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Steve Horton, Mayor
Scott Andrews, City Manager

City of Covington
MEETING OF THE PLANNING COMMISSION BOARD
November 9th, 2021 @ 6PM
Meeting Minutes

I. ROLL CALL

Chair conducted a roll call. The following persons were present:

MEMBERS PRESENT

Jared Rutberg (Chair)
Charika Davis
Shawn McGovern
Ruel Parker
Bobbie Shepherd
Mike Lassiter
John Travis
Lee Aldridge

STAFF PRESENT

Tres Thomas, P&D Director
Marc Beechuk, P & Z Manager
Renee Criswell, Planner

MEMBERS ABSENT

John Maxwell

GUESTS

Keith Bauer
Roger Cox

II. DETERMINATION OF QUORUM

Chair confirms quorum.

III. CALL TO ORDER

Chair called the City of Covington Planning Commission Board meeting to order at 6:08PM.

IV. OPENING REMARKS

Chair reads into record: *"This Planning Commission meeting is being recorded via Zoom for the official record. All Participants are encouraged to conduct themselves accordingly. Please keep you microphone muted unless you are called upon by the chair to speak. Planning staff reserves the right to mute participants and if repeated outbursts occur to remove a participant from the meeting. We appreciate your patience and actions in this unique time."*, as well, *"The Planning Commission makes recommendations only with final decisions being that of City Council."*

V. APPROVAL OF MINUTES

Chair called for approval of the October 12th, 2021 minutes.
Lee Aldridge motioned to approve. Bobbie Shepard seconded. Motion carried unanimously.

VI. **OLD BUSINESS**

None

VII. **NEW BUSINESS**

A **Preliminary Plat: PPP21-0007**

Request: Acceptance of a preliminary plat

Location: 9155 Jackson Hwy

Tax Map: C064 011

Owner: Malcolm Wm Donald ETAL c/o J Wayne

Applicant: Keith Bauer

1. **STAFF PRESENTATION**

P&Z Mgr. Beechuk presented PowerPoint to board reporting applicant was requesting preliminary plat for a residential subdivision proposing 72 single family lots and 30 townhome lots.

Beechuk reported the project parcel was vacant and approximately 21.54 acres having a heavily slopped topography from the northwest corner to the southern portion of the lot, which was encumbered by Environmental areas on site. He continued to report there would be access from Jackson Hwy at the north and south ends of the tract with the parcel sitting approximately 1,000 ft north of the intersection of Jackson Hwy/GA 36 & Covington Bypass/Eagle Dr.

2. **STAFF RECOMMENDATION**

Staff commented that the preliminary plat submitted responded to staff comments and was close to meeting the required technical standards. Through the design review process, the development would also need to meet the design standards for proposed townhomes. Staff recommended **Approval of the layout of the subdivision to be used as a guide to the preparation of the final plat with all technical standards below followed:**

- a. Electrical – Owner/developer to sign easements and pay any infrastructure relocation cost before start of work;
- b. Planning – Why is the property being accessed off a different property? that was not designed or approved through the special use process. This item needs to be rectified or other steps need to proceed this approval;
- c. Planning – Preliminary plats need all the information detailed in sec. 14.08.150;
- d. Planning – Lot 2 has a sewer easement going through it that looks to make it unbuildable. please address;
- e. Planning – Lot 24 has a sewer easement running through it that would make the lot hard to develop. please address;
- f. Planning – Put tree canopy requirements on the preliminary plat;
- g. Planning – Show setback lines on the townhome lots;

- h. Planning -- Please differentiate between the proposed lots and proposed open spaces. Multiple spaces are shown as lot x or y at is not obvious if all are intended residential lots or intended open space;
- i. Engineering -- Roadways require a 5' utility easement on both sides right outside, but adjacent to the Right-of-way.

3. APPLICANT AUTHORIZED AGENT(S) PRESENTATION

Applicant, Keith Bauer, presented and gave a brief overview of project.

Chair stated he believed townhome access would be via alleyway. Beechuk confirmed.

McGovern asked if the sidewalks would be in right of way, Beechuk confirmed they would be.

Lassiter asked applicant if developer planned on purchasing the neighboring parcel, currently owned by Mobley Investments, in order to install an additional D-Cell Lane for development. Applicant responded that P&D recommended a D-Cell Lane; therefore, they were currently in contract with Mobley Investments to do so.

