

Minutes
Regular Meeting of the Planning Commission
City of Chattahoochee Hills, Georgia
September 16, 2021/6:30 PM

Call to Order

Chair Patrick Johnson called the meeting to order at 6:30 p.m. Present were Patrick Johnson, Doug Cloud, Jett Hattaway, Rodney Peek, and Scott Lightsey. All members were present. Also present was Community Development Director Mike Morton.

Pledge of Allegiance

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

Approval of Agenda

Mr. Lightsey made a motion to approve the agenda. Mr. Cloud seconded. The motion passed unanimously.

Approval of Minutes

- 1. Approval of the July 15, 2021 Regular Meeting Minutes**
- 2. Approval of the July 29, 2021 Special Called Meeting Minutes**
- 3. Approval of the September 2, 2021 Special Called Meeting Minutes**

Mr. Johnson made a motion to approve the June 15, 2021 Regular Meeting Minutes, July 29, 2021 Special Called Meeting Minutes, and the September 2, 2021 Special Called Meeting Minutes. Mr. Cloud seconded. The motion passed unanimously.

Public Hearings

Mr. Johnson read the rules for the public hearings.

- 4. Farmstead at Piney Woods Low Density Residential Hamlet. Proposed zoning map amendment to rezone 46.709 acres from RL (Rural) to HM-LDR (Low Density Residential Hamlet).**

Mr. Morton presented the item. The request is to rezone 46.709 acres to create a new residential hamlet consisting of six lots and 40 acres of open space. The applicant also has submitted an application for subdivision under the existing farmette rules that would allow them four lots in the event that the rezoning is not passed.

Mr. Johnson opened the public hearing.

The following people spoke in support of them item:

1. *Kenneth Lemm, 10668 Serenbe Lane (applicant) – the property is 46 acres and is divided down the middle by a ridge. Three of the home sites are on the down hill side and are not visible from Piney Woods Church Road. One of the home sites is 700 feet off the road, and the other closest home site is 500 feet off the road. Neighbors have expressed two major concerns – whether short term rentals will be allowed and the height of the buildings. Short -term rentals will not be allowed, and houses will be limited to two-stories, with single story homes encouraged. The proposed lots are 1-acre each with the remainder of the property being open space.*

Mr. Lightsey asked if the no temporary vacation rental or bed and breakfast regulation applied to the common building. Mr. Lemm said there are two non-residential structures. One structure will be used to support the planned orchards and victory garden. The other structure, referred to as the party barn,

The following people spoke in opposition to the item:

1. *Ken Langley, 6240 Campbellton Redwine Road – said he opposes the 20 acre minimum lot size in the RL district and the removal of the Parkway Commercial district. He also mentioned the elimination of the HM-SD Hamlet special District since it was supposed to be the mechanism to contain Foxhall if they annex into the city. He also wondered how this happened without anybody knowing what is going on. Most changes are solutions looking for a problem. Why were the changes not a part of the comp plan discussions?*
2. *Jim Hancock, 10175 Creel Road – said he is against the 20 acres. He is trying to figure out what is behind the change. He agrees that preserving rural character is important, but family is also a part of our culture. There are family compounds throughout the city where people give their kids five acres a piece. That’s part of rural living.*
3. *Anita McGinnis, 11845 Upper Wooten Road – said she has 13 acres and a daughter who wants to build on her property. She wants to give her three acres so she can be there when she’s 80 years old and needs help. She also wants to know why you have to park behind your home. That’s not rural.*
4. *Bill Creel, 8150 Rico Road – said that allowing only two cars in front of a house sounds like Peachtree City. If we’re not having problems with Special Districts why are we eliminating them? He is currently representing 132 acres on Jones Ferry Road. You can put 9 houses there now; the change would limit it to six. Property owners have rights.*

5. *Howard Watson, 7660 Cochran Mill Road – said he fought to stay out of Palmetto and now development is coming and there is nothing that his council representative can do to help him.*

The following people spoke neither in support nor in opposition:

6. *Robert Richardson, 9425 Hutcheson Ferry Road – asked what are the plans for the intersection of Cochran Mill Road and Hutcheson Ferry Road?*
7. *Marianne Reeves, 12100 Garretts Ferry Road – said her land will lose value she can't subdivide lower than 20 acres. Will there be no commercial development on the parkway, even related to a hamlet or village?*
8. *Richard Winfrey, 2599 Oak Street, East Point (hopeful future resident) – asked about the timetable and motivation for the UDC, specifically the 20 acre provision.*

There was no other public comment. Mr. Johnson closed the public hearing.

