



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

Chairman, Brian Wismer
Vice Chairman, Jeanne Rast
G. Leah Davis
Lucy Dolan
Larry Martin
Charlotte Rentz
Cliff Thomas

March 9, 2021 6:00 PM

MINUTES

1. Call to order at 6:02 p.m.

2. Roll Call

Brian Wismer, Chairman
Jeanne Rast, Vice Chairman
G. Leah Davis
Lucy Dolan
Larry Martin
Charlotte Rentz
Cliff Thomas

3. Approval of Minutes

3.I. Minutes of February 9, 2021

MOTION ITEM: Cliff Thomas made a motion, Charlotte Rentz seconded to approve the minutes of February 9, 2021 as submitted. Motion Carried: 6-0.

4. Old Business

4.I. 449 Walnut Street

Site Plan Review

Background:

Bernard Vigilance is requesting site plan review to construct a new single-family dwelling with an attached garage at 449 Walnut Street, Parcel Identification Number 14-0094-0004-040-0. The property is zoned R-SF, Residential-Single Family. The Planning Commission approved this item on September 10, 2019. The applicant is requesting to modify the previously approved plan by relocating the garage.

MOTION ITEM: Cliff Thomas made a motion, Jeanne Rast seconded to approve the revised site plan for 449 Walnut Street provided the plans are revised to address the deficiencies outlined in the staff reports to include the following:

- 1. The maximum lot coverage allowed is 70%, or 5,003-sf. The plans indicate a garage that is not present. The numbers are incorrect and must be modified.**
- 2. The development schedule is out of date.**

Motion Carried: 6-0.

5. New Business

5.I. 591 King Arnold Street

Final Subdivision Plat

Background:

Myrtle Gardens, LLC is requesting final plat review for the property located at 591 King Arnold Street (.992 acres, 43,220-sf), Parcel Identification Number 14-0095-0004-038-3. The property is zoned U-V, Urban Village.

The property was developed with 18 townhomes called The Clyde. Within the townhome development, there is approximately 20,197-sf of private common area maintained by the Homeowners Association.

The deficiencies in the City Engineer's Report must be addressed, including the provision of the HOA documents.

MOTION ITEM: Charlotte Rentz made a motion, Cliff Thomas seconded to approve the final plat for 591 King Arnold Street subject to resolution of the deficiencies outlined in the City Engineer and City Planner's Reports. Motion Carried: 6-0.

5.II. 510 Oak Drive

Site Plan Review

Background:

James MacDowell requested site plan review to construct a new single-family dwelling at 510 Oak Drive, Parcel Identification Number 14-0094-0005-033-4. The property is zoned R-SF, Residential-Single Family, and is subject to the Neighborhood Conservation Area, Subarea E of the Architectural Design Standards.

The dwelling will have three bedrooms and three and a half bathrooms. The property is currently vacant. The dwelling will have 2,352-sf of heated floor area, 408-sf unfinished basement and a garage on the lower level.

Findings:

The Applicant must provide, and/or the site plan must be revised to address the following:

- The front setback is not provided to accommodate the front porch.
- The lot size does not seem to be correct. The application lists .182 acres and the site plan show 173 (same as Lot 3, 518).
- Lot coverage and lot size should be corrected.
- Page A-2 and A-3 of the architectural drawings are incorrect.
- The applicant should update the development schedule.
- Address any issues related to the Arborist Report.

MOTION ITEM: Cliff Thomas made a motion, Charlotte Rentz seconded to approve the site plan application for 510 Oak Drive subject to resolution of the deficiencies outlined in the City Planner's report. Motion Carried: 6-0.

5.III. 518 Oak Drive

Site Plan Review

Background:

James MacDowell requested site plan review to construct a new single-family dwelling at 518 Oak Drive, Parcel Identification Number 14-0094-0005-040-9. The property is zoned R-SF, Residential-Single Family, and is subject to the Neighborhood Conservation Area, Subarea E of the Architectural Design Standards.

The dwelling will have four bedrooms and three and a half bathrooms. The property is currently vacant. The dwelling will have 2,566-sf of heated floor area and a side entry garage.

