

**CITY OF COVINGTON  
PLANNING COMMISSION  
PUBLIC HEARING MINUTES**

December 13, 2022

**MEMBERS PRESENT:**

Jared Rutberg, **Chair**  
Travis Moore  
John Travis  
John Maxwell

**STAFF PRESENT:**

Marc Beechuk, Planning and Development Director  
Renee Criswell, City Planner  
Salena Ward, Planning Specialist

**MEMBERS PRESENT ZOOM:**

Bobbie Shepherd  
Felicia Sanders

**MEMBERS ABSENT:**

Shawn McGovern  
Ruel Parker  
Tim Fleming

**1. CALL TO ORDER / OPENING REMARKS:**

Jared Rutberg called the meeting to order at 6:03pm, stated the Robert's Rule of Order, and welcomed all in attendance.

**2. DETERMINATION OF A QUORUM:**

Jared Rutberg stated a quorum was present. Four (4) members in person, two (2) via zoom.

**3. OLD BUSINESS:**

**A.** Discussion and Approval of November 8<sup>th</sup>, 2022 minutes.

- Travis Moore made a motion to approve the November 8<sup>th</sup>, 2022 minutes.
- John Travis seconded the motion, there were no comments, motion passes 5-0.

**B. Rezoning: #PR22-0007 – In conjunction with SUP #PSU22-0008 – Request – From NR1 (Neighborhood Residential District 1) 7 CM (Corridor Mixed-Use) to TCR (Town Center Residential) & Amend the FLU from MXC (Mixed-Use Corridor) to MFR (Multifamily Residential)**

Location – Turner Lake Road

Tax Map Parcel Number: C062 022 & C062 045

Owner(s)/Applicant(s) – Bill Fortson/Lois Pena/ ETAI – Crescent Acquisitions, LLC

**C. Special Use: #PSU22-0008 – In conjunction with Rezoning #PR22-0007 – Request: 300-Unit multifamily development.**

Location: Turner Lake Rd

Tax Map Parcel Number: C062 022 & C062 045

Owner(s)/Applicant(s) – Bill Fortson/Lois Pena/ ETAI – Crescent Acquisitions, LLC

**STAFF REPORT:**

Marc Beechuk stated that the owner/applicant is requesting to rezone two parcels totaling 34.67 acres from NR-1 and CM to Town Center Residential (TCR) and a Special Use permit for multi-family residential project over 5 acres. Current conditions show a vacant site with tree coverage, a small stream and wetlands. Zoned NR-1 & CM with Mixed-Use Corridor (MXC) Future Land Use. Its site's adjacent to Turner Lake Park and the Covington Gallery commercial center. Has access to Turner Lake Rd and the Covington Gallery driveway going into the center and connecting to the Access Rd. Close proximity to I-20 exit 90 and Hwy 278.

**PROPOSAL:**

Rezone two parcels from NR-1 & CM to TCR. Request a Special Use to develop a multifamily residential project over 5 acres for 300 unit (800 bedrooms) 9 units/ac, minimum proposed unit 789 sq'ft., 421 parking spaces (329 surface & 29 in 5 garages), with amenities; clubhouse with pool, dog area, and footpath connection to Turner Lake Park.

**STAFF ANALYSIS:**

Connect with or work with neighboring commercial center to renovate area and provide a true mixed use. Consider a layout working with the topography. Contemplate how this project fits with the ongoing impact of the 2,379 housing recently completed (905 single family detached units, 1474 multi-family units) recently completed, in construction or review across the city.

**STAFF RECOMMENDATION – REZONING & SPECIAL USE**

With the amount of ongoing residential development in Covington it is essential that we work with our comprehensive plan, integrate uses and be more intentional about housing. **Staff recommends Denial.** Feels that it is a good location in terms of connection to the interstate, to the park to the commercial centers. We're just seeking at this time for these uses to be integrated with the commercial components. That components do not necessarily have to go into the property next door, it just happens to be sitting right next to an under-utilized shopping center that could definitely benefit from residents in the area. So, for that reason staff is recommending denial for this project at this time, for both the rezone and special use, along with the future land use changes.

**APPLICANT'S PRESENTATION:**

Mr. Kyle Brock provided an in-depth overview of the requested project using a power point presentation. Mr. Adam Kurt; project engineer developer was also present but did not speak.

