SANDY SPRINGS
GEORGIA

CITY COUNCIL AGENDA ITEM

TO: Mayor & City Council **DATE:** July 1, 2010

FROM: John McDonough, City Manager

AGENDA ITEM: RC 10-02SS (8060 Habersham Waters Rd.)

MEETING DATE: For Submission onto the July 13, 2010, City Council Regular Meeting Agenda

BACKGROUND INFORMATION: (Attach additional pages if necessary)

See attached:

Memorandum
River Corridor Review
ARC Preliminary Letter of Consistency

APPROVAL BY CITY MANAGER: JM *APPROVED*

_____ *NOT APPROVED*

PLACED ON AGENDA FOR: 7/13/10

CITY ATTORNEY APPROVAL REQUIRED: (✓) *YES* ( ) *NO*

CITY ATTORNEY APPROVAL: _____

REMARKS:

7840 Roswell Road, Building 500 • Sandy Springs, Georgia 30350 • 770.730.5600 • 770.206.1420 fax • www.sandyspringsga.org

SANDY SPRINGS
GEORGIA

To: Honorable Mayor and City Council Members

From: Nancy J. Leathers, AICP, Director, Community Development Department

Date: June 17, 2010 for Submission onto the July 13, 2010 City Council Meeting Agenda – River Corridor Review

Agenda Item: RC 10-02SS (8060 Habersham Waters Rd.)

Intent:

The owner of the property proposes the construction of a tennis court. The site is 1.02 acres, located in vulnerability categories "C" and "D", with a maximum allowed area of disturbance of 29,433 ft^2 and a maximum allowed area of impervious surface at 18,817 ft^2.

Process:

The subject application was submitted to the Atlanta Regional Commission on June 17, 2010, with a preliminary finding that the proposed project is consistent with the Chattahoochee Corridor Plan. The application is scheduled to be represented by the applicant at the July 13, 2010 Mayor and City Council meeting.

The Staff requests that the Mayor and City Council allow a representative of the Department of Community Development to present the application and the Department's recommendation. The applicant would then be allowed to present the application. Next, all dissenting and supporting comments of the public should then be solicited. Finally, the applicant would have a period of rebuttal.

In accordance with the requirements of the State of Georgia, the applicant and all supporting public comments are to be allowed at least ten (10) minutes. Additionally, dissenting public comments are to be allowed at least ten (10) minutes.

Staff Recommendation:

APPROVAL – Consistent with Chattahoochee River Corridor Plan

Concurrent Review:

John McDonough, City Manager
Wendell Willard, City Attorney
Cecil McLendon, Assistant City Attorney

SANDY SPRINGS
GEORGIA

River Corridor Review No. RC 10-02SS

HEARING & MEETING DATES

Community Zoning Information Meeting	Design Review Board Meeting	Planning Commission Hearing	Mayor and City Council Hearing
N/A	N/A	N/A	July 13, 2010

