits the enclosed proposed zoning conditions (with modifications shown in red to the Staff's recommendations) to which ARMHC agrees to comply if the Application is approved.

ARMHC appreciates the willingness of its neighbors, SSCN, Staff and the City to work with it to move the Application forward in a thoughtful and deliberate manner. ARMHC is happy to answer any questions or provide any additional information that you may have with regard to the Application or the enclosures. ARMH respectfully requests the approval of the Application, with the revised site plan and modified concurrent variances, to allow it to better serve more families that are in desperate need of its services.

Sincerely,  
HOLT NEY ZATCOFF & WASSERMAN, LLP



Ellen W. Smith

JMN/EWS/ews

Enclosures

cc: Mr. Thomas Kirbo  
Ms. Linda M. Morris

---

**Proposed Zoning Conditions**  
**Atlanta Ronald McDonald House Charities, Inc.**

**RZ11-007/U11-003/CV11-004 / 5400 & 5420 Peachtree Dunwoody Road**

ARMHC submits the following proposed zoning conditions with respect to the Application. (These are based on the conditions set forth in Staff's October 2011 report, with proposed modifications and additions shown and highlighted.) If ARMHC's revised site plan and Application are approved by the Mayor and City Council, as requested, ARMHC agrees to comply with the following conditions:

1. To the owner's agreement to restrict the use of the subject property as follows:
  - a. To Medical Related Lodging Use (U11-003).
  - b. To a 55,000 square foot (including underground parking) Medical Related Lodging building developed at a total density of 26,856 square feet per acre including underground parking.
  - c. To a maximum of thirty-one (31) units/rooms (CV11-004#1)
  
2. To the owner's agreement to abide by the following:
  - a. To the site plan received by the Department of Community Development on ~~September 30~~October 19, 2011. Said site plan is conceptual only and must meet or exceed the requirements of the Zoning Ordinance, the Development Standards contained therein, and these conditions prior to the approval of a Land Disturbance Permit. The applicant shall be required to complete the concept review procedure prior to application for a Land Disturbance Permit. Unless otherwise noted herein, compliance with all conditions shall be in place prior to the issuance of a Certificate of Occupancy.
  
3. To the owner's agreement to provide the following site development standards:
  - a. Variance from Section 19.4.28.1.B.5. of the Zoning Ordinance to encroach into the required twenty-five (25) foot Zoning Buffer and the ten (10) improvement setback (per Section 4.23.1 of the Zoning Ordinance) to allow installation of an eight (8) inch sanitary sewer line in the substantially the location depicted on the site plan~~along the southwest side property line~~ (CV11-004#2).
  - b. Variance from Section 19.4.28.1.B.5. of the Zoning Ordinance to encroach into the required twenty-five (25) foot Zoning Buffer and the ten (10) improvement setback (per Section 4.23.1 of the Zoning Ordinance) to allow installation of an underground stormwater management facility and related retaining wall adjacent to the north and northwest side property lines in substantially the locations depicted on the site plan (CV11-004#3).
  - c. Variance from section 7.1.3.B. of the Zoning Ordinance to reduce the required twenty-five (25) foot front setback from the Glenridge Connector (SR 407) to twenty (20) feet to allow construction of the proposed building (CV11-004#4).

- d. Variance from section 7.1.3.A. of the Zoning Ordinance to increase the maximum height limitation from forty (40) feet to ~~forty-three (53)~~ sixty (60) feet (~~3-4~~ stories ~~over-including~~ underground parking) for the ~~portion of the~~ proposed building ~~parallel to the Glenridge Connector~~ (SR 407) (CV11-004#5).
- e. Variance from Section 19.4.28.1.B.6. of the Zoning Ordinance to reduce the required off-street parking for Medical Related Lodging from thirty-six (36) spaces to thirty (30) spaces (CV11-004#6).
- ~~f. To maximum building height of two (2) stories and forty (40) feet for portion of the proposed building adjacent to residentially zoned properties to the west, south, and east.~~
- ~~g.f.~~ The owner/developer shall install and maintain Landscape Buffering to adjacent residentially zoned properties and along western, northern and eastern property lines as approved by the City Arborist and with input from the owners of the property commonly known as 1010 Clementstone Drive (the single family residence immediately to the west of the subject property).
- ~~h.g.~~ To no more than one (1) vehicular exit/entrance on Peachtree Dunwoody Road.
- ~~i.h.~~ To no vehicular access from the Glenridge Connector and from Clementstone Drive.
- ~~j.i.~~ For the proposed driveway, the owner/applicant shall provide restriping of Peachtree Dunwoody Road in front of the site as approved by the Public Works Director.
- ~~k.j.~~ The owner/developer shall dedicate forty (40) feet of right-of-way from centerline of Peachtree Dunwoody 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.
- ~~l.k.~~ The owner/developer shall dedicate thirty (30) feet of right-of-way from centerline of Clementstone 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.
- l. Upon commencement of construction to develop the Property according to the Site Plan, ARMHC shall install temporary fencing along all Property lines excluding those along a public right-of-way to assist in screening adjacent properties from construction activities. ARMHC shall maintain such temporary fencing until construction is completed. In addition, ARMHC shall comply with the requirements of the Code of the City of Sandy Springs, Georgia, with respect to noise control, expressly including without limitation, Article III, Division 2, Section 38-87, and time limitations for construction activities. During construction, Applicant shall ensure that there are such trash cans / dumpsters which are emptied on a regular basis and that the Property shall be kept as clean as reasonably possible. During construction, ARMHC shall notify the City of Sandy Springs of a contact name and telephone number which shall be answered 24 hours a day, 7 days a week regarding disturbances from construction.

[insert date]

Ms. Patrice S. Ruffin, AICP  
c/o Ellen W. Smith, Esq.  
Holt Ney Zatzoff & Wasserman, LLP  
100 Galleria Parkway, Suite 1800  
Atlanta, Georgia 30339

Re: Application for Rezoning, Use Permit and Concurrent Variance RZ11-007/U11-003/CV11-004 ("Application") by Atlanta Ronald McDonald House Charities, Inc., relating to that certain property commonly known as 5400 and 5420 Peachtree Dunwoody Road, Sandy Springs, Georgia (collectively, the "Property")

Dear Ms. Ruffin:

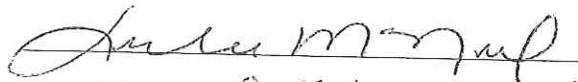
Please accept this letter of support for the referenced Application by Atlanta Ronald McDonald House Charities, Inc. [Describe relationship to ARMHC.] I/We own property located at 5702 Oak Landing NW within the City of Sandy Springs.  
Atl. Ga 30327

The Ronald McDonald House serves as a "home-away-from-home" for families whose children receive treatment at nearby hospitals or medical facilities. More than 20 years ago, ARMHC acquired the portion of the Property known as 5420 Peachtree Dunwoody Road. The existing House has served approximately 10,000 families since opening in June 1994.

