
CITY COUNCIL AGENDA ITEM

TO: Mayor & City Council **DATE:** June 8, 2010

FROM: John McDonough, City Manager

AGENDA ITEM: **RZ09-013/CV09-021** - 216 East Belle Isle Road, *Applicant: Ted Schobert, DVM*, To rezone the subject property from C-2 (Commercial District) conditional to C-2 (Commercial District) conditional, with concurrent variance(s), to continue the Veterinary Clinic use and to allow additional uses under C-2 that would require 12 parking spaces or less

MEETING DATE: For Submission onto the June 15, 2010, City Council Regular Meeting Agenda

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

See attached:

Memorandum
Rezoning Petition

APPROVAL BY CITY MANAGER:  APPROVED

_____ NOT APPROVED

PLACED ON AGENDA FOR: 6/15/10

CITY ATTORNEY APPROVAL REQUIRED: () YES () NO

CITY ATTORNEY APPROVAL: 

REMARKS:

To: John McDonough, City Manager

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

Date: May 26, 2010 for submission onto the June 15, 2010 City Council meeting

Agenda Item: **RZ09-013/CV09-021 216 East Belle Isle Road**, Request to rezone, with concurrent variances, the subject property from C-2 (Commercial District) conditional to C-2 (Commercial District) conditional to continue the Indoor Veterinary Clinic use and to allow additional uses under C-2 that would require 12 parking spaces or less.

CMO (City Manager's Office) Recommendation:

APPROVAL CONDITIONAL of the request to rezone, with concurrent variances, the subject property from C-2 (Commercial District) conditional to C-2 (Commercial District) conditional to continue the Indoor Veterinary Clinic use and to allow additional uses under C-2 that would require 12 parking spaces or less.

Background:

The subject property is zoned C-2 (Commercial District) conditional under zoning case Z98-039/CV98-125 and restricted to Indoor Veterinary Clinic Use.

Discussion:

The building is existing, and the applicant is requesting to rezone from C-2 (Commercial District) conditional to C-2 (Commercial District) conditional, with concurrent variance(s), to continue the Indoor Veterinary Clinic use and to allow additional uses under C-2 that would require 12 parking spaces or less. The existing zoning on the property allows indoor veterinary clinic use only.

Four (4) concurrent variances are also being requested as follows:

1. Variance from Section 4.23.1 of the Zoning Ordinance to reduce the required thirty-five (35) foot Zoning Buffer and the ten (10) foot Improvement Setback along the side east property line to a twenty (20) foot landscape strip planted to buffer standards,
2. Variance from Section 4.23.2 of the Zoning Ordinance to delete the parking lot landscaping requirements,
3. 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, and
4. Variance from Section 18.2.1 of the Zoning Ordinance to reduce the required parking from 13 spaces to 12 spaces.

Concurrent Review:

The staff held a Focus Meeting on April 7, 2010 at which the following city departments provided comments:

- Building and Development Division
- Fire Department
- Transportation Division

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

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

Rezoning Petition No. RZ09-013/CV09-021

HEARING & MEETING DATES										
Community Zoning Information Meeting	<table style="width: 100%; border: none;"> <tr> <td style="width: 25%; padding: 5px;">Community Developer Resolution Meeting</td> <td style="width: 25%; padding: 5px;">Planning Commission Hearing</td> <td style="width: 25%; padding: 5px;">Mayor and City Council Hearing</td> </tr> <tr> <td style="text-align: center; padding: 5px;">March 23, 2010</td> <td style="text-align: center; padding: 5px;">April 28, 2010</td> <td style="text-align: center; padding: 5px;">May 20, 2010</td> </tr> <tr> <td style="text-align: center; padding: 5px;"></td> <td style="text-align: center; padding: 5px;"></td> <td style="text-align: center; padding: 5px;">June 15, 2010</td> </tr> </table>	Community Developer Resolution Meeting	Planning Commission Hearing	Mayor and City Council Hearing	March 23, 2010	April 28, 2010	May 20, 2010			June 15, 2010
Community Developer Resolution Meeting	Planning Commission Hearing	Mayor and City Council Hearing								
March 23, 2010	April 28, 2010	May 20, 2010								
		June 15, 2010								
APPLICANT/PETITIONER INFORMATION										
Property Owners	Petitioner	Representative								
Ted Schobert, DVM	Ted Schobert, DVM	Ted Schobert, DVM								
PROPERTY INFORMATION										
Address, Land Lot, and District	216 East Belle Isle Road Land Lot 93, District 17									
Council District	5									
Frontage and Area	140 feet of frontage along the north side of East Belle Isle Road. The subject property has a total area of 0.51 acres (22,215 square feet).									
Existing Zoning and Use	C-2 (Commercial District) conditional under zoning case Z98-039/CV98-125. The subject parcel is currently developed as a Veterinary Clinic.									
2027 Comprehensive Future Land Use Map Designation	R12-20 (Residential 12 to 20 units per acre)									
Proposed Zoning	C-2 (Commercial District) conditional, with concurrent variance(s), to continue the Indoor Veterinary Clinic use and to allow additional uses under C-2 that would require 12 parking spaces or less.									

