



SANDY SPRINGS

GEORGIA

CITY COUNCIL

Rusty Paul, Mayor

John Paulson – District 1
Steve Soteres – District 2
Chris Burnett – District 3
Jody Reichel – District 4
Tibby DeJulio – District 5
Andy Bauman – District 6

Tuesday, June 16, 2020

Regular Meeting

Following Work Session

The June 16, 2020 City Council Meetings will be held at Sandy Springs City Hall at 1 Galambos Way, Sandy Springs, GA 30328, as well as streamed live.

Live-stream: Sandy Springs Facebook: <https://www.facebook.com/SandySpringsGA/>

Zoom Webinar: <http://www.spr.gs/council61620>

Teleconference: **Dial Options** (for higher quality, dial a number based on your current location):

- +1 312 626 6799
- +1 646 558 8656
- +1 301 715 8592
- +1 346 248 7799
- +1 669 900 9128
- +1 253 215 8782

Webinar ID: 854 0232 5573

Public Comment: **Public Comment Cards may be submitted online:**
<http://www.sandyspringsga.gov/government/public-meetings-calendar>.

- I. Call to Order** - Mayor Rusty Paul
- II. Roll Call and General Announcements** - City Clerk
- III. Pledge of Allegiance** - Mayor Rusty Paul
- IV. Public Comment**
- V. Approval of Meeting Agenda**



SANDY SPRINGS

GEORGIA

VI. Consent Agenda

- A. **2020-144** Meeting Minutes
May 19, 2020 City Council Special Called Meeting – Budget Workshop 3
June 2, 2020 City Council Regular Meeting
- B. **2020-145** Consideration of the Acceptance of the Dedication of Right of Way on Northwood Drive as part of the Development Regulations Ordinance requirements related to Community Development File # LDP 19-00091
(Presented by William H. Martin, Jr., AIA, Public Works Director)
- C. **2020-146** Acceptance of a Real Estate Agreement for the Purchase of a Permanent Drainage and Temporary Construction Easement for the Tanglewood Trail (821) Stormwater Project.
(Presented by William H. Martin Jr., AIA, Public Works Director)

VII. Public Hearing

- A. **2020-147** Request for Mayor and City Council Consideration of RZ19-0006 (135 & 145 Cliftwood Drive) Request for a Zoning Map Amendment (Rezoning) of 135 & 145 Cliftwood Drive from CS-3 (City Springs, 3 Stories Maximum Height) to CS-6 (City Springs, 6 Stories Maximum Height)
(Presented by Alexandra Horst, Planner II)
- B. **2020-148** Request for Mayor and City Council Consideration of BU19-0001 (255 Amberidge Trail) Request for a Granting of Relief via a Beneficial Use Determination and in Particular to Amend the Official Zoning Map to Rezone a Portion of the Property from RD-27 to RD-18 per Sec. 11.6.4.E.1.b.
(Presented by Matthew Anspach, Senior Planner)
- C. **2020-149** Request for Approval of River Corridor Certificate, RC-20-01SS (6030 Black Water Trail)
(Presented by Madalyn Smith, Planner)
- D. **2020-150** Request for Approval of River Corridor Certificate, RC-20-02SS (2125 Clay Drive)
(Presented by Madalyn Smith, Planner)
- E. **2020-151** ABL_ 68369 - Approval of Alcoholic Beverage License Application for Flying Horse Concepts, LLC DBA Thos. O'Reilly's Public House at 227 Sandy Springs PL. Suite 416, Sandy Springs, GA 30328. Applicant is Frederick Elmgren for Consumption on the Premises Wine, Malt Beverages and Distilled Spirits
(Presented by Karen Ellis, Chief Financial Officer)



SANDY SPRINGS

GEORGIA

- F. **2020-152** ABL_68280 - Approval of Alcoholic Beverage License Application for SnoozeTown LLC DBA Snooze, an A.M. Eatery at 4600 Roswell Road, Suite G – 100, Sandy Springs, GA 30342. Applicant is Timothy Creedon on behalf of SnoozeTown LLC for Consumption on the Premises Wine, Malt Beverages, and Distilled Spirits.
(Presented by Karen Ellis, Chief Financial Officer)
- G. **2020-153** Second Public Hearing on FY2021 Budget and Discussion
(Presented by Andrea Surratt, City Manager)

VIII. New Business

- A. **2020-154** Request for Mayor and City Council Consideration of Bridge Maintenance and Repair Design Support Contract Award
(Presented by William H. Martin Jr., AIA, Public Works Director)
- B. **2020-155** Request for Mayor and City Council Consideration of Approval of a Memorandum of Understanding with Georgia Department of Transportation for the SR400 Express Lane Bridges Enhancements Features for Spalding Drive, Pitts Road, and Roberts Drive
(Presented by William H. Martin, Jr., AIA, Public Works Director)
- C. **2020-156** Request for Mayor and City Council Consideration of a Resolution to Approve Firms to Perform On-Call Landscape Design Services
(Presented by Michael Perry, Director of Recreation and Parks)
- D. **2020-157** Request for Mayor and City Council Consideration of an Ordinance to Authorize Amending the 2020 Budget for Increased Funding for the Acceptance of a Grant from Department of Justice
(Presented by Norman Vik, Sandy Springs Police Captain))
- E. **2020-158** Request for Mayor and City Council Consideration of Community Development Program CDBG-CV Funding Proposal Awards
(Presented by Jim Tolbert, Assistant City Manager)
- F. **2020-159** Request for Mayor and City Council Consideration of a Resolution Supporting and Encouraging the Georgia General Assembly to Enact Statewide Legislation Making It Clear That Georgians Will Not Tolerate Hate or Bias-Motivated Violence
(Presented by Rusty Paul, Mayor)
- G. **2020-160** Request for Mayor and City Council Consideration of a Resolution to Support Coordination with the City of Atlanta to Rename Lake Forrest Drive and Forrest Lake Drive, Located within the Territorial Boundaries of the City of Sandy



SANDY SPRINGS

GEORGIA

Springs and the City of Atlanta
(Presented by Rusty Paul, Mayor)

IX. Reports

A. **2020-161** Mayor and Council Report

X. Executive Session

A. **2020-162** Real Estate

XI. Adjournment



SANDY SPRINGS

CITY CLERK'S OFFICE

TO: Andrea Surratt, City Manager

FROM: William H. Martin, Jr., AIA, Public Works Director

DATE: June 2, 2020 Submission for the June 16, 2020 Meeting

ITEM: Consideration of the Acceptance of the Dedication of Right of Way on Northwood Drive as part of the Development Regulations Ordinance requirements related to Community Development File # LDP 19-00091

Recommendation:

Staff recommends that the Mayor and City Council accept the right of way deed dedicating all that tract or parcel of land lying and located in Land Lot 90 of the 17th District, Fulton County, Georgia. The property, as shown in the attached exhibits, is being dedicated by the property owner, CEDM NORTHWOOD, LLC, and is more specifically known as 120 Northwood Drive, Sandy Springs, Georgia. The dedicated right of way totals 5,270 square feet and is being dedicated as required by the Development Regulations Ordinance in Connection with Community Development File # LDP 19-00091.

Background:

Section 103-75 of the Development Regulations specifies a minimum-required right of way width based on street classifications. Such width must be dedicated prior to the approval of an Exemption Plat, Final Plat or a Land Disturbance Permit submittal. Property specific zoning conditions may increase or reduce the required right of way amount. Additionally, the right of way must be either the minimum width from centerline, 11' from the back of curb or 1' behind the sidewalk, whichever is greater.

Right of way is being dedicated along the parcel's Northwood Drive per the requirements/conditions of the Development Regulations Ordinance. The property owner has paid the recording fees and met the requirements of the Transportation Services Unit of the Public Works Department and the City's Right of Way Specialist for the dedication of the right of way.

Discussion:

N/A

Financial Impact:

None. This is a dedication at no cost to the City.

Alternatives:

N/A

Attachments:

1. Aerial Map and Property Profile
2. Executed ROW Deed - Dedication 120 Northwood Dr
3. Resolution - ROW Deed of Dedication

PARID: 17 009000010749

MISSION HOLDINGS LLC



Parcel

Parcel ID:	17 009000010749
Property Location:	120 NORTHWOOD DR
Unit:	
City:	SANDY SPRINGS
Neighborhood:	C205
Improvement Strata:	C1
Property Class:	C4
Land Use Code:	344-Strip Shopping Center
Living Units:	
Acres:	2.6382
Zoning:	C2-
Location	5
Fronting:	3 - 3
Parking Type:	1-OFF STREET
Parking Quantity:	2
Street 1/Street 2:	1-Paved/-
Topo 1/Topo2/Topo3:	1-LEVEL/-/-
Util1/Util2/Util3:	1-ALL PUBLIC/-/-

Legal

Tax District	59
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Owners

Owners:	MISSION HOLDINGS LLC
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Mailing Address

Address	FUL Exmp Code	ATL Exmp Code
MISSION HOLDINGS LLC		
120 NORTHWOOD DR NE # S 230		
ATLANTA GA 30342		

AFTER RECORDING, PLEASE RETURN TO:
City Clerk's Office
1 Galambos Way
Sandy Springs, GA 30328

RIGHT OF WAY DEED

(Dedication by Corporate, LLC, etc. Owner)

STATE OF GEORGIA FULTON COUNTY

THIS INDENTURE, made this 4th day of June, 2020, between CEDM NORTHWOOD, LLC, a South Carolina limited liability company, as Grantor, and the City of Sandy Springs, GA, a municipal corporation of the State of Georgia, as Grantee.

WITNESSETH: That for and in consideration of the sum of ONE DOLLAR (\$1.00) and other good and valuable consideration in hand paid, the receipt whereof is hereby acknowledged, Grantor does grant and convey unto Grantee, its successors and assigns, the following property, to wit:

That tract of land lying and being in Land Lot 90 of the 17th District of Fulton County, Georgia and being furthermore described as a portion of the property in Deed Book 61184, Page 511.

Furthermore, the property can be more particularly described in Exhibit "A" and shown on Exhibit "B" both hereby made part of by reference.

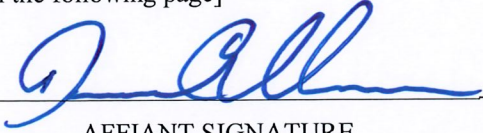
It is the intent of both parties that the City of Sandy Springs, Georgia, shall receive fee simple Right of Way along Northwood Drive, with a total depth of approximately 41.6 (variable right of way) feet from existing centerline and equaling 5,270 square feet for the purpose of road improvements. This dedication is in conjunction with the City of Sandy Springs Community Development Department File No.: LDP 19-00091.

To have and to hold the bargained premises unto Grantee, its successors and assigns forever in fee simple.

Grantor(s) will forever warrant and defend the title to the bargained premises unto Grantee, its successors and assigns against the claims of all persons claiming by, through or under Grantor, but not otherwise.

IN WITNESS WHEREOF Grantor has here unto caused this deed to be executed and its seal affixed hereto the day and year above written.

[Signatures on the following page]

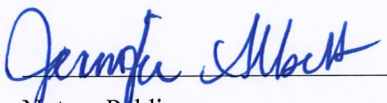

AFFIANT SIGNATURE

David M. Ellison

AFFIANT PRINTED NAME

Sworn to and subscribed before me,

This 2 day of June, 2020.


Notary Public

My Commission Expires: 10/11/23

(NOTARY SEAL)



Exhibit A

LEGAL DESCRIPTION: PROPOSED RIGHT-OF-WAY DEDICATION

ALL THAT CERTAIN PIECE, PARCEL OR LOT OF LAND LYING AND BEING IN LAND LOT 90 OF THE 17th DISTRICT FULTON COUNTY, GEORGIA, WITHIN THE CITY LIMITS OF SANDY SPRINGS AND BEING MORE FULLY SHOWN AND DESIGNATED ON RIGHT-OF-WAY DEDICATION MAP FOR TAYLOR THEUS HOLDINGS, INC DATED FEBRUARY 18, 2020 PREPARED BY HAYES, JAMES & ASSOCIATES AND HAVING THE FOLLOWING METES AND BOUNDS TO WIT.

COMMENCING AT A POINT ON THE WESTERN RIGHT-OF-WAY OF ROSWELL ROAD INTERSECTS WITH THE NORTH RIGHT-OF-WAY OF NORTHWOOD DRIVE; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY OF NORTHWOOD DRIVE 883.4'± TO THE POINT-OF-BEGINNING (P.O.B.);

THENCE CONTINUING ALONG THE NORTH RIGHT-OF-WAY OF NORTHWOOD DRIVE (60' R/W) NORTH 88 DEGREES 24 MINUTES 56 SECONDS WEST (N88°24'56"W) A DISTANCE OF 439.15' TO A #4 REBAR FOUND; THENCE TURNING AND LEAVING SAID RIGHT-OF-WAY AND CONTINUING ALONG THE LINE OF N/F HW TALLY LLC NORTH 00 DEGREES 48 MINUTES 29 SECONDS EAST (N00°48'29"E) A DISTANCE OF 12.00' TO A POINT; THENCE TURNING AND CONTINUING ALONG THE LINE OF N/F MISSION HOLDINGS LLC SOUTH 88 DEGREES 24 MINUTES 56 SECONDS EAST (S88°24'56"E) A DISTANCE OF 439.22' TO A POINT; THENCE TURNING AND CONTINUING ALONG THE LINE OF N/F RAMIZ & KABIR HURANI SOUTH 01 DEGREES 08 MINUTES 29 SECONDS WEST (S01°08'29"W) A DISTANCE OF 12.00' TO THE POINT-OF-BEGINNING (P.O.B.) AND CONTAINING 0.121 ACRES (5,270 SQ. FT.).

Exhibit B

LEGAL DESCRIPTION: PROPOSED RIGHT-OF-WAY DEDICATION

ALL THAT CERTAIN PIECE, PARCEL OR LOT OF LAND LYING AND BEING IN LAND LOT 90 OF THE 17th DISTRICT FULTON COUNTY, GEORGIA, WITHIN THE CITY LIMITS OF SANDY SPRINGS AND BEING MORE FULLY SHOWN AND DESIGNATED ON RIGHT-OF-WAY DEDICATION MAP FOR TAYLOR THEUS HOLDINGS, INC DATED FEBRUARY 18, 2020 PREPARED BY HAYES, JAMES & ASSOCIATES AND HAVING THE FOLLOWING METES AND BOUNDS TO WIT;

COMMENCING AT A POINT ON THE WESTERN RIGHT-OF-WAY OF ROSWELL ROAD INTERSECTS WITH THE NORTH RIGHT-OF-WAY OF NORTHWOOD DRIVE (60' R/W); THENCE CONTINUING WEST ALONG SAID RIGHT-OF-WAY OF NORTHWOOD DRIVE (60' R/W) 883.4'± TO THE POINT-OF-BEGINNING (P.O.B.);

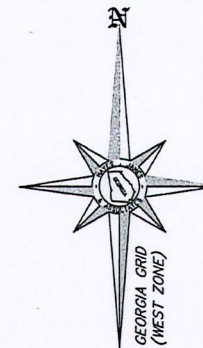
THENCE CONTINUING ALONG THE NORTH RIGHT-OF-WAY OF NORTHWOOD DRIVE (60' R/W) NORTH 88 DEGREES 24 MINUTES 56 SECONDS WEST (N88°24'56"W) A DISTANCE OF 439.15' TO A #4 REBAR FOUND; THENCE TURNING AND LEAVING SAID RIGHT-OF-WAY AND CONTINUING ALONG THE LINE OF N/F HW TALLY LLC NORTH 00 DEGREES 48 MINUTES 29 SECONDS EAST (N00°48'29"E) A DISTANCE

OF 12.00' TO A POINT; THENCE TURNING AND CONTINUING ALONG THE LINE OF N/F MISSION HOLDINGS LLC SOUTH 88 DEGREES 24 MINUTES 56 SECONDS EAST (S88°24'56"E) A DISTANCE OF 439.22' TO A POINT; THENCE TURNING AND CONTINUING ALONG THE LINE OF N/F RAMIZ & KABIR HURANI SOUTH 01 DEGREES 08 MINUTES 29 SECONDS WEST (S01°08'29"W) A DISTANCE OF 12.00' TO THE POINT-OF-BEGINNING (P.O.B.) AND CONTAINING 0.121 ACRES (5,270 SQ. FT.).

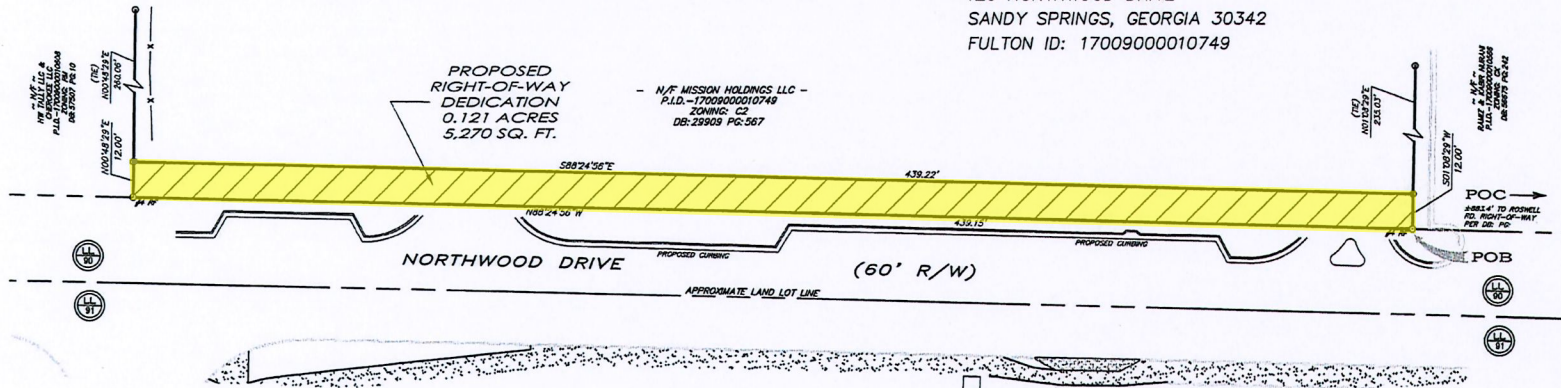
SANDY SPRINGS APP NUMBER: LDP 19-00091
FULTON COUNTY PROJECT NUMBER: 19-118WR

OWNER MAILING ADDRESS:
CEDM NORTHWOOD, LLC
4408 FOREST DRIVE
SUITE 350
COLUMBIA, SOUTH CAROLINA 29206

PROPERTY ADDRESS:
120 NORTHWOOD DRIVE
SANDY SPRINGS, GEORGIA 30342
FULTON ID: 17009000010749



RESERVED FOR CLERK OF
SUPERIOR COURT



GEORGIA CERTIFICATION

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. 15-6-67.

Steve Hardy
Georgia Land Surveyor No. 2662
shardy@hayesjames.com



NOTE:

BOUNDARY REFERENCE WAS TAKEN FROM AN ALTA/NSPS SURVEY FOR TAYLOR/THEUS HOLDINGS DATED 2/19/19 BY HARDY SURVEYING GROUP.

ALL IMPROVEMENTS NOT SHOWN

SITE IS LOCATED WITHIN THE CITY LIMITS OF SANDY SPRINGS



I-drive\Aprosurv\2020\20014 Taylor Theus Northwood Drive\DWG\19-002 RW.dwg

Hayes James
ENGINEERS, PLANNERS & SURVEYORS
4145 SHACKLEFORD ROAD
SUITE 300
NORCROSS, GEORGIA 30093
TEL: (770) 923-1600
FAX: (770) 923-4202
CERTIFICATE OF AUTHORIZATION:
NO. LSF00055

- RIGHT-OF-WAY ACQUISITION MAP FOR -
TAYLOR / THEUS HOLDINGS, INC
4408 FOREST DRIVE, SUITE 350
COLUMBIA, SC 29206
Phone: 803.256.1050
www.taylortheus.com

NO.	DATE	DESCRIPTION
1	3/27/2020	MISC REVISIONS
2	3/30/2020	REVIEW COMMENTS
3		
4		
5		
6		

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This drawing and their reproductions are the property of the
engineer and may not be reproduced, published, or used
in whole or in part without the written permission of the
engineer.

PROJECT LOCATION
Land lot(s): 90
District: 17th
Section
County: FULTON
State: GEORGIA
Project #: 19-002
Drawn By:
Checked By: S.M.H.
Scale: 1" = 40'
Date: FEBRUARY 18, 2020
Sheet Number

STATE OF GEORGIA
COUNTY OF FULTON

**A RESOLUTION TO ACCEPT THE DEDICATION OF RIGHT OF WAY
ON PROPERTY LOCATED IN LAND LOT 90 OF THE 17th DISTRICT,
FULTON COUNTY, CITY OF SANDY SPRINGS, GEORGIA**

WHEREAS, it is necessary, from time to time, to establish policies, procedures and guidelines consistent with the administration of a municipal government consistent with the US Constitution, Federal Statutes, alignment with Federal, Georgia's State Constitution, and the Charter for the City of Sandy Springs, and

WHEREAS, the City Manager directed the Department of Public Works to develop standard policies for recurring matters, to establish appropriate internal controls and legal compliance, and to provide for an efficient and effective means to serve constituents; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SANDY SPRINGS, GEORGIA

That they approve the acceptance of the dedication of a Right of Way Deed from CEDM NORTHWOOD, LLC, on property more particularly described as 120 Northwood Drive in Sandy Springs, Georgia. This dedication is associated with Community Development File# 19-00091.

As required per conditions of the Development Regulations Ordinance, the City authorizes the acceptance of the required 5,270 square feet of Right of Way along Northwood Drive in land lot 90 of the 17th District, Fulton County, City of Sandy Springs, Georgia.

RESOLVED this the 16th day of June, 2020.

Approved:

Russell K. Paul, Mayor

Attest:

Raquel Gonzalez, City Clerk
(Seal)



SANDY SPRINGS

CITY CLERK'S OFFICE

TO: Andrea Surratt, City Manager

FROM: William H. Martin Jr., AIA, Public Works Director

DATE: April 24, 2020 Submission for the June 16, 2020 Meeting

ITEM: Acceptance of a Real Estate Agreement for the Purchase of a Permanent Drainage and Temporary Construction Easement for the Tanglewood Trail (821) Stormwater Project.

Recommendation:

Staff recommends that the Mayor and City Council accept an Agreement to Purchase Real Estate of a Permanent Drainage and Temporary Construction Easement on that tract of land lying and located in Land Lot 162 of the 17th District, Fulton County, Georgia. The property owner is Robert E. Graham, Jr. et al located at 4805 Jett Road, Sandy Springs, Georgia, as shown in the attached exhibits.

Background:

The acquisition of 509 square feet of Permanent Drainage Easement and 915 square feet of Temporary Construction Easement on this property is necessary in order to construct the Tanglewood Trail Stormwater Project. The property owners have accepted the City's offer for the necessary easement rights required to construct the proposed project.

Discussion:

Staff was able to negotiate a reasonable compensation amount for the required land rights with the property owners. The City's contracted appraiser, Craig Hammond, MAI, determined fair market value for the easement areas in the amount of \$3,200.

Financial Impact:

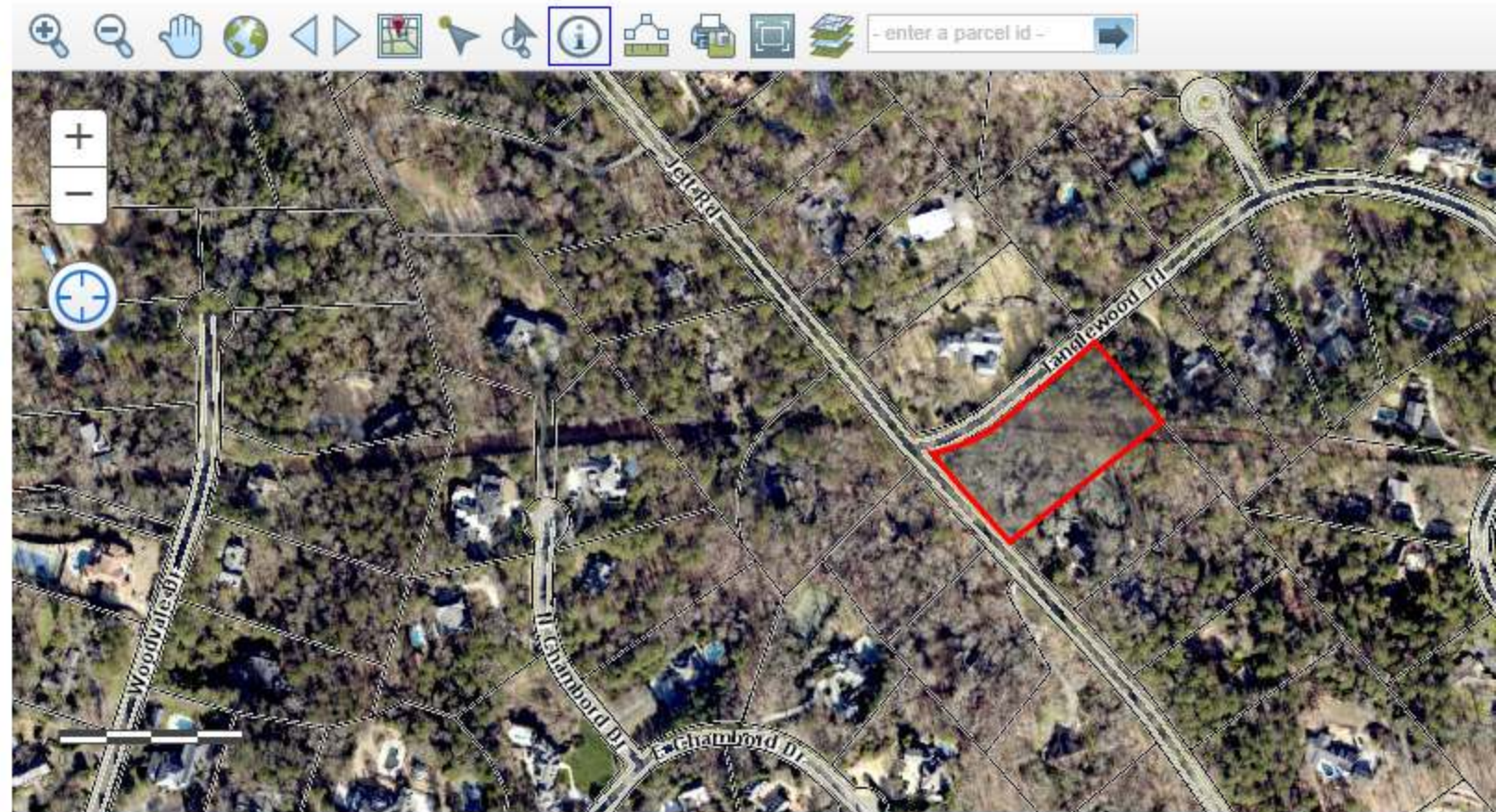
The property owner agreed to sell their land interests for the sum of \$3,200 to the City. The permanent drainage easement includes \$2,441.67 (509 sf X \$7.38/sf X 65%) and the temporary construction easement includes \$675.27 (915 SF X 7.38/sf X 10% X 1 year) totaling \$ 3,116.94 / \$3,200.00 rounded, for the combined land interests required for the project. Staff concurs this the compensation amount is reasonable and recommends payment to the owner for these land interests.

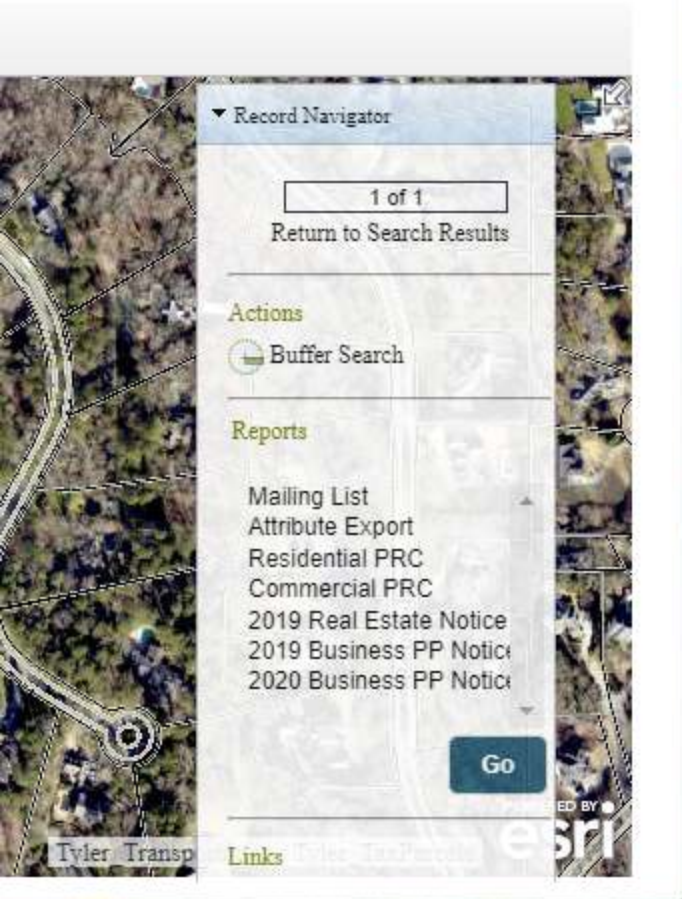
Alternatives:

N/A

Attachments:

1. Aerial Map and Property Profile - Graham Et Al
2. Executed RE Agmt Tanglewood Trail - Graham Et Al
3. RESOLUTION





The screenshot displays a web application interface for a map. On the left, a portion of a satellite map is visible, showing a road and surrounding vegetation. A circular marker is placed on the map. The main area is a sidebar menu with a light blue header. The header contains a dropdown arrow and the text "Record Navigator". Below the header, there is a box with "1 of 1" and a link "Return to Search Results". The menu is divided into sections: "Actions" with a "Buffer Search" option, and "Reports" with a list of report types: "Mailing List", "Attribute Export", "Residential PRC", "Commercial PRC", "2019 Real Estate Notice", "2019 Business PP Notice", and "2020 Business PP Notice". A "Go" button is at the bottom of the reports list. At the bottom of the sidebar, there is a "Links" section and the Esri logo. The text "Tyler Transp" is visible at the bottom left of the map area.

▼ Record Navigator

1 of 1
Return to Search Results

Actions

Buffer Search

Reports

Mailing List
Attribute Export
Residential PRC
Commercial PRC
2019 Real Estate Notice
2019 Business PP Notice
2020 Business PP Notice

Go

Links

esri

Tyler Transp

Parcel

Parcel ID:	17 0162 LL0975
Property Location:	4805 JETT RD
Unit:	
City:	SANDY SPRINGS
Neighborhood:	1713
Improvement Strata:	R1
Property Class:	R4
Land Use Code:	101-Residential 1 family
Living Units:	1
Acres:	2.02
Zoning:	R1-
Location	6
Fronting:	9 - 9
Parking Type:	3-ON AND OFF STREET
Parking Quantity:	2
Street 1/Street 2:	1-Paved/-
Topo 1/Topo2/Topo3:	2-ABOVE STREET/-/-
Util1/Util2/Util3:	1-ALL PUBLIC/-/-

Legal

Tax District	59
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Owners

Owners:	GRAHAM ROBERT E JR ET AL
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Mailing Address

Address	FUL Exmp Code	ATL Exmp Code
GRAHAM ROBERT E JR ET AL 4805 JETT RD NW SANDY SPRINGS GA 30327		

Sales

Sale Date:	Sale Price:
31-MAR-15	\$675,000
07-JUN-10	\$595,000
21-DEC-09	\$0
18-DEC-09	\$470,000
06-OCT-09	\$450,000
01-NOV-04	\$782,500
06-MAR-01	\$430,000
13-APR-88	\$323,700

Sale Details

Grantor:	JOHN T.L. KOENIG AND JULIA S. KOENIG
Grantee:	GRAHAM ROBERT E JR ET AL
Sales Date:	31-MAR-15

Sale Price Sale Validity:

0 : Valid Sale

Sale Source:

6 : PT61

Sales Type:

2 : LAND & BUILDING

Sale Flag:

Deed Book:

54803

Deed Page:

0322

Deed Type:

LW

Residential

Card:

1

Stories:

1.5

Year Built:

1960

Effective Year Built:

1990

Remodeled Year:

Living Area:

3,157

Total Living Area:

2,846

Total Rooms:

8

Bedrooms:

6

Family Rooms:

1

Attic:

1-NONE

Basement LA:

722

Basement Rec Area:

Full Baths:

3

Half Baths:

2

Additional Fixtures:

2

Total Fixtures:

15

Pre Fab Fireplace:

Masonry Fireplaces:

2

Grade:

B+

CDU:

EX

% Complete

Additions

Addition Number:	Description:	Area
0	---	1,247
1	-OFP OPEN FRAME PORCH--	40
2	UNFIN BSMT BASEMENT UNFINISHED-1S FR ONE STORY FRAME--	663
3	-MA_PT CONC/MAS PATIO--	267
4	-1S FR ONE STORY FRAME--	312
5	-OFP OPEN FRAME PORCH--	30

OBJ Details

Card #:	Description:	Year Built:	Grade:	Width:	Length:	Area:
1	RC1-CARPORT	1960	D	20	20	400

Land

Line Number:

1

Land Type:

A - ACREAGE

Land Code:

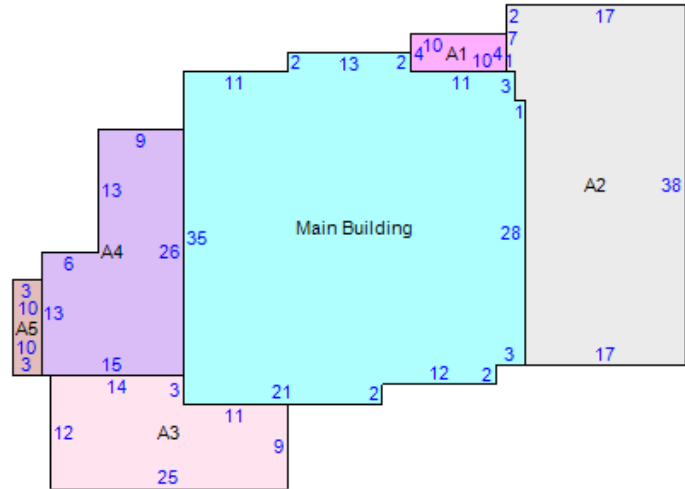
1

Square Feet:

43,560

Acres:

1



Item	Area
Main Building	1247
CARPORT - RC1:CARPORT	400
A1 - 11:OFP OPEN FRAME PORCH	40
A2 - 50/10:UNFIN BSMT BASEMENT UNFINISHED/1S FR ONE STORY FRAME	663
A3 - 33:MA_PT CONC/MAS PATIO	267
A4 - 10:1S FR ONE STORY FRAME	312
A5 - 11:OFP OPEN FRAME PORCH	30

AGREEMENT TO PURCHASE REAL ESTATE

PROJECT: TANGLEWOOD TRAIL (821) STORMWATER

OWNER: ROBERT E. GRAHAM, JR. ET AL
ADDRESS: 4805 Jett Road, Sandy Springs, GA 30327
TAX ID#: 17-0162-LL-097-5

STATE OF GEORGIA, FULTON COUNTY

For and in consideration of the sum of One Dollar (\$1.00), receipt whereof being acknowledged, the undersigned grants to the City of Sandy Springs an option to acquire the following described real estate:

Right of Way and/or Easement rights through that tract or parcel of land located in Land Lot 162 of the 17th District, of Fulton County, Georgia, and being more particularly described on Exhibit "A" attached hereto and made a part hereof by reference.

For the sum of **\$3,200.00**, the undersigned agrees to execute and deliver to the City of Sandy Springs, easements to the lands owned by the undersigned as reflected on the attached Exhibits "A" and "B".

* * * * *

The following conditions are imposed upon the grant of this option:

- 1) This option shall extend for 90 days from this date.
- 2) The consideration recited is full payment for the rights conveyed.

509 Square Feet of Permanent Drainage Easement

915 Square Feet of Temporary Construction Easement

- 3) All Temporary Easements will terminate upon completion and acceptance of the same by the Department of Transportation.
- 4) The undersigned shall obtain all quit claim deeds or releases from any tenant now in possession and any other parties having a claim or interest in the property described above.
- 5) Special Provisions, if any, are listed on Exhibit "C", which is attached hereto and incorporated herein by reference.

Witness my hand and seal this 15 day of May, 2020.

Signed, Sealed and Delivered in
the in the presence of:

[Signature]
Witness

[Signature]
Notary



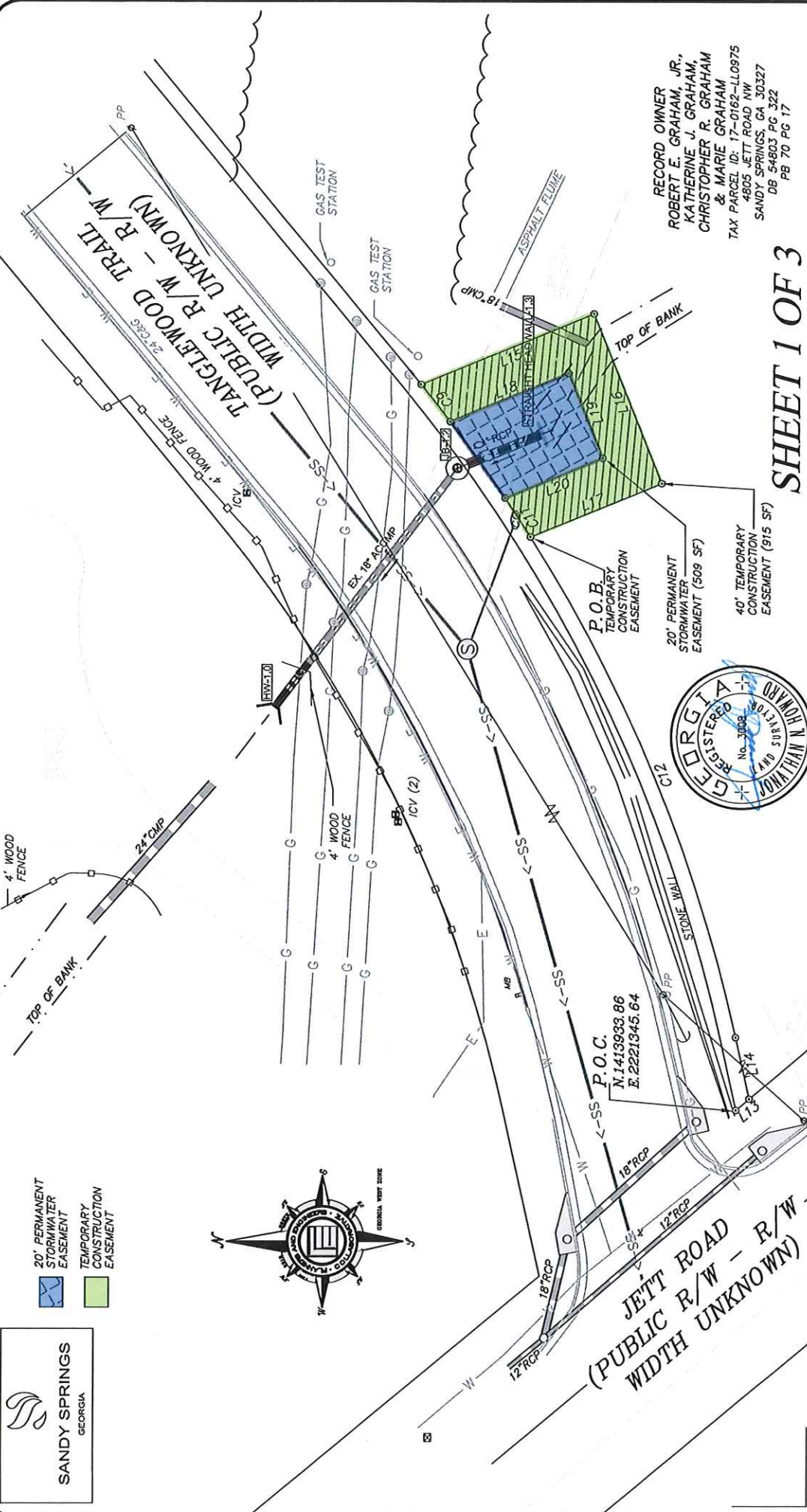
[Signature]
ROBERT E. GRAHAM, JR.

GRAHAM ET AL:

[Signature]
MARIE GRAHAM

[Signature]
CHRISTOPHER R. GRAHAM

[Signature]
KATHERINE J. GRAHAM



RECORD OWNER
 ROBERT E. GRAHAM, JR.,
 KATHERINE J. GRAHAM,
 CHRISTOPHER R. GRAHAM
 & MARIE GRAHAM
 TAX PARCEL ID: 17-0162-LLO975
 4805 JETT ROAD NW
 SANDY SPRINGS, GA 30327
 DB 54803 PG 322
 PB 70 PG 17

SHEET 1 OF 3

STORMWATER EASEMENT EXHIBIT "B" FOR
 CITY OF SANDY SPRINGS
 THROUGH THE PROPERTY OF ROBERT E. GRAHAM, JR., KATHERINE
 J. GRAHAM, CHRISTOPHER R. GRAHAM & MARIE GRAHAM

COUNTY FULTON
 STATE OF GEORGIA
 CITY OF SANDY SPRINGS
 LAND LOT(S) 163
 DISTRICT 17TH

PLANNERS AND ENGINEERS COLLABORATIVE

"WE PROVIDE SOLUTIONS"
 ■ SITE PLANNING ■ LANDSCAPE ARCHITECTURE
 ■ CIVIL ENGINEERING ■ LAND SURVEYING
 330 RESEARCH COURT PEACHTREE CORNERS, GEORGIA 30092
 (770) 451-2741 ■ WWW.PEACATL.COM
 C.O.A.-15F00004

SANDY SPRINGS
 GEORGIA



Parcel Line Table		
Line #	Length	Direction
L13	3.82'	S40° 10' 54"E
L14	13.78'	N77° 19' 33"E
L15	40.95'	S22° 14' 18"E
L16	40.04'	S67° 48' 54"W
L17	31.10'	N22° 09' 00"W
L18	28.01'	S22° 13' 08"E
L19	20.03'	S67° 48' 54"W
L20	23.09'	N22° 08' 28"W

Parcel Curve Table				
Curve #	Length	Radius	Chord Direction	Chord Length
C9	10.41	343.27	N51° 24' 49"E	10.41
C10	20.60	343.27	N54° 00' 04"E	20.59
C11	10.20	343.27	N56° 34' 17"E	10.20
C12	119.24	343.27	N67° 22' 28"E	118.65

20 FOOT PERMANENT STORMWATER EASEMENT LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 163 of the 17th District, City of Sandy Springs, Fulton County, Georgia and being more particularly described as follows:

Commencing at a point at the intersection of the Northeasterly Right of Way Line of Jett Road (Public R/W - R/W Width Unknown) and the Southeasterly Right of Way Line of Tanglewood Trail (Public R/W - R/W Width Unknown) having Georgia State Plain Coordinates (Ga. West Zone, NAD83) Northing-1413933.86 and Easting-2221345.64; thence leaving said intersection and following along said Northeasterly Right of Way Line of Jett Road South 40 degrees 10 minutes 54 seconds East a distance of 3.82 feet to a point; thence leaving said Northeasterly Right of Way Line of Jett Road North 77 degrees 19 minutes 33 seconds East a distance of 13.78 feet to a point; thence with a curve turning to the left with an arc length of 119.24 feet, with a radius of 343.27 feet, with a chord bearing of North 67 degrees 22 minutes 28 seconds East, with a chord length of 118.65 feet to a point, thence with a curve turning to the left with an arc length of 10.20 feet, with a chord bearing of North 56 degrees 34 minutes 17 seconds East, with a chord length of 10.20 feet to a point, which is the true point of beginning.

thence with a curve turning to the left with an arc length of 20.60 feet, with a radius of 343.27 feet, with a chord bearing of North 54 degrees 00 minutes 04 seconds East, with a chord length of 20.59 feet to a point; thence South 22 degrees 13 minutes 08 seconds East a distance of 28.01 feet to a point; thence South 67 degrees 48 minutes 54 seconds West a distance of 20.03 feet to a point; thence North 22 degrees 08 minutes 28 seconds West a distance of 23.09 feet to a point, which is the true point of beginning.

Said 20 foot permanent easement having an area of 509 square feet more or less.



SHEET 2 OF 3

PLANNERS AND ENGINEERS COLLABORATIVE

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 350 RESEARCH COURT PEACHTREE CORNERS, GEORGIA 30092
 (770) 451-2741 ■ WWW.PECATL.COM
 C.O.A.-JF000004

LEGAL DESCRIPTION EXHIBIT "A" FOR:

CITY OF SANDY SPRINGS

'THROUGH THE PROPERTY OF ROBERT E. GRAHAM, JR., KATHERINE

J. GRAHAM, CHRISTOPHER R. GRAHAM & MARIE GRAHAM

COUNTY FULTON
 STATE OF GEORGIA
 CITY OF SANDY SPRINGS
 LAND LOT(S) 163
 DISTRICT 17TH



DRAWN BY: MN
 CHECKED BY: JH
 FILE NO: 16079.00
 DATE: 2/21/20
 SCALE: 1"=20'

TEMPORARY CONSTRUCTION EASEMENT LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 163 of the 17th District, City of Sandy Springs, Fulton County, Georgia and being more particularly described as follows:

Commencing at a point at the intersection of the Northeasterly Right of Way Line of Jett Road (Public R/W - R/W Width Unknown) and the Southeasterly Right of Way Line of Tanglewood Trail (Public R/W - R/W Width Unknown) having Georgia State Plain Coordinates (Ga. West Zone, NAD83) Northing-1413933.86 and Easting-2221345.64; thence leaving said intersection and following along said Northeasterly Right of Way Line of Jett Road South 40 degrees 10 minutes 54 seconds East a distance of 3.82 feet to a point; thence leaving said Northeasterly Right of Way Line of Jett Road North 77 degrees 19 minutes 33 seconds East a distance of 13.78 feet to a point; thence with a curve turning to the left with an arc length of 119.24 feet, with a radius of 343.27 feet, with a chord bearing of North 67 degrees 22 minutes 28 seconds East, with a chord length of 118.65 feet to a point, which is the true point of beginning.

Thence with a curve turning to the left with an arc length of 10.20 feet, with a radius of 343.27 feet, with a chord bearing of North 56 degrees 34 minutes 17 seconds East, with a chord length of 10.20 feet to a point; thence South 22 degrees 08 minutes 28 seconds East a distance of 23.09 feet to a point; thence North 67 degrees 48 minutes 54 seconds East a distance of 20.03 feet to a point; thence North 22 degrees 13 minutes 08 seconds West a distance of 28.01 feet to a point; thence with a curve turning to the left with an arc length of 10.41 feet, with a radius of 343.27 feet, with a chord bearing of North 51 degrees 24 minutes 49 seconds East, with a chord length of 10.41 feet to a point; thence South 22 degrees 14 minutes 18 seconds East a distance of 40.95 feet to a point; thence South 67 degrees 48 minutes 54 seconds West a distance of 40.04 feet to a point; thence North 22 degrees 09 minutes 00 seconds West a distance of 31.10 feet to a point, which is the true point of beginning.

Said temporary construction easement having an area of 915 square feet more or less.



SANDY SPRINGS
GEORGIA

SHEET 3 OF 3

PLANNERS AND ENGINEERS COLLABORATIVE

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■ CIVIL ENGINEERING ■ LAND SURVEYING
350 RESEARCH COURT PEACHTREE CORNERS, GEORGIA 30092
(770) 451-2741 ■ WWW.PECATL.COM
C.O.A.-JSP000004

COUNTY FULTON
STATE OF GEORGIA
CITY OF SANDY SPRINGS
LAND LOT(S) 163
DISTRICT 17TH

LEGAL DESCRIPTION EXHIBIT "C" FOR:

CITY OF SANDY SPRINGS

'THROUGH THE PROPERTY OF ROBERT E. GRAHAM, JR., KATHERINE
J. GRAHAM, CHRISTOPHER R. GRAHAM & MARIE GRAHAM



DRAWN BY: MN
CHECKED BY: JH
FILE NO: 16079.00
DATE: 2/21/20
SCALE: 1"=20'

STATE OF GEORGIA
COUNTY OF FULTON

**A RESOLUTION TO ACCEPT A REAL ESTATE AGREEMENT FOR A
PERMANENT DRAINAGE AND TEMPORARY CONSTRUCTION EASEMENT
ON PROPERTY LOCATED IN LAND LOT 162 OF THE 17th DISTRICT,
CITY OF SANDY SPRINGS, FULTON COUNTY, GEORGIA**

WHEREAS, it is necessary, from time to time, to establish policies, procedures and guidelines consistent with the administration of a municipal government consistent with the US Constitution, Federal Statutes, alignment with Federal, Georgia's State Constitution, and the Charter for the City of Sandy Springs, and

WHEREAS, the City Manager directed the Department of Public Works to develop standard policies for recurring matters, to establish appropriate internal controls and legal compliance, and to provide for an efficient and effective means to serve constituents; and

WHEREAS, the Department of Public Works, in response to the guidance provided by the City Manager, has reviewed and approves the acceptance of a Real Estate Agreement for the acquisition of a Permanent Drainage Easement and Temporary Construction Easement by the City of Sandy Springs for property located at 4805 Jett Road owned by Robert E. Graham, Jr. et al in Land Lot 162 of the 17th District, Fulton County, City of Sandy Springs, Georgia

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SANDY SPRINGS, GEORGIA

To facilitate the construction of the Tanglewood Trail Stormwater Project, the City approves the acceptance of the Real Estate Agreement acquiring a Permanent Drainage Easement and Temporary Construction Easement on property located in Land Lot 162 of the 17th District, Fulton County, City of Sandy Springs, Georgia.

RESOLVED this 16th day of June, 2020.

APPROVED:

Russell K. Paul, Mayor

Attest:

Raquel Gonzalez, City Clerk
(Seal)



SANDY SPRINGS

CITY CLERK'S OFFICE

TO: Andrea Surratt, City Manager

FROM: Alexandra Horst, Planner II

DATE: May 19, 2020 Submission for the June 16, 2020 Meeting

ITEM: Request for Mayor and City Council Consideration of RZ19-0006 (135 & 145 Cliftwood Drive) Request for a Zoning Map Amendment (Rezoning) of 135 & 145 Cliftwood Drive from CS-3 (City Springs, 3 Stories Maximum Height) to CS-6 (City Springs, 6 Stories Maximum Height)

Recommendation:

Planning Commission recommended Approval of Zoning Map Amendment (Rezoning) RZ19-0006.

Staff recommends Approval of Zoning Map Amendment (Rezoning) RZ19-0006.

Background:

The applicant requests a Zoning Map Amendment (Rezoning) of 135 & 145 Cliftwood Drive from the CS-3 (City Springs, 3 stories maximum height) to the CS-6 (City Springs, 6 stories maximum height) zoning classification.

Discussion:

The applicant requests a Zoning Map Amendment (Rezoning) of 135 & 145 Cliftwood Drive from the CS-3 (City Springs, 3 stories maximum height) to the CS-6 (City Springs, 6 stories maximum height) zoning classification. The proposed Zoning Map Amendment substantially conforms with The Next Ten Comprehensive Plan. The subject properties are in the City Springs Character Area, which is not proposed to change.

The petitioner's proposed development is a six (6)-story building containing approximately 30 for sale, multi-unit residences.

The Zoning Map Amendment (Rezoning) site plan is provided for conceptual and illustrative purposes only. Staff is not recommending this application be conditioned to the site plan. The goal with Rezoning is to consider the appropriateness of the proposed change in regards to the potential allowed uses within the proposed zoning district, rather than the specifics of a future development.

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. 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 properties are zoned CS-3 or CS-6. This area, as well as the entire City Springs district, is experiencing considerable redevelopment. Within the immediate vicinity alone, The Cliftwood apartment complex at 185 Cliftwood Drive and The Plaza at City Springs development at 5840 Roswell Road were built in the last several years. Thus, there are changing conditions, trends, and facts in the area, with which the proposed Zoning Map Amendment is consistent.

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 subject properties are in the City Springs Character Area, which is not proposed to change. The City Springs Character Area is intended to be the mixed use and walkable civic, cultural, and community center. Additionally, The Next Ten prioritizes mixed use redevelopment of underutilized or aging properties in commercial centers and community nodes like City Springs. It also encourages higher densities in key nodes and new housing in mixed use areas. The proposed Zoning Map Amendment to CS-6 would better position the subject parcels in City Springs for dense redevelopment, as it would increase the potential floor area by as much as three (3) stories. The petitioner proposes to develop for sale, multi-unit residences in place of the 1950s residential structures that are currently used for commercial purposes. Another goal of The Next Ten is to increase housing supply and provide a range of housing choices. Thus, the proposed Zoning Map Amendment substantially conforms with The Next Ten.

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 intended to encourage reinvestment, promote mixed use redevelopment, provide standards for compatible transitions, achieve design excellence, and promote housing options. The proposed Zoning Map Amendment would likely encourage reinvestment and redevelopment. 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 proposed Zoning Map Amendment will reinforce the existing and planned character of the area. The subject properties are in the City Springs Character Area, which is not proposed to change. The City Springs Character Area is intended to be the mixed use and walkable civic, cultural, and community center. The area is already experiencing redevelopment, some of which is also six (6) stories. The planned character of City Springs is a unique, vibrant, and walkable district containing a mix of land uses, including a variety of residential uses (single and multi-unit). The proposed Zoning Map Amendment will reinforce the existing redeveloping character and the proposed mixed use character of the area. Thus, the proposed Zoning 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 subject properties are appropriate for allowed uses in CS-. They are also appropriate for the proposed change to a district that allows for a maximum height of six (6) stories, increasing vertical density. 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 properties are zoned CS-3 or CS-6. Thus, the subject properties are appropriate for the development allowed in the proposed district and the use and development of adjacent properties.

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

Finding: There are not substantial reasons why the subject properties must not be used according to the existing zoning. There are no substantial reasons why the properties must remain developed with 1950s residential structures that currently contain commercial land uses. The proposed Zoning Map Amendment to CS-6 would likely increase the potential for redevelopment of the subject properties.

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

Finding: Based on the vision for City Springs outlined in The Next Ten, there is a need for the proposed use at the proposed location. The applicant requests a Zoning Map Amendment (Rezoning) from the CS-3 to the CS-6 zoning classification, which would likely increase housing supply and choices, a stated goal of The Next Ten.

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 substantial changes in the ability of the City and other service providers to provide sufficient public facilities and services and maintain sufficient levels of service to existing development. However, see Comments from Other Parties below and the Package for more information. The petitioner's proposed development would increase density and traffic volumes and could generate some new students, though largely negligible. The City and other service providers should be able to provide sufficient public facilities and services, while maintaining levels of service to existing development.

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

Finding: Staff does not anticipate that the proposed Zoning Map Amendment would impact the natural environment significantly. However, the petitioner proposes to redevelop the subject properties, which contain trees, and there is some hydrology in the area. Nonetheless, it does not appear that there would be substantial impact to the tree canopy, nor to the air, water, noise, stormwater management, wildlife, and vegetation.

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 a substantial 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 properties are zoned CS-3 or CS-6. The area in the vicinity of the subject properties is experiencing redevelopment. Thus, the proposed Zoning Map Amendment would not likely have a significant adverse impact on property in the vicinity of the subject properties.

Financial Impact:

N/A

Alternatives:

Mayor and City Council may choose to deny the request or approve it with conditions.

Attachments:

1. RZ19-0006 MCC Package
2. RZ19-0006 Ordinance
3. RZ19-0006 MCC Presentation Slides



SANDY SPRINGS

GEORGIA

P&Z STAFF REPORT

Mayor and City Council Meeting, June 16, 2020

Case: **RZ19-0006 – 135 & 145 Cliftwood Drive**
Staff Contact: Alexandra Horst (AHorst@SandySpringsga.gov)
Report Date: June 2, 2020

REQUEST

Request for a Zoning Map Amendment (Rezoning) of 135 & 145 Cliftwood Drive from CS-3 (City Springs, 3 stories maximum height) to CS-6 (City Springs, 6 stories maximum height).

APPLICANT

Property Owner:
HDK Properties, LLLP
(contact: George D. Steinheimer)

Petitioner:
NexCity Development LLC
(contact: Gary Unell)

Representative:
Nathan V. Hendricks III

SUMMARY

The applicant requests a Zoning Map Amendment (Rezoning) of 135 & 145 Cliftwood Drive from the CS-3 (City Springs, 3 stories maximum height) to the CS-6 (City Springs, 6 stories maximum height) zoning classification.

UPDATE (March 18, 2020)

RZ19-0006 was originally scheduled to be heard by Mayor and City Council on March 17, 2020. However, public hearings were postponed as Mayor and City Council approved a 60-day Emergency Ordinance Declaring Local Emergency Of The Novel Coronavirus Disease 2019 Global Pandemic.

RECOMMENDATIONS

Planning Commission (February 19, 2020)

Following Staff's presentation, the petitioner's representative spoke. He described that the applicant proposes to develop 30 for sale, multi-unit residences, the proposed project complies with the Zoning Map Amendment (Rezoning) considerations, and the applicant intends to apply for a Variance to not provide the required upper floors setback, to be heard by the Board of Appeals after the Rezoning, should it be approved. The petitioner and the petitioner's architect then spoke in support of the application.

Two (2) citizens spoke in opposition to the application. The first spoke on behalf of the business owners and employees that work in the commercial building at 5855 Sandy Springs Circle. He expressed concerns about the potential height of the proposed building, setting of a precedent, tree removal and erosion from the proposed project, and a Variance. He considers the changing trends to be nearer to Roswell Road. His contention was that redevelopment is desirable, but not redevelopment of six (6) stories, and that the proposed development is possible at a lower height. He requested that the Planning Commission postpone the case. The second citizen to speak in opposition to the application was a nearby resident (address unknown). He expressed concerns about the potential height of the proposed development, which he said could negatively impact property values. In response to the opposition regarding whether the proposed development could be done in the current zoning district, the applicant's team stated that the proposed use could be developed in the CS-3 District.

The Planning Commission then discussed the request. A Planning Commission member explained his opposition to the request and asked the petitioner about the number of proposed residences and whether they would be affordable, to which the petitioner answered in the negative.

Motion 1

Commissioner Nickles moved to recommend **Denial** of Zoning Map Amendment (Rezoning) RZ19-0006. However, there was no second, so the motion died.

Motion 2

Commissioner Settles moved to recommend **Approval** of Zoning Map Amendment (Rezoning) RZ19-0006. Commissioner King seconded the motion. The motion passed 4-1, with Commissioner Nickles in opposition.

Department of Community Development

Staff recommends **Approval** of **Zoning Map Amendment (Rezoning)** RZ19-0006.

MATERIALS SUBMITTED AND REVIEWED

Materials:

1. Application, received November 26, November 27, December 2, and December 3, 2019

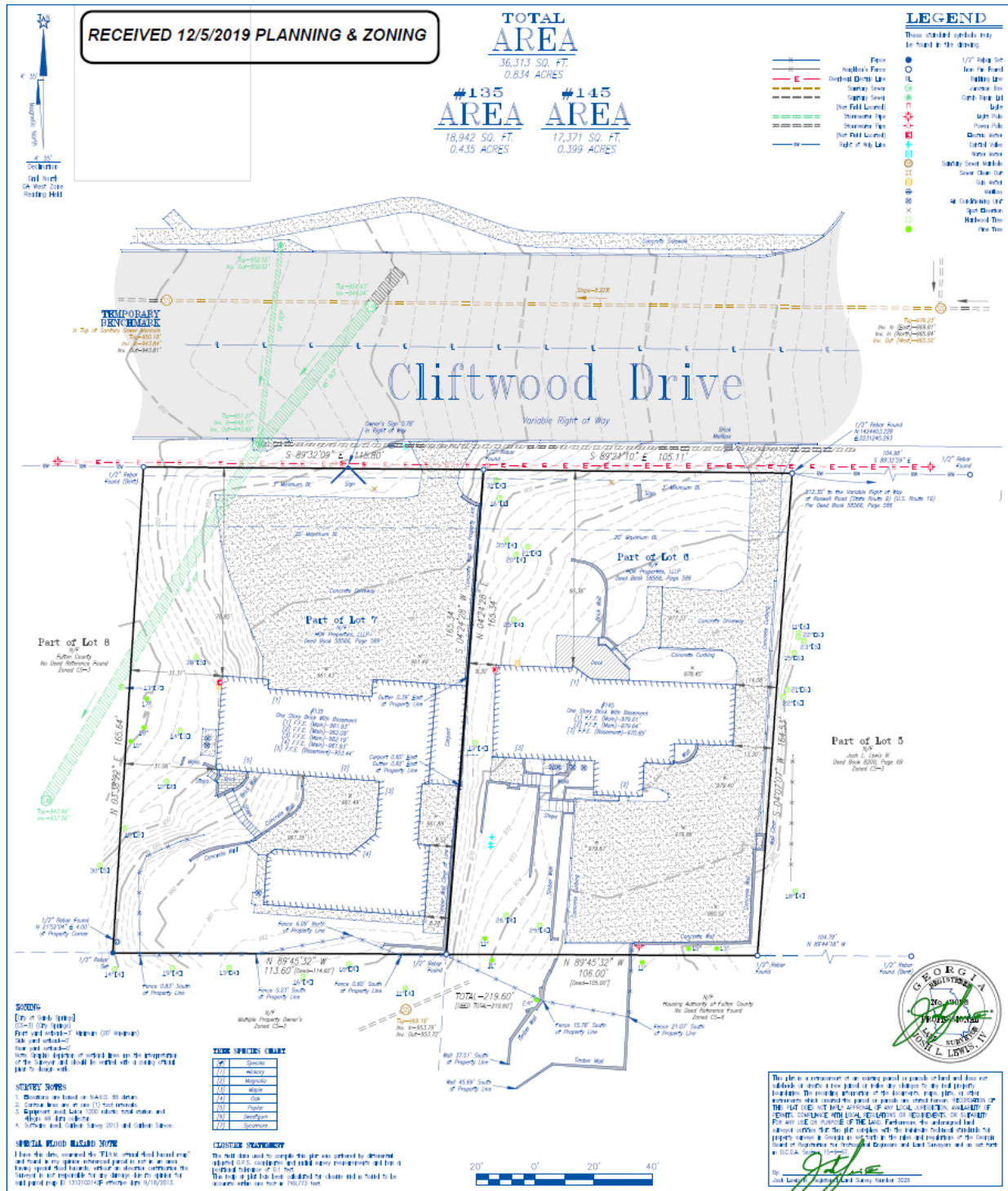
Plans:

1. "TBD," prepared by Georgia Land Surveying Co., signed and sealed by John L. Lewis, IV, R.L.S., dated September 9, 2019, received December 5, 2019
2. "Architectural Site Plan: Cliftwood Flats," prepared by Archetype Design, dated November 26, 2019, received November 26, 2019
3. "Artistic Rendering: Cliftwood Flats," prepared by Archetype Design, dated 2019, received November 26, 2019
4. "Cliftwood Flats" plan set, prepared by Archetype Design, dated October 14, 2019, received October 28, 2019

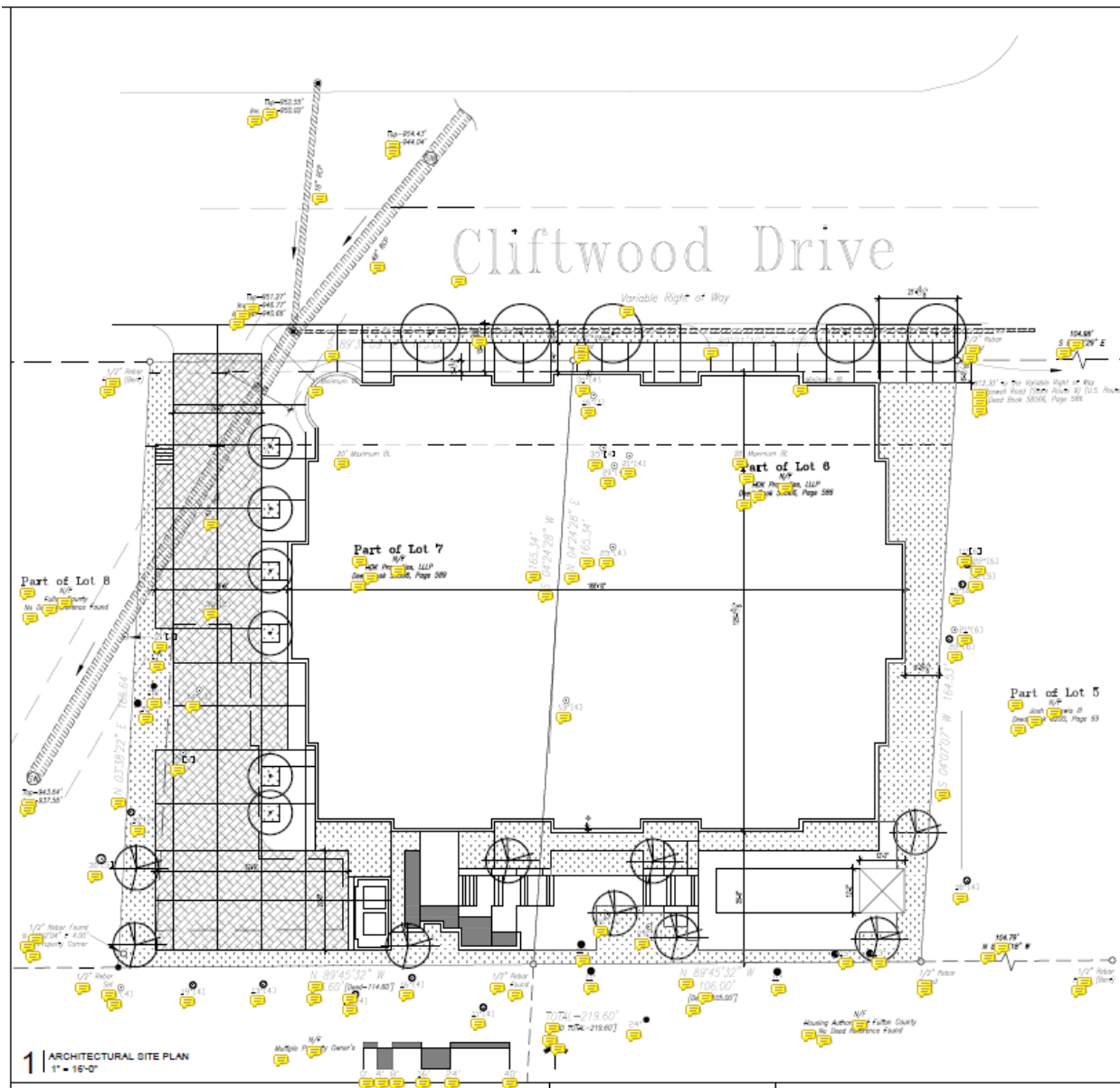
PROPERTY INFORMATION	
Location:	135 Cliftwood Drive (Parcel # 17 009000030309) & 145 Cliftwood Drive (Parcel # 17 009000030325)
Council District:	3 – Chris Burnett
Road frontage:	Approximately 221.6 feet of frontage on Cliftwood Drive
Acreage:	Approximately 0.4356 acre (135 Cliftwood Drive) + 0.3989 acre (145 Cliftwood Drive) = 0.8345 acre
Current Zoning:	CS-3 (City Springs, 3 stories maximum height)
Existing Land Use:	Commercial land uses in 1950s residential structures
Previous Zoning Cases:	Rezoning 1996Z-0006 (135 Cliftwood Drive) was approved with conditions. Rezoning 1987Z-0028 (145 Cliftwood Drive) was approved with conditions.
Character Area:	City Springs

PROCESS			
Initial Community Meeting (CMI): November 18, 2019	Second Community Meeting (CMII): January 6, 2020	Planning Commission Hearing: February 19, 2020	Mayor and City Council Hearing: June 16, 2020 (originally scheduled for March 17, 2020)

EXISTING CONDITIONS SURVEY (received December 5, 2019)
(full size Existing Conditions Survey in Package)



PROPOSED DEVELOPMENT SITE PLAN (received November 26, 2019)
(full size Proposed Development Site Plan in Package)



PROPOSED DEVELOPMENT

The applicant requests a Zoning Map Amendment (Rezoning) of 135 & 145 Cliftwood Drive from the CS-3 (City Springs, 3 stories maximum height) to the CS-6 (City Springs, 6 stories maximum height) zoning classification. The proposed Zoning Map Amendment substantially conforms with The Next Ten Comprehensive Plan. The subject properties are in the City Springs Character Area, which is not proposed to change.

The petitioner's proposed development is a six (6)-story building containing approximately 30 for sale, multi-unit residences.

The Zoning Map Amendment (Rezoning) site plan is provided for conceptual and illustrative purposes only. Staff is not recommending this application be conditioned to the site plan. The goal with Rezoning is to consider the appropriateness of the proposed change in regards to the potential allowed uses within the proposed zoning district, rather than the specifics of a future development.

The following images show the existing conditions of 135 & 145 Cliftwood Drive.



View of 135 Cliftwood Drive (145 Cliftwood Drive is to the left, and 125 Cliftwood Drive is to the right), facing south across Cliftwood Drive



View of 145 Cliftwood Drive (155 Cliftwood Drive is to the left, and 135 Cliftwood Drive is to the right), facing south across Cliftwood Drive



View of rear of 145 Cliftwood Drive

The following images show the existing conditions of adjacent and nearby properties. 125 Cliftwood Drive is adjacent to the west of 135 Cliftwood Drive. 5920 Roswell Road is across the street to the north from 135 & 145 Cliftwood Drive and developed as the Parkside Shopping Center. 165 & 175 Cliftwood Drive are similar to 135 & 145 Cliftwood Drive in that the 1950s residential structures on these parcels are currently used for commercial purposes. Further to the east, 185 Cliftwood Drive was recently redeveloped as The Cliftwood, an apartment complex. 144 Allen Road is adjacent to the rear and south of 145 Cliftwood Drive and contains the Sterling Place apartment complex.



View of 125 Cliftwood Drive and Sandy Springs Circle facing southwest



View of 5920 Roswell Road (Parkside Shopping Center) facing northeast



View of 165 (far right), 175 (middle), & 185 (far left and behind)
Cliftwood Drive facing southeast



View of 185 Cliftwood Drive (The Cliftwood) facing south



View of 144 Allen Road (Sterling Place) facing northeast

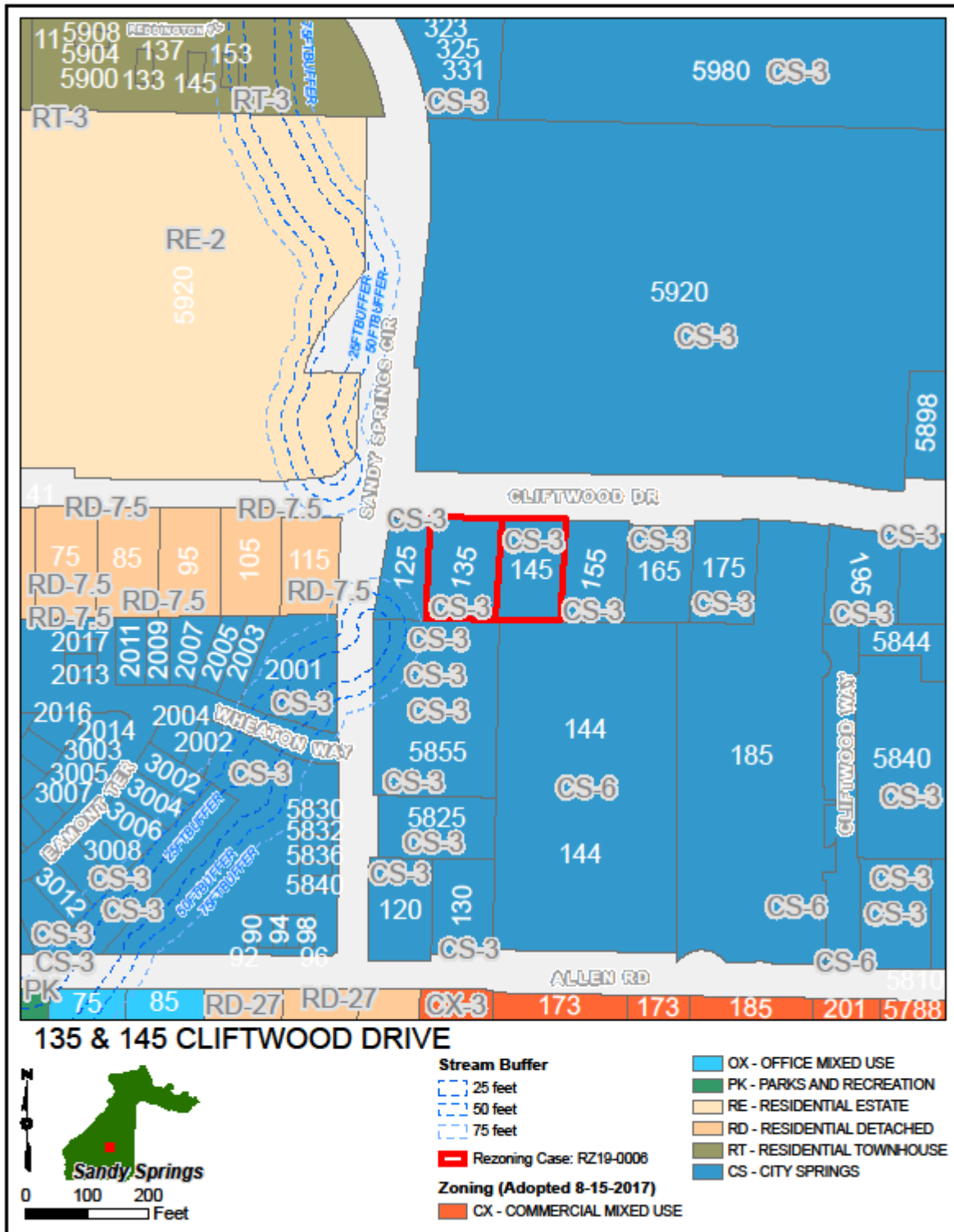
(All photographs by Alexandra Horst, January 15, 2020)

EXISTING ZONING AND LAND USES OF PROPERTY IN THE VICINITY			
Location relative to subject property	Zoning / Land use	Address(es)	Land area (acres) (approximate)
North	CS-3 / Place of assembly and commercial land uses	5920 Roswell Road (Parkside Shopping Center)	12.82
East	CS-3 / Office use in 1950s residential structure	155 Cliftwood Drive	0.40
East	CS-3 / Personal service uses in 1950s residential structure	165 Cliftwood Drive	0.39
East	CS-3 / Animal care use in 1950s residential structure	175 Cliftwood Drive	0.42
East / Southeast	CS-6 / Multi-unit residential	185 Cliftwood Drive (The Cliftwood)	3.67
South / Southeast	CS-6 / Multi-unit residential	144 Allen Road (Sterling Place)	3.75
South / Southwest	CS-3 / Commercial land uses	5855 Sandy Springs Circle	1.34
West	CS-3 / Undeveloped	125 Cliftwood Drive	0.49
PROPOSED DEVELOPMENT			
--	CS-6 / Multi-unit residential	135 & 145 Cliftwood Drive	0.83

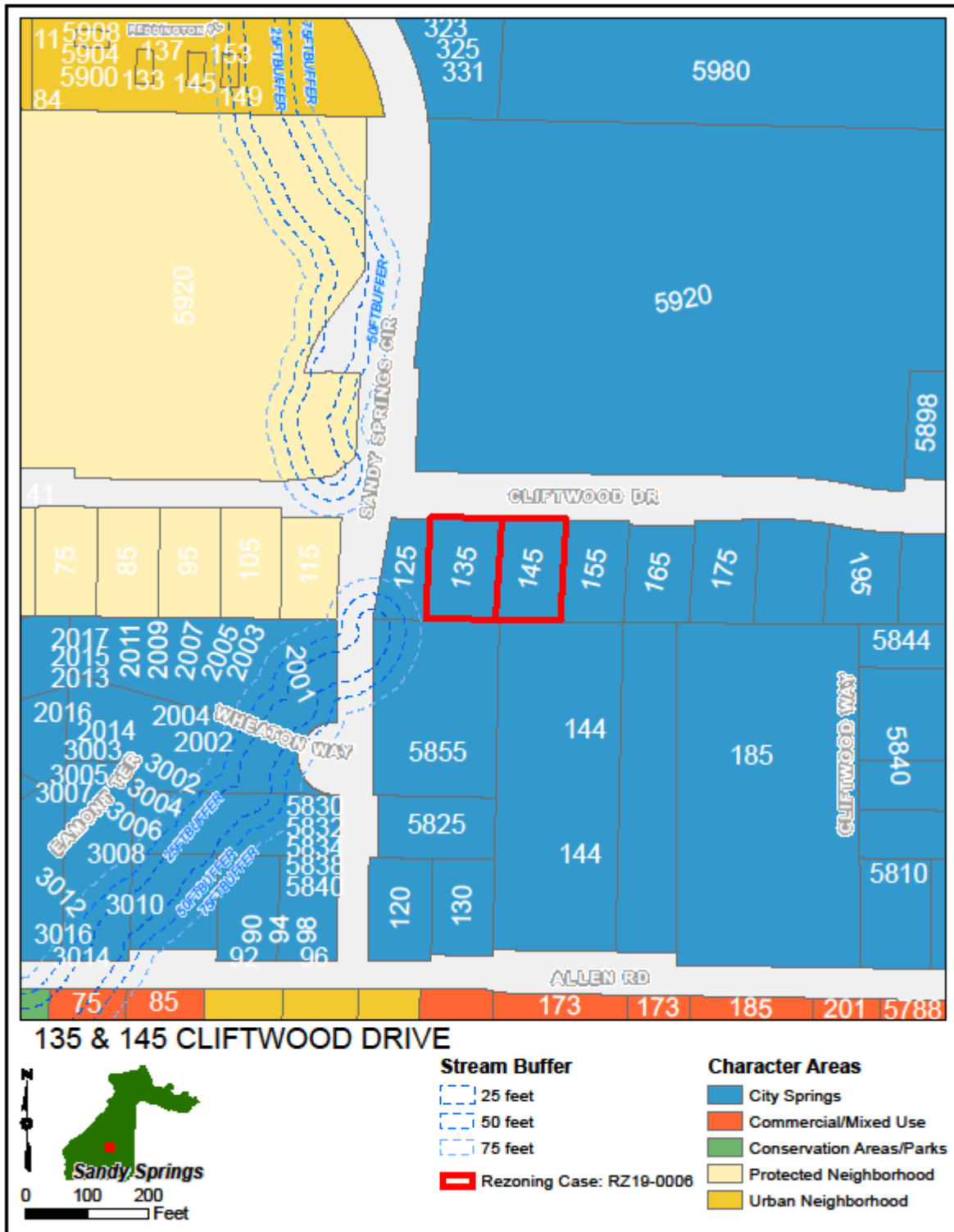
AERIAL IMAGE



ZONING MAP



CHARACTER AREA 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. 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 properties are zoned CS-3 or CS-6. This area, as well as the entire City Springs district, is experiencing considerable redevelopment. Within the immediate vicinity alone, The Cliftwood apartment complex at 185 Cliftwood Drive and The Plaza at City Springs development at 5840 Roswell Road were built in the last several years. Thus, there are changing conditions, trends, and facts in the area, with which the proposed Zoning Map Amendment is consistent.

