

**Town of Tyrone  
Planning Commission Meeting Minutes  
February 11, 2021  
7:00PM**

**Present:**

Chairman, David Nebergall  
Vice-Chairman, Dia Hunter  
Commission Member, Jeff Duncan  
Commission Member, Scott Bousquet  
Commission Member, Carl Schouw  
Town Attorney, Patrick Stough  
Town Planner, Phillip Trocquet  
Planning and Zoning Assistant, Dakota Hammock

**Call to Order:**

Chairman Nebergall called the meeting to order at 7:02pm, the meeting was also available via YouTube Live.

**Approval of Agenda:**

Commissioner Schouw made a motion to approve the agenda.  
Vice-Chairman Hunter seconded the motion. Motion was approved 4-0.

**Approval of Minutes:**

Commissioner Schouw made a motion to approve the minutes from January 28, 2021  
Commissioner Bousquet seconded the motion. Motion carried 4-0.

**Public Hearing:**

1. *The consideration of a rezoning from applicant Earnie Johnson of a 10-acre tract with parcel number 0726 014 at property address 414 Jenkins Road from Educational Institutional (E-1) to Downtown Commercial (C-1).* **Phillip Trocquet, Town Planner**

Town Planner Trocquet stated that the first item for the commission's consideration would be for the rezoning of address 414 Jenkins Road from E-1 to C-1. He stated that the applicant, Ernie Johnson, submitted a petition on behalf of Living Proof Church to rezone the property. He stated that staff recommends the approval of the rezoning request, but with conditions that a lone trailer

located just south of the property be removed or moved onto the property in question before the rezoning is brought before the Town Council for public hearing.

Trocquet stated that the existing land use was for a pre-existing church building used for assembly with public water and an assembly structure located on the property. He stated that the properties surrounding were zoned as follows: to the North, M-1, to the South O-1, to the East, unincorporated Fayette County, and to the west, C-1.

Trocquet stated that the petition is consistent with the Town's Future Development Map and Comprehensive Plan and that the property also lies within the Town's Commercial Corridor character area which permits the C-1 zoning change.

Trocquet stated that the zoning is suitable with surrounding properties. The uses allowed in C-1 are compatible with the surrounding commercial properties. He also stated that any commercial uses requiring distancing or conditions due to proximity to school property would be held to those standards. He gave the example of alcohol sales and the state distancing requirements from school properties.

Trocquet also stated that the zoning would not adversely affect adjacent properties and that it is staff's opinion that this rezoning will not increase a negative impact on surrounding properties as well. He also stated that the property does have some reasonable economic use as currently zoned only if there is a demand for Educational or Institutional development, giving the example of a church or school. He stated that due to the zoning, if there is demand for other commercial uses present in the same character area, this property would be deprived economic use currently enjoyed by other properties in similar situations.

Trocquet went on to say that the proposed zoning would not result in a use which will or could be excessively burdensome on existing infrastructure due to the intensity of C-1 uses being compatible with the character area and existing infrastructure. He stated that staff recommends approval of the rezoning.

Chairman Nebergall opened the floor to the public hearing portion of the topic. He asked that anyone in favor of the zoning change please step forward. The applicant, Ernie Johnson, stated that the property would be used for a pet rescue and they were seeking to move the trailer that existed outside of the property lines to within the property lines. Trocquet stated that the property to the south was owned by the Town which meant that the trailer could not be outside of the property lines. Mr. Johnson then stepped away from the podium.

Chairman Nebergall then asked for anyone who opposed to the rezoning to come forward. No one came. He then asked for any commission comments or questions, no one spoke.

Vice-Chairman Hunter made a motion to approve the rezoning with staff's conditions that the trailer be moved to within the property lines.

Commissioner Schouw seconded the motion. Motion was approved 4-0.

*2. Consideration of a text amendment to the Town of Tyrone Code of Ordinances pertaining to Sec. 113-211, Off Street Automobile Parking. **Phillip Trocquet, Town Planner***

Mr. Trocquet stated that the Town's parking ordinance has been an item of interest since the Town has begun focusing on downtown development and ordinance revisions. He stated that many cities across Georgia and the rest of the Country have been focusing on revising and updating their parking ordinances in order to facilitate economic development.

Trocquet stated that staff believes that a two-phased approach to revising the parking ordinance is ideal. He stated that the first phase would include brief, quick-fixes that allow more flexibility particularly for businesses downtown. He stated that the second phase would likely be presented as part of the LCI (Livable Centers Initiative) and the Council Retreat as a more comprehensive revision to the whole ordinance.

