

PLANNING COMMISSION

MEETING MINUTES

Thursday, August 17, 2006, 7:00 p.m.

Board Members Present: Roger Rupnow (Chair) Bob Wiley (Vice Chair), Wayne Thatcher, Don Boyken, David Rubenstein, and Susan Maziar

Members Absent (Excused): Lee Duncan

Staff Present: Nancy Leathers, Tom Wilson, Michael Zehner, Cesar Geraldo, Patrice Ruffin, and Mark Moore

Call to Order: Roger Rupnow called the meeting to order at 7:00 p.m.

I. ACTION REPORT

ACTION: Don Boyken moved for approve of the July 31, 2006 Planning Commission Meeting action Report. Wayne Thatcher seconded. The Action Report was APPROVED for the July 31, 2006 Planning Commission Meeting (6-0).

II. DEFERRED

A. RZ06-019/CV06-011

Ison Road

Applicant: Summerall Development Company, LLC

Summary: From R-2 conditional to CUP for the development of 48 single-family lots at a density of 2 units per acre with a concurrent variance for specimen tree removal.

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

Nathan V. Hendricks, III: Attorney for applicant.

Jim Ramseur: 8275 Ison Road speaking in support of petition.

Donnie Chapman: 1235 Hightower Drive builder speaking in support of petition.

Gary P. Alexander: 8235 Gaugans speaking in support of petition.

(Public Hearing closed. Planning Commission questions and discussion)

ACTION: Susan Maziar moved for approval of this petition with additional conditions and staff recommendation(s). Bob Wiley seconded. Recommendation to APPROVE (6-0), subject to staff recommended conditions amended as follows: 1) To the site plan received on August 17, 2006 (2.a), 2) To the removal of nine (9) specimen trees as shown on the site

plan (3b) and adding as identified on the site plan received by the Department of Community Development on August 10, 2006, and 3) Removal of trees only as necessary for installation of infrastructure (3.o.).

III. REZONING New

A. RZ06-029

355 Mt. Paran Road

Applicant: Robert Klenberg

Summary: From R-2 to R-3 for the development of one (1) single-family lot.

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

Steven Henry: 355 Mt. Paran Road (applicant) speaking in support of petition.

(Public Hearing closed. Planning Commission questions and discussion)

ACTION: David Rubenstein moved to approve the petition. Wayne Thatcher seconded. Recommendation to APPROVE (6-0), subject to staff recommended conditions.

Bob Wiley moved to approve with the removal of condition 3.a. Susan Maziar seconded. The petition was APPROVED (6-0) with amended condition removal.

B. RZ06-030/CV06-015

8475 Roswell Road (SR9)

Applicant: Joe Ballato for Popeye's Corporation

Summary: From C-2 conditional to C-2 to remove the restriction of the use of the property as a gas station only and to allow for the development of restaurant. Three concurrent variances are requested.

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

Joseph J. Balloto: Representing Popeye's speaking in support of petition.

John Dawson: 5555 Glenridge Conn, speaking in support of petition.

(Public Hearing closed. Planning Commission questions and discussion)

ACTION: Bob Wiley moved for approval of petition. David Rubenstein seconded. Recommendation to APPROVE (6-0), subject to staff recommended conditions amended as follows: 1) A directive to staff (CD & PWTD) to work with the applicant for a solution to the number and location of curb cuts (3.b.).

C. RZ06-031/CV06-016

75 Cliftwood Drive

Applicant: Pete Hendricks for Igor & Danuta Kopmar

Summary: From R-3 to O-I to convert the existing structure from a single-family residence to an office. Four (4) concurrent variances are requested.

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

Nathan V. Hendricks, III: Attorney for applicant.

James Pepper: 25 Cliftwood Drive speaking in opposition of petition.

Howard Goldstein: 37 Cliftwood Drive speaking in opposition of petition.

Patty Berkovitz: 800 Crest Valley Drive speaking in opposition of petition.

Suzanne Goldstein: 37 Cliftwood Drive speaking in opposition of petition.

Joseph Turner: 580 Cliftwood Court comments read into minutes in opposition of petition.

(Public Hearing closed. Planning Commission questions and discussion)

ACTION: Don Boyken moved to deny this petition. Susan Maziar seconded.
Recommendation for petition to be DENIED (5-1). David Rubenstein, *Opposed*.

D. RZ06-O32/CV06-017

259 Windsor Parkway

Applicant: Pete Hendricks for Reel Time, LLC

Summary: From O-I conditional to O-I to allow for a 1,597 square foot addition to the existing 2,117 square foot structure. Four (4) concurrent variances are requested.

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

Nathan V. Hendricks, III: Attorney for applicant speaking in support of petition.

Pete Lunati: Applicant, 259 Windsor Parkway speaking in support of petition.

Watson Barker: 850 Starlight Circle representing 9 other homeowners of Sandy Springs in support of petition.

Nancy Early: 5220 High Point Road, NE speaking in opposition of petition.

(Public Hearing closed. Planning Commission questions and discussion)

ACTION: Susan Maziar moved for approval. Motion was withdrawn.

Don Boyken moved for approval subject to staff recommended conditions. David Rubenstein seconded. Recommendation to APPROVE (6-0), subject to staff recommended conditions amended as follows: 1) No parking shall be located in the front of the property, 2) Buffers to be replanted to buffer standards as necessary to screen parked vehicles.

E. RZ06-033
5845 Long Island Drive
Applicant: Mansour Maghari

Summary: From R-2 conditional to R-4A for the development of 2 single-family residential lots at a density of 1.94 units per acre.

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

Mansour Maghari: 5845 Long Island Drive speaking in support of petition.

Harold Hartley: 5800 Mitchell Road speaking in support of petition.

(Public Hearing closed. Planning Commission questions and discussion)

ACTION: Bob Wiley moved for approval of this petition. Susan Maziar seconded. Recommendation to APPROVE (6-0), subject to staff recommended conditions amended as follows: 1) The minimum heated floor area shall be 4,200 square feet (1.b.).

F. RZ06-034
Carroll Manor Subdivision
Applicant: City of Sandy Springs for Carroll Manor Subdivision

Summary: From TR conditional to TR to clarify current rezoning conditions and to bring the site into compliance with regard to the minimum lot sizes.

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

Diane Gray: 8853 Carroll Manor Drive speaking in support of petition.

(Public Hearing closed. Planning Commission questions and discussion)

ACTION: Bob Wiley moved for approval of this petition. Don Boyken seconded. Recommendation to APPROVE (6-0), subject to staff recommended conditions.

The meeting of the Sandy Springs Planning Commission was adjourned at 10:00 p.m.

APPROVAL SIGNATURE PAGE

Date Approved: **January 18, 2007**



Roger Rupnow, Chairperson



Michael Zehner
Assistant Director – Planning and Zoning



Angela Lawson
Administrative Assistant/Transcriber