Almost from its inception, the 11-bedroom capacity at the existing Peachtree Dunwoody Ronald McDonald House has been too small. This Ronald McDonald House has continually operated at or near capacity with a waiting list almost every day for the past five years. Last year alone, ARMHC had to turn away just over 200 families because rooms were not available on the nights they needed accommodations. For almost a decade, ARMHC has recognized a significant need to expand the accommodations for the families it serves and has been working towards expanding in a thoughtful manner. Currently, the Property is entitled for 31 units. But, changes in medical services and the kind of accommodations needed have spurred ARMHC to propose a full-blown redevelopment of the Property.

After review and consideration of the Application, we would like to offer our support for and request approval of the referenced Application. The Ronald McDonald House is an invaluable asset to the City of Sandy Springs community and to the hospital and medical facilities located here.

Thank you for accepting and considering this letter of support.

  
5702 Oak Landing NW  
Atl., Ga 30327

10-18-11

[insert date]

Ms. Patrice S. Ruffin, AICP  
c/o Ellen W. Smith, Esq.  
Holt Ney Zatcoff & Wasserman, LLP  
100 Galleria Parkway, Suite 1800  
Atlanta, Georgia 30339

Re: Application for Rezoning, Use Permit and Concurrent Variance **RZ11-007/U11-003/CV11-004** ("*Application*") by Atlanta Ronald McDonald House Charities, Inc., relating to that certain property commonly known as 5400 and 5420 Peachtree Dunwoody Road, Sandy Springs, Georgia (collectively, the "*Property*")

Dear Ms. Ruffin:

Please accept this letter of support for the referenced Application by Atlanta Ronald McDonald House Charities, Inc. [Describe relationship to ARMHC.] I/We own property located at 585 Chestnut Hall Lane, within the City of Sandy Springs.

The Ronald McDonald House serves as a "home-away-from-home" for families whose children receive treatment at nearby hospitals or medical facilities. More than 20 years ago, ARMHC acquired the portion of the Property known as 5420 Peachtree Dunwoody Road. The existing House has served approximately 10,000 families since opening in June 1994.

Almost from its inception, the 11-bedroom capacity at the existing Peachtree Dunwoody Ronald McDonald House has been too small. This Ronald McDonald House has continually operated at or near capacity with a waiting list almost every day for the past five years. Last year alone, ARMHC had to turn away just over 200 families because rooms were not available on the nights they needed accommodations. For almost a decade, ARMHC has recognized a significant need to expand the accommodations for the families its serves and has been working towards expanding in a thoughtful manner. Currently, the Property is entitled for 31 units. But, changes in medical services and the kind of accommodations needed have spurred ARMHC to propose a full-blown redevelopment of the Property.

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Thank you for accepting and considering this letter of support.



585 Chestnut Hall Ln  
Atlanta, GA 30327

Oct 18 - 2011  
[insert date]

Ms. Patrice S. Ruffin, AICP  
c/o Ellen W. Smith, Esq.  
Holt Ney Zatcoff & Wasserman, LLP  
100 Galleria Parkway, Suite 1800  
Atlanta, Georgia 30339

Re: Application for Rezoning, Use Permit and Concurrent Variance **RZ11-007/U11-003/CV11-004** ("*Application*") by Atlanta Ronald McDonald House Charities, Inc., relating to that certain property commonly known as 5400 and 5420 Peachtree Dunwoody Road, Sandy Springs, Georgia (collectively, the "*Property*")

Dear Ms. Ruffin:

Please accept this letter of support for the referenced Application by Atlanta Ronald McDonald House Charities, Inc. [Describe relationship to ARMHC.] I/We own property located at 795 OLD CREEK TRAIL, within the City of Sandy Springs.

The Ronald McDonald House serves as a "home-away-from-home" for families whose children receive treatment at nearby hospitals or medical facilities. More than 20 years ago, ARMHC acquired the portion of the Property known as 5420 Peachtree Dunwoody Road. The existing House has served approximately 10,000 families since opening in June 1994.

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Thank you for accepting and considering this letter of support.

795 Old Creek Trail 30328

[insert date]

Ms. Patrice S. Ruffin, AICP  
c/o Ellen W. Smith, Esq.  
Holt Ney Zatcoff & Wasserman, LLP  
100 Galleria Parkway, Suite 1800  
Atlanta, Georgia 30339

Re: Application for Rezoning, Use Permit and Concurrent Variance **RZ11-007/U11-003/CV11-004** ("*Application*") by Atlanta Ronald McDonald House Charities, Inc., relating to that certain property commonly known as 5400 and 5420 Peachtree Dunwoody Road, Sandy Springs, Georgia (collectively, the "*Property*")

Dear Ms. Ruffin:

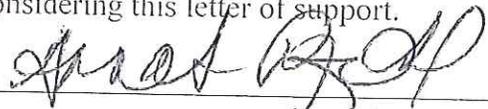
Please accept this letter of support for the referenced Application by Atlanta Ronald McDonald House Charities, Inc. [Describe relationship to ARMHC.] I/We own property located at 1660 WINTERHURM CLOSE within the City of Sandy Springs.

The Ronald McDonald House serves as a "home-away-from-home" for families whose children receive treatment at nearby hospitals or medical facilities. More than 20 years ago, ARMHC acquired the portion of the Property known as 5420 Peachtree Dunwoody Road. The existing House has served approximately 10,000 families since opening in June 1994.

Almost from its inception, the 11-bedroom capacity at the existing Peachtree Dunwoody Ronald McDonald House has been too small. This Ronald McDonald House has continually operated at or near capacity with a waiting list almost every day for the past five years. Last year alone, ARMHC had to turn away just over 200 families because rooms were not available on the nights they needed accommodations. For almost a decade, ARMHC has recognized a significant need to expand the accommodations for the families its serves and has been working towards expanding in a thoughtful manner. Currently, the Property is entitled for 31 units. But, changes in medical services and the kind of accommodations needed have spurred ARMHC to propose a full-blown redevelopment of the Property.

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Thank you for accepting and considering this letter of support.