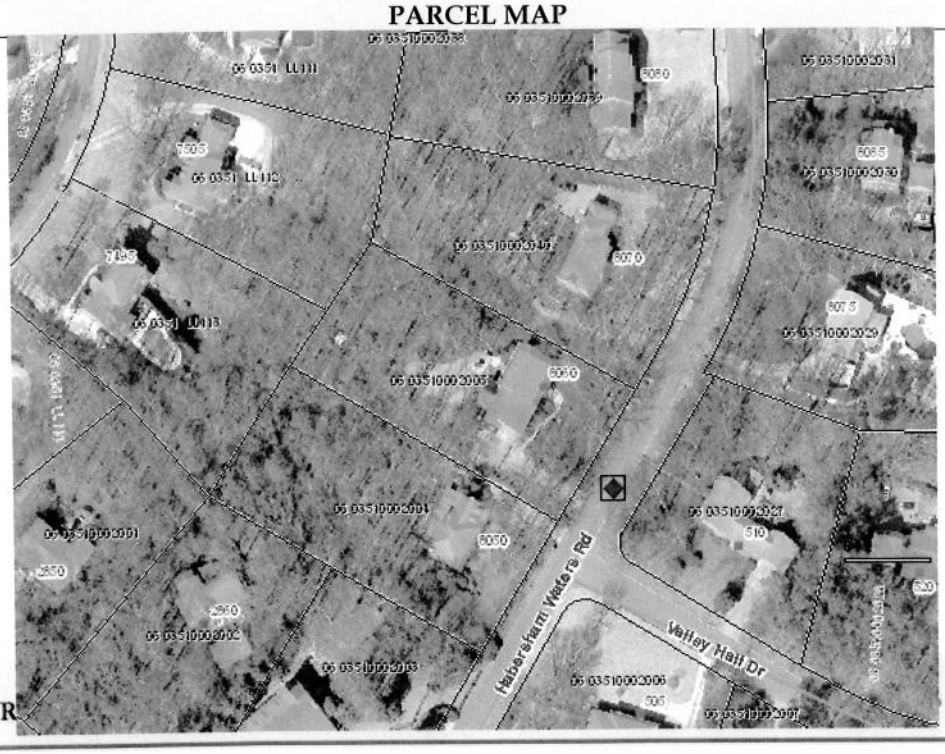
APPLICANT/PETITIONER INFORMATION

Property Owner	Petitioner	Representative
Mark and Patty Gessner	Mark and Patty Gessner	Mark and Patty Gessner

PROPERTY INFORMATION

Address, Land Lot, District, and Council District	8060 Habersham Waters Rd. LL 351, 6th District, Unit 1 City of Sandy Springs Fulton County, GA 30328
Vulnerability Category(s)	"C", "D", "E"
Frontage and Area	Project has frontage along the western portion of Habersham Waters Rd.. The subject property has a total area of 1.02 acres.
Existing Zoning and Use	R-2

PARCEL MAP



SANDY SPRINGS
GEORGIA

INTENT

The owner of the property proposes the construction of a tennis court. The site is 1.02 acres, located in vulnerability categories "C" and "D", with a maximum allowed area of disturbance of 29,433 ft^2 and a maximum allowed area of impervious surface at 18,817 ft^2.

COMMUNITY DEVELOPMENT DEPARTMENT RECOMMENDATION:

APPROVAL – FOUND TO BE CONSISTENT BY ATLANTA REGIONAL COMMISSION.

Public Participation:

Notice of Atlanta Regional Commission Metropolitan River Protection Act Certificate Public Hearing – Mayor and City Council Meeting July 13, 2010.

Planning Analysis:

The subject site is a 1.02 acre tract of land located in Land Lot 351 of the 6th District and situated on the western portion of Habersham Waters Rd. The site is zoned R-2. Upon review, staff is of the opinion that the applicant is within both disturbed area and impervious surface thresholds set by ARC Chattahoochee River Corridor Plan.

Staff Recommendation:

Staff recommends **APPROVAL** of the proposed Metropolitan River Protection Act Certificate.

Attachments:

Atlanta Regional Commission preliminary Letter of Consistency – received June 17, 2010.

REGIONAL REVIEW NOTIFICATION

Atlanta Regional Commission • 40 Courtland Street NE, Atlanta, Georgia 30303 • ph: 404.463.3100 • fax:404.463.3105 • www.atlantaregional.com

DATE: Jun 17 2010

ARC REVIEW CODE: V106171

TO: Mayor Eva Galambos
ATTN TO: David Schmid, City of Sandy Springs
FROM: Charles Krautler, Director

NOTE: This is digital signature. Original on file.

The Atlanta Regional Commission (ARC) has received the following proposal and is initiating a regional review to seek comments from potentially impacted jurisdictions and agencies. The ARC requests your comments related to the proposal not addressed by the Commission's regional plans and policies.

Name of Proposal: **RC-10-02SS 8060 Habersham Waters Rd**
Review Type: Metro River
MRPA Code: RC-10-02SS

Description: An application for a Metropolitan River Protection Act Certificate for the construction of a tennis court.