**PUBLIC COMMENTS:**

Jared Rutberg asked for public comments in favor or opposition of the proposed project. There were none in favor, one in opposition; Mr. Brian Frix.

**PLANNING COMMISSION BOARD MEMEBERS QUESTIONS & COMMENTS:**

John Maxwell – Referred a comment based on an Engineering inquiry pertaining to the creek that runs through the property, has the approval process started?

John Travis – Ask applicant what were the renter rates again? One, Two, Three bedroom.

Kyle Brock – one bdrm start around \$1600, two bdrm \$1850, three bdrm \$2300.

Travis Moore – comment is inaudible.

Bobbie Shepherd –Stated she would like to see investors come into Covington and provide some kind of affordable apartments for renters for those who live here.

Felicia Sanders -Stated that she feels the same as Bobbie, likes the idea of renting but with the price being so high, is like owning a home. She stated that you would only have a select few that will be able to afford it and hope we are not getting something that will just sit there, not being utilized.

Jared Rutberg – Asked if the “Covington Gallery” are okay with the entrance move.

KB – Stated that they own the property. They did have a conversation with the park, and they were good with it.

JR – Inquired about the fence location, security issues for law enforcement, and the impact the development will have on the schools.

\*Before deliberation and motion, Marc ask the applicant to address if they are seeking any future land use changes. Applicant stated that they would by-pass the future land use vote.

**DELIBERATION AND MOTION: Rezone from NR1 and CM to TCR.**

Travis Moore made a motion to deny based on the zoning. Bobbie Shepherd seconded. Per the board voting on motion, John Travis asked Marc Beechuk to clarify what specifically it would take for the board to accept the proposed project? Marc replied that there are no specifics. In terms of location, where this is in the city, it checks all the boxes. In terms of the type of commercial that we currently have and the lack of mixed-use in areas that are undervalued and have infrastructure in them, that's where staff is pushing at the current moment with the amount of units we have coming in, that are standalone units and that commercial does not make sense here.

Motion failed 3-2.

A new motion to approve the rezone by John Travis. Seconded by John Maxwell.  
Motion passes 3-2.

**DELIBERATION AND MOTION: SUP 300-Unit multi-family development.**

John Travis made the motion to approve with existing conditions. Seconded by John Maxwell. Motion passes 3-2.

**D. Rezoning: #PR22-0006 – In conjunction with SUP #PSU22-0007 Request – From M2 (Heavy Industrial) to TCR (Town Center Residential) & Amend FLU from IND (Industrial) to MXC (Mixed-Use Corridor)**

Location: Harland Dr & Alcovy Rd.

Tax Map Parcel Number: C080 065

Owner(s)/Applicant(s) – Kawonka, LLC (Reggie McFarland) – Mesa Capital Partners

**E. Special Use: #PSU22-0007 – In conjunction with Rezoning #PR22-0006 – Request: 326-Unit multifamily development**

Location: Harland Dr & Alcovy Rd.

Tax Map Parcel Number: C080 065

Owner(s)/Applicant(s) – Kawonka, LLC (Reggie McFarland) – Mesa Capital Partners

**STAFF REPORT:**

Marc Beechuk stated that the owner/applicant is requesting to rezone a parcel of 22.267 acres from Heavy Industrial (M-2) to Town Center Residential (TCR) and a Special Use permit for multi-family residential project over 5 acres. Applicant is also requesting to change future land use designation from (IND) to multi-family residential (MFR). Current conditions show a vacant site with tree coverage, a small stream. Zoned M-2 with Industrial (IND) Future Land Use. It sits a little north of exit 92 (Alcovy) off I-20, across from the southern end of Covington Town Center. Has access via Harland Dr and Alcovy Rd (right-in/right-out only) and is in close proximity to commercial, located in an Industrial Park.

**PROPOSAL:**

Rezone two parcels totaling 22.267 acres from M-2 to Town Center Residential (TCR). Request a Special Use Permit for multi-family residential project over 5 acres. Project will include 362 units – 14.6 units/ac, minimum proposed unit 789 sq'ft, 491 parking spaces – surface and park over Carriage units, five garages, and amenities that include a clubhouse w/pool and dog area.

