

EUHARLEE PLANNING & ZONING PUBLIC HEARING MINUTES
7:00pm | March 22, 2022 | Euharlee City Hall

MEMBERS PRESENT: Judd Mobbs - Chair, Steve Gray, James Evans, Kathy Faulk, Frank Graziano, Lovako Patterson

Chair Judd Mobbs called the meeting to order at 7:00pm. Mr. Mobbs explained the order of the meeting: the Commission would hear from the two property owners, then owners of adjacent properties, and then residents of the current properties requesting rezoning.

Mr. Mobbs invited Jonathan Jones, the engineer representing property owner Rana Ahmaed at 937 Euharlee Rd. (Pak Eagle Homes). Mr. Jones is representing Mr. Ahmaed due to the latter having the flu. Mr. Jones described the property as 9 acres zoned R-6. They are requesting a mixed-use zoning: C-1 in the front portion of the property, and R-3 in the back portion. The property is currently a mobile home park. He explained the intent of the property owner is to build a little over \$500,000 lift station to pump sewage to the existing Bartow County sewage line which is uphill and approximately one mile away, as the property is currently on septic. The renovations to this property will be privately funded. Mr. Jones stated he would be happy to answer any questions from the Planning & Zoning Commission as it relates to the zoning.

Mr. Steve Gray asked Mr. Jones to describe a residential unit. Mr. Jones stated that the intent is to make the property frontage commercial with three story apartments in the back, holding two- or three-bedroom units. Mr. Jones noted that the plans in front of the Commission members were old plans that held commercial units on the corners, but those plans had since changed after discussion held at the last Planning & Zoning meeting. Mr. Jones was asked by Mr. Mobbs if they were aware of the Euharlee Road Corridor Overlay District. Mr. Jones stated that Mr. Ahmaed is aware of the overlay and amenable to the requirements of the overlay district. Mr. Gray asked if the property owner would be amenable to creating a frontage road with the owner of the adjoining property. Mr. Jones stated he was amenable to building a frontage road if the other property owner would be in agreement. He stated that if an interparcel connectivity road was something that the City requested, Mr. Ahmaed would be amenable. Mr. Gray asked if Mr. Jones had read the Euharlee Road Design Outlay. Mr. Jones responded yes. Mr. Frank Graziano asked if there had been discussion about the road between the two property owners. Mr. Jones stated that there had not been direct discussion between the two property owners about the road but indicated that he had spoken with the adjoining property owner and may also be the engineering firm for him as well to retain the same look across both complexes. Mr. Mobbs asked to clarify that Mr. Ahmaed planned on building three-story apartments. Mr. Jones answered yes, with 12 apartments per floor. Mr. Gray asked if the property owners would be willing to do away with 36 units to create an access road. Mr. Jones responded that it is doable to meet the requirements set forth by the zoning requirements and meet the City's requests. There being no other questions from the Commission, Mr. Mobbs thanked Mr. Jones for his time.

Michael Hopfner, property owner of 933 Euharlee Rd (Crabapple Parc) addressed the Commission. He stated that he was waiting on rezoning before coming with an official design.

He explained to the Commission that his vision was similar to that of Mr. Jones: commercial units at the front of the property, with residential units at the back, and possibly condo type living above the commercial units. He stated that having residential units above the commercial would allow him to let his current tenants live in those units without being “horribly displaced”, and additionally plans to take care of the moving process for any trailer owner who found property and wanted their trailer moved. Mr. Hopfner stated he would be more than willing to contribute to building and sharing an access road with the adjoining property owner. He would like to build the access road and commercial first, with apartment style living above, and two-story townhomes with single car garages on the back portion of his property. He stated he would probably retain Mr. Jones has his engineer to keep the properties synchronized engineering-wise and lean on one another for the lift station and other requirements. He also stated that he’s currently thinking the townhomes would be rental, but it’s possible based on focus groups that he’d sell them to families instead. Mr. Hopfner acknowledged that the current zoning ordinances do not allow for additional mobile home units and the current units are very outdated. He believes it’s time to do something with the property and improve the property and Euharlee Rd. Mr. Gray asked if Mr. Hopfner had a site plan similar to Mr. Jones. Ms. Kathy Faulk asked if he had an idea of when he would have something similar to Mr. Jones. Mr. Hopfner restated that he is seeking rezoning before design, and short of rezoning there will remain trailers. He further stated that he is willing to move forward but first needed a good idea that he would be fit for rezoning. Mr. Mobbs asked if the rezoning would be similar to the request of Mr. Jones. Mr. Hopfner replied yes, he envisions commercial in the front and residential in the back. Mr. Gray asked if Mr. Hopfner had any specific businesses lined up for the commercial space. Mr. Hopfner said he was going to provide the space and let the City help with filling them with businesses. He said that he would work with the City to help fill the spaces with tenants or possibly fraction them off if someone wanted to own their space. Mr. Gray asked how many units Mr. Hopfner was planning on building. Mr. Hopfner replied that he would sit down with Mr. Jones when/if rezoning was approved. Mr. Hopfner said that he would have a hard time stating how many units without knowing the square footage of the retail footprint with an average two-bed, two-bath upstairs. But he would guess fifty units in the front with possibly seventy-five in the back. Mr. Graziano mentioned that Mr. Ahmaed was proposing 144 units, 108 if the road impacted his range. Mr. Hopfner said his would be much less. Mr. Gray held up an old plan and stated that Mr. Ahmaed had 198 units proposed. Mr. Hopfner confirmed his would be much less. With his townhome style with single car garages, Mr. Hopfner’s property would have fewer total units. Ms. Faulk asked if Mr. Hopfner would work with Mr. Jones to make sure the frontage on both properties looked similar to one another. Mr. Hopfner said that he was unsure of what his or the adjoining property owner’s rental price point would be. Ms. Faulk asked if he was willing to work with Mr. Ahmaed. Mr. Hopfner said he was willing to work with Mr. Ahmaed to align the commercial frontage and thinks it would be the best avenue. There being no other questions, Mr. Mobbs thanked Mr. Hopfner for his time.

Mr. Mobbs asked Nicole Tribble to approach. Ms. Tribble introduced herself as living at 937 Euharlee Rd. (Pak Eagle Homes). She does not believe that rezoning is a good idea, because it will displace people who cannot afford to live elsewhere in this area. Ms. Faulk asked how much the rent was at Eagle Pack. Ms. Tribble responded that without utilities, the rent was on average \$650 for a 3-bedroom, 2-bathroom trailer.

Mr. Mobbs asked John Masteen to approach. Mr. Masteen stated that he was a resident at 937

Euharlee Rd, and has lived there for 20 years. He enjoys living in Euharlee but is concerned that current commercial buildings in Euharlee have not been filled, and that the property owners are going to build more units that will not be used, and will become run down. He expressed concern that many people would be displaced and not have time to find a new place to live. He requests a longer time table to allow current residents to find places to live.

