



Planning Commission Meeting

700 Doug Davis Drive
Hapeville, Georgia 30354

August 13, 2019 6:00PM

Minutes

1. Welcome and Introduction

Chairman Brian Wismer 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 Vice Chairman Jeanne Rast, Leah Davis, Lucy Dolan, Larry Martin and Cliff Thomas. City Planners Dr. Lynn Patterson and Michael Smith and City Attorney Priya Patel and Secretary Adrienne Senter were present.

2. Minutes of July 9, 2019

Motion Item: Lucy Dolan made a motion, Cliff Thomas seconded to approve the minutes of July 9, 2019 subject to correction. Motion Carried: 5-0.

3. Presentation

Virginia Ave. Roundabout Study & Wayfinding Project Update by Mitchell Greenway

The City of Hapeville is undertaking a study that will examine the option for development of a roundabout at the Virginia Avenue/Doug Davis/Clay Place/Hamilton Avenue intersection. This project – *the Hapeville Wayfinding & Virginia Avenue Roundabout Study and Demonstration Project* – will build from the previous LCI Studies.

Mitchell Greenway of Stantec Consulting Services presented a project update and next steps. The next community meeting will be held on Thursday, August 15, 2019 at 6 p.m. and will be held at the Municipal Annex, 700 Doug Davis Drive in Hapeville.

- Public Comment – None.

4. New Business

a. 3429 Rainey Avenue

Site Plan Request

Andy Steele requested site plan approval to construct a second story addition and porch to an existing home at 3429 Rainey Avenue, Parcel Identification Number 14 012700030592. The property is zoned R-SF, Residential Single Family and is .1722 acres.

The current dwelling has an integrated carport extending into the northern side setback by two feet, making it a nonconforming use. The Applicant will need a variance from the Board of Appeals to alter or enlarge the dwelling in any way unless it is to bring the dwelling into conformance. Furthermore, an additional variance to allow additional construction within the north side setback.



Jeanne Rast had a question regarding the parking variance. Dr. Patterson explained that this issue will be reviewed at the Design Review Committee for consideration of a design exception.

The following deficiencies must be addressed:

1. The floor areas of the existing and proposed structures must be provided.
 2. The Applicant must provide the widths of the driveway, curb cuts, and the sidewalk.
 3. The Applicant must receive Board of Appeals approval for requested variances.
- Public Comment - none

MOTION ITEM: Larry Martin made a motion, Lucy Dolan seconded to approve the site plan request at 3429 Rainey Avenue subject to the following conditions:

1. The floor areas of the existing and proposed structures must be provided.
 2. The Applicant must provide the widths of the driveway, curb cuts, and the sidewalk.
 3. The Applicant must receive Board of Appeals approval for requested variances.
- Motion Carried: 5-0.**

b. 876 Virginia Avenue

Special Exception Request

Mr. John Jordan of Walker and Walker, LLC and authorized representation of Philip Jones of Van Cole Investments, Inc. requested approval of a special exception to authorize the use of an existing drive-through at 876 Virginia Avenue, Parcel Identification number 14 009800010698. The property is zoned U-V, Urban Village and is 0.43 acres.

The applicant presented a traffic study conducted by Vern Wilburn of Maldino & Wilburn who addressed the Commission to discuss the findings of the traffic study. According to the report, there is not a significant difference between the total number of trips occurring at a non drive-through location versus a drive-through location. The applicant also presented a petition with 2000 signatures in support of the drive-through request.

Background and Summary– Planner’s Report:

The drive-through configuration was established prior to the extension renovation of the site. The drive-through is located on the east side of the structure, facing the adjacent property (Wendy’s) and away from the right-of-way along Oakridge Avenue. The Applicant has indicated there was a drive-through window with the same configuration previously utilized on the property by its prior occupants.

An application for the same special exception, a drive-through at 876 Virginia Avenue, was denied by Mayor and City Council on July 17, 2018. The definition provided in the



code for “restaurants” in U-V has changed since this special exception was last considered.

- Public Comment
Daniel Ray, 3468 Rainey Avenue, inquired regarding a provision to allow the request, but give it a timeline if there is an issue.

Melvin Traynum, 3550 Atlanta Avenue, suggested a right turn only exiting onto Virginia Avenue.

MOTION ITEM: Lucy Dolan made a motion, Leah Davis seconded to recommend the Mayor and Council grant the special exception at 876 Virginia Avenue subject to the following conditions:

1. The special exception for the drive-through will remain with Smoothie King and is not transferable.
2. A right turn only sign is placed at the Virginia Avenue exit.
3. The applicant must consult with City Staff to determine a long-lasting material to enhance the pedestrian walkway along Virginia Avenue.

Motion Carried: 5-0.

c. 644 Coleman Street

Site Plan Request

Janice M. White requested site plan approval to construct a 4-bedroom, 3-bath single-family home at 644 Coleman Street, Parcel Identification Number 14 009900031503. The dwelling will have 1,944-sf of heated floor area and will provide off-street parking via a 15’ wide driveway along the west side of the house. The property is zoned R-SF, Residential Single Family and is .114 acres.

