

Left to Right: 1, 2, 3, 4

**Town of Tyrone
Planning Commission Meeting Minutes
January 28, 2021
7:00PM**

Present:

Chairman, David Nebergall
Vice-Chairman, Dia Hunter
Commission Member, Jeff Duncan
Commission Member, Scot Bousquet
Town Attorney, Patrick Stough
Town Planner, Phillip Trocquet

Call to Order:

Commission Chair, Nebergall called the meeting to order at 7:00pm.

Approval of Agenda:

Vice-Chairman Hunter made a motion to approve the agenda.
Commissioner Duncan seconded the motion. Motion was approved 3-0.

Commissioner Duncan made a motion to approve the December 10, 2020 minutes.
Commissioner Schouw seconded the motion. Motion was approved 4-0.

Appointments:

Commissioner Duncan nominated David Nebergall as the Commissioner Chairman
Commissioner Schouw seconded the nomination. Motion passed 3-0.

Commissioner Schouw nominated Dia Hunter as the Commissioner Vice-Chairman.
Commissioner Duncan seconded the nomination. Motion passed 3-0.

Left to Right: 1, 2, 3, 4

Public Hearing:

1. *The consideration of a petition from applicant Brian Selleck for the rezoning of a 1-acre tract with parcel number 072604001 at property address 1415 Senoia Road. The proposed rezoning is from C-1 (Downtown Commercial) to C-2 (Highway Commercial). **Phillip Trocquet, Town Planner***

Trocquet stated that the applicant, Brian Selleck, could not be present for the meeting, but stated that any questions for him would be answered by him at the council meeting on February 4, 2021, and he would also email answers to the members of the commission. Trocquet stated that Mr. Selleck submitted a petition to rezone two of his properties located at 1415 and 1425 Senoia Road. The rezoning would change the properties from C-1, Downtown Commercial, to C-2, Highway Commercial, and this would increase the flexibility of what can be done on the property itself.

Mr. Trocquet stated that the surrounding area and business park has developed with a “light industrial” character although most of the properties are zoned C-1 and C-2. He stated that the Millbrook Village subdivision is located directly to the south, but the new zoning will still require a 75-foot buffer. Trocquet stated that certain C-2 zoning uses also incur extra conditions when abutting residential districts designed to protect residential owners from potential nuisances.

Mr. Trocquet stated that the petition to C-2 is consistent with the Future Development Map and Comprehensive plan. He stated that these properties lie within the Town’s Commercial Corridor character area which permits C-2 zoning. He also stated that the property is located within a business park with other C-2 zoned properties.

Mr. Trocquet stated that the uses allowed in C-2 zoned properties are also compatible with the surrounding commercial properties and that the residential properties to the south will retain protections from our ordinance including buffers and conditional uses. He also stated that it is staff’s opinion that this rezoning will not increase a negative impact on surrounding properties. He stated that more intense uses come with conditions and any existing buffers would be left in place.

Trocquet also stated that the property does have reasonable economic use as currently zoned, however other properties have been zoned C-2 within the business park in similar situations. Denying this rezoning would deny the applicant to economic opportunities enjoyed by others similarly situated. He stated the intensity of C-2 uses, although higher than C-1, have been accommodated for in the development of the business park. Trocquet stated other developed and undeveloped C-2 properties exist in the park and the intent that the present infrastructure could handle the park at a build-out scenario.

Commissioner Duncan asked what the big difference between downtown and highway commercial was. Trocquet stated that C-1 zoning is a lower intensity than C-2 zoning. C-2 allows typically in terms of more intense use. This usage will allow specialty trade contractors to occupy buildings that are usually more of an office warehouse setting. He also stated that there is an allowance of more exterior storage. He also stated that automotive purposes are permitted in C-2 whereas they are not in C-1. He did go on to state that because the properties join residential zoning, some uses would come with extra conditions that they would not come with in C-1.

Left to Right: 1, 2, 3, 4

Chairman Nebergall asked if there was a potential for all of the properties in the business park submitting petitions to rezone from C-1 to C-2. Mr. Trocquet stated that there was a high likelihood that this may happen and the way that the development of that area had gone forth that wouldn't be unreasonable. He stated that there are many possibilities for business to go in the business park.

