



Planning Commission June 19, 2008

Meeting Minutes

Board Members Present	Lee Duncan (Chair), Wayne Thatcher (VC), Don Boyken, David Rubenstein, Roger Rupnow, Bob Wiley, Susan Maziar
Board Members Absent	None
Staff Present	Nancy Leathers, Linda Abaray, Harmit Bedi, Mark Moore, Terry Robinson, Patrice Ruffin, Jocelyn Stephens

CALL to Order	Lee Duncan called the meeting to order at 7:00 p.m.
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	APPROVAL OF AGENDA
	ACTION: Susan Maziar moved to recommend an amendment to the agenda to include a Discussion Item at the end of agenda to discuss alternate height/grade plane definition proposed by Commissioners Wiley and Thatcher. Roger Rupnow seconded. The motion was APPROVED (6-0, Thatcher, Boyken, Rubenstein, Rupnow, Wiley, Maziar, for; Duncan not voting). FURTHER ACTION: Susan Maziar moved to recommend approval of the agenda as amended. Roger Rupnow seconded. The motion was APPROVED (6-0, Thatcher, Boyken, Rubenstein, Rupnow, Wiley, Maziar, for; Duncan not voting).
	PUBLIC COMMENTS
	Trisha Thompson: Good evening, Planning Commission members. Thank you very much for taking this public comment. As you know we at the Council of Neighborhoods are a little bit concerned about the Monday morning Special Work Session which a vote was taken. And in response to that, the actions taken at that time, we read this statement to the Mayor and City Council on Tuesday night, and rather than say anything behind your back, I'd like to read it again to you so that you know our position and what we said. The Planning Commission was asked to find clarity and a method to make this process understandable—and this is about the height and grade—understandable to staff and the community, and to their credit other cities around the country would have similar topography and socioeconomic conditions for guidance. They drafted an addendum to the height rule that explained how to do this. It was clear and its value has been proven in other districts, so it's not written in law. There has been a lot of discussion by the homebuilder's association and indeed they stood behind me and urged other changes after I read this—excuse me, they stood behind me and made their own comments after I did. The matter was pushed to an early morning meeting that was supposed to be a Work Session but a vote was taken. Those citizens, we told you at that time, cannot attend these early morning meetings. Height was removed and no discussion was entertained on the paper prepared by the Planning Commission. Your own Planning Commission's paper was disallowed; only the staff's position was considered. It was presented to the members of the Planning Commission what they were voting on and then discussion was disallowed based on the vote to pull out height. The presentation packet that was in front of you at that time was not correct. During this meeting it was also revealed that an executive director prohibited a review and evaluation plans on residential development which, in turn, means that height is never calculated from the beginning. That was primarily addressed to the Mayor and City Council to make them more aware of the problem.

The International Code is not spelled out in our regulations except to say that a residential structure's maximum height is 40 feet and they are aware of, perhaps not. We have had lawyers' complaints that our regs aren't available online and that their clients, therefore, had no way of knowing that they were violating anything in Sandy Springs. The director can confirm some of the cases where this has come up, I'm sure.

The Planning Commission grade plan document must spell out how to calculate the height. The grade discussion was disallowed, the deal with Sembler retaining walls and how they're calculated in the height formula. There are several examples around the city of these walls and how they affect the height. These discussions and concerns were summarily dismissed the other morning.

The good news is that the PC, Planning Commission, was able to put forth where it would require the height calculations be on the front sheet of plans where that all got approved. I don't know that. I hope. And it would be required that portions of the plan package would be reviewed and approved prior to anything being issued with again without the grade plan portion of the regs. So where do these calculations begin and what do they include? All were summarily dismissed.

We've alerted the Planning Commission to go back and clarify and address these issues—this is the Mayor and City Council—and address these issues. And when they did, as you were asked, it was derailed by a procedural maneuver and it remains in the public's best interest that clarification on grade plan be brought back and these issues be addressed now while there is a law in the building application and plan reviews.

Clarity and regulations help everyone: builders, staff, our community at large. Ratings *[phonetic]* in regulations invite lawsuits, poor neighborhood relations, and tons more aggravation for staff and politicians. Now we have to be in harmony with the State regs. It's a given and that nothing being proposed brings us out of harmony. It only adds another definition and clarifies the *how* and it should be imperative for all homeowners. The difference today is that most of these houses are being built by speculators and not individuals.

We ask that this please be sent back to you.

Now, one more thing: This book is a textbook and it was taught senior year in Political Science. It was the third semester for course credit. It was on governing in New York City. It's a book. I had to learn it, and I had to pass the test. Within about three years of getting out of college, the governance of New York City, the form of government was declared unconstitutional. Don't take everything books say for honest to goodness. Do the best you can. Thank you.

PREVIOUS MINUTES

ACTION: Roger Rupnow moved to recommend approval of the Minutes from the May 15, 2008 Planning Commission meeting as amended to include Commissioner Rupnow's recommendation that sidewalks be added to the requirements for the Senior Housing Developments Ordinance. Bob Wiley seconded. The motion was APPROVED (4-0-2, Boyken, Rubenstein, Rupnow, and Wiley for; Thatcher and Maziar abstaining; Duncan not voting).

ACTION: Action on the approval of the Minutes from the June 2, 2008 Planning Commission meeting will be held at the July 17, 2008 meeting.

