



Planning Commission
March 20, 2008

Meeting Minutes

Board Members Present	Roger Rupnow (Chair), Wayne Thatcher (Vice Chair), Don Boyken, Lee Duncan, David Rubenstein, Bob Wiley
Board Members Absent	Susan Maziar
Staff Present	Linda Abaray, Harmit Bedi, Nancy Leathers, Chris Miller, Mark Moore, Terry Robinson, Patrice Ruffin, Jocelyn Stephens, John Wesserling

CALL to Order	Roger Rupnow called the meeting to order at 7:00 p.m.
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	AMENDMENT OF THE AGENDA
	The agenda was amended to include a discussion of the PCID district guidelines for Sandy Springs in Item 10. ACTION: Don Boyken moved to recommend approval of the amended agenda. Wayne Thatcher seconded. The motion was APPROVED (5-0, Thatcher, Boyken, Duncan, Rubenstein, Wiley, for; Rupnow not voting, Maziar absent) to amend the agenda and add Item 10 relating to the Perimeter Center Improvement District.
	APPROVAL OF AMENDED AGENDA
	ACTION: Don Boyken moved to recommend approval of the amended agenda. Bob Wiley seconded. The motion was APPROVED (5-0, Thatcher, Boyken, Duncan, Rubenstein, Wiley, for; Rupnow not voting, Maziar absent).
	ELECTION OF OFFICERS
	ACTION: Bob Wiley moved to recommend the nomination of Lee Duncan as Chair and Wayne Thatcher as Vice Chair. David Rubenstein seconded. The motion was APPROVED (5-0, Thatcher, Boyken, Duncan, Rubenstein, Wiley, for; Rupnow not voting, Maziar absent).
	PUBLIC COMMENT
	Good evening, Mr. Chairman. My name is Trisha Thompson. I've been the chairman of Sandy Springs Council of Neighborhoods and I live at 145 River North Drive. The Sandy Springs Council of Neighborhoods would like to go on record as saying it supports a strong Planning Commission. We appreciate your expertise that you evaluate both the physical aspects of redevelopment and its effect on the community as a whole. After ten years of these zoning meetings, we understand the frustration of those of you who are new to this process and have hoped for a resolution that does not occur. We applaud those Planning Commission members who, through their many years, have logged countless hours in an emotionally-charged and generally thankless task. Again, thank you.
	PREVIOUS ACTION REPORT
	ACTION: Bob Wiley moved to recommend approval of the Action Report from the February 21, 2008 meeting. Lee Duncan seconded. The motion was APPROVED (5-0, Thatcher, Boyken, Duncan, Rubenstein, Wiley, for; Rupnow not voting, Maziar absent).
	PREVIOUS MINUTES
	ACTION: Bob Wiley moved to recommend approval of the Minutes from the February 21, 2008 meeting. Lee Duncan

seconded. The motion was APPROVED (5-0, Thatcher, Boyken, Duncan, Rubenstein, Wiley, for; Rupnow not voting, Maziar absent).

REZONING (Deferred by Mayor and City Council with Remand to Planning Commission)

1. RZ07-038/U07-015/CV07-028

1140 & 1150 Hammond Drive

Applicant: Corporate Campus, LLC

Representative: Pete Hendricks

SUMMARY/STAFF PRESENTATION: Patrice Ruffin/To rezone the subject property from MIX conditional to MIX for the development of 753,000 square feet of office and retail space, a 160-room hotel, and 400 residential units, with seven (7) concurrent variances and a use permit to exceed the maximum district height. The staff is recommending approval conditional of the rezoning request and concurrent variances number 1 and numbers 3 through 7, denial of concurrent variance number 2 and approval conditional with the use permit to exceed the maximum district height. The Planning Commission heard this item at the January 17, hearing and requested that it be deferred back to the Commission. The City Council heard the case at the February 19, hearing, and the Council deferred it back to the Planning Commission to allow the applicant time to amend the proposed site plan to extract the reconfiguration at Hammond Drive.

