



Brian Wismer, Chairman
Lucy Dolan, Vice Chairman
G. Leah Davis
Rob Hall
Miller Radford
Jeanne Rast
Cliff Thomas

**Planning Commission Meeting
700 Doug Davis Drive
Hapeville, Georgia 30354**

October 11, 2022 at 6:00 PM

MINUTES

1. Called to Order at 6:03 PM.

2. Roll Call

Brian Wismer, Chairman
Lucy Dolan, Vice Chairman
G. Leah Davis
Rob Hall
Miller Radford
Jeanne Rast
Cliff Thomas - Absent

3. Approval of Minutes

3.I. Minutes of September 13, 2022

MOTION ITEM: Lucy Dolan made a motion to approve the minutes of September 13, 2022, as submitted. Leah Davis seconded the motion. Motion carried: 5-0.

4. New Business

4.I. 3410 North Fulton Avenue and 3396 Park Avenue

Rezoning Request

Background:

Roger Fisher of Fisher Allen Group submitted a request to rezone the properties located at 3410 N. Fulton Avenue and 3396 Park Place on Land Lot 95 of the 14th District, City of Hapeville, Fulton County, Georgia, Parcel Identification Numbers 14-0095-0009-008-1, 14- 0095-0009-012-3 from R-SF, Residential Single Family to R-5, Single Family Attached and Detached for the purpose of constructing a townhome development.

Chairman Wismer asked which lots are planned for redevelopment. The developer stated the three homes north of the subject properties would remain.

Commissioner Davis asked when the site plan would be submitted. Mr. Fisher stated the site plan would be submitted shortly after the rezoning.

Commissioner Rast asked regarding the existing property lines. Mr. Fisher stated the property extends to the school's property line.

Planner's Report:

The current parcels have 6 single family dwellings sited on the two non-conforming parcels and a wooded greenspace located along North Fulton Avenue. The paved "street" (Park Place) is not an official street for the City and does not meet City street criteria regarding widths, curb and gutter, sidewalks, etc. In addition, the utilities located throughout the project are undersized and would require upgrading. These conditions render the site difficult for redevelopment as single-family lots which has been proposed in prior iterations.

Findings:

The analysis below is for the proposed rezoning consolidating two tracts totaling 1.439 acres to accommodate 22 townhomes located at 3410 N Fulton 3396 Park Place. The Mayor & Council may place conditions on any zoning map amendment that is conditional to the submitted site plan (Sec. 93-25-7). Note: a formal site plan review has not been submitted for nor completed and therefore any site plan associated with this rezoning will require a separate review.

(1) The existing land use pattern;

The parcels currently house 6 single family dwellings (3 each property). These houses are non-conforming as the lots are R-SF with one dwelling unit per lot allowed. The current dwellings also do not front N Fulton as prescribed in the zoning standards. The current "street", Park Place, is technically not a street as it doesn't meet City requirements with regard to width, radii, curb and gutter, sidewalks. The current utilities are undersized and require updating. The properties surrounding the parcel are an elementary school (to the south), undeveloped Fulton County School Board land (to the east) and single-family residences to north and west (across the street).

(2) The possible creation of an isolated district unrelated to adjacent and nearby districts;

The current zoning (RSF), while consistent with surrounding properties, does not lend to redevelopment of the existing properties as they are non-conforming (see above). The R-5 zoning designation allows for single family detached or attached homes and does not include any multi-family or commercial components. The Future Land Use Map designates the properties as residential. While this use is higher in density than the surrounding properties of single family detached, it may be considered a buffer between the downtown commercial developments, the institutional use of the Hapeville Elementary School and Fulton County School Board properties.

(3) The population density pattern and possible increase or overtaxing of the load on public facilities including, but not limited to, schools, utilities, and streets;

The proposed zoning change and accompanying development includes attached single-family dwellings. The density allowed is higher than existing zoning and will require local

upgrades on the site.