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 subject properties are in the City Springs Character Area, which is not proposed to change. The City Springs Character Area is intended to be the mixed use and walkable civic, cultural, and community center. Additionally, The Next Ten prioritizes mixed use redevelopment of underutilized or aging properties in commercial centers and community nodes like City Springs. It also encourages higher densities in key nodes and new housing in mixed use areas. The proposed Zoning Map Amendment to CS-6 would better position the subject parcels in City Springs for dense redevelopment, as it would increase the potential floor area by as much as three (3) stories. The petitioner proposes to develop for sale, multi-unit residences in place of the 1950s residential structures that are currently used for commercial purposes. Another goal of The Next Ten is to increase housing supply and provide a range of housing choices. Thus, the proposed Zoning Map Amendment substantially conforms with The Next Ten.

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 intended to encourage reinvestment, promote mixed use redevelopment, provide standards for compatible transitions, achieve design excellence, and promote housing options. The proposed Zoning Map Amendment would likely encourage reinvestment and redevelopment. 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 proposed Zoning Map Amendment will reinforce the existing and planned character of the area. The subject properties are in the City Springs Character Area, which is not proposed to change. The City Springs Character Area is intended to be the mixed use and walkable civic, cultural, and community center. The area is already experiencing redevelopment, some of which is also six (6) stories. The planned character of City Springs is a unique, vibrant, and walkable district containing a mix of land uses, including a variety of residential uses (single and multi-unit). The proposed Zoning Map Amendment will reinforce the existing redeveloping character and the proposed mixed use character of the area. Thus, the proposed Zoning Map Amendment will reinforce the existing and planned character of the area.

5. <i>The subject property is appropriate for the development allowed in the proposed district and the use and development of adjacent properties.</i> Finding: The subject properties are appropriate for allowed uses in CS-. They are also appropriate for the proposed change to a district that allows for a maximum height of six (6) stories, increasing vertical density. 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 properties are zoned CS-3 or CS-6. Thus, the subject properties are appropriate for the development allowed in the proposed district and the use and development of adjacent properties.
6. <i>There are substantial reasons why the property must not be used according to the existing zoning.</i> Finding: There are not substantial reasons why the subject properties must not be used according to the existing zoning. There are no substantial reasons why the properties must remain developed with 1950s residential structures that currently contain commercial land uses. The proposed Zoning Map Amendment to CS-6 would likely increase the potential for redevelopment of the subject properties.
7. <i>There is a need for the proposed use at the proposed location.</i> Finding: Based on the vision for City Springs outlined in The Next Ten, there is a need for the proposed use at the proposed location. The applicant requests a Zoning Map Amendment (Rezoning) from the CS-3 to the CS-6 zoning classification, which would likely increase housing supply and choices, a stated goal of The Next Ten.
8. <i>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.</i> Finding: Staff does not anticipate substantial changes in the ability of the City and other service providers to provide sufficient public facilities and services and maintain sufficient levels of service to existing development. However, see Comments from Other Parties below and the Package for more information. The petitioner's proposed development would increase density and traffic volumes and could generate some new students, though largely negligible. The City and other service providers should be able to provide sufficient public facilities and services, while maintaining levels of service to existing development.
9. <i>The Zoning Map Amendment will not significantly impact the natural environment, including air, water, noise, stormwater management, wildlife and vegetation.</i> Finding: Staff does not anticipate that the proposed Zoning Map Amendment would impact the natural environment significantly. However, the petitioner proposes to redevelop the subject properties, which contain trees, and there is some hydrology in the area. Nonetheless, it does not appear that there would be substantial impact to the tree canopy, nor to the air, water, noise, stormwater management, wildlife, and vegetation.
10. <i>The Zoning Map Amendment will not have a significant adverse impact on property in the vicinity of the subject property.</i> Finding: Staff does not anticipate that the proposed Zoning Map Amendment would have a substantial 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 properties are zoned CS-3 or CS-6. The area in the vicinity of the subject properties is experiencing redevelopment. Thus, the proposed Zoning Map Amendment would not likely have a significant adverse impact on property in the vicinity of the subject properties.

COMMENTS FROM OTHER PARTIES

Sandy Springs Public Works:

The site plan submitted with the application was not evaluated but will be reviewed at the LDP phase.

Sandy Springs Transportation Engineer:

The proposed increase in density would generate additional traffic volumes along Cliftwood Drive. The most recent traffic count data (2014) shows an average daily traffic volume of 3,484. The proposed increase in traffic volume would likely have little impact on the surrounding roadway infrastructure.

The site plan included with the application has not been evaluated in terms of Code compliance for traffic engineering standards. All details of the proposed development will be reviewed at the LDP phase.

Sandy Springs City Engineer:

The proposed increase in density would not likely generate additional site engineering concerns.

The site plan included with the application has not been evaluated in terms of Code compliance for site engineering standards. All details of the proposed development will be reviewed at the LDP phase.

Sandy Springs Chief Environmental Compliance Officer:

No comment provided.

Sandy Springs Arborist:

Rezoning would not impact canopy or the City's Tree Conservation Code.

Sandy Springs Sustainability Manager:

The proposed increase in density seems appropriate considering the infrastructure available in the area and the desire to improve walkability. The site plan included in this application has not been evaluated in terms of sustainability strategies; all details of the development will be reviewed at the LDP phase.

Sandy Springs Building Official:

Both of the existing residential structures on this block are six (6) or more stories, so this proposal seems to be in keeping with those.

Sandy Springs Fire Marshal:

No issues with the proposed Rezoning. Issues that could appear in the LDP phase include, but are not limited to, proper access for fire apparatus, utility additions for fire protection systems, and additional required fire hydrants.

MARTA:

No comment provided.

Fulton County Schools:

1/13/2020



Development Impact Statement

PETITION: RZ19-0006

JURISDICTION: Sandy Springs

Proposed Residential Units

<u>Single-family detached</u>	<u>Townhouses</u>	<u>Apartments</u>	<u>Condominiums</u>
0	0	0	30

HOME SCHOOL	2019-20 ENROLLMENT ^A	GADOE CAPACITY	ESTIMATED NEW STUDENTS GENERATED	DISPLACED STUDENTS	PROJECTED UNDER/OVER CAPACITY ^B	
					WITHOUT DEV	WITH DEV
Lake Forest ES	749	850	0 to 10	0	-101	-101 to -91
Ridgeview Charter MS	1,074	1,200	0 to 3	0	-126	-126 to -123
Riverwood Charter HS	1,815	2,225	0 to 5	0	-410	-410 to -405
TOTAL			0 to 18	0		Insufficient historical data to run report? ☐

HS REGION: Riverwood Charter HS

	AVERAGE - 1 STD. DEV.		AVERAGE + 1 STD. DEV.	
One single-family detached unit generates:	0.004370	to	0.28198	elementary school students
	0.000000	to	0.086072	middle school students
	0.001337	to	0.167073	high school students
One townhouse unit generates:	0.000000	to	0.108671	elementary school students
	0.000000	to	0.038689	middle school students
	0.010000	to	0.062318	high school students
One apartment unit generates:	0.004610	to	0.064476	elementary school students
	0.000000	to	0.017367	middle school students
	0.000000	to	0.116758	high school students
One condominium unit generates:	0.000000	to	0.329741	elementary school students
	0.000000	to	0.103876	middle school students
	0.000000	to	0.173158	high school students

AVERAGE OPERATIONAL COST PER STUDENT (FY19 - Proposed):

TOTAL COST: \$14,906	PORTION LOCAL REVENUE SOURCES: \$9,902	PORTION STATE AND OTHER REVENUE SOURCES: \$5,004
----------------------	--	--

^A Based on first-month enrollment count for 2019-20 school year ^B Positive values indicate numbers of students a facility is over state capacity / negative values indicate under capacity.
^{*} State capacity indicates space. However due to the number of special programs, portable classrooms or other measures may be needed to accommodate the instructional needs of the school.
^{**} Student yields are calculated annually based on geocode of enrolled FCS students in built-out developments within the high school zone in which the proposed development is located.

Fulton County Board of Health:

EHS Comments

- Fulton County Board of Health will require that the owner/developer connect the proposed development to public water and public sanitary sewer.
- Since this proposed development constitutes a premise where people live, onsite sanitary facilities will be mandatory prior to use or occupancy.
- If this development includes a public swimming pool as defined in Fulton County Code of Ordinances and Code of Resolutions, Chapter 34 – Health and Sanitation, Article XII – Swimming Pools and Natural Bathing Beaches (including spas, whirlpools, etc.), the owner or contractor must submit plans and approval by this department and must obtain a Fulton County Board of Health permit to construct before issuance of a building permit. Also, the owner of the facility must obtain a Board of Health permit to operate the pool prior to opening.
- This agency is requiring that plans indicating the number and location of outside refuse containers along with typical details of the pad and approach area for the refuse containers be submitted for review and approval.

General Public Health and EJ Comments

- Since this proposed development is not considered an environmentally adverse use, Fulton County Board of Health does not anticipate any adverse impacts to the health of humans or the environment by approving the request to rezone from CS-3 to CS-6 for the development of the proposed six (6)-story residential building.

Fulton County Public Services and Utilities:

No comment provided.

PUBLIC PARTICIPATION

Community Meeting I

There were 12 attendees, including the applicant's team, at the Initial Community Meeting on November 18, 2019. Questions and topics discussed included the petitioner's proposed development, processes, the timeframe, trees, stormwater management, and the undeveloped adjacent parcel to the west, 125 Cliftwood Drive.

Community Meeting II

There were 8 attendees, including the applicant's team, at the Second Community Meeting on January 6, 2020. Questions and topics discussed included the request, the petitioner's proposed development, processes, the timeframe, trees, and the large size of Cliftwood Drive.

Correspondence Received

14 distinct individuals submitted public comments in writing. One (1) comment was submitted by a nearby property owner in opposition to the proposed development. Concerns stated include the potential for an increase in traffic and setting a precedent. Another comment was submitted by a nearby property owner in support of the proposed development. The petitioner received six (6) direct letters of support based on the proposed development that were not received by our office but provided to Staff at the Planning Commission Hearing; they are incorporated in the RZ19-0006 Package. Eight (8) additional comments were submitted in support of the proposed development.

Staff received a phone call after the Planning Commission Hearing from an individual associated with the commercial building at 5855 Sandy Springs Circle in opposition to the proposed development.

DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION

Following review, and based on the findings, Staff recommends **Approval of Zoning Map Amendment (Rezoning)** RZ19-0006, request for a Zoning Map Amendment (Rezoning) of 135 & 145 Cliftwood Drive from CS-3 (City Springs, 3 stories maximum height) to CS-6 (City Springs, 6 stories maximum height).

However, Staff does *not* recommend this application be conditioned to the site plan.

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Community Development



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Case No.: 2719-0006
Planner's initials: AH

APPLICATION

ZONING MAP AMENDMENT (REZONING) AND CONDITIONAL USE PERMIT

Application Checklist:

Page No.	Item	Completed/ Included in Submittal
2	Project Information Sheet	☒
3-6	Detailed Process and Instructions	N/A
7	Application Form	☒
8-10	Authorization and Disclosure Forms	☒
	Additional Requirements:	
11	Letter of Intent	☒
11	Zoning Impact Analysis	☒ or N/A ☐
11-12	Conditional Use Analysis	☐ or N/A ☒
12	Traffic Impact Study <u>TRIP GENERATION STUDY</u>	☒ or N/A ☐
12	Development of Regional Impact	☐ or N/A ☒
12	Chattahoochee River Corridor Certificate	☐ or N/A ☒
12-13	Survey, Site Plan, and Legal Description Checklist	☒
14	Meeting Schedule	N/A
15	Fee Schedule	N/A
16	Sign Specifications	N/A
17	Sign-In Sheet Template	N/A

Provide also:

All documents in electronic form (CD/DVD, thumb drive, or via email) Note: The Legal Description must be in a Word document	☒
Site Plan: One (1) copy on 11" x 17" and two (2) full-scale copies	☒
Elevations and/or Sections: One (1) copy on 11" x 17"	☒
Sign-In Sheet completed at CM1	☒
Fee Payment	☒

The Director reserves the right to request additional information deemed necessary to analyze the request. Incomplete applications will not be accepted.

Planner's initials: AH

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PROJECT INFORMATION SHEET

Case No.: R219-0006
Planner's initials: AT

PROPERTY	Address(es):	<u>135-145 Cliftwood Dr Sandy Springs GA 30328</u>		
	Parcel Tax ID(s):	<u>17-00900003039 & 17-009000030325</u>		
	Total acreage:	<u>.84</u>	Council District:	<u>3</u>
	Current zoning:	<u>CS-3</u>	Current use:	<u>Photo Studio &</u>
	Character Area:	<u>City Springs</u>		<u>Animal Dentistry</u>

APPLICATION	Purpose of the application:	<u>REZONE CS-3 to CS-6 Res Condos</u>		
	Check all that apply:			
	☒ Zoning Map Amendment (Rezoning)	☐ Conditional Use Permit		
	Detailed request:	<u>CS-3 to CS-6 to request to REZONE to</u>		
	<u>Allow 6 story residential for SALE FLATS.</u>			
	<u>units 2,000 up to 4,000 sq ft</u>			
Petitioner:	<u>NEX City DEVELOPMENT LLC, Gary Uwell</u>			
Petitioner's address:	<u>195 CHASELAND Rd</u>			
	<u>Sandy Springs, GA 30328</u>			
Phone:		Email:		

OWNER	Property owner:	<u>HDK PROPERTIES, LLLP</u>		
	Owner's address:	<u>1688 KINGS DOWN CIRCLE</u>		
		<u>DUNWOODY GA 30338</u>		
	Phone:		Email:	
Signature (authorizing initiation of the process): <u>[Signature]</u>				
If the property is under contract and the owner is unavailable to sign, provide a copy of the contract				

- TO BE FILLED OUT BY P&Z STAFF -

Pre-Application Meeting date:	<u>10/28/2019</u>	Anticipated application date:	<u>11/26/2019</u>
CM1 date, time, and location:	<u>11/8/2019 at 6 pm at The Cliftwood, 185 Cliftwood drive</u>		
ADDITIONAL INFORMATION NEEDED:			
SUBMITTAL ITEMS WAIVED BY DIRECTOR:			

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Case No.: 1209-0006
Planner's initials: AH

APPLICATION FORM

APPLICATION	Purpose of the application: <u>Rezone 135 and 145 Cliftwood Drive from CS-3 to CS-6</u>
	Check all that apply: ☒ Zoning Map Amendment (Rezoning) ☐ Conditional Use Permit
	Detailed request: <u>Request a rezoning of the above referenced properties from CS-3 to CS-6 for development of one six story building to contain up to 30 individual condominiums/flats ranging from approximately 2,300 square feet to 4,000 square feet with parking on the lowest 2 floors together with a common lobby, amenity and storage areas of approximately 7,000 square feet.</u>

COMMUNITY MEETING REPORT	Date and location of CM1: <u>11/18/19-The Cliftwood, 185 Cliftwood Drive</u>
	Beginning time: <u>6:00 p.m.</u> End time: _____
	Summary of concerns discussed: <u>See Summary attached hereto as Exhibit "A".</u>
	Does the application address the concerns discussed at the CM1? ☒ Yes ☐ No
	Explain: <u>See Responses on the Summary attached hereto as Exhibit "A".</u>

- TO BE FILLED OUT BY P&Z STAFF -

Application date: <u>11/26/2019</u>	Planning Commission date: <u>2/19/2020 (TENTATIVE)</u>
CM2 date and time: <u>1/6/2020, 6 pm</u>	Mayor and City Council date: <u>3/17/2020 (TENTATIVE)</u>
OFFICIAL REQUEST (FOR PUBLICATION):	
<u>Request for a Zoning Map Amendment (Rezoning)</u>	
<u>from CS-3 to CS-6 to develop residential for sale</u>	
<u>flats.</u>	



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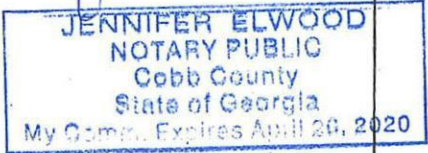
AUTHORIZATION FORM - PART I

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: <u>HDK Properties, LLLP</u>	Sworn and subscribed before me this <u>20</u> th day of <u>November</u> 20 <u>19</u> Notary public: <u>Michael G. Leff</u> Seal:  Commission expires:
Address: <u>1688 Kings Down Circle</u>	
City, State, Zip Code: <u>Dunwoody, Georgia 30338</u>	
Email address: <u>[REDACTED]</u>	
Phone number: <u>[REDACTED]</u>	
Owner's signature: By: <u>[Signature]</u> <u>Agent for the General Partner</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 (attach a copy of the contract); or ☒ He/she has an option to purchase the subject property (attach a copy of the contract); or ☐ He/she has an estate of years which permits the applicant to apply (attach a copy of the lease)	
Applicant's name: <u>Nexcite Development LLC</u>	Sworn and subscribed before me this <u>22</u> th day of <u>November</u> 20 <u>19</u> Notary public: <u>Jennifer Elwood</u> Seal:  Commission expires: <u>4/20/2020</u>
Company name: <u>Nexcite Development LLC</u>	
Address: <u>195 Chaseland Road</u>	
City, State, Zip Code: <u>Sandy Springs, Georgia 30328</u>	
Email address: <u>[REDACTED]</u>	
Phone number: <u>[REDACTED]</u>	
Applicant's signature: By: <u>[Signature]</u> <u>Gary Unell</u> <u>Its: Manager</u>	



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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: Nathan V. Hendricks III
Company: SELF
Address: 6085 Lake Forrest Drive Suite 200
City, State, Zip Code: Sandy Springs, Georgia 30328
Email address: nvh@cobbandhyre.com
Phone number: (404) 255-5161
Agent's signature:
Applicant's signature: Nexcity Development LLC By:

Gary Unell
Its: Manager

Sworn and subscribed before me this <u>25th</u> day of <u>November</u> 20 <u>19</u>
Notary public:
Seal:
Commission expires:



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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: <u>HDK Properties LLLP</u>

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: <u>HDK Properties LLLP</u>
Signature: By: <u>[Signature]</u> Date: <u>November 20</u> , 2019

Name: George D. Steinheimer
Its: Partner

Agent for the General Partner

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



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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: <u>HDK Properties LLP</u>

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: <u>Nexcity Development LLC</u>
Signature: By: <u><i>Gary Unell</i></u> Date: <u>November 18</u> , 2019
Gary Unell Its: Manager

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



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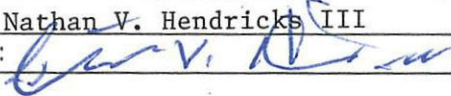
DISCLOSURE OF CONTRIBUTION FORM

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: HDK Properties LLLP

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: Nathan V. Hendricks III
Signature:  Date: November 18, 2019

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

Deed Book 58566 Pg 579
Filed and Recorded Mar-16-2018 08:58am
2018-0067519
Real Estate Transfer Tax \$0.00
Georgia Intangible Tax Paid \$0.00
CATHELENE ROBINSON
Clerk of Superior Court
Fulton County, Georgia

After recording, please return to:
MICHAEL G. LEFF, P.C.
3789 Roswell Road, NE
Atlanta, GA 30342
770-644-0800

AFFIDAVIT of AUTHORITY

COMES NOW, DOROTHY K. STEINHEIMER, sole General Partner of:
CMDK Properties, LLLP;
HDK Properties, LLLP;
HDKS Properties, LLLP
MHD Investments, LLLP;
Steinheimer/Kaufmann, LLLP;

All being Georgia limited liability limited partnerships (the "Partnerships"), who does in her capacity as General Partner confirm under oath the following;

1. In accordance with the Limited Liability Limited Partnership Agreements of the
aforescribed Partnerships (the "Agreements"), I act for and on behalf of the Partnerships;
2. Under the powers granted me in the Agreements, I do hereby appoint GEORGE D.
STEINHEIMER ("George") as Agent for me as General Partner with regard to any and all matters
pertaining to purchase and sale of properties of the Partnership and the conducting of the day
to day business of the Partnership, including all matters for which my authority exists;
3. George shall execute such deeds and documents and to do such other acts as are
reasonable and necessary to carry out the business of the Partnership.
4. This appointment shall remain in effect until I or my successor shall personally terminate it
in writing.

In furtherance of Partnership business, I hereby execute this Resolution this 31st day of
December 2017.

CMDK Properties, LLLP;
HDK Properties, LLLP;
HDKS Properties, LLLP
MHD Investments, LLLP;
Steinheimer/Kaufmann, LLLP;

Dorothy K. Steinheimer
Dorothy K. Steinheimer,
General Partner

Sandra Neill

Witness

Sworn to and subscribed before me

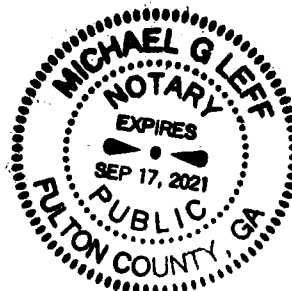
This 31st day of December 2017

Michael G. Leff

Notary

Commission expires _____

SEAL:



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**AGREEMENT FOR THE
PURCHASE AND SALE OF REAL PROPERTY**

THIS AGREEMENT, made and entered into this the 5 day of September, 2019, by and between HDK Properties LLLP ("Seller"), and BRU Group LLC., a Georgia corporation ("Purchaser").

WITNESSETH

WHEREAS, Seller is the owner of certain real property located in Fulton County, Georgia, with an address of 135 and 145 Cliftwood Drive, Sandy Springs, Georgia 30328, as more particularly described on Exhibit "A" attached hereto and by this reference incorporated herewith (said real property, together with all improvements thereon, all easements, privileges, appurtenances thereunto belonging, all fixtures used in connection therewith or attached thereto, and all plants, trees and shrubberies located thereon, are hereinafter collectively referred to as the "Property"); and

WHEREAS, Seller desires to sell the Property and Purchaser desires to purchase the Property, all upon the terms and conditions as are set forth in this Agreement;

NOW THEREFORE, for and in consideration of the premises, the mutual covenants and agreements set forth herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by all parties to this Agreement, the parties do hereby agree as follows:

1. AGREEMENT TO PURCHASE AND SELL. Purchaser agrees to purchase and Seller agrees to sell the Property for the price and on the terms and conditions set forth in this Agreement.

2. PURCHASE PRICE. The purchase price shall be _____
(hereinafter the "Purchase Price").

The Purchase Price, less the amount of the "Earnest Money" (as herein defined) paid by Purchaser, and subject to appropriate proration and adjustments as provided in this Agreement, shall be paid at the time and place of closing of this transaction by Purchaser to seller in cash or other funds immediately available at the time and place of closing.

3. EARNEST MONEY. Within three (3) business days after the Effective Date: (as hereafter defined), Purchaser shall deliver to Michael G. Leff, P.C. ("Escrow Agent") an initial deposit in the amount of TEN THOUSAND AND NO/100 DOLLARS (\$10,000.00) (the "Earnest Money"). Once Rezoning is approved, then within three (3) business days, Purchaser will deliver to Escrow Agent an additional FIFTY THOUSAND DOLLARS (\$50,000.00) as additional Earnest Money. At that point, all Earnest Money becomes non-refundable, as liquidate damages and not as a penalty. However, all Earnest Money shall be applied to the Purchase Price at Closing.

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City of Sandy Springs

Community Development

The parties agree that the Earnest Money when deposited with Escrow Agent shall be held and disbursed as follows: (a) Escrow Agent shall deposit the Earnest Money in its Georgia Bar required IOLTA Trust Account, in which all interest earned is automatically transferred to the Georgia Bar Association and will not be credited to Purchaser, Seller or Escrow Agent; and (b) except as otherwise provided elsewhere in this Agreement, the Earnest Money shall be credited to and considered as payment of part of the total purchase price for the Property at the time of and upon consummation of the Closing.

In the event the purchase and sale contemplated hereunder is not consummated because of Seller's default, then the Earnest Money shall be returned to the Purchaser plus \$50,000.00 as liquidated damages and not as penalty or at Purchaser's Option, Purchaser may pursue specific damages at Seller's default. Purchaser waives and disclaims all other remedies at law or equity, including specific performance.

In the event the purchase and sale contemplated hereunder does not close due to Purchaser's inability, failure or refusal to perform Purchaser's obligations hereunder, including Purchaser's responsibility to actively pursue the requested rezoning of the Property, and for reasons other than the denial of the requested rezoning, the parties do hereby declare and determine that Seller's damages would be difficult if not impossible to determine, and the Earnest Money and all interest earned thereon (if any) shall be delivered to Seller as Seller's full liquidated damages, and thereafter, no party shall have any further rights, claims, obligations or liabilities hereunder.

4. CLOSING.

- a. Closing Date. The closing of this transaction (the "Closing") shall be held on a date and at a time mutually agreed to by Purchaser and Seller (the "Closing Date"), however in no event later than November 30, 2020, at a place reasonably designated by Purchaser in or about the metropolitan Atlanta, Georgia area.
- b. Closing Costs. At Closing, Seller shall pay the State of Georgia Real Estate Transfer Tax and all recording fees necessary to clear title. Purchaser shall pay all recording fees on the deed transferring title and all other Closing Costs as charged by either Purchaser's lender or the Closing attorney. Each party shall be responsible for, each party's own attorney's fees.
- c. Prorations. Any ad valorem property taxes assessed against the Property for the year in which the Closing occurs shall be prorated as of the Closing Date. If the current year's taxes have not been determined at the time of the Closing Date, proration shall be based upon the previous year's taxes and Purchaser and Seller shall adjust between themselves any difference in the proration after the actual amount for the year of Closing has been determined.
- d. Deliveries at Closing. At the Closing, the following documents, in addition to the other documents called for herein and all documents customarily executed in connection with the purchase and sale of real property in Georgia, shall be executed and/or delivered:

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- i. Seller and Purchaser shall execute and deliver to each other a Closing statement which shall, among other items, set forth the Purchase Price, all credits against the Purchase Price and the amounts of all prorations and other adjustments.
- ii. Seller shall execute and deliver to Purchaser a limited warranty deed, in recordable form conveying fee simple title to the Property, as described on Exhibit "A".
- iii. Seller shall execute and deliver to Purchaser a Quitclaim Bill of Sale quitclaiming and releasing to purchaser all right, title and interest of Seller, if any, in any personal property located on or under Property.
- iv. Seller shall deliver to Purchaser an owner's affidavit in a form sufficient to cause Purchaser's title insurance company to issue Purchaser a title insurance policy with only "Standard Exceptions," including Permitted Title Exceptions as defined in section e below.
- v. Seller shall execute and deliver to Purchaser an Affidavit of Seller's Residence as contemplated under O.C.G.A. §47-7-128, which evidences that Seller is not subject to any withholding tax on the sale of the Property.
- vi. Seller shall deliver to Purchaser the information required for IRS Form 1099S.
- vii. Seller shall execute and deliver to Purchaser a Certification of Non-Foreign Status in accordance with Section 1445 of the Internal Revenue Code of 1986, as amended.
- viii. Purchaser shall deliver to Seller evidence of the authority and power of Purchaser to perform its obligations hereunder and to execute and deliver all documents required hereby in form and substance reasonably satisfactory to Seller.
- ix. Purchaser and Seller shall execute affidavits regarding commercial real estate brokers, in form and substance reasonably satisfactory to Purchaser and Purchaser's title insurance company.
- x. Such other documents as may be reasonably required by Purchaser or Seller to close this transaction in accordance with the terms and conditions set forth in this Agreement shall be executed and delivered by Seller and Purchaser.

e. Title. At Closing, Seller shall convey fee simple title to the Property to Purchaser by limited warranty deed free and clear of all liens, encroachments and encumbrances other than the "Permitted Title Exceptions" (as hereafter defined). The Property shall not be subject to any mortgage, deed to secure debt, deed of trust or other title exception or defect that is monetary in nature, and Seller hereby agrees to pay and satisfy of record any such title defects or exceptions, including any outstanding loan deeds or deeds to secure debt, prior to or at Closing and at Seller's expense. As used herein "Permitted

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City of Sandy Springs
Community Development

Title Exceptions" shall mean (i) state, county and city ad valorem taxes and assessments on the Property not yet due and payable; (ii) general utility easements of record for utility service lines serving the Property; (iii) zoning ordinances affecting the Property, (iv) matters that would be disclosed by a current and accurate survey and inspection of the Property and which are not objected to by Purchaser; and (v) such other items as Purchaser shall in writing expressly agree to accept as restrictions or encumbrances upon the title to the Property. Seller agree to execute such documentation at Closing which, in the reasonable opinion of Purchaser's attorney or lender, are necessary or prudent to evidence title as set forth in this Agreement.

5. OBJECTIONS TO TITLE.

Purchaser shall have the Inspection Period (as hereinafter defined), in which to search title to the Property, and in which to furnish to Seller a written statement of any objections affecting said title and any matters disclosed on the Survey. Seller shall have ten (10) days after the receipt of written notice of such objections to satisfy all title objections and if Seller fails to satisfy such title objections or to provide Seller's agreement to satisfy such objections to title at Closing (together with evidence reasonably satisfactory to Purchaser) within such ten (10) day period, then, at the option of Purchaser, evidenced by written notice to Seller given within five (5) days after the expiration of said 10- day period, Purchaser may, at its sole remedy, elect either (i) to terminate this Agreement and the Earnest Money shall be immediately refunded to Purchaser, or (ii) to close the transaction contemplated hereby and receive the instruments required herein from Seller irrespective of such title objections and without reduction of the Purchase Price except that all encumbrances which can be cured by the mere payment of sums of money may be paid by Purchaser at Closing out of the Purchase Price. If Purchaser does not elect to proceed under either clause (i) or (ii) above, within said 5-day period, Purchaser shall be deemed to have elected to proceed under clause (i) above. In addition, Purchaser shall be entitled to raise further objections to title at any time prior to the Closing Date should any updates to Purchaser's title examination or reports from its title insurer disclose additional title exceptions or objections occurring since the effective date of Purchaser's last such title examination or update thereof. Purchaser shall have the right to provide Seller with notice of any such additional objections at any time prior to Closing; provided, that Closing shall be extended to allow for Seller's 10- day response period and Purchaser's 5-day election period, as set forth in this Paragraph.

6. SELLER'S WARRANTIES.

As a material inducement for Purchaser to enter into this Agreement and as a condition for Purchaser to consummate the transactions provided for herein. Seller docs hereby warrant and represent to, and covenant and agree with Purchaser to the best of Seller's knowledge as follows:

- a. Seller possesses fee simple title to the Property.
- b. The Property is not subject to any zoning restrictions on its use whatsoever, except for zoning conditions reflected in the record of the Planning and Zoning Department of the City and or County where the Property is located;
- c. All water, storm, sewer, tele phone, gas, electricity, and cable utilities are available to the Property at the property line of the Property.

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City of Sandy Springs
Community Development

- d. There are current leases on the Property. Said leases are short in term and will not be in affect at time of closing. (see Special Stipulation 4)
- e. The Property has not been used as a landfill or dump for garbage, refuse, or hazardous waste or hazardous substances;
- f. There is no suit or action pending or contemplated against or affecting the Property, either directly or indirectly;
- g. There is no sales contract, offer, or right of first refusal executed for sale of any part or portion of the Property which has not been terminated;
- h. No party claims any rights to any purported contract for the sale or lease of all or any portion of the Property;
- i. No condition exists on or with respect to the Property which violates any law, right, ordinance, order, regulation or requirement;
- j. That, within the previous ninety-five (95) days, there have been no improvements made, and no improvements will be made in the future to the Property which have not been paid for in full;
- k. To the best of Seller's knowledge, there is no outstanding indebtedness secured by an interest in the Property, whether recorded or not.
- l. There has never been an underground storage tank located on the Property;
- m. That no hazardous materials or hazardous substances have been stored upon the Property;
- n. Seller has no knowledge of any sub-soil, geological or other condition with respect to the Property which would materially increase the cost of development thereof;
- o. To the best of Seller's knowledge, there are no taxes, fees, assessments of any kind or nature whatsoever which are presently due, or which are presently known or will become due, with respect to the Property, except for the ad valorem taxes of the current year.

All of the foregoing warranties and representations of Seller are made for the sole benefit of Purchaser and may be waived by Purchaser, in whole or in part by written waiver delivered to Seller. None of the foregoing warranties and representations shall be affected by any investigation or verification to or by anyone on behalf of any party hereto. Notwithstanding anything contained herein to the contrary the obligations of Purchaser hereunder are expressly made contingent upon and subject to the truth and accuracy, as of the date of this Agreement and as of the date of the Closing, of each and every warranty or representation made herein by Seller.

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7. INSPECTION.

From and after the Effective Date, Purchaser, its agents, engineers, surveyors, and other representatives shall have the right, during the term of this Agreement to enter upon the Property to inspect, bore, photograph, examine, survey and conduct such other engineering tests and studies of the Property as Purchaser deems necessary. Purchaser agrees to indemnify Seller from any and all claim, expense or other damage, including attorneys' fees and court costs incurred in enforcing this indemnity, which arise out of Purchaser's inspection of the Property. Purchaser further agrees to indemnify and hold Seller harmless for any and all claims of materialmen, architects, engineers, and other laborers, mechanics or suppliers who supply goods or services to the Property. Seller agrees to assist and cooperate with Purchaser in Purchaser's inspection, study and surveying of the Property, and at Purchaser's sole cost, Seller agrees to take such actions as may be reasonably necessary to allow Purchaser to enter into and inspect any portion of the Property leased to any third parties. Purchaser agrees that if the sale contemplated herein does not close for reasons other than Seller's default, the Property will be returned to Seller in the same or better condition as it is on the Effective Date herein.

Purchaser shall have, in its sole and absolute discretion, the right, to terminate this Agreement for any reason whatsoever at any time during the period of time commencing with the Effective Date and ending on the date which is ninety (90) days following the Effective Date (the "Inspection Period"). In the event of such termination, the initial Earnest Money shall be returned to Purchaser within ten (10) days of the date Seller receives written notice of Purchaser's timely election herein.

In order to assist Purchaser in its due diligence inspections of the Property, Seller agrees to deliver to Purchaser within five (5) days after the "Effective Date" to the extent in its possession or otherwise reasonably available to Seller, copies of any title report, title policies and any instruments noted as exceptions therein, land surveys, maps, agreements, engineering studies, aerial photographs, topographical maps, development plans, environmental reports, zoning authorizations, correspondence with governmental authorities relating to the Property, wetlands surveys, rock test pit results, and any other document or materials incident to the Property as may be reasonably requested by Purchaser from time to time. If Purchaser fails to close for any reason, all materials relating to the Property shall be promptly returned to Seller.

8. CONDEMNATION.

If, at any time prior to the Closing Date, any action or proceeding is filed or threatened, under which the Property, or any portion thereof, may be taken pursuant to any law, ordinance or regulation, or by condemnation or the right of eminent domain, then Seller shall promptly give Purchaser written notice of the occurrence of the initiation of such proceeding or threat. In such event, then, at the option of Purchaser, this agreement shall terminate and be of no further force and effect and all the Earnest Money shall be returned to Purchaser, or (b) this Agreement shall remain in full force and effect, and Seller at the time of the Closing of this transaction, shall transfer and assign to Purchaser all of Seller's right, title and interest in and to any proceeds received or which may be received by reason of such taking, or a sale in lieu thereof, said option to be exercisable by Purchaser by delivering to Seller written notice of such exercise on or before the tenth (10th) day following the date on which Purchaser receives

DEC 03 2019

City of Sandy Springs
Community Development

notice that such suit has been filed or is threatened. In the event that Purchaser fails to exercise said option within said 10-day period, then Purchaser shall be deemed to have elected the alternative set forth in section (b) herein. Purchaser agrees that if the sale contemplated herein does not close for reasons other than Seller's default, the Property will be returned to Seller in the same or better condition as it is on the Effective Date herein.

9. DAMAGE BY FIRE OR CASUALTY.

If, at any time prior to the closing of this transaction, all or any material part of the improvements shall be destroyed, removed, stolen or damaged (excluding normal wear and tear), Seller shall deliver written notice to Purchaser of same and of the amount and extent of Seller's insurance coverage. This Agreement shall remain in full force and effect, and Seller, at the time of the closing of this Transaction, shall transfer and assign to Purchaser all of Seller's right, title and interest in and to any proceeds received or which may be received less any proceeds received for personal property of Seller. Said option shall be exercisable by Purchaser delivering to Seller written notice of such exercise on or before the tenth (10th) day following the date on which Purchaser receives notice that casualty has occurred.

10. BROKERS.

Cott Properties represents the Seller and shall be paid commission by the Seller at time of Closing. The Principal of Purchaser is a licensed Real Estate Agent in the State of Georgia and is not receiving any commission on this transaction.

11. NOTICES.

All notices and communications shall be in writing, signed by the party making same, and either (i) personally delivered, or (ii) sent by U.S. Certified Registered Mail, return receipt requested, postage prepaid, or (iii) Federal Express or similar service, to the party being given such notice at the following addresses:

TO SELLER: H D K Properties, LLLP
P.O. Box 888758
Atlanta, GA 30356

With a copy to: Stuart Cott
Cott Properties

TO PURCHASER: BRU Group LLC
195 Chaseland Rd
Sandy Springs, GA 30328

The effective date of such notice or communication shall be the date of personal delivery or mailing, as the case may be. The notice of termination provided for under Paragraph 7 shall be timely given if same

DEC 03 2019

City of Sandy Springs
Community Development

is mailed certified mail to Seller at the address specified in this Agreement for notices to Seller and is postmarked on or before the expiration of the Inspection Period. The addresses of each party hereunder shall be subject to change by written notice from said party; however, until said notice is actually received by the other parties, the last address known to said party shall be the address used for the giving of all notice required in this Agreement.

12. REZONING

Notwithstanding anything contained herein to the contrary, Purchaser's obligation to Close the transaction contemplated herein shall be contingent upon Purchaser's ability to rezone the Property to a zoning category of CS-6, which will permit no less than four residential units and up to six (6) story building on the Property with such condition, if any, acceptable to Purchaser in its sole discretion (the "Rezoning"). For purposes of this Agreement, Rezoning shall mean that the Property has been rezoned to the aforementioned zoning category pursuant to all applicable zoning ordinances and land use regulations and ordinances and the expiration of all applicable appeal periods following the meeting at which the Rezoning of the Property was approved without any appeal or litigation challenging the rezoning or seeking to impose any conditions to such Rezoning having been filed during such period.

Purchaser agrees that it will, pursuant to the terms set forth in Exhibit "C" attached hereto and incorporated herein, at its sole expense file and thereafter, diligently process the necessary zoning applications and supply the necessary exhibits therefore. If Rezoning is denied, Purchaser shall have the right, as its sole remedy, to either: (i) waive the rezoning contingency set forth in this Agreement and proceed to Closing, or (ii) terminate this Agreement, whereupon no party shall have any further obligations hereunder and all Earnest Money will be returned to Purchaser. If Purchaser elects (i) above, Purchaser shall provide Seller written notice within three (3) day from the date the Rezoning has been denied.

Purchaser further agrees that will indemnify and hold harmless Seller from any and all claims, costs, attorney's fees and the like suffered by Seller because of or related to Purchaser's pursuit of the Rezoning of the Property, including but not limited to attendance of hearings by Seller or Seller's representative and defense of any action or suit brought against Seller or the Property as a result of the application for Rezoning.

13. MISCELLANEOUS TERMS AND CONDITIONS.

- a. Purchaser shall have the right to assign this Agreement, or any interest herein, without the consent of Seller, to any partnership, limited liability company, or company or any other entity.
- b. Possession of the Property will be granted to Purchaser at Closing. (see Special Stipulation 4).
- c. This Agreement shall be binding upon and shall inure to the benefit of Seller and Purchaser,

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their respective successors, successors-in-title, legal representatives, heirs and assigns.

It is the express intention of the Parties not to violate *any* laws of the State of Georgia. If any part of this Agreement, or any covenant, warranty or other provision of this Agreement is held to be invalid illegal or incapable of being enforced by reason of any rule of law or public policy, all other agreements, covenants, warranties and the remaining provisions of this Agreement shall, never the less, remain in full force and effect and no agreement, covenant, warranty or other provision of this Agreement shall be deemed dependent upon any other agreement, covenant, warranty or other provision, whether predicated on this Agreement or otherwise, unless so expressed in this Agreement. This Agreement may be assigned by the Seller or Purchaser.

- d. In the event that the date for taking any action under this Agreement (including, but not limited to, the giving of a notice of termination or closing) falls on a Saturday, Sunday or legal holiday, then such time period shall automatically be extended through the close of business on the next regularly scheduled business day in Atlanta, Georgia.
- e. Time is of the essence in this Agreement.
- f. The parties agree that this Agreement contains their entire agreement with respect to the matters set forth herein. No failure by either party hereto to exercise any right, power or privilege given under this Agreement or otherwise, and no failure to insist upon strict compliance by the other party with any agreement, covenant, warranty or other obligation under this Agreement or otherwise, and no practice of the parties at variance with the terms hereof shall be construed as a waiver or relinquishment of any right granted hereunder. Waiver by either party hereto of any particular default by the other party shall not affect or impair any of the non - defaulting party's rights, powers or privileges in respect to any subsequent default of the same or of a different nature, nor shall any delay or omission of the non - defaulting party to exercise any right, power or privilege arising from such Default affect or impair the non-defaulting party's power or privilege as to such default or any subsequent default. The parties do hereby acknowledge that this Agreement was executed in the State of Georgia, is to be performed within the State of Georgia and this Agreement shall be construed and interpreted in accordance with the laws of the State of Georgia. No amendment to this Agreement shall be binding upon any of the parties hereto unless said amendment is in writing and signed by the party against whom enforcement of said amendment is sought. All titles or captions of the paragraphs set forth in this Agreement are inserted only a matter of convenience and for reference, and in no way define, limit, extend or describe the scope of this Agreement, or the intent or any provisions hereof.
- g. This Agreement may be executed in separate counterparts, each of which shall constitute an original and all of which together shall constitute one and the same instrument. This Agreement shall be fully executed when each party whose signature is required has signed and deliver to the parties at least one counterpart.

14. EFFECTIVE DATE.

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Community Development

The Effective Date as used herein shall mean the date shown on the signature page of this Agreement as the date of the last of Seller or Purchaser to execute this Agreement or otherwise to agree by initialing or dating any counteroffer.

IN WITNESS WHEREOF, the parties have herunto executed this Agreement and affixed their hands and seals as of the day and year first above written:

SELLER:

H D K Properties, LLC

By 

Printed Name: George D. Stearns

Date: Sept 5, 2019

PURCHASER:

BRU Group LLC

By 

Printed Name: GARY UNSSELL

Date: 9-5-19

EXHIBIT "A"
(Legal Description)

All that tract or parcel of land lying and being in

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EXHIBIT "B"

N.A.

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EXHIBIT "C"
Special Stipulations

1. Purchaser shall have a preliminary site plan within 60 days from the Acceptance Date of the Agreement.

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City of Sandy Springs
Community Development

2. Purchaser agrees to file a rezoning request to the City of Sandy Springs within 90 days from the Acceptance Date of this Agreement.
3. The Closing as per Paragraph 4 herein shall occur within 120 days of Final Rezoning Approval, including the expiration of any applicable Appeal Periods or within 15 months from Acceptance Date of this Agreement. If rezoning is deferred by City of Sandy Springs, Seller agrees to extend the Closing up to an additional 90 days.
4. Purchaser understands and agrees that by the time Purchaser has received notice of the Rezoning, Seller's tenants will be on a month to month basis. Because the timing of Purchaser's desire to Close may not coincide with the beginning of a normal rental month, the parties agree that Closing may be extended by that portion of a month for which a tenant has the right to remain or for that period for which the Seller must take dispossessory action against a tenant holding over. Such extension of the Closing date shall not constitute a Seller default.

A handwritten signature in black ink, appearing to be 'JMM' or similar, is written below the text of the fourth list item.

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The Effective Date as used herein shall mean the date shown on the signature page of this Agreement as the date of the last of Seller or Purchaser to execute this Agreement or otherwise to agree by initialing or dating any counteroffer.

IN **WITNESS WHEREOF**, the parties have hereunto executed this Agreement and affixed their bands and seals as of the day and year first above-written

SELLER:

H D K Properties, LLLP

By: _____

Printed Name: _____

Date: _____

PURCHASER:

BRU Group LLC

By: _____

Gary U'Neill Mrg Member

Printed Name: GARY U'NEILL

Date: 9-5-19

EXHIBIT "A"
(Legal Description)

All that tract or parcel of land lying and being in

TOTAL AREA

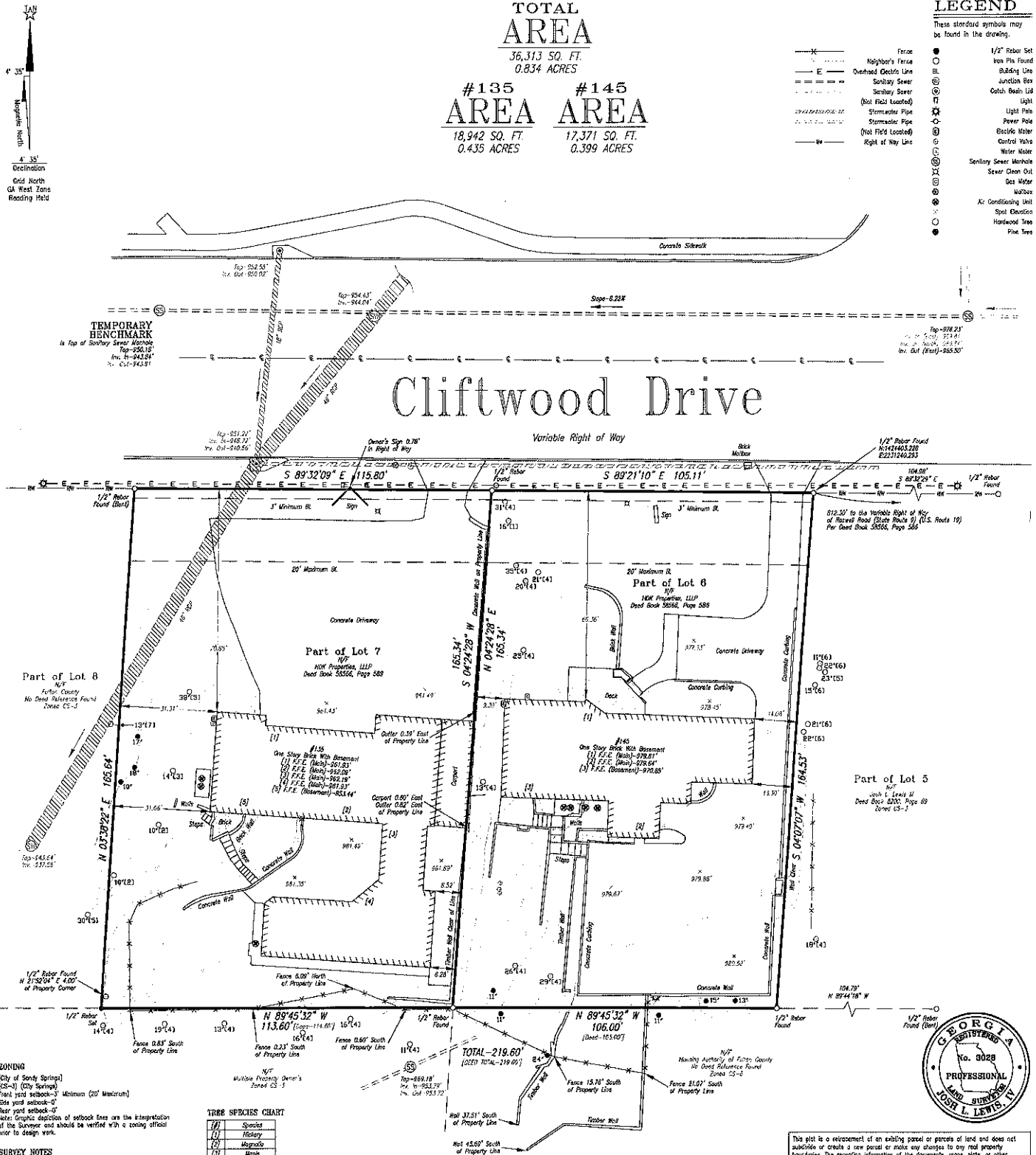
36,313 SQ. FT.
0.834 ACRES

#135 AREA 18,942 SQ. FT. 0.435 ACRES
#145 AREA 17,371 SQ. FT. 0.399 ACRES

LEGEND

These standard symbols may be found in the drawing.

- X--- Fence
- E--- Neighbor's Fence
- E--- Overhead Electric Line
- S--- Sanitary Sewer
- S--- Sanitary Sewer (Not Field Located)
- S--- Stormwater Pipe
- S--- Stormwater Pipe (Not Field Located)
- W--- Right of Way Line
- 1/2" Rebar Set
- Iron Pin Found
- Building Line
- Junction Box
- Catch Basin Lid
- Light Pole
- Paver Pole
- Electric Water
- Control Valve
- Water Meter
- Sanitary Sewer Manhole
- Sewer Clean Out
- Gas Meter
- Water Box
- Air Conditioning Unit
- Spot Elevation
- Hardwood Tree
- Pine Tree



ZONING

(City of Sandy Springs)
(S-3) (City Springs)
Front yard setback - 3' Minimum (20' Maximum)
Side yard setback - 5'
Rear yard setback - 0'
Note: Graphic depiction of setback lines are the integration of the Surveyor and should be verified with a zoning official prior to design work.

SURVEY NOTES

1. Easements are based on NAD 83 datum.
2. Outcrop lines are at one (1) foot intervals.
3. Equipment used: Leica 1200 robotic total station and Leica MT10 total station.
4. Software used: Carlson Survey 2013 and Carlson Survey.

SPECIAL FLOOD HAZARD NOTE

I have this date, examined the FIRM, official flood hazard map and found in my opinion referenced parcel is not in an area having special flood hazards, without an elevation certification the Surveyor is not responsible for any damage due to its opinion for said parcel may ID 1312101427 effective date 9/18/2013.

TREE SPECIES CHART

(1)	Species
(2)	History
(3)	Maple
(4)	Oak
(5)	Fig
(6)	Swamp
(7)	Specimens

CLOSURE STATEMENT

The field data used to compile this plot was gathered by differential adjusted GPS, coordinates and record survey measurements and has a positional tolerance of 0.1 feet. This map or plot has been calculated for closure and is found to be accurate within one foot in 249,772 feet.



This plot is a replotment of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plots, or other instruments which created the parcel or parcels are stated herein. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. Furthermore, the undersigned land surveyor certifies that this plot complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-62.

By: Josh Lewis N, Registered Land Survey Number 3028

155 CLIFTWOOD DRIVE - ATLANTA, GEORGIA 30328 - TELEPHONE: (404) 255-4671 - FAX: (404) 255-6607 - WWW.GEORGIALANDSURVEYING.COM

TOPOGRAPHIC/FREE SURVEY PLAT FOR 135 & 145 Cliftwood Drive, Sandy Springs Georgia 30328

T.B.D.

DATE: 9/9/19 SCALE: 20'
REVISION BY DATE
Add Zoning & Note Layout BMS 11/7/19



GEORGIA LAND SURVEYING CO.
EST 1955

LAND LOT: 90	17th DISTRICT	SECTION	Fulton County, GA
LOT: Part of 6, Part of 7	BLOCK: B	UNIT:	PHASE:
SUBDIVISION: Bristol Hills			
PLAT BOOK 56	PAGE 93	PARTY CHIEF: DR	FIELD DATE: 9/20/19
DEED BOOK 58566	PAGE 566/589	DRAFTER: BMS	SHEET 1 OF 1

NOV 26 2019

ADDITIONAL REQUIREMENTS

City of Sandy Springs

Community Development

Letter of Intent

Required for **all** cases

Address the following in detail, on a separate sheet:

1. Requested Zoning Map Amendment (Rezoning) and/or Conditional Use Permit
2. Factual details about the proposed use:
 - Number and size of buildings, square footage of gross floor area of nonresidential uses
 - Type and number of residential units
 - Number of employees and customers, hours of operation, number of classrooms, etc.

Zoning Impact Analysis (Sec. 11.3.6.C)

Required for **Zoning Map Amendment (Rezoning)** cases

Provide a written analysis of the impact of the proposed Official Zoning Map change with respect to each of the approval criteria in Sec. 11.3.6. Address the following in detail, on a separate sheet:

1. The Zoning Map Amendment corrects an error or meets the challenge of some changing condition, trend or fact.
2. The Zoning Map Amendment substantially conforms with the Comprehensive Plan.
3. The Zoning Map Amendment substantially conforms with the stated purpose and intent of this Development Code.
4. The Zoning Map Amendment will reinforce the existing or 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.
6. There are substantial reasons why the property must not be used according to the existing zoning.
7. There is a need for the proposed use at the proposed location.
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.
9. The Zoning Map Amendment will not significantly impact the natural environment, including air, water, noise, stormwater management, wildlife and vegetation.
10. The Zoning Map Amendment will not have a significant adverse impact on property in the vicinity of the subject property.

Conditional Use Analysis (Sec. 11.3.6.D)

Required for **Conditional Use Permit** cases

Provide a written analysis of the impact of the proposed Conditional Use with respect to each of the approval criteria in Sec. 11.3.6. Address the following in detail, on a separate sheet:

1. The use is allowed as a Conditional Use in the respective zoning district (see Div. 7.2).
2. The use complies with the applicable specific use standard listed in Div. 7.2, if any, without the granting of any variance.
3. The use is compatible with adjacent uses in terms of location, scale, site design, hours of operation and operating characteristics.
4. Any significant adverse impacts resulting from the proposed use in the affected area will be effectively mitigated or offset.
5. 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

NOV 26 2019

stormwater facilities, police, fire and emergency medical services, while maintaining sufficient levels of service to existing development.	City of Sandy Springs Community Development
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Traffic Impact Study (Sec. 11.5.1.E.4)
Required when any development generates 100 or more trips during the peak hour

Development of Regional Impact
Required for proposals that meet the latest thresholds set by the Atlanta Regional Commission; see http://atlantaregional.com/land-use/developments-of-regional-impact
Note: Cases subject to DRI follow a custom-tailored Meeting schedule.

Chattahoochee River Corridor Certificate
Required for properties located within the Chattahoochee River Corridor (within 2,000' of the river)
Contact James Sanders, Chief Environmental Compliance Officer, at (770) 687-5153 or jsanders@sandyspringsga.gov .

Survey and Site Plan	
Required for all cases	
Provide one (1) copy printed on 11" x 17" paper and two (2) copies printed to scale no larger than 30" x 42"; also include in the electronic package.	
The survey and site plan must include, at a minimum, the following:	
Basic Information	☐ Legal description (metes and bounds; can be included as a separate document)
	☐ Key and/or legend, site location map with North arrow, and scale
	☐ Boundary survey of the subject property, which includes dimensions along property lines that match the metes and bounds of the subject property's written legal description, and clearly indicate the point of beginning
	☐ Acreage of the subject property
	☐ Location of the subject property's land lot lines and identification of land lots
	☐ Current zoning of the subject site and adjoining properties
	☐ Layout and minimum lot size of proposed single family residential lots
	☐ Topography (surveyed or City) on the subject site and adjacent property within 200' as required to assess runoff effects
	☐ Location of overhead and underground electrical and pipeline transmission/conveyance lines
	☐ Required and proposed setbacks, landscape strips, and/or buffers
Roads	☐ Existing and proposed new dedicated and future reserved rights-of-way of all streets, roads, and railroads adjacent to and on the subject property
	☐ Posted speed of existing streets
	☐ Proposed streets on the subject site
	☐ Entrance sight distance profile assuming the driver's eye at a height of 3.5' (see City's Technical Manual)

NOV 26 2019

LETTER OF INTENT

City of Sandy Springs
Community Development

The property contains approximately 0.834 acres and is located on the southerly side of Cliftwood Drive just to the east of its intersection with Sandy Springs Circle (the "Property"). The Property is currently zoned to the CS-3 Classification.

The Applicant requests a rezoning to the CS-6 Classification for the development of a six (6) story residential building containing approximately 82,045 square feet plus approximately 8,760 square feet of covered parking. The building is proposed to contain up to 30 condominium/flats units ranging in size from approximately 2,300 square feet to approximately 4,000 square feet. As noted, the parking is proposed to be on the lowest two floors and there will be approximately 7,000 square feet consisting of a common lobby, amenity and storage areas. Construction materials shall be of concrete and steel. All units shall be "For Sale." No retail shall be associated with this proposed development. Given the residential nature of the proposed development same shall be capable of being accessed on a daily 24 hour basis and there is anticipated to be up to three employees consisting of a person for maintenance, one as a concierge and one for security. The type of residential housing proposed by the Applicant is unique for the downtown area of Sandy Springs and the Applicant has experienced upwards of 15 prospective purchasers for the "For Sale" units. Given the adjacent multi-story building adjacent to the 145 Cliftwood Drive portion of the Property which is zoned to the same CS-6 Classification and the development of The Cliftwood Apartments being 5 and 6 story buildings to the east of the Property, this Rezoning Application is entirely appropriate and the appropriateness of same and the constitutional assertions of the Applicant are more particularly stated and set forth on Exhibit "A" attached hereto and by reference thereto made a part hereof.

Now, therefore, the Applicant requests that this Application for Zoning Map Amendment (Rezoning) be approved as submitted in order that the Applicant be able to proceed with the lawful use and development of the Property.

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City of Sandy Springs
Community Development

APPLICANT:

Nexcite Development LLC

By: 

Gary Umed

Its: Manager


Nathan V. Hendricks III

Attorney for the Applicant

6085 Lake Forrest Drive
Suite 200
Sandy Springs, Georgia 30328
(404) 255-5161

R 219 - 0006

NEXcity DEVELOPMENT, LLC

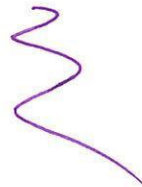
We plan to apply for a variance from the upper floor setback of 20' minimum in C5-District. Said variance to be heard by Board of Appeals after the rezoning.

NEXcity DEVELOPMENT, LLC

Jay Urell

Managing Member.

12-2-19



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DEC 02 2019

City of Sandy Springs
Community Development

ZONING IMPACT ANALYSIS Pursuant to Section 11.3.6:

1. The Zoning Map Amendment meets the challenge of some changing condition, trend or fact. The property contiguous and to the south (rear) of the portion of the Property known as 145 Cliftwood Drive is zoned to the CS-6 Classification and the property to the east of the Property known as 185 Cliftwood, being a multi-family development, is developed with 5 and 6 story buildings. Thus this rezoning request for a rezoning to the CS-6 Classification is entirely appropriate.
2. The Zoning Map Amendment substantially conforms with the Comprehensive Plan in that it will bring "For Sale" condominium units to the area with the associated pedestrian engagement desired in this area of the City.
3. The Zoning Map Amendment substantially conforms with the stated purpose and intent of this Development Code in bringing a diversification of residential housing units to this area and simultaneously creating a pedestrian engaging sense of place.
4. The Zoning Map Amendment will reinforce the existing or planned character of the area by bringing home ownership to the heart of the City directly across from retail, restaurant and theatre going activities.
5. The subject property is appropriate for the development allowed in the proposed district and the use and development of adjacent properties as above stated.
6. There are substantial reasons why the Property must not be used according to the existing CS-3 zoning Classification in that the transition in scale and height simply can not be achieved without the approval of the ability of the Applicant to construct a six story building under the CS-6 zoning Classification.
7. There is a need for the proposed use ("For Sale") condominium units at the proposed location.
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.
9. The Zoning Map Amendment will not significantly impact the natural environment, including, air, water, noise, stormwater management, wildlife and vegetation.
10. Not only will the Zoning Map Amendment not have a significant adverse impact in the vicinity of the subject property but it will bring a much needed diversification of housing to the heart of the City thereby improving property values.

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City of Sandy Springs
Community Development

MODIFICATION AND AMENDMENT TO ZONING IMPACT ANALYSIS

RE: Applicant-Nexcite Development, LLC

Case Number: RZ19-0006

Response is hereunder made to request of Alexandra Horst for additional information pertaining to Paragraphs 7 and 9 of the above referenced Zoning Impact Analysis:

7. The Applicant through its proposed development of For Sale Condominium units or flats brings to this portion of the City a diversification in housing not present in the immediate area. Multi-family development is to be found at the Apartment Complex at 185 Cliftwood Drive known simply as The Cliftwood and a facility for Seniors is located on Allen Road known as Sterling Place. Absent from the residential offerings in this area are the ownership units proposed by the Applicant and for which the Applicant has already attracted interest even prior to an active marketing effort.
9. The Zoning Map Amendment will not significantly impact the natural resources including the following:
 - Air: Ownership of the proposed Units will not adversely impact the quality of the air in the immediate area of the Property as the proposed use is residential in nature.
 - Water: The Applicant has confirmed with the City of Atlanta that adequate water supply is available to the Property
 - Noise: As the intended use is residential in nature no amount of noxious noise disruptive to the area will be produced.
 - Stormwater management: There presently is existing running through the Property a 48" wide storm line. Additionally, at the time of the Applicant's Application for a Land Disturbance Permit a full hydrology study will be required by the City.
 - Wildlife: No wildlife displacement is anticipated to occur through the development of the Property as the Property is currently developed with one story office buildings which had been converted from single family homes.
 - Vegetation: The Applicant will fully comply with the requirements of the City of Sandy Springs' Tree Ordinance as to any and all requirements pertaining to vegetation as depicted on the planting plan submitted with the Application.

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City of Sandy Springs
Community Development



Memorandum

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NOV 26 2019

City of Sandy Springs
Community Development

Date: November 21, 2019

From: Marc R. Acampora, PE

Subject: Trip Generation for Proposed Cliftwood Flats Condominiums
134-145 Cliftwood Drive, City of Sandy Springs, Georgia

The trip generation was calculated for a proposed senior-age-marketed condominium development in the City of Sandy Springs, Georgia. The site is located at 135-145 Cliftwood Drive as shown in Figure 1. The proposed site plan is presented in Figure 2.

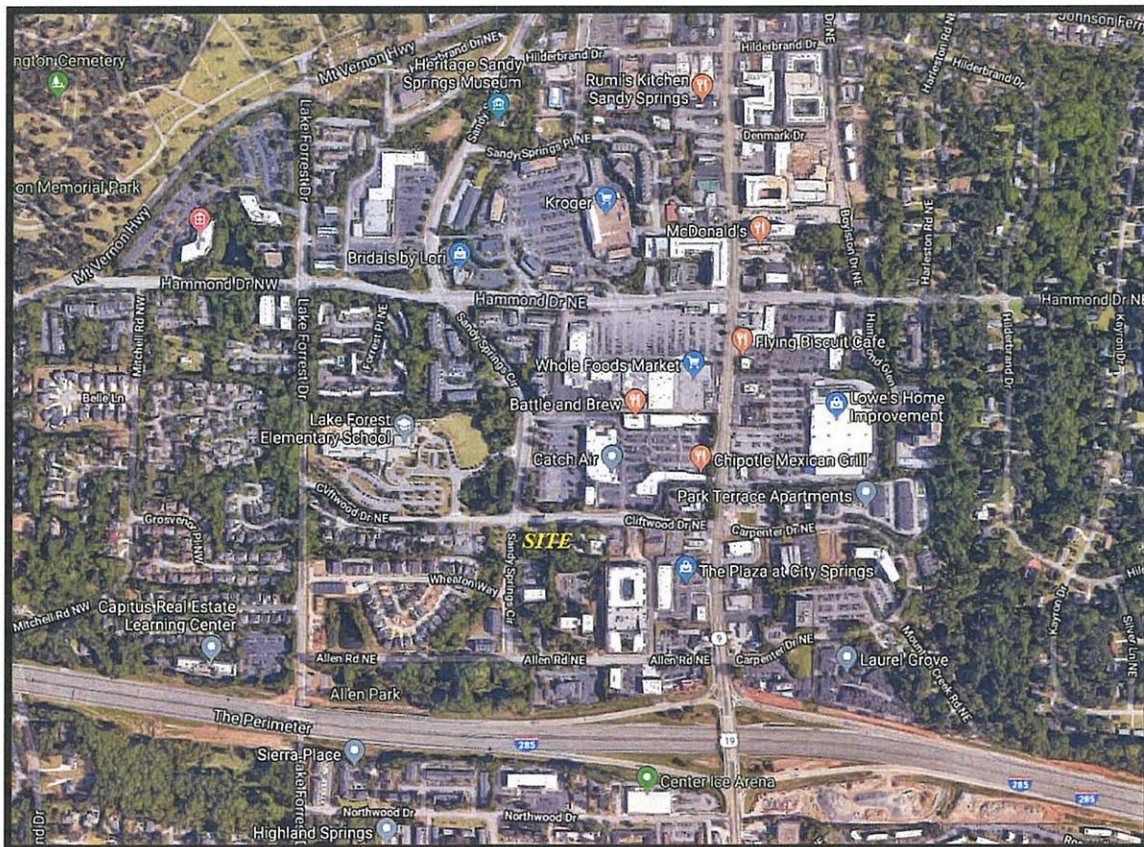


Figure 1 – Site Location Map

NOV 26 2019

Cliftwood Flats Trip Generation
November 21, 2019

City of Sandy Springs
Community Development

2

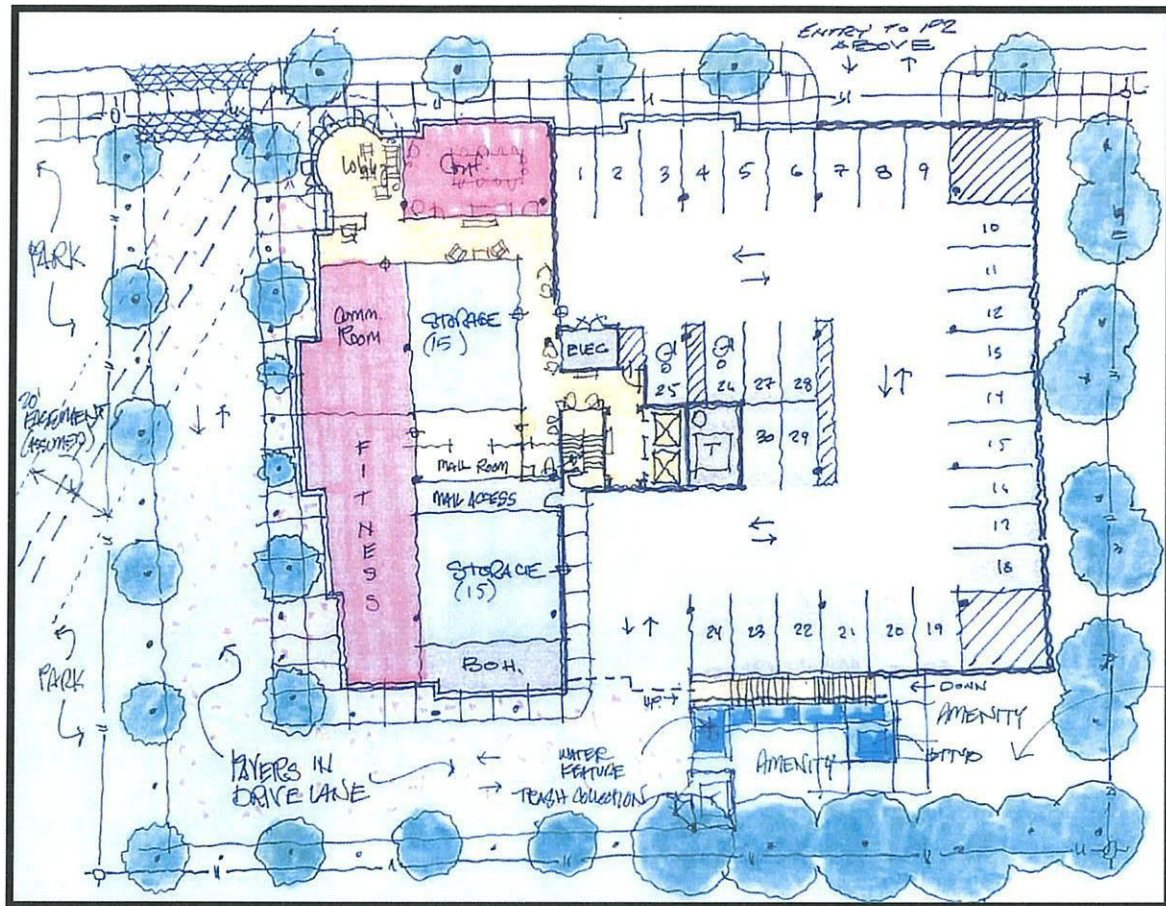


Figure 2 – Site Plan

The site will be developed with 30 condominiums which will be age-marketed toward seniors. Two full-movement vehicular accesses will be provided on the south side of Cliftwood Drive just east of Sandy Springs Circle.

The volume of traffic that will be generated by the proposed senior condominiums was calculated using the equations in the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 10th Edition (the current edition). ITE Land Use 252 – Senior Adult Housing – Attached was chosen as representative of the proposed development. The trip generation is summarized in Table 1.

Table 1 – Cliftwood Flats Senior Condominiums Trip Generation

Land Use	ITE Code	Size	A.M. Peak Hour			P.M. Peak Hour			24-Hour 2-Way
			In	Out	Total	In	Out	Total	
Senior Adult Housing - Attached	252	30 units	2	4	6	5	4	9	96

The proposed senior condominiums will generate 6 new trips in the morning peak hour, 9 new trips in the evening peak hour, and 96 new daily trips.

Survey Legal Description (Consolidated)

All that tract or parcel of land lying and being in Land Lot 90 of the 17th District, Fulton County, Georgia, City of Sandy Springs, being Part of Lot 6 and Part of Lot 7, Block B, Bristol Hills Subdivision, as per plat recorded in Plat Book 56, Page 93, Fulton County records and being more particularly described as follows:

BEGINNING at a ½" Rebar Found on the Southern variable right of way of Cliftwood Drive at Grid North Georgia West Zone Coordinates: Northing: 1424403.228 Easting: 2231240.293, said point being located 812.30 feet Westerly along said right of way from the variable right of way of Roswell Road (State Rout 9) (U.S. Route 19), thence leaving said right of way South 04 Degrees 07 Minutes 07 Seconds West a distance of 164.53 feet to a ½" Rebar Found, thence North 89 Degrees 45 Minutes 32 Seconds West a distance of 106.00 feet to a ½" Rebar Found thence North 89 Degrees 45 Minutes 32 Seconds West a distance of 113.60 feet to a ½" Rebar Set, thence North 03 Degrees 38 Minutes 22 Seconds East a distance of 165.64 feet to a ½" Rebar Found (Bent) on said Southern right of way of Cliftwood Drive, thence along said right of way South 89 Degrees 32 Minutes 09 Seconds East a distance of 115.80 feet to a ½" Rebar Found, thence continuing along said right of way South 89 Degrees 21 Minutes 10 Seconds East a distance of 105.11 feet to a ½" Rebar Found and the POINT OF BEGINNING.

Said tract having an area of 36,313 Sq. Ft., 0.834 Acres, as shown and described on Survey by Georgia Land Surveying Co., bearing the seal and certification of Josh L. Lewis IV, Georgia Registered Land Surveyor No. 3028, and being referenced as Job Number 201068.

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NOV 26 2019

City of Sandy Springs
Community Development

Community Meeting One
November 18, 2019
The Cliftwood
185 Cliftwood Drive
Sandy Springs, Georgia 30328
RE: RZ19-0006/135 and 145 Cliftwood Drive

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City of Sandy Springs
Community Development

SIGN-IN SHEET

NAME ADDRESS TELEPHONE NUMBER/E-MAIL

Hannah Green

Cindi Russ Brada

PETE HENDRICKS

CHRIS MILLER

Yang Urell

Suzanne Howard Jeldat

Jane Dennis Williams

Anne Hicks

Ed Goldberg

Brooks Hall

RONDA SMITH

Exhibit "A"

SUMMARY OF CONCERNS AND RESPONSES MADE AT COMMUNITY MEETING ONE REGARDING
RZ19-0006 HELD ON November 18, 2019 at The Cliftwood at 185 Cliftwood Drive:

1. Gary Unell and Pete Hendricks gave an overall description of the Development and Rezoning Process with confirmation being made that if there is the need for a Variance that will involve a subsequent process for any Variance Application that should be determined to be needed with public hearings associated with any such Variance process.
2. Concern was expressed over the lack of trees currently on the Property and those that will need to be removed for the proposed development. Ed Goldberg associated with the Applicant confirmed that the City of Sandy Springs Tree Ordinance would be fully complied with.
3. Discussion was had as to the property south of the Property at the north-east corner of the intersection of Cliftwood Drive and Sandy Springs Circle. Gary Unell confirmed that the property is owned by Fulton County and is maintained by Sandy Springs. Gary Unell stated that he would like very much to have that property to be open space and pedestrian engaging as associated with his intended development.
4. The Architect, Brooks Hall stated that he intends the development to be very pedestrian engaging and that the parking shall be on the two lowest levels of the building with two entrance drives and that the construction will be of concrete and steel.
5. Gary Unell confirmed that the entitlement process should hopefully be concluded by April, 2020 with about a 15 month development time frame.
6. Very positive comments were made by a number of those in attendance as to the development proposal particularly with a view towards the units being under a condominium structure and being "For Sale."
7. Gary Unell stated that the smaller units would be priced at about \$900,000.00. and that the larger units would be priced at about \$1,800,00.00.
8. Detention was discussed and it was noted that it would need to be underground and that the 48" storm water line crossing the Property should be of help.
9. Confirmation was made that there would not be any retail.
10. As a last comment, Ronda Smith, as President of the Sandy Springs Council of Neighborhoods, stated that the Council would get involved if there was any neighborhood pushback as to the Rezoning Application..

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City of Sandy Springs
Community Development

Exhibit "A"

APPROPRIATENESS OF APPLICATION
AND
CONSTITUTIONAL ASSERTIONS

The portions of the Zoning Resolution of the City of Sandy Springs as applied to the subject Property which classify or may classify the Property so as to prohibit its development as proposed by the Applicant are or would be unconstitutional in that they would destroy the Applicant's property rights without first paying fair, adequate and just compensation for such rights in violation of Article I, Section I, Paragraph I of the Constitution of the State of Georgia of 1983, Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983 and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

The application of the Zoning Resolution of the City of Sandy Springs to the Property which restricts its use to any classification other than that proposed by the Applicant is unconstitutional, illegal, null and void, constituting a taking of Applicant's Property in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States, Article I, Section I, Paragraph I and Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983 and the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States denying the Applicant an economically viable use of its land while not substantially advancing legitimate state interests.

A denial of this Application would constitute an arbitrary and capricious act by the Sandy Springs City Council without any rational basis therefore constituting an abuse of discretion in violation of Article I, Section I, Paragraph I of the Constitution of the State of Georgia of 1983, Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983 and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

A refusal by the Sandy Springs City Council to rezone the Property as proposed by the Applicant would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any rezoning of the subject Property subject to conditions which are different from the conditions requested by the Applicant, to the extent such different conditions would have the effect of further restricting the Applicant's utilization of the subject Property would also constitute an arbitrary, capricious and discriminatory act in zoning the Property to an unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.

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City of Sandy Springs
Community Development

SUMMARY OF CONCERNS AND RESPONSES MADE AT COMMUNITY MEETING TWO REGARDING RZ19-0006 HELD ON January 6, 2020 at Sandy Springs City Hall:

1. Alexandra Horst made initial comments on and an explanation of the process.
2. Gary Unell, on behalf of the Applicant, and Brooks Hall, the Architect for the Applicant, described the development and that an amenity space would be included with a work out facility and perhaps a swimming pool. No retail is intended to be a part of the development. Gary Unell noted that the Applicant would like to purchase the pocket park south of the proposed development at the northeast corner of Sandy Springs Circle and Cliftwood Drive which is owned by Fulton County and is being maintained by Sandy Springs.
3. Some in attendance expressed interest in buying a Unit and Gary Unell confirmed that he has had approximately 25 inquiries for purchase of Units.
4. Alexandra Horst noted that Planning Commission Meeting would be on February 19, 2020 and the Mayor and City Council Meeting would be on March 17, 2020.
5. There was a discussion amongst some of the attendees of the Applicant providing automobile charging stations. The Applicant went on to confirm that the Sandy Springs Tree Ordinance would be fully complied with.

