



SANDY SPRINGS
GEORGIA

PLANNING COMMISSION

Reed Haggard, Chair

Robin Conklin

Elizabeth Kelly

Dave Nickles

Andy Porter

Andrea Settles

Karen Trylovich

Wednesday, July 20, 2022

Regular Meeting

6:00 p.m.

The Planning Commission meeting will be held in the Studio Theatre at Sandy Springs City Hall
(1 Galambos Way, Sandy Springs, GA 30328).

Live-stream:	Public Meeting Portal (CivicClerk): https://sandyspringsga.civicclerk.com Zoom Webinar: http://spr.gs/pcmeeting
Teleconference:	Phone: (646) 558-8656 Webinar ID: 818 0393 5386
Public Comment:	http://spr.gs/publiccomment

I. Call to Order

II. Roll Call and General Announcements

III. Approval of Meeting Agenda

IV. Approval of Meeting Minutes

A. 2022PC-008 June 22, 2022 Planning Commission Meeting

(Presented by Raquel Gonzalez, City Clerk)

V. Cases

A. 2022PC-009 RZ22-0003

Request for a Zoning Map Amendment (Rezoning) from RD-18 (Residential Detached, 18,000 square feet minimum) to RT-3 (Residential Townhouse, 3 stories maximum height).

(Presented by Matthew Anspach, Senior Planner)

B. 2022PC-010 TA22-0002

An Ordinance to amend the following City Code of Ordinances Article and

*Individuals with disabilities who require certain accommodations in order to allow them to observe and/or participate in a public meeting, or who have questions regarding the accessibility of the meeting or facilities should contact the City Clerk at 770-730-5600 promptly for assistance.
The City will make reasonable accommodations for those persons.*



SANDY SPRINGS

GEORGIA

Development Code Sections:

Sec. 7.8.16. – Short-Term Rental

Sec. 8.2.10. – Fences and Walls

(Presented by Matthew Anspach, Senior Planner)

C. 2022PC-011 TA22-0003

An Ordinance to amend the following Development Code Division:

Div. 9.6. Stormwater Management (Nancy Creek)

(Presented by Matthew Anspach, Senior Planner)

VI. Ongoing Business

VII. New Business

VIII. Adjournment

Individuals with disabilities who require certain accommodations in order to allow them to observe and/or participate in a public meeting, or who have questions regarding the accessibility of the meeting or facilities should contact the City Clerk at 770-730-5600 promptly for assistance. The City will make reasonable accommodations for those persons.

Meeting of the Planning Commission

Studio Theatre, Sandy Springs City Hall and Broadcast Via Live Webinar and Teleconference

June 22, 2022 at 6:00 p.m.

Page 1 of 2

Meeting of the Sandy Springs Planning Commission was held on June 22, 2022 at 6:00 p.m., Chair Reed Haggard presiding.

I. Call to Order

Chair Reed Haggard called the meeting to order at 6:00 p.m.

II. Roll Call and General Announcements

Members Present: Chair Reed Haggard, Member Robin Conklin, Member Elizabeth Kelly, Member Dave Nickles, Vice Chair Andy Porter, Member Andrea Settles, Member Karen Trylovich

III. Approval of Meeting Agenda

Motion and vote. A motion was made by Member Andrea Settles, seconded by Member Dave Nickles, to approve the meeting agenda. The motion carried by unanimous vote.

IV. Approval of Meeting Minutes

A. **PC2022-004** May 18, 2022 Planning Commission Meeting

Motion and vote. A motion was made by Member Elizabeth Kelly, seconded by Member Dave Nickles, to the May 18, 2022 Planning Commission meeting minutes. The motion carried by unanimous vote.

V. Cases

A. **2022-005 RZ22-0002**

Request for a Zoning Map Amendment (Rezoning) from RE-1 (Residential Estate, 1 acre minimum) to RT-3 (Residential Townhouse, 3 stories maximum height).

Chair Reed Haggard opened the public hearing.

Support

1. Gary Hammond (applicant) - 7000 Peachtree Dunwoody Road, Sandy Springs, Georgia
2. Ray Moss - 425 Otter Creek Court, Sandy Springs, Georgia
3. Mary Vores - 1120 Charles Town Square, Sandy Springs, Georgia

There being no more public comment, Chair Haggard closed the public hearing.

Motion and vote. A motion was made by Member Andrea Settles, seconded by Member Dave Nickles, to approve RZ22-0002, a request for a Zoning Map Amendment (Rezoning) from RE-1 (Residential Estate, 1 acre minimum) to RT-3 (Residential Townhouse, 3 stories maximum height). The motion carried by unanimous vote.

B. **2022-006 TA22-0001**

An Ordinance to amend the following Development Code Divisions:

- Div. 1.2 Districts
- Div. 4.1. District Intent Statements
- Div. 4.4. Commercial Mixed Use (CX-)

There being no public comment, **Chair Reed Haggard** closed the public hearing.

Motion and vote. A motion was made by Member Andrea Settles, seconded by Member Elizabeth Kelly, to approve TA22-0001, an ordinance to amend the following Development Code Divisions: Div. 1.2 Districts; Div. 4.1. District Intent Statements; and Div. 4.4. Commercial Mixed Use (CX-). The motion carried by unanimous vote.

VI. Ongoing Business

There was no ongoing business.

VII. New Business

A. **2022-007 Next Ten 5-year Update Draft Presentation**

Motion and vote. A motion was made by Member Elizabeth Kelly, seconded by Member Andrea Settles, to recommend to the Mayor and City Council to transmit the draft Next Ten 5-year Update Plan to the Atlanta Regional Commission and the Georgia Department of Community Affairs. The motion carried by unanimous vote.

VIII. Adjournment

Motion and vote. A motion was made by Member Andrea Settles, seconded by Member Dave Nickles, to adjourn the meeting. The motion carried by unanimous vote.

The meeting adjourned at 7:06 p.m.

Approved: July 20, 2022

Reed Haggard, Chair

Raquel D. González, City Clerk



SANDY SPRINGS

CITY CLERK'S OFFICE

TO: Honorable Planning Commission Members

FROM: Matthew Anspach, Senior Planner

DATE: July 17, 2022 Submission for the July 20, 2022 Meeting

ITEM: **RZ22-0003**

Request for a Zoning Map Amendment (Rezoning) from RD-18 (Residential Detached, 18,000 square feet minimum) to RT-3 (Residential Townhouse, 3 stories maximum height).

Recommendation:

Staff recommends approval of RZ22-0003.

Background:

The current zoning, Residential Detached, is within the Protected Neighborhood Character family, yet the current Character area for the subject lots is Urban Neighborhood. This inconsistency leads staff to believe that the anticipated trend during the citywide rezoning of 2017 was that this site would eventually be suited for a more urban residential zoning when considered for redevelopment.

Discussion:

The subject site is almost exclusively surrounded by Urban Neighborhood properties, save for a conservation zoned property owned by the City of Atlanta to the south and east, and a couple of properties across the street which are also Residential Detached, but with a smaller minimum lot designation (12,000 sq. ft.). The nearest RD-18 or greater lot in any direction is roughly a third of a mile or more in a straight line to the northeast or northwest.

Alternatives:

Planning Commission may vote to defer their recommendation, recommend conditions, or to recommend denial.

Attachments:

1. RZ22-0003 Package
2. PC Presentation



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P&Z STAFF REPORT

Planning Commission Meeting, July 20, 2022

Case: **RZ22-0003 – 1015 & 1025 Pitts Road**
Staff Contact: Matthew Anspach (MAnspach@SandySpringsga.gov)
Report Date: July 8, 2022

REQUEST

Request for a Zoning Map Amendment (Rezoning) from RD-18 (Residential Detached, 18,000 square foot minimum) to RT-3 (Residential Townhouse, 3 stories maximum height).

APPLICANT

Property Owner(s):	Petitioner(s):	Representative(s):
Mohsen Zeinedini & Zohreh Mostafavi Rouzati	DMD Engineering and Testing	Vincent Michael Guobaitis

SUMMARY

The Applicant requests a Zoning Map Amendment of **1015 & 1025 Pitts Road (Parcel(s) # 17 002400010104 & 17 002400010112)** from the RD-18 (Residential Detached, 18,000 square foot minimum) zoning district to RT-3 (Residential Townhouse, 3 stories maximum height) zoning district.

RECOMMENDATION

Department of Community Development

Staff recommends **Approval** of **Zoning Map Amendment (rezoning)** RZ22-0003.

MATERIALS SUBMITTED AND REVIEWED	
Materials:	
1. 2022-05-10 Application Revision, received May 10, 2022	
Plans:	
1. “PLAT PREPARED FOR 1015 & 1025 PITTS RD,” prepared by Survey Systems Atlanta, stamped by Charles W. Loveless, Professional Land Surveyor, dated September 28, 2021, received May 3, 2022	
2. “1015 & 1025 PITTS RD, PRELIMINARY SITE PLAN,” prepared by DMD Engineering and Testing, dated March 19, 2022, received May 3, 2022	

PROPERTY INFORMATION	
Location:	1015 & 1025 Pitts Road (Parcel(s) # 17 002400010104 & 17 002400010112)
Council District:	4 – Jody Reichel
Road frontage:	200 feet of frontage on Pitts Road
Acreage:	Approximately 1.15 acres
Current Zoning: Existing Land Uses:	RD-18 (Urban Neighborhood) Single Unit Detached Residential
Previous Zoning Cases:	1957Z-0014 was approved.
Character Area:	Urban Neighborhood

PROCESS			
Initial Community Meeting (CMI): April 25, 2022	Second Community Meeting (CMII): June 6, 2022	Planning Commission Hearing: July 20, 2022	Mayor and City Council Hearing: August 16, 2022

EXISTING CHARACTER AREAS, ZONING, AND LAND USES OF PROPERTY IN THE VICINITY			
Location relative to subject property	Character Area / Zoning / Land use	Address(es)	Land area (acres) (approximate)
North	Urban Neighborhood / RM-3/8 / Multi-unit dwellings	Dunwoody Pointe	21.53
North, Northeast	Urban Neighborhood / RT-3 / Single unit detached residences	Madeline Manor	1.73
Northeast	Protected Neighborhood / RD-7.5 / Single unit detached residence	1024 Pitts Road	.23
Northeast	Protected Neighborhood / RD-7.5 / Single unit detached residence	1030 Pitts Road	.21
South, Southeast	Urban Neighborhood / RT-3 / Single unit attached residences	Gates at Telfair	2.96
PROPOSED DEVELOPMENT			
--	Urban Neighborhood / TBD / Single Unit Attached (Cottage Court)	1015 & 1025 Pitts Road	1.14

EXISTING DEVELOPMENT

Currently, the site is developed on two (2) individual RD-18 lots, with two (2) single unit detached homes. The ranch style homes were originally built in the 1950's and are currently vacant. The properties slope gently to the north and west, and with more intensity to the rear or south.



Front of the site viewing both 1025 & 1015 Pitts Road, facing south (top)
Front of the site viewing rezoning sign, subject property, facing south (bottom)





Front of the site with view of house at 1025 Pitts Road, facing southeast (*top*)
Rear of the site with view of existing conditions, facing northeast (*bottom*)





**Rear yards of the two lots that form the subject site, facing north (*top*)
Retaining wall between site and The Gates at Telfair, facing southeast (*bottom*)**





Small shed at the very rear of the site, facing south (*top*)
Retaining wall between site and The Gates at Telfair, facing southeast (*bottom*)



The concept plan provided by the applicant is derived from Div. 6.3. of our Development Code, which allows multiple individual dwelling units to share frontage on a court yard area, maintained as common space, rather than requiring that each unit have street frontage.

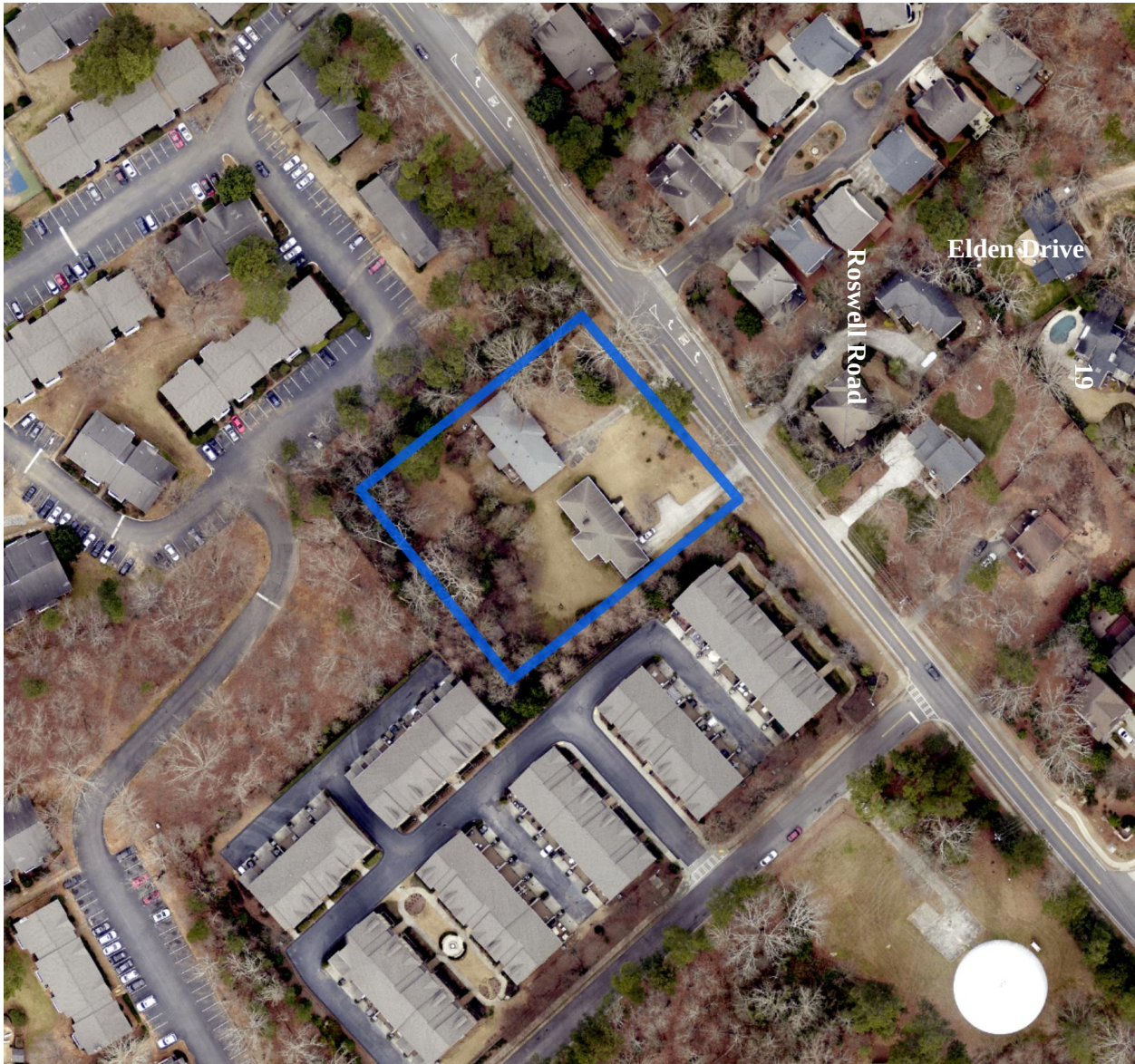
Div. 6.3. - Development Patterns: Cottage Court



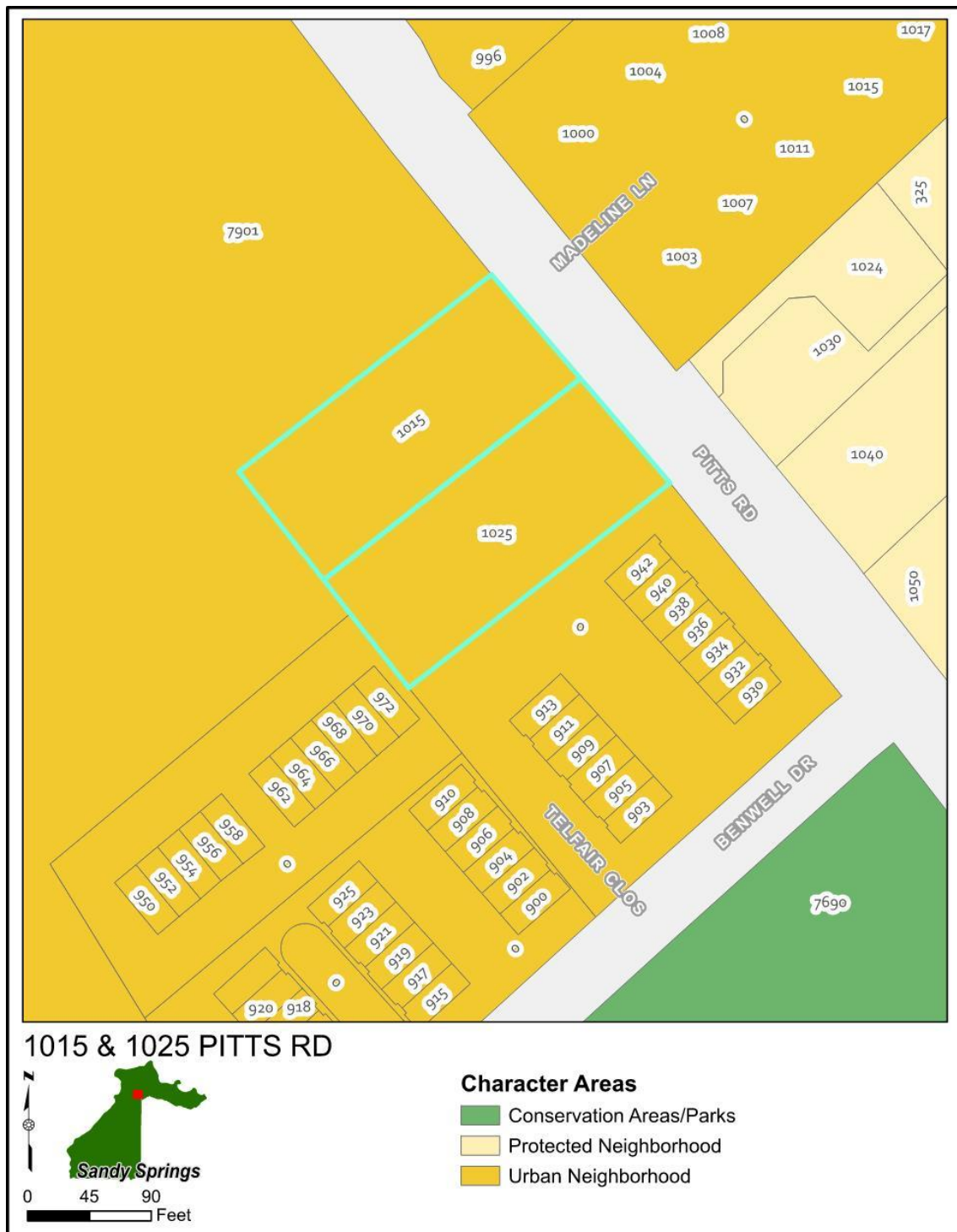
Where allowed as a Development Pattern, a cottage court with single unit detached or attached housing may be developed according to the following requirements. In RU- districts, only detached units are allowed.



