



# City of Tucker, GA

## PLANNING COMMISSION

July 27, 2017

PLANNING COMMISSION  
MINUTES  
City Hall Annex  
4228 1st Ave, Suite 2-4  
Tucker GA, 30084

7:00 PM

### CALL TO ORDER

Chairman George Wellborn called the meeting to order at 7:02 PM.

The following were in attendance:

Attendee Name	Title	Status	Arrived
Ann Coppage	Board Member	Present	
Katherine Atteberry	Board Member	Present	
Damyon Claar-Pressley	Board Member	Present	
George Wellborn	Chairman	Present	

### PLEDGE OF ALLEGIANCE

### APPROVAL OF MINUTES

#### 1. Planning Commission May 25, 2017 Meeting Minutes

**RESULT:** ADOPTED [UNANIMOUS]

**MOVER:** George Wellborn, Chairman

**SECONDER:** Ann Coppage, Board Member

**AYES:** Ann Coppage, Katherine Atteberry, Damyon Claar-Pressley, George Wellborn

#### 2. Planning Commission June 22, 2017 Meeting Minutes

**RESULT:** ADOPTED [UNANIMOUS]

**MOVER:** George Wellborn, Chairman

**SECONDER:** Ann Coppage, Board Member

**AYES:** Ann Coppage, Katherine Atteberry, Damyon Claar-Pressley, George Wellborn

### OLD BUSINESS

1. RECOMMENDATION TO CITY COUNCIL regarding CA-17-001, RZ-17-002, SLUP-17-003  
PETITIONER: Macauley Investments, LLC LOCATION: 4650 Hugh Howell Road & 4750  
Hugh Howell Road CURRENT ZONING: M and RE PROPOSED ZONING: MU-3  
PROPOSED DEVELOPMENT: Comprehensive plan amendment from LIND (Light  
Industrial) to NC (Neighborhood Center); Rezoning to MU-3 for a master planned  
mixed-use development on 88.62 acres; SLUP for a personal care home (community,  
7 or more)

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

Doug Dillard, representative for the applicant, requested that the three applications be heard at the same time, while being voted on separately. He also requested that the public comment period be extended by 30 minutes for each side. He explained he requested the time due to the length of his presentation and to the large number of people in attendance that might wish to speak.

**Motion to combine the hearings for CA-17-001, RZ-17-002, and SLUP-17-003.**

**Mover:** Damyon Claar-Pressley  
**Seconder:** Ann Coppage  
**Vote:** (4-0) (Claar-Pressley, Coppage, Wellborn, Atteberry)

**Motion to extend the time for the hearings by thirty extra minutes for each side.**

**Mover:** Katherine Atteberry  
**Seconder:** Damyon Claar-Pressley  
**Vote:** (4-0) (Atteberry, Claar-Pressley, Wellborn, Coppage)

John McHenry, Community & Economic Development Director, gave an overview of the proposed development and staff analysis. He explained the current zoning of the area and stated that the parcels in this application have an industrial designation in the future land-use map, which is why the comprehensive plan amendment is being requested. He pointed out the proposed elementary school, child care, civic space, townhomes, retail space, grocery store, office space, independent living, and personal care home components of the project. He explained that the applicant will have to go to the Zoning Board of Appeals for stream buffer encroachment and subsequent stream buffer variances. He stated that staff looked at the application strictly within the zoning code for the City of Tucker and per the comprehensive plan that the City currently has adopted. Staff would like to see the corridor preserved as light industrial, as at least 90% of the corridor is leased and these parcels are still economically viable as industrial.