Mr. Mobbs called Zach, a resident at 937 Euharlee Rd to the front. He stated that Mr. Masteen before him expressed the same concerns he was planning to express. He doesn't believe more commercial next to the river is the best way to use that property, and with the current state of real estate in the current market does not lend itself to make available affordable housing for the residents that would be displaced. He stated his main concern was having enough time to find a new place to live. When asked by the Commission how much time was acceptable, he stated six months to a year based on the current housing market.

Ms. Faulk addressed the concerns regarding the empty commercial down the street. She stated there were outlying reasons for why the commercial down the street was not full.

Mr. Rodney Stegall spoke to the Commission next. He owns property adjacent to the properties at 170 Milam Bridge Rd. His concern is the buffer between the new complex and the adjacent properties. He is also concerned about the increase of potential property taxes and the increase in traffic on Euharlee Rd. Ms. Faulk wondered if it would help the adjacent property owners feel more comfortable and safer if the business property owners were required to install cameras on their properties to monitor the back section of their properties. Mr. Stegall was amenable to that suggestion as well as the possibility of a requirement of a privacy fence.

Mr. Phillip Carrol, a resident at 937 Euharlee Rd was next to speak. His primary concern is losing the option for the low-cost housing at the current property, and/or the lack of options to have first come first serve at the new apartment complexes. He also expressed concerns regarding the increase in traffic.

Ms. Jennifer Johnson, a resident at 937 Euharlee Rd., voiced concerns regarding communication between the landlord and tenants on the subject of being displaced. She informed the Commission that she believed that the property owner of 937 Euharlee Rd. would not take care of this new property if rezoned. The Commission thanked her for her comments.

Mr. Raymond Freeman, and adjacent property owner at 134 Milam Bridge Rd. was called to address the Commission. He asked if the road previously discussed was an expansion to Euharlee Rd, or a private road specifically for the tenants of the initial new development. Ms. Faulk responded that the road discussed would be an access road. Mr. Freeman expressed concern regarding the increased number of new people living on Euharlee Rd, without increasing the size of Euharlee Rd. He wanted to bring the Commission's attention to the buffer ordinance and asked for them to consider the approval needed from surrounding neighbors in respect to the buffer. He called attention to the gas lines running through the property that would need to be removed.

Mr. David Ellis, a resident at 145 Milam Bridge Rd., was next to speak to the Commission. Mr. Ellis' main concern was upkeep and fence maintenance. He suggested stating minimums for upkeep and enforcement. He also had a traffic concern with the potential increase of people on Euharlee Rd. He agrees that the proposed access road be accompanied by a traffic light.

Mr. Jeff Kamke is a resident at 54 Milam Circle, an adjacent property to the proposed rezoning properties. Mr. Kamke feels that building a three-story building would be distracting from the overall look of Euharlee. He is not opposed to single story condos as it would reduce the traffic. He also has concerns regarding the property being taken care of, as he believes the current property is not taken care of. He does not want commercial of any type because of the added traffic on Euharlee Rd. Mr. Kamke pointed out that there is another large subdivision being built on Euharlee Rd.

Mr. Jones asked if he could address some of the public comments on behalf of the property owner of 937 Euharlee Rd. Mr. Jones stated that homes bring commercial business to an area. He informed the Commission that the investment would roughly be \$20 million for the 937 Euharlee Rd. complex. He informed the Commission that there are already two businesses interested in renting a commercial unit once built. He informed the Commission that the City of Euharlee implored Mr. Ahmaed to do something with his property, which is how the entire process began. He stated that a traffic study would be done to make sure that there would or would not need to be a widening project on Euharlee Rd. to include a left turn lane, as well as an acceleration lane. He stated that Mr. Ahmaed would be amenable to a zoning ordinance requiring a privacy fence to eliminate any sort of illegal activity. Mr. Jones thanked the Commission for his opportunity to address some of the public comments. Mr. Don Matthews, Code Enforcement Officer for the City of Euharlee added that the project would not happen at one time, but would be built in stages in compliance with all City codes and ordinances. Mr. Jones echoed that point by stating that Mr. Ahmaed was planning on this development overall taking roughly 5-7 years, with the first phase including 72 residential units. Mr. Ahmaed plans to wait until the first phase of residential housing is full before building the next phase. Mr. Gray asked Mr. Hopfner, owner of the property at 933 Euharlee Rd., if that was his plan as well. Mr. Hopfner stated that his primary focus was filling the commercial units before phasing in the residential behind.

One citizen, currently living at 937 Euharlee Rd. expressed concern over the tenants losing their homes. Another citizen wanted to know if the City of Euharlee would be involved in the aforementioned traffic study. Mr. Mobbs responded by directing that question to be asked at the upcoming City Council meeting.

Jo Turner, a Euharlee citizen and City Council member, informed the public in the room that the City Council would be involved in the traffic study once they received the plans. After stating that he had never lived in an apartment complex, he asked how the school buses were run when picking up and dropping off kids from an apartment complex.

Mr. Freeman stood and stated that he didn't want to have a property next to his that says they might build, or they might not.

There being no more public comments, the Commission went into discussion of the rezoning

application for properties 933 Euharlee Rd., and 937 Euharlee Rd. Ms. Faulk spoke to the residents of 933 and 937 Euharlee Rd. She stated that she was appalled by the living conditions of the trailers. She informed the public that the City has tried to get things done at the properties and was met with resistance. She understands the concerns of the current residents and the inability to find other affordable housing.

Mr. Graziano thanked the public for attending and speaking. He presented four takeaways from the discussion: 1. The lack of responsiveness from the owner of the property at 937 Euharlee Rd., 2. The fear of displacement of the current residents of the two properties, 3. The impact of extra traffic on Euharlee Rd., and 4. The viability of commercial units on Euharlee Rd.

Mr. Gray stated he was in favor of improvements, but only if he knows what he's approving. He believes there were a lot of questions that still needed answers, but was overall in favor of the improvements – better living conditions for the residents. He stated that he asked last month for the two property owners to talk to one another before the current meeting, and believes that task was not accomplished. Mr. Jones stated that he had been in contact with Mr. Hopfner about ten times. Mr. Gray disagreed and said that he heard the two owners did not communicate. He asked reiterated that he requested for Mr. Jones and Mr. Hopfner communicate what they wanted to do on the frontage of their adjoining properties. Mr. Gray stated that communication was not had and believes both properties should be the same on the frontage, with either commercial or residential. Both Mr. Jones and Mr. Hopfner assured him that they both were in agreement that commercial would be in the front with residential in the back and had stated that a few times during the meeting. Mr. Gray requested a general layout to show what each property owner planned for their new development.