INTENT
TO REZONE FROM C-2 (COMMERCIAL DISTRICT) CONDITIONAL TO C-2 (COMMERCIAL DISTRICT) CONDITIONAL, WITH CONCURRENT VARIANCE(S).

The building is existing, and the applicant is requesting to rezone from C-2 (Commercial District) conditional to C-2 (Commercial District) conditional, with concurrent variance(s), to continue the Indoor Veterinary Clinic use and to allow additional uses under C-2 that would require 12 parking spaces or less. The existing zoning on the property allows indoor veterinary clinic use only.

Four (4) concurrent variances are also being requested as follows:

1. Variance from Section 4.23.1 of the Zoning Ordinance to reduce the required thirty-five (35) foot Zoning Buffer and the ten (10) foot Improvement Setback along the side east property line to a twenty (20) foot landscape strip planted to buffer standards,
2. Variance from Section 4.23.2 of the Zoning Ordinance to delete the parking lot landscaping requirements,
3. 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, and

- Variance from Section 18.2.1 of the Zoning Ordinance to reduce the required parking from 13 spaces to 12 spaces.

DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION

RZ09-013 - APPROVAL CONDITIONAL
 CV09-021 #1 - APPROVAL CONDITIONAL
 CV09-021 #2 - APPROVAL CONDITIONAL
 CV09-021 #3 - APPROVAL CONDITIONAL
 CV09-021 #4 - APPROVAL CONDITIONAL

PLANNING COMMISSION RECOMMENDATION

RZ09-013 - APPROVAL CONDITIONAL
 CV09-021 #1 - APPROVAL CONDITIONAL
 CV09-021 #2 - APPROVAL CONDITIONAL
 CV09-021 #3 - APPROVAL CONDITIONAL
 CV09-021 #4 - APPROVAL CONDITIONAL

The petition was heard at the May 20, 2010 Planning Commission meeting. The Commission Recommended approval subject to staff conditions. Approved (4-0, Duncan, Pond, Thatcher, and Rubenstein for; Maziar, Rupnow, and Tart absent).

Location Map

216 E. Belle Isle Road



BACKGROUND

The subject property is zoned C-2 (Commercial District) conditional under zoning case Z98-039/CV98-125 and restricted to Indoor Veterinary Clinic Use.