  
\_\_\_\_\_  
1660 WINTERHURM CLOSE

[insert date]

Ms. Patrice S. Ruffin, AICP  
c/o Ellen W. Smith, Esq.  
Holt Ney Zatcoff & Wasserman, LLP  
100 Galleria Parkway, Suite 1800  
Atlanta, Georgia 30339

Re: Application for Rezoning, Use Permit and Concurrent Variance **RZ11-007/U11-003/CV11-004** ("*Application*") by Atlanta Ronald McDonald House Charities, Inc., relating to that certain property commonly known as 5400 and 5420 Peachtree Dunwoody Road, Sandy Springs, Georgia (collectively, the "*Property*")

Dear Ms. Ruffin:

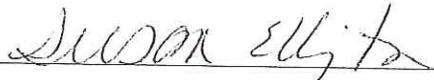
Please accept this letter of support for the referenced Application by Atlanta Ronald McDonald House Charities, Inc. [Describe relationship to ARMHC.] I/We own property located at 085 Edgewater Dr within the City of Sandy Springs.

The Ronald McDonald House serves as a "home-away-from-home" for families whose children receive treatment at nearby hospitals or medical facilities. More than 20 years ago, ARMHC acquired the portion of the Property known as 5420 Peachtree Dunwoody Road. The existing House has served approximately 10,000 families since opening in June 1994.

Almost from its inception, the 11-bedroom capacity at the existing Peachtree Dunwoody Ronald McDonald House has been too small. This Ronald McDonald House has continually operated at or near capacity with a waiting list almost every day for the past five years. Last year alone, ARMHC had to turn away just over 200 families because rooms were not available on the nights they needed accommodations. For almost a decade, ARMHC has recognized a significant need to expand the accommodations for the families it serves and has been working towards expanding in a thoughtful manner. Currently, the Property is entitled for 31 units. But, changes in medical services and the kind of accommodations needed have spurred ARMHC to propose a full-blown redevelopment of the Property.

After review and consideration of the Application, we would like to offer our support for and request approval of the referenced Application. The Ronald McDonald House is an invaluable asset to the City of Sandy Springs community and to the hospital and medical facilities located here.

Thank you for accepting and considering this letter of support.

  
\_\_\_\_\_  
Susan Elgert

[insert date]

Ms. Patrice S. Ruffin, AICP  
c/o Ellen W. Smith, Esq.  
Holt Ney Zatzoff & Wasserman, LLP  
100 Galleria Parkway, Suite 1800  
Atlanta, Georgia 30339

Re: Application for Rezoning, Use Permit and Concurrent Variance RZ11-007/U11-003/CV11-004 ("*Application*") by Atlanta Ronald McDonald House Charities, Inc., relating to that certain property commonly known as 5400 and 5420 Peachtree Dunwoody Road, Sandy Springs, Georgia (collectively, the "*Property*")

Dear Ms. Ruffin:

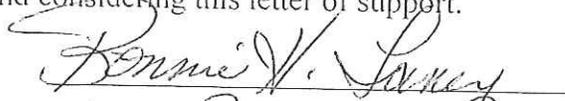
Please accept this letter of support for the referenced Application by Atlanta Ronald McDonald House Charities, Inc. [Describe relationship to ARMHC.] I/We own property located at ~~7750~~ 6190 Riverwood Dr., within the City of Sandy Springs.

The Ronald McDonald House serves as a "home-away-from-home" for families whose children receive treatment at nearby hospitals or medical facilities. More than 20 years ago, ARMHC acquired the portion of the Property known as 5420 Peachtree Dunwoody Road. The existing House has served approximately 10,000 families since opening in June 1994.

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Thank you for accepting and considering this letter of support.

  
6190 Riverwood Dr.  
Atlanta, Ga 30328

6565 Old Riverside Dr.

[insert date]

Ms. Patrice S. Ruffin, AICP  
c/o Ellen W. Smith, Esq.  
Holt Ney Zatzoff & Wasserman, LLP  
100 Galleria Parkway, Suite 1800  
Atlanta, Georgia 30339

Re: Application for Rezoning, Use Permit and Concurrent Variance **RZ11-007/U11-003/CV11-004** ("*Application*") by Atlanta Ronald McDonald House Charities, Inc., relating to that certain property commonly known as 5400 and 5420 Peachtree Dunwoody Road, Sandy Springs, Georgia (collectively, the "*Property*")

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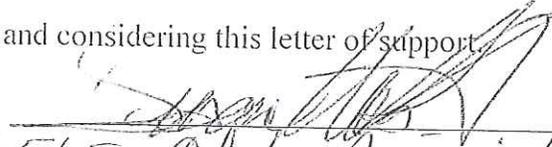
Please accept this letter of support for the referenced Application by Atlanta Ronald McDonald House Charities, Inc. [Describe relationship to ARMHC.] I/We own property located at \_\_\_\_\_, within the City of Sandy Springs.

The Ronald McDonald House serves as a "home-away-from-home" for families whose children receive treatment at nearby hospitals or medical facilities. More than 20 years ago, ARMHC acquired the portion of the Property known as 5420 Peachtree Dunwoody Road. The existing House has served approximately 10,000 families since opening in June 1994.

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6565 Old Riverside Dr.

[insert date]

Ms. Patrice S. Ruffin, AICP  
c/o Ellen W. Smith, Esq.  
Holt Ney Zetcoff & Wasserman, LLP  
100 Galleria Parkway, Suite 1800  
Atlanta, Georgia 30339

Re: Application for Rezoning, Use Permit and Concurrent Variance RZ11-007/U11-003/CV11-004 ("*Application*") by Atlanta Ronald McDonald House Charities, Inc., relating to that certain property commonly known as 5400 and 5420 Peachtree Dunwoody Road, Sandy Springs, Georgia (collectively, the "*Property*")

Dear Ms. Ruffin:

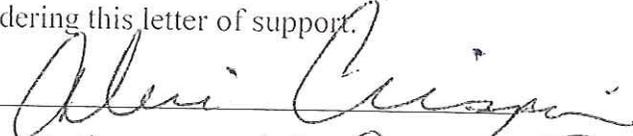
Please accept this letter of support for the referenced Application by Atlanta Ronald McDonald House Charities, Inc. [Describe relationship to ARMHC.] I/We own property located at 790 Old Creek Trail within the City of Sandy Springs.

The Ronald McDonald House serves as a "home-away-from-home" for families whose children receive treatment at nearby hospitals or medical facilities. More than 20 years ago, ARMHC acquired the portion of the Property known as 5420 Peachtree Dunwoody Road. The existing House has served approximately 10,000 families since opening in June 1994.

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Thank you for accepting and considering this letter of support.

  
790 Old Creek Trail

Oct 7 - 2011

[insert date]

Ms. Patrice S. Ruffin, AICP  
c/o Ellen W. Smith, Esq.  
Holt Ney Zatzoff & Wasserman, LLP  
100 Galleria Parkway, Suite 1800  
Atlanta, Georgia 30339

Re: Application for Rezoning, Use Permit and Concurrent Variance RZ11-007/U11-003/CV11-004 ("Application") by Atlanta Ronald McDonald House Charities, Inc., relating to that certain property commonly known as 5400 and 5420 Peachtree Dunwoody Road, Sandy Springs, Georgia (collectively, the "Property")

Dear Ms. Ruffin:

Please accept this letter of support for the referenced Application by Atlanta Ronald McDonald House Charities, Inc. [Describe relationship to ARMHC.] I/We own property located at 290 Sighthorse Rd, within the City of Sandy Springs.

