



2194 EMORY STREET N.W. * P.O. BOX 1527
COVINGTON, GEORGIA 30015

Phone: (770) 385-2000
Fax: (770) 385-2060

Steve Horton, Mayor
Scott Andrews, City Manager

City of Covington
MEETING OF THE PLANNING COMMISSION BOARD
April 12, 2022 @ 6PM Meeting Minutes

I. CALL TO ORDER

Chair called the Tuesday, April 12, 2022 City of Covington Planning Commission Board meeting to order at 6:05 PM.

II. ROLL CALL

Chair conducted a roll call.

MEMBERS PRESENT

Jared Rutberg (Chair)
Shawn McGovern
John Travis (zoom)
John Maxwell
Tim Fleming
Bobbie Shephard (zoom)
Ruel Park

STAFF PRESENT

Marc Beechuk, P & Z Director
Renee Criswell, Planner
Salena Ward, P & D Admin Assistant

MEMBERS ABSENT

Mike Lassiter

III. DETERMINATION OF QUORUM

Chair confirms quorum. Follow Robert's Rules"

IV. OPENING REMARKS

"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

VI. None

VII. OLD BUSINESS

March 8, 2022 minutes dismissed / bypassed until next meeting

VIII. NEW BUSINESS

A. **Item Preliminary Plat: Case # PPP22-0001**

Request: Proposal for 207 Townhomes Parcels

Location: Foxfield Way- Covington Town Center

Tax Map Parcel Number: C080 002A & C080 0022

Applicant(s): Q Covington Holdings LLC

STAFF PRESENTATION

Staff presented to the board that the applicant is seeking a preliminary plat for a residential subdivision with 207 townhomes parcels with proposed amenity space, two access points located off Foxfield Way and one located off Town Center Blvd, open space between the building and around the edges, particularly to the North, and surface parking areas throughout.

STAFF FINDINGS

Condition(s): Current conditions include project parcels are vacant and approximately 30.86 acres, topography slopes from the north to the southern portion of the lot which is adjacent to a stormwater facility, access throughout Covington Town Center and from City Pond Rd., parcels sit approximately 0.75 miles north of the intersection of Alcovy Rd and I-20.

STAFF RECOMMENDATION

Staff recommends **Approval of the layout of the subdivision to be used as a guide the preparation of the final plat.**

DISCUSSION

Chair Jared Rutberg asked had there been a change from the original development plan? Beechuk responded that the CTC overall development came through to expand their residential allowance. They had this project in mind the whole time, but that project was not actually a part of that proposal. They were asking to amend the language to allow the additional 275 units and the actual design work associated had not been presented to the board prior.

Applicant, Jeff Halliburton, presented and stated that Beechuk covered the proposal very well. He stated that all city departments have approved design, with exception of some design elements that they would continue to work with Director Beechuk on. Plan was in accordance with what has been approved for the CTC development.

McGovern asked if the two (2) dead-end roads were the areas where cul-de-sacs would be added? Beechuk responded that a cul-d-sac would be the preferred method, but a hammerhead turnaround would be allowed as well. McGovern continued to comment that there appeared to be a little bit of parallel parking available across the whole area or was there parking not picking up on. Beechuk responded there would be some parallel parking where the road had an H-pattern and then was some other parking shown currently as 90 degrees pull in. McGovern asked if the a 50ft right-away was the cause. Haliburton interjected that there was a 50ft right of way with every unit having a garage, also a driveway 30 ft off of curb. Each home would have at least two parking spaces with scattered parking throughout project. City has approved plans to date, including Fire Marshal Doss.

Chair Rutberg inquired how many off street parking spaces were not associated with individual lots. Halliburton responded 96.

Parker asked about green spaces and common areas. Harm There would be a main club house for those who work from home, conference room, offices, open porch space, pool, trail system (full loop around and would add a dog park in another green space. Haliburton stated overall open space would be 54%, over the 20% CTC requirement.