A revised site plan was submitted to address the deficiencies listed in the planner’s report. The Applicant must provide design cross sections for all new driveways and walkways.

- Public Comment – None.

MOTION ITEM: Jeanne Rast made a motion, Larry Martin seconded to approve the site plan request at 644 Coleman Street subject to the applicant providing design cross sections for all new driveways and walkways. **Motion Carried: 5-0**

d. 3384 North Fulton Avenue

Site Plan Request

Janice M. White requested site plan approval to construct a 3-bedroom, 2-bath single-family home at 3384 North Fulton Avenue, Parcel Identification Number 14 009500090115. The dwelling will have 1,528-sf of heated floor area and will provide off-



street parking via a 10' wide driveway along the south side of the house. The property is zoned R-SF, Residential Single Family and is .278 acres.

- Public Comment – None.

MOTION ITEM: Jeanne Rast made a motion, Lucy Dolan seconded to approve the site plan request at 3384 North Fulton Avenue subject to the applicant providing design cross sections for all new driveways and walkways. Motion Carried: 5-0.

e. Arts District Overlay Ordinance

Text Amendment

Consideration of a text amendment to Chapter 93 (Zoning), Article 28. A-D Zone (Arts District Overlay), Section 93-28-8 (Prohibited uses) to change the prohibited uses.

Background – Planner’s Report:

Regions Bank recently requested the City of Hapeville consider allowing a drive-up ATM facility in downtown Hapeville. The request was declined as currently the City of Hapeville Zoning Code prohibits any drive-through facilities in the A-D (Arts District Overlay), within which the bank is located (Sec. 93-28-8 – Prohibited Uses). While drive-up teller windows are present at the banks located in the Arts District, the application of this restriction prohibits conversion or additional drive-up Automated Teller Machines (ATM). This text amendment, presented at the request of Regions Bank, would allow for drive-up ATMs as a permitted use requiring special exception exclusively for banks in the A-D Overlay. Special exceptions require approval from the City Council.

Michael Foster of BDG Architects provided details regarding the construction of the drive-through ATM and Regions Bank’s support of the proposed text amendment.

- Public Comment – None.

MOTION ITEM: Lucy Dolan made a motion, Jeanne Rast seconded to recommend the Mayor and Council approve the A-D text amendment with a recommendation to add credit unions to the language. Motion Carried: 5-0.

f. Setback Definition

Text Amendment

Consideration of a text amendment to Chapter 93 (Zoning), Article 1 (Title, definitions, and application of regulations), Section 93-1-2 (Definitions) to change the definition of setback.

Background – Planner’s Report:

The definition of “Setback” given in Sec. 93-1-2. – Definitions of the Hapeville Zoning Code is inconsistent with the standard accepted definition of a “setback” and with other portions of the City Code. The following text amendment would alter the definition

- Public Comment – None.



MOTION ITEM: Lucy Dolan made a motion, Jeanne Rast seconded to recommend the Mayor and Council approve the text amendment as proposed. Motion Carried: 5-0.

g. Home Occupation Ordinance

Text Amendment

Consideration of a text amendment to Chapter 93 (Zoning), Article 1 (Title, Definitions, and application of regulations), Section 93-1-3 to change the definition of home occupation.

- Public Comment

Daniel Ray, 3468 Rainey Avenue, asked staff to clarify the proposed amendment.

MOTION ITEM: Lucy Dolan made a motion, Larry Martin seconded to recommend the Mayor and Council approve the text amendment as proposed. Motion Carried: 5-0.

h. Reconsideration of Defeated Rezoning Proposals

Text Amendment

Consideration of a text amendment to Chapter 93 (Zoning), Article 25 (Amendments), Section 93-25-9 (Reconsideration of Defeated Actions) to require a six-month waiting period for reconsideration of defeated rezoning proposals.

- Public Comment – None.

MOTION ITEM: Larry Martin made a motion, Jeanne Rast seconded to recommend the Mayor and Council approve the text amendment as proposed. Motion Carried: 5-0.

5. Old Business

a. Residential Building Height Requirements

Chairman Wismer provided a summary regarding the ongoing discussion pertaining to residential building height requirements

Commissioner Martin discussed concerns regarding solar access and the reports that were provided at the last Commission meeting.

- Public Comment
Melvin Traynum, 3550 Atlanta Avenue, commented regarding solar panels and the city's heavy tree canopy.
Daniel Ray, 3468 Rainey Avenue, commented regarding the current building height requirements and he does not see a need to change the code.

After further discussion, the Commission did not support taking action to recommend the Mayor and Council amend the residential building height requirement.



6. **Next Meeting Date** – September 10, 2019 at 6:00PM

7. **Adjourn**

MOTION ITEM: Jeanne Rast made a motion, Lucy Dolan seconded to adjourn the meeting at 8:21 p.m.

Respectfully submitted by,

Chairman, Brian Wismer

Secretary, Adrienne Senter