The Ronald McDonald House serves as a "home-away-from-home" for families whose children receive treatment at nearby hospitals or medical facilities. More than 20 years ago, ARMHC acquired the portion of the Property known as 5420 Peachtree Dunwoody Road. The existing House has served approximately 10,000 families since opening in June 1994.

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Thank you for accepting and considering this letter of support.

*Phyllis A. Seanning*

OCT 7 - 2011  
[insert date]

Ms. Patrice S. Ruffin, AICP  
c/o Ellen W. Smith, Esq.  
Holt Ney Zatzoff & Wasserman, LLP  
100 Galleria Parkway, Suite 1800  
Atlanta, Georgia 30339

Re: Application for Rezoning, Use Permit and Concurrent Variance RZ11-007/U11-003/CV11-004 ("*Application*") by Atlanta Ronald McDonald House Charities, Inc., relating to that certain property commonly known as 5400 and 5420 Peachtree Dunwoody Road, Sandy Springs, Georgia (collectively, the "*Property*")

Dear Ms. Ruffin:

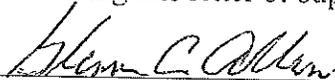
Please accept this letter of support for the referenced Application by Atlanta Ronald McDonald House Charities, Inc. [Describe relationship to ARMHC.] I/We own property located at 358 Mt Vernon Hwy, within the City of Sandy Springs.

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Thank you for accepting and considering this letter of support.

  
\_\_\_\_\_

Oct 7, 2011  
[insert date]

Ms. Patrice S. Ruffin, AICP  
c/o Ellen W. Smith, Esq.  
Holt Ney Zatzoff & Wasserman, LLP  
100 Galleria Parkway, Suite 1800  
Atlanta, Georgia 30339

Re: Application for Rezoning, Use Permit and Concurrent Variance **RZ11-007/U11-003/CV11-004** ("*Application*") by Atlanta Ronald McDonald House Charities, Inc., relating to that certain property commonly known as 5400 and 5420 Peachtree Dunwoody Road, Sandy Springs, Georgia (collectively, the "*Property*")

Dear Ms. Ruffin:

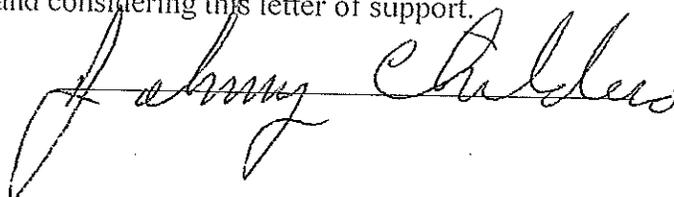
Please accept this letter of support for the referenced Application by Atlanta Ronald McDonald House Charities, Inc. [Describe relationship to ARMHC.] I/We own property located at 701 Woodcliff, within the City of Sandy Springs.

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Thank you for accepting and considering this letter of support.



10/6/11

[insert date]

Ms. Patrice S. Ruffin, AICP  
c/o Ellen W. Smith, Esq.  
Holt Ney Zatzoff & Wasserman, LLP  
100 Galleria Parkway, Suite 1800  
Atlanta, Georgia 30339

Re: Application for Rezoning, Use Permit and Concurrent Variance RZ11-007/U11-003/CV11-004 ("*Application*") by Atlanta Ronald McDonald House Charities, Inc., relating to that certain property commonly known as 5400 and 5420 Peachtree Dunwoody Road, Sandy Springs, Georgia (collectively, the "*Property*")

Dear Ms. Ruffin:

Please accept this letter of support for the referenced Application by Atlanta Ronald McDonald House Charities, Inc. [Describe relationship to ARMHC.] I/We own property located at 6250 METWICK LANE, within the City of Sandy Springs.

ATL. GA 30328

The Ronald McDonald House serves as a "home-away-from-home" for families whose children receive treatment at nearby hospitals or medical facilities. More than 20 years ago, ARMHC acquired the portion of the Property known as 5420 Peachtree Dunwoody Road. The existing House has served approximately 10,000 families since opening in June 1994.

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Thank you for accepting and considering this letter of support.

Linda P. Gold

[insert date]

6 Oct '11

Ms. Patrice S. Ruffin, AICP  
c/o Ellen W. Smith, Esq.  
Holt Ney Zatzoff & Wasseirman, LLP  
100 Galleria Parkway, Suite 1800  
Atlanta, Georgia 30339

Re: Application for Rezoning, Use Permit and Concurrent Variance RZ11-007/U11-003/CV11-004 ("Application") by Atlanta Ronald McDonald House Charities, Inc., relating to that certain property commonly known as 5400 and 5420 Peachtree Dunwoody Road, Sandy Springs, Georgia (collectively, the "Property")

Dear Ms. Ruffin:

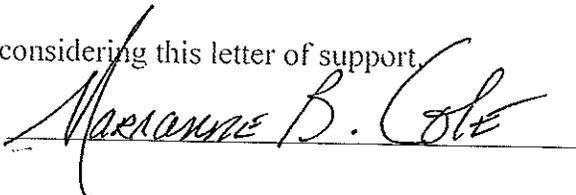
Please accept this letter of support for the referenced Application by Atlanta Ronald McDonald House Charities, Inc. [Describe relationship to ARMHC.] I/We own property located at 921 HEARDS FERRY, within the City of Sandy Springs.

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Thank you for accepting and considering this letter of support.

  
Marianne B. Cole

10/05/2011  
[insert date]

Ms. Patrice S. Ruffin, AICP  
c/o Ellen W. Smith, Esq.  
Holt Ney Zatzoff & Wasserman, LLP  
100 Galleria Parkway, Suite 1800  
Atlanta, Georgia 30339

Re: Application for Rezoning, Use Permit and Concurrent Variance RZ11-007/U11-003/CV11-004 ("Application") by Atlanta Ronald McDonald House Charities, Inc., relating to that certain property commonly known as 5400 and 5420 Peachtree Dunwoody Road, Sandy Springs, Georgia (collectively, the "Property")

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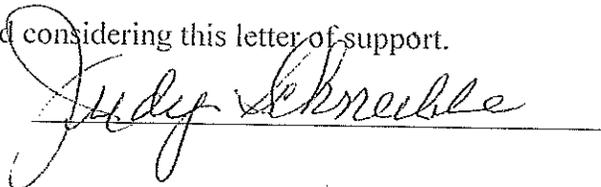
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Thank you for accepting and considering this letter of support.

