

To: John McDonough, City Manager

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



Date: April 27, 2010 For Submission onto the onto the May 18, 2010 City Council meeting

Agenda Item: **U10-001/U10-002/CV10-003 6700 Riverside Drive**, Request for a use permit for the expansion of the existing retreat facility, a use permit to establish a cemetery (columbaria), and concurrent variance(s).

CMO (City Manager's Office) Recommendation:

APPROVAL CONDITIONAL of the request for a use permit for the expansion of the existing retreat facility, a use permit to establish a cemetery (columbaria), and concurrent variance(s).

Background:

The site is located northwest of the intersection of Riverside Drive and North Harbor Drive. The property is zoned AG-1 (Agricultural District) under Z91-30/CV91-36 and allows for the existing retreat facility and accessory uses and structures.

Discussion:

This is a use permit for the expansion of the existing retreat facility (U10-001). The expansion would include a new 3,675 S.F. administration building and an addition to the existing retreat house/residence of 8,649 S.F. (12,049 S.F. total). This is also a use permit to establish two (2) new columbaria (U10-002).

Two (2) concurrent variances are also being requested as follows:

1. Variance from Section 19.4.28.B.9 of the Zoning Ordinance to permit 91 parking spaces where 189 are required, and
2. Variance from Section 11.11 of the Development Regulations to eliminate the required sidewalk construction.

Concurrent Review:

The staff held a Focus Meeting on March 3, 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 (*comments received*)
- U.S. Postal Service Address Management Systems
- MARTA
- Fulton County Emergency Management



Rezoning Petition No. U10-001/U10-002/CV10-003

HEARING & MEETING DATES			
Community Zoning Information Meeting February 23, 2010	Community Developer Resolution Meeting March 25, 2010	Planning Commission Hearing April 15, 2010	Mayor and City Council Hearing May 18, 2010
APPLICANT/PETITIONER INFORMATION			
Property Owners		Petitioner	Representative
Catholic Society of Religious & Literary Education		Catholic Society of Religious & Literary Education	T.R. "Ted" Benning, III
PROPERTY INFORMATION			
Address, Land Lot, and District	6700 Riverside Drive Land Lot 130 & 169, District 17		
Council District	3		
Frontage and Area	862 feet of frontage along the north side of Riverside Drive. The subject property has a total area of 17.29 acres (753,152.4 square feet).		
Existing Zoning and Use	AG-1 (Agricultural District) conditional under Fulton County zoning Z91-030/CV91-36. The subject property is currently developed with a religious retreat facility.		
Overlay District	N/A		
2027 Comprehensive Future Land Use Map Designation	R0-1 (Residential 0 to 1 units per acre), Protected Neighborhood		
Proposed Use	Use Permit for expansion of the existing retreat facility and a use permit to establish two (2) columbaria.		

INTENT
A USE PERMIT FOR THE EXPANSION OF THE EXISTING RETREAT FACILITY, A USE PERMIT TO ESTABLISH A CEMETERY (COLUMBARIA), AND CONCURRENT VARIANCE(S).

This is a use permit for the expansion of the existing retreat facility (U10-001). The expansion would include a new 3,675 S.F. administration building and an addition to the existing retreat house/residence of 8,649 S.F. (12,049 S.F. total). This is also a use permit to establish two (2) new columbaria (U10-002).

Two (2) concurrent variances are also being requested as follows:

1. Variance from Section 19.4.28.B.9 of the Zoning Ordinance to permit 91 parking spaces where 189 are required, and
2. Variance from Section 11.11 of the Development Regulations to eliminate the required sidewalk construction.

DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION

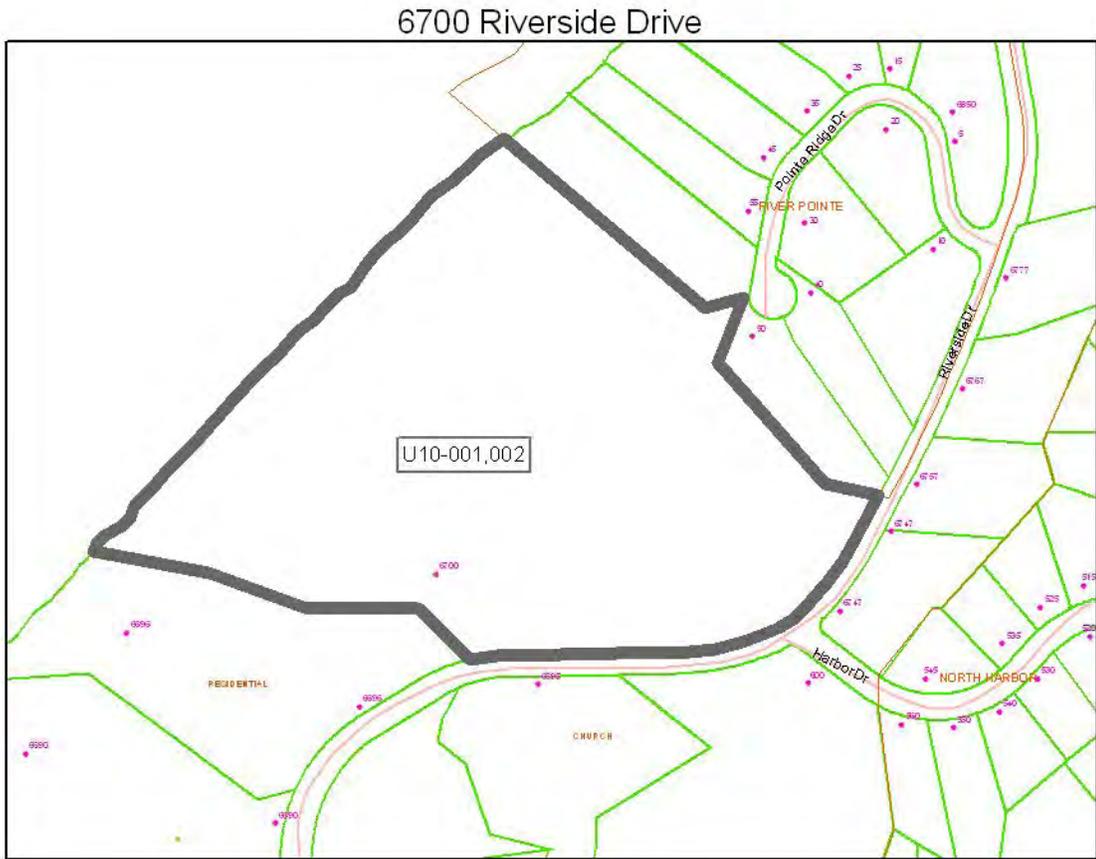
U10-001 - APPROVAL CONDITIONAL
U10-002 - APPROVAL CONDITIONAL
CV10-003#1 - APPROVAL CONDITIONAL
CV10-003#2 - APPROVAL CONDITIONAL

PLANNING COMMISSION RECOMMENDATION

U10-001 - APPROVAL CONDITIONAL
U10-002 - APPROVAL CONDITIONAL
CV10-003#1 - APPROVAL CONDITIONAL
CV10-003#2 - APPROVAL CONDITIONAL

April 15, 2010 Hearing: Recommendation for approval subject to staff conditions amended as follows: If the right-of-way is sufficient and regulations allow it, the owner shall install standard sidewalks opposite the subject property along the south and east side of Riverside Drive at a length that would have been required at the time of Land Disturbance Permit. The aforementioned sidewalk shall be installed before the issuance of a Certificate of Occupancy. Approved (4-0, Maziar, Pond, Thatcher, and Rupnow for; Duncan not voting; Rubenstein and Tart absent).

Location Map



BACKGROUND

The site is located northwest of the intersection of Riverside Drive and North Harbor Drive. The property is zoned AG-1 (Agricultural District) under Z91-30/CV91-36 and conditioned as follows:

1. To the owner's agreement to restrict the use of the subject property as follows:
 - a. Retreat facility and accessory uses and structures.
 - b. No more than three (3) buildings at a maximum density of 1,840 sq. ft/acre (18,396 square feet per 10 acres) or a total of 32,009 square feet, whichever is less, based on the total acreage zoned, as shown on the site plan as referenced in 2.a. (V91-036).
 - c. Limit the height of the buildings to no more than two (2) stories.
2. To the owner's agreement to abide by the following:
 - a. To the Site Plan received by the Zoning Department on April 2, 1991 and to submit to the Director of Public Works for approval, prior to the approval of a Land Disturbance Permit, a revised Site Plan based on a certified boundary survey of the entire property zoned, incorporating the stipulations of these conditions of zoning approval and meeting or exceeding the requirements of the Zoning Resolution.
3. To the owner's agreement to the following site development considerations:
 - a. No more than two (2) exit/entrances on Riverside Drive; one (1) entrance only and one (1) exit only Curb cut. Location and alignment are subject to the approval of the Fulton County Traffic Engineer.
 - b. Provide a minimum of 70 parking spaces on site. No offsite parking or street parking will be allowed (V91-036 NFC).
 - c. Provide a minimum 50 foot undisturbed natural buffer with an additional 10 foot improvement setback buffer adjacent to all peripheral property lines except along Riverside Drive as shown on the site plan referenced in condition 2a.
4. To the owner's agreement to abide by the following requirements, dedication and improvements:
 - a. Dedicate at no cost to Fulton County along the entire property frontage, prior to the approval of a Land Disturbance Permit, sufficient land as necessary to provide the following rights-of-way, and dedicate at no cost to Fulton County such additional right-of way as may be required to provide at least 10.5 feet of right-of-way from the back of curb of all abutting road improvements, as well as allow the necessary construction easements while the rights-of-way are being improved:

30 feet from centerline of Riverside Drive.
 - b. Improve Riverside Drive along the entire property frontage, commencing from the southernmost curb-cut northward, 14.5 feet from the center of road to back of curb, or as may be approved by the Fulton County Traffic Engineer.
 - c. Provide a deceleration lane for each project entrance or as may be approved by the Fulton County Traffic Engineer.