Chairman Nebergall opened the floor for anyone to speak in favor of the zoning change. Council Member Billy Campbell came to the podium and stated that he was in favor but asked if there was any knowledge of what the property would be used for. Town Planner Trocquet stated that the plans for the property were not solidified, but that it would likely be similar to the uses currently located in 1425 Senoia.

Chairman Nebergall opened the floor to any opposed to the public hearing. No one spoke.

Commissioner Schouw made a motion to change the zoning of the property from C-1 to C-2
Vice-Chairman Hunter seconded the motion. Motion carried 3-0

*2. The consideration of a petition from applicant Brian Selleck for the rezoning of a 1-acre tract with parcel number 072604002 at property address 1425 Senoia Road. The proposed rezoning is from C-1 (Downtown Commercial) to C-2 (Highway Commercial). **Phillip Trocquet, Town Planner***

[Note: The conversation for item number 2 was discussed with item number 1]

Chairman Nebergall opened to floor to any in support of the public hearing. No one spoke.

Chairman Nebergall opened the floor to any in opposition to the public hearing. No one spoke.

Commissioner Schouw made a motion to change the zoning of the property from C-1 to C-2
Commissioner Duncan seconded the motion. Motion carried 3-0

*3. The consideration of a petition from applicant Anil Midha for the rezoning of a 1-acre tract with parcel number 07382604002 at property address 105 Howell Road. The proposed rezoning is from C1 (Downtown Commercial) to TCMU (Town-Center Mixed Use). **Phillip Trocquet, Town Planner***

Mr. Trocquet stated that the applicant, Anil Midha has submitted a petition to rezone a 0.9 acre tract from C-1, Downtown Commercial, to TCMU, Town Center Mixed Use. He stated that the expressed intent for this petition is to position the property for future development consistent with the goals of the Comprehensive Plan for the Town Center District. Trocquet stated that there is not currently a development plan or proposed project for the property.

Mr. Trocquet stated that the petition to TCMU is consistent with the Future Development Map and Comprehensive plan. TCMU was designed to be a zoning district that would best facilitate the desired development pattern in the downtown area.

Left to Right: 1, 2, 3, 4

Mr. Trocquet stated the uses allowed in TCMU are designed to be compatible with other commercial districts in the Town Center District (downtown). He also stated that TCMU's intensity should not adversely affect nearby properties in the C-1 district.

Mr. Trocquet continued saying the property is severely restricted by C-1 setback requirements and that the property is also below 1-acre which is not permitted in the C-1 district thereby leaving the property virtually un-buildable unless the owner pursued a variance. TCMU setbacks are zero-lot line on the sides and significantly reduced towards the street. He stated that intensity of TCMU is similar to C-1 and the Town is currently pursuing a development strategy downtown consistent with TCMU's development standards.

Vice-Chairman Hunter asked Mr. Trocquet whether the existing setbacks would restrict the property owner. Mr. Trocquet confirmed that the property has a triple road frontage with Brentwood, Howell, and Senoia Roads and that the setbacks for C-1 are 55 feet towards the street. Chairman Nebergall asked if the Town would run into any issues with the property being below an acre. Mr. Trocquet stated that the TCMU district allowed lots to be below an acre and that sewer being present would allow development.

Chairman Nebergall asked the owner, Mr. Midha, if he had any addition comments. Mr. Midha stated that he did not.

Chairman Nebergall opened the floor for anyone to speak in favor or in opposition of the zoning change. No one spoke for either. He then closed the floor and asked for any commission questions or comments. There were none.

Vice-Chairman Hunter made a motion to change the property from C1 to TCMU.
Commissioner Duncan seconded the motion. Motion carried 3-0

4. To consider an update and readoption of the Town of Tyrone's official zoning map. Phillip Trocquet, Town Planner

Mr. Trocquet stated that he was presenting a petition with recommendation to re-adopt and update the Town's zoning map. He stated that the GIS version was on the screen, but the Commission also had a static version in their packets. He stated that the Town was awarded the Atlanta Regional Commission Community Development Assistance Projects for the 2020 year. He stated that the grant offered the Town professional GIS services to recreate the Town's official zoning map in a GIS format both as a .pdf as well as a browseable map that will be available online.