Findings:

The Applicant must provide, and/or the site plan must be revised to address the following:

- The applicant should update the development schedule.
- The walkway to the street should be provided.
- Address any issues related to the arborist report.

MOTION ITEM: Leah Davis made a motion, Larry Martin seconded to approve the site plan application for 518 Oak Drive subject to resolution of the deficiencies outlined in the City Planner's report. Motion Carried: 6-0.

5.IV. 401 Walnut Street

Site Plan Review

Background:

James MacDowell requested site plan review to construct a new single-family, dwelling at 401 Walnut Street, Parcel Identification Number 14-0094-0006-020-2. The property is zoned R-SF, Residential-Single Family, and is subject to the Neighborhood Conservation Area, Subarea E of the Architectural Design Standards.

The dwelling will have three bedrooms and three and a half bathrooms. The property is currently vacant. The dwelling will have 2,352-sf of heated floor area, 408-sf unfinished basement and a garage on the lower level.

Findings:

The Applicant must provide, and/or the site plan must be revised to address the following:

- The applicant should update the development schedule.
- Address any issues related to the Arborist Report.

MOTION ITEM: Jeanne Rast made a motion, Lucy Dolan seconded to approve the site plan application for 401 Walnut Street subject to resolution of the deficiencies outlined in the City Planner's report. Motion Carried: 6-0.

5.V. 405 Walnut Street

Site Plan Review

Background:

James MacDowell requested site plan review to construct a new single-family, dwelling at 405 Walnut Street, Parcel Identification Number 14-0094-0006-071-3. The property is zoned R- SF, Residential-Single Family, and is subject of the Neighborhood Conservation Area, Subarea E of the Architectural Design Standards.

The dwelling will have three bedrooms and three and a half bathrooms. The property is currently vacant. The dwelling will have 2,352-sf of heated floor area, 408-sf unfinished basement and a garage on the lower level.

Findings:

The Applicant must provide, and/or the site plan must be revised to address the following:

- The house footprint seems to be that of 401 Walnut Street and not 405 Walnut Street (modern, Tudor), showing a front porch running the width of the house.
- The applicant should update the development schedule.
- Address any issues related to the Arborist Report.

MOTION ITEM: Leah Davis made a motion, Larry Martin seconded to approve the site plan application for 405 Walnut Street subject to resolution of the deficiencies outlined in the City Planner's report.

Leah Davis amended the previous motion, Larry Martin seconded to approve the site plan subject to resolution of the deficiencies outlined in the City Planner's report and correct the house footprint by removing the full façade front porch and place the porch outside of the setback. Motion Carried: 6-0.

5.VI. Property bounded by North Central Avenue, LaVista Drive, Sunset Avenue & King Arnold Street

Preliminary Plat

Background:

Will Casaday of SCP Acquisitions, LLC requested preliminary plat review to combine 7 parcels into 1 parcel for the properties located at 369, 377, 383, 397 N. Central Avenue, 325 Sunset Avenue, 376 and 400 King Arnold Street, Parcel Identification Numbers 14-0096-0006-012-5, 14-0096-0006-013-3, 14-0096-0006-605-9, 14-0096-0006-003-4, 14-0096-0006-002-6, 14-0096-0006-009-1, 14-0096-0006-004-1. The properties are zoned U-V, Urban Village.

Sec. 90-1-3(h) Variances. Where the subdivider can show that a provision of these standards would cause unnecessary hardship if strictly adhered to, and where, because of topographical or other conditions peculiar to the site, in the opinion of the planning commission, a departure may be made without destroying the intent of these provisions, the planning commission may authorize a variance. Any variance thus authorized is to be stated in writing in the minutes of the planning commission with the reasoning on which the departure was justified set forth.

Double frontage variance requested.

Zoning or other regulations.

- (1) No final plat of land within the force and effect of an existing zoning ordinance will be approved unless it conforms to that ordinance.
- (2) Whenever there is a discrepancy between minimum standards or dimensions noted herein and those contained in zoning regulations, the building code or other official regulations, the highest standard shall apply.