Mr. Morton responded to the question about the intersections that there are no plans for changes at the intersection. The questioner asked about plans for any intersections. Mr. Morton responded that the City Council had discussed stop signs or stop lights along the parkway in response to some fatalities at the intersections.

Mr. Hattaway addressed the question about the 20 acre minimum. He pointed out that the Commission is a group of volunteers who did not draft the zoning and share many of the concerns expressed. The goal is to prevent speculators from out of town from coming in and creating sprawl on three acre lots. They are still working on solutions.

Mr. Peek added that the 20 acre minimum helps protect the value of neighboring properties. He's thinking about what's best for his kids' kids. To allow some growth and protect the vision for the city from sprawl while protecting landowners.

Mr. Morton answered the question of commercial development on the parkway, saying that hamlets and villages would be allowed commercial development that might be located on the parkway, but it would be protected by the 300 foot parkway buffer. He added that the Parkway Commercial district was also subject to the 300 foot buffer.

Mr. Morton also explained that the original draft of the UDC was introduced in May and the changes were made by council at the second meeting after that.

Mr. Johnson asked Mr. Giles of TSW to explain the change. Mr. Giles explained that if you have a lot smaller than 20 acres you can build on it. He went on to explain the current rules and how the proposed regulation evolved from an attempt to simplify the rules.

Mr. Cloud said that they had not had sufficient time to review the document, specifically permitted use table (Table 7.2), and suggested that the Commission is not ready to vote on it.

Mr. Johnson asked Mr. Morton whether they could schedule a work session prior to the next Council meeting. Mr. Morton said that they could schedule one. Robbie Rokovitz said that Mayor Reed, through zoom, pointed out that the City Council has a work session scheduled for the 29th and that they could have a joint work session with the Planning Commission to have more dialogue. Mr. Hattaway explained to the audience that that would be a public meeting.

Mr. Johnson asked whether the current draft is available online. Mr. Morton explained where to find it on the City's web site among the materials for this meeting.

Mr. Johnson asked for a motion to continue the discussion at a work session on the 29. Mr. Cloud made the motion. Mr. Lightsey seconded. The motion passed unanimously.

5. Bear Creek Mixed Use Hamlet. Proposed zoning map amendment to rezone 256.8 acres to HM-MU and two variances for the district buffer and for the nonresidential requirement.

Mr. Morton described the application, including an explanation that the revised site plan actually complies with the nonresidential density minimum requirement, but that the applicant still seeks the variance for flexibility to respond to changing market conditions.

Mr. Johnson opened the public hearing.

The following people spoke in support of the item:

- 1. Ryan Snodgrass, TSW Land planner (applicant) – said they want to create a place where neighbors can casually meet on a trail or in the neighborhood in the plaza. The core of the site is the existing infrastructure from 2008. It is a cluster of 179 homes, designed to create a community and not just another place on Wilkerson Mill Road. The core includes a European-inspired plaza with commercial activity and community facilities. There are several different kinds of open spaces in the core. Outside of the core are two small clusters around community greens. Ridge*

roads extend into the woods with several home sites on small footprints and walking trails.

