



PLANNING & ZONING BOARD MEETING

MINUTES

March 20, 2018 7:00 PM
City Hall
3921 Church Street

- A. CALL TO ORDER:** The meeting was called to order at 7:01 PM. Mr. Dhakal asked for a moment of silence in honor of past Chairman Vinh Glover who passed away in December of 2017.
- B. ROLL CALL:** Chairman Birendra Dhakal, Charles McFarland, Amy Medford, Felicia Weinert, P&D Director Shawanna Qawiy, and Secretary Melissa Foster.
- C. APPROVAL OF NOVEMBER 2017 MEETING MINUTES:** Ms. Weinert made a motion to approve the minutes. Ms. Medford gave a second and the motion passed 3/0.
- D. NEW BUSINESS**
- 1. PUBLIC HEARING:** A variance request from Robert Buckler d/b/a RBM Decatur, LLC of the NR-3 High Density Residential District requirements **to increase the floor area ratio from 0.4 to 0.7, increase the building coverage from 50% to 80%, to decrease the minimum lot size from 5,000 sq. ft. to 1600 sq. ft., to decrease the minimum lot width from 50' to 18', to decrease the minimum front yard setback from 15' to 10' and to decrease the minimum rear yard setback from 20' to 15', on the property located at 3449 Church Street, Clarkston, GA 30021, to allow 60 fee simple townhomes to be constructed on 4.997/5 acres.** The public hearing was opened and Ms. Qawiy read the variance request. Robert Buckler, owner, and Warren Jolly, developer, spoke on behalf of the request. Mr. Buckler stated that City Council voted down the Planning and Zoning recommendation from August 2017 for the property to be rezoned from I-Light Industrial to NR-3 High Density Neighborhood Residential because of concerns about affordable housing for lower income families in the city. The City Attorney and City officials are working on a proposal for a trust fund that developers would put money into that potential buyers could apply for assistance in making a down payment on a home in Clarkston. The base starting price on these homes would be around \$320,000 and would significantly increase the tax base for the property. Mr. Buckler stated that no one would be displaced by the development of this property. Mr. Jolly explained the variances they are requesting.
Speaking in opposition was Susan Hood, Clarkston resident. She stated that the variance application is really a de facto rezoning to a higher level. She stated that variances are not designed to allow for greater density.

Variations are designed to facilitate the development of property that has unique features that require a variance in order to appropriately develop them. Councilman Jamie Carroll clarified that with no variations, 42 units could be built on this property. Ms. Hood noted that the Criteria for Granting a Variance are quite specific in Code Section 308 and that ALL of the criteria must be met in order to grant variations. Ms. Hood considers this a massive overbuilding of this site. She does support good development and the idea of having affordable housing. A good development of 42 homes would be a perfect development for the property.

Dean Moore spoke against the variations because all six (6) criteria for granting a variance have not been met. He questioned the width of a garage, which Mr. Jolly stated would be 20', which will allow for a 2-car garage and a 2-car parking pad. The variance is requesting the lot width be 18'. Mr. Moore stated that if you disrupt the ordinances to allow for the variations, you don't have enough common area, enough parking for guests, enough landscaping area and you create water issues. He asked the Board to consider that all 6 criteria must be met in order to grant the variations.

Speaking in favor of the variations was Robert Buckler, owner. He has had detailed discussions with City officials and various council members concerning the property.

Mr. Moore spoke in favor of good development of the property.

Board member, Ms. Weinert asked for clarification on unit size and was told they would be 1,800 square feet. There will be one entrance and exit to the property on Glendale Road. Board member Ms. Medford stated that affordable housing is something you can sustain longer than just the initial purchase price. She stated that a good alternative would be to hold some of the units at a lower buy-in price. Mr. Buckler countered that suggestion with the statement that that would lower the value of the other homes in the development.

Planning and Development Director Ms. Qawiy asked who would maintain the alley. Mr. Jolly stated that all roads and common areas would be maintained by the homeowners association.

Mr. Moore asked if all units would be metered individually and Mr. Jolly stated yes.

Chairman Mr. Dhakal asked for the staff recommendations;

Ms. Qawiy read the staff recommendation for approval of the variance requests with the following conditions:

1. Approval of the rezoning request from the City Council from I-Light Industrial to NR-3 High Density Neighborhood Residential district.
2. The developer is limited to build 60 units on the proposed 4.997/5 acres lot.
3. The developer shall submit for review and final approval by City Council and staff a conceptual elevation plan, landscape plan and site plan.
4. The developer shall adhere to Section 703 (3) Townhomes of the City of Clarkston Ordinance.
5. The developer must adhere to Article XIII- Buffer, Screening and Landscape Requirements of the Clarkston Zoning Ordinance.

Mr. Moore noted that 1 acre of recreation area per 50 units is required in Section 703. Board member Ms. Medford noted that this would create the hardship to justify the variance requests.

The public hearing was closed.

Board member Ms. Weinert made a motion to approve the variance requests with the following conditions:

1. Approval of the rezoning request from the City Council from I- Light Industrial to NR-3 High Density Neighborhood Residential district.
2. The developer can build 60 units on the 4.997/5 acre lot based on the exceptional condition that he is building townhomes on a property that was not meant for townhomes, but for single family dwellings.
3. The developer shall submit for review and final approval by City Council and staff a conceptual elevation plan, landscape plan and site plan.
4. The developer shall adhere to Section 703 (3) Townhomes of the City of Clarkston Ordinance.
5. The developer must adhere to Article XIII-Buffer, Screening and Landscape Requirements of the Clarkston Zoning Ordinance.
6. The developer must include 1 acre of green space.
7. The request to decrease the lot size will be from 5000 square feet to 1,800 square feet, not the 1,600 square feet the developer requested.

Ms. Medford offered a second and the motion passed 3/0.

A. SIGN PERMITS

1. PS-45-2018; Dennis Carlton/Total Imaging Inc. Shell Food Mart (Fatima Business Inc.) 1307 Brockett Road- Monument-Canopy-Wall Signs. No one was available to speak for the permit. Ms. Medford made a motion to postpone the application. Ms. Weinert gave a second and the motion passed 3/0.

B. OTHER BUSINESS- none presented

C. ADJOURNMENT – Mr. McFarland made a motion at 7:40 PM to adjourn the meeting. Ms. Medford offered a second and the motion passed 3/0.

Respectfully submitted,
Melissa M. Foster
Secretary