  
\_\_\_\_\_

[insert date] 6 Oct '11

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c/o Ellen W. Smith, Esq.  
Holt Ney Zatzoff & Wasserman, LLP  
100 Galleria Parkway, Suite 1800  
Atlanta, Georgia 30339

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Dear Ms. Ruffin:

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Thank you for accepting and considering this letter of support.

*MC*  
*Marianna D. C.*  
*Harvey J. Cole II*

[insert date] 6 Oct '11

Ms. Patrice S. Ruffin, AICP  
c/o Ellen W. Smith, Esq.  
Holt Ney Zatzoff & Wasserman, LLP  
100 Galleria Parkway, Suite 1800  
Atlanta, Georgia 30339

Re: Application for Rezoning, Use Permit and Concurrent Variance RZ11-007/U11-003/CV11-004 ("*Application*") by Atlanta Ronald McDonald House Charities, Inc., relating to that certain property commonly known as 5400 and 5420 Peachtree Dunwoody Road, Sandy Springs, Georgia, (collectively, the "*Property*")

Dear Ms. Ruffin:

Please accept this letter of support for the referenced Application by Atlanta Ronald McDonald House Charities, Inc. [Describe relationship to ARMHC.] I/We own property located at 711 Heads Ferry Rd within the City of Sandy Springs.

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Thank you for accepting and considering this letter of support.

Chip Cole, MD

[insert date] 6 Oct '11

Ms. Patrice S. Ruffin, AICP  
c/o Ellen W. Smith, Esq.  
Holt Ney Zatzoff & Wasserman, LLP  
100 Galleria Parkway, Suite 1800  
Atlanta, Georgia 30339

Re: Application for Rezoning, Use Permit and Concurrent Variance RZ11-007/U11-003/CV11-004 ("*Application*") by Atlanta Ronald McDonald House Charities, Inc., relating to that certain property commonly known as 5400 and 5420 Peachtree Dunwoody Road, Sandy Springs, Georgia (collectively, the "*Property*")

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Thank you for accepting and considering this letter of support.

Swan S. Cole



[insert date]  
10-6-2011

Ms. Patrice S. Ruffin, AICP  
c/o Ellen W. Smith, Esq.  
Holt Ney Zatzoff & Wasserman, LLP  
100 Galleria Parkway, Suite 1800  
Atlanta, Georgia 30339

Re: Application for Rezoning, Use Permit and Concurrent Variance RZ11-007/U11-003/CV11-004 ("Application") by Atlanta Ronald McDonald House Charities, Inc., relating to that certain property commonly known as 5400 and 5420 Peachtree Dunwoody Road, Sandy Springs, Georgia (collectively, the "Property")

Dear Ms. Ruffin:

Please accept this letter of support for the referenced Application by Atlanta Ronald McDonald House Charities, Inc. [Describe relationship to ARMHC.] I/We own property located at 325 Thornwood Dr, within the City of Sandy Springs, Georgia.

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Thank you for accepting and considering this letter of support.

Charlotte S. Sachs

10-06 - 2011  
[insert date]

Ms. Patrice S. Ruffin, AICP  
c/o Ellen W. Smith, Esq.  
Holt Ney Zatzoff & Wasserman, LLP  
100 Galleria Parkway, Suite 1800  
Atlanta, Georgia 30339

Re: Application for Rezoning, Use Permit and Concurrent Variance **RZ11-007/U11-003/CV11-004** ("*Application*") by Atlanta Ronald McDonald House Charities, Inc., relating to that certain property commonly known as 5400 and 5420 Peachtree Dunwoody Road, Sandy Springs, Georgia (collectively, the "*Property*")

Dear Ms. Ruffin:

Please accept this letter of support for the referenced Application by Atlanta Ronald McDonald House Charities, Inc. [Describe relationship to ARMHC.] I/We own property located at 1111 Peachtree Dunwoody Road, within the City of Sandy Springs.

The Ronald McDonald House serves as a "home-away-from-home" for families whose children receive treatment at nearby hospitals or medical facilities. More than 20 years ago, ARMHC acquired the portion of the Property known as 5420 Peachtree Dunwoody Road. The existing House has served approximately 10,000 families since opening in June 1994.

Almost from its inception, the 11-bedroom capacity at the existing Peachtree Dunwoody Ronald McDonald House has been too small. This Ronald McDonald House has continually operated at or near capacity with a waiting list almost every day for the past five years. Last year alone, ARMHC had to turn away just over 200 families because rooms were not available on the nights they needed accommodations. For almost a decade, ARMHC has recognized a significant need to expand the accommodations for the families it serves and has been working towards expanding in a thoughtful manner. Currently, the Property is entitled for 31 units. But, changes in medical services and the kind of accommodations needed have spurred ARMHC to propose a full-blown redevelopment of the Property.

After review and consideration of the Application, we would like to offer our support for and request approval of the referenced Application. The Ronald McDonald House is an invaluable asset to the City of Sandy Springs community and to the hospital and medical facilities located here.

Thank you for accepting and considering this letter of support.

Bonnie M. Wright

(Insert date)  
10-2-2011

Ms. Patrice S. Ruffin, AICP  
c/o Ellen W. Smith, Esq.  
Holt Ney Zatzcoff & Wasserman, LLP  
100 Galleria Parkway, Suite 1800  
Atlanta, Georgia 30339

Re: Application for Rezoning, Use Permit and Concurrent Variance RZ11-007/U11-003/CV11-004 ("Application") by Atlanta Ronald McDonald House Charities, Inc., relating to that certain property commonly known as 5400 and 5420 Peachtree Dunwoody Road, Sandy Springs, Georgia (collectively, the "Property")

Dear Ms. Ruffin:

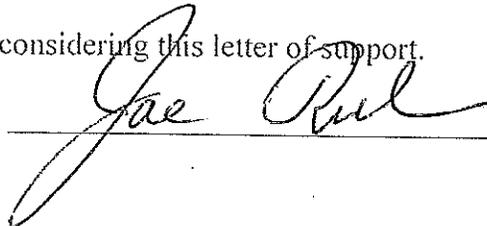
Please accept this letter of support for the referenced Application by Atlanta Ronald McDonald House Charities, Inc. [Describe relationship to ARMHC.] I/We own property located at 330 W. Spalding Dr., within the City of Sandy Springs.

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Thank you for accepting and considering this letter of support.