ORDINANCES AND RESOLUTIONS (Deferred by Mayor and City Council with Remand to Planning Commission)

1. **A Resolution to Authorize the Adoption of the City of Sandy Springs Corridor Livable Centers Initiative (LCI) Study**

Dan Cohen, 309- Heaton Park Drive, Decatur, GA 30032

William J. de St. Aubin, Sizemore Group, 5250 Pikes Pk. Ct., Marietta, GA 30062

ACTION: Don Boyken moved to recommend approval subject to three amendments. Wayne Thatcher seconded. The motion was APPROVED (5-1, Thatcher, Boyken, Maziar, Rubenstein, and Wiley for; Rupnow against; Duncan not voting).

Amendment(s):

1. Glenridge Drive Node should reflect Comprehensive Plan Policy that no retail uses are permitted in this area.
2. The definitions for transect and form based zoning should be in a definitions section and should be more clearly defined.
3. Proposed improvements should be put in a prioritized list with improvements at the Windsor Parkway Node being item #1 as discussed by consultant at meeting.

2.	An Ordinance to Revise the Boundaries of the Fulton Perimeter Community Improvement District ACTION: Don Boyken moved to recommend deferral with remand to the Planning Commission to allow the staff to address additional changes proposed to the boundary map to include the Branches and the condominium development located in the northeast corner of the current boundary map with PCID. Roger Rupnow seconded. The motion was APPROVED (6-0, Thatcher, Boyken, Maziar, Rubenstein, Rupnow, and Wiley for; Duncan not voting).
	DISCUSSION ITEM
3.	Text Amendment to Article 3, Definitions, of the Zoning Ordinance ACTION: Susan Maziar moved to recommend that the Commission place an agenda item on the July agenda to discuss the possibility of the Commission bringing forward a text amendment to Article 3, Definitions, of the Zoning Ordinance to consider the alternate height/grade plane definition proposed by Commissioners Wiley and Thatcher. Roger Rupnow seconded. The motion was APPROVED (4-0-1, Boyken, Maziar, Rupnow, and Thatcher for; Rubenstein, abstaining; Wiley, recused; Duncan absent).

Meeting Adjournment	The meeting was adjourned at 8:45 p.m.
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Mayor and City Council, Planning Commission, and City Staff:

Re: LCI Revision Comments

On behalf of High Point Civic Association (HPCA), we respectfully request that the following comments be included in the record and considered in deliberations on the LCI Revision.

We SUPPORT:

- Further study of each node in detail with community input, specifically using **Transect Models, Form Based Codes, and Design Guidelines** (four nodes, p. 68-81).
- Developers of larger tracts should be required to conduct **traffic impact studies**, to include **peak hour impact** and **synchronizing flow** through signalization upgrades.
- Study to determine feasibility of **Access Road** along the south side of I-285, from Roswell toward Glenridge/285 intersection, as an alternative to the widening of Glenridge from Roswell to Johnson Ferry/Glenridge Connector (I-285 node, p. 80-81).
- Study Glenridge Dr future improvements to roadway design, with community input from the viable neighborhoods on either side of Glenridge Dr (community concerns, p.79, 89).
- Establish **incentive structure** for 1) assemblage of smaller tracts for larger developments, 2) facade improvements to existing business, and 3) promotion of small and/or more desirable businesses. We request the City consider tax incentives, etc., and not rely on height and density increases, specifically for the assemblage of larger tracts.
- General neighborhood street enhancements such as bike lanes, sidewalks, and traffic calming (p. 92-95).
- Local community representation, specifically an HPCA Board member, to be appointed to any board/committee recommending a "Roswell Road Zoning Overlay" (p 96-97) or an Urban Design. (HPCA has an incorporated land area that includes the studied portions of Roswell Rd and Glenridge, with approx 2500 households, and over 600 currently enrolled voting members. For this reason, we feel it is important that we have representation on any board making decisions about design, setbacks, etc.)

We do NOT SUPPORT:

- Reduction of setbacks in the Urban Design Guidelines (p 101-105) or reduction of any buffer requirements. We do not want to blur the lines between commercial and residential so much that developers are unclear as to our intention to **protect viable family neighborhoods** (map, p. 32), to protect the aesthetics of our roadways, and to increase our enjoyment of greenspace. We specifically want to **avoid a tunnel effect** along Roswell that might occur with reduction of

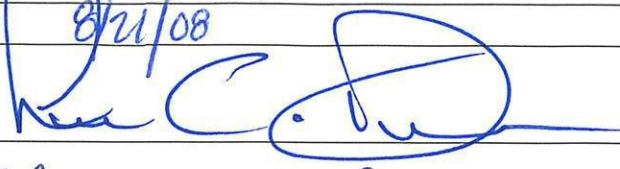
setbacks and increase of heights too close to the road. (For this purpose, we need to see Transect Models as mentioned above.)

- Traffic light at Long Island until completion of a comprehensive traffic study, to include consideration of alternative access roads, specifically at the Belle Isle Node. We do acknowledge that pedestrians cross and vehicles turn onto Roswell at their peril in this area, but we need a study with alternatives prior to any decision to add another light.

We look forward to further coordination with the City as we work to maximize aesthetics, safety, and health, while minimizing curb cuts and congestion. As always, we support an environment that encourages competitive, high quality redevelopment, while preserving, protecting, and enhancing our wonderful residential neighborhoods. Thank you for your consideration of these points and thanks to the Staff for their diligent work and coordination.

- Nancy Early, on behalf of HPCA Board of Directors

"Trying to cure traffic congestion with more capacity is like trying to cure obesity by loosening your belt." -Glen Heimstra, Futurist

Approval Signatures	
Date Approved	8/21/08
Lee Duncan, Chairman	
Harmit Bedi, Assistant Director of Planning and Zoning	Patrice S. Ruffin, INTERIM
Jocelyn Stephens, Administrative Assistant/Transcriber	Jocelyn Stephens