



Union City, Georgia
Planning Commission Meeting Minutes
July 29, 2019
7:00 p.m.

Present: Chairwoman, Marilyn McCain, Vice Chairwoman, Linda Johnson, Member Jo Croom, Member Trevor Cason, Member Robert Potts, Community Development Director, Ellis Still, Senior Planner, Kalanos Johnson, City Planner, Brandon Paulk, and Assistant City Attorney, Patrick Stough

Absent: N/A

Chairwoman McCain called the meeting to order at 7:04 p.m.

I. Approval of Minutes: April 29, 2019 Meeting

Member Croom made one correction to the minutes.

On the motion made by Member Croom, seconded by Vice Chairwoman Johnson and carried, the minutes from April 29, 2019 was approved with one correction noted. Vote was unanimous.

Chairwoman McCain made a deviation to the agenda. The deviation was to review the New Business first, then review the Old Business.

II. New Business

A. *Item #19000170-* Final Plat, to subdivide 1 tract into 2 tracts. The land consists of 6.919 acres and is zoned M-1 (Light Industrial). The property is located in front of 5250 Jonesboro Road.

Director Still gave a presentation on the property. Mr. Still stated that property is divided by a driveway, but has not officially been subdivided. This property was rezoned in February 2018 from GC to M-1. He stated that Tract 1 will consist of 3.172 acres and Tract 2 will consist of 3.747. Staff recommended approval of the Final Plat.

On the motion made by Member Croom, seconded by Member Potts and carried, the Final Plat was approved. Vote was unanimous.

B. *Item #19000137-* Final Plat, to subdivide 9.26 acres into two (2) parcels located at 4700 Jonesboro Road. The property is zoned GC.

Director Still gave a presentation on the property. Mr. Still stated that the proposal is for a new development behind the bank. Tract A will consist of 6.859 acres and Tract B will consist of 2.404 acres. Staff recommended approval of the Final Plat.

On the motion made by Member Cason, and seconded by Vice Chairwoman Johnson and carried. The Final Plat was approved. Vote was unanimous.

- C. *Item #19000083-* A Preliminary Plat for Bentley Ridge Subdivision. The property consists of 37.47 acres and is zoned TCMU. The proposal is for 140 single-family residential lots.

Director Still gave a presentation on the property. Mr. Still stated that the property is located at Hall Road and Highway 92, North of the Publix grocery store. The property is currently vacant. He stated that there is stream that runs along Highway 92. He stated that there was some access issues from Hall Road into the proposed entrance. Assistant City Attorney, Patrick Stough stated that Hall Road is a private road in the City of South Fulton, GA and request that there be a condition if approved. The request is for the applicant to obtain a recorded easement granting access from Hall Road into the development. Mr. Stough stated that the applicant has provided an access easement and it is satisfactory. Staff recommended approval with the stated condition.

Mr. Luck Watford, the petitioner was present. He did clarify that there is a total of 142 single-family residential lots being proposed for the development.

On the motion made by Member Crooms, seconded by Member Potts and carried. The Preliminary Plat for Bentley Ridge was approved with a condition. Vote was unanimous.

III. Old Business

- A. *Item #18180379-* Text Amendment to revise the Zoning Ordinance of Union City by making an amendment to Section 6-15, pertaining to the Town Center Mix Use District.

Director Still gave a presentation regarding the Text Amendment. He stated that this presentation is comprised of different comments and suggestions from staff and stakeholders. For clarification, Mr. Still stated that the black text is the existing text, the red text is the proposed text, and the blue text was submitted by The Galloway Law Group.

Mr. Still started by giving a description of the District. There are no legal requirements within the description. Mr. Still continued the presentation by reviewing the Permitted Uses in the TCMU District. Under this section, some words have been stricken and replaced with a better term. There are some items that was added due to their non-existence.