Preliminary Finding: The ARC staff has completed the review of the application for a Metro River Certificate for this proposed project in the Chattahoochee River Corridor. Our preliminary finding is that the proposed project is consistent with the Chattahoochee Corridor Plan.

Submitting Local Government: City of Sandy Springs
Land Lot: 351 **District:** 6 **Section:**
Date Opened: Jun 17 2010
Deadline for Comments: *Jun 27 2010*
Earliest the Regional Review can be Completed: Jun 27 2010

THE FOLLOWING LOCAL GOVERNMENTS AND AGENCIES ARE RECEIVING NOTICE OF THIS REVIEW:

ARC LAND USE PLANNING
CITY OF ROSWELL
NATIONAL PARK SERVICE
CITY OF SANDY SPRINGS
GEORGIA CONSERVANCY
ARC ENVIRONMENTAL PLANNING
UPPER CHATTAHOOCHEE RIVERKEEPER

If you have any questions regarding this review, Please call Jon Tuley at (404) 463-3309. If the ARC staff does not receive comments from you by 2010-06-27 00:00:00, we will assume that your agency has no additional comments and we will close the review. Comments by email are strongly encouraged.
The ARC review website is located at: http://www.atlantaregional.com/landuse .

Attached is information concerning this review.

ARC STAFF NOTICE OF REGIONAL REVIEW AND COMMENT FORM

DATE: Jun 17 2010 ARC REVIEW CODE: V106171

TO: ARC Land Use, Environmental, Transportation, Research, and Aging Division Chiefs
FROM: Jon Tuley, Extension: 3-3309

Reviewing staff by Jurisdiction:

Land Use: Tuley, Jon	**Transportation:** N/A
Environmental: Santo, Jim	**Research:** N/A
Aging:	

Name of Proposal: RC-10-02SS 8060 Habersham Waters Rd
Review Type: Metro River
Description: An application for a Metropolitan River Protection Act Certificate for the construction of a tennis court.
Submitting Local Government: City of Sandy Springs
Date Opened: Jun 17 2010

Deadline for Comments: *Jun 27 2010*

Earliest the Regional Review can be Completed: Jun 27 2010

Response:

1) ☐ Proposal is CONSISTENT with the following regional development guide listed in the comment section.
2) ☐ While neither specifically consistent nor inconsistent, the proposal relates to the following regional development guide listed in the comment section.
3) ☐ While neither specifically consistent nor inconsistent, the proposal relates to the following regional development guide listed in the comment section.
4) ☐ The proposal is INCONSISTENT with the following regional development guide listed in the comment section.
5) ☐ The proposal does NOT relate to any development guide for which this division is responsible.
6) ☐Staff wishes to confer with the applicant for the reasons listed in the comment section.

COMMENTS:

APPLICATION FOR
METROPOLITAN RIVER PROTECTION ACT CERTIFICATE

1. **Name of Local Government:** City of Sandy Springs

2. **Owner(s) of Record of Property to be Reviewed:**
   Name(s): Mark & Patty Gessner
   Mailing Address: 8060 Habersham Waters Road
   City: Atlanta **State:** GA **Zip:** 30350
   Contact Phone Numbers (w/Area Code):
   Daytime Phone: (770) 913-0039 home **Fax:**
   Other Numbers: (770) 378-2400 Patty-cell, (770) 329-7369 Mark cell

3. **Applicant(s) or Applicant's Agent(s):**
   Name(s): Mark & Patty Gessner
   Mailing Address: 8060 Habersham Waters Road
   City: Atlanta **State:** GA **Zip:** 30350
   Contact Phone Numbers (w/Area Code):
   Daytime Phone: (770) 913-0039 home **Fax:**
   Other Numbers: (770) 378-2400 Patty-cell, (770) 329-7369 Mark-cell

4. **Proposed Land or Water Use:**
   Name of Development: single family residence
   Description of Proposed Use: tennis court