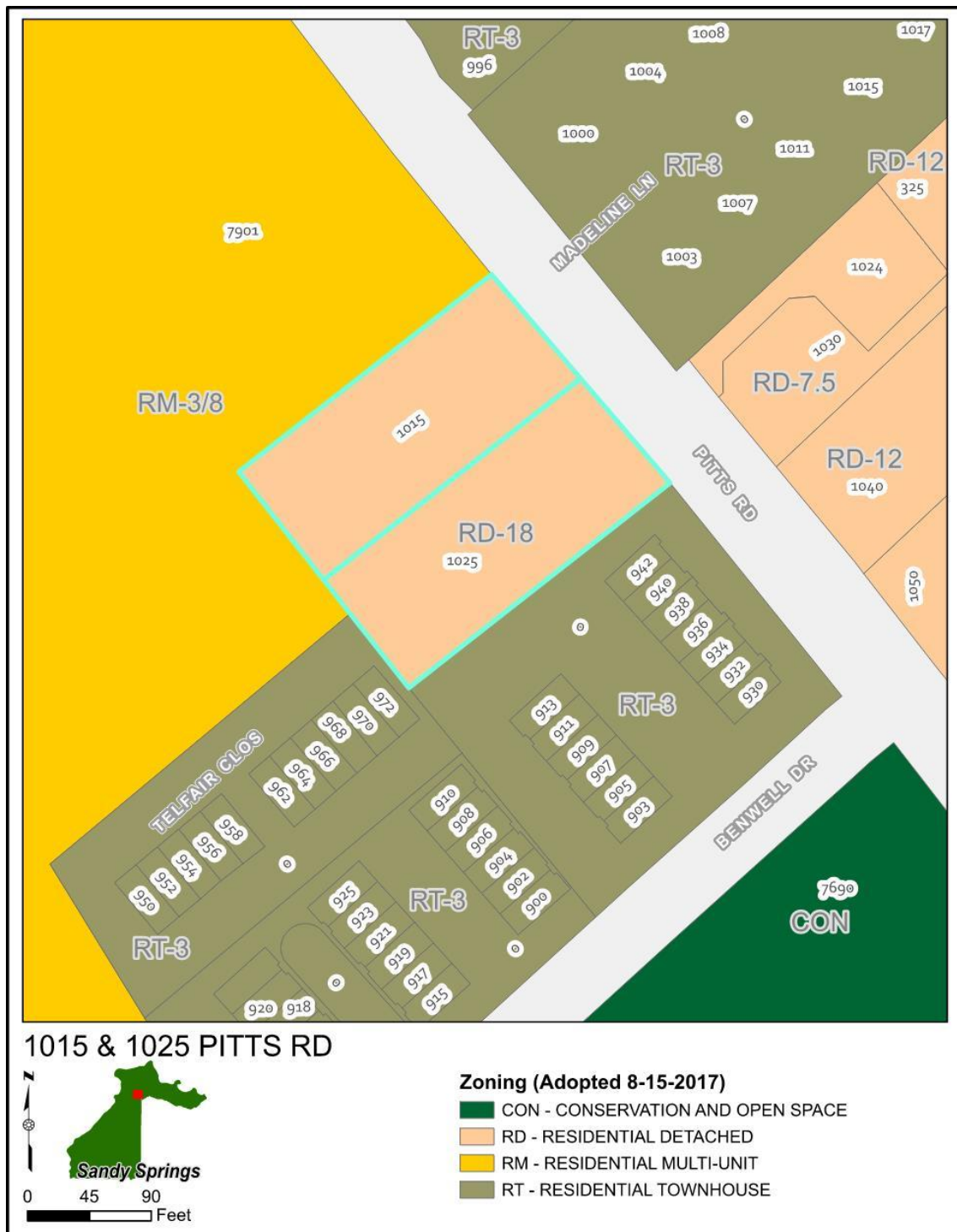
AERIAL IMAGE



CHARACTER AREA MAP



ZONING MAP



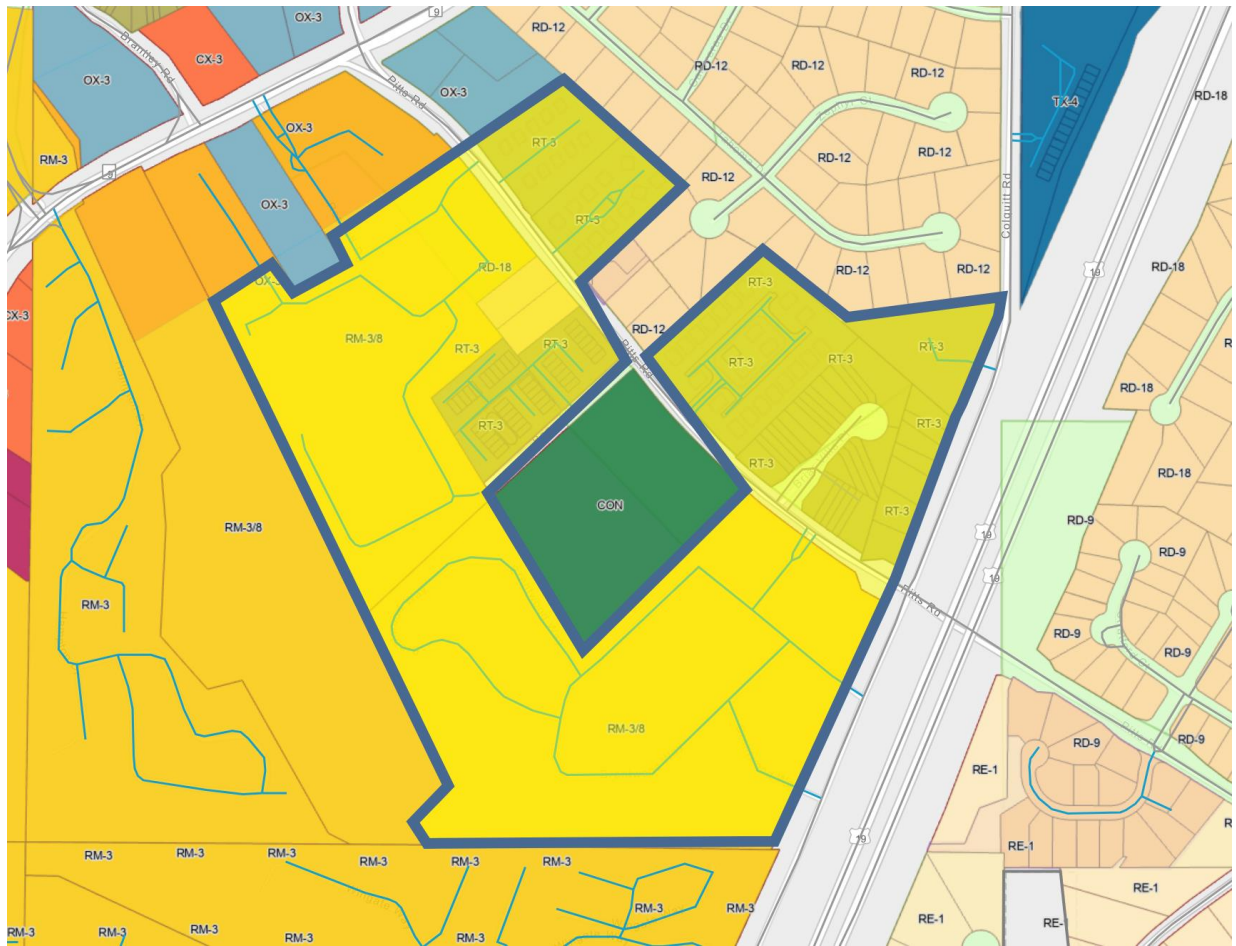
ZONING MAP AMENDMENT (REZONING) CONSIDERATIONS

Per Sec. 11.3.6.C. of the Development Code, the following list of approval criteria for a Zoning Map Amendment (Rezoning) provides guidance for making decisions on approval:

1. *The Zoning Map Amendment corrects an error or meets the challenge of some changing condition, trend or fact.*

Finding: The proposed Zoning Map Amendment does not correct an error. However, it does meet the challenge of changing conditions, trends, and facts. The current zoning, Residential Detached, is within the Protected Neighborhood Character family, yet the current Character area for the subject lots is Urban Neighborhood. Based on this fact, it is Staff's belief that the anticipated trend during the citywide rezoning of 2017 was that this site would eventually be suited for a more urban residential zoning when being considered for redevelopment.

The subject site is almost exclusively surrounded by Urban Neighborhood properties (in yellow below), save for a conservation zoned property owned by the City of Atlanta to the south and east, and a couple of properties across the street which are also Residential Detached, but with a smaller minimum lot designation (12,000 sq. ft.). The nearest RD-18 or greater lot in any direction is roughly a third of a mile or more in a straight line to the northeast or northwest.



2. The Zoning Map Amendment substantially conforms with the Comprehensive Plan.

Finding: The proposed Zoning Map Amendment substantially conforms with The Next Ten Comprehensive Plan. The Next Ten prioritizes redevelopment of underutilized or aging properties. Another goal of The Next Ten is to increase housing supply and provide a range of housing choices. The Cottage Court Development Pattern, derived directly from our Development Code in Division 6.3., is specifically designed to do just that while also encouraging owner-occupied housing with the development of single unit dwellings.

In Staff's view, the Amendment would constitute substantial conformance with the remainder of the Next Ten as it would also serve as an appropriate land use transition.

3. The Zoning Map Amendment substantially conforms with the stated purpose and intent of this Development Code.

Finding: The proposed Zoning Map Amendment conforms with the stated purpose and intent of the Development Code. The purpose of the Development Code is to guide the City's future growth in alignment with the vision set forth by The Next Ten, which the proposed Zoning Map Amendment would do. The Development Code was created to help foster more predictable development results and a higher-quality public realm.

The Development Code is also intended to encourage reinvestment, promote redevelopment, provide standards for compatible transitions, achieve design excellence, and promote housing options. The proposed Zoning Map Amendment would encourage reinvestment and redevelopment of underutilized sites. Thus, the proposed Zoning Map Amendment substantially conforms with the stated purpose and intent of the Development Code.

4. The Zoning Map Amendment will reinforce the existing or planned character of the area.

Finding: The subject property is in the Urban Neighborhood Area, which is intended "to allow enhancement of transitional urban neighborhoods...A variety of housing types, including urban single-family ownership options such as attached units and small lot detached units, are allowed as additional options to multi-unit living."

The planned character of Urban Neighborhood is one that "focus(es) on providing high-quality housing that enables homeownership opportunities, including a variety of residential uses (single and multi-unit)." The proposed Zoning Map Amendment will reinforce the existing redeveloping character and the proposed transitional intown character of the area. Thus, the proposed Zoning Map Amendment will reinforce the existing and planned character of the area.

Staff believes that the proposed map amendment will reinforce the existing and planned character of the area.

5. The subject property is appropriate for the development allowed in the proposed district and the use and development of adjacent properties.

Finding: The difference between the character of the property now and the character of the proposed request would likely not adversely affect properties in the vicinity. The Residential Townhouse (RT-) zoning district is one of the least intense zoning districts within the Urban Neighborhood Character Area

with respect to density and the neighboring property surrounding the site on the south side of Pitts Road is RT-3 or even more dense (RM3/8).

It is Staff's view that the proposed amendment would serve as a sensible and compatible land use transition based on the variety of adjacent properties' character areas and their varying development concentrations.

6. *There are substantial reasons why the property must not be used according to the existing zoning.*

Finding: There are substantial reasons why the subject property must not be used according to the existing zoning. The current zoning is not appropriate in terms of highest and best use, as it does not match its "parent" or Character Area, Urban Neighborhood.

The current zoning allows for a single primary house on site at a little over a third of an acre in size. This type of housing density for a property which is neighboring multiple properties with Urban Neighborhood designations is not reasonable considering that the lowest density allowed in Urban Neighborhood would allow for at least eight homes on a lot the same size as the subject site.

It is Staff's belief that the proposed Zoning Map Amendment to RT-3 would allow for the potential redevelopment of the subject property to become entirely in line with the intent of the Character Area.

7. *There is a need for the proposed use at the proposed location.*

Finding: While the use will not change (currently residential and proposed residential) there is a need for the use at the *proposed capacity*. The location off Pitts Road is also very near Roswell Road and serves as an appropriate transition to the less intense residential lots to the east of SR-400.

One unit per lot does not help meet the needs of the City's housing stock. The applicant requests a Zoning Map Amendment (Rezoning) from the RD-18 to the RT-3 zoning classification, which would likely increase housing supply and choices, a stated goal of The Next Ten. It is Staff's view that though the use is existing, but that the increased capacity of the same use at the location is needed.

8. *The City and other service providers will be able to provide sufficient public facilities and services including schools, roads, recreation facilities, wastewater treatment, water supply and stormwater facilities, police, fire and emergency medical services, while maintaining sufficient levels of service to existing development.*

Finding: Staff does not anticipate changes in the ability of the City and other service providers to provide sufficient public facilities and services, or any lapses in maintaining sufficient levels of service to existing development. The petitioner's proposed development, however, would increase density and traffic volumes and could generate some new students, with negligible impacts to the area.

9. *The Zoning Map Amendment will not significantly impact the natural environment, including air, water, noise, stormwater management, wildlife and vegetation.*

Finding: Staff does anticipate that the proposed Zoning Map Amendment would temporarily impact the natural environment, as would any development of the site more than a scrape and rebuild. It does appear that there would be an impact to the tree canopy, particularly to the rear or southside of the property, though not necessarily a negative one. The site is largely undeveloped in comparison with the potential for development in the RT-3 district, but only a fraction of the site is currently under a canopy. The applicant would need to meet the requirements of the City Tree Ordinance at the time of permitting, should they become deficient in their tree canopy calculations.

The concept provided by the applicant to date shows as many as 16 dwelling units. Even so, engineering related to safety, stormwater, and other regulated site considerations would need to meet stringent development standards, effectively mitigating any significant site changes. Though disturbance to the land would naturally increase, it is Staff's view that any negative environmental impacts and negative site considerations will be improved or mitigated due to the regulations contained in the Sandy Springs Development Code.

10. *The Zoning Map Amendment will not have a significant adverse impact on property in the vicinity of the subject property.*

Finding: Staff does not anticipate that the proposed Zoning Map Amendment would have an adverse impact on property in the vicinity of the subject properties. As indicated in the Existing Land Uses and Zoning of Property in the Vicinity table and the Zoning Map above, most of the parcels in the vicinity of the subject site are zoned similarly or more intense. The increased density and potential traffic would have a negligible impact. Thus, the proposed Zoning Map Amendment would not likely have an adverse impact on property in the vicinity of the subject property.

Pitts Road is a collector order road and any increase in traffic would theoretically be absorbed by the road's existing layout and infrastructure, in addition to any required streetscape improvements. All comments provided by Staff below are permitting level comments and do not indicate any larger picture issues with the proposed zoning or concept site plan. Staff does advise that the rezoning, should it be approved, be conditioned to the site plan.

COMMENTS FROM OTHER PARTIES

Sandy Springs Public Works:

No comment provided.