Davis asked if speed bumps would be considered inside development to assist with speeding traffic. Bauer responded that they would work with planning to discuss and if required, will do so.

P&D Director Thomas commented that emergency response units were typically opposed to speed bumps, but P&D would reach out to GDOT to discuss.

Chair commented that required sidewalks, as those already in existence along Hwy 36, are definitely beneficial for pedestrian traffic; however, he would like to see additional curb installation as well to promote some elevation changes to assist with slowing down any vehicles that may veer off the road and onto the sidewalk. Beechuk replied that P&D would refer to city engineering regarding.

4. PUBLIC COMMENT

None. Floor closed for comment.

5. MOTION

Michael Lassiter motioned to issue a Certificate of Conditional Preliminary Plat, subject to the following conditions:

- a. Purchase of the adjacent Mobley Investment property for D-Cell Lane installation;
- b. Applicant to work with P&D and engineering to install additional curbing, berm, etc. with required sidewalks to assist with pedestrian safety;

- c. Developer must meet all city ordinance design standards for proposed townhomes as well as final plat must be all technical standards as referenced in P&D staff report;
Ruel Parker seconded. Motion carried unanimously.

B. Proposed Text Amendment – Temporary Trailers (Industrial)

1. STAFF PRESENTATION

Staff presented PowerPoint for staff's request in seeking a text amendment for addition of a third subsection to the supplemental provisions for *Temporary Structures* (Temporary Trailers) in the Industrial Zone as found within ordinance Sec. 16.20.710.

Text as follows:

Text:

In the M-1 and M-2 districts, permitted uses may utilize one or more temporary structures for temporary office space to accommodate expansion & growth

- a. A permit for the construction or location of a temporary structure to be used as an office in accordance with this subsection may be issued only after verification of proper zoning
- b. The permit, when issued, shall expire two years from the date of issuance
- c. Cost of the permit shall be as established by the mayor and council
- d. Any violation of this subsection shall constitute grounds for the refusal of the city to issue any building permit requested by the violator
- e. Temporary structures must be placed in the rear or side yard
- f. Temporary structures are to be used for office use only, no manufacturing or processing.

Chair asked if this text would accommodate the use of storage. Beechuk responded the "two (2) year expiration" verbiage would cover those uses as well. Chair also asked if any indication of "non renewals" after the stated two-year period. Beechuk replied additional or revised verbiage could be looked at regarding. Parker stated that he would like to see similar verbiage added as that of the existing code under 16.20.710 B.3, that references a possible extension being granted of a period not to exceed six (6) months. Beechuk said this proposed text amendment was for construction trailers specifically and would have a separate subsection regarding, not fall under the referenced existing code; however, the notation of no renewal or a possible six (6) month granted extension could be added to the proposed text.

2. STAFF RECOMMENDATION

N/A

3. APPLICANT AUTHORIZED AGENT(S) PRESENTATION

N/A

4. PUBLIC COMMENT

N/A

5. MOTION

Ruel Parker motioned to recommend approval of staff's request for referenced text additions, as found within staff report, for addition of a third subsection to the supplemental regulations for Temporary Structures (Temporary Trailers) in the Industrial Zone as found under ordinance Sec. 16.20.710 with conditions below:

- a. A six (6) month renewal option, similar to ordinance Sec. 16.20.710 B.3; be included;

Shawn McGovern seconded. Motion carried unanimously.

C. Proposed Text Amendment – Breweries, Brewpubs & Distilleries

1. STAFF PRESENTATION

Staff presented PowerPoint for staff's request in seeking a text amendment for addition of the following uses and supplemental regulations for *Breweries, Brewpubs & Distilleries* in Sec. 16.16.020 & 16.20.135 (language proposals within staff report). Further, recommending these operations be permitted in the industrial zones, but for Breweries and brewpubs (and to a lesser degree distilleries) also be permitted in our mixed-use zones which would allow them to be a catalyst for a larger project. The state has already put strict regulations on amount of sale, type of sale (on premise vs. packaged to-go) and some operational requirements, therefore we have left those aspects out of our proposed code;

Main Points:

- a. All these uses are regulated by state laws which limit
 1. Type of sale
 2. Amount of Sale
 3. Employment
- b. This change would create potential businesses that sell alcohol without mandating food sales, however production is a component of that and we are not creating an ordinance for bars.

Chair asked how is a brewery not classified a bar if not food sales. Beechuk stated that brewery definition is where the beer served comes directly from the brewery. Brewpub has a certain percentage of its beer sold onsite. A Distillery produces higher level and controlled by higher guidelines.