  
\_\_\_\_\_  
Joe Paul



Oct 08 - 2011  
[insert date]

Ms. Patrice S. Ruffin, AICP  
c/o Ellen W. Smith, Esq.  
Holt Ney Zatcoff & Wasserman, LLP  
100 Galleria Parkway, Suite 1800  
Atlanta, Georgia 30339

Re: Application for Rezoning, Use Permit and Concurrent Variance RZ11-007/U11-003/CV11-004 ("*Application*") by Atlanta Ronald McDonald House Charities, Inc., relating to that certain property commonly known as 5400 and 5420 Peachtree Dunwoody Road, Sandy Springs, Georgia (collectively, the "*Property*")

Dear Ms. Ruffin:

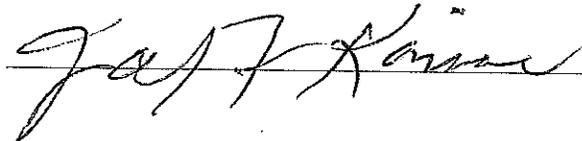
Please accept this letter of support for the referenced Application by Atlanta Ronald McDonald House Charities, Inc. [Describe relationship to ARMHC.] I/We own property located at 8135 in Sandy Springs, GA, within the City of Sandy Springs.

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Thank you for accepting and considering this letter of support.



10-08-2011  
[insert date]

Ms. Patrice S. Ruffin, AICP  
c/o Ellen W. Smith, Esq.  
Holt Ney Zatcoff & Wasserman, LLP  
100 Galleria Parkway, Suite 1800  
Atlanta, Georgia 30339

Re: Application for Rezoning, Use Permit and Concurrent Variance RZ11-007/U11-003/CV11-004 ("Application") by Atlanta Ronald McDonald House Charities, Inc., relating to that certain property commonly known as 5400 and 5420 Peachtree Dunwoody Road, Sandy Springs, Georgia (collectively, the "Property")

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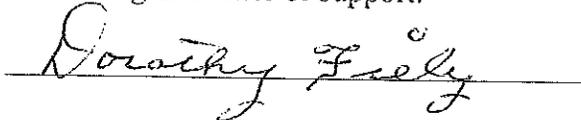
Please accept this letter of support for the referenced Application by Atlanta Ronald McDonald House Charities, Inc. [Describe relationship to ARMHC.] I/We own property located at ~~7295 Dunwoody~~ within the City of Sandy Springs.

The Ronald McDonald House serves as a "home-away-from-home" for families whose children receive treatment at nearby hospitals or medical facilities. More than 20 years ago, ARMHC acquired the portion of the Property known as 5420 Peachtree Dunwoody Road. The existing House has served approximately 10,000 families since opening in June 1994.

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Thank you for accepting and considering this letter of support.

  
Dorothy Feely

**Smith, Ellen W.**

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**From:** Julie Mann [heyman4@bellsouth.net]  
**Sent:** Wednesday, October 19, 2011 9:02 PM  
**To:** Smith, Ellen W.; DTrettin@sandyspringsga.gov  
**Subject:** RE: ARMHC Sandy Springs Rezoning  
**Attachments:** Ronald McDonald house.DOC

Please consider my support in favor of rezoning to allow for the Ronald McDonald House addition. It is greatly needed to serve more families who need this support while being treated at Children's healthcare. Please see my attached letter.

Thank you,

*Julie Mann*  
6215 Mountain Brook Lane, NW  
Atlanta, Georgia 30328  
(404) 257-9486 home  
(404) 271-8734 cell  
<http://www.juliemannart.com>

October 19, 2011

Ms. Patrice S. Ruffin, AICP  
c/o Ellen W. Smith, Esq.  
Holt Ney Zatcoff & Wasserman, LLP  
100 Galleria Parkway, Suite 1800  
Atlanta, Georgia 30339

Re: Application for Rezoning, Use Permit and Concurrent Variance **RZ11-007/U11-003/CV11-004** ("*Application*") by Atlanta Ronald McDonald House Charities, Inc., relating to that certain property commonly known as 5400 and 5420 Peachtree Dunwoody Road, Sandy Springs, Georgia (collectively, the "*Property*")

Dear Ms. Ruffin:

Please accept this letter of support for the referenced Application by Atlanta Ronald McDonald House Charities, Inc. I have been a volunteer at Ronald McDonald House and I own property located at 6215 Mountain Brook Lane, 30328, within the City of Sandy Springs.

The Ronald McDonald House serves as a "home-away-from-home" for families whose children receive treatment at nearby hospitals or medical facilities. More than 20 years ago, ARMHC acquired the portion of the Property known as 5420 Peachtree Dunwoody Road. The existing House has served approximately 10,000 families since opening in June 1994.

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After review and consideration of the Application, we would like to offer our support for and request approval of the referenced Application. The Ronald McDonald House is an invaluable asset to the City of Sandy Springs community and to the hospital and medical facilities located here.

Thank you for accepting and considering this letter of support.

---

Print Name: Julie M. Mann

**Smith, Ellen W.**

---

**From:** Beth & David Robertson [dlrobertson@mindspring.com]

**Sent:** Wednesday, October 19, 2011 3:22 PM

**To:** DTrettin@sandyspringsga.gov

**Cc:** Smith, Ellen W.

**Subject:** letter of support for Ronald McDonald house

**Attachments:** ronald mcdonald house letter.doc

Please see the attached letter of support for the new Ronald McDonald house. Thanks so much!

Beth Robertson

Oct. 19, 2011

Ms. Patrice S. Ruffin, AICP  
c/o Ellen W. Smith, Esq.  
Holt Ney Zatzoff & Wasserman, LLP  
100 Galleria Parkway, Suite 1800  
Atlanta, Georgia 30339

Re: Application for Rezoning, Use Permit and Concurrent Variance **RZ11-007/U11-003/CV11-004** ("*Application*") by Atlanta Ronald McDonald House Charities, Inc., relating to that certain property commonly known as 5400 and 5420 Peachtree Dunwoody Road, Sandy Springs, Georgia (collectively, the "*Property*")

Dear Ms. Ruffin:

Please accept this letter of support for the referenced Application by Atlanta Ronald McDonald House Charities, Inc. We own property located at 875 Old Creek Trail NW, within the City of Sandy Springs.

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Thank you for accepting and considering this letter of support.