Ken Hildebrandt, City Engineer, discussed the intersections surrounding the site and how with the proposed GRTA lane configuration left and right turn lanes

would be added to each driveway. Other requirements from GRTA include a dual left-hand turn lane from Hugh Howell Road going west on to Mountain Industrial Boulevard going south, as well as right turn lanes on all four approaches at the intersection of Mountain Industrial and Hugh Howell. Chair George Wellborn noted that the new proposed lanes would mean that the road needs to be widened, which Ken Hildebrandt confirmed and stated that the expansion would have to come out of the applicant's site. Ken went on to discuss other GRTA requirements and requests, as well as City requests for the roads, such as recommending an additional turn lane on to Hugh Howell Road from Flintstone Drive. Additionally, the applicant is requesting a sixth curb cut east of the intersection on Mountain Industrial Boulevard and Hugh Howell Road, as a right-in only.

Ann Coppage asked for elaboration on what is proposed for the Mountain Industrial corridor and what its benefits for the citizens of Tucker. John McHenry stated that it is one of three overlays, that the overlay is there to protect that economic corridor, that people are still looking to that type of industry in that area, and that the staff analysis of this project is a technical analysis that is based on the current overlays.

Damyon Claar-Pressley expressed concern about the way the site is laid out and inquired further about walkability, preservation of green space, and the tree canopy.

Commissioner Wellborn noted the description of Neighborhood Center Character Area in the Comprehensive Plan includes a "Greenway/Trail Network"; but none are currently included in the proposed site plan. John McHenry responded that greenways and trail networks are intentions for the Neighborhood Center Character Area rather than requirements.

Planning Commission also discussed Atlanta Regional Commission requirements for developments with mixed-use designation and green space requirements. Deputy Director of Community Development Courtney Lankford also passed out emails to Planning Commission members from citizens regarding this project.

Commissioner Wellborn stated that Staff's response to comprehensive plan review criteria 2 indicates the proposed retail would be out of character with the light industrial use, and asked how it would be out of character considering the existing Sam's Club, bank, Sears Outlet store and other retail nearby along both Mountain Industrial Boulevard and Hugh Howell Road. John McHenry explained that it is due to the impact the large 88 acre site would have to the district.

Commissioner Wellborn stated the Staff's response to rezoning review criteria 8 indicates requests for reduction of stream buffers will be harmful to the environment. He asked if staff's recommended condition 16 was meant to

address this. John McHenry replied that condition 16 was offered as a compromise and would only address the portions of stream buffers with the "Preservation Open Space" area.

Commissioner Wellborn stated staff's responses to SLUP review criteria 6, 10, 13, and 17 indicated there was insufficient information submitted to perform complete analysis.

Commissioner Wellborn opened the public hearing for the proponents. Doug Dillard, representative for the applicant gave an overview of the site as is, and explained that the property has no reasonable economic value as it is currently zoned. He also went over the comprehensive plan and the need to change it for the sake of community and economic development.

Stephen Macauley, the applicant, spoke about his vision for the property. He showed examples of the building designs. He stated that he would be happy to include a trail for the green space in the development, and emphasized that parts of the project are focused on providing something for everyone at every stage of life. If this project can move forward, development will start at the end of 2018 and the community will be in full swing by 2020.

Kathleen Bonnie Evans, 1954 Musket Court, stated she is for mixed-use development, but concerned about buffer reduction. She stated she is disappointed in the loss of Monet's pond and the arts center, and would really like to see those back, as well as the trails, which would help to make it feel more like a community center. She stated she is disappointed in the change from the town center to neighborhood center as she would have preferred the town center for the sense of community.

Tom Osborne, 1989 Fairgreen Drive, stated he is ready to downsize and has been looking elsewhere for this type of community center, and this development would allow him to continue living in Tucker. He stated this would be a massive improvement as the area as it is now is a dump.

George and Mary Ellen Davis, 2017 Gunstock Drive, stated that they are in favor of the development.

Lyle Collins, 5033 Antebellum Drive, asked audience members in favor of The Rise development to stand. At that time, a majority of the public in attendance stood. He stated that since this property sits on the frontage in the corridor it needs to look good. He also stated the stream is not very big and has been used as a dump.

Elaine Ashby, 2230 Mountain Creek Drive, stated she helped distribute a petition in support of the project in the Mountain Creek neighborhood and that of the 96 homes in Mountain Creek, 66% signed the petition.