5. To the owner's agreement to abide by the following:

- a. To contact the Director of Public Works, prior to the application for a Land Disturbance Permit, to arrange with the County Arborist an on-site evaluation of existing specimen trees/stands, buffers, and tree protection zones within the property boundaries.
- b. To maintain as a minimum, the tree density requirements as prescribed by the Fulton County Tree Preservation Ordinance Administrative Guidelines, either through the retention of existing trees, or tree replacement, in perpetuity.

The subject property contains 17.29 acres and is currently developed with a religious retreat facility having 26,000 S.F. of heated floor space at a density of 1,503.76 S.F./acre. The existing heated floor area is as follows:

- Retreat @ 20,550 S.F.
- Retreat House/Residence @ 3,400 S.F.
- Chapel @ 1,600 S.F.
- Trailer @ 450 S.F.

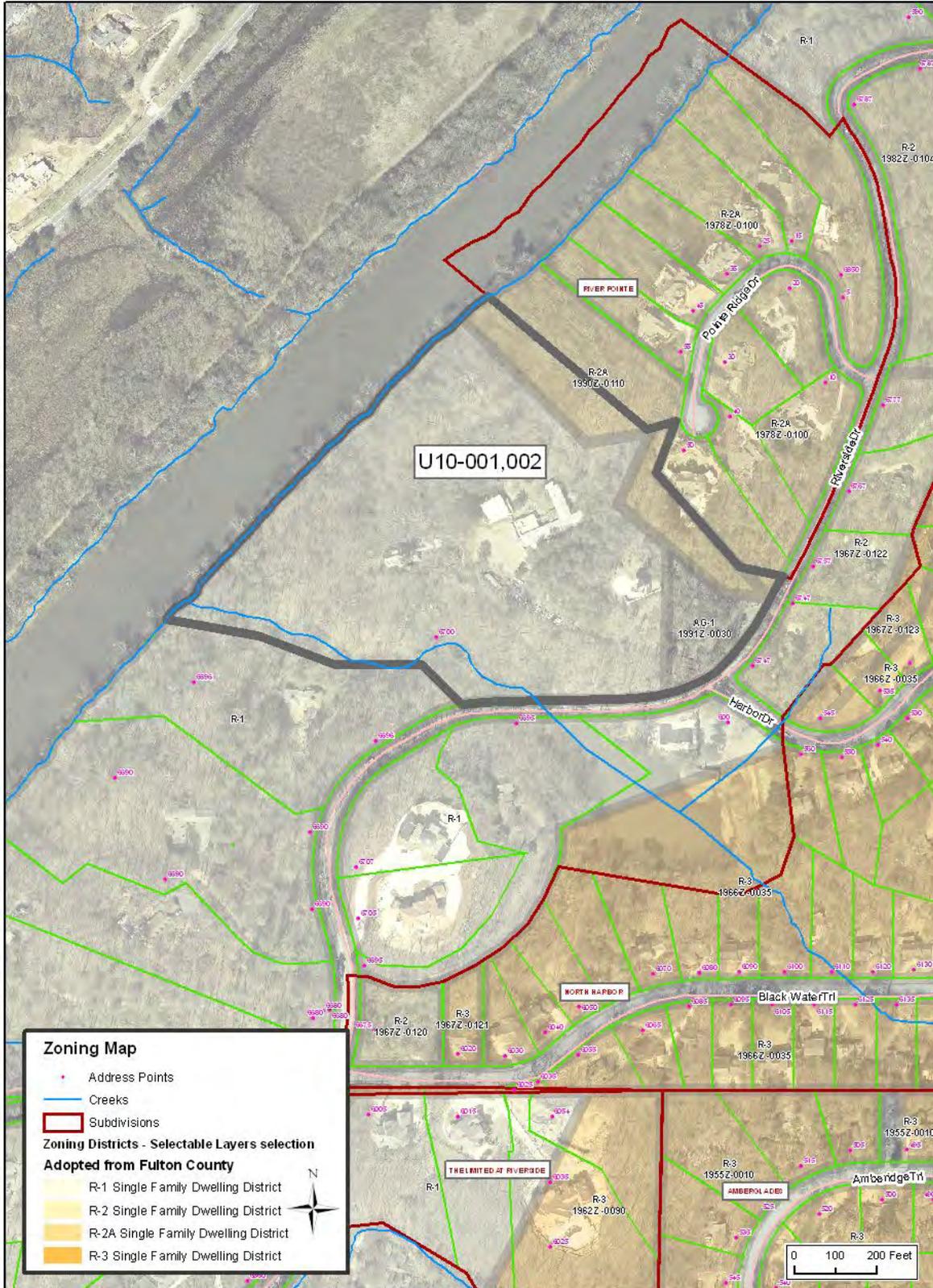
EXISTING LAND USE AND ZONING OF ABUTTING PROPERTY

SUBJECT PETITION U10-001/ U10-002 CV10-003	Current Zoning	Proposed Use	Land Area (Acres)	Square footage or Number of Units/Rooms	Density (Square footage or Units/Rooms per Acre)
	AG-1	Retreat having two (2) Columbaria	17.29 acres	37,874 gsf	2,190.52 sf/ac
Location in relation to subject property	Zoning	Use	Land Area (Acres)	Square Footage or Number of Units	Density (Square Feet or Units Per Acre)
Northwest	-----	Chattahoochee River	-----	-----	-----
Northeast	R-2A Z90-110	Vacant	1.71 acres	-----	-----
Northeast	R-2A Z78 – 100 & Z90-110	Residence @ 50 Pointe Ridge Dr.	1.11 acres	1 unit	0.90 units/acre
Southeast	R-2 Z67-122	Residence @ 6747 Riverside Dr.	1.09 acres	1 unit	0.92 units/acre

South	R-3 Z66-035	Residence @ 600 North Harbor Dr.	4.47 acres	1 unit	0.22 units/acre
South	R-1	Residence @ 6695 Riverside Dr.	3.50 acres	1 unit	0.29 units/acre
Southwest	R-1	Residence @ 6696 Riverside Dr.	4.97 acres	1 unit	0.20 units/acre

Zoning Map

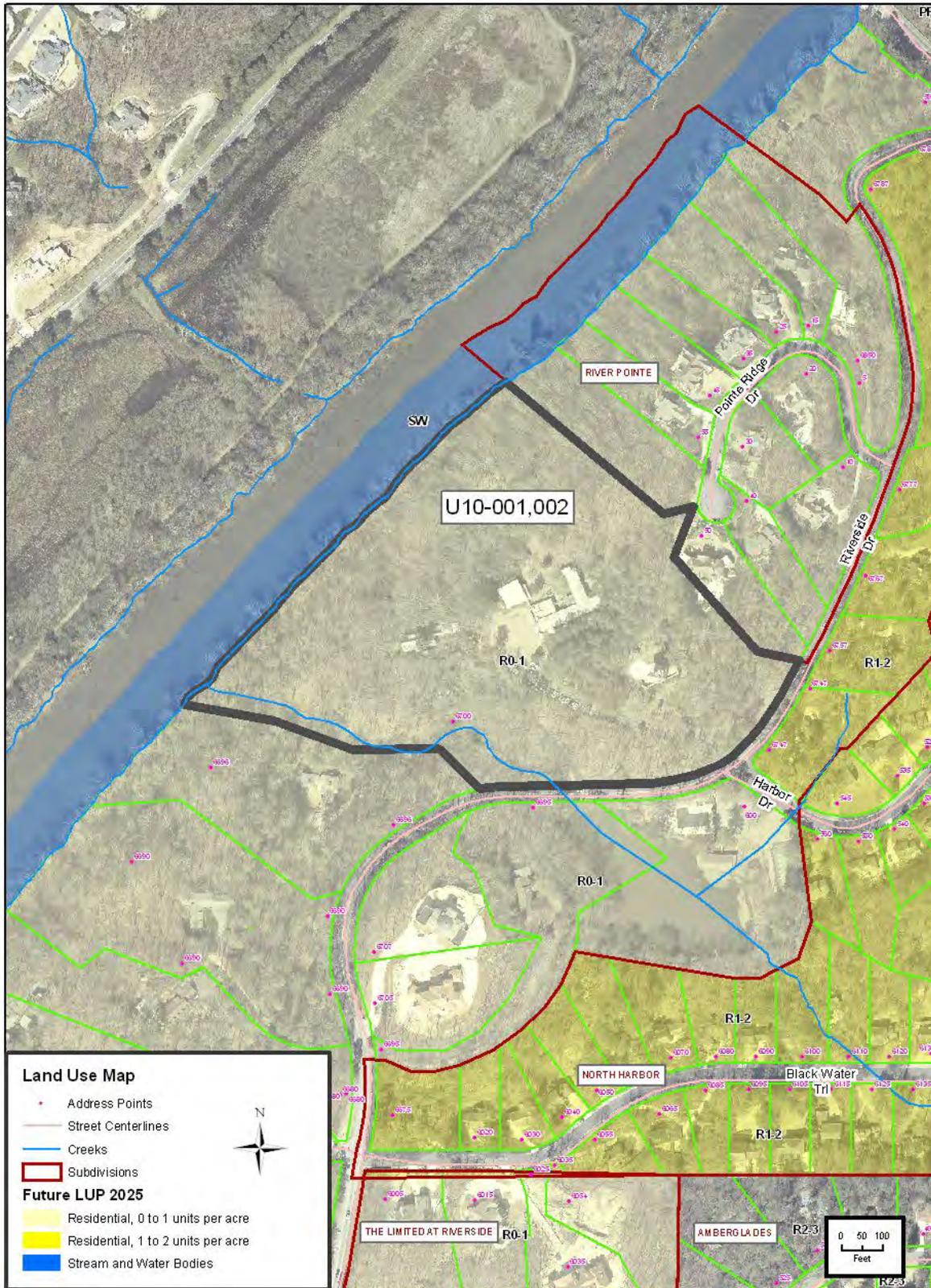
6700 Riverside Drive



Prepared by the City of Sandy Springs Department of Community Development for the Mayor and City Council Hearing on May 18, 2010

Future Land Use Map

6700 Riverside Drive



Photographs



Subject Property (looking northwest)



Subject Property (looking northwest)



Subject Property (looking north)



Subject Property (looking northeast)



Subject Property (looking north @ 50 Pointe Ridge Dr.)