---

Beth and David Robertson

---

**Smith, Ellen W.**

---

**From:** Austin, DonnaJo [DonnaJo.Austin@hies.org]  
**Sent:** Thursday, October 20, 2011 8:11 AM  
**To:** DTrettin@sandyspringsga.gov  
**Cc:** Smith, Ellen W.; John Austin  
**Subject:** ARMHC Sandy Springs Rezoning  
**Attachments:** Ronald Mc House.doc

Please find the attached document in support of rezoning for the Ronald McDonald house in Sandy Springs.  
Thank you,  
*Donna Jo*

*Donna Jo Austin*  
*Library Media Specialist*  
*Curtis Library Media Center - Dorothy Sullivan Lower School*  
*Holy Innocents' Episcopal School*  
*805 Mount Vernon Highway, NW*  
*Atlanta, GA 30327*  
*404.303.2150 x330*  
*[DonnaJo.Austin@hies.org](mailto:DonnaJo.Austin@hies.org)*

October 20, 2011

Ms. Patrice S. Ruffin, AICP  
c/o Ellen W. Smith, Esq.  
Holt Ney Zatcoff & Wasserman, LLP  
100 Galleria Parkway, Suite 1800  
Atlanta, Georgia 30339

Re: Application for Rezoning, Use Permit and Concurrent Variance **RZ11-007/U11-003/CV11-004** ("*Application*") by Atlanta Ronald McDonald House Charities, Inc., relating to that certain property commonly known as 5400 and 5420 Peachtree Dunwoody Road, Sandy Springs, Georgia (collectively, the "*Property*")

Dear Ms. Ruffin:

Please accept this letter of support for the referenced Application by Atlanta Ronald McDonald House Charities, Inc. We feel that this is a very worthy cause. We own property located at 6185 Old Hickory Point, within the City of Sandy Springs.

The Ronald McDonald House serves as a "home-away-from-home" for families whose children receive treatment at nearby hospitals or medical facilities. More than 20 years ago, ARMHC acquired the portion of the Property known as 5420 Peachtree Dunwoody Road. The existing House has served approximately 10,000 families since opening in June 1994.

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Thank you for accepting and considering this letter of support.

John and Donna Jo Austin

[insert date]

Ms. Patrice S. Ruffin, AICP  
c/o Ellen W. Smith, Esq.  
Holt Ney Zatcoff & Wasserman, LLP  
100 Galleria Parkway, Suite 1800  
Atlanta, Georgia 30339

Re: Application for Rezoning, Use Permit and Concurrent Variance **RZ11-007/U11-003/CV11-004** ("*Application*") by Atlanta Ronald McDonald House Charities, Inc., relating to that certain property commonly known as 5400 and 5420 Peachtree Dunwoody Road, Sandy Springs, Georgia (collectively, the "*Property*")

Dear Ms. Ruffin:

Please accept this letter of support for the referenced Application by Atlanta Ronald McDonald House Charities, Inc. As a former (11-year) employee of Egleston Children's Hospital (now Children's Healthcare of Atlanta), I experienced firsthand how families benefitted from the ARMHC. We happen to own property located at 6150 Weatherly Drive, within the City of Sandy Springs.

The Ronald McDonald House serves as a "home-away-from-home" for families whose children receive treatment at nearby hospitals or medical facilities. More than 20 years ago, ARMHC acquired the portion of the Property known as 5420 Peachtree Dunwoody Road. The existing House has served approximately 10,000 families since opening in June 1994.

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Thank you for accepting and considering this letter of support.

Celia Williams

## Trettin, Doug

---

**From:** Smith, Ellen W. <esmith@honzw.com>  
**Sent:** Thursday, October 13, 2011 11:31 AM  
**To:** Trettin, Doug  
**Subject:** FW: RZ11-007/U11-003/CV11-004 (Application)

Doug - Please see the e-mail below and make sure that it is part of the Application file.

Thank you!

Ellen W. Smith, Esq.  
Holt Ney Zatzoff & Wasserman, LLP  
Dir: (770) 661-1216  
Main: (770) 956-9600  
LEED Green Associate

 please don't print this e-mail unless you really need to

---

**From:** Barbara Snow [mailto:bgsnow@bellsouth.net]  
**Sent:** Wednesday, October 12, 2011 11:57 AM  
**To:** Smith, Ellen W.; Eva Galambos  
**Subject:** RZ11-007/U11-003/CV11-004 (Application)

To Whom it May Concern (Please route to those involved)

I am a resident of Sandy Springs and own my property at 806 Woodcliff Drive, 30350.

I have been a volunteer at the Ronald McDonald House for the last four years and have come to realize what a wonderful asset this place is to our community. The property at Peachtree-Dunwoody Road is entirely too small to fill the needs of so many. It only contains 11 bedrooms and at times it has been necessary to turn away those families that are in dire need of a place to stay while their children are receiving their much needed medical attention.

It is imperative that the above mentioned application be approved. Please be aware of the fact that all of the Ronald McDonald Houses get their finances from private sources and receive no government assistance. This proves how needed these places are and what an asset they are to their respective communities.

Please make sure that this Application is approved.

Thank you so much for your attention.

Sincerely,

Barbara G. Snow

## Trettin, Doug

---

**From:** Smith, Ellen W. <esmith@honzw.com>  
**Sent:** Thursday, October 13, 2011 11:31 AM  
**To:** Trettin, Doug  
**Subject:** FW: RZ11-007/U11-003/CV11-004 (Application)

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Ellen W. Smith, Esq.  
Holt Ney Zatoeff & Wasserman, LLP  
Dir: (770) 661-1216  
Main: (770) 956-9600  
LEED Green Associate

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**Subject:** RZ11-007/U11-003/CV11-004 (Application)

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Please make sure that this Application is approved.  
Thank you so much for your attention.  
Sincerely,  
Barbara G. Snow

## Trettin, Doug

---

**From:** Kelly Spetalnick <kspetaln@gmail.com>  
**Sent:** Monday, October 10, 2011 10:32 AM  
**To:** Trettin, Doug  
**Cc:** tkirbo@scottre.com; Tom  
**Subject:** Newest Ronald McDonald house plans

Dear Doug,

I would like you to know that Tom and I are in complete support of the newest plan for the Ronald McDonald house - moving the entire building footprint as close to the Glenridge Connector as possible and leaving as much green space as feasible adjacent to our back yard. It was actually my husband's idea, which he brought up at the planning meeting where we met. This seems to be the most favorable plan for all parties in that they will have a more accessible facility for their clients and we retain a more residential- friendly property.

We have spoken and received approval from all of our neighbors, save one household. They have been unreachable this past week, but we expect them to agree as well, as they have expressed support for our inclinations all along.

At the next Sandy Springs meeting, we will be there to voice our approval.

Please feel free to contact us should you have any questions.

Regards,  
Kelly Spetalnick

## Trettin, Doug

---

**From:** Tom Spetalnick <tom@woolfsoneye.com>  
**Sent:** Monday, October 10, 2011 7:19 PM  
**To:** Trettin, Doug  
**Cc:** tkirbo@scottre.com; Kelly Spetalnick  
**Subject:** RE: Newest Ronald McDonald house plans

Hi Doug,

My wife and I met you at a recent informal meeting regarding potential changes to the plans that the Ronald McDonald House had approved by Fulton County and Sandy Springs. We were appreciative of the manner in which you served as a moderator and mediator for that meeting.

