



Planning Commission May 15, 2008

Meeting Minutes

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

CALL to Order	Lee Duncan called the meeting to order at 7:00 p.m.
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	APPROVAL OF AGENDA
	ACTION: Bob Wiley moved to recommend approval of the Agenda. Roger Rupnow seconded. The motion was APPROVED (4-0, Boyken, Rubenstein, Rupnow, and Wiley, for; Duncan not voting; Thatcher and Maziar absent).
	PUBLIC COMMENT
	No public comment.
	PREVIOUS MINUTES
	ACTION: Roger Rupnow moved to recommend approval of the Minutes from the April 17, 2008 meeting as amended. Bob Wiley seconded. The motion was APPROVED (4-0, Boyken, Rubenstein, Rupnow, and Wiley, for; Duncan not voting; Thatcher and Maziar absent).
	REZONING (New)
1.	RZ08-009/U08-004/CV08-005 5825 Sandy Springs Circle Applicant: Spring Garden Properties, LLC Representative: Guy Weiss SUMMARY/STAFF PRESENTATION: Patrice Ruffin/The applicant is requesting to rezone subject property from C-1 community business district conditional to C-1 for the development of a 71,000 square foot office building with service commercial and special events space components. The applicant is also requesting two concurrent variances and a use permit to exceed the maximum district height. Applicant Presentation: Guy Weiss (Invitation for public comment in support of and in opposition to the petition) • Support for the Petition: Chris Miller, 120 Allen Road, Atlanta, GA 30328 Anosh Ishuk, 814 Juniper Street, Atlanta, GA 30803 • Against the Petition: Patty Berkovitz, 800 Crest Valley Drive, Sandy Springs, GA 30328 Craig Wagner, 5855 Sandy Springs Circle, Suite 300, Atlanta, GA 30328 (Close of public hearing. Planning Commission questions and discussion)

ACTION: David Rubenstein moved to recommend approval subject to the MIX zoning classification, limiting the maximum building height to four (4) stories or sixty (60) feet, addition of development standards under condition #3, and the remainder of staff conditions. Don Boyken seconded. The motion was APPROVED (4-0, Boyken, Rubenstein, Rupnow, and Wiley for; Duncan not voting; Thatcher and Maziar absent).

Condition(s):

1. To the owner's agreement to restrict the use of the subject property as follows:
 - a) Office, service commercial, event space and associated accessory uses at a density of 25,000 square feet per acre or 10,625 square feet, whichever is less.
 - b) The maximum height of the building shall be 4 stories or 60 feet, whichever is less.
2. To the owner's agreement to abide by the following:
 - a) To a revised site plan to be submitted to the Department of Community Development. 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 development standards are:

Minimum front yard: 12 feet up to fourth story; 20 feet fifth story or above
Minimum side yard: 10 feet adjacent to O-I; 5 feet adjacent to C-1
Minimum rear yard: 5 feet
Minimum Common Outdoor Area: 20% of the total site area shall be common outdoor area maintained by the property owner(s)
 - b) The owner/developer shall dedicate forty (40) feet of right-of-way from centerline of Sandy Springs Circle 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) Reserve for the City of Sandy Springs along the necessary property frontage of the following roadways, prior to the approval of a Land Disturbance permit, sufficient land as necessary to provide for compliance with the Comprehensive Plan. All building setback lines shall be measured from the dedication but at no time shall a building be allowed inside the area of reservation, except that a masonry entry wall shall be allowed in the area of reservation subject to an indemnification agreement filed by the owner/developer with the City of Sandy Springs.

Forty-five (45) feet from centerline of Sandy Springs Circle
 - d) To reduce the required fifty (50) foot buffer and ten (10) foot improvement setback to a twenty (20) foot landscape strip planted to buffer standards along the east property line adjacent to property zoned A-L (Apartment Limited District). Said plantings shall be subject to the approval of the Sandy Springs Arborist. (CV08-005)
 - e) The external lighting in the development shall be screened, cut-off type and shall not glare into adjoining residential properties.
 - f) To a maximum illuminance level of 0.5 foot candles along all property lines abutting residentially zoned property.
 - g) 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.
 - h) Should the owner/developer construct above grade structured parking, said parking deck shall have a screening treatment which shall include, but not be limited to, vegetation and plantings. Said parking deck and screening shall be subject to the approval of the Sandy Springs Design Review Board.

2. RZ08-011/CV08-009

124 & 126 Johnson Ferry Road

Applicant(s): 124 Johnson Ferry Road, LLC.

Representative: Scott Boggo

SUMMARY/STAFF PRESENTATION: Patrice Ruffin/The applicant is requesting to rezone from O-I conditional to O-I to maintain the existing office buildings and to add a 250 square foot enclosed walkway between the two structures with concurrent variances.