Findings:

The preliminary plat should address the issues raised in the Engineer's report, including correcting the discrepancy between the parcel IDs on the plat and in Exhibit A.

The City is researching the easement agreement on the north side of the property to determine if it can be abandoned.

The Community Services Director is making a determination regarding the additional right of way from Lavista Drive.

Commissioner Rentz expressed concerns related to the entrance and exit on King Arnold Street.

Dr. Lynn Patterson, City Planner, stated there will be an entrance/exit on King Arnold

Street and N. Central Avenue.

MOTION ITEM: Cliff Thomas made a motion, Leah Davis seconded to approve the preliminary plat application for the properties bounded by N. Central Avenue, LaVista Drive, Sunset Avenue and King Arnold Street subject to the following:

- 1. Once the necessary revisions are made, the preliminary plat may be approved with the understanding that the applicant shall comply with all other zoning rules, regulations, covenants, and easements of record.**
- 2. Address the deficiencies outlined in the City Engineer and City Planner's reports.**
- 3. Approval of the double frontage variance request.**

Motion Carried: 6-0.

Dr. Lynn Patterson, City Planner, stated in the interest of full transparency and disclosure, B+C Studio completed the landscape plan for the following item. Dr. Patterson stated the landscape plan was review by the City Arborist, Teresa Eldredge of TJ Schell.

5.VII. Property bounded by North Central, LaVista Drive, Sunset Ave. & King Arnold St. Site Plan Review

Background:

Will Casaday of SCP Acquisitions, LLC requested site plan review to redevelop the properties located at 369, 377, 383, 397 N. Central Avenue, 325 Sunset Avenue, 376 and 400 King Arnold Street, Parcel Identification Numbers 14-0096-0006-012-5, 14-0096-0006-013-3, 14-0096-0006-605-9, 14-0096-0006-003-4, 14-0096-0006-002-6, 14-0096-0006-009-1, 14-0096-0006-004-1 into a mixed-use multifamily/retail/commercial

The multi-family includes 284 units with amenities and interior surface parking. The retail space is 5,670-sf and the future commercial is expected around 20,000-sf. A subdivision plat was submitted to consolidate 7 parcels to serve as the development site, as well as a tract north of King Arnold Street for future townhome development.

The properties are zoned U-V, Urban Village and are subject to the requirements for Commercial/Mixed Use Area of the Architectural Design Standards. Commissioner Dolan inquired regarding potential impact of noise.

Will Casaday stated they are studying and completing an analysis regarding the potential noise impact.

Commissioner Dolan commented regarding the access to the property on N. Central

Avenue and potential traffic issues.

Chairman Wismer asked if a traffic/trip analysis was conducted.

Mr. Casaday stated that a traffic/trip analysis has not been completed.

Commissioner Rentz asked the status of the driveway at 371 N. Central Avenue (Crest Liquors).

Mr. Casaday stated there is a parking/access easement for the property located at 371 N. Central Avenue and they are working with the property owner to potentially have a joint entrance.

Findings:

Staff recommends approval of the site plan with the following conditions:

1. Continue paving materials across intervening driveway.
2. Decrease the distance between street trees of 30' or the Planning Commission may allow for street trees 50' on center rather than 30' center.
3. Address any outstanding issues with the Tree Conservation Ordinance as per City Arborist report.
4. Address any outstanding issues related to the City Engineer's Report.
5. It is understood the building elevations will be reviewed by the Design Review Committee for compliance with the Architectural Design Standards and the sign permit applications will be reviewed separately.

Variances required for Board of Appeals consideration:

1. Allow for excess of 110% parking.
2. Reduction of off-street loading spaces.

Public Comment:

Melvin Traynum commented that the potential traffic impact should be minimal.

MOTION ITEM: Jeanne Rast made a motion, Cliff Thomas seconded to approve the site plan request for property bounded by N. Central Avenue, LaVista Drive, Sunset Avenue and King Arnold Street subject to the following:

- 1. Continue paving materials across intervening driveway.**
- 2. Decrease the distance between street trees to 30' or the Planning**

Commission may allow for street trees 50' on center rather than 30' on center.

