

**ATHENS-CLARKE COUNTY PLANNING COMMISSION  
MINUTES  
November 5, 2015  
7:00 P.M.  
120 W. Dougherty Street**

**MEMBERS PRESENT:** Jim Anderson, Maxine Easom, David Finkel, Dave Hudgins, Hank Joiner, Alice Kinman (chair), Lucy Rowland, Jim Scanlon, and Jeff Scarbrough  
**MEMBERS ABSENT:** Jeff Ritchey  
**STAFF PRESENT:** Rick Cowick, Brad Griffin, Bryce Hix, Craig Page (Planning), and Jim Davis (Staff Attorney)

**GENERAL BUSINESS**

Ms. Kinman called the meeting to order at 7:00 p.m.

1. **Introduction of Staff reports and all other documents submitted to the Planning Commission at the meeting into the official record.** Ms. Rowland moved to introduce all reports and documents into the official record. Mr. Scarbrough seconded the motion, which passed unanimously.
2. **Approval of October 1, 2015 Planning Commission meeting minutes.** Mr. Anderson made a motion to approve. Ms. Rowland seconded the motion, which passed unanimously.
3. **MACORTS Update and Public Comment.**  
No report was given and no public comments were received.

**NEW BUSINESS**

1. **134 PRINCE AVENUE & 134 CHILDS STREET – PD-2015-10-2201**  
**Type I – Preliminary Planned Development**

Petitioner: James C. Warnes

Owner: Catholic Archdiocese of Atlanta

Request: From C-O (Commercial-Office) and C-O\* (Commercial-Office Zoning with Conditions) to RS-8 to C-D (WE) (PD) (Commercial-Downtown, West End Downtown Design Area - Planned Development)

Tax ID: 163C4 C012 & 171A2 B002

Mr. Hix presented the staff report with comments only.

**In Favor:** Russ Davis, Jim Warnes, Tony Eubanks, Tyler Dewey, Kristen Morales, Clint McCrory, David Bryant

**In Opposition:** Rinne Allen, Angela Steedley, Laura Steadman, Adrienne Andrews, Lauren O'Grady

**Discussion:** Mr. Scarbrough said that the question is how this prominent property can be developed with minimal impact on the neighborhood. Architectural elevations are needed to judge the shadowing problem. A traffic study should also be part of the final report. Because this encroaches deeply into the neighborhood, C-D zoning is more intensive than what is necessary for the project. RM-3 zoning should be considered.

Mr. Finkel said that he has heard no complaints about Building A. A grocery store is needed downtown. Preservation of the chapel is positive. The need for a traffic study is crucial. Something is needed for pedestrian crossing of Prince Avenue before someone gets hit by a motorist. A sunlight study is also

needed. The proposed Childs Street access is a concern. The complete streets policy needs to be integrated into the plan for bicyclists, pedestrians, and automobiles.

Ms. Rowland said that the lack of detail makes it difficult to review and comment upon the proposal. The Planning Commission was not privy to the meetings between the developer and the neighborhood. This is like a concept plan, which makes it very hard to judge what is being proposed. Architectural elevations are needed. Bottleworks is a good model for Prince Avenue. Childs Street needs compatible buildings for the neighborhood. The proposed percentage of affordable/workforce housing should be nailed down. The intown residential parking requirements should be reviewed at a future time because a lot of students do not bring a car to school.

Mr. Hudgens commended the applicant for soliciting community input and preserving the chapel. He said that the proposed building height and shadowing effect are concerns. More details are needed.

Ms. Easom said that the applicant had mentioned the opportunity to provide safe walking and transportation on Prince Avenue, but the plans do not include that, so she would like to know how much the applicant will provide to meet that goal. More attention is needed for the project to complement Childs Street. More information is needed, including shadowing.

Mr. Scanlon said that the words “insular” and “isolated” were used during the public hearing. The development needs to be integrated into the neighborhood.

