

**City of Fairburn
Planning and Zoning Commission Minutes
November 4, 2014**

Attendance

Present were Chairman Elise Stoney, Commission Members-Vice-Chair Shelby Phillips, Mark Wade, Andrew Whitmore, Elizabeth Echols, and Jerry Williams. Also present were Acting City Planner - Jahnee Prince, City Attorney - Valerie Ross, City Attorney- Meredith Germain and Njeri Gillard.

Call to Order

Chairman Elise Stoney called the meeting to order at 7:00 pm in the City Hall Council Chambers.

Roll Call – Determination of Quorum

A quorum was confirmed for meeting.

Pledge of Allegiance

The meeting opened with the reciting of the Pledge of Allegiance.

Public Comments

No Comments

Adoption of Agenda

Commissioner Whitmore made a motion to approve the agenda. Commissioner Echols seconded the motion and it was unanimously approved.

Adoption of Minutes

Commissioner Whitmore made a motion to approve the minutes from October 7, 2014 with the corrections. Commissioner Williams seconded the motion, and it was unanimously approved.

Unfinished Business

St. John AME Church Conceptual Plan-Use permit was granted from Mayor & Council in September for St. John AME Church. Property zoned R-2 which allows churches. The conceptual site plans shows a module building. Staff recommends approval. Commissioner Williams made a motion to approve the conceptual site plan for St. John AME Church. Commissioner Wade seconded the motion, and it was unanimously approved.

Starbucks Variance and Conceptual Site Plan-Highway 74 front buffer overlay was discussed last month but was tabled. The variance and site plan are considered together

at this time. Revised landscape plans were presented pertaining to the buffer. Staff recommends denial of variance request and denial of conceptual site plan.

Richard Lester represented the applicant for Starbucks was explaining the recommended landscape that would be proposed to reduce the planted buffer from 35ft to 20ft, landscape the island and add a sidewalk.

Commissioner Williams made a motion to deny the variance and the conceptual site plan Vice-Chair Phillips seconded the motion. Motion carried unanimously.

New Business

Text Amendment-Sign Ordinance-Ms. Prince request to move the sign ordinance to the end of the agenda. Commissioner Williams made a motion to move the sign ordinance to the end of the agenda, Commissioner Wade seconded the motion. Motion carried unanimously.

Bojangles Conceptual Site Plan-The applicant is proposing a 3800 square feet restaurant with a drive thru on 1.1 acre lot. Staff previously wanted to recommend tabling the conceptual site plan due to the landscape does not meet the requirements from Section 74-34 Tree Density but a revised plan was received. According to the new plan the trees are entirely too close as they grow the trees will perish. New recommendation is to table this item and allow the applicant to submit a landscape variance to Mayor and Council and then next month the applicant can come back to Planning and Zoning meeting for approval.

David Hughes stated he bought the property in 2007 and then put Harris Road in. The lot is not in the Coventry Development. Mr. Hughes stated the plan was done by the ordinance and then the ordinance was revised. Brian Upton with the Isaacs Group is the Civil Engineer stated they wanted to request if there were a way the concept plan could move forward as they were going through the variance process and can lose some of the parking lot spaces to accommodate the trees so there are not so many to cause crowding.

Chairwomen Stoney stated it has been recommended the Bojangles Conceptual site plan be tabled until the necessary information is obtained. Vice-Chair Phillips wanted to know what would be the adverse effect of postponing the item? Ms. Prince stated a landscape variance is needed if they planting according to the plan is desired or reduce the number of trees planted so they will live. Per Ms. Prince there is an option to approve the site plan contingent upon the approval of variance by Mayor and Council and the approval of landscape by staff.

Dwight Church is a developer for Bojangles and is asking for approval of the site plan so the project will not be prolonged.

Commissioner Whitmore asked why the only plan he received was pertaining to the landscape. Ms. Prince stated the landscape plan show the whole site. Commissioner

Whitmore also stated the copy of conceptual plans submitted was too small for reviewing. Ms. Prince will have 11x17 for future plans. Commissioner Williams asked if only the number of trees is preventing the approval? Commissioner Whitmore stated he will not be able to vote on this item due to not being able to see the plans properly for review. Large plans were submitted to the Commissioners. Mr. Upton as the Engineer stated they would remove some of the parking spaces in the rear and take some of the trees from the front and relocated them in the rear. Some of the Tree islands can be made larger to accommodate more trees. Two kinds of trees are being planted, Japanese Zelkova and Cherry trees which can get 25 feet tall.

Commissioner Williams moved to accept the Conceptual Site plan contingent upon the granting of the landscaping variance with a condition and staff approval of landscaping plans. Vice-Chair Phillips seconded the motion. Motion carried unanimously.

Jay Knight rezoning from R-CT to PD for detached housing in the Fieldstone Subdivision- Applicant would like to rezone 23 lots in Fieldstone subdivision to PD Planned Development. Staff recommends approval with (7) seven conditions-1. Single Family detached homes only 2. Front yard setbacks to match existing front setback 3. Side yard setbacks to be determined by the Fire Marshall. 4. Rear yard setbacks of 10 feet. 5. Building materials must match existing homes-brick or masonry siding only 6. Five feet wide sidewalks must be constructed on all street frontages 7. Street trees must be planted 40 feet on center to be approved by the City Planner

Chairman Stoney asked pertaining to the existing homes, what is the distance between? The homes are approximately 6 to 8 feet apart, no separation requirements due to they are townhomes.

