SANDY SPRINGS
GEORGIA

Planning Commission
July 17, 2008

Meeting Minutes

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

CALL to Order	Lee Duncan called the meeting to order at 7:00 p.m.

	APPROVAL OF AGENDA
	ACTION: Donald Boyken moved to recommend amendment of the Agenda, moving Item No. 5, U08-005 Holy Spirit Prep, to item No. 4 and to move item No. 4, RZ08-013 Hilton Perimeter, to item No. 5. Susan Maziar seconded. The motion was APPROVED (3-0, Boyken, Maziar, and Thatcher for; Duncan not voting; Rubenstein, Rupnow, and Wiley absent).
	My name is Dianne Fries, City Council Member, District 2, which is actually where you're sitting now. The Council members and I have all had conversations together today, and I'd like to start off with saying, thank you. We appreciate your e-mails. We appreciate that you're involved in the community; it's wonderful to support each other. But we find that we've got a problem, and I felt it was important to address this issue, and the council members asked if I would. We have gotten a lot of e-mails, obviously as expected, from a lot of people in this room, but we have gotten a rash of fraudulent e-mails, which is a concern to us. It's a disservice. We've got several of applications going on in the next couple of months—and this is a general statement—it is a disservice to do something like that, because it takes away the validity of the other e-mails. It just hurts the cause and it's not one side or the other; it's actually been both on different cases. So I don't know what the problem is, but I did want to bring it up that we do appreciate the e-mails. We want to hear from you. We can't always respond to every one of them, but we do look at them, the staff looks at them, and we consider them, and that's what our job is. But we really would appreciate that whatever is happening—we want e-mails from you—we don't want to get an e-mail in return saying why are we thanking you for your e-mail when I didn't send it. That's a concern. And then they say I'm actually on the other side. That's a concern. I think you can understand where we're coming from but, again, I'm not trying to discourage anyone from contacting us; that's what we're supposed to do. That's why you elected us, is to contact us, but I don't need to know that Little Johnny's grandparents in Denver approve or disapprove of something. I want to hear from the citizens in this city, not necessarily saying just the citizens on the street involved. I want to hear from the Citizens of Sandy Springs. So anyway y'all be respectful of each other, of this Board and this Council, and we'll do everything we can to work with you. Everybody have a good evening.
	PREVIOUS MINUTES
	ACTION: Donald Boyken moved to recommend deferral of the June 2, 2008 and June 19, 2008 Minutes until the August 21, 2008 meeting. Susan Maziar seconded. The motion was APPROVED (3-0, Boyken, Maziar, and Thatcher for; Duncan not voting; Rubenstein, Rupnow, and Wiley absent).

USE PERMIT

1. **U08-005/CV08-007**
5757 Long Island Drive, 5730 Lake Forrest Drive, 0 Long Island Drive
(PIN 17 0123 LL096), & 0 I-285 (PIN 17 0123 LL090)
Applicant: Holy Spirit Preparatory School *Representative: Den Webb*

SUMMARY/STAFF PRESENTATION: Patrice Ruffin/A use permit for the development of athletic fields, a field house, and an administrative building for Holy Spirit Preparatory School, with concurrent variances.

Applicant Presentation: Den Webb

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

- **Support for the Petition:**

Ridley Williams, 5690 Eden Roc Lane, Atlanta, GA 30342
Jack Sells, 7203 Riverside Drive, Atlanta, GA 30328
Monica Oppermann, 6160 River Chase Circle , Sandy Springs, GA 30328
Denise Stevens, 5610 Windy Ridge Drive, NE, Atlanta, GA 30342
Pete Radosta, 410 Glen Courtney Drive, Sandy Springs, GA 30328
Sal Guarisco and Wendy Guarisco, 1462 Hanover W., Drive, Atlanta, GA 30327
Denise Dale, 810 Mabry Road, N.E., Atlanta, GA 30328
Mark Leinmiller and Pamela Leinmiller, 385 Montevallo Drive, Sandy Springs, GA 30342
John Wutschel, 725 W. Conway Drive, Atlanta, GA 30327
James Dale, 810 Mabry Road, Atlanta, GA 30328
Ann Meadows and Ellen Meadows, 205 Devonwood Drive, Sandy Springs, GA 30328
Sarah Chenault, 500 Tanacrest Circle, Sandy Springs, GA

