



**Planning Commission
September 17, 2009**

Meeting Minutes

Board Members Present	Lee Duncan (Chair), Wayne Thatcher (Vice Chair), Don Boyken, Susan Maziar, David Rubenstein, and Al Pond
Board Members Absent	Roger Rupnow
Staff Present	Nancy Leathers, Patrice Ruffin, Linda Abaray, Cecil McLendon, Mark Moore, Doug Trettin, and Terry Robinson

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 approval of the Agenda. David Rubenstein seconded. The motion was APPROVED (5-0, Thatcher, Boyken, Maziar, and Rubenstein for; Rupnow absent, Duncan not voting).
	PUBLIC COMMENT – No Public Comment
	PREVIOUS MINUTES
	ACTION: Wayne Thatcher moved to recommend approval of the Minutes. Don Boyken seconded. Approved (5-0, Boyken, Maziar, Pond, and Rubenstein for; Rupnow absent; Duncan not voting).
	REZONING
1.	RZ09-001/CV09-003 5395 Roswell Road (SR9) SUMMARY/STAFF PRESENTATION: To rezone to allow for a church in the existing building, with concurrent variances. Applicant Presentation: Woodson Galloway (Invitation for public comment in support of and in opposition to the petition) • Support for the Petition: Bob Williams, 6331 Hollywood Blvd, Los Angeles, CA. Nancy Davis, 17218 Deer Trail, Alpharetta GA. Ray Lance, 475 Kenbrook Drive, Atlanta, GA. 30327 • Against the Petition: Sheila O'Shea, 5400 Roswell Rd Manuel Elkoune, 60 Willow Glen, Sandy Springs, GA. Susan Yeosck, 785 Lake Summit Dr., Sandy Springs, GA. 30342 Ann A. Crichton, 20 Wilow Glen NE, Atlanta, GA. 30342 Daniel Hubbell, 5375 Roswell Rd #C4, Sandy Springs, GA. 30342 Nancy Early, 5220 High Point Rd, Sandy Springs, GA. 30342 Patty Burns, 5400 Roswell Road, Sandy Springs, GA. 30342 Robin Beechey, 20 Willow Glen NE, Sandy Springs, GA. 30342 (Close of public hearing. Planning Commission questions and discussion)

ACTION: Susan Maziar moved to recommend allowing a ten (10) minute extension to the ten (10) minute limit for public comment, Don Boyken seconded. Approved (5-0, Thatcher, Boyken, Maziar, Pond, and Rubenstein for; Duncan not voting; Rupnow absent).

ACTION: Al Pond moved to recommend allowing an additional three (3) minute extension to the previously approved ten (10) minute extension for public comment. Don Boyken seconded. Approved (5-0, Thatcher, Boyken, Maziar, Pond, and Rubenstein for; Duncan not voting; Rupnow absent).

ACTION: Al Pond moved for recommendation for denial of RZ09-001/CV09-003 with Alternate Conditions. Wayne Thatcher seconded. Approved (5-0, Thatcher, Boyken, Maziar, Pond, and Rubenstein for; Duncan not voting; Rupnow absent). The Commission expressed concern over the proposal's possible insufficient parking and negative impact to traffic in the area.

ACTION David Rubenstein moved for recommendation for approval of RZ09-001/CV09-003 with Staff Recommended Conditions. Rubenstein amended the motion to revise the conditions to include the following: Within 30 days of approval of the rezoning and variance requests, the Church of Scientology agrees to file a protective covenant in favor of the City of Sandy Springs, Georgia, which shall be placed on the deed records of Fulton County, Georgia, that upon sale of the property, any future purchaser or lessee acknowledges no vested right to utilize the parking ratio approved for the Church of Scientology by the City of Sandy Springs' zoning action, and upon change of use, shall, in addition to all other City of Sandy Springs, Georgia zoning requirements then existing, be required to demonstrate compliance with the then existing parking requirements for purchaser's proposed use or obtain a variance, rezoning, or other approval of its proposed parking ratio as required by the City of Sandy Springs, Georgia. And, the matter of RZ09-001/CV09-003 shall not be a basis in considering or precedent for any future applications filed with the City of Sandy Springs. Boyken seconded the amended motion. . Don Boyken seconded. Denied (2-3, Boyken and Rubenstein for; Maziar, Pond, Thatcher against; Duncan not voting; Rupnow absent). The Commission expressed concern over the proposal's possible insufficient parking and negative impact to traffic in the area.

ACTION: Susan Maziar moved to recommend denial of RZ09-001/CV09-003 with Staff Recommended Conditions. Wayne Thatcher seconded. Approved (3-2, Thatcher, Pond, and Maziar for; Rubenstein and Boyken against; Duncan not voting; Rupnow absent). The Commission expressed concern over the proposal's possible insufficient parking and negative impact to traffic in the area

TA09-018

SUMMARY/STAFF PRESENTATION: An Ordinance to Amend Article 22, Appeals, and Article 28, Rezoning and Other Amendment Procedures, of the Sandy Springs Zoning Ordinance.

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

- **Support for the Petition:**
- **Against the Petition:**

Action: Don Boyken moved to recommend for approval. Wayne Thatcher seconded. Approved (5-0, Thatcher, Boyken, Maziar, Pond, and Rubenstein for; Duncan not voting; Rupnow absent).

Meeting Adjournment

The meeting was adjourned at 8:36 p.m.

Approval Signatures	
Date Approved	11-19-2009
Lee Duncan, Chairman	
Patrice Ruffin, Assistant Director of Planning and Zoning	
Gloria Goins, Administrative Coordinator/Transcriber	