McGovern asked could you have a restaurant in a brewery. Beechuk said a brewpub is specific as allows more sales due to the food component and a Brewery has less sales with no food component, but can have a kitchen.

Lassiter asked had P&D been approached regarding installation of these. Beechuk responded that a couple of projects P&D has heard about does want them in there and

there have been some reaching out to surrounding breweries. Beechuk commented he thought that it would be a delicate balance whether "you" want to give an existing brewery a second location or assist in an upstart chance for one.

2. STAFF RECOMMENDATION

N/A

3. APPLICANT AUTHORIZED AGENT(S) PRESENTATION

N/A

4. PUBLIC COMMENT

N/A

5. MOTION

Shawn McGovern motioned to recommend approval of staff's request for referenced text amendment for addition of the following uses and supplemental regulations for *Breweries, Brewpubs & Distilleries* in Sec. 16.16.020 & 16.20.135. John Travis seconded. Motion passed 5-2 (Voting yes: Davis, Lassiter, McGovern, Rutberg, Shephard; Voting no: Parker, Aldridge)

D. Proposed Text Amendment – Short Term Rentals

1. STAFF PRESENTATION

Staff presented PowerPoint on staff's request in seeking a text amendment to add *All Other Traveler Accommodations* to the permitted Use chart in Sec. 16.16.020 along with supplemental regulations in Sec. 16.20.035;

Main Points:

- a. Rental Certificate – registration and agreement to act as well as take full responsibility of people in a given unit
- b. Permitted Districts – NR-1, NR-2, NR-3, CR, TCR, TCM, NM & CM
- c. Occupancy limits
- d. Parking limits
- e. Clear statement on owner's responsibility to maintain a code compliant residence, including a fine schedule and potential loss of rental certificate

McGovern asked if fire marshal reviews were required of property prior to issuance. Beechuk stated that was being discussed, but would caution against seeing that most will be personal residential homes and held to residential codes inspected by building official. For new businesses we currently perform compliance inspections and could look into that type of inspection. McGovern said there needs to be a safety check put in place to prevent many from doing renovations, etc. that could be a safety issue for clients.

Travis commented that he did not believe the approval of these in residential neighborhoods would be a good idea. He didn't feel there would be any tax benefit either. The historic zoning alone has to jump through hoops for things and now we are looking at allowance of these in NR zonings. Further, Travis continued to be concerned with who would enforce these requirements. Beechuk responded that police would be supporting and could possibly see where not allowing in NR1 zoning, but the historic district is closest to downtown, where visitors would want to be close to.

Criswell commented that staff's main direction for the amendment would be to assist in regulating those that are already participating in a VBRO type program. With no requirements, etc. in place, it will be hard for the city to regulate. Thomas/Beechuk reiterated the concern for regulations on properties already participating in the rental programs.

Chair asked was it possible to put a cap on the limit of traveler accommodations, Beechuk stated he would refer to city attorney regarding.

Lassiter commented that felt very uncomfortable with allowing these accommodations within residential neighborhoods and historic districts, would be concerned for noise and damages, etc. McGovern stated that many HOA's have stipulations on rental terms, etc. Chair asked could anything be added regarding the HOA must implement regulations. Beechuk responded that there could be legal actions regarding, seeing how planning does not have the authority to enforce HOA's.

2. STAFF RECOMMENDATION

N/A

3. APPLICANT AUTHORIZED AGENT(S) PRESENTATION

N/A

4. PUBLIC COMMENT

N/A

5. MOTION

Shawn McGovern motioned to table in order to give board time to discuss with P&D regarding possible limit caps, compliance/fire safety inspections, zoning areas and surrounding jurisdiction's ordinances. John Travis seconded. Motion carried unanimously.

VIII. ANNOUNCEMENTS/DISCUSSION

Code clean-up zoom work session to be scheduled one weekday afternoon.

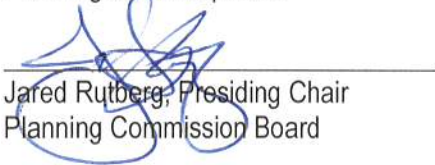
IX. ADJOURNMENT

Lee Aldridge motioned to adjourn. Shawn McGovern seconded. Motion carried unanimously.

Respectfully Submitted,



Renee' Criswell
Planning & Development



Jared Rutberg, Presiding Chair
Planning Commission Board