Sandy Springs Transportation Engineer:

1. Show how Section 3.B.4 of the Technical Manual will be met.
2. Show how Section 3.B.8 of the Technical Manual will be met.
3. Provide Trip Generation Calculations including daily trips and peak hourly trips generated by this development.
4. Show how Section 3.B.11 of the Technical Manual will be met.
5. Show how Section 3.B.12 of the Technical Manual will be met.
6. Provide the following required Street Framework Section on Pitts Road, exclusive of any required auxiliary lanes: a. 11' Travel Lane (min.) b. 24" curb and Gutter c. 6' Landscape Strip with Street Trees d. 8' Bike Path (Reserve Strip) e. 6' Sidewalk f. 1' Maintenance Strip. The above area shall be included within existing right-of-way or additional right-of-way dedication shall be required prior to issuance of a Land Disturbance Permit.
7. A Focused Traffic Impact Study may be required based on the above required information.

Sandy Springs City Engineer:

No comment provided.

Sandy Springs Chief Environmental Compliance Officer:

No comment provided.

Sandy Springs Arborist:

The proposal does not address, nor does it account for the canopy coverage requirements.

Sandy Springs Sustainability Manager:

No comment provided.

Sandy Springs Building Official:

No comment provided.

Sandy Springs Fire Marshal:

Auto Turn needs to be run on proposed driveway layout to ensure apparatus can navigate roadway. No issues with plan if it passes.

Sandy Springs Economic Development:

No comment provided.

Sandy Springs Recreation & Parks:

No comment provided.

Fulton County Schools:

No comment provided.

Fulton County Public Services and Utilities:

No comment provided.

PUBLIC PARTICIPATION

Community Meeting I

For the Community Meeting I there were approximately 22 in-person and virtual attendees, including the Applicant team, the President of SSCN, on April 25, 2022, held both in person and virtually. Topics discussed included landscaping and screening, stormwater and grading, types of homes and price points, and the completion target.

Community Meeting II

For the Community Meeting II there were approximately six (6) in-person and virtual attendees, including the Applicant team, the President of SSCN, on June 6, 2022, held both in person and virtually. Topics discussed included construction materials, price points, parking, unit size. and screening.

Correspondence Received

At the time of this draft, there have been no public comments.

DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION

Following review, and based on the findings, Staff recommends **Approval of Zoning Map Amendment RZ22-0003**, request for a Zoning Map Amendment of **1015 & 1025 Pitts Road (Parcel(s) # 17 002400010104 & 17 002400010112)** from the RD-18 (Residential Detached, 18,000 square foot minimum) zoning district to RT-3 (Residential Townhouse, 3 stories maximum height) zoning district.

Received
May 3, 2022, 11:37 AM



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Case No.: RZ22-0003
Planner's initials:

PROJECT INFORMATION SHEET

PROPERTY	Address(es): 1015 & 1025 PITTS RD	
	Parcel Tax ID(s): 17 002400010104, 17 002400010112	
	Total acreage: 1.15	Council District: 4
	Current zoning: RD-18	Current use: RESIDENTIAL
	Character Area: URBAN NEIGHBORHOOD	

APPLICATION	Purpose of the Application:	
	Check all that apply:	
	☒ Zoning Map Amendment (Rezoning)	☐ Conditional Use Permit
	Detailed request:	
	REZONE 2 LOTS TO RT-3 FOR 3-STORY ATTACHED TOWNHOMES USING THE COTTAGE COURT LAYOUT	
	Petitioner: DMD ENGINEERING AND TESTING	
	Petitioner's address: 255 NORCROSS ST, ROSWELL, GA 30075	
	Phone: 770-998-5521	Email: [REDACTED]@GMAIL.COM

OWNER	Property owner: Mohsen Zeinedini & Zohreh Mostafavi Rouzati	
	Owner's address: 1015 & 1025 Pitts Road	
	Sandy Springs, GA 30350	
	Phone: [REDACTED]	Email: [REDACTED]
	Signature (authorizing initiation of the process):	
If the property is under contract, provide a copy of the contract		

- TO BE FILLED OUT BY P&Z STAFF -

Pre-Application Meeting date: March 29, 2022	Anticipated Application date: May 3, 2022
CMI date, time, and location: April 25, 2022, 6:00 PM, Fulton County Government Center, 7741 Roswell Road NE, Suite 212	
ADDITIONAL INFORMATION NEEDED:	
SUBMITTAL ITEMS WAIVED BY DIRECTOR:	



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Case No.: RZ22-0003
Planner's initials: *[Signature]*

APPLICATION FORM

APPLICATION	Purpose of the Application: REZONE 1015 AND 1025 FROM RESIDENTIAL DETACHED -18,000 SF MINIMUM (RD-18) TO RESIDENTIAL TOWNHOUSE - 3 STORY MAXIMUM (RT-3)
	Check all that apply: ☒ Zoning Map Amendment (Rezoning) ☐ Conditional Use Permit
	Detailed request:
	REZONE 1015 AND 1025 FROM RESIDENTIAL DETACHED - 18,000 SF MINIMUM (RD-18) TO RESIDENTIAL TOWNHOUSE- 3 STORY MAXIMUM (RT-3); DEMOLISH 2 EXISTING HOMES, COMBINE LOTS, AND CONSTRUCT 3-STORY ATTACHED TOWNHOUSES USING THE COTTAGE COURT LAYOUT.

COMMUNITY MEETING I REPORT	Date and location of CMI: APRIL 25, 2022 FULTON COUNTY GOVERNMENT CENTER- 7741 ROSWELL RD
	Beginning time: 6:00 PM End time: 7:00 PM
	Summary of concerns discussed:
	TOWNHOME END UNIT OWNERS EXPRESSED CONCERN ABOUT VIEW FROM UNITS ONCE TREES REMOVED
	STORMWATER OUTFALL FROM THE TOWNHOME UNITS THAT EXIST ADJACENT TO PROJECT
	TEMPORARY IMPACTS TO PITTS RD DURING CONSTRUCTION
	POTENTIAL PERMANENT IMPACTS TO PITTS RD (I.E LANE MODIFICATIONS)
	POTENTIAL IMPEDEMENTS TO PITTS RD FROM OWNERS ACCESSING NEW TOWNHOMES.
	Does the Application address the concerns discussed at the CMI? ☒ Yes ☐ No
	Explain: PROJECT WILL PROPOSE TO LINE PROPERTY ADJACENT TO TOWNHOMES WITH EVERGREEN TREES FOR PROPER SCREENING.
PROJECT WILL COLLECT TOWNHOME STORMWATER WITHOUT BACKING UP FLOW.	
PROJECT WILL MINIMIZE IMPACTS TO PITTS RD DURING CONSTRUCTION.	

- TO BE FILLED OUT BY P&Z STAFF -

Application date: 5/3/2022	Tentative Planning Commission date: 7/19/2022
CMII date and time: 6/6/2022, 6:00 PM	Tentative Mayor and City Council date: 8/16/2022
OFFICIAL REQUEST (FOR PUBLICATION):	



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AUTHORIZATION FORM – PART I

A- The property owner must fill out the following section and have it notarized. If a property has multiple owners, each owner must separately fill out a copy of the Authorization Form.

Owner states under oath that he/she is the owner of the property described in the attached legal description, which is made part of this Application.	
Owner's name: MOHSEN ZEINEDINI	Sworn and subscribed before me this <u>27</u> th day of <u>April</u> 20 <u>22</u> Notary public: <u>Miriam Donovan</u> Seal: MIRIAM DONOVAN NOTARY PUBLIC Cobb County State of Georgia My Comm. Expires Feb. 14, 2026 Commission expires: <u>Feb 14th 2026</u>
Address: <u>2166 River Heights Ct.</u>	
City, State, Zip Code: <u>Marietta GA 30067</u>	
Email address: [REDACTED]	
Phone number: [REDACTED]	
Owner's signature: <u>M. Zeinedini</u>	

B- If the Applicant is *not* the current owner of the subject property:

Fill out the following section, check the appropriate statement, and have it notarized.

Applicant states under oath that:	
☐ He/she is the executor or Attorney-in-Fact under a Power-of-Attorney for the owner (<i>attach a copy of the contract</i>); or ☐ He/she has an option to purchase the subject property (<i>attach a copy of the contract</i>); or ☐ He/she has an estate of years which permits the Applicant to apply (<i>attach a copy of the lease</i>)	
Applicant's name:	Sworn and subscribed before me this _____ th day of _____ 20____ Notary public: Seal: Commission expires:
Company name:	
Address:	
City, State, Zip Code:	
Email address:	
Phone number:	
Applicant's signature:	



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DISCLOSURE OF CONTRIBUTION FORM

Within the two (2) years immediately preceding the filing of this Application, have you made any campaign contributions aggregating \$250.00 or more or made gifts having an aggregate value of \$250.00 to the Mayor or any member of the City Council? ☐ Yes ☒ No

List all individuals or business entities which have an ownership interest in the property which is the subject of this Application:

Mohsen Zeinedini
Zohreh Mostafavi Rouzati

Campaign Contributions:

Name of Government Official	Total Dollar Amount	Date of Contribution	Enumeration and Description of Gift Valued at \$250.00 or more
None			

The undersigned acknowledges that this disclosure is made in accordance with the Official Code of Georgia, Section 36-67A-1 et. seq. Conflict of interest in zoning actions, and that the information set forth herein is true to the undersigned's best knowledge, information and belief.

Name: MOHSEN ZEINEDINI

Signature: *M. Zeinedini*

Date: 4-27-22

Note: Each party involved in the Application must sign an individual copy of this form.

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)

County of Orange)

On April 27, 2022 before me, Sean S. Hashemi - Notary Public

Date

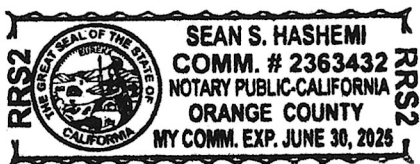
Here Insert Name and Title of the Officer

personally appeared Zohreh Mostafavi Rouzati
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s); or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature

Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Sandy Springs - Georgia Authorization Form

Document Date: 04.27.2022 Number of Pages: one

Signer(s) Other Than Named Above: No Other Signer

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

☐ Corporate Officer — Title(s): _____

☐ Partner — ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____

Signer's Name: _____

☐ Corporate Officer — Title(s): _____

☐ Partner — ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____



SANDY SPRINGS™

GEORGIA

DISCLOSURE OF CONTRIBUTION FORM

Within the two (2) years immediately preceding the filing of this Application, have you made any campaign contributions aggregating \$250.00 or more or made gifts having an aggregate value of \$250.00 to the Mayor or any member of the City Council? ☐ Yes ☒ No

List all individuals or business entities which have an ownership interest in the property which is the subject of this Application:

Zohreh Mostafavi Rouzati
Mohsen Zeinedini

Campaign Contributions:

Name of Government Official	Total Dollar Amount	Date of Contribution	Enumeration and Description of Gift Valued at \$250.00 or more

The undersigned acknowledges that this disclosure is made in accordance with the Official Code of Georgia, Section 36-67A-1 et. seq. Conflict of interest in zoning actions, and that the information set forth herein is true to the undersigned's best knowledge, information and belief.

Name: ZOHREH MOSTAFAVI ROUZATI	
Signature:	Date: 04/27/2022

Note: Each party involved in the Application must sign an individual copy of this form.

March 22, 2022

Sandy Springs Planning and Zoning
1 Galambos Way
Sandy Springs, Georgia 30328

RE: 1015 and 1025 Pitts Rd

To Whom It May Concern:

We, Mohsen Zeinedini & Zohreh Mostafavi Rouzati, as the owners of 1015 Pitts Rd and 1025 Pitts Rd, give DMD Engineering and Testing permission to petition these properties for rezoning from RD-18 to RT-3.

Sincerely,

The image shows two handwritten signatures in blue ink. The first signature, on the left, is 'M. Zeinedini' written in a cursive style. The second signature, on the right, is 'Z. Mostafavi Rouzati' also in a cursive style.

Mohsen Zeinedini
Zohreh Mostafavi Rouzati

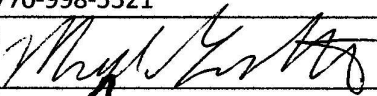


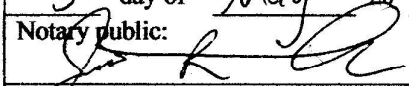
SANDY SPRINGS™

GEORGIA

AUTHORIZATION FORM – PART II

C- If an agent or attorney will represent the owner and/or the Applicant:
Fill out the following section and have it notarized.

Agent's name: Vincent Michael Guobaitis
Company: DMD Engineering and Testing
Address: 255 Norcross St, Suite A
City, State, Zip Code: Roswell, GA 30075
Email address: michael.guobaitis@gmail.com
Phone number: 770-998-5521
Agent's signature: 
Applicant's signature: 

Sworn and subscribed before me this
3 rd day of May 20 22
Notary public: 
Seal:
JUSTIN R THOMAS Notary Public - State of Georgia DeKalb County My Commission Expires Nov 25, 2023
Commission expires: Nov 25, 2023

May 2, 2022
Letter of Intent

Sandy Springs Planning and Zoning
1 Galambos Way
Sandy Springs, Georgia 30328

RE: 1015 and 1025 Pitts Rd

To Whom It May Concern:

DMD Engineering and Testing, on behalf of Mohsen Zeinedini & Zohreh Mostafavi Rouzati, is petitioning to rezone the property at 1015 & 1025 Pitts Rd from RD-18, residential to RT-3, 3-story townhome. The maximum number of proposed units is 16. The minimum lot area for each unit is 1,200 square feet. The maximum building footprint is 1,200 square feet. The layout for the development will be based on the cottage court pattern as specified in the Sandy Springs Development Code.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Guobaitis", with a stylized flourish at the end.

Michael Guobaitis, PE
DMD Engineering and Testing Inc.
770-998-5521
DMD@dmdengineeringandtesting.com

1015 & 1025 PITTS RD ZONING ANALYSIS

1. The Zoning Map Amendment corrects an error or meets the challenge of some changing condition, trend or fact.

The two residential homes are surrounded by higher density development with apartments to the north and west and townhomes to the south and east. Since the character area map designates this area as Urban Neighborhood, this project proposes to reflect the changing conditions with higher density residential.

2. The Zoning Map Amendment substantially conforms with the Comprehensive Plan.

The Comprehensive Plan designates this lot as Urban Neighborhood which has been envisioned to transform areas of existing residential to higher-residential uses, such as high-density townhomes.

3. The Zoning Map Amendment substantially conforms with the stated purpose and intent of this Development Code.

The intent with the current Urban Neighborhood is to transform areas of existing residential to higher-residential use. This project will meet that intent with higher-density townhomes.

4. The Zoning Map Amendment will reinforce the existing or planned character of the area.

The proposed zoning will match the rezoning of some of the surrounding properties with the RT-3 zoning.

5. The subject property is appropriate for the development allowed in the proposed district and the use and development of adjacent properties.

Most of the lots in this area have already been developed into high density residential. These 2 lots are a few of the remaining lots to be developed into high density residential. Therefore, it would be appropriate for these 2 lots to be developed into high density residential and would match the character area.

6. There are substantial reasons why the property must not be used according to the existing zoning.

It would seem that the two existing single-family homes would have less appeal being located within an area of higher density residential developments such as apartments to the north and townhomes to the south.

7. There is a need for the proposed use at the proposed location.

The proposed development would be more conforming to the surrounding high-density developments.

8. The City and other service providers will be able to provide sufficient public facilities and services including schools, roads, recreation facilities, wastewater treatment, water supply and stormwater facilities, police fire and emergency medical services, while maintaining sufficient levels of service to existing development.

All city and county service providers already exist and serve in the area of the proposed development. The development is not large enough where it would make a significant impact to the existing utilities and services available in the area.

9. The Zoning Map Amendment will not significantly impact the natural environment, including air, water, noise, stormwater management, wildlife and vegetation.

The proposed residential development is not expected to make an impact to air, water, and noise given the nature of that type of development. Given the smaller footprint of the development compared to the existing in the area, it is not expected that stormwater will make a significant impact especially when meeting the city code requirements for stormwater management. There is not much existing wildlife and vegetation in the area due to the higher density development.

10. The Zoning Map Amendment will not have a significant adverse impact on property in the vicinity of the subject property.