Sandy Springs, Georgia 30328

RE: RZ19-0006/135 and 145 Cliftwood Drive
January 6, 2020 at 6:00 p.m.SIGN-IN SHEETNAMEADDRESSTELEPHONE NUMBER/E-MAIL

PETE HENDRICKS

Brooks Hadd

Ed Goldberg

Gary Yneil

HERBERT KUPIEK

Alexandra Horst

Lilly Correa

WSS

APPROVAL
 for recording by the Commission
 of Fulton County, Georgia, by
 the Fulton County Board of
 Public Works and Improvement
 and regulations

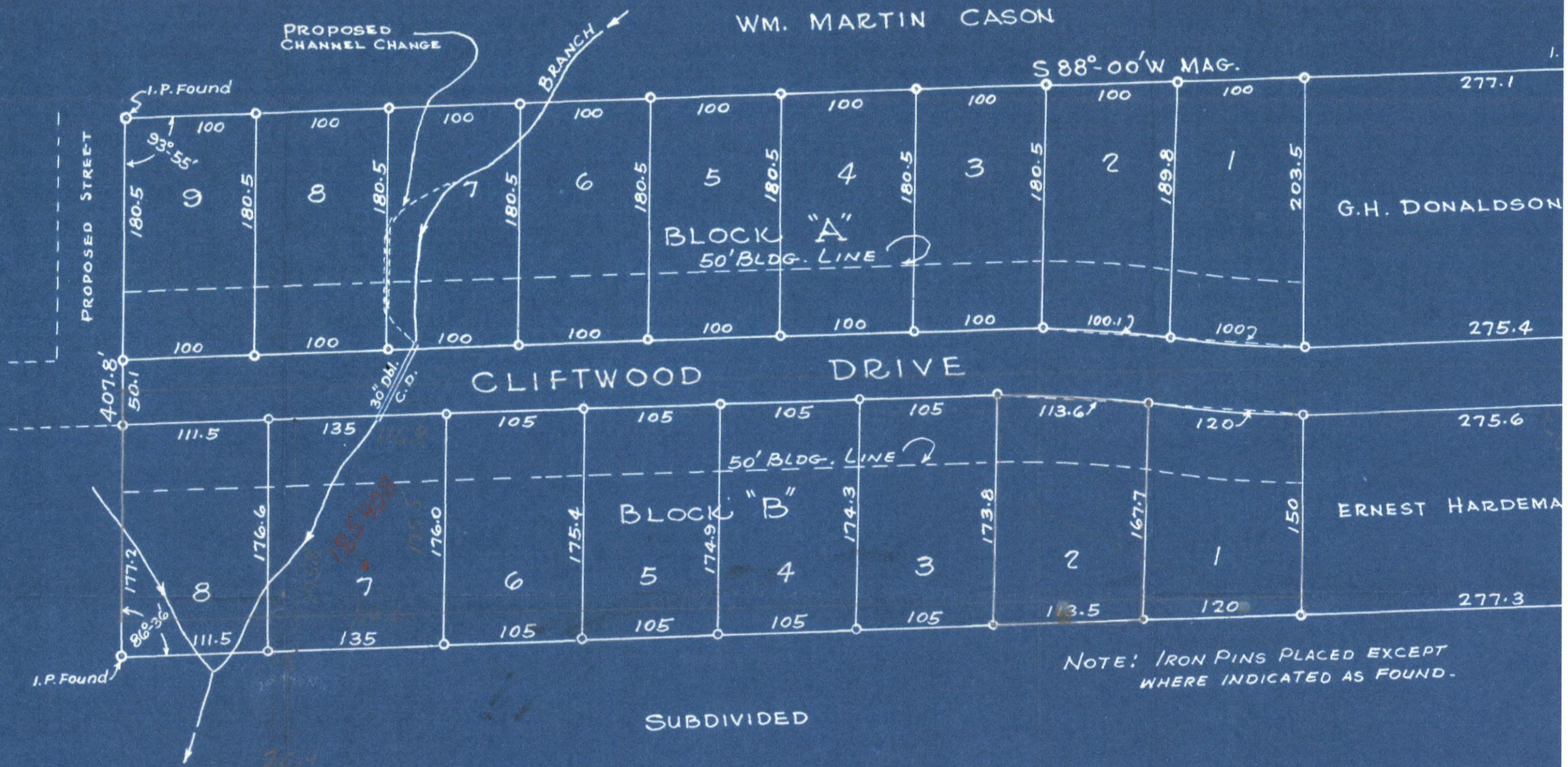
Date: FEB. 1 1956
 Date: JAN 24 1956
 Date: JAN 23 1956

OFFICER CERTIFICATE
 for supply, sewage disposal and environ-
 in this plat and as more specifically pro-
 vided for in the regulations of the Fulton County Department
 of Public Works and Improvement approved as shown.

POPOLITAN
 PTIC TANK
 O.K.
 H.C. Duke
 Assist. Chief Engineer, Fulton Co. Health Dept.

has been
 93
 10-56

raey



NOTE: IRON PINS PLACED EXCEPT WHERE INDICATED AS FOUND.

SUBDIVIDED



BRISTOL HILLS
 PROPERTY OF
 J. H. CHATHAM
 L.L. 90 - 17TH DIST.
 FULTON COUNTY GA.
 JAN. 28, 1956 - SCALE 1"=100'

THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED HEREON. THIS PLAT DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS, OR ENTITY WITHOUT EXPRESS RECTIFICATION BY THE SURVEYOR NAMING SAID PERSON, PERSONS, OR ENTITY. ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED.

ARTISTIC RENDERING



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City of Sandy Springs
Community Development

Cliftwood Flats, Sandy Springs, GA

NEXCITY DEVELOPMENT, LLC

archetype
design

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Gary Unell •

*Offered by Nexcity Development,
these Cliftwood Flats are the sophisticated choice for
the accomplished Sandy Springs Buyer of today.*

UNIT TYPES, AREA AND QUANTITIES:

a. 3BR/ DEN:	2,885SF	(5) UNITS
b. 3BR/ DEN:	2,700SF	(5) UNITS
c. 3BR/DEN:	2,835SF	(15) UNITS
d. 2BR/DEN:	2,315SF	(5) UNITS

TOTAL: (30) UNITS

TOTAL SF:

89,960 GROSS	(HEATED AREA)
82,045 NET	(TOTAL UNIT AREA)
8,760 SF	(BALCONIES)
RESIDENTIAL FLOORS:	91% EFFICIENT

PARKING SPACES:

4	HANDICAPPED SPACES
77	TYPICAL SPACES
(4	POTENTIAL MOTORCYCLE)
81	TOTAL SPACES*
(*+4 ADDITIONAL POTENTIAL MOTORCYCLE)	

AMENITIES:

- +/-7,000SF LOBBY AMENITY SPACE
- SECURE ACCESS CONTROLLED COVERED PARKING
- ON-STREET PARKING AT ENTRY DRIVE
- GARDEN LANDSCAPED ATMOSPHERE
- DOWNTOWN AMENITIES
- WALKABLE RETAIL AND CIVIC BUILDINGS
- POCKET PARK AT LOBBY ENTRANCE

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City of Sandy Springs
Community Development

OCTOBER 14TH, 2019

Cliftwood Flats, Sandy Springs, GA

NEXCITY DEVELOPMENT, LLC

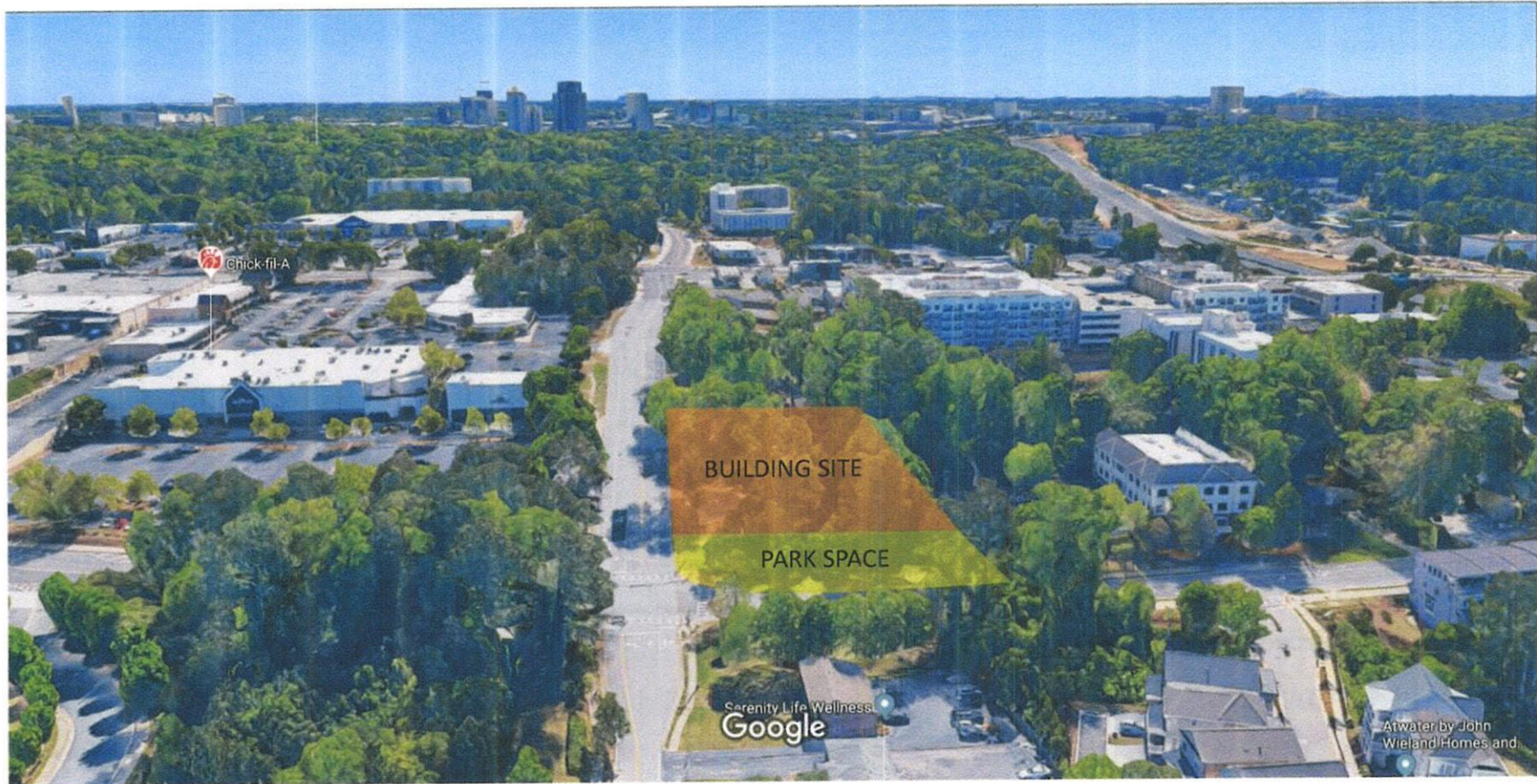
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OCT 28 2019

Google Maps Sandy Springs Cir

City of Sandy Springs
Community Development



Cliftwood Flats, Sandy Springs, GA

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Gary Unell •

ZONING

[City of Sandy Springs]

(CS-3) (City Springs)

Front yard setback-3' Minimum (20' Maximum)

Side yard setback-0'

Rear yard setback-0'

Note: Graphic depiction of setback lines are the interpretation of the Surveyor and should be verified with a zoning official prior to design work.

SURVEY NOTES

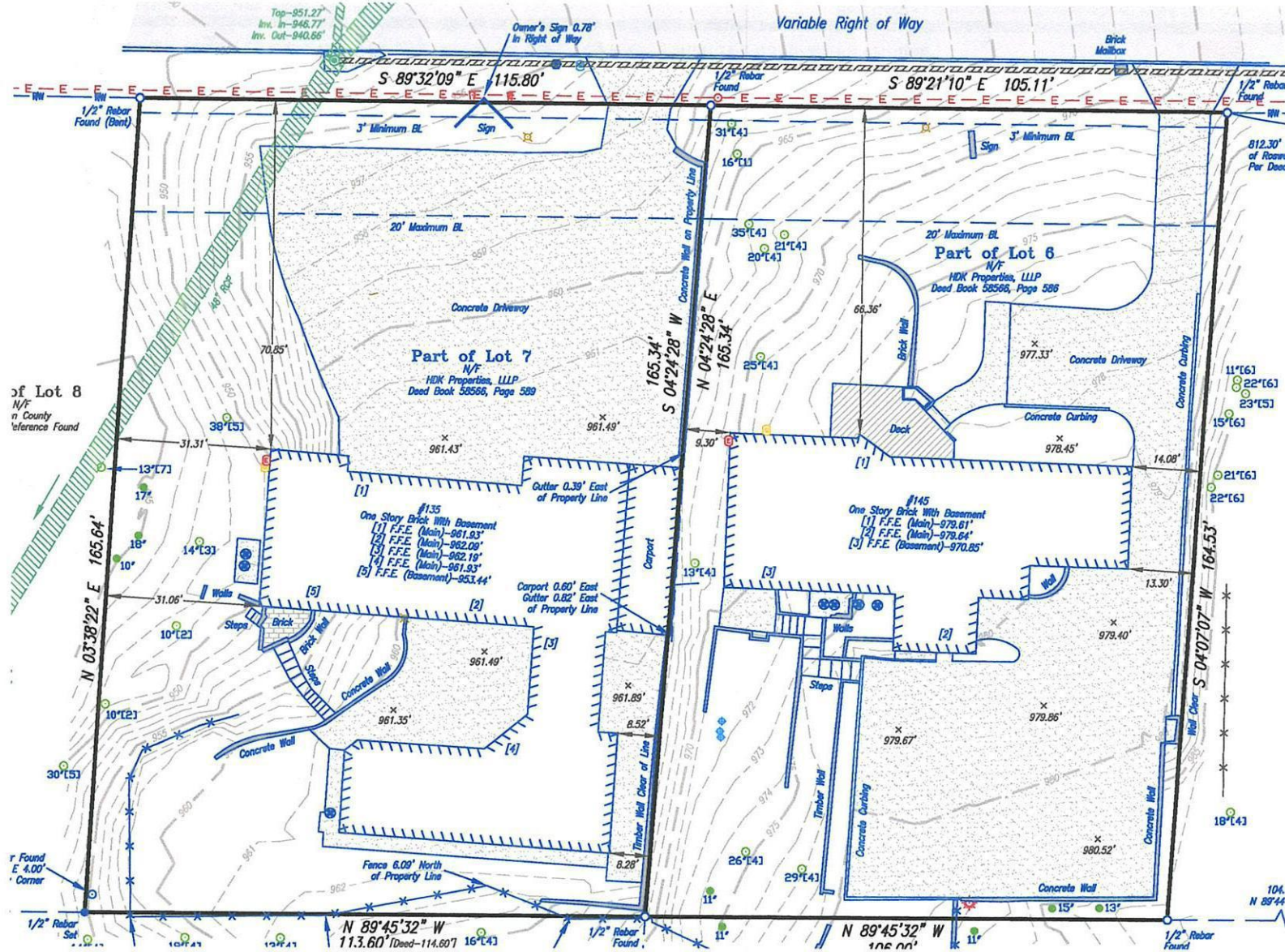
1. Elevations are based on N.A.V.D. 88 datum.

2. Contour lines are at one (1) foot intervals.

3. Equipment used; Leica 1200 robotic total station and

Allegro MX data collector.

4. Software used: Carlson Survey 2013 and Carlson Survey.



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OCT 28 2019

City of Sandy Springs
Community Development

Cliftwood Flats, sandy springs, GA

NEXCITY DEVELOPMENT, LLC

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Gary Unell •

LOBBY LEVEL

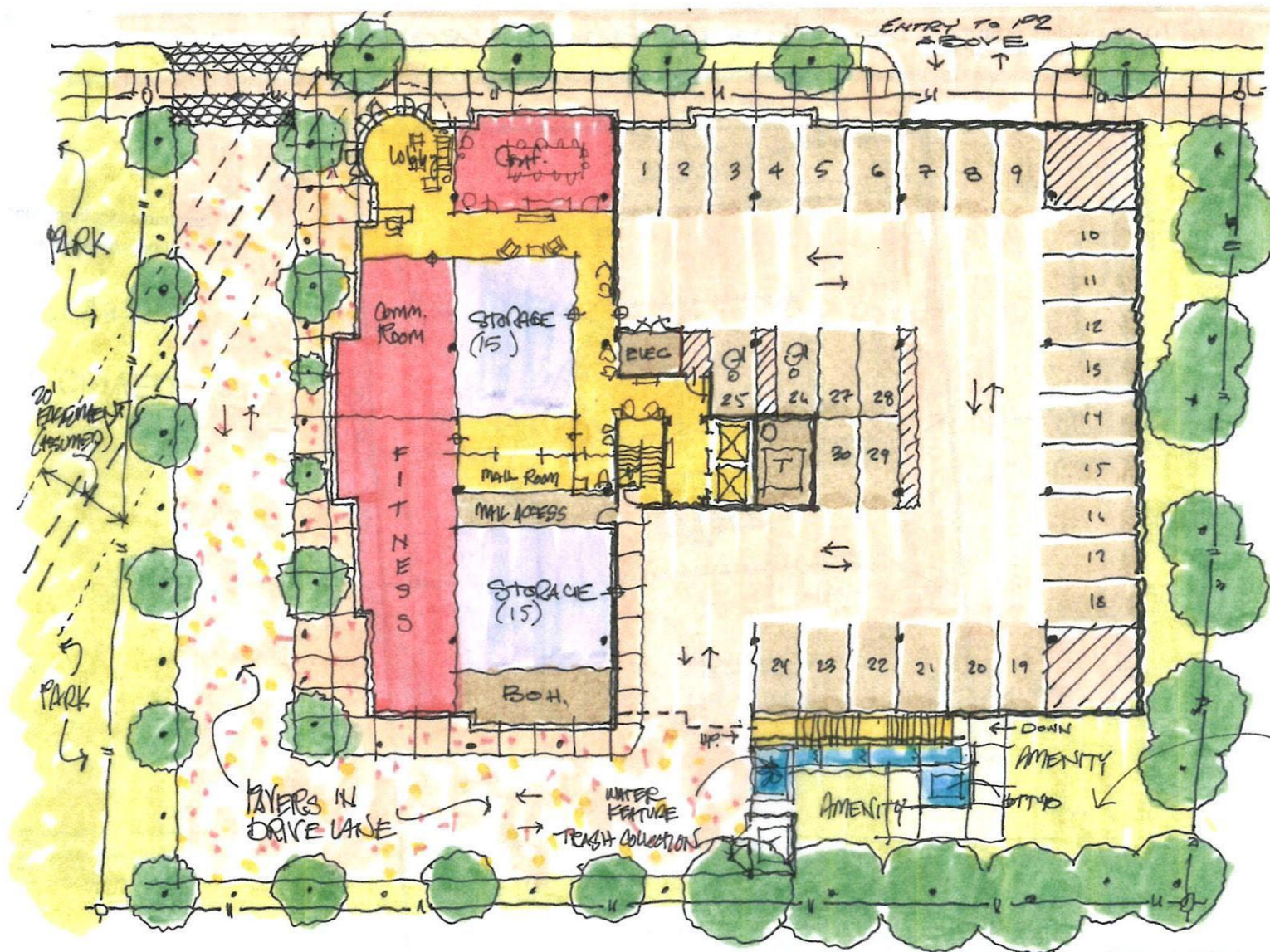
- +/- 6,000sf HEATED
- +/- 30 SPACES

RECEIVED

OCT 28 2019

City of Sandy Springs
Community Development

(ELEVATED)
LANDSCAPED
COURTYARD



Cliftwood Flats, sandy springs, GA

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Gary Unell •

PARKING

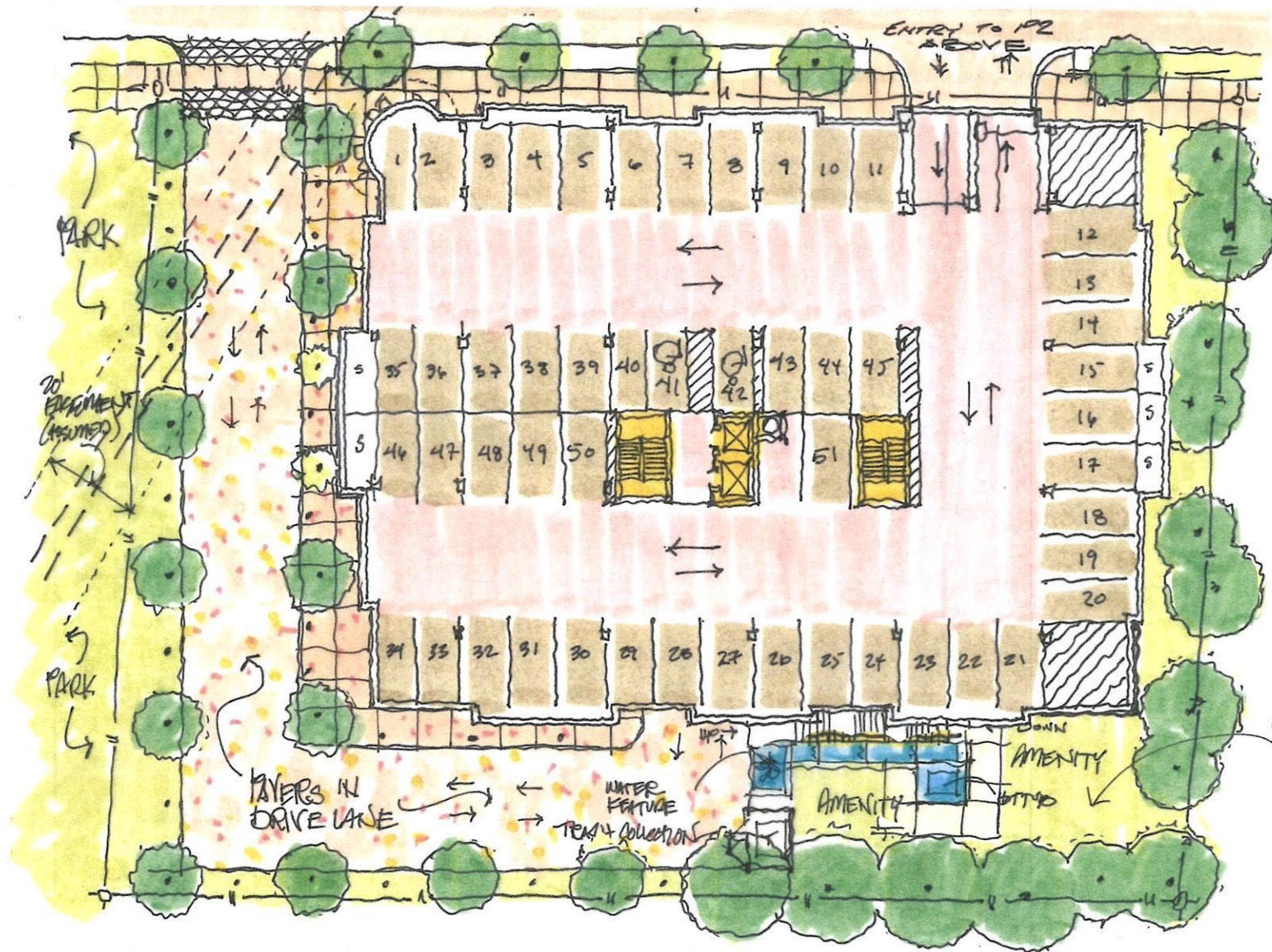
• +/- 51 SPACES

RECEIVED

OCT 28 2019

City of Sandy Springs
Community Development

(ELEVATED)
LANESCAPED
COURTYARD



Cliftwood Flats, sandy springs, GA

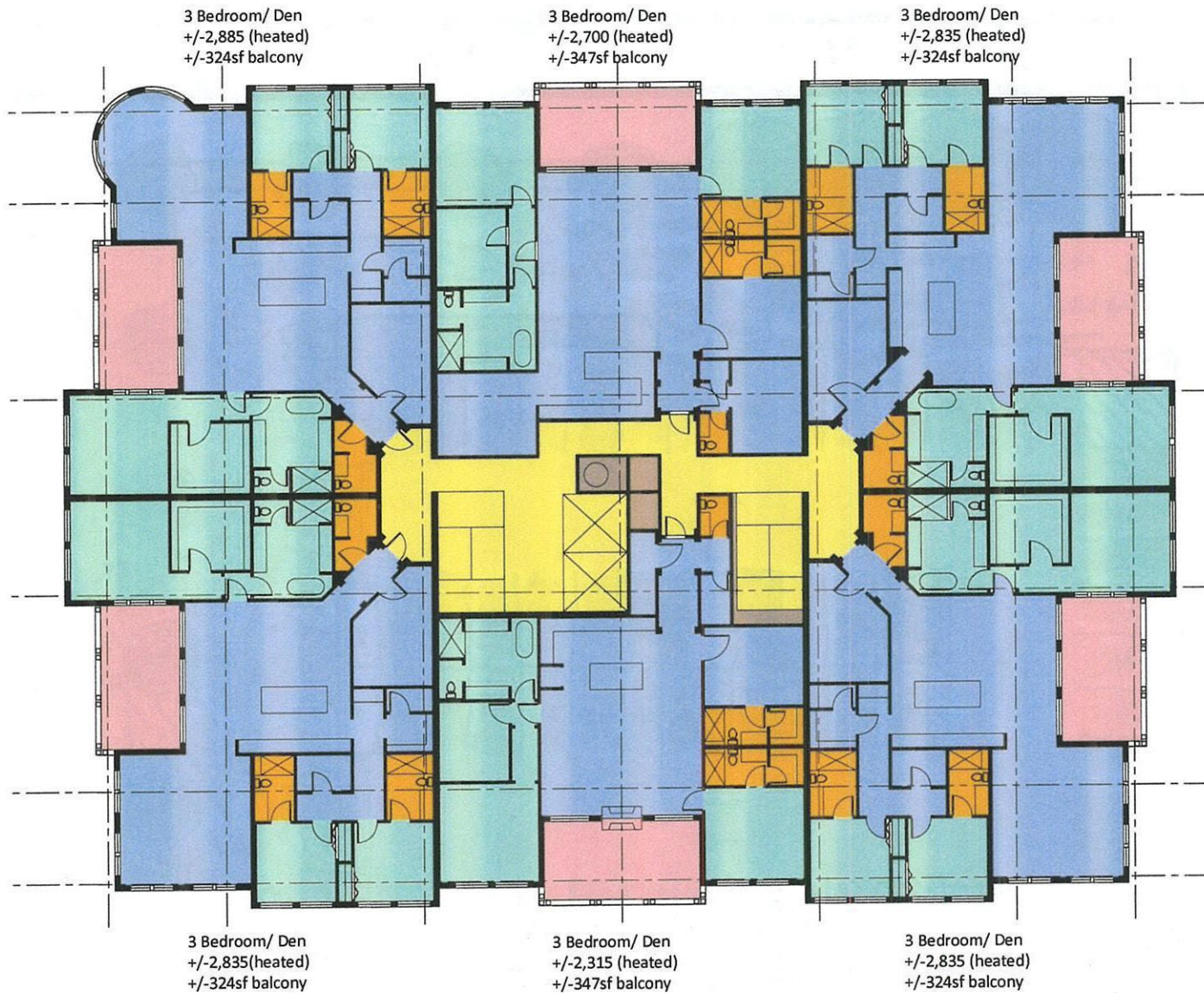
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Gary Unell •

TYPICAL FLOORPLATE



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City of Sandy Springs
Community Development

Cliftwood Flats, Sandy Springs, GA

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Gary Unell •

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City of Sandy Springs
Community Development

ARTISTIC RENDERING



Cliftwood Flats, Sandy Springs, GA

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Gary Unell •

January 8, 2020

Alexandra Horst
City of Sandy Springs
Department of Community Development
1 Galambos Way
Sandy Springs, Georgia 30328

RE: Zoning Comments for January 2020

Dear Ms. Horst:

The following are comments by the Environmental Health Services (EHS) Division and the Environmental Justice (EJ) Program of the Fulton County Board of Health. These comments are in reference to the case which was previously received from your office.

CASE	ZONING COMMENTS
RZ19-0006 (135 & 145 Cliftwood Drive)	<u>EHS Comments</u> • Fulton County Board of Health will require that the owner/developer connect the proposed development to public water and public sanitary sewer. • Since this proposed development constitutes a premise where people live, onsite sanitary facilities will be mandatory prior to use or occupancy. • If this development includes a public swimming pool as defined in Fulton County Code of Ordinances and Code of Resolutions, Chapter 34 – Health and Sanitation, Article XII – Swimming Pools and Natural Bathing Beaches (including spas, whirlpools, etc.), the owner or contractor must submit plans and approval by this department and must obtain a Fulton County Board of Health permit to construct before issuance of a building permit. Also, the owner of the facility must obtain a Board of Health permit to operate the pool prior to opening. • This agency is requiring that plans indicating the number and location of outside refuse containers along with typical details of the pad and approach area for the refuse containers be submitted for review and approval. <u>General Public Health and EJ Comments</u> • Since this proposed development is not considered an environmentally adverse use, Fulton County Board of Health does not anticipate any adverse impacts to the health of humans or the environment by approving the request to rezone from CS-

CASE	ZONING COMMENTS
	3 to CS-6 for the development of the proposed six (6)-story residential building.

If you have any questions related to the EHS comments, you may contact Edward Smith at 404-613-1808 or by e-mail at Edward.Smith@fultoncountyga.gov. All questions related to the broader public health and/or environmental justice comments should be directed to me by telephone at 404-613-1491 or e-mail at Monica.Robinson@fultoncountyga.gov.

Sincerely,



Monica M. Robinson, B.S., M.B.A.
Director, Office of Performance Management and Strategy
Environmental Justice Program

cc: Edward Smith, Interim Deputy Director, Environmental Health

Development Impact Statement

1/13/2020

PETITION: RZ19-0006

Proposed Residential Units

JURISDICTION: Sandy Springs

<u>Single-family detached</u>	<u>Townhouses</u>	<u>Apartments</u>	<u>Condominiums</u>
0	0	0	30

HOME SCHOOL	2019-20 ENROLLMENT ^A	GADOE CAPACITY	ESTIMATED NEW STUDENTS GENERATED	DISPLACED STUDENTS	<u>PROJECTED UNDER/OVER CAPACITY^B</u>	
					WITHOUT DEV	WITH DEV
Lake Forest ES	749	850	0 to 10	0	-101	-101 to -91
Ridgeview Charter MS	1,074	1,200	0 to 3	0	-126	-126 to -123
Riverwood Charter HS	1,815	2,225	<u>0</u> to <u>5</u>	<u>0</u>	-410	-410 to -405
TOTAL			0 to 18	0		Insufficient historical data to run report?: ☐

HS REGION: Riverwood Charter HS		<u>AVERAGE - 1 STD DEV</u>		<u>AVERAGE + 1 STD. DEV.</u>	
<i>One single-family detached unit generates:</i>		0.004370	to	0.28198	<i>elementary school students</i>
		0.000000	to	0.086072	<i>middle school students</i>
		0.001337	to	0.167073	<i>high school students</i>
<i>One townhouse unit generates:</i>		0.000000	to	0.108671	<i>elementary school students</i>
		0.000000	to	0.038689	<i>middle school students</i>
		0.010000	to	0.062318	<i>high school students</i>
<i>One apartment unit generates:</i>		0.004610	to	0.064476	<i>elementary school students</i>
		0.000000	to	0.017367	<i>middle school students</i>
		0.000000	to	0.116758	<i>high school students</i>
<i>One condominium unit generates:</i>		0.000000	to	0.329741	<i>elementary school students</i>
		0.000000	to	0.103876	<i>middle school students</i>
		0.000000	to	0.173158	<i>high school students</i>

AVERAGE OPERATIONAL COST PER STUDENT (FY19 - Proposed):

TOTAL COST:\$14,906 PORTION LOCAL REVENUE SOURCES: \$9,902 PORTION STATE AND OTHER REVENUE SOURCES: \$5,004

^A Based on first-month enrollment count for 2019-20 school year

^B Positive values indicate numbers of students a facility is over state capacity / negative values indicate under capacity.

* State capacity indicates space. However due to the number of special programs, portable classrooms or other measures may be needed to accommodate the instructional needs of the school.

** Student yields are calculated annually based on geocode of enrolled FCS students in built-out developments within the high school zone in which the proposed development is located.

Horst, Alexandra

From: noreply@sandyspringsga.gov
Sent: Wednesday, November 6, 2019 3:56 PM
To: Anspach, Matthew; Tovar, Louisa; Smith, Madalyn; Horst, Alexandra
Subject: Sandy Springs, GA: Rezoning or Use Permit Case Comment

A new entry to a form/survey has been submitted.

Form Name: Petition Comment Form - Zoning Map Amendments (Rezoning) / Conditional Use Permits
Date & Time: 11/06/2019 3:56 pm
Response #: 706
Submitter ID: 32311
IP address: 2600:1700:1dd0:9b10:eda6:1286:c284:3d19
Time to complete: 7 min. , 5 sec.

Survey Details

Page 1

Use the form below to send your comments to City staff.

Your Information

1. First Name

Anne

2. Last Name

Hicks

3. Email Address

[REDACTED]

4. Address

[REDACTED]

5. City

Sandy Springs

6. State

Georgia

7. ZIP Code

[REDACTED]

Petition Information

8. Case Number

RZ-19-0006

This number can found on the petition page and begins with RZ or U. If you came to this form by clicking a link on the petition page, it will still be open in another browser tab.

9. Comments

I am concerned about rezoning from 3 story building to 6 story building. While the conceptual drawing looks attractive, If passed, it will dramatically increase traffic on an already busy street which cars speed through, and set a possible precedent for future redevelopment in the area. What is the point of creating a City Springs district restriction and then changing it for a certain project?

Thank you,
Sandy Springs, GA

This is an automated message generated by the Vision Content Management System™. Please do not reply directly to this email.

Horst, Alexandra

From: noreply@sandyspringsga.gov
Sent: Tuesday, January 28, 2020 8:45 PM
To: Anspach, Matthew; Tovar, Louisa; Smith, Madalyn; Horst, Alexandra
Subject: Sandy Springs, GA: Rezoning or Use Permit Case Comment

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

A new entry to a form/survey has been submitted.

Form Name: Petition Comment Form - Zoning Map Amendments (Rezoning) / Conditional Use Permits
Date & Time: 01/28/2020 8:44 pm
Response #: 710
Submitter ID: 32363
IP address: 2601:c6:cb80:2840:9151:2c90:1179:9ae1
Time to complete: 17 min. , 13 sec.

Survey Details

Page 1

Use the form below to send your comments to City staff.

Your Information

1. First Name

Kenny

2. Last Name

Seitz

3. Email Address

[REDACTED]

4. Address

[REDACTED]

5. City

Sandy Springs

6. State

Georgia

7. ZIP Code

[REDACTED]

Petition Information

8. Case Number

RZ19-0006

This number can found on the petition page and begins with RZ or U. If you came to this form by clicking a link on the petition page, it will still be open in another browser tab.

9. Comments

To all involved in the decision involving this rezoning. I have lived in Sandy Springs since 1971-72, in three homes all in city of Sandy Springs. I met with Mr. Unell about buying one of the units if the application is improved. My opinion is that this project will be the beginning of a new phase of Sandy Springs. Many of my friends have moved from their house's and downsized their homes and obligations of maintaining a single family home. None of them live in Sandy Springs because we do not presently have a upscale condo development. My present home [REDACTED] is too large for my family now and requires too much attention to maintain. I have a condo in Longboat Key Florida, and I enjoy the ease of maintenance, paying a fee and letting others do the work. At 77 years old, I want convenience. I urge you to approve this project and let Sandy Springs enter the upscale condo market. I can be reached at [REDACTED] I currently live about 3 blocks from proposed new development. Thanks for your consideration. Kenny Seitz

Thank you,
Sandy Springs, GA

This is an automated message generated by the Vision Content Management System™. Please do not reply directly to this email.

From: Cohen, Sherman A. [REDACTED]
Subject: Reference: Zoning of Cliftwood at Sandy Springs Circle (Case #RZ
19-0006)
Date: Jan 30, 2020 at 5:32:01 PM
To: Ed Goldberg [REDACTED]

This letter is in support of a residential real estate project that Gary Unell and Ed Goldberg are planning for Sandy Springs on Cliftwood Drive near Sandy Springs Circle. I have seen the plans and believe the project will greatly enhance the neighborhood from an aesthetic standpoint and provide a wonderful opportunity for those of us who live in Sandy Springs and want to experience an exciting urban, walkable living experience. We also think the project will improve the immediate area and provide strong support for all the business establishments (restaurants, movie theaters, shops, etc.) in the neighborhood.

Thanks for your consideration and support for this project.

Sherman A. Cohen
[REDACTED]

Sandy Springs, GA [REDACTED]

RECEIVED

FEB 19 2020

City of Sandy Springs
Community Development

Note:

This message and any attachments from the law firm Arnall Golden Gregory LLP may contain CONFIDENTIAL and legally protected information. If you are not the addressee and an intended recipient, please do not read, copy, use or disclose this communication to others; also, please notify the sender by replying to this message, and then delete it from your system. Thank you.

Fwd: Sandy Springs, GA: Rezoning or Use Permit Case Comment

From: Kenneth Seitz [REDACTED]

To: [REDACTED]

Date: Tuesday, January 28, 2020, 08:46 PM EST

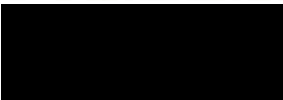
Good luck. Kenny



RECEIVED

FEB 19 2020

City of Sandy Springs
Community Development



www.plymouthfundingllc.com

Information contained in this message is privileged and confidential.

Begin forwarded message:

From: noreply@sandyspringsga.gov

Subject: Sandy Springs, GA: Rezoning or Use Permit Case Comment

Date: January 28, 2020 at 8:44:31 PM EST

To: [REDACTED]

A new entry to a form/survey has been submitted.

Form Name:	Petition Comment Form - Zoning Map Amendments (Rezoning) / Conditional Use Permits
Date & Time:	01/28/2020 8:44 pm
Response #:	710
Submitter ID:	32363
IP address:	2601:c6:cb80:2840:9151:2c90:1179:9ae1
Time to complete:	17 min. , 13 sec.

Survey Details

Page 1

Use the form below to send your comments to City staff.

Your Information

1. First Name

Kenny

2. Last Name

Seitz

3. Email Address

[REDACTED]

4. Address

[REDACTED]

5. City

Sandy Springs

6. State

Georgia

7. ZIP Code

[REDACTED]

RECEIVED

FEB 19 2020

City of Sandy Springs
Community Development

Petition Information

8. Case Number

RZ19-0006

This number can found on the petition page and begins with RZ or U. If you came to this form by clicking a link on the petition page, it will still be open in another browser tab.

9. Comments

To all involved in the decision involving this rezoning. I have lived in Sandy Springs since 1971-72, in three homes all in city of Sandy Springs. I met with Mr. Unell about buying one of the units if the application is improved. My opinion is that this project will be the beginning of a new phase of Sandy Springs. Many of my friends have moved from their house's and downsized their homes and obligations of maintaining a single family home. None of them live in Sandy Springs because we do not presently have a upscale condo development. My present home [REDACTED] is too large for my family now and requires too much attention to maintain. I have a condo in Longboat Key Florida, and I enjoy the ease of maintenance, paying a fee and letting others do the work. At 77 years old, I want convenience. I urge you to approve this project and let Sandy Springs enter the upscale condo market. I can be reached at [REDACTED] [REDACTED] I currently live about 3 blocks from proposed new development. Thanks for your consideration. Kenny Seitz

From: ava Wilensky [REDACTED]
Subject: REFERENCE Zoning of Cliftwood at Sandy Spring Circle or
Case #RZ 19-0006
Date: Jan 20, 2020 at 11:38:23 AM
To: Ed Goldberg [REDACTED]

Dear Ed and Gary:

To say that we are excited about your new condo building in Sandy Springs is an understatement! We have been asking for this type of development for almost 10 years! There are so many of us who love Sandy Springs and want to stay here as we move into a new stage of life. However, what we do not want are stairs or an elevator to get to the master bedroom. Having a single story home is the obvious answer, but there is virtually nothing in our city that provides that. This beautiful, new condominium building will bring a quality product to those of us who feel Sandy Springs is our "forever" city! We are so looking forward to moving as soon as possible!

Best regards,
Ava & Bob Wilensky

RECEIVED

FEB 19 2020

City of Sandy Springs
Community Development

Zoning of Cliftwood at Sandy Spring Circle

From: David Krischer [REDACTED]

To: [REDACTED]

Date: Saturday, January 18, 2020, 01:53 PM EST

Dear Ed

Congratulations on your proposed residential development in Sandy Springs.

I have been a resident of Sandy Springs for 35 years. With the recent development of City Springs and your proposed development it is nice to see that our community is attracting a lot of high quality new construction.

Please feel free to share this letter with the Sandy Springs planning department. I would like them to know that we believe in you and feel your project would be a positive addition to our City.

Sincerely,
David Krischer

RECEIVED

FEB 19 2020

City of Sandy Springs
Community Development

From: [REDACTED]
Subject: Condo building
Date: Jan 12, 2020 at 9:15:47 PM
To: [REDACTED]

Dear Mr. Unell and Mr. Goldberg,

I am writing to tell you how excited I am about your new condo project! As a residential Realtor who has sold homes in Sandy Springs for over 38 years and a Leadership Sandy Springs active alum, it is very important to me that future development in Sandy Springs be high quality. You two have impeccable reputations as both developers and builders in the Sandy Springs luxury home market and I am sure that this will be a signature project for you.

Our community is aging and many empty nesters are searching for a high quality and spacious place to downsize that is walkable to all that the City center has to offer. Until now, that has never existed in Sandy Springs. There is no doubt that the demand is high for this type of product. You have both lived and worked in Sandy Springs for over 40 years so you are very familiar with the style, tastes and needs of the high end buyer here. What I have seen so far of your plans is very tasteful and I think will appeal to the owners who buy a home there and to the people who drive by the building every day on the way to work or home.

Thank you for contributing to making Sandy Springs the best city in the South to live, work and play in!

Debbie Sonenshine

Coldwell Banker Residential Brokerage

Sandy Springs Office

5252 Roswell Rd

Sandy Springs, GA 30342

RECEIVED

FEB 19 2020

City of Sandy Springs
Community Development

From: Helena Solodar [REDACTED]
Subject: Zoning of Cliftwood at Sandy Springs/ Case #RZ19-0006
Date: Jan 12, 2020 at 5:27:20 PM
To: Ed Goldberg [REDACTED]

We currently live in Sandy Springs in the subdivision known as Tiller Walk at [REDACTED] My husband and I feel strongly that this condominium project will help the continuing development of the upscale vibe and stability of Sandy Springs. We wholeheartedly support the zoning and building of this residential community and we actively plan to look at a unit in the building as a viable option for our primary residence.

Thanking you in advance.

Helena and Seymour Solodar
[REDACTED]

RECEIVED

FEB 19 2020

City of Sandy Springs
Community Development

REFERENCE Zoning of Cliftwood at Sandy Spring Circle or Case #RZ 19-0006.

From: barbara hubschman [REDACTED]

To: [REDACTED]

Date: Saturday, January 11, 2020, 05:51 PM EST

As a resident of Sandy Springs for over 20 years I am happy to finally see a residential living project of this quality and design.

I support Gary and Ed's efforts to improve the area.

Thank you,

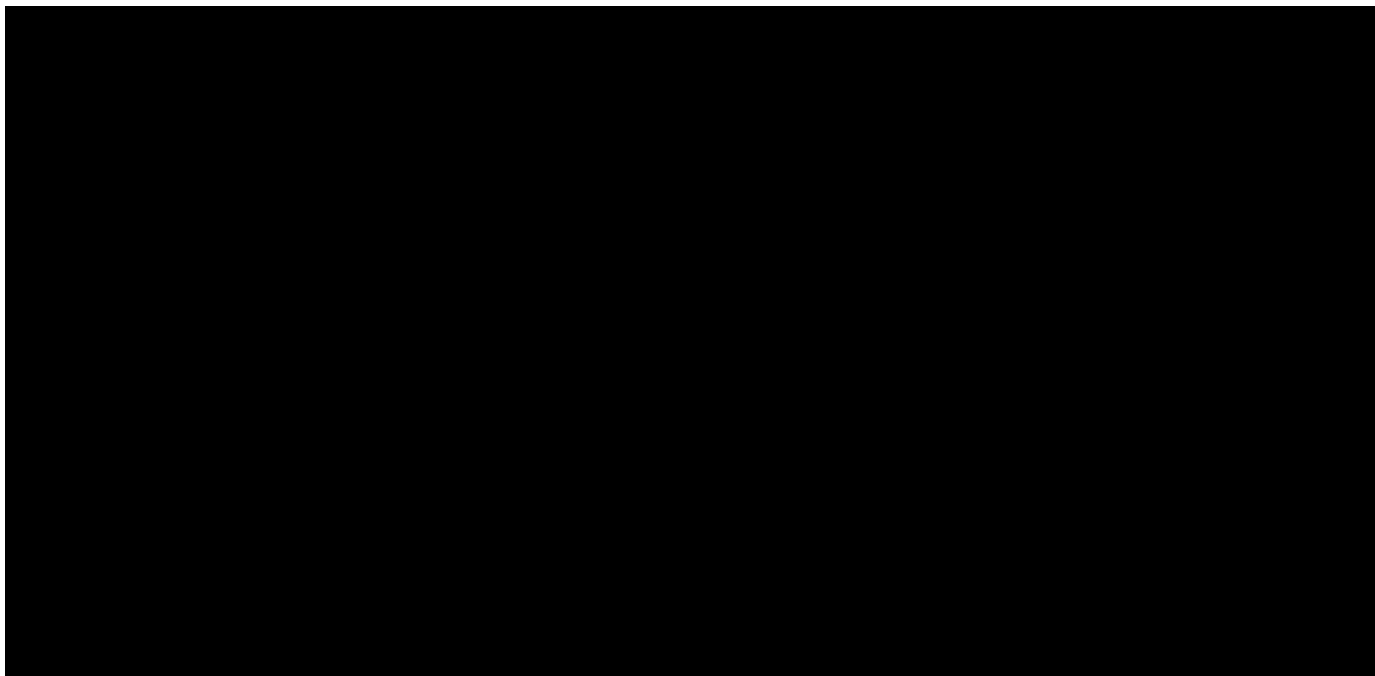
Barbara Hubschman

[REDACTED]
Sandy Springs, GA [REDACTED]

RECEIVED

FEB 19 2020

City of Sandy Springs
Community Development



From: Jonathan Schwartz [REDACTED]

Sent: Monday, May 25, 2020 5:26 PM

To: Smith, Madalyn <Madalyn.Smith@sandyspringsga.gov>; Anspach, Matthew <MANspach@SandySpringsga.gov>

Subject: Support for Zoning & Variance Approvals for New Condos on Cliftwood Dr.

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Ms. Smith and Mr. Anspach,

Please accept my attached letter in support of Zoning Application RZ 19-0006 and the associated Variance Application V20-0013/135 & 145 Cliftwood Drive.

My mother has lived in Sandy Springs since we first moved to GA in 1979, and this development would keep her in Sandy Springs vs. forcing her to move to Buckhead to find this type of residence.

Thank you and best regards,

Jonathan Schwartz

This e-mail message (including any attachments) is for the sole use of the intended recipient(s) and may contain confidential and privileged information. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this message (including any attachments) is strictly prohibited. If you have received this message in error, please contact the sender and destroy all copies of the original message (including attachments). The City of Sandy Springs is a public entity subject to the Official Code of Georgia Annotated §§ 50-18-70 to 50-18-76 concerning public records. Email is covered under such laws and thus may be subject to disclosure.

Jonathan Schwartz

[REDACTED]

Atlanta, GA [REDACTED]

May 25, 2020

Dear members of the Sandy Springs City Council, and
Sandy Springs Variance Board:

Reference: Zoning Application RZ 19-0006, and
Variance Application V20-0013/135 & 145 Cliftwood Drive

The above referenced Zoning Application is scheduled to be voted on at a City Council meeting on June 16, 2020 and Variance Board vote at the July 14, 2020 meeting. I am writing you to let you know that the undersigned individual strongly supports this Zoning Application and Variance Application. I have waited for someone to develop in the heart of Sandy Springs a residential living opportunity, other than apartments or single family residential, in the form of an upscale condominium building. This choice for residential living has simply been missed, and because of my mother's desire, she has already entered into a reservation agreement with the developers. A negative vote would cause the cancellation of this project!

My mother hopes to continue living in Sandy Springs rather than resigning herself to move to Buckhead, and this development is exactly the type of product that will enhance the reputation of our Sandy Springs community as a place for residents of this region who want something more and can look to Sandy Springs for leadership. I urge you to vote in favor of this project and to support the developers as they seek to create a welcome place for buyers of condominium living.

Thank you for considering this proposal in a positive way!

Sincerely,

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

Horst, Alexandra

From: Cindy Hopkins [REDACTED]

Sent: Monday, May 25, 2020 8:52 PM

To: Smith, Madalyn <Madalyn.Smith@sandyspringsga.gov>; Anspach, Matthew <MAnspach@SandySpringsga.gov>

Subject: support for Sandy Springs condominium development



**Zoning and
Variance suppor...**

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Cindy and Jeff Hopkins

[REDACTED]
Sandy Springs, Ga [REDACTED]

May 24, 2020

Dear members of the Sandy Springs City Council, and
Sandy Springs Variance Board:

Reference: Zoning Application RZ 19-0006, and
Variance Application V20-0013/135 & 145 Cliftwood Drive

The above referenced Zoning Application is scheduled to be voted on at a City Council meeting on June 16, 2020 and Variance Board vote at the July 14, 2020 meeting. We are writing you to let you know that the undersigned individuals strongly support this Zoning Application and Variance Application. We have waited for someone to develop in the heart of Sandy Springs a residential living opportunity, other than apartments or single family residential, in the form of an upscale condominium building. This choice for residential living has simply been missed, and because of my mother's desire, she has already entered into a reservation agreement with the developers. A negative vote would cause the cancellation of this project!

My mother hopes to continue living in Sandy Springs rather than resigning herself to move to Buckhead, and this development is exactly the type of product that will enhance the reputation of our Sandy Springs community as a place for residents of this region who want something more and can look to Sandy Springs for leadership. We urge you to vote in favor of this project and to support the developers as they seek to create a welcome place for buyers of condominium living.

Thank you for considering this proposal in a positive way!

Sincerely,

Cindy and Jeff Hopkins

Horst, Alexandra

From: barbara hubschman [REDACTED]

Sent: Tuesday, May 26, 2020 8:06 AM

To: Smith, Madalyn <Madalyn.Smith@sandyspringsga.gov>; Anspach, Matthew <MAnspach@SandySpringsga.gov>

Subject: zoning and variance application

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Barbara Hubschman

[REDACTED]
Sandy Springs, Ga [REDACTED]

Date 26 May 2020

Dear members of the Sandy Springs City Council, and

Sandy Springs Variance Board:

Reference: Zoning Application RZ 19-0006, and

Variance Application V20-0013/135 & 145 Cliftwood Drive

The above referenced Zoning Application is scheduled to be voted on at a City Council meeting on June 16, 2020 and Variance Board vote at the July 14, 2020 meeting. We are writing you to let you know that the undersigned individuals strongly support this Zoning Application and Variance Application. As I have waited for someone to develop in the heart of Sandy Springs a residential living opportunity, other than apartments or single family residential, in the form of an upscale condominium building. This choice for residential living has simply been missed and because of my desire I have already entered into a reservation agreement with the developers. A negative vote would cause the cancellation of this project!

I am hoping to continue living in Sandy Springs and this development is exactly the type of product that will enhance the reputation of our Sandy Springs community as a place for residents of this region who want something more and can look to Sandy Springs for leadership. I urge you to vote in favor of this project and to support the developers as they seek to create a welcome place for buyers of condominium living.

Thank you for considering this proposal in a positive way!

Sincerely,

Barbara Hubschman

This e-mail message (including any attachments) is for the sole use of the intended recipient(s) and may contain confidential and privileged information. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this message (including any attachments) is strictly prohibited. If you have received this message in error, please contact the sender and destroy all copies of the original message (including attachments). The City of Sandy Springs is a public entity subject to the Official Code of Georgia Annotated §§ 50-18-70 to 50-18-76 concerning public records. Email is covered under such laws and thus may be subject to disclosure.

Horst, Alexandra

[REDACTED]

From: Marlene J. Schwartz [REDACTED]

Sent: Tuesday, May 26, 2020 11:45 AM

To: Smith, Madalyn <Madalyn.Smith@sandyspringsga.gov>; Anspach, Matthew <MANspach@SandySpringsga.gov>

Subject: Zoning Application RZ 19-0006

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Attached is my letter in support of Zoning Application RZ 19-0006 and Variance Application V20-0013/135&145 Cliftwood Drive.

Thank you so much,

Marlene J. Schwartz

[REDACTED]
Sandy Springs, GA [REDACTED]

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Marlene J.
~~Madeline~~ Schwartz

[REDACTED]
Sandy Springs, Ga [REDACTED]

May 25, 2020

Dear members of the Sandy Springs City Council, and
Sandy Springs Variance Board:

Reference: Zoning Application RZ 19-0006, and
Variance Application V20-0013/135 & 145 Cliftwood Drive

The above referenced Zoning Application is scheduled to be voted on at a City Council meeting on June 16, 2020 and Variance Board vote at the July 14, 2020 meeting. We are writing you to let you know that the undersigned individuals strongly support this Zoning Application and Variance Application. As I have waited for someone to develop in the heart of Sandy Springs a residential living opportunity, other than apartments or single family residential, in the form of an upscale condominium building. This choice for residential living has simply been missed and because of my desire I have already entered into a reservation agreement with the developers. A negative vote would cause the cancellation of this project!

I am hoping to continue living in Sandy Springs and this development is exactly the type of product that will enhance the reputation of our Sandy Springs community as a place for residents of this region who want something more and can look to Sandy Springs for leadership. I urge you to vote in favor of this project and to support the developers as they seek to create a welcome place for buyers of condominium living.

Thank you for considering this proposal in a positive way!

Sincerely,

Marlene Schwartz

Horst, Alexandra

From: Ed Schiffer [REDACTED]
Sent: Tuesday, May 26, 2020 3:06 PM
To: Smith, Madalyn <Madalyn.Smith@sandyspringsga.gov>; Anspach, Matthew <MANspach@SandySpringsga.gov>
Subject: Fwd: Cliftwood Condominium Zoning Application RZ19-0006 and Variance Application V20-0013/135 and 145 Cliftwood Drive

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Sent from my iPad

Begin forwarded message:

From: Ed Schiffer [REDACTED]
Date: May 26, 2020 at 1:46:08 PM EDT
To: matthew.anspach@sandysprings.gov, [REDACTED]
Subject: Cliftwood Condominium Zoning Application RZ19-0006 and Variance Application V20-0013/135 and 145 Cliftwood Drive

Dear members of Sandy Springs Council and Sandy Springs Variance Board,

The above referenced Zoning Application is scheduled to be voted on at a City Council meeting on June 16, 2020 and Variance vote on July 14, 2020. I am writing you to let you know that I strongly support this Zoning and Variance Application. As I have wanted for someone to develop in the heart of Sandy Springs a residential living opportunity in the form of upscale condominiums, as opposed to apartments or single family residences, this choice for residential living has simply been missed and because of my desire to continue living in our community I have already entered into a reservation agreement. A negative vote would cause the cancellation of this quality project.

I am hoping to continue living in Sandy Springs and this development is exactly the type of project that will make it possible. I urge you to vote in favor of this project and to support the developers as they seek to create a quality place for buyers of condominium living.

Thank you in advance for considering this project in a positive way.

Sincerely yours,

Edwin S. Schiffer

[REDACTED]
Sandy Springs, GA [REDACTED]

Sent from my iPad

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Horst, Alexandra

From: Lilly [REDACTED]

Sent: Tuesday, May 26, 2020 9:05 PM

To: Smith, Madalyn <Madalyn.Smith@sandyspringsga.gov>; Anspach, Matthew <MANspach@SandySpringsga.gov>

Subject: Zoning Application RZ 19-0006 and Variance Application V20-0013/135 & 145 Cliftwood Drive

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

REFERENCE: Zoning Application RZ 19-0006 and
Variance Application V20-0013/135 & 145 Cliftwood Drive

Dear Sandy Springs Council and Variance Board:

Please approve these applications! The above referenced Zoning Application is scheduled to be voted on at a City Council meeting on June 16, 2020 and Variance Board vote at the July 14, 2020 meeting. I am writing to let you know that I strongly support this Zoning Application and Variance Application. This choice for residential living in Sandy Springs has simply been overlooked. As a long time Sandy Springs resident I have waited for someone to develop an upscale condominium community near the heart of the City and this is it. This is exciting! I do not want to have to move from Sandy Springs or into the City of Atlanta. That is why I have already met with and entered into a reservation agreement with the developers.

I also feel this type of development is exactly the type of product that could enhance the reputation of Sandy Springs. I really urge you to vote IN FAVOR of this project and to support the developers as they seek to create a welcoming place that will draw residential buyers to our neighborhoods.

Thank you for your time. Stay safe and healthy.

Respectfully,
Dianna Bell
Lilly

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Horst, Alexandra

From: Dianna [REDACTED]

Sent: Tuesday, May 26, 2020 9:10 PM

To: Smith, Madalyn <Madalyn.Smith@sandyspringsga.gov>; Anspach, Matthew <MANspach@SandySpringsga.gov>

Subject: Zoning and Variance Request

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dianna Bell

[REDACTED]
Sandy Springs, GA [REDACTED]

May 26, 2020

REFERENCE: Zoning Application RZ 19-0006 and
Variance Application V20-0013/135 & 145 Cliftwood Drive

Dear Sandy Springs Council and Variance Board:

Please approve these applications! The above referenced Zoning Application is scheduled to be voted on at a City Council meeting on June 16, 2020 and Variance Board vote at the July 14, 2020 meeting. I am writing to let you know that I strongly support this Zoning Application and Variance Application. This choice for residential living in Sandy Springs has long been overlooked. As a long time Sandy Springs resident I have waited for someone to develop an upscale condominium community near the heart of the City. This is exciting! I do not want to have to move from Sandy Springs or into the City of Atlanta. That is why I have already entered into a reservation agreement with the developers and request your approval.

I also feel this type of development is exactly the type of product that could enhance the reputation of the Sandy Springs. I strongly urge you to vote IN FAVOR of this project and to support the developers as they seek to create a welcoming place that will draw residential buyers to our neighborhoods.

Thank you for your time. Stay safe and healthy.

Respectfully,
Dianna Bell

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Mr. Danny Chafetz

Atlanta, GA

27 MAY 2020 PM 5 L



Ms. Madelyn Smith
Mr. Matthew Anspach
Sandy Spring City Hall
1 Gallop Way
Sandy Spring GA 30328

30328-482901

30328

Penny and Marvin Shetsky

[REDACTED]
[REDACTED]
SANDY SPRINGS GA [REDACTED]
May 26, 2020

Dear members of the Sandy Springs City Council, and
Sandy Springs Variance Board:

Reference: Zoning Application RZ 19-0006, and

Variance Application V20-0013/135 & 145 Cliftwood Drive

The above referenced Zoning Application is scheduled to be voted on at a City Council meeting on June 16, 2020 and Variance Board vote at the July 14, 2020 meeting. We are writing you to let you know that the undersigned individuals strongly support this Zoning Application and Variance Application. As we have waited for someone to develop in the heart of Sandy Springs a residential living opportunity, other than apartments or single family residential, in the form of an upscale condominium building. This choice for residential living has simply been missed and because of our desire we have already entered into a reservation agreement with the developers. A negative vote would cause the cancellation of this project!

We are hoping to continue living in Sandy Springs and this development is exactly the type of product that will enhance the reputation of our Sandy Springs community as a place for residents of this region who want something more and can look to Sandy Springs for

leadership

~~lead~~Sincerely, ership. We urge you to vote in favor of this project and to support the developers as they seek to create a welcome place for buyers of condominium living.

| Thank you for considering this proposal in a positive way!

Sincerely,

|  Amy Shy

**STATE OF GEORGIA
COUNTY OF FULTON**

**AN ORDINANCE TO REZONE THE PROPERTIES LOCATED AT 135 & 145
CLIFTWOOD DRIVE FROM CS-3 (CITY SPRINGS, 3 STORIES MAXIMUM
HEIGHT) TO CS-6 (CITY SPRINGS, 6 STORIES MAXIMUM HEIGHT)**

BE IT ORDAINED by the City Council for the City of Sandy Springs, Georgia while in regular session on Tuesday, June 16, 2020 at 6:00 p.m. as follows:

SECTION 1. That the Official Zoning Map, incorporated into and part of the City of Sandy Springs Development Code be amended so the property located at **135 & 145 Cliftwood Drive** (Parcel #s 17 009000030309 & 17 009000030325), consisting of a total of approximately 0.8345 acre, be rezoned from CS-3 (City Springs, 3 stories maximum height) to CS-6 (City Springs, 6 stories maximum height) with no conditions, to wit;

SECTION 2. That the property shall be developed in compliance with the conditions of approval, as attached to this Ordinance. Any conditions hereby approved do not authorize the violation of any district regulations; and

SECTION 3. That all Ordinances or part of Ordinances in conflict with the terms of this Ordinance are hereby repealed; and

SECTION 4. This Ordinance shall become effective upon adoption by the Mayor and City Council and the signature of approval of the Mayor.

APPROVED AND ADOPTED this the 16th day of June, 2020.

Approved:

Russell K. Paul, Mayor

Attest:

Raquel Gonzalez, City Clerk

(Seal)

Mayor and City Council

June 16, 2020



SANDY SPRINGS™
GEORGIA

RZ19-0006

135 & 145 Cliftwood Drive

PC RECOMMENDATION:
APPROVAL

STAFF RECOMMENDATION:
APPROVAL

Request

- Request for a Zoning Map Amendment (Rezoning) of 135 & 145 Cliftwood Drive from CS-3 (City Springs, 3 stories maximum height) to CS-6 (City Springs, 6 stories maximum height).

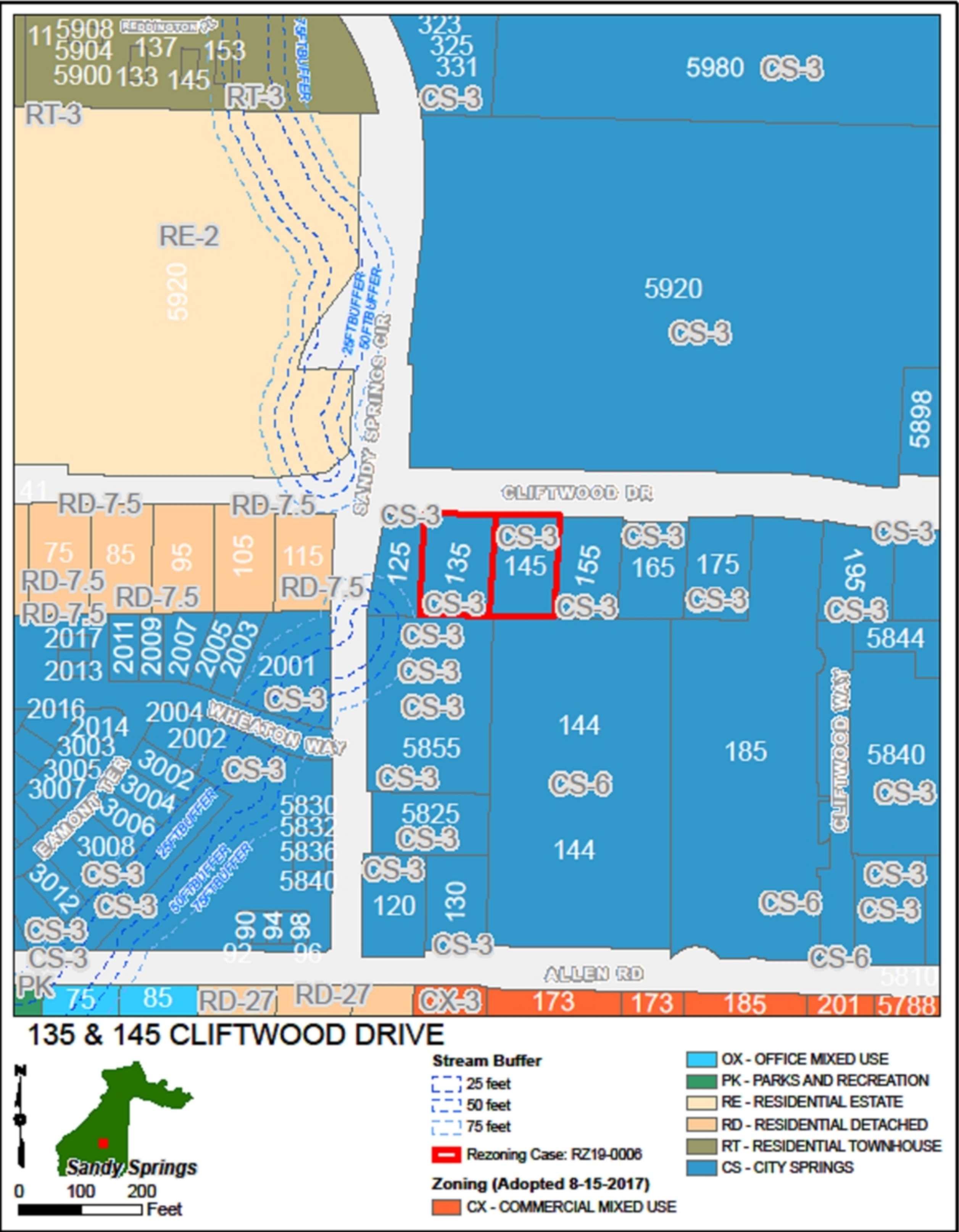
Existing Conditions



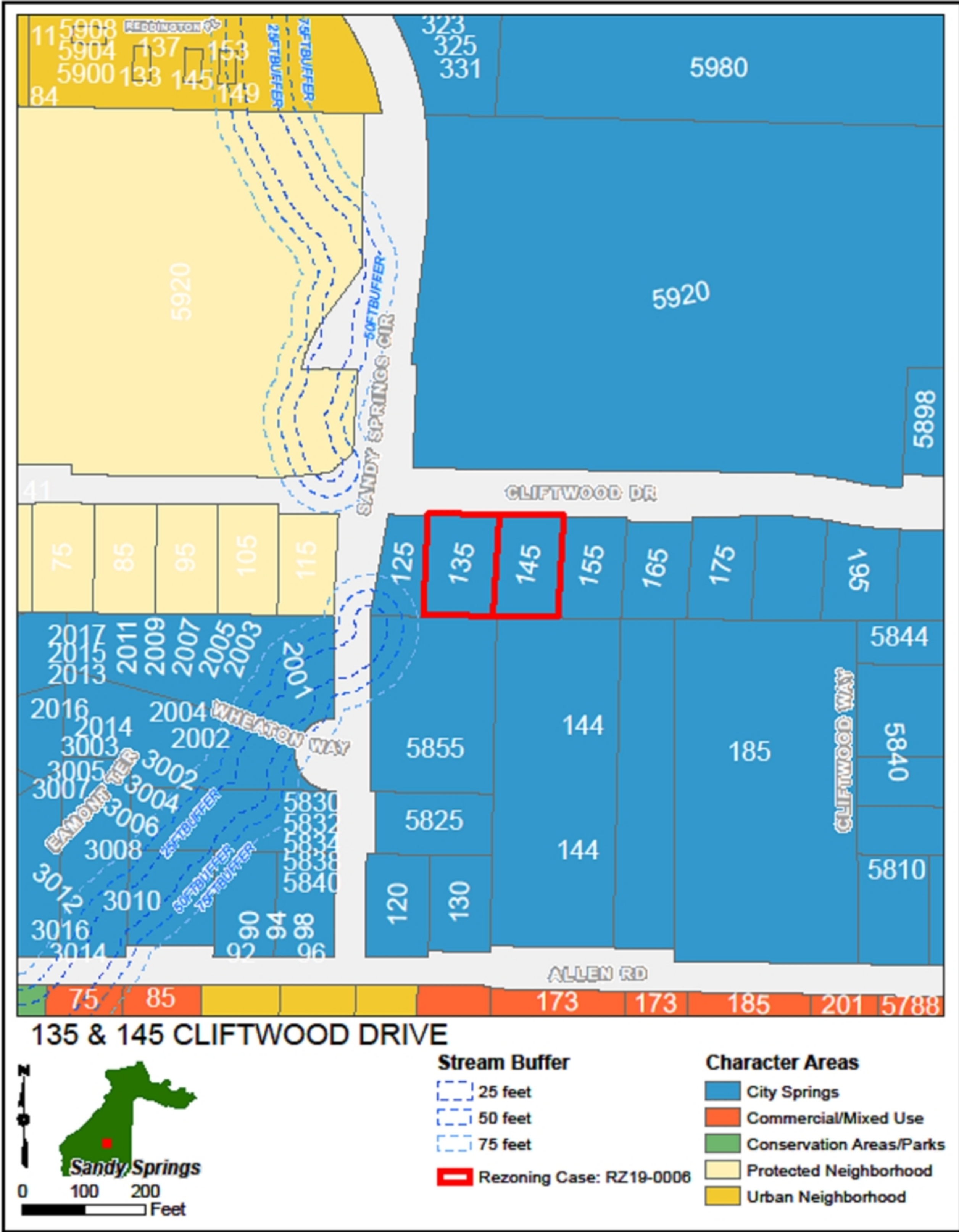
Aerial Image



Zoning Map



Character Area Map



Rezoning Considerations

- Changing conditions, trends, and facts
 - Redevelopment
- Conformance with The Next Ten
 - City Springs Character Area
 - Redevelopment, density, housing
- Conformance with the Development Code
 - Reinvestment, redevelopment
- Likely increased potential for redevelopment

Recommendations

- PC recommended **Approval of Zoning Map Amendment (Rezoning) RZ19-0006**
- Staff recommends **Approval of Zoning Map Amendment (Rezoning) RZ19-0006** from CS-3 to CS-6.
- Staff does *not* recommend this application be conditioned to the site plan, as it is illustrative and conceptual only



SANDY SPRINGS

CITY CLERK'S OFFICE

TO: Andrea Surratt, City Manager

FROM: Matthew Anspach, Senior Planner

DATE: May 19, 2020 Submission for the June 16, 2020 Meeting

ITEM: Request for Mayor and City Council Consideration of BU19-0001 (255 Amberidge Trail) Request for a Granting of Relief via a Beneficial Use Determination and in Particular to Amend the Official Zoning Map to Rezone a Portion of the Property from RD-27 to RD-18 per Sec. 11.6.4.E.1.b.

Recommendation:

Planning Commission recommended Conditional Approval of Beneficial Use Determination BU19-0001, subject to Staff's recommended conditions.

Staff recommends Conditional Approval of Beneficial Use Determination BU19-0001.

Background:

Per Sec. 11.6.4. of the Development Code, the intent of the City is that all landowners in the City enjoy an economically beneficial use of their land. The procedures in this Section are intended to permit landowners who believe they have been deprived of economically beneficial use of their land to apply to the City for relief from application of this Development Code sufficient to provide an economically beneficial use of the land. Thus, the applicant seeks relief from the Development Code, being of the opinion that the lot's zoning designation on the Official Zoning Map as RD-27 (Residential Detached, 27,000 square foot minimum lot size) has severely inhibited the beneficial use of the land. The property owner seeks relief in the form of a Zoning Map Amendment (Rezoning) of the southern portion of the property from RD-27 to RD-18 (Residential Detached, 18,000 square foot minimum lot size).

The subject property was zoned R-3 Single Family Dwelling District (minimum lot area of 18,000 square feet) under its former zoning designation, which is most equivalent to the RD-18 zoning district (18,000 square feet minimum lot area for single unit detached), as found in Sec 2.3.1. of the City's Development Code. If the lot were RD-18, the applicant would have been able to subdivide into two (2) lots "by right" without requesting any form of relief. However, through the City's Rezoning effort in 2017, the property was assigned the RD-27 zoning designation (27,000 square feet minimum lot area for single unit detached). Presently, the property owner is not able to subdivide the lot into two (2), as any configuration for a second lot would be deficient by at least 1,485 square feet – not being able to achieve the minimum lot size of 27,000 square feet. The property owner is of the opinion that the lot's current zoning has

severely diminished economically beneficial use of the land.

Discussion:

The applicant seeks relief through the Beneficial Use Determination in the form of an Official Zoning Map Amendment to rezone the southern portion of the property from RD-27 to RD-18.

Beneficial Use Determination Considerations

Per Sec. 11.6.4.D. of the Development Code, the following is a list of factors to demonstrate that the landowner is deprived of an economically beneficial use of the land. Though the applicant seeks relief through the Beneficial Use Determination in the form of an Official Zoning Map Amendment to rezone the southern portion of the property from RD-27 to RD-18, the Beneficial Use Determination Considerations differ from the list of approval criteria for a Zoning Map Amendment (Rezoning).

1. Economically Beneficial Use

The uses of the land as provided by this Development Code, and in relation to the uses allowed on similarly situated lands. For the purposes of this Section, “economically beneficial use” means the opportunity to make a return equivalent to that which would have been received from a conservative financial investment. Transitory economic issues are not relevant to this determination.

Finding: The subject property was originally developed in 1980, is located within the Amberglades Subdivision, and is zoned RD-27. The property is adjacent to RD-27 to the north, RD-18 to the east, RD-18 to the west, and RD-12 to the south.

Under the old Zoning Map, the property was zoned R-3, which is equivalent to RD-18, per the current Development Code. The subject property is 52,515 square feet (or approximately 1.30 acres) and has a width of 248 feet along Amberidge Trail. The RD-18 zoning district requires new lots to have a minimum lot area of 18,000 square feet, along with a 100-foot minimum lot width, whereas the RD-27 zoning district requires a minimum lot area of 27,000 square feet and a minimum lot width of 120 feet. The applicant seeks to sell the property as a lot that can be subdivided into two (2). However, under the RD-27 zoning designation, the lot cannot be subdivided into two (2) lots, as the lot is 1,485 square feet short of the required 27,000 square feet. Under the RD-18 District, the lot could have been subdivided by right.

The properties located across from 255 Amberidge Trail (265 River Valley Road NW and 280 Amberidge Trail) are zoned RD-18 and are similar in lot size (approximately 0.50 acre) to the proposed

two (2) new lots (also approximately 0.50 acre). Nearby lots to the north of 255 Amberidge Trail, such as 275, 285, and 295 Amberidge Trail, are zoned RD-27 and have lot sizes ranging from 0.60 to 0.90 acre. Additionally, properties to the south of 255 Amberidge Trail, 250 and 240 River Valley Road, are zoned RD-12 and are 0.40 acre. Staff believes that rezoning the southern portion of the subject property would not have negative effects on the surrounding properties and that the request is similar in character to and identical use of the land within the existing neighborhood.

Staff is of the opinion that the relief requested by the applicant in the form of an Official Zoning Map Amendment is the amount of relief necessary to reach the minimum beneficial use of the land, based on the guidelines found in Sec. 11.6.4.E.3.:

- a. The land does not have any governmental subsidy attached to the long-term safe occupation of the land.
- b. The use of the land as a single-family residence is a use common to the City and is the lowest intensity use in the City.
- c. The actual condition of the land does not limit the lot's development potential given the natural conditional of the land, as it can safely accommodate development with normal grading and clearing practices.
- d. No potential damages to the residents and land are anticipated. No governmental subsidy for future landowners is expected.
- e. Only reasonable expectations backed by investments as recognized by the current state of the law were considered.
- f. Staff's analysis was consistent with the current state of law relevant to the granting of relief as established by the United States Supreme Court, the 11th Circuit Federal Court of Appeals, and the Georgia Supreme Court.

2. Diminution in Value

The market value of the land, as established by the comparable sales approach, prior to adoption of the regulations that caused the landowner to apply for relief must be compared to the market value of the land, as established by the comparable sales approach, with the regulations as applied.

Market value of the land prior to the adoption of the regulations that caused the landowner to apply for relief must constitute its highest and best use one day prior to the effective date of the regulations that caused the landowner to apply for relief, or the date of purchase of the land, whichever is later; and any other land value/appraisal information that the applicant would like considered.

Finding: According to the appraisal report submitted by the applicant, “the most likely sales price that the subject property would achieve,” as one (1) lot, “with adequate market exposure is \$665,000.” The appraisal also calculates the Market Value under the hypothetical condition that the lot can be divided in two (2) (the northernmost lot having a lot area of 27,000 square feet, and the southern lot having an area of 25,515 square feet). The Market Value for each proposed lot is \$410,000, or \$820,000 as a combined value.

The property owner is of the opinion that the current RD-27 zoning district designation is depriving the Economically Beneficial Use of the land by preventing the subdivision of the lot, and, therefore, decreasing the value of the land by \$155,000, from \$820,000 to \$665,000.

Staff is of the opinion that the request for relief through an Official Zoning Map Amendment (Rezoning) provides the minimum increase in use and intensity in order to permit an economically beneficial use of the land.

3. External Costs

The amount or nature of any subsidy that may be required by the City, neighbors, purchasers, tenants, or the public at large if the development allowed under this Development Code is modified; and any other adverse effects on the City and its residents created by the modification of the standards of this Development Code.

Finding: The applicant requests relief in the form of an Official Zoning Map Amendment to rezone a portion of the lot from RD-27 to RD-18. Staff is of the opinion that no subsidy is required by the City, neighbors, purchasers, tenants, or the public at large, if the lot is subdivided into two (2) lots and only the southern lot (on the corner of Amberidge Trail and River Valley Road) is rezoned to RD-18. Staff does not anticipate any adverse effects on the City nor its residents as a result of the proposed request. The applicant requests no modification of the standards set forth in the Development Code for the RD-18 zoning district.