Commissioner Wade asked what size tree will be planted? Ms. Prince states typically a 2 inch tree in the right of way and as to where the trees will be placed should be a field decision based upon, utilities and spacing.

Commissioner Whitmore stated when talking about planting trees, there is still a concern about the utility. Ms. Prince replied yes that why a field decision should be made according to each lot because we do not want to interfere with the utilities in anyway.

Commissioner Whitmore commented on the building materials.

Jay Knight-90 E. Campbellton Street-He states if the homes are detached then there would be more stability for the homes and less rentals in the area. Their plan is to turn all the (approx. 120) townhomes and apartments into single family homes.

Vice-Chair Phillips asked about the typical size of the current homes. Mr. Knight stated approx. 1200 square feet. The proposed homes would be approximately 1600 to 1700 square feet with a 2 car garage, foyer, stairs and 3 to 4 bedrooms upstairs.

Vice-Chair Phillips would like to expand the lots to single family and thinks it would improve the area. He was also surprised about the dumpsite generating in the community. Mr. Knight stated Mr. Lester would have to deal with the dumpsite.

Rezone R-CT to PD to allow for single family homes, Ms. Ross recommends to refer to staff's recommendation in the application to Mayor and Council, in order to address as one since all of the lots are listed on the application.

Vice-Chair Phillips inquired how one can ask for a higher rate for the homes if dumping is occurring. Commissioner Whitmore has one who lives in a subdivision, recommends there should be an item number 8 added to the conditions stating the dumping should be cleaned up prior to approval.

Mr. Knight stated that he doesn't own the property where the dumping is. Ms. Ross clarified only the owner can be held responsible for the lots.

Commissioner Whitmore made a motion to recommend changing the zone from R-CT to PD with said (7) conditions. Commissioner Wade seconded the motion. Motion carried unanimously.

Text Amendment-Sign Ordinance-To amend the zoning ordinance, Sections 80-427-80-431 to address LED signage. Staff recommends approval of the ordinance adopting the text amendments for Section 80-427 to 80-431 to address LED signage. There are LED signs within the City but none are allowed. Ex. Gas station signs

The full section of the ordinance was handed out along with the changes that were made at the special called work session (Mayor and Council) on October 6, 2014. Ms. Prince went through each change. See Attached ordinance with the changes in red.

Planned Center-(Many tenants) Vice-Chair Phillips asked is the tenants to share one sign? Ms. Prince replied yes, that is the intent but most tenants would like to have their own sign.

CORRECTION: LED Signs-The electronic part of the sign can only be in a free standing monument not in the wall sign per Meredith Germain. Vice-Chair Phillips inquired how you control the sign. Ms. Ross stated the electronic signs have to be able to be turned off remotely. It has to have light sensing devices.

No LED or electrical signs allowed in DC-1, DC-2 or Highway 29 overlay districts.

How will the lighting affect residential areas? - Lighting is measured in candles and the standard is .1 candles. The signs have to have a component that will free the sign if it malfunctions. 3 displays per minute therefore it is not changing excessively. (20 seconds per sign).

Vice-Chair Phillips questioned how the existing sign ordinance that was recently approved compare. Ms. Prince that LED was never addressed and some housekeeping rules were necessary.

Commissioner Whitmore commented about the existing building looking to have height change for signs (4 feet). Ms. Prince said some conversation has been had and could be changed. Ms. Germain stated the height is set at 15 feet in the O & I district and could change to 20 feet but this has not been discussed with Mayor and all of the Council as of yet. It is scheduled for Public hearing at the next City Council Meeting. Commissioner Whitmore inquired if a recommendation is made will it be presented to the Mayor and Council. The response was yes it would be. Commissioner Whitmore recommends changing 15 feet to 20 feet throughout the document. Vice-Chair Phillips proposed that the new ordinance be compared to the existing ordinance. Ms. Germain explained everything in black is the current ordinance, the changes are in red will be added and the deletions have a line through it.

Commissioner Whitmore made a motion to recommend approval of the ordinance adopting the text amendments for Sections 80-427 thru 80-431 to address the LED signage. Commissioner Williams seconded the motion. Motion carried unanimously.

Staff Report

The next meeting will be on December 2, 2014 and the packets will be out sooner.

Commissioner Comments

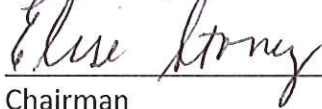
Vice-Chair Phillips stated he attended the meeting pertaining to the City branding last week. His suggestions are Georgia Peach or Hot Atlanta and recommends Panhandle.

Commissioner Whitmore wanted to thank staff about the fieldtrip. He also talked about learning the difference in the setbacks on Highway 74 going toward Peachtree City. Thanks to staff for working on all of the text amendments and he also appreciate sitting on this board. He wants everyone to have a Happy Thanksgiving!


Chairwoman Stoney welcomed Njeri back and thanked her. She also thanked Ms. Ross and Ms. Germain.

Adjourn

There being no further business to discuss, a motion was made by Commissioner Echols to adjourn. The motion was seconded by Commissioner Whitmore and it was unanimously approved at 8:44 pm.



Chairman
Elise Stoney



Acting City Planner
Jahnee Prince



for

Recording Secretary
Njeri Gillard