



Planning and Zoning Commission

Meeting Minutes

City Hall: 56 Malone Street, Fairburn, GA 30213

Tuesday, August 1, 2023, 7:00 p.m.

Jason Jones, Chair
Anthony Stewart, Vice-Chair
Elizabeth Echols
LaVone Deavers
Michelle James
Tony Smith

Planner: Chancellor Felton
Planning Director: Denise Brookins
City Attorney: Rory Starkey

- A. Call to Order:** The meeting was called to order at 7:15 pm by Chairman Jones.
- B. Determination of a Quorum:** A quorum was determined, and the meeting proceeded.
- C. Pledge of Allegiance:** Chairman Jones led the Pledge of Allegiance.
- D. Approval of the Meeting Agenda:**
 - 1. Commissioner James made a motion to approve the agenda. Commissioner Deavers seconded.
THE MOTION CARRIED.
- E. Approval of the Meeting Minutes:**
 - 1. Commissioner James made a motion to approve the July 11, 2023, minutes. Commissioner Echols seconded.
THE MOTION CARRIED.
- F. Public Comments:** Chairman Jones opened the floor to general, public comments. No public comments were made. Chairman Jones closed the floor to general, public comments.
- G. Old Business:** None.
- H. New Business:**
 - 1. **Concept Plan and Building Elevations: PVI Fairburn Office Building**
Applicant: Bernard Gallagher
Address: 5645 Milam Road, Parcel ID: 09F020400130020
Request to review the concept plan and building elevations.
 - a. Chairman Jones introduced the case. Chancellor Felton presented the case on behalf of Staff. Staff made a recommendation for approval with conditions. Chairman Jones opened the floor for the Commission to ask Staff questions.
 - b. Commissioner James asked where the site is located in reference to Senoia Road. Mr. Felton answered that it is located behind the bank.

- c. Commissioner James inquired about the unnamed road. Mr. Felton answered that the unnamed could potentially link with Renaissance Parkway depending on development patterns and could potentially be named Renaissance Parkway.
- d. Chairman Jones closed the floor to ask Staff questions and opened the floor to ask the applicant questions and address the Commission.
- e. Commissioner James asked exactly what their business is. The applicant explained their business model.
- f. Commissioner Deavers asked if the applicant has been doing work in Fairburn. The applicant answered yes.
- g. Commissioner Stewart asked how many employees will be at the Fairburn office. The applicant answered that they have 75 employees nationally. 50 employees are typically on the road, while the other 25 employees are scattered about their national offices.
- h. Commissioner Stewart asked if they will be hiring in the area. The applicant answered yes.
- i. Commissioner Smith inquired about the different buildings and their purpose. The applicant explained that the primary purpose of the buildings was to be used as office space, but the warehouse will be used for temporary storage of products.
- j. Chairman Jones closed the floor to ask the applicant questions.

Commissioner Echols made a motion to recommend **APPROVAL**. Commissioner James seconded.
THE MOTION CARRIED.

2. Concept Plat: Cigar Studio South

Applicant: William O'Neal

Address: 0 Harris Road

Request to review the concept plat.

- a. Chairman Jones introduced the case. Denise Brookins presented the case on behalf of Staff. Staff made a recommendation for approval with conditions. Chairman Jones opened the floor for the Commission to ask Staff questions.
- b. Commissioner James asked will they be doing anything differently with the site. Ms. Brookins answered no.
- c. Commissioner Deavers asked if any improvements will be made to the site. Ms. Brookins responded not at this time.
- d. Commissioner Stewart asked what will combining the parcels allow the property owners to do. Ms. Brookins responded exactly what they are doing now.
- e. Chairman Jones closed the floor to ask Staff questions.

Commissioner Deavers made a motion to recommend **APPROVAL**. Commissioner Stewart seconded.

THE MOTION CARRIED.

3. Use Permit: Fairway Foodies (DBA: Swing)

Applicant: William O'Neal

Address: 8480 Senoia Road, Parcel Numbers: 09F020400070044 and 09F020400070127

Request to review the use permit.

- a. Chairman Jones introduced the case. Chancellor Felton presented the case on behalf of Staff. Staff made a recommendation for approval with conditions. Chairman Jones opened the floor for the Commission to ask Staff questions.
- b. Commissioner Echols asked if there is more than one food truck. Mr. Felton responded that the applicant can answer that question. Commissioner Echols asked if the trucks will be there permanently. Mr. Felton answered that the food trucks will be there for the operating hours.
- c. Chairman Jones asked if the food trucks will be contracted to provide food and beverage services and then depart. Mr. Felton said yes.
- d. Commissioner Deavers asked if there is a list of the companies contacted for the public participation meeting. Chairman Jones responded that the list is not required for the Commission, but there is a contact list that Swing used to notify others of their use permit efforts. Ms. Brookins concurred. Mr. Felton added that there is a list of the attendees of the public participation meeting as well.
- e. Commissioner Stewart asked if Swing owned the food trucks. Mr. Felton responded that they do not own the food trucks.
- f. Chairman Jones asked if any of these food trucks are like any other food truck at a city event. Mr. Felton responded yes.
- g. Chairman Jones closed the floor to ask Staff questions and opened the floor to ask the applicant questions and address the Commission.
- h. Commissioner Stewart asked the applicants if they are the owners of Swing. The applicant responded yes. The other owners are at Swing and the National Night Out. Commissioner Stewart inquired about the business model of Swing. The applicants explained their business model to the Commission.
- i. Commissioner James gave the applicant the opportunity to explain their intent for mobile food trucks. The applicant answered that it would give Fairburn a unique dining experience.
- j. Commissioner Echols asked if there are three entities that own Swing. The applicant answered that there are four owners: them (2) and the other applicants that are not present (2). Commissioner Echols asked if another entity owns the food trucks. The applicant responded that the food trucks are owned by independent contractors. Commissioner Echols asked if the food trucks will be there every day. The applicant responded that there will be a rotation of food trucks.
- k. Chairman Jones asked if there will a rotating food truck for each day. The applicant responded yes.
- l. Commissioner James asked what the maximum number of food trucks will be. The applicant said three (3) to four (4), at a maximum.
- m. Chairman Jones asked if there is a limit for profit purposes. The applicant answered yes.
- n. Commissioner Smith asked if they are aware of existing food options close to Swing. The applicant responded yes, but with the food trucks, unique dining options will be offered. The foot traffic has proven that.
- o. Commissioner Deavers had a concern with the look of food trucks when entering the City via Senoia Road where the site is located. The applicant answered that the business will

