



**Planning Commission Meeting
3468 North Fulton Avenue
Hapeville, Georgia 30354**

May 14, 2019 6:00PM

MINUTES

1. Welcome and Introduction

Chairman Brian Wismer called the meeting to order at 6:10 p.m. in the City of Hapeville Conference Room located at 3468 North Fulton Avenue, Hapeville, Georgia 30354. Members in attendance included Vice Chairman Jeanne Rast, Lucy Dolan, Larry Martin and Charlotte Rentz. City Attorney Priya Patel, Secretary Adrienne Senter and City Planners Lynn Patterson and assistant Michael Smith were also present.

Commissioner Mark Farah was unable to attend the meeting.

On behalf of the Planning Commission, Chairman Wismer expressed his condolences to the family of Commissioner, Kaity Ferrero.

2. Minutes of April 9, 2019

MOTION ITEM: Lucy Dolan made a motion, Charlotte Rentz seconded to approve the minutes of April 9, 2019 as amended. Motion Carried: 4-0.

3. New Business

a. 3472 Rainey Avenue

Site Plan Review

Tony McSwain of Usonian Homes requested site plan approval to construct a 2,070-sf, 4-bedroom, 3-bathroom single family home at 3472 Rainey Avenue, Parcel Identification Number 14 009800020127. The property is zoned U-V, Urban Village and is .1722 acres.

The Applicant proposes the removal of two landmark trees. Removal of any landmark trees is subject to the approval of the city arborist and requires a tree removal permit.

The following deficiencies must be addressed:

- Front setback is 16.1'. Build-to lines in U-V can be set back a maximum of 15'.
- The Applicant should provide the general design cross section characteristics for the driveway, curb cuts, and sidewalk.
- The sidewalk must comply with the requirements of section 93-11-.2-9.



- The Applicant should provide and label existing and proposed grades at an interval of five feet or less.
- The Applicant should include a minimum of one street tree planted in the sidewalk's landscape area.
- The Applicant should provide a more detailed construction schedule with a start date.
- The Applicant proposes the removal of two landmark trees. Removal of any landmark trees is subject to the approval of the city arborist and requires a tree removal permit.

The Applicant addressed the planner's comment as it relates to the front setback requirement. The proposed home is located adjacent to an existing single-family dwelling and the setback, as proposed, is in line with the existing homes located on the street. The Applicant requested to keep the 16.1' setback in order to maintain continuity within the existing neighborhood.

Dr. Patterson stated that typically the code requires a 0'-15' setback; however, Section 93-22-3 states *"The setback requirements of this chapter for dwellings shall not apply to any lot where the average existing building setback line on lots located wholly or in part within 100 feet on each side of any lot, within the same block and zoning district, and fronting on the same side of the same street as that lot, is less than the minimum setback required. In such cases, the setback on that lot may be less than the required setback but not less than the average of the existing setbacks on the aforementioned lots, or within ten feet of the street right-of-way, whichever is greater"* therefore the 16.1' setback is sufficient.

In addition, there is an existing sidewalk located along Rainey Avenue with an existing landscape strip. The Applicant will install a sidewalk that meets the existing design and include the installation of a tree in the supplemental area.

Public Comment

Daniel Ray, 3468 Rainey Avenue, inquired regarding the trees earmarked for removal and if the tree located along the property line is planned for removal.

MOTION ITEM: Larry Martin made a motion, Lucy Dolan seconded to approve the site plan for 3472 Rainey Avenue noting that the front yard setback meets the code per Section 93-22-3 and subject to the deficiencies outlined in the planner's report. Motion Carried: 4-0.

b. Willingham Drive at Colville Avenue

Subdivision Plat Review

Miller Lowry of Miller Lowry Developments requested preliminary subdivision plat approval for the property located at the corner of Willingham Drive, South Central Avenue and Colville Avenue, Parcel Identification Numbers 14 012700020429 and 14 01270020379. The properties are zoned V, Village and are 3.255 acres.



The proposed use of the property is attached single family dwellings with adjacent commercial space.

According to the City Engineer's report, the development abuts Colville Avenue with a right-of-way width of 40 feet. Per the subdivision regulations section 90-1-3 (a), additional right-of-way width on existing streets should be provided for the occurring on only one side of the existing street, one half of the required additional right-of-way should be provided. It is not clear if this minimum five (5) feet of additional right-of-way is provided.