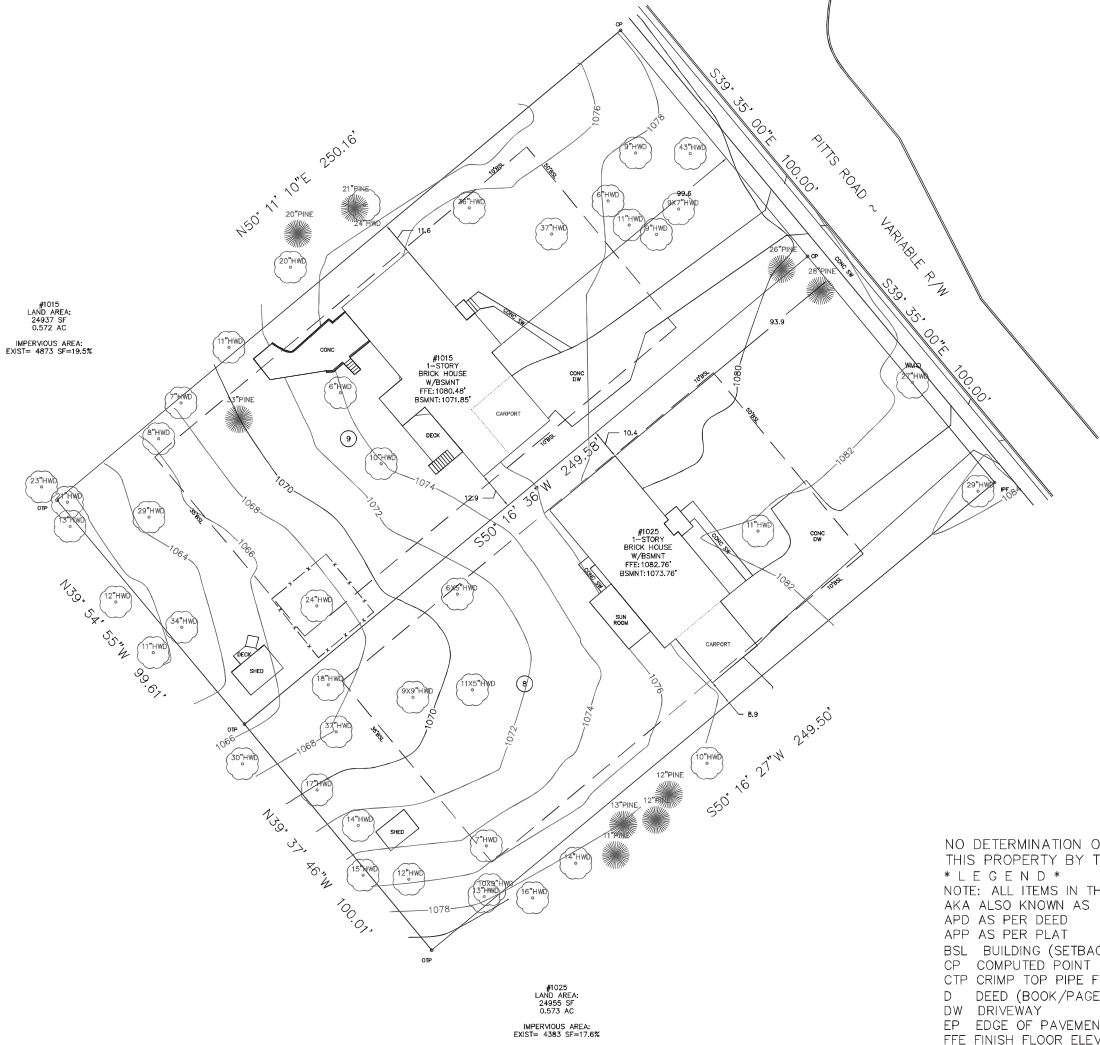
The proposed development is not expected to adversely impact the adjacent properties since it will be conformance to the character area.

ALL MATTERS OF TITLE ARE EXCEPTED. THIS PLAT IS SUBJECT TO ALL LEGAL EASEMENTS AND RIGHTS-OF-WAY PUBLIC OR PRIVATE.
NOTE: PROPERTY LINES SHOWN ON THIS MAP/PLAT REPRESENT PHYSICAL FIELD CONDITIONS BY EVIDENCE OF APPARENT POSSESSION (IRON PINS FOUND, OLD & ESTABLISHED FENCE LINES, OLD WALL LINES, SHRUB & HEDGE LINE, HOUSE LOCATIONS, ETC.) THEY MAY DIFFER AND BE IN CONTENTION FROM EVIDENCE FOUND AT THE APPLICABLE COUNTY COURTHOUSE. THEY MAY ALSO DIFFER FROM OTHER SURVEYOR OPINIONS AND/OR NEIGHBORS SURVEYS/PLATS. A FULL LAND TITLE REPORT OPINION ON ALL PROPERTIES, INCLUDING ADJACENT AND CONTIGUOUS PROPERTIES MAY BE NEEDED TO RESOLVE ALL POSSIBLE PROPERTY LINE DISPUTES OR DISCREPANCIES.

THIS MAP/PLAT WAS MADE WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT. EASEMENTS AND ENCUMBRANCES MAY EXIST WHICH BENEFIT AND BURDEN THIS PROPERTY. THIS MAP/PLAT IS SUBJECT TO REVISIONS AND UPDATE UPON RECEIPT OF SAID TITLE COMMITMENT.

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~ THIS MAP/PLAT HAS BEEN FIELD RUN WITH ASSUMED ELEVATIONS, THEN ADJUSTED TO NAVD 88 BASED ON MULTIPLE OBSERVATIONS FROM GOOGLE EARTH SATELLITE IMAGERY OR OTHER ONLINE SOURCES. THE ELEVATIONS SHOWN HEREON ARE +/- 1' (± ONE FOOT).

TREE SYMBOLS ARE NOT TO SCALE. TREE SYMBOLS REPRESENT POSITION OF TREE & ARE NOT THE CRITICAL ROOT ZONE (NOT DRIPLINE).
NOTE: ANY & ALL UNDERGROUND UTILITIES, I.E. SEWER, STORM, GAS, WATER, ETC., HAVE NOT BEEN FIELD LOCATED BY CONVENTIONAL SURVEY METHODS.



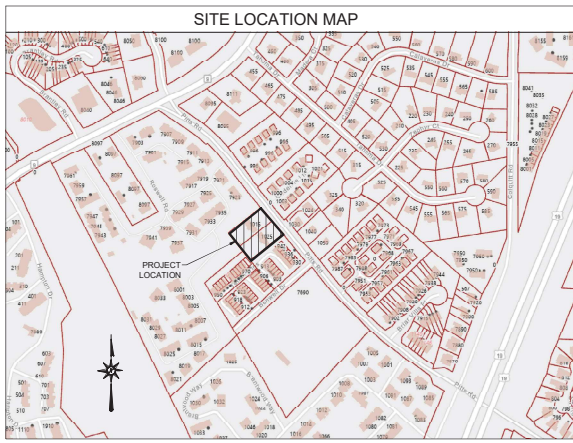
NO DETERMINATION OF FLOOD HAZARD HAS BEEN MADE FOR THIS PROPERTY BY THIS SURVEYOR.

* L E G E N D *

- NOTE: ALL ITEMS IN THIS LEGEND MAY NOT APPEAR ON THIS PLAT.
- AKA ALSO KNOWN AS N/F NOW OR FORMERLY
- APD AS PER DEED NAIL NAIL FOUND
- APP AS PER PLAT P PLAT (BOOK/PAGE)
- BSL BUILDING (SETBACK) LINE POB POINT OF BEGINNING
- CP COMPUTED POINT POC POINT OF COMMENCEMENT
- CTP CRIMP TOP PIPE FOUND R RADIUS LENGTH
- D DEED (BOOK/PAGE) R/W RIGHT-OF-WAY
- DW DRIVEWAY RBF REINFORCING BAR FOUND
- EP EDGE OF PAVEMENT (1/2" UNO)
- FFE FINISH FLOOR ELEVATION RBS 1/2" REINFORCING BAR SET
- FKA FORMERLY KNOWN AS SW SIDEWALK
- IPF IRON PIN FOUND SSE SANITARY SEWER EASEMENT
- L ARC LENGTH SSCO SANITARY SEWER CLEANOUT
- LL LAND LOT -X- FENCE LINE
- LLL LAND LOT LINE WALL
- N NEIGHBOR'S

PROPERTY ADDRESSES: 1015 & 1025 PITTS RD SANDY SPRINGS, GA 30350	PLAT PREPARED FOR: 1015 & 1025 PITTS RD	 
LOTS 8 & 9 CLARENCE L. HOWARD PROPERTY SUBDIVISION LAND LOT 24 17th DISTRICT BY1	FIELD DATE: 9-27-2021 SM DRAWN DATE: 9-28-2021 SS	
FULTON COUNTY, GEORGIA LOCATED IN SANDY SPRINGS		SURVEY SYSTEMS ATLANTA 2156 W Park Ct, Ste D, Stone Mtn GA 30087 504-837-0087, 916-860-9551 Call 678-591-6064 ~ Office 404-760-0010
REFERENCE: PLAT BOOK 60, PAGE 119 REFERENCE: DEED BOOK 1, PAGE 119		THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE OF 1 FOOT IN 30,000+ FEET, AN ANGULAR ERROR OF 05 SECONDS PER ANGLE POINT AND WAS ADJUSTED USING THE LEAST SQUARES METHOD. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO BE ACCURATE TO 1 FOOT IN 40,000+ FEET. AN ELECTRONIC TOTAL STATION WAS USED IN THE PREPARATION OF THIS PLAT. NO STATE PLANE MONUMENT FOUND WITHIN 500' OF THIS PROPERTY.
ZONING: RD-18		THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-4-67.





EXISTING PROJECT DESCRIPTION:

1015 PITTS RD, 17 002400010104
1025 PITTS RD, 17 002400010112

SITE AREA: 1.15 ACRES OR 49,892 SF
ZONING: RD-18

WATER AND SEWER PROVIDED BY FULTON COUNTY

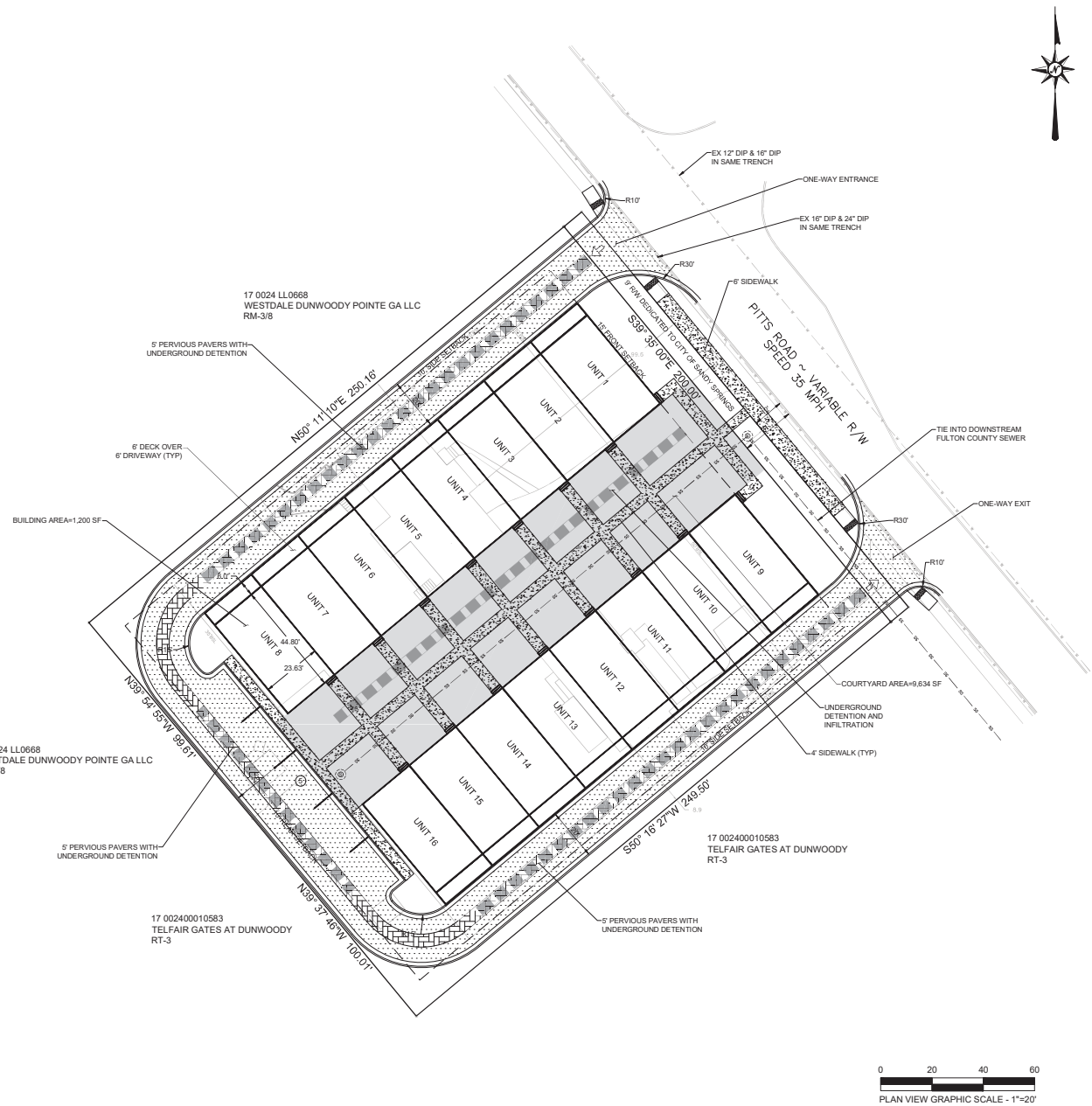
PROPOSED PROJECT DESCRIPTION:

16 ATTACHED UNITS - 3-STORY TOWNHOMES

SITE AREA: 1.15 ACRES OR 49,892 SF
ZONING: RT-3
LOT AREA: 1,200 SF PER UNIT

PARKING
2 PER UNIT (GARAGE)
5 GUEST TOTAL

DEVELOPMENT STATISTICS
TOTAL AREA: 1.15 ACRES OR 49,892 SF
BUILDING FOOTPRINTS: 1,200 SF EA/ 19,200 SF TOTAL
BUILDING LOT COVERAGE: 38.5%
COURTYARD AREA: 9,634 SF



255 Norcross St., Suite A
Roswell, GA 30075
Tel: (770) 552-4138
Fax: (770) 998-3952
www.DNEEngineeringandTesting.com

PRELIMINARY
SITE PLAN

1015 & 1025 PITTS RD
TOWNHOMES

NO.	REVISIONS	DATE

PROJECT NO. 22014
DESIGNED BY: MG
CHECKED BY: MG
DATE: 03-19-2022

SHEET

P1.0

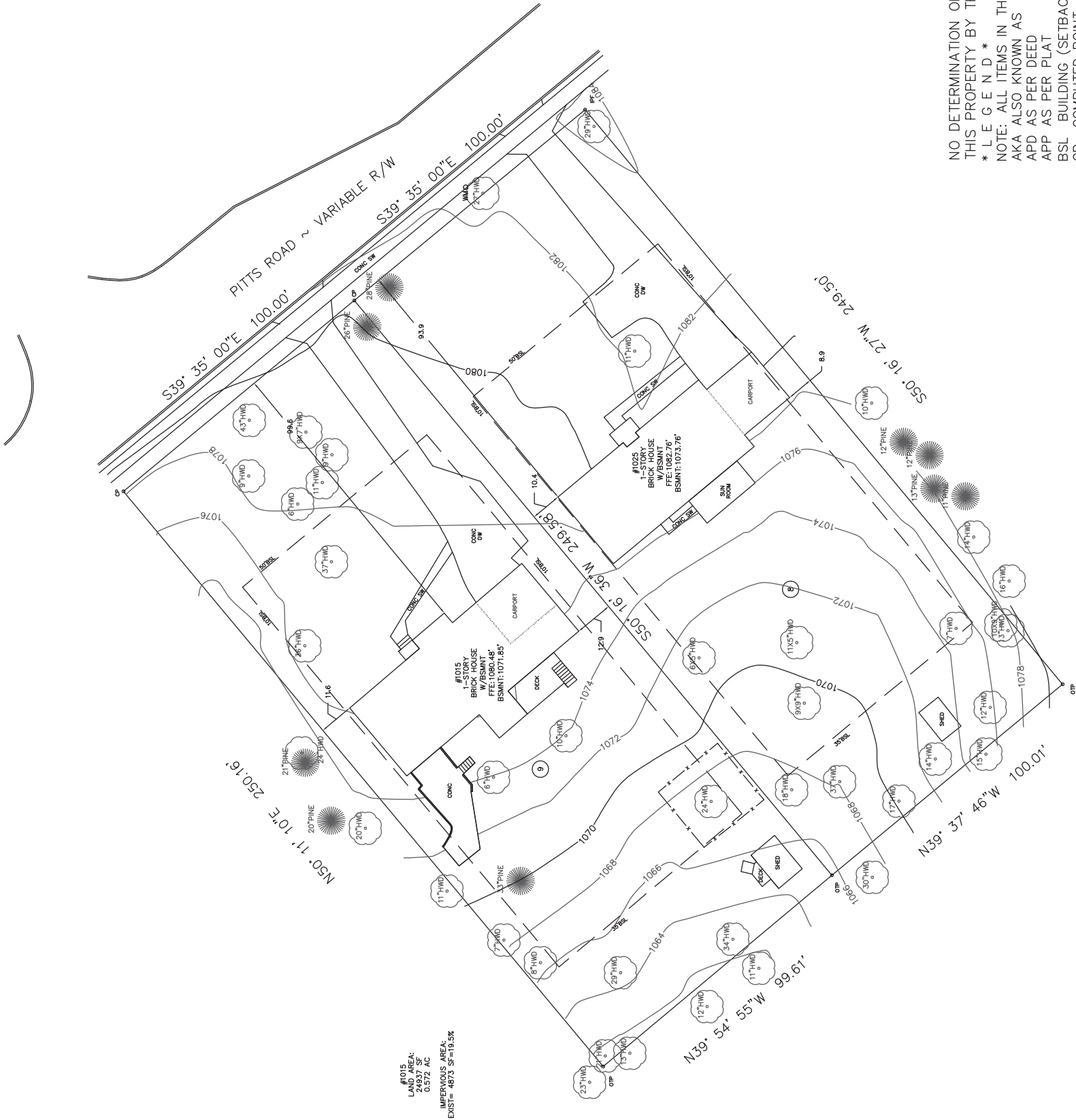
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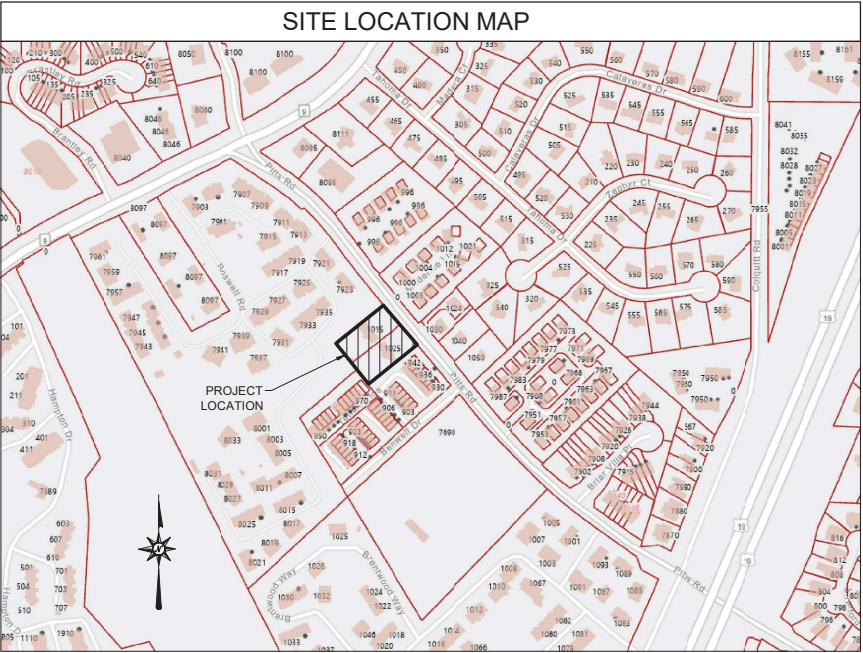
PROPERTY ADDRESSES: 1015 & 1025 PITTS RD SANDY SPRINGS, GA 30350	PLAT PREPARED FOR: 1015 & 1025 PITTS RD		 
	LOTS 8 & 9 LAND LOT 24	CLARENCE L. HOWARD PROPERTY SUBDIVISION 17TH DISTRICT	
ZONING: RD-1B	FULTON COUNTY, GEORGIA		SURVEY SYSTEMS ATLANTA 2156 W Park Ct, Sandy Springs, GA 30087 Tel 404-434-7600 Fax 404-434-7601 Cell 678-591-6064 ~ Office 404-760-1010
	FIELD DATE: 9-27-2021 SM DRAWN DATE: 9-28-2021 SS REFERENCE: PLAT BOOK: 60, PAGE 119 REFERENCE: DEED BOOK: PAGE 60 THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE OF 1 FOOT IN 30,000+ FEET, AN ANGULAR ERROR OF 05 SECONDS PER ANGLE POINT AND WAS ADJUSTED USING THE LEAST SQUARES METHOD. THIS PLAT HAS BEEN CALCULATED AND CHECKED FOR MATH AND FIELD ERROR. THIS PLAT WAS PREPARED BY THE SURVEYOR AND IS NOT TO BE USED IN THE PREPARATION OF THIS PLAT. NO STATE PLANE MONUMENT FOUND WITHIN 500' OF THIS PROPERTY.		
0 20 SCALE 1" = 20'		THIS SURVEY WAS PREPARED IN CONFORMANCE WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 186 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67.	