Mr. Jim Evans stated that they were discussing zoning and not a development plan. He stated that once zoning was approved, the property owner had three years to get the development finished. He stated he had never heard of a development this small taking seven years.

Ms. Lovako Patterson stated that all other Commission members had already said what she was planning to say.

With no more comments from the Commission, Mr. Mobbs asked for a motion.

Mr. Gray made a motion to table the zoning until they received a general layout from both property owners on rezoning.

Mr. Evans thought that the layout did not need to be extremely detailed. The layout needed to show what part of the property was going to be commercial and which section was going to be residential.

Mr. Graziano made a motion to zone C-1 and R-3 contingent on a general layout being provided to the Planning and Zoning Commission. Mr. Evans advised to modify that motion to add a specific date that the general layout would be due. Mr. Graziano agreed and added the date of April 12, 2022 as the due date. Ms. Katie Gobbi, a representative from the City of Euharlee reminded the Commission that the rezoning notice was for O/I instead of C-1. She also informed

the room that the next Public Hearing on this zoning application would be April 19th at 7:00pm.

Mr. Evans then made the motion that the Commission approve the rezoning for O/I and Residential for the properties of 933 and 937 Euharlee Road, contingent upon the Commission receiving a general layout by the next meeting on April 12, 2022. Mr. Graziano made a second to that motion. The motion was passed unanimously.

Mr. Graziano motioned to adjourn with Ms. Lovako as a second. The motion passed unanimously. The meeting was adjourned at 8:28pm.

EUHARLEE PLANNING & ZONING MEETING MINUTES

7:00pm | April 12, 2022 | Euharlee City Hall

MEMBERS PRESENT: Judd Mobbs - Chair, Steve Gray, James Evans, Kathy Faulk, Lovako Patterson, James Stephens – City Manager

Chair Judd Mobbs called the meeting to order at 7:02pm. Mr. Steve Gray opened the meeting in prayer. Mr. James Stephens called roll and noted that Mr. Frank Graziano was not present because he was out of the state.

Mr. Mobbs sought an approval of the agenda for the night's meeting. Ms. Kathy Faulk made a motion to approve the agenda, with a second from Ms. Lovako Patterson. The agenda was approved unanimously. Mr. Mobbs pointed out that the date of the previous meeting on the agenda was incorrect, but was correct in the minutes. Mr. Stephens pointed out that the agenda had already been approved.

Mr. Mobbs sought an approval of the Planning and Zoning Public Hearing meeting minutes from March 22, 2022. Mr. Stephens informed the Commission that the minutes were more detailed than usual but had all of the critical parts from the previous meeting. Mr. Gray wanted to clear up the date of the last meeting, believing that it was held on March 29, 2022. After some discussion that Commission did confirm that the meeting was held on March 22, 2022 as stated in the minutes. Mr. Stephens pointed out a section of the minutes where the engineer representing Pak Eagle Homes at 937 Euharlee Rd. had agreed at the February meeting to have all commercial units at the front of the property. Ms. Patterson made a motion to approve the minutes as written, with a second by Mr. Gray. The minutes were approved unanimously.

Mr. James Evans asked if there had been a submittal of a general layout from both property owners seeking rezoning. He stated the Commission was waiting on a general layout based on the motion made at the last meeting. Mr. Mobbs responded that Mr. Stephens had addressed that point in information sent to the Commission. Mr. Stephens responded to Mr. Evans that the property owners had not submitted a layout but had verbally agreed at the February Planning and Zoning meeting that there would be commercial units on the road frontage of their properties. He further stated that the excerpt from the Zoning Ordinance explained the properties owners were not required to submit a layout before rezoning was approved. Mr. Mobbs confirmed that the property owners would be required to come back to the Commission when/if the rezoning was approved with their site plans for approval. Mr. Evans reiterated that they did not ask for a site plan, but only for a general layout. Ms. Faulk asked Mr. Jonathan Jones, the engineer representing Mr. Rana Ahmaed at 937 Euharlee Rd., if he planned on putting in Section 8 Housing. Mr. Jones assured her that they were not planning for Section 8 because they would need Federal funding to do so. Ms. Faulk then asked if Mr. Jones was redoing the site plan to include two parking spaces per apartment. Mr. Jones assured her he was, as that is what the regulations require. Ms. Faulk expressed a concern regarding the gas lines on the property. Mr. Jones responded that they were aware of the gas lines, that were service lines only, and that once the residents were vacated from the property the lines would be terminated and removed during

the demolition process. Ms. Faulk expressed a second concern regarding sink holes. Mr. Jones informed her that all sink holes and debris would be removed from the property during the grading process which would then need to pass inspection. He stated he was not familiar with any sink holes, but all of those issues would be brought up and fixed during the construction process. Ms. Faulk asked if any ideas have been thought of to help with traffic on Euharlee Rd. Mr. Jones stated that both owners were in agreement to build an access road for their properties. Mr. Stephens informed the Commission that for C-1 rezoning an access road would be required. Mr. Jones confirmed to the Commission that they would abide by all requirements from the City.

Mr. Evans asked Mr. Jones and Mr. Ahmaed if they thought it would be wise to an investigation into the sink holes on the property. Mr. Stephens informed Mr. Evans that in regards to the question before the P&Z Commission the project is financially successful. Mr. Stephens explained that if there were issues with sink holes then the Code Enforcement Officer would handle those issues, and the developer would be most likely required to provide an environmental audit of the property when the time came. Mr. Stephens asked how many sink holes Mr. Ahmaed had experienced on the property. He responded that there was one a few years ago but they filled it and it has had no other issues. Mr. Evans expressed concern that without knowing the cause of the sink holes then you could not know how to fix it. He feels an examination would be in order. Mr. Mobbs and Ms. Faulk responded that was the due diligence of the owner of the property.

Mr. Mobbs asked the Commission had any concerns regarding the rezoning of the two properties at 933 and 937 Euharlee Rd. Mr. Gray asked for the number of units were going to be on the property. City Code Enforcement Officer, Don Matthews responded by explaining that the owners would not have an accurate count of units until the land was surveyed and an engineer created plans with the accurate measurements and ordinance requirements calculated. Mr. Mobbs clarified that the Commission would then approve those plans at a later date than this meeting.