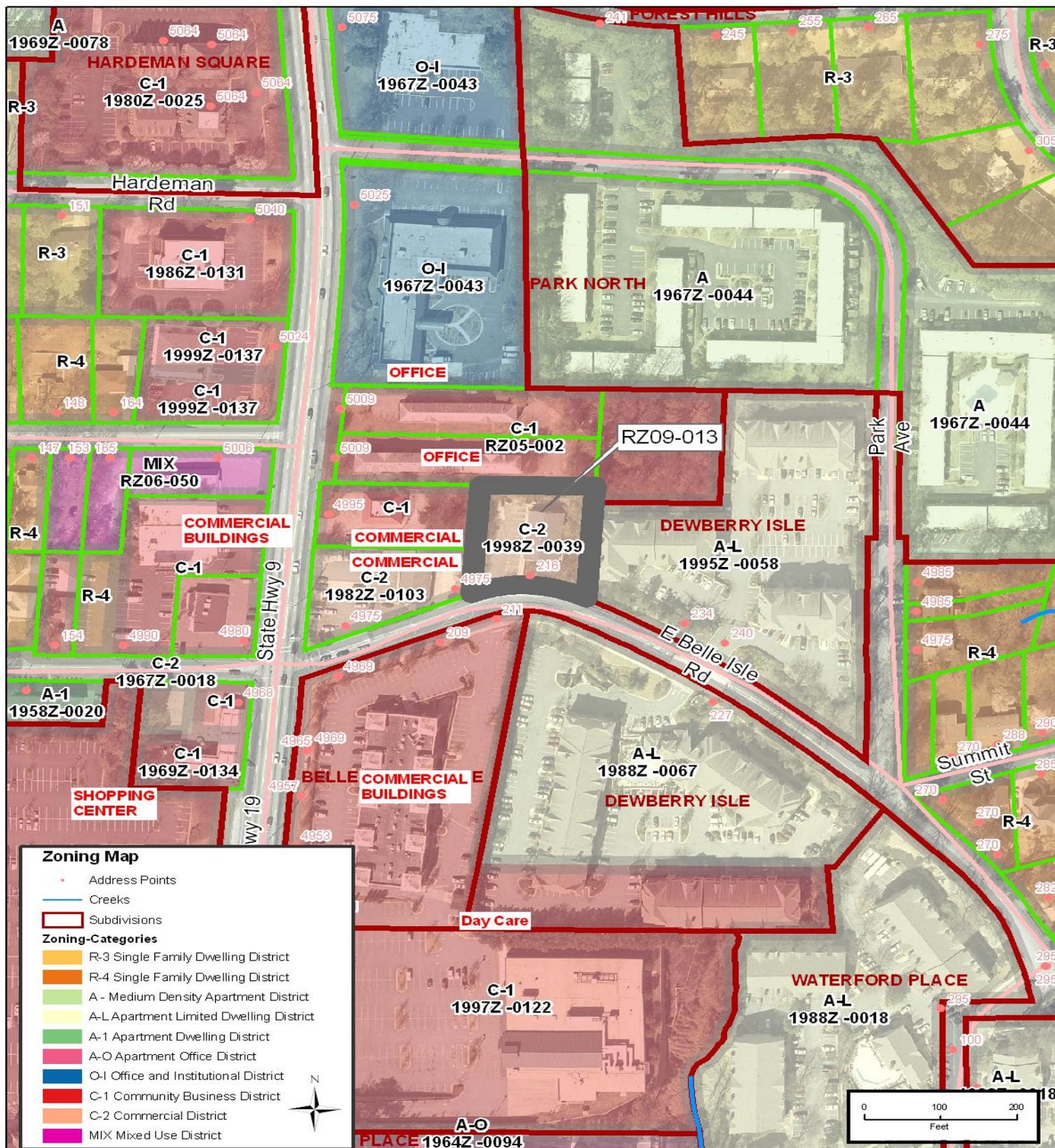
EXISTING LAND USE AND ZONING OF ABUTTING PROPERTY

SUBJECT PETITION RZ09-012/CV09-020	Requested Zoning	Proposed Use	Land Area (Acres)	Square Footage	Density (Square Footage per Acre)
	C-2	Indoor Veterinary Clinic and additional uses under C-2 that would require 12 parking spaces or less	0.519	3,080 S.F.	5,934.5 S.F./Acre
Location in relation to subject property	Zoning	Use	Land Area (Acres)	Square Footage or Number of Units	Density (Square Feet or Units Per Acre)
North	C-1 Conditional RZ05-002	5009 Roswell Rd. Office Complex	1.85	22,200 S.F.	12,000 S.F./Acre
East	A-L Conditional Z95-058	Apartments (Belle Isle Apts.)	3.1	86 Units	27.7 Units/Acre
South	A-L Conditional Z88-067	Apartments (Belle Isle Apts.)	4.96	126 Units	25.4 Units/Acre
South	C-1 Conditional Z97-122	Shopping Center @ 4969 & 4967 Roswell Rd. (Belle Isle Square)	6.82	81,185 S.F.	11,904 S.F./Acre

West	C-2 Conditional Z82-103	Five Star Auto Care @ 4975 Roswell Road	0.56	5,229 S.F.	9337.5 S.F./ Acre
West	C-1	Auto Oil & Lube @ 4995 Roswell Road	0.47	2,500 S.F.	5,319 S.F./ Acre