Maxwell inquired would every unit have a driveway and garage and would the units be rented or purchased. Haliburton confirmed each unit would have a driveway and a garage. Harm responded units would be rentals. Chair Rutberg inquired on price points. Haliburton stated with would be a mixture 3 / 4 bedrooms from \$1700 to \$2000; 60/40 breakdown of units.

Travis asked for confirmation that the proposed was a part of the 275 units that PC approved. Beechuk confirmed the proposal came through as a text amendment back in 2020 with total cap of the development being 625 units.

PUBLIC COMMENT --

Chair opened floor to public comment. None given. Chair closed floor.

MOTION:

Ruel Parker motioned to recommend approval with conditions per staff. Shawn McGovern seconded. Motion carried unanimously.

B. Item: Special Use Case # PSU22-0001

Request: Adult Daycare Facility

LOCATION: 9135 Ford St

Tax Map Parcel Number: C032 0002 005

Owner(s): Gail Tucker

Applicant: Dorothy Mae Jackson

STAFF PRESENTATION

Staff presented to board that the applicant was seeking a request for a Special Use Permit to establish an Adult Day Care Facility in the Neighborhood Residential 2 (NR-2) zoning district in the Covington South neighborhood with contiguous NR2 parcels.

STAFF FINDINGS

Staff reported the lot was developed on a 0.2 acre sitting on a cul-d-sac having connections to Flat Shoals Rd., Sterling Lake and South into the County. Property has an existing residence with single lane driveway and adjacent parking spot as well as backyard and elevated front entrance porch. Adult Day Care facility allows up to six adults. Stated our permitted use chart breaks it down by facility vs center with facility was meant to be a more recreational style with a center being a large-scale commercial entity. The facility gave a more home-like setting than an institutional one. Staff did report the site needed some attention in regards to loading/unloading and access for elderly or disabled individuals. Staff felt those items could be addressed and would gain clarity on those items from applicant.

STAFF RECOMMENDATION:

Staff recommended approval with conditions below, some conditions being from fire marshal.

1. Address the loading and unloading of customers
2. Install a backflow preventer
3. Install a grease trap
4. Sprinkle the entire structure, including attic and/or basement
5. Install a fire alarm to watch over the sprinkler system
6. Make the entire structure ADA accessible, including bathrooms, doorways, ramps, etc.
7. Follow building codes in relation to cooking appliances such as a fire suppression system
8. Provide fire extinguishers, tagged and in date by a certified inspector

DISCUSSION

Applicant, Dorothy Mae Jackson, presented and stated she felt the proposed facility would be an asset to the community. She was aware of the current conditions of the house and had all intentions to repair the driveway, making it circular adding a ramp, along with any other requirements, once final approval has been given. Applicant felt it was important for older people to have a place where they were they can reside with assistance and keep their dignity and respect, receiving love and care, without family members worrying about how they are being cared for.

Maxwell inquired was there an HOA in this community. Applicant responded there was not.

McGovern asked if facility would be for daytime care only, no overnight stays and would there be a resident living in the house 24/7 or will the facility be vacant after daytime hours and what would the hours of operation be. Applicant stated currently no plans for overnight stays at this time that the facility would run as a daytime business with operating hours currently estimated to be 7:30 AM to 4:30 PM.

Fleming inquired aside from zoning conditions, does state require separate conditions. Applicant responded the facility would need to receive certification from the Community of Health through the state.

Rutberg questioned would there be a back driveway or would you need to box the corner or loop the driveway. He also asked what would the actual operating hours be, no estimate. Applicant stated 6:30 AM to 6:30 PM.

PUBLIC COMMENT:

Chair opened floor to public comment. None given. Chair closed floor.

MOTION:

Shawn McGovern motioned to recommend approval with conditions below:

1. All requirements as listed by staff;
2. Operating hours to be 6:30 AM to 6:30 PM;
3. All State requirements meet.

Ruel Parker seconded. Motion carried unanimously.

