

**CITY OF COVINGTON
PLANNING COMMISSION
PUBLIC HEARING MINUTES
MAY 10, 2011
7:00 PM**

MEMBERS PRESENT:

Lee Aldridge, Chairman
Ray McFadden
Greg Shy
Michael Geoffroy
Paul Oeland

STAFF PRESENT:

Scott Gaither, Senior Planner

ABSENT: John Travis & Ruel Parker

1. OPENING STATEMENT:

Mrs. Lee Aldridge called the meeting to order and welcomed all in attendance.

2. DETERMINATION OF A QUORUM:

Mrs. Aldridge stated a quorum was present with the absence of Mr. John Travis and Mr. Ruel Parker

3. APPROVAL OF THE AGENDA:

Mr. Michael Geoffroy made a motion to approve the agenda as posted. Mr. Greg Shy seconded the motion and the motion carried unanimously.

4. APPROVAL OF MINUTES:

Mr. Ray McFadden made a motion to approve the minutes of the April 12, 2011 meeting as presented. Mr. 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 #5(2011)

**A REZONING REQUEST FROM NEIGHBORHOOD
RESIDENTIAL 2 DISTRICT TO TOWN CENTER MIXED USE
DISTRICT**

APPLICANT:

CHARLES TULLER

2141 Emory Street

Covington, GA 30014

AGENT:

Charles Tuller

LOCATION:

2131 Stone Mountain Street

Covington, GA 30014

LAND LOTS:

253 - 9th District

TAX PARCEL(S):

CO25-9-2

PRESENTATION:

Mr. Scott Gaither introduced the item and provided a brief background of the property and the applicant's request. Mr. Gaither stated this location was formerly used as a group home for Project Adventure for nearly eight years and at such time a group home was a permitted use in the NR-2 zoning district but with the adoption of the current ordinances a group home

in the NR-2 district would require a Special Use Permit. Due to the renovations required by the Building Official and Fire Marshal for the group home use, finding a single-family type tenant has been difficult since Project Adventure shut down in August of 2010. The structure has been retro-fitted with a sprinkler system, ADA compliance throughout and been brought up to building code. The cost of all of this was in the \$250,000 range as the structure was originally built in 1890.

APPLICANT PRESENTATION:

Mr. Charles Tuller gave a brief presentation explaining his and the owner's, Mr. Robert R. Fowler III, desires for rezoning from NR-2 to TCM. Mr. Tuller stated he has tried to find another group home for the location but without the zoning or use approved those he spoke with would not commit to the location. He went on to state the other uses permitted in the TCM district would only be considered should they not be able to find the intended tenant.

Mr. Robert R. Fowler III gave a brief history of the property and how it came to be a group home with Project Adventure and the improvements that were required by the City for the group home.

Mrs. Aldridge asked what type of group home would be considered for this location. Mr. Tuller stated something similar to Project Adventure or for battered women and children and maybe a transitional type house for those coming out of the prison system. Mrs. Aldridge stated Newton County is partnered with Rockale and Walton Counties with a battered women and children's shelter called Project Renewal that is based in Conyers and that may be a good start as they may be in need of another facility.

Mr. Shy asked how many rooms were in the house.
Mr. Tuller stated nine total with four being bedrooms.

Mr. McFadden asked if the idea for the rezoning would be to open other options for the property and not just for a group home.
Mr. Fowler stated yes.

PUBLIC SUPPORT/OPPOSITION:

No one signed up in support or in opposition of the request.

STAFF ANALYSIS AND RECOMMENDATION:

Mr. Gaither provided the following staff recommendation:

Within the last 10 years the property owner spent approximately \$250,000 remodeling the premises for a group home (ADA requirements, fire suppression sprinkler system, building code compliance for multi-family, etc.) which was a permitted use of the zoning district at that time. A group home in the NR-2 district now requires a Special Use Permit. The property has been vacant since August of 2010 when its last tenant, Project Adventure, closed. Due to the required remodeling improvements for the group home it has been difficult to find a residential tenant. The current zoning classification allows very little non-residential uses thus the request for the change of zoning.

Given that this property over the past 10 years has been used as non-residential, although residential in nature, a change in zoning would allow the property owner to

market and lease to a wider variety of potential users. The TCM district is a less intense (use wise) district than the Corridor Mixed Use District and would be in keeping with the immediate neighborhood. The Covington Code of Ordinances defines TCM as, "Intended primarily for mixed-use development and related uses at a higher density. This district provides a location for residences, retail, goods and services and offices to satisfy the common and frequent needs of the city's commercial core and greater Covington area with design standards and design parameters to encourage a pedestrian-friendly traditional urban form, oriented to pedestrians, which will limit the conflict between vehicles and pedestrians."

This property is unique in the fact it is located on a fringe area, as the abutting property to the west is zoned TCM and is being used as non-residential as are the properties north of Stone Mountain Street and east of Spring Street. Staff foresees the block of parcels bordered by Corley Street, Spring Street and Stone Mountain Street progressing into non-residential uses and TCM is the most logical zoning designation to complete this progression over time.

Therefore, staff recommends **APPROVAL**, of the requested rezoning of property at 2131 Stone Mountain Street from Neighborhood Residential – 2 District to Town Center Mixed Use District.

MOTION:

After brief deliberation Mr. Geoffroy made a motion to recommend to the Mayor and Council to approve the applicant's request for rezoning 2131 Stone Mountain Street from NR-2 to TCM as presented and recommended by staff.

Mr. Shy seconded the motion and the motion passed unanimously.

After a brief discussion regarding the Future Land Use Map Mr. Paul Oeland made the following motion; that staff should review the Future Land Use Map on an annual basis so to respond more quickly and appropriately to changing conditions and development patterns and to eliminate spot zoning.

Mr. Shy seconded the motion and the motion passed unanimously.

6. REPORTS:

Mr. Gaither stated the Mayor and Council denied the application for a Special Use Permit to establish a community living arrangement facility that the Planning Commission approved in April.

7. PUBLIC COMMENT:

Mr. Fowler stated that the County or City owns some land below Corley Street and if connected to the Dried Indian Creek would make a nice park.

8. ADJOURN:

Lee Aldridge stated with no other business this meeting is adjourned.

These minutes of the May 10, 2011 Covington Planning Commission public hearing are approved.

Lee Aldridge
Chairman

6/14/2011
Date

[Signature]
Recorder

6/14/2011
Date