



PLANNING COMMISSION

Lee Duncan, Post 2 – Chair
Wayne Thatcher, Post 3 – Vice Chair
Al Pond, Post 4
Susan Maziar, Post 7
David Rubenstein, Post 5
Roger Rupnow, Post 1
Steve Tart, Post 6

Thursday August 4, 2011	Regular Meeting Minutes	7:00 PM
Board Members Present	Lee Duncan, Chair, Wayne Thatcher, Vice Chair, and David Rubenstein, Susan Maziar, Al Pond, and Steve Tart	
Board Members Absent	Roger Rupnow	
Staff Present	Patrice Ruffin, Doug Trettin, Gloria Goins, and Terry Robinson	
Call to Order	Lee Duncan called the meeting to order at 7:00 p.m.	

ADOPTION OF AGENDA

Motion and Vote: Thatcher motioned to add a third item for discussion regarding Business Licenses and Use Permits related to Institutional Uses. Pond seconded the motion. Approved (5-0, Thatcher, Pond, Rubenstein, Maziar, and Tart for; Duncan not voting; Rupnow absent).

Motion and Vote: Rubenstein moved to approve the Agenda for August 4, 2011 as amended. Thatcher seconded the motion. Approved (5-0, Thatcher, Pond, Rubenstein, Maziar, and Tart for; Duncan not voting; Rupnow absent).

PUBLIC COMMENT

Barbara Malone expressed concern over business licenses apparently being issued by the City without the proper review for compliance with all applicable regulations.

APPROVAL OF PREVIOUS MEETING'S MINUTES

Motion and Vote: Rubenstein moved to approve Minutes from March 17, 2011, Thatcher seconded the motion. Approved (5-0, Thatcher, Pond, Rubenstein, Maziar, and Tart for; Duncan not voting; Rupnow absent).

Motion and Vote: Tart moved to approve Minutes from June 16, 2011, Thatcher seconded the motion. Approved (5-0, Thatcher, Pond, Rubenstein, Maziar, and Tart for; Duncan not voting; Rupnow absent).

REVISION OF AGENDA

Motion to Revise Agenda: Thatcher moved to adjust the agenda by shifting application RZ11-004 to be the second item and shifting application U11-001/CV11-003 to be the first item. Pond seconded the motion. Approved (5-0, Thatcher, Pond, Rubenstein, Maziar, and Tart for; Duncan not voting; Rupnow absent).

REZONING

U11-001/CV11-003

8725 Dunwoody Place

SUMMARY/STAFF PRESENTATION:

A Use Permit to allow a private school at the existing office development, with concurrent variances.

APPLICANT PRESENTATION:

Don Webb, 1230 Peachtree St, Ste. 3100, Atlanta, GA. 30309

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

SUPPORT FOR THE PETITION:

Mel Cohen, 110 Whispering Way, Sandy Springs, GA. 30328

Barbara Malone, On File

AGAINST THE PETITION:

None

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

Motion and Vote:

Pond moved to recommend approval. Thatcher seconded. Recommendation for approval subject to Staff conditions amended as follows: Add a condition that the subject Private School shall not have an outdoor playground; add a condition that the subject Private School shall not sequester common area for exclusive use in violation of the restrictive covenants of the North River Square Association, Inc.; add a condition that the applicant shall, by August 15th of every year, provide the City an annual affidavit detailing the total maximum enrollment for their academic year, subject to the approval of the Department of Community Development; and eliminate staff recommended condition 1.d. Approved (5-0, Thatcher, Pond, Rubenstein, Maziar, and Tart for; Duncan not voting; Rupnow absent).

RZ11-004

5525 Long Island Drive

SUMMARY/STAFF PRESENTATION:

To rezone the subject property from R-1 (Single Family Dwelling District) to R-2 (Single Family Dwelling District).

APPLICANT PRESENTATION:

None

(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)

Motion and Vote:

Thatcher moved to recommend approval. Rubenstein seconded. Recommendation for approval subject to Staff conditions. Approved (5-0, Thatcher, Pond, Rubenstein, Maziar, and Tart for; Duncan not voting; Rupnow absent).

DISCUSSION: BUSINESS LICENSES AND USE PERMITS RELATED TO INSTITUTIONAL USES.

SUMMARY/STAFF PRESENTATION: Business Licenses and Use Permits for Institutional Uses, such as Private Schools and Day Cares, not issued or issued in error without proper Code reviews and compliance.

With the support of those Commissioners in attendance, Chair Lee Duncan directed staff to draft a letter, for his review for signature, to the Mayor and City Council recommending they take under consideration directing staff, with the assistance of the Planning Commission if desired, to analyze the business license application process for any improvements deemed necessary.

ADJOURNMENT

Meeting adjourned at 7:44 p.m.

Approval Signatures	
Date Approved	09/15/11
Lee Duncan, Chairman	
Patrice Ruffin, Assistant Director, Planning & Zoning	
Gloria Goins, Administrative Coordinator/Transcriber	