

Developer Sues Sandy Springs For Rezoning Rejection

The city of Sandy Springs is being sued for its rejection of a redevelopment of the Lakeside office complex near Ga. 400.

An attorney for Greenstone Properties filed the lawsuit in Fulton County Superior Court on Wednesday.

The lawsuit asserts the city inappropriately rejected a rezoning application for redevelopment that would have included two office towers, retail, 300 apartments and an eight-story hotel.

Greenstone purchased the 26-acre site for \$62 million, along with financial partner Met Life, only after receiving assurances from city staff that the zoning request was appropriate, attorney **Richard Robbins** said.

Although city staff carry a recommending authority – the City Council makes the final decision on zonings – what was said to the developer is important, Robbins said. "One of the factors the court considers is what you were told."

The lawsuit seeks damages for the loss of use of the property, including holding costs and loss of rent, said Robbins.

The staff recommended the zoning change, but the council rejected the proposal in June, citing traffic impacts on the connecting road to the development, Glenridge Drive, and overwhelming opposition from neighbors.

Although the developer had promised to make road improvements in the area to offset the impact, the new construction would have added about 10,000 cars daily on Glenridge.

Wendell Willard, an attorney for the city, could not be reached Wednesday afternoon for comment.

Doug Falciglia, a 20-year resident of the Glenridge-Hammond neighborhood who opposed the project, said the council had the authority to reject it.

"Everything that the staff recommends is not obliged to be accepted by the council," he said.