

Mr. Aiken presented for staff. The Federal Communications Commission (FCC) released the Ruling and Order (R&O FCC 18-133) on September 27, 2018. The R&O will become effective 90 days from publication, which makes the effective date January 14, 2019. Local governments without specific regulations adopted and published in advance of January 14, 2019 may be submit to the FCC guidelines. The proposed text amendment will incorporate specific regulations pertaining to the location, design and fees associated Small Cell Wireless Facility deployment in Duluth, Georgia.

Staff is requesting approval of a text amendment that would allow local regulation of the location, design and fees associated with small cell wireless facilities.

Staff recommends approval of TA#2019-001 to the Planning Commission.

Commissioner Robertson: Is this the same ordinance that is used in the City of Brookhaven?

Mr. Aiken: Staff researched many municipalities in metro Atlanta and found that Brookhaven's ordinance was most in line with what the City of Duluth wanted to regulate.

Commissioner Graeder: What will the fee be for a new pole? It mentions in the staff report that a new fee schedule will be adopted.

Mr. Aiken: We based our proposed fee schedule on the Georgia Municipal Association model right-of-way agreement. The fee would be \$500 per piece of equipment located in the right-of-way. A new pole would be charged a fee of \$1,350 annually with a 3% escalator.

Motion to Approve as presented, case TA#2019-001 made by Commissioner Williams, Seconded by Commissioner Graeder.

ALL FOR, Motion Passes 4-0

2. Case: Z#2018-007
Applicant: Greystar GP II LLC
Location: 3221 Hill Street
Request: Rezone 5.26 acres from CBD (Central Business District) to PUD (Planned Unit Development District) to allow for the construction of a 180-unit senior multi-family development.

Mr. Robinson presented for staff. The purpose of the request (Z#2018-007) is to rezone +/- 5.26 acres of property in Land Lot 293, 6th District, Gwinnett County, consisting of tax parcel R6293 376 from CBD (Central Business District) to PUD (Planned Unit Development District). The applicant intends to develop the site with a 180 unit active adult (55+) multi-family development.

The site is currently developed with three (3) buildings and an associated parking area. Nearly the entire +/- 5.26 acres is covered in impervious surfaces. The site has been developed since the 1980's and has been in its current state since the mid 1990's. The larger buildings on the site are used as multi-tenant industrial buildings. The industrial buildings have metal exteriors on three (3) sides with the elevations facing the interior of the site being bricked. The exterior elevations that face the neighboring properties have large roll up bay doors. The site is surrounded on three sides by residential developments. The site is bound to the north by McClure Place residential neighborhood. The site is bound to the east by Hill Street and adjacent to the Duluth Church Cemetery. The site is bound to the east by the Park at

Parsons and Towne Ridge Place. The site is bound to the west by South on Main, the regional detention pond and a city-owned parcel containing a cell tower.

Mr. Robinson presented the PUD zoning requirements located in the Unified Development Code and whether each requirement was met by the proposed development.

The Institute of Transportation Engineers (ITE) is the industry standard for calculating trip generations. The ITE Trip Generation Manual lists hundreds of different land uses and calculates what type of vehicle traffic each use will create. Existing traffic counts have not been collected for the industrial and office building on the subject site. However, the 10th Edition of the ITE Manual estimates that 38,770 square feet of General Light Industrial and 10,140 square feet of office space creates 320 daily trips. Using the same Manual, the proposed development is expected to generate 698 daily trips which is more than double the estimated trip generation currently (Exhibit E). However, during peak morning traffic time (7-9AM), the proposed development generates less trips than the current industrial buildings. Therefore, while the proposed development would generate more trips, they would be more spread out during the day rather than during the morning rush hour. It should be noted that no consideration or reduction was made for potential walking or biking trips. It is likely that many of the trips generated by the proposed development would be pedestrian due to being located in Downtown with quick and easy access to Town Green, restaurants, retail stores and the library once completed.

The proposed site plan shows the main apartment building in the center of the site with garages located around the periphery. The building is four (4) stories tall and will contain 172 rental units ranging in size from roughly 700 square feet to over 1,300 square feet. The apartment building is fully enclosed with no open breezeways. All of the units are accessed from an internal climate-controlled hallway. The architecture of the building is contemporary with a more modern architectural style with a combination of materials such as stone, brick, cement siding and metal.

