

Planning Commission Meeting

**700 Doug Davis Drive
Hapeville, Georgia 30354**

December 14, 2019 6:00PM

1. Welcome and Introduction

Vice Chairman Jeanne Rast called the meeting to order at 6:00 p.m. in the City of Hapeville Municipal Annex located at 700 Doug Davis Drive, Hapeville, Georgia 30354. Members in attendance included Leah Davis, Larry Martin and Cliff Thomas. City Planner Lynn Patterson and Secretary Adrienne Senter were also present.

Chairman Brian Wismer and Commissioners Lucy Dolan and Charlotte Rentz were unable to attend the meeting.

2. Approval of Minutes

2.I. November 12, 2019

MOTION ITEM: Larry Martin made a motion, Cliff Thomas seconded to approve the minutes of November 12, 2019 as submitted. Motion Carried: 3-0.

3. New Business

3.I. Future Land Use Map Update

Consideration of a resolution to adopt an update to the Future Land Use Map.

Summary

The purpose of the FLUM is to define areas within the City that are suitable for various land use activities. In 2018, City Council amended the FLUM to change a portion of Hapeville on the northwest edge of the City from High Intensity Mixed-Use to Residential. Council did this to accommodate a small number of single-family detached residences still in the area. However, the area remains primarily commercial in nature, and is currently zoned C-1, Retail Commercial. To reconcile these uses, and to encourage the existing residential community to remain while fostering the uses recommended by the Comprehensive Plan, staff proposes a change to the FLUM for this area from Residential to Low Intensity Mixed-Use.

Public Comment: None.

MOTION ITEM: Larry Martin made a motion, Cliff Thomas seconded to recommend the Mayor and Council approve the Future Land Use Map update to change the northwest edge of the City from Residential to Low Intensity Mixed-Use. Motion Carried: 3-0.

3.II. Zoning Map Amendment

Text Amendment

Consideration of a text amendment to update the zoning map.

Summary

The City is initiating a zoning map amendment for parcels currently zoned C-1, Retail Commercial in the City and are located north of Baker Drive and Cofield Drive, between Sylvan Road and Interstate 85.

The proposed area slated for rezoning is located within a greater mixed-use residential and commercial region, with general commercial uses to the south in the City of Hapeville and a mix of residences and retail commercial uses to the north in the City of East Point and the City of Atlanta. In recognition of the desired redevelopment of this area of Hapeville and in keeping with the vision outlined in the Hapeville Comprehensive Plan (2017), the Future Land Use Map is being updated to identify these parcels as Low-Intensity Mixed-Use. The proposed rezoning will allow single-family development as a permitted use, thus returning the existing residential properties to conformity with zoning.

Public Comment: None.

MOTION ITEM: Cliff Thomas made a motion, Larry Martin seconded to recommend the Mayor and Council approve the Zoning Map Amendment for the properties located at the northwest edge of the City from C-1, Retail Commercial to V, Village. Motion Carried: 3-0.

3.III. Arts District Overlay (Food Trucks)

Text Amendment

Consideration of a Text Amendment to amend Article 28 (A-D, Arts District Overlay) for the purpose of updating the food truck regulations within the A-D Zone.

Summary

The proposed text amendment would re-structure the food truck court section of the Code to better reflect contemporary trends in food truck courts and, more broadly, outdoor public events. The new regulations would make operating food truck courts simpler by removing a layer of bureaucracy while still ensuring such operations are safe and compatible with neighboring uses. They would also allow food truck courts as a primary use requiring a Special Use Permit on any private commercial lot.

Public Comment: None.

MOTION ITEM: Leah Davis made a motion, Larry Martin seconded to recommend the Mayor and Council approve the Arts District Overlay amendment as it relates to food trucks. Motion Carried: 3-0.

3.IV. Arts District Overlay (Residential Uses)

Text Amendment

Consideration of a text amendment to amend Article 28 (A-D, Arts District Overlay), Section 93-28-7.5 (Residential Uses).

Summary

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. The following text permits residential development with entrances at street level:

Code:

Sec. 93-28-7.5. – Residential uses.

Change: No residential use shall front on a public street, sidewalk or alley at the ground floor or street level. All ground level uses fronting on a public street, sidewalk or alley shall be non-residential uses.

To: Ground level uses fronting on a public street, sidewalk, or alley are encouraged as non-residential uses.

In addition, staff addressed concerns regarding the language in Sec. 93-28-7.5, lines 45-64, as it relates to limiting occupancy to “artist” occupancy only. Staff is working with legal to revise this language.

Public Comment: None.

MOTION ITEM: Larry Martin made a motion, Cliff Thomas seconded to recommend the Mayor and Council approve the Arts District overlay text amendment in Sec. 93-28-7.5 by striking “*No residential use shall front on a public street, sidewalk or alley at the ground floor or street level. All ground level uses fronting on a public street, sidewalk or alley shall be non-residential uses*” and replace it with “*Ground level uses fronting on a public street, sidewalk, or alley are encouraged as non-residential uses.*” In addition, the Planning Commission advised staff to revisit the language outlined in Sec. 93-28-7.5, lines 45-64 that relates to limiting occupancy to “artist” housing as this language may be discriminatory. Motion Carried: 3-0.

3.V. Administrative Variance

Text Amendment

Consideration of a text amendment to create Section 93-1-3.1 (Administrative Variances) for the purpose of allowing the City Planner to grant Administrative Variances.

Summary

In an effort to provide applicants in the city be given another route to obtaining minor and routine variances, limited administrative variance powers may streamline the process without adversely affecting the intent of the Code. The text amendment would introduce the power for the City Planner to grant Administrative Variances of up to 20% of the stated dimensional requirements for a use or structure, or 10% of stated dimensional requirements for a sign. Such decisions shall follow a rigorous set of standards and any given decision will be given in the form of a detailed report explaining the Planner's rationale. Should an applicant disagree with the decision, they may appeal to the Board of Appeals for a traditional variance.

Commissioner Martin expressed concern regarding the percentage amount for administrative variances and the process for public notification.

After further discussion, the Planning Commission advised staff to consider implementing a process for notification to the public for administrative variances.

Staff requested this item be tabled to consult with legal for guidance on procedures for public notification.

MOTION ITEM: Larry Martin made a motion, Cliff Thomas seconded to table this item until next meeting on January 14, 2020. MOTION CARRIED: 3-0.

4. Old Business

4.1. Meeting Packet Delivery Discussion

Summary

Open discussion regarding changing to an electronic meeting packet delivery and discontinue the delivery of printed meeting materials.

This discussion was postponed at the November 12, 2019 meeting.

Discussion ensued regarding the process for electronic delivery of meeting materials. Commissioners were in support of keeping the current process and elected to continue receiving printed packets.

No action was taken.

5. Next Meeting Date

5.1. Tuesday, January 14, 2020 at 6:00 p.m.

6. Adjourn

MOTION ITEM: Leah Davis made a motion, Larry Martin seconded to adjourn the meeting at 7:23 p.m. Motion Carried: 3-0.

Respectfully submitted by,

Jeanne Rast, Vice Chairman

Adrienne Senter, Secretary