David McWilliams, 2195 Mountain Lane, stated that traffic is not a concern to him because it is already a problem; so not putting this development in will not help the traffic problem. He stated that allowing this to stay industrial and be developed as industrial will only cause more noise and more disturbance, and since he lives nearby he will be the one who has to deal with it.

Michael and Jenna Greene, 2219 Ivey Creek Way, stated they remember the ground being broken on the site for industrial development and they abhor the idea of more warehouses going in that area rather than something that will encourage more young people to come and live in Tucker.

Alan Armstrong, 5641 Stillwater Ct, stated he perceives a lack of effort on staff's part to get information from the applicants, and that staff hasn't clearly communicated what it is that the applicant has not provided. He stated there are more than enough sites for industrial use on Mountain Industrial.

Jackie Cornett, 1886 Mountain Creek Dr, stated that this project will encourage more people to come to Tucker to visit and to live. She stated she and her neighbors in Smoke Rise love this project. She stated she believes Smoke Rise has been forgotten by the rest of the city due to the separation created by the industrial corridor, and this project will help to reduce that separation.

Beverly Dockeray-Ojo, 1824 Mountain Shadow, stated that she is the former planning director for the City of Atlanta and fully supports this project. She stated she is disappointed that it has taken so long to happen. This project will be a great interruption to the industrial corridor and will really knit together Smoke Rise and Tucker, as well as the industrial corridor and will greatly benefit the whole community.

Lisa Khemani, 4896 Hugh Howell Rd, stated she lives two doors down from the proposed development feels that the senior living is very needed on that corner as there are many residents in Smoke Rise who do not want to leave the area and would much rather be able to stay nearby as they age.

Michael Washington, 1866 Mountain Creek Dr, stated this project would be perfect for the nearby residents to be able to come together to enjoy one another's company and that it would help give a sense of community for everyone.

Doug Dillard reserved his remaining time (2:48) for rebuttal. Commissioner George Wellborn closed the proponents portion of the public comments.

Commissioner Atteberry asked about the ownership, operation, and maintenance responsibilities of the proposed waste water storage tank,

including the pumps, alarms, etc. Steven Macauley explained that a property owners' association will be responsible for the operation and maintenance.

Commissioner Claar-Pressley asked if the applicant is willing to put the trails back into the plan for the property as well as the public access. Mr. Macauley agreed to do so.

Commissioner Claar-Pressley also inquired about including the decorative chimneys at the intersection that would designate that it is a part of Smoke Rise, pocket parks within the development, and the parking situation in the development. Steven Macauley explained that there will be shared parking around the development, specific parking for the trail head access, and street parking.

Commissioner Coppage stated that this development is self-contained and she is concerned about the trip times, wear and tear on Hugh Howell Road. She asked if proposed trails would extend outside of the development into Smoke Rise, if there were to be any car-sharing or bike-sharing programs, if the streets will be put in before the rest of the development, and what the components were that changed the zoning from town center to neighborhood center. Steven Macauley explained that the streets will be put in first, the trails beyond their property are out of their purview and part of the public right-of-way, that within the development they will definitely have a focus on bikes and biking, and that the change to neighborhood center was just semantics. Jill Arnold, additional representation for the applicant, explained that town center allows greater density than needed for this project and that neighborhood center more closely fits the proposed development.

Commissioner Wellborn asked why the applicant is asking for Mixed Use-3 after originally asking for Mixed Use-5. Jill Arnold explained they don't need the density that the MU-5 allows.

Commissioner Wellborn also asked how much of the old-growth forest by Camp Creek will be undisturbed. Mr. Macauley stated that 20.5 acres will remain undisturbed.

Commissioner Wellborn also asked about the materials being used in the developments, and what materials were represented in the drawings. Mr. Macauley stated that he was not completely sure what was represented in the drawings, but that they will be using a variety of materials to support their eclectic design.

