



Planning Commission Meeting
700 Doug Davis Drive
Hapeville, Georgia 30354

August 10, 2021 6:00 PM

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

MINUTES

1. Called to order at 6:07 p.m.

2. Roll Call

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

3. Approval of Minutes

3.I. Approval of Minutes

MOTION ITEM: Charlotte Rentz made a motion, Leah Davis seconded to approve the minutes of July 20, 2021 as submitted. Motion Carried: 4-2; Cliff Thomas and Jeanne Rast abstained.

4. Public Hearing

4.I. 3264 Springhaven Avenue

Variance Request

Background:

Alex Popham of Epic Development requested a variance from the stream buffer requirements for the property located at 3264 Springhaven Avenue, Parcel Identification Number 14-0098-0009-048-4. The property is zoned P-D, Planned Unit Development and is subject to the regulations under Article 3 (Stream Buffer Protection), Section 63-3-6 (Buffer and setback requirements) of the City of Hapeville Ordinance. *This item was tabled at the July 20, 2021 Planning Commission meeting.*

Dr. Lynn Patterson, City Planner, stated the application is being considered under Chapter 63 (Stormwater Management), Article 3 (Stream Buffer Protection), Section 63-3-7(2) (Variance procedures).

Sec. 63-3-7. – Variance Procedures

This article does not involve zoning applications or zoning decisions. However, for convenience, variances described hereunder must be submitted to the planning commission.

Variances from the above buffer and setback requirements may be granted in accordance with the following provisions:

2) Except as provided above, the planning commission of the city shall grant no variance from any provision of this article without first conducting a public hearing on the application for variance and authorizing the granting of the variance by an affirmative vote of the planning commission. The city shall give public notice of each such public hearing in a newspaper of general circulation within city. The city shall require that the applicant post a sign giving notice of the proposed variance and the public hearing. The sign shall be of a size and posted in such a location on the property as to be clearly visible from the primary adjacent road right-of-way. Variances will be considered only in the following cases:

- a. When a property's shape, topography or other physical conditions existing at the time of the adoption of this article prevents land development unless a buffer variance is granted.
- b. Unusual circumstances when strict adherence to the minimal buffer requirements in the article would create an extreme hardship.

Variances will not be considered when, following adoption of this article, actions of any property owner of a given property have created conditions of a hardship on that property.

Jim LaValee of Stillwood Development and Jonathan Hicks of JBG Civil Engineering provided technical details of the requested variance and explained the hardship and impact to the flood plain. Mr. Hicks explained the need for a buffer variance is required to compensate for impacts of the proposed development. The hardships include the existence of FEMA flood plain through the middle of the site. Development of the site requires encroachment upon the flood plain. To compensate the encroachment by the flood plain, an additional earthwork cut must occur to allow for an onsite balancing of the flood volume. This will ensure no increase to the downstream flow rates or highwater elevations.

Additionally, the following changes were made to address staff concerns: 1) redirect any concentrated flows away from the area that's being disturbed in the stream buffer, 2) revegetate the disturbed area with a riparian stream buffer standard, 3) the disturbed area of the buffer will be stabilized per the Georgia Stormwater Management Manual "Vegetated Filter Strip" requirements, and 4) a stream buffer plan will be prepared by a landscape designer to supplement the existing riparian vegetation within the existing and proposed buffer areas. This will include removal of any invasive species and reducing stream bank erosion by the installation of larger stormwater outfall which reduces stream channel flow velocities.

Chairman Wismer asked if underground detention is planned. Mr. Hicks stated yes.

Commissioner Dolan asked if the existing pipes are 54". Mr. Hicks stated the current lines are smaller but steeper. The pipes carry the water through the site, and they are proposing to

increase the piping size so the floodwater can pond up into the 54" lines to further compensate for the impact to the flood plain. Ms. Dolan asked if the majority of the drainage was going into the current sewer system. Mr. Hicks stated the drainage continues in an unknown tributary then travels downstream.

Michael Moffitt, City Engineer, reviewed the revised variance request for compliance with the Stream Buffer regulations in Chapter 63, Article 3, Section 63-3-6 of the City Code. Mr. Moffitt stated the undisturbed stream buffer is intended to be there so that it gives a chance for the any runoff during a rain event gets trapped in the vegetation and stays away from the stream to help improve water quality.

The applicant provided responses to several questions and included supplemental responses to items in the referenced code section along with revised drawings.

The stream buffer impacts of 3,155 square feet and impervious setback impacts are shown to occur on the west side of the existing stream just south of the crossing of North Avenue. To mitigate the stream impacts, the applicant proposed the following activities:

- A. A compensatory area of 3,850 square feet of undisturbed area on the east side of the stream that is in addition to the existing undisturbed stream buffer of 25 to 50 feet on the east side of the stream. A portion of this additional compensatory area is shown to occur within the required impervious setback on the east side of the stream.
- B. Storm drainage facilities on the west side of the stream in the impervious setback area to convey proposed impervious surface runoff to the stormwater management facility so that such runoff does not flow directly to the stream.
- C. On the west side of the stream in the 25 to 50 feet undisturbed buffer area, excavate soils to provide compensatory floodplain volume and grade the area to drain so that the area does not hold water.
- D. On the west side of the stream in the 25 to 50 feet undisturbed buffer area, provide ground cover planting to meet the vegetated filter strip BMP (best management practice) requirements of the Ga Stormwater Management Manual to provide stormwater runoff filtration similar to the purpose of the undisturbed stream buffer. In addition, stream buffer planting to supplement the existing riparian vegetation within the buffer areas is proposed.

Public Comments: None.

