

PLANNING COMMISSION

MEETING MINUTES

Thursday, April 20, 2006, 7:00 p.m.

Board Members Present: Bob Wiley (Vice Chair), Wayne Thatcher, David Rubenstein, Bill Huff, and Susan Maziar

Absent Excused: Roger Rupnow (Chair) and Lee Duncan

Staff Present: Michael Zehner, Patrice Ruffin, Joshua Lontz, Doug Trettin, and Mark Moore

Call to Order: Bob Wiley called the meeting to order at 7:00 p.m.

I. ACTION REPORT

ACTION: It was moved and seconded for approval of the March 8, 2006 Planning Commission Meeting Action Report. The Action Report was APPROVED for the March 8, 2006 Planning Commission Meeting (7-0).

II. REZONING Deferred

A. RZ05-002/CV05-001

5009 Roswell Road

Applicant: Kirbo Property Services

Summary: Request to rezone the property from A-1 conditional and C-1 conditional to C-1 for the purpose of developing a two-story office building over one (1) story of parking.

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

(Public Hearing closed. Planning Commission questions and discussion)

ACTION: Susan Maziar moved for denial of this application. Bill Huff seconded. The application was DENIED (5-0) with recommendation to the Mayor and City Council to deny the 25' buffer reduction request at the southern property line.

Bill Huff moved for approval of application to accept the applicant's request for a density of 19,000 square feet per acre. David Rubenstein seconded. The applicant's request was APPROVED, (5-0) with recommendation for approval to the Mayor and City Council of the application subject to the conditions recommended by the staff and modified to accept the applicant's request for a density of 19,000 square feet per acre.

B. RZ06-001

1430 South Johnson Ferry Road &
1160 Johnson Ferry Road

Applicant: St. Joseph's Hospital of Atlanta

Summary: Request to rezone the property from O-I and R-2 to O-I for the purpose of consolidating the properties into the larger St. Joseph's Hospital parcel.

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

(Public Hearing closed. Planning Commission questions and discussion)

ACTION: Wayne Thatcher moved for approval of this application. David Rubenstein seconded. The application was **APPROVED (5-0)** with recommendation to the Mayor and City Council to approve subject to conditions recommended by the staff.

AMENDED ACTION: Bill Huff recommended amendment of approval. Wayne Thatcher seconded. Additional recommendation to include the following condition: 1) The owner/developer shall be permitted to install a sign no greater than 10' high by 7' wide with a 32 square foot sign face at the South Johnson Ferry road entrance to the property, (5-0).

C. RZ06-002

270 Summit Street

Applicant: Charles Coulson

Summary: Request to rezone the subject properties from R-4 to R-5 for the development of six (6) single family lots at a density of 5.55 units per acre. In addition, the applicant is requesting a concurrent variance to reduce the minimum lot width from 60' to 50'.

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

(Public Hearing closed. Planning Commission questions and discussion)

ACTION: Bill Huff moved for denial of this application. David Rubenstein seconded. The application was **DENIED (5-0)** with recommendation to the Mayor and City Council to deny this application.

D. RZ06-003

4 Old Virginia Chase

Applicant: Susan Anderson

Summary: Request to rezone the property from R-2A conditional to R2A for the purpose of selling a portion of the parcel to the neighboring property to the north at 18 Leighton Court. The property is currently conditioned under Fulton County zoning case Z81-0053 to maintain a

minimum lot size of one (1) acre. The sale of the portion of property will provide for a total lot size 0.92 acres.

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

(Public Hearing closed. Planning Commission questions and discussion)

ACTION: Wayne Thatcher moved for approval of this application. David Rubenstein seconded. The application was **APPROVED (5-0)** with recommendation to Mayor and City Council for approval subject to the conditions recommended by the staff.

E. RZ06-006

461 & 435 Johnson Ferry road

Applicant: Jason Yowell

Summary: Request to rezone the property from R-3 to R-4 for the development of five (5) single family residential lots at a density of 3.04 units per acre.

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

(Public Hearing closed. Planning Commission questions and discussion)

ACTION: Susan Maziar recommended denial to the Mayor and City Council (motion not seconded).

FINAL ACTION: David Rubenstein moved for approval of this application. Wayne Thatcher seconded. This application was **APPROVED (3-2)**. Bob Wiley and Susan Maziar, *Opposed*. It was recommended approval to the Mayor and City Council subject to the conditions recommended by the staff.

F. RZ06-007

CV06-003

4724 East Conway Drive

Applicant: Jeffrey Tacca

Summary: Request to rezone the property from R-3 (Single Family Dwelling District) to R-4A (Single Family Dwelling District) for the purpose of creating a legal lot to construct a new single family dwelling. Additionally, **CV06-003** involves a variance request to reduce the minimum lot width from 85 feet to 70 feet.

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

(Public Hearing closed. Planning Commission questions and discussion)

ACTION: Susan Maziar moved to recommend approval to the Major and City Council subject to the conditions recommended by the staff (motion not seconded).

FINAL ACTION: Bill Huff recommended approval of the application. Wayne Thatcher seconded. The application was **APPROVED** with recommendation for approval to the Mayor and City Council subject to the applicant's request for 25' rear setback and 7' side setback and to the staff recommended condition to limit the use of the property to a single family dwelling and associated structures (3-2). Bob Wiley and Susan Maziar, *Opposed*.

G. RZ06-008

CV06-002

8701 Winding River Drive &

100 N. River Parkway

Applicant: A.C.T. Investments

Summary: Request to rezone the property from A conditional to A for the purpose of removing a condition limiting the use of the property to rental units (apartments). Additionally, the applicant is requesting six (6) concurrent variances pertaining to existing conditions on the site.

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

(Public Hearing closed. Planning Commission questions and discussion)

ACTION: David Rubenstein moved for approval. Wayne Thatcher seconded. The application is **APPROVED** (5-0). Recommendation for approval by the Mayor and City Council subject to : 1) The conditions recommended by the staff, 2) The owner/developer shall provide two (2) sprinkler heads in the kitchen area having water supplied by a domestic water source, and 3) The developer/owner shall limit the total number of rental units on the subject property to 25%.

III. OTHER

A. RZ06-004

Subdivision Regulations

Applicant: City of Sandy Springs

Summary: Subdivision Regulations

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

(Public Hearing closed. Planning Commission questions and discussion)

ACTION: Bill Huff moved for approval to defer for 30 days. Susan Maziar seconded. The application was **DEFERRED** for 30 days, (5-0). The Commission requested that the

staff post the existing regulations and the proposed changes on the City of Sandy Springs website for public review.

B. RZ06-005

Comprehensive Plan

Applicant: City of Sandy Springs

Summary: Comprehensive Plan

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

(Public Hearing closed. Planning Commission questions and discussion)

ACTION: David Rubenstein moved to defer for 30 days. Wayne Thatcher seconded. The application was DEFERRED for 30 days, (5-0). The Commission requested that the staff post the existing plan and map and the proposed changes on the City of Sandy Springs website for public review.

There was a motion to adjourn.

APPROVAL SIGNATURE PAGE

Date Approved: **January 18, 2007**



Bob Wiley, Vice-Chair



Michael Zehner
Assistant Director – Planning and Zoning



Angela Lawson
Administrative Assistant/Transcriber