C. Item: Special Use Case # PSU22-0002

Request: Nursing Care Services / Community Access Group

LOCATION: 4136 Newton Drive
Tax Map Parcel Number: C0009 0014 002
Owner(s): Marlene Powell Bryan
Applicant: Marlene Powell Bryan

STAFF PRESENTATION

Staff presented to board that applicant was requesting a Special Use Permit to establish a community, group-based facility, DDP Nursing Services. These services assist individuals having certain limitations to integrate into living independently.

STAFF FINDINGS

Staff reported the existing lot had an existing, 4050 approximate sf vacant structure that once was a physician's office. The parcel had two means of ingress/egress off Newton Drive having adequate parking; however, staff felt the facility would require additional ADA compliant parking. Review from city water/sewer would require applicant to install a testable backflow preventor and dependent upon kitchen lay-out, would need to install a grease trap.

STAFF RECOMMENDATION

Staff reported that with the other neighboring parcels being Piedmont Newton Hospital as well as other medical facilities that included dental and physician offices, the proposed use would fit into the area.

Staff recommended approval based on the conditions below:

1. ADA complaint parking spaces be installed, per regulations/fire marshal.
2. Install testable backflow preventor and grease trap

DISCUSSION

Applicant, Marlene Powell Bryan, presented explaining that she had been a registered nurse for the last five years and that she worked with the Dept. of Community Health to offer patients that suffer from diabetes, Alzheimer's, dementia and other debilitating illnesses the ability to integrate back into society and living independently, when feasible.

Parker asked applicant how will services be delivered and how many clients at a time. Also, would the client spend the day at center and what would operating hours be. Applicant responded clients would not be there all day and the center would have no more than 25 clients at a time. Applicant stated they take patients to the park, mall, library etc. with pick up and drop off being provided by DDS services with operating hours being 9AM to 5PM.

Fleming asked what was the service area. Applicant stated regions served would be Region 2 (Walton/Morgan) and Region 3 (Rockdale/Newton/Dekalb).

PUBLIC COMMENT

Chair opened floor to public comment. None given. Chair closed floor.

MOTION

Bobbie Shepard recommend approval with staff conditions below:

1. ADA complaint parking spaces be installed, per regulations/fire marshal.
 2. Install testable backflow preventor and grease trap.
- John Travis seconded. Motion carried unanimously.

D. Board/Staff Discussion

- a. Duplexes – Pushed to the May 10th meeting
- b. Development Updates
- c. Homeless Definition / Text

E. Homeless Shelter

Shawn McGovern motioned to move agenda item to item a. John Maxwell seconded. Motioned carried unanimously.

STAFF PRESENTATION

Staff presented and explained that due to prior the existing Rainbow Community Shelter having one of the three buildings currently on site damaged by a tornado in October of 2020, not obtaining a permit within required time and expiring the existing, non-conforming Special Use Permit that was approved under the 2007 ordinance (2008 ordinance changed permitted use for parcel's zoning), the Mayor and Council wanted to assist the facility with coming into compliance with the current standards and sought to have a text amendment to include Homeless Shelter as a use within the permitted use chart under section 16.16.020 of the city zoning ordinance.

STAFF FINDINGS

Staff reported the language being presented was crafted by City Attorney, Frank Turner, and in following HUD's definition of Homeless. The use would require a Special Use Permit within the CR, TCR, NM, CM, TCM, MI and M2 zones, not being allowed within NR 1, 2 or 3 districts. There would also be required supplemental regulations, such as bed capacity, state distance requirements from certain facilities as state lists, staffing/resident ratio, emergency plan requirements, as per state and fire marshal requirements.

STAFF RECOMMENDATION

N/A

DISCUSSION

Shephard inquired wasn't twenty-five (25) residents a lot for one (1) staff person. Beechuk responded the other standard was one (1) per forty (40).