- 2. Elizabeth Dean, 9595 Wilkerson Mill Road – said she is the next-door neighbor. They have lived there 35 years. The Future Development Map shows Wilkerson Mill Road as a development corridor. The previous subdivision could have been built and it would have had much less appeal. It is a beautiful piece of property. She appreciates the thought they have put into how they will use it. The quality of the next project is very important, and this is a chance for a good outcome.*
- 3. Bill Creel, 8150 Rico Road – said he has 42 years in real estate. For more than ten years the site has been grown up, ugly, concrete barriers. He knows the principals and the developers and trusts them. Was involved in the early days of the city and what was envisioned was projects like this with greenspace, walking trails, and upscale housing, so it should get a thumbs up.*

There was no other public comment. Mr. Johnson closed the public hearing.

Mr. Cloud asked about the change in the nonresidential space and what the applicant was looking for in the variance request. Mr. Snodgrass pointed out that the revised plan meets the 10% requirement, but that the applicant would still like a variance to a 5% minimum.

Mr. Johnson asked about the zoning revision and which rules would apply. Mr. Morton explained that their application came in under the current zoning rules so those are the rules that would apply.

Mr. Cloud suggested combining the Concept Plan discussion with the rezoning and variance discussion. He added that he thinks that the proposal is much better than what is on the property currently and that is it a very well thought-out plan. The variance for 5% non residential doesn't bother him. He understands the rationale for the buffer reduction, but wants to be very careful with it and make sure the existing buffer is preserved. He asked about some language for a proposed condition to ensure that the buffer remains protected where it is reduced by variance along the thoroughfare.

Mr. Morton distributed some language that had been used as a condition on previous variances to ensure that a reduced buffer remains effective.

Mr. Johnson suggested that the Commission spend a couple of days tightening up the language. Mr. Morton said that would be fine as long as they are clear on the intent of that language in their vote.

John McGregor, representing the applicant, explained that the plan for the buffer reduction does not propose removing any of the trees that were not cleared in 2008.

Mr. Cloud discussed the importance of preserving the existing tree stand. Mr. Lightsey asked about documenting the baseline conditions. Mr. Cloud and Mr. Morton discussed requiring a tree survey in the buffer areas at the location of the variance.

Mr. Johnson made a motion to recommend approval of the rezoning and variances and the concept plan with the amended conditions. Mr. Hattaway seconded. The motion passed unanimously.

Old Business

There was no old business.

New Business

6. Concept Plan approval for the Bear Creek Mixed-use Hamlet

This item and vote was combined with the discussion and vote on the rezoning, above

7. Concept Plan and Preliminary Plat – Serenbe Phase 3A Unit 8 – Eleven proposed lots in Mado West near Prom Field Road.

Mr. Morton presented the item, a preliminary plat in the northwest portion of Mado in Serenbe, proposing a lot for a school, a lot for senior living, six live-work lots, and three lots for multifamily use. The current approved concept plan was approved by Fulton County in 2006. The proposed Preliminary Plat represents an amendment to the Concept Plan. Due to the level of conceptual similarity to the concept plan, staff determined that the amendment is a minor amendment.

Mr. Johnson said that the plan is a good plan, but that he sees it as a major amendment, due to the location of the school and the addition of significant parking. Mr. Cloud agreed that it was a major amendment

Mr. Morton explained that if the Commission determined that it was a major amendment then the Concept Plan would go to City Council for approval. He suggested that if that were the case, that the Planning Commission should consider approving the Preliminary Plat contingent on City Council approval of the Concept Plan.

Mr. Lightsey agreed that the addition of the school and the parking made it a major amendment.

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.

Mr. Cloud made a motion to approve the preliminary plat contingent on the City Council approval of the Concept Plan. Mr. Johnson seconded. The motion passed unanimously.

Mr. Johnson made a motion to recommend approval of the Concept Plan. Mr. Hattaway seconded. The motion passed unanimously.

Staff Reports

Mr. Morton presented the building permit statistics and ran through the schedule for wrapping up the Comprehensive plan process.

Adjourn Meeting

Mr. Johnson made a motion to adjourn. Mr. Cloud seconded. The motion passed unanimously. The meeting adjourned at 8:29 p.m.

Approved this 14th day of October, 2021.

Patrick Johnson, Chairman

Attest:

Dana Wicher, City Clerk