- **Against the Petition:**

Brad Skidmore, 5530 Long Island Drive, N.W., Atlanta, GA 30327
Bruce Snyder, 115 Grosvenor Place, N.W., Sandy Springs, GA 30328
Ron Beerman, 5625 Long Island Drive, Sandy Springs, GA 30327
Josh Tolchin, 5750 Long Island Drive, Sandy Springs, GA 30327
Patty Berkovitz, 800 Crest Valley Drive, Sandy Springs, GA 30327
Bonnie E. Berk, 5681 Long Island Drive, N.W., Sandy Springs, GA 30327
Don W. Wilson, 935 Greyfield Place, Atlanta, GA 30328
Jane Steele, 370 River Valley Road, Sandy Springs, GA 30328
Michael Heekin, 930 Greyfield Place, Atlanta, GA 30328
Arnold Sidman and Tobyanne Sidman, 135 Grosvenor Place, Sandy Springs, GA 30328
Ted C. Hannum and Eva M. Hannum, 210 Grosvenor Place, Sandy Springs, GA 30328
Stephanie Skidmore, 5530 Long Island Drive, Sandy Springs, GA 30327
Fred Filsoof, Lake Forrest, (adjacent property owner)
Nina Cramer, 5280 Long Island Drive, Sandy Springs, GA 30327
Jeff Hicks, 940 Greyfield Place, Atlanta, GA 30328
Anand Dutta and Kara Dutta, 5560 Lake Island Drive, Atlanta, GA 30327
Jill Goldberg, 5996 Mitchell Rd., #29, Atlanta, GA 30328
Steve A. Massell, 5800 Long Grove Drive, Sandy Springs, GA 30328
Judy G. Cohen, 220 Grosvenor Place, Atlanta, GA
R. Durham, 4064 Northside Drive
Susan Liang, 422 Londonberry Road, Atlanta, GA 30327
Leisa Wolfe, 5549 Long Island Drive, Sandy Springs, GA 30327
Allen Karlebach, 205 Embassy Court, Atlanta, GA 30328
Edwin C. Thomasson, Jr., 5996 Mitchell Road, #28, Sandy Springs, GA 30328
John M. Sikes, Jr., 5996 Mitchell Road, #20, Sandy Springs, GA 30328
Harris Sugarmon, 5996 Mitchell Road, #3, Atlanta, GA 30328
Nancy Coffer, 5996 Mitchell Road, #17, Atlanta, GA 30328
Katherine S. Marshall, 5996 Mitchell Rd., N.W., #27, Sandy Springs, GA 30328
Charles W. Williams and Mardie Williams, 5545 Lake Island Drive, N.W., Atlanta, GA 30327
Dr. E. Z. Fuller and Elaine Fuller, 170 Grosvenor Place, N.W., Sandy Springs, GA 30328
Lynn Lindskoog, 145 Grosvenor Place, Atlanta, GA 30328
Esther Rawn, 905 Greyfield, Place, Atlanta, GA 30328
Robert Wilson and Carolyn Wilson, 13 Ridgemere Trace, Sandy Springs, GA 30328
Sandra and Bob Edwards, 5737 Long Island Drive, N.W., Atlanta, GA 30327

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

ACTION: Susan Maziar moved to recommend extending the Public Comment period to 15 minutes. Wayne Thatcher seconded. The motion was APPROVED (3-0, Boyken, Maziar, and Thatcher for; Duncan not voting; Rubenstein, Rupnow, and Wiley absent).

ACTION: Susan Maziar moved to recommend extending the Public Comment period an additional 5 minutes. Wayne Thatcher seconded. The motion was APPROVED (3-0, Boyken, Maziar, and Thatcher for; Duncan not voting; Rubenstein, Rupnow, and Wiley absent).