benefit the aesthetics and identity of Fairburn. Commissioner Deavers inquired about the positioning of the food trucks. The applicant explained the welcoming position of the food trucks.

- p. Commissioner Echols stated the foot traffic is for golfing, not the food service because they do not serve food. The applicant stated that both the golfing and food trucks are a part of the overall business plan.
- q. Commissioner Stewart wanted to welcome and thank the applicants.
- r. Chairman Jones closed the floor to ask the applicant questions.

Commissioner Smith made a motion to recommend **APPROVAL**. Commissioner Stewart seconded.
THE MOTION CARRIED.

4. Rezoning from PD (Commercial) to PD (Residential): Durham Lakes

Applicant: John Hardy Jones

Address: 0 John Rivers Road

Request to review the rezoning.

- a. Chairman Jones introduced the case. Denise Brookins presented the case on behalf of Staff. Staff made a recommendation for approval with conditions. Chairman Jones opened the floor for the Commission to ask Staff questions.
- b. Commissioner James proclaimed that the staff report packet was amazing. It was very detailed and thorough. It answered many of her questions beforehand.
- c. Chairman Jones opened the floor to public comments. Commissioner James motioned to open for public comments. Commissioner Deavers seconded.

THE MOTION CARRIED.

- d. The applicant and a public commenter, Michele Battle, presented. Chairman Jones opened the floor for the Commission to ask the applicant questions.
- e. Commissioner Smith asked what the minimum unit square footage is. The applicant said that 1,400 square feet is the minimum square footage. Commissioner Smith asked what the selling prices for the townhouses were. The applicant responded \$325,000 to \$350,000. Commissioner Smith asked if the applicant was aware of the selling prices in the adjacent neighborhood, Durham Lakes. The applicant replied absolutely, but they are geared for transitional housing from industrial uses to single-family home uses.
- f. Commissioner James asked what type of trees and shrubbery will be in the vegetative buffer. The applicant responded that 8-foot-high green giant trees will be planted. Another public commenter, Joe Ingram, contributed to the discussion. Mr. Ingram stated that development will be out of the vegetative buffer and that they will keep as many trees as possible. Commissioner James asked about the time it will take for the trees to reach maturity. Mr. Ingram stated that it will take 10 to 20 years. Commissioner James inquired if the new development and existing development will be able to see in each other's backyards. Mr. Ingram responded from backyard-to-backyard, yes, but from back-of-home-to-back-of-home, not so much. The applicant wanted to note that only around four units will be abutting the existing houses. Commissioner James asked if there will be fencing. Mr. Ingram said that there will be a 6-foot privacy fence. Commissioner James asked that it will not be a sound barrier, it would be an opaque fence. Mr. Ingram said that it will be a regular privacy screen.

- g. Commissioner Smith asked if the style of the development will be the same throughout. Mr. Ingram said yes.
- h. Commissioner James asked if another entrance will be off Highway 29. Mr. Ingram said no. The site will only be able to support one entrance/exit. Commissioner James asked if a traffic light will be installed. Chairman Jones asked if Staff wanted to address that question. Ms. Brookins responded that the applicant can answer that question as well, but a traffic study will be a requirement, which could reveal that finding. The applicant said that they will comply with all requirements. Commissioner James asked if an HOA will be established. The applicant said yes. Commissioner James asked if there will be a rental cap. The applicant said yes.
- i. Chairman Jones closed the floor to ask the applicant questions.
- j. Rufus Wells, a public commenter, was in favor of the rezoning. He stated that we need more housing in Fairburn and he is in favor of a traffic light.
- k. Chairman Jones closed the floor to public comments. Commissioner James motioned to close for public comments. Commissioner Smith seconded.

THE MOTION CARRIED.

Commissioner James made a motion to recommend **APPROVAL**. Commissioner Stewart seconded.

THE MOTION CARRIED.

I. Commissioner Comments:

- 1. Commissioner Deavers commented that she is glad to see all the commissioners back.
- 2. Commissioner James wanted to thank everyone who attended the meeting.
- 3. Chairman Jones commented that he wanted to congratulate us for the longest meeting this year.
- 4. Commissioner Stewart wanted to welcome the Council members that were present during the meeting: Mayor Pro Term Davis, Councilwoman Portis-Jones, and Councilman Whitmore.
- 5. Commissioner Smith commented that is great to see other leaders here today. They are doing a great job.
- 6. Commissioner Echols commented that she is glad to see Council members here today and is grateful for their attendance. She hopes that the Commission did a good job.

J. Adjournment:

- 1. Commissioner Deavers motioned to adjourn the public meeting at 8:45 pm. Commissioner James seconded.

THE MOTION CARRIED.

CITY OF FAIRBURN

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