

**SEPTEMBER 17, 2007
PUBLIC HEARING
CITY OF SENOIA
APPLICATION FOR REZONING
R-40 RESIDENTIAL TO GENERAL COMMERCIAL
S.E. CORNER OF SEAVY ST. & BAGGARLY WAY
7:00 PM**

VISITORS: Paul Lombardi, Scott Tigchelaar, Tom Reese, Lynne Wendt, Debbie Graham, Sam & Suzanne Helfman, Bill Roy, Chris Fives, Bob & Pat Wingo, Frank Hollberg, Lee Coleman, Janet Baggarly, Ann & Jack Merrick, Chris Cox, Ken Barnard, Murray McAfee, Cheryl Mullinax, Kim & Sgt. Resmondo, Bob Werner, John Barrows, Bill Weston, Chief Bennett, Gail Downs, Claudia & Bill Wood, Karen & Reynolds Allen, Kyle Frank, Jim Garver, Sarah Campbell, Jane Hutchinson, John Munford and Mary Provost

FULL COUNCIL PRESENT

1. CALL TO ORDER/WELCOME VISITORS

Mayor Belisle called the Public Hearing to order and welcomed all.

2. PURPOSE OF PUBLIC HEARING

To present and receive comments on an application received from Historic Development Ventures asking that the property located at the southeast corner of Seavy Street & Baggarly Way be rezoned from R-40 Residential to General Commercial.

3. COMMENTS FROM APPLICANT-Historic Development Ventures

Mr. Scott Tigchelaar informed all that the in asking for commercial zoning of the property for plans to construct a parking that will support the businesses on Main Street. The presented drawing is a revision of the original drawing submitted to the Planning Commission according to their feedback received on the original. The proposed lot with 85 spaces, one entrance into the lot from Seavy Street at 12 feet wide and an exit onto Baggarly Way. The lot has been laid out in the most efficient manor that it could, with buffering as a major consideration and preserving all of the large pecan trees as possible. Historical Concepts who is doing the City Streetscape project has rendered their professional opinion in favor of this parking plan via letter to the City. Mr. Tigchelaar continued to say that they are looking into pervious parking surfaces to allow green surface rather than asphalt and it will not be a typical parking lot that kids will use for skateboarding or anything as the nature of pervious surface doesn't allow for that, the lighting will be historical poles w/down lighting with vegetation in and throughout and this lot should be a model lot that all others will look to in the future.

4. COMMENTS FROM CITY ADMINISTRATOR

Referring to his report that was reviewed previously by Council, Mr. Ferry asked for specific questions. C. Grover asked Mr. Ferry to go over the surrounding properties & was told the two properties adjacent to this lot are one commercial and one residential. Across Baggarly to the East are several commercial and one residential.

5. COMMENTS FROM PUBLIC

Mr. Frank Hollberg stated that the City is fortunate to have a developer wanting to put in and finance a much needed parking lot in the downtown area and is in favor of the lot.

Mr. Chris Fives of McGuire's Friends & Family (Irish pub) stated that parking was a concern of theirs when they were considering opening in Senoia but after seeing the "vision", design of the corner area and the plans for parking they were satisfied. As a new merchant in town, Mr. Fives stated that he is in favor of the presented plans for parking.

Pat Wingo-Declined

Jack Merrick of 163 Seavy Street reminded all that the City cannot have growth without some physical change and parking in downtown is grossly inadequate, adding that the current development on Main will add businesses and more traffic, ultimately needing a place to park. Mr. Merrick then reviewed for a traffic study that he conducted on September 16th; resulting in 93 spaces for the entire downtown area (this includes 6 handicap spaces). Mr. Merrick then added that Council recently raised the tax base but stated that homeowners cannot subsidize alone and the City needs revenues from more businesses and is endorsing the project.

Murray McAfee of Springdale Subdivision stated that he is neither for or against the issue but has concerns that the site plan being presented is not what the Planning Commission reviewed and feels that the current plan needs to go back to PC. Mayor Belisle asked Mr. Whalen if this presents a legal issue & was told "I think so". Mr. Whalen asked if the Planning Commission has seen this new plan & was told no. Mr. McAfee then referenced section 13.4 on page 62 of his zoning ordinance copy speaks of extension of existing streets. The last sentence in this section states private drives that provide access to a non-residential use shall not be permitted in any residential district. Mr. McAfee insists this area is a residential district w/no commercial access currently on Seavy St. Mayor Belisle stated for point of clarification that this is actually historic downtown. Mr. Ferry stated that it depends which guide is looked at, as the future land use map indicates residential but future development map includes it in the historic area. Mr. McAfee asked that this be forwarded back to the Planning Commission. As Planning Commission meets tomorrow night, Mr. Whalen suggests sending the plan back to them for recommendation, continue the public portion of the hearing and table action for two weeks.

John Barrows of 53 Main Street stated that he fully supports the plan presented this evening.

Claudia Wood of Pylant Street stated that it is common that older homes in any downtown district have commercial areas around them, that there are worse things to have in your vision than an aesthetically pleasing parking area and supports the parking plan.

Karen Allen of 180 Seavy Street stated that she knows Senoia needs parking but asks why this is coming up as an after thought to the building & was told by Mr. Tigchelaar that the development is not required to do the parking area. Ms. Allen asked to consider if approved, no entrance on Seavy and require a larger buffer across the front. Ms. Allen stated she does not want this lot zoned commercial and is opposed to the application.

Reynolds Allen of 180 Seavy Street stated that the lot is a beautiful residential lot and if you have to put a parking area there, is strongly opposed to commercial zoning fearing zoning modifications in the future. Mr. Allen asks that the City grant a variance for a parking lot with no entrance on Seavy and require Leland Cyprus to be planted.

Gail Downs has a business at 22 Main Street and states that more parking is needed as more and more people are coming to Senoia and there is no where to park. Ms. Downs

stated further that as a homeowner on Main Street if something as nice as this plan was to be constructed across from her home she would be in favor.

Jim Garver of 398 Pylant Street stated that the biggest thing needed with the commercial development is parking & we are fortunate to have someone else finance it, adding that the lot is perfect.

6. COMMENTS FROM COUNCIL

C. Harrison asked that the entrance of the drive be pointed out in reference to the house across the street and asked how many light poles are planned. Mr. Tigchelaar pointed out these areas on the overhead and said that the number of poles has yet to be determined but will be appropriate. C. Harrison stated that he had walked the property and was told that it floods & asked what is planned for this problem. Mr. Tigchelaar informed all that the lot has natural sloping and the plan is to bring in dirt and crush and run, to build up and maintain the grade. C. Harrison next asked if the area at Seavy Street will be street level or berm up & was told they will be berm up a little with holly bushes & such. C. Grover asked if Planning Commission recommend the changes & was told by Ms. Allen that they only recommended a parking study. Mr. Whalen again suggested if the application for zoning wasn't changed Council can approve and zone, exercising conditions but recommends tabling for two weeks for action. Mayor Belisle now asks if the recommendation is not followed is the City facing legal issues & was told not necessarily as the PC does not have zoning powers. C. Owens asked if this can be acted on during regular meeting & was told yes. Mayor Belisle then asked for 5 minutes to clarify a legal issue. After his return, Mayor Belisle thanked all for their patience. C. Owens then asked all if this was an aesthetic issue or a zoning issue & was told zoning.

7. ADJOURN

Mayor Belisle made motion to adjourn the September 4, 2007 Public Hearing & was 2nd by C. Harrison. Motion carried unanimously.

Respectfully submitted,

Robert K. Belisle, Mayor

Debra J. Volk, City Clerk