

Mayor and Council Work Session

Videoconference

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April 21, 2020 6:00 PM

Agenda

1. Call to Order

2. Roll Call

Alan Hallman

Mike Rast

Travis Horsley

Mark Adams

Chloe Alexander

3. Welcome

4. Presentations

4.I. Fulton County District Attorney's Office Initiatives

Background:

Ms. Nikia Sellers is an Assistant District Attorney with Fulton County and has contacted the City to share judicial initiatives the County is working. They asked to have time with the City to get thoughts and suggestions as to how they can be of more benefit to our community

4.II. Audit Results Presentation By Doug Moses Of Mauldin & Jenkins, LLC

Background:

In February 2020, the audit firm, Mauldin & Jenkins completed the Fiscal 2019 audit for the City. The City again received a "clean" audit opinion. We asked Mauldin & Jenkins, led by engagement partner, Doug Moses, to provide a presentation to Council on the general condition of the City's financial position, highlight areas for improvement, and provide recommendations for the future.

Documents:

1. Hapeville Powerpoint Presentation 2019

5. Public Hearing –

Citizen comments must be emailed to the City Clerk at cepps@hapeville.org or called in at 404-766-3004 before the meeting. Please include name, address, the agenda item, and the comment for or against the item. Citizens will not have an opportunity to speak during the meeting. All comments will be read into the record as well as shared on the screen during the meeting.

5.I. Consideration and Action on Special Use Permit to Operate a Personal Care Home at 3234

Dogwood Drive

Background:

Claudette Eley is requesting approval of a special use permit to operate a personal care home within an existing structure located at 3234 Dogwood Drive, Parcel Identification Number 14-0094-0001-013-0. The property is zoned V, Village and is subject to the zoning regulations under Sec. 93-1.1-5 of the City of Hapeville Zoning Ordinance.

The proposed use of a personal care home is compatible with the Village Zoning District and poses no foreseeable conflict with the intent of the district. There were concerns regarding parking and traffic movement during peak transition times.

The Planning Commission considered this item on April 14, 2020 and recommended the Mayor & Council grant the special use permit subject to the applicant providing a shared parking agreement to accommodate the overflow parking. Staff supported their recommendation and also recommended the City Council include the following conditions:

1. The number of total residents must be restricted by the limits imposed by State law.
2. The applicant should demonstrate with a dimensioned site plan that drop-offs and pick-ups of adult day care clients will not impede access of the shared driveway.
3. The owner must furnish a list of all residents living in the facility with disabilities and special needs to the Hapeville Police and Fire Departments with every new admission to and patient permanent exit from the facility.
4. The owner must provide copies of all relevant federal and/or state permits to the Department of Community Services prior to obtaining a Certificate of Occupancy.

Staff Comments:

Applicant Comments:

Public Comments:

Documents:

1. Application - 3234 Dogwood Drive, CUP_redacted
2. 3234 Dogwood Drive - Supplemental Information
3. Planners Report 3234 Dogwood Dr. SUP - Personal Care Home 4.8.20
4. Fire Marshal's Report - 3234 Dogwood Drive
5. LEGAL ADV - 04-21-2020, 3234 Dogwood Drive, Special Use Permit

5.II. Consideration and Action on Sherman Road Abandonment Request

Background:

Chick-fil-A, Inc. is requesting to abandon Sherman Road located in Land Lot 96 of the 14th District, Fulton County (City of Hapeville) adjacent to North Central Avenue and King Arnold Street for a proposal to reconstruct the existing Chick Fil A restaurant into a new Chick Fil A restaurant, common space, additional parking and a rerouted drive-through.

Staff Comments:

Applicant Comments:

Public Comments:

Documents:

1. Resolution to Abandon Road - Sherman Road (02422435xA0B3B)
2. Planner's Report Road Abandonment
3. Site Plan - Chick fil A_Road Abandonment Request
4. LEGAL ADV - 04-21-2020, Sherman Road Abandonment Request_Chick-fil-A

5.III. Consideration and Action on 3264 Spring Haven Avenue RezoningBackground:

Consideration and action on a rezoning request for a 4.17-acre parcel located at 3264 Spring Haven Avenue on land lot 98 of the 14th District, Fulton County (City of Hapeville), Parcel Identification 14-0098-0009-048-4 from V, Village to P-D, Planned Unit Development.

