

Minutes
Regular Meeting of the Planning Commission
City of Chattahoochee Hills, Georgia
March 15, 2018/6:30 PM

Call to Order

Chair Bob Simpson called the meeting to order at 6:30 p.m. Present were Bob Simpson, Mark Prater, and Jim Hancock. All members were present. Also present was City Planner Mike Morton.

Pledge of Allegiance

Mr. Simpson led the assembly in the Pledge of Allegiance.

Approval of Agenda

Mr. Prater made a motion to approve the agenda. Mr. Hancock seconded. The motion passed unanimously.

Approval of Minutes

1. Approval of February 15, 2018 Regular Meeting Minutes
Mr. Prater made a motion to approve the February 15, 2018 Regular Meeting Minutes. Mr. Hancock seconded. The motion passed unanimously.

Public Hearings

Mr. Simpson read the rules for the Public Hearings.

2. Text amendment to establish an HC Historic Crossroads zoning district and to change the zoning map.

Mr. Simpson opened the Public Hearing.

The following person spoke in support of the item:

1. *Mike Lober, 301 Creek Stone Ridge, Woodstock, GA – said he represents the potential buyer of approximately seven acres that is proposed to be rezoned. The potential buyer plans to build a commercial development that would include a gas station, restaurants, and retail space. The building site would need to be close to the road because of the river corridor. The buyer is willing to work with the city on design and supports what the city is proposing.*

There were no comments in opposition to the item.

Mr. Simpson closed the Public Hearing.

City Planner Mike Morton presented the staff recommendation. The proposed ordinance has two parts – the HC Historic Crossroads language and the rezoning of approximately seven acres on the corner of Highway 154 and Highway 92. The property is currently for sale and the prospective buyer intends to develop the property with a gas station and retail and fast food restaurant space. Staff recommends adoption of the text amendment without the exception to form and design controls found in letter b of Section 35-549 Highway Oriented Retail Alternative Standards and approval of the zoning map change from RL to HC Historic Crossroads. The zoning map change should be with the following conditions:

- 1. City Council must approve the concept plan before any development permits are issued.*
- 2. A traffic study shall be performed at the owner's expense demonstrating that the traffic impact of the development will not violate the transportation policies in the comprehensive plan.*
- 3. All entrance and egress designs shall be approved by the Georgia Department of Transportation and the city's Department of Public Works and the cost of construction of all entrance and egress facilities shall be borne by the owner, including, but not limited to, any deceleration lanes and any required dedication of additional right-of- way.*
- 4. All land preservation required to meet the requirements of the zoning ordinance shall be implemented prior to the approval of any development permit.*
- 5. No application for a development permit shall be accepted until a pre-application meeting is held with the community development director to discuss site design and architectural design issues. The meeting shall not take place until the applicant has provided design samples which generally meet the requirements laid out in the HC district.*

Mr. Simpson said when the city started, there were a lot of community meetings where residents expressed the type of development they did not want, and the proposed development looks like the examples of what is not wanted by many of the residents. He has concerns which include the development not being compliant with the Comprehensive Plan, the public process not being followed, and the development serving the 20,000 cars traveling through the city and not the residents of the city. He said the foundation of good planning and zoning is not built on the need for the revenue or the fact that there is already a similar commercial development in the area. He also worries that precedent is being set for not following the planning process in other historic crossroad communities.

Mr. Prater made a motion to recommend denial of all components of the HC Historic Crossroads District text amendment and Campbellton Corner zoning. Mr. Hancock seconded.

Mr. Hancock said he might feel differently if there had been a public process and he would like to hear from residents. He is not against developing the property but is concerned about changing the zoning before discussing how the property will be developed.

Mr. Simpson suggested that the motion be amended to include recommendations for the City Council.

Mr. Prater amended his motion to recommend denial of all components of the HC Historic Crossroads text amendment and Campbellton Corner zoning and to include the following recommendations:

- 1. Obtain public input through community meetings.*
- 2. Follow the planning process that has been put in place.*
- 3. Expand the area for notification of surrounding property owners.*
- 4. Work with the City of South Fulton Planning and Zoning Department since two adjacent corners are in the City of South Fulton.*

Mr. Hancock seconded. The motion passed unanimously.

3. Variance to allow a swimming pool in the first layer and less than 60 feet from the public right-of-way at the Inn at Serenbe.

Mr. Simpson opened the public hearing.

The following person spoke in support of the application:

- 1. Garnie Nygren, 429 Selborne Way (applicant) – Fulton County Health Department said the pool that has been on the property since 2002 was too small for public occupancy, and the applicant's only option was to fill the pool in. The pool was used for the inn's adult only demographic and the applicant would like to be able to continue to offer that amenity. The fifteen rooms in the main house are age restricted so they want to keep the pool in the courtyard area of the main house. The cost to locate the pool in the original location is cost prohibitive. The proposed location is not visible from Hutcheson Ferry Road. The applicant also proposed adding additional landscaping to buffer.*

The following person spoke neither in support or opposition of the application:

1. *Betty Ferdinand, 10985 Hutcheson Ferry road – said she was concerned granting the variance would set a precedent.*

Mr. Simpson closed the Public Hearing.

Mr. Morton presented the staff recommendation. The applicant has requested variances to the location of accessory structures and to the regulation of setbacks to allow a swimming pool less than sixty feet from the Hutcheson Ferry Road right-of-way at the Inn at Serenbe, 10950 Hutcheson Ferry Road. He said the variance requests satisfy the variance criteria.

Staff recommends approval of both variances to allow a pool thirty feet from the public right-of-way, with the following conditions:

1. *The variances applies to the proposed pool only and the buffer encroachment will not exceed that shown in the Variance Site Plan prepared by Southeastern Engineering and submitted with the application.*
2. *The property owner will be required to maintain an effective four-season vegetative screen. Any loss of plant material that diminishes the effective screening will be followed with immediate replacement. If the loss occurs outside of the appropriate planting season, the owner will install temporary plant material until such time that a permanent planting can be successfully installed.*

Mr. Prater made a motion to recommend approval of the item with the recommended conditions. Mr. Hancock seconded. The motion passed unanimously.

Old Business (None)

New Business

4. *Planning Commission 2018 meeting calendar.*

Mr. Morton presented the item. Mr. Hancock made a motion to approve the item. Mr. Prater seconded. The motion passed unanimously.

Staff Reports

Mr. Morton said there were 14 new single family home building permits issued in February 2018. He believes the buyer for Heatherwood Manor has closed on the property. The city needs to do a final inspection on the entrance work at Estates of Cedar Grove.

These minutes are provided as a convenience and service to the public, media, and staff. It is not the intent to transcribe proceedings verbatim. Any reproduction of this summary must include this notice. Public comments are noted and heard by the Commission, but not quoted. This is an official record of the City of Chattahoochee Hills Planning Commission Meeting proceedings.

Adjourn Meeting

Mr. Prater made a motion to adjourn. Mr. Hancock seconded. The motion passed unanimously. The meeting adjourned at 7:56 p.m.

Approved this 19th day of April, 2018.

Bob Simpson, Chairman

Attest:

Dana Wicher, City Clerk

The City of Chattahoochee Hills Mayor and City Council encourage citizen participation in the government process. Should you by reason of a disability need a special accommodation or need accessibility information, please contact the City Clerk's office at 770-463-8881.