Called Planning Commission Meeting

3468 North Fulton Avenue
Hapeville, Georgia 30354

June 13, 2019 6:00PM

MINUTES

1. **Welcome and Introduction**

   Vice Chairman Jeanne Rast called the meeting to order at 6:00 p.m. in the City of Hapeville City Hall Conference Room located at 3468 North Fulton Avenue, Hapeville, Georgia 30354. Members in attendance included Lucy Dolan, Larry Martin and Charlotte Rentz. City Attorney Priya Patel, City Planners Dr. Lynn Patterson and Michael Smith and Secretary Adrienne Senter were also present.

   Commissioners Brian Wismer and Mark Farah were unable to attend the meeting.

2. **Minutes of May 14, 2019**

   MOTION ITEM: Larry Martin made a motion, Charlotte Rentz seconded to approve the minutes of May 14, 2019 as submitted. Motion Carried: 3-0.

3. **New Business**

   a. **510 Lake Drive** **Subdivision Plat Review**

   Peter Rumsey requested subdivision final plat approval to subdivide an existing lot located at 510 Lake Drive, Parcel Identification Number 14 009400030153 into two tracts of land. The property is zoned R-SF, Residential Single-Family.

   As proposed, each new parcel will be 0.14 acres (6,253-sf). One parcel will contain the existing dwelling, while the other will be vacant. The Applicant plans to develop a single-family dwelling on the vacant parcel. Both parcels will be zoned R-SF.

   Section 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 the topographical or other conditions peculiar to the site, in the option 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 a reasoning on which the departure was justified set forth.

The applicant requested the following variances:

(a) Decrease the side yard setback at 510 Lake Drive from 15′ to 9.3 from North Fulton Avenue.
(b) Eliminate the required concrete monuments where the property line intersects a public right-of-way.

- Public Comment – None.

MOTION ITEM: Lucy Dolan made a motion, Larry Martin seconded to approve the final plat for 510 Lake Drive provided the applicant address the deficiencies outlined in the Planner and City Engineer′s reports. The Commission granted variances to decrease the side setback for the existing home located at 510 Lake Drive from 15′ to 9.3′ and waive the concrete monuments requirement. The applicant must meet the sidewalk requirement and the utility connections must be included on the plans as part of site plan review. Motion Carried: 3-0.

b. 3365 Northside Drive Site Plan Review

Paula Smith requested site plan approval to construct a 2,498-sf single-story single-family dwelling with an attached garage at 3365 Northside Drive, Parcel Identification Number 14 009500100229. The property is zoned R-O, One-Family Residential.

The plan indicates twelve existing trees will be retained, and 13 are to be removed. One of the trees to be removed, a 31″ pine, is a landmark tree. Removal of landmark trees are subject to the requirements of section 93-2-14 and must be approved by the city arborist. The landscape plan proposes one new 2″ river birch, 18 shrubs, and grass ground cover.

Discussion ensued regarding the trees outlined for removal. Commissioner Martin expressed concern regarding the number of trees earmarked for removal. Staff noted that removal of any landmark trees are subject to the approval of the city arborist and requires a tree removal permit.

The following deficiencies must be addressed:

1. Per the Architectural Design Standards, the applicant must include a sidewalk with a 1′ landscape area and a 4′ clear area.
2. Per the Architectural Design Standards, a walkway connecting the main entrance to the adjacent street is required.
3. No cross sections have been provided for the driveway, walkways, or sidewalk.
4. The Applicant should provide the lot coverage of any walkways.
5. The Applicant proposes the removal of a landmark tree. Removal of any landmark trees is subject to the approval by the city arborist and requires a tree removal permit.

Public Comment – None.

MOTION ITEM: Lucy Dolan made a motion, Charlotte Rentz seconded to approve the site plan application for 3365 Northside Drive provided that the following deficiencies are addressed:

1. **The Applicant must provide the cross sections for the driveway, walkways, or sidewalk.**
2. **The Applicant should provide the lot coverage of any walkways.**
3. **The Applicant proposes the removal of a landmark tree. Removal of any landmark trees is subject to the approval by the city arborist and requires a tree removal permit.**

Discussion: Commissioner Martin commented regarding the number of trees that are earmarked for removal. Commissioner Dolan explained that the city arborist will review the tree plan for compliance.

Commissioner Martin made a motion to amend Commissioner Dolan's motion to require the tree on the northwest side of the property is preserved. Motion died for lack of second.
Commissioner Dolan's motion passed: 2-1; Larry Martin opposed.

c. 105 Lilly Street Site Plan Review

Jimmy Joyner is requesting site plan approval to construct a 1,990-sf, two-story single-family dwelling and a 442-sf attached garage at 105 Lilly Street. The property is zoned R-1, One-Family Residential.

The following deficiencies must be addressed:

1. The Applicant should provide the dimensions and a cross section of the proposed sidewalk. Per the Architectural Design Standards, the new sidewalk must at a minimum have a 1′ landscape area and 4′ clear area.
2. Per the Architectural Design Standards, walkways must connect directly to the adjacent sidewalk.
3. The Applicant must provide a parcel identification number.
4. The Applicant must provide a development schedule.

