



PLANNING AND ZONING COMMISSION MEETING MINUTES

City Hall
56 Malone Street
Fairburn, GA. 30213
Tuesday, December 6, 2016
7:00 P.M.

Elise Stoney, Chairman
Elizabeth Echols, Vice-Chairman
Mark Wade (*Absent*)
Shelby Phillips

Jerry Williams
Tony Smith
Homer Knight

City Planner:
City Engineer:
City Attorney:
Recording Secretary:

Tarika Peek
Brendetta Walker
Valerie Ross
Rachelle Eyma

- I. **MEETING CALLED TO ORDER:** By Chairman Stoney
- II. **ROLL CALL:** All members of Planning and Zoning Commission were present except Commissioner Wade which constituted a quorum.
- III. **PLEDGE OF ALLEGIANCE:** Recited in unison.
- IV. **PUBLIC COMMENTS:** None
- V. **ADOPTION OF AGENDA:** Commissioner Williams moved to APPROVE the agenda. Commissioner Phillips seconded. **The motion carried.**
- VI. **APPROVAL OF PREVIOUS MEETING MINUTES**
Motion and Vote: Commissioner Williams moved to APPROVE October 4, 2016 meeting minutes. Commissioner Phillips seconded. **The motion carried.** Commissioner Williams moved to APPROVE November 1, 2016 meeting minutes. Commissioner Smith seconded. **The motion carried.**
- VII. **PUBLIC HEARING:**
PRIMARY VARIANCE 16V-004-RedRock Development 5000 Bohannon Road

SUMMARY/STAFF PRESENTATION: The applicant is requesting a primary variance as follows:

To allow two (2) monument signs to be located on the same street frontage - Section 80-431(b)(1)(a)

The applicant explains in the letter of intent that the additional sign on the subject property will enable the property to be easily identified by truck traffic traveling on Bohannon Road. The additional sign will minimize truck stacking along Bohannon Road which will create better traffic

flow and less congestion on Bohannon Road and connecting streets. As more distribution centers are developed in the area, an additional sign would enable safer movement of truck traffic because the building entrances (driveways) will be clearly identified.

Based upon review, Staff recommends **DENIAL** of the variance request to allow two monument signs to be located on the same street frontage (Bohannon Road)

Commissioner Knight questioned the purpose of denial. Ms. Peeks stated the applicant have to demonstrate a hardship for a sign variance. Ms. Peeks further explained that staff is of the opinion that the applicant has not demonstrated a hardship based on the criteria to grant a variance request. Commissioner Knight queried as to whether this is the same standard previously used by the city. Ms. Peeks confirmed that this the same standard previously used by the city.

Commissioner Phillips inquired about the lighting (street lights) on Bohannon Road. Vice- Chair Echols and Commissioner Phillips stated there is not any street lights on Bohannon Road, therefore Commissioner Phillips queried as to whether that would constitute a hardship. Ms. Peeks stated a hardship is based on shape, size topography of a lot and also whether the sign would be obstructed from any type of structure or foliage and those were the criteria that staff looked at when considering a variance. Ms. Peeks further stated street lighting was not considered during the review process.

Commissioner Williams asked if the applicant will be referring to the pictures. The applicant replied yes. Commissioner Williams wanted the pictures to be adjusted for viewing.

Spoke In Favor: John Barker Jr., Metropolitan Ave, Charlotte, NC

Mr. Barker thanked everyone for their time and for allowing him to speak. Mr. Barker also thanked staff for all of their hard work on present and future projects in the City of Fairburn. Mr. Barker stated Mr. Chris Seaward is the owner of the building and was present and represents the tenant, Smuckers. An aerial photo is shown to show how the trucks are circulating in and around the property. Most trucks are coming off of Senoia Road (Southbound) onto Oakley Industrial Boulevard, going over Bohannon Road Bridge to Smucker's location, new location or Google then circle back past Porex onto the interstate as stated by Mr. Barker, this is the normal flow. Per Mr. Barker, for truck access, there is no turn around for trucks. Once they commit to deliver off of Northbound Bohannon, they cannot turn around stated Mr. Barker. Mr. Barker indicated if the driver misses the entrance to the distribution center to drop a load and pick up another load, they would have to go all the way around. The proximity from the bridge to the driveway is about 675 feet and GDOT's range is within the 400 feet range which means they should have more than enough time to see the sign and they understand if that's what GDOT says per Mr. Barker.