NO DETERMINATION OF FLOOD HAZARD HAS BEEN MADE FOR THIS PROPERTY BY THIS SURVEYOR.

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 - L ARC LENGTH
 - LLL LAND LOT
 - N NEIGHBOR'S
 - NAIL NAIL FOUND
 - P PLAT (BOOK/PAGE)
 - POB POINT OF BEGINNING
 - POC POINT OF COMMENCEMENT
 - R RADIUS LENGTH
 - R/W RIGHT-OF-WAY
 - RBF REINFORCING BAR FOUND
 - (1/2" UNO)
 - RBS 1/2" REINFORCING BAR SET
 - SW SIDEWALK
 - SSE SANITARY SEWER EASEMENT
 - SSCO SANITARY SEWER CLEANOUT
 - X- FENCE LINE
 - WALL

#1025
LAND AREA:
2,485.57 SF
0.573 AC
IMPERVIOUS AREA:
EXIST= 4,383 SF=17.6%

#1015
LAND AREA:
2,493.7 SF
0.572 AC
IMPERVIOUS AREA:
EXIST= 4,873 SF=19.5%



EXISTING PROJECT DESCRIPTION:

1015 PITTS RD, 17 002400010104
1025 PITTS RD, 17 002400010112

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ZONING: RD-18

WATER AND SEWER PROVIDED BY FULTON COUNTY

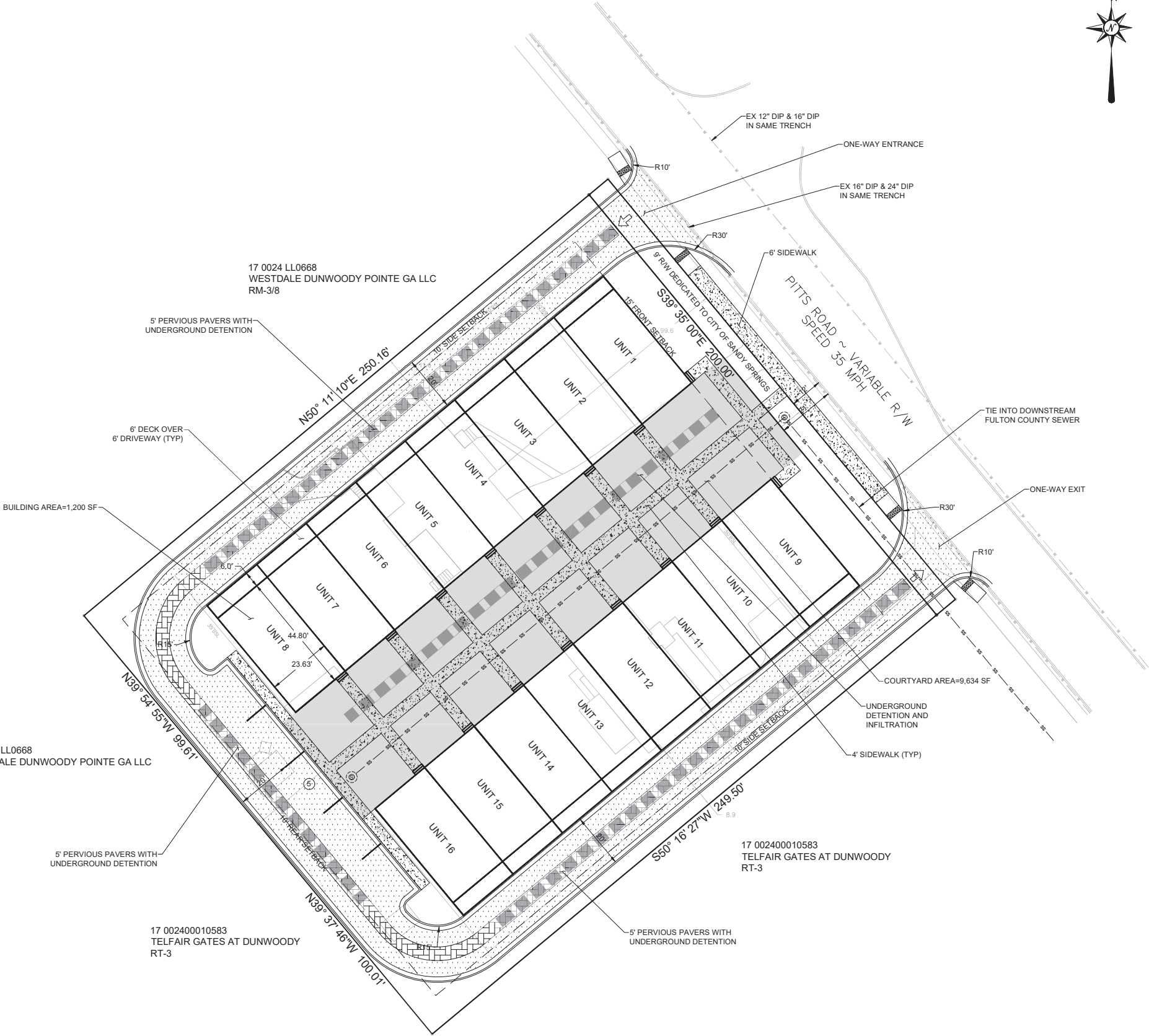
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5 GUEST TOTAL

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www.DMDEngineeringandTesting.com

PRELIMINARY
SITE PLAN

1015 & 1025 PITTS RD
TOWNHOMES

NO.	REVISIONS	DATE

PROJECT NO. 22014
DESIGNED BY: MG
CHECKED BY: MG
DATE: 03-19-2022

SHEET

P1.0



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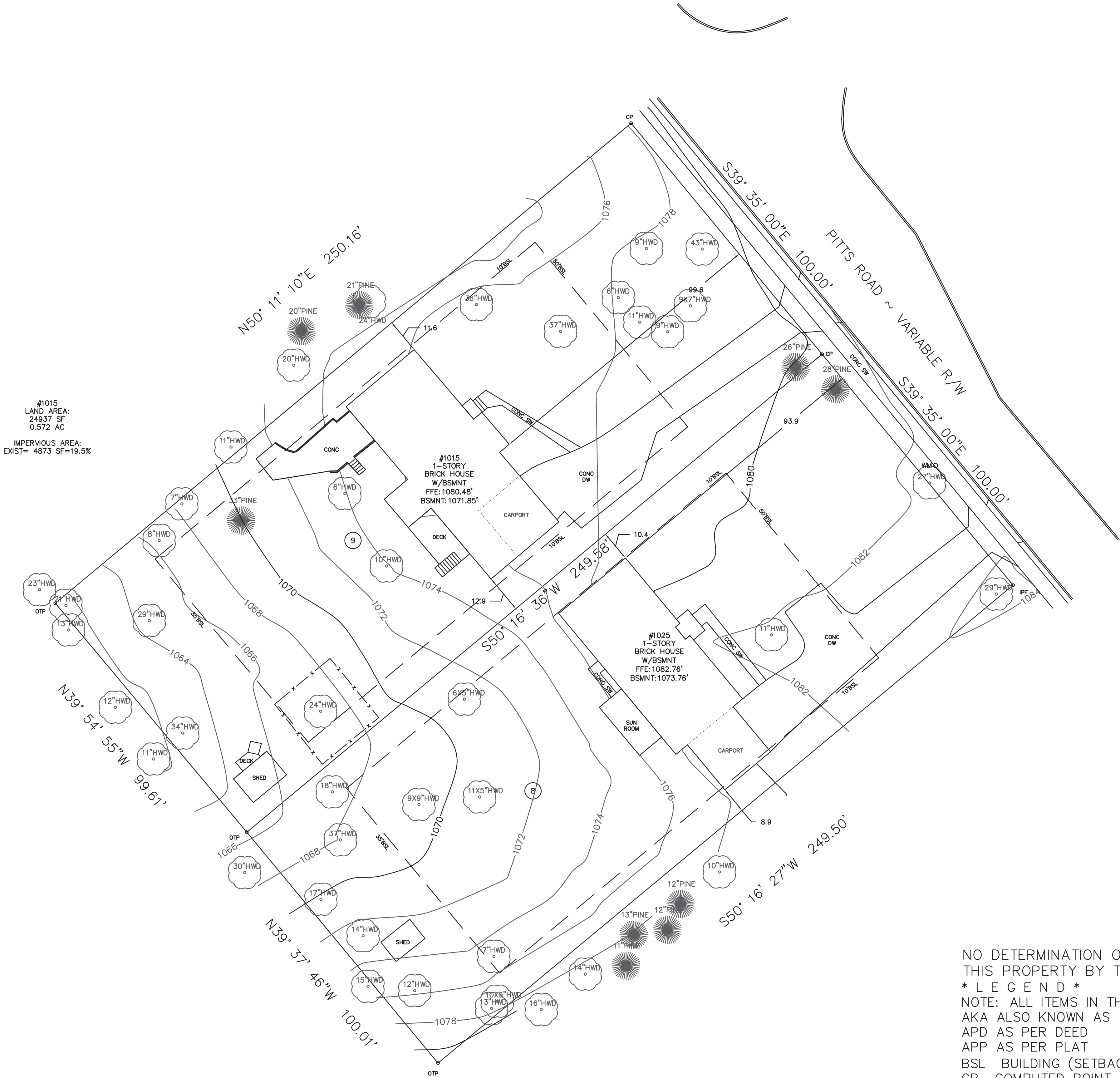
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* L E G E N D *

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- | | |
|-----------------------------|--------------------------------------|
| AKA ALSO KNOWN AS | N/F NOW OR FORMERLY |
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| FKA FORMERLY KNOWN AS | SSE SANITARY SEWER EASEMENT |
| IPF IRON PIN FOUND | SSCO SANITARY SEWER CLEANOUT |
| L ARC LENGTH | -X- FENCE LINE |
| LL LAND LOT | WALL |
| LLL LAND LOT LINE | |
| N NEIGHBOR'S | |

PROPERTY ADDRESSES:
1015 & 1025 PITTS RD
SANDY SPRINGS, GA 30350

ZONING:RD-18

PLAT PREPARED FOR:
1015 & 1025
PITTS RD

LOTS 8 & 9 CLARENCE I. HOWARD PROPERTY SUBDIVISION	
LAND LOT 24	17th DISTRICT
FULTON COUNTY, GEORGIA	FIELD DATE: 9-27-2021 SM
LOCATED IN SANDY SPRINGS	DRAWN DATE: 9-28-2021 SS
REFERENCE: PLAT BOOK 60, PAGE 119	ALL MATTERS OF TITLE ARE EXCEPTED. NOT TO BE RECORDED NOR USED TO CONVEY PROPERTY.
REFERENCE: DEED BOOK , PAGE	

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SURVEY SYSTEMS ATLANTA
2158 W Park Ct, Ste D, Stone Mtn, GA 30087
COA #LSF0000867, info@SurveySystemsAtlanta.com
Cell 678-591-6064 ~ Office 404-760-0010

0 20
SCALE: 1" = 20'

#1015
LAND AREA:
24937 SF
0.572 AC

IMPERVIOUS AREA:
EXIST= 4873 SF=19.5%

#1025
LAND AREA:
24955 SF
0.573 AC

IMPERVIOUS AREA:
EXIST= 4383 SF=17.6%

Page 41 of 86



EXISTING PROJECT DESCRIPTION:
1015 PITTS RD, 17 002400010104
1025 PITTS RD, 17 002400010112

SITE AREA: 1.15 ACRES OR 49,892 SF
ZONING: RD-18

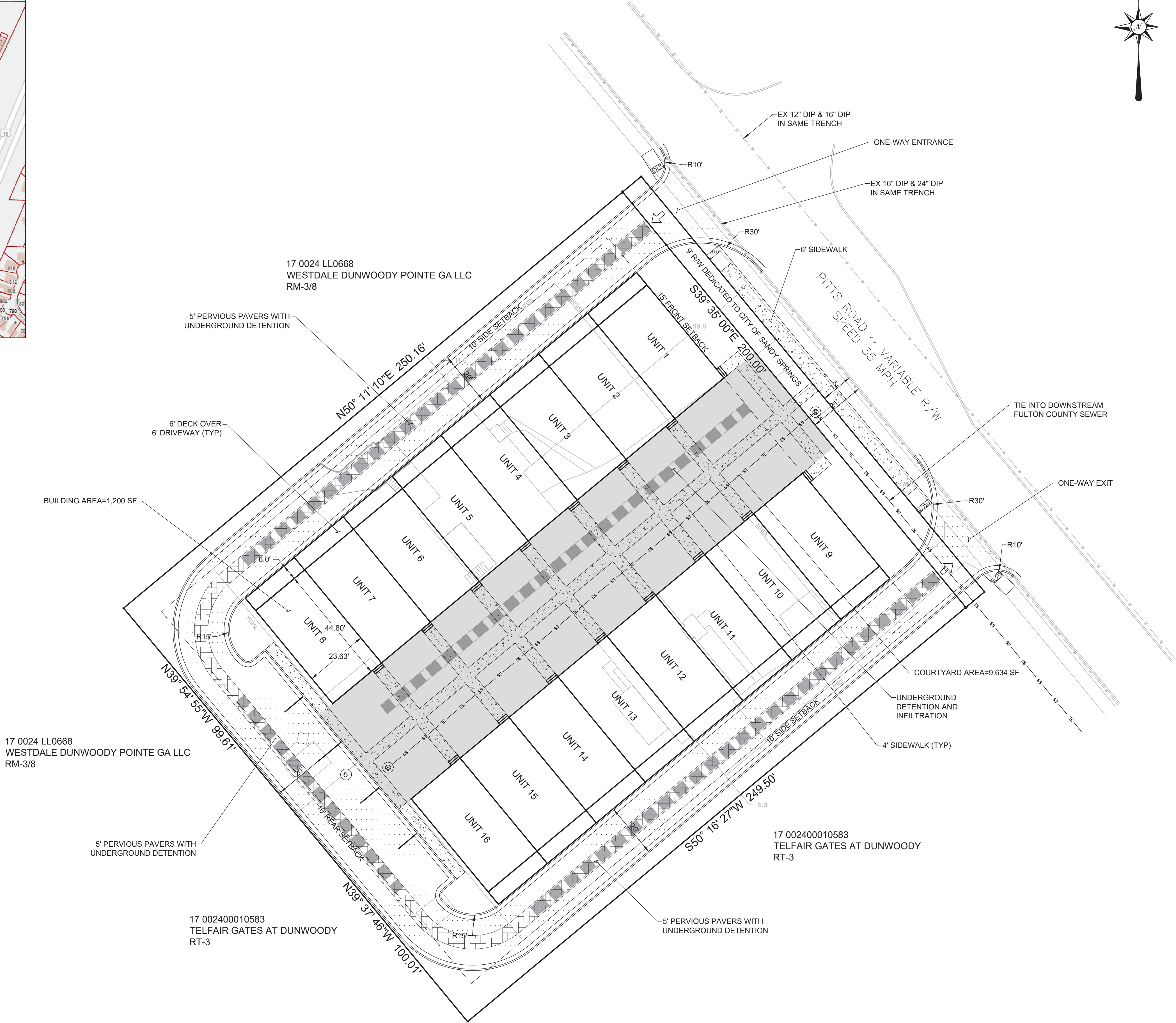
WATER AND SEWER PROVIDED BY FULTON COUNTY

