

MINUTES

City of Milton Planning Commission Regular Meeting January 29, 2008, 7:00 PM

This summary is provided as a convenience and service to the public, media, and staff. It is not the intent to transcribe proceedings verbatim. Any reproduction of this summary must include this notice. Public comments are noted and heard by the Planning Commission, but not quoted. This document includes limited presentation by the Planning Commission and invited speakers in summary form. This is an official record of the City of Milton Planning Commission meeting proceedings. Official Meetings are audio recorded.

Commission Members Present: Paul Hackman, Curtis Mills, Cary Schlenke, Paul Moore, Fred Edwards, George Ragsdale

New Member: Jennifer Fletcher

Meeting Leader/City Staff: Robyn MacDonald, Community Development

INVOCATION

The invocation was led Commission Member Cary Schlenke.

PLEDGE OF ALLEGIANCE

MEETING CALLED TO ORDER

CONDITIONS AND STATEMENT OF BOARD

Chair Paul Moore read to attendees of meeting the conditions and statement of the Board.

RULES AND PROCEDURES OF MEETING

Chair Paul Moore read to attendees of meeting the rules and procedures from the City of Milton Zoning Ordinance. He explained the portion of the Public Comment Card stating that any opponent of a re-zoning application must file this disclosure at least five calendar days prior to the first hearing by the local government or any of its agencies, which is usually the Planning Commission meeting if they have made a contribution in the amount of \$250 or more.

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Tuesday, January 29, 2007**

AGENDA
Planning Commission
January 29, 2008

I. Invocation	
II. Call to Order	
III. Pledge of Allegiance	
IV. Public Comment	
V. Approval of Minutes	Minutes from the December 19, 2007 Planning Commission Meeting
VI. REZONINGS New	
RZ07-022/ VC07-016 Bethany Bend Road Bajun American Properties, LP. Korey Jones Rolader & Rolader Merryl S. Mandus	To rezone from AG-1 and TR (Townhouse Residential) to TR (Townhouse Residential) to develop 47 ranch-style homes at a density of 4.67 units per acre. The applicant is also requesting a concurrent variance to reduce the setback from 100 feet to 10 feet for pool fencing (Article 19.3.12.B.3)
VII. USE PERMITS New	
U07-011/ VC07-017 Hopewell Road Monticello Real Estate Invest, LLC JT Adams	A Use Permit for a Private School to be developed with 5 buildings for a total of 63,400 square feet with a maximum of 325 students for Kindergarten – 8 th graders. The applicant is also requesting the following 4-part concurrent variance: 1) To reduce the building setback along the north property line from 100 feet to 85 feet (19.4.40.B.3) 2) To reduce the 75-foot buffer and 10-foot improvement setback to the extent necessary to all the septic field to encroach. (Article 12H.3.1C.2.) 3) To increase the 20 foot setback from the landscape strip to 500 feet. (12H.3.5.C.1) 4) To allow parking between the right of way and the building. (Article 12H.3.5.F.3)
VIII. TEXT AMENDMENTS New	
A. RZ08-01	To amend Article 3.3.12, definition of “Landscaping Business” in the City of Milton Zoning Ordinance
IX. Other Business	To discuss Crabapple Moratorium
XI. ADJOURN	

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Chair Paul Moore stated his intent to amend the agenda to address new business which is discussion of a possible moratorium regarding any applications to be heard about the development of Crabapple until such time as the Comprehensive Land Use Plan is completed.

Chair Paul Moore called for public comment.

Charles and Debra Arnott, 13810 Bethany Oaks Pointe, Milton, GA

Stated that the issue they came to speak about has been deferred, but wanted to make a comment about the two intersections at Bethany Bend and Hopewell and the new schools and road congestion and ability to ingress and egress the neighborhood. They were also concerned about school population expansion over time and additional potential traffic issues.

Motion and Second:

Fred Edwards moved to close public comment. Paul Hackman seconded the motion. Vote: 7-0. Motion carried unanimously. Public Comment was closed.

Chair Paul Moore called the first agenda item, Approval of the December 19, 2007 Planning Commission meeting minutes.

Motion and Second:

Paul Hackman made a motion to approve the December 19, 2007 meeting minutes. Seconded by Cary Schlenke. Vote: 7-0. Motion carried unanimously.

Staff Robyn MacDonald presented the first agenda item, **RZ07-022/VC07-016**, Bethany Bend Road, to rezone from AG-1 and TR to develop 47 ranch-style homes. The applicant is also requesting a concurrent variance to reduce the setback from 100 feet to 10 feet for pool fencing (Article 19.3.12.B.3). Staff recommended withdrawal, as application was not correctly fulfilled. Applicant has decided not to pursue the matter at all.

Motion and Second:

Paul Hackman made a motion to accept withdrawal of application **RZ07-022/VC07-016**. Fred Edwards seconded the motion. Vote 7-0. Motion carried unanimously.