Ms. Faulk expressed a concern regarding the current upkeep of the properties. Mr. Ahmaed assured her that he would keep up this new property and keep it in line with the City ordinances. He explained that he has a better property manager now that will do a good job. Mr. Gray asked if Mr. Michael Hopfner, property owner at 933 Euharlee Rd. was presented. He was. Ms. Faulk addressed the same question regarding the state of the property to Mr. Hopfner. Mr. Hopfner responded that he would be happy to show her the books of how much money he spends on upkeep of his park, and that none of his trailers are kept below a standard of living. He stated his plans were to continue to rent homes within the trailer park or within alignment of the Overlay plan to rezone the park. He stated that upon rezoning approval he would move toward a development plan that would be nice. He stated that he understood and was willing to work closely with the City of Euharlee on the development. But he was not going to apply for development if the property was not going to be rezoned. Ms. Faulk confirmed that Mr. Hopfner was not going to install Section 8 Housing. He responded that he would not. He reiterated that he planned on building townhome style living at the back and commercial at the front.

Mr. Gray commented that three other rezoning applications also turned in site plans before getting approved rezoning. He stated he has a hard time buying something when he doesn't know what he's buying and that the motion to approve was contingent upon receiving a general layout

which had not been submitted. Mr. Hopfner stated that he had already agreed that commercial would be in the front with residential in the back. He stated that there were many things to consider in the development application, but not in the rezoning. He stated if was to be forced to create a development plan to get rezoning approval, then he would just continue to operate as a mobile home park. Mr. Stephens advised to Mr. Mobbs that the ordinance says the applicants MAY submit a layout but are not required to do so. Mr. Gray stated to the room that he wanted both properties to do the same thing with their developments. He again stated that he felt the Commission needed a general layout to make a decision on rezoning. Mr. Hopfner questioned why this was relevant to a rezoning application, as Mr. Gray was discussing items needed for a development application. There was discussion between Mr. Gray and Mr. Hopfner regarding the guidelines for submitting a rezoning application. Mr. Hopfner restated that he had applied for a rezoning because the overlay indicated that the City wanted commercial frontage, but if they City did not want to rezone then he was okay leaving the property as an operating mobile home park. Mr. Stephens informed Mr. Hopfner that he was very grateful for the application to rezone. He reminded Mr. Gray that the matter at hand was a consideration of a rezoning application and the ordinance stated that the property owners may provide a site plan but were not required to do so. Mr. Evans reiterated that he was not asking for a site plan but a general layout that showed how much of the property would be commercial and how much would be residential. Mr. Matthews addressed the issue with Mr. Evans and explained that without surveying the property and hiring an engineer for the math, Mr. Hopfner could not provide that information. Mr. Hopfner would provide that information after the rezoning was approved. Mr. Matthews urged the Commission to please make a vote on this matter so that the City can move forward. Mr. Mobbs addressed the Commission to explain that the rezoning application was for O/I and R-3. Once the zoning was approved, the property owners would then bring site plans back to the Commission for approval, but the current task was to vote to either recommend or not to recommend rezoning for the properties. After discussion amongst the Commission, Mr. Mobbs called the Commission's attention to the minutes from the previous Public Hearing meeting. At that meeting, the Commission voted to recommend approval of the rezoning to the City Council. He asked for discussion regarding that vote. Mr. Evans stated that the vote held conditions that had not been met. Mr. Mobbs asked for a motion to recommend to approve or disapprove to the City Council. Ms. Faulk interjected to make sure Mr. Gray did not have any more questions. Mr. Gray stated he was going on what the motion last meeting was contingent upon. Mr. Stephens reminded him that the authority to make that contingency was not in the ordinance. Ms. Faulk drew a general layout with Mr. Hopfner and brought it back to Mr. Gray and Mr. Evans so that the contingency had been met. Mr. Evans still requested more information from the property owner which would include a plat of the property.

Mr. Mobbs requested a motion. Ms. Lovako Patterson made a motion to recommend approval of the rezoning application for 933 and 937 Euharlee Rd. to O/I and R-3. A second was made by Ms. Faulk. There was no more discussion. Ms. Patterson and Ms. Faulk voted in favor of the motion, Mr. Evans and Mr. Gray voted against the motion. Because of the tie vote, Mr. Mobbs voted as Chairman to recommend approval of the rezoning application. The vote passed 3-2.

Mr. Stephens thanked the Commission for their thoroughness in their discussion of the rezoning.

The next agenda item was discussion of the new campground, Euharlee Creek Campground. Ms. Faulk asked for clarity of the new additional sites. Mr. Stephens clarified that the City Council approved a bid for design of 15 new campsites at Frankie Harris Park. Because this did not require any change in land use, the issue was not brought before the Planning and Zoning Commission. Ms. Faulk asked how the new sites would affect Frankie Harris Park as an event park. Mr. Stephens answered that the park has been used for camping for years so it is not a change in land use. Ms. Patterson wondered if events would still be held at Frankie Harris. Mr. Stephens said that it was possible to have both events and campgrounds by not allowing reservations the weeks of events. He also informed the Commission that the campsites were strictly for RV's and not for tent camping. Mr. Mobbs asked if the campsites would meet the requirements of the ordinance. Mr. Stephens informed the Commission that the design firm had a copy of the ordinances. There was discussion regarding the different ordinances and compliance with those ordinances. Mr. Stephens reminded the Commission that the previously built 11 sites were found to be compliant with the ordinance.

Mr. Mobbs asked if the project came in front of the Commission for development approval or if it was just for information for the Commission. Mr. Stephens informed Mr. Mobbs that the information was provided to answer outstanding questions being asked by members of the Commission. Mr. Mobbs clarified that Planning and Zoning did not have any jurisdiction over this matter, they were just looking at information.

Mr. Gray brought up ordinance section 10.4.2 in regards to Independent verses Dependent RVs. After discussion was had regarding the definitions of each recreational vehicle and the potential of violating this section of the ordinance, Mr. Gray made a motion to amend section 10.4.2 to extend the 200 ft distance from a bathroom to a 500 ft distance from a bathroom. Ms. Faulk made a second to the motion. The motion was approved unanimously.

There being no other business, Ms. Faulk made a motion to adjourn. Mr. Gray made a second. The motion was approved unanimously. The meeting adjourned at 8:03pm.

EUHARLEE PLANNING & ZONING MEETING MINUTES
7:00pm | May 10, 2022 | Euharlee City Hall

MEMBERS PRESENT: Judd Mobbs - Chair, Steve Gray, James Evans, Kathy Foulk, Lovako Patterson, James Stephens – City Manager, April Lucas – Economic Development Director, Don Matthews – Code Enforcement Officer

Chair Judd Mobbs called the meeting to order at 7:00pm. Mr. James Stephens called roll and noted that Mr. Frank Graziano and Mr. James Evans were not present.

Mr. Mobbs requested a motion to approve the agenda. Ms. Foulk made a motion to approve, with a second from Mr. Gray. The agenda was approved unanimously.

Mr. Mobbs requested a motion to approve the minutes from the April 12, 2022 Planning & Zoning meeting. After brief review, a motion was made by Ms. Patterson and a second by Mr. Gray. The minutes were approved unanimously.