Commissioner Atteberry asked about the arts and tech element of the plan. Mr. Macauley explained that their commitment to the community is to include the arts in some measure, but they do not have a particular prospect for that use

just yet. He stated he hopes to attract uses that are focused on medicine and technology.

Commissioner Wellborn opened the public hearing for opponents. Charlton Allen, 4184 Bonaparte Dr, stated he wants more detailed design standards for the buildings and is concerned by that lack of detail. He asked about the width of the roads, fire and safety information, and what percentage of the roads will be private. He expressed concern about the senior living, stating there are other projects in the city that are being developed or already in existence that are for assisted living, independent living, etc. He stated that the citizens need more information, rather than just the aspirational information.

Laurel Jackson, 1606 Brockett Rd, stated this plan is very urban, which goes against the small-town look and feel of Tucker. She stated this was brought up in the Comprehensive Plan public meetings. She went on to say that the urbanization will create more density and that residents will run into many of the same problems that Decatur currently has, such as expensive property and much higher property taxes. She stated that this project will impact more than just Smoke Rise and that all of Tucker will be affected by it. She also stated that she does not want to see the loss of single-family homes to multi-family and major mixed-use developments like she sees happening in Decatur. She also shared her concern about the stream buffer encroachment in the project.

Steve Hagan, 4640 Imperial Hills Ct, stated his concerns about whether the public will have access to the green space, he also asked if more trees will be lost. Mr. Hagan expressed concern that the change to the Comprehensive Plan, could negatively impact the city. He submitted an 18-page paper with his concerns and conditions for the public record.

David and Linda Leta, 5193 Oxbow Rd, said that the project would make traffic on Hugh Howell Rd, Mountain Industrial Blvd, and Rosser Rd much worse, unless they can get more traffic lights and other traffic devices in place. They also stated they desired protections for the old-growth forest. Mr. Leta stated that an elementary school next to a major highway does not seem safe or wise. He questioned if there is enough space for delivery trucks to make deliveries at the grocery store. He also stated concern about the holding tank for the sewage.

Commissioner Wellborn asked about the delivery trucks access to the grocery store. Mr. Macauley explained that the engineers for the grocery store have designed a single-bay loading dock.

Mr. Dillard then took the floor to use his reserved 2 minutes and 48 seconds for rebuttal, and addressed first that the architectural standards of the area and the engineering standards of the buildings and builders have been agreed to by Mr. Macauley. He then took the remainder of the time to say that The Rise is a

vision, but a vision to improve the area for the future, much like the success Decatur has had with the value of property and occupancy, and how many residents and visitors it now attracts.

Commissioner Wellborn closed the public hearing.

Commissioner Coppage asked about the points that were not clear or were incomplete with regards to the development standards and asked about what could be done to have the applicant provide answers and information to the city. John McHenry stated that it could be included in the conditions to require more information before this application goes to Mayor and City Council.

Mr. Dillard stated the applicant proposes changes to the conditions proposed by Staff, which are contained in Tabs 9 and 10 of "The Rise Planning Commission Packet" distributed to the Commissioners at the beginning of the meeting. Commissioner Coppage stated she did not have adequate time to review this new information, and suggested the applicant meet with staff prior to the presentation to the Mayor and City Council. Mr. Dillard stated he intended to do so.

All Commissioners stated they were not provided adequate opportunity to review information in the new packet, as it was not provided prior to the meeting, and that it would be unfair to vote on this information. The Commissioners suggested Staff set deadlines for receipt of such information. Mr. Dillard stated the Planning Commission's votes on this would not matter since they are only recommendations that the Mayor and City Council can ignore. Mr. Dillard agreed to withdraw the new information from consideration.

Commissioner Claar-Pressley brought up that they struck out a condition to provide an east-west and north-south thoroughfare, which concerns her because the land use that they are proposing with this project has a major connectivity component, and yet they are rejecting that condition.