Stephanie Lyndsey approached and stated she was representing Rainbow Covenant and operator, Clara Lett. Lyndsey stated they are three parcels and three buildings on site. The middle building, on a separate parcel, housed women and children and due to the damage and the damage not being repaired in the one year required mark, the result was the old ordinance covered the shelter and the current ordinance does not. Stated it was a unique situation being the other two parcels were not affected by any damage and was still allowed to operate, while the building in question wasn't allowed to operate as a shelter, given the SUPs expiration. Further, homelessness hasn't stopped and these are the go to shelters for Newton and surrounding counties. Lyndsey commented on Shephard's inquiry on staff to resident ratio that the residents are not bed ridden and can move around and do for themselves.

McGovern asked was the capacity requirement per building or entity. Lyndsey per building. McGovern said he wanted to make sure that capacity was covered property by building and not facility as facility can be more than one. He wanted to ensure no text amendment would be approved that would hurt and not help efforts. Beechuk responded if text passes, going forward any applicants for homeless shelters would have the cap.

Parker questioned allowance of homeless shelter in industrial zonings. Beechuk commented that uses that aren't as compatible in residential usually are put under industrial zones, but with a special use applicant commission would have ability to ask the questions and recommend otherwise.

Travis asked why would the zoning go beyond CM in order to address the issue and felt schools and daycares to be added for distances, why must we use the HUD's definition of homeless. Lyndsey addressed comment that HUDs definition seemed to encompass homelessness. Travis inquired again would that not continue to allow prison re-entry programs. Beechuk stated that that definition was approved by City Attorney and that definition would not be allow the re-entry program, for future uses. The existing building would be "grandfathered" in. Lyndsey did reiterate that prisoners out of prison 24 hours with no home, are homeless.

Chair Rutburg inquired why allowing any smoking of any kind at facility, should require no smoking at all in building. Other item, can there be item added in regards to fencing to contain the property. McGovern stated that should be looked at on a case by case instead of generalizing and making a jail-type facility.

PUBLIC COMMENT

Rainbow Covenant operator, Rev. Clara Lett presented to clarify no smoking inside buildings. She also commented on the re-entry program and said that judges, sheriff's office and people from City of Covington bring people in. She commented that even with the damaged building, they have continued to help people and was grateful for the city to allow the conference to be a temporary kitchen and they were in need for that facility to be up and running to continue to provide services to all in need.

McGovern asked Lyndsey was she comfortable that the verbiage presented would be beneficial to what was trying to be accomplished. Lyndsey replied yes.

MOTION

Shawn McGovern motioned to approve text amendment with the exclusion of no indoor smoking. John Maxwell seconded. Motion carried five to one. Travis opposed.

GA. REGIONAL CODE CLEAN-UP

STAFF PRESENTATION

Beechuk presented March development update.

STAFF FINDINGS

Board received reports regarding code clean-up.

STAFF RECOMMENDATION

Staff recommended approval of continued work with the Ga. Regional Commission.

DISCUSSION

None

PUBLIC COMMENT

Chair opened floor to public comment. None. Chair closed floor.

MOTION

Shawn McGovern motioned to recommend approval of continued work with GA. Regional Commission. John Travis seconded. Motioned carried unanimously.

IX. ANNOUNCEMENTS/DISCUSSIONS/PUBLIC COMMENTS

None

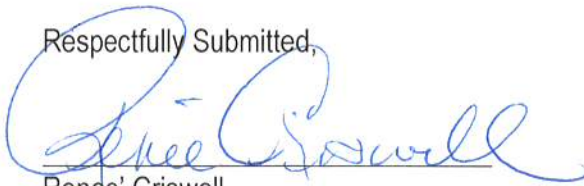
IX. CITIZENS PRESENT

Jeff Halliburton – Thomas & Hutton
Peyton Harm – Construction Manager
Dorothy Mae Jackson - 2701 Club Forest Dr. Conyers, Ga.
Gayle Tucker –
Marlene Powell Bryan – DDS Nursing Svcs

X. ADJOURNMENT

Shawn McGovern motioned to adjourn. John Maxell seconded. Motion carried unanimously.

Respectfully Submitted,



Renee' Criswell
Planning & Development

Jared Rutberg, Presiding Chair
Planning Commission Board