

PLANNING AND ZONING COMMITTEE

MINUTES:

March 5, 2019

In Attendance

Councilman Darrin Ledford, Committee Chair, called the meeting to order at 3:46 p.m. in the Council Assembly Room. A quorum was present, including Council Chairman Ken Smith, Council Vice-Chairman Erskine Oglesby and Council members Anthony Byrd, Demetrus Coonrod, Russell Gilbert, Chip Henderson and Jerry Mitchell. Also present were Phil Noblett, City Attorney, and Nicole Gwyn, Clerk. Councilwoman Carol Berz arrived later in the meeting.

Others in Attendance

Regional Planning: John Bridger, Executive Director, and Bryan Shults, Director of Development Services; ECD: Dallas Rucker, Asst. Director of Development Services

Approval of Minutes

On motion of Councilman Gilbert and seconded by Councilman Byrd, the minutes of the last meeting (February 5, 2019) were approved as published.

ADU Update

Mr. Bridger wanted to give the Council an update on Accessory Dwelling Units (ADU). He informed the Council that RPA will hold a public meeting on ADUs next Wednesday at Stuart Heights. He also informed the Council of a citizen housing action team and will revisit ADUs when that team reports in April.

Steep Slopes & Floodplains Update

Mr. Shults informed the Council of the Technical Advisory Committee's first meeting in January. The committee will tour some sites next Friday. They are 90-percent done with their peer research is being done. A public hearing will be scheduled most likely in April. In March, RPA hopes to have the number of steep slopes. They will also report back to the Council on FEMA funding for flood damage. In response to Councilman Ledford's inquiry, he noted that the last critical areas maps came in 2016.

Next Week's Agenda: March 12, 2019

Ordinances (First Reading) - Agenda Item 6A

Mr. Bridger briefed the Council on this rezoning request in the Hamilton Place area. He noted that there was no Opposition at the Councilman Ledford informed the Council that he has no concerns with this request.

Ordinances (First Reading) - Agenda Item 6B

Mr. Bridger briefed the Council on this rezoning request to repurpose the site for a self-storage facility, which is not allowed in C-2. He noted that the usage and the footage would be limited.

He also noted that the rear of the site is in a floodplain. Staff recommended to deny the M-1. There was no Opposition at the Planning Commission. The Planning Commission recommended to deny the M-1 but approve C-2 for the rest of the property. Councilman Ledford asked if there were conditions that could be added. Mr. Bridger recommended a site plan that delineates where outdoor storage would be and a screening, and (2) what that screening would entail. Councilman Gilbert informed the Council that he would most likely move to defer for a month due to weariness about what the Applicant will do and to give the community time to hear about this. Councilman Mitchell inquired about whether storage had been done already in the R-1 area for this property. Mr. Rucker confirmed that the Applicant was cited to court recently and a judgement was issued against the Applicant. Mr. Rucker offered to see if any compliance has happened in relation to the judgement against the Applicant.

Ordinances (First Reading) - Agenda Item 6C

Mr. Bridger briefed the Council on this UGC request to allow six (6) attached development units. He noted that this Old Mountain Road property is across the street from The Incline parking lot in St. Elmo and is outside of the St. Elmo Historic District. Since UGC has commercial uses not conducive to the St. Elmo plan recommendation, so Staff recommended five (5) conditions recommended. He explained about the topo line has been used to determine where to leave the property undisturbed. There was Opposition at the Planning Commission, but they were only concerned with the commercial uses. Once the Opposition spoke with the Applicant about the uses, they came to an understanding. Councilman Ledford inquired about whether a height condition could be added. Councilman Ledford also noted that the Planning Commission is conscious of the steep slope in this area. Vice-Chairman Ledford inquired about the parking if the height is limited. He also noted how tightly-congested this property can get.

Ordinances (First Reading) - Agenda Item 6D

Mr. Bridger briefed the Council on this amendment that had been requested by the Council to develop a special permit in C-2 for contractor businesses. He gave some background on the current C-2, which does not allow a full-blown and made note of certain highlights:

- Define contractor business contractor business and commercial vehicle
- exclude contractor businesses from the prohibited uses
- replace contractor's office with contractor business in C-2
- Same procedure for special permits (RPA, Planning Commission, Council)
- Some of what they will look at: Site plan, operating hours, number of shipments
- Will be reviewed on three (3) key criterial
- Created standards for outdoor storage.
- Increasing storage to 40-percent.
- Will define the screening.

He asked Mr. Noblett asked if BOZA could provide an exception to the commercial use. Mr. Noblett would hesitate granting a variance, but he sent a response to Mr. Bridger about this question. He then responded to question from the Council on the following topics:

- Definition of a "contractor" (Councilman Gilbert)
- How to determine "junk" at the business (Councilman Gilbert)
- Enforcement of junk on premises (Councilman Gilbert)
- Screening to prevent junk from the street (Councilman Gilbert)

- Use as a “lay down” yard/storage only not allowed (Councilman Mitchell)

Mr. Rucker added to the discussion about enforcement. Mr. Bridger noted that this would be a special permit, not a right; meaning there would be a case-by-case review. Chairman Smith noted that although he sponsored this legislation, it was Councilman Henderson who came up with this idea to look at City Code on this matter. Councilman Mitchell inquired about what happens if the permit is used for a “lay down” (storage) yard.

Adjournment

There being no further business, Councilman Ledford adjourned the meeting at 4:02 p.m.