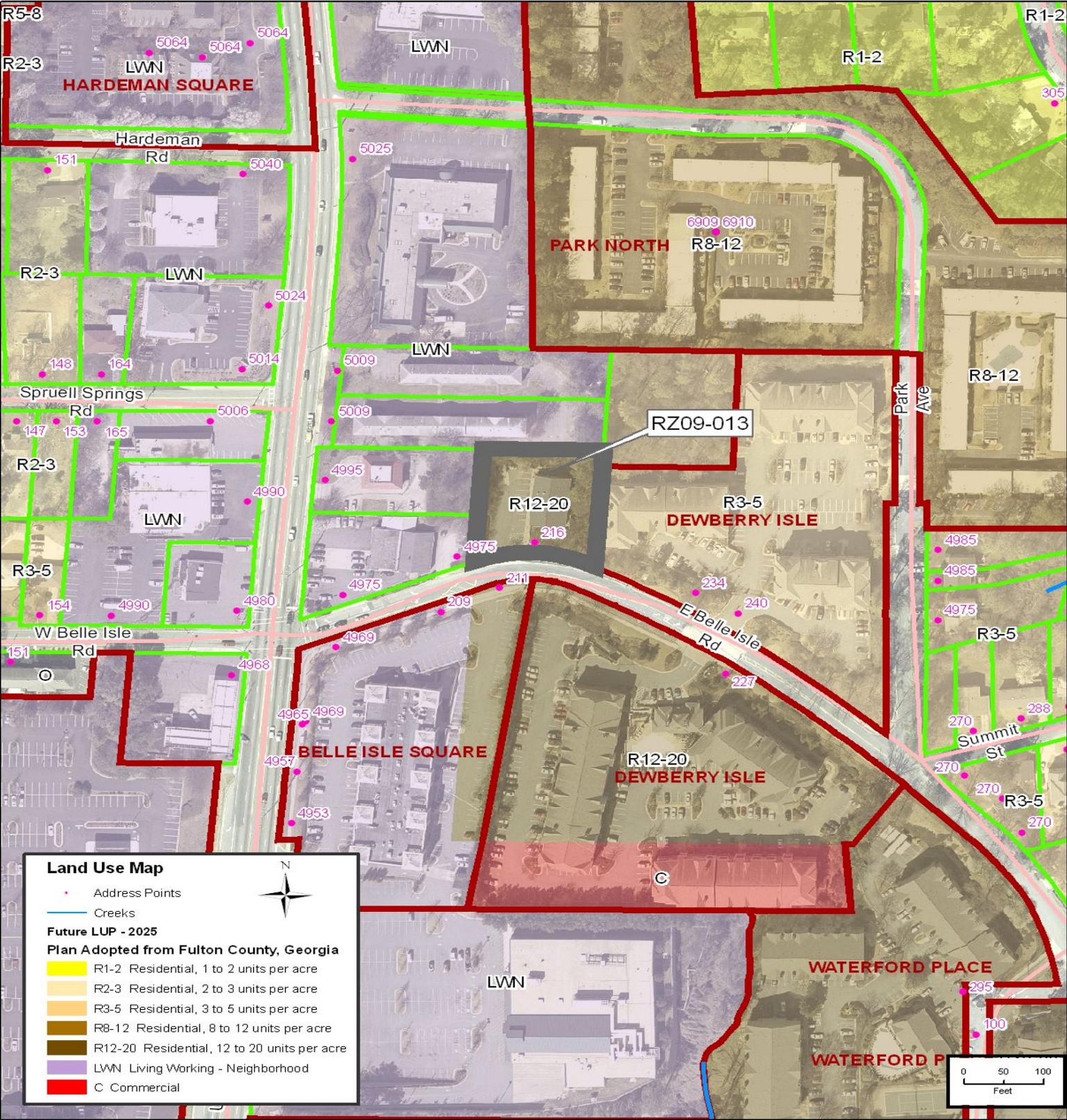
Zoning Map

216 E. Belle Isle Road



Future Land Use Map

216 E. Belle Isle Road





Subject Property



North of Subject Property (5009 Roswell Rd. Office Complex)



East of Subject Property (Belle Isle Apartments)



South of Subject Property (Belle Isle Apartments)



South of Subject Property (Shopping Center @ 4969 & 4967 Roswell Rd., Belle Isle Square)

West of the Subject Property (Five Star Auto Care @ 4975 Roswell Road)



Sign

SITE PLAN ANALYSIS

The site plan submitted shows an existing, one-story, veterinary building and twelve (12) existing, continuous parking spaces. The existing building has 3,080 S.F. and encroaches into the required thirty-five (35) foot zoning buffer and ten (10) foot improvement setback.