PROPOSED PROJECT DESCRIPTION:
16 ATTACHED UNITS - 3-STORY TOWNHOMES

SITE AREA: 1.15 ACRES OR 49,892 SF
ZONING: RT-3
LOT AREA: 1,200 SF PER UNIT

PARKING
2 PER UNIT (GARAGE)
5 GUEST TOTAL

DEVELOPMENT STATISTICS
TOTAL AREA: 1.15 ACRES OR 49,892 SF
BUILDING FOOTPRINTS: 1,200 SF EA/ 19,200 SF TOTAL
BUILDING LOT COVERAGE: 38.5%
COURTYARD AREA: 9,634 SF




255 Norcross St, Suite A
Roswell, GA 30075
Tel: (770) 552-4138
Fax: (770) 998-3952
www.DMEngineeringandTesting.com

PRELIMINARY
SITE PLAN

1015 & 1025 PITTS RD
TOWNHOMES

NO.	REVISIONS	DATE

PROJECT NO. 22014
DESIGNED BY: MG
CHECKED BY: MG
DATE: 03-19-2022

SHEET
P1.0

1015 Pitts Rd Legal Description

All that tract or parcel of land lying and being in Land Lot 24 of the 17th District of Fulton County, Georgia, and being Lot 9 of the Property of Clarence I. Howard Subdivision, as shown on plat recorded in Plat Book 60, Page 119, Fulton County, Georgia records, which plat is incorporated herein by reference and made a part hereof.

Being the same property as conveyed in that certain Warranty Deed recorded at Deed Book 3508, Page 475, Fulton County, Georgia records.

1025 Pitts Rd Legal Description

Beginning at an iron pin found on the Southwesterly side of Pitts Road, Two Hundred (200) feet Northwesterly from the intersection of the Southwesterly side of the right of way of Pitts Road with the Northwesterly side of Benwell Drive, as measured along the Southwesterly side of the right of way of Pitts Road (said beginning point also being at the line dividing Lots 7 and 8 of said subdivision); and running thence Northwesterly along the Southwesterly side of the right of way of Pitts Road, One Hundred (100) feet to an iron pin found at Lot 9; which pin is Nine Hundred Forty Seven (947) feet Southeasterly from the right of way of Roswell Road as it existed in 1957, before its expansion, as measured along the Southeasterly side of Lot 9, running thence Southwesterly along the Southeasterly side of lot 9, Two Hundred Fifty (250) feet to an iron pin; running thence Southeasterly, One Hundred (100) feet to an iron pin found at Lot 7; running thence Northeasterly along the Northwesterly side of Lot 7, Two Hundred Fifty (250) feet to the Southwesterly side of the right of way of Pitts Road and the point of beginning, according to the survey prepared by A.S. Geometti C.E., Dated February 26, 1965 and shown on a survey prepared by Jose P. Garcia, dated July 1957 and recorded in Plat Book 60 at Page 119.

Summary of First Community Meeting (CMI)- 1015 & 1025 Pitts Rd

The CMI meeting began at 6pm on April 25, 2022 in the Fulton County Government Center at 7741 Roswell Rd NE, Sandy Springs, GA.

There were approximately 10 in-person attendees and 12 virtual attendees. The meeting began with an introduction of the owners and engineers and a detailed overview of the proposed project. The following is a summarized list of concerns presented by the attendees and responses from the petitioners.

One of the Telfair townhome owners, who's unit is adjacent to the backside of the proposed project, had commented about how close the parking and drive is to the backside of the Telfair townhome property. His main concern was the landscape buffer between the two properties and whether the proposed parking/driveway will be against the retaining wall. The petitioners explained that the Telfair property has a landscape buffer between the retaining wall and the property line and the proposed project would not be located near the retaining wall.

Another Telfair townhome owner noted concerns about the view once all the trees on the proposed project get removed. The petitioner noted that "green giants" will be planted along the boundary of the project to provide view and sound screening. The owners of the project offered to meet the townhome owners on site to discuss in more detail how the project will be laid out and how the landscaping would be addressed.

A Telfair townhome owner asked about retaining walls for the project and the drainage. The petitioner noted that the stormwater and grading would be designed after rezoning. The project will be required to meet the city's stormwater requirements and would not cause any backups to the Telfair development.

The following questions were asked on Zoom:

How many townhomes and price point? The petitioners answered 16 townhomes with a price point of \$750+

When is the target completion date? The petitioners answered end of 2023.

Will there be obstruction to Pitts Rd for extended period of time? The petitioners answered there should be no interference to traffic except for the period when the sewer is installed.

Will there be a gate that could cause vehicles to back up onto Pitts Rd? The petitioners answered no and that the development cannot be gated.

Will there be any impacts to the driveway across the street from Pitts Rd? The petitioners answered no.

Overall the meeting lasted approximately 35 minutes with 10 minutes spent on the overview of the project and the remaining 25 minutes spent on discussing the landscaping with the Telfair end unit owners and answering the Zoom questions.

SIGN-IN SHEET

**CASE RZ22-0003 - COMMUNITY MEETING I
REGARDING 1015 & 1025 PITTS RD REZONING**

APRIL 25, 2022, AT 6:00 PM
FULTON COUNTY GOVERNMENT CENTER
7741 ROSWELL RD NE, SUITE 212

[illegible]

al.org

SIGN-IN SHEET

**CASE RZ22-0003 - COMMUNITY MEETING I
REGARDING 1015 & 1025 PITTS RD REZONING**

APRIL 25, 2022, AT 6:00 PM
FULTON COUNTY GOVERNMENT CENTER
7741 ROSWELL RD NE, SUITE 212

[illegible]

Zoom Participants			
Name (Original Name)	User Email	Total Duration (Minutes)	Guest
Moe		7	Yes
Levan L.		50	Yes
Pixel C		41	Yes
Moe Rouzati		3	Yes
[REDACTED] yahoo.com		39	Yes
N BL		40	Yes
Michael Guobaitis	[REDACTED] gmail.com	39	No
Bobbi's iPhone		20	Yes
Samsung SM-N975U		22	Yes
Shelly		35	Yes
Cynthia Pfanstiel		32	Yes
Nicole Nettey		9	Yes
Ronald & Nicole Nettey# 1030 Pitts Rd		23	Yes

Summary of Second Community Meeting (CMI 2)- 1015 & 1025 Pitts Rd

The CMI meeting began at 6pm on June 1, 2022 in the Theater Room at the Sandy Springs City Hall. There were 4 in-person attendees and 2 virtual attendees. The meeting began with a detailed overview of the proposed project by DMD Engineering and the owners of the project. In summary, there were no concerns presented by the attendees. Only minor questions were presented and answered throughout the meeting. Below is a list of questions presented during the meeting.

Live Audience Questions:

1. Are there fire walls between the town homes?

Yes, per code.

Zoom Questions:

1. What is approx cost of town house?

\$750,000-\$850,000.

2. How many garage you have?

2 car garage per unit.

3. Will there be a fairly mature barrier planted between this development and Telfair Close/Gates?

Yes, there are existing mature trees. We met with other Telfair neighbors and showed them the existing trees that will remain.

4. Approximately how many sq. feet will they be?

2,350 SF

5. Internet is fiber or regular?

Fiber if available.

Zoom Participants	
Name (Original Name)	User Email
Virendrakumar Patel	N/A
Karen Vergura	N/A
Michael Guobaitis	 @gmail.com

Planning Commission

July 20, 2022



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RZ22-0003

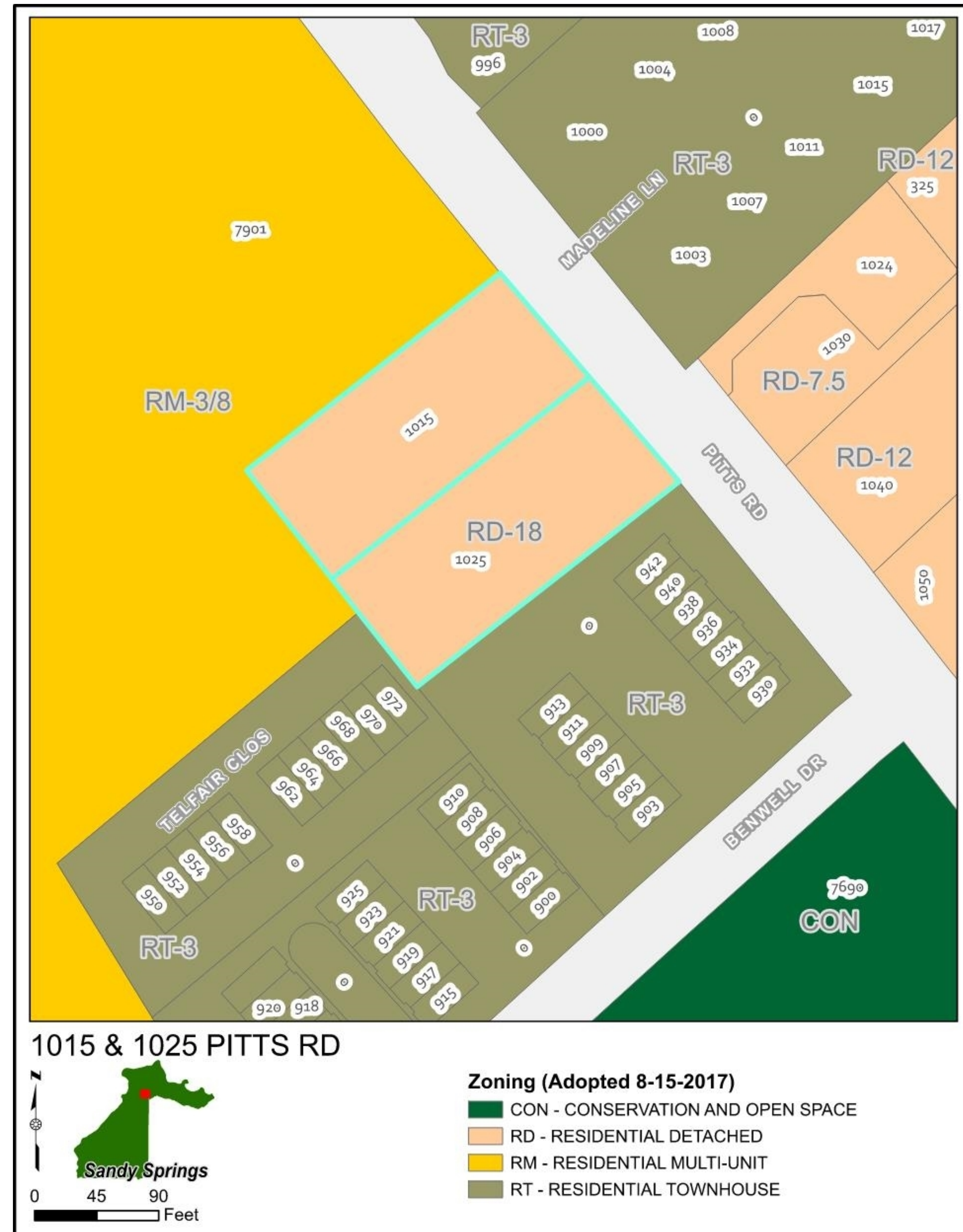
1015 & 1025 Pitts Road

**Recommendation–
Planning Staff: Approval**

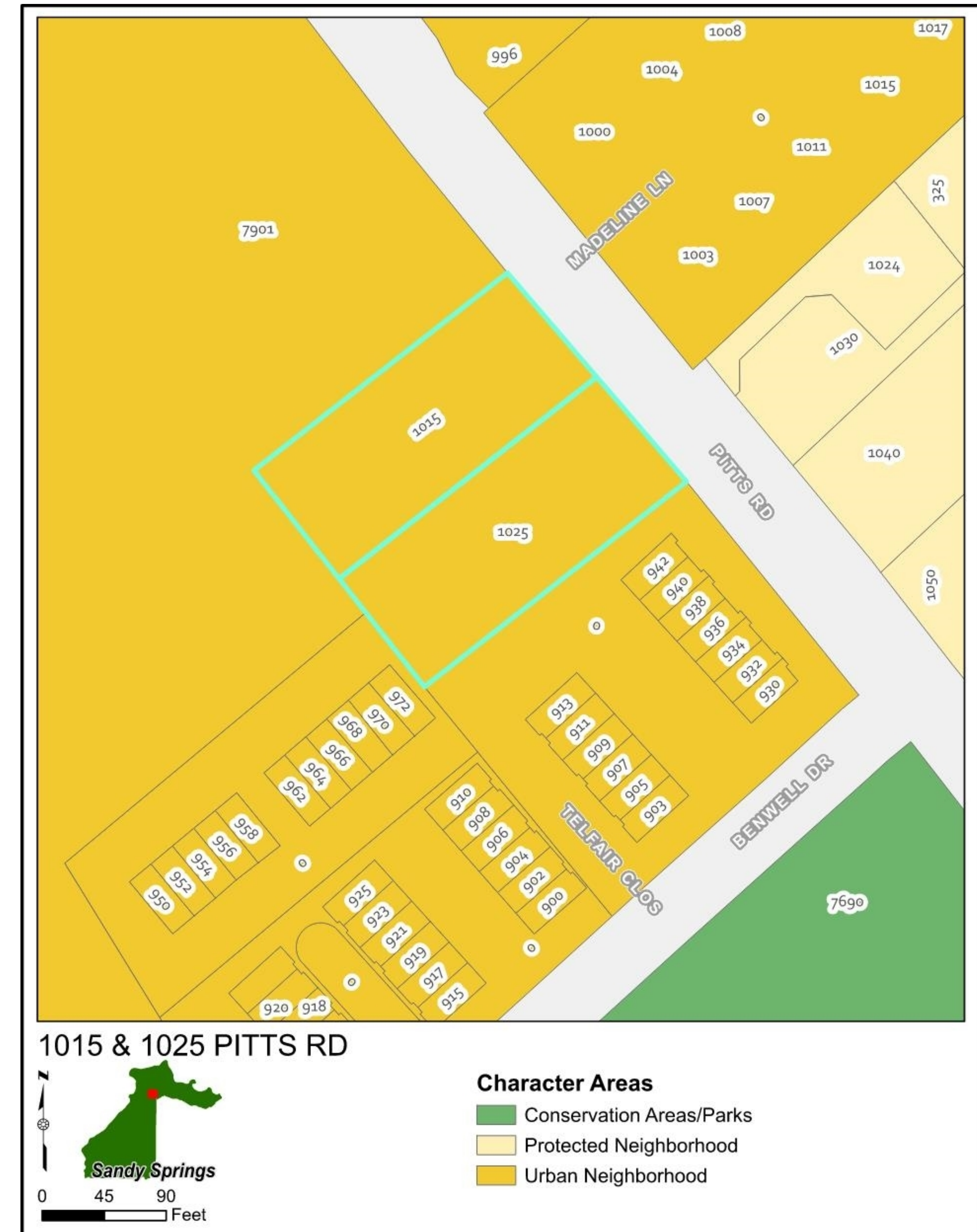
Request

Request for a Zoning Map Amendment (Rezoning) from RD-18 (Residential Detached, 18,000 square feet minimum) to RT-3 (Residential Townhouse, 3 stories maximum height).

