



SANDY SPRINGS™

GEORGIA

PLANNING COMMISSION

TUESDAY, OCTOBER 23, 2018, 6:00 PM

Sandy Springs City Hall, Studio/Theatre

1 Galambos Way, Sandy Springs 30328

MINUTES

Call to Order (6:01 pm)

The meeting was called to order by Chairman Lane Frostbaum.

Roll Call

Staff called Roll. All Planning Commissioners in attendance with the exception of one from the seven member panel.

Present: Chairman Frostbaum, Vice Chair Porter, Commissioners Nickles, Kelly, Settles and Johns.

Absent: Commissioner Haggard

General Announcements

Staff read the rules and procedures of the public hearing.

Approval of Agenda - October 23, 2018

Commissioner Kelly moved to approve the meeting agenda with Commissioner Settles seconding the motion which passed via unanimous voice vote. (5-0-0)

Approval of Minutes - July 24, 2018

[PC Minutes 7.24.18](#)

Commissioner Nickles moved to approve the meeting minutes from the last Planning Commission meeting on July 24, 2018. The motion was seconded by Commissioner Johns, passing by unanimous vote. (5-0-0)

Cases

1. [001559](#)

U18-0004

400 & O Carpenter Drive

Request for a Conditional Use Permit for a self-service storage use.

[U18-0004 Package](#)

Planning and Zoning Manager, Catherine Mercier-Baggett, presented this case recommending approval with conditions.

The applicant, Masoud Zahedi, spoke on behalf of his case. Joe Heins, Sandy Springs Council of Neighborhoods, spoke in opposition to the application.

The Planning Commission discussed the case with questions as to why Mr. Zahedi had not provided a satisfactory site plan as part of his application and confirmed that the conditional use permit would be permanent (i.e. "run with the land") even if this project did not proceed.

Commissioner Nickles moved to approve with staff conditions with Commissioner Johns seconding the motion which passed unanimously. (5-0-0)



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2. 001560

RZ18-0009

315 Breakwater Ridge

Rezoning from RE-1 to RD-18 to rectify an error on the zoning map.

[RZ18-0009 Package](#)

Ms. Mercier-Baggett, also presented this case.

The applicant and property owner did speak briefly to respond to a few questions posed by the Planning Commission.

The motion to approve was made by Commissioner Nickles, seconded by Commissioner Kelly and passing by unanimous voice vote, all in favor. (5-0-0)

3. 001561

Text Amendments

Multiple **Text Amendments** petitioned by the City of Sandy Springs ~ Draft documents may be viewed here: <http://spr.gs/devcode>

An Ordinance to amend the Development Code as follows:

- (A) To amend requirements associated with building height in Sec. 3.4.3. Residential Multi-Unit; Sec. 3.5.3. Residential Mixed Use; Sec. 4.2.3. Office Neighborhood; Sec. 4.3.3. Office Mixed Use; Sec. 4.4.3. Commercial Mixed Use; Sec. 4.5.3. Shopfront Mixed Use; Sec. 4.6.3. Transit Mixed Use; Sec. 4.7.3. City Springs; Sec. 4.8.3. Industrial Mixed Use; Sec. 4.9.3. Commercial Corridor; Sec. 5.3.3. Perimeter Mixed Use Low/Mid-Rise; Sec. 5.4.3. Perimeter Mixed Use High-Rise; Sec. 5.5.3. Perimeter Medical; Div. 5.6 Perimeter Center Frontages; Sec. 6.1.3. Height and Mass; Div. 6.4. Protected Neighborhood Transitions; and Div. 6.7. Height Bonus;
 - (B) To amend requirements associated to conceptual plans in Sec. 6.1.1. Lot Parameters; Sec. 11.4. Subdivision Review; and Div. 12.2. Defined Terms;
 - (C) To amend Div. 6.3. Development Patterns: Cottage Court to allow townhouses;
 - (D) To amend Div. 6.4. Protected Neighborhood Transitions to allow access points through the wall for maintenance purposes;
 - (E) To amend connectivity requirements in Div. 10.3 Blocks and Access;
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- (F) To amend the use standards in Sec. 7.3.2.E. Personal Care Home; Sec. 7.6.1. Industrial Uses – Artisanal; Sec. 7.8.3. Drive-Thru Facility; Sec. 7.8.22. Accessory Structures;
- (G) To amend Sec. 8.1.4. Parking Reductions to allow for reduction in bike parking;
- (H) To amend Sec. 8.3.9. Signs Area Allocation and Sec. 8.3.12. Crown Sign to allow larger crown sign areas; and Sec. 8.3.16. Wall Sign to modify the placement requirements of wall signs;
- (I) To amend Sec. 9.2.4.A.2. Buffer and Setback Requirements to clarify the intent and purpose of the impervious surface setback;
- (J) To amend Div. 11.7. Nonconformities to add provisions for the result of government actions on the nonconforming status of a property;
- (K) To clarify the applicability of Sec. 6.1.1. Lot Parameters; Sec. 6.5.2.C. Parking Location; and Sec. 8.2.10. Fences and Walls;
- (L) To make minor amendments (such as correcting typographical errors or reorganizing text) in Sec. 3.3.2. Residential Townhouse; Sec. 4.3.1.A. Office Mixed Use (OX-); Sec. 6.1.2.B. Setback Encroachments; Div. 7.3. Residential Uses; Div. 7.4. Public and Civic Uses; Div. 7.5. Commercial Uses; Div. 7.6. Industrial Uses; Div. 7.7. Open Uses; Div. 7.8. Accessory Uses and Structures; Sec. 9.2.2. Stream Buffer Protection – Applicability; Sec. 9.2.4. Stream Buffer Protection – Land Development Requirements; and Sec. 9.4.2.G. Grading.