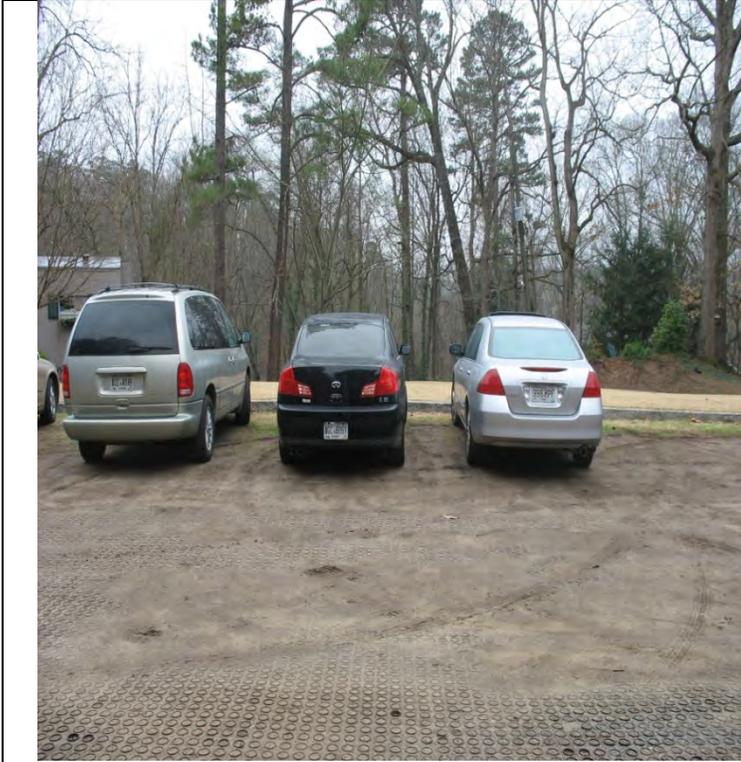
Subject Property (looking southeast)



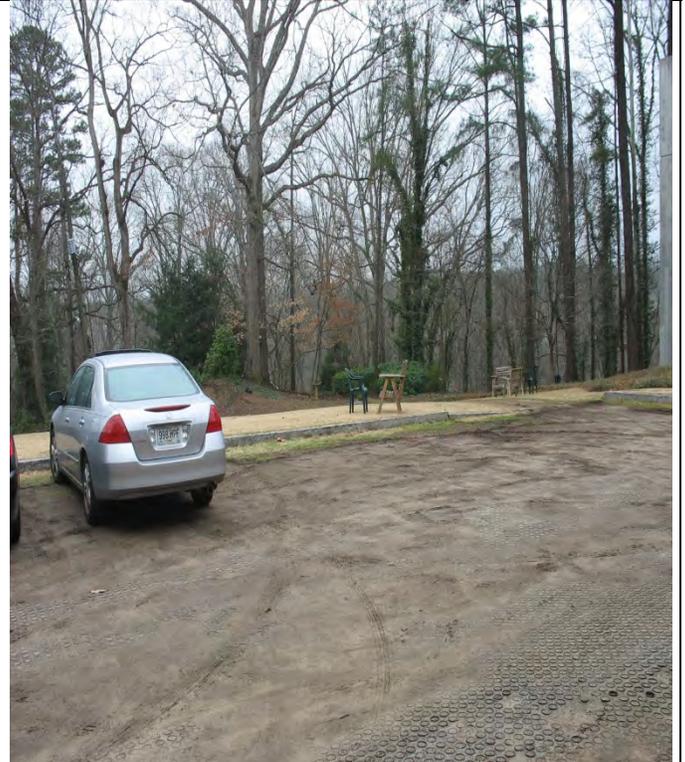
Subject Property (looking southeast)



Southeast of the Subject Property (6747 Riverside Drive)



Subject Property (looking southwest @ 6696 Riverside Dr.)



Subject Property (looking west)



Subject Property (looking west)



Sign

SITE PLAN ANALYSIS

The site plan provided by the applicant indicates the following:

- Total Site Area: 17.29 acres (753,152.4 S.F./100%)
- Building (existing & proposed): 37,874 S.F. (5.03%)
- Total Impervious Surface (existing & proposed): 2.12 acres (92,348 S.F./12.26%)
- Landscaping (proposed): 0.09 acres (4,000 S.F./0.53%)
- Undeveloped and/or Open Space (proposed): 15.08 acres (656,804.4 S.F./87.21%)
- Existing parking spaces: 35

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 subject property is within the Chattahoochee River Corridor, wetlands exist on the subject property, a floodplain exists on the subject property, and there are existing slope(s) exceeding 25 percent over a 10-foot rise in elevation.

USE PERMIT CONSIDERATIONS

The applicant is requesting a use permit to expand an existing retreat facility and a use permit to establish two (2) columbaria.

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: The staff is of the opinion that the proposed uses are consistent with the Future Land Use Map, which designates the property as R0-1 (Residential 0 to 1 units per acre), Protected Neighborhood. The policies of Protected Neighborhoods include the protection of the character and integrity of existing neighborhoods, while meeting the needs of the communities. Within the City, there are several examples of religious uses having cemeteries within residential neighborhoods. Additionally, the vision, character areas, and future land use chapter in the Comprehensive Plan includes a section dedicated to a category called Public-Institutional as follows:

- This category applies to state, federal or local government uses, and institutional land uses. Government uses can include city halls, police and fire stations, libraries, prisons, post offices, schools, military installations, etc. Institutional uses include colleges, schools, churches, cemeteries, hospitals, etc. In Sandy Springs, public and private schools, several churches, and the cemetery north of Mt. Vernon Highway comprise the largest acreages designated in this category. This category can be implemented with a wide variety of zoning districts, since churches and schools can under appropriate conditions be located in most if not all residential zones, albeit some with a conditional 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 the proposed uses are compatible with the land uses and zoning districts in the vicinity of the property. The property is located within an area that features similar developments.

Prepared by the City of Sandy Springs Department of Community Development for the Mayor and City Council Hearing on May 18, 2010

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

Finding: When the applicant complies with all columbarium registration regulations as required by the Secretary of State of the State of Georgia, the staff is of the opinion the proposed uses 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 result in a use that will cause an excessive or burdensome use of the existing infrastructure. Public Works does not anticipate that the proposed use permits will cause an excessively burdensome use of existing streets or transportation facilities.

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

Finding: The subject property currently has 35 existing parking spaces. For the 26,000 S.F. of existing floor area, 130 parking spaces are required.

Section 19.4.28.B.9 of the Zoning Ordinance, requires a minimum amount of parking spaces for Retreats having an accessory cemetery as follows:

One parking space per lodging unit or five (5) per 1000 square feet of floor area, whichever is greater.

The applicant has provided the following parking calculations:

- The proposed total lodging units is 53 X 1 = 53 spaces required
- 37, 874 S.F. of floor area (5 spaces/1000 S.F.) = 189 spaces required

The greater number of parking spaces required based on the above is 189. Therefore, the applicant is requesting a concurrent variance to allow 91 spaces where 189 are required.

Staff is of the opinion the parking requirements within the Zoning Ordinance contemplate a wide range of operations that may be considered Lodge, Retreat and/or Campground facilities. Even though the gross square footage of buildings on the site, including a chapel, would require 189 spaces, the quantity of parking actually needed would be driven by the number of people taking part in a retreat, involved in the retreat’s daily operation, and attending the columbaria. The applicant has provided a functional parking matrix that shows how many parking spaces are actually needed versus the 91 spaces proposed as follows:

- 53 proposed retreat rooms: 53 spaces
- Administration Building (@ 5 spaces/1,000 S.F.): 18 spaces
- Columbaria Daily Attendance: 6 spaces

The staff has reviewed the information provided and is of the opinion approximately 77 parking spaces, at most, would be needed on a daily basis, where 91 spaces are proposed.

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

Finding: The applicant provided a site plan indicating the following:

- Landscaping (proposed): 0.09 acres (4,000 S.F./0.53%)
- Undeveloped and/or Open Space (proposed): 15.08 acres (656,804.4 S.F./87.21%)

Staff notes the majority of the Open and Landscaped Spaces proposed are around the perimeter of the property and are the majority of the subject property.

G. *Protective screening;*

Finding: The proposed uses and associated structures are well screened from surrounding properties with the majority of the development located at the center of the 17 acre site.

