



**Planning Commission
November 15, 2007**

Meeting Minutes

Board Members Present	Roger Rupnow (Chair), Bob Wiley (Vice Chair), Susan Maziar, David Rubenstein, Wayne Thatcher and Lee Duncan
Board Members Absent Excused	Donald Boyken
Staff Present	Nancy Leathers, Dennis Payne, Mark Moore, Patrice Ruffin, Cesar Geraldo, Lourdes Rodriguez and Bridgette Gray

CALL to Order	Roger Rupnow called the meeting to order at 7:00 p.m.
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I.	PREVIOUS ACTION REPORT
	ACTION: Bob Wiley moved to approve the Action Report from the October 18, 2007 meeting. Lee Duncan seconded. The Action Report from the October 18, 2007 meeting was APPROVED (4-0-1, Wiley, Duncan, Maziar and Rubenstein for; Thatcher abstaining; Rupnow not voting; Boyken absent).
II.	PREVIOUS MINUTES
	ACTION: Bob Wiley moved to approve the Minutes from the October 18, 2007 meeting. David Rubenstein seconded. The motion was APPROVED (4-0-1, Wiley, Duncan, Maziar and Rubenstein for; Thatcher abstaining; Rupnow not voting; Boyken absent).
III.	REZONING - NEW
A.	RZ07-026 400 Carpenter Drive <i>Applicant: Masoud Zahedi</i> <i>Representative: Masoud Zahedi</i> SUMMARY/STAFF PRESENTATION: Patrice Ruffin/The applicant is requesting to rezone the subject property from C-1 (Community Business District) conditional to C-1 (Community Business District) to allow for the development of a mixed-use building with 19,000 square feet of office space, 14,000 square feet of retail space, and four (4) residential units. The proposed building will also consist of two (2) levels of underground parking. Applicant Presentation: Masoud Zahedi (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: Lee Duncan moved to approve. David Rubenstein seconded. The motion was APPROVED (5-0, Wiley, Duncan, Maziar, Rubenstein and Thatcher for; Rupnow not voting; Boyken absent), subject to the following staff conditions:

Condition(s):

1. To the owner's agreement to restrict the use of the subject property as follows:
 - a. Office and associated accessory uses at a density of 30,158.73 square feet per acre or 19,000 square feet, whichever is less.
 - b. Commercial and associated accessory uses at a density of 22,222.22 square feet per acre or 14,000 square feet, whichever is less.
 - c. Four (4) residential units at a density of 6.35 units per acre, whichever is less.
2. To the owner's agreement to abide by the following:
 - a. To the site plan received by the Department of Community Development dated October 31, 2007. 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. The proposed building shall be designed as shown in the architectural elevation rendering received by the Department of Community Development dated October 9, 2007. The final design of said elevation 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 twenty-five (25) feet of right-of-way from centerline of Carpenter 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. RZ07-030

605 Dalrymple Road

Applicant: Simon Termure

Representative: Simon Termure

SUMMARY/STAFF PRESENTATION: Patrice Ruffin/The applicant is requesting to rezone the subject property from R-2 (Single Family Dwelling District) to R-3 (Single Family Dwelling District) for the development of two (2) single family residences at a density of 1.82 units per acre.

Applicant Presentation: Simon Termure

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

• **Support for the Petition:**

None

• **Against the Petition:**

Judy Hiles, 335 Earlston Drive, only in opposition to the shared driveways.

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

ACTION: Lee Duncan moved to approve. Bob Wiley seconded. The motion was APPROVED (4-1, Wiley, Duncan, Rubenstein and Thatcher for; Maziar against; Rupnow not voting; Boyken absent); (Ms. Maziar stated that the approval of the petition would be setting a precedent for other properties on Dalrymple Road), subject to the following staff conditions:

Condition(s):

1. To the owner's agreement to restrict the use of the subject property as follows:
 - a. Two (2) single family residential lots at a density of 1.82 units per acre.
 - b. The minimum heated floor area per dwelling unit shall be a minimum of 2,500 square feet.
2. To the owner's agreement to abide by the following:
 - a. To the site plan received by the Department of Community Development dated September 4, 2007.