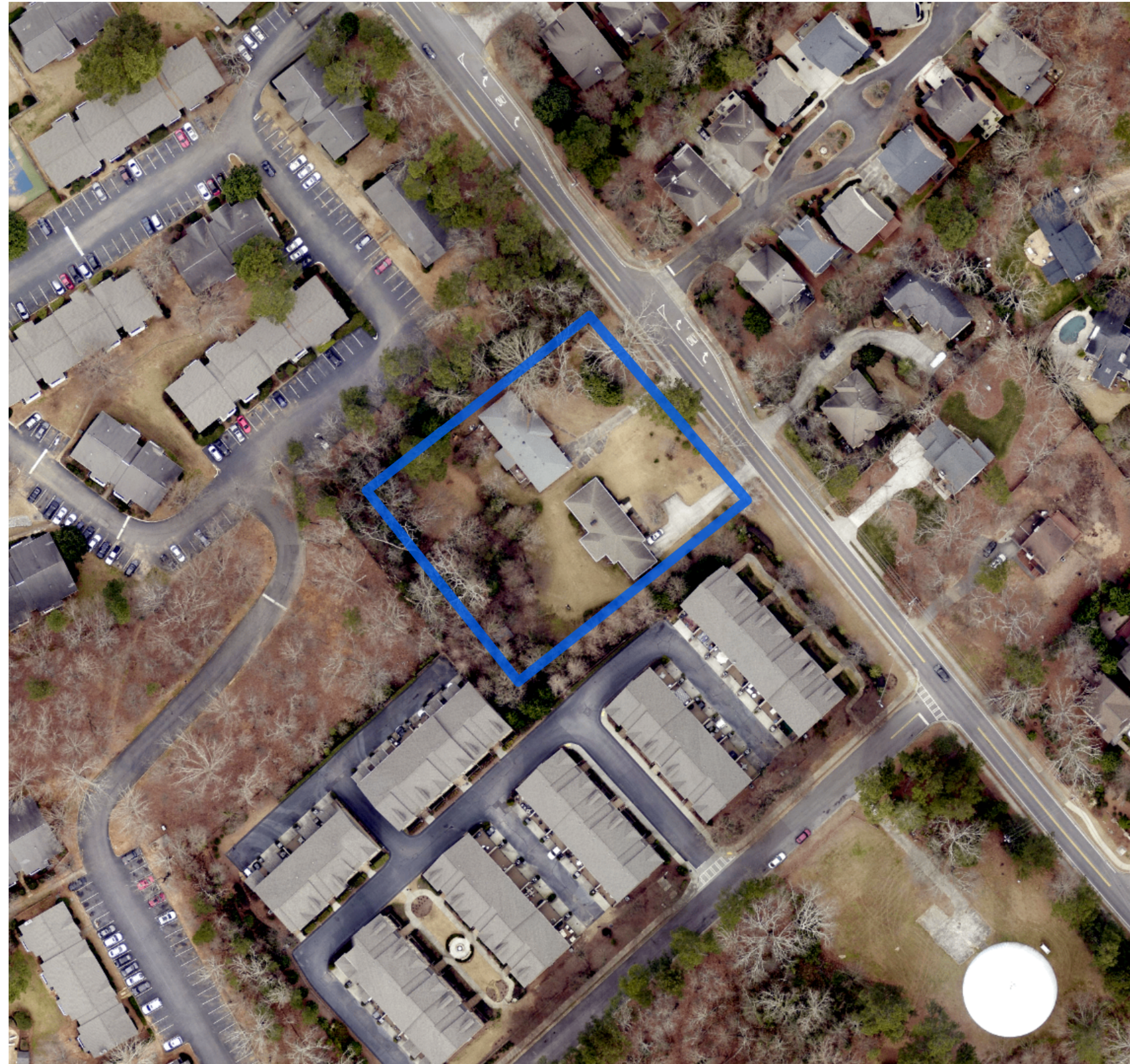
Zoning Map



Character Area Map



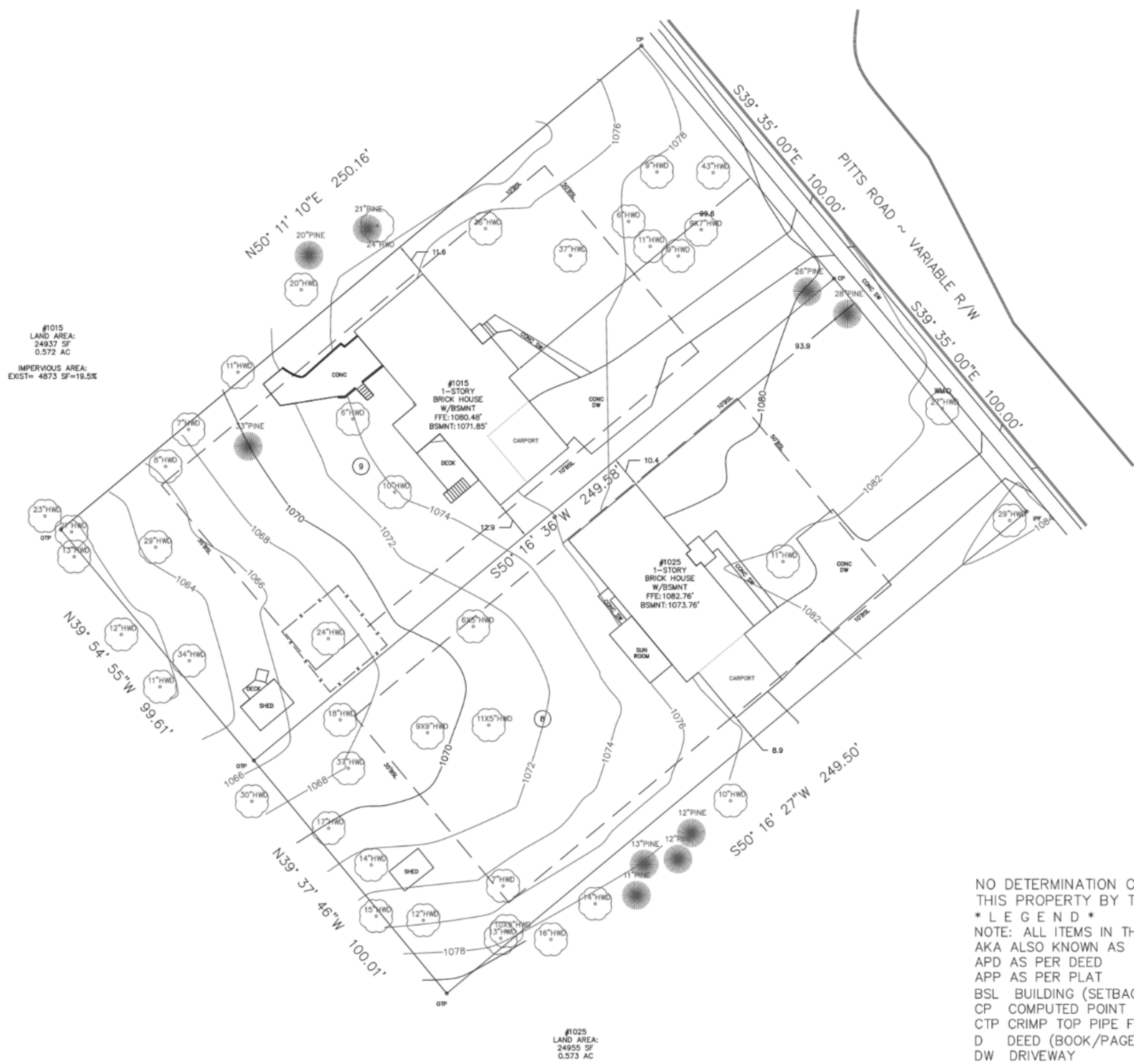
Aerial View of Existing Conditions



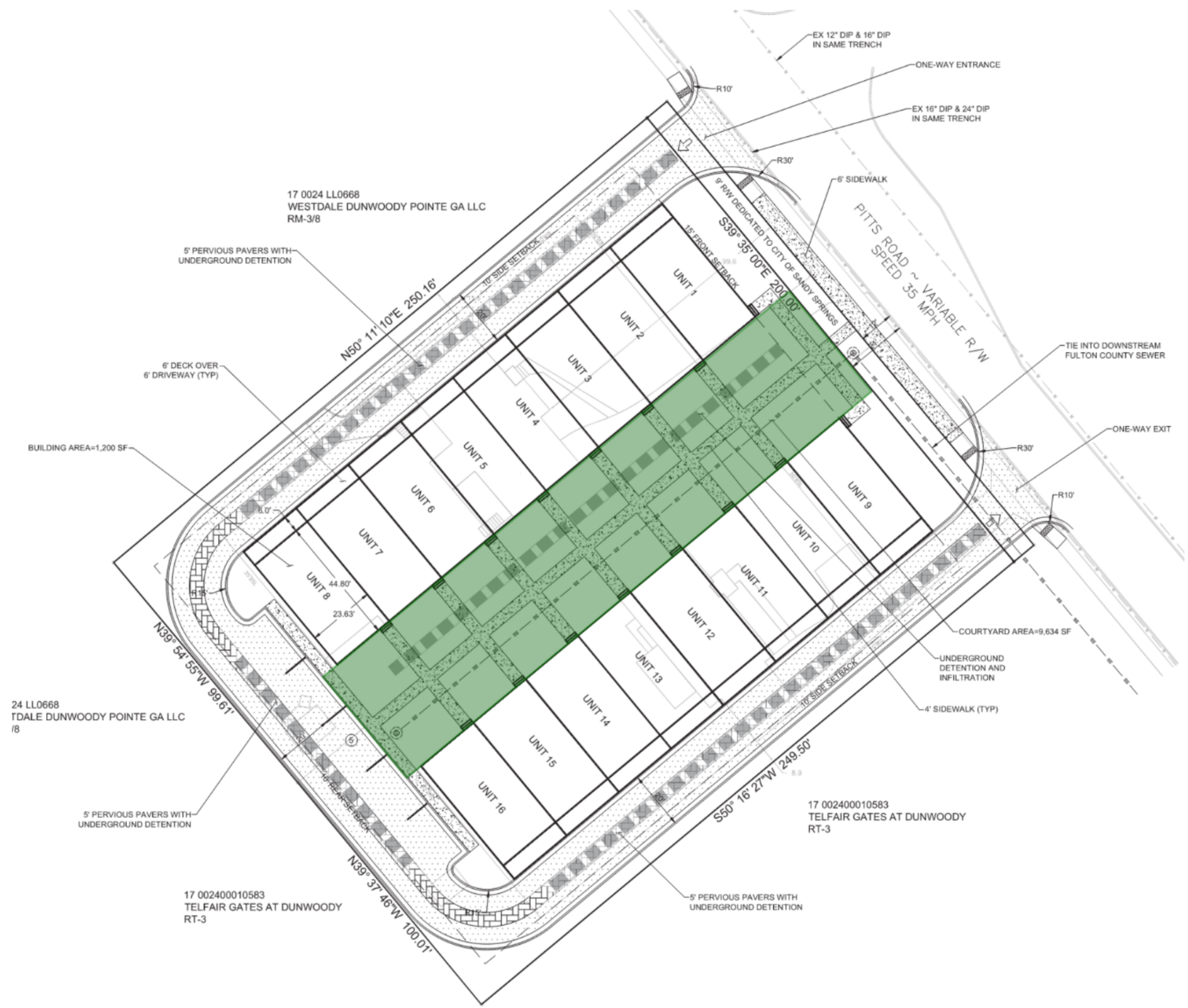
Site Conditions



Survey



Site Plan



Proposed Development

- Site plan is not required – goal is to consider appropriateness of proposed change in regard to potential allowed uses within proposed zoning district – in this case primarily one single unit detached to multiple single unit attached
- Site is mostly surrounded by Urban Neighborhood character developments: multi-unit, single unit attached, and smaller more compact single unit detached lots
- From a residential perspective, the proposed use allowance would expand from single unit **detached** homes to what would allow for multiple single unit **attached** homes

Zoning Map Amendment (Rezoning) Considerations

- 1015 & 1025 Pitts Road is currently in the RD-18 District (Protected Neighborhood zoning) but also in the Urban Neighborhood Character Area (which contains the RT-3 zoning district).
- Meets the goals of The Next Ten to help realize redevelopments which promote more compact and walkable places
- Appropriate for the current and planned character of the area

Recommendation

Following review, and based on the findings, Staff recommends **Approval of Zoning Map Amendment (Rezoning) RZ22-0003**, to rezone from RD-18 to RT-3.



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CITY CLERK'S OFFICE

TO: Honorable Planning Commission Members

FROM: Matthew Anspach, Senior Planner

DATE: July 17, 2022 Submission for the July 20, 2022 Meeting

ITEM: **TA22-0002**

An Ordinance to amend the following City Code of Ordinances Article and Development Code Sections:

Sec. 7.8.16. – Short-Term Rental

Sec. 8.2.10. – Fences and Walls

Recommendation:

Staff recommends Approval of Text Amendment TA22-0002.

Background:

The commercialization of subdivisions through saturation of short-term rentals can cause conflicts in Sandy Springs neighborhoods that are not in keeping with City Codes or the vision of the Next Ten Comprehensive Plan.

Discussion:

Ultimately, the goal is to modify the Code to make creating nuisances more difficult. Short-term rentals, if not regulated responsibly, can put a strain on public resources and infrastructure and impact the residential fabric of the City's neighborhoods.

Also included in TA22-0002 is an addition in Sec. 8.2.10. Fences and Walls, to help clarify a fire safety requirement by including it in the Development Code, concerning access for first responders into gated properties.

Alternatives:

Planning Commission may vote to defer their recommendation, recommend conditions, or to recommend denial.

Attachments:

1. TA22-0002 Staff Report
2. TA22-0002 Presentation



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GEORGIA

P&Z STAFF REPORT

Planning Commission Meeting, July 20, 2022

Case: **TA22-0002 – Short Term Rental Updates, Related, & Other General Fixes**
Staff Contact: Matthew Anspach (manspach@sandyspringsga.gov)
Report Date: July 8, 2022

PURPOSE

An Ordinance to amend the following City Code of Ordinances Article and Development Code Sections:

Sec. 7.8.16. – Short-Term Rental

Sec. 8.2.10. – Fences and Walls

RECOMMENDATION

Department of Community Development

Staff recommends **Approval** of **Text Amendment** TA22-0002.

PROCESS

Planning Commission Hearing:
July 20, 2022

Mayor and City Council Hearing:
August 16, 2022

Sec. 7.8.16. Short-Term Rental

- A. **Defined** The rental of all or part of a dwelling unit including all accessory structures or other curtilage to the same guest resident(s) for a period of less than 30 days.
- B. **Basic Use Standards**
1. The dwelling unit, if it is a single-family house, townhouse or condominium, must be Owner-Occupied (as demonstrated by proof of Fulton County Homestead Exemption on property taxes).
 2. All parking must be accommodated on the lot.
 3. No more than 4 unrelated persons 18 years of age or older may occupy the short-term rental dwelling unit. For Short-Term Rentals with more than 4 unrelated persons, see Sec. 7.9.6. *Special Events*.
 4. A maximum of 1 rental is permitted in its residence or on its grounds except as provided below in any 24-hour period.
 - a. A maximum of 2 separate rentals may be permitted during a single 24-hour rental period only in scenarios where the owner is present for the duration of the rented stays.
 5. A rental may be issued to a single individual, family, or group for a maximum of up to 100 calendar days per year.
 6. No more than 1 rental is permitted during a 24-hour period outdoors. If a parcel includes 2 rental units as prescribed above in section 4.a., 1 of the units must be located within conditioned, interior space.
 7. No provision for supplemental services shall be allowed for any short-term rental.
 8. For rentals of more than 2 units, see Sec. 7.3.2.A. *Group Living – Boarding/Rooming House*.

Sec. 8.2.10.G.

- G. **Gates**
1. Gates, whether electronically or manually operable, are allowed on individual properties. Gates must open inwardly (doors opening towards the property) and must be located a minimum of 30 feet from the edge of pavement.
 2. Public and private streets cannot be gated.
 3. Gates must follow all design standards of this article, they may however be up to 3 feet taller in height than the fence or wall it is attached to.
 4. Stand-alone gates, such as those on a private driveway, must have masonry (brick, stone or stucco) piers on either side.
 5. Gates serving private residential driveways must be provided with a means of access for emergency responders approved by the fire marshal's office.

BACKGROUND

The commercialization of subdivisions into transient rental communities by saturating them with short-term rentals can cause conflicts in Sandy Springs neighborhoods that are not in keeping with our City Codes and in a larger sense, the vision of our Next Ten Comprehensive Plan.

Ensuring a continued high quality of life in our traditional single-family neighborhoods while also allowing for homeowners to responsibly accommodate others as supplemental income or otherwise is a multifaceted undertaking. As technology continues to increase visibility and capacity for nontraditional means of income in traditional residential settings, the need to regularly evaluate our regulations to meet the realities of the market becomes clearer each year.

Unauthorized short-term rentals, whether rooms, homes, or the curtilage surrounding homes are a growing reality in the City of Sandy Springs. This Text Amendment proposal is an attempt to curb abuses and prohibited uses by providing Staff more clear and enforceable Code. The Amendment will ideally assist the general public, as well as homeowners who are seeking to legally rent out their permitted domicile, by providing a more delineated picture of what is permitted and what is prohibited. To more effectively prohibit the commercialization of the City's traditional neighborhoods a cap on rentable days in a calendar year for most rentals is proposed among other considerations.

Ultimately, the goal is developing code that makes creating nuisances more difficult if not impossible. Rentals if not regulated responsibly can and do put a strain on public resources and infrastructure, and can even create various dangers to the public, beyond tearing at the residential fabric of the City's neighborhoods.

Also included in TA22-0002 is an addition in Sec. 8.2.10. Fences and Walls, to help clarify a fire safety requirement by including it in the Development Code, concerning access for first responders into gated properties.

ANALYSIS

Staff believes the edits provided in this proposal are measured well in response to the continued growth and complexity of the short-term rental market. The ability to regulate short-term rentals (STR) in a way that promotes versus hinders traditional residential neighborhood living is essential. It is our view that this endeavor would be further realized through the proposed amendments to the STR Code.

The sole edit to Sec. 8.2.10. Fences and Walls is a smaller edit, but one that City Staff believes will improve safety as well as provide more clarity about our standards for the City of Sandy Springs.