5. **Property Description (Attach Legal Description and Vicinity Map):**
   Land Lot(s), District, Section, County: Land lot 351, 6th District, unit 1 Fulton County
   Subdivision, Lot, Block, Street and Address, Distance to Nearest Intersection: Rivergate Subdivision, Lot 5, Block B 8060 Habersham Waters Rd. Atlanta 30350
   Size of Development (Use as Applicable):

Acres:	Inside Corridor:	1.02
	Outside Corridor:	
	Total:	1.02
Lots:	Inside Corridor:	
	Outside Corridor:	
	Total:	
Units:	Inside Corridor:	
	Outside Corridor:	
	Total:	

   Other Size Descriptor (i.e., Length and Width of Easement):
   Inside Corridor:
   Outside Corridor:
   Total:

6. **Related Chattahoochee Corridor Development:**
   A. **Does the total development include additional land in the Chattahoochee Corridor that is not part of this application?** no
   If "yes", describe the additional land and any development plans: _____

   B. **Has any part of the property in this application, or any right-of-way or easement bordering this land, previously received a certificate or any other Chattahoochee Corridor review approval?** ~~[illegible]~~ No one [illegible]
   If "yes", please identify the use(s), the review identification number(s), and the date(s) of the review(s): _____

7. **How Will Sewage from this Development be Treated?** project will not require new sewage
   A. **Septic tank** _____
   Note: For proposals with septic tanks, the application must include the appropriate local government health department approval for the selected site.
   B. **Public sewer system** _____

8. **Summary of Vulnerability Analysis of Proposed Land or Water Use:**

Vulnerability Category	Total Acreage (or Sq. Footage)	Total Acreage (or Sq. Footage) Land Disturbance	Total Acreage (or Sq. Footage) Imperv. Surface	Percent Land Disturb. (Maximums Shown In Parentheses)	Percent Imperv. Surf.
A				(90)____	(75)____
B				(80)____	(60)____
C	38564	26994	17354	(70) 70	(45) 45
D	4878	2439	1463	(50) 50	(30) 30
E	803	241	120	(30) 30	(15) 15
F				(10)____	(2)____
Total:	44245			N/A	N/A

NOTE: ACTUAL CLEARANCE AND IMPERVIOUS NUMBERS HAVE BEEN ADJUSTED TO INCLUDE POSSIBLE FUTURE IMPROVEMENTS NOT SHOWN HEREON.

9. Is any of this Land within the 100-Year Floodplain of the Chattahoochee River? no
   If "yes", indicate the 100-year floodplain elevation:_____
   NOTE: For this review, river floodplain is determined from the U.S. Army Corps of Engineers' "Floodplain Information - Chattahoochee River, Buford Dam to Whitesburg, Georgia", November, 1973 and its Supplement of March, 1982.
   NOTE: All river 100-year floodplain is assigned to the "E" Category; its allowable allocations can be combined with those of other "E" land in the review. Also, 100-year floodplain cannot be reanalyzed and cannot accept transfers.

10. Is any of this land within the 500-year floodplain of the Chattahoochee River? no
    If "yes", indicate the 500-year flood plain elevation:_____
    NOTE: Plan Standards include a 35-foot height limit above the pre-construction grade within the 500-year floodplain (includes the 100-year floodplain). Adherence to this standard must be noted on the submitted plans (see Part 2.B.(4) of the Chattahoochee Corridor Plan).

11. The following is a checklist of information required to be attached as part of the application. Individual items may be combined.

FOR ALL APPLICATIONS:

✓ Description of land in the application and any additional land in the project (attach legal description or surveyed boundaries).

✓ Name, address, and phone number(s) of owner(s) of record of the land in the application. (Space provided on this form)

✓ Written consent of all owners to this application. (Space provided on this form)

✓ Name, address, and phone number(s) of applicant or applicant's agent. (Space provided on this form)

✓ Description of proposed use(s). (Space provided on this form)

✓ Existing vegetation plan.

✓ Proposed grading plan.

✓ Certified as-builts of all existing land disturbance and impervious surfaces.

✓ Approved erosion control plan.