1. To reduce the required forty (40) foot front yard setback as shown on the site plan submitted to allow the existing structures to remain (Section 8.1.3.B, *Development Standards*).
2. To reduce the required fifty (50) foot buffer, twenty (25) foot buffer, and ten (10) foot improvement setbacks along the north and west property lines adjacent to residentially zoned property as shown on the site plan submitted (Section 4.23.1, *Minimum Landscape Strips and Buffers*).
3. To reduce the required number of parking spaces from 32 to 30 (Section 18.2.1, *Basic Off-street Parking Requirements*).
4. To allow the existing monument sign to encroach into the right-of-way as shown on the site plan submitted (Section 4.23.1, *Minimum Landscape Strips and Buffers*).

Applicant Presentation: Scott Boggo

(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: Bob Wiley moved to recommend approval of the application subject to staff conditions amended to require the installation of the standard streetscape prior to the issuance of the Certificate of Occupancy for the building currently being renovated and to the owner/developer being required to submit a combination plat to consolidate the two existing parcels. Don Boyken seconded. The motion was APPROVED (3-1, Boyken, Rubenstein, and Wiley for; Rupnow against; Duncan not voting; Thatcher and Maziar absent).

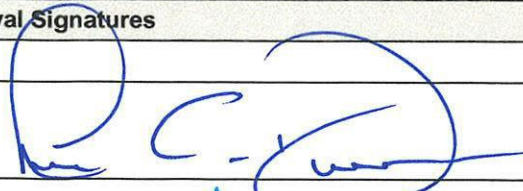
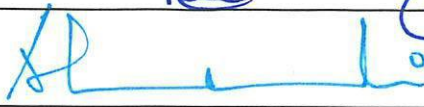
Condition(s):

1. To the owner's agreement to restrict the use of the subject property as follows:
 - a. Office and associated accessory uses at a density of 11,940.45 square feet per acre or 10,627 square feet, whichever is less.
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 4, 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 thirty (30) feet of right-of-way from centerline of Johnson Ferry 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.
 - b. Reserve for the City of Sandy Springs along the necessary property frontage of the following roadways, prior to the approval of a Land Disturbance permit, sufficient land as necessary to provide for compliance with the Comprehensive Plan. All building setback lines shall be measured from the dedication but at no time shall a building be allowed inside the area of reservation, except that a masonry entry wall shall be allowed in the area of reservation subject to an indemnification agreement filed by the owner/developer with the City of Sandy Springs.

Forty-five (45) feet from centerline of Johnson Ferry Road
 - c. To reduce the required forty (40) foot front yard setback as shown on the site plan submitted to allow the existing structures to remain (CV08-009).
 - d. To reduce the required fifty (50) foot buffer, twenty (25) foot buffer, and ten (10) foot improvement setbacks

	along the north and west property lines adjacent to residentially zoned property as shown on the site plan submitted. The owner/developer shall be required to provide the full buffer where possible and any reduction shall be limited to the area around existing improvements. Said plantings shall be subject to the approval of the Sandy Springs Arborist (CV08-009). e. To reduce the required number of parking spaces from 32 to 30 (CV08-009). f. To allow the existing monument sign to encroach into the right-of-way as shown on the site plan received by the Department of Community Development dated March 4, 2008. Said monument sign shall include the property address. The owner/developer shall be required to file an indemnification agreement with the Department of Public Works prior to the issuance of a Certificate of Occupancy. (CV08-009) g. The owner/developer shall provide streetscape consistent with the Urban District requirements of Section 12B, Sandy Springs Overlay District, of the Zoning Ordinance, including sidewalks, pedestrian lighting, and street trees, along the Johnson Ferry Road frontage as shown on the site plan received by the Department of Community Development dated March 4, 2008 before issuance of CO of building currently under construction.
	ORDINANCES AND RESOLUTIONS
3.	RZ08-002 An Ordinance to Amend Article 3, Definitions, of the Sandy Springs Zoning Ordinance – Grade Plane & Height ACTION: Roger Rupnow moved to recommend deferring the public hearing and final action until the June 2, 2008 Special Called Planning Commission meeting. Bob Wiley seconded. The motion was APPROVED (4-0, Boyken, Rubenstein, Rupnow, and Wiley for; Duncan not voting; Thatcher and Maziar absent).
4.	RZ08-007 An Ordinance to Amend the City of Sandy Springs Zoning Ordinance to Allow Senior Housing Developments ACTION: Don Boyken moved to recommend deferring the public hearing and final action until the June 2, 2008 Special Called Planning Commission meeting. Bob Wiley seconded. The motion was APPROVED (4-0, Boyken, Rubenstein, Rupnow, and Wiley for; Duncan not voting; Thatcher and Maziar absent).
5.	INFORMATIONAL ITEMS Letter from Livable Communities Coalition

Meeting Adjournment	The meeting was adjourned at 8:10 p.m.
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Approval Signatures	
Date Approved	6/19/08
Lee Duncan, Chairman	
Harmit Bedi, Assistant Director of Planning and Zoning	
Jocelyn Stephens, Administrative Assistant/Transcriber	