Mr. Mobbs announced they would begin considering two rezoning applications for 933 and 937 Euharlee Rd. Mr. Mobbs referred the Commission to the two handouts provided by the owners of 933 and 937 Euharlee Rd. These handouts were general layouts of their plans for their respective properties.

Mr. Evans arrived and joined the Commission.

Mr. Mobbs called Mr. Raymond Freeman to speak first. Mr. Freeman lives in an adjacent property at 134 Milam Bridge Rd. Mr. Freeman stated he had a rough time arguing for or against the rezoning because he hadn't seen the drawings given to the Planning Commission. His first concern is the possible disruption of his utilities that run through the current properties up for rezoning. His second concern is the proposed 25 ft buffer is less than the ordinance required 50 ft buffer. He's concerned that there is livestock that may be affected due to the proposed 25 ft buffer. His next concern was the height of the proposed apartment buildings at the 937 Euharlee Rd. property. The proposal gives a 3-story apartment complex design. He stated that the purchase of his property was made based on the current ordinance being in his favor. He is concerned about the possible length of the project and the cash flow of the owner of 937 Euharlee Rd. He expressed concern about possible sink holes on the property. He stated that City Manager James Stephens said a Phase 1 Environmental Study would take care of it. Mr. Freeman stated a Phase 1 is something you fill out with the current conditions of the property and he doesn't believe the property would pass a Phase 1 study. His next concern was that someone came to another citizen's home to inspect it unannounced. He also stated that he believed the owner of 937 Euharlee Rd. was not legally in compliance as a business in the State of Georgia.

Ms. Foulk asked for a copy of that statement and asked Mr. Jonathan Jones, representative and engineer for 937 Euharlee Rd., to approach. Ms. Foulk asked if Mr. Jones knew about the non-compliance. Mr. Jones stated that he did not. He stated he is a representative for a rezoning

application only, and did not believe it was his nor the Commission's responsibility to see if someone was a true business or not. Mr. Jones stated that he does tell the truth and did not appreciate the insinuation from Mr. Freeman that he has not been telling the truth. Mr. Jones reminded the Commission that the submitted information was a conceptual site plan, that isn't required by ordinance to be submitted, but because he was asked by the Commission to do so, he complied. He stated that he has continuously tried to appease any and all concerns from the Commission. He stated that in this market, he cannot say if the project will be \$20 million or end up being \$250 million. If it will take 2 years or 7 years. The property owner plans to build for the demand, and then as the demand grows, then continue the development. He reminded the Commission that the property owner also has property rights as well. He reminded the Commission that this was not a meeting for site approval, but for rezoning.

Ms. Lovako Patterson asked Mr. Freeman a question regarding his statement of an unknown person entering a citizen's home without his permission. Ms. Patterson asked Mr. Freeman if that incident was because of the rezoning applications. Mr. Freeman stated that the citizen did not inform him of the reason the unknown person came. When Mr. Freeman heard that someone came by unannounced and entered the citizen's home without his permission, he stopped the conversation. He informed the Commission that the unknown person entered the citizen's home without his permission and the citizen was under duress. Ms. Patterson stated that there was no information that would lead someone to believe it had anything to do with the rezoning applications. Mr. Freeman agreed but said that he couldn't not assume it didn't have to do with the rezoning applications. Mr. Mobbs confirmed that the City did not send someone to inspect the citizen's home. Mr. Don Matthews confirmed that it was not anyone from the City. Mr. Mobbs informed Mr. Freeman that the situation was out of the scope of the Commission but encouraged Mr. Stephens to follow up with the Police Chief on the matter. Mr. Stephens agreed that was the right thing to do. Mr. Freeman stated that the unknown person said they wanted to inspect the home because they thought it was a duplex. Ms. Patterson stated that it could have been an insurance company sending someone out.

Mr. Gray asked the definition of a "refuse collection station." Mr. Mobbs answered that it would be a dumpster. Mr. Gray stated that in the Zoning Ordinance it says a refuse collection station would be provided for each 30 units. Mr. Gray stated he only saw two stations with 162 units on the drawing submitted. He wanted to make sure Mr. Jones was aware of that section of the ordinance. Mr. Jones stated he was aware of the requirements and explained that the two refuse collection stations on the submitted drawings were trash compactors instead of dumpsters. He informed the Commission that trash compactors are able to hold the amount of trash that roughly 10 dumpsters would be able to hold at a minimum. He informed the Commission that during the site plan approval process he would be happy to add more compactors if it was desired by the Commission.

As a side note, Mr. Jones addressed the previous complaint of Mr. Freeman that Mr. Ahmaed was out of compliance with the State of Georgia as a business. He stated that Mr. Ahmaed had until July 1st to pay a \$100 fee and then he would be in compliance with the State.

Mr. Gray asked if people were no longer using regular dumpsters. Mr. Jones explained that automatic trash compactors are used in apartment complexes now because they do not overflow

like dumpsters. He stated that he left plenty of space to add more compactors if they City preferred it. Mr. Gray asked if the compactor could compact anything or if it just worked with paper. Mr. Jones stated that it can compact almost anything. He also said that the compactor had built in safety measures, an alarm that alerted the company if anything was wrong, or if it was full. He stated that the compactors are more efficient and need less maintenance than dumpsters, and do not cause problems like smell and rodents. Mr. Gray asked how many dumpsters was equivalent to one compactor. Mr. Jones said that he didn't know exactly but would think 10 dumpsters minimum and would be happy to bring back data to answer that question. He said trash compactors are what all big apartment complexes use. Mr. Gray said that he would love to see that information and thinks that the Commission to revisit the ordinance to include trash compactors.