The proposed land use is a planned residential community consisting primarily of approximately 62 single-family homes, arranged around shared amenities and with pedestrian access to public streets and shared greenspaces.

The Planning Commission considered this item on April 14, 2020 and recommended the Mayor and Council approve the rezoning as requested. Staff supported their recommendation.

Staff Comments:

Applicant Comments:

Public Comments:

Documents:

1. 3264 Springhaven Avenue - Rezoning Application_Redacted
2. Planners Report 3264 Spring Haven Ave Rezoning FINAL
3. LEGAL ADV - 04-21-2020, 3264 Spring Haven Avenue_Rezoning
4. Public Comment 1 - Anne Newman, 811 North Avenue_Redacted
5. Public Comment 2 - Sharon Hope, 793 North Avenue
6. Public Comment 3 - Susan Bailey, Azalea Park NA President_Redacted

5.IV. Consideration on Text Amendment for the Purpose of Amending Residential Uses in the A-D Zone - 1st ReadingBackground:

Consideration of an amendment to the Code of Ordinances, City of Hapeville, Georgia Chapter 93 (Zoning), Article 28 (A-D Zone Arts District Overlay), Section 93-28-7.5 (Residential Uses) for the purpose of amending residential uses in the A-D Zone.

City Code currently prohibits any new residential construction unless it is part of a mixed-use development with a commercial use at the ground floor in the A-D, Arts District overlay. While ground floor commercial and retail uses are encouraged, this may preclude the development of medium to higher density residential uses such as townhomes and multi-family dwellings. A text amendment to permit residential uses with entrances at street level was reviewed by the Planning Commission and recommended for approval.

During their review of said text amendment, it came to the attention of the Planning

Commission that the Code currently allows for a specific type of “artist housing” that only permits residents who are “artists” as determined by a “Juried Commission,” a body the City does not currently have. The Planning Commission requested that this use be reviewed by the City’s attorney and, should the Code as written fail legal scrutiny, be replaced. The attorney determined the Code as written could not stand, and staff has prepared a replacement “live-work” housing use. Rather than relying on a juried commission to determine the credentials of an “artist,” this new use allows residents in possession of certain occupational tax certificates to occupy a live-work unit.

Staff Comments:

Applicant Comments:

Public Comments:

Documents:

1. Planner's Report Text Amendment A-D Residential CC
2. Ordinance - Text Amendment Live-Work Units (02402992xA0B3B)
3. LEGAL ADV - 04-21-2020, A-D Residential Uses and Live Work
4. MINUTES - 12-12-2019

5.V. Consideration on Text Amendment for Single Family Attached (SFA) Special Provisions - 1st Reading

Background:

Consideration of a text amendment to the Code of Ordinances, Chapter 93 (Zoning), Article 2 (General Provisions), Section 93-2-10 (Single Family Attached Developments (SFA, Special Provisions) for the purpose of amending special provisions for single-family attached developments.

The text amendment would remove Sec. 93-2-10(3) in its entirety and allow site design and building construction to instead be regulated by our Architectural Design Standards and the International Residential Code, respectively.

The Planning Commission considered this item on April 14, 2020 and recommend the Mayor and Council approve the text amendment. Staff supported their recommendation.

Staff Comments:

Applicant Comments:

Public Comments:

Documents:

1. Ordinance - Text Amendment SFA Special Provisions (02421592xA0B3B)
2. Planner's Report Text Amendment SFA Construction Standards
3. LEGAL ADV - 04-21-2020, Single Family Attached Development_SFA_ Special Provisions

5.VI. Consideration on Text Amendment for Curb Breaks - 1st Reading

Background:

Consideration of an amendment to the Code of Ordinances, City of Hapeville, Georgia Chapter 93 (Zoning), Article 23 (Off-street parking and loading), Section 93-23-2 (Entrance and exit points) for the purpose of amending and updating the entrance and exit point regulations.

The proposed changes would eliminate minimum curb break requirements, allow exceptions to maximum widths without the need for a Variance from the Board of Appeals, address three lane entrances and exits, and add safety protections for crossing pedestrians.