After further discussion, the following action was taken:

MOTION ITEM: Charlotte Rentz made a motion, Lucy Dolan seconded to grant the variance request from the stream buffer requirements. Motion Carried: 6-0.

5. Old Business

5.I. 801 North Avenue Site Plan Review

Background:

Beatriz Arroyo requested site plan review to construct a new single-family dwelling at 801 North Avenue, Parcel Identification Number 14-0099-0004-038-9. The property is zoned R-1, One-Family Detached. *The Planning Commission tabled this item on July 20, 2021.*

MOTION ITEM: Jeanne Rast made a motion, Leah Davis seconded to table the site plan application for 801 North Avenue until the September 14, 2021 meeting. Motion Carried: 6-0.

6. New Business

6.I. 3571 and 3581 South Fulton Avenue Final Plat Review

Background:

Nicholas Imerman of Built by Broadland, LLC requested final plat review for the properties located at 3571 and 3581 South Fulton Avenue, Parcel Identification Numbers 14-0098-0021-074-4 and 14-0098-0021-075-1. The properties are zoned RMU, Residential Mixed Use.

Phase 1 (of 2) has been completed with the construction of 4 (of 8) townhomes. The remaining phase is under construction.

MOTION ITEM: Jeanne Rast made a motion, Lucy Dolan seconded to approve the final plat for 3571 and 3581 South Fulton Avenue subject to the deficiencies outlined in the Staff reports. Motion Carried: 6-0.

6.II. 461 North Avenue Site Plan Review

Background:

Asha Pittman, authorized agent for Greg Evans of GDK Investments, requested site plan review to construct a single-family dwelling at 461 North Avenue, Parcel Identification Number 14-0094-0003-062-5. The property is zoned R-SF, Residential Single-Family and is subject to the Neighborhood Conservation Area Sub Area E section of the Architectural Design Standards. The two-story, 1,941-SF dwelling will have three bedrooms and three bathrooms and an attached garage. The lot is currently vacant.

Ms. Pittman stated that the original plan included a chimney and was removed to meet the required side setback.

Recommendation:

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

- Provide the north arrow/compass rose on survey.
- Correct Wheeler Street setback to 15' on survey.

- Show all actual setback dimensions.
- Relocate the house, chimney, eaves, outside of the front and side setback.
- Address all deficiencies from the arborist report.
- Provide a development schedule.

With resolution of these items and any others the Planning Commission may deem necessary, approval of the site plan is recommended.

MOTION ITEM: Cliff Thomas made a motion, Lucy Dolan seconded to approve the site plan request for 461 North Avenue subject to the following conditions:

1. Provide the north arrow/compass rose on survey.
2. Correct Wheeler Street setback to 15' on survey.
3. Show all actual setback dimensions.
4. Relocate the house, chimney, eaves, outside of the front and side setback.
5. Address all deficiencies from the arborist report.
6. Provide a development schedule.

Motion Carried: 6-0.

6.III. 346 Colorado Avenue

Site Plan Review

Background:

Thomas Davis requested site plan review to construct a new single-family dwelling at 346 Colorado Avenue, Parcel Identification Number 14-0066-0002-039-8. The property is zoned R-O, One-Family Detached and is subject to the Neighborhood Conservation Area section, including Sub Area D of the Architectural Design Standards. The two-story, 2,200-sf dwelling will have four bedrooms and three bathrooms, and a rear entry attached garage. The lot is currently vacant.

Chairman Wismer stated the legal description included his name; however, he does not have a financial interest in the project as he is no longer the property owner.

Mr. Thomas stated the comments listed in the staff reports have been addressed and were resubmitted for review.

Commissioner Rast asked regarding the exact location of the rear driveway on Northwoods Place. Mr. Thomas stated the driveway is near the “bend” in the street.

Chairman Wismer asked if pavers would be installed from the house to the street. Dr. Patterson stated a walkway is required.

Staff Recommendation:

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

- Address all deficiencies from the arborist report.

With resolution of these items and any others the Planning Commission may deem necessary, approval of the site plan is recommended.

MOTION ITEM: Leah Davis made a motion, Lucy Dolan seconded to approve the site plan for 346 Colorado Avenue subject to the deficiencies outlined in the Arborist report. Motion Carried: 6-0.

6.IV. Meeting Rules and Procedures Text Amendment

Consideration of an Ordinance to amend Chapter 2 (Administration), Article 2 (Mayor and Council), Section 2-2-5 (Rules and procedures of Mayor and Council) to provide appropriate rules and procedures for the City Council meetings.

Background:

Historically, only individuals present at the City Council, Planning Commission Meetings and the Board of Appeals were allowed to make public comments during the meetings and public hearings. During the height of the pandemic, the Mayor & Council allowed for public comments shared via email or phone message to the City Clerk. The Mayor & Council have proposed that public comments continue to be allowed via these media. The proposed text amendment regarding Zoning Hearings is attached.

Recommendation

Staff recommended approval of the text amendment to allow for a variety of public input options throughout the planning processes in the City of Hapeville.

There are two changes proposed on the draft: 1) line 58, change “Alderman Rast” to “the Alderman” and 2) line 92 change “induce” to “include”.

Discussion ensued regarding mail-in or drop-off comments and if the statement would be considered valid without verifying an individual’s identity.

There being no further discussion, the following action was taken:

MOTION ITEM: Jeanne Rast made a motion, Cliff Thomas seconded to recommend approval of the Meeting Rules and Procedures Text Amendment subject to correcting the typographical errors. Motion Carried: 6-0.

7. Next Meeting Date – September 14, 2021 at 6:00PM

Respectfully submitted by,

Brian Wismer, Chairman

Adrienne Senter, Secretary