

**Planning Commission Meeting
Monday, February 27, 2023
7:00 pm**

PRESENT:

**Chairwoman – Marilyn McCain
Vice Chairwoman – Linda Johnson
Member – Trevor Cason
Member – Robert Potts**

**Assistant City Attorney - Patrick Stough
Assistant Director – Janna Keller
Planner I – Chanelle Campbell**

ABSENT:

Director – Tony Alston

I. CALLED TO ORDER:

The meeting was called to order at 7:00 p.m.

II. APPROVAL OF MINUTES:

Monday, January 5, 2023 Planning Commission Meeting Minutes

On motion of Member Linda Johnson, seconded by Member Robert Potts, and carried, Planning Commission approved the minutes. Vote was unanimous.

III. OLD BUSINESS:

None

IV. NEW BUSINESS:

- A. Item# 0001; Case 2023RZ-002-01: An application by Bruce A. Rippen c/o D.R. Horton, Inc. to rezone 44.52 +/- acre tract of land Parcel IDs: 09F210100880087, 09F170200751242, 09F170200750012, 09F170100744685, 09F170100742382 on property zoned PUD (Planned Unit Development) to create a new PUD (Planned Unit Development) with an underlying residential of R-6, Single Family District generally located east of Vickers Rd. and approximately 150 feet from Hwy 92 to construct 136 single family dwelling units.**

• PRESENTATION AND/OR COMMENTS:

Presentation by Planner I, Chanelle Campbell. The applicant is requesting to rezone 48.29 +/- acres tract of land; located east of Vickers Road and approximately 150 feet from Hwy 92. The public notice stated 44.52 +/- acres; however, the applicant was able to provide the deed confirming the acreage as 48.29. The request is to create a new PUD, Planned Unit Development with an underlying zone of R-6, Single Family District to construct 136 single family dwelling units. The parcels are currently undeveloped with

the adjacent parcels being zoned PUD, Planned Unit Development with underlying residential zoning district. The development regulations suggested by the applicant for the subdivision will be as follows: 136 Single Family detached home with proposed density of 2.81 units per acre, min lot area: 5,000 sf., lot width and frontage: 50', min heated floor area: 1,800 sf. for all units, front and rear yard setback of 20 ft., side yard setback of 5 ft., maximum height of 35 ft., and proposed open space of 25% of the total acreage. The request is in compliance with the Development Patterns of the Comprehensive Plan of enhancing and maintaining the character of existing neighborhoods and encourage housing diversity in new neighborhoods, and Goal 2. Create new, & complete neighborhoods. The Planned Unit Development will create a new housing option for Union City's residents and revitalize and existing adjacent neighborhood and promote development. With the unique flexibility of a PUD, Planned Unit Development, staff requested the applicant include diverse housing styles in the proposed subdivision; if the applicant chooses to include the ranch style homes, the floor area per unit for these ranch style houses should range from 1,600 -1,800 sf. with maximum 10% of these ranch style homes in the subdivision. The request has been circulated and as of today, staff has not received an oppositions. The request meets all requirements and Staff recommends APPROVAL with conditions of a rezone for a PUD, Planned Unit Development subject to conditions A - H:

- a. Each home shall have a two car garage as set forth in Article X
- b. All homes shall consist of a front façade comprising of 100% of brick or stone per section 5-40
- c. Amenities package shall be provided to include a minimum of two (2) of the following:
 - a. Children's playground
 - b. Fire Pit and grilling areas
 - c. Dog park with a minimum 5ft. fence
 - d. Pool with a minimum 1800 sq. ft. Clubhouse
 - e. Covered gazebos
- d. A Homeowners' Association (HOA) shall be required. Covenants shall be recorded which mandate that control of HOA(s) shall be transferred to the homeowner immediately upon the initial sale of 70% of the completed homes. A copy of the recorded covenants shall be provided to Community Development Department before the final plat is approved.
- e. Must maintain the one hundred foot (100') Right of Way undisturbed natural vegetative buffer along the properties bordering Beverly Engram Parkway (SR 138).
- f. Storm water detention facilities shall be screened from view of adjoining properties by a decorative (non-chain link) fence. Screening plans shall be subject to review and approval by the Director of Community Development.
- g. Must adhere to the Union City's Subdivision regulation Plat Specifications Section 7.2, an anticipated traffic generation is required so that the effects of the subdivision can be considered by the Planning Commission.
- h. That all public improvements are addressed according to Union City's Development Regulations

Representative Michelle Macauley with Gaskin + LeCraw, address 3475 Corporate Way, Duluth, GA 30096 presented on behalf of D.R. Horton.

B. REMARKS FROM THE PETITIONERS

- Applicant, Michelle Macauley – For this development, we are proposing the development of 136 Single Family detached home with proposed density of 2.81 units per acre, min lot area: 5,000 sf., lot width and frontage: 50', min heated floor area: 1,800 sf. for all units, front and rear yard setback of 20 ft., side yard setback of 5 ft. with 15 ft. between homes. With 15 ft. separation between homes this allows for greater diversity and variety of distances within the community; at no case will the houses be closer than the required setbacks. The development will have 35% open space which is 10% more than the requirement. As part of the zoning requirements D.R. Horton is proposing to build the cover gazebo and a tot-lot playground.