Mr. Gray asked another question regarding page 56 of the Zoning Ordinance, which stated that "only uses permitted in the R-1 districts shall be permitted as new uses on properties zoned R-6." Mr. Stephens responded that the Commission had received an email pertinent to that sentence and the context of that sentences means in the absence of a rezoning application, if someone owns a trailer park and stops using it as a trailer park but does not seek rezoning, the only permitted uses for the property would be under R-1. He informed that this sentence does not prohibit the application of rezoning or the approval of rezoning to something other than R-1. Mr. Gray asked if the City Attorney said the same thing about the aforementioned sentence. Mr. Stephens informed Mr. Gray that he did not ask the City Attorney. Mr. Mobbs stated that he did not see anything that would prohibit them from rezoning it to R-1 and then rezoning it to something different. Mr. Gray thought that it was a wise choice to rezone to R-1, then to something else. Mr. Mobbs thought that would just add an extra hoop to jump through. Mr. Gray was concerned that a lawyer had not said the explanation Mr. Stephens gave, and until he heard a lawyer say it, his opinion was to rezone to R-1 first. Mr. Stephens informed Mr. Gray that this situation was also why Section 15 is in the Zoning Ordinance. Section 15 is in regards to rezoning applications and the process. Mr. Stephens stated that if Mr. Gray's interpretation was correct, then there would be no reason to have Section 15, which permits applications or amendments. Mr. Gray asked where that information was in Section 15 and Mr. Stephens stated it was the entire section. Mr. Gray asked Mr. Stephens to point out which part of Section 15 explains the application and amendment processes for rezoning. Mr. Stephens replied that Sections 14 and 15 deal in total with amendments, appeals, or variance and amendments to the ordinance and to the maps. He stated that if Mr. Gray's interpretation was correct, there would be no purpose to have Sections 14 and 15. Mr. Mobbs stated he wanted to make sure that they weren't leaving a door open for potential issues. Mr. Stephens stated that it wouldn't be a bad idea to make a motion contingent on the City Attorney's opinion. Mr. Mobbs asked to make a note to fix this particular sentence in the Zoning Ordinance. He believes that for the current meeting's purposes they need to vote to make a recommendation contingent upon the opinion of the City Attorney. Mr. Gray stated that it made sense, but he's just having an issue with it.

Ms. Foulk addressed a previous concern regarding sink holes. Mr. Mobbs informed her that would be addressed at a later stage of the process.

In reference to Ms. Foulk's concern, Mr. Stephens asked that his next statement be put in the minutes verbatim: "when the City Manager referenced the Phase 1 Environmental Study at one

of the previous meetings, what he was saying is if the owner has to obtain financing, the financing company will make sure that the Phase 1 Environmental is either safe or unsafe before they loan the money. That's exactly what the City Manager said, and that's all he said. But if Phase 1 is done and they are comfortable enough loaning the money, then there's a reason they are comfortable enough to loan the money."

Mr. Evans asked what they were rezoning the property under. Mr. Mobbs asked what the advertisement said. Mr. Stephens answered C-1 on the road frontage and R-3 on the back, contingent upon the Attorney's interpretation and approval that the Zoning Ordinance legally permits it. Mr. Stephens reminded the Commission that they had the previously requested sketch for both applications that indicate the approximate size of the commercial verses the R-3. Mr. Evans stated that answered his question but he wanted the zoning to be a little more specific. Mr. Mobbs reminded him that they would fix that when they address the review of the Zoning Ordinance, but it was too late to address it for this project. He reminded the Commission that they must operate under the ordinance as it is currently. Mr. Evans expressed concerns about the amount of commercial space verses residential. Ms. Patterson reconfirmed that the Commission would still have say in the development and design, to which Mr. Mobbs replied that they would. Mr. Evans other concern was that the apartments were planned to be three-stories. Again, Mr. Mobbs stated there was nothing in the Ordinance that prohibited three-stories, and they could only recommend for or against based on what is in the Ordinance. Mr. Evans understood, but thinks the project is not within the context of what they're trying to do in the City of Euharlee. He believes an urban development does not have a place in a rural city like Euharlee. Mr. Mobbs again stated that there is nothing in the ordinances prohibiting the development. Ms. Patterson asked for clarification of the stories of the apartments verses the townhomes.

There being no other questions, Mr. Mobbs asked if the Commission was ready to vote on the rezoning of properties 933 and 937 Euharlee Rd. Ms. Foulk made a statement regarding the number of entrances and exits off of Euharlee Rd. for the two developments. Mr. Mobbs reminded her that the submitted plans were just conceptual and they would have to abide by County and State regulations after a traffic study is complete.

Mr. Mobbs asked again if the Commission was ready to vote, reminding the Commission that they are an advisory board to the City Council. Mr. Gray stated he did not see an access road on the plans. Mr. Jones stated there was one drawn on the plans for 937 Euharlee Rd. Mr. Mobbs reminded Mr. Gray that those detailed plans would be addressed later in the process. Mr. Gray expressed an issue with the location of the access road. He believed it should be in front of the commercial area instead of behind. Mr. Jones stated that from previous meetings he heard that the Commission desired an access road for connectivity between the two properties and the adjoining Dollar General. He stated that the access road is always behind the commercial in every development he's worked on. Mr. Evans said he sees a safety issue with Mr. Jones responding that this was not a site plan hearing, it was just a rezoning hearing. Ms. Foulk stated that she was the one that suggested the access road to Mr. Jones. Mr. Mobbs reminded the Commission that tonight's hearing was strictly about the rezoning applications. He encouraged the Commission to complete the first step to recommend or to not recommend.

Ms. Foulk made a motion to recommend the rezoning of 937 Euharlee Rd. from R-6 to C-1 and R-3, contingent on the interpretation of the City Attorney on the previously mentioned section of the Zoning Ordinance. Ms. Patterson made a second to the motion. Ms. Patterson and Ms. Foulk voted to recommend; Mr. Gray voted to not recommend the rezoning. Mr. Evans abstained.

Ms. Foulk made a motion to recommend the rezoning of 933 Euharlee Rd. from R-6 to C-1 and R-3, contingent on the interpretation of the City Attorney on the previously mentioned section of the Zoning Ordinance. Ms. Patterson made a second to the motion. Ms. Patterson and Ms. Foulk voted to recommend; Mr. Gray voted to not recommend the rezoning. Mr. Evans abstained.

Mr. Stephens announced that according to the City Charter, and abstention equals a “yes” vote. Based on this fact, Mr. Evans commented that he would like to change his abstention to a “no” vote. Ms. Foulk made a motion to reconsider her previous two motions, with Ms. Patterson as a second. The motion to reconsider the previous motion was passed.

Ms. Foulk made a motion to recommend the rezoning of 937 Euharlee Rd. from R-6 to C-1 and R-3, contingent on the interpretation of the City Attorney on the previously mentioned section of the Zoning Ordinance. Ms. Patterson made a second to the motion. Ms. Patterson and Ms. Foulk voted to recommend; Mr. Gray and Mr. Evans voted to not recommend the rezoning. Mr. Mobbs broke the tie with a yes vote. The motion passed 3-2.

Ms. Foulk made a motion to recommend the rezoning of 933 Euharlee Rd. from R-6 to C-1 and R-3, contingent on the interpretation of the City Attorney on the previously mentioned section of the Zoning Ordinance. Ms. Patterson made a second to the motion. Ms. Patterson and Ms. Foulk voted to recommend; Mr. Gray and Mr. Evans voted to not recommend the rezoning. Mr. Mobbs broke the tie with a yes vote. The motion passed 3-2.

There being no other business, Mr. Mobbs asked for a motion to adjourn. Mr. Gray made a motion to adjourn, Ms. Patterson made a second. The meeting adjourned at 7:54pm.