Mr. Anderson said that architectural elevations and a scale model would help convey the effect of the proposed buildings on the neighborhood.

Mr. Joiner said that the applicant can take a few months before coming back before the Commission, so they should not rush back in with revised plans. He questioned the stated sizes and the scale of the multifamily units by Childs Street. An angled exit onto Childs Street is a good idea. Perhaps Childs Street should be a one-way street in the direction of Prince Avenue to keep the traffic out of the residential neighborhood. He does not know how the tenant restrictions will be enforceable.

Mr. Joiner asked how a proposed building height higher than the RM-3 maximum could be approved. Mr. Griffin replied that it could be a waiver request with the planned development.

Mr. Joiner said that the stated number of multifamily units along Childs Street is inconsistent. A Pulaski Street perspective rendering is needed. The parking deck should not stand out. The Pulaski Street buffer needs to stay in place, so he would be concerned with installing a sidewalk along that frontage. There is a question about who will pay for the street improvements.

Mr. Finkel said that the proposed C-D zoning implies a grid pedestrian network. This project should be better connected to both Childs Street and Pulaski Street.

Ms. Kinman said that she agreed with Ms. Rowland about the parking requirements. To need a parking deck this close to downtown to accommodate the requirements is causing problems. The Prince Avenue building is not causing any heartburn. Everyone is concerned with how the buildings address Childs Street and she shares Mr. Joiner’s concern with the Pulaski Street buffer. The project should be designed to help with multimodal movement along Prince Avenue.

2. **4500 ATLANTA HIGHWAY – PD-2015-10-2202**

**Type I – Planned Development**

Petitioner: Dewberry Engineers, Inc.

Owner: Walton Georgia, LLC

Request: From C-G (PD) (Commercial-General – Planned Development) to C-G (PD), RM-2 (PD) (Mixed Density Residential - Planned Development) & RS-5 (PD) (Single-Family Residential - Planned Development)

Tax ID: 044 025; 044B 023A, 024, 024A, 025, 026, 027, 029, 030, 031

Mr. Page presented the staff report with comments only.

**In Favor:** Teresa Crisp, Connie Fish, Bill Bushnell, Daniel Bennett

**In Opposition:** None

**Discussion:** Mr. Finkel said that additional Atlanta Highway development is needed and this project would spark some of that development. The percentage of workforce housing and the definition of “active adult” housing should be provided. The amenities should be flushed out. The safety of the dam should be addressed. A reason should be provided for removal of the rail facility from the existing planned development.

Ms. Rowland said that the list of requested waivers gives her heartburn. That is a lot to ask of Athens-Clarke County, especially on a property of this size and concerning the environmental impact. Justifications for those waivers are needed. This is a concept plan with a lack of detail, which makes it hard to evaluate.

Mr. Anderson said that the proposal bothers him because it is like buying a pig in a poke. It has too little detail to make an intelligent decision. The lack of ingress and egress make this almost a cul-de-sac neighborhood, which is not justified for the proposed high density. At least three or four significant entrances and exits are needed. The existing roads are clearly substandard. There is no way of assessing what we are dealing with.

Ms. Easom asked if there is a phasing plan. Mr. Rick Shmurak, representing the property owner, replied that there is not a phasing plan since this project is market-demand driven. Ms. Easom said that a phasing plan is needed.

Ms. Easom asked about the level of community input. Mr. Shmurak replied that they had not solicited community input since the proposal reduces intensity and density and increases green space when compared to the current binding plan.

Ms. Easom said that there is a need for more ways in and out of the development.

Mr. Scarbrough said that this is an ambitious plan and promising as beneficial for the west side, but the requested waiver for clear cutting and mass grading for such a large project makes him nervous. Phasing and more detail are needed. The apartments on Dakota Street need a better way to access the proposed Atlanta Highway traffic signal. More internal circulation options like that are needed. One access to the lots across the dam is concerning.

Mr. Hudgens said that this is a cul-de-sac development.