Planning and Zoning Manager, Catherine Mercier-Baggett, continued by presenting the multiple Text Amendments to amend the Development Code. Speaking to the multiple amendments (A through I) in opposition were Joe Heins of the Sandy Springs Council of Neighborhoods (A, D), Ronda Smith of the Council of Neighborhoods (F), Karen McEnerney (A, C) and Tochie Blad (A, H, J) and in support Ellen Smith of Parker Poe Adams & Bernstein on behalf of Inspire Brands (H).

A. Building Height

Motion	First, Second	Vote
Denial	Nickles Johns	2-3, *Motion failed Opposed: Kelly, Porter, Settles



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<i>Deferral</i> to next month's meeting, Staff to proposed max heights	Settles Kelly	4-1, *Deferred to Nov. 27 Opposed: Porter
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Mr. Heins voiced concerns in opposition to removing limits on building heights as it related to looming building heights affecting protected neighborhoods. Ms. McEnerney agreed with Mr. Heins concerns, while Ms. Blad cited examples of areas where building heights shadowed neighborhoods.

B. Conceptual Plan

Motion	First, Second	Vote
<i>Approval</i>	Settles Johns	5-0

No public comments.

C. Cottage Court Pattern

Motion	First, Second	Vote
<i>Denial</i>	Porter Settles	5-0

Ms. McEnerney voiced a need to deny or change this amendment as she expressed concerns to add attached housing to this amendment based on the additional density it could generate.

D. Protected Neighborhood Transition Wall

Motion	First, Second	Vote
<i>Approval</i> , with the addition of a requirement that the gate be locked at all times unless for maintenance in the buffer	Settles Kelly	5-0

Mr. Heins stressed the importance of the gates locked for safety reasons.

E. Street Blocks and Connectivity

Motion	First, Second	Vote
<i>Approval</i>	Johns Settles	4-1 Opposed: Nickles



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F. Use Standards Update

Motion	First, Second	Vote
<i>Approval of all</i>	<i>Nickles Johns</i>	<i>2-3, *Motion failed Opposed: Kelly, Porter, Settles</i>
<i>Friendly amendment for denial of 7.8.3 (drive-thru)</i>	<i>Kelly</i>	<i>Nickles refused the friendly amendment</i>
Approval of 7.3.2, 7.6.1 & 7.8.22.C, but denial 7.8.3 (drive- thru)	<i>Kelly Settles</i>	<i>Original vote: 4-1 Opposed: Nickles Rectified vote: 3-2 Opposed: Nickles, Johns</i>

Ronda Smith, Sandy Springs Council of Neighborhoods, is opposed to 7.8.3 as written with the addition of "C. An existing legal nonconforming drive-thru facility may be relocated, renovated and/or expanded within a same development." The non-conforming drive-thrus, through their success, could adversely impact a protected neighborhood.

G. Bicycle Parking

Motion	First, Second	Vote
Approval	<i>Settles Nickles</i>	<i>5-0</i>

No public comments.

H. Sign Regulations

Motion	First, Second	Vote
Approval	<i>Johns Kelly</i>	<i>5-0</i>

Ms. Blad voiced concerns that this amendment needs better definition regarding the size.

Ms. Smith, representing Inspire Brands (Arby's), supported this amendment that allows for (sign) proportionality in size to increase visibility related to frontage.

I. Impervious Surface Setback



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Motion	First, Second	Vote
Approval , with restructuration of the sentence of paragraph b on p.25 (9.2.2.B.3.b)	Settles Johns	5-0

No public comments.

J. Nonconforming Situations

Motion	First, Second	Vote
Approval , with the addition of "through eminent domain or threat of eminent domain" after the words "government acquisition"	Nickles Settles	5-0

Ms. Blad opposed the language, stating that it is poorly worded, not necessary, not clear and is more than a text amendment that is wholly not necessary.

K. Clarification of Certain Sections

Motion	First, Second	Vote
Approval of all	Settles Johns	5-0

No public comments.

L. Miscellaneous corrections

Motion	First, Second	Vote
Approval of all, with the replacement of the word "most" by "more" in 7.8.22.A.1. and 7.8.22.B.1	Kelly Settles	5-0

No public comments.

On-Going Business

None at this time.

New Business



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Recognition of Service - *Ms. Susan Maziar, former Planning Commissioner*

Retired Planning Commissioner, Susan Maziar, was presented with a Proclamation in appreciation of her service to the Planning Commission and to the citizens of Sandy Springs.

Public Comments

None at this time.

Adjournment

The meeting was adjourned at 9:25pm. Commissioner Nickles moved to adjourn, seconded by Commissioner Johns, passing unanimously - meeting adjourned.