The site plan also indicates the following:

- 22,118 square feet of Site Area (100%)
- 3,080 square feet of Buildings (13.9%)
- 5,788 square feet of Parking Surface (26.1%)
- 12,278 square feet of Landscaping (59.9%)

PARKING

Section 18.2.1, *Basic Off-street Parking Requirements*, requires a minimum amount of parking spaces for Indoor Veterinary Clinic calculated as follows:

- 3,080 S.F. Indoor Veterinary Clinic @ 4 spaces/1000 S.F. = 13 spaces

NOTE: The applicant is requesting a Concurrent Variance from the required 13 parking spaces to allow the 12 existing spaces to remain and serve the Indoor Veterinary Clinic currently operating.

In the existing building, the intent of the applicant's request would possibly allow the following uses at the following parking requirements:

- Clinics @ 4 spaces/1000 S.F.
- General Offices @ 3 spaces/1000 S.F.
- Day Care Facilities @ 1.7 spaces/1000 S.F. plus 1 space for every 4 employees
- Research Laboratories @ 2.5 spaces/1000 S.F.
- Recycling Centers, Collecting @ 1.5 spaces/1000 S.F. plus 2 spaces per collection container plus 2 loading spaces

LANDSCAPE PLAN ANALYSIS

The applicant has provided Development Statistics as follows:

- 22,118 square feet of Site Area (100%)
- 3,080 square feet of Buildings (13.9%)
- 5,788 square feet of Parking Surface (26.1%)
- 12,278 square feet of Landscaping (59.9%)

The applicant is requesting a variance from Section 4.23.1 of the Zoning Ordinance to reduce the required thirty-five (35) foot Zoning Buffer and the ten (10) foot Improvement Setback along the side east property line to a twenty (20) foot landscape strip planted to buffer standards.

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. The report, in its entirety, is within the case file as a matter of record.

DEPARTMENT COMMENTS

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

BUILDING & DEVELOPMENT DIVISION	Sandy Springs Building Officer and/or ADA Compliance Officer	<ul style="list-style-type: none"> ▪ One van accessible parking space is required with the proper curb cut.
	Sandy Springs Chief Engineer	<ul style="list-style-type: none"> ▪ There are no Site Development requirements that need to be addressed at this time.
	Sandy Springs Landscape Architect/Arborist	<ul style="list-style-type: none"> ▪ If the MCC chooses to approve the rezoning and concurrent variances a condition could be added that the required landscape strips and zoning buffers be planted to meet the minimum standards as approved by the City Arborist.
FIRE DEPT.	Sandy Springs Fire Protection Engineer	<ul style="list-style-type: none"> ▪ There are no Fire Department requirements that need to be addressed at this time.
TRANSPORTATION	Sandy Springs Transportation Planner	<ul style="list-style-type: none"> ▪ Right-of-Way dedication: 30' from the centerline of East Belle Isle Road.
	Georgia Department of Transportation	<ul style="list-style-type: none"> ▪ There are no GDOT requirements that need to be addressed at this time.

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

PUBLIC INVOLVEMENT

Required Meetings

The applicant attended the following required meetings:

- Community Zoning Information Meeting held March 23, 2010 at the Sandy Springs City Hall
- Community/Developer Resolution Meeting held April 28, 2010 at the Sandy Springs City Hall

Public Comments (no attached letters)

Community input includes the following:

- Concerns have been raised over the possibility of establishing inappropriate uses normally permitted under the C-2 zoning district.

Notice Requirements

The petition will be advertised in the Daily Report on May 13, 2010 and May 27, 2010. The applicant posted a sign issued by the Department of Community Development along the frontage of East Belle Isle Road on April 9, 2010.

