



CITY COUNCIL

Eva Galambos, Mayor

John Paulson – District 1

Dianne Fries – District 2

Chip Collins – District 3

Ashley Jenkins – District 4

Tibby DeJulio – District 5

Karen Meinzen McEnerny – District 6

Tuesday, September 21, 2010

Action Minutes

6:00 PM

A) INVOCATION – Rabbi Elana Perry, Temple Sinai

B) CALL TO ORDER – Mayor Pro-Tem Tibby DeJulio

Mayor Pro-Tem Tibby DeJulio called the meeting to order at 6:02 p.m.

C) ROLL CALL AND GENERAL ANNOUNCEMENTS

Mayor: Mayor Eva Galambos absent.

Councilmembers: Councilmember John Paulson, Councilmember Chip Collins, Councilmember Tibby DeJulio and Councilmember Karen Meinzen McEnerny present. Councilmember Dianne Fries and Councilmember Ashley Jenkins were absent.

D) PLEDGE OF ALLEGIANCE – Mayor Pro-Tem Tibby DeJulio

(Agenda Item No. 10-223)

E) APPROVAL OF MEETING AGENDA

Motion and Vote: Councilmember Paulson moved to approve the Meeting Agenda for September 21, 2010. Councilmember Collins seconded the motion. The motion carried unanimously.

F) CONSENT AGENDA

(Agenda Item No. 10-224)

1. Meeting Minutes:

- a) August 31, Special Called Meeting
- b) September 7, 2010 Regular Meeting
- c) September 7, 2010 Work Session

(Michael Casey, City Clerk)

(Agenda Item No. 10-225)

2. Adoption of 2011 City Council Meeting Schedule
(*Michael Casey, City Clerk*)

(Agenda Item No. 10-226)

3. A Resolution to Amend the City of Sandy Springs Board of Appeals Bylaws
(*Nancy Leathers, Director of Community Development*)
Resolution No. 2010-09-62

(Agenda Item No. 10-227)

4. A Resolution to Amend the City of Sandy Springs Design Review Board Bylaws
(*Nancy Leathers, Director of Community Development*)
Resolution No. 2010-09-63

(Agenda Item No. 10-228)

5. A Resolution to Amend the City of Sandy Springs Planning Commission Bylaws
(*Nancy Leathers, Director of Community Development*)
Resolution No. 2010-09-64

(Agenda Item No. 10-229)

6. A Resolution to Adopt the Downtown Livable Centers Initiative (LCI) 5-Year Update/Action Plan
(*Tom Black, Director of Public Works*)
Resolution No. 2010-09-65

(Agenda Item No. 10-230)

7. A Resolution to Accept the Donation of the Right-Of-Way on Property Located in Land Lots 13, 24, 36, 38, 121, and 384 as part of the Zoning Requirements
(*Tom Black, Director of Public Works*)
Resolution No. 2010-09-66

(Agenda Item No. 10-231)

8. A Resolution to Establish a Uniform Policy for the Acceptance of Gifts to the City of Sandy Springs
(*Wendell Willard, City Attorney*)
Resolution No. 2010-09-67

Motion and Vote: Councilmember Paulson moved to approve the Consent Agenda for September 21, 2010. Councilmember Collins seconded the motion. The motion carried unanimously.

G) PRESENTATIONS

1. Flag from Fire Station 2 – presented by Chief McElfish

H) PUBLIC HEARINGS**(Agenda Item No. 10-232)**

1. Public Hearing and Adoption of Consolidated Annual Performance and Evaluation Report (CAPER) for 2009 CDBG Program
(*Presented by Community Development Block Grant Manager, Vann McNeill*)

(Invitation for Public Comment)

Motion and Vote: Councilmember Collins moved to approve Agenda Item No. 10-232, Adoption of Consolidated Annual Performance and Evaluation Report (CAPER) for 2009 CDBG Program. Councilmember Meinzen McEnery seconded the motion. The motion carried unanimously.

(Agenda Item No. 10-233)

2. **RZ10-006/U10-005/CV10-007** - 1105 Mount Vernon Highway, *Applicant: Dunwoody Storage LLC*, To rezone the subject property from C-1 conditional to C-1 to allow for additional commercial uses within the existing building, with concurrent variances and a use permit to maintain the existing self-storage facility
(Presented by Assistant Director Planning and Zoning, Patrice Ruffin)

(Invitation for Public Comment)

Motion and Second: Councilmember Meinzen McEnery moved to approve Agenda Item No. 10-233, RZ10-006/U10-005/CV10-007 - 1105 Mount Vernon Highway, *Applicant: Dunwoody Storage LLC*, To rezone the subject property from C-1 conditional to C-1 to allow for additional commercial uses within the existing building, with concurrent variances and a use permit to maintain the existing self-storage facility. Councilmember Paulson seconded the motion.

Ordinance No. 2010-09-39

Motion to Amend and Second: Councilmember Collins moved to amend the motion to revise staff condition 1.b. to read as follows, "To prohibit the following uses: Indoor Amusements, Art Galleries, Clinics, Financial Establishments, Adult Establishments, Businesses Performing Specified Sexual Activities, Massage Parlors, Lingerie/Bathing Suit Modeling, Laundromats, Laundry & Dry Cleaning Shops, Libraries, Communication Services, Museums, Pet Grooming (no overnight stay), Convenience Printing Shops, Repair Shops not involving manufacturing on site, Research Laboratories, Collecting Recycling Centers, and Convenience Stores. The aforementioned uses shall be prohibited as determined by the Director of Community Development." Councilmember Meinzen McEnery seconded the motion.

Vote on Amendment: The motion carried unanimously.

Vote on Motion: The motion carried unanimously.