EUHARLEE PLANNING & ZONING MEETING MINUTES
7:00pm | June 14, 2022 | Euharlee City Hall

MEMBERS PRESENT: Judd Mobbs - Chair, Steve Gray, James Evans, Kathy Foulk, Lovako Patterson, James Stephens – City Manager

Chair Judd Mobbs called the meeting to order at 7:00pm. Mr. James Stephens called roll and noted that Mr. James Evans was not present.

Mr. Mobbs requested a motion to approve the agenda. Ms. Foulk made a motion to approve with refuse collection added to the agenda, with a second from Mr. Gray. The agenda was approved unanimously.

Mr. Mobbs requested a motion to approve the minutes from the May 10, 2022 Planning & Zoning meeting. After brief review, a motion was made by Ms. Foulk and a second by Mr. Gray. The minutes were approved unanimously.

Discussion followed regarding the refuse collection language from page 54 section 7.6.6 of the current ordinance. The current language requires one refuse collector for every 30 families and that they be located no more than 50 from the building. Discussion covered the difference between a dumpster, compactor, and 55-gallon trash cans. A consensus was reached that we need to edit this section of our ordinance after more information is gathered from Waste Management and other municipalities language in other ordinances.

Next the commission discussed the fact that a church/office has located within 300 feet of Anna's. Currently churches are a permitted use in any zoning district. After discussion of the potential impact on economic development of churches locating in existing commercial structures. The decision was made to leave the ordinance with churches continuing to be a permitted use in any zoning district.

Chairman Mobbs asked the members to be prepared to discuss what our ordinance should require as part of the application process for rezoning.

There being no other business, Mr. Mobbs asked for a motion to adjourn. Mr. Gray made a motion to adjourn, Ms. Patterson made a second. The meeting adjourned at 7:52 pm.

EUHARLEE PLANNING & ZONING MEETING MINUTES
7:00pm | July 12, 2022 | Euharlee City Hall

MEMBERS PRESENT: Judd Mobbs - Chair, Steve Gray, James Evans, Kathy Foulk, Lovako Patterson, James Stephens – City Manager

Chair Judd Mobbs called the meeting to order at 7:00pm. Mr. James Stephens called roll.

Re-zoning application was discussed. After thorough discussion the decision was made to add to Section 15.2.3 enumerated item # 11 A preliminary site plan shall be included in the application package.

Additionally, the Chairman pointed out that the next meeting begins the new year of the Planning and Zoning Commission.

The meeting was adjourned at 7:12

EUHARLEE PLANNING & ZONING MEETING MINUTES

7:00pm | September 13, 2022 | Euharlee City Hall

MEMBERS PRESENT: Judd Mobbs - Chair, Steve Gray, James Evans, Kathy Foulk, Lovako Patterson, James Stephens – City Manager, Katie Gobbi – Community Development Director.

Chair Judd Mobbs called the meeting to order at 7:00pm. Mr. James Stephens called roll. Minutes of the July meeting were approved and the current agenda was approved.

Re-zoning application for 93 Cliff Nelson Road to re-zone from R-1 to PUD.

Adam Baker of SA Land Group and Evergreen Developers presented a preliminary site plan for a 110 plus single-family homes on approximately 35 acres of land. Mr. Baker reserved his time to answer questions from P & Z Commission and adjacent property owners.

Members of the P & Z asked Mr. Baker questions before adjacent property owners were called upon. Chairman Mobbs asked the number of building lots and about fire retardant materials and about setbacks. Mr. Gray asked about how sewer would serve the development and what type of privacy buffer would protect the adjacent property owners. Ms. Patterson asked about the square footage of the lots. Mr. Baker answered the questions from the commission.

A number of adjacent property owners were present and questions from them included concerns about light pollution, storm water runoff, traffic, buffers and pressure on the schools. Mr. Baker calmly addressed the questions from the adjacent property owners.

After ample discussion, Ms. Patterson presented a motion to approve recommending that the city council approve the re-zoning for 93 Cliff Nelson Road and Ms. Foulk seconded. The motion passed 3-1. Foulk, Patterson, Evans voting yes. Mr. Gray voted no. Chairman Mobbs was not required to vote. He did communicate to the city manager that he has concern over the 5-foot setbacks because of fire safety. The city manager assured him that information would be shared with the city council.

Minimum Lot size for lots served by public sewer- The city manager communicated that the city council would like the P & Z to discuss new minimum lot size for lots served by sewer because the ordinance was written long before we had any land with access to public sewer. The commission advised staff to prepare information for lot sizes of surrounding governments. Mr. Evans motioned to table the discussion until the next meeting for further research. Ms. Patterson seconded.

Environmental overlay- The city manager explained that the city council would like the P & Z to debate the possibility of removing the environmental overlay from our zoning ordinance. We have several residential developments along Etowah River in the city and this overlay may be unequitable to the property on Milam Bridge Road. Mr. Evans professionally stated that we need to determine that there was not an endangered species or Native American relics in proximity to the property before the matter can be taken up. Mr. Evans motioned to table the discussion until the next meeting for further research. Ms. Patterson seconded. Chairman Mobbs indicated that this is the start of the Commission's new year and that officer elections needed to be held. Ms. Foulk motioned that the officers remain the same with Judd Mobbs remaining Chair and Steve Gray Chair Pro-Tem. Ms. Patterson seconded it.

Mr. Evans motioned to adjourn at 8:30 pm. Mr. Gray seconded.

EUHARLEE PLANNING & ZONING MEETING MINUTES

7:00pm | October 11, 2022 | Euharlee City Hall

MEMBERS PRESENT: Steve Gray- Vice Chair, James Evans, Kathy Foulk, Lovako Patterson, James Stephens – City Manager, Katie Gobbi – Community Development Director.

Vice Chair Steve Gray called the meeting to order at 7:00pm. Mr. James Stephens called roll. The current agenda was approved.

Re-zoning application for Parcel No. 0034-0753-002 to re-zone from RE-1 to R-1.

Ron Goss and Josh McWhorter, representing Etowah Bend Developers LLC, presented their application for re-zoning. Mr. Goss explained that Etowah Bend Developers are an equity fund comprised of many local investors. They explained that they sought the re-zoning to revert to the previous zoning of R-1 that was in place prior to 2018. The request was to make it the same zoning as the adjacent properties. Mr. Goss and Mr. McWhorter reserved their time to answer questions from P & Z Commission and adjacent property owners.

The city manager and members of the P & Z asked Mr. Goss questions before adjacent property owners were called upon. Mr. Stephens asked if the two developed parcels from the original 28 tract site plan were removed from the development to ensure that no one else purchased a 3-acre tract with RE-1 zoning. Mr. Goss stated that they were almost like a Phase 1 with an HOA and the remaining undeveloped lots were Phase 2. No additional lots have been sold.

