



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**

**March 14, 2023 6:00 PM**

**MINUTES**

**1. Called to Order at 6:04 PM.**

**2. Roll Call**

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

**3. Approval of Minutes**

**3.I. Minutes of January 17, 2023**

**MOTION ITEM: Cliff Thomas made a motion to approve the minutes of January 17, 2023, as submitted. Lucy Dolan seconded the motion. Motion carried: 5-0.**

**4. New Business**

**4.I. 0 Norman Berry Drive**

**Rezoning Request**

Background:

Sam Arthopoeus representative of the applicant Williams Teusink, LLC submitted a request to rezone the property located at 0 Norman Berry Drive on Land Lot 127 of the 14<sup>th</sup> District, City of Hapeville, Fulton County, Georgia, Parcel Identification Number 14 0127 LL1230 from U-V, Urban Village to C-2, General Commercial for the purpose of constructing a hotel.

Mr. Artopoeus stated Fort Wayne Capital LLC purchased the property in 2015 and at that time the property was zoned C-2. Mr. Artopoeus also stated that the applicant wishes to build a hotel as per the submitted site plan. Mr. Artopoeus stated that the applicant did not wish to declare a use and would like to develop the property as “they see fit” under the C-2 zoning regulations. Mr. Artopoeus also stated there was no specific plan but rather they wanted to keep options open under C-2.

### Findings:

Dr. Patterson stated the city received a rezoning application from Williams Teusink LLC on behalf of Fort Wayne Capital LLC requesting the rezoning of a 1.351 acre (58,858 SF) parcel located at 0 Norman Berry Drive (Parcel ID 14 0127 LL1230) from U-V, Urban Village to C-2 General Commercial. The rezoning application for the property had been submitted in September 2022 with incorrect information regarding the proposed parcel for consideration including incorrect parcel data, a survey for an adjacent property, an out-of-date site plan for an extended stay hotel, and the wrong legal description. Staff spoke with Sam Artopoeus representing Williams Teusink outlining the deficient and incorrect application data as well as the proposed site plan (2015) for an extended stay hotel would not be allowed per Code. Mr. Artopoeus requested a delay in review until the application materials could be located and submitted. A correct property survey was provided on February 7, 2023 via email.

An additional conversation was held with Mr. Artopoeus in February advising him of missing information regarding site plan/proposed use. Mr. Artopoeus advised Staff that the proposed use was undecided.

Mr. Artopoeus was advised some indication for the proposed use (site plan, description, parcel sales marketing materials, etc.) should be provided to help inform City staff, the Planning Commission, and the Mayor & Council with their evaluation of the rezoning case. The applicant declined verbally and, in an email, dated February 7, 2023, to provide the requested information, while also acknowledging that Fort Wayne Capital had been advised that additional information was needed. However, Mr. Artopoeus advised that Fort Wayne Capital would not provide a new site plan or any additional information to assist in the review of the application based on a proposed use.

The present land use is vacant. The property had been approved as a commercial parking lot in January 2022 upon completion of all Council requirements. These requirements have not been met as of the date of this report; therefore, the property has not been permitted as a commercial parking lot.

The parcel has been zoned U-V, Urban Village since 2013. The proposed rezoning is C-2. The parcel immediately adjacent to the south is zoned U-V. The parcel to the east is located in the City of East Point, not Hapeville. The parcels located across I-85 to the north and to the east (not adjacent to the parcel) are zoned C-2. The permitted uses and other site requirements for both zoning districts are provided below.

The City of Hapeville Future Land Use Map identifies the property as High Intensity Mixed Use, consistent with the surrounding parcels.

A billboard sign permit was reviewed and approved for zoning compliance in October 2022.

### Recommendation:

Despite repeated written and verbal requests, the applicant has declined to provide a proposed use to support the need for the rezoning application. Without this information, the Planner cannot provide a recommendation based upon the Code requirements.

Commissioner Hall asked regarding the plan for parking. Mr. Artopoeus stated they would possibly do underground parking or a shared parking agreement with the adjacent property owner.

Commissioner Wismer confirmed the current zoning and use allows for hotels. The applicant can request a conditional use permit.

### Public Comment

Joseph Netto, 709 Reed Street, Atlanta, Georgia 30315. Mr. Netto, representative of Hapeville Centers located at 1155 Virginia Avenue. Mr. Netto expressed concerns regarding access to parking and a potential hindrance to their current tenants. Mr. Netto also expressed concerns regarding the impact on the existing water and sewer service and the existing tenants.