H. *Hours and manner of operation;*

Finding: The hours and manner of operation would not be modified from the current manner of operation thereof and are consistent with other overnight religious retreats and cemeteries.

I. *Outdoor lighting; and*

Finding: Any modification to or addition of outdoor lighting will not adversely impact adjacent and/or surrounding properties.

J. *Ingress and egress to the property.*

Finding: Ingress and egress to the property will not be modified as current ingress and egress to the property is adequate for the use and the proposed use thereof.

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 two (2) concurrent variances as follows:

1. Variance from Section 19.4.28.B.9 of the Zoning Ordinance to permit 91 parking spaces where 189 are required.

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 of the following:

The parking requirements within the Zoning Ordinance contemplate a wide range of operations that may be considered Lodge, Retreat and/or Campground facilities. Even though the gross square footage of buildings on the site, including a chapel, would require 189 spaces, the quantity of parking actually needed would be driven by the number of people taking part in a retreat, involved in the retreat’s daily operation, and attending the columbaria. The applicant has provided a functional parking matrix that shows how many parking spaces are actually needed versus the 91 spaces proposed as follows:

- 53 proposed retreat rooms: 53 spaces
- Administration Building (@ 5 spaces/1,000 S.F.): 18 spaces
- Columbaria Daily Attendance: 6 spaces

The staff has reviewed the information provided and is of the opinion approximately 77 parking spaces, at most, would be needed on a daily basis, where 91 spaces are proposed. Therefore, based on these reasons, the staff recommends APPROVAL of the variance to permit 91 parking spaces where 189 are required.

2. Variance from Section 11.11 of the Development Regulations to eliminate the required sidewalk construction.

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 topography at this location creates an unnecessary hardship for the owner. Therefore, based on these reasons, the staff recommends APPROVAL of the variance to eliminate the required sidewalk construction.

DEPARTMENT COMMENTS

The staff held a Focus Meeting on March 3, 2010 at which the following departmental comments were provided:

BUILDING AND DEVELOPMENT DIVISION	Sandy Springs Engineering Plan Reviewer	<ul style="list-style-type: none"> ▪ Any permit applications involving site development shall comply with applicable stormwater management, and erosion control ordinances. ▪ This proposal is currently under review by ARC. The following are ARC's issues in general: <div style="text-align: center; background-color: yellow; padding: 2px;">(UPDATE?)</div> <ol style="list-style-type: none"> 1. As a technical point, ARC wants us to go through approval again due to the 1-1.5 s.f. transfer ratios. ARC said the methodology looks sound so there wouldn't be a problem regarding the impervious area square footage shown on the plan. 2. ARC wants us to show limits of disturbance based on construction practices and show a 5' minimum off of any improvements as the disturbance limits. The calculations on the site plan show that this should not be an issue. 3. ARC wants a note added stating no trails are being added in the 150' impervious buffer / river setback and that the current trails are existing.
	Sandy Springs Building Plan Reviewer	<ul style="list-style-type: none"> ▪ The Building Department has no comments on the items from the 3/3/10 focus meeting.
	Sandy Springs Landscape Architect/ Arborist	<ul style="list-style-type: none"> ▪ This lot is heavily wooded and has some steep slopes. ▪ The proposed additions are located within areas that have already been disturbed. ▪ The property is in the River Corridor.
FIRE DEPT.	Sandy Springs Fire Protection Engineer	<p>No fire hydrants are shown on the building site. Refer to 120-3-3, modification to the 2006 IFC, "508.5.1 Where required. Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 500 feet (152 m) from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrant mains shall be provided where required by the local Fire Chief and /or Fire Code Official of the responding fire department or agency.</p> <p>"Exceptions:</p> <p>"1. For group R-3 and Group U occupancies, the distance requirement shall be 600 feet (183 m).</p> <p>"2. For buildings equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2, the distance requirement shall be 600 feet (183 m)."</p>
TRANSPORTATION	Sandy Springs Department of Transportation, Planning Engineer	<ul style="list-style-type: none"> ▪ Public Works does not anticipate that the proposed use permit will cause an excessively burdensome use of existing streets or transportation facilities. ▪ Public Works does not object to the concurrent variance request to waive sidewalk construction due to the extreme topography at this location. ▪ Right-of-way dedication: 40' from centerline of Riverside Drive

Georgia Department of
Transportation

▪ No comments

PUBLIC INVOLVEMENT

Required Meetings

The applicant attended the following required meetings:

- Community Zoning Information Meeting held February 23, 2010 at the Sandy Springs City Hall
- Community/Developer Resolution Meeting was held March 25, 2010 at the Sandy Springs City Hall

Public Comments

The public comments received regarding this case include the topics of concern written below.

- That the height of the proposed columbaria would be too tall.
(The above concern has been addressed in item 1.c. of the staff recommended conditions)
- The proposed columbaria would negatively affect the values of surrounding properties.
- Negative impact on traffic in the area.
- Cultural beliefs creating a physiological aversion to having columbaria across the street and north.

Notice Requirements

The petition was advertised in the Daily Report on April 8, 2010 and April 22, 2010. The applicant has posted a sign issued by the Department of Community Development along the frontage of Riverside Drive on March 12, 2010.

Public Participation Plan and Report

The applicant has met the Public Participation Plan requirements. The applicant is required to submit the Public Participation Report seven (7) days prior to the Mayor and City Council Hearing on May 18, 2010. The Public Participation Report was received on April 27, 2010.

CONCLUSION TO FINDINGS

It is the opinion of the staff that the petition for Use Permits for the expansion of the existing retreat facility and to establish a cemetery (columbaria) is in conformity with the policies of the Comprehensive Plan and the intent of the Future Land Use Map. Therefore, based on these reasons, the staff recommends **APPROVAL** **CONDITIONAL** of the petition for the Use Permits, with concurrent variances, subject to conditions.

STAFF RECOMMENDED CONDITIONS

Should the Mayor and City Council decide to grant the Use Permit and Concurrent Variances, the staff recommends that 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 Retreat Facility and accessory uses and structures at a maximum density of 2,190.52 square feet per acre or 37,874 gross square feet, whichever is less. (U10-001).
 - b. The retreat house/residence shall be limited to no more than fifty-three (53) single occupancy lodging units.
 - c. To two (2) Columbaria at a maximum height of no greater than three (3) feet. (U10-002).
 - d. Limit the height of the buildings to no more than two (2) stories.
2. To the owner's agreement to abide by the following:
 - a. To the site plan submitted to the Department of Community Development received February 2, 2010 (the "Site Plan"). Said Site Plan is conceptual only and must meet or exceed the requirements of the Zoning Ordinance and these conditions prior to the approval of a Land Disturbance Permit. Unless otherwise noted herein, compliance with all conditions shall be in place prior to the issuance of a Certificate of Occupancy.
 - b. To garden style Columbaria with the prohibition of what would be considered a traditional type Cemetery having headstones and graveyard statuary as determined by the Director of Community Development.
3. To the owner's agreement to provide the following site development standards:
 - a. No more than two (2) exit/entrances on Riverside Drive; one (1) entrance only and one (1) exit only Curb cut. Location and alignment are subject to the approval of the Director of Public Works.
 - b. Provide a minimum 50 foot undisturbed natural buffer with an additional 10 foot improvement setback buffer adjacent to all peripheral property lines except along Riverside Drive.
 - c. Variance from Section 19.4.28.B.9 of the Zoning Ordinance to permit 91 parking spaces where 189 are required. No offsite parking or street parking will be allowed. (CV10-003) (Variance #1).
 - c. Variance from Section 11.11 of the Development Regulations to eliminate the required sidewalk construction. (CV10-003) (Variance #2).
 - d. If the right-of-way is sufficient and regulations allow it, the owner shall install standard sidewalks opposite the subject property along the south and east side of Riverside Drive at a length that would have been required at the time of Land Disturbance Permit as determined by the Director of Public Works.

- e. The owner/developer shall dedicate forty (40) feet of right-of-way from centerline of Riverside Drive 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 owner/developer shall Improve Riverside Drive along the entire property frontage, commencing from the southernmost curb-cut northward, 14.5 feet from the center of road to back of curb, or as may be approved by the Director of Public Works.
- g. The owner/developer shall provide a deceleration lane for each project entrance or as may be approved by the Director of Public Works.
- h. The owner/developer shall contact the City Arborist, prior to the application for a Land Disturbance Permit, to arrange an on-site evaluation of existing trees/stands, buffers, and tree protection zones within the property boundaries.
- i. The owner/developer shall maintain as a minimum, the tree density requirements as prescribed by the City of Sandy Springs Tree Conservation Ordinance, either through the retention of existing trees, or tree replacement, in perpetuity.
- j. To reduce the zoning regulations to the extent necessary for all the existing non-conforming (grandfathered) structure(s) to comply in accordance with the site plan received by the Department of Community Development on February 2, 2010.
- k. The owner/developer shall comply with all cemetery registration regulations as required by the Secretary of State of the State of Georgia before issuance of a Land Disturbance Permit.