Planning Commission went on to discuss, among other things, street standards, public trail systems, stream buffer encroachment, architectural standards, public and open space, price matrix, the sewage tank, and building specifications. Commissioner Wellborn proposed adding conditions to add the public trail system and to leave the area dedicated as preservation open space on plan ZP-1 as undisturbed. Commissioner Atteberry discussed the sanitary sewage tank and proposed an added condition for maintenance of the sanitary sewer holding tank. Commissioners also discussed amendments to make to conditions about buffer encroachments, design standards, streetscaping, public space, and green space.



2. Recommend approval of CA-17-001.

**RESULT:** APPROVED [3 TO 1]  
**MOVER:** George Wellborn, Chairman  
**SECONDER:** Ann Coppage, Board Member  
**AYES:** Ann Coppage, Damyon Claar-Pressley, George Wellborn  
**NAYS:** Katherine Atteberry

3. Recommend approval of RZ-17-002 subject to the staff conditions as amended by Planning Commission.

- **Modification to condition 3:** The “Development Standards and Architectural Character” document that was submitted on May 25, 2017 shall be revised to include detailed building specifications, building materials, and price matrix to meet these conditions of approval and shall be a set of binding development standards for the project which must be followed.
  
- **Modification to condition 10:** A prominent building shall be located at the southwest corner of the development, at the intersection of Mountain Industrial Boulevard and Hugh Howell Road. The site location, building features, and architecture shall be subject to the review and approval of the Community Development Director. The building shall have a main entrance façade facing either Hugh Howell Road, Mountain Industrial Boulevard, or their intersection. The building shall be located within 15 feet of the right-of-way with a prominent façade element angled to face the corner. The storefront shall integrate a prominent entry feature combining substantial roofline modulation with vertical building modulation and a distinctive change in materials and/or colors. Substantial landscaping shall be planted adjacent to the street corner, to enhance the entrance. The subject area must be four hundred (400) square feet of ground surface area with hardscape elements making up at most 25% of the space. Planted areas should contain a combination of trees, shrubs, perennials, and ground cover that provides four-season interest.
  
- **Modification to condition 11:** A 50’ foot planted buffer shall be established along all property lines that abut zoning district M (Light Industrial).
  
- **Modification to condition 16:** There shall be no stream buffer encroachments.
  
- **Added condition 50:** A public trail system, to and through the

preservation/open space shown on plan ZP-1, shall be included.

- **Added condition 51: The area designated as preservation/open space on plan ZP.1 shall be undisturbed with the exception for area needed for a detention pond.**
- **Added condition 52: In the event a sanitary sewer storage tank is required by DeKalb County Watershed Management, a property owner's association will be created and will be responsible for operation and maintenance of the sanitary sewer holding tank.**

**RESULT: APPROVED [3 TO 1]**  
**MOVER:** George Wellborn, Chairman  
**SECONDER:** Ann Coppage, Board Member  
**AYES:** Ann Coppage, Damyon Claar-Pressley, George Wellborn  
**NAYS:** Katherine Atteberry

4. Recommend denial of SLUP-17-003.

**RESULT: APPROVED [3 TO 1]**  
**MOVER:** George Wellborn, Chairman  
**SECONDER:** Katherine Atteberry, Board Member  
**AYES:** Ann Coppage, Katherine Atteberry, George Wellborn  
**NAYS:** Damyon Claar-Pressley

**NEW BUSINESS**

**CITY BUSINESS ITEMS**

**PREVIOUS LAND USE PETITION UPDATES**

Deputy Director of Community Development, Courtney Lankford, gave updates on previously land use petitions.

**COMMENTS BY STAFF AND PLANNING COMMISSIONERS**

Chair George Wellborn reminded everyone that the draft comprehensive plan is still available on the website to look at and comment on, as well as a new section on the tuckerga.gov website under the "how do I..." tab that gives advice on how to speak at public meetings.

**ADJOURNMENT – 11:09 PM**

Approved,

  
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Attest:

  
\_\_\_\_\_  
~~Katie Coleman~~, Administrative Assistant  
Olivia Wilson  
(Seal)

**APPROVED**  
August 24, 2017

