



Planning and Zoning Commission
Meeting Minutes
City Hall: 56 Malone Street,
Fairburn, GA 30213
Tuesday, September 3, 2024
7:00 p.m.

LaVone Deavers, Chair
Jason Jones, Vice Chair
Michelle James
Elizabeth Echols
Tony Smith

Planning Director: Denise Brookins
Planner: Chancellor Felton
City Attorney: Valerie Ross

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- A. **Call to Order:** The meeting was called to order at 7:00 pm by Chairwoman Deavers.
 - B. **Determination of a Quorum:** A quorum was determined, and the meeting proceeded.
 - C. **Pledge of Allegiance**
 - D. **Approval of the Meeting Agenda:**
 - 1. Commissioner James made a motion to approve the agenda. Vice Chairman Jones seconded.
THE MOTION CARRIED.
 - E. **Approval of the Meeting Minutes:**
 - 1. Commissioner Echols made a motion to approve the August 6, 2024, minutes. Commissioner Smith seconded.
THE MOTION CARRIED.
 - F. **Public Comments:**
 - 1. Chairwoman Deavers opened the floor to general, public comments.
 - 2. Chairwoman Deavers closed the floor to general, public comments.
 - G. **Old Business:**
 - 1. **Text Amendment**

Applicant: Safeguard Landfill Management c/o Henry Bailey
Text Amendment- Section 80-220(b)(11). The applicant requests to delete and replace Section 80-220(b)(11)
Applicant unresponsive. Item removed from this and future agenda.
 - 2. **Use Permit**

Applicant: Safeguard Landfill Management c/o Henry Bailey
Request the expansion of the C&D Landfill Parcel ID: 07-260001540892, 7700 Roosevelt Hwy, Parcel ID: 07-260001350359, Bishop Rd Parcel ID: 07-260001540736, Bishop Rd, Parcel ID: 07-260001540744, Bishop Rd, Parcel ID: 07-260001540751, Bishop Rd Parcel ID: 07-290001551516, 6905 B Roosevelt Hwy, Parcel ID: 07-260001540876, Bishop Rd, Parcel ID: 07-290001551557,

Roosevelt Hwy, Parcel ID: 07-290001551540, Roosevelt Hwy, Parcel ID: 07-290001551185, 7700 Bishop Rd

Applicant unresponsive. Item removed from this and future agenda.

H. Public Hearings:

1. Variance

Applicant: Big Dan's Car Wash LLC

Requests: To reduce the Distance Requirement of Signage to Right-of-Way from 15' to 12' and to reduce the Distance Requirement of Signage to any other Signage, Structure, or Building from 40' to 18' (Chapter 80 Zoning, Article XII Sign Regulations, Section 431 Regulated signs, b- Non-residential allowable signs, 1-Freestanding and monument signs, f

- a. Chairwoman Deavers introduced the case. Chancellor Felton presented the case on behalf of Staff. Staff made a recommendation for approval. Chairwoman Deavers opened the floor for the Commission to ask Staff questions.
- b. Vice Chairman Jones asked what exactly the plans for the I-80/Highway 74 (Senoia Road) GDOT project are. Planner Felton referred the question to Director Thompson of the Public Works Department. Vice Chairman Jones asked for specifics on the sign relocation. Planner Felton explained that due to the current regulations, the applicant would need relief from the distance requirements to successfully keep their sign.
- c. Commissioner James asked which sign is being relocated. Planner Felton stated the freestanding sign by the road.
- d. Commissioner Smith asked how close this car wash is to the existing car wash. The other commissioners stated that the agenda item is about the existing car wash.
- e. Commissioner Echols asked does the sign in question has electronic running boards. The other commissioners answered yes.
- f. Vice Chairman Jones asked if the text amendment regarding signs which will be discussed later will allow for businesses to not go through such an extensive process just to move their signs. Planner Felton said yes.

Vice Chairman Jones made a motion to open the public hearing. Commissioner James seconded.

THE MOTION CARRIED.

- a. The applicant was absent. No comments were made.

Vice Chairman Jones made a motion to close the public hearing. Commissioner Smith seconded.

THE MOTION CARRIED.

Vice Chairman Jones made a motion to **APPROVE**. Commissioner James seconded.

THE MOTION CARRIED.

I. New Business:

1. Rezoning and Concurrent Variance

Applicant: Portman Residential, LLC

Address: Highway 74/Senoia Road and Meadow Glen Parkway., Parcel No. 09F020100121014 and Parcel #09F070000271062

Request to rezone the subject parcels from PD (Commercial) to PD (Commercial and Multifamily) and to reduce the parking requirements, Sec. 80-337.

