



## CITY COUNCIL

Rusty Paul, Mayor

John Paulson – District 1  
Ken Dishman – District 2  
Graham McDonald – District 3  
Gabriel Sterling – District 4  
Tibby DeJulio – District 5  
Andy Bauman – District 6

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Tuesday, December 16, 2014

Summary Minutes

6:00 PM

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**A) INVOCATION** – Reverend Danny Gulden, Sandy Springs Christian Church

**B) CALL TO ORDER** – Mayor Rusty Paul

Mayor Paul called the meeting to order at 6:02 p.m.

**C) ROLL CALL AND GENERAL ANNOUNCEMENTS**

**Mayor:** Mayor Paul present

**Councilmembers:** Councilman John Paulson, Councilman Ken Dishman, Councilman Graham McDonald, Councilman Gabriel Sterling, Councilman Tibby DeJulio, and Councilman Andy Bauman were present.

**D) PLEDGE OF ALLEGIANCE** – Mayor Rusty Paul

**E) APPROVAL OF MEETING AGENDA**

**Motion and Vote:** Councilman Sterling moved to approve the Regular Meeting Agenda for December 16, 2014, with a change moving the Executive Session to the first order of business. Councilman Paulson seconded the motion. The motion carried unanimously.

**F) EXECUTIVE SESSION** – Litigation and Real Estate

**Motion and Vote:** Councilman Sterling moved to enter into Executive Session to discuss litigation and real estate matters with the Director of Community Development and Fire Chief included. Councilman Paulson seconded the motion. The motion carried unanimously, with Councilman Paulson, Councilman Dishman, Councilman McDonald, Councilman Sterling, Councilman DeJulio, and Councilman Bauman voting in favor of the motion. Executive Session began at 6:04 p.m.

**Motion and Vote:** Councilman Sterling moved to adjourn Executive Session. Councilman Dishman seconded the motion. The motion carried unanimously, with Councilman Paulson, Councilman

Dishman, Councilman McDonald, Councilman Sterling, Councilman DeJulio, and Councilman Bauman voting in favor of the motion. Executive session adjourned at 7:03 p.m.

## G) CONSENT AGENDA

### (Agenda Item No. 14-287)

1. Meeting Minutes:
  - a) December 2, 2014 Regular Meeting
  - b) December 2, 2014 Work Session

(Michael Casey, City Clerk)

### (Agenda Item No. 14-288)

2. Acceptance of the Agreement to Purchase Permanent Stormwater and Temporary Construction Easements on the Glenforest Road Stormwater Improvement Project  
(Garrin Coleman, Director of Public Works)

### Resolution No. 2014-12-118

### (Agenda Item No. 14-289)

3. Report and Resolution for the Bicycle, Pedestrian and Trail Plan  
(Garrin Coleman, Director of Public Works)

### Resolution No. 2014-12-119

**Motion and Vote:** Councilman Sterling moved to approve the Consent Agenda for December 16, 2014. Councilman Paulson seconded the motion. The motion carried unanimously.

## H) PRESENTATIONS

1. 2014 Annual Financial Audit Report - Mauldin & Jenkins, LLC

## I) PUBLIC HEARINGS

### Zoning Modifications

### (Agenda Item No. 14-290)

1. **201403130** - 5900 Peachtree-Dunwoody Road, *Applicant: Regent Partners*, to modify conditions 1.d., 1.e., 1.f., 2.a., 4.c., 5.l., 5.n., and 6 of Z05-0079/U05-0016/CV05-0168 to allow for development of a mixed use project  
(Presented by Community Development Director, Angela Parker)

(Invitation for Public Comment)

**Motion and Second:** Councilman DeJulio moved to defer Agenda Item No. 14-290, 201403130 - 5900 Peachtree-Dunwoody Road, *Applicant: Regent Partners*, to modify conditions 1.d., 1.e., 1.f., 2.a., 4.c., 5.l., 5.n., and 6 of Z05-0079/U05-0016/CV05-0168 to allow for development of a mixed use project, to the January 20, 2015 City Council meeting. Councilman Paulson seconded the motion.

**Substitute Motion and Vote:** Councilman Sterling moved to defer Agenda Item No. 14-290, 201403130 - 5900 Peachtree-Dunwoody Road, *Applicant: Regent Partners*, to modify conditions 1.d., 1.e., 1.f., 2.a., 4.c., 5.l., 5.n., and 6 of Z05-0079/U05-0016/CV05-0168 to allow for development of a mixed use project, to the February 17, 2015 City Council meeting. Councilman Paulson seconded the motion. The motion carried unanimously.