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 thirty (30) feet of right-of-way from centerline of Dalrymple 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. Reserve for the City of Sandy Springs along the necessary property frontage of the following roadways, prior to the approval of a Land Disturbance permit, sufficient land as necessary to provide for compliance with the Comprehensive Plan. All building setback lines shall be measured from the dedication but at no time shall a building be allowed inside the area of reservation. All required landscape strips and buffers shall straddle the reservation line so that the reservation line bisects the required landscape strip or buffer. At a minimum, 10 feet of the required landscape strip or buffer shall be located outside the area of reservation. All required tree plantings per Article 4.23 shall be placed within the portion of the landscape strip or buffer that lies outside the area of reservation.

Forty-five (45) feet from centerline of Dalrymple Road

- c. All curb cuts on property must conform to AASHTO standards for intersection sight distance prior to issuance of Certificate of Occupancy. Said curb cut location shall be subject to the approval of the Department of Public Works.

RZ-031/CV07-026

5755 Dupree Drive

Applicant: Dupree Management, LLC

Representative: Brett Sunderland

SUMMARY/STAFF PRESENTATION: Patrice Ruffin/To rezone the subject property from O-I conditional to O-I to maintain the existing 18,400 square foot office building and to develop a 3,600 square foot addition, with concurrent variances.

1. To encroach twenty (20) feet into the required twenty-five (25) foot rear yard setback along the north property line with the proposed terrace (Section 8.1.3.D, *Development Standards, Minimum Rear Yard*).
2. To encroach three (3) feet into the required forty (40) foot front yard setback to allow the existing parking area along the east side of the site to remain (Section 18.3.1.E, *Parking and Loading Locations, O-I, Office/Institutional Districts*).
3. To delete the parking lot landscaping requirements to allow the existing surface parking areas to remain (Section 4.23.2, *Parking Lot Landscaping*).

Applicant Presentation: Brett Sunderland

(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: Bob Wiley moved to approve. David Rubenstein seconded. The motion was APPROVED (5-0, Wiley, Duncan, Maziar, Rubenstein, Thatcher for; Rupnow not voting; Boyken absent) subject to the following staff conditions:

Condition(s):

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

- a. Office and associated accessory uses at a density of 9,090.91 square feet per acre or 22,000 square feet,

whichever is less.

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

- a. To the site plan received by the Department of Community Development dated September 4, 2007. 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 thirty (30) feet of right-of-way from centerline of Dupree 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. To encroach twenty (20) feet into the required twenty-five (25) foot rear yard setback along the north property line with the proposed terrace (CV07-026).
- c. To encroach three (3) feet into the required forty (40) foot front yard setback to allow the existing parking area along the east side of the site to remain (CV07-026).
- d. To delete the parking lot landscaping requirements to allow the existing surface parking areas to remain (CV07-026).

ORDINANCES AND RESOLUTIONS (Deferred)

A. RZ07-036

SUMMARY/STAFF PRESENTATION: Patrice Ruffin/An Ordinance to Amend Article 34, Development Regulations, of the City of Sandy Springs Zoning Ordinance.

Applicant Presentation: Patrice Ruffin

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

• **Support for the Petition:**

N/A

• **Against the Petition:**

N/A

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

ACTION: Lee Duncan moved to approve. Wayne Thatcher seconded. The motion was APPROVED (4-1, Wiley Duncan Rubenstein, and Thatcher for; Maziar against; Rupnow not voting; Boyken absent). Ms. Maziar would like the Planning Commission to reconsider the Public Works Department recommendations on the minimum development thresholds required for the submission of a traffic impact study at a later date.

Condition(s): N/A

Meeting Adjournment

The meeting was adjourned at 7:45 p.m.

Approval Signatures	
Date Approved	
Roger Rupnow, Chairman	
Nancy Leathers, Director of Community Development	
Bridgette Gray, Administrative Assistant/Transcriber	