As the immediate neighbor of the Ronald McDonald House, we opposed the original expansion based on our concern that the overall footprint of the project would be inconsistent with residential living. As you know, Ronald McDonald ultimately received approval after modifying the requested number of rooms down to 20. The new structure was to be built on the property immediately adjacent to our home.

Recently, Tom Kirbo was kind enough to go over their drawings of a modified plan they hoped to have approved by Sandy Springs, and you probably recall that I voiced my objections when he later presented the plan at the meeting at the Sandy Springs Courthouse. Again, the large area of adjacent property that was to be built on was the element that Kelly and I believe was not likely to look or feel residential to the neighborhood, especially to its immediate neighbors. We were especially disturbed by the increased size of the proposed consolidation of the existing and new building.

Kelly's characterization of our current position is accurate. Tom Kirbo has shown us a modified plan that would involve a single structure that concentrates the new building in a location that we're satisfied could impact the neighborhood to a lesser degree. We've also been provided assurances that the project would include extensive landscaping to create a sense of green space on the immediate adjacent property, although we're aware there will be paved areas for a driveway and parking.

My recollection was that there were specific landscaping features that were built into the approved Fulton County/Sandy Springs plan designed to lessen the impact on us. Our discussion with Tom and others involved in the newest plan included assurances that we would be involved in the landscaping plan in some manner. We're appreciative of that offer, and also hopeful that we can somehow formalize that element of the discussions.

I have personally spoken to several homeowners on the street, and another in the adjacent neighborhood. Clementstone residents Tom and Toby Rosing, Mike and Linda Ouden, and Bill and Miriam Guest all gave me their approval to inform you that they also prefer the building to be concentrated further from their homes, even if it means that the structure itself will be less residential appearing. I have communicated via voicemail with Michael and Andjela Kessler, and my impression was that he was also amenable. I have been unsuccessful thus far in contacting the Gene and Ellen Bramblett.

If you can help the Ronald McDonald House to gain the appropriate variances to enable them their building to be concentrated closer to the the corner of the Glenridge Connector and Peachtree Dunwoody, with maximized green space on their annexed property, we would be grateful.

Sincerely,  
Tom

Tom Spetalnick, O.D.  
Clinical Director

100 Mt. Vernon Highway; Suite 130  
Sandy Springs, GA 30328  
Phone: (404) 237-1770; extension 113  
Fax: (404) 237-6002  
tom@woolfsoneye.com  
www.woolfsoneye.com

The information contained in this electronic mail transmission is intended only for the use of the individual or entity named above and is privileged and confidential. If you are not the intended recipient, please do not read, copy, use or disclose this communication to others. Any dissemination, distribution or copying of this communication other than to the person or entity named above is strictly prohibited. If you have received this communication in error, please immediately delete it from your system.

---

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Cc: tkirbo@scottre.com; Tom Spetalnick  
Subject: Newest Ronald McDonald house plans

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Please feel free to contact us should you have any questions.

Regards,  
Kelly Spetalnick

Oct. 19, 2011

Ms. Patrice S. Ruffin, AICP  
c/o Ellen W. Smith, Esq.  
Holt Ney Zatcoff & Wasserman, LLP  
100 Galleria Parkway, Suite 1800  
Atlanta, Georgia 30339

Re: Application for Rezoning, Use Permit and Concurrent Variance **RZ11-007/U11-003/CV11-004** (“*Application*”) by Atlanta Ronald McDonald House Charities, Inc., relating to that certain property commonly known as 5400 and 5420 Peachtree Dunwoody Road, Sandy Springs, Georgia (collectively, the “*Property*”)

Dear Ms. Ruffin:

Please accept this letter of support for the referenced Application by Atlanta Ronald McDonald House Charities, Inc. We own property located at 875 Old Creek Trail NW, within the City of Sandy Springs.

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Thank you for accepting and considering this letter of support.

**Beth and David Robertson**

October 19, 2011

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c/o Ellen W. Smith, Esq.  
Holt Ney Zatcoff & Wasserman, LLP  
100 Galleria Parkway, Suite 1800  
Atlanta, Georgia 30339

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Dear Ms. Ruffin:

Please accept this letter of support for the referenced Application by Atlanta Ronald McDonald House Charities, Inc. I have been a volunteer at Ronald McDonald House and I own property located at 6215 Mountain Brook Lane, 30328, within the City of Sandy Springs.

The Ronald McDonald House serves as a “home-away-from-home” for families whose children receive treatment at nearby hospitals or medical facilities. More than 20 years ago, ARMHC acquired the portion of the Property known as 5420 Peachtree Dunwoody Road. The existing House has served approximately 10,000 families since opening in June 1994.

Almost from its inception, the 11-bedroom capacity at the existing Peachtree Dunwoody Ronald McDonald House has been too small. This Ronald McDonald House has continually operated at or near capacity with a waiting list almost every day for the past five years. Last year alone, ARMHC had to turn away just over 200 families because rooms were not available on the nights they needed accommodations. For almost a decade, ARMHC has recognized a significant need to expand the accommodations for the families its serves and has been working towards expanding in a thoughtful manner. Currently, the Property is entitled for 31 units. But, changes in medical services and the kind of accommodations needed have spurred ARMHC to propose a full-blown redevelopment of the Property.

After review and consideration of the Application, we would like to offer our support for and request approval of the referenced Application. The Ronald McDonald House is an invaluable asset to the City of Sandy Springs community and to the hospital and medical facilities located here.

Thank you for accepting and considering this letter of support.

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Print Name: Julie M. Mann

October 20, 2011

Ms. Patrice S. Ruffin, AICP  
c/o Ellen W. Smith, Esq.  
Holt Ney Zatcoff & Wasserman, LLP  
100 Galleria Parkway, Suite 1800  
Atlanta, Georgia 30339

Re: Application for Rezoning, Use Permit and Concurrent Variance **RZ11-007/U11-003/CV11-004** (“*Application*”) by Atlanta Ronald McDonald House Charities, Inc., relating to that certain property commonly known as 5400 and 5420 Peachtree Dunwoody Road, Sandy Springs, Georgia (collectively, the “*Property*”)

Dear Ms. Ruffin:

Please accept this letter of support for the referenced Application by Atlanta Ronald McDonald House Charities, Inc. We feel that this is a very worthy cause. We own property located at 6185 Old Hickory Point, within the City of Sandy Springs.

The Ronald McDonald House serves as a “home-away-from-home” for families whose children receive treatment at nearby hospitals or medical facilities. More than 20 years ago, ARMHC acquired the portion of the Property known as 5420 Peachtree Dunwoody Road. The existing House has served approximately 10,000 families since opening in June 1994.

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Thank you for accepting and considering this letter of support.

John and Donna Jo Austin