

**CITY OF COVINGTON  
PLANNING COMMISSION  
PUBLIC HEARING MINUTES  
JANUARY 18, 2010  
CALLED MEETING  
7:00 PM**

**MEMBERS PRESENT:**

Lee Aldridge, Chairman  
Eula Hardeman, Vice Chairman  
John Travis  
Greg Shy  
Ruel Parker

**STAFF PRESENT:**

Randy Vinson, Planning Director  
Scott Gaither, Senior Planner

**ABSENT:** Michael Geoffroy & Paul Oeland

**1. OPENING STATEMENT:**

Lee Aldridge called the meeting to order, welcomed all in attendance and stated a quorum was present with the absence of Michael Geoffroy and Paul Oeland. Mrs. Aldridge stated the inclement weather on January 11, 2011 caused the regularly scheduled Planning Commission public hearing to be canceled thus the reason for the called meeting.

**2. DETERMINATION OF A QUORUM:**

Lee Aldridge stated a quorum is present.

**3. APPROVAL OF MINUTES:**

Ruel Parker made a motion to approve the minutes of the December 14, 2010 meeting as presented. Greg Shy seconded the motion and the motion carried unanimously.

**4. CITY OF COVINGTON: OLD BUSINESS: NONE**

**5. CITY OF COVINGTON: NEW BUSINESS:**

**ITEM – 1**

**CASE #1(2011)**

**A REQUEST TO REMOVE ALL CONDITIONS OF ZONING.**

- 1) ALL CONDITIONS AND REQUIREMENTS OF THE BY-PASS CORRIDOR OVERLY DISTRICT MUST BE MET UNLESS OTHERWISE GRANTED VARIANCE.**
- 2) THE 10' MULTI-USE PATH SHALL BE CONSTRUCTED ALONG HIGHWAY 142.**

**APPLICANT:**

**ESR COVINGTON ONE, LLC**  
50 Old Ivy Road, Suite 250  
Atlanta, GA 30342

**AGENT:**

Morris Ewing Jr.

**LOCATION:**

14450, 14470 & 14480 Paras Drive  
Covington, GA 30014

**LAND LOTS:**

262 & 275 - 9<sup>th</sup> District

**TAX PARCEL(S):**

CO81-109, CO81-110 & CO81-112

**ITEM – 2**  
**CASE #2(2011)**

**A REQUEST TO REMOVE ALL CONDITIONS OF ZONING.**

- 1) ALL CONDITIONS AND REQUIREMENTS OF THE BY-PASS CORRIDOR OVERLAY DISTRICT MUST BE MET UNLESS OTHERWISE GRANTED VARIANCE.**
- 2) THE 10' MULTI-USE PATH SHALL BE CONSTRUCTED ALONG HIGHWAY 142.**

**APPLICANT:** ESR COVINGTON TWO, LLC  
50 Old Ivy Road, Suite 250  
Atlanta, GA 30342

**AGENT:** Morris Ewing Jr.

**LOCATION:** 11120 & 11140 Highway 142 North  
Covington, GA 30014

**LAND LOTS:** 262 & 263 - 9<sup>th</sup> District

**TAX PARCEL(S):** CO81-100 & CO81-104

**ITEM – 3**  
**CASE #3(2011)**

**A REQUEST TO REMOVE ALL CONDITIONS OF ZONING.**

- 1) ALL CONDITIONS AND REQUIREMENTS OF THE BY-PASS CORRIDOR OVERLAY DISTRICT MUST BE MET UNLESS OTHERWISE GRANTED VARIANCE.**
- 2) THE 10' MULTI-USE PATH SHALL BE CONSTRUCTED ALONG HIGHWAY 142.**

**APPLICANT:** ESR COVINGTON THREE, LLC  
50 Old Ivy Road, Suite 250  
Atlanta, GA 30342

**AGENT:** Morris Ewing Jr.

**LOCATION:** 10180 Highway 142 North  
Covington, GA 30014

**LAND LOTS:** 263 - 9<sup>th</sup> District

**TAX PARCEL(S):** CO81-83

**PRESENTATION:**

Scott Gaither introduced the items by stating the request, to remove the conditions of zoning, are the same for all three items however they were advertised separately since they are owned by three different business entities under one person, Mr. Morris Ewing Jr.

Mr. Gaither continued to explain the conditions no longer apply as when they were placed on the properties in 2006 and 2007, when the By-Pass Corridor Overlay District was a new overlay district, as with the adoption of the current zoning ordinance in 2008 the By-Pass Corridor Overlay District is no longer an active part of the code. Staff incorporated the best parts of the overlay district into what is now the Corridor Mixed-Use zoning district and the Development Standards, which applies to all new development. The previous and current development patterns along Hwy. 142 do not lend themselves to be compatible with design guidelines of the By-Pass Corridor Overlay District as it has been developed in an auto centric nature. The condition of the 10' wide multi-use path constructed along Hwy. 142 is no longer obtainable since the Georgia Department of Transportation will not allow such a

structure in their right-of-way. What is allowed is the standard five foot wide sidewalk which meets ADA compliance.

John Travis asked if there are other similar properties.

Mr. Gaither stated yes as several properties in the immediate area that were rezoned about the same time as the subject properties were all given similar, if not the same conditions of zoning. No other property owner has inquired about changing conditions of zoning.

Greg Shy asked if this request is caused because of the widening of the road and the distance of the setbacks.

Mr. Gaither stated not necessarily, it is derived because the By-Pass Corridor Overlay District is no longer an active district in our code.

Eula Hardeman asked how removing the second condition would affect the developments.

Mr. Gaither stated current development standards require sidewalk along the entire road frontage of all new development therefore any new construction, whether along Hwy. 142 or other parts of the City, we will have sidewalk. The Georgia Department of Transportation has stated they will not allow a 10' wide multi-use path in their right-of-way but will allow ADA compliant sidewalks.

**APPLICANT PRESENTATION:**

Morris Ewing Jr. clarified Mr. Shy's question.

**MOTION:**

Greg Shy made a motion to approve ESR Covington One, LLC, ESR Covington Two, LLC, and ESR Covington Three, LLC. request to remove all conditions of zoning for tax parcels CO81-109, CO81-110, CO81-112, CO81-100, CO81-104, CO81-83 John Travis seconded the motion and the motion carried unanimously.

**6. REPORTS:**

Scott Gaither stated he had been approached by an individual inquiring about opening a tattoo parlor within in the City Limits and according to our code they are no longer allowed. The City currently has two legal, non-conforming tattoo establishments and would the Planning Commission like for staff to propose a code amendment to allow this type of Personal Care Service business back into the Table of Permitted Uses.

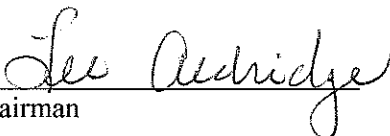
After some discussion it was unanimously decided by the Planning Commission for staff not to propose a code amendment to allow tattoo parlors and piercing establishments.

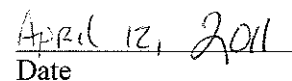
**7. PUBLIC COMMENT: NONE**

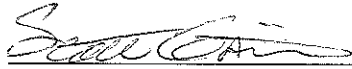
**8. ADJOURN:**

Lee Aldridge stated with no other business this meeting is adjourned. 7:40 p.m.

These minute of the January 18, 2011 Covington Planning Commission public hearing are approved.

  
Chairman

  
Date

  
Recorder

4/12/2011  
Date