**STAFF ANALYSIS:**

No easy pedestrian connection to Covington Town Center or adjacent commercial area. Converting Industrial property is not beneficial to job creation. Multiple sites in town through renovation or infill would better serve the city, contain growth and be better aligned for changes in density. Consider a layout working with the topography. How does this project fit with the ongoing impact of 2,379 housing units recently completed, in construction or review across the city.

**STAFF RECOMMENDATION – REZONING & SPECIAL USE**

With the amount of ongoing residential development in Covington it is essential that we work with our comprehensive plan, integrate uses and be more intentional about housing. **Staff recommends Denial** by the Planning Commission at this time and continued work with applicant to address inconsistencies with the development pattern and future land use.

**APPLICANT'S PRESENTATION:**

John Nix provided a brief overview of the request on behalf of the applicant.

**PUBLIC COMMENTS:**

Jared Rutberg asked for public comments in favor or opposition of the proposed project. There were none in favor, two in opposition; Mrs. Serra Hall and Mr. Brian Frix.

**PLANNING COMMISSION BOARD MEMEBERS QUESTIONS & COMMENTS:**

Travis Moore – commented that he would need strong justifications in removing industrial property of a future map.

John Travis – commented that he will never support rezoning industrial property. It's too limited, too valuable. Stated that he owns industrial property in the City of Covington and if you can put those apartments building up there, I sure as heck can put warehouses in there. Because of the location, it's not a good fit.

John Maxwell – Stated that he and John Travis are on the same page. Do think there are purposes for industrial use for this property. Spoke on the safety of children in an industrial zone, do not think it is a safe area for kids to be in and out of.

Bobbie Shepherd – No comment

Felicia Sanders – No comment

Jared Rutberg – Question addressed to Serra Hall, asked if there was an office space on Harland Drive?

Serra Hall – Stated, yes there is Logistics for manufacturing.

JT – commented that he suspects that those tenants are always in those building. And the last thing wanted is a 300-unit apartment complex in my back yard.

**DELIBERATION AND MOTION:** Three items to vote on: Future Land Use, Rezoning, Multi-family development.

**Future Land Use** - Travis Moore made a motion to deny the proposed change for the future land use.

Seconded by John Maxwell.

Motion passes 5-0

**Rezoning** -Travis Moore made a motion to deny rezoning. Seconded by John Maxwell.

Motion passes 5-0

**Multi-family development** - Bobbie Shepherd made a motion to deny multi-family development.

Seconded by John Travis.

Motion passes 5-0

#### 4. NEW BUSINESS:

A. Tabled at applicant's request: Rezoning: #PR22-008 – In conjunction with ZMA District overlay #PZO22-0001

Request: From M2 (Heavy Industrial) to CR (Corridor Residential) & amend FLU from IND (Industrial) to MXC (Mixed-Use Corridor) – For proposed 768-unit mixed-use development (townhomes & apartments)

Location: 11145 Alcovy Rd

Tax Map Parcel Number: C079 009

Owner(s)/Applicant(s) – JBW Investments, LLC c/o Jay Williams & Eric Johansen

B. Tabled at applicant's request: Zoning Map Amendment (ZMA): #PZO22-0001

Request: Proposed Overlay District addressing blocks/density/setbacks/design etc.

Location: 11145 Alcovy Rd

Tax Map Parcel Number: C079 009

Owner(s)/Applicant(s) – JBW Investments, LLC c/o Jay Williams & Eric Johansen

C. Special Use: #PSU22-0009

Request: Proposed Golf Cart Storage for online WPG Golf Cart Rentals Business

Location: 2119 Emory St

Tax Map Parcel Number: C026 0006 001

Owner: AMC Estates, LLC c/o Andre Merkerson

Applicant: WPG Golf Cart Rentals c/o Jesse Gentes

\*Felicia Sanders left the meeting after last item. Time of Exit: 7:40.

#### STAFF REPORT:

Marc Beechuk stated that the owner/applicant is requesting a Special Use permit for a Recreational Goods Rental use in the Town Center Mixed-Use zone. Current conditions show that the existing property is an existing historic home with and accessory structure on the property (off Usher St). Located 4 blocks from the Downtown Square with rear parking area.

**STAFF ANALYSIS:**

The benefits would include good connection to downtown, as well as opportunity to serve tourism, growth and downtown activities. Staff also stated some potential issues such as storage and the displaying of golf carts.