Fronting Hill Street are two 9,000 square foot buildings which contain 8 "flats". These buildings will be two (2) stories tall from Hill Street. However, due to the existing topography the rear of buildings are three (3) stories with the bottom floor containing garages. The ground floor and second floor each contain two (2) separate units. Both buildings contain an elevator. These buildings were designed to complement the existing townhomes on Hill Street in the adjacent Park at Parsons Development. The setbacks, height, massing and streetscape are similar and will create a cohesive feel along Hill Street.

The Hardy Industrial Boulevard right-of-way will be replaced with an access easement granted to the City and or its representatives in order for needed maintenance to the regional stormwater detention pond located on the adjacent site in addition to providing access to the cell tower. The site sits well below Hill Street. The center of the site where the apartment building is located is 18 feet below Hill Street. The apartment is 65 feet tall which is taller than surrounding townhomes and single family homes. However the perceived scale of the building is reduced due to the ground floor being so far below Hill Street. The building is also placed in the center of the site so that it will not appear to "tower" over the adjacent townhomes.

Parking for the development is proposed to encircle the building. Most of the parking is provided by a gated surface parking lot. However there are also five (5) garages that residents can choose to rent. The garages which contain 56 spaces are located around the perimeter of the site for convenience as well as to serve as a buffer to adjacent properties. The applicant is proposing to provide 251 parking spaces. 251 parking spaces is 1.4 spaces per unit. The UDC

requires one space per unit for retirement communities and two spaces per unit for apartments so the proposed number is in the range of both parking minimums.

Improving Downtown has been a major goal of the City for a number of years. One of the strategies used for improvement has been to reduce or eliminate industrial uses and underutilized properties. This can be seen with the purchase and redevelopment of the Capital Materials property that is now South on Main and the surface parking lot on Hill Street which is in the process of developing as a hotel. The subject site with its current use is not compatible with the surrounding residential land uses nor is it compatible in a downtown setting. Redeveloping the site from an industrial warehouse property to an active adult multi-family development is more aligned with the goals for Downtown. Furthermore, the addition of hundreds of retirement-aged people within walking distance to downtown restaurants and Town Green would help provide more daytime and weekday activity to the area. Staff believes that the road network can handle the additional traffic especially once the planned improvements to Davenport Road are completed.

Therefore, Planning staff recommends approval with conditions of Case Z#2018-007.

Commissioner Graeder: Does the right-of-way that will be abandoned extend all the way to the Hill Street and Hardy Industrial Boulevard intersection?

Mr. Aiken: Yes, the right-of-way will be abandoned up the Hill Street right-of-way.

Commissioner Graeder: Does the total parking count include the parking spaces in front of the gates?

Mr. Robinson: Parking minimums are counted as the total number of spaces on site regardless of if they are gated or not.

Commissioner Graeder: Are the garages covered or open? What building materials will the garages feature? Is there a rendering of the garages?

Mr. Robinson: Staff has requested the applicant to provide renderings of the garages but the applicant was unable to provide those in time for this meeting. The garages will be enclosed.

Commissioner Graeder: There is a condition about fencing but I don't see fencing shown on the site plan.

Mr. Robinson: Fencing is not shown on the site and is not required around the site. However, if the applicant chooses to install a fence it must be decorative in nature and be substantially similar to the fence around the cemetery across the street.

Vice Chairman Williams: What is the difference in the amount of impervious surface on the site now and what is proposed?

Mr. Robinson: The site is almost entirely covered with impervious surface now. The proposed site plan has more pervious area than what is currently on site.

Chairman Canter asked for those in support of the proposal to speak.

Rob Ponder 3146 Lakeview Drive, Duluth, GA: I am part owner of the parcel that will become the hotel on Hill Street. I want to speak in support of the proposal. I appreciate that the development will feature the townhome flat units up on Hill Street to match the street scape existing on Hill Street. I think having this 55+ population in downtown will support the

businesses and restaurants. The garages as shown are hip roof which makes them lower and less noticeable than a flat roof with a parapet wall.

With no others wishing to speak in support, Chairman Canter opened the floor to those in opposition of the proposal.

None spoke. Chairman Canter then closed the public hearing portion of the meeting.

Motion to Approve case Z#2018-007 as presented made by Commissioner Robertson, Seconded by Vice Chairman Williams.

ALL FOR, Motion Passes 4-0

VI. OTHER BUSINESS

1. Matters from Staff

None.

2. Matters from Commission

None.

3. Matters from Public

None

VII. ADJOURNMENT

Motion to Adjourn made by Commissioner Graeder, Seconded by Vice Chairman Williams.

ALL FOR, Motion Passes 4-0

Approved this 4th day of January, 2019


Chairman


Secretary/Witness