Public Participation Plan and Report

The applicant will meet 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 June 15, 2010. The Public Participation Report must be submitted on or before June 8, 2010.

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:

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 uses are suitable in view of the use and development of adjacent and nearby property. The surrounding area consists of: an office complex to the north, multi-family residences to the east & south, a shopping center to the south, and two (2) commercial automotive service developments to the west. The proposal allows for a proper transition between these areas.

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

Finding: The staff is of the opinion that the proposal will not have an adverse impact on the use or usability of adjacent or nearby property.

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

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

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 is of the opinion that the proposal will not result in a use which will cause an excessive or burdensome use of the existing infrastructure.

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

Finding: The staff is of the opinion that the owner/developer's proposal to allow uses permitted under the C-2 zoning district is not in conformity with the Comprehensive Plan or Future Land Use Map, which designates the property as R12-20 (Residential 12 to 20 units per acre); however, the property is currently zoned C-2 (Commercial District) conditional under zoning case Z98-039/CV98-125 and restricted to Indoor Veterinary Clinic Use.

The subject parcel is a transitional property where the uses recommended would not impact the surrounding area consisting of: an office complex to the north, multi-family residences to the east & south, a shopping center to the south, and two (2) commercial automotive service developments to the west. The proposal allows for a proper transition between these areas.

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.

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 proposal will not permit a use which could be considered environmentally adverse to the natural resources, environment, or citizens of Sandy Springs.

VARIANCE CONSIDERATIONS

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

- A. *Relief, if granted, would be in harmony with, or, could be made to be in harmony with, the general purpose and intent of the Zoning Ordinance; or,*
- B. *The application of the particular provision of the Zoning Ordinance to a particular piece of property, due to extraordinary and exceptional conditions pertaining to that property because of its size, shape, or topography, would create an unnecessary hardship for the owner while causing no detriment to the public; or,*
- C. *Conditions resulting from existing foliage or structures bring about a hardship whereby a sign meeting minimum letter size, square footage and height requirements cannot be read from an adjoining public road.*

The applicant is requesting four (4) concurrent variances as follows:

1. Variance from Section 4.23.1 of the Zoning Ordinance to reduce the required thirty-five (35) foot Zoning Buffer and the ten (10) foot Improvement Setback along the side east property line to a twenty (20) foot landscape strip planted to buffer standards.

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 structure is existing and sufficiently buffered. Additionally, the existing twenty (20) foot landscape strip planted to buffer standards was previously approved under Z98-039/CV98-125. 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. Therefore, based on these reasons, the staff recommends APPROVAL of the variance to reduce the required thirty-five (35) foot Zoning Buffer and the ten (10) foot Improvement Setback along the side east property line to a twenty (20) foot landscape strip planted to buffer standards.

2. Variance from Section 4.23.2 of the Zoning Ordinance to delete the parking lot landscaping requirements.

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 parking lot is existing and significant existing vegetation around the perimeter would serve the intent of the required parking lot shade trees. 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. Therefore, based on these reasons, the staff recommends APPROVAL of the variance to delete the parking lot landscaping requirements.

3. 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 parking lot is existing and significant existing vegetation around the perimeter would serve the intent of the required parking lot shade trees. 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. Therefore, based on these reasons, the staff recommends APPROVAL of the variance to relieve the requirement of planting a large shade tree every 6 parking spaces for all new parking lots.

4. Variance from Section 18.2.1 of the Zoning Ordinance to reduce the required parking from 13 spaces to 12 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 applicant intends to utilize the existing parking spaces that currently serve the existing indoor veterinary clinic. And the additional uses would not, according to the Zoning Ordinance, require more than 12 parking spaces, would not create a negative parking situation, and would not be more burdensome than how the current parking serves the existing use. 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. Therefore, based on these reasons, the staff recommends APPROVAL of the variance to reduce the required parking from 13 spaces to 12 spaces.

CONCLUSION TO FINDINGS

It is the opinion of the staff that the proposal is in conformity with the intent of the Comprehensive Plan Policies, as the proposal involves a use and density that is consistent with abutting and nearby properties and provides appropriate transition. 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 4.