4. Current State of the Law

The state of the law established by the United States Supreme Court, the 11th Circuit Federal Court of Appeals, and the Georgia Supreme Court relevant to these standards.

Finding: Staff considered the current state of law relevant to these standards in its analysis of the application.

Financial Impact:

There is no financial cost to the City of BU19-0001, but the Beneficial Use Determination Considerations are based on the landowner being deprived of an economically beneficial use of the land.

The same Beneficial Use Determination Considerations are applicable here as well.

Alternatives:

Mayor and City Council may choose to approve or deny the request or approve it with modified conditions.

Attachments:

1. BU19-0001 MCC Staff Report
2. BU19-0001 Ordinance
3. BU19-0001 Site Plan Two Lots Received 11.19.2019
4. BU19-0001 PC Staff Report
5. BU19-0001 MCC Package
6. BU19-0001 MCC Presentation Slides



P&Z STAFF REPORT

Mayor and City Council Meeting, June 16, 2020

Case: **BU19-0001 – 255 Amberidge Trail**
Staff Contact: Matthew Anspach (manspach@sandyspringsga.gov) /
Alexandra Horst (AHorst@SandySpringsga.gov)
Report Date: June 2, 2020

REQUEST

Request for a Beneficial Use Determination for relief from the application of the Development Code by amending the Official Zoning Map to rezone the southern portion of the property from RD-27 to RD-18 at 255 Amberidge Trail.

APPLICANT

Property Owner: Margaret O. Levitt	Petitioner: Margaret O. and Harvey Levitt and Ed Levin	Representative: Ed Levin Design Construction by Craftmaster
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UPDATE (March 18, 2020)

BU19-0001 was originally scheduled to be heard by Mayor and City Council on March 17, 2020. However, public hearings were postponed as Mayor and City Council approved a 60-day Emergency Ordinance Declaring Local Emergency Of The Novel Coronavirus Disease 2019 Global Pandemic.

SUMMARY

Per Sec. 11.6.4. of the Development Code, the intent of the City is that all landowners in the City enjoy an economically beneficial use of their land. The procedures in this Section are intended to permit landowners who believe they have been deprived of economically beneficial use of their land to apply to the City for relief from application of this Development Code sufficient to provide an economically beneficial use of the land. Thus, the applicant seeks relief from the Development Code, being of the opinion that the lot's zoning designation on the Official Zoning Map as RD-27 (Residential Detached, 27,000 square foot minimum lot size) has severely inhibited the beneficial use of the land. The property owner seeks relief in the form of a Zoning Map Amendment (Rezoning) of the southern portion of the property from RD-27 to RD-18 (Residential Detached, 18,000 square foot minimum lot size).

The subject property was zoned R-3 Single Family Dwelling District (minimum lot area of 18,000 square feet) under its former zoning designation, which is most equivalent to the RD-18 zoning district (18,000 square feet minimum lot area for single unit detached), as found in Sec 2.3.1. of the City's Development Code. If the lot were RD-18, the applicant would have been able to subdivide into two (2) lots "by right" without requesting any form of relief. However, through the City's Rezoning effort

in 2017, the property was assigned the RD-27 zoning designation (27,000 square feet minimum lot area for single unit detached). Presently, the property owner is not able to subdivide the lot into two (2), as any configuration for a second lot would be deficient by at least 1,485 square feet – not being able to achieve the minimum lot size of 27,000 square feet. The property owner is of the opinion that the lot's current zoning has severely diminished economically beneficial use of the land.

RECOMMENDATIONS

Planning Commission (February 19, 2020)

Following Staff's presentation, the petitioner's representative spoke. Commissioner Settles asked if he was aware of the comment made by Public Works regarding access only from Amberidge Trail and not River Valley Road. He said that he plans to provide access from Amberidge Trail. No other questions were discussed.

Motion

Commissioner Kelly moved to recommend **Conditional Approval** of Beneficial Use Determination BU19-0001, subject to Staff's recommended conditions. Commissioner Nickles seconded the motion. The motion passed 5-0.

Department of Community Development

Staff recommends **Conditional Approval** of **Beneficial Use Determination** BU19-0001.

MATERIALS SUBMITTED AND REVIEWED

Materials:

1. Application, received November 1, 2019. Revised November 13, 2019.
2. Land Appraisal Report prepared by Sandee S Pennington, Certified General Real Property Appraiser, received November 1, 2019.
3. Legal description for 255 Amberidge Trail Lot 6-A, received November 19, 2019.
4. Legal description for 255 Amberidge Trail Lot 6-B, received November 19, 2019.

Plans:

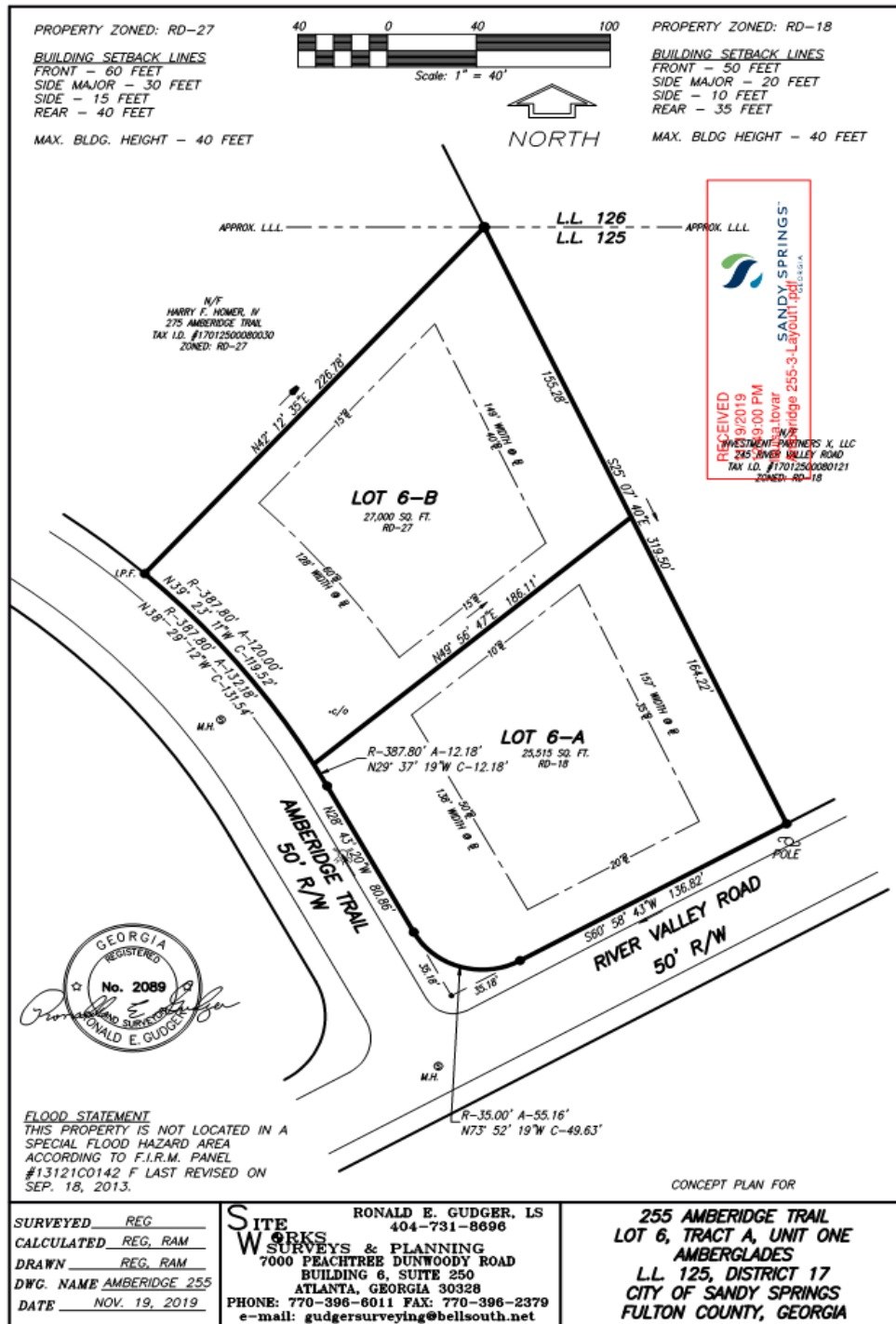
1. "Concept Plan for 255 Amberidge Trail Lot 6, Tract A, Unit One Amberglades," prepared by Site Works Surveys & Planning, signed and sealed by Ronald E Gudger, Land Surveyor, dated November 19, 2019, received November 19, 2019.

PROPERTY INFORMATION

Location:	255 Amberidge Trail (Parcel # 17 012500080048)
Council District:	3 – Chris Burnett
Road frontage:	Approximately 248 feet of frontage on Amberidge Trail and 172 feet on River Valley Road
Acreage:	Approximately 1.30 acres
Old Zoning:	R-3 Single Family Dwelling District
Current Zoning:	RD-27 (Residential Detached, 27,000 square foot minimum lot size)
Existing Land Use:	Single Family
Previous Zoning Case/Cases:	N/A
Character Area:	Protected Neighborhood

PROCESS			
Initial Community Meeting (CMI): October 24, 2019	Second Community Meeting (CMII): December 4, 2019	Planning Commission Hearing: February 19, 2020	Mayor and City Council Hearing: June 16, 2020 (originally scheduled for March 17, 2020)

SITE PLAN (received November 19, 2019) (full size Site Plan in Package)



PROPOSED DEVELOPMENT

The applicant seeks relief through the Beneficial Use Determination in the form of an Official Zoning Map Amendment to rezone the southern portion of the property from RD-27 to RD-18.

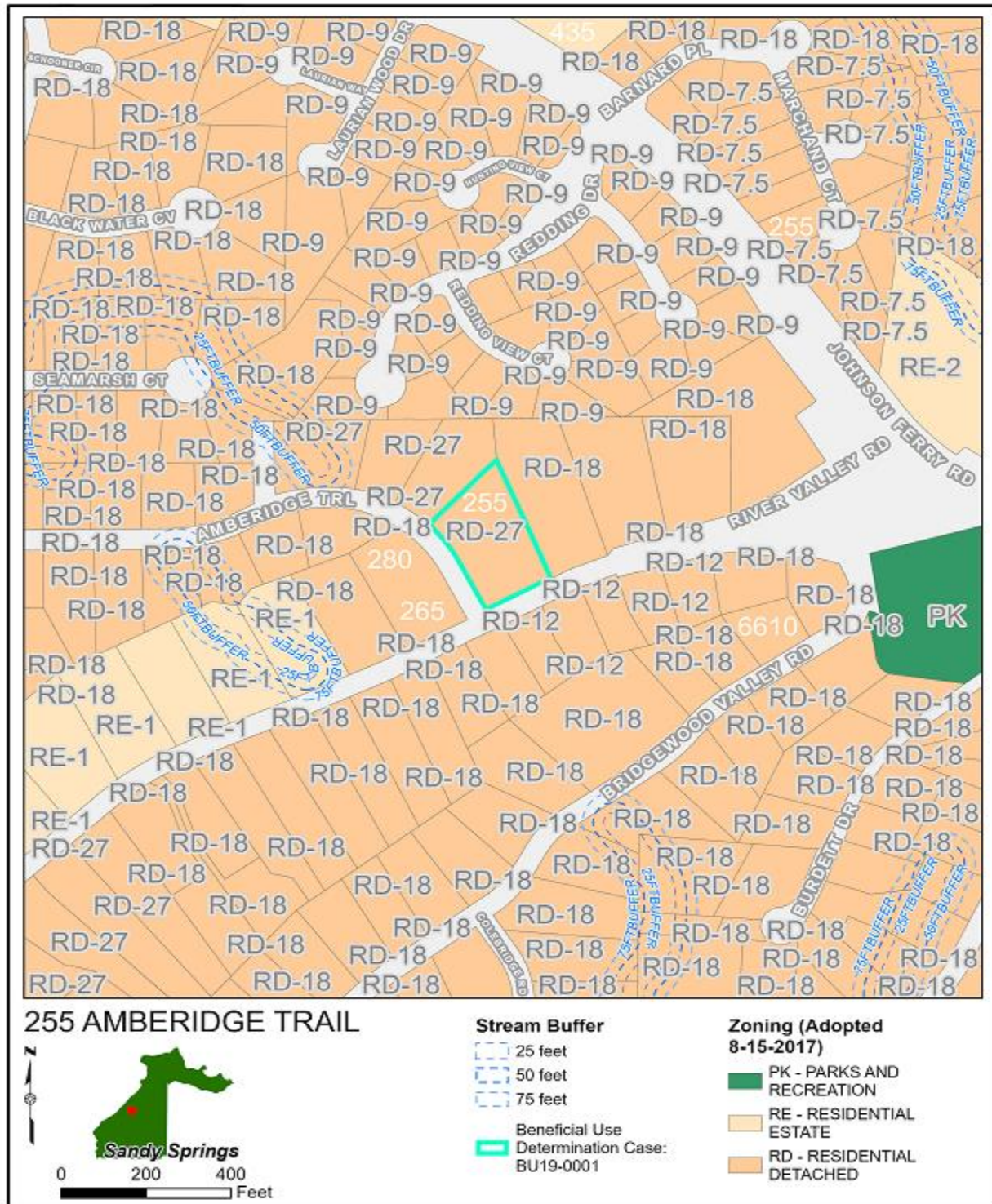
EXISTING ZONING AND LAND USES OF PROPERTY IN THE VICINITY

Location relative to subject property	Zoning / Land use	Address(es)	Land area (acres) (approximate)
North	RD-27 / Single Family House	275 Amberidge Trail	0.94 acre
East	RD-18 / Single Family House	0 River Valley Road (River Valley Road Subdivision)	0.54 acre
South	RD-12 / Single Family House	240 River Valley Road	0.42 acre
South	RD-12 / Single Family House	250 River Valley Road	0.43 acre
West	RD-18 / Single Family House	265 River Valley Road	0.51 acre
West	RD-18 / Single Family House	280 Amberidge Trail	0.51 acre
SUBJECT PARCEL			
--	RD-27 / Single Family House	255 Amberidge Trail	1.30 acres

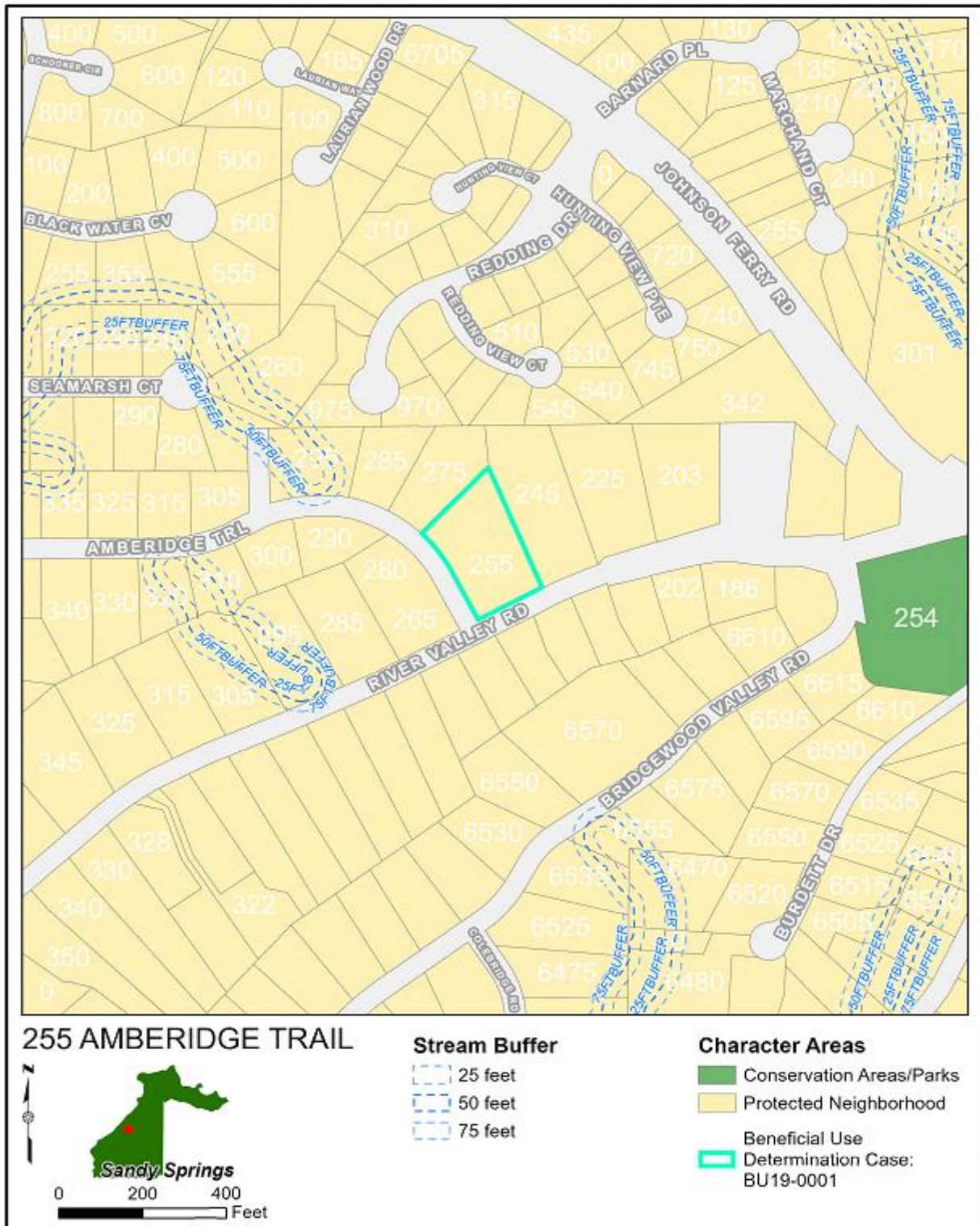
AERIAL IMAGE



ZONING MAP



CHARACTER AREA MAP



BENEFICIAL USE DETERMINATION CONSIDERATIONS

Per Sec. 11.6.4.D. of the Development Code, the following is a list of factors to demonstrate that the landowner is deprived of an economically beneficial use of the land. Though the applicant seeks relief through the Beneficial Use Determination in the form of an Official Zoning Map Amendment to rezone the southern portion of the property from RD-27 to RD-18, the Beneficial Use Determination Considerations differ from the list of approval criteria for a Zoning Map Amendment (Rezoning).

1. **Economically Beneficial Use**

The uses of the land as provided by this Development Code, and in relation to the uses allowed on similarly situated lands. For the purposes of this Section, “economically beneficial use” means the opportunity to make a return equivalent to that which would have been received from a conservative financial investment. Transitory economic issues are not relevant to this determination.

Finding: The subject property was originally developed in 1980, is located within the Amberglades Subdivision, and is zoned RD-27. The property is adjacent to RD-27 to the north, RD-18 to the east, RD-18 to the west, and RD-12 to the south.

Under the old Zoning Map, the property was zoned R-3, which is equivalent to RD-18, per the current Development Code. The subject property is 52,515 square feet (or approximately 1.30 acres) and has a width of 248 feet along Amberidge Trail. The RD-18 zoning district requires new lots to have a minimum lot area of 18,000 square feet, along with a 100-foot minimum lot width, whereas the RD-27 zoning district requires a minimum lot area of 27,000 square feet and a minimum lot width of 120 feet. The applicant seeks to sell the property as a lot that can be subdivided into two (2). However, under the RD-27 zoning designation, the lot cannot be subdivided into two (2) lots, as the lot is 1,485 square feet short of the required 27,000 square feet. Under the RD-18 District, the lot could have been subdivided by right.

The properties located across from 255 Amberidge Trail (265 River Valley Road NW and 280 Amberidge Trail) are zoned RD-18 and are similar in lot size (approximately 0.50 acre) to the proposed two (2) new lots (also approximately 0.50 acre). Nearby lots to the north of 255 Amberidge Trail, such as 275, 285, and 295 Amberidge Trail, are zoned RD-27 and have lot sizes ranging from 0.60 to 0.90 acre. Additionally, properties to the south of 255 Amberidge Trail, 250 and 240 River Valley Road, are zoned RD-12 and are 0.40 acre. Staff believes that rezoning the southern portion of the subject property would not have negative effects on the surrounding properties and that the request is similar in character to and identical use of the land within the existing neighborhood.

Staff is of the opinion that the relief requested by the applicant in the form of an Official Zoning Map Amendment is the amount of relief necessary to reach the minimum beneficial use of the land, based on the guidelines found in Sec. 11.6.4.E.3.:

- a. The land does not have any governmental subsidy attached to the long-term safe occupation of the land.
- b. The use of the land as a single-family residence is a use common to the City and is the lowest intensity use in the City.
- c. The actual condition of the land does not limit the lot's development potential given the natural condition of the land, as it can safely accommodate development with normal grading and clearing practices.
- d. No potential damages to the residents and land are anticipated. No governmental subsidy for future landowners is expected.
- e. Only reasonable expectations backed by investments as recognized by the current state of the law were considered.

f. Staff's analysis was consistent with the current state of law relevant to the granting of relief as established by the United States Supreme Court, the 11th Circuit Federal Court of Appeals, and the Georgia Supreme Court.
2. <u>Diminution in Value</u> <i>The market value of the land, as established by the comparable sales approach, prior to adoption of the regulations that caused the landowner to apply for relief must be compared to the market value of the land, as established by the comparable sales approach, with the regulations as applied.</i> <i>Market value of the land prior to the adoption of the regulations that caused the landowner to apply for relief must constitute its highest and best use one day prior to the effective date of the regulations that caused the landowner to apply for relief, or the date of purchase of the land, whichever is later; and any other land value/appraisal information that the applicant would like considered.</i> Finding: According to the appraisal report submitted by the applicant, "the most likely sales price that the subject property would achieve," as one (1) lot, "with adequate market exposure is \$665,000." The appraisal also calculates the Market Value under the hypothetical condition that the lot can be divided in two (2) (the northernmost lot having a lot area of 27,000 square feet, and the southern lot having an area of 25,515 square feet). The Market Value for each proposed lot is \$410,000, or \$820,000 as a combined value. The property owner is of the opinion that the current RD-27 zoning district designation is depriving the Economically Beneficial Use of the land by preventing the subdivision of the lot, and, therefore, decreasing the value of the land by \$155,000, from \$820,000 to \$665,000. Staff is of the opinion that the request for relief through an Official Zoning Map Amendment (Rezoning) provides the minimum increase in use and intensity in order to permit an economically beneficial use of the land.
3. <u>External Costs</u> <i>The amount or nature of any subsidy that may be required by the City, neighbors, purchasers, tenants, or the public at large if the development allowed under this Development Code is modified; and any other adverse effects on the City and its residents created by the modification of the standards of this Development Code.</i> Finding: The applicant requests relief in the form of an Official Zoning Map Amendment to rezone a portion of the lot from RD-27 to RD-18. Staff is of the opinion that no subsidy is required by the City, neighbors, purchasers, tenants, or the public at large, if the lot is subdivided into two (2) lots and only the southern lot (on the corner of Amberidge Trail and River Valley Road) is rezoned to RD-18. Staff does not anticipate any adverse effects on the City nor its residents as a result of the proposed request. The applicant requests no modification of the standards set forth in the Development Code for the RD-18 zoning district.
4. <u>Current State of the Law</u> <i>The state of the law established by the United States Supreme Court, the 11th Circuit Federal Court of Appeals, and the Georgia Supreme Court relevant to these standards.</i> Finding: Staff considered the current state of law relevant to these standards in its analysis of the application.

COMMENTS FROM OTHER PARTIES

Sandy Springs Public Works:

Given that River Valley Road is classified as a collector street, driveway access should be only allowed on Amberidge Trail.

Sandy Springs Transportation Engineer:

No comment provided.

Sandy Springs City Engineer:

No comment provided.

Sandy Springs Chief Environmental Compliance Officer:

No comment provided.

Sandy Springs Arborist:

The beneficial use and/or Rezoning of this property does not change much, but the applicant should be mindful of conserving sufficient trees to maintain the required 35% canopy coverage, as well as all the requirements listed out in Article 9 of our Development Code.

Sandy Springs Sustainability Manager:

The approval of the BUD for the purposes of splitting the lot in two would likely result in an increase in impervious surface and a greater loss of canopy, compared to maintaining it as a single property.

Sandy Springs Building Official:

The request seems similar to lot(s) on the opposing corner and in the size range of other lots along Ambridge Trail.

Sandy Springs Fire Marshal:

No comment provided.

MARTA:

No comment provided.

Fulton County Schools:

No comment provided.

Fulton County Environmental Health:EHS Comments

- Prior to the approval of any plat by the appropriate jurisdiction, the Environmental Health Services Division of the Fulton County Board of Health shall review and approve the plat regarding water supply and sewage disposal. No person may sell, offer for sale, lease, begin construction or otherwise begin the physical improvement of an exemption plat development, nor shall a building permit be issued in any form until all requirements set forth by the Fulton County Board of Health have been met.
- Fulton County Board of Health will require that the proposed site be connected to public water available to the site.
- If public sanitary sewer is available to the site, the Fulton County Board of Health will require mandatory connection. Public sanitary sewer is considered available if the property is within 200 feet of the nearest property line such distance being measured along the appropriate natural drainage course (gravity flow).
- If public sewer is unavailable to the site, this Department will require that each lot be a minimum of 43,560 square feet and have 30,000 square feet minimum usable area to be considered for use of onsite

sewage management systems. This Department will require all necessary percolation and soil data, required layouts, and supportive data be submitted for review and determined acceptable prior to preliminary plat and/or Land Disturbance Permit (LDP) approval.

- Since this proposed development constitutes a premise where people live, sanitary facilities will be mandatory prior to use or occupancy.
- This department is requiring that all existing structures to be demolished must be inspected by a certified pest control operator to insure that the premise is rat free. If evidence of rodent infestation is found, the property must be baited prior to demolition.
- If this property includes an existing individual onsite sewage management system(s), and the system(s) will be abandoned, it shall be abandoned in accordance with Fulton County regulations.
- If this property includes an existing individual onsite water supply system(s) and the system(s) will be abandoned, it shall be abandoned in accordance with Fulton County Code of Ordinance and Code of Resolutions, Chapter 34 –Health and Sanitation, Article IV – Drinking Water.

General Public Health and EJ Comments

Since this proposed development is not considered an environmentally adverse use, Fulton County Board of Health does not anticipate any adverse impacts to the health of humans or the environment in Fulton County by approving the rezoning from RD-27 to RD-18 to allow for the development of two (2) single-family residences.

Fulton County Public Services and Utilities:

No comment provided.

PUBLIC PARTICIPATION

Community Meeting I

There were eight (8) attendees at the initial Community Meeting on October 24, 2019. Questions and topics discussed included number of houses proposed, quality of houses, and tree protection. No opposition was expressed.

Community Meeting II

There was one (1) attendee in addition to the applicant at the second Community Meeting on December 4, 2019. Questions and topics discussed included size of the lot and the homes. No opposition was expressed.

Correspondence Received

One (1) public comment was submitted in writing after the Planning Commission Hearing by a nearby property owner in opposition to the request. Concerns stated include neighborhood character, property taxes, and the potential for multiple new houses.

DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION

Following review, and based on the findings, Staff recommends **Conditional Approval of Beneficial Use Determination** BU19-0001, request for relief from the application of the Development Code to amend the Official Zoning Map to rezone the southern portion of the property from RD-27 to RD-18 at 255 Amberidge Trail, subject to the following conditions:

1. To the “*Concept Plan for 255 Amberidge Trail Lot 6, Tract A, Unit One Amberglades,*” prepared by Site Works Surveys & Planning, signed and sealed by Ronald E. Gudger, Land Surveyor, dated November 19, 2019, received November 19, 2019.
2. The lot shall be replatted within 180 days of this resolution per the Legal Description provided in the application received by Staff on November 19, 2019.
3. To the legal description for 255 Amberidge Trail Lot 6-a, received November 19, 2019 below:

LEGAL DESCRIPTION
255 AMBERIDGE TRAIL
LOT 6-A

All tract or parcel of land lying and being in Land Lot 125, District 17 of Fulton County, within the limits of the City of Sandy Springs, being a portion of Lot 6, Tract A, Unit One, Amberglades and being more particularly described as follows:

Begin at the point of intersection of the easterly right-of-way of Amberidge Trail (having a 50 foot right-of-way) with the northerly right-of-way of River Valley Road (having a 50 foot right-of-way) (if right-of-ways are extended to form an angle); thence along said easterly right-of-way of Amberidge Trail proceed North 28°43'20” West for 35.18 feet to a point being the TRUE POINT OF BEGINNING; thence with the point of beginning thus established, continue along said easterly right-of-way of Amberidge Trail proceed North 28°43'20” West for 80.86 feet to a point; thence continuing said easterly right-of-way of Amberidge Trail proceed around a curve to the left having a radius of 387.80 feet for an arc distance of 12.18 feet and being subtended by a chord of North 29°37'19” West, 12.18 feet; thence leaving said right-of-way proceed North 49°56'47” East for 186.11 feet to a point; thence proceed South 25°07'40” East for 164.22 feet to a point on the northerly right-of-way of River Valley Road; thence along said northerly right-of-way of River Valley Road proceed South 60°58'43” West for 136.82 feet to a point; thence along said right-of-way proceed around a curve to the right having a radius of 35.00 feet for an arc distance of 55.16 feet and being subtended by a chord of North 73°52'19” West, 49.63 feet returning to the point of beginning. Said parcel contains 25,515 square feet or 0.5857 acres, more or less.

STATE OF GEORGIA
COUNTY OF FULTON

**AN ORDINANCE TO ALLOW FOR RELIEF THROUGH THE BENEFICIAL USE
DETERMINATION PROCESS TO ALLOW A ZONING MAP AMENDMENT TO
REZONE THE SOUTHERN PORTION OF THE PROPERTY LOCATED AT 255
AMBERIDGE TRAIL FROM RD-27 (RESIDENTIAL DETACHED, 27,000 SQ.
FT. MINIMUM LOT SIZE) TO RD-18 (RESIDENTIAL DETACHED, 18,000 SQ.
FT. MINIMUM LOT SIZE)**

BE IT ORDAINED by the City Council for the City of Sandy Springs, Georgia while in regular session on Tuesday, June 16, 2020 at 6:00 p.m. as follows:

SECTION 1. That the Official Zoning Map, incorporated into and part of the City of Sandy Springs Development Code be amended so the southern portion of the property located at **255 Amberidge Trail** (Parcel # 17 012500080048), consisting of a total of approximately 0.59 acres, be rezoned from RD-27 (Residential Detached, 27,000 sq. ft. minimum lot size) to RD-18 (Residential Detached, 18,000 sq. ft. minimum lot size) with conditions, to wit;

1. To the “Concept Plan for 255 Amberidge Trail Lot 6, Tract A, Unit One Amberglades,” prepared by Site Works Surveys & Planning , signed and sealed by Ronald E. Gudger, Land Surveyor, dated November 19, 2019, received November 19, 2019.
2. The lot shall be replatted within 180 days of this resolution per the Legal Description provided in the application received by Staff on November 19, 2019.
3. To the legal description for 255 Amberidge Trail Lot 6-a, received November 19, 2019 below:

LEGAL DESCRIPTION
255 AMBERIDGE TRAIL
LOT 6-A

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Begin at the point of intersection of the easterly right-of-way of Amberidge Trail (having a 50 foot right-of-way) with the northerly right-of-way of River Valley Road (having a 50 foot right-of-way) (if right-of-ways are extended to form an angle); thence along said easterly right-of-way of Amberidge Trail proceed North 28°43'20” West for 35.18 feet to a point being the TRUE POINT OF BEGINNING; thence with the point of beginning thus established, continue along said easterly right-of-way of Amberidge Trail proceed North 28°43'20” West for 80.86 feet to a point; thence continuing said easterly right-of-way of Amberidge Trail proceed around a curve to the left having a radius of 387.80 feet for an arc distance of 12.18 feet and being subtended by a chord of North 29°37'19” West, 12.18 feet; thence leaving said right-of-way proceed North 49°56'47” East for 186.11 feet to a point; thence proceed South 25°07'40” East for 164.22 feet to a point on the northerly right-of-way of River Valley Road; thence along said northerly right-of-way of River Valley Road proceed South 60°58'43” West for 136.82 feet to a point; thence along said right-of-way proceed around a curve to the right having a radius of 35.00 feet for an arc distance of 55.16 feet and being subtended by a chord of North 73°52'19” West, 49.63 feet returning to the point of beginning. Said parcel contains 25,515 square feet or 0.5857 acres, more or less.

SECTION 2. That the property shall be developed in compliance with the conditions of approval, as attached to this Ordinance. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations; and

SECTION 3. That all Ordinances or part of Ordinances in conflict with the terms of this Ordinance are hereby repealed; and

SECTION 4. This Ordinance shall become effective upon adoption by the Mayor and City Council and the signature of approval of the Mayor.

APPROVED AND ADOPTED this the 16th day of June, 2020.

Approved:

Russell K. Paul, Mayor

Attest:

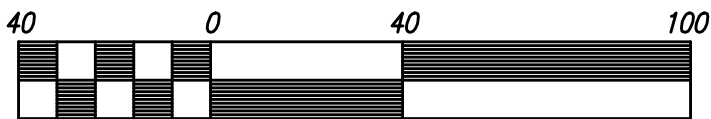
Raquel Gonzalez, City Clerk

(Seal)

PROPERTY ZONED: RD-27

BUILDING SETBACK LINES
FRONT - 60 FEET
SIDE MAJOR - 30 FEET
SIDE - 15 FEET
REAR - 40 FEET

MAX. BLDG. HEIGHT - 40 FEET



Scale: 1" = 40'



NORTH

PROPERTY ZONED: RD-18

BUILDING SETBACK LINES
FRONT - 50 FEET
SIDE MAJOR - 20 FEET
SIDE - 10 FEET
REAR - 35 FEET

MAX. BLDG HEIGHT - 40 FEET

APPROX. L.L.L. ——— L.L. 126 ——— APPROX. L.L.L.
L.L. 125

N/F
HARRY F. HOMER, IV
275 AMBERIDGE TRAIL
TAX I.D. #17012500080030
ZONED: RD-27



SANDY SPRINGS^{GA}

RECEIVED
NOV 19/2019
11:49:00 PM
isa.tovar

Amberidge 255-3-Layout1.pdf

INVESTMENT PARTNERS X, LLC
245 RIVER VALLEY ROAD
TAX I.D. #17012500080121
ZONED: RD-18

LOT 6-B

27,000 SQ. FT.
RD-27

LOT 6-A

25,515 SQ. FT.
RD-18

AMBERIDGE TRAIL
50' R/W

RIVER VALLEY ROAD
50' R/W



FLOOD STATEMENT

THIS PROPERTY IS NOT LOCATED IN A
SPECIAL FLOOD HAZARD AREA
ACCORDING TO F.I.R.M. PANEL
#13121C0142 F LAST REVISED ON
SEP. 18, 2013.

CONCEPT PLAN FOR

SURVEYED REG
CALCULATED REG, RAM
DRAWN REG, RAM
DWG. NAME AMBERIDGE 255
DATE NOV. 19, 2019

SITE WORKS
RONALD E. GUDGER, LS
404-731-8696
SURVEYS & PLANNING
7000 PEACHTREE DUNWOODY ROAD
BUILDING 6, SUITE 250
ATLANTA, GEORGIA 30328
PHONE: 770-396-6011 FAX: 770-396-2379
e-mail: gudgersurveying@bellsouth.net

**255 AMBERIDGE TRAIL
LOT 6, TRACT A, UNIT ONE
AMBERGLADES
L.L. 125, DISTRICT 17
CITY OF SANDY SPRINGS
FULTON COUNTY, GEORGIA**



SANDY SPRINGS
GEORGIA

P&Z STAFF REPORT

Planning Commission Meeting, February 19, 2020

Case: **BU19-0001– 255 Amberidge Trail**
Staff Contact: Louisa Tovar (ltovar@sandyspringsga.gov)
Report Date: February 5, 2020

REQUEST

Request for a Beneficial Use Determination for relief from the application of the Development Code by amending the Official Zoning Map to rezone the southern portion of the property from RD-27 to RD-18 at 255 Amberidge Trail.

APPLICANT

Property Owner: Margaret O. Levitt	Petitioner: Margaret O. Levitt	Representative: Ed Levin Design Construction by Craftmaster
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SUMMARY

The applicant seeks relief from the Development Code, as he is of the opinion that the lot's zoning designation on the Official Zoning Map as RD-27, has severely inhibited the beneficial use of the land. The property owner seeks relief in the form of a Zoning Map Amendment (Rezoning) of the southern portion of the property from RD-27 to RD-18.

The subject property was zoned R-3 under its former zoning designation, which is most equivalent to the RD-18 zoning district, as found in Sec 2.3.1 of the City's Development Code. If the lot were RD-18, the applicant would have been able to subdivide into two lots 'by right' without requesting any form of relief. However, through the City's rezoning effort in 2017, the property was assigned the RD-27 zoning designation. Presently, the property owner is not able to subdivide the lot into two, as any configuration for a second lot would be deficient by at least 1,485 sq. ft. – not being able to achieve the minimum lot size of 27,000 sq ft. The property owner is of the opinion that the lot's current zoning has severely diminished economically beneficial use of the land.

RECOMMENDATION

Department of Community Development

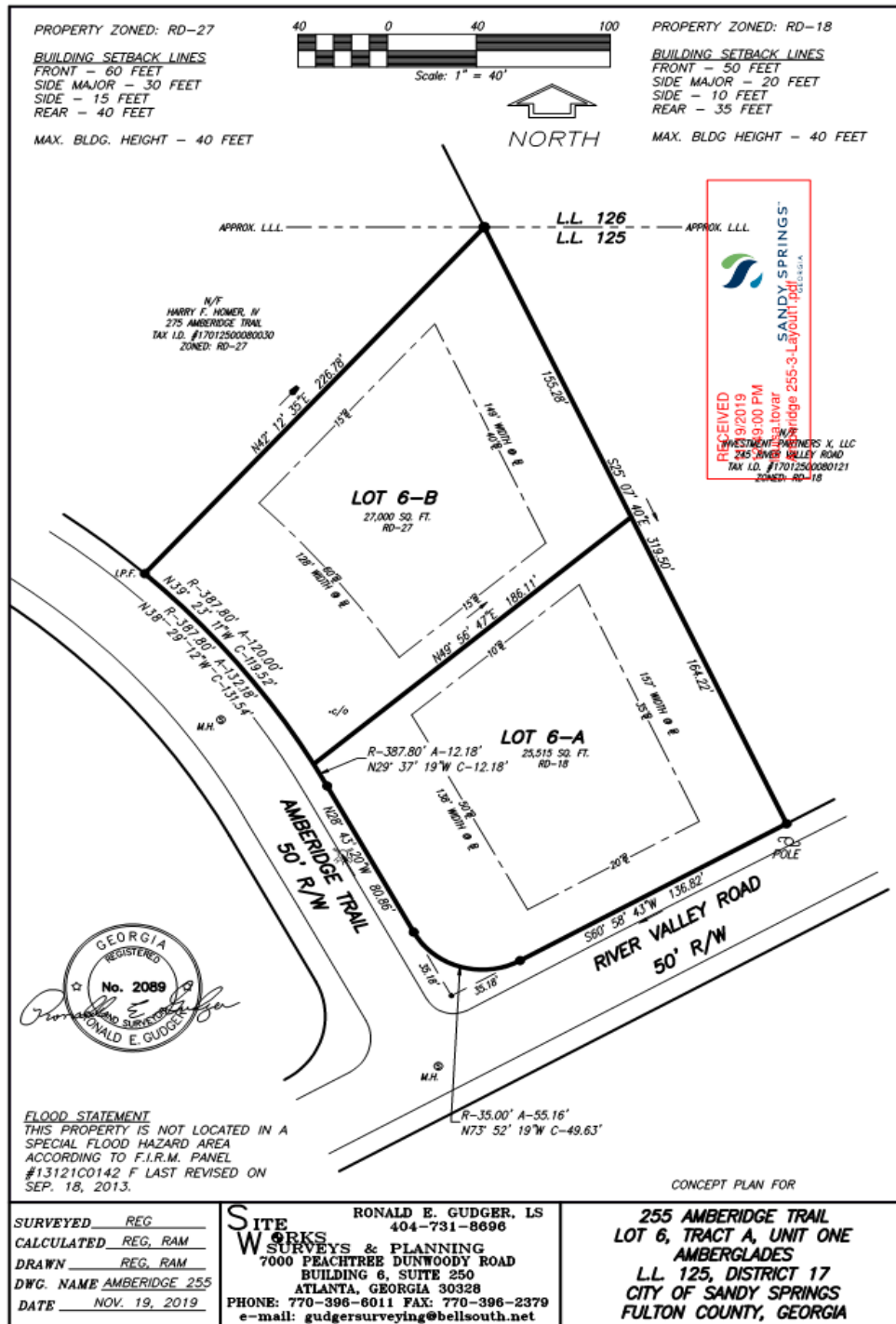
Staff recommends **Conditional Approval** of **Beneficial Use Determination BU19-0001**.

MATERIALS SUBMITTED AND REVIEWED
Materials: 1. Application, received November 1, 2019. Revised November 13, 2019. 2. Land Appraisal Report prepared by Sandee S Pennington, Certified General Real Property Appraiser, received November 1, 2019. 3. Legal description for 255 Amberidge Trail Lot 6-A, received November 19, 2019 4. Legal description for 255 Amberdige Trail Lot 6-B, received November 19, 2019 Plans: 1. <i>“Concept Plan for 255 Amberidge Trail Lot 6, Tract A, Unit One Amberglades,”</i> prepared by Site Works Surveys & Planning , signed and sealed by Ronald E Gudger, Land Surveyor, dated November 19, 2019, received November 19, 2019.

PROPERTY INFORMATION	
Location:	255 Amberidge Trail (Parcel # 17 012500080048)
Council District:	3 – Chris Burnett
Road frontage:	Approximately 248 feet of frontage on Amberidge Trail and 172 feet on River Valley Road
Acreage:	Approximately 1.30 acres
Old Zoning:	R-3
Current Zoning:	RD-27 (Residential Detached, 27,000 minimum lot area)
Existing Land Use:	Single family
Previous Zoning Case/Cases:	N/A.
Character Area:	Protected Neighborhood

PROCESS			
Initial Community Meeting (CMI): October 24, 2019	Second Community Meeting (CMII): December 4, 2019	Planning Commission Hearing: February 18, 2020	Mayor and City Council Hearing: March 17, 2020

SITE PLAN (received November 19, 2019) (full size Site Plan in Package)



PROPOSED DEVELOPMENT

The applicant seeks relief through the Beneficial Use Determination in the form of an Official Zoning Map Amendment to rezone the southern portion of the property from RD-27 to RD-18.

The following images show the existing conditions of 255 Amberidge Trail.

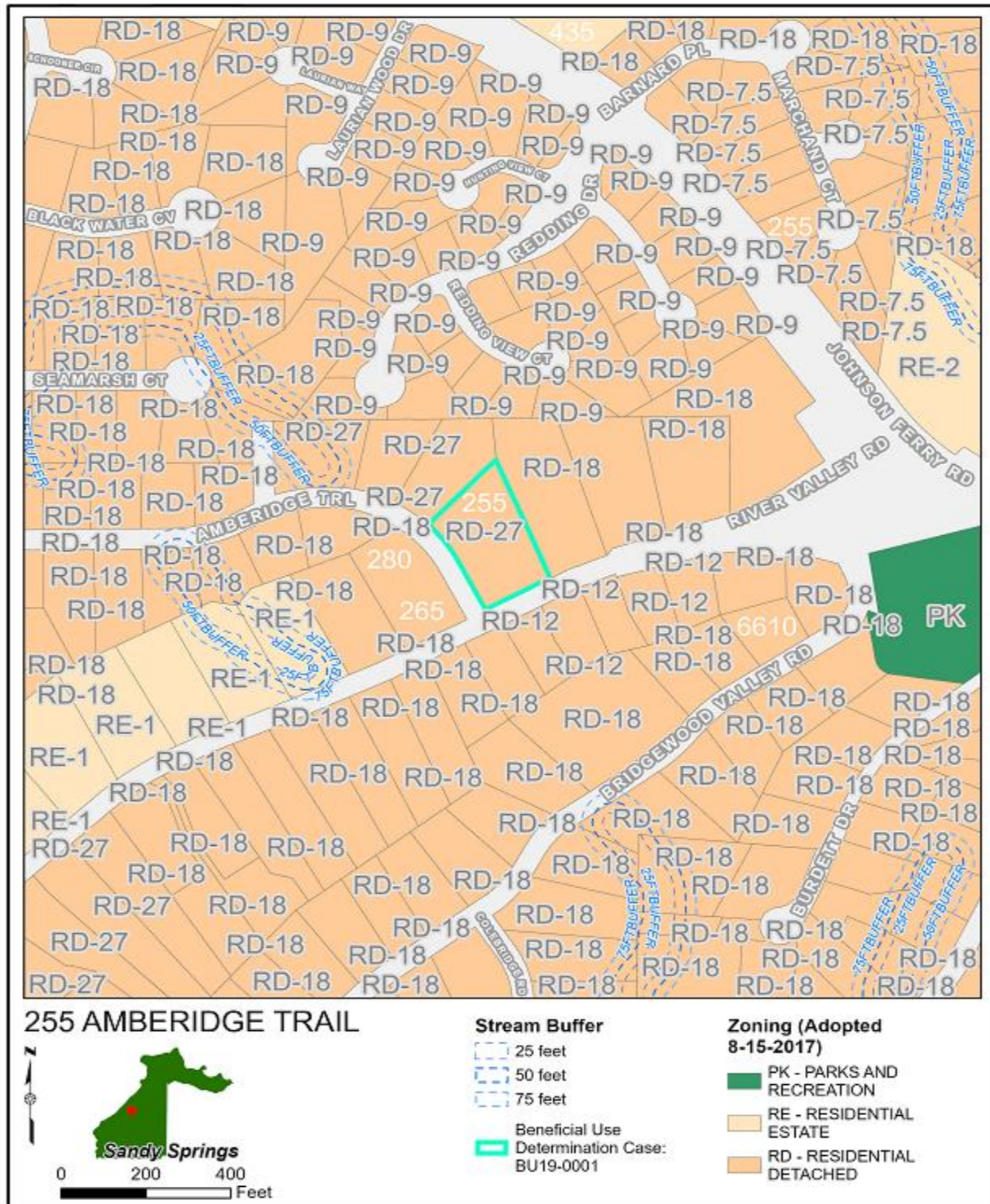
EXISTING ZONING AND LAND USES OF PROPERTY IN THE VICINITY

Location relative to subject property	Zoning / Land use	Address(es)	Land area (acres) (approximate)
North	RD-27/ Single Family House	275 Amberidge Trail	0.94 acres
East	RD-18/ Single Family House	0 River Valley Road (River Valley Road Subdivision)	0.54 acres
South	RD-12 / Single Family House	240 River Valley Road	0.42 acres
South	RD-12 / Single Family House	250 River Valley Road	0.43 acres
West	RD-18 / Single Family House	265 River Valley Road	0.51 acres
West	Rd-18 / Single Family House	280 Amberidge Trail	0.51 acres
SUBJECT PARCEL			
--	RD-27 / Single Family House	255 Amberidge Trail	1.30 acres

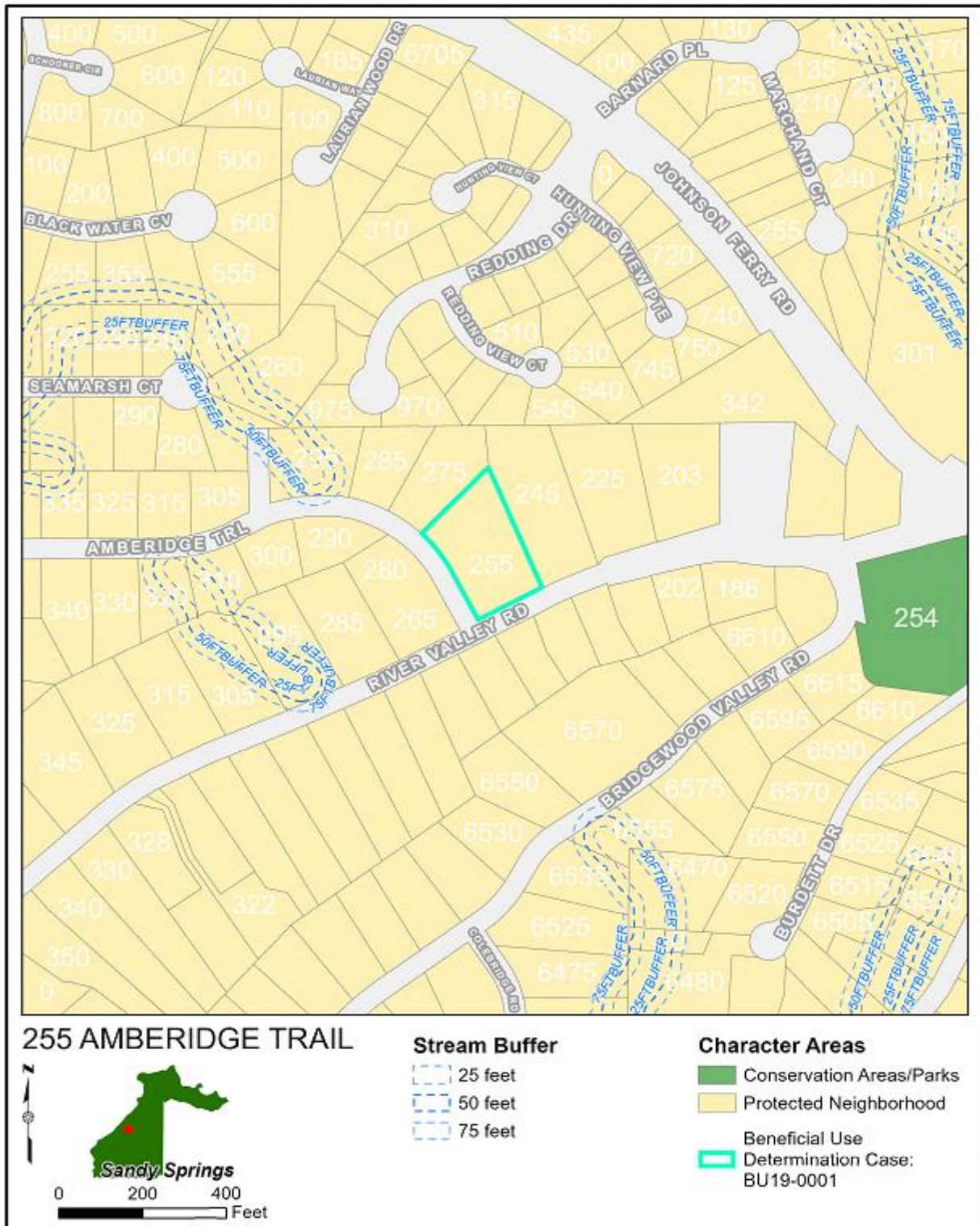
AERIAL IMAGE



ZONING MAP



CHARACTER AREA MAP



BENEFICIAL USE DETERMINATION CONSIDERATIONS

Per Sec. 11.6.4.D. of the Development Code, the following is a list of factors to demonstrate that the landowner is deprived of an economically beneficial use of the land.

1. **Economically Beneficial Use**

The uses of the land as provided by this Development Code, and in relation to the uses allowed on similarly situated lands. For the purposes of this Section, “economically beneficial use” means the opportunity to make a return equivalent to that which would have been received from a conservative financial investment. Transitory economic issues are not relevant to this determination.

Finding: The subject property was originally developed in 1980, is located within the Amberglades Subdivision, and is zoned RD-27. The property is adjacent to RD-27 to the north, RD-18 to the east, RD-18 to the west, and RD-12 to the south.

Under the old Zoning Map designation the property was zoned R-3, which is equivalent to RD-18 per the current Development Code. The subject property is 52,515 sq. ft. (or approx. 1.30 acres) and has a width of 248' along Amberidge Trail. The RD-18 zoning district requires new lots to have a minimum lot area of 18,000 sq. ft. along with a 100' minimum lot width, whereas the RD-27 zoning district requires a minimum lot area of 27,000 sq. ft. and a minimum lot width of 120'. The applicant seeks to sell the property as a lot that can be subdivided into two. However, under the RD-27 zoning designation the lot cannot be subdivided into two lots, as the lot is 1,485 sq. ft. short of the required 27,000 sq ft. Under the RD-18 Zoning District, the lot could have been subdivided by right.

The properties located across from 255 Amberidge Trail (265 River Valley Road NW and 280 Amberidge Trail) are zoned RD-18 and are similar in lot size (approximately 0.50 acres) to the proposed two new lots (also approximately 0.50 acres). Nearby lots to the north of 255 Amberidge Trail such as 275, 285, and 295 Amberidge Trail are zoned RD-27 and have lot sizes ranging from 0.60 acres to 0.90 acres. Additionally, properties to the south of 255 Amberidge trail, 250 and 240 River Valley Road are zoned RD-12 and are 0.40 acres. Staff believes that rezoning the southern portion of the subject property would not have negative effects on the surrounding properties and that the request is similar in character and identical use of the land within the existing neighborhood.

Staff is of the opinion that the relief requested by the applicant in the form of an Official Zoning Map Amendment is the amount of relief necessary to reach the minimum beneficial use of the land, based on the guidelines found in Sec. 11.6.4.E.3:

- a. The land does not have any governmental subsidy attached to the long-term safe occupation of the land.
- b. The use of the land as a single-family residence is a use common to the City and is the lowest intensity use in the City.
- c. The actual condition of the land does not limit the lot's development potential given the natural conditional of the land, as it can safely accommodate development with normal grading and clearing practices.
- d. No potential damages to the residents and land are anticipated. No governmental subsidy for future landowners is expected.
- e. Only reasonable expectations backed by investments as recognized by the current state of the law were considered.
- f. Staff's analysis was consistent with the current state of law relevant to the granting of relief as established by the United States Supreme Court, the 11th Circuit Federal Court of Appeals, and the Georgia Supreme Court.

2. Diminution in Value

The market value of the land, as established by the comparable sales approach, prior to adoption of the regulations that caused the landowner to apply for relief must be compared to the market value of the land, as established by the comparable sales approach, with the regulations as applied.

Market value of the land prior to the adoption of the regulations that caused the landowner to apply for relief must constitute its highest and best use one day prior to the effective date of the regulations that caused the landowner to apply for relief, or the date of purchase of the land, whichever is later; and any other land value/appraisal information that the applicant would like considered.

Finding: According to the appraisal report submitted by the applicant, “the most likely sales price that the subject property would achieve,” as one lot, “with adequate market exposure is \$665,000.” The appraisal also calculates the Market Value under the hypothetical condition that the lot can be divided in two (the northern most lot having a lot area of 27,000 sq. ft. and the southern lot having an area of 25,515 sq. ft.). The Market Value for each proposed lot is \$410,000 or \$820,000 as a combined value.

The property owner is of the opinion that the current RD-27 zoning district designation is depriving the Economically Beneficial Use of the land by preventing the subdivision of the lot, and therefore, decreasing the value of the land by \$155,000, from \$820,000 to \$665,000.

Staff is of the opinion that the request for relief through an Official Zoning Map Amendment (rezoning) provides the minimum increase in use and intensity in order to permit an economically beneficial use of the land.

3. External Costs

The amount or nature of any subsidy that may be required by the City, neighbors, purchasers, tenants, or the public at large if the development allowed under this Development Code is modified; and any other adverse effects on the City and its residents created by the modification of the standards of this Development Code.

Finding: The applicant requests relief in the form of an Official Zoning Map Amendment to rezone a portion of the lot from RD-27 to RD-18. Staff is of the opinion that no subsidy is required by the City, neighbors, purchasers, tenants, or the public at large, if the lot is subdivided into two lots and only the southern lot (on the corner of Amberidge Trail and River Valley Rd) is rezoned to RD-18. Staff does not anticipate any adverse effects on the City nor its residents as a result of the proposed request. The applicant requests no modification of the standards set forth in the Development Code for the RD-18 zoning district.

4. Current State of the Law

The state of the law established by the United States Supreme Court, the 11th Circuit Federal Court of Appeals, and the Georgia Supreme Court relevant to these standards.

Finding: Staff considered the current state of law relevant to these standards in its analysis of the application.

COMMENTS FROM OTHER PARTIES

Sandy Springs Public Works:

Given that River Valley Road is classified as a collector street, driveway access should be only allowed on Amberidge Trail.

Sandy Springs Transportation Engineer:

No comment provided.

Sandy Springs City Engineer:

No comment provided.

Sandy Springs Chief Environmental Compliance Officer:

No comment provided.

Sandy Springs Arborist:

The beneficial use and/or rezoning of this property does not change much, but the applicant should be mindful of conserving sufficient trees to maintain the required 35% canopy coverage, as well as all the requirements listed out in Section 9 of our Development Code.

Sandy Springs Sustainability Manager:

The approval of the BUD for the purposes of splitting the lot in two would likely result in an increase in impervious surface and a greater loss of canopy, compared to maintaining it as a single property.

Sandy Springs Building Official:

The request seems similar to lot(s) on the opposing corner and in the size range of other lots along Ambridge Trail.

Sandy Springs Fire Marshal:

No comment provided.

MARTA:

No comment provided.

Fulton County Schools:

No comment provided.

Fulton County Environmental Health:

EHS Comments

- Prior to the approval of any plat by the appropriate jurisdiction, the Environmental Health Services Division of the Fulton County Board of Health shall review and approve the plat regarding water supply and sewage disposal. No person may sell, offer for sale, lease, begin construction or otherwise begin the physical irriproveinent of an exemption plat development, nor shall a building permit be issued in any form until all requirements set forth by the Fulton County Board of Health have been met.
- Fulton County Board of Health will require that the proposed site be connected to public water available to the site.
- If public sanitary sewer is available to the site, the Fulton County Board of Health will require mandatory connection. Public sanitary sewer is considered available if the property is within 200 feet of the nearest property line such distance being measured along the appropriate natural drainage course (gravity flow).

- If public sewer is unavailable to the site, this Department will require that each lot be a minimum of 43,560 square feet and have 30,000 square feet minimum usable area to be considered for use of onsite sewage management systems. This Department will require all necessary percolation and soil data, required layouts, and supportive data be submitted for review and determined acceptable prior to preliminary plat and/or Land Disturbance Permit (LDP) approval.

- Since this proposed development constitutes a premise where people live, sanitary facilities will be mandatory prior to use or occupancy.

- This department is requiring that all existing structures to be demolished must be inspected by a certified pest control operator to insure that the premise is rat free. If evidence of rodent infestation is found, the property must be baited prior to demolition.

- If this property includes an existing individual onsite sewage management system(s), and the system(s) will be abandoned, it shall be abandoned in accordance with Fulton County regulations.

If this property includes an existing individual onsite water' supply system(s) and the system(s) will be abandoned, it shall be abandoned in accordance with Fulton County Code of Ordinance and Code of Resolutions, Chapter 34 –Health and Sanitation, Article IV –Drinking Water.

General Public Health and EJ Comments

Since this proposed development is not considered an environmentally adverse use, Fulton County Board of Health does not anticipate any adverse impacts to the health of humans or' the environment in Fulton County by approving the rezoning from RD-27 to RD-18 to allow for the development of two (2) single-family residences.

Fulton County Public Services and Utilities:

No comment provided.

PUBLIC PARTICIPATION

Community Meeting I

There were eight attendees at the initial Community Meeting on October 24, 2019. Questions and topics discussed included number of houses proposed, quality of houses, and tree protection. No opposition was expressed.

Community Meeting II

There was one attendee in addition to the applicant at the second Community Meeting on December 4, 2019. Questions and topics discussed included size of the lot and the homes. No opposition was expressed.

Correspondence Received

No public comment was submitted in writing.

DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION

Following review, and based on the findings, Staff recommends **CONDITIONAL APPROVAL** of **BU19-0001, Beneficial Use Determination** request for relief from the application of the Development Code to amend the Official Zoning Map to rezone the southern portion of the property from RD-27 to RD-18 at 255 Amberidge Trail, subject to the following conditions:

1. To the “*Concept Plan for 255 Amberidge Trail Lot 6, Tract A, Unit One Amberglades,*” prepared by Site Works Surveys & Planning , signed and sealed by Ronald E. Gudger, Land Surveyor, dated November 19, 2019, received November 19, 2019.
2. The lot shall be replatted within 180 days of this resolution per the Legal Description provided in the application received by Staff on November 19, 2019.
3. To the legal description for 255 Amberidge Trail Lot 6-a, received November 19, 2019 below:

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255 AMBERIDGE TRAIL
LOT 6-A

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P&Z STAFF REPORT

Mayor and City Council Meeting, June 16, 2020

Case: **BU19-0001 – 255 Amberidge Trail**
Staff Contact: Matthew Anspach (manspach@sandyspringsga.gov) /
Alexandra Horst (AHorst@SandySpringsga.gov)
Report Date: June 2, 2020

REQUEST

Request for a Beneficial Use Determination for relief from the application of the Development Code by amending the Official Zoning Map to rezone the southern portion of the property from RD-27 to RD-18 at 255 Amberidge Trail.

APPLICANT

Property Owner: Margaret O. Levitt	Petitioner: Margaret O. and Harvey Levitt and Ed Levin	Representative: Ed Levin Design Construction by Craftmaster
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UPDATE (March 18, 2020)

BU19-0001 was originally scheduled to be heard by Mayor and City Council on March 17, 2020. However, public hearings were postponed as Mayor and City Council approved a 60-day Emergency Ordinance Declaring Local Emergency Of The Novel Coronavirus Disease 2019 Global Pandemic.

SUMMARY

Per Sec. 11.6.4. of the Development Code, the intent of the City is that all landowners in the City enjoy an economically beneficial use of their land. The procedures in this Section are intended to permit landowners who believe they have been deprived of economically beneficial use of their land to apply to the City for relief from application of this Development Code sufficient to provide an economically beneficial use of the land. Thus, the applicant seeks relief from the Development Code, being of the opinion that the lot's zoning designation on the Official Zoning Map as RD-27 (Residential Detached, 27,000 square foot minimum lot size) has severely inhibited the beneficial use of the land. The property owner seeks relief in the form of a Zoning Map Amendment (Rezoning) of the southern portion of the property from RD-27 to RD-18 (Residential Detached, 18,000 square foot minimum lot size).

The subject property was zoned R-3 Single Family Dwelling District (minimum lot area of 18,000 square feet) under its former zoning designation, which is most equivalent to the RD-18 zoning district (18,000 square feet minimum lot area for single unit detached), as found in Sec 2.3.1. of the City's Development Code. If the lot were RD-18, the applicant would have been able to subdivide into two (2) lots "by right" without requesting any form of relief. However, through the City's Rezoning effort

in 2017, the property was assigned the RD-27 zoning designation (27,000 square feet minimum lot area for single unit detached). Presently, the property owner is not able to subdivide the lot into two (2), as any configuration for a second lot would be deficient by at least 1,485 square feet – not being able to achieve the minimum lot size of 27,000 square feet. The property owner is of the opinion that the lot's current zoning has severely diminished economically beneficial use of the land.

RECOMMENDATIONS

Planning Commission (February 19, 2020)

Following Staff's presentation, the petitioner's representative spoke. Commissioner Settles asked if he was aware of the comment made by Public Works regarding access only from Amberidge Trail and not River Valley Road. He said that he plans to provide access from Amberidge Trail. No other questions were discussed.

Motion

Commissioner Kelly moved to recommend **Conditional Approval** of Beneficial Use Determination BU19-0001, subject to Staff's recommended conditions. Commissioner Nickles seconded the motion. The motion passed 5-0.

Department of Community Development

Staff recommends **Conditional Approval** of **Beneficial Use Determination** BU19-0001.

MATERIALS SUBMITTED AND REVIEWED

Materials:

1. Application, received November 1, 2019. Revised November 13, 2019.
2. Land Appraisal Report prepared by Sandee S Pennington, Certified General Real Property Appraiser, received November 1, 2019.
3. Legal description for 255 Amberidge Trail Lot 6-A, received November 19, 2019.
4. Legal description for 255 Amberidge Trail Lot 6-B, received November 19, 2019.

Plans:

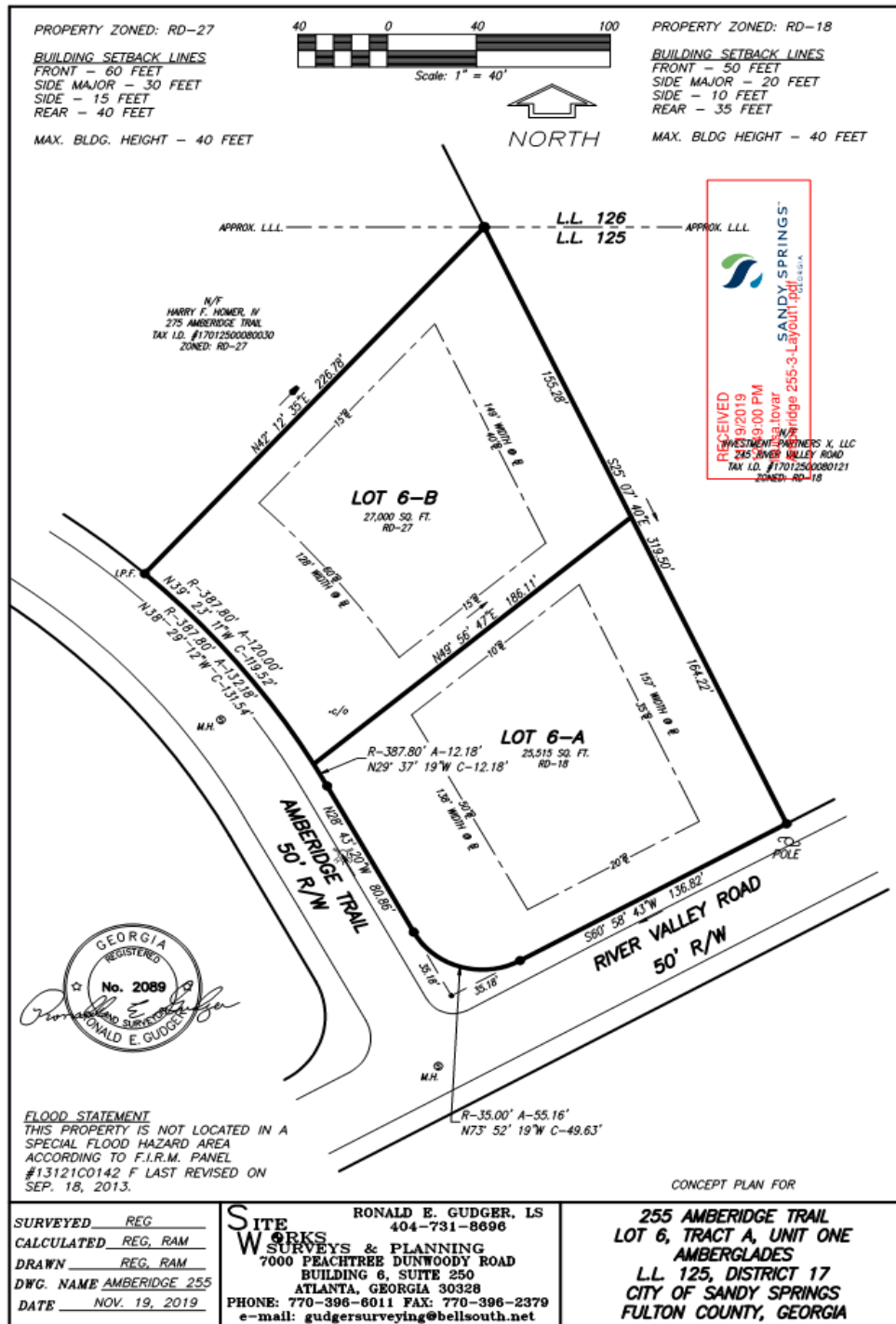
1. "Concept Plan for 255 Amberidge Trail Lot 6, Tract A, Unit One Amberglades," prepared by Site Works Surveys & Planning, signed and sealed by Ronald E Gudger, Land Surveyor, dated November 19, 2019, received November 19, 2019.

PROPERTY INFORMATION

Location:	255 Amberidge Trail (Parcel # 17 012500080048)
Council District:	3 – Chris Burnett
Road frontage:	Approximately 248 feet of frontage on Amberidge Trail and 172 feet on River Valley Road
Acreage:	Approximately 1.30 acres
Old Zoning:	R-3 Single Family Dwelling District
Current Zoning:	RD-27 (Residential Detached, 27,000 square foot minimum lot size)
Existing Land Use:	Single Family
Previous Zoning Case/Cases:	N/A
Character Area:	Protected Neighborhood

PROCESS			
Initial Community Meeting (CMI): October 24, 2019	Second Community Meeting (CMII): December 4, 2019	Planning Commission Hearing: February 19, 2020	Mayor and City Council Hearing: June 16, 2020 (originally scheduled for March 17, 2020)

SITE PLAN (received November 19, 2019) (full size Site Plan in Package)



PROPOSED DEVELOPMENT

The applicant seeks relief through the Beneficial Use Determination in the form of an Official Zoning Map Amendment to rezone the southern portion of the property from RD-27 to RD-18.

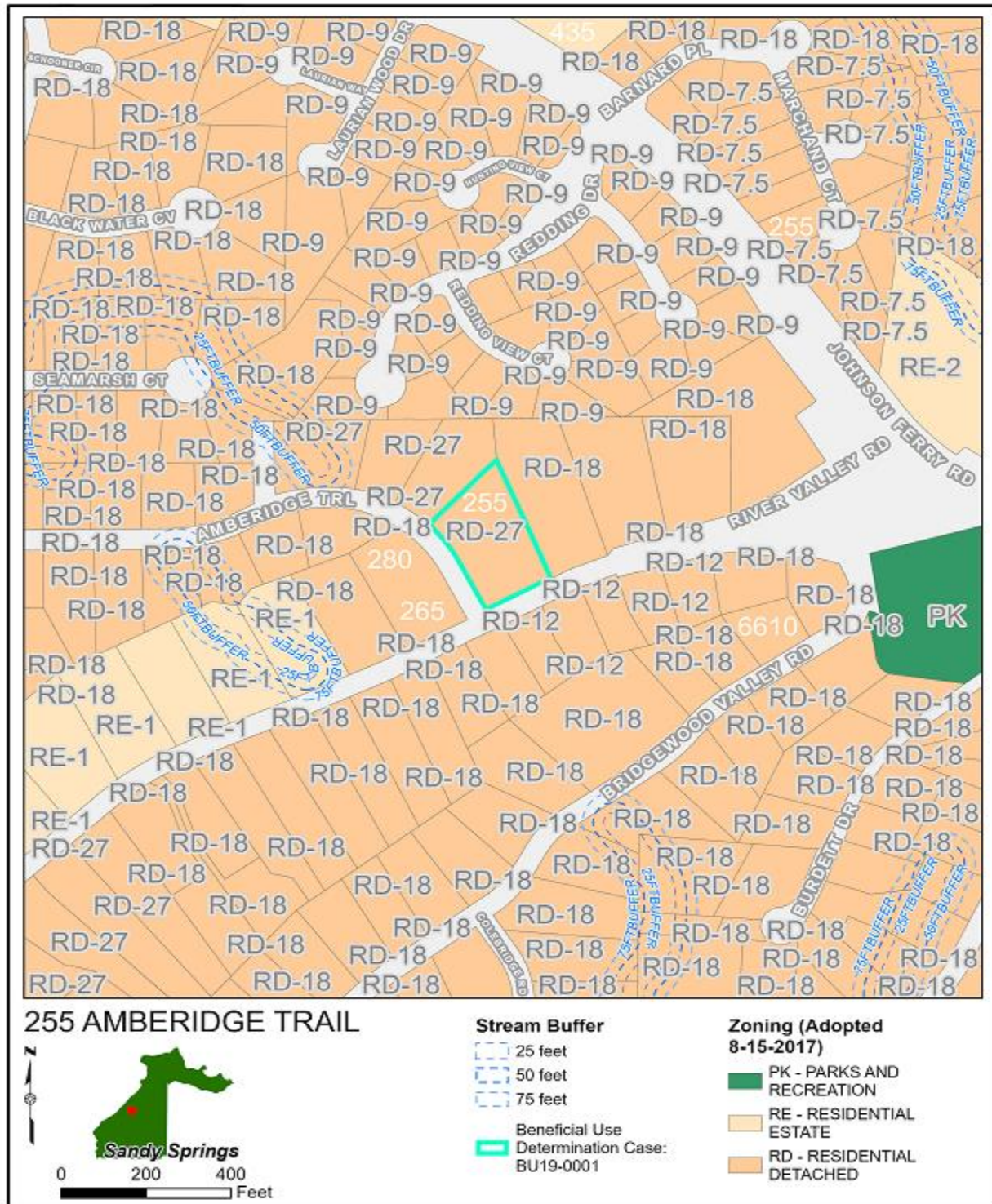
EXISTING ZONING AND LAND USES OF PROPERTY IN THE VICINITY

Location relative to subject property	Zoning / Land use	Address(es)	Land area (acres) (approximate)
North	RD-27 / Single Family House	275 Amberidge Trail	0.94 acre
East	RD-18 / Single Family House	0 River Valley Road (River Valley Road Subdivision)	0.54 acre
South	RD-12 / Single Family House	240 River Valley Road	0.42 acre
South	RD-12 / Single Family House	250 River Valley Road	0.43 acre
West	RD-18 / Single Family House	265 River Valley Road	0.51 acre
West	RD-18 / Single Family House	280 Amberidge Trail	0.51 acre
SUBJECT PARCEL			
--	RD-27 / Single Family House	255 Amberidge Trail	1.30 acres

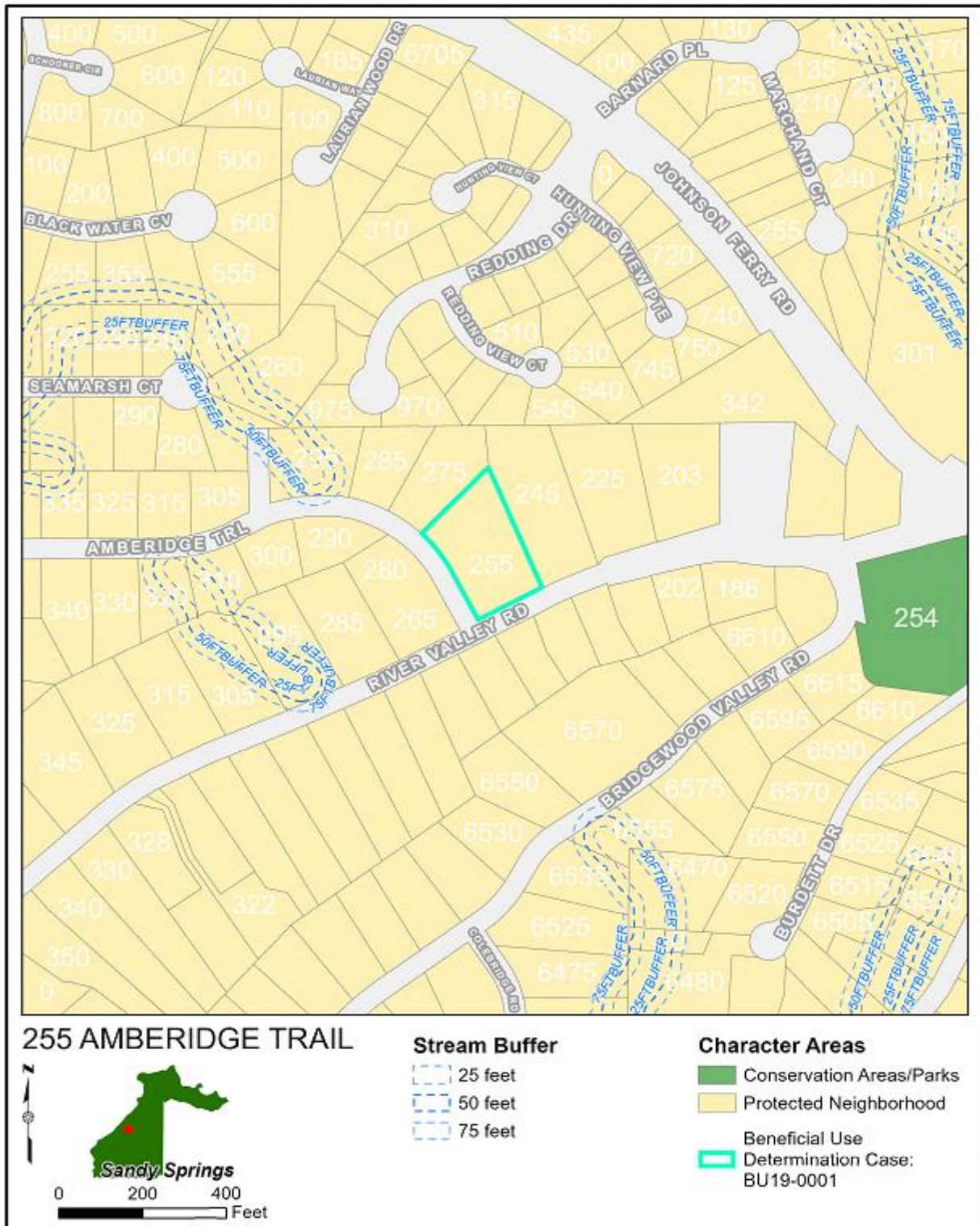
AERIAL IMAGE



ZONING MAP



CHARACTER AREA MAP



BENEFICIAL USE DETERMINATION CONSIDERATIONS

Per Sec. 11.6.4.D. of the Development Code, the following is a list of factors to demonstrate that the landowner is deprived of an economically beneficial use of the land. Though the applicant seeks relief through the Beneficial Use Determination in the form of an Official Zoning Map Amendment to rezone the southern portion of the property from RD-27 to RD-18, the Beneficial Use Determination Considerations differ from the list of approval criteria for a Zoning Map Amendment (Rezoning).

