

# CITY OF SANDY SPRINGS, GA

## CITY COUNCIL

Eva Galambos, Mayor

Dave Greenspan – District 1

Dianne Fries – District 2

Rusty Paul – District 3

Ashley Jenkins – District 4

Tibby DeJulio – District 5

Karen Meinzen McEnery – District 6

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Tuesday, August 15, 2006

Regular Council Meeting Agenda

Executive Session at 6:30 PM  
Regular Meeting at 7:00 PM

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**EXECUTIVE SESSION: 6:30 PM**

1. To discuss litigation matters.
2. To discuss real estate matters.

A) **INVOCATION** – Reverend Erin Reed Jobst, Sandy Springs Christian Church

B) **CALL TO ORDER**

C) **ROLL CALL AND GENERAL ANNOUNCEMENTS**

D) **PLEDGE OF ALLEGIANCE**

**(Agenda Item No. 06-263)**

E) **APPROVAL OF MEETING AGENDA** (*add or remove items from agenda*)

F) **CONSENT AGENDA**

**(Agenda Item No. 06-264)**

1. Approval of the July 11, 2006 Work Session Minutes
2. Approval of the July 18, 2006 Regular Meeting Minutes.  
(*Jeanette Marchiava, City Clerk*)

**(Agenda Item No. 06-265)**

3. Approval of a Resolution to authorize the execution of a Memorandum of Understanding (MOU) between the City of Sandy Springs and the Housing Authority of Fulton County to assist the Housing Authority with annual environmental review responsibilities.  
(*Vann McNeill, CDBG Manager*)

**(Agenda Item No. 06-266)**

4. Approval of a Resolution to Amend the City of Sandy Springs Rezoning, Zoning Modification and Text Amendment Schedules.  
(*Michael Zehner, Assistant Director of Planning and Zoning*)

**(Agenda Item No. 06-267)**

5. Approval of a Right-of-Way policy.  
(*Angelia Parham, Public Works Director*)

**(Agenda Item No. 06-268)**

6. Approval of a Traffic Study Process.  
(*Angelia Parham, Public Works Director*)

**(Agenda Item No. 06-269)**

7. Approval of a Resolution approving an agreement between the City of Sandy Springs and Arthur E. Ferdinand, Tax Commissioner of Fulton County to collect property taxes for the City of Sandy Springs.  
(*Don Howell, Director of Operations*)

**(Agenda Item No. 06-270)**

8. Adopt schedule for Construction Board of Appeals meeting time and dates.  
(*Nancy Leathers, Community Development Director*)

**G) PRESENTATIONS**

1. Certificates of Appreciation to Board Members of the Committee for Sandy Springs.

**H) PUBLIC HEARINGS****ALCOHOL BEVERAGE LICENSE APPLICATION**

(*Presented by Don Howell, Director of Operations*)

**(Agenda Item No. 06-271)**

1. Temporary License No. AL06-0209  
Approval of Alcoholic Beverage License Application for Chef Rob Caribbean Café, LLC located at 5920 Roswell Road, Sandy Springs, GA 30350. Applicant is Robert Gayle for Consumption on the Premises/Sale of Distilled Spirits, Wine and Malt Beverage License.

(Invitation for public comment)

**ZONING AGENDA****Rezoning****(Agenda Item No. 06-237)**

1. RZ-06-016/CV06-008 – 70 Cliftwood Drive, SM Services, Inc., from O-I conditional to O-I for the development of a 6,000 square foot office building at a density of 14,634.15 square feet per acre, with 4 concurrent variances. Deferred on August 1, 2006.  
(Second Reading)  
(*Presented by Michael Zehner, Assistant Director of Planning and Zoning*)

(Invitation for public comment)

**(Agenda Item No. 06-272)**

2. RZ06-029 – 355 Mt. Paran Road, Robert Klenberg, from R-2 to R-3 for the development of 1 single-family lot. (First Reading)  
(*Presented by Michael Zehner, Assistant Director of Planning and Zoning*)

(Invitation for public comment)

**(Agenda Item No. 06-273)**

3. RZ06-030/CV06-015 – 8475 Roswell Road (SR9), Joe Ballato for Popeye's Corporation, 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 a restaurant. Three concurrent variances are requested. (First Reading)

*(Presented by Michael Zehner, Assistant Director of Planning and Zoning)*

(Invitation for public comment)

**(Agenda Item No. 06-274)**

4. RZ06-031/CV06-016 – 75 Cliftwood Drive, Pete Hendricks for Igor & Danuta Kopmar, From R-3 to O-I to convert the existing structure from a single family residence to an office. Four concurrent variances are requested. (First Reading)

*(Presented by Michael Zehner, Assistant Director of Planning and Zoning)*

(Invitation for public comment)

**(Agenda Item No. 06-275)**

5. RZ06-032/CV06-017 – 259 Windsor Parkway, Pete Hendricks for Reel Time, LLC, 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 concurrent variances are requested. (First Reading)

*(Presented by Michael Zehner, Assistant Director of Planning and Zoning)*

(Invitation for public comment)

**(Agenda Item No. 06-276)**

6. RZ06-033 - 5845 Long Island Drive, Mansour Maghari, 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. (First Reading)

*(Presented by Michael Zehner, Assistant Director of Planning and Zoning)*

(Invitation for public comment)

**(Agenda Item No. 06-277)**

7. RZ06-034 – Carroll Manor Subdivision, City of Sandy Springs for Carroll Manor Subdivision, from TR conditional to TR to clarify current rezoning conditions and to bring the site into compliance with regard to the minimum lot size permitted. (First Reading)