End of Public Comment.

**MOTION ITEM: Rob Hall made a motion to recommend the Mayor and Council deny the rezoning request for 0 Norman Berry Drive, (Parcel ID: 12 0127 LL1230). The motion was seconded by Lucy Dolan. Motion carried: 5-0.**

## **4.II. 3034, 3038, and 3044 Springdale Road**

## **Preliminary Plat Review**

### Background:

Zain Farishta of Kimley-Horn requested preliminary plat review for the properties located at 3034, 3038, and 3044 Springdale Road (Parcel ID: 14-0099-0001-088-7, 14-0099-0001-023-4, 14-0099-0001-022-6) for the purpose of constructing a townhome development. The properties are zoned V, Village.

### Findings:

The applicant should provide the following information to complete the preliminary plat:

- Address of owner
- Date of plat
- Zoning of adjacent parcels
- Size of individual parcels to be consolidated
- 5' addition right of way required and dedication of said right of way
- Utility connections per Engineer's report
- Grades at 5' intervals or less.

The applicant should address any outstanding issues raised in the Engineer's report. A final plat is required prior to sale of any single family attached units.

### **Recommendation**

Once the necessary revisions are made, the preliminary plat may be approved with the understanding the applicant shall comply with all other zoning rules, regulations, covenants, and easements of record.

Public Comment:

None.

**MOTION ITEM: Cliff Thomas made a motion to approve the preliminary plat for the properties located at 3034, 3038, and 3044 Springdale Road subject to the approval of a final plat prior to the sale of any units. Lucy Dolan seconded the motion. Motion Carried: 5-0.**

### **4.III. 3034, 3038, and 3044 Springdale Road**

### **Site Plan Review**

#### **Background:**

Zain Farishta of Kimley-Horn requested site plan review for the properties located at 3034, 3038, and 3044 Springdale Road (Parcel ID: 14-0099-0001-088-7, 14-0099-0001-023-4, 14-0099-0001-022-6) for the purpose of constructing a townhome development. The properties are zoned V, Village.

#### **Findings:**

The development includes the construction of 59 single family attached homes on a newly consolidated parcel of 3.88 acres. The site includes 5 guest parking spaces, and a tree save area.

The proposed project includes three and four bedroom units ranging in size from 1,936 SF to 2,147 SF.

An additional 5' of right of way is required for Cofield Ave. The site plan should be adjusted for the dedication of this right of way and the buildings moved back to 15'. Furthermore, the steps and awnings are located in the front setback.

The site plan provided has a number of deficiencies per Code that must be rectified.

- The subdivision plat requires an additional 5' of right of way along Cofield Drive. This should be shown on the site plan and dedicated to the city. The setback should then be updated to accommodate the new property line.
- Setbacks should be shown to the closest building element.
- The steps and awnings for the units cannot be located in the setback.
- The retaining wall design meets Architectural guidelines.
- The drive aisle is not to be dedicated to the city but is rather a private driveway and will be maintained by the HOA.
- A wall or fence should be shown along the northern boundary.
- No parking will be allowed along the interior driveway as this is to be kept clear for Fire vehicles.
- Only 5 guest parking spaces have been provided for 59 townhomes. The dimensions for the individual driveways (depth) have not been provided. If the proposed driveways are

deep enough to accommodate additional cars, additional visitor parking may not be required by the Planning Commission.

- Address all items in the arborist report.
- Show mechanical location and screening.
- There is no parking for the mail kiosk.
- Provide correct site coverage.
- Project timeline should be provided.
- The building elevations will be reviewed by the Design Review Committee for compliance with the Architectural Design Standards.

Staff recommended the applicant address the aforementioned deficiencies and update the site plan including Engineer's comments and obtain an approval for the landscape/tree plan from the Arborist prior to site plan review.

Public Comment:

None.

**MOTION ITEM: Cliff Thomas made a motion to table the application for 3034, 3038, and 3044 Springdale Road until Tuesday, April 11, 2023. Leah Davis seconded the motion. Motion carried: 5-0.**

**6. Next Meeting Date – April 11, 2023 at 6:00 p.m.**

**7. Adjourn**

**MOTION ITEM: Lucy Dolan made a motion to adjourn the meeting at 7:01 p.m. Leah Davis seconded the motion. Motion carried: 5-0.**

Respectfully submitted by,

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Brian Wismer, Chairman

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Adrienne Senter, Secretary