Attachments

Letter of Intent received March 19, 2010

Applicant Use Permit Considerations dated February 2, 2010

Site Plan(s) received February 2, 2010

Letter Fulton County Dept. of the Environment & Community Development received March 19, 2010

Letter Fulton County Dept. of Health and Wellness received April 8, 2010

Letter City of Atlanta Department of Watershed Management received March 19, 2010

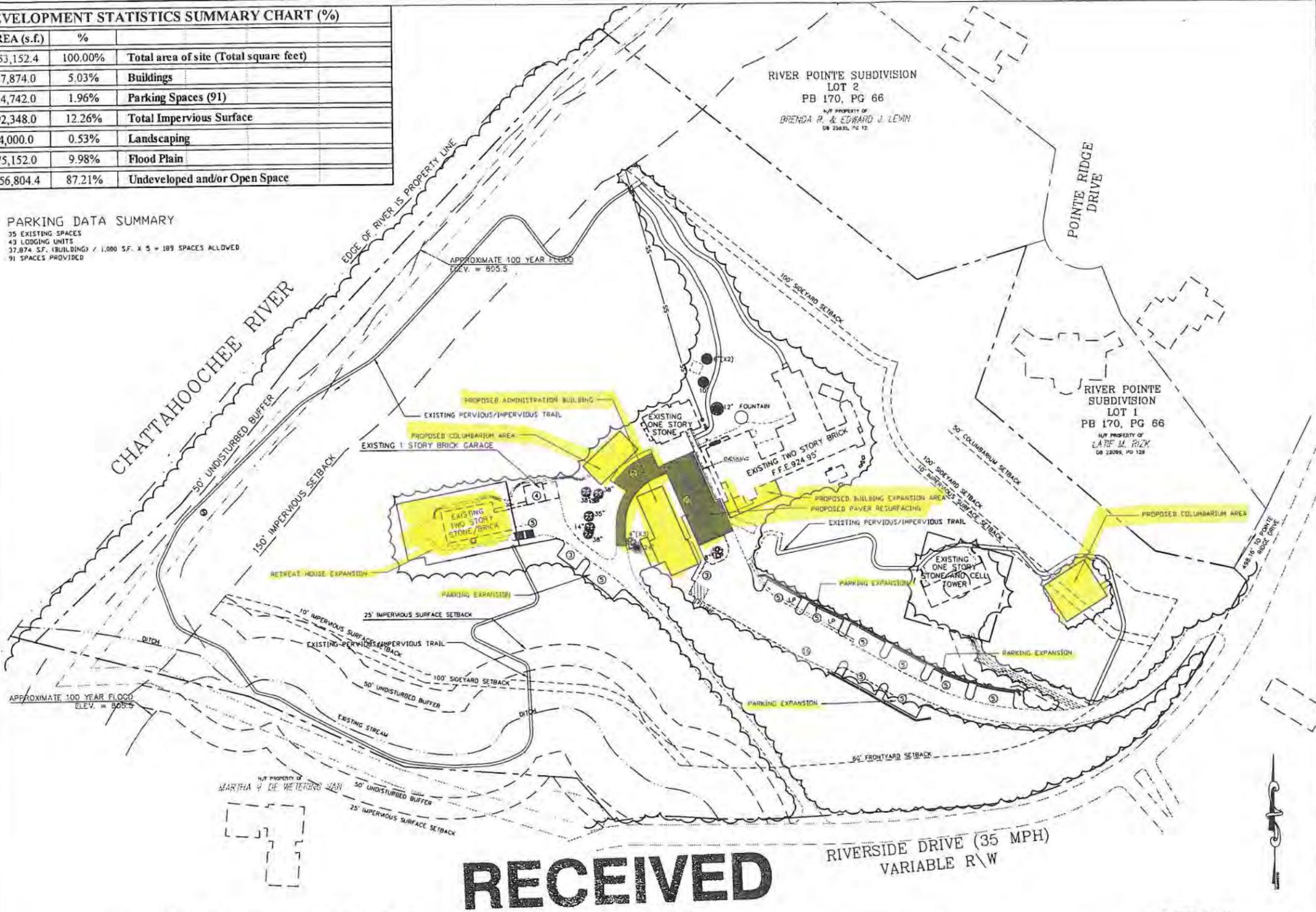
Letters of opposition dated received March 30, 2010

Letters of opposition dated received April 5, 2010

DEVELOPMENT STATISTICS SUMMARY CHART (%)

AREA (s.f.)	%	
753,152.4	100.00%	Total area of site (Total square feet)
37,874.0	5.03%	Buildings
14,742.0	1.96%	Parking Spaces (91)
92,348.0	12.26%	Total Impervious Surface
4,000.0	0.53%	Landscaping
75,152.0	9.98%	Flood Plain
656,804.4	87.21%	Undeveloped and/or Open Space

PARKING DATA SUMMARY
 35 EXISTING SPACES
 43 LODGING UNITS
 37,874 S.F. (BUILDING) / 1,000 S.F. x 5 = 189 SPACES ALLOWED
 91 SPACES PROVIDED



Eberly & Associates
 TEL: 770.452.7849 FAX: 770.452.0886
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 ATLANTA, GEORGIA 30345
 WWW.EBERLY.NET

LAND PLANNING
 CIVIL ENGINEERING
 LANDSCAPE ARCHITECTURE

PROJECT:
 ST. IGNATIUS HOUSE
 SITE IMPROVEMENTS
 LAND LOTS 130 & 169
 17th DISTRICT
 SANDY SPRINGS, GEORGIA

REVISIONS:

NO.	DESCRIPTION

SITE LAYOUT PLAN
 SCALE: 1"=50'-0"
 DATE: 02/1/2010
 DRAWN BY: DP
 PROJECT MANAGER: MW
 QA/QC CHECK: OD

PROJECT NO.
 09-097

SHEET NO.
 S3.0
 4 OF 6

FILE NAME: G:\PROJECTS\2009\09-097 St. Ignatius House Admin Bldg\Drawing\Issue.dwg February 01, 2010 - 9:45am apatterson

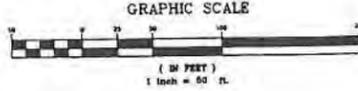
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1
S3.0

SITE IMPROVEMENTS LAYOUT
 PLAN

FEB 02 2010

SCALE: 1"=50'-0"



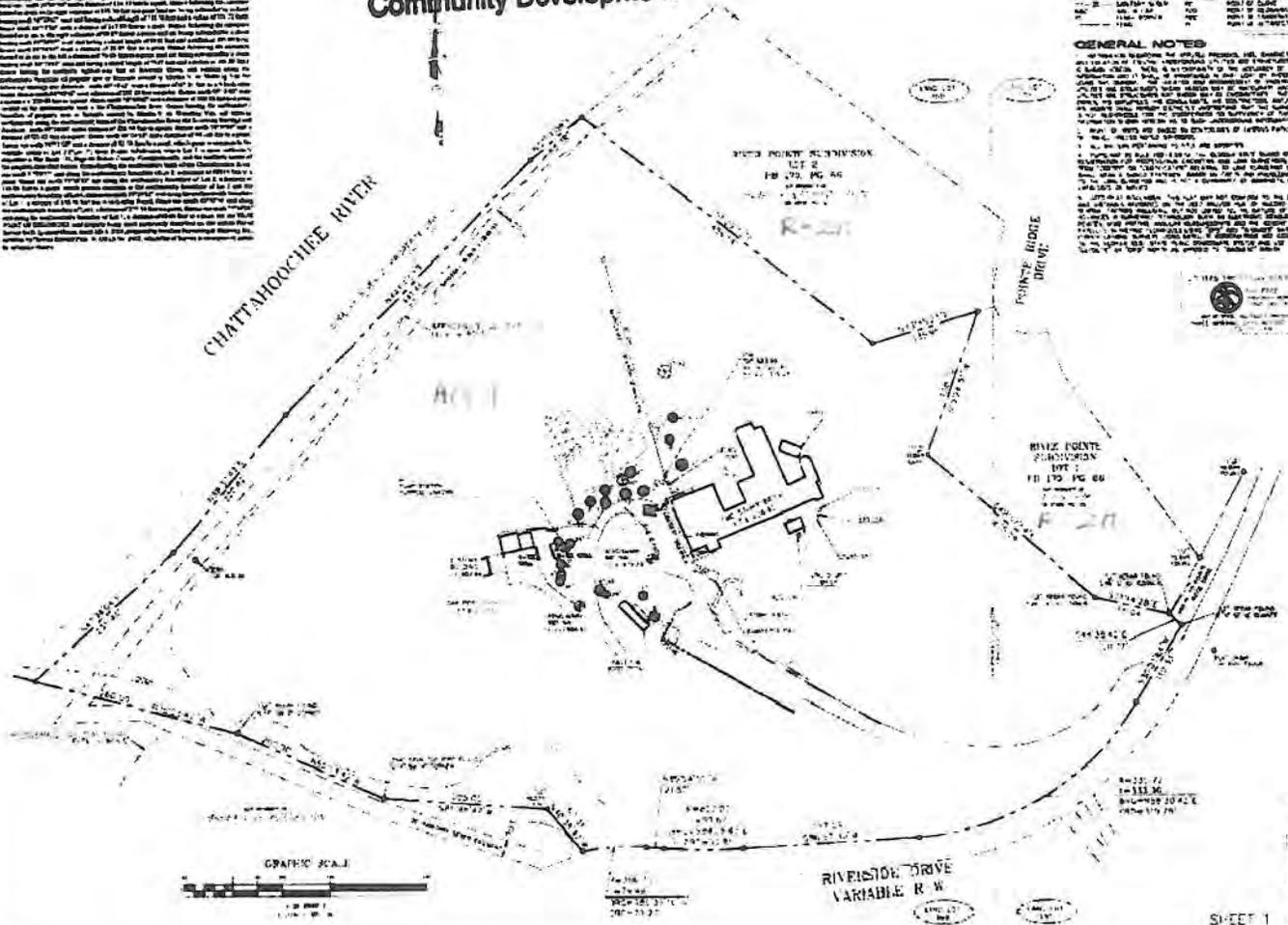
City of Sandy Springs
 Community Development

1110-001 / 1110-002 / 1110-003
 Page 29 of 111

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ALL THIS BEING A GENERAL AND NOT A PARTICULAR SURVEY... THE CITY OF SANDY SPRINGS COMMUNITY DEVELOPMENT... CHATTAHOOCHEE RIVER... RIVINGTON DRIVE... POINTS SUBDIVISION... LEGEND... GENERAL NOTES... GRAPHIC SCALE... SHEET 1

City of Sandy Springs
Community Development



LEGEND

Symbol	Description
...	...