1. **Economically Beneficial Use**

The uses of the land as provided by this Development Code, and in relation to the uses allowed on similarly situated lands. For the purposes of this Section, “economically beneficial use” means the opportunity to make a return equivalent to that which would have been received from a conservative financial investment. Transitory economic issues are not relevant to this determination.

Finding: The subject property was originally developed in 1980, is located within the Amberglades Subdivision, and is zoned RD-27. The property is adjacent to RD-27 to the north, RD-18 to the east, RD-18 to the west, and RD-12 to the south.

Under the old Zoning Map, the property was zoned R-3, which is equivalent to RD-18, per the current Development Code. The subject property is 52,515 square feet (or approximately 1.30 acres) and has a width of 248 feet along Amberidge Trail. The RD-18 zoning district requires new lots to have a minimum lot area of 18,000 square feet, along with a 100-foot minimum lot width, whereas the RD-27 zoning district requires a minimum lot area of 27,000 square feet and a minimum lot width of 120 feet. The applicant seeks to sell the property as a lot that can be subdivided into two (2). However, under the RD-27 zoning designation, the lot cannot be subdivided into two (2) lots, as the lot is 1,485 square feet short of the required 27,000 square feet. Under the RD-18 District, the lot could have been subdivided by right.

The properties located across from 255 Amberidge Trail (265 River Valley Road NW and 280 Amberidge Trail) are zoned RD-18 and are similar in lot size (approximately 0.50 acre) to the proposed two (2) new lots (also approximately 0.50 acre). Nearby lots to the north of 255 Amberidge Trail, such as 275, 285, and 295 Amberidge Trail, are zoned RD-27 and have lot sizes ranging from 0.60 to 0.90 acre. Additionally, properties to the south of 255 Amberidge Trail, 250 and 240 River Valley Road, are zoned RD-12 and are 0.40 acre. Staff believes that rezoning the southern portion of the subject property would not have negative effects on the surrounding properties and that the request is similar in character to and identical use of the land within the existing neighborhood.

Staff is of the opinion that the relief requested by the applicant in the form of an Official Zoning Map Amendment is the amount of relief necessary to reach the minimum beneficial use of the land, based on the guidelines found in Sec. 11.6.4.E.3.:

- a. The land does not have any governmental subsidy attached to the long-term safe occupation of the land.
- b. The use of the land as a single-family residence is a use common to the City and is the lowest intensity use in the City.
- c. The actual condition of the land does not limit the lot's development potential given the natural conditional of the land, as it can safely accommodate development with normal grading and clearing practices.
- d. No potential damages to the residents and land are anticipated. No governmental subsidy for future landowners is expected.
- e. Only reasonable expectations backed by investments as recognized by the current state of the law were considered.

f. Staff's analysis was consistent with the current state of law relevant to the granting of relief as established by the United States Supreme Court, the 11th Circuit Federal Court of Appeals, and the Georgia Supreme Court.
2. <u>Diminution in Value</u> <i>The market value of the land, as established by the comparable sales approach, prior to adoption of the regulations that caused the landowner to apply for relief must be compared to the market value of the land, as established by the comparable sales approach, with the regulations as applied.</i> <i>Market value of the land prior to the adoption of the regulations that caused the landowner to apply for relief must constitute its highest and best use one day prior to the effective date of the regulations that caused the landowner to apply for relief, or the date of purchase of the land, whichever is later; and any other land value/appraisal information that the applicant would like considered.</i> Finding: According to the appraisal report submitted by the applicant, "the most likely sales price that the subject property would achieve," as one (1) lot, "with adequate market exposure is \$665,000." The appraisal also calculates the Market Value under the hypothetical condition that the lot can be divided in two (2) (the northernmost lot having a lot area of 27,000 square feet, and the southern lot having an area of 25,515 square feet). The Market Value for each proposed lot is \$410,000, or \$820,000 as a combined value. The property owner is of the opinion that the current RD-27 zoning district designation is depriving the Economically Beneficial Use of the land by preventing the subdivision of the lot, and, therefore, decreasing the value of the land by \$155,000, from \$820,000 to \$665,000. Staff is of the opinion that the request for relief through an Official Zoning Map Amendment (Rezoning) provides the minimum increase in use and intensity in order to permit an economically beneficial use of the land.
3. <u>External Costs</u> <i>The amount or nature of any subsidy that may be required by the City, neighbors, purchasers, tenants, or the public at large if the development allowed under this Development Code is modified; and any other adverse effects on the City and its residents created by the modification of the standards of this Development Code.</i> Finding: The applicant requests relief in the form of an Official Zoning Map Amendment to rezone a portion of the lot from RD-27 to RD-18. Staff is of the opinion that no subsidy is required by the City, neighbors, purchasers, tenants, or the public at large, if the lot is subdivided into two (2) lots and only the southern lot (on the corner of Amberidge Trail and River Valley Road) is rezoned to RD-18. Staff does not anticipate any adverse effects on the City nor its residents as a result of the proposed request. The applicant requests no modification of the standards set forth in the Development Code for the RD-18 zoning district.
4. <u>Current State of the Law</u> <i>The state of the law established by the United States Supreme Court, the 11th Circuit Federal Court of Appeals, and the Georgia Supreme Court relevant to these standards.</i> Finding: Staff considered the current state of law relevant to these standards in its analysis of the application.

COMMENTS FROM OTHER PARTIES

Sandy Springs Public Works:

Given that River Valley Road is classified as a collector street, driveway access should be only allowed on Amberidge Trail.

Sandy Springs Transportation Engineer:

No comment provided.

Sandy Springs City Engineer:

No comment provided.

Sandy Springs Chief Environmental Compliance Officer:

No comment provided.

Sandy Springs Arborist:

The beneficial use and/or Rezoning of this property does not change much, but the applicant should be mindful of conserving sufficient trees to maintain the required 35% canopy coverage, as well as all the requirements listed out in Article 9 of our Development Code.

Sandy Springs Sustainability Manager:

The approval of the BUD for the purposes of splitting the lot in two would likely result in an increase in impervious surface and a greater loss of canopy, compared to maintaining it as a single property.

Sandy Springs Building Official:

The request seems similar to lot(s) on the opposing corner and in the size range of other lots along Ambridge Trail.

Sandy Springs Fire Marshal:

No comment provided.

MARTA:

No comment provided.

Fulton County Schools:

No comment provided.

Fulton County Environmental Health:EHS Comments

- Prior to the approval of any plat by the appropriate jurisdiction, the Environmental Health Services Division of the Fulton County Board of Health shall review and approve the plat regarding water supply and sewage disposal. No person may sell, offer for sale, lease, begin construction or otherwise begin the physical improvement of an exemption plat development, nor shall a building permit be issued in any form until all requirements set forth by the Fulton County Board of Health have been met.
- Fulton County Board of Health will require that the proposed site be connected to public water available to the site.
- If public sanitary sewer is available to the site, the Fulton County Board of Health will require mandatory connection. Public sanitary sewer is considered available if the property is within 200 feet of the nearest property line such distance being measured along the appropriate natural drainage course (gravity flow).
- If public sewer is unavailable to the site, this Department will require that each lot be a minimum of 43,560 square feet and have 30,000 square feet minimum usable area to be considered for use of onsite

sewage management systems. This Department will require all necessary percolation and soil data, required layouts, and supportive data be submitted for review and determined acceptable prior to preliminary plat and/or Land Disturbance Permit (LDP) approval.

- Since this proposed development constitutes a premise where people live, sanitary facilities will be mandatory prior to use or occupancy.
- This department is requiring that all existing structures to be demolished must be inspected by a certified pest control operator to insure that the premise is rat free. If evidence of rodent infestation is found, the property must be baited prior to demolition.
- If this property includes an existing individual onsite sewage management system(s), and the system(s) will be abandoned, it shall be abandoned in accordance with Fulton County regulations.
- If this property includes an existing individual onsite water supply system(s) and the system(s) will be abandoned, it shall be abandoned in accordance with Fulton County Code of Ordinance and Code of Resolutions, Chapter 34 –Health and Sanitation, Article IV – Drinking Water.

General Public Health and EJ Comments

Since this proposed development is not considered an environmentally adverse use, Fulton County Board of Health does not anticipate any adverse impacts to the health of humans or the environment in Fulton County by approving the rezoning from RD-27 to RD-18 to allow for the development of two (2) single-family residences.

Fulton County Public Services and Utilities:

No comment provided.

PUBLIC PARTICIPATION

Community Meeting I

There were eight (8) attendees at the initial Community Meeting on October 24, 2019. Questions and topics discussed included number of houses proposed, quality of houses, and tree protection. No opposition was expressed.

Community Meeting II

There was one (1) attendee in addition to the applicant at the second Community Meeting on December 4, 2019. Questions and topics discussed included size of the lot and the homes. No opposition was expressed.

Correspondence Received

One (1) public comment was submitted in writing after the Planning Commission Hearing by a nearby property owner in opposition to the request. Concerns stated include neighborhood character, property taxes, and the potential for multiple new houses.

DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION

Following review, and based on the findings, Staff recommends **Conditional Approval of Beneficial Use Determination** BU19-0001, request for relief from the application of the Development Code to amend the Official Zoning Map to rezone the southern portion of the property from RD-27 to RD-18 at 255 Amberidge Trail, subject to the following conditions:

1. To the “*Concept Plan for 255 Amberidge Trail Lot 6, Tract A, Unit One Amberglades,*” prepared by Site Works Surveys & Planning, signed and sealed by Ronald E. Gudger, Land Surveyor, dated November 19, 2019, received November 19, 2019.
2. The lot shall be replatted within 180 days of this resolution per the Legal Description provided in the application received by Staff on November 19, 2019.
3. To the legal description for 255 Amberidge Trail Lot 6-a, received November 19, 2019 below:

LEGAL DESCRIPTION
255 AMBERIDGE TRAIL
LOT 6-A

All tract or parcel of land lying and being in Land Lot 125, District 17 of Fulton County, within the limits of the City of Sandy Springs, being a portion of Lot 6, Tract A, Unit One, Amberglades and being more particularly described as follows:

Begin at the point of intersection of the easterly right-of-way of Amberidge Trail (having a 50 foot right-of-way) with the northerly right-of-way of River Valley Road (having a 50 foot right-of-way) (if right-of-ways are extended to form an angle); thence along said easterly right-of-way of Amberidge Trail proceed North 28°43'20" West for 35.18 feet to a point being the TRUE POINT OF BEGINNING; thence with the point of beginning thus established, continue along said easterly right-of-way of Amberidge Trail proceed North 28°43'20" West for 80.86 feet to a point; thence continuing said easterly right-of-way of Amberidge Trail proceed around a curve to the left having a radius of 387.80 feet for an arc distance of 12.18 feet and being subtended by a chord of North 29°37'19" West, 12.18 feet; thence leaving said right-of-way proceed North 49°56'47" East for 186.11 feet to a point; thence proceed South 25°07'40" East for 164.22 feet to a point on the northerly right-of-way of River Valley Road; thence along said northerly right-of-way of River Valley Road proceed South 60°58'43" West for 136.82 feet to a point; thence along said right-of-way proceed around a curve to the right having a radius of 35.00 feet for an arc distance of 55.16 feet and being subtended by a chord of North 73°52'19" West, 49.63 feet returning to the point of beginning. Said parcel contains 25,515 square feet or 0.5857 acres, more or less.



SANDY SPRINGS™
GEORGIA

Case No.: **BU19-0001**
Planner's initials: **(P)**

PROJECT INFORMATION SHEET

PROPERTY	Address(es): 255 AMBERIDGE TRAIL - SANDY SPRING 30328	
	Parcel Tax ID(s): 17012500080048	
	Total acreage: 1.21	Council District:
	Current zoning: RD-27	Current use: SINGLE FAMILY
	Character Area:	

APPLICATION	Detailed request: TO SEEK A BENEFICIAL USE DETERMINATION TO AMEND THE OFFICIAL ZONING MAP TO REZONE A PORTION OF THE PROPERTY FROM RD-27 TO RD-18 PRIOR TO THE CITY REZONING IN 2017 THE PROPERTY WAS R-3 WHICH WOULD ALLOW FOR 2 HOMES	
	Petitioner: ED LEVIN + MARGARET + HARVEY LEVITT LEWISER	
	Petitioner's address: [REDACTED] RD SANDY SPRING GA 30328	
	→ SUBJECT PROPERTY	
	Phone: [REDACTED]	Email: [REDACTED]

OWNER	Property owner: MARGARET LEVITT	
	Owner's address: [REDACTED]	
	SANDY SPRING GA, 30328	
	Phone: [REDACTED]	Email: [REDACTED]
	Signature (authorizing initiation of the process): [REDACTED]	

If the property is under contract and the owner is unavailable to sign, provide a copy of the contract.

- TO BE FILLED OUT BY P&Z STAFF -

Pre-Application Meeting date: 10/01/19	Anticipated application date: 11/01/19
CM1 date, time, and location: 10/24/19	
ADDITIONAL INFORMATION NEEDED:	
SUBMITTAL ITEMS WAIVED BY DIRECTOR:	
RECEIVED	

NOV 01 2019

City of Sandy Springs
Community Development



SANDY SPRINGS™
GEORGIA

Case No.: **2419-0001**
Planner's initials: **GA**

APPLICATION FORM

APPLICATION	Detailed request: TO SEEK A BENEFICIAL USE DETERMINATION TO AMEND THE OFFICIAL ZONING MAP TO REZONE A PORTION OF THE PROPERTY FROM RD-27 TO RD-18 TO ALLOW FOR 2 LOTS. PRIOR TO THE CITY REZONING IN 2017 THE PROPERTY WAS R-3 WHICH ALLOWED FOR 2 LOTS
-------------	--

COMMUNITY MEETING 1 REPORT	Date and location of CM1: 24 Oct 2019
	Beginning time: 6:00 PM End time: 7:30
	Summary of concerns discussed: THE LOOKS OF THE HOMES AND TREES / LANDSCAPING.
	Does the application address the concerns discussed at the CM1? ☒ Yes ☐ No
Explain: AT THE END OF THE MEETING THERE WAS NO OPPOSITION TO THE REZONING TO BUILD TWO HOMES	

- TO BE FILLED OUT BY P&Z STAFF -

Application date: November 15th, 2019	Planning Commission date: 01/28/20 (tentative)
CM2 date and time: TBD	Mayor and City Council date: 02/18/20 (tentative)
OFFICIAL REQUEST (FOR PUBLICATION):	
RECEIVED	

NOV 01 2019

City of Sandy Springs
Community Development



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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:	Edward J. Levin
Company:	DESIGN CONSTRUCTION BY CRAFTMASTER
	[REDACTED]
	SANDY SPRINGS - 30328
Email address:	[REDACTED]
Phone number:	[REDACTED]
Agent's signature:	[Signature]
Applicant's signature:	Magno Litt

Sworn and subscribed before me this
th day of 20
Notary public:
[Signature]
Seal:
JENNIFER ELWOOD NOTARY PUBLIC Cobb County State of Georgia My Comm. Expires April 26, 2020
Commission expires: 4/26/2020

REVISED AUTHORIZATION
FORM November 13, 2019

RECEIVED
NOV 13 2019
City of Sandy Springs
Community Development



SANDY SPRINGS™

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AUTHORIZATION FORM – PART I

RECEIVED
NOV 13 2019
City of Sandy Springs
Community Development

A- The property owner must fill out the following section and have it notarized. If the property owner 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: MARGARET O. LEVITT	Sworn and subscribed before me this
Address: [REDACTED]	_____th day of _____ 20__
City, State: SANDY SPRINGS, GA	Notary public: <i>Jennifer Elwood</i>
Email address: [REDACTED]	Seal:
Phone number: [REDACTED]	JENNIFER ELWOOD NOTARY PUBLIC Cobb County State of Georgia My Comm. Expires April 26, 2020
Owner's signature: <i>Margaret O. Levitt</i>	Commission expires: 4/26/2020

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
Company name:	
Address:	_____th day of _____ 20__
City, State, Zip Code:	Notary public:
Email address:	Seal:
Phone number:	REVISÉD AUTHORIZATION FORM November 13, 2019
Applicant's signature:	
Commission expires:	



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City of Sandy Springs
Community Development

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:

N/A

Campaign Contributions:

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

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:	Edward J. Levin	
Signature:	Edward J. Levin	Date: 30 Oct 19

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

DESIGN-CONSTRUCTION
by
CRAFTMASTER, INC.

Economic Analysis

- 1) The landlord is of the opinion that the lot's designation on the Official Zoning Map and the regulations of this Development Code have denied economically beneficial use of his land.
- 2) It is evident that the property was, until 2017, zoned for two lots being R-3 or 18,000 square feet. Being zoned now RD-27, 27,000 square feet makes the property 1485 square feet short of being two lots. The value of the property was reduced. See appraisal attached.
- 3) The Market value is lower being only one lot under current RD-27 zoning. Prior to city wide rezoning in 2017 the property was zoned R-3, (RD-18) which under that zoning allowed for two 18,000 square foot lots.
- 4) There should not be any economic impact by adding one lot. The only thing required would be one sewer tap and one water meter. There is a sewer manhole in the street in front of the property. There will also be less storm water runoff because of water quality pits now required in new construction. There will be no traffic by adding one home.

REVISED ECONOMIC ANALYSIS
November 13, 2019

RECEIVED

NOV 13 2019

City of Sandy Springs
Community Development

DESIGN-CONSTRUCTION
by
CRAFTMASTER, INC.



Letter of Intent

- 1) Under Beneficial Use Determination, the intent of the City is that all landowners in the City enjoy an economically beneficial use of their land. The procedures in this section are intended to permit landowner who believe they have been deprived of economically beneficial use of their land to apply to the City for relief from Application of this Development Code sufficient to provide an economically beneficial use of the land. Property owner is deprived of use of land because of citywide 2017 rezoning. Property owner can no longer divide into two lots as prior to rezoning to RD-27. Whereas before rezoning were able to have 2 lots under R-3 zoning.
- 2) We are asking for the property to be part rezoned from RD-27 to RD-18. The reason is that the property was zoned R-3, same as RD-18, prior to the citywide rezoning in 2017. The property is 1485 square feet short of having two RD-27 lots. The left lot will stay RD-27. The right lot (corner lot) will be RD-18.
- 3) Two homes will be built. They will be of good quality and will be 4000 square feet plus.
- 4) See appraisal attached that substantiates de-evaluation if left at only one lot.

REVISED LETTER OF INTENT
November 13, 2019

RECEIVED
NOV 13 2019
City of Sandy Springs
Community Development

DESIGN-CONSTRUCTION

by

CRAFTMASTER, INC.



Letter of Intent

1) We are asking for the property to be part rezoned from RD-27 to RD-18. The reason is that the property was zoned R-3, same as RD-18, prior to the citywide rezoning in 2017. The property is 1485 square feet short of having two RD-27 lots. The left lot will stay RD-27. The right lot (corner lot) will be RD-18.

2) Two homes will be built. They will be of good quality and will be 4000 square feet plus.

TO be
revised 11/1/19
(U)

RECEIVED

NOV 01 2019

City of Sandy Springs
Community Development

DESIGN-CONSTRUCTION
by
CRAFTMASTER, INC.



Economic Analysis

- 1) It is evident that the property was, until 2017, zoned for two lots being R-3 or 18,000 square feet. Being zoned now RD-27, 27,000 square feet makes the property 1485 square feet short of being two lots. The value of the property was reduced by at least 50% being only able to build one home.
- 2) The Market value was lower being only one lot now as it was 2 lots prior to 2017.
Appraisal attached
- 3) There should not be any economic impact by adding one lot. The only thing required would be one sewer tap and one water meter. There is a sewer manhole in the street in front of the property. There will also be less storm water runoff because of water quality pits now required in new construction.

TO be
Revised
(u)
11/1/19

RECEIVED

NOV 01 2019

City of Sandy Springs
Community Development

DESIGN-CONSTRUCTION
by
CRAFTMASTER, INC.

October 14, 2019

To: Sandy Springs Planning and Zoning

We are asking for the city to give a Beneficial Use Determination to amend the Official Zoning Map to rezone a portion of the property at 255 Amberidge Trail, Sandy Springs, Georgia 30328 from RD-27 to RD-18. The hardship is obvious because under current zoning, we can only build one home, we are approximately 1163 square feet short of making this property into 2 RD-27 lots. This will devalue the property by 50%. Under Fulton County zoning which Sandy Springs originally had was R-3 which was 1800 square foot lots. The city changed the zoning in 2017 to RD-27.

The R-3 zoning was designed as RD-18 which we feel the property should have remained. This would give us 2 lots like the lot directly across the street that was split into 2 lots.

Thank You for Your consideration.



Ed Levin
President/Owner
Design Construction by Craftmaster

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NOV 01 2019

City of Sandy Springs
Community Development

1ST Community Meeting for Zoning of 255 Amberidge Trail

October 24th, 2019

SIGN IN SHEET

Name	Address	Phone number	Email address
John Smith	123 Main St, New York, NY 10001	(212) 555-1234	john.smith@example.com
Jane Doe	456 Elm St, Los Angeles, CA 90001	(310) 555-5678	jane.doe@example.com
Bob Johnson	789 Oak St, Chicago, IL 60601	(312) 555-9012	bob.johnson@example.com
Alice Brown	101 Pine St, San Francisco, CA 94101	(415) 555-3456	alice.brown@example.com
Charlie Davis	202 Cedar St, Houston, TX 77001	(713) 555-7890	charlie.davis@example.com
Diana Prince	303 Birch St, Phoenix, AZ 85001	(602) 555-2345	diana.prince@example.com
Edward Norton	404 Maple St, Philadelphia, PA 19101	(215) 555-6789	edward.norton@example.com
Fiona Green	505 Walnut St, San Diego, CA 92101	(619) 555-0123	fiona.green@example.com
George Hamilton	606 Spruce St, Austin, TX 78701	(512) 555-4567	george.hamilton@example.com
Helen Wilson	707 Ash St, Jacksonville, FL 32201	(904) 555-8901	helen.wilson@example.com
Ivan Petrov	808 Birch St, Moscow, Russia 125001	(7) 555-2345	ivan.petrov@example.com
Jasmine Lee	909 Cedar St, Seoul, South Korea 045201	(2) 555-6789	jasmine.lee@example.com
Kyle Adams	1010 Elm St, Tokyo, Japan 10001	(3) 555-0123	kyle.adams@example.com
Liam O'Connell	1111 Main St, Dublin, Ireland 01001	(1) 555-4567	liam.oconnell@example.com
Mia Chen	1212 Oak St, Beijing, China 10001	(86) 555-8901	mia.chen@example.com
Noah King	1313 Pine St, London, UK EC1A 1AA	(44) 555-2345	noah.king@example.com
Olivia White	1414 Birch St, Paris, France 75001	(33) 555-6789	olivia.white@example.com
Peter Black	1515 Maple St, Rome, Italy 00101	(39) 555-0123	peter.black@example.com
Quinn Gray	1616 Walnut St, Madrid, Spain 28001	(34) 555-4567	quinn.gray@example.com
Rachel Hall	1717 Spruce St, Athens, Greece 11501	(30) 555-8901	rachel.hall@example.com
Samuel King	1818 Ash St, New Delhi, India 110001	(91) 555-2345	samuel.king@example.com
Tina Scott	1919 Birch St, Sydney, Australia 20001	(61) 555-6789	tina.scott@example.com
Uma Taylor	2020 Cedar St, Auckland, New Zealand 10101	(64) 555-0123	uma.taylor@example.com
Victor Lee	2121 Elm St, Hong Kong 99901	(852) 555-4567	victor.lee@example.com
Wendy Brown	2222 Main St, Taipei, Taiwan 10001	(886) 555-8901	wendy.brown@example.com
Xavier Green	2323 Oak St, Manila, Philippines 10001	(63) 555-2345	xavier.green@example.com
Yara White	2424 Pine St, Jakarta, Indonesia 10101	(62) 555-6789	yara.white@example.com
Zoe Black	2525 Birch St, Singapore 01001	(65) 555-0123	zoe.black@example.com

Harvey Levitt

David Franklin

Bill Hense

JAMES DOVEL

Alexander Moore

Joe Fitzgerald

RECEIVED
NOV 01 2019
City of San Francisco
Community Development

October 24th, 2019

Name

Phone number

Email address

JOANNE LAIN

VERNA FORD

Louisa Tovar

Stacey Adams

City of Sandy Planning
Community Development

NOV 01 2019

RECEIVED

SIGN-IN SHEET TEMPLATE

SEE SIGN IN SHEETS

Case number – Community Meeting Date, time, and location		
Name and Organization	Address	Email Address
10 people	Excluding Myself.	

Example:

Case RZ18-0001 – Community Meeting October 11, 2017, at 6:00 PM Galambos Center		
Name and Organization	Address	Email Address
John Smith, Greatest Subdivision HOA	1234 Best Street	johnsmith@something.com

The only concerns were to
 Make sure there would only be
 two homes built of good quality
 and trees would be planted
 per the ARBORIST'S requirements.
 There was no opposition.

RECEIVED

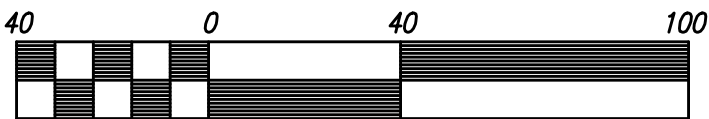
NOV 01 2019

City of Sandy Springs
Community Development

PROPERTY ZONED: RD-27

BUILDING SETBACK LINES
FRONT - 60 FEET
SIDE MAJOR - 30 FEET
SIDE - 15 FEET
REAR - 40 FEET

MAX. BLDG. HEIGHT - 40 FEET



Scale: 1" = 40'



NORTH

PROPERTY ZONED: RD-18

BUILDING SETBACK LINES
FRONT - 50 FEET
SIDE MAJOR - 20 FEET
SIDE - 10 FEET
REAR - 35 FEET

MAX. BLDG HEIGHT - 40 FEET



SANDY SPRINGS
GEORGIA

REVISED SITE PLAN 11/19/19

RECEIVED
11/19/2019
12:49:00 PM
louisa.tovar
Amberidge 255-3-Layout1.pdf

N/F
INVESTMENT PARTNERS X, LLC
245 RIVER VALLEY ROAD
TAX I.D. #17012500080121
ZONED: RD-18

N/F
HARRY F. HOMER, IV
275 AMBERIDGE TRAIL
TAX I.D. #17012500080030
ZONED: RD-27

LOT 6-B

27,000 SQ. FT.
RD-27

LOT 6-A

25,515 SQ. FT.
RD-18

AMBERIDGE TRAIL
50' R/W

RIVER VALLEY ROAD
50' R/W



FLOOD STATEMENT

THIS PROPERTY IS NOT LOCATED IN A
SPECIAL FLOOD HAZARD AREA
ACCORDING TO F.I.R.M. PANEL
#13121C0142 F LAST REVISED ON
SEP. 18, 2013.

CONCEPT PLAN FOR

SURVEYED REG
CALCULATED REG, RAM
DRAWN REG, RAM
DWG. NAME AMBERIDGE 255
DATE NOV. 19, 2019

SITE WORKS
SURVEYS & PLANNING
7000 PEACHTREE DUNWOODY ROAD
BUILDING 6, SUITE 250
ATLANTA, GEORGIA 30328
PHONE: 770-396-6011 FAX: 770-396-2379
e-mail: gudgersurveying@bellsouth.net

RONALD E. GUDGER, LS
404-731-8696

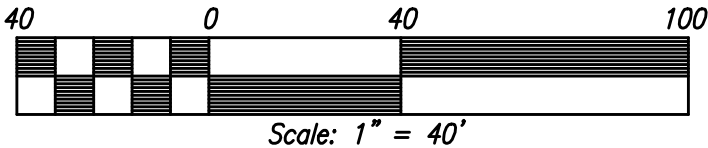
**255 AMBERIDGE TRAIL
LOT 6, TRACT A, UNIT ONE
AMBERGLADES
L.L. 125, DISTRICT 17
CITY OF SANDY SPRINGS
FULTON COUNTY, GEORGIA**

PROPERTY ZONED: R-3

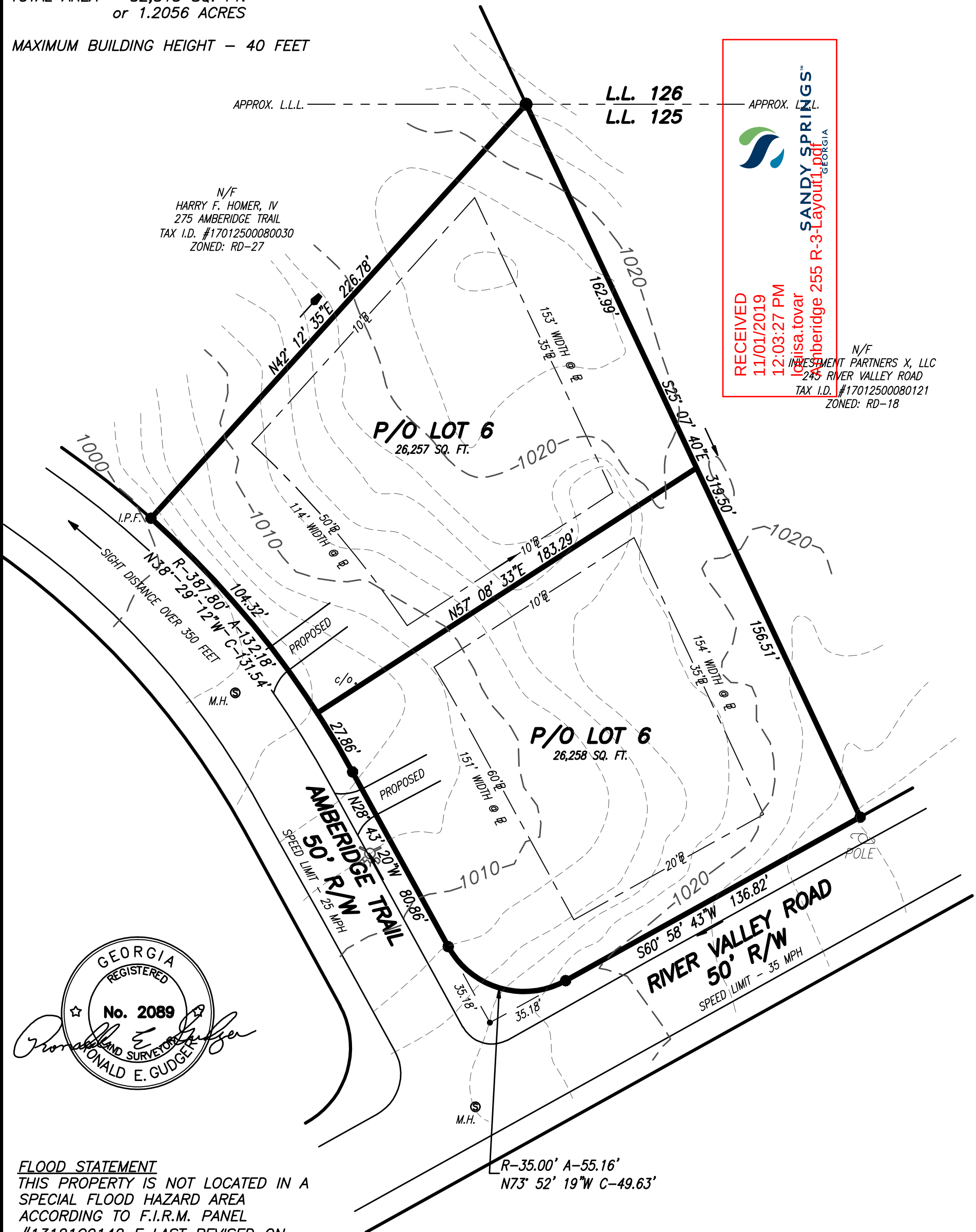
BUILDING SETBACK LINES
FRONT - 50 FEET
SIDE MAJOR - 20 FEET
SIDE - 10 FEET
REAR - 35 FEET

TOTAL AREA - 52,515 SQ. FT.
or 1.2056 ACRES

MAXIMUM BUILDING HEIGHT - 40 FEET



NORTH



N/F
HARRY F. HOMER, IV
275 AMBERIDGE TRAIL
TAX I.D. #17012500080030
ZONED: RD-27



SANDY SPRINGS™
GEORGIA

RECEIVED
11/01/2019
12:03:27 PM
luisa.tovar
Amberidge 255 R-3-Layout1.pdf

N/F
INVESTMENT PARTNERS X, LLC
245 RIVER VALLEY ROAD
TAX I.D. #17012500080121
ZONED: RD-18



FLOOD STATEMENT
THIS PROPERTY IS NOT LOCATED IN A
SPECIAL FLOOD HAZARD AREA
ACCORDING TO F.I.R.M. PANEL
#13121C0142 F LAST REVISED ON
SEP. 18, 2013.

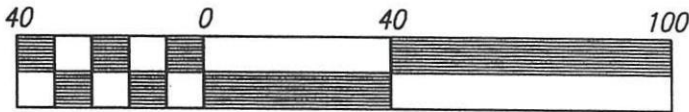
CONCEPT PLAN FOR

SURVEYED <u>REG</u> CALCULATED <u>REG, RAM</u> DRAWN <u>REG, RAM</u> DWG. NAME <u>AMBERIDGE 255</u> DATE <u>OCT. 3, 2019</u>	SITE WORKS RONALD E. GUDGER, LS 404-731-8696 SURVEYS & PLANNING 7000 PEACHTREE DUNWOODY ROAD BUILDING 6, SUITE 250 ATLANTA, GEORGIA 30328 PHONE: 770-396-6011 FAX: 770-396-2379 e-mail: gudgersurveying@bellsouth.net	255 AMBERIDGE TRAIL LOT 6, TRACT A, UNIT ONE AMBERGLADES L.L. 125, DISTRICT 17 CITY OF SANDY SPRINGS FULTON COUNTY, GEORGIA
---	--	--

PROPERTY ZONED: RD-27

BUILDING SETBACK LINES
FRONT - 60 FEET
SIDE MAJOR - 30 FEET
SIDE - 15 FEET
REAR - 40 FEET

MAX. BLDG. HEIGHT - 40 FEET



PROPERTY ZONED: RD-18

BUILDING SETBACK LINES
FRONT - 50 FEET
SIDE MAJOR - 20 FEET
SIDE - 10 FEET
REAR - 35 FEET

MAX. BLDG HEIGHT - 40 FEET

APPROX. L.L.L.

L.L. 126
L.L. 125

APPROX. L.L.L.

N/F
HARRY F. HOMER, IV
275 AMBERIDGE TRAIL
TAX I.D. #17012500080030
ZONED: RD-27

N/F
INVESTMENT PARTNERS X, LLC
245 RIVER VALLEY ROAD
TAX I.D. #17012500080121
ZONED: RD-18

P/O LOT 6
27,000 SQ. FT.
RD-27

P/O LOT 6
25,515 SQ. FT.
RD-18



FLOOD STATEMENT
THIS PROPERTY IS NOT LOCATED IN A
SPECIAL FLOOD HAZARD AREA
ACCORDING TO F.I.R.M. PANEL
#13121C0142 F LAST REVISED ON
SEP. 18, 2013.

RECEIVED
NOV 01 2019

City of Sandy Springs
Community Development
CONCEPT PLAN FOR

SURVEYED REG
CALCULATED REG, RAM
DRAWN REG, RAM
DWG. NAME AMBERIDGE 255
DATE OCT. 23, 2019

SITE WORKS
SURVEYS & PLANNING
7000 PEACHTREE DUNWOODY ROAD
BUILDING 6, SUITE 250
ATLANTA, GEORGIA 30328
PHONE: 770-396-6011 FAX: 770-396-2379
e-mail: gudgersurveying@bellsouth.net

RONALD E. GUDGER, LS
404-731-8696

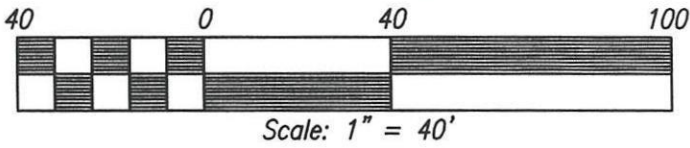
**255 AMBERIDGE TRAIL
LOT 6, TRACT A, UNIT ONE
AMBERGLADES
L.L. 125, DISTRICT 17
CITY OF SANDY SPRINGS
FULTON COUNTY, GEORGIA**

PROPERTY ZONED: RD-18

BUILDING SETBACK LINES

FRONT - 50 FEET
SIDE MAJOR - 20 FEET
SIDE - 10 FEET
REAR - 35 FEET

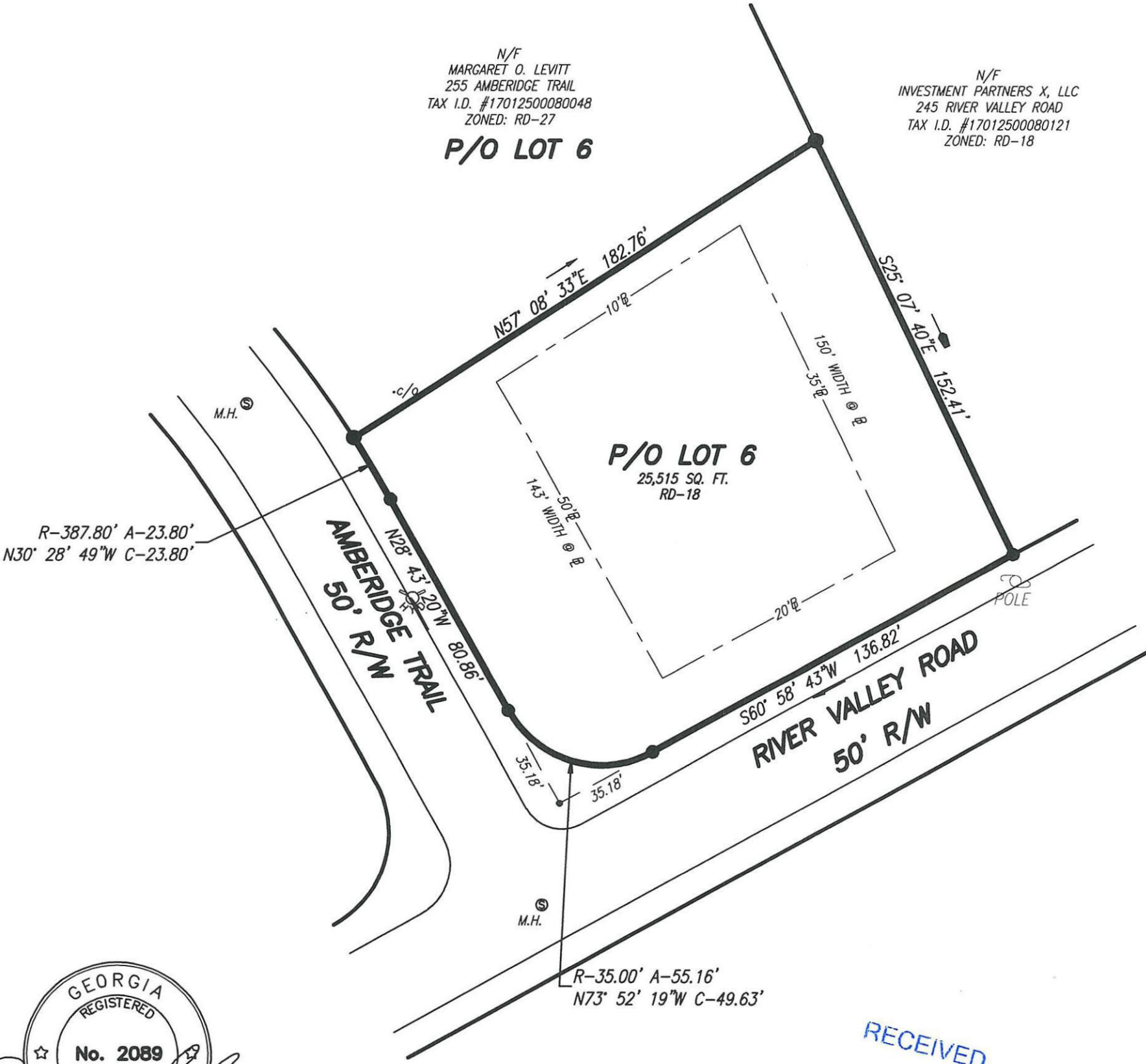
MAX. BLDG HEIGHT - 40 FEET



NORTH

N/F
MARGARET O. LEVITT
255 AMBERIDGE TRAIL
TAX I.D. #17012500080048
ZONED: RD-27
P/O LOT 6

N/F
INVESTMENT PARTNERS X, LLC
245 RIVER VALLEY ROAD
TAX I.D. #17012500080121
ZONED: RD-18



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City of Sandy Springs
Community Development

FLOOD STATEMENT
THIS PROPERTY IS NOT LOCATED IN A
SPECIAL FLOOD HAZARD AREA
ACCORDING TO F.I.R.M. PANEL
#13121C0142 F LAST REVISED ON
SEP. 18, 2013.

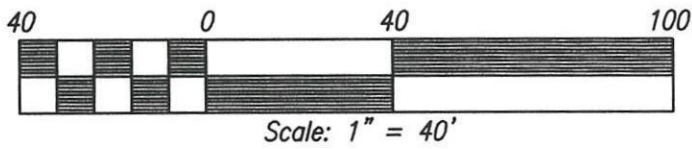
VARIANCE PLAN FOR

SURVEYED <u>REG</u> CALCULATED <u>REG, RAM</u> DRAWN <u>REG, RAM</u> DWG. NAME <u>AMBERIDGE 255</u> DATE <u>OCT. 17, 2019</u>	SITE WORKS SURVEYS & PLANNING 7000 PEACHTREE DUNWOODY ROAD BUILDING 6, SUITE 250 ATLANTA, GEORGIA 30328 PHONE: 770-396-6011 FAX: 770-396-2379 e-mail: gudgersurveying@bellsouth.net	255 AMBERIDGE TRAIL LOT 6, TRACT A, UNIT ONE AMBERGLADES L.L. 125, DISTRICT 17 CITY OF SANDY SPRINGS FULTON COUNTY, GEORGIA
--	---	---

PROPERTY ZONED: RD-27

BUILDING SETBACK LINES
FRONT - 60 FEET
SIDE MAJOR - 30 FEET
SIDE - 15 FEET
REAR - 40 FEET

MAX. BLDG. HEIGHT - 40 FEET



APPROX. L.L.L. ——— L.L. 126 ——— APPROX. L.L.L.
L.L. 125

N/F
HARRY F. HOMER, IV
275 AMBERIDGE TRAIL
TAX I.D. #17012500080030
ZONED: RD-27

N/F
INVESTMENT PARTNERS X, LLC
245 RIVER VALLEY ROAD
TAX I.D. #17012500080121
ZONED: RD-18

P/O LOT 6
27,000 SQ. FT.
RD-27

P/O LOT 6
N/F
MARGARET O. LEVITT
255 AMBERIDGE TRAIL
TAX I.D. #17012500080048
ZONED: RD-27



FLOOD STATEMENT
THIS PROPERTY IS NOT LOCATED IN A
SPECIAL FLOOD HAZARD AREA
ACCORDING TO F.I.R.M. PANEL
#13121C0142 F LAST REVISED ON
SEP. 18, 2013.

VARIANCE PLAN FOR

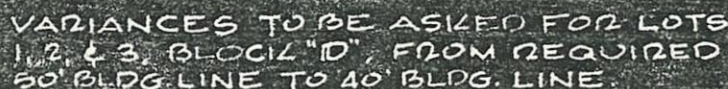
SURVEYED _____ REG
CALCULATED _____ REG, RAM
DRAWN _____ REG, RAM
DWG. NAME AMBERIDGE 255
DATE OCT. 17, 2019

SITE WORKS
SURVEYS & PLANNING
7000 PEACHTREE DUNWOODY ROAD
BUILDING 6, SUITE 250
ATLANTA, GEORGIA 30328
PHONE: 770-396-6011 FAX: 770-396-2379
e-mail: gudgersurveying@bellsouth.net

**255 AMBERIDGE TRAIL
LOT 6, TRACT A, UNIT ONE
AMBERGLADES
L.L. 125, DISTRICT 17
CITY OF SANDY SPRINGS
FULTON COUNTY, GEORGIA**

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NOV 01 2019
City of Sandy Springs
Community Development

COUNTY, GEORGIA



- NOTE -

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NOV 01 2019

City of Sandy Springs
Community Development

0 0.009 0.018 0.027 mi

Date: 9/11/2019

Map Size: 8.5x11 (LETTER)

Fulton County GIS

Fulton County provides the data on this map for your personal use "as is". The data are not guaranteed to be accurate, correct, or complete. The feature locations depicted in these maps are approximate and are not necessarily accurate to surveying or engineering standards. Fulton County assumes no responsibility for losses resulting from the use these data, even if Fulton County is advised of the possibility of such losses.



Prepared By
GIS Section
Department of IT
Fulton County Government



Overview



Legend

- ☐ Parcels
- ☐ Roads

Parcel ID	17 012500080048	Physical Address	255 AMBERIDGE TRL	Last 2 Sales				
Class Code	R3	Owner	LEVITT MARGARET O	Date	Price	Reason		Qual
Taxing District	59		255 AMBERIDGE TRL	10/16/1981	\$146000	Unvalidated/Deed Stamps		U
Acres	1.302		ATLANTA GA 30328	n/a	0	n/a		n/a
		Assessed Value	\$460,000					

Date created: 9/11/2019

Last Data Uploaded: 9/11/2019 4:47:52 AM

Developed by  Schneider
GEOSPATIAL

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City of Sandy Springs
Community Development



Chattahoochee River Corridor

Overview



This data is used primarily in plan review and permit issuance in order to determine if a certificate of compliance is required of the developer as stipulated in the the Metropolitan Rivers Protection Act.

Map Image Layer by [Fulton_County_GIS](#)

Created: Jan 31, 2017 Updated: Mar 2, 2017
View Count: 539

[Open in Map Viewer](#)
[Open in Scene Viewer](#)
[Open in ArcGIS Desktop](#)


Description

This dataset represents the Chattahoochee River Corridor within Fulton County, Georgia. The Corridor was created by the Georgia General Assembly in 1973 through its enactment of the Metropolitan River Protection Act. It established a 2000-foot Corridor along both banks of the Chattahoochee and its impoundments for the 48 miles between Buford Dam and Peachtree Creek. The Act was amended in 1998 to extend the Corridor an additional 36 miles to the downstream limits of Fulton and Douglas Counties (the limit of the Atlanta region). The Act requires the Atlanta Regional Commission to adopt a Plan to protect the Chattahoochee River Corridor and to review development proposals for consistency with the Plan. The Act requires Corridor local governments to implement the Plan by issuing permits based on ARC findings, monitoring land-disturbing activity in the Corridor and enforcing the Act and the Plan. Under the Act, land-disturbing activity in the Corridor must comply with the adopted Plan to be legal. The Plan includes development standards that minimize the effects of development on the river using the existing characteristics of the land and vegetation as a guide to identifying development suitability. It is based on ARC's 1972 Chattahoochee Corridor Study and, for the land added in 1998, the River Corridor Protection Section of the 1998 Chattahoochee River from Peachtree Creek to West Point Lake Corridor Plan Study.

Details

Source: [Map Service](#)

Size: 1 KB

Owner

[Fulton_County_GIS](#)

Tags

[Environmental](#)

Credits (Attribution)

Compiled by the Fulton County Department of Information Technology, GIS Division

Layers

[Enviro_ChattahoocheeRiverCorridor](#)

Terms of Use

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URL

View

RECEIVED <https://gis.fultoncount>

NOV 01 2019

by [Sandy J. Pitt](#)
Community Developer

REVISED LEGAL
DESCRIPTION

Received November
19, 2019 by Louisa
Tovar

LEGAL DESCRIPTION
255 AMBERIDGE TRAIL
LOT 6-A

All tract or parcel of land lying and being in Land Lot 125, District 17 of Fulton County, within the limits of the City of Sandy Springs, being a portion of Lot 6, Tract A, Unit One, Amberglades and being more particularly described as follows:

Begin at the point of intersection of the easterly right-of-way of Amberidge Trail (having a 50 foot right-of-way) with the northerly right-of-way of River Valley Road (having a 50 foot right-of-way) (if right-of-ways are extended to form an angle); thence along said easterly right-of-way of Amberidge Trail proceed North 28°43'20" West for 35.18 feet to a point being the TRUE POINT OF BEGINNING; thence with the point of beginning thus established, continue along said easterly right-of-way of Amberidge Trail proceed North 28°43'20" West for 80.86 feet to a point; thence continuing said easterly right-of-way of Amberidge Trail proceed around a curve to the left having a radius of 387.80 feet for an arc distance of 12.18 feet and being subtended by a chord of North 29°37'19" West, 12.18 feet; thence leaving said right-of-way proceed North 49°56'47" East for 186.11 feet to a point; thence proceed South 25°07'40" East for 164.22 feet to a point on the northerly right-of-way of River Valley Road; thence along said northerly right-of-way of River Valley Road proceed South 60°58'43" West for 136.82 feet to a point; thence along said right-of-way proceed around a curve to the right having a radius of 35.00 feet for an arc distance of 55.16 feet and being subtended by a chord of North 73°52'19" West, 49.63 feet returning to the point of beginning. Said parcel contains 25,515 square feet or 0.5857 acres, more or less.

REVISED LEGAL
DESCRIPTION

Received November
19, 2019 by Louisa
Tovar

LEGAL DESCRIPTION
255 AMBERIDGE TRAIL
LOT 6-B

All tract or parcel of land lying and being in Land Lot 125, District 17 of Fulton County, within the limits of the City of Sandy Springs, being a portion of Lot 6, Tract A, Unit One, Amberglades and being more particularly described as follows:

Begin at the point of intersection of the easterly right-of-way of Amberidge Trail (having a 50 foot right-of-way) with the northerly right-of-way of River Valley Road (having a 50 foot right-of-way) (if right-of-ways are extended to form an angle); thence along said easterly right-of-way of Amberidge Trail proceed 128.22 feet to a point being the TRUE POINT OF BEGINNING; thence with the point of beginning thus established, continue along said easterly right-of-way of Amberidge Trail proceed around a curve to the left having a radius of 387.80 feet for an arc distance of 120.00 feet and being subtended by a chord of North 39°23'11" West, 119.52 feet to an iron pin found; thence leaving said right-of-way proceed North 42°12'35" East for 226.78 feet to a point; thence proceed South 25°07'40" East for 155.28 feet to a point; thence proceed South 49°56'47" West for 186.11 feet returning to the point of beginning. Said parcel contains 27,000 square feet or 0.6198 acres, more or less.

LEGAL DESCRIPTION
255 AMBERIDGE TRAIL
NORTH PORTION
RD-27

All tract or parcel of land lying and being in Land Lot 125, District 17 of Fulton County, within the limits of the City of Sandy Springs, being a portion of Lot 6, Tract A, Unit One, Amberglades and being more particularly described as follows:

Begin at the point of intersection of the easterly right-of-way of Amberidge Trail (having a 50 foot right-of-way) with the northerly right-of-way of River Valley Road (having a 50 foot right-of-way) (if right-of-ways are extended to form an angle); thence along said easterly right-of-way of Amberidge Trail proceed 128.22 feet to a point being the TRUE POINT OF BEGINNING; thence with the point of beginning thus established, continue along said easterly right-of-way of Amberidge Trail proceed around a curve to the left having a radius of 387.80 feet for an arc distance of 120.00 feet and being subtended by a chord of North 39°23'11" West, 119.52 feet to an iron pin found; thence leaving said right-of-way proceed North 42°12'35" East for 226.78 feet to a point; thence proceed South 25°07'40" East for 155.28 feet to a point; thence proceed South 49°56'47" West for 186.11 feet returning to the point of beginning. Said parcel contains 27,000 square feet or 0.6198 acres, more or less.

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NOV 01 2019

City of Sandy Springs
Community Development

LEGAL DESCRIPTION
255 AMBERIDGE TRAIL
SOUTH PORTION
RD-18

All tract or parcel of land lying and being in Land Lot 125, District 17 of Fulton County, within the limits of the City of Sandy Springs, being a portion of Lot 6, Tract A, Unit One, Amberglades and being more particularly described as follows:

Begin at the point of intersection of the easterly right-of-way of Amberidge Trail (having a 50 foot right-of-way) with the northerly right-of-way of River Valley Road (having a 50 foot right-of-way) (if right-of-ways are extended to form an angle); thence along said easterly right-of-way of Amberidge Trail proceed North 28°43'20" West for 35.18 feet to a point being the TRUE POINT OF BEGINNING; thence with the point of beginning thus established, continue along said easterly right-of-way of Amberidge Trail proceed North 28°43'20" West for 80.86 feet to a point; thence continuing said easterly right-of-way of Amberidge Trail proceed around a curve to the left having a radius of 387.80 feet for an arc distance of 23.80 feet and being subtended by a chord of North 30°28'49" West, 23.80 feet; thence leaving said right-of-way proceed North 57°08'33" East for 182.76 feet to a point; thence proceed South 25°07'40" East for 152.41 feet to a point on the northerly right-of-way of River Valley Road; thence along said northerly right-of-way of River Valley Road proceed South 60°58'43" West for 136.82 feet to a point; thence along said right-of-way proceed around a curve to the right having a radius of 35.00 feet for an arc distance of 55.16 feet and being subtended by a chord of North 73°52'19" West, 49.63 feet returning to the point of beginning. Said parcel contains 25,515 square feet or 0.5857 acres, more or less.

RECEIVED

NOV 01 2019

City of Sandy Springs
Community Development

LEGAL DESCRIPTION
255 AMBERIDGE TRAIL

All tract or parcel of land lying and being in Land Lot 125, District 17 of Fulton County, within the limits of the City of Sandy Springs, being a portion of Lot 6, Tract A, Unit One, Ambergldes and being more particularly described as follows:

Begin at the point of intersection of the easterly right-of-way of Amberidge Trail (having a 50 foot right-of-way) with the northerly right-of-way of River Valley Road (having a 50 foot right-of-way) (if right-of-ways are extended to form an angle); thence along said easterly right-of-way of Amberidge Trail proceed North 28°43'20" West for 35.18 feet to a point being the TRUE POINT OF BEGINNING; thence with the point of beginning thus established, continue along said easterly right-of-way of Amberidge Trail proceed North 28°43'20" West for 80.86 feet to a point; thence continuing said easterly right-of-way of Amberidge Trail proceed around a curve to the left having a radius of 387.80 feet for an arc distance of 132.18 feet and being subtended by a chord of North 38°29'12" West, 131.54 feet; thence leaving said right-of-way proceed North 42°12'35" East for 226.78 feet to a point; thence proceed South 25°07'40" East for 319.50 feet to a point on the northerly right-of-way of River Valley Road; thence along said northerly right-of-way of River Valley Road proceed South 60°58'43" West for 136.82 feet to a point; thence along said right-of-way proceed around a curve to the right having a radius of 35.00 feet for an arc distance of 55.16 feet and being subtended by a chord of North 73°52'19" West, 49.63 feet returning to the point of beginning. Said parcel contains 52,515 square feet or 1.2056 acres, more or less.

RECEIVED

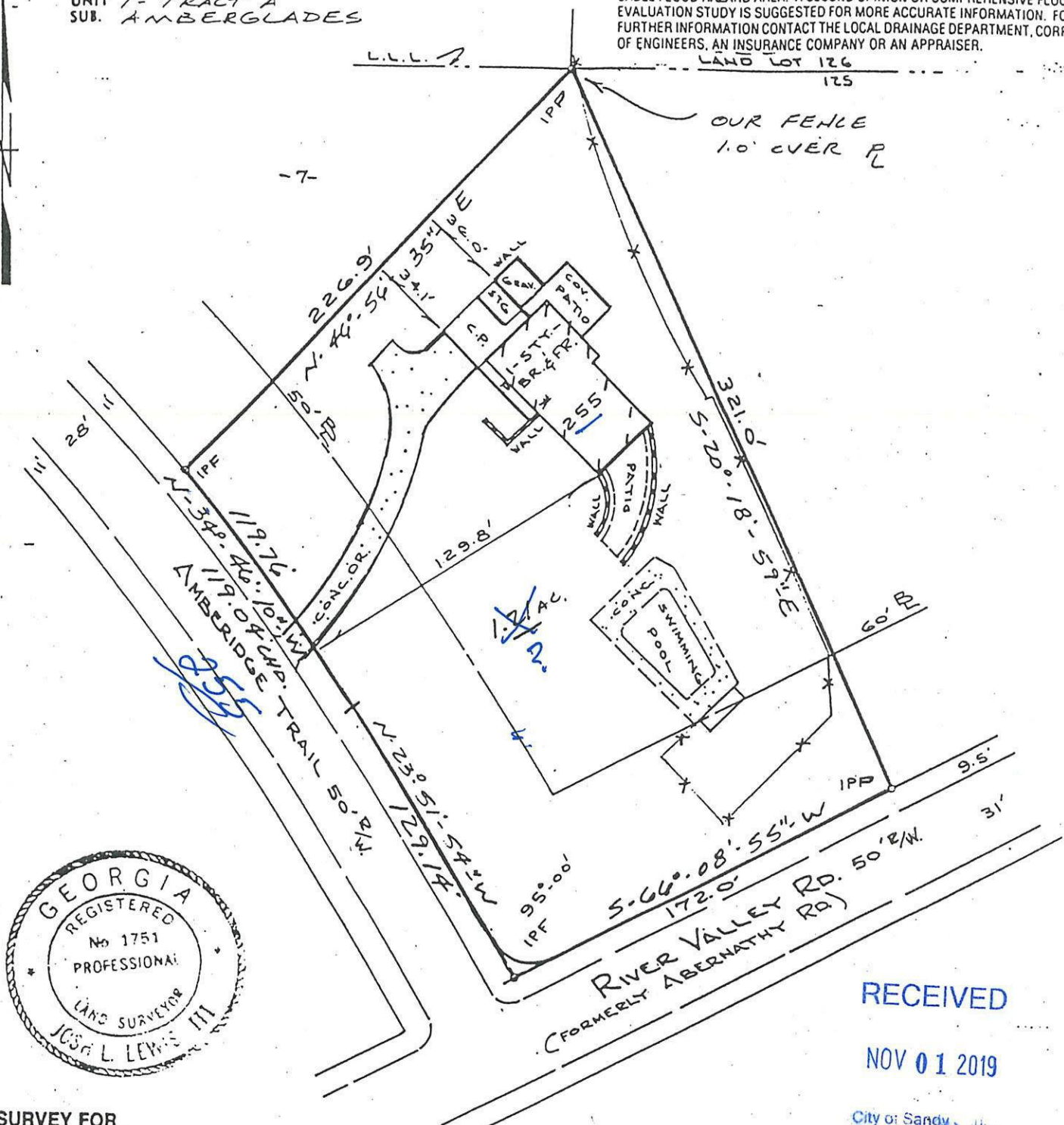
NOV 01 2019

City of Sandy Springs
Community Development

LOT
BLOCK 4E
UNIT 1- TRACT A
SUB. AMBERGLADES

THE FLOOD INFORMATION ON THIS PLAT HAS BEEN DETERMINED AFTER REVIEW OF MAPS WHICH ONLY APPROXIMATE THE LOCATION OF THE APPLICABLE FLOOD HAZARD AREA. A SECOND OPINION OR COMPREHENSIVE FLOOD EVALUATION STUDY IS SUGGESTED FOR MORE ACCURATE INFORMATION. FOR FURTHER INFORMATION CONTACT THE LOCAL DRAINAGE DEPARTMENT, CORPS OF ENGINEERS, AN INSURANCE COMPANY OR AN APPRAISER.

MAG. NORTH



SURVEY FOR

MARGARET O. LEVITT

LAND LOT 125

17TH DISTRICT

FULTON

COUNTY, GEORGIA

SCALE 1" = 60'

DATE: 1-23-92

REG. LAND SURVEYOR NO. 1751

GEORGIA LAND SURVEYING CO., INC.

IN MY OPINION, THIS PLAT IS A CORRECT
REPRESENTATION OF THE LAND PLATTED.

RECEIVED

NOV 01 2019

City of Sandy
Community Development

I have, this date, examined the
"FIA OFFICIAL FLOOD HAZARD MAP"
and found referenced lot (IS NOT)
in an area having special flood hazards.

FENCES SHOULD NOT BE PLACED USING
SIDE DIMENSIONS FROM HOUSE.

NOT FOR RECORDING.

58-113

NO. 109785

4-13-44

Mc-R (REP)

Borrower/Client	N/A	File No.	19100862A
Property Address	255 Amberidge Trl		
City	Atlanta	County	Fulton
		State	GA
Lender		Zip Code	30328

TABLE OF CONTENTS



Table of Contents	1
GP Land	2
Additional Comparables 4-6	4
GP Residential Certifications Addendum	5
General Text Addendum	7
Subject Photos	9
Photograph Addendum	10
Comparable Photos 1-3	11
Comparable Photos 4-6	12
Location Map	13
Tax Aerial	14
Legal Description	15
Legal Description	16
Legal Description	17
Survey	18
Survey	19
License	20

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NOV 01 2019

City of Sandy Springs
Community Development

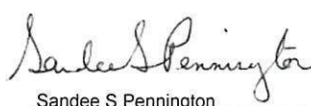
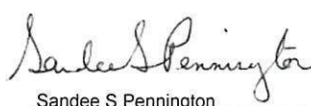
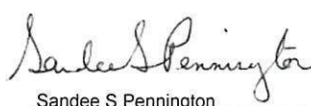
LAND APPRAISAL REPORT

File No.: 19100862A

SUBJECT	Property Address: 255 Amberidge Trl		City: Atlanta		State: GA Zip Code: 30328																																																																																																																
	County: Fulton		Legal Description: Land Lot 125, 17th District, Fulton County, Georgia, within the limits of the City of Sandy Springs, (see attached, client-provided, legal description of the entire parcel and legal descriptions of the two individual lots, north and south)																																																																																																																		
	Assessor's Parcel #: 17 012500080048		Tax Year: 2019		R.E. Taxes: \$ 4,630 Special Assessments: \$ N/K																																																																																																																
	Market Area Name: City of Sandy Springs		Map Reference: 12060		Census Tract: 0102.04																																																																																																																
ASSIGNMENT	Current Owner of Record: Margaret O Levitt		Borrower (if applicable): N/A																																																																																																																		
	Project Type (if applicable): ☐ PUD ☐ De Minimis PUD ☐ Other (describe)		HOA: \$ 0 per year ☐ per month																																																																																																																		
	Are there any existing improvements to the property? ☐ No ☒ Yes If Yes, indicate current occupancy: ☒ Owner ☐ Tenant ☐ Vacant ☐ Not habitable																																																																																																																				
	If Yes, give a brief description: The subject is currently improved with a brick ranch built in 1965.																																																																																																																				
MARKET AREA DESCRIPTION	The purpose of this appraisal is to develop an opinion of: ☒ Market Value (as defined), or ☐ other type of value (describe)																																																																																																																				
	This report reflects the following value (if not Current, see comments): ☒ Current (the Inspection Date is the Effective Date) ☐ Retrospective ☐ Prospective																																																																																																																				
	Property Rights Appraised: ☒ Fee Simple ☐ Leasehold ☐ Leased Fee ☐ Other (describe)																																																																																																																				
	Intended Use: TO ESTIMATE MARKET VALUE AS ONE PARCEL AND AS PROPOSED TO BE SUBDIVIDED INTO TWO PARCELS																																																																																																																				
SITE DESCRIPTION	Intended User(s) (by name or type): Ed Levin																																																																																																																				
	Client: Ed Levin		Address: N/A																																																																																																																		
	Appraiser: Sandee S Pennington		Address: 5400 Laurel Springs Pkwy #407, Suwanee, GA 30024-6056																																																																																																																		
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Market Area Comments: THE PRESENT MARKET IN THE SUBJECT NEIGHBORHOOD IS STABLE TO INCREASING IN VALUE WITH MARKETING TIMES UNDER THREE MONTHS IN MOST INSTANCES. THE SUBJECT IS NOT AFFECTED BY ANY ADVERSE MARKET CONDITIONS. CONVENTIONAL FINANCING IS TYPICAL WITH SOME SELLER PAID CLOSING COSTS. THERE IS AN ACTIVE MARKET FOR BUILDABLE RESIDENTIAL LOTS IN THE AREA DUE TO THE LOCATION WITHIN THE METRO ATLANTA MARKET. PURCHASE OF OLDER RESIDENTIAL PROPERTIES FOR RESIDENTIAL REDEVELOPMENT IS COMMON IN THIS MARKET.																																																																																																																					
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Are CC&Rs applicable? ☐ Yes ☒ No ☐ Unknown Have the documents been reviewed? ☐ Yes ☐ No Ground Rent (if applicable) \$ NA/ NA																																																																																																																					
Comments: N/A Highest & Best Use as Improved: ☐ Present use, or ☒ Other use (explain) DEMO OF EXISTING IMPROVEMENTS IN FAVOR OF RESIDENTIAL IMPROVEMENT TO BE BUILT AT HIGHEST ALLOWABLE DENSITY.																																																																																																																					
Actual Use as of Effective Date: SINGLE FAMILY RESIDENTIAL Use as appraised in this report: SF RESIDENTIAL Summary of Highest & Best Use: THE SUBJECT PROPERTY IS DEVELOPED AS SINGLE FAMILY RESIDENTIAL. THE HIGHEST AND BEST USE OF THE SUBJECT PROPERTY IS FOR DEMOLITION OF THE EXISTING IMPROVEMENT FOR SINGLE FAMILY IMPROVEMENT TO BE BUILT AT HIGHEST ALLOWABLE DENSITY.																																																																																																																					
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FEMA Spec'l Flood Hazard Area ☐ Yes ☒ No FEMA Flood Zone X FEMA Map # 13121C0142F FEMA Map Date 09/18/2013																																																																																																																					
Site Comments: SUBJECT SITE EXHIBITS TYPICAL SIZE, SHAPE, TOPOGRAPHY, AND FUNCTIONALITY FOR THE MARKET AREA. NO ADVERSE SITE CONDITIONS WERE NOTED AT THE TIME OF INSPECTION.																																																																																																																					

LAND APPRAISAL REPORT

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My research ☐ did ☒ did not reveal any prior sales or transfers of the subject property for the three years prior to the effective date of this appraisal.																																																																																																					
Data Source(s): MLS,FMLS,DEEDS																																																																																																					
TRANSFER HISTORY 1st Prior Subject Sale/Transfer Date: N/A Price: N/A Source(s): TAX RECORDS 2nd Prior Subject Sale/Transfer Date: _____ Price: _____ Source(s): _____	Analysis of sale/transfer history and/or any current agreement of sale/listing: BASED ON THE DATA SOURCES REFERENCED ABOVE THERE HAVE NOT BEEN ANY TRANSFERS OR LISTINGS OF THE SUBJECT PROPERTY IN THE THREE YEARS PRIOR TO THE EFFECTIVE DATE OF THIS APPRAISAL.																																																																																																				
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Final Reconciliation ALL THREE APPROACHES TO VALUE HAVE BEEN CONSIDERED. MOST EMPHASIS HAS BEEN PLACED ON THE SALES COMPARISON ANALYSIS AS IT BEST REFLECTS ACTIONS OF BUYERS AND SELLERS IN THE MARKETPLACE. This appraisal is made ☒ "as is", or ☐ subject to the following conditions: AS-IS APPLIES TO THE INDICATED VALUE OF THE WHOLE PARCEL, 255 AMBERIDGE TRAIL. SEE THE NEXT PAGE FOR THE HYPOTHETICAL CONDITION WHICH APPLIES TO THE INDICATED VALUE OF THE PROPOSED NORTH AND SOUTH PORTIONS OF THE WHOLE. ☒ This report is also subject to other Hypothetical Conditions and/or Extraordinary Assumptions as specified in the attached addenda.																																																																																																					
Based upon an inspection of the subject property, defined Scope of Work, Statement of Assumptions and Limiting Conditions, and Appraiser's Certifications, my (our) Opinion of the Market Value (or other specified value type), as defined herein, of the real property that is the subject of this report is: \$ 665,000 , as of: 10/29/2019 , which is the effective date of this appraisal. If indicated above, this Opinion of Value is subject to Hypothetical Conditions and/or Extraordinary Assumptions included in this report. See attached addenda.																																																																																																					
A true and complete copy of this report contains 20 pages, including exhibits which are considered an integral part of the report. This appraisal report may not be properly understood without reference to the information contained in the complete report, which contains the following attached exhibits: <table style="width:100%;"> <tr> <td>☒ Limiting cond./Certifications</td> <td>☒ Narrative Addendum</td> <td>☒ Location Map(s)</td> <td>☐ Flood Addendum</td> <td>☒ Scope of Work</td> </tr> <tr> <td>☒ Photo Addenda</td> <td>☒ Parcel Map</td> <td>☒ Hypothetical Conditions</td> <td>☐ Extraordinary Assumptions</td> <td>☒ Additional Sales</td> </tr> </table>		☒ Limiting cond./Certifications	☒ Narrative Addendum	☒ Location Map(s)	☐ Flood Addendum	☒ Scope of Work	☒ Photo Addenda	☒ Parcel Map	☒ Hypothetical Conditions	☐ Extraordinary Assumptions	☒ Additional Sales																																																																																										
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ADDITIONAL COMPARABLE SALES

File No.: 19100862A

FEATURE	SUBJECT PROPERTY	COMPARABLE NO. 4	COMPARABLE NO. 5	COMPARABLE NO. 6
Address	255 Amberidge Trl Atlanta, GA 30328	6575 Bridgewood Valley Rd Sandy Springs, GA 30328	620 Carriage Dr Atlanta, GA 30328	102 Dickerson Rd NE Marietta, GA 30067
Proximity to Subject		0.64 miles SW	1.43 miles E	2.38 miles NW
Sale Price	\$ NA	\$ 402,000	\$ 292,000	\$ 400,000
Price/	\$	\$ 538,873.99	\$ 768,421.05	\$ 769,230.77
Data Source(s)	TAX RECORD	FMLS#5821286;DOM 4	FMLS#5779816;DOM 1	FMLS#6002843;DOM 20
Verification Source(s)	INSPECTION	TAX RECORD/MLS	TAX RECORD/MLS	TAX RECORD/MLS
VALUE ADJUSTMENT	DESCRIPTION	DESCRIPTION + (-) \$ Adjust	DESCRIPTION + (-) \$ Adjust	DESCRIPTION + (-) \$ Adjust
Sales or Financing	N/A	CASH	UNKNOWN	CONV
Concessions	N/A	NONE NOTED	NONE NOTED	NONE KNOWN
Date of Sale/Time	NA	03/31/2017 +20,000	03/21/2017 +15,000	04/10/2019
Rights Appraised	Fee Simple	Fee Simple	Fee Simple	Fee Simple
Location	SUBURBAN	SUBURBAN	SUBURBAN	SUBURBAN
Site Area	1.2056	0.746 -20,000	0.38 +60,000	0.52 +20,000
TOPOGRAPHY	SLOPE/GENTLE	ROLLING	LEVEL	LEVEL
SHAPE	CORNER/RECT.	RECTANGULAR	IRREGULAR	CDS/IRREGULAR
DEMO REQUIRED	YES	YES +10,000	YES +10,000	NO -10,000
Net Adjustment (Total, in \$)		X + - \$ 10,000	X + - \$ 115,000	X + - \$ 10,000
Adjusted Sale Price (in \$)		Net 2.5 % Gross 12.4 % \$ 412,000	Net 39.4 % Gross 39.4 % \$ 407,000	Net 2.5 % Gross 7.5 % \$ 410,000

Summary of Sales Comparison Approach

IN ADDITION TO DETERMINING THE MARKET VALUE OF 255 AMBERIDGE TRAIL AS ONE LOT, THE PURPOSE OF THIS APPRAISAL IS TO ALSO DETERMINE THE VALUE OF UNDER THE HYPOTHETICAL CONDITION THAT THE EXISTING PARCEL CAN BE DIVIDED TO CREATE TWO LOTS (NORTH AND SOUTH). THE PROPOSED LOTS ARE FURTHER DEFINED BY SURVEYS AND LEGAL DESCRIPTIONS PROVIDED BY THE CLIENT AND INCLUDED IN THIS REPORT. THE NORTH LOT HAS A PROPOSED SIZE OF 27,000 SQUARE FEET (0.6198 ACRES) AND THE SOUTH LOT HAS A PROPOSED SIZE OF 25,515 SQUARE FEET (0.5857 ACRES).

COMPARABLES #4 - #6 ARE PRESENTED TO DETERMINE THE INDIVIDUAL VALUES OF THESE TWO PROPOSED LOTS. ALTHOUGH THE TWO LOTS DIFFER IN AREA SLIGHTLY, THE DIFFERENCE IN MARKET VALUE IS DETERMINED TO BE NOMINAL AND THE SAME COMPARABLES WERE USED TO ANALYZE EACH LOT. COMPARABLES #4 AND #5 HAVE BEEN ADJUSTED FOR MARKET CONDITIONS DUE TO THE DATES OF SALE. COMPARABLES #5 AND #6 HAVE BEEN ADJUSTED FOR SLIGHTLY INFERIOR LOCATION. COMP. #6 IS IN COBB COUNTY BUT IS THE MOST RECENT SALE OF THE COMPARABLES.

BASED ON THE ADJUSTED SALES PRICES, AND SUBJECT TO THE HYPOTHETICAL CONDITION THAT THE EXISTING PARCEL IS DIVIDED TO CREATE THE TWO PROPOSED LOTS, THE MARKET VALUE OF EACH PROPOSED LOT IS \$410,000 EACH (A COMBINED VALUE OF \$820,000).

SALES COMPARISON APPROACH

Assumptions, Limiting Conditions & Scope of Work

File No.: 19100862A

Property Address: 255 Amberidge Trl City: Atlanta State: GA Zip Code: 30328

Client: Ed Levin

Address:

Appraiser: Sandee S Pennington

Address: 5400 Laurel Springs Pkwy # 407, Suwanee, GA 30024-6056

STATEMENT OF ASSUMPTIONS & LIMITING CONDITIONS

- The appraiser will not be responsible for matters of a legal nature that affect either the property being appraised or the title to it. The appraiser assumes that the title is good and marketable and, therefore, will not render any opinions about the title. The property is appraised on the basis

of it being under responsible ownership.

- The appraiser may have provided a sketch in the appraisal report to show approximate dimensions of the improvements, and any such sketch

is included only to assist the reader of the report in visualizing the property and understanding the appraiser's determination of its size. Unless otherwise indicated, a Land Survey was not performed.

- If so indicated, the appraiser has examined the available flood maps that are provided by the Federal Emergency Management Agency (or other

data sources) and has noted in the appraisal report whether the subject site is located in an identified Special Flood Hazard Area. Because the appraiser is not a surveyor, he or she makes no guarantees, express or implied, regarding this determination.

- The appraiser will not give testimony or appear in court because he or she made an appraisal of the property in question, unless specific arrangements to do so have been made beforehand.

- If the cost approach is included in this appraisal, the appraiser has estimated the value of the land in the cost approach at its highest and best

use, and the improvements at their contributory value. These separate valuations of the land and improvements must not be used in conjunction

with any other appraisal and are invalid if they are so used. Unless otherwise specifically indicated, the cost approach value is not an insurance

value, and should not be used as such.

- The appraiser has noted in the appraisal report any adverse conditions (including, but not limited to, needed repairs, depreciation, the presence

of hazardous wastes, toxic substances, etc.) observed during the inspection of the subject property, or that he or she became aware of during the

normal research involved in performing the appraisal. Unless otherwise stated in the appraisal report, the appraiser has no knowledge of any hidden or unapparent conditions of the property, or adverse environmental conditions (including, but not limited to, the presence of hazardous wastes, toxic substances, etc.) that would make the property more or less valuable, and has assumed that there are no such conditions and makes no guarantees or warranties, express or implied, regarding the condition of the property. The appraiser will not be responsible for any such conditions that do exist or for any engineering or testing that might be required to discover whether such conditions exist. Because the appraiser is not an expert in the field of environmental hazards, the appraisal report must not be considered as an environmental assessment of

the property.

- The appraiser obtained the information, estimates, and opinions that were expressed in the appraisal report from sources that he or she considers to be reliable and believes them to be true and correct. The appraiser does not assume responsibility for the accuracy of such items

that were furnished by other parties.

- The appraiser will not disclose the contents of the appraisal report except as provided for in the Uniform Standards of Professional Appraisal Practice, and any applicable federal, state or local laws.

- If this appraisal is indicated as subject to satisfactory completion, repairs, or alterations, the appraiser has based his or her appraisal report and valuation conclusion on the assumption that completion of the improvements will be performed in a workmanlike manner.

- An appraiser's client is the party (or parties) who engage an appraiser in a specific assignment. Any other party acquiring this report from the

client does not become a party to the appraiser-client relationship. Any persons receiving this appraisal report because of disclosure requirements

applicable to the appraiser's client do not become intended users of this report unless specifically identified by the client at the time of the assignment.

- The appraiser's written consent and approval must be obtained before this appraisal report can be conveyed by anyone to the public, through advertising, public relations, news, sales, or by means of any other media, or by its inclusion in a private or public database.

- An appraisal of real property is not a 'home inspection' and should not be construed as such. As part of the valuation process, the appraiser performs a non-invasive visual inventory that is not intended to reveal defects or detrimental conditions that are not readily apparent. The presence

of such conditions or defects could adversely affect the appraiser's opinion of value. Clients with concerns about such potential negative factors

are encouraged to engage the appropriate type of expert to investigate.