3. Address any outstanding issues with Tree Conservation Ordinance as per City Arborist report.
4. Address any outstanding issues on the Engineer's Report.
5. Any approval of the site plan requires the applicant shall comply with all other zoning rules, regulations covenants, and easements of record.

The Planning Commission recommends approval of the following variances:

Variances required for Board of Appeals consideration:

1. Allow for excess of 110% parking.
2. Off-street loading space reduction.

Motion Carried: 6-0.

Chairman Wismer recused himself from the following item:

5.VIII. 344 Colorado Avenue

Final Subdivision Plat

Background:

Brian Wismer is requesting final plat review to divide one parcel into two to form one parcel of .23 acres and one parcel of .40 acres at 344 Colorado Avenue, Parcel Identification Number 14-0066-0002-039-8. The property is zoned R-O, One-Family Detached.

Findings:

Staff recommends approval of the final plat with the following conditions:

1. A street tree should be planted at 344 Colorado in accordance with Tree Conservation Ordinance supplemental yard section. Development of the vacant lot will require compliance with the Tree Conservation Ordinance during site plan review.
2. A concrete monument should be shown for the proposed subdivision.
3. A variance is recommended for the double frontage lot.
4. A variance is recommended requiring sidewalk installation at the time of the proposed subdivision.

MOTION ITEM: Cliff Thomas made a motion, Charlotte Rentz seconded to approve the final plat for 344 Colorado Avenue subject to the following:

1. **A street tree should be planted at 344 Colorado in accordance with Tree Conservation Ordinance supplemental yard section. Development of the vacant lot will require compliance with the Tree Conservation Ordinance**

- during site plan review.
2. A concrete monument should be shown for the proposed subdivision.

Approval of the following variances:

1. A variance is recommended for the double frontage lot.
2. A variance is recommended requiring sidewalk installation at the time of the proposed subdivision.

Motion Carried: 5-0-1; Brian Wismer recused himself.

Chairman Wismer left the meeting (7:43 p.m.) during discussion of the following item.

5.IX. Planning Commission Board Membership Text Amendment

Background:

Consideration of a text amendment to amend Chapter 87 (Planning), Article 2 (Planning Commission), Section 87-2-2 (Membership; appointment; terms; vacancies) for the purpose of amending and updating the membership requirements of the Planning Commission.

The City's Code of Ordinances currently requires planning commission members to be "a resident of the city at the time of appointment and for at least six months immediately preceding the date of taking office and shall remain a resident of the city while serving as a member of the planning commission." The text amendment modifies the requirements of the Planning Commission members to allow for members to be either a resident of the city, or owner of a business or property within the city while serving on the Planning Commission.

This modification allows for interested parties with a vested interest either through residency, business, or investment to participate in the planning and development process of the City. Appointments of members are still made by the City Council and revokable for cause after a public hearing.

Findings:

Staff recommends consideration of this amendment as a variety of vested stakeholders in the City may be interested and inclined to participate in the democratic processes regarding development. The revised qualifications allow for a larger pool and varied interests for the Council to consider in their appointments.

Staff recommends adding the following language:

Any current member that no longer meets these requirements at any point may continue to serve through the remainder of their existing term at the discretion of the Mayor and Council.

Discussion ensued regarding the potential impacts of allowing non-residents to serve on the Planning Commission.

After further discussion, the following action was taken:

MOTION ITEM: Larry Martin made a motion, Lucy Dolan seconded to recommend the Mayor and Council approve the text amendment subject to the following changes:

- 1. Any current member that no longer meets the requirements at any point may continue to serve through the remainder of their existing term at the discretion of Mayor and Council.**
- 2. The number of nonresident members shall be limited to two members at all times.**

Motion Carried: 5-0.

Chairman Wismer returned to the meeting at 8:05 p.m.

6. Next Meeting Date - Tuesday, April 13, 2021 at 6:00 PM

7. Adjourn

MOTION ITEM: Larry Martin made a motion, Jeanne Rast seconded to adjourn the meeting at 8:07 p.m. Motion Carried: 6-0.

Respectfully submitted by,

Chairman, Brian Wismer

Secretary, Adrienne Senter