Trocquet went on to stated that the primary revisions suggested for phase one are to allow shared-parking agreements between property owners and to provide a parking reduction waiver for properties within a proposed distance of one thousand (1,000) feet from public parking. He stated that these revisions would allow property owners to reduce the required parking spaces by a proposed twenty (20) percent. He stated that it was Staff's recommendation to approve to add shared parking agreements and proximity to public parking reductions.

Trocquet stated that revisions would be made to the following portions of the ordinance:

(b)(2) He stated that the design standards would include access drive(s) and, as determined by the Town Engineer and the Town Environmental Specialist, proper curb and effective drainage would be put into place.

(b)(7) He stated that this subsection would be removed to allow for parking in the rear of businesses which would coincide with the TCMU zoning.

(d) He stated that this subsection would be removed to allow for shared parking agreements between businesses and adjacent property owners.

(e) He stated that this subsection would be added which allowed for shared parking agreements. He stated that based on state and nationwide research, most cities had an ordinance of one thousand (1,000) feet walking distance from public parking to downtown businesses. He stated that the hours of operation for businesses with shared parking agreements would not be able to overlap tremendously and that the agreement would be some type of easement for a life span of twenty (20) years.

Chairman Nebergall opened the public hearing for anyone to speak in favor or in opposition of the changes to the current parking ordinances, no one spoke. Chairman Nebergall closed the public hearings.

He then asked the commission if they had any comments or questions. Vice-Chairman Hunter brought attention to subsection (b) as to why there is a set twenty (20) foot width buffer between

parking and residential areas, and why it was not a percentage. Trocquet stated that this was a simpler way than having a percentage of the property considering the setbacks for commercial areas is within twenty feet. Commissioner Duncan asked if all of the changes that were being proposed were from other cities, to which Trocquet stated that the changes were, in fact, already being used in other cities.

Commissioner Schouw asked if there was anything about rear parking in the ordinance, to which Trocquet stated that rear parking is stated in the TCMU and downtown classification ordinances with the specific provisions.

Commissioner Duncan made a motion to recommend approval of the changes to the current off street automobile parking ordinance.

Commissioner Bousquet seconded the motion. Motion carried 4-0

## **New Business**

1. *Consideration to approve a site plan for a commercial addition from applicant John Kaufman for 993 Senoia Road. **Town Planner, Phillip Trocquet***

Mr. Trocquet stated that the applicant, John Kaufman, submitted a site plan approval for a 1-acre tract with parcel number 0738 036 at the property address of 993 Senoia Road. He stated that the preliminary site plan approval is to accommodate a future proposed restaurant addition to the property. He stated that no impervious surface area is to be added to the lot and no trees are proposed to be cut down.

Trocquet stated that was staff's recommendation to approve the site plan with conditions until the TRC comments have been resolved and until CSX provides easement within their right of way for buildings encroaching on the property line. Trocquet stated that the easement has been recorded at the tax assessor's office, but the Town is still waiting for a copy of the documentation. He also stated that it is Staff's knowledge that the addition would be a large outdoor deck area for the restaurant.

Trocquet stated that the site plan is compatible with zoning ordinances, but the site is short twelve (12) parking spaces required by the ordinances. He stated that even though the site is short these spaces, the hours of operation would coincide with the closure of other business tenants located within the facility. He stated that Mr. Kaufman has provided information that surrounding businesses would be willing to share parking if the Town's ordinances permitted it.

Trocquet stated that it was Staff's recommendation to approve the site plan with conditions in anticipation of the Town's parking ordinance be changed and any outstanding TRC comments be met.

Commissioner Bousquet asked Kaufman if the proposed addition would be to the side and rear of the building. Kaufman answered that the deck would be to the side of the building, but the rear would have an enclosed area that would house bathrooms and other restaurant facilities.

Vice- Chairman Hunter made a motion to approve the site plan with the conditions recommended by staff.

Commissioner Duncan seconded the motion. Motion carried 4-0.

### **Staff Comments**

Mr. Trocquet stated that the new Town Hall facility was connected to sewer today and that the pump station on Valleywood Road is up and running as well.

He also stated that Staff had their first meeting with POND in regards to the LCI. He stated that they transferred some GIS information to them and that the walk audit would be scheduled to begin soon. He also stated that a public outreach would be conducted with downtown business owners and residents. Trocquet stated that they plan to have a website specific to the LCI and were hoping to have that up and running soon.

Trocquet continued to say that the Town would be reaching out to homeowner's association (HOA) presidents as well. Commissioner Duncan asked how HOA's would be contacted and Trocquet stated that the Town has a HOA presidents list with their contact information. He also stated that the information for public engagement would be posted on the Town's Social Media sites as well as sent out on the Email list.

### **Commission Comments**

### **Adjournment**

Commissioner Duncan made a motion to adjourn.

The meeting adjourned at 7:37 pm.

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**Chairman David Nebergall**

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**Phillip Trocquet, Town Planner**