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DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION

Following review, Staff recommends **Approval** of **Text Amendment** TA22-0002, An Ordinance to amend the following City Code of Ordinances Article and Development Code Sections:

Sec. 7.8.16. – Short-Term Rental

Sec. 8.2.10. – Fences and Walls

Planning Commission

July 20, 2022



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TA22-0002

**Short-Term Rentals, Related, and Other
General Fixes**

Purpose & Goal of Policy

Short-Term Rental

- To improve the City's ability to protect the residential character of its protected and urban neighborhoods by preventing commercialization

Fences and Walls

- To clarify existing safety requirements for gated properties

Text Amendment

1. Sec. 7.8.16. – Short-Term Rentals

- A. **Defined** The rental of all or part of a dwelling unit including all accessory structures or other curtilage to the same guest resident(s) for a period of less than 30 days.
- B. **Basic Use Standards**
 - 1. The dwelling unit, if it is a single-family house, townhouse or condominium, must be Owner-Occupied (as demonstrated by proof of Fulton County Homestead Exemption on property taxes).
 - 2. All parking must be accommodated on the lot.
 - 3. No more than 4 unrelated persons 18 years of age or older may occupy the short-term rental dwelling unit. For Short-Term Rentals with more than 4 unrelated persons, see Sec. 7.9.6. Special Events.
 - 4. A maximum of 1 rental is permitted in its residence or on its grounds except as provided below in any 24-hour period.
 - a. A maximum of 2 separate rentals may be permitted during a single 24-hour rental period only in scenarios where the owner is present for the duration of the rented stays.
 - 5. A rental may be issued to a single individual, family, or group for a maximum of up to 100 calendar days per year.
 - 6. No more than 1 rental is permitted during a 24-hour period outdoors. If a parcel includes 2 rental units as prescribed above in section 4.a., 1 of the units must be located within conditioned, interior space.
 - 7. No provision for supplemental services shall be allowed for any short-term rental.
 - 8. For rentals of more than 2 units, see Sec. 7.3.2.A. Group Living – Boarding/Rooming House.

Text Amendment Overview

- Clarify the rentable space on a parcel
- Clarify and reference similar uses (Party House, Group Living)
- 1-unit rental max per 24-hour period
- Owner present exemption allowing for up to 2 units
- 100 calendar days per year
- No supplemental services

Text Amendment Overview

Fences and Walls

1. Sec. 8.2.10.A.

- Means of access for fire marshal's office

G. Gates

1. Gates, whether electronically or manually operable, are allowed on individual properties. Gates must open inwardly (doors opening towards the property) and must be located a minimum of 30 feet from the edge of pavement.
2. Public and private streets cannot be gated.
3. Gates must follow all design standards of this [article](#), they may however be up to 3 feet taller in height than the fence or wall it is attached to.
4. Stand-alone gates, such as those on a private driveway, must have masonry (brick, [stone](#) or stucco) piers on either side.
5. [Gates serving private residential driveways must be provided with a means of access for emergency responders approved by the fire marshal's office.](#)

Next Steps

- August 16 – Mayor and City Council



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CITY CLERK'S OFFICE

TO: Honorable Planning Commission Members
FROM: Matthew Anspach, Senior Planner
DATE: July 17, 2022 Submission for the July 20, 2022 Meeting
ITEM: **TA22-0003**
An Ordinance to amend the following Development Code Division:
Div. 9.6. Stormwater Management (Nancy Creek)

Recommendation:

Staff recommends Approval of Text Amendment TA22-0003.

Background:

The text amendment will match the 2016 Council Approved recognition of the Nancy Creek Declared Sensitive Area with some minor adjustments to allow for more minor work to be exempt in residential proposals and will set those requirements within the Development Code and Technical Manual. The text amendment relaxes current stormwater management requirements in sensitive areas and citywide, to avoid catching smaller and less impactful projects while still setting the standard far above most jurisdictions.

Discussion:

Flooding in certain areas of the City is a real issue, whether a declared sensitive or not. Within a Declared Sensitive Area all impervious and disturbance work must be mitigated with the capture of the first 2.4 inches of rainfall and be infiltrated into an acceptable stormwater management system. In a non-Nancy Creek Sensitive Basin property, the requirement does not traditionally get triggered until there is 1,000 sq ft of disturbance and/or impervious coverage and then the requirement is only for the first 1.2 inches of rainfall. This edit looks to adjust the threshold for non-sensitive area disturbances to 2,000 sq ft and for sensitive area disturbances from 0 (zero) to 500 sq ft.

Alternatives:

Planning Commission may vote to defer their recommendation, recommend conditions, or to recommend denial.

Attachments:

1. TA22-0003 Presentation
2. TA22-0003 Staff Report

Text Amendment Concept Considerations

July 20, 2022



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TA22-0002

Stormwater Management

Runoff Reduction

(Nancy Creek)

Purpose & Goal of Policy

- To ease requirements citywide for runoff reduction for small projects
- To allow the City to codify a formal process, framework, and development requirements for any area within the City that is designated as a Declared Sensitive Area.
- To qualify requirements based on impacts and project limitations.

Text Amendment Overview

Codification

1. Sec. 9.6.3.A.1. Standards (Including NEW subsections “c.” through “f.”)

- Applicability for Sensitive Area requirements; would apply to anywhere designated “sensitive”

2. Sec. 9.6.3.A.2. (f., g., & k.) Standards

- Pervious pavers to City detail
- Clarifying what is not exempt when it is in a “sensitive area”

3. Sec. 9.6.12.A.9. Performance Criteria (NEW subsection)

- Guidelines and reference to Technical Manual for construction standards in new Section 10.M

Text Amendment Overview

Improved Qualification

1. Sec. 9.6.3.A.

- Everywhere in the City, 2,000 sq ft impervious, 5,000 sq ft disturbance
- Within Nancy Creek DSA - Single Unit Residential is given specific, less onerous criteria (500 sq ft disturbance vs. 0)

Next Steps

- August 16 – Mayor and City Council (along with the Technical Manual)



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P&Z STAFF REPORT

Planning Commission Meeting, July 20, 2022

Case: **TA22-0003 – Stormwater Management (Nancy Creek)**
Staff Contact: Matthew Anspach (manspach@sandyspringsga.gov)
Report Date: July 8, 2022

PURPOSE

An Ordinance to amend the following Development Code Division:

Div. 9.6. Stormwater Management (Nancy Creek)

RECOMMENDATION

Department of Community Development

Staff recommends **Approval** of **Text Amendment** TA22-0003.

PROCESS

Planning Commission Hearing:
July 20, 2022

Mayor and City Council Hearing:
August 16, 2022

PROPOSED AMENDMENT(S)

Sec. 9.6.3.A. Standards

A. Applicability

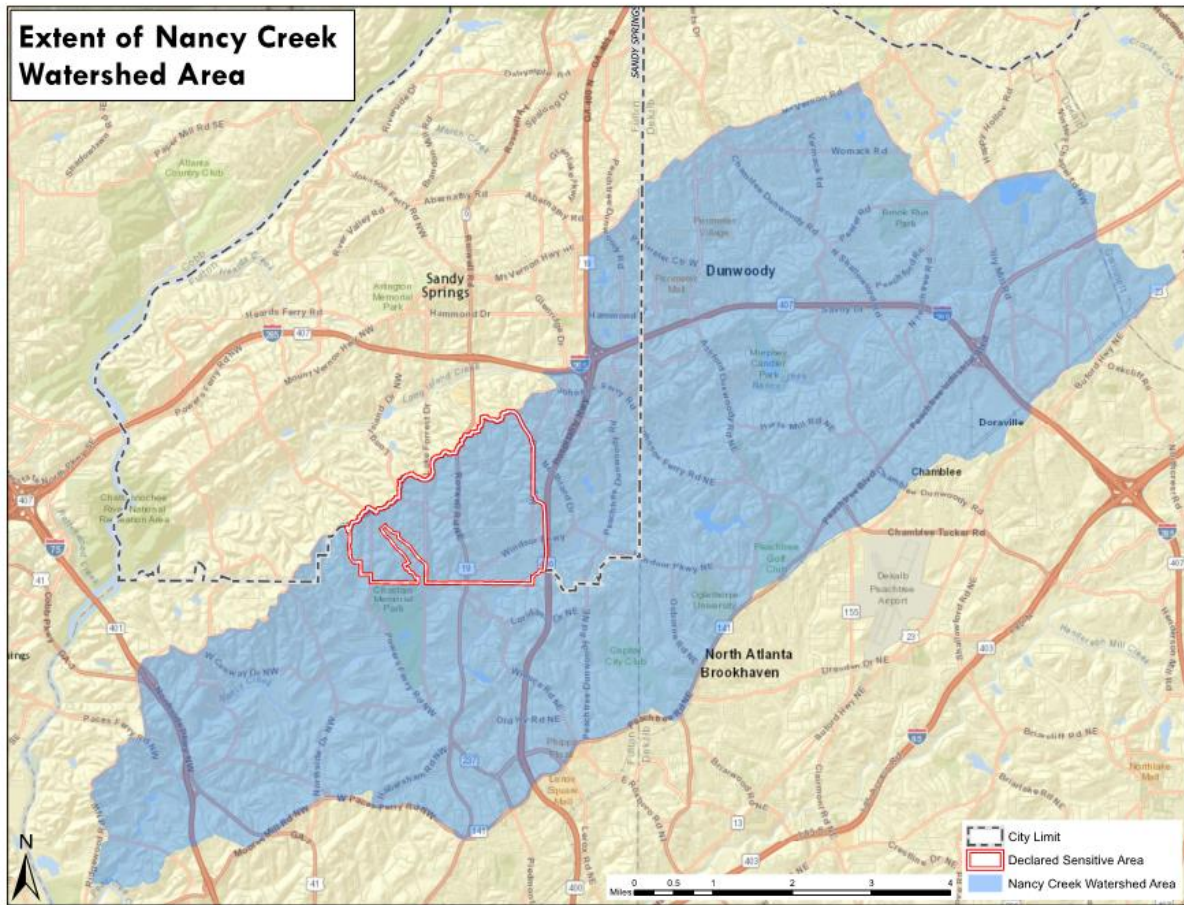
1. This Division is applicable to all land development, including, but not limited to, site plan applications, single family residential applications, subdivision applications, and grading applications, unless exempt pursuant to subsection (2) of this section. These standards apply to any new development or redevelopment site that meets one or more of the following criteria, or as otherwise required by the Director:
 - ~~a. Any new development, redevelopment, addition or replacement that involves the creation of 1,000 square feet or more of impervious cover, or that involves other land development activities of 5,000 square feet or more;~~
 - ~~b. Any new development or redevelopment, regardless of size, if such activities are part of a larger common plan of development, even though multiple, separate and distinct land development activities may take place at different times on different schedules or that is defined by the Director to be a hotspot land use.~~
 - a. New development that creates or adds 2,000 square feet or greater of new impervious surface area or that involves land disturbing activity of 5,000 square feet acre of land or greater;
 - b. Redevelopment (excluding routine maintenance and exterior remodeling) that creates, adds, or replaces 2,000 square feet or greater of new impervious surface area or that involves land disturbing activity of 5,000 square feet or more;
 - c. Any new development, redevelopment, addition or replacement that involves the creation of impervious cover, of any quantity, that is located within any Declared Sensitive Area.
 - a. NANCY CREEK BASIN SENSITIVE AREA
 - i. Single-Family Residential:
 1. Water quality in the form of runoff reduction is required on all projects exceeding 500 sq ft of land disturbance, including additions to existing structures, according to the following:
 2. Infiltrate on site the first 1.2 inches of rainfall within 24 hours falling within the Limit of Disturbance Area shown on the construction documents.
 3. Infiltrate on site an additional 1.2 inches of rainfall within 24 hours falling on impervious areas contained within the Limit of Disturbance Area shown on the construction documents. No less than 90% of a site's impervious area must be directed to an infiltration area, unless otherwise approved by the Direction of Community Development.
 - d. New development and redevelopment if:
 - i. Such new development or redevelopment is part of a subdivision or other common plan of development; and
 - ii. the sum of all associated impervious surface area or land disturbing activities that are being developed as part of such subdivision or other common plan of development meets or exceeds the threshold in (a) and (b) above;
 - e. Any commercial or industrial new development or redevelopment, regardless of size, that is within a declared sensitive area; and
 - f. Linear transportation projects that exceed the threshold in (a) or (b) above.

2. The following activities are exempt from this Division:
 - a. Agricultural or silvicultural land management activities within areas zoned for these activities; and
 - b. Repairs to any stormwater management facility or practice deemed necessary by the Director.
 - c. Minor improvements to public parks involving less than 5,000 square feet of land disturbance and less than 1,000 square feet of impervious surface.
 - d. Utility installations, repairs or modifications outside of stream buffers.
 - e. Installations or modifications to existing structures to accommodate Americans with Disability Act (ADA) requirements.
 - f. Installation of pervious pavements (City detail) less than 5,000 square feet.
 - g. Maintenance, repair and resurfacing of existing paved surfaces, except within a Declared Sensitive Area.
 - h. Addition of sidewalks along streets.
 - i. Stream bank stabilization or restoration.
 - j. Land disturbance required for environmental cleanup or remediation.
 - k. Residential driveway replacement, except within a Declared Sensitive Area.
3. **Minimum Requirements** Except for repairs to existing stormwater facilities or stormwater facilities in the right-of-way, all developments and redevelopment activity, including single-family residential and those which are otherwise exempt from this Division, the following minimum requirements shall apply:
 - a. Lots and buildings shall be developed in a manner to ensure that stormwater exiting individual parcels or lots under post-development conditions does not adversely impact the adjacent parcels or lots as a result of concentrated flows, flooding, erosion or deposits of silt or sediment;
 - b. The stormwater discharge from a downspout, cistern, or any water collection device shall be located no closer to a property line than ten feet and oriented so direction of flow is away from any downstream improvements. Discharge from any outlet must be dissipated, infiltrated or diverted such that flows will not be concentrated; and
 - c. No person shall erect, construct, or otherwise permit any obstruction that prevents the natural or contained flow of water to or from any component of the stormwater system of the City unless such obstruction is allowed as a part of a permit approved pursuant to this Division.

Sec. 9.6.12.A.9. (NEW)

9. **Declared Sensitive Area Guidelines** In accordance with the Georgia Stormwater Management Manual, Volume 2 Section 2.2.2.1, the City reserves the right to establish more stringent standards for sub-basin areas that may cause significant adverse water quality, quantity and discharge rates due to numerous small developments. The sub-basin areas shall be Declared Sensitive Areas. Any development within a Declared Sensitive Area shall comply with the design and construction standards as set forth in the Technical Manual Section 10.M

MAP (NANCY CREEK WATERSHED AREA)



BACKGROUND

Sandy Springs universally and the Nancy Creek watershed especially, experience recurring flooding during important rain events, which causes damage to private property. While only a very short segment of the creek itself runs through Sandy Springs, nearly 3,800 acres of its basin and several of its tributaries are within city limits.

In 2016, the Sandy Springs City Council adopted the Atlanta Regional Commission's updates to its Georgia Stormwater Management Manual (the Blue Book), which provides communities with tools for managing stormwater associated with construction activities, and is a required State standard.

In 2017, the City of Sandy Springs Engineer declared a portion of the Nancy Creek watershed as a Sensitive Area, that is, to be subject to additional performance and regulatory criteria. The City Council approved these staff recommended changes that exceed the Blue Book standards, to enhance water quality, especially related to residential requirements, for new development and additions to include swimming pools. These apply to all properties located within the area shown on the map below.

The Nancy Creek Basin Alert/Effective Immediately was promptly issued and distributed through the City website by our Communications Department. Within a Declared Sensitive Area all impervious and disturbance work must be mitigated with the capture of the first 2.4 inches of rainfall and be infiltrated into an acceptable stormwater management system. In a non-Nancy Creek Sensitive Basin property, the requirement does not traditionally get triggered until there is 1,000 sq ft of disturbance and/or impervious coverage and then the requirement is only for the first 1.2 inches of rainfall. This edit looks to adjust the threshold for non-sensitive area disturbances to 2,000 sq ft and for sensitive area disturbances from 0 (zero) to 500 sq ft.

ANALYSIS

In summary, the Nancy Creek Declared Sensitive Area was created in 2016 to provide additional water quality, minimize flooding and prevent worsening flooding within the Nancy Creek Basin to the extent possible.

This text amendment will allow the City to codify a formal process, framework and development requirements for any area within the City that is designated as a Declared Sensitive Area.

The text amendment will match the 2016 Council Approved recognition of the Nancy Creek Declared Sensitive Area with some minor adjustments to allow for more minor work to be exempt in residential proposals and will set those requirements within the Development Code and Technical Manual. The text amendment also relaxes the stormwater management requirement across the board, to avoid catching smaller and less impactful projects, while still setting the standard far above most jurisdictions.

With regards to the “Declared Sensitive Area” specific edits, the amendment is written to provide the framework for any other area within the City that may require treatment beyond what is currently required in the Development Code, Technical Manual, and Georgia Stormwater Management Manual for proper management and design of the Stormwater Infrastructure within the City for both development and re-development.

DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION

Following review, Staff recommends **Approval** of **Text Amendment** TA22-0003, An Ordinance to amend the following Development Code Division:

Div. 9.6. Stormwater Management (Nancy Creek)