Discussion ensued regarding the minimum 5' requirement of additional right-of-way as required by the City Engineer. Staff advised the Commission that they could consider a variance based upon section 90-1-3(h), however, the applicant must demonstrate a hardship.

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.

- Public Comment
David Burt, 918 Margaret Street, spoke in favor of the project.
Katrina Bradbury, 921 Margaret Street, spoke on behalf of the Development Authority and in favor of the project.
Susan Bailey, 3309 North Whitney Avenue, spoke in favor of the project
Mike Simpson, 3302 Dogwood Drive, commented regarding the location of the sidewalk.

MOTION ITEM: Jeanne Rast made a motion, Lucy Dolan seconded to approve the preliminary plat for the property located Willingham Drive at Colville Avenue subject to the deficiencies listed in the City Engineer's and City Planner's reports. Motion Carried: 4-0.

c. Willingham Drive at Colville Avenue

Site Plan Review

Miller Lowry of Miller Lowry Developments requested site plan approval to construct a mixed-use development comprised of 20, 2.5-story townhomes and 7,132-sf of commercial space at the corner of Willingham Drive, South Central Avenue and Colville Avenue, Parcel Identification Numbers 14 012700020429 and 14 012700020379. The properties are zoned V, Village and are 3.255 acres.



The townhomes are all 3-bedroom units with a maximum footprint of 2,800-sf each. The commercial buildings will be 18' high, which is not compliant with the Architectural Design Standards requirement that all commercial buildings in the Commercial/Mixed-Use area be a minimum of 24' high.

A subdivision plat is required to combine parcels 14 012700020429 and 14 012700020379. The applicant intends to request the following variances:

- Waive the sidewalk/curb and gutter requirement along Willingham Drive (Design Review exception required);
- Decrease the required distance between buildings from 20 feet to 10 feet (Board of Appeals variance required);
- Decrease the required commercial off-street parking from 36 to 32 spaces, including three parking spaces from the residential area to count towards the commercial parking requirement (Board of Appeals variance required)
- Reduce the high minimum for commercial buildings to 18' (Design Review exception required)

Per the Architectural Design Standards, sidewalks along South Central Avenue must have a 5' landscape area and a 10' clear area. All other sidewalks, including along Colville Avenue and Willingham Drive, must have a 5' landscape area and a 6' clear area. Sidewalk standards will be reviewed by the Design Review Committee for compliance.

Each townhome will have an attached two car garage located off the rear alley. The front of each unit will face a pocket park with public access. The townhomes will be accessible through a residential arm gate. A 75'-100' opaque screening wall along South Central Avenue and an additional fence running the length of South Central Avenue are proposed. The screening wall and fence must be reviewed by the Design Review Committee.

Discussion ensued regarding the tree conservation plan. The plan will be submitted to the City Arborist for review/approval.

- Public Comment
David Burt, 918 Margaret Street, commented regarding the proposed wall material and the history of the property. Expressed support of the project.
Susan Bailey, 3309 North Whitney Avenue, commented regarding supporting a variance to eliminate the sidewalk along Willingham Drive.
Katrina Bradbury, 921 Margaret Street, commented regarding the sidewalk along Willingham Drive and the tree conservation plan.

After further discussion, the following action was taken:



MOTION ITEM: Jeanne Rast made a motion, Larry Martin seconded to approve the site plan request for the property located at Willingham Drive at Colville Avenue subject to the deficiencies outlined in the planner's and engineer's reports with the following recommendations:

1. Recommend the Board of Appeals grant the variances to increase the maximum residential parking allowed and decrease the required distance between buildings from 24' to 10'.
2. Recommend the Design Review Committee grant the design exception to eliminate the sidewalk requirement along Willingham Drive.
3. Establish connectivity to the commercial buildings.

Motion Carried: 4-0.

4. Old Business

a. Proposed Zoning Code Amendments

Open discussion regarding proposed zoning code amendments.

- Residential Building Height Requirements
- Proposed Zoning Amendments

MOTION ITEM: Larry Martin made a motion, Charlotte Rentz seconded to table this item until the June 11, 2019 meeting. **Motion Carried: 4-0.**

5. Next Meeting Date – June 11, 2019 at 6:00PM

6. Adjourn – ADJOURNED AT 8:42 P.M.

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

MOTION ITEM:

Jeanne Rast made a motion, Lucy Dolan seconded to adjourn the meeting at 8:42 p.m.
Motion Carried: 4-0.

Respectfully submitted,

Chairman, Brian Wismer

Secretary, Adrienne Senter