The Scope of Work is the type and extent of research and analyses performed in an appraisal assignment that is required to produce credible assignment results, given the nature of the appraisal problem, the specific requirements of the intended user(s) and the intended use of the appraisal report. Reliance upon this report, regardless of how acquired, by any party or for any use, other than those specified in this report by

the Appraiser, is prohibited. The Opinion of Value that is the conclusion of this report is credible only within the context of the Scope of Work, Effective Date, the Date of Report, the Intended User(s), the Intended Use, the stated Assumptions and Limiting Conditions, any Hypothetical Conditions and/or Extraordinary Assumptions, and the Type of Value, as defined herein. The appraiser, appraisal firm, and related parties assume no obligation, liability, or accountability, and will not be responsible for any unauthorized use of this report or its conclusions.

Certifications

File No.: 19100862A

Property Address: 255 Amberidge Trl		City: Atlanta		State: GA		Zip Code: 30328	
Client: Ed Levin		Address:					
Appraiser: Sandee S Pennington		Address: 5400 Laurel Springs Pkwy # 407, Suwanee, GA 30024-6056					
APPRAISER'S CERTIFICATION							
I certify that, to the best of my knowledge and belief:- The statements of fact contained in this report are true and correct.- The credibility of this report, for the stated use by the stated user(s), of the reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.- I have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.- I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.- My engagement in this assignment was not contingent upon developing or reporting predetermined results.- My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.- My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice that were in effect at the time this report was prepared.- I did not base, either partially or completely, my analysis and/or the opinion of value in the appraisal report on the race, color, religion, sex, handicap, familial status, or national origin of either the prospective owners or occupants of the subject property, or of the present owners or occupants of the properties in the vicinity of the subject property. - Unless otherwise indicated, I have made a personal inspection of the property that is the subject of this report.- Unless otherwise indicated, no one provided significant real property appraisal assistance to the person(s) signing this certification. I have not completed any services on the subject property in the past three years.							
DEFINITION OF MARKET VALUE * :Market value means the most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:							
1. Buyer and seller are typically motivated;							
2. Both parties are well informed or well advised and acting in what they consider their own best interests;							
3. A reasonable time is allowed for exposure in the open market;							
4. Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and							
5. The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.							
* This definition is from regulations published by federal regulatory agencies pursuant to Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act (FIRREA) of 1989 between July 5, 1990, and August 24, 1990, by the Federal Reserve System (FRS), National Credit Union Administration (NCUA), Federal Deposit Insurance Corporation (FDIC), the Office of Thrift Supervision (OTS), and the Office of Comptroller of the Currency (OCC). This definition is also referenced in regulations jointly published by the OCC, OTS, FRS, and FDIC on June 7, 1994, and in the Interagency Appraisal and Evaluation Guidelines, dated October 27, 1994.							
Client Contact: Order Individual				Client Name: Ed Levin			
E-Mail:				Address:			
APPRAISER				SUPERVISORY APPRAISER (if required) or CO-APPRAISER (if applicable)			
							
Appraiser Name: Sandee S Pennington				Supervisory or Co-Appraiser Name:			
Company: D.S. Murphy & Associates				Company:			
Phone: (678) 584-5900 Fax:				Phone: Fax:			
E-Mail: spennington@dsdmurphy.com				E-Mail:			
Date Report Signed: 10/31/2019				Date Report Signed:			
License or Certification #: CG285157 State: GA				License or Certification #: State:			
Designation:				Designation:			
Expiration Date of License or Certification: 07/31/2020				Expiration Date of License or Certification:			
Inspection of Subject: ☒ Interior & Exterior ☐ Exterior Only ☐ None				Inspection of Subject: ☐ Interior & Exterior ☐ Exterior Only ☐ None			
Date of Inspection: 10/29/2019				Date of Inspection:			

SIGNATURES

Supplemental Addendum

File No. 19100862A

Borrower/Client	N/A						
Property Address	255 Amberidge Trl						
City	Atlanta	County	Fulton	State	GA	Zip Code	30328
Lender							

CERTIFICATION

I certify that, to the best of my knowledge and belief:

- The statements of fact contained in this report are true and correct.
- The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.
- I have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.
- I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
- My engagement in this assignment was not contingent upon developing or reporting predetermined results.
- My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics & Standards of Professional Appraisal Practice of the Appraisal Institute, which include the *Uniform Standards of Professional Appraisal Practice*.
- The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
- I have made a personal inspection of the property that is the subject of this report.
- No one provided significant real property appraisal assistance to the person signing this certification.

ADDITIONAL CERTIFICATIONS CONTINUED:

This appraisal was prepared in conformity with The Georgia Real Estate Appraiser and Real Estate Appraisal Management Company Classification And Regulation Act and The Rules and Regulations of The Georgia Real Estate Appraisers Board and USPAP.

The appraiser has no current or prospective interest in the subject property or parties involved.

The appraiser has performed no services regarding the subject property, including (but not limited to) appraisal work, in the 3 years preceding acceptance of this assignment.

The appraiser has performed all aspects of the valuation process free of undue pressure.

The county records show that foreclosure activity has been present over the last several years. At times, it has contributed to increased inventories and an erosion of prices. While foreclosure activity is a factor, it is but one factor. Overall economic conditions also contribute to the market's overall performance and trends. The comparable sale search takes into account arm's length transactions, foreclosure resales and other distressed sales and, therefore, should reflect the effect of foreclosure resales and distressed sales on the market.

Exposure Time:

The estimate of market value for the subject property assumes a reasonable exposure time estimated between 2 to 3 months.

Appraiser has based this estimate upon a blend of a reconciliation of closed sales in grid and may also have included some other sales considered and not included in the grid as well as appraiser's experience and knowledge in the local and competing market.

GP : Intended Use/Intended User Statement

Clarification of intended use and intended user:

The intended user of this appraisal report is the client named in this report. The intended use is to evaluate the property that is the subject of this appraisal for personal purposes, subject to the stated scope of work, purpose of the appraisal, reporting requirements of this appraisal report form, and definition of market value. No additional intended users are identified by the appraiser.

The scope of this appraisal is to estimate the market value of the subject on the date of inspection. A comparison is then made of similar properties which have sold. The function of the appraisal is to assist the client in evaluating the property for personal purposes.

FEE DISCLOSURE: \$1,000

Supplemental Addendum

File No. 19100862A

Borrower/Client	N/A					
Property Address	255 Amberidge Trl					
City	Atlanta	County	Fulton	State	GA	Zip Code 30328
Lender						

ADDITIONAL NOTES

According to the client, he is engaged in a pending contract for the purchase of 255 Amberidge Trail, Atlanta, GA with a purchase price of \$650,000. The contract was not provided to the appraiser.

Subject Photo Page

Borrower/Client	N/A						
Property Address	255 Amberidge Trl						
City	Atlanta	County	Fulton	State	GA	Zip Code	30328
Lender							



Subject

255 Amberidge Trl
Sales Price NA
Gross Living Area
Total Rooms
Total Bedrooms
Total Bathrooms 3.1
Location SUBURBAN
View AVERAGE
Site 1.2056
Quality AVERAGE
Age



Street Scene-Amberidge



Street Scene-River Valley

Photograph Addendum

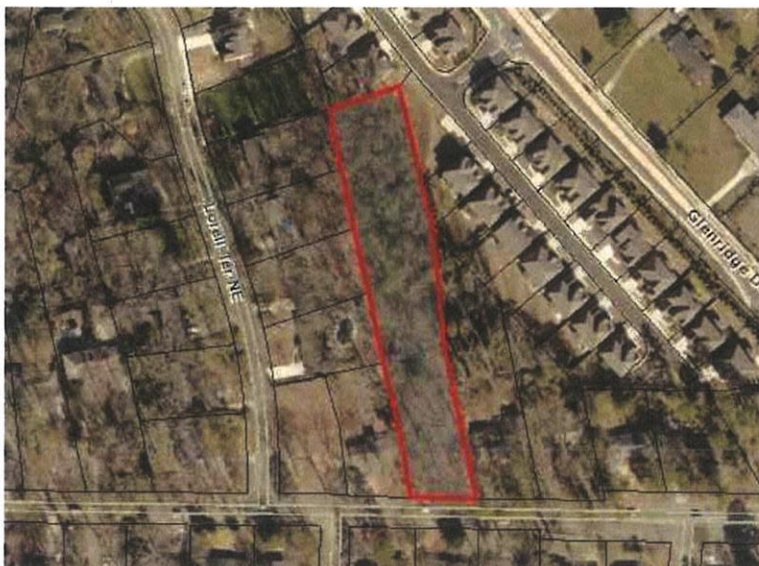
Borrower/Client	N/A					
Property Address	255 Amberidge Trl					
City	Atlanta	County	Fulton	State	GA	Zip Code 30328
Lender						



Split Parcel Construction Across the
Street from Subject

Comparable Photo Page

Borrower/Client	N/A					
Property Address	255 Amberidge Trl					
City	Atlanta	County	Fulton	State	GA	Zip Code 30328
Lender						



Comparable 1

610 Hammond Dr
 Prox. to Subject 1.96 miles SE
 Sales Price 750,000
 Gross Living Area
 Total Rooms
 Total Bedrooms
 Total Bathrooms
 Location SUBURBAN
 View
 Site 1.62
 Quality
 Age



Comparable 2

178 Johnson Ferry Rd NW
 Prox. to Subject 0.36 miles E
 Sales Price 665,000
 Gross Living Area
 Total Rooms
 Total Bedrooms
 Total Bathrooms
 Location SUBURBAN
 View
 Site 2.03
 Quality
 Age



Comparable 3

765 Old Post Rd
 Prox. to Subject 1.52 miles SW
 Sales Price 590,000
 Gross Living Area
 Total Rooms
 Total Bedrooms
 Total Bathrooms
 Location SUBURBAN
 View
 Site 1.323
 Quality
 Age

Comparable Photo Page

Borrower/Client	N/A						
Property Address	255 Amberidge Trl						
City	Atlanta	County	Fulton	State	GA	Zip Code	30328
Lender							



Comparable 4

6575 Bridgewood Valley Rd
 Prox. to Subject 0.64 miles SW
 Sales Price 402,000
 Gross Living Area
 Total Rooms
 Total Bedrooms
 Total Bathrooms
 Location SUBURBAN
 View
 Site 0.746
 Quality
 Age



Comparable 5

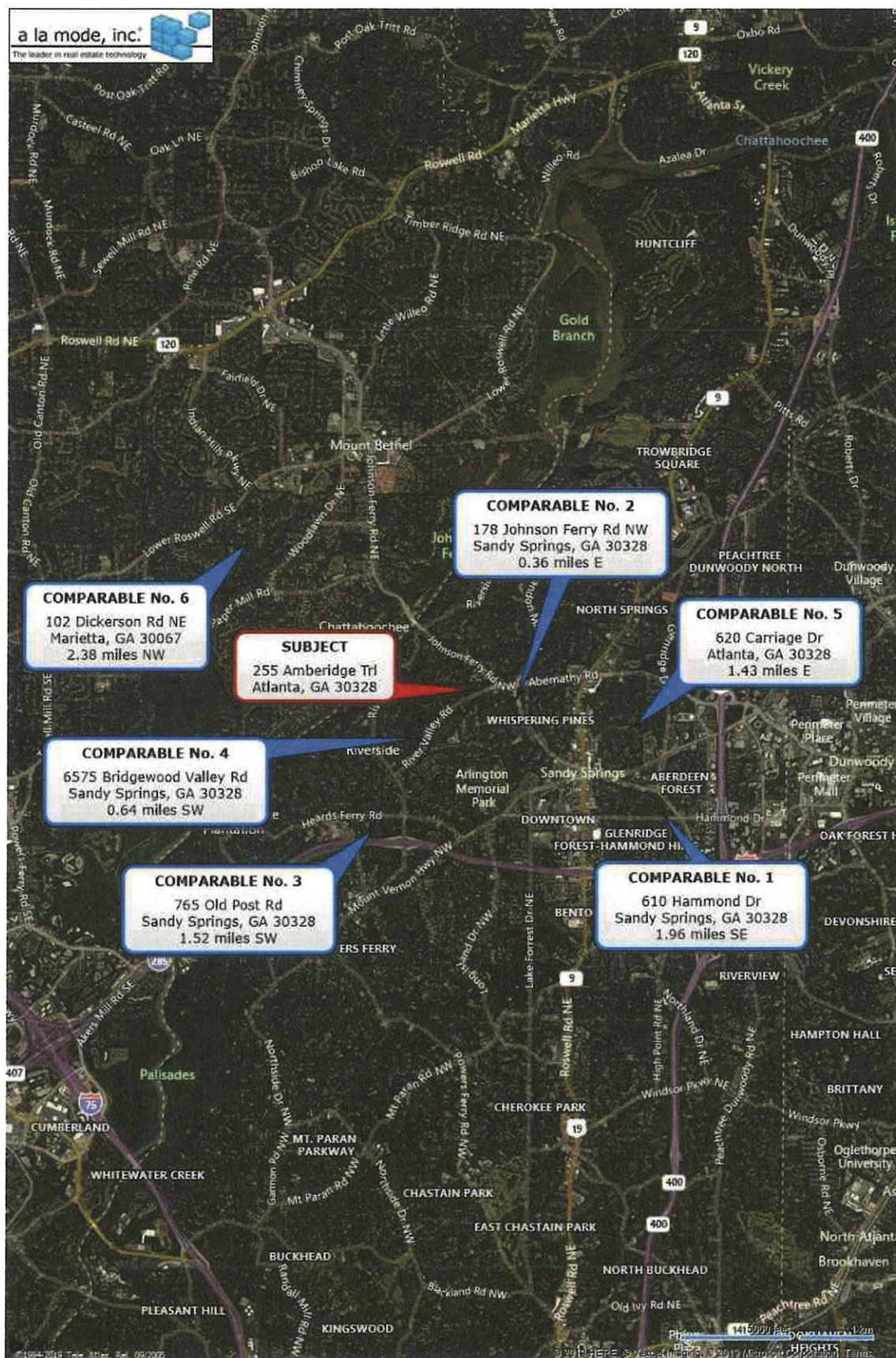
620 Carriage Dr
 Prox. to Subject 1.43 miles E
 Sales Price 292,000
 Gross Living Area
 Total Rooms
 Total Bedrooms
 Total Bathrooms
 Location SUBURBAN
 View
 Site 0.38
 Quality
 Age



Comparable 6

102 Dickerson Rd NE
 Prox. to Subject 2.38 miles NW
 Sales Price 400,000
 Gross Living Area
 Total Rooms
 Total Bedrooms
 Total Bathrooms
 Location SUBURBAN
 View
 Site 0.52
 Quality
 Age

Borrower/Client	N/A						
Property Address	255 Amberidge Trl						
City	Atlanta	County	Fulton	State	GA	Zip Code	30328
Lender							



Tax Aerial



STATE OF GEORGIA REAL ESTATE APPRAISERS BOARD

SANDEE S PENNINGTON

285157

IS AUTHORIZED TO TRANSACT BUSINESS IN GEORGIA AS A
CERTIFIED GENERAL REAL PROPERTY APPRAISER

THE PRIVILEGE AND RESPONSIBILITIES OF THIS APPRAISER CLASSIFICATION SHALL CONTINUE IN EFFECT AS LONG AS THE APPRAISER PAYS REQUIRED APPRAISER FEES AND COMPLIES WITH ALL OTHER REQUIREMENTS OF THE OFFICIAL CODE OF GEORGIA ANNOTATED, CHAPTER 43-39-A. THE APPRAISER IS SOLELY RESPONSIBLE FOR THE PAYMENT OF ALL FEES ON A TIMELY BASIS.

D. SCOTT MURPHY
Chairperson

JEFF A. LAWSON
Vice Chairperson

JEANMARIE HOLMES
WILLIAM A. MURRAY
KEITH STONE

37276477

SANDEE S PENNINGTON

285157
Status ACTIVE

**CERTIFIED GENERAL REAL PROPERTY
APPRAISER**

THIS LICENSE EXPIRES IF YOU FAIL TO PAY
RENEWAL FEES OR IF YOU FAIL TO COMPLETE ANY
REQUIRED EDUCATION IN A TIMELY MANNER.

State of Georgia
Real Estate Commission
Suite 1000 - International Tower
229 Peachtree Street, N.E.
Atlanta, GA 30303-1605

ORIGINALLY LICENSED
03/25/2005
END OF RENEWAL
07/31/2020



LYNN DEMPSEY
Real Estate Commissioner

37276477

SANDEE S PENNINGTON

285157
Status ACTIVE

**CERTIFIED GENERAL REAL PROPERTY
APPRAISER**

THIS LICENSE EXPIRES IF YOU FAIL TO PAY
RENEWAL FEES OR IF YOU FAIL TO COMPLETE ANY
REQUIRED EDUCATION IN A TIMELY MANNER.

State of Georgia
Real Estate Commission
Suite 1000 - International Tower
229 Peachtree Street, N.E.
Atlanta, GA 30303-1605



LYNN DEMPSEY
Real Estate Commissioner

37276477

RECEIVED

NOV 01 2019

City of Sandy Springs
Community Development

DESIGN-CONSTRUCTION
by
CRAFTMASTER, INC.

December 31, 2019

Louisa Tover, Planner
City of Sandy Springs

Re: BU19-0001
Second Community Meeting

RECEIVED
01/02/2020
8:07:55 AM
louisa.tovar
DOC123119.pdf

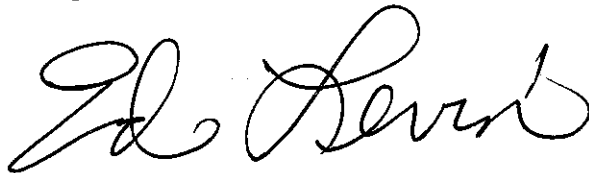


Louisa,

Regarding the Second Community Meeting for the rezoning of the property located at 255 Amberidge Trail held on December 4th, 2019, there isn't much to report. In attendance were myself, the owners of the property (Harvey and Margaret Levitt), Madalyn Smith from the City of Sandy Springs and one Homeowner. The homeowner, David Elam, was unable to attend the first meeting and just wanted to find out about the plans for rezoning. He stayed only for about 15 minutes and left having no problems with the proposal. No one else showed up so the rest of us left soon after.

I have not been contacted by phone nor email with any questions, concerns or conflicts regarding the proposed rezoning.

Sincerely,



Edward J. Levin, President
Design Construction by Craftmaster, Inc.

January 8, 2020

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

RE: Zoning Comments for January 2020 (BU19-0001)

Dear Ms. Tovar:

The following are comments by the Environmental Health Services (EHS) Division and the Environmental Justice (EJ) Program of the Fulton County Board of Health. These comments are in reference to the case which was previously received from your office.

CASE	ZONING COMMENTS
RZ19-0001 (255 Amberidge Trail)	<u>EHS Comments</u> • Prior to the approval of any plat by the appropriate jurisdiction, the Environmental Health Services Division of the Fulton County Board of Health shall review and approve the plat regarding water supply and sewage disposal. No person may sell, offer for sale, lease, begin construction or otherwise begin the physical improvement of an exemption plat development, nor shall a building permit be issued in any form until all requirements set forth by the Fulton County Board of Health have been met. • Fulton County Board of Health will require that the proposed site be connected to public water available to the site. • If public sanitary sewer is available to the site, the Fulton County Board of Health will require mandatory connection. Public sanitary sewer is considered available if the property is within 200 feet of the nearest property line such distance being measured along the appropriate natural drainage course (gravity flow). • If public sewer is unavailable to the site, this Department will require that each lot be a minimum of 43,560 square feet and have 30,000 square feet minimum usable area to be considered for use of onsite sewage management systems. This Department will require all necessary percolation and soil data, required layouts, and supportive data be submitted for review and determined acceptable prior to preliminary

CASE	ZONING COMMENTS
	plat and/or Land Disturbance Permit (LDP) approval. • Since this proposed development constitutes a premise where people live, sanitary facilities will be mandatory prior to use or occupancy. • This department is requiring that all existing structures to be demolished must be inspected by a certified pest control operator to insure that the premise is rat free. If evidence of rodent infestation is found, the property must be baited prior to demolition. • If this property includes an existing individual onsite sewage management system(s), and the system(s) will be abandoned, it shall be abandoned in accordance with Fulton County regulations. • If this property includes an existing individual onsite water supply system(s) and the system(s) will be abandoned, it shall be abandoned in accordance with Fulton County Code of Ordinance and Code of Resolutions, Chapter 34 –Health and Sanitation, Article IV – Drinking Water. <u>General Public Health and EJ Comments</u> • Since this proposed development is not considered an environmentally adverse use, Fulton County Board of Health does not anticipate any adverse impacts to the health of humans or the environment in Fulton County by approving the rezoning from RD-27 to RD-18 to allow for the development of two (2) single-family residences.

If you have any questions related to the EHS comments, you may contact Edward Smith at 404-613-1808 or by e-mail at Ellis.Jones@fultoncountyga.gov. All questions related to the broader public health and/or environmental justice comments should be directed to me by telephone at 404-613-1491 or e-mail at Monica.Robinson@fultoncountyga.gov.

Sincerely,



Monica M. Robinson, B.S., M.B.A.
Director, Office of Performance Management and Strategy
Environmental Justice Program

cc: Edward Smith, Interim Deputy Director, Environmental Health

From: noreply@sandyspringsga.gov
Sent: Wednesday, February 19, 2020 11:04 PM
To: Anspach, Matthew; Tovar, Louisa; Smith, Madalyn; Horst, Alexandra
Subject: Sandy Springs, GA: Rezoning or Use Permit Case Comment

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

A new entry to a form/survey has been submitted.

Form Name: Petition Comment Form - Zoning Map Amendments (Rezoning) / Conditional Use Permits
Date & Time: 02/19/2020 11:04 pm
Response #: 712
Submitter ID: 32378
IP address: 2600:387:2:810::1d
Time to complete: 23 min. , 39 sec.

Survey Details

Page 1

Use the form below to send your comments to City staff.

Your Information

1. First Name

Steven

2. Last Name

Rosado

3. Email Address

[REDACTED]

4. Address

[REDACTED]

5. City

Sandy Springs

6. State

Georgia

7. ZIP Code

30328

Petition Information

8. Case Number

[REDACTED]

This number can found on the petition page and begins with RZ or U. If you came to this form by clicking a link on the petition page, it will still be open in another browser tab.

9. Comments

I ask that a few things be considered before the final decision is made. The city's character map was recently completed with the intentions of maintaining quality of life. I don't believe it would be appropriate to revisit what has already been thoroughly examined.

365 River Valley Rd. and 340 Amberidge Trl., both in Sandy Springs, are better examples of what we would like to have in the neighborhood, not 265 River Valley Rd. and 280 Amberidge Trl.

Also please consider the property taxes for 265 River Valley and 280 Amberidge in comparison to 385 River Valley and 365 River Valley (Both are comparable lot sizes and at the entrance of the Amberglades neighborhood).

I believe one single family home on the lot under consideration is the best option for the neighbors and the city.

Let's not second guess the diligent work put into the current character map recently completed and happily supported.

Thank you,
Sandy Springs, GA

This is an automated message generated by the Vision Content Management System™. Please do not reply directly to this email.

Mayor and City Council

June 16, 2020



SANDY SPRINGS™
GEORGIA

BU19-0001

255 Amberidge Trail

PC RECOMMENDATION:
CONDITIONAL APPROVAL

STAFF RECOMMENDATION:
CONDITIONAL APPROVAL

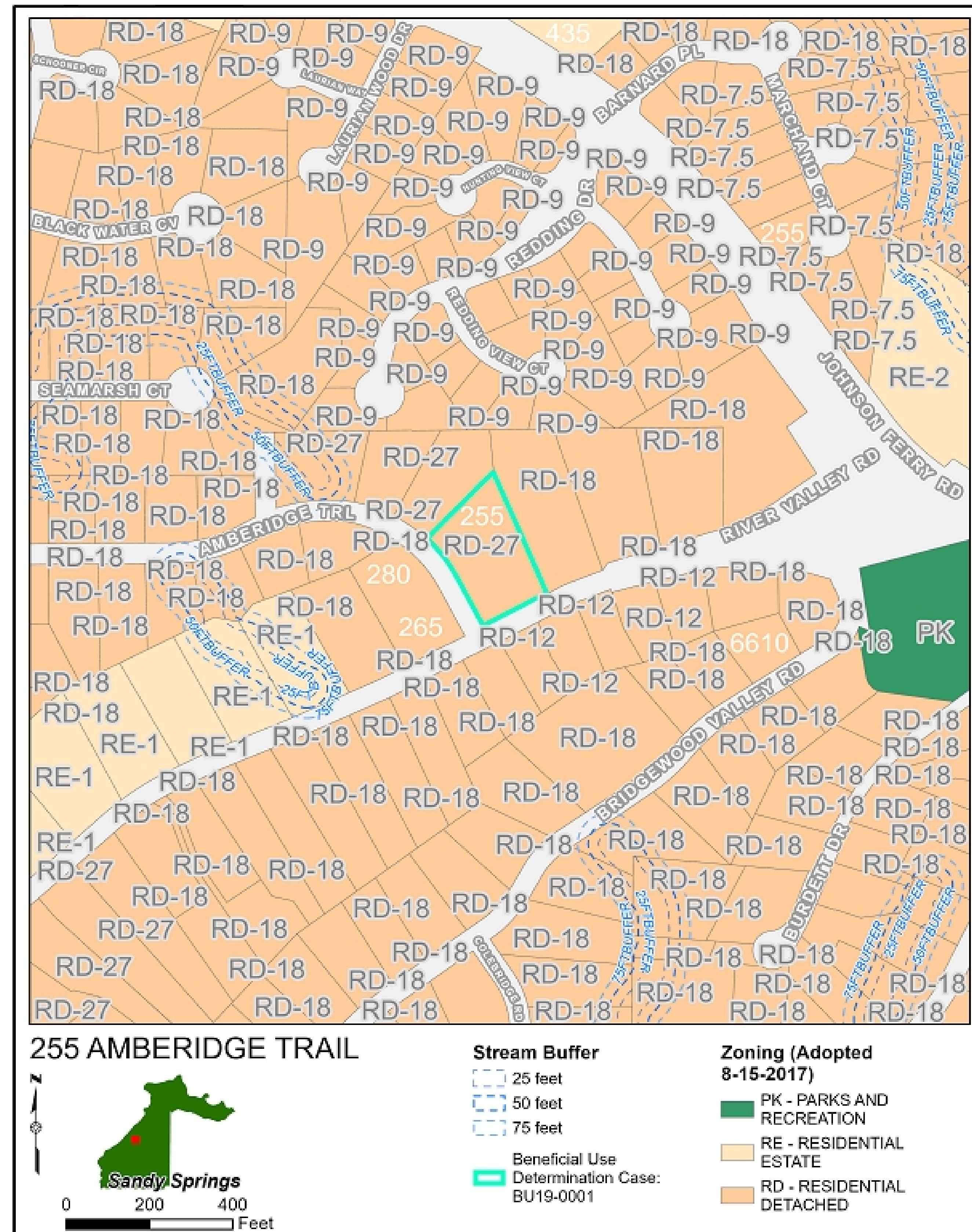
Summary and Proposed Development

- The subject property was zoned R-3 (min. lot area of 18,000 sq. ft.), which is most equivalent to RD-18 (18,000 sq. ft. min. lot area for single unit detached)
- If the lot were RD-18, the applicant would have been able to subdivide into 2 lots “by right”
- However, the property was assigned RD-27 (27,000 sq. ft. min. lot area for single unit detached)
- The property owner is not able to subdivide, as any configuration for a second lot would be deficient by at least 1,485 sq. ft.
- The property owner is of the opinion that the lot’s current zoning has severely diminished economically beneficial use of the land
- The applicant seeks relief through the Beneficial Use Determination in the form of an Official Zoning Map Amendment to rezone the southern portion of the property from RD-27 to RD-18

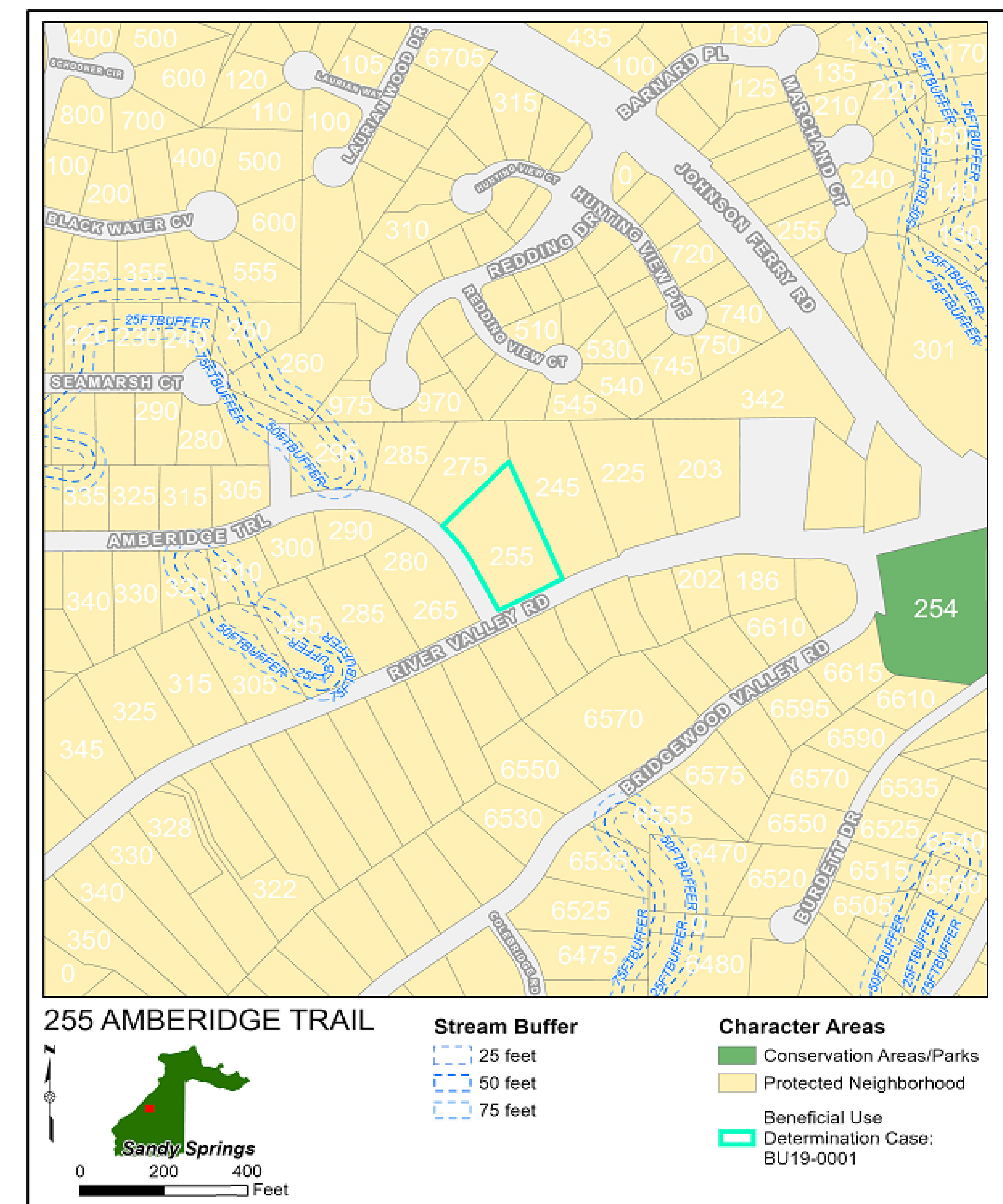
Aerial Image



Zoning Map

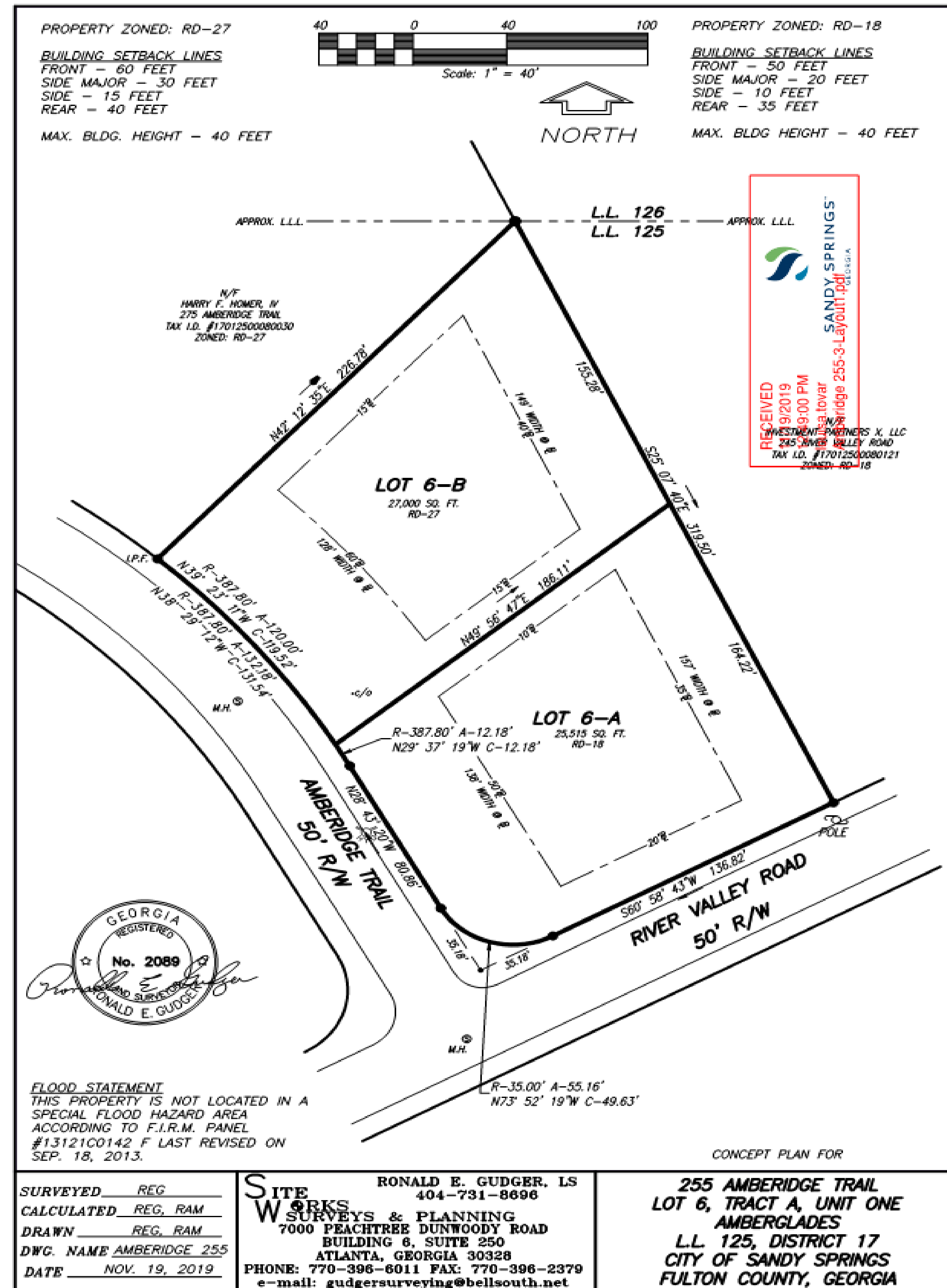


Character Area Map



Site Plan

- Lot 6-B
 - Proposed zoning: RD-27
 - Proposed lot area: 27,000 sq. ft.
- Lot 6-A
 - Proposed zoning: RD-18
 - Proposed lot area: 25,515 sq. ft.



Recommendations



SANDY SPRINGS

CITY CLERK'S OFFICE

TO: Andrea Surratt, City Manager

FROM: Ginger Sottile, Director of Community Development

DATE: June 8, 2020 Submission for the June 16, 2020 Meeting

ITEM: Request for Approval of River Corridor Certificate, RC-20-01SS (6030 Black Water Trail)

Recommendation:

Approval of River Corridor Certificate RC-20-01SS. Proposal was found consistent with the Metropolitan River Protection Act.

Background:

Properties within 2000' of the Chattahoochee River are subject to the Metropolitan River Protection Act. The regulations call for review and approval by the Atlanta Regional Commission (ARC), a public hearing and approval by the local governing authority, and issuance of a Metro River Certificate. The review focuses on whether the project is consistent with the Chattahoochee Corridor Plan, which limits clearing and impervious surface within the corridor.

This property is approximately 1200 feet from the Chattahoochee River.

Discussion:

The owner of the property is proposing the expansion of an existing deck. The proposed improvement would add approximately 294 SF of impervious surface.

Financial Impact:

N/A

Alternatives:

N/A

Attachments:

1. RC20-0001 Application
2. Regional Review Finding - RC-20-01SS 6030 Black Water Trail
3. 6030 Black Water Trail Map

**APPLICATION FOR
METROPOLITAN RIVER PROTECTION ACT CERTIFICATE**

1. Name of Local Government: City of Sandy Springs
2. Owner(s) of Record of Property to be Reviewed:
Name(s): Hugh and Kathryn Jaussey
Mailing Address: 6030 Blackwater Trail
City: Sandy Springs State: GA Zip: 30328
Contact Phone Numbers (w/Area Code):
Daytime Phone: [REDACTED] Fax: [REDACTED]
Other Numbers: [REDACTED]
3. Applicant(s) or Applicant's Agent(s):
Name(s): Atlanta Decking and Fence
Mailing Address: 5125 Shiloh Rd
City: Cumming State: GA Zip: 30040
Contact Phone Numbers (w/Area Code):
Daytime Phone: 770-781-4641 Fax: 678-947-3387
Other Numbers: [REDACTED]
4. Proposed Land or Water Use:
Name of Development: [REDACTED]
Description of Proposed Use: Expansion of existing deck increasing
imperious surface area of development by 294 sq ft.
5. Property Description (Attach Legal Description and Vicinity Map):
Land Lot(s), District, Section, County: Land Lot 169, ~~17th~~ 17th District,
Fulton County
Subdivision, Lot, Block, Street and Address, Distance to Nearest Intersection: North
Harbor Subdivision, Lot 62, Block B, 6030 Blackwater Trail
Size of Development (Use as Applicable):
Acres: Inside Corridor: 0.48 acre
Outside Corridor: [REDACTED]
Total: 0.48 acre
Lots: Inside Corridor: [REDACTED]
Outside Corridor: [REDACTED]
Total: [REDACTED]
Units: Inside Corridor: [REDACTED]
Outside Corridor: [REDACTED]
Total: [REDACTED]
Other Size Descriptor (i.e., Length and Width of Easement):
Inside Corridor: [REDACTED]
Outside Corridor: [REDACTED]
Total: [REDACTED]

RC20-000155

6030 Blackwater Trail

6. Related Chattahoochee Corridor Development:

A. Does the total development include additional land in the Chattahoochee Corridor that is not part of this application? No

If "yes", describe the additional land and any development plans: _____

B. Has any part of the property in this application, or any right-of-way or easement bordering this land, previously received a certificate or any other Chattahoochee Corridor review approval? No

If "yes", please identify the use(s), the review identification number(s), and the date(s) of the review(s): _____

7. How Will Sewage from this Development be Treated?

A. Septic tank N/A

Note: For proposals with septic tanks, the application must include the appropriate local government health department approval for the selected site.

B. Public sewer system No change

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

Vulnerability Category	Total Acreage (or Sq. Footage)	Total Acreage (or Sq. Footage) Land Disturbance	Total Acreage (or Sq. Footage) Imperv. Surface	Percent Land Disturb. (Maximums Shown In Parentheses)	Percent Imperv. Surf. (Maximums Shown In Parentheses)
A	_____	_____	_____	(90)_____	(75)_____
B	_____	_____	_____	(80)_____	(60)_____
C	_____	_____	_____	(70)_____	(45)_____
D	<u>13,958 sq ft</u>	<u>6,979 sq ft</u>	<u>5,075 sq ft *</u>	<u>(50) 50%</u>	<u>(30) 36.1% *</u>
E	<u>6,980 sq ft</u>	<u>1,650 sq ft</u>	<u>400 sq ft *</u>	<u>(30) 23.6%</u>	<u>(15) 5.7%</u>
F	_____	_____	_____	(10)_____	(2)_____
Total:	<u>20,938 sq ft</u>	<u>8,629 sq ft</u>	<u>5,475 sq ft</u>	N/A	N/A

* Includes a transfer of 592 sq ft of impervious surface from E to D at 1 to 1.5 (592 x 1.5 = 888 sq ft) as per Part 2.A.3c of the Chattahoochee Corridor Plan

9. Is any of this Land within the 100-Year Floodplain of the Chattahoochee River? No

If "yes", indicate the 100-year floodplain elevation: _____

NOTE: For this review, river floodplain is determined from the U.S. Army Corps of Engineers' "Floodplain Information - Chattahoochee River, Buford Dam to Whitesburg, Georgia", November, 1973 and its Supplement of March, 1982.

NOTE: All river 100-year floodplain is assigned to the "E" Category; its allowable allocations can be combined with those of other "E" land in the review. Also, 100-year floodplain cannot be reanalyzed and cannot accept transfers.

10. Is any of this land within the 500-year floodplain of the Chattahoochee River? No

If "yes", indicate the 500-year flood plain elevation: _____

NOTE: Plan Standards include a 35-foot height limit above the pre-construction grade within the 500-year floodplain (includes the 100-year floodplain). Adherence to this standard must be noted on the submitted plans (see Part 2.B.(4) of the Chattahoochee Corridor Plan).

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

FOR ALL APPLICATIONS:

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

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

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

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

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

____ Existing vegetation plan.

____ Proposed grading plan.

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

____ Approved erosion control plan.

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

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

____ Documentation on adjustments, if any.

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

FOR SINGLE-STEP APPLICATIONS (NON-SUBDIVISION):

____ Site plan.

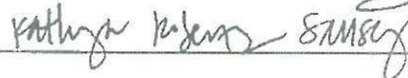
____ Land-disturbance plan.

FOR TWO-STEP SINGLE-FAMILY SUBDIVISION APPLICATIONS ONLY:

____ Concept plan.

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

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

	2/9/2020
	2/9/2020

Signature(s) of Owner(s) of Record

Date

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

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

Date

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

	03/12/2020
Signature of Chief Elected Official or Official's Designee	Date

Radius	Length	Chord	Chord Bear.
215.29'	149.30'	146.33'	S 73°25'17"W

Pre construction: 5186sqft/20933sqft = 24.7%
House: 2190sqft
Driveway/walkway: 2308 sqft
Sunroom: 364 sqft
Deck: 132 sqft
Front Porch: 192 sqft

Post construction: 5510sqft/20933sqft = 26.3%
House: 2190sqft
Driveway/walkway: 2308 sqft
Sunroom: 364 sqft
Deck/stairs: 456 sqft
Front Porch: 192 sqft



SSMH1
TOP=908.35
INV IN=902.65
INV OUT=902.55
SSMH2
TOP=904.63
(A) INV IN=900.93
(B) INV IN=894.83
INV OUT=894.73
SSMH3
TOP=882.33
(A) INV IN=877.03
(B) INV IN=877.03
INV OUT=876.83
SSMH4
TOP=896.01
INV IN=890.11
INV OUT=889.71

FLOOD NOTE:

I HAVE THIS DATE, EXAMINED THE "FLOOD HAZARD MAP" AND FOUND IN MY OPINION REFERENCED PARCEL (S) IS NOT IN AN AREA HAVING SPECIAL FLOOD HAZARDS, WITHOUT AN ELEVATION CERTIFICATION SURVEYOR IS NOT RESPONSIBLE FOR ANY DAMAGE DUE TO ITS OPINION FOR SAID PARCEL
EFFECTIVE DATE: 02/18/2013
ZONE: X
THE FLOOD INFORMATION ON THIS PLAT HAS BEEN DETERMINED AFTER REVIEW OF MAPS WHICH ONLY APPROXIMATE THE LOCATION OF THE APPLICABLE FLOOD HAZARD AREA. A SECOND OPINION OR COMPREHENSIVE FLOOD EVALUATION STUDY IS SUGGESTED FOR MORE ACCURATE INFORMATION. FOR FURTHER INFORMATION CONTACT THE LOCAL DRAINAGE DEPARTMENT, CORPS OF ENGINEERS AND INSURANCE COMPANY OR AN APPRAISER.

THIS PLAT WAS PREPARED TO SHOW THE APPROXIMATE LOCATION OF THE IMPROVEMENTS AND IS NOT RECORDEABLE. FENCES SHOULD NOT BE PLACED USING SIDE DIMENSIONS FROM HOUSE.
ALL MATTERS OF TITLE ARE EXCEPTED. THIS PLAT IS SUBJECT TO ALL LEGAL EASEMENTS AND RIGHT-OF-WAY PUBLIC OR PRIVATE.

NOTE A
UNABLE TO FIELD VERIFY AT THE TIME OF SURVEY EXACT PIPE LOCATION WITHOUT EXCAVATION

PROPERTY IS ZONED RD-27
CITY OF SANDY SPRINGS
BUILDING SETBACK:
FRONT: 60'
SIDE: 15'
REAR: 40'
MAX LOT COVERAGE 30%
MAX BUILDING HEIGHT 40'

SURVEY NOTES:

1. STORM SEWER, SANITARY SEWER AND OTHER BURIED UTILITIES MAY HAVE BEEN PAVED OR COVERED OVER. THE LOCATION OF UNDERGROUND UTILITIES AS SHOWN HEREON ARE BASED ON ABOVE GROUND STRUCTURES AND RECORD DRAWINGS PROVIDED TO THE SURVEYOR. LOCATION OF UNDERGROUND UTILITIES MAY VARY FROM LOCATIONS SHOWN HEREON. ADDITIONAL BURIED UTILITIES MAY BE ENCOUNTERED. NO EXCAVATIONS WERE MADE DURING THE PROCESS OF THIS SURVEY TO LOCATE BURIED UTILITIES. BEFORE EXCAVATIONS ARE BEGUN, TELEPHONE, ELECTRIC, WATER AND SEWER, GAS COMPANIES SHOULD BE CONTACTED FOR VERIFICATION OF UTILITY TYPE AND FOR FIELD LOCATIONS.
2. THIS PLAT WAS PREPARED TO SHOW THE APPROXIMATE LOCATION OF THE IMPROVEMENTS AND IS NOT RECORDEABLE. FENCES SHOULD NOT BE PLACED USING SIDE DIMENSIONS FROM THE HOUSE. ALL MATTERS OF THE TITLE ARE EXCEPTED. THIS PLAT IS SUBJECT TO ALL LEGAL EASEMENTS AND RIGHT-OF-WAY PUBLIC OR PRIVATE.
3. The proposed disturbance will not damage or impact the critical root zone of any protected tree.
4. After the permit is issued contact the DCD through the online portal to schedule a Pre-construction meeting with the site inspector prior to any land disturbance, build construction, or demolition.
5. 24/7 contact - David Tibbetts 404-683-4266
6. No relocation of any HVAC units will take place.
7. Only ground disturbance is to hand dig footings - No land disturbance outside of proposed work area.
8. City inspectors may require silt fence or hay bales down slope of any ground disturbance.
9. The placement of dumpsters and the parking of vehicles is prohibited in the right of way.
10. All building will comply with 2018 IRC codes.

ENTRY

THIS SURVEY PLAT OF EXISTING CONDITIONS ON THE PROPERTY MUST BE USED AS A SINGLE STAND ALONE DOCUMENT. CAN NOT BE SCANNED AND ALTERED, CROPPED OR COPY/PASTE OR MODIFIED WITH SURVEY LAND EXPRESS TITLE BLOCK, SURVEYOR'S STAMP AND SIGNATURE. THIS SURVEY PLAT CAN BE ONLY ATTACHED AS A SEPARATE DOCUMENT BY ITSELF TO DEVELOPMENT PROJECTS AND SITERPLANS AND CAN NOT BE INSERTED WITH SURVEY LAND EXPRESS TITLE BLOCK, SURVEYOR'S STAMP AND SIGNATURE TO SOME OTHER DEVELOPMENT PROJECTS PREPARED BY ANY OTHER PARTY WITHOUT WRITTEN APPROVAL AND ORIGINAL BLUE INK SIGNATURE OF THE SURVEYOR OF RECORD.

EXISTING LOT COVERAGE DETAIL

TOTAL: 5186.09 SF

TOTAL LAND AREA
20933.08 SF / 0.480 AC

ALLOWABLE LOT COVERAGE
6279.92 SF / 0.144 AC / 30%
EXISTING LOT COVERAGE
5186.09 SF / 0.119 AC / 24.7%

** any marks, notes or changes made were prepared by Samuel Tibbetts **

Existing driveway may be used as construction entrance/exit provided that all construction vehicles are confined to existing paved areas on site. Any tracking of dirt, mud, silt etc. onto street will result in a "stop work" order. "Stop work" order will not be lifted until a construction entrance/exit in accordance with the current detail is constructed.

BLACKWATER TRAIL ~ 50' R/W
BC/BC 29'±

LINE INDICATORS
INDICATES SANITARY SEWER LINE
INDICATES POWER LINE
INDICATES WATER LINE
INDICATES GAS LINE
INDICATES FENCE LINE
INDICATES DRAINAGE LINE

SCALE 1" = 20'

LOT 62	BLOCK B
NORTH HARBOR SUBDIVISION	UNIT 3
LAND LOT 169 17TH DISTRICT	SECTION
FULTON COUNTY, GEORGIA	DB 58482/ PG 164
FIELD WORK DATE SEP 2, 2019	PRINTED/SIGNED SEP 6, 2019
ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED	PAPER SIZE 17" x 22"
AU 20171617	DWG 120191853

EXISTING CONDITIONS SURVEY PREPARED FOR: SHEET 1 OF 1

HUGH STEPHEN SAUSSY

PROPERTY ADDRESS:
6030 BLACKWATER TRAIL
SANDY SPRINGS, GA 30328



SURVEY LAND EXPRESS, INC
LAND SURVEYING SERVICES

24 LENOX PONTE
ATLANTA, GA 30324
FAX 404-601-0941
TEL 404-252-5747
INFO@SURVEYLANDEXPRESS.COM

Radius	Length	Chord	Chord Bear.
215.29	149.30'	146.33'	S 73°25'17"W



SSMH1
TOP=908.35
INV IN=902.65
INV OUT=902.55

SSMH2
TOP=904.63
(A) INV IN=900.93
(B) INV IN=894.83
INV OUT=894.73

SSMH3
TOP=882.33
(A) INV IN=877.03
(B) INV IN=877.03
INV OUT=876.83

SSMH4
TOP=896.01
INV IN=890.11
INV OUT=889.71

FLOOD NOTE:
I HAVE THIS DATE, EXAMINED THE "FIA" IN MY OPINION REFERENCED PARCEL. SPECIAL FLOOD HAZARDS, WITHOUT AN IS NOT RESPONSIBLE FOR ANY DAMAGE. MAP ID: 12521021407 EFFE:
ZONE: X
THE FLOOD INFORMATION ON THIS PLAT REVIEW OF MAPS WHICH ONLY APPROXIMATE APPLICABLE FLOOD HAZARD AREA A SEC FLOOD EVALUATION STUDY IS SUGGESTED INFORMATION. FOR FURTHER INFORMATIVE DRAINAGE DEPARTMENT, CORPS OF ENGR COMPANY OR AN APPRAISER.
THIS PLAT WAS PREPARED TO SHOWN IN THE IMPROVEMENTS AND IS NOT RECORD BE PLACED USING SIDE DIMENSIONS FROM ALL WATERS OF TITLE ARE EXCEPTED. LEGAL EASEMENTS AND RIGHT-OF-WAY.

Pre construction: 5186sqft/20933sqft = 24.7%
House: 2190sqft
Driveway/walkway: 2308 sqft
Swimming: 364 sqft
Deck: 132 sqft
Front Porch: 192 sqft

Post construction: 5510sqft/20933sqft = 26.3%
House: 2190sqft
Driveway/walkway: 2308 sqft
Swimming: 364 sqft
Deck/stairs: 456 sqft
Front Porch: 192 sqft

NOTE A
UNABLE TO FI
TIME OF SURV
LOCATION WITH

PROPERTY IS
CITY OF SANI
BUILDING SET
FRONT: 60'
SIDE: 15'
REAR: 40'
MAX LOT COV
MAX BUILDING

1. The proposed disturbance
2. After the permit is issued
- meeting with the site ins
3. 24/7 contact - David Tibbi
4. No relocation of any HVA
5. Only ground disturbance
6. City inspectors may requi
7. The placement of dumpst
8. All building will comply wi

CATEGORY LINE
ms/sac
3/10/2020

6030
2-STORY FR/BRK
W/BSMT
FFE MAIN 902.57
FFE BSMT 893.75
FFE GARAGE 901.69

Scale 1"= 20'

101.52'(F)
100.0'(P)

DATE: APRIL 7, 2020

ARC REVIEW CODE: V2003181

TO: Mayor Rusty Paul, City of Sandy Springs
ATTN TO: Madalyn Smith, Department of Planning & Development
FROM: Douglas R. Hooker, Executive Director, ARC



Digital signature
Original on file

The Atlanta Regional Commission (ARC) has completed regional review of the following proposal. Below is the ARC finding. The Atlanta Regional Commission reviewed the proposed project with regard to conflicts to regional plans, goals, and policies and impacts it might have on the activities, plans, goals, and policies of other local jurisdictions and state, federal, and other agencies.

Name of Proposal: RC-20-01SS 6030 Black Water Trail

Submitting Local Government: City of Sandy Springs

Review Type: Metro River

Date Opened: March 18, 2020

Date Closed: April 7, 2020

FINDING: ARC staff has completed its review of the application for a MRPA Certificate for this proposed project in the Chattahoochee River Corridor. ARC's finding is that the proposed project is consistent with the Chattahoochee River Corridor Plan.

Additional Comments: Note that the closing of this review was delayed from March 29 to April 7 because of an ARC administrative error. No comments were received.

THE FOLLOWING LOCAL GOVERNMENTS AND AGENCIES RECEIVED NOTICE OF THIS REVIEW:

ARC COMMUNITY DEVELOPMENT
NATIONAL PARK SERVICE-CRNRA
FULTON COUNTY

ARC NATURAL RESOURCES
CHATTAHOOCHEE RIVERKEEPER
DEKALB COUNTY

GEORGIA DEPARTMENT OF NATURAL RESOURCES
GEORGIA CONSERVANCY

If you have any questions regarding this review, please contact Greg Giuffrida at (470) 378-1531 or ggiuffrida@atlantaregional.org. This finding will be published to the ARC website at: <http://www.atlantaregional.org/landuse>.



Chattahoochee River

Riverside Dr

Sandy Springs

~1200 FEET

Old Riverside Dr



SANDY SPRINGS

CITY CLERK'S OFFICE

TO: Andrea Surratt, City Manager
FROM: Ginger Sottile, Director of Community Development
DATE: June 8, 2020 Submission for the June 16, 2020 Meeting
ITEM: Request for Approval of River Corridor Certificate, RC-20-02SS (2125 Clay Drive)

Recommendation:

Approval of River Corridor Certificate RC-20-02SS. Proposal was found consistent with the Metropolitan River Protection Act.

Background:

Properties within 2000' of the Chattahoochee River are subject to the Metropolitan River Protection Act. The regulations call for review and approval by the Atlanta Regional Commission (ARC), a public hearing and approval by the local governing authority, and issuance of a Metro River Certificate. The review focuses on whether the project is consistent with the Chattahoochee Corridor Plan, which limits clearing and impervious surface within the corridor.

This property is approximately 840 feet from the Chattahoochee River.

Discussion:

The owner of the property proposes the construction of a new single family home.

Financial Impact:

N/A

Alternatives:

N/A

Attachments:

1. RC20-0002 Application
2. Regional Review Finding - RC-20-02SS 2125 Clay Drive
3. RC20-0002 Site Plan
4. 2125 Clay Dr Map

**APPLICATION FOR
METROPOLITAN RIVER PROTECTION ACT CERTIFICATE**

1. Name of Local Government: SANDY SPRINGS
2. Owner(s) of Record of Property to be Reviewed:
Name(s): MIKE AND KATHY KIERA
Mailing Address: 1750 LAZY RIVER LANE
City: SANDY SPRINGS State: GIA. Zip: 30350
Contact Phone Numbers (w/Area Code):
Daytime Phone: [REDACTED] Fax: _____
Other Numbers: _____
3. Applicant(s) or Applicant's Agent(s):
Name(s): RLS CONSTRUCTION
Mailing Address: PO BOX 550148
City: ATL. State: GIA. Zip: 30355
Contact Phone Numbers (w/Area Code):
Daytime Phone: 404-846-9600 Fax: _____
Other Numbers: _____
4. Proposed Land or Water Use:
Name of Development: N/A
Description of Proposed Use: SINGLE FAMILY RESIDENCE
5. Property Description (Attach Legal Description and Vicinity Map):
Land Lot(s), District, Section, County: LAND LOT 357, 6th DISTRICT, FULTON CO.
2125 Clay Drive
Subdivision, Lot, Block, Street and Address, Distance to Nearest Intersection: _____
1,682' TO CLAY DRIVE AND SPALDING DRIVE
Size of Development (Use as Applicable):
Acres: Inside Corridor: 3.89 AC
Outside Corridor: _____
Total: 3.89 AC
Lots: Inside Corridor: _____
Outside Corridor: _____
Total: _____
Units: Inside Corridor: _____
Outside Corridor: _____
Total: _____
Other Size Descriptor (i.e., Length and Width of Easement):
Inside Corridor: _____
Outside Corridor: _____
Total: _____

RC20-0002SS

2125 GAY DR

6. Related Chattahoochee Corridor Development:

A. Does the total development include additional land in the Chattahoochee Corridor that is not part of this application? No

If "yes", describe the additional land and any development plans: _____

B. Has any part of the property in this application, or any right-of-way or easement bordering this land, previously received a certificate or any other Chattahoochee Corridor review approval? _____

If "yes", please identify the use(s), the review identification number(s), and the date(s) of the review(s): _____

7. How Will Sewage from this Development be Treated?

A. Septic tank YES PERMIT # OSC06003292

Note: For proposals with septic tanks, the application must include the appropriate local government health department approval for the selected site.

B. Public sewer system _____

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

Vulnerability Category	Total Acreage (or Sq. Footage)	Total Acreage (or Sq. Footage) Land Disturbance	Total Acreage (or Sq. Footage) Imperv. Surface	Percent Land Disturb. (Maximums Shown In Parentheses)	Percent Imperv. Surf. (Maximums Shown In Parentheses)
A	_____	_____	_____	(90)_____	(75)_____
B	_____	_____	_____	(80)_____	(60)_____
C	134,282 SF	29,581 SF	15,681 SF	(70) 22%	(45) 11.7%
D	35,252 SF	10,041 SF	5,137 SF	(50) 28.5%	(30) 14.6%
E	_____	_____	_____	(30)_____	(15)_____
F	_____	_____	_____	(10)_____	(2)_____
Total:	_____	_____	_____	N/A	N/A

9. Is any of this Land within the 100-Year Floodplain of the Chattahoochee River? YES

If "yes", indicate the 100-year floodplain elevation: 875

NOTE: The 100-year river floodplain is defined as the natural land surface below the one hundred- (100) year flood elevations shown in the Flood Profiles of the most recent floodplain study for the Chattahoochee River approved by the United States Federal Emergency Management Agency for each Corridor jurisdiction.

NOTE: All river 100-year floodplain is assigned to the "E" Category; its allowable allocations can be combined with those of other "E" land in the review. Also, 100-year floodplain cannot be reanalyzed and cannot accept transfers.

10. Is any of this land within the 500-year floodplain of the Chattahoochee River? No

If "yes", indicate the 500-year flood plain elevation: _____

NOTE: The 500-year floodplain is defined as the natural land surface below the five hundred- (500) year flood elevations shown in the Flood Profiles of the most recent floodplain study for the Chattahoochee River approved by the United States Federal Emergency Management Agency for each Corridor jurisdiction.

NOTE: Plan Standards include a 35-foot height limit above the pre-construction grade within the 500-year floodplain (includes the 100-year floodplain). Adherence to this standard must be noted on the submitted plans (see Part 2.B.(4) of the Chattahoochee Corridor Plan).

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

FOR ALL APPLICATIONS:

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

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

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

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

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

____ Existing vegetation plan.

____ Proposed grading plan.

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

____ Approved erosion control plan.

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

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

____ Documentation on adjustments, if any.

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

FOR SINGLE-STEP APPLICATIONS (NON-SUBDIVISION):

____ Site plan.

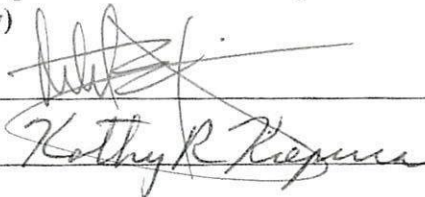
____ Land-disturbance plan.

FOR TWO-STEP SINGLE-FAMILY SUBDIVISION APPLICATIONS ONLY:

____ Concept plan.

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

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



Kathy R. Kerpner

3/9/2020

3/9/2020

Signature(s) of Owner(s) of Record

Date

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

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

Date

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



Signature of Chief Elected Official or Official's Designee

03/13/2020

Date

DATE: April 7, 2020

ARC REVIEW CODE: V2003261

TO: Mayor Rusty Paul, City of Sandy Springs
ATTN TO: Madalyn Smith, Department of Planning & Development
FROM: Douglas R. Hooker, Executive Director, ARC


Digital signature
Original on file

The Atlanta Regional Commission (ARC) has completed regional review of the following proposal. Below is the ARC finding. The Atlanta Regional Commission reviewed the proposed project with regard to conflicts to regional plans, goals, and policies and impacts it might have on the activities, plans, goals, and policies of other local jurisdictions and state, federal, and other agencies.

Name of Proposal: RC-20-02SS 2125 Clay Drive

Submitting Local Government: City of Sandy Springs

Review Type: Metro River

Date Opened: March 26, 2020

Date Closed: April 7, 2020

FINDING: ARC staff has completed its review of the application for a MRPA Certificate for this proposed project in the Chattahoochee River Corridor. ARC's finding is that the proposed project is consistent with the Chattahoochee River Corridor Plan.

Additional Comments: No comments received.

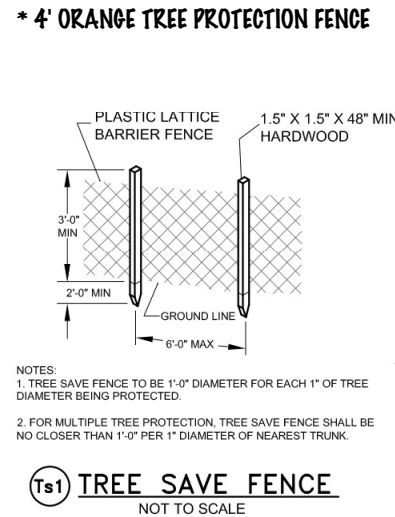
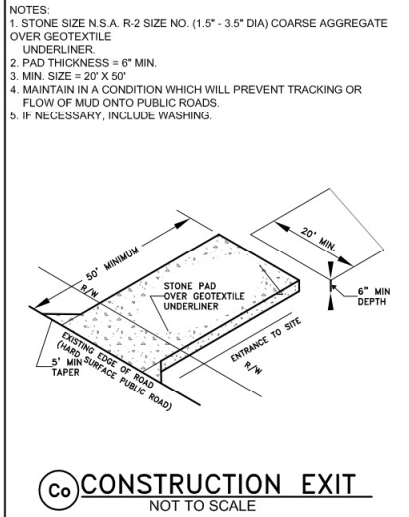
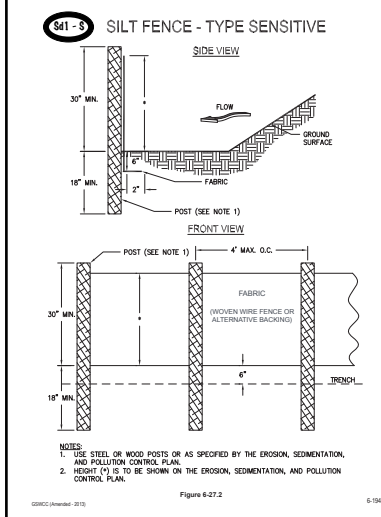
THE FOLLOWING LOCAL GOVERNMENTS AND AGENCIES RECEIVED NOTICE OF THIS REVIEW:

ARC COMMUNITY DEVELOPMENT
NATIONAL PARK SERVICE-CRNRA
FULTON COUNTY

ARC NATURAL RESOURCES
CHATTAHOOCHEE RIVERKEEPERS
DEKALB COUNTY

GEORGIA DEPARTMENT OF NATURAL RESOURCES
GEORGIA CONSERVANCY

If you have any questions regarding this review, please contact Greg Giuffrida at (470) 378-1531 or ggiuffrida@atlantaregional.org. This finding will be published to the ARC website at: <http://www.atlantaregional.org/landuse>.

[illegible]

*ANY DISTURBED AREAS LEFT IDLE FOR A PERIOD GREATER THAN 14 DAYS SHALL BE STABILIZED WITH TEMPORARY SEEDING; DISTURBED AREAS IDLE 30 DAYS SHALL BE STABILIZED WITH PERMANENT VEGETATION.

*PLAN PREPARER AFFIRMS THAT THE SITE WAS VISITED PRIOR TO PREPARATION OF THIS SITE PLAN

****NO TREE REMOVED
DURING THE DEMO PROCESS**

OWNER: MIKE & KATHY KIEPURA
2125 CLAY DRIVE
SANDY SPRINGS, GEORGIA 30350
MB: 770.639.5298

"THIS SITE IS NOT LOCATED WITHIN A ZONE (ZONE X)
AS DEFINED BY F.I.R.M. COMMUNITY PANEL NUMBER:
13121C 01526, FOR UNINCORPORATED FULTON COUNTY,
GEORGIA. DATED SEPTEMBER 18, 2013

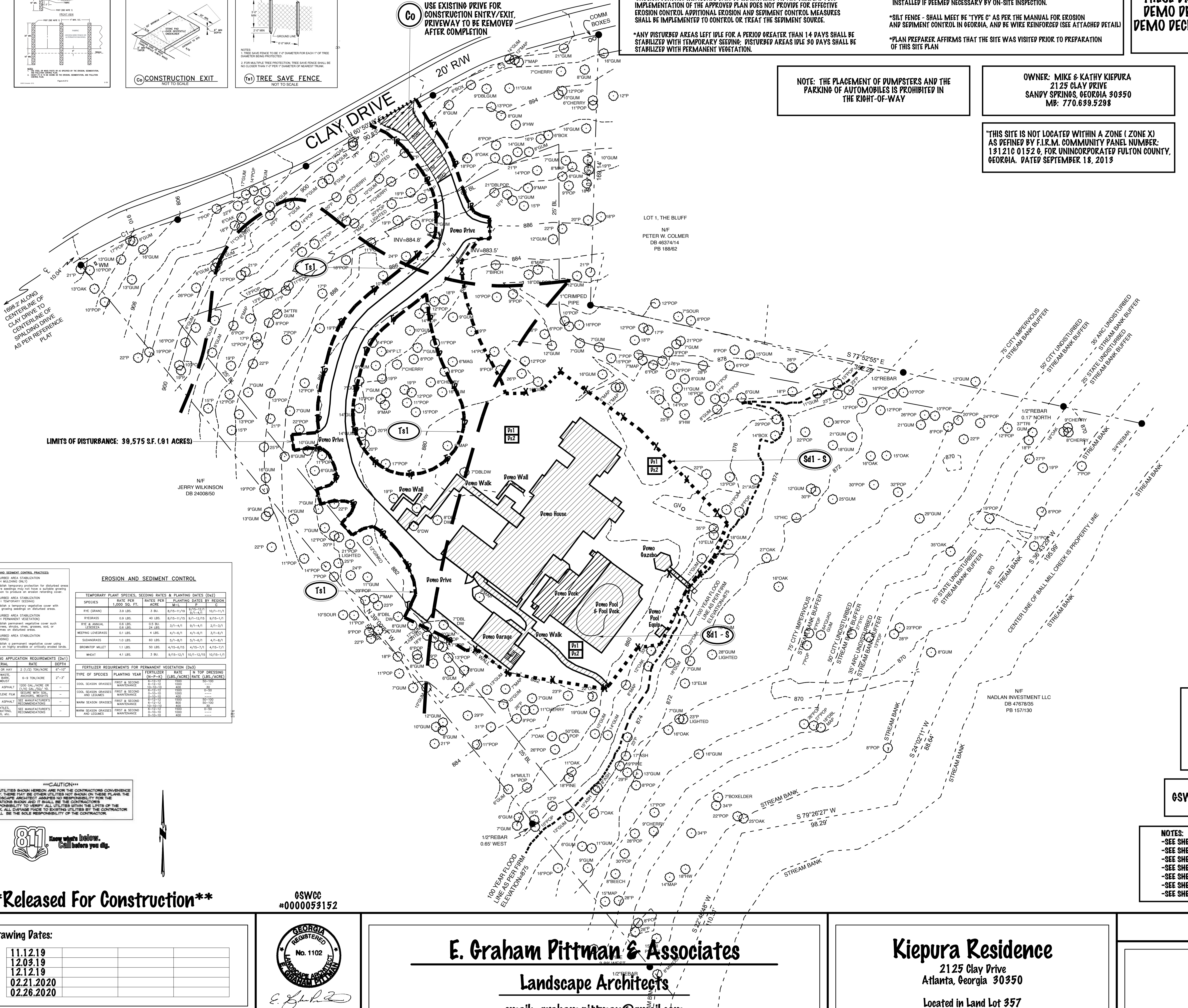
24-HOUR CONTACT/GENERAL CONTRACTOR:

RICK SOKOLOWSKI
RLS CONSTRUCTION
MB: 404.846.9600

****HATCHED AREA REPRESENT
EXISTING STRUCTURES TO BE DEMOED**

SITE AREA:
169,534 SQ. FT.
3.89 ACRES

DEMO PLAN:
**DEMOLITION DEBRIS = 549.5 CU. YD.
(DEBRIS TO BE HAULED OFF SITE)



****SEPTIC FOR EXISTING HOUSE IS ON SITE,
NEW PERMIT HAS BEEN ACQUIRED**

LIMITS OF CONSTRUCTION = ■■■■■■■■■■■■■■■■■■■■■■

(Sd1 - s) =X.....X.....

TREE PROTECTION FENCE = 12

- * Permits are the responsibility of the Owner.
- * Projects within stream buffers must acquire the appropriate variance/permit. (by Owner)
- * Contractor responsible for locating all utilities before start of any construction.

(CALL SAFE DIG - CALL: 811)

Status:

**Approved Design
Construction Document**

****Released For Construction****

GSWCC
#0000053152

Drawing Dates:

11.12.19			
12.03.19			
12.12.19			
02.21.2020			
02.26.2020			

Scale: 1 : 30

Georgia
#1102

E. Graham Pittman & Associates

Landscape Architects

email: graham.pittman@gmail.com

1217 John Douglass Dr SW - Marietta Ga, Georgia 30064 - Office/Mb: 770.480.9814

Kiepura Residence

2125 Clay Drive
Atlanta, Georgia 30350

Located in Land Lot 357
6th District
Fulton County, Georgia

Demolition Plan

P - 1

Kiepura - 2125 Clay Drive

Water Quality Description:

TOTAL IMPERVIOUS AREA FOR THE SITE IS = 20,827 SQUARE FEET. WATER QUALITY IS PROVIDED FOR ALL THE TOTAL IMPERVIOUS AREA OF 20,827 SQUARE FEET. THERE WILL BE TWO MODIFIED PERFORATED PIPE SYSTEMS LOCATED TO THE REAR OF THE HOUSE.

THE SIZE OF THE MODIFIED PERFORATED SYSTEM#1 WILL BE 25 FEET LONG BY 24 FEET WIDE, AND 6 FEET DEEP. THE TRENCH IS TO BE FILLED WITH #57 STONE (40% VOID RATIO) AND A 5 FEET PERFORATED PIPE. THE TOTAL REQUIRED VOLUME OF THE SYSTEM IS 3,539.00 CUBIC FEET. THE WATER QUALITY VOLUME PROVIDED BY THE SYSTEM IS 3600.00 CUBIC FEET. OVERFLOWS FOR THE TRENCH WILL BE INSTALLED PER THE PLAN.

THE SIZE OF THE MODIFIED PERFORATED SYSTEM#2 WILL BE 53 FEET LONG BY 17 FEET WIDE, AND 4 FEET DEEP. THE TRENCH IS TO BE FILLED WITH #57 STONE (40% VOID RATIO) AND A 3 FEET PERFORATED PIPE. THE TOTAL REQUIRED VOLUME OF THE SYSTEM IS 3,539.00 CUBIC FEET. THE WATER QUALITY VOLUME PROVIDED BY THE SYSTEM IS 3604.00 CUBIC FEET. OVERFLOWS FOR THE TRENCH WILL BE INSTALLED PER THE PLAN.

THE WATER QUALITY VOLUMES PROVIDED BY THE BMP'S SHOWN EXCEED THE STORAGE REQUIREMENTS. THE PERFORATED MODIFIED SYSTEMS WILL PROMOTE GROUNDWATER RECHARGE WHILE RESPECTING THE REQUIRED CRITICAL ROOT ZONE OF SAVED TREES. BECAUSE OF THE AVAILABLE SPACE, A LARGER SURFACE AREA BMP WAS DESIGNED TO KEEP THE STORAGE FACILITY AS SHALLOW AS POSSIBLE AND PROMOTE MORE DIRECT INFILTRATION.

Grading Notes:

- APPROVED EROSION CONTROL DEVICES MUST BE INSTALLED PRIOR TO ANY DETENTION BMP INSTALLATION (NOT PART OF THIS PLAN)
- SURVEY INFORMATION TAKEN FROM SURVEYS PERFORMED BY FOOTHILLS LAND SUREYING, LLC., DATED 8-15-2019.
- DISCOVERY OF UNSUITABLE SOILS OR ROCK MUST BE IMMEDIATELY REPORTED TO THE OWNER AND ENGINEER. ALL EARTHWORK MUST NOT PROCEED AT THAT POINT UNTIL OWNER RELEASES THE CONTRACTOR TO PROCEED.
- THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION OF UTILITIES AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS ARE BASED ON RECORDS PROVIDED TO THE ENGINEER. INFORMATION SHOWN IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE APPROPRIATE UTILITY COMPANY AT LEAST 48 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATION OF UTILITIES.
- CONTRACTOR SHALL FOLLOW ALL APPLICABLE SAFETY AND CONSTRUCTION PROCEDURES, ORDINANCES, CODES, AND STANDARDS.
- CONTRACTOR SHALL CONTACT THE UTILITY LOCATOR AS REQUIRED BY GEORGIA LAW AND HAVE ALL UTILITIES MARKED PRIOR TO ANY CONSTRUCTION ACTIVITY. CONTRACTOR WILL HAVE PRIVATE UTILITY LOCATOR LOCATE ALL UTILITIES WITHIN THE CONSTRUCTION LIMITS NOT COVERED BY THE UTILITY PROTECTION CENTER.
- ALL ELEVATIONS SHOWN ARE FINISHED GRADE.
- THE APPROXIMATE LOCATION OF KNOWN UNDERGROUND UTILITIES HAVE BEEN SHOWN AS PROVIDED BY THE SURVEY. IT SHALL BE THE GENERAL CONTRACTOR'S RESPONSIBILITY TO FIELD VERIFY, LOCATE AND PROTECT ALL UTILITIES ON THE SITE. THE CONTRACTOR SHALL ALSO BE RESPONSIBLE FOR COORDINATING DEMOLITION, RELOCATION AND NEW UTILITY SERVICE WITH THE APPROPRIATE UTILITY. CONTRACTOR SHALL HIRE THEIR OWN UTILITY LOCATOR TO IDENTIFY ALL EXISTING UTILITIES WITHIN THE PROPOSED CONSTRUCTION AREA. ALL EXISTING SANITARY SEWER CONNECTIONS TO BE IDENTIFIED AND CONNECTED TO NEW SANITARY SEWER LINES.
- BEFORE STARTING WORK CONTRACTOR SHALL MAKE SUCH EXPLORATIONS AND PROBES AS NECESSARY TO ASCERTAIN ANY ACTIVE UTILITY LINES AND MAKE SURE THESE UTILITIES CAN BE BROKEN OR CHANGED WITHOUT ANY DANGER OR DISRUPTION TO ANY NECESSARY SERVICE.
- CONTRACTOR SHALL COMPLY TO THE FULLEST EXTENT WITH THE LATEST STANDARDS OF OSHA DIRECTIVES OR ANY OTHER AGENCY HAVING JURISDICTION FOR EXCAVATION AND TRENCHING PROCEDURES. THE CONTRACTOR SHALL SUPPORT SYSTEMS, SLOPING, BENCHING, AND OTHER MEANS OF PROTECTION. THIS TO INCLUDE, BUT IS NOT LIMITED TO ACCESS AND EGRESS FROM ALL EXCAVATION AND TRENCHING. CONTRACTOR IS RESPONSIBLE TO COMPLY WITH PERFORMANCE CRITERIA FOR OSHA.
- THE HOUSE FOOTPRINT IS PER THE ARCHITECTURAL DRAWINGS AND REPRESENT THE OUTSIDE EDGE OF THE HOUSE. THE FOOTPRINT DOES NOT REPRESENT THE ROOF GUTTER LINE OR THE OUTSIDE EDGE OF THE FOOTINGS.
- THIS PLAN WAS PREPARED FOR PERMIT APPROVAL ONLY. ACTUAL CONSTRUCTION SHOULD BE BASED ON LAYOUT BY A REGISTERED LAND SURVEYOR BASED ON THE HOUSE LAYOUT PLANS THAT WILL ENSURE THE STRUCTURE IS BUILT WITHIN THE SETBACK LINES.