(4) The cost of the city and other governmental entities in providing, improving, increasing or maintaining public utilities, schools, streets and other public safety measures;

There is no foreseeable significant increase in providing, improving, increasing or maintaining public utilities, schools, streets, and other public safety measures.

(5) The possible impact on the environment, including, but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quantity.

Per the survey and the below map, it does not indicate that the properties are located within the FEMA Flood Map. All city and state requirements regarding drainage, soil erosion, sedimentation, flooding, air quality and water quality are required during development.

(6) Whether the proposed zoning map amendment will be a deterrent to the value or improvement of development of adjacent property in accordance with existing regulations;

There is no evidence the change in zoning is a deterrent to the value or improvement of adjacent property.

(7) Whether there are substantial reasons why the property cannot be used in accordance with existing regulations;

The proposed rezoning would allow for redevelopment of the properties which would be difficult to achieve given current conditions described above.

(8) The aesthetic effect of existing and future use of the property as it relates to the surrounding area; *The proposed zoning would increase the density of the site and would site attached dwelling units along the N. Fulton frontage, which is currently a vegetated parcel.*

(9) The extent to which the proposed zoning map amendment is consistent with the land use plan;

The future land use plan designates the land use as residential use. The proposed zoning amendment is consistent with the future land use map.

(10) The possible effects of the proposed zoning map amendment on the character of a zoning district, a particular piece of property, neighborhood, a particular area, or the community;

The effects of the zoning map amendment would increase residential density.

(11) The relation that the proposed zoning map amendment bears to the purpose of the overall zoning scheme, with due consideration given to whether or not the proposed change will help carry out the purposes of these zoning regulations;

The proposed zoning map amendment would not substantially change the purpose of these

zoning regulations.

(12) Applications for a zoning map amendment which do not contain specific site plans carry a rebuttable presumption that such rezoning shall adversely affect the zoning scheme;

A site plan was provided. Modifications to the site plan will be required, if approved.

(13) The consideration of the preservation of the integrity of residential neighborhoods shall be considered to carry great weight;

There are adjacent residential neighborhoods across the street to the west and to the north. A landscape buffer on the property line adjacent to the single-family residential properties is recommended.

(14) In those instances in which property fronts on a major thoroughfare and also adjoins an established residential neighborhood, the factor of preservation of the residential area shall be considered to carry great weight.

Not applicable.

Recommendation

The proposed zoning change to R-5 is required for the assemblage redevelopment of the two properties. Multiple iterations for the properties have been examined using single family detached schemes, however, they have proven difficult given property shape and infrastructure. A rezoning to R-5 would permit redevelopment while limiting it to residential use only. Revisions to the site plan, including a shift in one of the units along N. Fulton Ave to 4 units would be required as well as any others identified once a formal site plan is submitted and reviewed.

Commissioner Radford asked if a landscape buffer would be required and what other modifications would be required during the site plan review. Dr. Patterson stated that R-5 does not require a buffer, but the Planning Commission can recommend Council make that a condition of the rezoning on the northern end of the property line adjacent to the single-family residential district.

Commissioner Rast commented that traditionally she is hesitant to change the zoning in single-family residential districts because the city has been careful to place multifamily, townhomes, and condominiums within the gateways and in areas that do not abut single-family residential. Ms. Rast also stated that the existing homes on the properties are nonconforming and essentially undevelopable. Ms. Rast noted that protecting the integrity of existing single-family neighborhoods is essential. Ms. Rast pointed out that the townhomes located near Virginia Avenue within Virginia Park that abuts single-family residential are great and work well in that community.

Commissioner Dolan stated that the proposed project would greatly benefit the neighborhood and the city.

Public Comment:

None.

End of Public Comments.

6. Next Meeting Date – November 8, 2022 at 6:00 p.m.

7. Adjourn

MOTION ITEM: Lucy Dolan made a motion to adjourn the meeting at 6:33 p.m. Rob Hall seconded the motion. Motion carried: 5-0.

Respectfully submitted by,

Brian Wismer, Chairman

Adrienne Senter, Secretary