



**CITY OF TUCKER
PLANNING COMMISSION MEETING MINUTES
February 23, 2017 at 7:00 PM**

The Planning Commission of the City of Tucker held a meeting at Discover DeKalb, 1957 Lakeside Parkway, Suite 510, Tucker, GA 30084. The following were in attendance:

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| Planning Commissioner Chair | George Wellborn |
| Planning Commissioner Vice Chair | Damyon Claar-Pressley |
| Planning Commissioner | Katherine Atteberry |
| Planning Commissioner | Ann Coppage |
| Planning Commissioner | Mike Williams – Absent |
| Community & Economic Development Director | John McHenry |
| Deputy Director of Community Development | Courtney Lankford |
| Administrative Assistant | Katie Coleman |

CALL TO ORDER: Chair George Wellborn called the meeting to order at 7:00 pm.

MINUTES:

MOTION TO APPROVE THE MINUTES FROM THE JANUARY 12, 2017 PLANNING COMMISSION MEETING.

By: Damyon Claar-Pressley

Seconded by: Ann Coppage

Vote: (4-0) (Claar-Pressley, Coppage, Wellborn, Atteberry)

OLD BUSINESS: None

Public hearing procedures were read into the record by Chair George Wellborn.

NEW BUSINESS:

1. Planning Commission reviewed **TA-16-001**, the proposed amendments to the City of Tucker Zoning Ordinance. John McHenry, Community & Economic Development Director, gave a presentation on the changes, which included but were not limited to definitions of types of multi-family uses and changes to the time requirements of staff reports and agenda releases for the Zoning Board of Appeals.

Planning Commission comments included, among other things, definition of “family,” concern over and questions about changes in deadlines for Zoning Board of Appeals, discussion about fair housing, questions about the removal of language about age in the code. Chair George Wellborn opened the floor to public comment in favor or in opposition. Laurel Jackson spoke in

opposition to some changes, but was in favor of expanding the distance requirement for the written notice to 500 feet. Janet Curtis and Neal Stubblefield, Vice Chair of the Zoning Board of Appeals, spoke in opposition. This included, among other things, concern over deadlines for the Zoning Board of Appeals, questions about why age references were removed but not references to disabilities, and concern about personal care homes in Article III. Public comment closed.

MOTION TO APPROVE TA-16-001 WITH AMENDMENTS: INCLUSION OF PERSONAL CARE HOMES TO SECTION 3.34.6, FIX THE TYPO IN TABLE 6.2., AMEND THE NOTICE REQUIREMENT AND STAFF REPORT DEADLINES TO FIVE DAYS IN ARTICLE VII (for complete record, see exhibit A).

By: George Wellborn

Seconded by: Katherine Atteberry

Vote: (4-0) (Wellborn, Atteberry, Claar-Pressley, Coppage)

2. Planning Commission reviewed proposed **updates to the Tucker Planning Commission By-Laws**. Courtney Lankford, Deputy Community Development Director, went over the changes in the by-laws, including but not limited to the edits to Section VIII, formatting in section VII. George Wellborn gave a presentation on Robert's Rules of Order for Small Boards. There was no public hearing.

MOTION TO APPROVE ALL CHANGES (SECTION I.F: WRITTEN REPORT; SECTION VIII: PUBLIC HEARING PROCEDURES) TO THE PLANNING COMMISSION BY-LAWS EXCEPT FOR SECTION XV:ROBERT'S RULES OF ORDER FOR SMALL BOARDS).

By: Katherine Atteberry

Seconded by: Ann Coppage

Vote: (4-0) (Atteberry, Coppage, Wellborn, Claar-Pressley)

CITY BUSINESS ITEMS: John McHenry went over updates to previous land use petitions.

STAFF AND PLANNING COMMISSION COMMENTS: George Wellborn expressed interest in a review of the Northlake Overlay District Regulations at a future meeting, as the following sections are were left out of the adopted version: underground utilities, pedestrian lights, and inter-parcel access.

ADJOURNMENT: The Planning Commission adjourned at approximately 8:40 pm.

Approved,


George Wellborn, Chair

Attest:



Katie Coleman, Administrative Assistant
(Seal)



Exhibit A

PLANNING COMMISSION RECOMMENDATION FOR TA-16-001:

Based upon the findings and conclusions herein, at its Feb. 23, 2017 public hearing, the Planning Commission recommends **APPROVAL WITH MODIFICATIONS** of TA-16-001, subject to the following amended changes: (additions = **bold**; deletions = ~~strikethrough~~).

Section Two of the proposed ordinance shall be amended as follows:

3.34.6.A.2.C. Principal Uses and Structures (Downtown Tucker Overlay)

Multifamily residential units (**including personal care homes**), up to and including twenty-four (24) units per acre.

3.34.6.A.3.C. Principal Uses and Structures (Downtown Tucker Overlay)

Multifamily residential units (**including personal care homes**), up to and including twenty-four (24) units per acre.

Section Five of the proposed ordinance shall be amended as follows:

Table 6.2: Off-street Parking Ratios

Leave line item in table 6.2 for “Nursing care facility, nursing or convalescent home, and similar institutional use.”

Table 6.2: Off-street Parking Ratios

Under line item “Warehouse, distribution,” text shall read: One (1) space for each ~~two thousand~~ **two thousand five hundred** (2500) square feet of floor area.

Section Six of the proposed ordinance shall be amended as follows:

7.1.2.E.5. Governing bodies, Zoning Board of Appeals

Hearings open to public. All meetings of the zoning board of appeals shall be open to the public, and the agenda for each board meeting shall be made available to the public at least ~~fifteen (15)~~ **five (5)** days prior to any meeting of the board. Notice of all meetings of the zoning board of appeals shall be given in accordance with section 7.2.4.

7.1.2.E.9. Governing bodies, Zoning Board of Appeals

Staff analysis, findings of fact, and recommendation on each application for a variance. The staff of the community development department shall conduct a site inspection of and shall prepare an analysis of each application for a variance applying the applicable criteria and standards set forth in this chapter to each such application. Staff shall present its findings and recommendations in written form to the zoning board of appeals at least ~~seven (7)~~ **five (5)** days prior to the public hearing thereon. Notwithstanding staff’s obligations to present its findings and a recommendation, the failure to timely do so shall not nullify the board’s action on the item, constitute a ground for denial, or constitute grounds for appeal of a decision by the zoning board of appeals.