Chair Paul Moore stated that there was one item under Use Permits and asked Staff Robyn MacDonald to read application.

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Staff Robyn MacDonald read U07-011/VC07-017, Hopewell Road. She stated this application was for a Use Permit for a Private School to be developed with 5 buildings for a total of 63,400 square feet with a maximum of 325 students for Kindergarten – 8th graders. The applicant is also requesting the following 4-part concurrent variance. Staff recommends deferral for 30 days based on applicant's request.

Applicant Michael Janovec, 222 14th Street, NE, Atlanta, GA. Stated requested is based on providing additional time to community to voice their concerns, and therefore, that was the reason for their request for deferral for an additional 30 days.

Staff Robyn MacDonald stated this case would be deferred to the February 26, 2008 meeting calendar.

Fred Edwards advised the Chairman that he was abstaining from the vote on **U07-011/VC07-017**. Vote: 6-0-1 to defer the matter, with Fred Edwards abstaining.

Chair Paul Moore asked Staff Robyn MacDonald to call the next agenda item, a Text Amendment.

Staff Robyn MacDonald read **RZ08-01** to amend Article 3.3.12, definition of “Landscaping Business” in the City of Milton Zoning Ordinance. She advised that Staff is recommending withdrawal based on the fact that further research is needed to move forward.

Motion and Second:

Paul Hackman moved to defer **RZ08-01**. Fred Edwards seconded the motion. Vote: 7-0. Motion unanimously carried.

Staff Robyn MacDonald stated this item would be deferred until a future date to be determined.

Chair Paul Moore stated that they would like to address the amended agenda, the moratorium on Crabapple.

George Ragsdale stated after several months working on Comprehensive Plan and specifically the Crabapple Plan and need to take some short term action prior to completion of the Comprehensive Plan, believed consensus was that the Crabapple Plan should be considered as part of the overall Comprehensive Plan and there should not be any specific changes recommended in that Plan at this point and time. There were many things we learned, one being there were many things we wished Fulton County had done before and there are things that if we wait until the Comp Plan is done with the running clock on development, there are things that may come before the Commission for approval that we may not otherwise want to approve once the Comp Plan is done. It was his opinion that they recommend to City Council that there be a moratorium on any zoning applications or rezoning applications within the Crabapple Plan area

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as defined in that plan for a six month period. Should be at a point 6 months out from now that we can use the Comp Plan to evaluate the applications for re-zonings beyond that. This would be his recommendation.

Chair Paul Moore stated he agreed with George Ragsdale. Thought it would be in the best interest of the city to be able to give insightful and thoughtful comments and consideration to future applications. In order to serve Crabapple best, it should have been considered as part of the whole. He stated they needed to proceed more slowly and cautiously and including Crabapple as part of the greater total. Also believes city will have a better all-over result. Therefore, he was supporting George Ragsdale suggestion for a moratorium.

Motion and Vote: George Ragsdale made a motion to suggest to City Council that they impose a six month moratorium commencing from the date that City Council approves the moratorium on any rezoning applications within the area defined as Crabapple area by the Crabapple Plan. Seconded by Fred Edwards. Vote: 7-0. Motion carried unanimously.

Chair Paul Moore asked Staff Robyn MacDonald what the process was going forward to present six month moratorium to City Council. Does a letter need to be written?

Staff Robyn MacDonald stated she thought it would be best for the Planning Commission to write a letter and that it be signed by the Chairman stated that there is unanimous vote and explain reasons. Staff will then pass it along to City Council as we have in the past.

Chair Paul Moore stated he would do that.

Chair Paul Moore state the only remaining item to discuss would be the scheduling of the Planning Commission meetings.

Staff Robyn MacDonald thought the Commission may want to close the meeting and then have informal discussion off of the record.

Chair Paul Moore stated that it really did not require a vote so we will go ahead and close the meeting. He then called for a motion to adjourn the meeting.

ADJOURNMENT:

MOTION AND SECOND: Fred Edwards moved to adjourn the meeting. Paul Hackman seconded the motion. Vote: 7-0. Motion unanimously carried and meeting was adjourned.

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Meeting adjourned at 7:40 p.m.

Off Record Discussion regarding future meeting dates.

Dated Approved: _____

Paul Moore, Chairman
Planning Commission

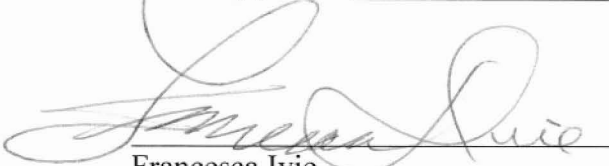
Francesca Ivie
City Clerk's office

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Meeting adjourned at 7:40 p.m.

Off Record Discussion regarding future meeting dates.

Dated Approved: 2-26-08



Francesca Ivie
City Clerk's office



Paul Moore, Chairman
Planning Commission