

PLANNING COMMISSION

Meeting Minutes

Thursday, March 15, 2007

Board Members Present: Roger Rupnow (Chair), Bob Wiley (Vice Chair), Donald Boyken, Susan D. Maizar, David Rubenstein, Wayne Thatcher and Lee Duncan

Staff Present: Patrice Ruffin, Michael Zehner, Mark Moore, Cesar Geraldo and Bridgette Gray

Call to Order: Roger Rupnow called the meeting to order at 7:03 p.m.

Election of Officers: Susan D. Maizar moved to re-elect Roger Rupnow and Bob Wiley retaining their current chair. Wayne Thatcher seconded. **The motion was APPROVED (5-0, Donald Boyken, Lee Duncan, Susan D. Maizar, David Rubenstein and Wayne Thatcher, with Roger Rupnow and Bob Wiley abstaining)**

II. PREVIOUS MEETING ACTION REPORT

ACTION: Bob Wiley moved to approve the Action Report from the February 15, 2007. David Rubenstein seconded. **The Action Report was APPROVED (7-0, Roger Rupnow, Bob Wiley, Lee Duncan, Susan D. Maizar, David Rubenstein, and Wayne Thatcher, and Bob Wiley for) AS SUBMITTED.**

III. PREVIOUS MEETING MINUTES

ACTION: Bob Wiley moved to defer. Lee Duncan seconded. **The motion was APPROVED (7-0, Roger Rupnow, Bob Wiley, Donald Boyken, Lee Duncan, Susan D. Maizar, David Rubenstein and Wayne Thatcher for). The meeting minutes from February 15, 2007 were deferred pending corrections.**

IV. CHANGE OF AGENDA

The Staff requested a change in the agenda to allow RZ07-004 to be heard first.

ACTION: Susan D. Maizar moved to approve. David Rubenstein seconded. **The motion was APPROVED (7-0).**

V. ORDINANCES/TEXT AMENDMENTS

RZ07-004

An Ordinance to amend Article 12B (1), Perimeter Community Improvement District, of the City of Sandy Springs zoning Ordinance.

Michael Zehner, Assistant Director – Planning and Zoning, representing the City.

Tony Peters, Program Director, Perimeter Community Improvement District

(Invitation for public comment in support of and in opposition to the petition)

SUPPORT FOR THE APPLICANT

None

AGAINST THE APPLICANT

None

(Public hearing closed. Planning Commission questions and discussion)

ACTION: Bob Wiley moved to approve. Lee Duncan seconded. Recommendation for approval (6-1 Bob Wiley, Donald Boyken, Lee Duncan, Susan D. Maizar, David Rubenstein, and Wayne Thatcher for; Roger Rupnow against).

Directive to Staff: Notification of ordinance and boundary revisions shall be sent to property owner's added to or removed from the PCID area.

VI. REZONING DEFERRED

RZ06-055/CV06-039/U06-008

5620 Glenridge Drive

Applicant: BTIC Glenridge, LLC

From O-I conditional to MIX for the development of a 208 residential units and 25,500 square feet of retail space at the existing 87,444 square foot office development, with concurrent variances.

(Invitation for public comment in support of and in opposition to the petition)

Carl Westmoreland, 1201 Peachtree Street, asked for a deferral
Nancy Early, 5220 High Point, in support of deferral

(Public hearing closed. Planning Commission questions and discussion)

ACTION: The Applicant requested a deferral for 30 days. Lee Duncan moved to approve. Donald Boyken seconded. The motion was APPROVED (7-0 Roger Rupnow, Bob Wiley, Donald Boyken, Lee Duncan, Susan D. Maizar, David Rubenstein, and Wayne Thatcher for)

A. RZ07-001/CV07-001/U07-001

5275 Roswell Road (SR 9)

Applicant: Kirbo Property Services, LLC

To rezone from C-1 conditional to MIX for the development of a residential, retail, and office project, with concurrent variances.