Applicant Presentation: Pete Hendricks

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

• Support for the Petition:

• Against the Petition:

Avra Hawkins, 503 Dunwoody Chace, Atlanta, GA 30328

Kevan Snyder, 601 Dunwoody Chace, Atlanta, GA 30328

Trisha Thompson, 145 River North Drive, Sandy Springs, GA 30328

Linda Young, 703 Dunwoody Chace, Atlanta, GA 30328

(Close of public hearing. Planning Commission questions and discussion)

ACTION: Lee Duncan moved to recommend approval of the applicant's request to amend variance #1 to only reduce the landscape strips in areas currently developed with buildings or parking along Peachtree-Dunwoody Road and to withdraw variances #2, #3, and #7. Bob Wiley seconded. The motion was APPROVED (5-0, Thatcher, Boyken, Duncan, Rubenstein, Wiley, for; Rupnow not voting, Maziar absent).

ACTION: Don Boyken moved to recommend approval of applicant's request to withdrawal of variance #6. Bob Wiley seconded. The motion was APPROVED (5-0, Thatcher, Boyken, Duncan, Rubenstein, Wiley, for; Rupnow not voting, Maziar absent).

ACTION: David Rubenstein moved to recommend approval of the rezoning request, the use permit request, and variances #1 (as amended previously by this commission), and the acceptance of #4 and #5 subject to March 13, 2008 site plan and the remainder of staff conditions. Lee Duncan seconded. The motion was APPROVED (5-0, Thatcher, Boyken, Duncan, Rubenstein, Wiley, for; Rupnow not voting, Maziar absent).

Condition(s):

1. To the owner's agreement to restrict the use of the subject property as follows:

- a. Office, retail, and/or service commercial and associated accessory uses, including all exterior food and beverage service areas, at a maximum density of 38,759.69 gross square feet per acre or 753,000 gross square feet, whichever is less, but excluding convenience stores with gas pumps, commercial amusements, and freestanding fast food restaurants, except for bagel, pastry and coffee shops, and ice cream parlors.
- b. No more than 400 residential units at a maximum density of 20.59 units per acre, whichever is less.
- c. To a maximum 160-room hotel.
- d. The maximum building height shall be 36 stories for the two (2) office/residential towers. (U07-015)
- e. The maximum building height shall be 10 stories for the hotel. (U07-015)

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

- a. To the site plan submitted to the Department of Community Development dated received March 13, 2008. Said site plan is conceptual only and must meet or exceed the requirements of the Zoning Ordinance and these conditions prior to the approval of a Land Disturbance Permit. Unless otherwise noted herein, compliance with all conditions shall be in place prior to the issuance of a Certificate of Occupancy.
3. To the owner's agreement to provide the following site development standards:
 - a. The minimum design standards are:

Minimum front yard (Peachtree-Dunwoody Road): 20 feet
 Minimum side corner yard (Hammond Drive): 12 feet
 Minimum side yard: 10 feet
 Minimum rear yard: 10 feet
 Minimum heated floor area per dwelling unit: 750 square feet
 - b. The owner/developer shall dedicate fifty-five (55) feet of right-of-way from centerline of Peachtree-Dunwoody Road along the entire property frontage or ten and one-half (10.5) feet from back of curb, whichever is greater, to the City of Sandy Springs.
 - c. The owner/developer shall dedicate fifty-five (55) feet of right-of-way from centerline of Hammond Drive along the entire property frontage or ten and one-half (10.5) feet from back of curb, whichever is greater, to the City of Sandy Springs.
 - d. The owner/developer shall install a westbound right turn lane from Hammond Drive onto Peachtree-Dunwoody Road.
 - e. No more than two (2) curb cuts on Peachtree-Dunwoody Road; one to align with existing median break and the other restricted to right-in/right-out. Said curb cut location and design shall be subject to the approval of the Public Works Department at time of LDP.
 - f. No more than three (3) curb cuts on Hammond Drive. Said curb cut location and design shall be subject to the approval of the Public Works Department at time of LDP.
 - g. The owner/developer shall provide intersection improvements and signal upgrades as may be required by the Public Works Department.
 - h. To delete the required twenty (20) foot landscape strip along the area adjacent to the retail building currently under construction and along the west property line adjacent to existing as shown on the site plan submitted to the Department of Community Development dated received March 13, 2008 (Peachtree-Dunwoody Road frontage) (CV07-028).
 - i. To allow for an additional freestanding sign on the Peachtree-Dunwoody Road frontage (CV07-028). Said sign shall be no larger than seventy-two (72) square feet with a maximum height of eight (8) feet.
 - j. To allow internal signs throughout the site to be used as directional signage (CV07-028). Said signs shall be no larger than twenty (20) square feet with a maximum height of six (6) feet.

REZONING (New)

2.