There are many items under the Industrial Uses that are proposed for removal due to being detrimental to the environment. Under Conditional Uses, Mr. Still stated that there was some issues with the actual conditional uses not being listed. He stated that staff is open to suggestions from the Planning Commission in terms of what the conditional uses should be. There was some discussion in regard to Carnivals and what the conditional uses should be. Mr. Stough stated to the Planning Commission that if they could not develop what the conditional uses should be for Carnivals, then Carnivals could be treated as a Permitted Use.

A safety concerned was mentioned by Vice Chairwoman Johnson. She did ask about the inspection process for Carnivals. Mr. Still advised her that applications go through the Special Events Permit process. He stated that Community Development, Fire, Public Services, and the Health Department (when serving food) is involved in approving the Special Events Permit. Chairwoman McCain did pose the question to Mr. Still, asking had there ever been a permit

application submitted that was denied. He did advise her that there has been some denied applications for technical reasons. Vice Chairwoman Johnson asked, do they have to show insurance liability coverage? Mr. Still advised her, insurance coverage documentation is required before the permit the issued.

Under section 3 of the Conditional Uses, Mr. Stough reminded the Planning Commission that The Galloway Law Group is proposing to strike out the entire section. For clarity, Member Cason wanted to know if the language showing was something that was already there. Mr. Still advised him that staff recommended a minimum of two (2) uses, but The Galloway Law Group is proposing to have the information removed. Senior Planner, Kalanos Johnson stated that if there is a minimum of two (2) uses required, it could be mentioned in the definition of how the TCMU District is defined. Mr. Stough added to the discussion by stating to the Planning Commission the possibility of creating a new district in order to meet the two (2) uses requirements if they considered implementing staff recommendations to the Text Amendment.

In further discussion, it was determined that the International Residential Code has been adopted by the State of Georgia and Union City has also adopted this code. It is being proposed to have the name of the code removed from the text to refrain from updating any future changes to the ordinance, pending new adoptions of codes from the State. The recommendation is for the text to be general, while still governed by the current mandatory State building codes.

Mr. Still continued the presentation and in Section 2, Industrial Uses A-1, he stated that staff is recommending that TCMF (Town Center Multifamily) be removed from the text. TCMF is a separate zoning district and should not be addressed under TCMU. Under this section, there was also some discussion regarding the Setbacks Requirement Industrial Uses. There is a proposal by The Galloway Law Group to reduce the setbacks due to the additional buffer. Under section G, Sidewalks, staff has recommended for sidewalks to be along all streets, as opposed to only the public streets. Mr. Still did solicit comments from the Planning Commission in regard to public sidewalks being located along both sides of the street versus one side of the street and width dimensions. Staff recommends both sides of the street should have sidewalks. After discussion, the Planning Commission plans to make a recommendation for the sidewalks to be located along both sides of the street and to be six (6) feet wide.

In Section K, Curb Cuts and Parking Structures part A, Mr. Still stated that he will make a note to have further discussion with staff in regard to the minimum and/or maximum feet for the required driveway curb cut. Member Potts stated to Mr. Still to consider increasing the driveway curb cut from 24 feet to 36 feet depending upon the area and traffic volume.

Upon completion of the presentation, there were no other questions directed to Mr. Still from the Planning Commission.

Public Hearing

Public Hearing Opened:

Woody Galloway, The Galloway Law Group - Commented on the following:

- Spoke in favor of the proposed Text Amendment
- Stated that requiring two (2) or more uses could be an issue for most developers

- Stated that requiring two (2) or more uses will conflict with vested rights
- Spoke on the proposed buffer, F.A.R (Floor Area Ratio), setbacks, and sidewalks requirements

Tonya Isle, Parkway Villages Subdivision - Commented on the following:

- Spoke in opposition of the proposed Text Amendment
- Spoke on the buffer located east of her Subdivision and how it has been greatly reduced
- Spoke about failed attempts to meet with developers concerning a new warehouse development
- Requested that the Planning Commission recommend to Mayor and Council to set guidelines, where developers will not be satisfied with only meeting the minimum requirements and have guidelines that will shield residents from looking at and hearing the loud noise from the warehouses