(Invitation for public comment in support of and in opposition to the petition)

SUPPORT FOR APPLICANT

Nathan Hendricks, 6085 Lake Forest Drive, in support of petition
Tom Kirbo, Kirbo Properties, in support of the petition
Jim Ditzel, 5500 Shiver Summit, in support of the petition
Michael Blonder, 3425 Piedmont Road, in support of the petition
Todd Cohen, 550 Phan Road, in support of the petition

AGAINST THE APPLICANT

Brad Keshlear, 235 Beachland Drive, in opposition of the petition
Tom Wells, 302 Beachland Drive, in opposition of the petition
Mark Sampl, 130 Stewart Drive, in opposition of the petition
Claire Danielson, 270 Beachland Drive, in opposition of the petition
Bruce Capps, 365 Londonberry Road, in opposition of the petition
Doug Kelly, E-mail submitted by Mark Sampl, in opposition of the petition
Kathy Wright, 260 Beachland Drive, in opposition of the petition
Janet Wells, 302 Beachland Drive, in opposition of the petition

(Public hearing closed. Planning Commission questions and discussion)

ACTION: Donald Boyken moved to deny. Lee Duncan seconded. Recommendation for denial (6-0 Roger Rupnow, Bob Wiley, Donald Boyken, Lee Duncan, Susan D. Maizar, and Wayne Thatcher for; David Rubenstein recused.

USE PERMITS

A. U07-002/CV07-002

5065 High Point Road

Applicant: Congregation Beth Tefillah, Inc.

A use permit to allow for the addition of 7,576 square foot preschool at the existing synagogue, with concurrent variances.

Staff recommended holding a public hearing on both applications at the same time which was agreed to by the Board.

(Invitation for public comment in support of and in opposition to the petition)

SUPPORT FOR THE APPLICANT

Stanley Daniels, 1201 Peachtree Street, in support of the application

AGAINST THE APPLICANT

None

(Public hearing closed. Planning Commission questions and discussion)

ACTION: Lee Duncan moved to approve. Bob Wiley seconded. The Planning Commission recommended approval (7-0 Roger Rupnow, Bob Wiley Donald Boyken, Lee Duncan, Susan D. Maizar, David Rubenstein, and Wayne Thatcher for) subject to staff conditions and to all variances requested by the Applicant and to additional landscaping. Conditions to lead as follows:

To allow for an encroachment into the 100 foot building setback adjacent to residentially zoned property with the existing synagogue along the north and south sides of the building (35 feet on the north; 10 feet on the south) (CV07-002).

To allow for an encroachment into the required twenty-five (25) foot buffer and ten (10) foot improvement setback along the north property line with the existing driveway (CV07-002).

To reduce the required 100 foot building setback to 92 feet adjacent to residentially zoned property along the south property line for a distance of 51 feet for the development of the preschool building (CV07-002).

The owner/developer shall plant the required twenty-five (25) foot buffer and ten (10) foot improvement setback along the north and south property lines to buffer standards as required by the Zoning Ordinance. Said plantings shall be subject to the approval of the Sandy Springs Arborist prior to the issuance of a Land Disturbance Permit.

B. U07-003

5065 High Point Road

Applicant: Congregation Beth Tefillah, Inc.

A use permit to allow for the addition of a 2,000 square foot Mikvah at the existing synagogue, with concurrent variances.

(Invitation for public comment in support of and in opposition to the petition)

SUPPORT FOR THE APPLICANT

Stanley Daniels, 1201 Peachtree Street, in support of the petition

AGAINST THE APPLICANT

None

(Public hearing closed. Planning Commission questions and discussion)

ACTION: David Rubenstein moved to approve. Susan D. Maizar seconded. The motion was APPROVED (7-0, Roger Rupnow, Bob Wiley, Lee Duncan, Susan D. Maizar, David Rubenstein and Wayne Thatcher for)

The meeting of Sandy Springs Planning Commission was adjourned at 8:38 p.m.

SIGNATURE APPROVAL PAGE

Date Approved: 4-19-07



Roger Rupnow
Chair



Michael Zehner
Assistant Director, Planning and Zoning



Bridgette Gray
Administrative Assistant/Transcriber