✓ Detailed table of land-disturbing activities. (Both on this form and on the plans)

✓ Plat-level plan showing (as applicable): lot boundaries; any other sub-areas; all easements and rights-of -way; 100- and 500-year river floodplains; vulnerability category boundaries; topography; any other information that will clarify the review.

____ Documentation on adjustments, if any.

✓ Cashier's check or money order (for application fee).

FOR SINGLE-STEP APPLICATIONS (NON-SUBDIVISION):

____ Site plan.

____ Land-disturbance plan.

FOR TWO-STEP SINGLE-FAMILY SUBDIVISION APPLICATIONS ONLY:

____ Concept plan.

____ Lot-by-lot and non-lot allocation tables.

12. I (we), the undersigned, authorize and request review of this application for a certificate under the provisions of the Metropolitan River Protection Act: (use additional sheets as necessary)

Patty Gessner

10/18/09

Signature(s) of Owner(s) of Record — Date

13. I (we), the undersigned, authorize and request review of this application for a certificate under the provisions of the Metropolitan River Protection Act:

Patty Gessner

10/18/09

Signature(s) of Applicant(s) or Agent(s) — Date

14. The governing authority of _____ requests review by the Atlanta Regional Commission of the above-described use under the Provisions of the Metropolitan River Protection Act.

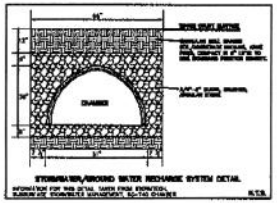
Signature of Chief Elected Official or Official's Designee — Date

LEGEND:

BC	= BACK OF CURB
BCO	= BURIED CABLE OUTLET
BL	= BUILDING SETBACK LINE
C&G	= CURB AND GUTTER
CB	= CATCH BASIN
CL	= CENTERLINE
CMF	= CONCRETE MONUMENT FOUND
CMP	= CORRUGATED METAL PIPE
CO	= CLEAN OUT
CT	= CRIMP TOP PIN
DE	= DRAINAGE ESMT.
DI	= DROP INLET
DWCB	= DBL. WING CATCH BASIN
DYL	= DBL. YELLOW LINE
EP	= EDGE OF PAVEMENT
FC	= FACE OF CURB
FH	= FIRE HYDRANT
GI	= GRATE INLET
GW	= GUY WIRE
GP	= GUY POLE
HW	= HEAD WALL
IPF	= IRON PIN FOUND
IPS	= IRON PIN SET
JB	= JUNCTION BOX
INV	= INVERT
L.L.L.	= LAND LOT LINE
LP	= LIGHT POLE
LS	= LANDSCAPE STRIP
MH	= MANHOLE (SANITARY SEWER)
OT	= OPEN TOP PIPE
PL	= PROPERTY LINE
PP	= POWER POLE
RB	= REINFORCING BAR
RCP	= REINFORCED CONCRETE PIPE
R/W	= RIGHT-OF-WAY
SSE	= SANITARY SEWER ESMT.
S/W	= SIDEWALK
SWCB	= SGL. WING CATCH BASIN
SWL	= SOLID WHITE LINE
TBM	= TEMPORARY BENCHMARK
TP	= TELEPHONE POLE
TX	= POWER TRANSFORMER BOX
WM	= WATER METER

SYMBOL LEGEND:

- = CONCRETE
- = 4' WOOD FENCE
- = TREE
- = GRASS



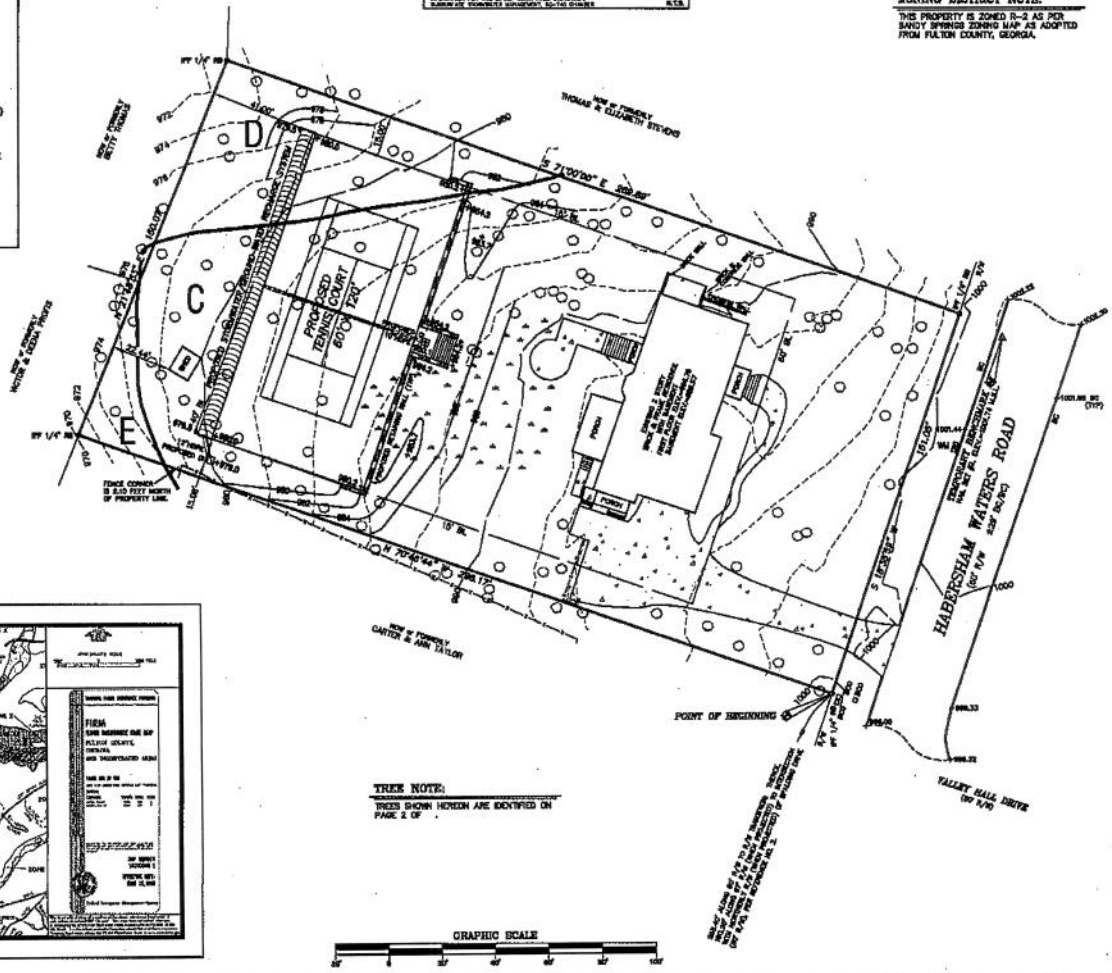
TRACT AREA:

44,244.85 S.F.
1.0157 ACRES

LOCATION MAP
NOT TO SCALE

ZONING DISTRICT NOTE:

THIS PROPERTY IS ZONED R-2 AS PER SANDY SPRINGS ZONING MAP AS ADOPTED FROM FULTON COUNTY, GEORGIA.

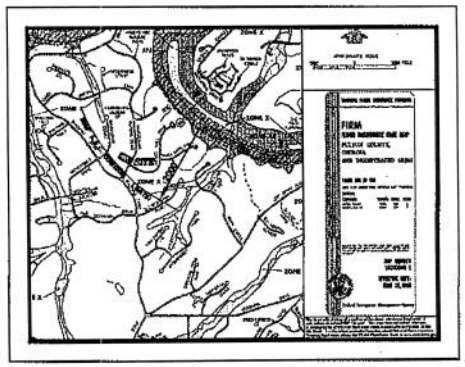


REFERENCE MATERIAL:

1. SURVEY OF RIVERSON, UNIT I, PREPARED BY JARO, INC., DATED APRIL 20, 1970, RECORDED IN PLAT BOOK 95, PAGE 79, FULTON COUNTY RECORDS.
2. SURVEY OF RIVERSON, UNIT I, PREPARED BY JARO, INC., DATED APRIL 20, 1970, REVISED JANUARY 26, 1973, RECORDED IN PLAT BOOK 102, PAGE 17, FULTON COUNTY RECORDS.
3. UNITED STATES, DEPARTMENT OF THE INTERIOR, GEOLOGICAL SURVEY) CHAMBLEE QUADRANGLE, DATED 1954 AND REVISED 1973.
4. TENNIS COURT ADDITION PLANS FOR 8080 HABERSHAM WATERS ROAD, PREPARED BY PLANET E, P.C., DATED OCTOBER 20, 2008.

FLOOD HAZARD NOTE:

THIS PROPERTY IS NOT CONTAINED WITHIN THE LIMITS OF A FLOOD HAZARD ZONE AS DEFINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP OF FULTON COUNTY (COMMUNITY PANEL NO. 13121C0160E), EFFECTIVE DATE OF JUNE 22, 1998.



SURVEYOR'S NOTES:

CERTAIN UNDERGROUND UTILITIES (i.e. WATER, NATURAL GAS, ELECTRICITY, TELEPHONE, ETC.) AND/OR THEIR APPURTENANCES ARE NOT SHOWN HEREON.

MATTERS OF RECORD NOT SHOWN HEREON ARE EXCEPTED.

ALL PROPERTY CORNERS MARKED IPS (IRON PIN SET) ARE 1/2" RE-BAR UNLESS OTHERWISE INDICATED.

BUILDING SETBACK LINES AND BUFFERS ARE NOT SHOWN HEREON. SETBACKS AND BUFFERS ARE GOVERNED BY THE LOCAL JURISDICTION (SANDY SPRINGS AND ATLANTA REGIONAL COMMISSION) AND ARE SUBJECT TO CHANGE.

THIS PROPERTY IS LOCATED WITHIN 2000 FEET OF THE CHATTAHOOCHEE RIVER (HIGH BANK) AND, THEREFORE, IS WITHIN THE A.R.C. CORRIDOR.

THE BENCHMARK FOR THIS SURVEY IS THE INTERSECTION OF SPALDING DRIVE AND HABERSHAM WATERS ROAD, ELEVATION OF 1004 M.S.L., AS PER REFERENCE 3, HEREON.

TREE NOTE:

TREES SHOWN HEREON ARE IDENTIFIED ON PAGE 2 OF .

PRECISION OF SURVEY:

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A FIELD CLOSURE OF ONE FOOT IN 35,794 FEET AND AN ANGULAR ERROR OF 3.76 SECONDS PER ANGLE POINT AND WAS ADJUSTED USING CRANDALL'S RULE.

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 129,523 FEET.

FIELD ANGLES AND LINEAR DISTANCES MEASURED USING A TOPCON GTS-303 TOTAL STATION.

DAVID A. BURRE
ENGINEERS & SURVEYORS, INC.
11980 ALPHARETTA HWY. SUITE 100
ROSWELL, GEORGIA 30076 (770)442-0500

SITE AND GRADING PLAN
WITH PROPOSED TENNIS COURT PAD.
MARK & PATRICIA GESSNER
LOT 6 BLOCK B UNIT I RIVERSOND

GEORGIA REGISTERED LAND SURVEYOR NO. 1865 DAVID A. BURRE

NO.	DATE	BY	DESCRIPTION

DRAWN BY: TJM
DRAWING NO.: 09-3392
SCALE: HORIZ. 1" = 20'
VERT. N/A
LAND LOT: 1
DISTRICT: 6TH
REGISTRY: N/A
DATE OF FIELD WORK: 11-18-08
DATE OF PLAT: 12-01-08
CREW: D.A.B. / J.T.T. / J.W.

SHEET 1 OF 1

PROJECT NUMBER
09-3392

COPYRIGHT © 2008