**STAFF RECOMMENDATION**

With the amount of ongoing tourism and downtown activity in Covington it is beneficial to find ways to assist in moving folks around. Mixed-use operations in the downtown area also provide for better urban environment and opportunities for redevelopment. **Staff recommends an Approval with Condition** by the Planning Commission at this time and continued work with applicant to address any issues with roll out of the operation.

**Condition**

- All display must be done on an improved surface, no display in grass or landscaped areas, including signage.

**APPLICANT'S PRESENTATION:**

Applicant was not present.

**PUBLIC COMMENTS:**

Jared Rutberg asked for public comments in favor or opposition of the proposed project. There were none.

**PLANNING COMMISSION BOARD MEMEBERS QUESTIONS & COMMENTS:**

John Maxwell – Signage inquiry

Jared Rutberg – Asked, how are they renting?

JM – Asked if it is a different company that we approved back during the summer?

Bobbie Shephard – Inquired about current location for golf cart renters and the number of golf carts.

**DELIBERATION AND MOTION:**

Travis Moore made a motion to approve with a 15 cap and staff condition. John Maxwell seconded. Motion passes 4-0.

**D. Text Amendments:**

1. **Tabled Sidewalk Bank Ordinance – Text Amendment / Adoption:**  
**Requirement for development o provide financial contribution in lieu of sidewalk installations in locations that will not contribute to the city’s sidewalk network nor serve as a pedestrian amenity.**
2. **Board of Appeals & Adjustments – Legislative Zoning Procedures Law Amendment (M&C initiation Monday, November 21<sup>st</sup>, 2022)**

Presenter Marc Beechuk stated the background and language for Text Amendment #2. The state recently passed legislation on timelines for variances to be heard, we are simply adopting the state mandated requirements. The language requires a change in notification from 15 days to 30 days. Staff is recommending approval of what the state is mentioning.

**DELIBERATION AND MOTION:**

John Travis made a motion to approve. Bobbie Shepherd seconded. Motion passes 4-0

3. **Minimum Thresholds – Text Amendment adjusting minimum thresholds for commercial in CM & TCM zones as a component of stacked flats.**  
**Se. 16.28.025F. 2. a.**

Presenter Marc Beechuk stated the background for Text Amendment #3. Zoning, Corridor Mixed-Use (CM) and Town Center Mixed-Use (TCM) were amended during code clean-up to better align with proposals from that effort. This led to changes that minimize commercial in certain parcels lacking

frontage, we are looking to remedy that oversight. Items to consider; how to incentivize smaller projects that the leadership and Comprehensive plan have been promoting? Would the Planning Commission prefer to allow other beneficial options or tools to be a substitute for the commercial requirement such as a Green Building program or an Affordability component as the Corridor Overlay bonuses do?  
Language: 16.28.025 – Building Typology. Board is asked to focus on Stacked Flat – Design Standards.  
**All parcels are required to contain non-residential uses even when frontage is limited or does not exist.**  
**A minimum amount of commercial tenant space must be housed on-site per the chart (shown on slide).**  
**All non-residential uses must be publicly accessible.** Non-residential uses shall be constructed prior to or in conjunction with the completion of the residential uses. Staff is recommending approval.

**DELIBERATION AND MOTION:**

Bobbie Shephard made a motion to approve. Travis Moore seconded. Motion passes 4-0.

**5. GENERAL PUBLIC COMMENTS**

- Kyle Brock – 3340 Peachtree Rd. Suite 2500, Atlanta Ga
- John Nix – 945 Bank St. Conyers, Ga. 30012
- Brian Frix – 130 Cornish Trace Dr. Covington, Ga
- Serra Hall – 2101 Clark St. Covington, Ga

**Additional Comments – Marc Beechuk**

- One last Comp Plan meeting – December 14, 2022 from 4-6 @ Legion Field
- Tim Fleming was elected to the Georgia General Assembly and will be stepping down from the PC Board
- Tres Thomas is officially the full-time City Manager.

**6. PLANNING MANAGER REPORTS: Marc Beechuk – November 2022 Building Report**

**7. Discussion from Board - None**

**8. ADJOURNMENT:** John Travis made a motion to adjourn. Bobbie Shephard seconded. Motion carried unanimously. Time – 8:25pm

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Date

\_\_\_\_\_  
City Planner

\_\_\_\_\_  
Date