STAFF RECOMMENDED CONDITIONS

Should the Mayor and City Council decide to approve the petition to rezone the subject property from C-2 (Commercial District) conditional to **C-2 (Commercial District) conditional** to continue the Indoor Veterinary Clinic use and to allow additional uses under C-2 that would require 12 parking spaces or less, the staff recommends the approval be subject to the following conditions. The applicant's agreement to these conditions would not change staff recommendations. These conditions shall prevail unless otherwise 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 a(n) Indoor Veterinary Clinic, Clinic, General Office, Day Care Facility, Research Laboratory, and associated accessory uses.
 - b. To the existing 3,080 square foot building developed at a density of 5,934.5 gross square feet per acre.

2. To the owner's agreement to abide by the following:
 - a. To the site plan received by the Department of Community Development on March 10, 2010. 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 4.23.1 of the Zoning Ordinance to reduce the required thirty-five (35) foot Zoning Buffer and the ten (10) foot Improvement Setback along the side east property line to a twenty (20) foot landscape strip planted to buffer standards (CV09-021 #1).
 - b. Variance from Section 4.23.2 of the Zoning Ordinance to delete the parking lot landscaping requirements (CV09-021 #2).
 - c. 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 (CV09-021 #3).
 - d. Variance from Section 18.2.1 of the Zoning Ordinance to reduce the required parking from 13 spaces to 12 spaces (CV09-021 #4).
 - e. The owner/developer shall dedicate thirty (30) feet of right-of-way from centerline of East Belle Isle 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.
 - f. The required landscape strips and zoning buffers shall be planted and maintained to meet the minimum standards as approved by the City Arborist.

Attachments

Site Plan dated received March 10, 2010

Letter of Intent dated received February 2, 2010

Applicant Zoning Impact Analysis dated received December 21, 2009

Letter Fulton County Dept. of Environment and Community Development received April 8, 2010

Letter Fulton County Dept. of Health Services received May 5, 2010

RECEIVED

FEB 08 2010

February 2, 2010

City of Sandy Springs
Community Development

Dear Mr. Tretton,

I am writing in an attempt to revise our present zoning at 216 E. Belle Isle Rd. NE from C-2 conditional (animal clinic only) to C-2.

This would allow our building to be used for a variety of professional offices in case the property were to be sold.

We realize that variance with a 25 ft. buffer on the east side of the property exists under the present zoning.

Thank you,

Ted Schobert DVM

RZ09-013

IMPACT ANALYSIS
FORM B

Applicant:

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? YES - has been suitable for about 10 years
2. Does the zoning proposal adversely affect the existing use or usability of adjacent or nearby property? NO - no changes are envisioned
3. Does the property to be rezoned have a reasonable economic use as currently zoned? YES - has been in use about 10 years
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 - no changes are envisioned
5. Is the zoning proposal in conformity with the policies and intent of the land use plan? YES - has conformed for about 10 years
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? NO - no changes are envisioned
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? NO - it has been conforming for over 10 years

RECEIVED

Attach additional sheets as needed.

DEC 21 2009

City of Sandy Springs
Community Development



Department of the Environment and Community Development
141 Pryor Street, SW
Suite 2085
Atlanta, GA 30303

RECEIVED

APR 08 2010

April 5, 2010

City of Sandy Springs
Community Development

Patrice S. Ruffin, AICP, Assistant Director 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 May Planning Commission and June 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

MEMORANDUM



TO: Patrice S. Ruffin, AICP, 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, Director's Office

DATE: April 30, 2010

SUBJECT: Zoning Comments for May 20, 2010 Planning Commission

AGENDA ITEM	ZONING COMMENTS
RZ09-013/ CV09-021	Fulton County Department of Health Services does not anticipate any health problems with the proposed zoning change provided that any future development meet all applicable laws, regulations, and ordinances.
RZ10-003	Fulton County Department of Health Services does not anticipate any health problems with the proposed rezoning of subject properties provided that there are not any onsite sewage management systems or onsite water supply systems on the properties.
ZM10-003	The Fulton County Department of Health Services does not anticipate any health problems with this proposal to reduce the required minimum rear yard setback.
ZM10-005/ CV10-004	The Fulton County Department of Health Services does not anticipate any health problems with the proposed zoning modification and concurrent variances for signage placement.

RECEIVED

MAY 05 2010

City of Sandy Springs
Community Development