*(Presented by Michael Zehner, Assistant Director of Planning and Zoning)*

(Invitation for public comment)

**Zoning Modification****(Agenda Item No. 06-278)**

8. ZM06-006 – 6400 Peachtree-Dunwoody Road, the Home Depot, to modify condition 2.a. to sell 0.31 acre tract to Dunwoody Storage. Concurrent Variance to delete the required 5' landscape strip adjacent to C-1 at NW corner. (First Reading)

*(Presented by Michael Zehner, Assistant Director of Planning and Zoning)*

(Invitation for public comment)

**END OF PUBLIC HEARINGS**

**I) UNFINISHED BUSINESS:**

**(Agenda Item No. 06-193)**

- 1. Approval of an Amendment to Chapter 12, Offenses and Violations, Article 1: General Prohibitions, Section 2, Offenses against public morals, by adding subsection (g) Obscenity and Related Offenses. Deferred on July 18, 2006 (Second Reading)  
*(Presented by Wendell Willard, City Attorney)*

(Invitation for public comment)

**(Agenda Item No. 06-257)**

- 2. Approval of an Ordinance to Authorize the City of Sandy Springs to Abandon a parcel of land; to offer to sell the parcel of land to the adjoining property owners; to specify the terms of any offer; and to authorize the Mayor to executive a Quit Claim Deed to complete any sale.  
(Second Reading)  
*(Presented by Wendell Willard, City Attorney)*

(Invitation for public comment)

**(Agenda Item No. 06-259)**

- 3. Approval of an Ordinance to Amend the City of Sandy Springs Code of Ordinances, Chapter 11: Business Occupation, Tax, Licenses and Regulations, Article 11, Section 4.  
(Second Reading)  
*(Presented by Don Howell, Director of Operations)*

(Invitation for public comment)

**(Agenda Item No. 06-260)**

- 4. An Ordinance to Approve Amendments to the International Property Maintenance Code.  
(Second Reading)  
*(Presented by Marcus Kellum, Chief Code Enforcement Officer)*

(Invitation for public comment)

**J) NEW BUSINESS:**

**(Agenda Item No. 06-279)**

- 1. Approval of an Ordinance Amending the City of Sandy Springs Code of Ordinance Chapter 9, Section 9: Construction Board of Adjustment and Appeals - Revise the name of the Construction Board of Adjustment and Appeals to Construction Board of Appeals. Section 9 (e) *i* - Revise the deadline for meetings to be called from 30 calendar days after notice of appeal has been received to 60 days. (First Reading)  
*(Presented by Nancy Leathers, Community Development Director)*

(Invitation for public comment)

**(Agenda Item No. 06-280)**

2. Approval of an Ordinance Amending the City of Sandy Springs Code of Ordinance Chapter 2, Administration, Article 5, City Boards, Section 1, Creation - Revise the name of the Construction Board of Adjustment and Appeals to Construction Board of Appeals.

(First Reading)

*(Presented by Nancy Leathers, Community Development Director)*

(Invitation for public comment)

**(Agenda Item No. 06-281)**

3. Approval of an Ordinance to Amend Chapter 7, Alcoholic Beverages, Article 2, Section 2, Violations of Article, Misdemeanor. (First Reading)

*(Presented by Wendell Willard, City Attorney)*

(Invitation for public comment)

**(Agenda Item No. 06-282)**

4. Approval of an Ordinance to Amend the Adult Entertainment Ordinance Amending and Striking Article 1, Section 1(n) with a new Section 1(n) and renumbering all remaining paragraphs of Article 1, Section 1 consecutively, amending Section 9, Penalty for Violation, amending Section 12(a)(2) by adding subparagraph (d), and amending Section 12(c), Suspension and Revocation Procedure. (First Reading)

*(Presented by Wendell Willard, City Attorney)*

(Invitation for public comment)

**(Agenda Item No. 06-284)**

5. Approval of a Resolution to Amend Section 2.14 of Article II of the Charter of the City of Sandy Springs so as to allow for the approval and passage of a resolution or ordinance by the City Council after the title is read at the time the resolution or ordinance is offered.

*(Presented by Wendell Willard, City Attorney)*

**(Agenda Item No. 06-285)**

6. Approval of a Resolution Accepting Local Assistance Grant funds from the State of Georgia in the amount of \$40,000 for fiscal year 2007 for the purpose of acquiring personal protection equipment ballistic vest for the Sandy Springs Police Department.

*(Presented by Aaron Bovos, Deputy City Manager)*

**(Agenda Item No. 06-286)**

7. Approval of a Resolution Accepting Local Assistance Grant funds from the State of Georgia in the amount of \$25,000 for fiscal year 2007 for the purpose of acquiring laser speed detection devices for the Sandy Springs Police Department.

*(Presented by Aaron Bovos, Deputy City Manager)*

**(Agenda Item No. 06-287)**

8. Approval of a Resolution Authorizing the Execution of any and all documents necessary to enter into a "Lease Line of Credit" with Bank of America Public Capital Corp for the lease/purchase financing of vehicles and equipment for the Sandy Springs Fire Department.  
*(Presented by Don Howell, Director of Operations)*

**K) REPORTS AND PRESENTATIONS:**

- a) Mayor and Council Reports
- b) Staff Reports

**L) PUBLIC COMMENT****(Agenda Item No. 06-288)****M) ADJOURN**