ACTION: Donald Boyken moved to recommend approval subject to alternate conditions proposed by the Commission as read into the record. Wayne Thatcher seconded. The motion FAILED (2-1, Boyken and Thatcher for; Maziar against; Duncan not voting; Rubenstein, Rupnow, and Wiley absent) with no recommendation.

Condition(s):

U08-005 Holy Spirit Prep (PC Alternate Conditions)

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

   a) Restrict the use of the subject property to one (1) football/soccer field with a maximum of 400 bleacher seats, two (2) tennis courts, and one (1) swimming pool.

   b) Field house, concession stand, and administrative offices for athletic department staff only and associated accessory uses at a density of 626.17 square feet per acre or 5,000 square feet, whichever is less. Reception areas and/or assembly halls shall be prohibited.

   c) The maximum height of the field house/athletic department staff administrative office building shall be forty (40) feet.

   d) The hours of operation shall be limited to the following:

Monday through Friday	7:00 a.m. to 8:00 p.m.
Saturday	8:00 a.m. to 5:00 p.m.
Exceptions:	The closing hour on Friday evenings during the months of August through November shall be extended to 11:00 p.m. for Varsity football games only, up to eight (8) times per season.

   Use of the facility shall be prohibited on Sundays.

   The gates along Long Island Drive shall be closed and locked within thirty (30) minutes of the above required closing hour of the facility.

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.

   b) To the Long Island Drive street frontage elevations received by the Department of Community Development dated June 20, 2008. Said improvements shall be subject to the approval of the Design Review Board.

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 Lake Forrest 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.

   b) The owner/developer shall dedicate thirty (30) feet of right-of-way from centerline of Long Island 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.

   c) No more than one (1) exit/entrance on Long Island Drive or as may be approved by the Sandy Springs Traffic

Engineer. Curb cut location and alignment are subject to the approval of the Sandy Springs Traffic Engineer.

d) Outdoor lighting of the recreation fields shall be permitted on Friday evenings during the months of August through November ending at 11:00 p.m. for Varsity football games only, up to eight (8) times per season.

e) To direct all loudspeakers, horns, or amplified sound system away from the southern property line and toward the interior of the property facing north to I-285. Any outdoor sound system shall be designed to minimize the impact on the surrounding property owners with speakers configured so as to direct the sound to the intended audience on the subject site.

f) No parking lot lighting shall be installed within 50 feet of the south property line.

g) Parking lot lighting installed shall be no taller than 20 feet.

h) All outdoor light fixtures, including but not limited to parking lot lighting and security lighting, shall be baffled or diffused in a manner so as to prevent light spillover onto the neighboring residential properties.

i) Musical bands, orchestras, marching bands, etc. shall be permitted to play or perform on the property on Friday evenings during the months of August through November ending at 11:00 p.m. for Varsity football games only, up to eight (8) times per season.

j) The swimming pool shall be a lap pool for practice only. No swim meets or competitions shall be permitted.

k) To construct an eight (8) foot tall, decorative fence with a gate along the Long Island Drive frontage. Said fence design shall be subject to the approval of the Design Review Board.

l) The owner/developer shall provide streetscape including sidewalks, street trees, pedestrian lighting, and landscaping consistent with the Urban District standards of the Sandy Springs Overlay District along the Lake Forrest Drive and Long Island Drive frontages of the property. Said streetscape improvements shall be subject to the approval of the Design Review Board.

m) Trash collection shall be limited to between the hours of 9:00 AM and 4:00 PM Monday through Friday. All trash receptacles shall be screened from view from the adjoining residentially zoned property to the south.

n) Delivery hours shall be limited to the hours of 7:30 AM to 7:30 PM Monday through Friday.