GENERAL NOTES

1. THIS SURVEY WAS MADE BY THE CITY OF SANDY SPRINGS COMMUNITY DEVELOPMENT... THE CITY ENGINEER HAS REVIEWED THIS SURVEY AND HAS FOUND IT TO BE ACCURATE AND COMPLETE... THE CITY ENGINEER'S REVIEW IS LIMITED TO THE TECHNICAL ASPECTS OF THE SURVEY AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE SURVEY DATA.

ST. IGNATIUS HOUSE
SITE IMPROVEMENTS
LAND LOTS 130 & 169
17TH DISTRICT
SANDY SPRINGS, GEORGIA

PROJECT NO. 09-097
SHEET NO. S1.0

DATE: 11/13/10
SCALE: 1" = 40'

PREPARED BY: [Name]
CHECKED BY: [Name]

3895 Canton Road
Marietta, GA 30066
PROMLINE
Tel: (770) 576-1000
Fax: (770) 576-3500

ST. IGNATIUS HOUSE
SITE IMPROVEMENTS
LAND LOTS 130 & 169
17TH DISTRICT
SANDY SPRINGS, GEORGIA

PROJECT NO. 09-097
SHEET NO. S1.0

DATE: 11/13/10
SCALE: 1" = 40'

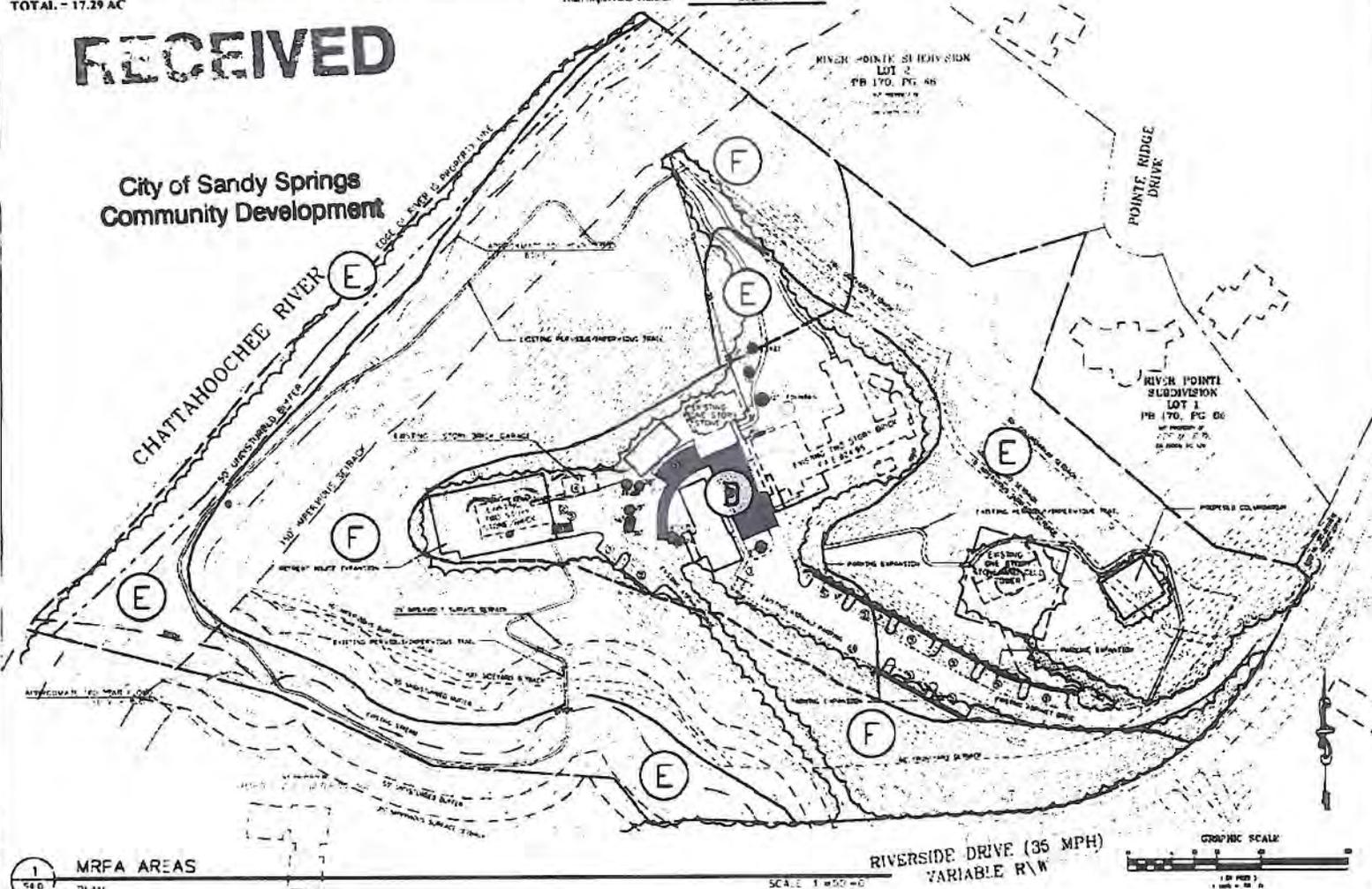
PREPARED BY: [Name]
CHECKED BY: [Name]

3895 Canton Road
Marietta, GA 30066
PROMLINE
Tel: (770) 576-1000
Fax: (770) 576-3500

Area Category	Maximum Allowed Impervious Area (sf)	Existing Impervious Area (sf)	Proposed Impervious Surface (sf)	Total Existing and Proposed Impervious Area (sf)	Surplus Impervious Surface	Impervious Surface for R:an Transfer (1.5 x for transfer from E & F)	Impervious Surface Balance (sf)	
D (2.87 AC)	37,461	37,857	22,722	60,579	-23,118	0	2,432	
E (6.42 AC)	41,818	11,940	70,910	82,850	16,968	25,452	0	
F (8.00 AC)	6,970	5,661	1,216	6,877	91	137	0	
TOTAL - 17.29 AC					Total Impervious Transfer		25,589	

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Community Development



MRPA AREAS
PLAN

RIVERSIDE DRIVE (35 MPH)
VARIABLE R/W



FOR PREPARED BY: [Name]
DATE: [Date]
PROJECT: [Name]
SCALE: [Scale]