Regina McDowell, resident of City of South Fulton - Commented on the following:

- Spoke in opposition of the proposed Text Amendment
- Requested that the Planning Commission considers the air pollution from the warehouses in the area
- Requested that the Planning Commission recommends to Mayor and Council to reduce the number of warehouses from being built and offer residents more places to shop and eat

Sean Doughtie, 1880 Old Village Run - Commented on the following:

- Spoke in favor of the proposed Text Amendment
- Stated that he is a developer and his team has been working with staff on the changes since March 2018
- Stated that the interested purchasers of his property, are only interested in one (1) use
- Stated reasons of why requiring two (2) uses under the TCMU district is not a good ideal

Mr. Astrauckas, Oranjestein Suella Capital Partners - Commented on the following:

- Spoke in favor of the proposed Text Amendment
- Stated that requiring two (2) or more uses will prohibit growth
- Stated that most interested developers only want to develop a single use
- Requested that the Planning Commission do not put owner's restrictions on the property

Keith Brown, 4959 Rapahoe Trail - Commented on the following:

- Spoke in opposition of the proposed Text Amendment
- Stated that TCMU should be a mix-use development
- Stated that the Planning Commission and the Mayor and Council should consider changing the name of the district if they will not require multiple developments under the TCMU district

Wanda Mosely, resident of City of South Fulton - Commented on the following:

- Spoke in opposition of the proposed Text Amendment

- Stated warehouses are being built around residential areas without any regard to the resident's quality of life
- Requested that the Planning Commission make decisions based on what is best for the residents
- Requested that the Planning Commission recommend a 50 feet tree buffer between the warehouse and residential subdivisions
- Requested that the Planning Commission recommend a minimum of two (2) uses in the TCMU district

Denise Anderson, 6158 Baltursol Trace - Commented on the following:

- Spoke in opposition of the proposed Text Amendment
- Requested that the Planning Commission recommends more than a 50 feet buffer between a warehouse and a residential neighborhood
- Requested that the Planning Commission recommends that sidewalks be placed on both sides of the road in Industrial areas
- Requested a copy of the Text Amendment proposal to further study

Harold Mitchell, 5114 Rapahoe Trail - Commented on the following:

- Spoke in opposition of the proposed Text Amendment
- Requested a copy of the Text Amendment proposal
- Requested that the Planning Commission recommends true mix use developments along South Fulton Parkway

Public Hearing Closed

IV. Reports and Announcements from the Planning Commission

Member Cason - Commented on the following:

- Wanted to know staff opinions on TMCU and how to diversify the district
- Would like to receive more background information on the proposed setback requirements
- Stated that he would like have more discussion about the Amendment before making any recommendations to Mayor and Council

Chairwoman McCain - Commented on the following:

- Stated that she would like for the Planning Commission to have more time to further study the proposal before making any recommendations
- Advised the public that the Planning Commission is a recommending body and all final decisions come from Mayor and Council
- She thanked everyone that made comments and addressed their concerns

Member Potts - Commented on the following:

- Stated that he wants staff to continue to work with everyone to make the necessary changes to reduce the warehouses

Vice Chairwoman Johnson - Commented on the following:

- Stated that she would like more time to further review the proposed changes

Member Croom - Commented on the following:

- Concurred with the above comments to have more time to further review the proposed changes.

On the motion made by Member Potts, seconded by Member Cason and carried. The motion to table item #18180379 Text Amendment for 30 days (August 26, 2019) Planning Commission Meeting was approved. Vote was unanimous.

V. Adjournment

On the motion made by Vice Chairwoman Johnson, seconded by Member Potts and carried. The motion to adjourn was approved. Vote was unanimous.

The meeting was adjourned at 9:35 p.m.



Chairwoman, Planning Commission



Director, Community Development