o) Grounds maintenance shall be limited to the hours of 9:00 AM to 5:00 PM Monday through Friday and 9:00 AM to 4:00 PM on Saturday. Ground maintenance shall be permitted on Sunday only on the following exceptional basis:

    i. The inability to conduct any grounds maintenance work during four (4) of the preceding six (6) days due to inclement weather;

    ii. Emergency situations;

    iii. The cleaning or repairing of storm damage.

p) The owner/developer shall submit a written parking and busing plan to the Public Works Department prior to the issuance of a Land Disturbance Permit for this site. The plan shall include an analysis of parking needs and transportation options for participants and spectators to the facility. The applicant shall install additional signage, markings, or modifications called for in the plan at their expense concurrent with development. The plan is subject to the approval of the Public Works Department and all work called for must be completed prior to issuance of any Certificates of Occupancy.

q) To delete the required twenty (20) foot landscape strip along the north property line for a distance of 880 feet adjacent to I-285 as shown on the site plan received by the Department of Community Development dated June 20, 2008 (CV08-007).

r) Reduce the required twenty-five (25) foot buffer and ten (10) foot improvement setback around the proposed retaining wall along the south property line adjacent to property zoned CUP (Community Unit Plan District) to a twenty (20) foot landscape strip as shown on the site plan received by the Department of Community Development dated June 20, 2008 (CV08-007).

s) To reduce the required 100 foot outdoor recreation area setback to thirty-five (35) feet adjacent to residentially zoned property to the south received by the Department of Community Development dated June 20, 2008 (CV08-007).

t) To allow encroachments into the required twenty-five (25) foot impervious surface setback as shown on the site plan received by the Department of Community Development dated June 20, 2008 (CV08-007). Runoff that drains to the stream buffer from developed areas of the site, including athletic fields, shall pass through a water quality device that facilitates infiltration of the water quality volume into the soil. The water quality volume shall be calculated as specified in Section 1.3.2.1 of the Georgia Stormwater Management Manual.

u) The facility shall be restricted to use by Holy Spirit Preparatory School only. Leasing and/or renting of the facility to other users shall be prohibited.

v) All driveways, paths, and/or parking areas shall be constructed of pervious surfaces.

w) The owner/developer shall participate in the City of Sandy Springs greenways/trails program.

REZONING

2. **RZ08-013/U08-007/CV08-011**
6120 Peachtree-Dunwoody Road *Representative: Trav Carter*
Applicant(s): Hilton Suites Perimeter

SUMMARY/STAFF PRESENTATION: Patrice Ruffin/To rezone the subject property from O-I conditional to O-I to maintain the existing hotel and to add a permanent tent for outdoor events, with concurrent variances and a use permit to exceed the maximum district height.

Applicant Presentation: Trav Carter

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

- **Support for the Petition:**

Bob Belmonte, 6120 Peachtree-Dunwoody Road, Sandy Springs, GA
Rhoda Doherty, 603 Garden Court, N.E., Sandy Springs, GA 30328
John Fonk, 706 Garden Court, N.E., Sandy Springs, GA 30328

- **Against the Petition:**

Mary Nakashige, 913 Garden Court N.E., Atlanta, GA 30342

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

ACTION: Susan Maziar moved to recommend approval subject to staff conditions amended to include annual inspections by the Fire Department and the Building Division of the tent facility and to limit the use permit to 3 years. The motion was APPROVED (3-0, Boyken, Maziar, and Thatcher for; Duncan not voting; Rubenstein, Rupnow, and Wiley absent).

Condition(s):

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

   a) A 224-room hotel (with a restaurant) and associated accessory uses.

   b) The maximum building height shall be 6 stories. (U08-011)

   c) A 4,000 square foot outdoor tent facility.

   d) The hours of operation for the outdoor tent facility shall be 8:00AM to 11:00PM

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

   a) To the site plan received by the Department of Community Development dated May 6, 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 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.

b) To reduce parking spaces from 280 spaces to 202 spaces. (CV08-007)

c) To reduce the required ten (10) foot improvement setback along the north property line to five (5) feet. (CV08-007)

d) To bring tent into compliance with proper building codes pursuant to Chapter 105, Buildings and Building Regulations, of the Code of the City of Sandy Springs.

e) To bring tent into compliance with proper fire codes pursuant to Chapter 22, Fire Prevention and Protection, of the Code of the City of Sandy Springs.