Stone Trench Installation Notes:

VEGETATION
THE LANDSCAPED AREA ABOVE THE SURFACE OF TRENCH CAN BE LANDSCAPED WITH SOD OR MAY BE COVERED WITH AN ENGINEERED SOIL MIX, AND PLANTED WITH MANAGED TURF OR OTHER HERBACEOUS VEGETATION. THE STONE STORAGE IS FOR STORAGE ONLY AND CAN BE GRADED ABOVE PER THE GRADING PLAN WITH A MINIMUM COVER OF 6".

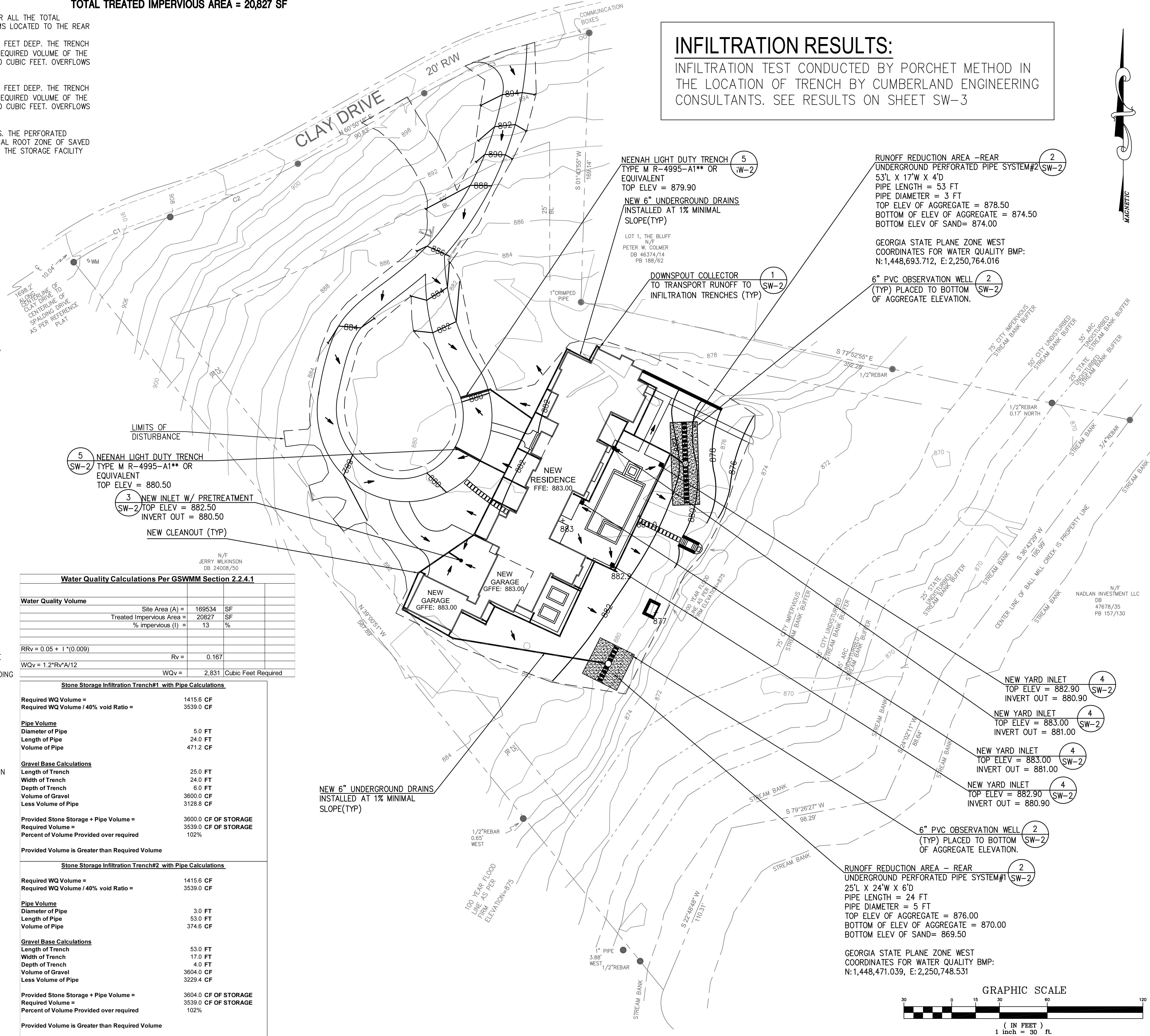
- MAINTENANCE**
MONTHLY
- ENSURE THAT CONTRIBUTING AREA, FACILITY AND INLETS ARE CLEAR OF DEBRIS.
 - ENSURE THAT THE CONTRIBUTING AREA IS STABILIZED.
 - REMOVE SEDIMENT AND OIL/GREASE FROM PRETREATMENT DEVICES, AS WELL AS OVERFLOW STRUCTURES.
 - MOW GRASS FILTER STRIPS SHOULD BE MOWED AS NECESSARY. REMOVE GRASS CLIPPINGS.
- SEMIANNUAL INSPECTION
- CHECK OBSERVATION WELLS FOLLOWING 3 DAYS OF DRY WEATHER. FAILURE TO PERCOLATE WITHIN THIS TIME PERIOD INDICATES CLOGGING.
 - INSPECT PRETREATMENT DEVICES AND DIVERSION STRUCTURES FOR SEDIMENT BUILD-UP AND STRUCTURAL DAMAGE.
 - REMOVE TREES THAT START TO GROW IN THE VICINITY OF THE TRENCH.REPLACE PEA GRAVEL/TOPSOIL/GRASSING AND TOP SURFACE FILTER FABRIC (WHEN CLOGGED).
- AS NEEDED
- PERFORM TOTAL REHABILITATION OF THE TRENCH TO MAINTAIN DESIGN STORAGE CAPACITY.
 - EXCAVATE TRENCH WALLS TO EXPOSE CLEAN SOIL UPON FAILURE.

Water Quality Calculations:

WATER QUALITY IMPERVIOUS AREA CALCULATIONS			
Site Location	Square Footage (Sq. Ft.)	Not/Treated	BMP Location
Proposed House	7879	Treated	Trench #1 & #2
Proposed Pool/Pool Deck	3520	Treated	Trench #1 & #2
Proposed Paths & Walks	362	Treated	Trench #1 & #2
Proposed Driveway	9066	Treated	Trench #1 & #2
Total Proposed Impervious Area	20827	SF	
Total Treated Impervious Area	20827	SF	

TOTAL SITE AREA = 3.89 ACRES
TOTAL TREATED IMPERVIOUS AREA = 20,827 SF

24 HOUR EMERGENCY CONTACT: RICK SOKOLOWSKI 404-846-9600



INFILTRATION RESULTS:
INFILTRATION TEST CONDUCTED BY PORCHET METHOD IN THE LOCATION OF TRENCH BY CUMBERLAND ENGINEERING CONSULTANTS. SEE RESULTS ON SHEET SW-3



Prepared By:
**CRESCENT VIEW
ENGINEERING, LLC:**
211 Fresler Street SE
Marietta, GA 30060
678-324-9410
www.crescentvieweng.com

Prepared For
Kiepura Residence
2125 Clay Dr NE
Sandy Springs, GA 30350

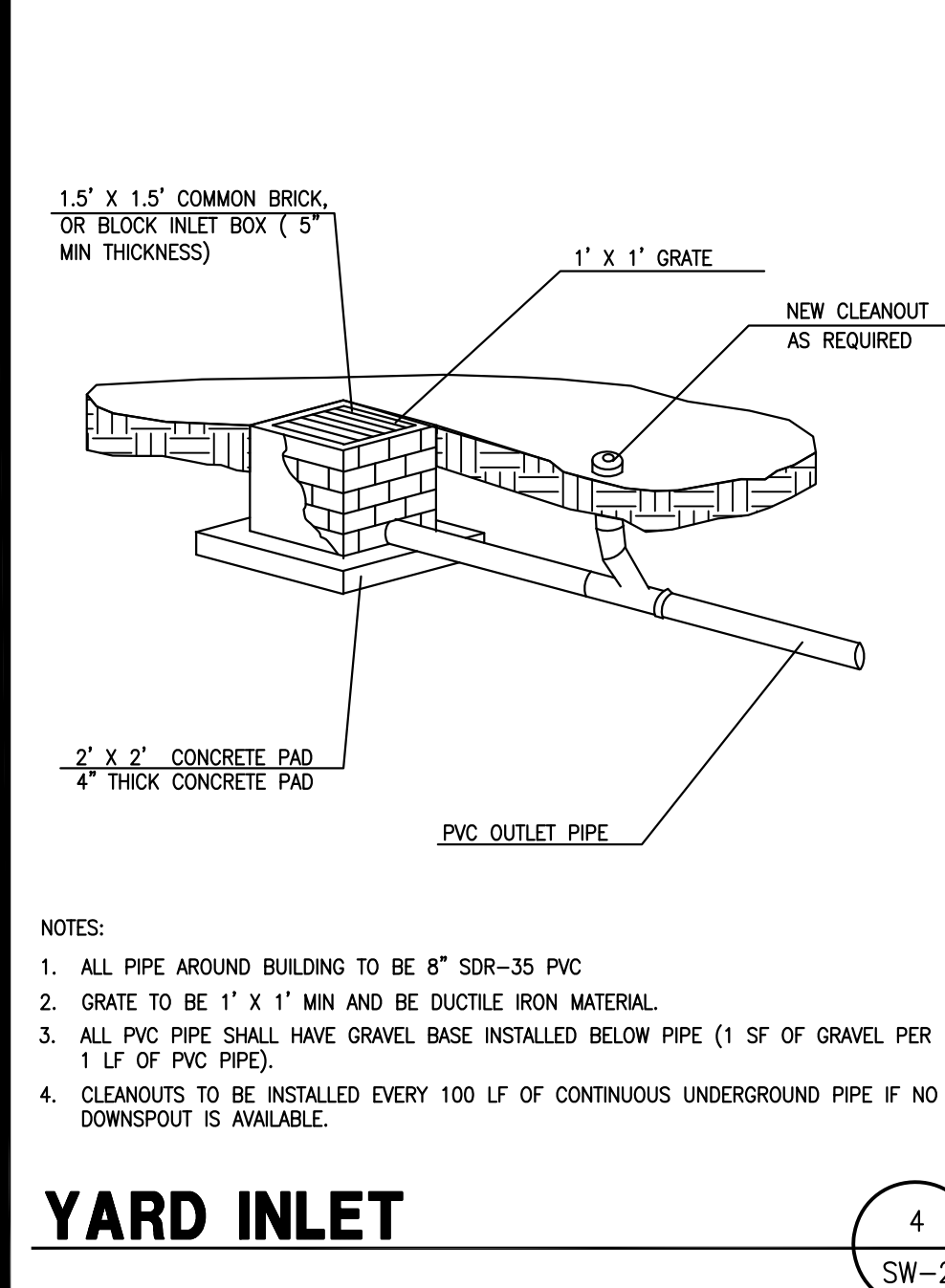
Stormwater Management Plan

DATE	1-7-2020	REVISIONS	
SCALE	AS SHOWN		
DRAWN	GHB		
CHECKED	PZ		

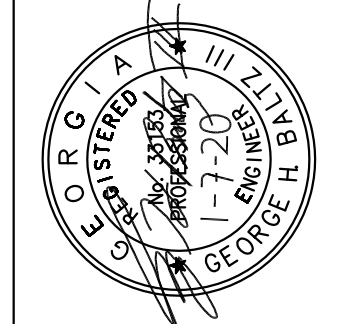
Stormwater Plans For
2125 Clay Drive NE
Land Lot 357, 6th District
City of Sandy Springs, Fulton County, Georgia

CVE PI # 19-399

Sheet No.
SW-1



Stormwater Details			
DATE	1-7-2020	REVISIONS	
SCALE	AS SHOWN		
DRAWN	GHB		
CHECKED	PZ		



INFILTRATION TEST:



Geotechnical Engineering • Environmental Engineering

January 6, 2020

Crescent View Engineering, LLC
211 Frasier Street SE
Marietta, Georgia 30060

Attention: Mr. Trey Baltz, P.E.

Subject: Letter of Infiltration Test Results
2125 CLAY DRIVE NE
Sandy Springs, Georgia
Project Number 2019052

Dear Mr. Baltz:

Cumberland Engineering Consultants (CEC) has completed the authorized infiltration testing for 2125 Clay Drive NE located in Sandy Springs, Georgia. This letter briefly discusses our understanding of the project, describes the engineering consulting services provided by CEC, and presents our test results.

SITE AND PROJECT INFORMATION

We understand that the existing residential structure will be demolished and a new home will be constructed at 2125 Clay Drive NE in Sandy Springs, Georgia. As part of this construction, two (2) below-grade Runoff Reduction Areas (RRAs) are planned in the rear of the new home to retain the initial rainfall runoff. The RRAs will consist of rectangular trenches of wrapped #57 stone surrounding 3- to 5-foot diameter perforated pipes with overall pit dimensions of 25 feet long by 24 feet wide by 6 feet deep and 53 feet long by 17 feet wide by 4 feet deep. The bottom elevation of the trench for RRA #1 is at 870.00 feet-msl with a 6-inch sand base extending down to elevation 869.50 feet-msl and RRA #2 will be at 874.50 feet-msl and 874.00 feet-msl feet.

FIELD SERVICES

The site was visited on Thursday, December 26, 2019 to perform two (2) infiltration tests located within the footprints of the RRAs. The infiltration tests were performed in general accordance with the Porchet Method outlined in the City of Atlanta Stormwater Guidelines Appendix C dated April 2014. The tests were designated as T-1 and T-2 with their locations indicated on the attached Test Location Plan.

The infiltration boreholes were advanced by manually rotating a sharpened steel auger bucket to depths of 10.5 and 3 feet, respectively, below the existing site grades (current site elevations approximately 880.00 and 877.00 feet-msl). The borings initially encountered about 2 - 3 feet of

327 Cumberland Avenue • Dallas, Georgia 30157

(878) 756-2122 • www.cumberlandeng.com

2125 Clay Drive NE
Crescent View Engineering

January 6, 2020
CEC Project Number 2019052

fill soils that were generally described as tan brown to orange brown silty sands. Residual soils were then encountered to the respective boring termination depths of 10.5 and 3 feet below the existing grade. The residual soils were generally described as either orange yellow to tan yellow sandy silts with mica.

PVC pipes were then inserted into the boreholes and securely driven into the bottom soils so that the only water infiltration was through the soils at the bottom of the boreholes. Water was introduced to the boreholes and allowed to saturate the surrounding soils for a minimum of 3 hours prior to recording the final test (three 1-hour monitoring periods) results.

CONCLUSION

The following conclusions are based on our understanding of the proposed construction, site observations, our evaluation and interpretation of the field data obtained during this exploration, our experience with similar subsurface conditions, and generally accepted geotechnical engineering principles and practices. Because the borings represent a very small statistical sampling of the subsurface materials, conditions encountered during construction may be substantially different from those encountered in our borings. In addition, subsurface conditions in unexplored locations or at other times may vary from those encountered at specific boring locations. If such variations are noted during construction, or if project development plans are changed, we request the opportunity to review the changes and amend our recommendations, if necessary.

The following table illustrates the final infiltration rate in units of inches/hour:

Test Location	Test Depth (ft)	Test Elevation (ft-msl)	Infiltration Rate (inches/hour)
T-1	10.5	869.50	0.58
T-2	3.0	874.00	0.65

A minimum infiltration rate of 0.5 inches/hour is referenced in the Georgia Stormwater Management Manual for below-grade stormwater structures. Based on the test data, the soils tested appear to meet this minimum rate.

We appreciate your selection of Cumberland Engineering Consultants and the opportunity to be of service on this project. If you have any questions, or if we may be of further assistance, please do not hesitate to contact us.

Very truly yours,
CUMBERLAND ENGINEERING CONSULTANTS, LLC

Brian A. Grinstead, P.E.
Principal Engineer
GA PE License #25470

Attachments: Test Location Plan

Page 2

Water Quality Description:

TOTAL IMPERVIOUS AREA FOR THE SITE IS = 20,827 SQUARE FEET. WATER QUALITY IS PROVIDED FOR ALL THE TOTAL IMPERVIOUS AREA OF 20,827 SQUARE FEET. THERE WILL BE TWO MODIFIED PERFORATED PIPE SYSTEMS LOCATED TO THE REAR OF THE HOUSE.

THE SIZE OF THE MODIFIED PERFORATED SYSTEM#1 WILL BE 25 FEET LONG BY 24 FEET WIDE, AND 6 FEET DEEP. THE TRENCH IS TO BE FILLED WITH #57 STONE (400 YARD BATCH) AND A 1.5 FEET PERFORATED PIPE. THE TOTAL REQUIRED VOLUME OF THE SYSTEM IS 3,539.00 CUBIC FEET. THE WATER QUALITY VOLUME PROVIDED BY THE SYSTEM IS 3600.00 CUBIC FEET. OVERFLOWS FOR THE TRENCH WILL BE INSTALLED PER THE PLAN.

THE SIZE OF THE MODIFIED PERFORATED SYSTEM#2 WILL BE 53 FEET LONG BY 17 FEET WIDE, AND 4 FEET DEEP. THE TRENCH IS TO BE FILLED WITH #57 STONE (400 YARD BATCH) AND A 3 FEET PERFORATED PIPE. THE TOTAL REQUIRED VOLUME OF THE SYSTEM IS 3,539.00 CUBIC FEET. THE WATER QUALITY VOLUME PROVIDED BY THE SYSTEM IS 3600.00 CUBIC FEET. OVERFLOWS FOR THE TRENCH WILL BE INSTALLED PER THE PLAN.

THE WATER QUALITY VOLUMES PROVIDED BY THE BMP'S SHOWN EXCEED THE STORAGE REQUIREMENTS. THE PERFORATED MODIFIED SYSTEMS WILL PROMOTE GROUNDWATER RECHARGE WHILE RESPECTING THE REQUIRED CRITICAL ROOT ZONE OF SAVED TREES. BECAUSE OF THE AVAILABLE SPACE, A LARGER SURFACE AREA BMP WAS DESIGNED TO KEEP THE STORAGE FACILITY AS SHALLOW AS POSSIBLE AND PROMOTE MORE DIRECT INFILTRATION.

Grading Notes:

- APPROVED EROSION CONTROL DEVICES MUST BE INSTALLED PRIOR TO ANY DETENTION BMP INSTALLATION (NOT PART OF THIS PLAN)
- SURVEY INFORMATION TAKEN FROM SURVEYS PERFORMED BY FOOTBILLS LAND SURVEYING, LLC, DATED 8-15-2018.
- DISCOVERY OF UNSUITABLE SOILS OR ROCK MUST BE IMMEDIATELY REPORTED TO THE OWNER AND ENGINEER. ALL EARTHWORK MUST NOT PROCEED AT THAT POINT UNTIL OWNER RELEASES THE CONTRACTOR TO PROCEED.
- THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION OF UTILITIES AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS ARE BASED ON RECORDS PROVIDED TO THE ENGINEER. INFORMATION SHOWN ON THIS PLAN IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE APPROPRIATE UTILITY COMPANY AT LEAST 48 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATION OF UTILITIES.
- CONTRACTOR SHALL FOLLOW ALL APPLICABLE SAFETY AND CONSTRUCTION PROCEDURES, ORDINANCES, CODES, AND STANDARDS.
- CONTRACTOR SHALL CONTACT THE UTILITY LOCATOR AS REQUIRED BY GEORGIA LAW AND HAVE ALL UTILITIES MARKED PRIOR TO ANY CONSTRUCTION ACTIVITY. CONTRACTOR WILL HAVE PRIVATE UTILITY LOCATOR LOCATE ALL UTILITIES WITHIN THE CONSTRUCTION LIMITS NOT COVERED BY THE UTILITY PROTECTION CENTER.
- ALL ELEVATIONS SHOWN ARE FINISHED GRADE.
- THE APPROXIMATE LOCATION OF KNOWN UNDERGROUND UTILITIES HAVE BEEN SHOWN AS PROVIDED BY THE SURVEY. IT SHALL BE THE GENERAL CONTRACTOR'S RESPONSIBILITY TO FIELD VERIFY, LOCATE AND PROTECT ALL UTILITIES ON THE SITE. THE CONTRACTOR SHALL ALSO BE RESPONSIBLE FOR COORDINATING DEMOLITION, RELOCATION AND NEW UTILITY SERVICE WITH THE APPROPRIATE UTILITY. CONTRACTOR SHALL HIRE THEIR OWN UTILITY LOCATOR TO IDENTIFY ALL EXISTING UTILITIES WITHIN THE PROPOSED CONSTRUCTION AREA. ALL EXISTING SANITARY SEWER CONNECTIONS TO BE IDENTIFIED AND CONNECTED TO NEW SANITARY SEWER LINES.
- BEFORE STARTING WORK CONTRACTOR SHALL MAKE SUCH EXPLORATIONS AND PROCEED AS NECESSARY TO ASCERTAIN ANY ACTIVE UTILITY LINES AND MAKE SURE THESE UTILITIES CAN BE BROKEN OR CHANGED WITHOUT ANY DANGER OR DISRUPTION TO ANY NECESSARY SERVICE.
- CONTRACTOR SHALL COMPLY TO THE FULLEST EXTENT WITH THE LATEST STANDARDS OF OSHA DIRECTIVES OR ANY OTHER AGENCY HAVING JURISDICTION FOR EXCAVATION AND TRENCHING PROCEDURES. THE CONTRACTOR SHALL SUPPORT SYSTEMS, SLOPING, BENCHING, AND OTHER MEANS OF PROTECTION. THIS TO INCLUDE, BUT IS NOT LIMITED TO ACCESS AND EGRESS FROM ALL EXCAVATION AND TRENCHING. CONTRACTOR IS RESPONSIBLE TO COMPLY WITH PERFORMANCE CRITERIA FOR OSHA.
- THE HOUSE FOOTPRINT IS FOR THE ARCHITECTURAL DRAWINGS AND REPRESENT THE OUTSIDE EDGE OF THE HOUSE. THE FOOTPRINT DOES NOT REPRESENT THE ROOF GUTTER LINE OR THE OUTSIDE EDGE OF THE FOOTINGS.
- THIS PLAN WAS PREPARED FOR PERMIT APPROVAL. ONLY ACTUAL CONSTRUCTION SHOULD BE BASED ON LAYOUT BY A REGISTERED LAND SURVEYOR BASED ON THE HOUSE LAYOUT PLANS THAT WILL DEFINE THE STRUCTURE IS BUILT WITHIN THE SETBACK LINES.

Stone Trench Installation Notes:

VEGETATION: THE LANDSCAPED AREA ABOVE THE SURFACE OF TRENCH CAN BE LANDSCAPED WITH SOIL OR MAY BE COVERED WITH AN ENGINEERED SOIL MIX, AND PLANTED WITH MANAGED TURF OR OTHER HERBACEOUS VEGETATION. THE STONE STORAGE IS FOR STORAGE ONLY AND CAN BE GRADED ABOVE PER THE GRADING PLAN WITH A MINIMUM CORNER OF 6".

- MAINTENANCE:**
- MONTHLY:**
- ENSURE THAT CONTRIBUTING AREA, FACILITY AND INLETS ARE CLEAR OF DEBRIS.
 - ENSURE THAT THE CONTRIBUTING AREA IS STABILIZED.
 - REMOVE SEDIMENT AND OIL/GREASE FROM PRETREATMENT DEVICES, AS WELL AS OVERFLOW STRUCTURES.
 - REMOVE GRASS FILTER STRIPS SHOULD BE MOVED AS NECESSARY. REMOVE GRASS CLIPPINGS.
- SEMIANNUAL INSPECTION:**
- CHECK OBSERVATION WELLS FOLLOWING 3 DAYS OF DRY WEATHER. FAILURE TO PERCOLATE WITHIN THIS TIME PERIOD INDICATES CLOSING.
 - INSPECT PRETREATMENT DEVICES AND OVERFLOW STRUCTURES FOR SEDIMENT BUILD-UP AND STRUCTURAL DAMAGE.
 - REMOVE TREES THAT START TO GROW IN THE VICINITY OF THE TRENCH/REPLACE PEA GRAVEL/TOPSOIL/GRASSING AND TOP SURFACE FILTER FABRIC (WHEN CLOSED).
- AS NEEDED:**
- PERFORM TOTAL REHABILITATION OF THE TRENCH TO MAINTAIN DESIGN STORAGE CAPACITY.
 - EXCAVATE TRENCH WALLS TO EXPOSE CLEAN SOIL UPON FAILURE.

Water Quality Calculations:

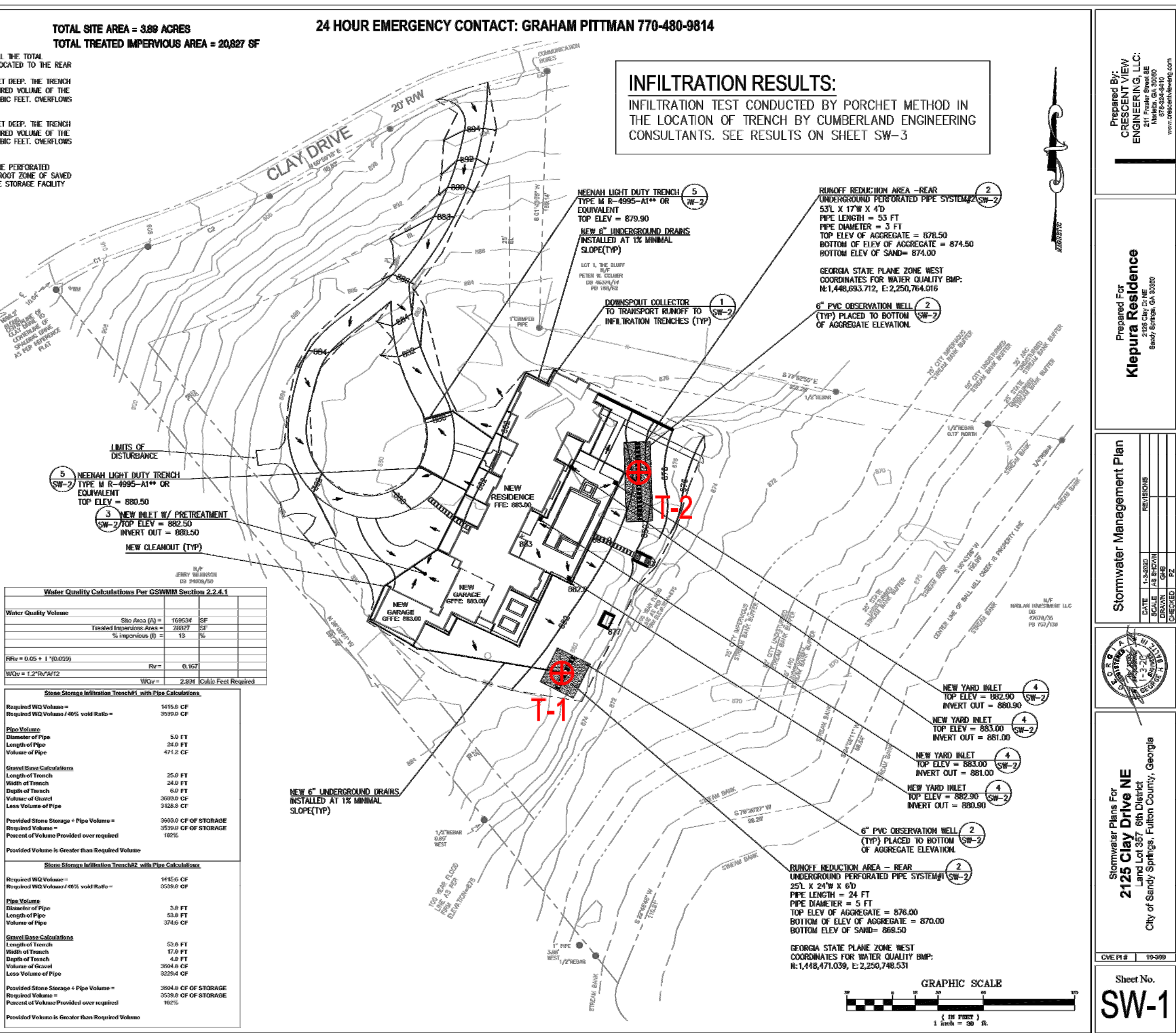
WATER QUALITY IMPERVIOUS AREA CALCULATIONS			
Site Location	Surface Footprint (Sq. Ft.)	Not Treated	BMP Location
Proposed House	7709	Treated	Trench #1 & #2
Proposed Pool/Patio Deck	3509	Treated	Trench #1 & #2
Proposed Path & Walks	362	Treated	Trench #1 & #2
Proposed Driveway	9993	Treated	Trench #1 & #2
Total Proposed Impervious Area	20827	SF	
Total Treated Impervious Area	20827	SF	

TOTAL SITE AREA = 3.89 ACRES
TOTAL TREATED IMPERVIOUS AREA = 20,827 SF

24 HOUR EMERGENCY CONTACT: GRAHAM PITTMAN 770-480-9814

INFILTRATION RESULTS:

INFILTRATION TEST CONDUCTED BY PORCHET METHOD IN THE LOCATION OF TRENCH BY CUMBERLAND ENGINEERING CONSULTANTS. SEE RESULTS ON SHEET SW-3



Prepared By:
CRESCENT VIEW
ENGINEERING, LLC:
211 Frasier Street SE
Marietta, GA 30060
878-756-2122
www.crescentvieweng.com

Prepared For:
Kiepura Residence
2125 Clay Dr NE
Sandy Springs, GA 30350

Stormwater Management Plan



Stormwater Plans For
2125 Clay Drive NE
Land Lot 357 6th District
City of Sandy Springs, Fulton County, Georgia

Sheet No.
SW-1

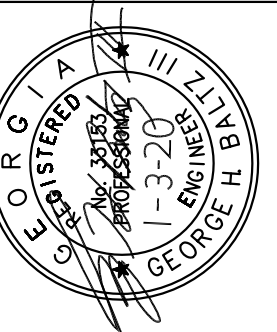
TESTING LOCATIONS SHOWN ABOVE IN RED AS T-1 AND T-2

Prepared By:
CRESCENT VIEW
ENGINEERING, LLC:
211 Frasier Street SE
Marietta, GA 30060
878-756-2122
www.crescentvieweng.com

Prepared For:
Kiepura Residence
2125 Clay Dr NE
Sandy Springs, GA 30350

Stormwater Details

DATE	1-3-2020	REVISIONS
SCALE	AS SHOWN	
DRAWN	GHB	
CHECKED	PZ	



Stormwater Plans For
2125 Clay Drive NE
Land Lot 357 6th District
City of Sandy Springs, Fulton County, Georgia

CVE PI # 19-399

Sheet No.

SW-3

GEORGIA DEPARTMENT OF PUBLIC HEALTH
APPLICATION FOR CONSTRUCTION PERMIT AND SITE APPRO
For On-Site Sewage Management System

[illegible]

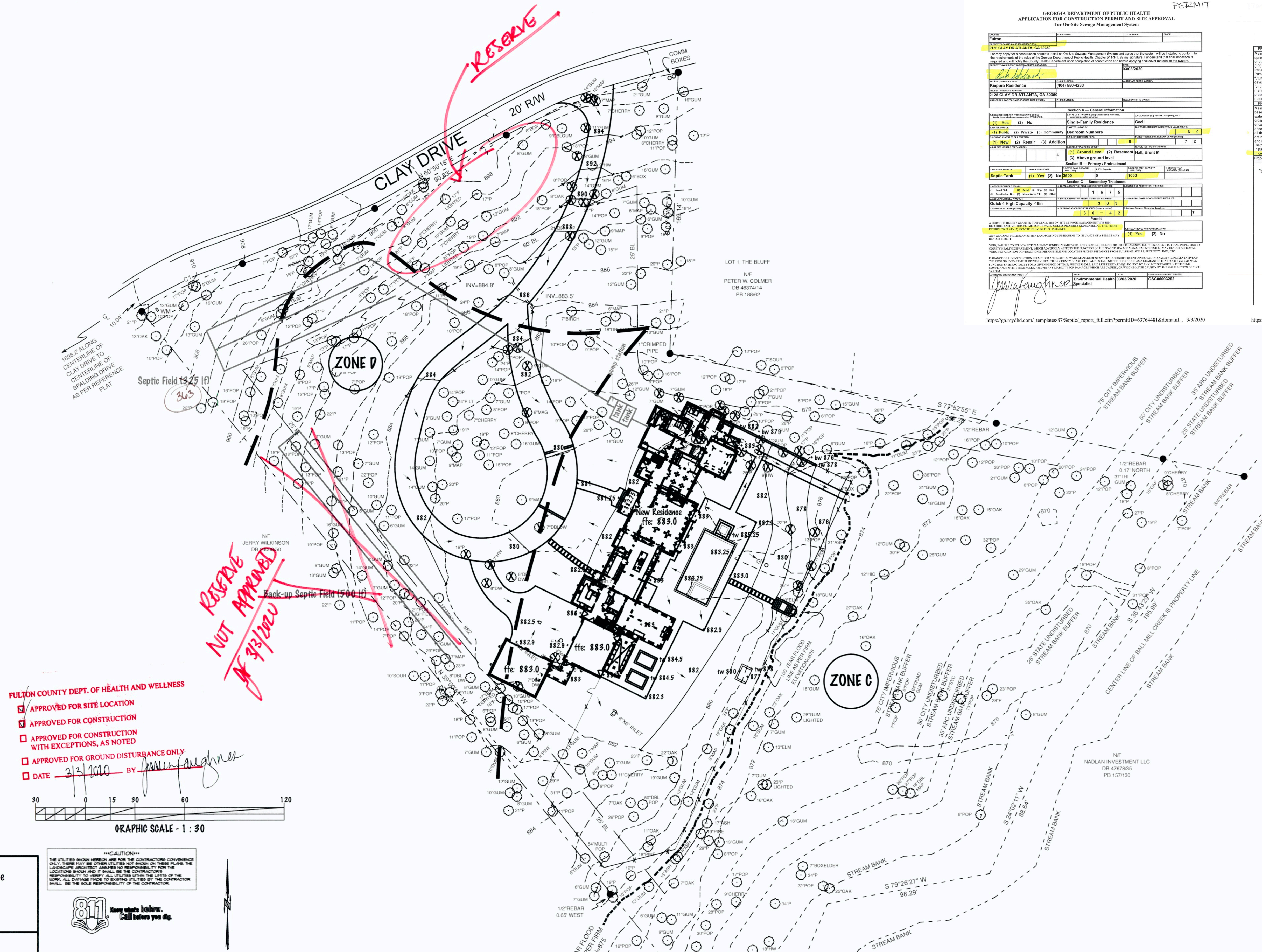
https://ga.mydhd.com/templates/87/Septic_report_full.cfm?permitID=63764481&domainI... 3/3/2020

GEORGIA DEPARTMENT OF PUBLIC HEALTH
APPLICATION FOR CONSTRUCTION PERMIT AND SITE APPROVAL
For On-Site Sewage Management System

[illegible]

SEE ATTACHED STAMPED PLANS

https://ga.mydhd.com/templates/87/Septic/report_full.cfm?permitID=63764481&domain... 3/3/2020



FULTON COUNTY DEPT. OF HEALTH AND WELLNESS

- ☒ APPROVED FOR SITE LOCATION
☒ APPROVED FOR CONSTRUCTION
☐ APPROVED FOR CONSTRUCTION
WITH EXCEPTIONS, AS NOTED
☐ APPROVED FOR GROUND DISTURBANCE ONLY
☐ DATE 3/3/2010 BY Johnnie



- * Permits are the responsibility of the Owner.
- * Projects within stream buffers must acquire the appropriate variance/permit. (by Owner)
- * Contractor responsible for locating all utilities before start of any construction.

(CALL SAFE DIG - CALL: 811)

Status:

Approved Design
Construction Document

*****CAUTION*****

THE UTILITIES SHOWN HEREON ARE FOR THE CONTRACTORS CONVENIENCE ONLY. THERE MAY BE OTHER UTILITIES NOT SHOWN ON THESE PLANS. THE LANDOWNER/ARCHITECT ASSUMES NO RESPONSIBILITY FOR THE LOCATION/SHAPE AND IT SHALL BE THE CONTRACTORS RESPONSIBILITY TO VERIFY ALL UTILITIES WITHIN THE LIMITS OF THE WORK. ALL DAMAGE MADE TO EXISTING UTILITIES BY THE CONTRACTOR SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.



****Released For Construction****

GSWCC
#0000053152



Georgia
#1102

Drawing Dates:

11.12.19			
12.03.19			
12.12.19			
02.21.2020			
02.23.2020			

Scale: 1 : 30

This drawing, as a guide for service, is and will remain the property of the Landscape Architect. This document shall not be reproduced, published or used without the permission of the Landscape Architect. The Contractor is responsible for verification of all dimensions and existing conditions at this site before proceeding with all phases of his work. E. Graham Pittman & Associates is not responsible for any structure or hydrology, this plan is for conceptual purposes, only. It is the Contractor's responsibility to verify structure & hydrology with an Engineer or Consultant.

All Federal, State, Local Codes, Ordinances, Regulations, Etc. shall be considered as part of specifications for this drawing and shall take preference over anything shown, described or implied where same are a variance.

E. Graham Pittman & Associates

email: graham.pittman@gmail.com

1217 John Douglass Dr SW - Marietta Ga, Georgia 30064 - Office/Mb: 770.480.9814

Kiepura Residence

2125 Clay Drive
Atlanta, Georgia 30350

Located in Land Lot 357
6th District
Fulton County, Georgia

Septic Layout

P-3

Kiepora - 2125 Clay Drive

ELEVATION CERTIFICATE

Important: Follow the instructions on pages 1-9.

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

SECTION A - PROPERTY INFORMATION

FOR INSURANCE COMPANY USE

A1. Building Owner's Name
KIEPURA RESIDENCE

Policy Number:

A2. Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.
2125 CLAY ROAD

Company NAIC Number:

City
ATLANTA

State
Georgia

ZIP Code
30350

A3. Property Description (Lot and Block Numbers, Tax Parcel Number, Legal Description, etc.)
LAND LOT 357, 6TH DISTRICT, FULTON COUNTY

A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, etc.) RESIDENTIAL

A5. Latitude/Longitude: Lat. 33.5856 Long. 84.1905 Horizontal Datum: ☐ NAD 1927 ☒ NAD 1983

A6. Attach at least 2 photographs of the building if the Certificate is being used to obtain flood insurance.

A7. Building Diagram Number 8

A8. For a building with a crawlspace or enclosure(s):

a) Square footage of crawlspace or enclosure(s) 1000 sq ft

b) Number of permanent flood openings in the crawlspace or enclosure(s) within 1.0 foot above adjacent grade 0

c) Total net area of flood openings in A8.b sq in

d) Engineered flood openings? ☐ Yes ☐ No

A9. For a building with an attached garage:

a) Square footage of attached garage 500 sq ft

b) Number of permanent flood openings in the attached garage within 1.0 foot above adjacent grade 0

c) Total net area of flood openings in A9.b sq in

d) Engineered flood openings? ☐ Yes ☐ No

SECTION B - FLOOD INSURANCE RATE MAP (FIRM) INFORMATION

B1. NFIP Community Name & Community Number
ATLANTA

B2. County Name
FULTON

B3. State
Georgia

B4. Map/Panel
Number

B5. Suffix

B6. FIRM Index
Date

B7. FIRM Panel
Effective/
Revised Date

B8. Flood
Zone(s)

B9. Base Flood Elevation(s)
(Zone AO, use Base Flood Depth)

13121C0152

G

9/18/13

9/18/13

X

875

B10. Indicate the source of the Base Flood Elevation (BFE) data or base flood depth entered in Item B9:

☐ FIS Profile ☒ FIRM ☐ Community Determined ☐ Other/Source:

B11. Indicate elevation datum used for BFE in Item B9: ☐ NGVD 1929 ☒ NAVD 1988 ☐ Other/Source:

B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)? ☐ Yes ☒ No
Designation Date: ☐ CBRS ☐ OPA

ELEVATION CERTIFICATE

OMB No. 1660-0008
Expiration Date: November 30, 2022

IMPORTANT: In these spaces, copy the corresponding information from Section A.			FOR INSURANCE COMPANY USE	
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.			Policy Number:	
City	State	ZIP Code	Company NAIC Number	

SECTION C – BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)

C1. Building elevations are based on: ☒ Construction Drawings* ☐ Building Under Construction* ☐ Finished Construction
*A new Elevation Certificate will be required when construction of the building is complete.

C2. Elevations – Zones A1–A30, AE, AH, A (with BFE), VE, V1–V30, V (with BFE), AR, AR/A, AR/AE, AR/A1–A30, AR/AH, AR/AO. Complete Items C2.a–h below according to the building diagram specified in Item A7. In Puerto Rico only, enter meters.

Benchmark Utilized: RTK GPS Vertical Datum: NAVD 88

Indicate elevation datum used for the elevations in items a) through h) below.

☐ NGVD 1929 ☒ NAVD 1988 ☐ Other/Source: _____

Datum used for building elevations must be the same as that used for the BFE.

Check the measurement used.

a) Top of bottom floor (including basement, crawlspace, or enclosure floor)	<u>879</u>	☒ feet	☐ meters
b) Top of the next higher floor	<u>883</u>	☒ feet	☐ meters
c) Bottom of the lowest horizontal structural member (V Zones only)		☐ feet	☐ meters
d) Attached garage (top of slab)	<u>883</u>	☒ feet	☐ meters
e) Lowest elevation of machinery or equipment servicing the building (Describe type of equipment and location in Comments)	<u>879.5</u>	☒ feet	☐ meters
f) Lowest adjacent (finished) grade next to building (LAG)	<u>882</u>	☒ feet	☐ meters
g) Highest adjacent (finished) grade next to building (HAG)	<u>883</u>	☒ feet	☐ meters
h) Lowest adjacent grade at lowest elevation of deck or stairs, including structural support	<u>882</u>	☒ feet	☐ meters

SECTION D – SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION

This certification is to be signed and sealed by a land surveyor, engineer, or architect authorized by law to certify elevation information. I certify that the information on this Certificate represents my best efforts to interpret the data available. I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.

Were latitude and longitude in Section A provided by a licensed land surveyor? ☒ Yes ☐ No ☐ Check here if attachments.

Certifier's Name
JOHN GROVES

License Number
3237

Title
OWNER

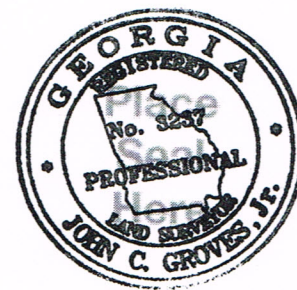
Company Name
FOOTHILLSLAND SURVEYING

Address
8450 KNOX BRIDGE HWY

City
CANTON

State
Georgia

ZIP Code
30114



Signature

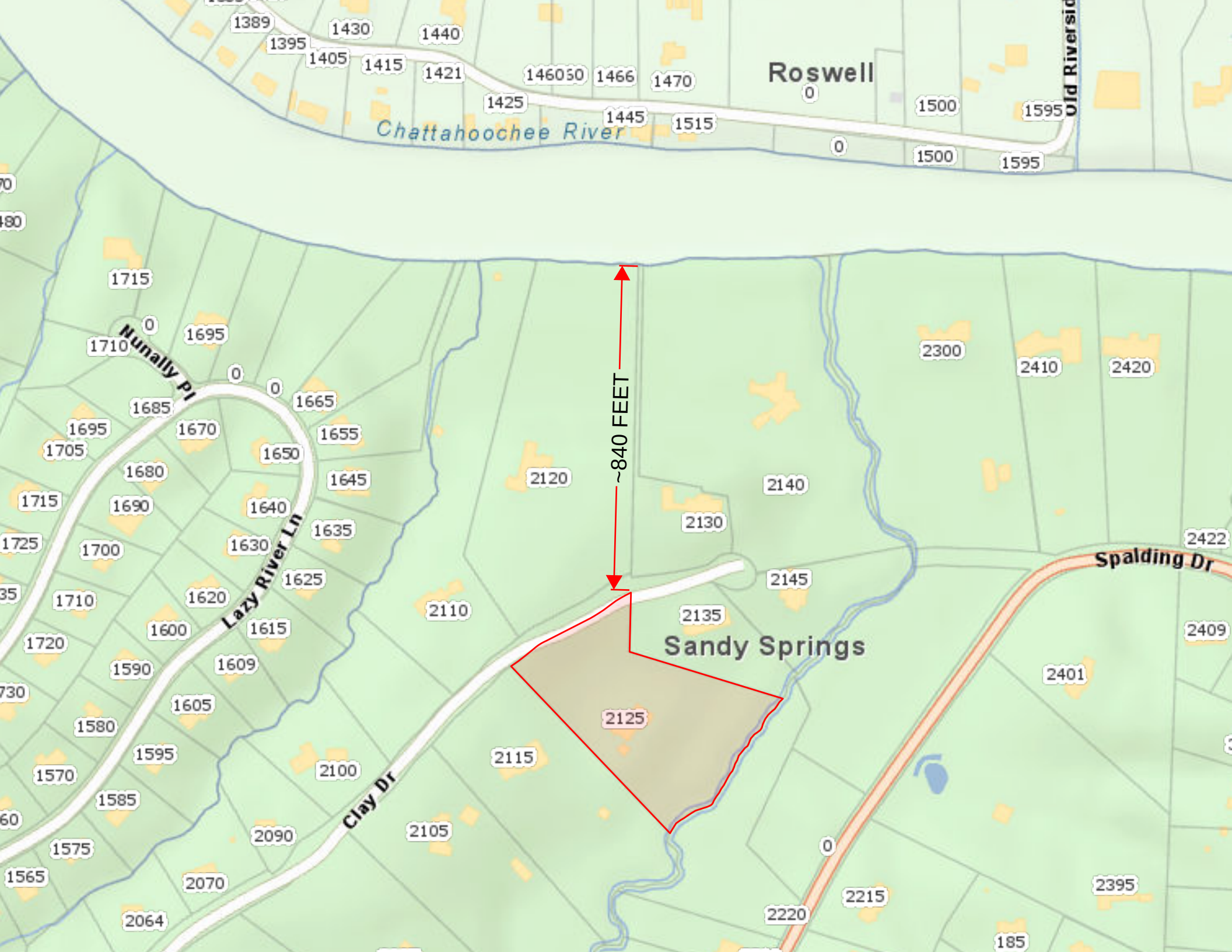
Date
2/21/20

Telephone
678-533-8637

Ext.

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

Comments (including type of equipment and location, per C2(e), if applicable)





SANDY SPRINGS

CITY CLERK'S OFFICE

TO: Andrea Surratt, City Manager

FROM: Karen Ellis, Chief Financial Officer

DATE: May 26, 2020 Submission for the June 16, 2020 Meeting

ITEM: ABL_ 68369 - Approval of Alcoholic Beverage License Application for Flying Horse Concepts, LLC DBA Thos. O'Reilly's Public House at 227 Sandy Springs PL. Suite 416, Sandy Springs, GA 30328. Applicant is Frederick Elmgren for Consumption on the Premises Wine, Malt Beverages and Distilled Spirits

Recommendation:

Approve the application for Consumption on the Premises of Wine, Malt Beverages and Distilled Spirits for Flying Horse Concepts, LLC DBA Thos. O'Reilly's Public House located at 227 Sandy Springs PL. Suite 416, Sandy Springs, GA 30328

Background:

Applicant submitted a completed application on February 20, 2020. Applicant has passed the background investigation.

Discussion:

This is a new application for consumption on the premises wine, malt beverage and distilled spirits license. Business is located at the intersection of Sandy Springs Circle and Sandy Springs Pl NE.

Staff has reviewed this application and recommends approval.

Financial Impact:

Revenue - \$6,700.00

Alternatives:

None

Attachments:

1. Public Hearing Letter - Thos O'Reilly's Public House



SANDY SPRINGS

GEORGIA

**CITY OF SANDY SPRINGS
PUBLIC NOTICE
20-68369**

PLACE: City of Sandy Springs City Hall
1 Galambos Way
Sandy Springs, GA 30328

DATE & TIME: June 16, 2020
6:00 P.M.

PURPOSE: Alcoholic Beverage License Application
Consumption on Premises of,
Wine, Malt Beverage & Distilled Spirits

APPLICANT: Flying Horse Concepts, LLC
DBA Thos. O'Reilly's Public house
227 Sandy Springs Pl. Suite 416
Sandy Springs, GA 3028



SANDY SPRINGS

CITY CLERK'S OFFICE

TO: Andrea Surratt, City Manager

FROM: Karen Ellis, Chief Financial Officer

DATE: May 26, 2020 Submission for the June 16, 2020 Meeting

ITEM: ABL_68280 - Approval of Alcoholic Beverage License Application for SnoozeTown LLC DBA Snooze, an A.M. Eatery at 4600 Roswell Road, Suite G – 100, Sandy Springs, GA 30342. Applicant is Timothy Creedon on behalf of SnoozeTown LLC for Consumption on the Premises Wine, Malt Beverages, and Distilled Spirits.

Recommendation:

Approve the application for Consumption on the Premises of Wine, Malt Beverages, and Distilled Spirits for SnoozeTown LLC DBA Snooze, an A.M. Eatery at 4600 Roswell Road, Suite G – 100, Sandy Springs, GA 30342.

Background:

Applicant submitted a completed application on March 11, 2020. Applicant has passed the background investigation.

Discussion:

This is a new application for consumption on the premises Wine, Malt Beverages, and Distilled Spirits. Business is located between Mystic Pl NE and West Wieuca Rd NE.

Staff has reviewed this application and recommends approval.

Financial Impact:

Revenue - \$6,700.00

Alternatives:

None

Attachments:

1. Public Hearing Letter - SnoozeTown LLC



SANDY SPRINGS

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**CITY OF SANDY SPRINGS
PUBLIC NOTICE
20-68280**

PLACE: City of Sandy Springs City Hall
1 Galambos Way
Sandy Springs, GA 30328

DATE & TIME: June 16, 2020
6:00 P.M.

PURPOSE: Alcoholic Beverage License Application
Consumption on Premises of
Wine, Malt Beverage, & Distilled Spirits

APPLICANT: SnoozeTown LLC
DBA Snooze, an A.M. Eatery
4600 Roswell Road, Suite G – 100
Sandy Springs, GA 30342



June 16, 2020

Dear Mayor, City Council and Citizens of Sandy Springs,

The proposed Fiscal Year (FY) 2021 budget was prepared based on established priorities and defined rankings developed at the Annual Retreat and from budget workshops held with City Council in May 2020. This proposed budget is submitted to the Sandy Springs City Council in compliance with State Law (O.C.G.A. § 36-81-2 et seq.) that provides the budget requirements for Georgia local governments.

The FY 2021 Budget provides for the same millage rate of 4.731 mills as last year and maintains adequate reserves in the fund balance to ensure sound fiscal integrity of the City in addition to meeting the criteria of credit rating agencies. The FY 2021 Budget includes resources that will allow the City to provide a high level of public safety services to the citizens of Sandy Springs. This proposed budget also provides capital funding to address a significant backlog of existing infrastructure deficiencies.

During budget workshops, Council received briefings about economic conditions and short-term economic outlook, budget planning assumptions, public safety needs, operating department requests for resources and capital programs. These workshops focused on the effects of the COVID-19 pandemic on our national, state and local economy. As a result of the significant loss of jobs and declining revenues from the shutdown, the FY 2021 Budget reflects a 21% reduction in expenditures as well as an anticipated 10% drop in revenues, specifically those related to sales taxes, hotel/motel taxes and rental motor vehicle taxes. It is also expected that staff will make recommendations to amend the budget throughout the course of the year as we monitor revenues and the overall impact of the economy on the FY 2021 Budget. This FY 2021 Budget includes continued funding of \$72,500 for Art Sandy Springs, \$1,105,000 for park projects, \$4,475,000 for transportation infrastructure, and \$1,225,000 for stormwater infrastructure. Projects that are still anticipated this year include a permanent solution to the Public Safety Headquarters. Undesignated fund balance is higher than normal to ensure funds are available for a budget amendment for this project once the project scope and plan has been determined, and barring no significant further decline in revenue that would prompt its use for operations.

The proposed budget was developed following the Mayor and City Council's established priorities including: Commitment to Outstanding Customer Service, Public Safety Services, Transportation Improvements, Economic Development, Downtown Development, Community Appearance, Sustainable Growth, Water Reliability, Natural Resource Protection, North End Redevelopment and Recreation and Cultural Enhancement.

The FY 2021 General Fund Budget provides the following contributions to the Capital Fund according to the priorities outlined by the Mayor and City Council:



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1	Art Sandy Springs	72,500
2	Capital Contingency	1,700,000
3	Capital Purchase - Computer Eqpt	(62,953)
4	Heritage Blue Stone Facility	(2,552)
5	Trowbridge Facility	(200,000)
6	Backup 911 Center	(150,000)
7	City Springs FF&E	(13,307)
8	Hammond Park Improvements	1,000,000
9	Allen Road Park	105,000
10	Ridgeview Park	(7,976)
11	Old Riverside Dr Park	(98,561)
12	Lake Forrest Elementary IGA	(11,750)
13	Path Foundation Trail Master Plan	(2,900)
14	Carpenter Drive Realignment	(150,000)
15	Bike/ Ped/ Trail Design & Implem	75,000
16	City Springs Streetscape	(500,000)
17	Peachtree @Windsor Intersection Project	1,200,000
18	Access Management Plan	100,000
19	Pavement Management Program	2,600,000
20	Intersection & Operational Imp	200,000
21	Underground Utility Program	(500,000)
22	Traffic Management Program	300,000
TOTAL		\$5,652,500

The budget process included an assessment to determine the quality of services delivered and projected operational needs. The City Manager and Chief Financial Officer met with departments to assess projected goals and to discuss resources needed to meet these goals. Guidance and direction were also obtained through City Council workshops and City Council meetings.



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Public hearings are scheduled to gain citizen input and enable all members of the City Council to better understand the needs of the entire community prior to budget adoption. The budget can be revised during the public hearings by the City Council. The final budget is scheduled to be adopted by the City Council on June 16, 2020.

The proposed budgets for all operating, capital and special revenue funds total \$461,644,145. The City's General Fund provides for general government operations of the City and maintains adequate working capital necessary for the City's financial health and stability. This fund accounts for most of Sandy Springs' operations and has a budget of \$91,492,725. The remaining funds include: Confiscated Assets, E-911, Tree Fund, Community Development Block Grant, Hotel/Motel, Rental Motor Vehicle Excise Tax, TSPLOST Projects, Capital Projects, Impact Fees, Public Facilities Authority, Performing Arts Center, Stormwater Maintenance and Development Authority Funds. The Capital Project Fund, Public Facilities Authority Construction Fund, and the Stormwater Maintenance Fund (all capital construction funds) adopt project budgets where the adopted appropriations do not lapse at the end of a fiscal year, they remain in effect until project completion or re-appropriation by City Council.

The FY 2021 General Fund Budget provides for \$47,606,700 for personnel and related benefits; \$27,235,085 for operations and equipment; \$5,277,500 for capital improvement programs; and \$11,373,440 towards funding the other special funds. All eligible City employees may receive a 3% salary increase and are eligible for an additional bonus based on job performance if they meet certain standards.

The City's goal is to adopt an operating budget where projected revenues equal anticipated expenditures. All departments must function within the limits of the financial resources identified or available specifically to them. Budgets cannot exceed available resources, defined as revenues generated in the current period added to balances carried forward from prior years.

The budget is a dynamic rather than static plan which allows for adjustments and amendments as circumstances change. The City Council must approve all increases in total fund appropriations. Amounts in this budget may be reallocated within funds by approval of the City Manager as long as the total budgeted amounts do not exceed these appropriations by fund. Department Heads submit budget amendment requests transferring appropriations from one line item to another within the specific department appropriation with approval by the Chief Financial Officer and the City Manager.

The City's fund balance is maintained at or above \$20,500,000. The purpose of fund balance is to provide adequate cash flow, to cover the cost of expenditures caused by unforeseen emergencies, to cover shortfalls caused by revenue declines, and to eliminate any short-term borrowing for cash flow purposes.



The FY 2021 Budget was developed with the following objectives:

- Continue to enhance Public Safety capabilities
- Ensure financial stability
- Address capital deficiencies that exist city-wide by investing in transportation, parks and facilities capital improvement program, including the City Springs development
- Continue to leverage the flexibility of the public private partnership model by scaling resources to meet projected demand for services

The focus on the FY 2021 Budget is to provide excellent services to our citizens and business customers and to continue to allocate significant resources dedicated to improving the City's quality of life.

Confiscated Assets Fund

This fund is used to account for amounts seized by the police department from narcotics arrests in conjunction with other state and federal agencies. These funds are used by the police department to augment their general fund budget and can only be spent on law enforcement programs or activities. Generally, seizures can vary greatly from one year to the next and are not easily budgeted. However, using conservative figures for incoming funding plus the amounts that have remained unspent from previous years, the FY 2021 budget has been set at \$200,000.

E-911 Fund

This fund accounts for the revenues received from the 911 surcharge on telephone bills. The City of Sandy Springs participates in a joint venture with the City of Johns Creek for E-911 operations. All taxes collected in this fund are dedicated to a separate operating authority – Chattahoochee River 911 Authority. The amount estimated to be collected for the FY 2021 budget is \$3,000,000.

Tree Fund

This fund accounts for revenues received from development that reduces tree canopy below mandated minimums. All revenues collected in this fund are used to enhance tree canopy on Right of Way and in public parks. The amount estimated to be spent for the FY 2021 budget has been set for \$484,000.

Community Development Block Grant Fund (CDBG)



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The CDBG fund is used to account for funds received through an entitlement award as a result of federal congressional appropriations. The City's adopted plan directs that the awards be used for construction of infrastructure (primarily sidewalks) in the city. The City recently participated in the Section 108 Loan program in order to advance larger projects. We are currently accounting for the loan proceeds exceeding \$2.7 million as well as two awards: 2018 and 2019. The Total FY 2021 budget is \$1,490,127.

Hotel/Motel Fund

The room taxes imposed upon hotels and motels located within the City are accounted for in this fund. A portion of these funds can be retained by the City and a portion is expended for a narrow range of projects and activities established by State Law (O.C.G.A. § 48-13-51). These funds are currently distributed as follows: the City General Fund - 28.56%, the Sandy Springs Hospitality Board - 32.14% and the City General Fund for benefit of the City Springs Performing Arts Center - 39.30%. The anticipated taxes budgeted for FY 2021 are \$2,550,800.

Rental Motor Vehicle Excise Tax Fund

The excise taxes levied upon each rental charge collected by any rental motor vehicle concern located within the City are accounted for in this fund (O.C.G.A. § 48-13-93). These funds were previously reported within the General Fund. The anticipated taxes budgeted for FY 2021 are \$60,000.

TSPLOST Projects Fund

This fund accounts for all capital projects under the Transportation Special Purpose Local Option Sales Tax approved by referendum in November 2016. Funds are derived from the collections to be received through 2022. The appropriations in this fund do not lapse at year-end, but rather, unspent amounts are carried forward to future periods until the individual projects are completed. The FY 2021 budget for this fund is \$56,746,179.

Capital Projects Fund

This fund accounts for all facilities, parks, and infrastructure construction in the City. Funds are derived from contributions from the General Fund as well as other grants and funding sources. The appropriations in this fund do not lapse at year-end, but rather, unspent amounts are carried forward to future periods until the individual projects are completed. The FY 2021 budget for this fund is \$57,506,205.

Impact Fee Fund

Impact fees are amounts assessed on construction development projects to offset the anticipated cost of additional infrastructure needed as a result of the new development. These funds,



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although collected in this fund, are dedicated to capital projects, which are accounted for in the Capital Projects Fund. The amount expected to be collected in the FY 2021 budget is \$750,000.

Public Facilities Authority Fund

This fund accounts for the City Springs project, which includes a performing arts center, public meeting spaces, a studio theater, city office space and public parking facilities. Funds are derived from contributions from the General Fund, bond proceeds, the sale of City assets and other funding sources. The construction appropriations in this fund do not lapse at year-end, but rather, unspent amounts are carried forward to future periods until the project is complete by the end of FY 2021. The current construction budget is \$229,212,000. The appropriations for the project, which include debt service related to the bond issuance, will continue once construction is complete. The total funding for debt service and operations in the FY 2021 budget is \$9,758,650.

Performing Arts Center Fund

This fund is used to account for activities, staffing and operations within the City Springs Performing Arts Center. These funds are currently used to operate the performing arts center and are total estimated to be expensed for the FY 2021 budget is \$5,785,260.

Stormwater Maintenance Fund

This fund accounts for construction projects related to stormwater infrastructure improvements. Currently, the General Fund is the sole source of revenues for this fund. The FY 2021 budget for this fund is \$1,955,000.

Development Authority Fund

This fund accounts for revenues and expenditures related to ongoing development projects within the City. The FY 2021 budget for this fund is \$653,200.

The City of Sandy Springs FY 2021 Budget is the culmination of the City's Priority Driven Programming process that reflects Council's established priorities and significant citizen engagement and feedback throughout the previous fiscal year. This budget provides the needed resources to services and projects that meet the needs of citizens now and in the future.

Respectfully Submitted,

Andrea Surratt
City Manager

Karen Ellis
Chief Financial Officer

**STATE OF GEORGIA
COUNTY OF FULTON**

**ORDINANCE TO PROVIDE FOR THE ADOPTION OF A BUDGET, ITS EXECUTION
AND EFFECT FOR THE FISCAL YEAR BEGINNING JULY 1, 2020 AND ENDING JUNE
30, 2021**

BE IT ORDAINED by the Mayor and City Council of the City of Sandy Springs, Georgia:

Section I. There is hereby adopted for the fiscal year July 1, 2020 through June 30, 2021, a budget for the City of Sandy Springs, Georgia in the gross total amount of \$461,644,145, based on the budget estimates as prepared by the City Manager. Amounts in this budget may be reallocated within funds by approval of the City Manager as long as the total budgeted amounts do not exceed these appropriations by fund.

Section II. General Fund. There is hereby established a General Fund for the City of Sandy Springs with an appropriation of \$91,492,725, for the general obligations and legal obligations in FY 2021.

General Fund revenues for the fiscal year are estimated as follows:

Taxes	\$ 81,179,000
Licenses and Permits	2,371,000
Charges for Services	343,000
Fines & Forfeitures	1,900,000
Investment Income	250,000
Other Revenue	491,120
Transfer from Hotel Motel	2,391,000
Total Estimated General Fund Revenues	\$ 88,925,120
Use of Prior Year Fund Balance	2,567,605
Total Estimated General Fund Funding Sources	\$ 91,492,725

Should the total estimated revenues received exceed the amount estimated, the City Council shall allocate such excess to the General Fund subject to further action.

There is appropriated for the general operation and payment of certain legal obligations of the City of Sandy Springs for the fiscal year 2021 a total of \$91,492,725, or as much as may be deemed necessary, not to exceed this amount and such sums shall be disbursed from the following:

City Council	\$ 226,400
City Manager	872,395
City Clerk	430,300
Finance	2,308,300
City Attorney	900,000
Information Services	2,565,700
Human Resources	582,200
Facilities	4,076,600
Communications	1,626,150
General Administration	2,861,000
Municipal Court	1,392,000
Police	22,228,900
Fire	14,555,900
Emergency Medical/Services	1,331,200
Public Works	11,127,500
Fleet Services	257,700
Recreation	3,348,940
Community Development	3,555,700
Economic Development	359,500
Other Financing Uses	16,886,340
Total Estimated General Fund Expenditures	\$ 91,492,725

Section III. Confiscated Assets Fund. There is hereby established a Confiscated Assets Fund for the City of Sandy Springs with an appropriation of \$200,000.

Revenues for the Confiscated Assets Fund shall be from the following sources:

Federal /State Seized Funds	\$ 200,000
Total Confiscated Assets Fund Revenues	\$ 200,000

The following disbursements are authorized for the fiscal year 2021:

Police Operations	\$ 200,000
Total Confiscated Assets Fund Expenditures	\$ 200,000

Section IV. Emergency 911 Fund. There is hereby established an Emergency 911 Fund for the City of Sandy Springs with an appropriation of \$3,000,000.

Revenues for the Emergency 911 Fund shall be from the following sources:

Charges for Services	\$ 3,000,000
Total Emergency 911 Fund Revenues	\$ 3,000,000

The following disbursements are authorized for the fiscal year 2021:

Transfer to Chattahoochee River 911 Authority	\$ 3,000,000
Total Emergency 911 Fund Expenditures	\$ 3,000,000

Section V. Tree Fund. There is hereby established the Tree Fund for the City of Sandy Springs with an appropriation of \$484,000.

Revenues for the Tree Fund shall be from the following sources:

Use of Prior Year Fund Balance	\$ 334,000
Development Impact Fees	150,000
Total Tree Fund Revenues	\$ 484,000

The following disbursements are authorized for the fiscal year 2021:

Tree Fund Projects	\$ 484,000
Total Tree Fund Expenditures	\$ 484,000

Section VI. Community Development Block Grant Fund. There is hereby established a Community Development Block Grant Fund for the City of Sandy Springs with an appropriation of \$1,490,127.

Revenues for the Community Development Block Grant Fund shall be from the following sources:

Use of Prior Year Fund Balance	\$ 209,188
2018 CDBG Award	627,731
2019 CDBG Award	653,208
Total Community Development Block Grant Revenues	\$ 1,490,127

The following disbursements are authorized for the fiscal year 2021:

Sidewalks Phase 3/Sub Phase 1	\$ 391,647
Sidewalks Phase 3/Sub Phase 2	300,000
Sidewalks Phase 3/Sub Phase 3	653,208
Principal & Interest Payment	81,217
Total Community Development Block Grant Expenditures	\$ 1,426,072

Section VII. Hotel/Motel Tax Fund. There is hereby established a Hotel/Motel Tax Fund for the City of Sandy Springs with an appropriation of \$2,550,800.

Revenues for the Hotel/Motel Tax Fund shall be from the following sources:

Taxes	\$ 2,550,800
Total Hotel/Motel Tax Fund Revenues	\$ 2,550,800

The following disbursements are authorized for the fiscal year 2021:

Transfer to General Fund for Public Facilities Authority	\$ 1,002,400
Transfer to General Fund	728,600
Transfer to Sandy Springs Hospitality Board	819,800
Total Hotel/Motel Tax Fund Expenditures	\$ 2,550,800

Section VIII. Rental Motor Vehicle Excise Tax Fund. There is hereby established a Rental Motor Vehicle Excise Tax Fund for the City of Sandy Springs with an appropriation of \$60,000.

Revenues for the Rental Motor Vehicle Excise Tax Fund shall be from the following sources:

Taxes	\$ 60,000
Total Rental Motor Vehicle Excise Tax Fund Revenues	\$ 60,000

The following disbursements are authorized for the fiscal year 2021:

Transfer to General Fund	\$ 60,000
Total Rental Motor Vehicle Excise Tax Fund Expenditures	\$ 60,000

Section IX. TSPLOST Fund. There is hereby established a Capital Projects Fund for the City of Sandy Springs in relation to the Transportation Special Purpose Local Option Sales Tax (TSPLOST) with an appropriation of \$56,746,179.

Revenues for the TSPLOST Fund shall be from the following sources:

Taxes	\$ 74,828,701
Total Estimated TSPLOST Fund Revenues	\$ 74,828,701

The following disbursements are authorized for the fiscal year 2021:

TSPLOST Approved Capital Projects	\$ 56,746,179
Total TSPLOST Fund Expenditures	\$ 56,746,179

Section X. Capital Projects Fund. There is hereby established a Capital Projects Fund for the City of Sandy Springs with an appropriation of \$57,506,205.

Revenues for the Capital Projects Fund shall be from the following sources:

Federal, State & Other Outside Funding	\$ 16,116,916
Transfer In from General Fund	4,052,500
Total Estimated Capital Fund Revenues	\$ 20,169,416
Use of Prior Year Fund Balance	37,336,789
Total Estimated Capital Funding Sources	\$ 57,506,205

The following disbursements are authorized for the fiscal year 2021:

Art Sandy Springs	213,690
Capital Contingency	9,525,115
Fire Station	3,535,584
Trowbridge Facility	177,819
Backup 911 Center	350,000
Cultural Center	2,465,000
Land Acquisition	3,043,878
Transmission Relocation	2,730,000
Sandy Springs Circle Phase 2	2,055,005
City Springs FF&E	64,090
SS Tennis Center	15,145
Hammond Park Improvements	1,093,643
Morgan Falls Overlook	256,754
Morgan Falls Athletic Fields	9,213

ORDINANCE NO. 2020-06-XX-

Allen Road Park	150,420
Crooked Creek Park	49,386
Ison Springs Elementary IGA	215,900
City Trail Construction	742,580
Rivershore Floodplain	105,100
Triangle Park	2,476
Parkland Acquisition	1,214,100
Roswell Road SS Phase I	8,175,305
Chattahoochee Pedestrian Bridge	665,406
Glenridge @ Roswell Rd Intersection	497,336
Carpenter Drive Realignment	51,646
Hammond PD Glenridge ATMS	12,947
City Ctr Transportation Network	814,757
Bike/Ped/Trail Design & Implem	289,137
City Springs Streetscape	185,336
North End Revitalization	1,164,981
Peachtree @ Telford Improvement Project	1,577,217
Signal Preemption Emergency Response	103,716
SR 140 Holcomb @ Spalding ROW	450,000
Mt. Vernon @ Dupree Signal Upgrade	279,568
Peachtree @ Windsor Intersection Project	1,200,000
Access Management Plan	100,000
Water Reliability Program	255,113
Pavement Management Program	7,825,797
City Beautification Program	267,816
Sidewalk Program	476,419
Intersection & Operational Imp	541,827
Guardrail Replacement Program	426,027
Underground Utility Program	423,316
Lake Forrest Dam Maintenance	2,263,972
Bridge & Dam Maintenance	100,000
Traffic Management Program	1,222,987
Traffic Calming	120,681

Total Capital Project Fund Expenditures **\$ 57,506,205**

Section XI. Impact Fee Fund. There is hereby established an Impact Fee Fund for the City of Sandy Springs with an appropriation of \$750,000.

Revenues for the Impact Fee Fund shall be from the following sources:

Charges for Services	\$ 750,000
Total Impact Fee Fund Revenues	\$ 750,000

The following disbursements are authorized for the fiscal year 2021:

Transfers to Other Funds	\$ 750,000
Total Impact Fee Fund Expenditures	\$ 750,000

Section XII. Public Facilities Authority Fund. There is hereby established a Public Facilities Authority Fund for the City of Sandy Springs with an appropriation of \$238,970,650.

Revenues for the Public Facilities Authority Fund shall be from the following sources:

Transfers in From General Fund	\$ 36,522,619
Transfer in From Capital Project Fund	21,298,031
Sale of Assets	9,000,000
Revenue Bond Proceeds	171,400,000
Interest Income	750,000
Total Public Facilities Authority Fund Revenues	\$ 238,970,650

The following disbursements are authorized for the fiscal year 2021:

Professional Services	\$ 19,323,125
Infrastructure	196,882,073
Infrastructure-Other	775,000
Infrastructure-Special	10,945,260
Contingencies	1,286,542
Debt Service	9,758,650
Total Public Facilities Authority Fund Expenditures	\$ 238,970,650

Section XIII. Performing Arts Center Fund. There is hereby established a Performing Arts Center Fund for the City of Sandy Springs with an appropriation of \$5,785,260.

Revenues for the Performing Arts Center Fund shall be from the following sources:

PAC Revenues	\$ 4,170,520
Transfer from General Fund	1,614,740
Total Performing Arts Center Fund Revenues	\$ 5,785,260

The following disbursements are authorized for the fiscal year 2021:

PAC Operations	\$ 5,785,260
Total Performing Arts Center Fund Expenditures	\$ 5,785,260

Section XIV. Stormwater Management Fund. There is hereby established a Stormwater Management Fund for the City of Sandy Springs with an appropriation of \$1,955,000.

Revenues for the Stormwater Management Fund shall be from the following sources:

Transfer in From General Fund	\$ 1,225,000
Use of Prior Year Fund Balance	730,000
Total Stormwater Management Fund Revenues	\$ 1,955,000

The following disbursements are authorized for the fiscal year 2021:

Infrastructure/Improvements	\$ 1,955,000
Total Stormwater Management Fund Expenditures	\$ 1,955,000

Section XV. Development Authority Fund. There is hereby established a Development Authority Fund for the City of Sandy Springs with an appropriation of \$653,200.

Revenues for the Development Authority Fund shall be from the following sources:

Contract Payments	\$ 600,000
Use of Prior Year Fund Balance	53,200
Total Development Authority Fund Revenues	\$ 653,200

The following disbursements are authorized for the fiscal year 2021:

Operations	\$ 53,200
Transfers to General Fund	600,000
Total Development Authority Fund Expenditures	\$ 653,200

APPROVED AND ADOPTED by the Mayor and City Council of the City of Sandy Springs, Georgia, in regular session this 16th day of June 2020.

APPROVED:

Russell K. Paul, Mayor

ATTEST:

Raquel Gonzalez, City Clerk



SANDY SPRINGS

CITY CLERK'S OFFICE

TO: Andrea Surratt, City Manager

FROM: William H. Martin Jr., AIA, Public Works Director

DATE: May 8, 2020 Submission for the June 16, 2020 Meeting

ITEM: Request for Mayor and City Council Consideration of Bridge Maintenance and Repair Design Support Contract Award

Recommendation:

Staff recommends that the Mayor and City Council approve a contract with AECOM Technical Services, Inc. for the Bridge Maintenance and Repair Design Support Contract.

Background:

On a biannual basis, the City receives a bridge sufficiency report from GDOT that outlines all deficiencies in need of repair at all bridges. The City requested quotes from the City's On-Call Design consultants for maintenance and repair design services and support of all City owned and maintained bridges. The scope included inspection all bridges, plan sheets and cost estimates to be provided for each bridge, and required limited construction services including shop drawing review, responding to RFI's and final inspection to confirm compliance with contract plans.

Quote results are as follows:

Firm	Bid
AECOM	\$132,000
WSP	\$164,750
POND	\$275,960
Kimley Horn	No Bid
HNTB	No Bid

Discussion:

In response to the requirements outlined in the RFQ, AECOM Technical Services, Inc. provided the most responsive and responsible proposal for the project design at a cost of \$132,000.

Financial Impact:

The staff estimate for the design of this project was \$100,000. Adequate funds are to be budgeted and

allocated for these services in a new capital fund for FY2021.

Alternatives:

The City may choose to re-advertise the design services, proceed with one of the other design consultants, or choose not to fund the design for this project at this time.

Attachments:

1. Bridge Maintenance and Repair_Resolution

RESOLUTION NO. _____

STATE OF GEORGIA
COUNTY OF FULTON

A RESOLUTION TO APPROVE A CONTRACT WITH AECOM TECHNICAL SERVICES, INC. FOR THE BRIDGE MAINTENANCE AND REPAIR DESIGN SUPPORT CONTRACT, AND AUTHORIZATION FOR THE CITY MANAGER TO EXECUTE THE CONTRACT

WHEREAS, it is necessary, from time to time, to establish policies, procedures and guidelines consistent with the administration of a municipal government consistent with the US Constitution, Federal Statutes, alignment with Federal, Georgia's State Constitution, and the Charter for the City of Sandy Springs and

WHEREAS, the Department of Public Works, in response to the guidance provided by the City Manager, has received a bid from AECOM Technical Services, Inc. for the Bridge Maintenance and Repair Design Support Contract, Sandy Springs, Fulton County, Georgia; and

WHEREAS, upon adoption of this Resolution, City of Sandy Springs Public Works Department staff will manage all applicable phases of the construction contract.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SANDY SPRINGS, GEORGIA

That the City Manager execute a contract in the amount of \$132,000 with the selected consultant, AECOM Technical Services, Inc. for the Bridge Maintenance and Repair Design Support Contract, Sandy Springs, Fulton County, Georgia.

RESOLVED this the 16th day of June, 2020.

Approved:

Russell K. Paul, Mayor

Attest:

Raquel Gonzalez, City Clerk
(Seal)



SANDY SPRINGS

CITY CLERK'S OFFICE

TO: Andrea Surratt, City Manager

FROM: William H. Martin, Jr., AIA, Public Works Director

DATE: May 27, 2020 Submission for the June 16, 2020 Meeting

ITEM: Request for Mayor and City Council Consideration of Approval of a Memorandum of Understanding with Georgia Department of Transportation for the SR400 Express Lane Bridges Enhancements Features for Spalding Drive, Pitts Road, and Roberts Drive

Recommendation:

Staff recommends that the Mayor and City Council approve the Memorandum of Understanding (MOU) for the State Route (SR) 400 Express Lane (EL) Bridges Enhancements Features for Spalding Drive, Pitts Road, and Roberts Drive and that the City Council authorize the Mayor to execute the MOU between the City of Sandy Springs (City) and the Georgia Department of Transportation (GDOT).

Background:

GDOT will replace the bridges at Spalding Drive, Pitts Road, and Roberts Drive as part of the SR 400 Express Lane Project (PI0001757, ARCID AR-ML-300). The replaced bridges by GDOT would only provide a five-foot sidewalk for pedestrians, and would not include any bicycle facilities or any other aesthetic improvements that represent the City. In response to GDOT's proposal, City requested GDOT to include the bicycle accommodations and additional pedestrian accommodations beyond the proposed five-foot sidewalk.

Discussion:

The goal of the SR400 EL Bridges Enhancements Features is to include the bicycle accommodations and additional pedestrian accommodations now as part of the SR400 EL Project to meet the City's future needs, and avoid retrofitting the new bridges. The roadways that include the three bridges are along the City's Master Trail Network. Without these improvements, there will be major gaps when the Trails are built out. Additionally, the enhancement features include pedestrian lighting and decorative elements, such as aesthetic form liner and decorative fencing, which complement the City's character.