**(Agenda Item No. 14-291)**

2. **201401133** - 305 Carpenter Drive, *Applicant: Masoud Zahedi*, to delete all conditions related to senior living in Sandy Springs zoning case RZ08-012  
(Presented by Community Development Director, Angela Parker)

(Invitation for Public Comment)

**Motion and Vote:** Councilman DeJulio moved to defer Agenda Item No. 14-291, 201401133 - 305 Carpenter Drive, *Applicant: Masoud Zahedi*, to delete all conditions related to senior living in Sandy Springs zoning case RZ08-012, to the February 17, 2015 City Council meeting. Councilman Dishman seconded the motion. The motion carried unanimously.

**(Agenda Item No. 14-292)**

3. **201403259** - 135 Foxridge Road, *Applicant: Robert Crewdson*, to modify conditions 1 and 2 of Z72-0096 to amend the letter of intent to allow for an existing garage to remain, with concurrent variances  
(Presented by Community Development Director, Angela Parker)

(Invitation for Public Comment)

**Motion and Vote:** Councilman Bauman moved to approve Agenda Item No. 14-292, 201403259 - 135 Foxridge Road, *Applicant: Robert Crewdson*, to modify conditions 1 and 2 of Z72-0096 to amend the letter of intent to allow for an existing garage to remain, with concurrent variances. Councilman Sterling seconded the motion. The motion carried unanimously.

**Ordinance No. 2014-12-45****Rezoning****(Agenda Item No. 14-293)**

4. **201401682** - 6079 Boylston Road, *Applicant: Southtech Homes, LLC*, to rezone from R-4 (Single Family Dwelling District) to A (Medium Density Apartment District) for the development of a 15-lot townhome development, with concurrent variances  
(Presented by Community Development Director, Angela Parker)

(Invitation for Public Comment)

**Motion and Second:** Councilman McDonald moved to defer Agenda Item No. 14-293, 201401682 - 6079 Boylston Road, *Applicant: Southtech Homes, LLC*, to rezone from R-4 (Single Family Dwelling District) to A (Medium Density Apartment District) for the development of a 15-lot townhome development, with concurrent variances, to the January 20, 2015 City Council meeting. Councilman DeJulio seconded the motion.

**Substitute Motion and Vote:** Councilman Sterling moved to approve Agenda Item No. 14-293, 201401682 - 6079 Boylston Road, *Applicant: Southtech Homes, LLC*, to rezone from R-4 (Single Family Dwelling District) to A (Medium Density Apartment District) for the development of a 15-lot townhome development, with concurrent variances, and with the exception of withdrawal of variance request #4. and an amendment to condition 3.d.2. for a three foot berm to be behind units 1-4 and a six foot berm to be behind units 5-15. This action amends 3.d.2. and 3.d.3. Councilman Dishman seconded the motion. The motion carried 5-1, with Councilman McDonald voting in opposition.

**Ordinance No. 2014-12-46**

**(Agenda Item No. 14-294)**

5. **201403165** - 5737 Long Island Drive, *Applicant: Rockhaven Homes, LLC*, to rezone from CUP (Community Unit Plan District) conditional to R-2A (Single Family Dwelling District) for the development of a 2-lot subdivision  
(Presented by Community Development Director, Angela Parker)

(Invitation for Public Comment)

**Motion and Vote:** Councilman Bauman moved to approve Agenda Item No. 14-294, 201403165 - 5737 Long Island Drive, *Applicant: Rockhaven Homes, LLC*, to rezone from CUP (Community Unit Plan District) conditional to R-2A (Single Family Dwelling District) for the development of a 2-lot subdivision. Councilman DeJulio seconded the motion. The motion carried unanimously.

**Ordinance No. 2014-12-47****(Agenda Item No. 14-295)**

6. **201403227** - 6337 Roswell Road, *Applicant: Quintus Development*, to rezone from C-1 (Community Business District), R-3 (Single Family Dwelling District), and R-4 (Single Family Dwelling District) to MIX (Mixed Use District) for the development of a mixed use project, with a use permit to exceed the maximum district height and concurrent variances  
(Presented by Community Development Director, Angela Parker)

(Invitation for Public Comment)

**Motion and Vote:** Councilman Sterling moved to approve withdrawal of Agenda Item No. 14-295, 201403227 - 6337 Roswell Road, *Applicant: Quintus Development*, to rezone from C-1 (Community Business District), R-3 (Single Family Dwelling District), and R-4 (Single Family Dwelling District) to MIX (Mixed Use District) for the development of a mixed use project, with a use permit to exceed the maximum district height and concurrent variances. Councilman Paulson seconded the motion. The motion carried unanimously.