USE PERMIT

3. **U08-009/CV08-013**
5655 Lake Forrest Drive
Applicant(s): Hamzeh R. Monfared *Representative: James Drew*

SUMMARY/STAFF PRESENTATION: Patrice Ruffin/A use permit to convert the existing single family residence into a church with concurrent variances.

Applicant Presentation: James Drew

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

- **Support for the Petition:**

- **Against the Petition:**
Alec Alexander, 10 Chevaux Court, Atlanta, GA 30342
Patty Berkovitz, 800 Crest Valley Drive, Sandy Springs, GA 30327
Joel F. Blackford and Maryanne Blackford, 40 Marchman Drive, Sandy Springs, GA 30342
Patricia E. Branch, 5630 Lake Forrest Drive, Atlanta, GA 30342
Nina Cramer, 5280 Long Island Drive, Sandy Springs, GA 30327
Susan Yeosock, 785 Lake Summit Drive, Atlanta, GA 30342

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

ACTION: Wayne Thatcher moved to recommend denial. Susan Maziar seconded. The motion was APPROVED (3-0, Boyken, Maziar, and Thatcher for; Duncan not voting; Rubenstein, Rupnow, and Wiley absent).

Condition(s): N/A

4. **U08-010**
7700 Spalding Drive
Applicant(s): Clearwire U.S., LLC *Representative: Kiersten Luerer*

SUMMARY/STAFF PRESENTATION: Patrice Ruffin/A use permit to extend the height of an existing cellular tower/antenna.

Applicant Presentation: Kiersten Luerer

(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: Susan Maziar moved to recommend approval subject to staff conditions. Donald Boyken seconded. The motion was APPROVED (3-0, Boyken, Maziar, and Thatcher for; Duncan not voting; Rubenstein, Rupnow, and Wiley

		absent). The Commission recommended that the Council consider a text amendment to clarify that the lighting required by Federal law for structures 200 feet or taller does not count toward the overall height approved for cellular towers.
		Condition(s): 1. To the owner's agreement to restrict the use of the subject property as follows: a). To a maximum height of two hundred five (205) feet for the cellular antenna/tower (U08-010). 2. To the owner's agreement to abide by the following: a). To the site plan received by the Department of Community Development dated May 12, 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.
		ORDINANCES AND RESOLUTIONS
	5.	**Living Working Future Land Use Categories and Mixed-Use Developments** **ACTION:** Susan Maziar moved to recommend approval as presented by staff. Wayne Thatcher seconded. The motion was APPROVED (3-0, Boyken, Maziar, and Thatcher for; Duncan not voting; Rubenstein, Rupnow, and Wiley absent). The Commission recommended that the Council consider creating a policy that would allow for density bonuses for properties designated as Live-Work Regional only if there is reasonable pedestrian access to MARTA.
	6.	**RZ08-022** **An Ordinance to Amend Article 3, Definitions, of the Sandy Springs Zoning Ordinance** **ACTION:** Donald Boyken moved to recommend approval as presented by staff. Susan Maziar seconded. The motion was APPROVED (3-0, Boyken, Maziar, and Thatcher for; Duncan not voting; Rubenstein, Rupnow, and Wiley absent).
	7.	**RZ08-023** **An Ordinance to Amend the Regulations of the City of Sandy Springs Adult Entertainment Ordinances** **ACTION:** Wayne Thatcher moved to recommend approval as presented by staff. Susan Maziar seconded. The motion was APPROVED (3-0, Boyken, Maziar, and Thatcher for; Duncan not voting; Rubenstein, Rupnow, and Wiley absent).
		DISCUSSION ITEM – Variance Tracking Report (January 2008 – June 2008)

Meeting Adjournment	The meeting was adjourned at 9:37 p.m.

	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