C. THE COMMISSIONER'S HAD QUESTIONS ABOUT THE FOLLOWING TOPICS:

- Marilyn McCain (Chairwoman) – (Question) What about the public's concerning pertaining to the presence of equipment currently on site?
- Michelle Macauley – (Answer) The surveyors were present on site to complete the boundary assessment but there is no LDP that has been issued for any major disturbance to the property.
- Marilyn McCain (Chairwoman) – (Question) Will there be a traffic study?
- Michelle Macauley (Answer) – As a part of the requirement for a PUD, there are traffic generation numbers that are required and these will be provided.

D. PUBLIC HEARING OPEN TO THE PUBLIC:

- Lavinia Jackson from 6290 Vickers Rd spoke against the proposed development. Concerned about the privacy areas adjacent the older homes and the presence of only one entrance.
- Bryan Burns from 6193 Tennis Drive, Fairburn GA spoke against the proposed development. Concerned about the equipment that is tracking mud along Vickers Road; also requested a traffic study.
- Joyce Ball from 6141 Redtop Loop, Fairburn spoke against the proposal.
- Vanessa McClure from 6270 Vickers Road spoke against the proposed development. Concerned about the environment and the presence of septic tanks.

E. REMARKS FROM THE PUBLIC:

F. PUBLIC HEARING IS CLOSED TO PUBLIC:

G. REMARKS FROM THE COMMISSIONERS, PETITIONER, AND OTHERS:

- Michelle Macauley – in response to Lavinia Jackson's comments, the petitioner stated that D.R. Horton will build a 6 ft. privacy fence west along the adjacent properties. The fence will be constructed from wood and will be maintained by the Homeowners' Association. Pertaining to point of access, due to the number of proposed houses, the development is required to have more than one entrance, the second entrance to the subdivision will be from Union Pointe.

- **Janna Keller – The houses on this property will be connect through the sewer system, not septic.**

H. VOTE ON ITEM #00001; Case 2023RZ-002-01

On motion of Member Trevor Cason, seconded by Member Robert Potts and carried, Planning Commission approved the request to rezone with the recommendations from staff plus the addition of the privacy fence. Vote was unanimous.

A. Item# 0002; 2023RZ-003-01 (Public Hearing): An application by Sergio Santoyo to rezone 2.83 +/- acre tract of land Parcel IDs: 09F161000760715 and 09F161100760483 on property zoned R-4, Single Family Residential to RM, Residential Multi-Family District generally located south of Westbrook Place and east of Clayburn Street to construct (4) four quadplex residential dwellings.

I. PRESENTATION AND/OR COMMENTS:

Presentation by Community Development Department, Assistant Director Janna Keller. An application submitted by Sergio Santoyo c/o Blanca Castillo is requesting to rezone 2.83 +/- acres tract of land from R-4, Single Family Residential to RM, Residential multifamily to construct five (5) quadplexes. The property is located south of Westbrook Place and east of Clayburn Street and consists of two (2) parcels to construct twenty (20) units. The surrounding zones to the north, east and west are all zones R-4, Single Family residential while the zoning to the south is R-3, Single Family Residential. The requested zoning is not compatible with the proposed project and the Future Land Use map does identify the area as urban neighborhood for single family attached and detached townhomes and multifamily; however, RM, Residential Multifamily is not within the vicinity of the site. Currently, there are no quadplexes within the city limits, so Staff did suggest other options to the applicant including duplexes or townhomes. The request has been circulated and as of today, staff has not received an oppositions. Staff recommends denial of the request.

Representative Blanca Castillo and applicant Sergio Santoyo address 6545 Haven St, Union City, GA 30291 presented.

B. REMARKS FROM THE PETITIONERS:

- **Applicant, Blanca Castillo – The goal of the development is to create a more family oriented environment in the community and increase value to the surrounding homes.**

C. THE COMMISSIONER’S HAD QUESTIONS ABOUT THE FOLLOWING TOPICS:

- **Trevor Cason (Member) – (Question) Why did you choose to do quadplexes?**
- **Blanca Castillo – (Answer) We have worked on similar project in surrounding states such as Alabama.**
- **Linda Johnson (Vice Chairwoman) – (Question) What would be the square footage of each unit of these quadplexes?**
- **Blanca Castillo – (Answer) - 1,400 sf.**

- Trevor Cason (Member – (Question) How tall will these quadplexes be?
- Blanca Castillo (Answer) – It will be a maximum of 35 ft.

D. PUBLIC HEARING OPEN TO THE PUBLIC:

- Lenora Godwind from 6572 Clayburn Street spoke against the proposed development. Concerned about the noise from the new residence.
- Henry Pruitt from 5187 Westbrook Place spoke against the proposed development. Concerned about the style of the proposed homes, prefers single family homes to match the surrounding community.

E. REMARKS FROM THE PUBLIC:

F. PUBLIC HEARING IS CLOSED TO PUBLIC:

G. REMARKS FROM THE COMMISSIONERS, PETITIONER, AND OTHERS:

- Blanca Castillo – In reference to the fence, this is in attempt to keep the property secure as there were homeless individuals living on the property. The temporary fence is to also clearly divide the property boundary, it was not intended to make anyone uncomfortable.

H. VOTE ON ITEM #00002; Case 2023RZ-003-01

On motion of Member Robert Potts, seconded by Member Linda Johnson and carried, Planning Commission denied the request to rezone. Vote was unanimous.

V. ADJOURNMENT:

On motion of Member Trevor Cason, seconded by Member Robert Potts and carried, Planning Commission adjourned the meeting at 7:49 p.m. Vote was unanimous.