

CITY OF BROOKHAVEN
PLANNING COMMISSION
FINAL MINUTES

January 4, 2017

Regular Meeting

7:00 PM

4362 Peachtree Road, Brookhaven, GA 30319

A) CALL TO ORDER

Attendee Name	Title	Status	Arrived
Stan Segal	Chairman	Present	
Shannon Cameron		Present	
John Funny		Present	
Rob Francour		Present	
Bert Levy		Present	
Conor Sen		Present	

B) APPROVAL OF MINUTES

1. Approval of December 7, 2016 Planning Commission Work Session Meeting Minutes

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Rob Francour
SECONDER:	Conor Sen
AYES:	Segal, Cameron, Funny, Francour, Levy, Sen

2. Approval of December 7, 2016 Planning Commission Regular Meeting Minutes

RESULT:	APPROVED [UNANIMOUS]
MOVER:	John Funny
SECONDER:	Conor Sen
AYES:	Segal, Cameron, Funny, Francour, Levy, Sen

C) ORGANIZATIONAL AND PROCEDURAL ITEMS

Chris Balch, the City Attorney, reviewed status of litigation.

D) UNFINISHED BUSINESS

1. **Rezoning Ordinance (ID # 2422):** RZ16-05: SSP Dresden, LLC - Rezone from NS, PC-2, & O-I to PC-2 for Development of a Mixed Use Building with 194 Residential Units and 20,000 Square Feet of Ground-Floor Commercial Space - 1336, 1342, 1350, 1358, 1364, & 1370 Dresden Drive and 2562, 2552, 2544, & 2536 Caldwell Road

Ms. Ruffin stated staff recommended approval conditional of the requests.

JR Connolly, speaking on behalf of the applicant, highlighted revisions to the original request which included improving the architectural design of the proposed development, decreasing density by 25%, and adding an ownership component for the town homes to address concerns raised by residents in opposition to the proposed development. Mr. Connolly noted for the Planning Commission the town homes served as a transition from multifamily residential to single family residential dwellings. Mr. Connolly also noted a Dixie Moon restaurant was included for the property located at 2536 Caldwell Road, and the walkable component of the development was enhanced. Mr. Connolly reserved the remaining time for rebuttal and reiterated the desire to seek board approval.

Public comment opened.

Speakers in support:

Griff Sims, 2566 Oglethorpe Cir

Speakers in opposition:

Karen Dernavich & Bob Sorrentino, 3321 Alden Pl

Jen Heath, 1412 Sylvan Cir

Cathy Fike, 1488 Etowah Dr

Daisy Ottman, 2539 Ellijay Dr

Victor Herec, 2338 Ewing Drive

Commissioner Francour motioned to extend speaker time an additional 10 minutes for all parties, and Commissioner Levy seconded. The vote was unanimously approved.

Mr. Connolly addressed concerns raised during public comment by noting the patio for the proposed restaurant was removed to increase the sidewalk size and to have a more walkable development. He also noted a curb cut meant to service the townhomes was removed, and the size of the fire lane was increased to account for additional safety measures.

Public comment closed and board discussion began.

Commissioner Levy motioned to direct staff to provide clarification for the zoning ordinance rewrite as to the definition of contiguous and other ambiguities, and Commissioner Funny seconded. The vote was unanimously approved.

Mr. Connolly addressed concerns raised by the Planning Commission by summarizing the parking garage would be separated into an upper section for residents, and a lower section that would be paid parking and open to the public. He stated the intent of paid parking was to control and account for usage of the parking garage, and it was a recommendation made by several parking consultants and engineers. Mr. Connolly also noted several traffic improvements included throughout the development that would ease congestion and help with the flow of traffic. He also stated 2/3 of the apartment complex would be one bedroom units and 1/3 would be two bedroom units, with the one bedroom units ranging in size from 650 - 800 square feet.

Board discussion closed.

Commissioner Francour motioned to deny RZ16-05, and Commissioner Levy seconded. The motion failed 2-4, with Commissioner Cameron, Commissioner Funny, Commissioner Segal, and Commissioner Sen voting against the motion.

Commissioner Funny motioned to approve RZ16-05 as amended with conditions, and Commissioner Sen seconded. The motion passed 4-2.

Revisions to conditions were amended. The conditions read as follows:

1. The subject property shall be developed in general accordance with the site plan received by the Community Development Department on December 27, 2016.

- 2. The subject property shall be limited to a maximum of 169 multifamily residential units and ten for sale single-family attached units at a density of 47.98 dwelling units/acre.
- 3. The development shall occur in general accordance with the architectural elevations received by the Community Development Department on December 30, 2016 and with revisions to meet the requirements of the Overlay District ordinance. The top story of the multifamily/commercial building and townhomes shall be recessed in accordance with these elevations.

Commissioner Funny motioned to take a five minute recess, and Commissioner Cameron seconded. The vote was unanimously approved.

RESULT:	REC. FAVORABLY WITH CONDITIONS [4 TO 2]Next: 1/24/2017 7:00 PM
MOVER:	John Funny
SECONDER:	Conor Sen
AYES:	Segal, Cameron, Funny, Sen
NAYS:	Francour, Levy

E) NEW BUSINESS

- 1. **Resolution (ID # 2588):** A Resolution for the Adoption of the Brookhaven Character Area Study 2034 Comprehensive Plan Supplement

Ms. Ruffin stated the Character Area Study 2034 Plan Supplement is being presented for approval.

Public comment opened.

Speakers in opposition:
Karen Dernavich

Public comment closed and board discussion opened and closed.

Commissioner Francour motioned to approve the adoption of the Brookhaven Character Area Study 2034 Comprehensive Plan Supplement, and Commissioner Funny seconded. The motion passed 5-1. The Planning Commission noted the approval pertained to the form and process, not necessarily the recommendations in the document.

RESULT:	RECOMMENDED FAVORABLY [5 TO 1]Next: 1/24/2017 7:00 PM
MOVER:	Rob Francour
SECONDER:	John Funny
AYES:	Cameron, Funny, Francour, Levy, Sen
NAYS:	Segal

- 2. **Ordinance (ID # 2590):** An Ordinance to Amend Section 27-1383, Development Standards, of the Code of the City of Brookhaven

Ms. Ruffin stated the proposed amendment limits the maximum residential density permitted in Sub-Area II of the Brookhaven-Peachtree Overlay District to 30 units per acre. It was noted the limitation will not affect current land use petitions under consideration, but will address future requests until the Zoning Ordinance Rewrite project has been completed.

Public comment opened.

Speakers in support:
Riley O'Connor, 2448 Oostanaula Dr

Public comment closed and board discussion began.

Chris Balch addressed concerns raised by the Planning Commission by reiterating the proposed amendment would only affect future land use petitions if approved, and current land use petitions under consideration would not be affected by the density limitation.

Board discussion closed.

Commissioner Sen motioned to approve TA17-02, and Commissioner Levy seconded. The vote was unanimously approved.

RESULT:	RECOMMENDED FAVORABLY [UNANIMOUS] Next: 1/24/2017 7:00 PM
MOVER:	Conor Sen
SECONDER:	Bert Levy
AYES:	Segal, Cameron, Funny, Francour, Levy, Sen

F) ADJOURNMENT

Commissioner Funny motioned to adjourn the meeting at 9:34 p.m., and Commissioner Francour seconded. The vote was unanimously approved.

APPROVED:

Stan Segal, Chairman

ATTEST:

Community Development

Approved