RZ08-001

240 Sandy Springs Place

Applicant(s): Re/Max Around Atlanta

Representative: Kristen Anclien

SUMMARY/STAFF PRESENTATION: Patrice Ruffin/To rezone the subject property from C-1 conditional to C-1 to maintain the existing 4,000 square foot office building and to remove the dental office only use restriction on the property. The petition was heard at the January 22nd Design Review Board meeting, and the Board recommended approval of the request.

Applicant Presentation: Kristen Anclien

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

• **Support for the Petition:**

None

• **Against the Petition:**

None

(Close of public hearing. Planning Commission questions and discussion)

ACTION: Lee Duncan moved to recommend approval of the application. Bob Wiley seconded. The motion was APPROVED (5-0, Thatcher, Boyken, Duncan, Rubenstein, Wiley, for; Rupnow not voting, Maziar absent) subject to the staff conditions listed below.

Condition(s):

1. To the owner's agreement to restrict the use of the subject property as follows:
 - a. Office and associated accessory uses located in the existing 4,082 square foot structure. No modifications shall be made to the exterior of the structure, other than normal maintenance.
2. To the owner's agreement to abide by the following:
 - a. To the site plan received by the Department of Community Development dated January 9, 2008. Said site plan is conceptual only and must meet or exceed the requirements of the Zoning Ordinance and these conditions prior to the approval of a Land Disturbance Permit. Unless otherwise noted herein, compliance with all conditions shall be in place prior to the issuance of a Certificate of Occupancy.
3. To the owner's agreement to provide the following site development standards:
 - a. The owner/developer shall dedicate twenty-five (25) feet of right-of-way from centerline of Sandy Springs Place along the entire property frontage or ten and one-half (10.5) feet from back of curb, whichever is greater, to the City of Sandy Springs.
 - b. Reduce all minimum yards, landscape strips, undisturbed buffers, and improvement setbacks to the extent necessary for the existing structure to remain.

3. RZ08-006/CV08-003/U08-002

915 Crestline Parkway

Applicant: J. Craig Harper

Representative(s): Pete Hendricks

SUMMARY/STAFF PRESENTATION: Patrice Ruffin/To rezone the subject property from A-L conditional to O-I for the development of a 130-room hotel, with six (6) concurrent variances and a use permit to exceed the maximum district height.

Applicant Presentation: Pete Hendricks

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

• **Support for the Petition:**

Gary Russell, 7036 Garden Ct., Sandy Springs, GA 30320

• **Against the Petition:**

None

(Close of public hearing. Planning Commission questions and discussion)

ACTION: Lee Duncan moved to recommend approval of the application. Bob Wiley seconded. The motion was APPROVED (5-0, Thatcher, Boyken, Duncan, Rubenstein, Wiley, for; Rupnow not voting, Maziar absent) subject to the staff conditions listed below.

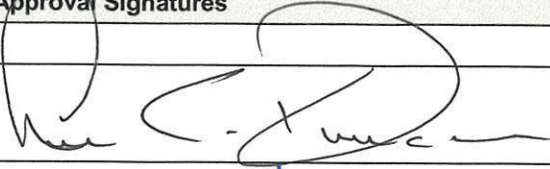
Condition(s):

1. To the owner's agreement to restrict the use of the subject property as follows:
 - a. A 130-room hotel (without a restaurant) and associated accessory uses.
 - b. The maximum building height shall be 100 feet or 6 stories over 2 stories of structured parking, excluding any penthouses for mechanical equipment. (U08-002)
2. To the owner's agreement to abide by the following:

	a) To the site plan received by the Department of Community Development dated March 10, 2008. Said site plan is conceptual only and must meet or exceed the requirements of the Zoning Ordinance and these conditions prior to the approval of a Land Disturbance Permit. Unless otherwise noted herein, compliance with all conditions shall be in place prior to the issuance of a Certificate of Occupancy. 3. To the owner's agreement to provide the following site development standards: a) The owner/developer shall dedicate forty-five (45) feet of right-of-way from centerline of Crestline Parkway along the entire property frontage or ten and one-half (10.5) feet from back of curb, whichever is greater, to the City of Sandy Springs. b) To reduce the required front yard setback from forty (40) feet to fifteen (15) feet along the Crestline Parkway frontage of the subject property to allow conformity with the Perimeter Community Improvement Design District standards (CV08-003). c) To reduce the required forty (40) front yard setback to ten (10) feet along the west property line adjacent to the GA-400 frontage to allow the construction of an underground parking deck (CV08-003). d) To reduce the required twenty (20) foot landscape strip to ten (10) feet along the west property line adjacent to the GA-400 frontage to allow the construction of an underground parking deck (CV08-003). e) To reduce the required twenty (20) foot landscape strip to ten (10) feet along the east property line adjacent to the Crestline Parkway frontage to allow the construction of a patio, steps, and pedestrian walkway to the proposed building (CV08-003). f) To change the required twenty-five (25) foot buffer and ten (10) foot improvement setback to a ten (10) foot landscape strip planted to buffer standards along the south property line adjacent to a residential use to allow the existing shared driveway to remain (CV08-003). g) To increase the number of parking spaces between landscape islands from every sixth space to every ninth (CV08-003). h) No less than 27% of the site shall be maintained as green space as shown on the site plan received by the Department of Community Development dated January 7, 2008. i) The owner/developer shall construct the hotel building with a brick and/or stucco architectural finish. j) The external lighting in the development shall be screened, cut-off type and shall not glare into adjoining residential properties. k) To a maximum illuminance level of 0.5 foot candles along all property lines abutting residentially zoned property. l) At the time of application for a Land Disturbance Permit, the owner/developer shall be required to submit a photometric study detailing the illuminance level as outlined in the previous condition and illustrating the proposed lighting fixtures. m) The owner/developer shall install a decorative fence along the south property line adjacent to the townhouse residential development and heavily landscape both sides to provide a visual screen. The location and type of said fence and landscaping shall be subject to the approval of Sandy Springs Arborist.
	NOTE: The Commission directed staff to obtain an original signed copy of the updated private agreement between the applicant and the surrounding neighbors regarding drainage.
	QUARTERLY ORDINANCE AMENDMENTS
4.	RZ08-002 An Ordinance to Amend Article 3, Definitions, of the Sandy Springs Zoning Ordinance ACTION: Lee Duncan moved to recommend deferred public hearing and final action to the April 7, 2008 Special Called Planning Commission meeting. Bob Wiley seconded. The motion was APPROVED (5-0, Wiley, Boyken, Duncan, Rubenstein, and Thatcher for; Rupnow not voting; Maziar absent). Staff was directed to provide graphics to accompany grade plane and height definitions.

5.	RZ08-004 An Ordinance to Amend Article 33, Signs, of the Sandy Springs Zoning Ordinance ACTION: Bob Wiley moved to recommend for approval as presented by staff. David Rubenstein seconded. The motion was APPROVED (5-0, Wiley, Boyken, Duncan, Rubenstein, and Thatcher for; Rupnow not voting; Maziar absent).
6.	RZ08-010 An Ordinance to Amend Article 4, General Provisions, of the Sandy Springs Zoning Ordinance – Cemetery Protection ACTION: Bob Wiley moved to recommend deferred public hearing and final action to the April 7, 2008 Special Called Planning Commission meeting. Wayne Thatcher seconded. The motion was APPROVED (5-0, Wiley, Boyken, Duncan, Rubenstein, and Thatcher for; Rupnow not voting; Maziar absent).
DISCUSSION ITEMS	
7.	RZ08-007 An Ordinance to Amend Article 19, Administrative Permits & Use Permits, of the Sandy Springs Zoning Ordinance – Senior Housing
INFORMATION ITEMS	
8.	Letter from the Department of Public Works, Fulton County, regarding response to the Planning Commission's request to provide sewer capacity information for rezoning petitions.
9.	Copy of Sandy Springs Reporter Newspaper (February 22, 2008-March 6, 2008) – See Page 21, Planning Commission requests input.
ADDED DISCUSSION ITEMS	
10.	PCID removal of residential areas from district map. Mr. Boyken moved to direct staff to work with PCID to develop a time schedule for the removal of these areas from the PCID district map. Mr. Wiley seconded. Approved (5-0, Wiley, Boyken, Duncan, Rubenstein, and Thatcher for; Rupnow not voting; Maziar absent). The Commission directed staff to bring an update to the April 7, 2008 Special Called Meeting.

Meeting Adjournment	The meeting was adjourned at 8:46 p.m.
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Approval Signatures	
Date Approved	4/17/08
Lee Duncan, Chairman	
Harmit Bedi, Assistant Director of Planning and Zoning	
Jocelyn Stephens, Administrative Assistant/Transcriber	