Financial Impact:

Per the MOU, the City will be responsible for the additional cost of the enhancement features, which is \$5,510,940.00. The funds will need to be available in early calendar year 2022.

Alternatives:

Should Mayor and City Council choose not to enter into the MOU with GDOT, the following are the alternatives:

1. The City could build separate pedestrian bridges to provide crossing for bike facilities.
2. The City could retrofit the bridges later by adding the enhancements and widths to the existing bridges to provide the needed area for bike facilities.

Attachments:

1. SR400 Bridge Enhancement Presentation
2. Final MOU
3. Resolution_MOU GDOT

SR400 Managed Lanes Bridge Replacement Enhancement

June 16, 2020

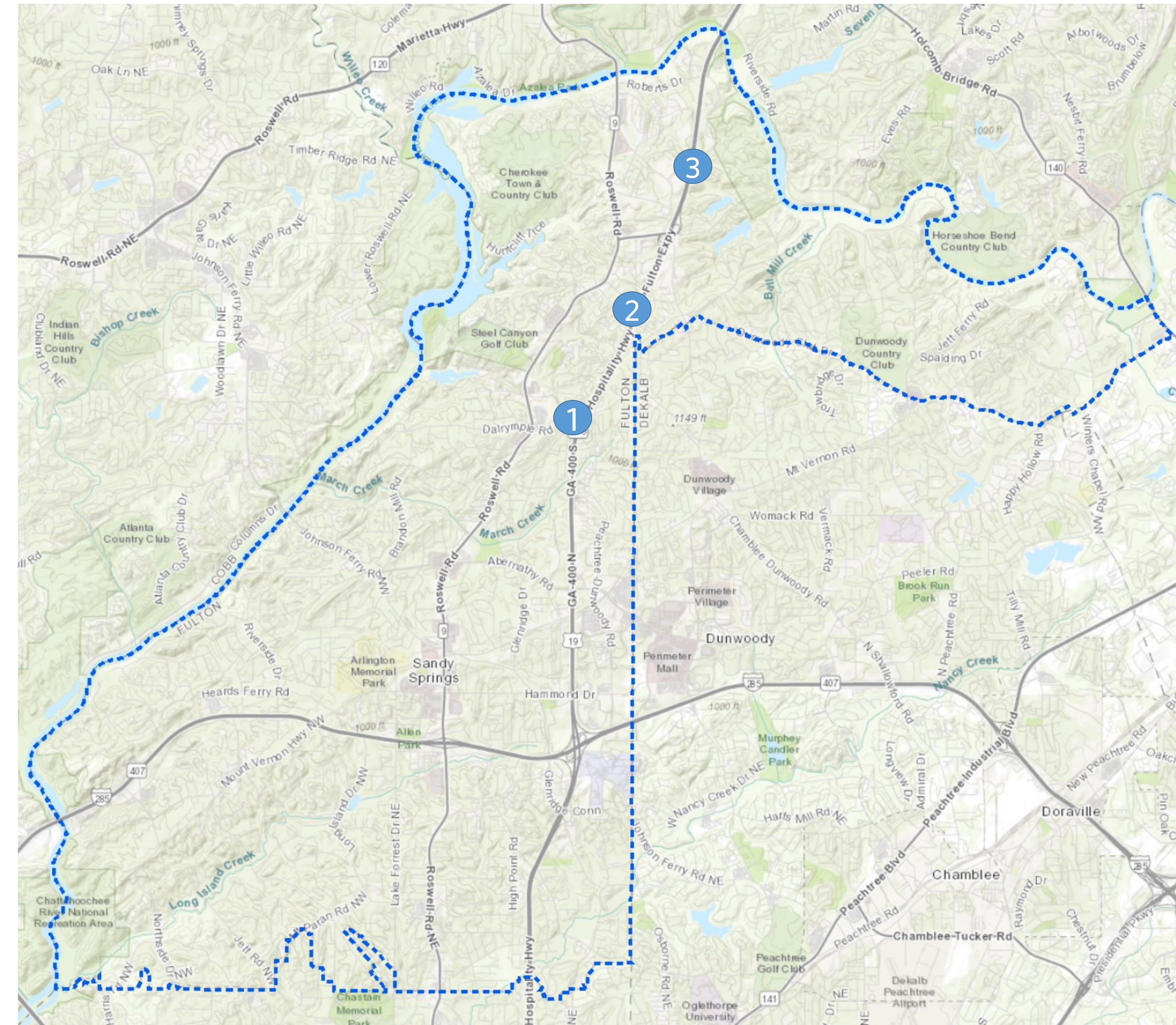


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SR 400 Express Lanes: Bridge Replacement

GDOT's MMIP will replace three bridges in kind up to current standards* (5' sidewalk & 12' travel lanes)

- ① SR 400 @ Spalding Drive
- ② SR 400 @ Pitts Road
- ③ SR 400 @ Roberts Drive



*Does not account for multi-modal improvements or changes in industry best practices since bridges originally constructed.

Background

- January 2019 – City submitted comments on the SR 400 Express Lanes concept report
 - Included the Sandy Springs streetscape requirements per the COSS Development Code
- August 2019 – GDOT responded to the City
 - Project will **not preclude** future widening on bridges to accommodate COSS future typical sections.
- September 2019 – GDOT met with City Staff
 - GDOT is open to widening bridges and adding aesthetic features as part of SR 400 Express Lanes project.
 - Requests that the City provide a list of what to include on the bridges and a financial commitment from the City for additional costs.
 - GDOT noted Complete Streets Policy does not apply to bridges.
 - GDOT explained GDOT is planning to reconstruct bridges with in-kind updated to current standards.
- September 2019 – City Staff sent a response letter to GDOT
 - Request to include bicycle accommodations and additional pedestrian accommodations
 - Accommodations would be beyond the GDOT planned 5-ft sidewalk and 2-ft landscape strip
 - Request to include a striped turn lane for operations requirements of the adjacent intersections
 - Understands underpass at Roberts Drive will not be reconstructed, only widened
 - Request to include decorative rail on the bridges instead of the traditional fencing

Background

- October 2019 – GDOT responded to the City
 - GDOT provided cost estimate for the additional enhancements based on Like-for-Like Bridge Widths.
 - Roberts Drive – \$2,500,000
 - Like-for-Like Bridge Width = 39'-5
 - Additional Bridge Width = 14 LF
 - Pitts Road – \$2,830,000
 - Like-for-Like Bridge Width = 39'-5
 - Additional Bridge Width = 14 LF
 - Spalding Drive – \$5,000,000
 - Like-for-Like Bridge Width = 60'-5
 - Additional Bridge Width = 14 LF
 - GDOT requested for feedback and City's funding commitment by November 21, 2019
- November 2019 – City responded to GDOT
 - City defined the elements to be included in each bridge and confirmed the City's interest in funding the enhancements.
 - Public Works would coordinate to refine the requested elements and provide more cost effective solutions for the City's requested elements.

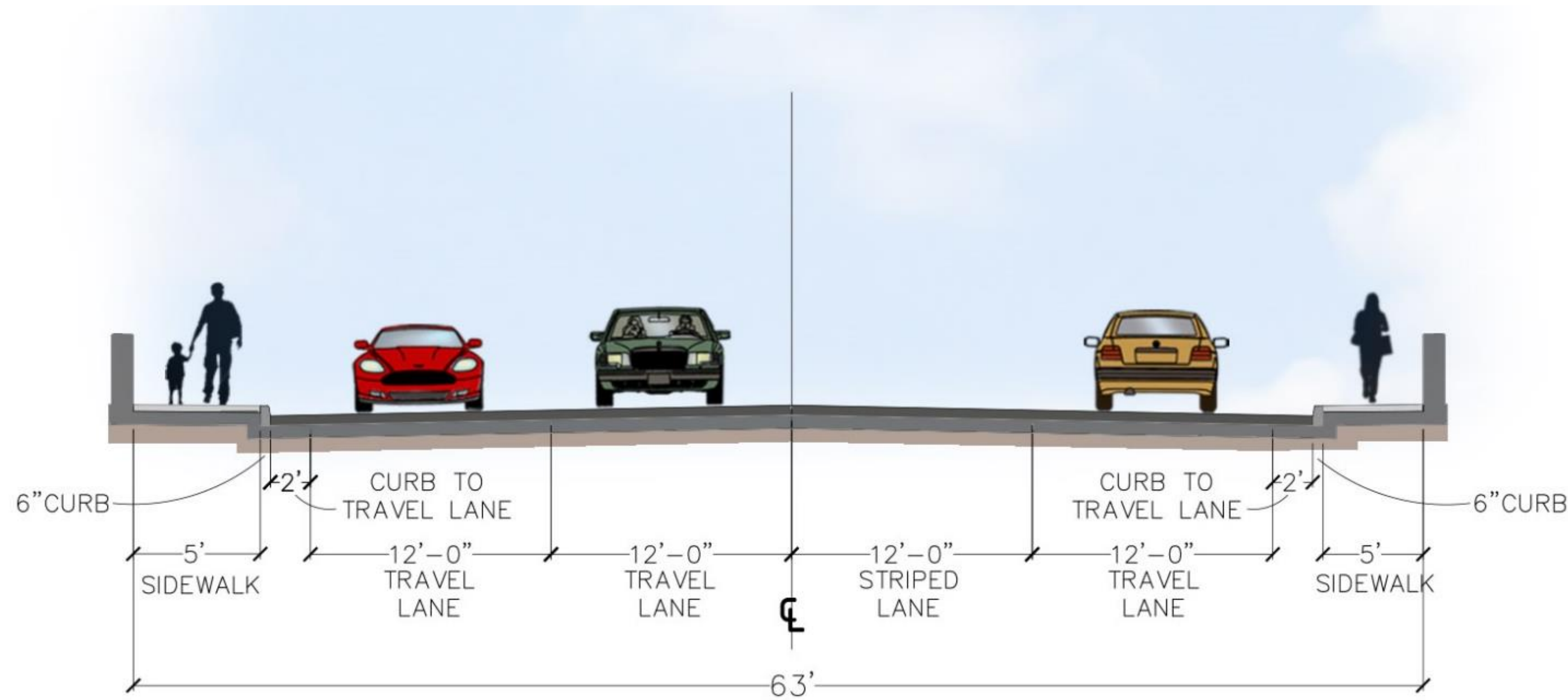
Background

- December/January 2020 - City hired Atkins to provide SR400 Managed Lanes Bridge Replacement Enhancement Study and Cost Estimate
- January – March 2020 – City requested and worked with Atkins developed the enhancements
 - Concept design and concept cost analysis for the addition of COSS requested enhancements
 - Compare GDOT Like for Like section and Required section
 - Analysis included potential options to narrow COSS Required Section
- March 2020 – City's Internal Stakeholder Meeting
 - Stakeholders reviewed and endorsed enhancements options to prepare for the recommendations to GDOT and Mayor and City Council
- May 2020 - GDOT Reviewed COSS Final Requested Enhancements and Provided Comments -- \$5,510,940 current total estimate

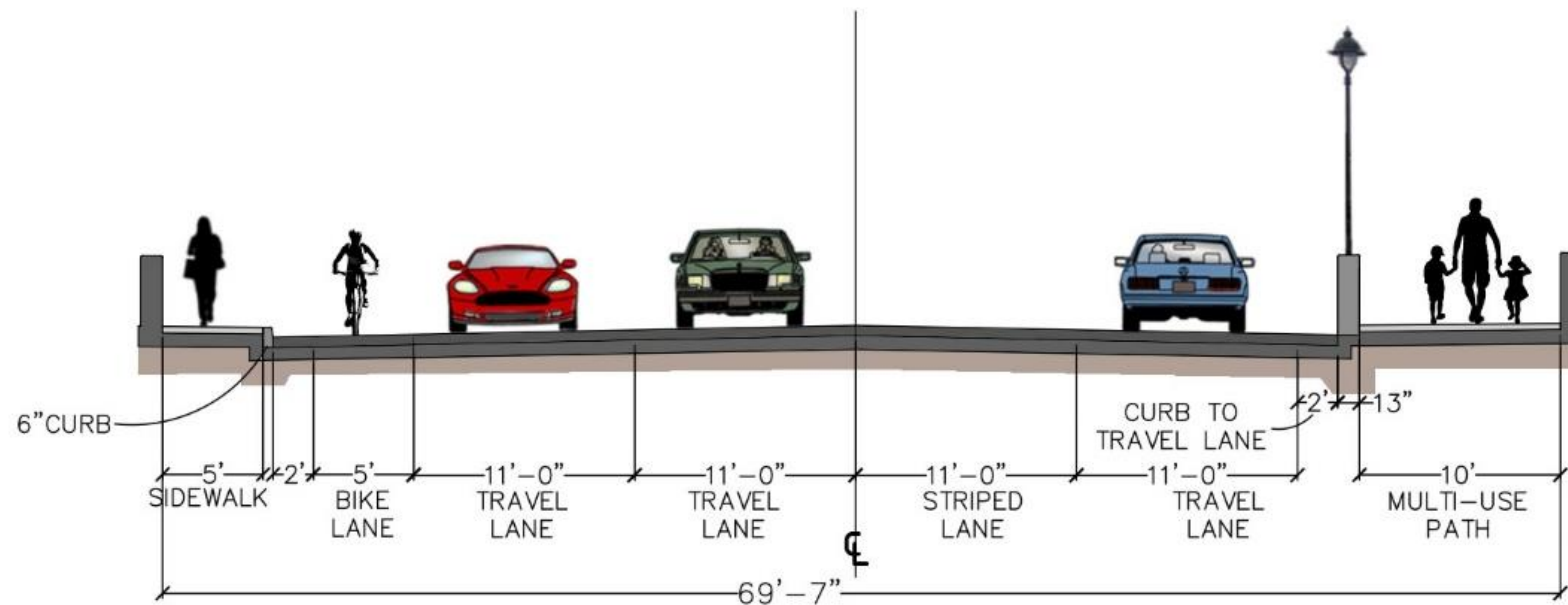
Spalding Drive Bridge – 509 LF



Spalding Drive Bridge – 509 LF



GDOT Required Section

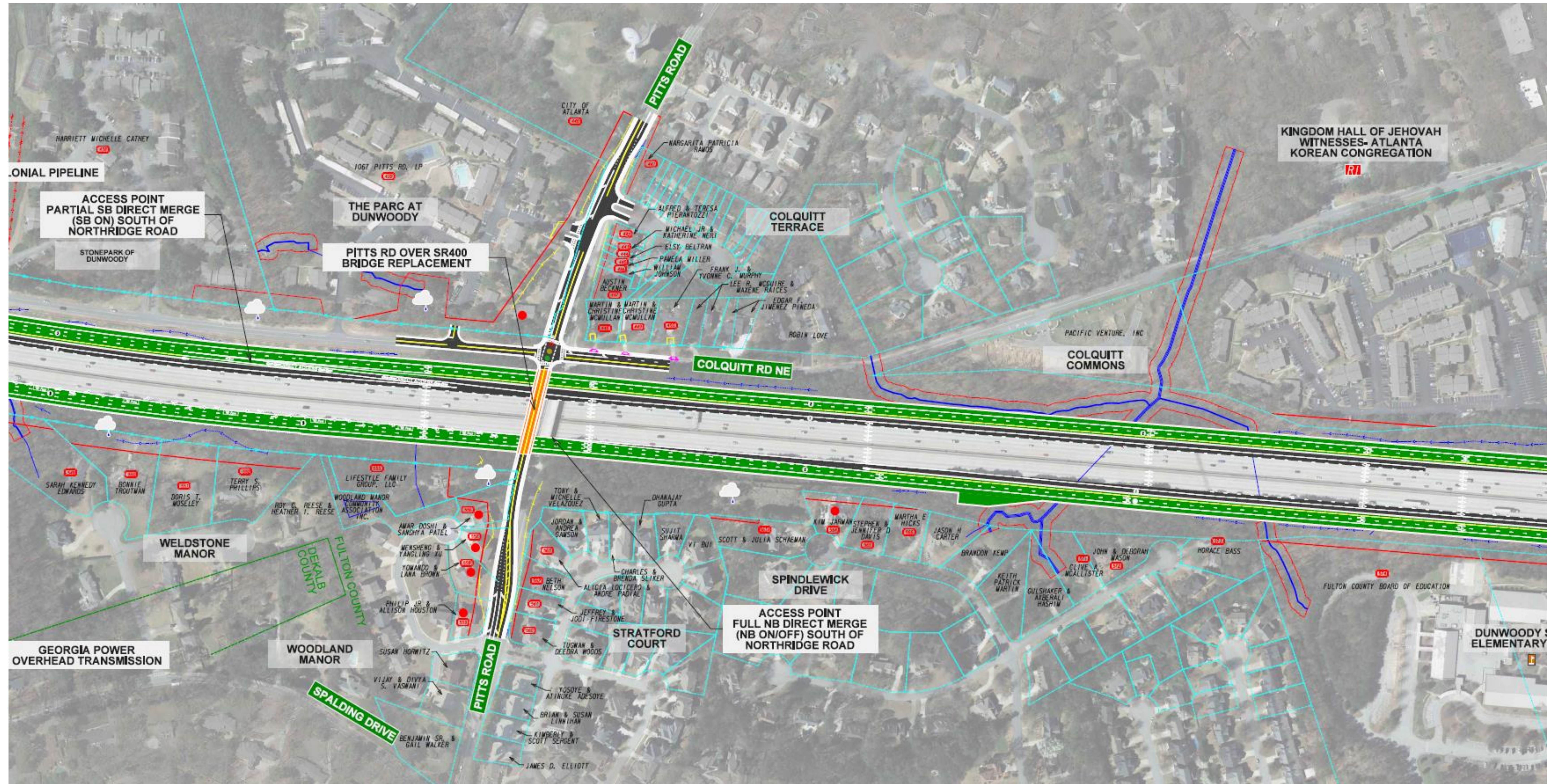


COSS Requested Section

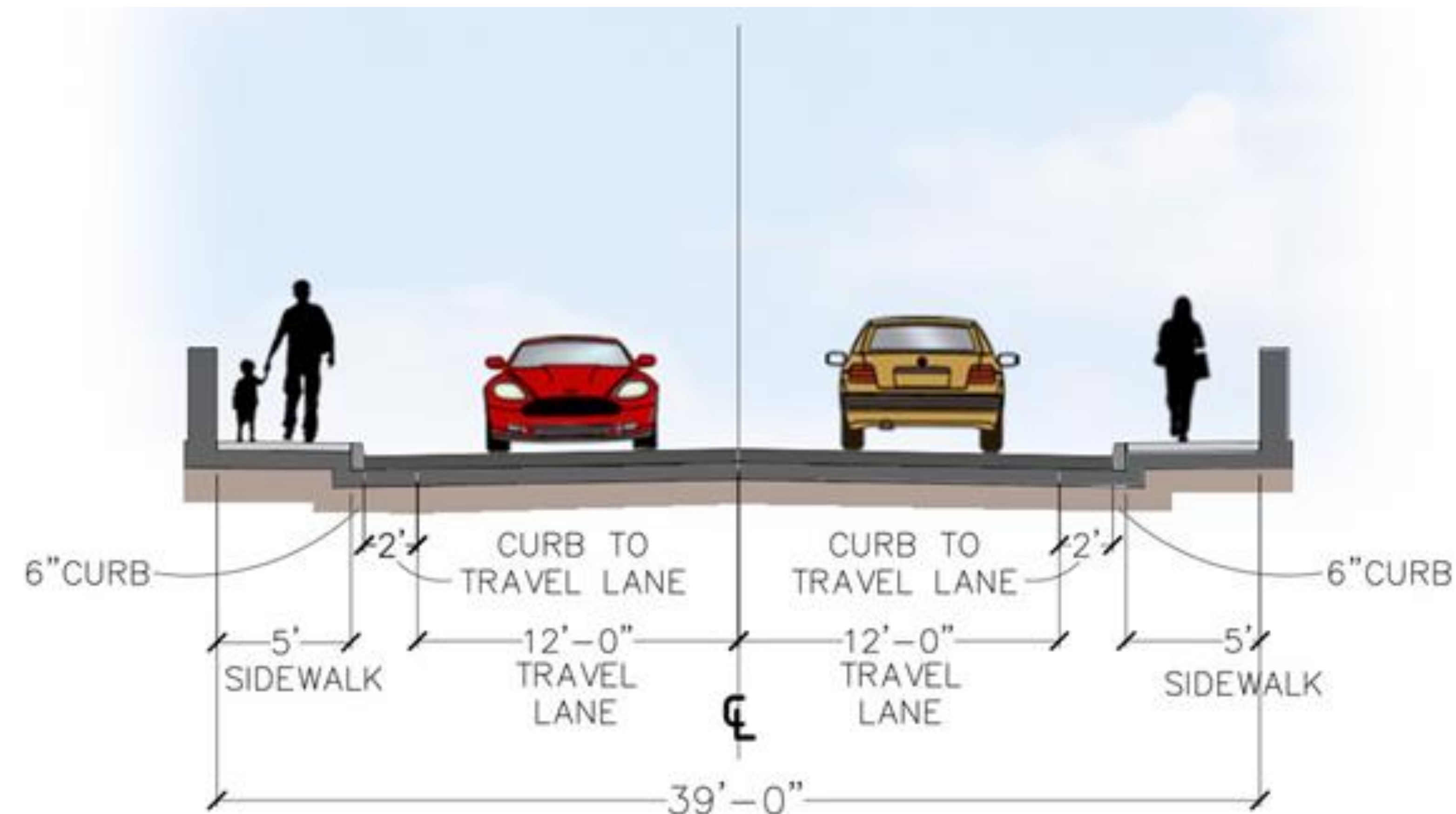
COSS Requested Section Includes:

- 10' multi use path on south side
- Parapet wall separation on south side
- 5' Bike lane on north side
- Pedestrian lights on parapet wall on south side
- Utility Conduits
- Decorative fencing/railing
- 6'- 7" increase in width
- \$2,735,981 – COSS Responsibility

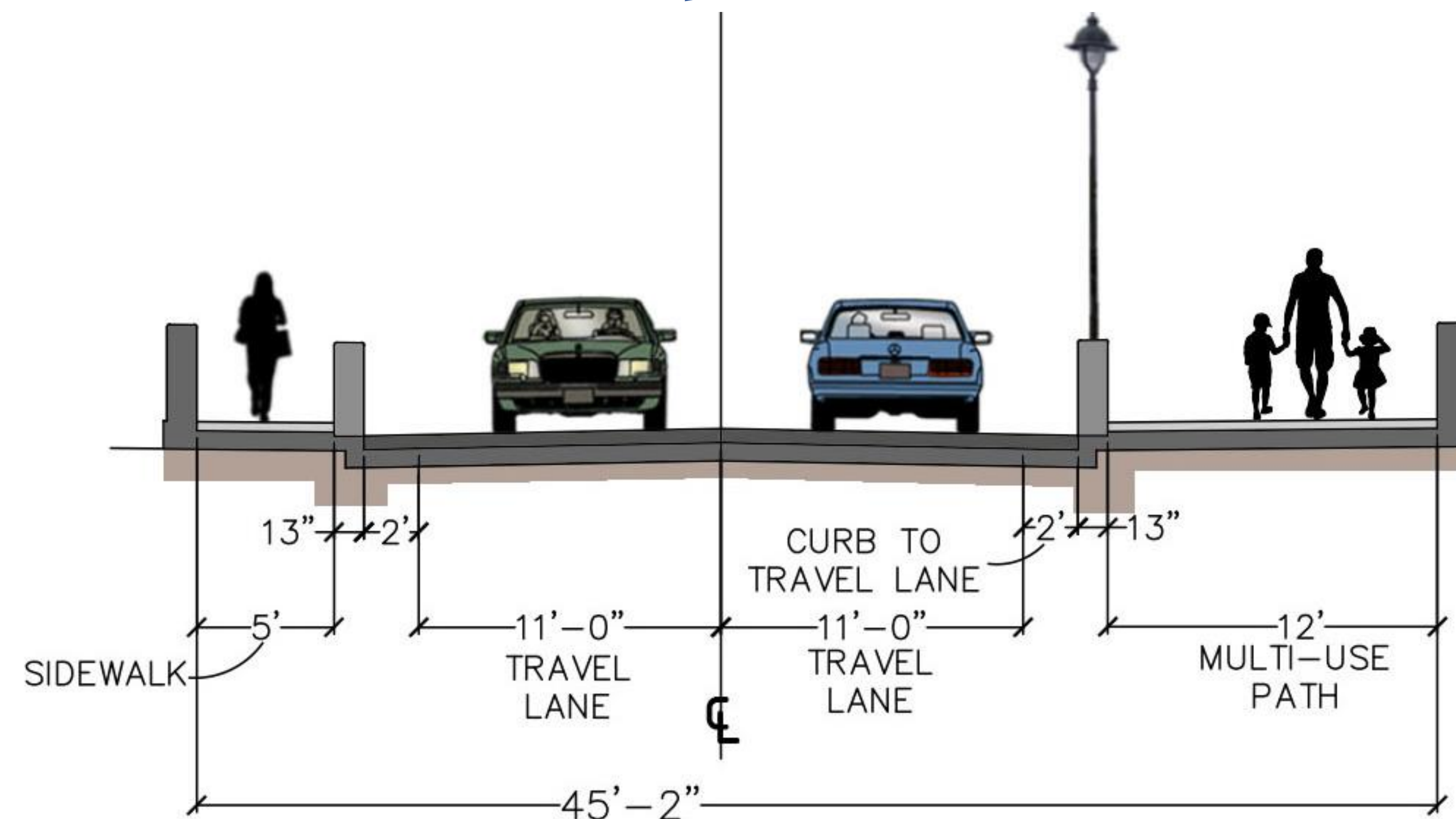
Pitts Road Bridge – 250 LF



Pitts Road Bridge – 250 LF



GDOT Required Section

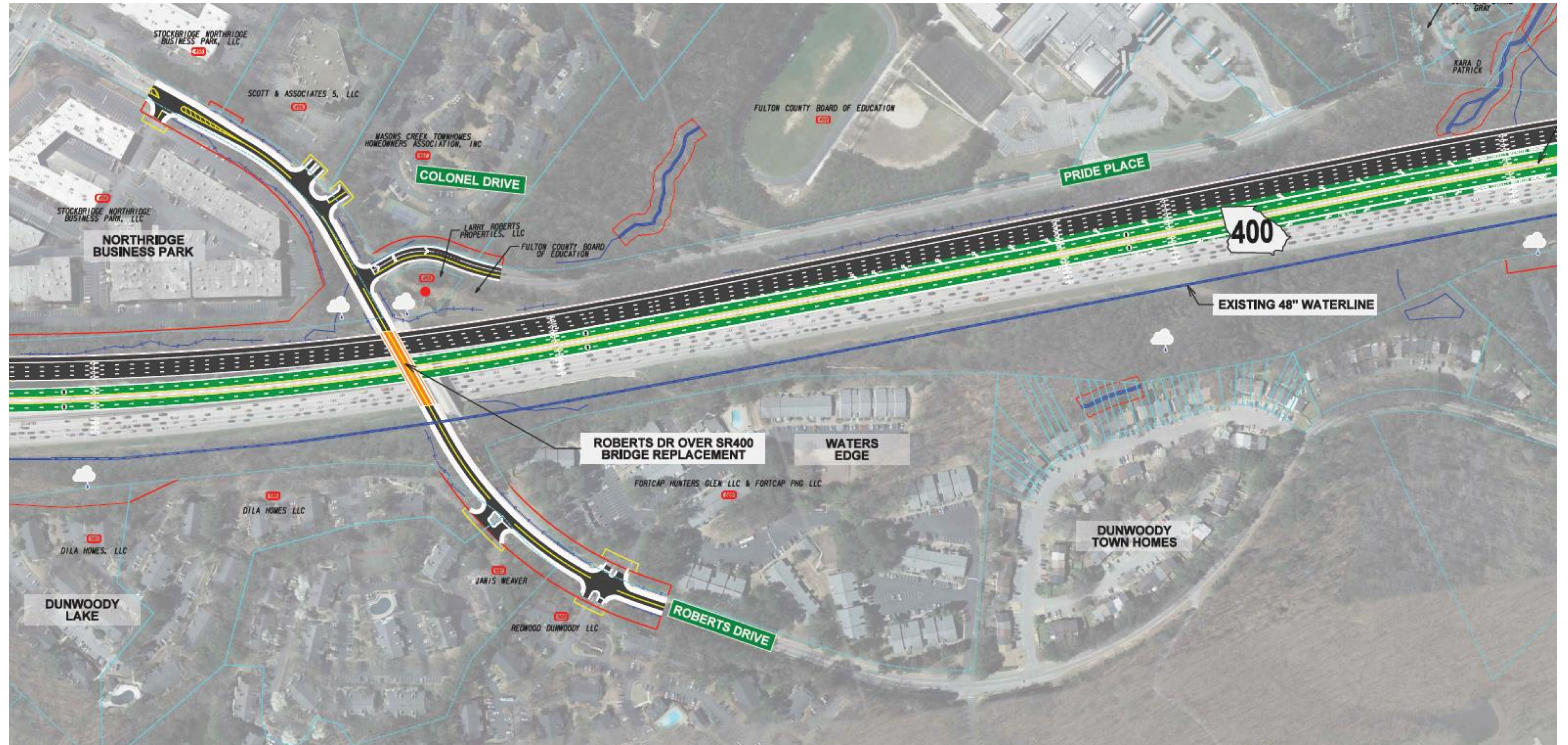


COSS Requested Section

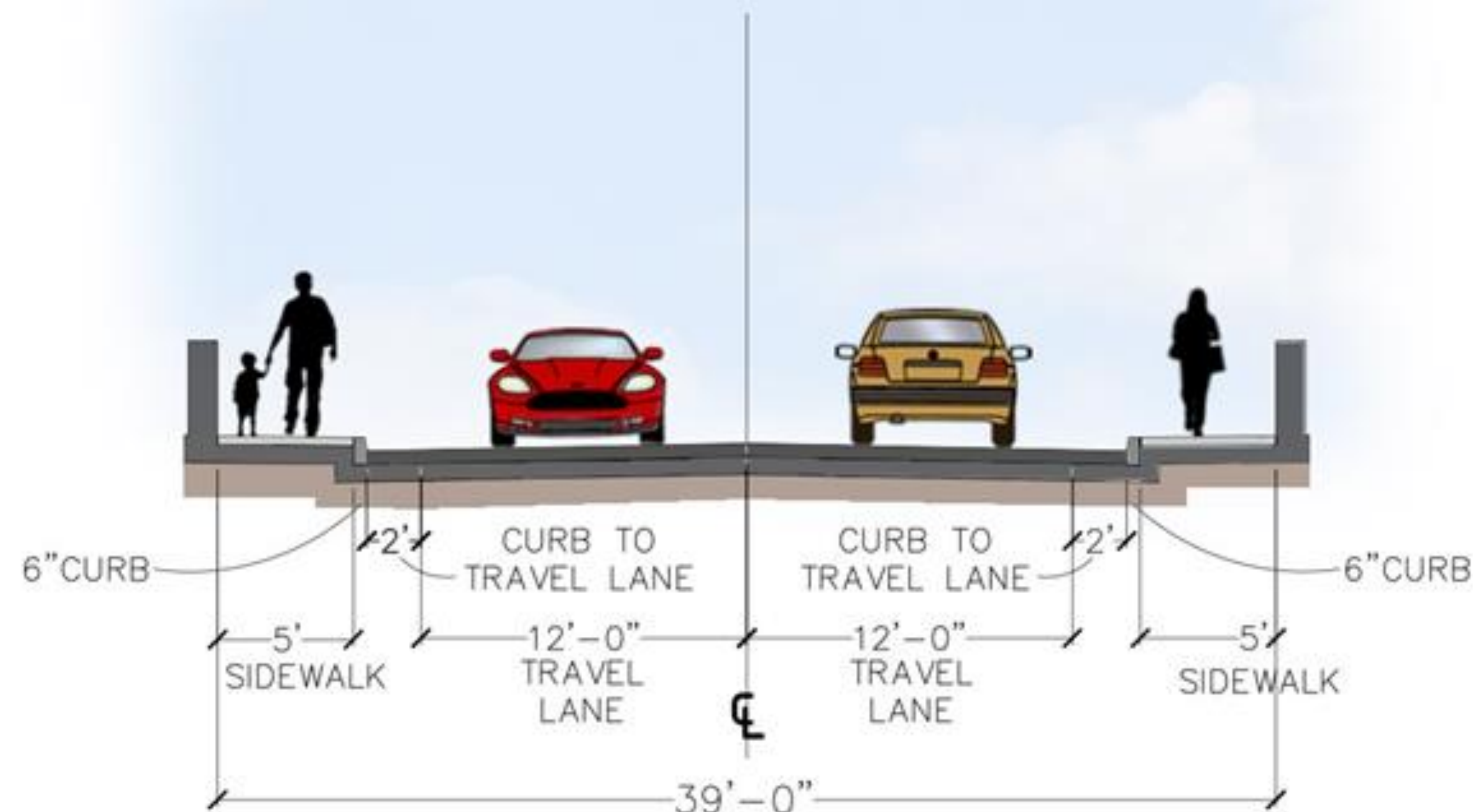
COSS Requested Section Includes:

- 12' multi use path on south side
- Parapet wall separation on south and north side
- Pedestrian lights on parapet wall on south side
- Utility Conduits
- Decorative fencing/railing
- 6'- 2" increase in width
- \$1,469,755 – COSS Responsibility

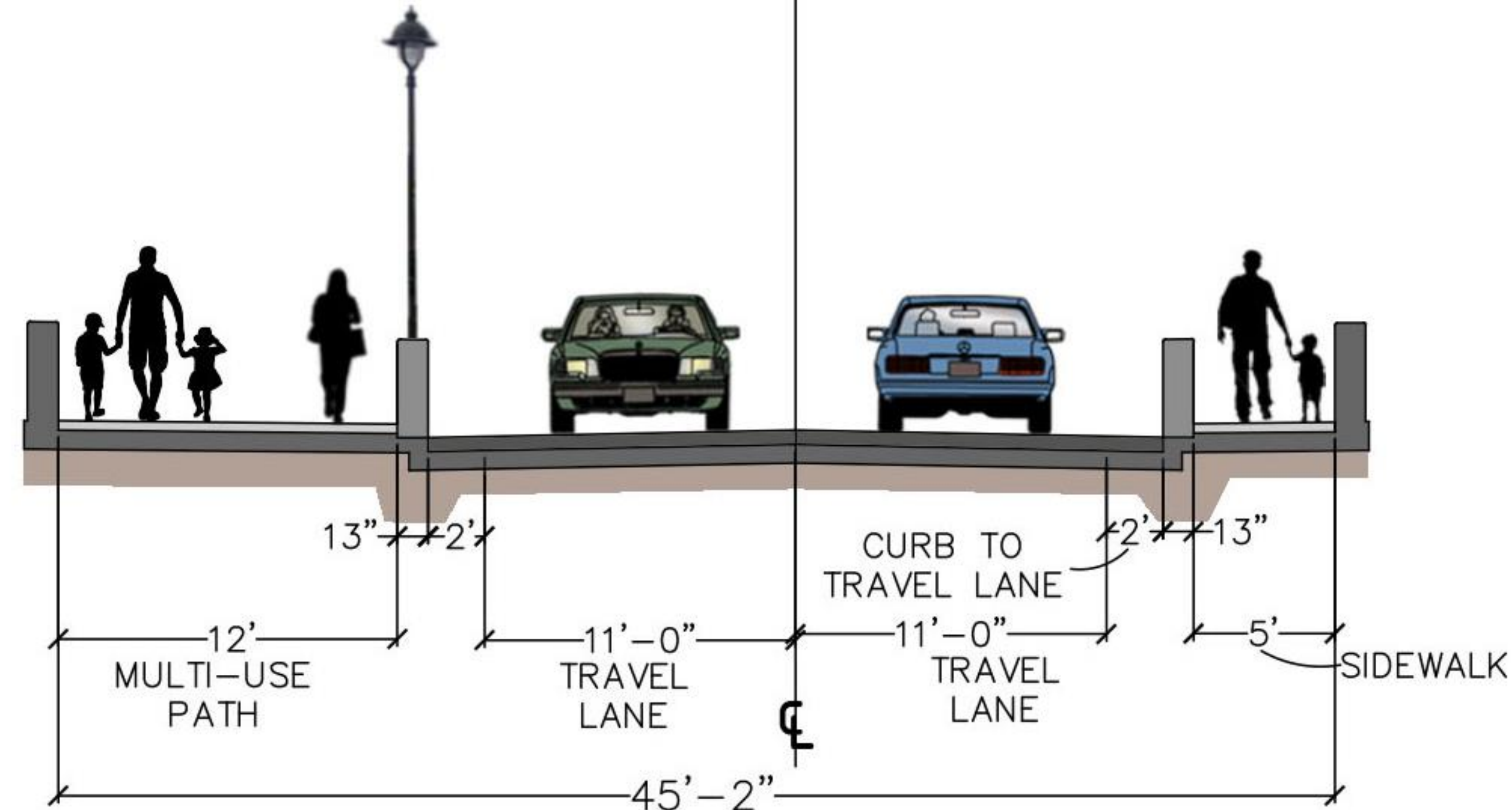
Roberts Drive Bridge – 209 LF



Roberts Drive Bridge – 209 LF



GDOT Required Section



COSS Requested Section

COSS Requested Section Includes:

- 12' multi use path on north side
- Parapet wall separation on south and north side
- Pedestrian lights on parapet wall on north side
- Utility Conduits
- Decorative fencing/railing
- 6'- 2" increase in width
- \$1,305,204 – COSS Responsibility

Design Components – Railing Option 1



Design Components – Railing Option 2



Design Components – Railing Option 3





Spalding Drive Bridge



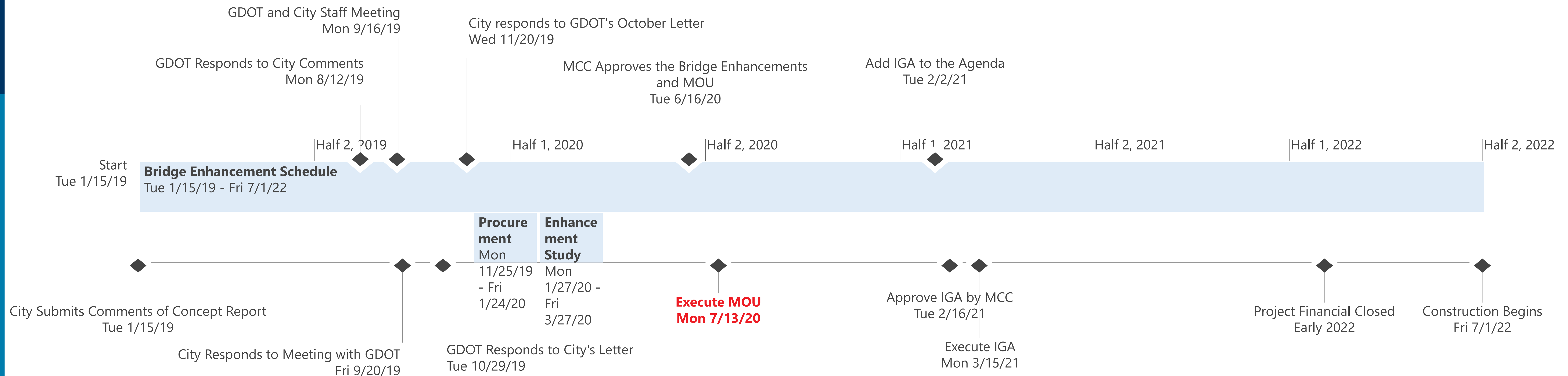


Pitts Road and Roberts Drive Bridge



Next Steps

- COSS MCC approves recommendations and MOU – June 16, 2020
 - MOU: Letter of Commitment from the City based on the requested bridge section and enhancements
- MOU – To be executed by July 13, 2020
 - Necessary for RFP to go out in July 2020
- IGA – Prior to February 2021
 - IGA includes final selection of the required enhancements including specific details and specifications, and final cost of the additional enhancements.
 - Final RFP goes out in February 2021
- Funding to be provided early 2022
- Construction NTP – July 2022





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GEORGIA

MEMORANDUM OF UNDERSTANDING
By and Between
GEORGIA DEPARTMENT OF TRANSPORTATION
And
CITY OF SANDY SPRINGS
Regarding

**PI #0001757, CONSTRUCTION OF NORTHBOUND AND SOUTHBOUND EXPRESS
LANES ALONG SR 400 BETWEEN NORTH SPRINGS MARTA STATION
(FULTON COUNTY) AND SR 400/MCFARLAND PARKWAY INTERCHANGE
(FORSYTH COUNTY)**

THIS MEMORANDUM OF UNDERSTANDING (“MOU”) is made and entered into this _____ day of _____, 2020, by and between the Georgia Department of Transportation (“GDOT”), a department within the executive branch of government of the State of Georgia, whose address is 600 W. Peachtree Street, NW., Atlanta, Georgia 30308, and the City of Sandy Springs (“COSS”), a body corporate and politic of the State of Georgia, whose address is 1 Galambos Way, Sandy Springs, Georgia 30328, hereinafter sometimes collectively referred to as the “Party” or “Parties.”

WHEREAS, COSS has expressed to GDOT a desire that certain improvements to the Spalding Drive Bridge over State Route (“SR”) 400, Pitts Road Bridge over SR 400 and Roberts Drive Bridge over SR 400, (the “BRIDGES”), be included in the SR 400 Express Lanes Project, PI #0001757, (hereinafter referred to as the “PROJECT”); and

WHEREAS, COSS has also expressed to GDOT a desire to incorporate certain aesthetics enhancements on the BRIDGES; and

WHEREAS, the PROJECT includes the design of and construction along State Route (“SR”) 400 of two new express lanes in each direction between the Metropolitan Atlanta Rapid Transit Authority (“MARTA”) North Springs Station and McGinnis Ferry Road and one express lane in each direction from McGinnis Ferry Road to the project terminus north of McFarland Parkway; and

WHEREAS, COSS has represented to GDOT that it desires additional structural improvements to the bridges and the aesthetic improvements as indicated in the letter from the Mayor attached as Exhibit A and GDOT has relied upon such representation; and

WHEREAS, COSS has represented to GDOT that it has committed funding toward the additional structural costs of the bridges and all costs associated with the installation of aesthetic improvements, including hardscape and other aesthetic enhancements (hereinafter referred to as “Aesthetic Enhancements Features”) to the BRIDGES in the amount of Five Million Five Hundred Ten Thousand Nine Hundred Forty Dollars (\$5,510,940.00), as indicated in Exhibit B; and

WHEREAS, GDOT has commenced the conceptual design for the PROJECT in conjunction with the environmental process, as well as the procurement of the developer for the PROJECT; and

WHEREAS, the PROJECT will be delivered through a Public-Private Partnership (“P3”) and, as such, the selected developer will enter into a project agreement with the State Road and Tollway Authority

(“SRTA”) (with GDOT designated by SRTA to serve as agent and manager for the PROJECT) (the “Project Agreement”), and will be responsible for the final design and construction of the PROJECT; and

WHEREAS, GDOT has determined that it is appropriate to coordinate with COSS to determine the specific additional structural improvements and Aesthetic Enhancements Features requested by COSS to the BRIDGES at this stage in the procurement planning process for the PROJECT; and

WHEREAS, COSS has represented that it will submit to GDOT its plans for the additional structural improvements and Aesthetic Enhancements Features it desires by the end of the June 2020 and GDOT has relied upon such commitment; and

WHEREAS, the Parties understand and agree that they will endeavor to enter into an intergovernmental agreement finalizing their respective rights, responsibilities and obligations concerning the proposed improvements to the BRIDGES and future maintenance of Aesthetic Enhancements Features after COSS has submitted its plans for such additional structural improvements and Aesthetic Enhancements Features (the “Project IGA”), and that time is of the essence.

NOW THEREFORE, GDOT and COSS, governmental entities of the State of Georgia, pursuant to the provisions of Article IX, Section III, Paragraph I(a) of the Constitution of 1983, are authorized to enter into this MOU, and in consideration of the mutual promises made and of the benefits to flow from one to the other, GDOT and COSS hereby agree as follows:

The above “Whereas” clauses are hereby incorporated by reference as though fully set forth herein.

A. GDOT Responsibilities:

GDOT agrees to:

1. Through the P3 procurement process, select a developer whose responsibilities will include the final design and construction activities of the PROJECT.
2. Coordinate opportunities for COSS to provide advice and input related to COSS’s requested additional structural improvements to and Aesthetic Enhancements Features to the BRIDGES during the P3 procurement process.
3. Serve as SRTA’s agent and manager for the PROJECT and, as such, provide PROJECT oversight and administration.
4. Provide COSS's requests for additional structural improvements for the BRIDGES to each proposer for the PROJECT as part of the reference information documents for the PROJECT, subject to COSS’s timely completion and submittal of same to GDOT.
5. Provide COSS’s plans for Aesthetic Enhancements Features to each proposer for the PROJECT as part of the contractual requirements if such plans have been approved by GDOT, subject to COSS’s timely completion and submittal of the same to GDOT.
6. Promote cooperation and coordination by the selected developer with COSS to effectuate the inclusion of Aesthetic Enhancements Features to the BRIDGES contained in COSS’s aesthetic plan. COSS acknowledges that the final PROJECT design will be the responsibility of the selected developer.
7. Facilitate coordination between the selected developer for the PROJECT and COSS to take

into consideration future GDOT and COSS transportation projects located within the PROJECT area.

B. COSS Responsibilities:

COSS agrees to:

1. Submit for GDOT approval the additional structural improvements and Aesthetic Enhancement Features plans for the BRIDGES, including projected costs, by the end of June 2020. COSS understands and agrees that any proposed improvements in the plan that fall outside of the scope of the PROJECT will not be considered. GDOT shall be the sole adjudicator of whether a proposed improvement is outside of the scope of the PROJECT.
2. Contribute funding to the PROJECT in the amount of Five Million Five Hundred Ten Thousand Nine Hundred Forty Dollars (\$5,510,940.00).
3. Comply with GDOT Policy 6755-9, Policy for Landscaping and Enhancements on GDOT Right of Way in the development of Aesthetic Enhancement Features plans for the BRIDGES. GDOT Policy 6755-9 can be located at the following website:
<http://mydocs.dot.ga.gov/info/gdotpubs/Publications/6755-9.pdf>.
4. Upon PROJECT completion, assume responsibility for and bear all costs associated with all maintenance of the Aesthetic Enhancements Features of the BRIDGES, including but not limited to sidewalks, hardscape, landscaping, lighting systems and other aesthetic features, pursuant to the Project IGA and any related permits necessary to assume this responsibility.
5. In the event additional enhancements and/or features within the PROJECT limits are desired by COSS and approved by GDOT during the course of the PROJECT, after COSS has submitted and GDOT has approved its plans for Aesthetic Enhancement Features and after COSS and GDOT have entered into the PROJECT IGA, COSS shall be responsible for all costs associated with such additional enhancement features. Any additional enhancements and/or features that may be mutually agreed upon between the Parties at a later date and all associated costs shall be memorialized in accordance with GDOT's encroachment permit process.

- C. **Commencement Date and Term.** The responsibilities set out in this MOU shall commence on the ____ day of _____, 2020 (hereinafter referred to as the "Commencement Date") and shall continue for fifty (50) years from the Commencement Date.
- D. **Funding.** The COSS shall remit payment to GDOT, or its designee, in an amount not to exceed Five Million Five Hundred Ten Thousand Nine Hundred Forty Dollars (\$5,510,940.00) no later than February 2022 or by Financial Close of the PROJECT, whichever is the later date.
- E. **Termination.** Either Party may terminate this MOU only for cause or upon the mutual consent of the Parties.
- F. **Amendments.** This MOU may not be amended except by mutual consent in writing by the Parties.
- G. **Assignment.** This MOU shall not be assigned by any party to any other person or entity whatsoever unless agreed to by the Parties.

- H. **Notices.** Any notices, requests, demands and other communications which may be required hereunder shall be in writing and shall either be mailed or transmitted by either first class United States certified mail, return receipt requested; delivery by carrier or personally delivered to the appropriate party; or facsimile transmission, immediately followed by a telephone call to confirm delivery to:

Georgia Department of Transportation
600 W. Peachtree Street, NW
Atlanta, Georgia 30308
ATTN: Chief Engineer

with a copy to:

Georgia Department of Transportation
600 W. Peachtree Street, NW
Atlanta, Georgia 30308
ATTN: General Counsel

The City of Sandy Springs
1 Galambos Way
Sandy Springs, GA 30328
ATTN: Andrea Surratt, City Manager

The date on which such notice is delivered will be deemed the date thereof. Either party may from time to time, by five (5) days' prior notice to the other party in writing, specify a different address to which notices will be sent. Rejection or refusal to accept a notice or inability to deliver a notice because of a changed address of which no notice was given will be deemed a delivery of the notice on the date when postmarked.

- I. **Interpretation.** The Parties stipulate that for good business reasons, each party has determined to negotiate, and each party has had significant voice in the preparation of this MOU. Should any provision of this MOU require judicial interpretation, it is agreed that the Court interpreting or construing it shall not construe the MOU more strictly against either party because it drafted a particular provision, or the provision was for the party's benefit, or the party enjoyed a superior bargaining position.
- J. **No Third Party Beneficiaries.** Nothing contained herein shall be construed as conferring upon or giving to any person, other than the Parties hereto, any rights or benefits under or by reason of this MOU.
- K. **Risk Allocation.** Each party shall conduct its own functions under this MOU in accord with state law at its sole cost, risk and responsibility.
- L. **Severability.** If any provision of this MOU is determined to be invalid or unenforceable, the remaining provisions shall remain in force and unaffected to the fullest extent permitted by law and regulation.
- M. **Execution Counterparts.** This MOU may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.
- N. **Captions.** The captions or headings in this MOU are for convenience only and in no way define,

limit or describe the scope or intent of any provisions of this MOU.

- O. **Governing Law.** This Agreement is made and entered into in Fulton County, Georgia, and shall be governed and construed under the laws of the State of Georgia. The sole and exclusive venue for the enforcement of this MOU, or any right or obligation hereunder, by either Party shall be the Superior Court of Fulton County, Georgia.
- P. **Authority/Signature.** The individual signing this MOU on behalf of each Party represents that (s)he has the actual authority to sign this MOU on behalf of such Party, and to bind such Party to the terms and conditions of this MOU.
- Q. **Complete Agreement.** This MOU constitutes the entire understanding between the Parties with respect to the subject matter; all prior agreements, representations, statements, negotiations and undertakings are superseded hereby.

[REMAINDER OF PAGE LEFT INTENTIONALLY BLANK]

The covenants herein contained shall, except as otherwise provided, accrue to the benefit of and be binding upon the successors and assigns of the Parties hereto.

IN WITNESS WHEREOF, said Parties have hereunto set their hand and affixed their seals the day and year above first written.

**GEORGIA DEPARTMENT OF
TRANSPORTATION**

BY: _____ (Seal)
Commissioner

ATTEST:

Treasurer

CITY OF SANDY SPRINGS

BY: _____ (Seal)
Name: _____
Title: _____

This MOU approved by the City of Sandy Springs, this _____ day of _____, 20__.

ATTEST:

BY: _____
Name: _____
Title: _____

FEIN: _____

EXHIBIT A



SANDY SPRINGS

MAYOR'S OFFICE

November 20, 2019

Mr. Tim Matthews
MMIP Program Manager
Georgia Department of Transportation
600 West Peachtree Street – 19th Floor | Office 1926
Atlanta, Georgia 30308

RE: SR 400 Managed Lanes – Bridge Replacement Enhancements – Response to your October 2019 letter

Dear Mr. Matthews:

We greatly appreciate your further review of our requested bridge enhancements to include the more detailed estimates. We confirm that the elements described in your letter are still the enhancements we wish to pursue.

The City would like to include the following elements on the Roberts Drive Bridge:

- 12-foot Shared-Use Path on the north side of Roberts Drive
- 4-foot Raised Buffer between the Shared-Use Path and the adjacent vehicular travel lane (incorporate roadway and pedestrian scale lighting)
- 4-foot Raised Buffer between the 5-foot sidewalk on the south side of Roberts Drive and the adjacent vehicular travel lane
- 5-foot Sidewalk on the south side of Roberts Drive
- Decorative rail/fencing

The City would like to include the following elements on the Pitts Road Bridge:

- 12-foot Shared-Use Path on the south side of Pitts Road.
- 4-foot Raised Buffer between the Shared-Use Path and the adjacent vehicular travel lane (incorporate roadway and pedestrian scale lighting)
- 4-foot Raised Buffer between the 5-foot sidewalk on the north side of Pitts Road and the adjacent vehicular travel lane
- 5-foot Sidewalk on the north side of Pitts Road
- Decorative rail/fencing



SANDY SPRINGS

MAYOR'S OFFICE

The City would like to include the following elements on the Spalding Drive Bridge:

- 10-foot Shared-Use Path on the south side of Spalding Drive
- 4-foot Raised Buffer between the Shared-Use Path and the adjacent vehicular travel lane (incorporate roadway and pedestrian scale lighting)
- 5-foot Bike Lane on the north side of Spalding Drive
- 5-foot Sidewalk on the north side of Spalding Drive
- Decorative rail/fencing

We also confirm the City's interest in funding the enhancing elements on these bridges as listed above. While we understand the current cost estimates you have provided for the enhancements, we believe more work is needed to better define and estimate the elements we are requesting. To that end, I have asked our Public Works staff to coordinate this next course of action to further refine the requested elements and their associated costs working with staff, design consultants and your team. That effort should ideally provide a more cost-effective solution for our desired enhancements and ultimately better estimates upon which to base future funding agreements.

Finally, as we work toward a better-defined solution for our requested enhancements, we would appreciate your best estimate of a timetable for the follow-on agreements to ultimately execute these requested improvements. We have worked with the Department and stakeholders recently on shaping this important project and managed lane flyovers within the City of Sandy Springs, creating a solution that is both more appropriate for the community and by all estimates, more economical. We look forward to coordinating these important features for bridges that we will live with for a very long time with you and your team.

Sincerely,

Mayor Rusty Paul
City of Sandy Springs

Cc: Kevin Abel, 6th District State Transportation Board member, GDOT
Russell McMurry, Commissioner, Georgia Department of Transportation
Peggy Merriss, Interim City Manager, Sandy Springs
Marty Martin, Public Works Director, Sandy Springs

EXHIBIT B

CONSTRUCTION ESTIMATE

	Spalding Drive	Pitts Road	Roberts Road	Total
Construction Cost	\$1,649,189.00	\$885,936.00	\$786,749.00	\$3,321,874.00
General Conditions & QA	\$16,492.00	\$8,859.00	\$7,867.00	\$33,218.00
Bonding/Insurance	\$49,476.00	\$26,578.00	\$23,602.00	\$99,656.00
Final Design	\$32,984.00	\$17,719.00	\$15,735.00	\$66,438.00
Developer Contingency	\$631,380.00	\$339,174.00	\$301,201.00	\$1,271,755.00
Developer Escalation	\$356,460.00	\$191,489.00	\$170,050.00	\$717,999.00
Developer Total	\$2,735,981	\$1,469,755	\$1,305,204	\$5,510,940

RESOLUTION NO. _____

STATE OF GEORGIA
COUNTY OF FULTON

**A RESOLUTION TO AUTHORIZE THE MAYOR TO EXECUTE THE
MEMORANDUM OF UNDERSTANDING WITH GEORGIA DEPARTMENT OF
TRANSPORTATION FOR THE SR400 EL BRIDGES ENHANCEMENTS
FEATURES FOR SPALDING DRIVE, PITTS ROAD, AND ROBERTS DRIVE**

WHEREAS, it is necessary, from time to time, to establish policies, procedures and guidelines consistent with the administration of a municipal government consistent with the US Constitution, Federal Statutes, alignment with Federal and Georgia's State Constitution, and the Charter for the City of Sandy Springs; and

WHEREAS, the Department of Public Works, in response to the guidance provided by the Interim City Manager, has reviewed and recommends the Mayor signing the following Memorandum of Understanding (MOU) between the City of Sandy Springs and the Georgia Department of Transportation, and

WHEREAS, upon adoption of this Resolution, City of Sandy Springs Public Works Department staff will manage all applicable phases of the Agreement in conjunction with the Georgia Department of Transportation staff.

WHEREAS, per the MOU, the City of Sandy Springs will be responsible for enhancement features, which total \$5,510,940.00.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SANDY SPRINGS, GEORGIA

Receive, accept, and affirm the authorization for the Mayor to sign the Memorandum of Understanding with the Georgia Department of Transportation

RESOLVED this the 16th day of June, 2020.

Approved:

Russell K. Paul, Mayor

Attest:

Raquel Gonzalez, City Clerk
(Seal)



SANDY SPRINGS

GEORGIA

TO: Andrea Surratt, City Manager

FROM: Michael Perry, CPRE, Director of Recreation and Parks Department

DATE: May 20, 2020 for submission on the agenda of the June 16, 2020 City Council Meeting

ITEM: Recommendation of Pre-Qualified Firms for On-Call Landscape Design Services, RFQ # 20-051

Recommendation:

Staff recommends that the Mayor and City Council approve the five (5) pre-qualified vendors selected by the Evaluation Committee for on-call landscape design contracts pursuant to RFQ #20-051. Any project with a cost of over \$100,000 will be brought before Mayor and City Council for approval per the current adopted purchasing policy.

Background:

Staff and management utilized a competitive Request for Qualifications ("RFQ") process to select on-call contractors for landscape design services as needed for parks and other landscape needs. Projects may include, but are not limited to, the following: landscape design, pavilions, park concessions, sports fields, entire park layouts, surveys, park projects, water line/plumbing, development of plans, specifications and cost estimates for improvements along gateways including median landscaping, drainage (if needed), streets, greenways, trails, river/creek systems, roadway areas and sidewalk lighting, street trees, and other corridor amenities such as benches, footpaths, viewing areas and interpretive signs in City-owned open space areas.

The City's existing on-call landscape and architectural design services contracts will expire June 30, 2020.

Responses and Evaluation:

The City received eleven (11) responses to the RFQ ("Response(s)"). A committee of four (4) staff members appointed by management ("Evaluation Committee") reviewed and evaluated the Responses using the criteria set forth in the RFQ. Members of the Evaluation Committee were:

- Michael Perry, Recreation and Parks Director
- Steve Ciaccio, Recreation and Parks Deputy Director
- Michael Barnett, Recreation and Parks Landscape Manager
- Catherine Mercier-Baggett, Sustainability Manager

The RFQ described the criteria and method by which Responses would be evaluated, summarized below:

CRITERIA	SUMMARY DESCRIPTION OF CRITERIA	WEIGHT IN EVALUATION
Quality of team proposed to manage City Projects	The credentials and experience of the person(s) assigned to our relationship and management team.	25%
Suitability – Capability/Resources	- Philosophy, design approach, and demonstrated practice of environmentally sensitive landscaping and park renovation. Commitment to enhancing the environmental quality and long-term performance of design projects. - Understanding of creative and sustainable projects within strict budget limitations and demonstrated knowledge of native plants, native plant associations, sustainable building materials, weather appropriate irrigation systems, etc.	25%
Experience with a Similar Entity	Experience for multijurisdictional clients of similar type, size, function, and complexity	25%
Methodology and Approach	Procedures and methods that the firm will use to achieve landscape designs for the City. The scope of this Project anticipates and encourages innovative landscape design solutions.	25%
TOTAL		100%

Each member of the Evaluation Committee performed an independent review of all Responses submitted using the above-described criteria. Following individual evaluations, the Evaluation Committee met to discuss the Responses. The Evaluation Committee identified the five (5) highest-ranking Responses based on the above-stated criteria. The top five (5) firms were selected as pre-qualified for on-call services based upon the City's need to have several consultants under contract to ensure competitive pricing for future projects. The recommended firms are:

1. Atkins North America
2. Breedlove Land Planning
3. Foresite Group
4. Lose & Associates
5. POND

Discussion:

The City will establish contracts with the five (5) firms listed above for on-call landscape design services. Each firm provided a rate schedule as part of its submittal that will provide the basis for project pricing. The Purchasing Department will obtain at least three (3) quotes as well as proposed project schedules for each project based on a scope of work and deliverables provided by the Recreation and Parks Department. These items will be used to prioritize consultant selection for task orders. The Recreation and Parks project manager will then recommend a task order approval be made with concurrence from the Director of Recreation and Parks. Upon recommendation of award, the Purchasing Department staff will provide a task order for the proposed project to the recommended consultant.

The current on-call design and engineering contracts will provide the framework for the City's standard terms and conditions for the new on-call contracts. Projects over \$100,000 will be brought before Council for approval per the current adopted purchasing policy.

Alternatives:

Conduct open procurements for design for each proposed future project.

**STATE OF GEORGIA
COUNTY OF FULTON**

**A RESOLUTION TO APPROVE FIVE (5) FIRMS TO PERFORM ON-CALL
LANDSCAPE DESIGN SERVICES FOR THE CITY OF SANDY SPRINGS PURSUANT
TO COMPETITIVE SOLICITATION; TO AUTHORIZE THE CITY MANAGER TO ENTER
INTO CONTRACTS WITH SAME; AND FOR OTHER PURPOSES**

WHEREAS, the City of Sandy Springs ("City") currently has in place certain contracts for on-call landscape and architectural design services that will expire on June 30, 2020; and

WHEREAS, to facilitate faster turn-around on landscape and architectural design projects, City staff desires to continue to have qualified firms available to perform such services; and

WHEREAS, to advance that goal and in response to guidance from management, City staff issued a Request for Qualifications #20-051 ("Solicitation") on February 19, 2020, to identify one (1) or more qualified firms to expedite future projects in the City that may include landscape, architectural, structural, mechanical, and electrical or renovation design and/or any combination thereof on an as needed basis; and

WHEREAS, on April 9, 2020, the City received eleven (11) responses to the Solicitation; and

WHEREAS, an evaluation committee selected by City management evaluated responses received and determined that five (5) firms were qualified and met the criteria stated in the Solicitation to perform on-call landscape design services for the City, as described in the attached memorandum; and

WHEREAS, the pre-qualified firms selected by the evaluation committee are: (1) Atkins North America; (2) Breedlove Land Planning, (3) Foresite Group; (4) Lose & Associates; and (5) POND; and

WHEREAS, staff desires that City Council approve the five (5) firms selected by the evaluation committee as qualified to perform on-call landscape design services for the City, as described in the attached memorandum, and to enter into contracts with same;

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY
OF SANDY SPRINGS, GEORGIA:**

1. That Atkins North America, Breedlove Land Planning, Foresite Group, Lose & Associates, and POND are hereby approved as pre-qualified to perform on-call landscape design services for the City, as described in the attached memorandum; and
2. That the City Manager is authorized to execute contracts with the pre-qualified firms, subject to approval of the City Attorney and the City Finance Director; and

3. That the City Manager and appropriate City staff shall take such actions as may be deemed necessary to effectuate the intent of this Resolution.

RESOLVED this 16th day of June, 2020.

APPROVED:

Russell K. Paul, Mayor

Attest:

Raquel Gonzalez, City Clerk
(Seal)



SANDY SPRINGS

CITY CLERK'S OFFICE

TO: Andrea Surratt, City Manager
FROM: Ken DeSimone, Police Chief
DATE: June 9, 2020 Submission for the June 16, 2020 Meeting
ITEM: Request for Mayor and City Council Consideration of an Ordinance to Authorize Amending the 2020 Budget for Increased Funding for the Acceptance of a Grant from Department of Justice

Recommendation:

Staff recommends acceptance of the award and amendment of the FY20 budget.

Background:

On May 29th the application for the FY20 Coronavirus Emergency Supplemental Funding program was submitted to the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance. The application detailed equipment and supplies that the Police Department is in need of concerning the current pandemic status.

On June 4, 2020, the City received notice from the Bureau of Justice Assistance that our application had been approved and that award 2020-VD-BX-1412 had been issued to the City.

Discussion:

The award can be used retroactively to fund the Personal Protective Equipment and supplies the Department has purchased since January 20, 2020 and the current purchasing needs in reference to the Coronavirus pandemic. Items needed include two hundred respirator masks, respirator mask filters, two hundred safety glasses, cleaning solution, hand sanitizer, boxes of gloves, disposable medical gowns, disposable paper masks, five electrostatic sprayers, and sprayer solution.

Financial Impact:

The award is for \$36,695. The CESF does not require a match from the City.

Alternatives:

Council could choose not to accept the award.

Attachments:

1. Ordinance Amendment FY2020 CEFS Grant Award

ORDINANCE NO. _____

STATE OF GEORGIA

COUNTY OF FULTON

**AN ORDINANCE TO AUTHORIZE AMENDING THE 2020 BUDGET FOR INCREASED
FUNDING FOR THE ACCEPTANCE OF A GRANT FROM DEPARTMENT OF JUSTICE**

WHEREAS, the City of Sandy Springs received a grant award of \$36,695 from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance under the Coronavirus Enforcement Funding Supplement Grant Program in May 2020; and

WHEREAS, no local matching funds are required; and

WHEREAS, the awarded funds will be used to purchase Personal Protective Equipment and cleaning equipment. The items include respirator masks, safety glasses, multiple electrostatic sprayers, sprayer solution, cleaning solution, hand sanitizer, gloves, mask filters, medical gowns, and disposable paper masks for use by the Sandy Springs Police Department.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SANDY SPRINGS, GEORGIA

That they do hereby authorize the Finance Department to increase the 2020 budget in the amount of \$36,695 for the grant award from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance.

RESOLVED this 16th day of June, 2020.

Approved:

Russell K. Paul, Mayor

Attest:

Raquel D. Gonzalez, City Clerk



SANDY SPRINGS

GEORGIA

TO: Andrea Surratt, City Manager
FROM: Ginger Sottile, Director of Community Development
DATE: June 8, 2020 Submission for the June 16, 2020 Meeting
ITEM: Community Development Program CDBG-CV Funding Proposal Awards

Recommendation:

Staff recommends that City Council approve the attached resolution awarding \$284,260 to local non-profits to provide services to individuals and families impacted by COVID-19.

Background and Discussion:

The City of Sandy Springs received special funding in the amount of \$384,260 (CDBG-CV money) from the Department of Housing and Urban Development (HUD) through the CARES Act to provide services to individuals and families impacted by COVID-19. At the May 19th City Council meeting, \$100,000 of these funds was distributed to the Community Assistance Center (CAC). It was decided that the remainder of the funds, \$284,260, is to be distributed as grant funds to local non-profits through a procurement process.

Staff posted a request for proposals (RFP) on the City's website on May 26 and closed the RFP on June 8. Staff received five (5) proposals and after evaluation recommends contracts be offered to three (3) local non-profits: Los Ninos Primeros, Sandy Springs Mission, and CAC.

Los Ninos Primeros requests \$40,000 and Sandy Springs Mission requests \$25,000. Staff recommends that contracts be awarded to each of these non-profits in the requested amount. Staff also recommends that the remainder of the CDBG-CV money be awarded to CAC in the amount of \$219,260. Pursuant to contract with the City, each non-profit will use the funds for an eligible activity for COVID-19 Pandemic response.

Los Ninos Primeros will use the grant funds to expand its public services by doubling the number of Saturday school sessions offered to low-income Latino youth. Expenditures will be reimbursed according to the provisions outlined in its proposal.

Sandy Springs Mission will use the grant funds to provide childcare assistance through summer activities, free of charge, to low-income families in Sandy Springs. Expenditures will be reimbursed according to the provisions outlined in its proposal.

CAC will use these grant funds for housing assistance for low to moderate-income households that have been economically impacted by COVID-19 and for the provision of food, and other support activities as outlined on its proposed budget. Expenditures will be reimbursed according to the provisions outlined in the proposal.

Staff received two (2) other proposals in response to the RFP from Sandy Springs Charter Middle School Foundation and Solidarity Sandy Springs; however, neither group has been established for more than a few months. In addition, neither has a permanent home for operations. While the work they are doing for the community is necessary and appreciated, especially during the COVID-19 pandemic, Staff determined that due to the intricacy of federal funding, CDBG funding is not the best resource for these non-profits at this time. When HUD audits the use of grant funds in the coming years, it is preferable to have experienced organizations with a permanent location and an established system for recordkeeping.

Alternative:

The Mayor and Council could decide not to award the contracts and provide further direction to staff.

Attachments:

Resolution

**STATE OF GEORGIA
COUNTY OF FULTON**

A RESOLUTION TO AWARD GRANT FUNDS AS PART OF THE CDBG-CV GRANT RECEIVED BY THE CITY OF SANDY SPRINGS FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR COVID-19 PANDEMIC RESPONSE; TO AUTHORIZE THE PREPARATION OF CONTRACTS SETTING THE TERMS AND CONDITIONS FOR THE GRANTING OF SUCH FUNDS; AND TO AUTHORIZE THE CITY MANAGER TO EXECUTE AFOREMENTIONED CONTRACTS

WHEREAS, the City has received an allocation in the amount of \$384,260 from the United States Department of Housing and Urban Development ("HUD") as part of the Coronavirus Aid, Relief, and Economic Security Act ("CARES Act"), Public Law 116-136, for response to the COVID 19 virus pandemic ("Pandemic"); and

WHEREAS, this grant is a special allocation of the Community Development Block Grant program ("CDBG Program") whereby allocated funds must be used to prevent, prepare for and respond to the Pandemic ("COVID-19 Program"); and

WHEREAS, the primary objective of the CDBG Program generally is the development of viable urban communities, including decent housing and a suitable living environment, and the expansion of economic opportunities principally for persons of low and moderate income; and

WHEREAS, the primary objectives of the COVID-19 Program is to assist in meeting the emergency needs within the City related to the Pandemic in order to prevent, prepare for and respond to the virus; and

WHEREAS, it is deemed appropriate by HUD for CDBG grantees to distribute funds to nonprofit organizations that serve low to moderate income populations; and

WHEREAS, at the May 19th City Council meeting, \$100,000 of these funds was awarded by contract to the Community Assistance Center ("CAC"); and

WHEREAS, at the May 19th City Council meeting it was decided that the remainder of the funds in the amount of \$284,260 would be distributed as grant funds to local non-profits through a procurement process; and

WHEREAS, staff posted a request for proposals ("RFP") on the City's website on May 26 and closed the RFP on June 8; and

WHEREAS, the City received five (5) proposals in response to the RFP, which were evaluated in accordance with the RFP criteria; and

WHEREAS, following evaluation, staff recommends that contracts for grant funds be offered to three (3) local non-profits submitting proposals: Los Ninos Primeros, Sandy Springs Mission, and CAC, as described herein; and

WHEREAS, CAC, Los Ninos Primeros, and Sandy Springs Mission all serve low to moderate income populations, and are currently assisting citizens of Sandy Springs in response to the Pandemic; and

WHEREAS, the City desires to award the following amounts to the non-profits listed above: to CAC, the amount of \$219,260; to Los Ninos Primeros, the amount of \$40,000; and to Sandy Springs Mission, the amount of \$25,000; and

WHEREAS, the terms and conditions of each grant will be pursuant to a contract that will require the non-profit, among other things, to conform to HUD requirements and all requirements of the COVID-19 Program allocation, to submit regular progress reports related to the allocation, and to use the allocated funds only for the benefit of citizens of Sandy Springs.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SANDY SPRINGS, AS FOLLOWS:

1. A grant to CAC in the amount of \$219,260 for the purposes stated in this Resolution is hereby approved, subject to CAC meeting all CDBG Program and COVID-19 Program requirements.
2. A grant to Los Ninos Primeros in the amount of \$40,000 for the purposes stated in this Resolution is hereby approved, subject to Los Ninos Primeros meeting all CDBG Program and COVID-19 Program requirements.
3. A grant to Sandy Springs Mission in the amount of \$25,000 for the purposes stated in this Resolution is hereby approved, subject to Sandy Springs Mission meeting all CDBG Program and COVID-19 Program requirements.
4. The City Attorney is hereby authorized to prepare contracts for each local non-profit receiving grant funds and to take such actions as may be deemed necessary or prudent to effectuate the intent of this Resolution prior to execution of the contracts by the Mayor.
5. The City Manager is hereby authorized to execute such contracts with the local non-profits as prepared by the City Attorney.

RESOLVED this 16th day of June, 2020.

Approved:

Russell Paul, Mayor

Attest:

Raquel Gonzalez, City Clerk

Seal:

RESOLUTION NO. 2020-XX-XX

**STATE OF GEORGIA
COUNTY OF FULTON**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANDY SPRINGS,
GEORGIA, SUPPORTING AND ENCOURAGING THE GEORGIA GENERAL
ASSEMBLY TO ENACT STATEWIDE LEGISLATION MAKING IT CLEAR THAT
GEORGIANS WILL NOT TOLERATE HATE OR BIAS-MOTIVATED VIOLENCE**

WHEREAS, hate or bias-motivated crimes terrorize individual victims and their families, institutions and businesses; and

WHEREAS, current events demonstrate that hate or bias-motivated crimes can have far reaching effects on large segments of the communities in which they take place; and

WHEREAS, hate or bias-motivated crimes are more than acts of violence and destruction, they are attacks on the very values which are pillars of communities in the State of Georgia; and

WHEREAS, effective response to hate or bias-motivated incidents and crimes not only brings justice to victims and their communities, but it also strengthens the relationship between law enforcement and the communities they serve; and

WHEREAS, forty-six (46) states and the District of Columbia have enacted legislation criminalizing various types of bias-motivated violence or intimidation; and

WHEREAS, the State of Georgia has not yet enacted such legislation; and

WHEREAS, on July 16, 2019 the City adopted an ordinance to provide for enhanced penalties for certain code violations evidencing hate or bias motivations; and

WHEREAS, the City is inclusive of all, irrespective of (and without limitation of) race, color, religion, national origin, sexual orientation, gender, gender identity, or physical or mental disability; and

WHEREAS, the Mayor and City Council of Sandy Springs hold that the diversity that exists within our community should be embraced, and that the City is more vibrant and stronger because of the diversity of its citizens; and

WHEREAS, the Mayor and the City Council reject hate in all its forms that comes as a result of expressions of hate; and

WHEREAS, the Mayor and City Council desire the Georgia General Assembly to join the majority of other states and enact legislation in the upcoming legislative session to make it clear that Georgians will not tolerate hate or bias-motivated violence;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the City of Sandy Springs, Georgia, support and encourage enactment of statewide legislation making it clear that Georgians will not tolerate hate or bias-motivated violence.

AND BE IT FURTHER RESOLVED that the Mayor and Council of the City of Sandy Springs, Georgia, authorize and direct appropriate City officials to take such steps as may be necessary or appropriate to effectuate the intent of this Resolution, including communication of its position to members of the Georgia General Assembly and the general public.

RESOLVED this _____ day of _____, 2020.

Approved:

Russell K. Paul, Mayor

Attest:

Raquel Gonzalez, City Clerk

(Seal)

RESOLUTION NO. 2020-XX-XXXX

**STATE OF GEORGIA
COUNTY OF FULTON**

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SANDY SPRINGS TO SUPPORT COORDINATION WITH THE CITY OF ATLANTA TO RENAME LAKE FORREST DRIVE AND FORREST LAKE DRIVE, LOCATED WITHIN THE TERRITORIAL BOUNDARIES OF THE CITY OF SANDY SPRINGS AND THE CITY OF ATLANTA

WHEREAS, Lake Forrest Drive is the name of a public street located partially within the City of Sandy Springs (“Sandy Springs”) and partially within the City of Atlanta (“Atlanta”); and

WHEREAS, Forrest Lake Drive is the name of a public street connecting Lake Forrest Drive and Mount Paran Road near Chastain Park, located partially within Sandy Springs and partially within Atlanta (Lake Forrest Drive and Forrest Lake Drive are sometimes referred to herein together as “Streets”); and

WHEREAS, Sandy Springs is known for being inclusive of all individuals, irrespective of (and without limitation of) race, color, religion, national origin, sexual orientation, gender, gender identity, or physical or mental disability; and

WHEREAS, on July 16, 2019, Sandy Springs adopted an ordinance to provide for enhanced penalties for certain code violations evidencing hate or bias motivations; and

WHEREAS, Sandy Springs believes it is important to review, in a thoughtful and intentional manner, all City street names for any connotations or representations of hate or bias; and

WHEREAS, Atlanta previously established a committee to recommend whether to rename streets in Atlanta associated with the Confederacy; and

WHEREAS, upon review, Sandy Springs has determined that the Streets may have been named for Nathan Bedford Forrest, who was a general in the Confederate Army during the Civil War; and

WHEREAS, there is some evidence that Nathan Bedford Forrest may have been a member of or may have supported a hate group or racist policies; and

WHEREAS, because the Streets are located partially within Atlanta, Sandy Springs has contacted Atlanta to work cooperatively to correct the names for the entire length of the Streets to remove any association with Nathan Bedford Forrest by removing an “r” from the word “Forrest” in each Street name; and

WHEREAS, Sandy Springs staff proposes that those portions of the Streets located within Sandy Springs shall be accomplished in accordance with applicable provisions of the Sandy Springs Code and Technical Manual;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Sandy Springs, Georgia, while in regular session on June 16, 2020 at 6:00 p.m. as follows:

SECTION 1. That the Mayor and City Council of Sandy Springs support coordination with the City of Atlanta to rename the entire lengths of Lake Forrest Drive and Forrest Lake Drive to “Lake Forest Drive” and “Forest Lake Drive”, respectively, to remove any association with hate groups or racist policies; and

SECTION 2. That Sandy Springs staff and management are hereby authorized to move forward with such coordination as necessary to accomplish the purpose of this resolution in accordance with applicable provisions of the Sandy Springs Code and Technical Manual; and

SECTION 3. That following compliance with all legal requirements to accomplish the purpose of this resolution, Sandy Springs staff and management shall present a resolution on renaming the Streets to City Council for action as a public hearing item.

RESOLVED this the 16th day of June, 2020.

Approved:

Russell K. Paul, Mayor

Attest:

Raquel Gonzalez, City Clerk

(SEAL)