Commissioner Williams asked if the slides shown are the two driveways in question and which driveway is the entrance. Mr. Barker showed Commissioner Williams which driveway is the entrance and the 2nd driveway is for employees. Commissioner Williams inquired about standing signs. Mr. Barker stated there is a temporary sign. Commissioner Williams questioned as to whether there was not a permanent sign on the property. Mr. Barker stated that was correct, no permanent signs are on the property. Commissioner Williams inquired as to whether a sign can go at the entrance or the exit driveway if you are only allowed one sign. Mr. Barker said that was correct. Commissioner Williams stated you still have that option of placing a sign on the property at either driveway. Mr. Barker said yes but keep in mind the trucks are going to come in and go out the same driveway. Commissioner Williams queried as to what is the purpose of the 2nd driveway? Mr. Barker stated the 2nd driveway is for the employees. Mr. Barker stated the

manifest need to be controlled through the guard shack. Commissioner Williams confirmed that there will be a guard shack. Mr. Barker stated yes there will be a guard shack to let people in that are supposed to be there come in with the correct load and also make sure they leave out with the correct load.

Commissioner Knight queried as to whether there will be an indication of in and out marked on the street going in and out of the building. Mr. Barker stated yes there is a deceleration lane and in and out is indicated.

Mr. Barker showed a slide indicating proposed location of the 2 signs in question. Mr. Barker stated the top (building) sign is a way finding sign and the sign below is a monument sign for both buildings. Mr. Barker stated both signs are not for the same reason. The monument sign was originally to let you know where Smucker's was located stated Mr. Barker. Commissioner Williams wanted clarity as to whether there would be one standing sign and then one sign on the building. Mr. Barker confirmed there will be (2) two standing signs. Mr. Barker further explained how the trucks are scheduled to come in and what effect it would have if they miss the driveway.

Commissioner Knight asked if most truck drivers always have the same driving route. Mr. Barker stated that was correct. Commissioner Knight further suggested that if the truck driver makes a mistake once then he would know the correct way to go the next time. Mr. Barker agreed. Mr. Barker stated the tenants have expressed their concern of the truck drivers missing their ques due to missing the driveway which causes a delay.

Commissioner Williams gave an example of how he helped a relative that drive trucks to locate the front entrance over the phone at night and stated the way the GPS took him he would have seen the sign anyway. Mr. Williams asked as to whether the deliveries would be within daylight hours. Mr. Barker stated the distribution center is a 24 hour center.

Mr. Barker continued to talk about what they considered hardship. Mr. Barker stated safety was part of their way of thinking. Mr. Barker indicated Bohannon Road will still be congested but commended the City of Fairburn for upgrading Bohannon Road which will help a lot with the congestion. The main hardship is really directed toward the business and they tried to quantify what that means in dollars and cents. Mr. Barker stated they based their findings on 12 months with 150 inbound deliveries but it has changed to 300 inbound/outbound deliveries. (The tenant has been there for 12 months) Mr. Barker further talked about their analysis. Commissioner Knight queried as to whether this analysis was for 12 months. Mr. Barker stated that was correct. Commissioner Knight inquired as to whether this was for the past 12 months pertaining to the tenant. Mr. Barker stated that it is not an actual analysis, it is a projected analysis. Commissioner Knight wondered as to why an actual analysis was not performed since the tenant has been at the location for 12 months. Mr. Barker stated this analysis was his analysis not the tenant. Commissioner Knight stated since the tenant would like an additional sign, would not the tenants data be more important than Mr. Barker's analysis. Mr. Barker specified yes but that data was not tracked by the tenant therefore they do not have the data.

Commissioner Williams identified truck drivers rely heavily on GPS and it will tell you exactly where to turn. Commissioner Williams further indicated the sign is not the only thing truck drivers rely on and that's not the biggest thing that would cause a truck driver to be delayed, traffic would cause most delays.

Commissioner Smith queried as to the sole purpose of wanting (2) two signs. Mr. Barker confirmed that is was so the truck driver would not mistakenly miss the turn into the driveway.

Mr. Barker showed pictures of locations that currently have (2) two signs. Commissioner Williams stated some signs could be grandfathered in. Mr. Barker agreed.

Mr. Barker recapped as to why the variance is necessary and desired. Mr. Barker felt that a text amendment should really be considered pertaining to the signs. Commissioner Williams stated unfortunately there is not a text amendment before the board tonight and a decision has to be made tonight. Mr. Barker stated he understands. Mr. Barker stated that if he was denied tonight, he would challenge the board as leadership to push forward and really consider a text amendment.