PROJECT
ST. IGNATIUS HOUSE
SITE IMPROVEMENTS
LAND LOTS 130 & 169
17th DISTRICT
SANDY SPRINGS, GEORGIA

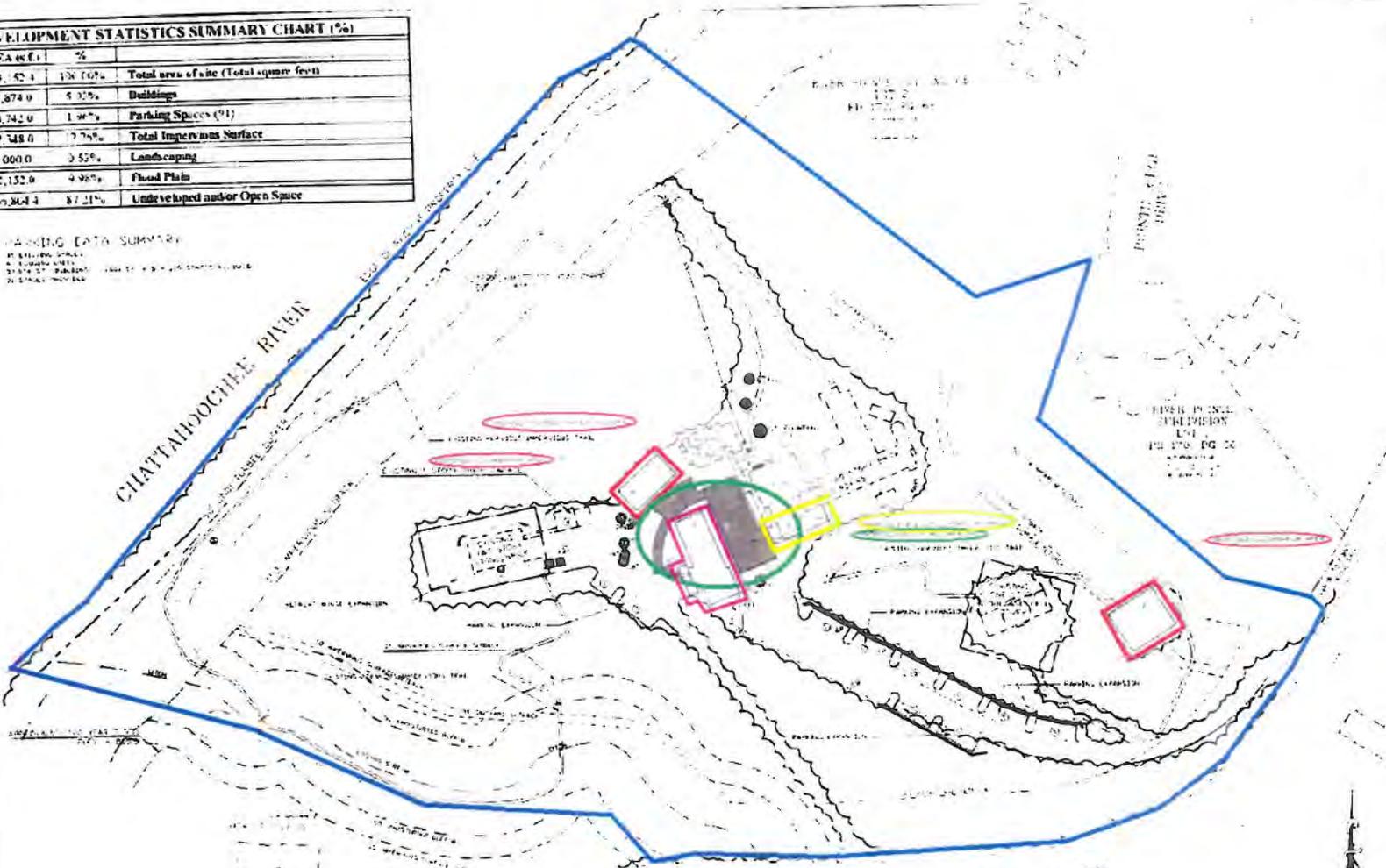
MRPA AREA	PLAN
DATE	SCALE
BY	PROJECT NO.
CHECKED BY	DATE

PROJECT NO.
09-097

PROJECT NO.
S4.0
5 of 6

DEVELOPMENT STATISTICS SUMMARY CHART (%)		
AREA (sq. ft.)	%	
753,424	100.00%	Total area of site (Total square feet)
57,874.9	7.69%	Buildings
14,742.0	1.96%	Parking Spaces (91)
27,348.0	3.63%	Total Impervious Surface
1,000.0	0.13%	Landscaping
77,152.0	10.24%	Flood Plain
659,864.4	87.31%	Undeveloped and/or Open Space

PARKING DATA SUMMARY
 1. BUILDING SPACES
 2. VISITOR SPACES
 3. STAFF SPACES
 4. TOTAL SPACES



ST. IGNATIUS HOUSE
 SITE IMPROVEMENTS
 LAND & LOGS, AREA A, 100
 LAND & LOGS, LISTING
 SANDY SPRING, GEORGIA

SITE LAYOUT PLAN

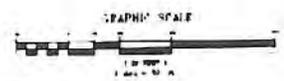
PROJECT NO: 09-097

S3.0

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RIVERSIDE DRIVE 35 MPH
 VARIABLE ROW

1 SITE IMPROVEMENTS LAYOUT PLAN





****Letter of Intent****

March 17, 2010

Small Received Stamp

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

7700 Riverside Drive

Re: Land Use Permit & Variance
Catholic Society of Religious & Literary Education
6700 Riverside Drive NW
Atlanta, GA 30328-2799

303507-008-00318

Ladies & Gentlemen:

29000-1100-125-0001

We are pleased to present for your consideration our plans for improvements to Ignatius House. We believe that these planned improvements are consistent with our current use of the property and will help us to enhance the experience of those who use our facility.

44-21041-144-0776

Ignatius House was constructed in 1960 and for almost 50 years has been used by individuals for spiritual group retreats. The retreats consist of silent reflection, meditation, and prayer. The facility is used by people of all faiths who are sincerely seeking to discover and to live out God's will in their lives.

Ignatius House is owned and operated by the Jesuit Fathers and Brothers of the New Orleans Province of the Society of Jesus. The retreat center is named after Saint Ignatius of Loyola, a sixteenth-century nobleman and the founder of the Jesuit Order. The Spiritual Exercises that are practiced here are based on the notes that St. Ignatius himself made as he underwent his own spiritual conversion at Manresa, Spain.

The current facility contains 47 retreat rooms, a dining facility, and library, chapel and living quarters for the Jesuit Fathers. Retreats are typically held on weekends and the facility is occasionally used during the week for various functions. The facility maintains a full time staff of over 8 people. This staff oversees the work of the facility, prepares meals, cleans and maintains the building and grounds.

Over time, we have concluded that upgrades are needed to the facility so that we can better serve our community. Our plans to upgrade the facility include:

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1. Construction of an administration building to relocate these functions from the existing retreat facility to a separate area of the campus. This will allow our retreatants to have a less interrupted experience.
2. Renovate the existing retreat house to allow for handicap access rooms and to allow for additional counseling rooms.
3. Enlargement of the existing facility that serves the Jesuit Fathers to allow for more religious to be on site to conduct the work of the Church.
4. Creation of two columbarium areas consisting of a tranquil garden environment where a small portion of one's ashes may be dispersed and where friends and relatives may experience a few moments of contemplative reflection.
5. Creation of additional parking to allow safer parking areas and to provide for the improvements above.

With respect to the issuance of a use permit for the proposed improvements to the property, it will be necessary to obtain three concurrent variances: one to permit curb cut access to Riverside Drive; another to eliminate the necessity of constructing a sidewalk along Riverside Drive; and the third to permit a reduction in the on-site parking requirement to a total of 91 parking spaces.

With regard to the curb cut access variance, the current facility has enjoyed direct access to and from Riverside Drive for almost 50 years. Therefore, the proposed use permit would not create any greater need for access than that which has existed all those years. We would merely maintain the status quo with regard to the existing curb cut access to Riverside Drive.

With regard to the requirement that a sidewalk be constructed along the Riverside Drive frontage of the property, such requirement is both unnecessary and physically impracticable. The high volume of traffic on Riverside Drive, the residential use of properties on both sides of the subject property, the absence of any sidewalks on said adjoining residential property, and the topography and other site conditions of the subject property, render the construction of a sidewalk unnecessary, impracticable, and potentially contrary to public safety considerations.

With regard to the parking variance, Code Section 19.4.28 B.9 provides that the parking requirement for the proposed use is one (1) parking space per lodging unit **OR** five (5) parking spaces per 1,000 square feet of gross square footage of buildings, whichever is greater. The Code Section contemplates a wide range of uses which may result in a wide range of parking requirements. Taking into account the specific existing and proposed use of the subject property, the functional parking requirement of such use is self limiting. More specifically, the use of the subject property consists primarily of a limited number of retreat rooms which will house a limited number of people, in addition to a limited number of employees and priests in residence. The nature of the columbarium areas is such that they would be frequented only occasionally and then only by a few people.

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during each such occasion. Thus, sound reason and logic would dictate that the parking requirement for the existing and proposed use should be calculated based on the "one (1) parking space per lodging unit" basis for the lodging units, and five (5) parking spaces per 1,000 square feet of office space for the office area. Inasmuch as the chapel will be utilized only by retreat participants and resident priests, it should not require additional parking. The columbarium, which will be visited occasionally by a small number of people, in all likelihood would not require more than one or two parking spaces, although it is proposed that six parking spaces be provided for the columbarium.

Attached hereto is a matrix which reflects the existing uses with existing parking (both required and provided), as well as the proposed uses with the functional parking requirement for those uses. The proposed use portion of the matrix reflects that 53 lodging units would require 53 parking spaces, 3,565 square feet of office space would require 17 parking spaces (5 spaces per 1,000 square feet), and the columbarium would be parked at 6 parking spaces. Under the functional parking requirement scenario, the required parking would be 76 parking spaces, whereas the parking provided on site would be 91 parking spaces.

We would hope to complete these improvements over the next several years.

We welcome the opportunity to work with the City of Sandy Springs to work through the process of approval of our plans and welcome the opportunity to be of service to our City.

Yours truly,
Catholic Society of Religious and Literary Education

Maria G. Cressler
Executive Director
Ignatius House

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City of Sandy Springs
Community Development

St. Ignatius House
FUNCTIONAL PARKING REQUIREMENT

EXISTING - FUNCTIONAL USE

RETREAT ROOMS & RESIDENCE (LODGING UNIT) - 47
 OFFICE - 8 PEOPLE
 FUNCTIONAL REQUIRED

**FUNCTIONAL PARKING
 REQUIREMENT**

47
 8

 55

PROPOSED -

RETREAT ROOMS & RESIDENCE (LODGING UNITS) -53
 ADMINISTRATION BUILDING 3,565 SQ.FT. @ 5 SPACES / 1,000 S.F.
 COLUMBARIUM DAILY VISITATION
 FUNCTIONAL REQUIRED

53
 17
 6

 76

76 FUNCTIONAL SPACES REQUIRED / 91 SPACES PROVIDED

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FEB 02 2010

USE PERMIT CONSIDERATIONS

City of Sandy Springs
Community Development

Catholic Society of Religious and Literary Education
6700 Riverside Drive, Atlanta, Georgia 30328-2799

J10-001415-003-13/10-003

1. Whether the proposed use is consistent with the Comprehensive Land Use Plan and/or Economic Development Revitalization plans adopted by the City Council: Yes. The proposed use is consistent with the existing use of the property, which use has existed on the property for almost 50 years. Although the existing use of the property may constitute a permitted non-conforming use under the existing zoning ordinance, the proposed use does not constitute an expansion of such permitted non-conforming use.
2. Compatibility with land uses and zoning districts in the vicinity of the property for which the Use Permit is proposed: Yes, for the reasons set forth in response to Item 1 above.
3. Whether the proposed use may violate local, state and/or federal statutes, ordinances or regulations governing land development: No. To the extent the existing and proposed use of the property constitutes a permitted non-conforming use under the current zoning ordinance, the proposed use does not constitute an expansion of such permitted non-conforming use and, thus, does not violate the current zoning ordinance.
4. The effect of the proposed use on traffic flow, vehicular and pedestrian, along adjoining streets: The proposed use will have no adverse effect on traffic flow, vehicular and pedestrian, along adjoining streets.
5. The location and number of off-street parking spaces: The location and number of off-street parking spaces are depicted on the site plan and are consistent with applicable rules, regulations, ordinances, and laws.
6. The amount and location of open space: The amount of open space is depicted on the site plan and is consistent with applicable rules, regulations, ordinances, and laws.
7. Protective screening: Protective screening is currently provided by natural vegetation. No additional screening is required.
8. Hours and manner of operation: The hours and manner of operation of the property will not be modified from the current manner and operation thereof.
9. Outdoor lighting: Any modification to or addition of outdoor lighting will not adversely impact adjacent and/or surrounding properties.
10. Ingress and egress to the property: Ingress and egress to the property will not be modified as current ingress and egress to the property is adequate for the use and the proposed use thereof.