**J) UNFINISHED BUSINESS** (*none*)**K) NEW BUSINESS****(Agenda Item No. 14-296)**

1. A Resolution to Amend the City Fee Schedules  
(Presented by Community Development Director, Angela Parker)

**Motion and Vote:** Councilman DeJulio moved to approve Agenda Item No. 14-296, A Resolution to Amend the City Fee Schedules. Councilman McDonald seconded the motion. The motion carried unanimously.

**Resolution No. 2014-12-120****(Agenda Item No. 14-297)**

2. A Resolution to Adopt the City of Sandy Springs 2015 Planning and Zoning Schedules  
(Presented by Community Development Director, Angela Parker)

**Motion and Vote:** Councilman Sterling moved to approve Agenda Item No. 14-297, A Resolution to Adopt the City of Sandy Springs 2015 Planning and Zoning Schedules, with the deferral of the DRI portion to a future City Council meeting. Councilman Paulson seconded the motion. The motion carried unanimously.

**Resolution No. 2014-12-121**

**(Agenda Item No. 14-298)**

3. Consideration of Approval of Nonprofit Funding Awards  
(Presented by Finance Director, Karen Ellis)

The Mayor recused himself from this agenda item.

**Motion and Vote:** Councilman Paulson moved to approve Agenda Item No. 14-298, Approval of Nonprofit Funding Awards. Councilman Bauman seconded the motion. The motion carried 3-1, with Councilman Sterling voting in opposition.

**(Agenda Item No. 14-299)**

4. Consideration of Issuance of Task Order to Groslimond Tennis Services, Inc. for the Operation of the Sandy Springs Tennis Center  
(Presented by Director Recreation and Parks, Ronnie Young)

**Motion and Vote:** Councilman Sterling moved to approve Agenda Item No. 14-299, Issuance of Task Order to Groslimond Tennis Services, Inc. for the Operation of the Sandy Springs Tennis Center. Councilman Paulson seconded the motion. The motion carried unanimously.

**(Agenda Item No. 14-300)**

5. A Memorandum of Agreement (MOA) Regarding Financing of the Windsor Parkway Realignment Project  
(Presented by City Manager, John McDonough)

**Motion and Vote:** Councilman Sterling moved to approve a Memorandum of Agreement (MOA) Regarding Financing of the Windsor Parkway Realignment Project, with Sandy Springs Gateway Owner LLC. Councilman DeJulio seconded the motion. The motion carried unanimously.

**Motion and Vote:** Councilman Sterling moved to approve a Memorandum of Agreement (MOA) Regarding Financing of the Windsor Parkway Realignment Project, with JLB Chastain LLC. Councilman DeJulio seconded the motion. The motion carried unanimously.

**Motion and Vote:** Councilman Sterling moved to approve a Memorandum of Agreement (MOA) Regarding Financing of the Windsor Parkway Realignment Project, with JLB Chastain Phase II LLC. Councilman DeJulio seconded the motion. The motion carried unanimously.

**(Agenda Item No. 14-301)**

6. Consideration of Acceptance of the Conservation Easement of Three (3) Acres along Powers Ferry Road  
(Presented by City Attorney, Wendell Willard)

**Motion and Vote:** Councilman Bauman moved to approve Agenda Item No. 14-301, Acceptance of the Conservation Easement of Three (3) Acres along Powers Ferry Road. Councilman Sterling seconded the motion. The motion carried unanimously.

**Resolution No. 2014-12-122****(Agenda Item No. 14-302)**

7. Consideration of Approval of the Purchase and Sale Agreement with the Sherwin-Williams Company  
(Presented by City Attorney, Wendell Willard)

**Motion and Vote:** Councilman Paulson moved to approve Agenda Item No. 14-302, the Purchase and Sale Agreement with the Sherwin-Williams Company. Councilman Sterling seconded the motion. The motion carried unanimously.

**Resolution No. 2014-12-123**

**L) REPORTS**

1. Mayor and Council Reports
2. Staff Reports
  - a) City Center Master Plan Update – City Manager John McDonough
  - b) Update on Fire Department Facility Needs – City Manager John McDonough

**M) PUBLIC COMMENT****N) ADJOURNMENT**

**Motion and Vote:** Councilman DeJulio moved to adjourn the meeting. Councilman Paulson seconded the motion. The motion carried unanimously. The meeting adjourned at 9:24 p.m.