Mr. Joiner said that he has no issue with the proposed residential neighborhood, but the details need to be worked out and the requested tree waivers will not get anywhere. The applicant should reconsider the waivers for trees and mass grading.

Mr. Scanlon said that he does not want to see mass grading, so that waiver and the tree waivers should be reconsidered.

Ms. Kinman said that there is no justification for the waivers, which does not allow for evaluation. The community opinion will not allow them without a really good reason and phasing information to evaluate their impact. There are ingress-egress and environmental impact concerns.

**THE NEXT TWO AGENDA ITEMS WERE SIMULTANEOUSLY HEARD**

**3. 145 ANNA DRIVE – ZONE-2015-10-2225**

**Type I – Future Development Map Amendment**

Petitioner: Planning Department, Unified Government of Athens-Clarke County

Owner: Anna’s Walk Condominium Association

Request: From *Community Institutional* to *Residential Mixed Use*

Tax ID: 074C A052

**4. 145 ANNA DRIVE – PD-2015-10-2205**

**Type II – Planned Development Amendment**

Petitioner: Beall & Company

Owner: Anna’s Walk Condominium Association

Request: Amendment to RM-1 (PD) (Mixed Density Residential – Planned Development)

Tax ID: 074C A052

Mr. Hix and Mr. Griffin presented the staff reports with recommendations for approval of the proposed Future Development Map amendment and approval with conditions for the planned development amendment.

**In Favor:** Ken Beall

**In Opposition:** None

**Discussion:** Mr. Anderson pointed out a typographical error in the Future Development staff report.

**Future Development Motion:** Ms. Rowland made a motion to recommend approval. Ms. Easom seconded the motion, which passed unanimously.

**Zoning Motion:** Ms. Rowland made a motion to recommend approval with the following conditions:

1. The existing building lines established by the dwelling units as they have been constructed shall be the minimum setbacks for such units from the rights-of-way. Any future additions to any of the units shall be limited to the sides or rear of the structures.
2. The condominium owners’ association shall maintain the trees and other landscaping within the rights-of-way.
3. The condominium owners’ association shall maintain the street lighting or pay for the conversion of such lighting to fixtures acceptable to Athens-Clarke County prior to acceptance by ACC for maintenance.

4. Any signs other than standard traffic control signs located within the proposed rights-of-way shall be removed from said rights-of-way.
5. A final plat and all necessary right-of-way deeds creating outlots for the median planting areas and establishing the public-rights-of-way shall be prepared for approval and recording prior to acceptance by Athens-Clarke County.

Mr. Hudgens seconded the motion, which passed unanimously.

5. **TEXT AMENDMENT** – Accessory buildings (for comments only)

Mr. Griffin presented the proposed text amendment.

**In Favor:** None

**In Opposition:** None

**Discussion:** Mr. Anderson said that the proposed amendment is only for detached garages and not attached garages.

Mr. Finkel asked about the definition of accessory structures. Mr. Griffin provided the definition and how a building connected to the primary structure by a breezeway would be considered part of the primary structure.

Mr. Davis said that great contortions had occurred with the possible connecting breezeway option.

Mr. Anderson asked if playground equipment was considered as accessory structures. Mr. Griffin replied that they were only if a building permit was required.

A conversation regarding accessory dwellings ensued.

**OTHER BUSINESS**

1. **Planning Commission Chair's Report:** Ms. Kinman reported that she had served on a Federation of Neighborhoods panel regarding the east side and Lexington Road.
2. **Planning Director's Report:** Mr. Griffin reviewed a distributed memorandum from the Planning Department regarding infill housing. He reported the recent Mayor and Commission actions taken on zoning items and that the December Planning Commission had been rescheduled for the 10<sup>th</sup> due to the Christmas parade.
3. **Miscellaneous announcements.** None

The meeting adjourned at 9:15 p.m.

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Alice Kinman  
Chair

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Brad Griffin  
Secretary