Ms. Patterson asked what the Phase 1 owners thought of the re-zoning. Ms. Foulk asked about the zoning and ownership of the large adjacent parcels. She also asked about the 2018 rezoning application. Mr. Goss and Mr. McWhorter stated that they did not recall the city staff recommendation at the time of the rezoning. Ms. Foulk asked if the rezoning was approved, how would the plans change from the current 28-lot plan. Mr. Goss stated that they did not have engineered drawings, a contract, or a plan at that time.

Mr. Gray asked about the zoning history of the property. He stated that the commission was told in 2018 the zoning was A-5. Mr. Stephens stated that the 2018 documentation shows the request as R-1 to RE-1. Ms. Gobbi stated that the county zoning was A-5.

Goss and McWhorter answered the questions from the commission.

A number of adjacent property owners and Euharlee residents were present and questions from them included concerns about lot size, number of lots, traffic, buffers, wildlife, and pressure on the schools.

Lehmann Smith did not recall his property being zoned as R-1. Mr. Stephens said that Mr. Smith's livestock on his property does not have compliance issues because it exceeds 5 acres and is grandfathered in. He was concerned about buffers and his livestock. He stated he did not have an issue with 3-acre lots. He was worried about continued changes and smaller lot sizes.

James Thibault, 101 & 121 Milam Bridge Road, adjacent property owner, stated his concerns about smaller lots than the original 3-acre minimum tracts. Mr. Thibault said that he has concerns about the long-term plans and would like to see them. He said that his warranty deed and closing documents indicate that he was still part of Etowah Bend. Mr. Thibault asked that the commission considered how this re-zoning would substantially affect the surrounding property owners. He said he attempted to purchase lot 1 to create his own buffer.

Mr. Goss and Mr. McWhorter addressed the questions from the adjacent property owners and addressed why the owners are asking for re-zoning for this property.

Mr. Smith spoke again and expressed concern about his livestock and the liability of people living so close to his property line.

Mr. Stephens explained that notifications would go out to adjacent property owners that the scheduled city council public hearings were postponed.

The commission took a short recess at 8:46pm and resumed 8:52pm.

Minutes of the September 13 meeting were approved.

The P&Z voted unanimously to not recommend that the city council approve the re-zoning for Parcel 0034-0753-002.

Minimum Lot size for lots served by public sewer- P&Z members were provided a table of the current minimum lot size for lots on public sewer in surrounding local municipalities by staff. Mr. Stephens informed the commission of the background of the sewer and current sewer usage. Mr. Stephens recommended a minimum lot size much smaller than the current 15,000 sq ft. He also asks that if they chose to recommend anything less than 10,000 sq ft that there be a requirement for fire retardant materials on the structures.

Mr. Evans suggested that in regards to density, the city needs a plan before the commission discusses density. Mr. Stephens said there may not be a long, drawn-out plan, but in reality, there are only two tracts of land that would be impacted by this lot size change regarding sewer. Mr. Evans said just because there is access to sewer does not mean that the city should want growth and density on those specific tracts. Ms. Foulk stated that sewer was brought down Euharlee Road to serve Euharlee Road and the downtown area.

Mr. Gray said that 15,000 sq ft minimum allows for 2 houses per acre. Mr. Gray suggested lowering it to 14,000 sq ft to allow for 3 houses per acre.

Butch Emerson, speaking as a Euharlee citizen, recommended getting out in front of the inevitable growth and follow staff recommendation on lot size.

After ample discussion, Mr. Evans motioned to recommend a minimum lot size of 14,000 sq ft for a residential lot in any category served by public sewer. Ms. Foulk seconded. Motion passed 3-1. Ms. Patterson voted against because she wanted a smaller lot size.

Environmental Overlay- The city manager provided a Daily Tribune article from 2007 that stated the Environmental Overlay was put in place for erosion control. Mr. Stephens said that there are other state and local regulations in place making the overlay redundant and not equitable to the property owners. Ms. Foulk motioned to remove Section 7.17 regarding the Environmental Overlay from the Zoning Ordinance. Mr. Evans seconded. Motion passed 4-0.

Overnight Streeting Parking – The City Council and Police Chief have requested P&Z take a look at this. Ms. Foulk motioned to table the discussion for further research. Ms. Patterson seconded. The motion passed 4-0.

Mr. Evans motioned to adjourn at 9:44 pm. Ms. Foulk seconded. Meeting was adjourned.

EUHARLEE PLANNING & ZONING MEETING MINUTES

7:00pm | December 13, 2022 | Euharlee City Hall

MEMBERS PRESENT: Jud Mobbs – Chair, Steve Gray, James Evans, Kathy Foulk, Katie Gobbi – Community Development Director.

Chairman Mobbs called the meeting to order at 7:05pm. Community Development Director Katie Gobbi joined the meeting at 7:13pm.

Minutes of the October 11 meeting were approved.

Elevation Plan Review: P&Z reviewed images of proposed elevations for the PUD at Cliff Nelson and Euharlee Roads for unofficial comment, as there is no piecemeal plan review in the ordinance. The commission members suggested different building materials including three-sided brick or stone. The members also hoped for variation in design when building the sites.

R-1 Definition Review- Modular: The commission discussed whether or not to recommend updating the definition of R-1 and other residential zoning categories to change the approved use of modular or industrialized structures. Mr. Mobbs asked if this was a staff or city council request to review. Ms. Gobbi said that this is in response to feedback from a situation with a modular home in a subdivision in the city limits. Mr. Evans said that he did not have an issue with modular housing. There was a discussion about the difference between modular and kit homes. Mr. Gray made a motion that the commission recommend the ordinance be updated to only allow modular homes in residential lots that are not in existing subdivisions. Ms. Foulk seconded the motion. Motion carried.

Alcohol Ordinance Amendment: The commission reviewed proposed updates to the alcohol ordinance from Assistant City Clerk Ashley Bailey for recommendation to the city council. These changes are proposed due to resolutions previously passed, changes in operations at city hall, and due to requirements from HB 879 passed by the Georgia General Assembly in 2021. The commission members asked about some of the specific proposed changes and questions, including Sunday sales, paved parking, retail and distributor delivery. Mr. Mobbs asked about the timeline in implementing these changes. Ms. Gobbi responded that is staff interpretation that the house bill is sufficient until the commission can review and the council can amend the ordinance. Ms. Gobbi said that the state online portal has already gone live and is being utilized. The commission tabled the item until the next meeting to allow members time to review the proposed changes.

Ms. Foulk motioned to adjourn at 8pm. Mr. Evans seconded. Meeting was adjourned.