

MINUTES

Planning Commission Business Meeting

Thursday, December 20, 2012

Municipal Council Chambers

In attendance: Planning & Development, Tim Prater; Planning Commission Chairperson, Ed Warren; Planning Commissioners: Sonny Medlin, Barbara Forrester, Steven Landers, Arno Angulo and R.C. Shanks and Bruce Granoff. Administrative Assistant, Nina Ramsey recorded the minutes.

- ▶ Ed Warren called the meeting to order at 7:30 p.m.
- ▶ Invocation given by Sonny Medlin
- ▶ Pledge to the Flag
- ▶ A motion was made by R.C. Shanks and seconded by Arno Angulo to approve the August 23, 2013 minutes. Motion carried 6 – 0

Tim Prater presented the following case:

Case #R12 – 005

Mahaffey Pickens Tucker, LLP filed an application requesting to rezone 31.715 +/- acres located along Old Zion Cemetery Road, Map & Parcel #LG130005000, LG130006000 and LG14-0016000/partial, Walton County, Georgia. The current zoning is RM-8. The requested zoning is R-22 Overlay for a single family development. David Gussio, representing Mahaffey Pickens Tucker, LLP was present. During the meeting Mr. Gussio stated: he had no objections to the staff's recommended conditions; his client is ready to begin this project immediately; feels there is a strong market for this type development; homes should be 2,000 +/- square feet.

Ken Boss spoke in regard to a signed agreement between Mr. Price and himself in 2005 when this property was zoned RM-8. He stated the agreement was to install a 6-foot chain length fence along his property line to discourage people from trespassing on his property and that it was notarized by Michelle Deaton. Mr. Prater said the agreement Mr. Boss had was a civil agreement between 2 individuals and not enforceable by the City.

A motion was made by Barbara Forrester and seconded by Sonny Medlin to approve the rezone with the conditions recommended in the Staff Report and add a condition requiring the developer to install a chain length fence on the Northeast side of the property. Motion carried 5 – 1 with Bruce Granoff opposing therefore the recommendation is to approve the rezone with the following conditions:

1. Development limited to 84 single-family dwelling units.
2. Development must adhere to the conditions of the R-22 Overlay Districts Open Space Subdivision as required under section 119-249 of the City of Loganville Zoning Ordinance.
3. Developer to install a chain length fence on the Northeast side of the property.

(Bruce Granoff asked to be entered in the record that he did not oppose the rezone; however, he did oppose the fence requirement.)

Case #V12-006

Mahaffey Pickens Tucker, LLP filed an application requesting a variance for 26.02 +/- acres located along Highway 78, Map & Parcel #LG140017, LG140018 and LG140016000/partial, Walton County, Georgia to increase the height and units per acre for the RM-8 Zoning District. The property owner is Otto Tract No 1, LLC. David Gussio, representing Mahaffey Pickens

Tucker, LLP was present and stated he had no objections to the staff's recommended conditions; his client feels there is a strong market for this type of apartment development, the rent will be priced on the high end of the market; covenants will be recorded; there will be amenities with clubhouse and play area; the total number of apartments should range between 240 to 280. This density is less than the current zoning would allow.

Randy Brennam spoke. He owns a landscaping company with a 10 year lease agreement on 3 acres of property fronting the proposed apartments. He stores all his equipment on the back of his property and is concerned with the security that will be provided for the development. He also shares a driveway with the entrance to the property and wants to know how that will affect him and how it will be addressed.

Michael Roberts, representing Brad Akins who also leases the property next door spoke. He wanted to know what improvements would be added to the proposed apartment entrance, i.e. brick wall, signage, etc.

A motion was made by Steven Landers and seconded by Barbara Forrester to approve the variance with the conditions recommended in the Staff Report. Motion carried 6 – 0 therefore the recommendation is to approve the variance with the following conditions:

1. No more than 12 units per acre.
2. Limit buildings to 3 stories.
3. WQC Director's comment regarding the requirement to place a booster pump on water line to meet pressure requirements due to height of structure to assure customer demands. This would not be determined until the design and engineers flow test is submitted.

A motion was made by Arno Angulo and seconded by R.C. Shanks to adjourn. Motion carried 6 - 0. Meeting adjourned at 8:23 p.m.

Tim Prater
Planning & Development

Ed Warren
Commission Chairman