(Agenda Item No. 10-234)

3. **RZ10-007/CV10-008** - 5600 Roswell Road (SR 9), *Applicant: Prado LLC*, To rezone the subject property from C-1 conditional to C-1 to add 15,000 square feet to the existing approved square footage for the shopping center, with concurrent variances.
(Presented by Assistant Director Planning and Zoning, Patrice Ruffin)

(Invitation for Public Comment)

Motion and Vote: Councilmember Meinzen McEnery moved to approve Agenda Item No. 10-234, RZ10-007/CV10-008 - 5600 Roswell Road (SR 9), *Applicant: Prado LLC*, To rezone the subject property from C-1 conditional to C-1 to add 15,000 square feet to the existing approved square footage for the shopping center, with concurrent variances, and to accept the compromise as submitted by the applicant with the following conditions: to limit the 12 spaces to employee parking; and to allow the

arborist to add evergreen trees as needed to the area along the stream buffer. Councilmember Paulson seconded the motion. The motion carried unanimously.

Ordinance No. 2010-09-40

I) UNFINISHED BUSINESS *(none)*

J) NEW BUSINESS

(Agenda Item No. 10-235)

1. A Resolution to Rename Heards Drive/Heards Road to Raider Drive between Heards Ferry Road and Powers Ferry Road
(Presented by Assistant Director Planning and Zoning, Patrice Ruffin)

(Invitation for Public Comment)

Motion and Vote: Councilmember Collins moved to approve Agenda Item No. 10-235, A Resolution to Rename Heards Drive to Raider Drive and leave what is currently Heards Road in the zip code 30327 as is. This would result in Raider Drive extending from Heards Ferry Road to the south end of the I-285 Bridge. Councilmember Meinzen McEnery seconded the motion. The motion carried unanimously.

Resolution No. 2010-09-68

(Agenda Item No. 10-236)

2. A Resolution to Rename Brandon Mill Road to Grogans Mill Drive between Grogans Ferry Road and Morgan Falls Road
(Presented by Assistant Director Planning and Zoning, Patrice Ruffin)

Motion and Vote: Councilmember Meinzen McEnery moved to approve Agenda Item No. 10-236, A Resolution to Rename Brandon Mill Road to Adair Lane between Grogans Ferry Road and Morgan Falls Road. Councilmember Paulson seconded the motion. The motion carried unanimously.

Resolution No. 2010-09-69

(Agenda Item No. 10-237)

3. Consideration of Approval of a contract to construct Project T-0002, Abernathy Park Phase 3 Project Subject to Validation and Approval by the Legal and Finance Departments
(Presented by Deputy Director of Public Works, Jon Drysdale)

Motion and Vote: Councilmember Collins moved to approve Agenda Item No. 10-237, Approval of a contract with Knight and Associates, Inc., to construct Project T-0002, Abernathy Park Phase 3 Project Subject to Validation and Approval by the Legal and Finance Departments. Councilmember Meinzen McEnery seconded the motion. The motion carried unanimously.

Resolution No. 2010-09-70

(Agenda Item No. 10-238)

4. Agreement for Transportation Enhancement Activities with GDOT for Abernathy Park Construction (T-0002), Phase IV
(Presented by Deputy Director of Public Works, Jon Drysdale)

Motion and Vote: Councilmember Collins moved to approve Agenda Item No. 10-238, Agreement for Transportation Enhancement Activities with GDOT for Abernathy Park Construction (T-0002), Phase IV. Councilmember Paulson seconded the motion. The motion carried unanimously.

Resolution No. 2010-09-71**(Agenda Item No. 10-239)**

5. A Resolution to Approve the Initiation of Rezoning for the 220 Sandy Springs Circle Located in Land Lot 89, District 17, Sandy Springs, Fulton County Georgia
(Presented by Director of Community Development, Nancy Leathers)

Motion and Vote: Councilmember Meinzen McEnery moved to approve Agenda Item No. 10-239, A Resolution to Approve the Initiation of Rezoning for the 220 Sandy Springs Circle Located in Land Lot 89, District 17, Sandy Springs, Fulton County Georgia. Councilmember Paulson seconded the motion. The motion carried unanimously.

Resolution No. 2010-09-72**(Agenda Item No. 10-240)**

6. A Resolution to Approve the Initiation of Rezoning for the 200 Morgan Falls Road Located in Land Lot 77, District 17, Sandy Springs, Fulton County Georgia
(Presented by Director of Community Development, Nancy Leathers)

Motion and Vote: Councilmember Meinzen McEnery moved to approve Agenda Item No. 10-240, A Resolution to Approve the Initiation of Rezoning for the 200 Morgan Falls Road Located in Land Lot 77, District 17, Sandy Springs, Fulton County Georgia. Councilmember Paulson seconded the motion. The motion carried unanimously.

Resolution No. 2010-09-73**(Agenda Item No. 10-241)**

7. A Resolution to Approve the Initiation of Rezoning for the 7700-7760 Spalding Drive Located in Land Lot 313, District 6, Sandy Springs, Fulton County Georgia
(Presented by Director of Community Development, Nancy Leathers)

Motion and Vote: Councilmember Paulson moved to approve Agenda Item No. 10-241, A Resolution to Approve the Initiation of Rezoning for the 7700-7760 Spalding Drive Located in Land Lot 313, District 6, Sandy Springs, Fulton County Georgia. Councilmember Collins seconded the motion. The motion carried unanimously.

Resolution No. 2010-09-74**K) REPORTS AND PRESENTATIONS**

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

L) PUBLIC COMMENT**M) EXECUTIVE SESSION** *(none)***(Agenda Item No. 10-242)****N) ADJOURNMENT**

Motion and Vote: Councilmember Collins moved to adjourn the meeting. Councilmember Paulson seconded the motion. The motion carried unanimously. The meeting adjourned at 7:52 p.m.