Trocquet stated that the recreation of the zoning layers in GIS has yielded staff the ability to make this map and update this map on a more frequent basis. He stated that it is staff's recommendation that these updates ideally occur after every zoning petition if feasible. He stated that updates should happen quarterly at a minimum along with new static .pdf maps that reflect the digital version.

Left to Right: 1, 2, 3, 4

Trocquet stated that the online version of the map will be available to the public and is also interactive. He stated that the map has the ability to give user's additional information as they click on a particular property, very similar to the tax map. Though the interactive map will be online, the static version of the map will be the official zoning map that will also be available online as well as hung in the lobby of the Tyrone Town Hall.

Trocquet stated that if the map is approved tonight it will go before the Town Council next week for their approval and adoption to make the map official. He went on to explain how the map would function on the website compared to the existing map.

Trocquet stated that there were some changes made to the new map. These changes included color scheme, new zoning districts that were created have been added to the map, and the parcel map itself has been updated to reflect the tax map.

Commissioner Hunter asked what state law required the map to be displayed in the lobby of Town Hall. Trocquet stated that the map had to be publically visible and accessible. Hunter stated that as the map has the ability to be altered in the future, he asked if there was a way to display a digital map in the hallway so that it can be updated without having to print a new map signed and notarized every time something changes. Mr. Trocquet stated that the digital map would be available to anyone on their phone or computer, but he was not sure of a digital map being available to have in the lobby area on a TV. Trocquet stated that the printed map in the lobby will stay current as the map changes.

Chairman Nebergall opened the floor for anyone to speak in favor or opposition of the new zoning map. No one came forward and spoke for either. He then closed the floor and asked for any commission comments or questions. There were none.

Commissioner Duncan made a motion to adopt an updated version of the Town of Tyrone's official zoning map.

Commissioner Schouw seconded the motion. Motion carried 3-0

New Business

Staff Comments

Trocquet stated that he had an update on the LCI. He stated that next week a meeting would be scheduled with POND for the beginning of the process and they would start the existing condition analysis. He stated that they would take a look at the existing conditions downtown and then the Public Hearing portion of the project would begin.

He stated that a specific website would be developed for the LCI. He also stated that there were some complications with setting up public outreach events, but they are going to use Town events as a way of connecting with the public, considering COVID does not have them canceled. He stated that POND would also host some virtual events in place of any in-person events that could not be held. He also stated that any in-person events would be social distanced.

Left to Right: 1, 2, 3, 4

Mr. Trocquet also stated that staff was working on some revisions to the parking ordinance for the downtown area and those may be present at the next meeting. Commissioner Hunter asked if these changes would include golf cart parking as well. Mr. Trocquet stated that he would be speaking with council on golf cart parking as well as compact car parking and how it relates to fulfilling parking requirements.

Commissioner Hunter asked if the current parking ordinance say where parking has to be located since the intent of the TCMU is to bring buildings closer to the street, would this allow for parking in the rear. Mr. Trocquet stated that certain districts require parking in the rear and some do not, he stated that the specifics of each district are stated in the parking ordinance.

Commission Comments

Commissioner Duncan asked Planner Trocquet for a percentage of the sewer project completion. Trocquet stated that the project is approximately 65% complete. He stated that they are looking at March to be done with the first phase of the sewer expansion, weather permitting. He also stated that the sewer works have not been working on Senoia Road specifically, but rather on Valleywood Road to bring the pump station to where it needs to be for the completion of phase one. Commissioner Hunter asked Trocquet to clarify which phase would be completed in March. Trocquet stated that he believed the Tyrone Elementary phase is not included in the progress that would be finished by March, but he would ask the Town Manager, Brandon, or the Town Engineer, Scott, for clarification.

Adjournment

Commissioner Duncan made a motion to adjourn.

The meeting adjourned at 7:46 pm.

Chairman David Nebergall

Phillip Trocquet, Town Planner