The Planning Commission considered this item on April 14, 2020 and recommended the Mayor and Council approve the text amendment subject to a minor grammatical correction. Staff supported their recommendation.

Staff Comments:

Applicant Comments:

Public Comments:

Documents:

1. Ordinance - Text Amendment Curb Breaks (02403010xA0B3B)
2. Planner's Report Text Amendment Curb Breaks Upd. 4-8-20
3. LEGAL ADV - 04-21-2020, Entrance and Exit Points_Curb Breaks

6. Questions on Agenda Items

Members of the public wishing to ask a question on an agenda item during the video meeting/conference shall contact the City Clerk prior to the start of the meeting by sending an email to cepps@hapeville.org or calling 404-766-3004. Those wishing to ask a question must let the clerk know their name, address, the agenda item number, and the question. All questions will be read into the record as well as shared on the screen during the meeting.

7. Consent Agenda

7.I. Consideration and Action on Authorizing the Mayor to Sign a Letter of Support for HR6467 - The Coronavirus Community Relief Act

Background:

Georgia Municipal Association requests that cities prepare and send letters of support urging their Congressional Representative to support and cosponsor the Coronavirus Community Relief Act - HR6467. This bill will provide direct federal aid for local governments with a population of 500,000 or less to help face mounting challenges related to COVID-19.

Documents:

1. Letter of Support - HR6467 - Rep Lewis

7.II. Consideration and Action to Extend the Sign Ordinance Moratorium to May 19, 2020

Background:

Currently, there are legal concerns with the sign ordinance, therefore, staff is requesting another extension on the sign ordinance moratorium. The recommended extension date is May 19, 2020.

8. Old Business

9. New Business

9.I. Consideration on Text Amendment Regarding Monuments - 1st Reading

Background:

Consideration on a text amendment to update the dimensional requirements for subdivision monuments to reflect the most current standards used by the Surveying and Mapping Society of Georgia. The amendment makes no other changes to subdivision requirements.

Staff Comments:

Applicant Comments:

Public Comments:

Documents:

1. Planner's Report Text Amendment Subdivision Monuments
2. Ordinance - Amendment regarding Monuments (02421587xA0B3B)

9.II. Discussion on Tornado Siren Status

Background:

On Sunday, April 12th the South Fulton region experienced strong storms with high winds. The Hapeville storm warning siren failed to sound. Several residents voiced concerns that this warning failed to happen. On Monday April, 13th, the City had communications with our vendor regarding the siren. On Tuesday 14th, the City held a conference call with the vendor management team and on Thursday the 16th temporary fix was in place. Councilman Horsley asked this item be placed on the agenda for discussion

9.III. Discussion on COVID 19 Impacts to City Finances - End of Fiscal Year 2020 and Fiscal 2021

Background:

The COVID 19 outbreak and ensuing needs to shelter, limit contact, and limit movements is having a significant impact to the Hapeville residents and to City financials. Residents are experiencing reductions in hours, furloughs, and unemployment. Many businesses are closed and others have had a significant reduction in revenue. Statewide, there is a high volume of unemployment requests and the first wave of the national government's funding package for business is already accounted for. Locally, for the City, residents are looking for help and the City is looking at significant cashflow reductions. City Staff is working on the budget for FY 2021. This discussion is initiated by the City Manager to go over status, issues and to start the discussion on 2021 planning.

Documents:

1. FY 2021 Prelim Revenue Projection – GF
10. City Manager Report
11. Public Comments

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12. Mayor and Council Comments
13. Executive Session

When Executive Session is Required one will be called for the following issues: 1) Litigation O.C.G.A. §50-14-2; 2) Real Estate O.C.G.A. §50-14-3(b)(1); or 3) Personnel O.C.G.A. §50-14-3(b)(2).
14. Adjourn

Public involvement and citizen engagement is welcome as Hapeville operates a very open, accessible and transparent government. We do however remind our attendees/residents that there are times allocated for public comments on the agenda. In order for council to conduct their necessary business at each meeting, we respectfully ask that side-bar conversations and comments be reserved for the appropriate time during the meeting. This will allow the City Council to conduct the business at hand and afford our meeting attendees ample time for comments at the appropriate time during the meeting.