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

March 8, 2010

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 April Planning Commission and May 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

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City of Sandy Springs
Community Development



CITY OF ATLANTA
DEPARTMENT OF WATERSHED MANAGEMENT
BUREAU OF DRINKING WATER
TECHNICAL SERVICES GROUP

KASIM REED
MAYOR

651 FOURTEENTH STREET
ATLANTA, GEORGIA 30318
OFFICE 404-235-2007
FAX 404-982-1400

ROBERT J. HUNTER
COMMISSIONER

March 4, 2010

Mr. Roger Rupnow
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 6700 Riverside Drive

Dear Mr. Rupnow,

In response to your letter we offer the following:

1. There is an existing 8-inch water main along Riverside Drive. This water main is owned and maintained by the City of Atlanta.
2. Our calculations based on the reported fire flow test results indicate the 8" main has a capacity of 2708 gpm.
3. If further investigation is required, please complete the attached Basis of Design Data form along with site utility plan.

In order to access the water you must develop a set of stamped engineering drawings, and submit three copies to the City of Atlanta, Bureau of Drinking Water for approval and review.

Should additional information be needed, please contact me at 404-235-2085.

Sincerely,

Eric Glover, PE
Chief Civil Engineer

cc: file

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City of Sandy Springs
Community Development



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 Specialist Senior
Environmental Health Services *MR*

DATE: April 6, 2010

SUBJECT: Comments to U10-001/U10-002/CV10-003, ZM10-001, & ZM10-002

AGENDA ITEM	ZONING COMMENTS
U10-001/ U10-002/ CV10-003	<p>This facility must comply with the Georgia Smokefree Air Act of 2005.</p> <p>The Fulton County Department of Health and Wellness recommends that this proposed development be approved, provided the internal plumbing is inspected and adequate for the proposed use.</p> <p>Since 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 indication the number and location of outside refuse containers along with typical details of the pad and approach area for the refuse containers be submitted for review and approval.</p> <p>Since this proposed development includes a tourist accommodation, the owner must submit plans for review and approval by this department before issuance of a building permit and beginning construction. The owner must obtain a Department of Health and Wellness tourist accommodation permit prior to opening.</p>
ZM10-001	If this development utilizes an onsite sewage management system, the owner must obtain approval from this department prior to issuance of a building permit and before building construction or renovation.
ZM10-002	The Fulton County Department of Health and Wellness does not anticipate any health problems with this proposal.

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APR 08 2010
City of Sandy Springs
Community Development

To: Doug Trettin,
City Planner
City of Sandy Springs
7840 Roswell Road, Building 500
Sandy Springs, Georgia 30350

Re: Fereydoun and Nahid Taslimi
6701 Riverside drive
Sandy Springs, Georgia 30328

Re: Use Permit and Variance filed by Property located at 6700 Riverside Drive

Dear Mr. Trettin,

We understand the above property has filed to obtain use permit to establish a cemetery at this location.

My wife and I would like to express our strongest opposition to this action. We believe proximity to a cemetery will affect the price of our property. There are a number of studies that have determined the negative psychological factors associated with cemeteries that may impact some people's home purchasing decision.

Further we have a dire traffic problem on Riverside well known to all those who live on this road or drive through it. On occasions coming from Backwater trail it takes me 30 minutes to get to my drive way which is only 50 yards away, the last thing we need another reason to increase traffic.

We sincerely hope you will reject the request.

Sincerely,

Fereydoun and Nahid Taslimi

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City of Sandy Springs
Community Development

6705

RIVERSIDE DR.

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MAR 30 2010

Attn: Doug Trettin

Re: 6700 Riverside Drive

City of Sandy Springs
Community Development

Dear Mr. Trettin, It has come to my attention that there has been a request for the expansion of the facility to establish a cemetery/columbaria on the property. We strongly object to this addition for multiple reasons:

- 1) The addition will negatively affect the surrounding property value due to the stigma of having this as an adjacent property.
- 2) The traffic in the area is congested to the point that any further additions would make an existing problem that much worse.
- 3) Due to my wife's cultural beliefs, she is terrified at the prospect of something such as this being right next to her home, and is hysterical about it.
- 4) All other adjacent property owners I have spoken to strongly object to this proposition.

Thank you so much for your time and consideration regarding this very sensitive matter.

Sincerely,

Hossein Hadjkhan and family.



6707 RIVERSIDE DR.

Dear Doug Trettin

I am Bahram Karimi residing at 6435 riverside drive,Atlanta,ga.i herby oppose the rezoning and development of the columbaria or cemetery at 6700 riverside drive.for the following reasons:

A-our neighborhood developments should be aimed for homes,living,kids,people.cemetery does not belong in a neighbourhood.

B-for sure ,there are people who would feel creepy ,by living next to a cemetery or so called columbaria.

C-riverside drive ,contains high value properties which will be effected negatively as the result of development of this project. the main reason for the negative effect is the lack of interest in part of many buyers who resent living next to the cemetery .

D-having a cemetery or columbaria in our neighborhood will definitely increase the flow of the traffic in riverside drive which is already jammed in rush hour time. more traffic will only jeopardize our environment with more pollution and frustration. if anything authorities should take steps to decrease the traffic in this road . internment services held during weekdays also brings more traffic into area which may endanger our kids in the neighborhood coming or going to school from getting involved with accidents.

E-the more secluded that parcel becomes ,the more chance of vandalism and inviting trouble makers to our neighborhood., so it is going to become uneasy patrolling this parcel.

Above reasons and many other factors ,tells me that having this parcel rezoned for columbaria,is definitely not advantaging our community.thank you for your time and understanding in this matter.

Sincerely yours

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APR 05 2010

City of Sandy Springs
Community Development


03/31/10

**SEYYED ANVARIPOUR
6695 RIVERSIDE DR
ATLANTA, GA 30328
770-652-7099**

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APR 05 2010

City of Sandy Springs
Community Development

3/30/2010

**Doug Trettin
7840 Roswell Rd
Building 500
Sandy springs, Ga 30350**

Dear Mr. Trettin

I own the property across the road from 6700 Riverside Dr, which has requested rezoning for purpose of building a Cemetery and or Columbaria, I strongly disagree with rezoning of said location as this not only brings more Traffic to Riverside Drive which is already congested but it will also effect the value of our property, People involved in this project are only thinking about their own financial gain and not concerned about the community nor the neighbors, please do not allow them to tarnish the name Riverside Dr nor bring more traffic to our road and community.

If you have any questions regarding this letter please feel free to contact me at the number above.

Very truly yours


Seyyed Anvaripour

Trettin, Doug

From: DanaMiller5173@aol.com
Sent: Monday, April 12, 2010 9:08 PM
To: Trettin, Doug
Subject: Fwd: DRAFT U10-001/U10-002/CV10-003Conditions

From: DanaMiller5173@aol.com
To: Doug.TrettinD@sandyspringsga.org
Sent: 4/12/2010 8:36:40 A.M. Eastern Daylight Time
Subj: Fwd: DRAFT U10-001/U10-002/CV10-003Conditions

From: DanaMiller5173@aol.com
To: Doug.Trettin@sandyspringsga.org
Sent: 4/12/2010 8:34:42 A.M. Eastern Daylight Time
Subj: DRAFT U10-001/U10-002/CV10-003Conditions

Hi Doug,

I live on Pointe Ridge Drive on the property that borders that of the Retreat Facility. A neighbor and I met with Ted Benning this week to walk the Retreat property and review the plans for the proposed improvements and additions. Our primary concern is that the two planned Columbarium remain garden-like areas as presented to us. We do not want these areas to be developed or used (now or at any time in the future) in a manner that one would expect in a traditional cemetery. (For instance, we would not want headstones, statuary, mausoleums, or similar structures). The wording in the Draft Conditions covers some of these concerns; however, it is my understanding that zoning laws may treat columbaria as they would a cemetery and we would like to have wording that would specifically limit the use of this property to the scattering of ashes in the planned garden-like atmosphere only. To this end, I have included language that may be added to the Draft. I would be happy to hear your thoughts and suggestions.

Example:

The use of the (2) Columbaria will be limited to the scattering of ash (consisting of human remains) only. At no time now or in the future, will such remains (in any form) be permitted for burial underground or interment above ground in any structure to exceed the maximum allowed height of 3 feet as set forth herein. Further, at no time will the Facility erect headstones, funereal statuary, mausoleums, or other structures commonly found in a traditional cemetery site.

I look forward to hearing your thoughts on the issue.

Dana Miller
cell 678-778-7882

40 pointe Ridge Dr.