The plan shows two trees, one 8″ oak tree and one 11″ magnolia tree, at the front of the property. Both trees will be retained. The plan indicates the dwelling will be 2.5 stories, or 32′5″ tall.

Commissioner Martin expressed concern regarding the roof height of the house as it relates to the adjacent property.

Public Comment:
Dustin Mimnaugh, 3037 Oakdale Road, expressed concern regarding the height of the house.

Rashani Sharma, 3037 Oakdale Road, expressed concern regarding the house height. Ashok (AK) Avasthi, 3210 Oakdale Road, commented regarding foundation and fence requirements.

Staff explained that code requires the height of the house is measured from the foundation to the roofline. The home is 32.5′ in height and the code allows up to 35′.

City Attorney Priya Patel explained that the Planning Commission's responsibility is to ensure that the applications presented meets code and it does not adversely impact the immediate surrounding area.

MOTION ITEM: Larry Martin made a motion to deny the site plan application at 105 Lilly Street based on the height of the house being inconsistent with the adjoining property. Motion died for the lack of second.

MOTION ITEM: Lucy Dolan made a motion, Charlotte Rentz seconded to approve the site plan application for 105 Lilly Street subject to the following deficiencies:

1. **The Applicant must provide a parcel identification number.**
2. **The Applicant must provide a development schedule.**

Discussion: The Planning Commission discussed considering the negative effects of development on neighboring properties.
Motion Carried: 2-1; Larry Martin opposed.

d. B-P, Business Park Zone Text Amendment

Consideration and action to amend Chapter 93 (Zoning), Article 18 (B-P Zone, Business Park), Section 93-18-1 (Intent), Section 93-18-2 (Permitted Uses), Section 93-18-3 (Off-street parking and loading requirements), Section 93-18-4 (Height restrictions), Section 93-18-5 (Site development and improvement standards) to update the City of Hapeville B-P Zone regulations.

As re-development efforts are increasing throughout the City, the B-P zoning district will be an important zoning category for creating the "corporate crescent" and "gateway corridors" from the Comprehensive Plan. The text amendments will allow for more site and architectural consistency and compatible uses within the district that will define these key properties.

There was discussion regarding parking ratios outlined in the B-P zone.

- Public Comment – None.

MOTION ITEM: Lucy Dolan made a motion, Charlotte Rentz seconded to recommend the Mayor and Council approve the B-P, Business Park text amendment. Motion Carried: 3-0.

e. U-V, Urban Village Zone **Text Amendment**

Consideration and action to amend Chapter 93 (Zoning), Article 11.2 (U-V Zone, Urban Village) to update the City of Hapeville U-V Zone permitted uses.

At the direction of City Council, staff presented a text amendment to U-V, Urban Village zoning to allow for research and development facilities as a permitted use. The City of Hapeville Code (93-15-3) permits laboratories for industrial testing and research in the Light Industrial (I-1) zoning district. The code does not address research and development laboratories in the U-V district.

Public Comment – None.

MOTION ITEM: Lucy Dolan made a motion, Charlotte Rentz seconded to recommend the Mayor and Council approve the U-V, Urban Village text amendment to allow research and development facilities subject to the following amendment:

1. **Research and development facilities are allowed in U-V, Urban Village as a conditional use and/or with the caveat prohibiting uses that produce hazardous waste and noise levels incompatible with the intent of the zoning district.**
   Motion Carried: 3-0

4. Old Business

a. Proposed Zoning Code Amendments

Open discussion regarding proposed zoning code amendments.

- Residential Building Height Requirements
- Proposed Zoning Amendments

There was brief discussion regarding house height requirements.

Commissioner Martin requested Dustin Mimnaugh be allowed to speak regarding residential building height requirements.

MOTION ITEM: Lucy Dolan made a motion, Charlotte Rentz seconded to allow public comments regarding the proposed zoning code amendments. Motion Carried: 3-0.

Public Comments:
Dustin Mimnaugh, 3037 Oakdale Road, commented regarding sloped lots and foundation heights as it relates to roof angles and requiring new development adjacent to existing single-story homes have a roof line constructed at an angle to eliminate shade and reduced sun exposure.

Commissioner Martin stated house height have an impact on adjacent single-story homes. He suggested that in an area that has predominantly single-story homes, the new home can not have more than 2' above the average of the adjacent homes for consistency. Also, he

suggested dwelling height regulations "d and e" within the chart of dimensional requirements should be moved under the purview of Planning Commission (Zoning) instead of Design Review Committee (Architectural Design Standards).

Dr. Patterson clarified that certain areas within the city are designated as sub-areas and minimum building heights are established by zoning, however within sub-areas d and e the maximum building height should be established by zoning except that when the chapter provides a more stringent standard, the more stringent standard shall prevail, thus making the Architectural Design Standards more stringent than the zoning code.

Commissioner Dolan expressed concerns of new designs within existing neighborhoods and feel this issue should be addressed.

No action taken.

5. **Next Meeting Date – July 9, 2019 at 6:00PM**
6. **Adjourn**

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

MOTION ITEM: Lucy Dolan made a motion, Charlotte Rentz seconded to adjourn the meeting at 8:20 p.m. Motion Carried: 3-0.

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Vice Chairman, Jeanne Rast

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Secretary, Adrienne Senter