- a. Chairwoman Deavers introduced the case. Denise Brookins presented the case on behalf of Staff. Staff made a recommendation for approval. Chairwoman Deavers opened the floor for the Commission to ask Staff questions.

- b. Commissioner James asked how did the proposed unit count come about if the existing regulations does not allow for such a high unit count. Director Brookins stated that the rezoning will allow for such. Attorney Ross stated that since the rezoning from PD (commercial) to PD (commercial and multifamily) is being proposed, new regulations will allow for such.
- c. Vice Chairman Jones asked about the initial unit count. Director Brookins answered that the applicant modified their plans.
- d. Commissioner James inquired on the location of the retail space. Director Brookins stated that the retail space will be located by Highway 74.
- e. Vice Chairman Jones asked if the multifamily building would be off of Meadow Glen Parkway. Director Brookins said yes.
- f. Commissioner Smith asked if the new development will have impacts on the existing neighborhood. Director Brookins said definitely, but there are buffer requirements, traffic control measures, and design standards to mitigate any negative impacts.
- g. Vice Chairman Jones asked if this is not approved, could a gas station be on the land. Director Brookins stated yes. If approved, a gas station would not be allowed.
- h. Commissioner Echols asked if a gas station would be allowed. Director Brookins stated no.
- i. Vice Chairman Jones asked if there was a list of prohibited land uses. Director Brookins said yes.
- j. Chairwoman Deavers closed the floor to ask Staff questions and opened the floor to ask the applicant questions and address the Commission.
- k. Commissioner James asked how many restaurants would there be and the type. The applicant said sit-down restaurants and they do not know the exact number at this stage.
- l. Vice Chairman Jones asked if the utilities would be underground. Director Brookins said yes.
- m. Commissioner Smith asked for the price range of the units. The applicant said \$1,600 for a one-bedroom and \$2,200 for a two-bedroom.
- n. Vice Chairman Jones asked if the apartments would be Class A. The applicant said yes.
- o. Commissioner Smith asked how big the units would be. The applicant said 775 square feet for the one-bedrooms and 1,150 square feet for the two-bedrooms.
- p. Commissioner Smith asked if the square footage is consistent with the market today.
- q. Vice Chairman Jones thanked Staff for the traffic study.

Commissioner James made a motion to **APPROVE**. Vice Chairman Jones seconded.

THE MOTION CARRIED.

2. Text Amendment

Request to review regulations regarding amendments to the Future Land Use Map.

- a. Chairwoman Deavers introduced the case. Denise Brookins presented the case on behalf of Staff. Staff made a recommendation for approval. Chairwoman Deavers opened the floor for the Commission to ask Staff questions.
- b. Vice Chairman Jones asked if this text amendment is for a formal process for future land use designation changes. Director Brookins said yes.

Vice Chairman Jones motioned to **APPROVE**. Commissioner Smith seconded.

THE MOTION CARRIED.

3. Text Amendment

Request to review new regulations for the nonconforming signs.

- a. Chairwoman Deavers introduced the case. Chancellor Felton presented the case on behalf of Staff. Staff made a recommendation for approval. Chairwoman Deavers opened the floor for the Commission to ask Staff questions.
- b. Vice Chairman Jones asked if this text amendment is exclusive to the Highway 74 Overlay District or is it city-wide. Director Brookins said city-wide.
- c. Vice Chairman Jones asked if there is anything in the works to get nonconforming signs into compliance. Director Brookins stated that we have to be careful about regulating signs to avoid violating First Amendment rights.

Commissioner James motioned to **APPROVE**. Commissioner Smith seconded.

THE MOTION CARRIED.

J. Other Business:

1. Vice Chairman Jones inquired about the text amendment for 337 Bay Street. Director Brookins explained that the applicant withdrew their application and was able to acquire a business license through legal documentation of grandfathering their legally nonconforming use. Vice Chairman Jones asked if the conditions in the text amendment would apply. Director Brookins said no, but they will have to adhere to the Property Maintenance Code.
2. Director Brookins said that if the Commission wants to participate in the Fall Festival, they may do so.
3. Director Brookins said that an email was sent out for virtual training. Attorney Ross said that the training will be split up in parts for convenience.

K. Adjournment:

1. Commissioner Echols motioned to adjourn the public meeting at 7:52 pm. Commissioner James seconded.

THE MOTION CARRIED.