Commissioner Knight stated hardship has not been shown thus far, only the benefit of having the sign has been shown. Commissioner Knight stated the board has to stay consistent and follow the ordinance. Mr. Barker said that was an excellent point but in the skim of hardship as it relates to the rules in the document it is very abstract. Mr. Barker further explained what hardship meant to him which is loss of revenue, drivers out of sequence, it rained and the driver could not get there. Commissioner Williams stated the hardship definition is given in the ordinance and that is what the board has to go by. Commissioner Williams further stated that sometimes the ordinance gives discretion, less or no discretion and we have to stay within the guidelines of what the City has already agreed to and what they have already established in the ordinance. Commissioner Williams stated they are going to be very fair tonight in making their decision and the board will follow with the guidelines that have already been established. Mr. Barker said he respects that, he would not expect anything but that and he understands. Mr. Barker stated he is just here to share his case on behalf of the tenant and the request seemed reasonable. Commissioner Williams thanked Mr. Barker for his presentation.

Spoke Against: None

(Close of hearing. Planning and Zoning Commission questions and discussion)

Commissioner Knight questioned as to whether there was anything wrong with having a mobile sign. Ms. Peeks stated the ordinance only allow permanent signs and a temporary sign. Ms. Peeks further stated the only temporary sign currently in the zoning ordinance is a banner which is only valid for 14 days/ 6 times a year. Ms. Peeks stated a temporary free standing sign is valid for (1) one year and it can be 24 square feet and 6 feet in height.

Commissioner Phillips asked will there be additional buildings to go along with building A. Ms. Peeks confirmed, yes there will be buildings A, B and C. Mr. Phillips inquired about the driveways as to whether they are close proximity to each other. Ms. Peeks stated the driveway for B is on Bohannon Road and the driveway for C will also be off of Bohannon Road. Commissioner Phillip queried as to whether the signs are lit or will the light shine under the signs at night. Ms. Peeks confirmed that the signs are not internally lighted. The applicant has a choice to have the sign externally lighted but a sign permit application have not been submitted as of yet but according to the plans it seems as if they will have an external lighting.

Commissioner Smith questioned as to whether the signs shown in Mr. Barker's presentation were grandfathered in. Ms. Peeks stated without knowing the particular address for the locations, some could be grandfathered in; some of them could also have two (2) street frontages. Ms. Peeks stated the sign ordinance does allow two (2) freestanding or monument signs but you have to be on two (2) street frontages. Ms. Peeks further stated in this case there is only one (1) street frontage, which is on Bohannon Road. Ms. Peeks stated if there was another street frontage, he would be allowed an additional sign.

Vice-Chairman Echols queried as to whether the monument sign will be for building A, B and C. Ms. Peeks confirmed each lot will be able to have their own signage.

Commissioner Phillips queried if there is not a sign for Building B or C can the driver turn into the driveway. Ms. Peeks stated it was possible. Commissioner Williams asked if it was possible to have identification on the building itself. Ms. Peeks stated each building does have identification, each building is allowed a wall sign. Vice-Chairman Echols inquired if the wall sign is visible from Bohannon Road. Ms. Peeks stated it depends on how big the sign is on the wall as to whether it can be seen from Bohannon Road. Commissioner Knight asked about the size of the sign allowed. Ms. Peeks stated the sign can be 10 percent of the height and width of the wall.

Motion and Vote: Commissioner Williams moved to deny the variance request. Commissioner Knight seconded. Commissioner Phillips opposed. **The motion carried.**

VIII. NEW BUSINESS: None

IV. STAFF COMMENTS: None

- V. COMMISSION MEMBERS COMMENTS:** Chairman Stoney thanked everyone for comments and discussion. Chairman Stoney further stated that a similar instance was heard earlier this year from the Renaissance Festival and maybe this is something that would need to be acknowledged in the future. Chairman Stoney also wanted to wish everyone a Merry Christmas and a Happy New Year/Happy Holidays and take time to reflect and spend with your families.

VI. ADJOURN:

Motion and Vote: Commissioner Williams moved to adjourn. Vice-Chairman Echols seconded. **The motion carried.**

Meeting adjourned at 7:36 p.m.

Approval Signatures	
Date Approved	1/10/2017
Elise Stoney, Vice-Chairman	Elise Stoney
Rachelle Eyma, Recording Secretary	R Eyma