PLANNING COMMISSION

City Council Chambers, City Hall
Wednesday, December 20, 2023, at 6:00 PM

ACTION MINUTES

1. PLEDGE OF ALLEGIANCE

Call to Order – The meeting was called to order at 6:00 p.m.

Members Present:	Judy Burds	Sumeet Shah
	Kurt Nolte	Ron Gilbert
	Trey James	Fred Edwards

At this time, Chairperson Nolte proposed an amendment to the agenda. This amendment proposed adding a new item to the agenda under "New Business" which was the Planning Commission Recognition and proposed moving "New Business" to the item following "Consideration of the Minutes". Commissioner Edwards seconded the motion. The motion passed unanimously.

Chairperson Nolte then proposed a second amendment to the agenda to move item 4B to immediately follow the new placement of New Business. Commissioner Edwards seconded the motion. The motion passed unanimously.

2. CONSIDERATION OF MINUTES

A. November 29, 2023 - Action Minutes

A motion was made by Commissioner Burds to approve the minutes and seconded by Commissioner Gilbert. The motion passed unanimously.

3. CONSIDERATION OF PRELIMINARY PLATS

A. Crabapple Market North

Five (5) members of the public as well as the applicant gave comment on this preliminary plat. The Planning Commission discussed and recommended approval to the Community Development Director and that they consider the following:

1) To consider the steps necessary to reduce the total number of parking spots from 57 to 51.

2) To consider vegetative buffers along property lines adjacent to residential uses.

3) To consider that the lighting in the back corner be in a way that is not problematic for the residents.

A motion was made by Commissioner James to recommend that the Community Development Director consider the above 1 and 2, with a friendly amendment by Commissioners Burds to add criteria 3 above to the motion. Commissioner Edwards seconded the motion. The motion was approved unanimously.

B. Berkley Manor

Eleven (11) members of the public as well as the applicant gave comment on this preliminary plat. The Planning Commission discussed and recommended the following considerations to the Community Development Director for consideration:

1) To consider the impact of the potential development of the adjoining property and what that may look like.

2) Take a hard look at the hydrology, particularly where the runoff will go on adjacent properties.

3) To look at traffic, specifically the speed and access for this property and the properties across the road.

4) To have the City Arborist assess the trees which were identified and see if she concurs with the assessment, especially those that were assessed at a grade below "Good".

A motion was made by Commissioner Burds to recommend that the Community Development Director consider the above criteria. Commissioner James seconded the motion. The motion was approved unanimously.

4. CONSIDERATION OF REZONING AND USE PERMIT APPLICATIONS

A. RZ23-10 – Bethany Bend (3475,3485, and 3495 Bethany Bend)

Seven (7) members of the public gave public comment regarding the rezoning application. The applicant and developer also spoke. The Planning Commission discussed and recommended approval of the Rezoning Application with the following conditions:

1) To the owner's agreement to restrict the use of the subject property as follows:
   a) Single family detached dwellings and accessory uses and structures.
   b) No more than 13 total dwelling units ~~at a maximum density of 4.15 units per acre, whichever is less, based on the total acreage zoned. Approved lot/unit totals are not guaranteed~~. The developer is responsible through site engineering (at the time of application for a Land Disturbance Permit) to demonstrate that all lots/units within the approved development meet or exceed all the development standards of the City of Milton. The total lot/unit yield of the subject site shall be determined by this final engineering.

2) To the owner's agreement to abide by the following:
   a) Substantial compliance with the Site Plan submitted to the Community Development Department on October 20, 2023, and whereby the exact layout of the project may contain minor deviations approved by the Community Development Director provided the deviations remain consistent with the purpose and intent of the Council's approval of the rezoning. Notwithstanding the contents of the site plan, the project must meet or exceed the requirements of the Zoning Ordinance, all other applicable city ordinances, and these conditions. The site plan may be revised with the approval of the Community Development Director in order to comply with city codes and zoning conditions. Unless otherwise noted herein, compliance with all conditions shall be in place prior to the issuance of the first Certificate of Occupancy.
   b) All areas which are not part of an individual lot and held in common shall be maintained by a mandatory homeowners association, whose proposed documents of incorporation shall

be submitted to the Director of Community Development for review and approval prior to the recording of the first final plat.

3) To the owner's agreement to the following site development considerations:
   a) Minimum heated floor area per unit – 2,000 square feet
   b) All lots on the site plan submitted October 20, 2023, shall be rear loaded, alley access lots.

4) To the owner's agreement to abide by the following requirements, dedication, and improvements:
   a) Dedicate at no cost to the City of Milton prior to the approval of a Certificate of Occupancy, sufficient land as necessary to provide the following:
      i. Area shown on Lot 1 as Proposed ROW for construction of right turn lane on Bethany Bend shall be donated to the City and graded to provide clear line of sight for new intersection.
   b) Installation of screening and vegetation behind the alley, behind Lots 1-6

A motion was made by Commissioner Burds and seconded by Commissioner James to recommend approval of the proposed rezoning with the amended conditions above. The motion was approved unanimously.

B. RZ23-11 – 12505 Broadwell Road (Moved to Follow New Business)

A motion was made by Commissioner Burds and seconded by Commissioner Gilbert to recommend acceptance of the withdrawal request per the applicant for RZ23-11. The motion was approved 5-0, which Commissioner Edwards abstaining.

5. CONSIDERATION OF TEXT AMENDMENTS TO THE CITY OF MILTON ZONING ORDINANCE

A. RZ23-07 – Consideration of a text amendment to adopt a new Unified Development Code.

Commissioners were presented with and discussed Version 6 of the Unified Development Code.

A motion was made by Commissioner Shah and seconded by Commissioner Burds to recommend approval of text amendment RZ23-07. The motion passed unanimously.

6. CONSIDERATION OF CHANGES TO THE CITY OF MILTON COMPREHENSIVE PLAN AND OTHER PLANS

None.

7. NEW BUSINESS (Moved to Follow Consideration of the Minutes)

A. Planning Commission Recognition –

Community Development Director, Robert Buscemi, spoke in recognition of the 2023 Planning Commission. He recognized and thanked the Commissioners for their work over the past year.

Councilmember Paul Moore spoke to recognize the accomplishments of the Planning Commission, including Commissioner Edwards for his tenure of service. He then thanked and recognized Commissioner Gilbert for his service to the Commission as his appointee.

8. OLD BUSINESS

A. Review of the By-Laws of the City of Milton Planning Commission – Commissioners reviewed the City of Milton Planning Commission By-Laws as redlined during the previous meeting and recommended edits to be implemented and brought to the next meeting.

9. ADJOURNMENT - *A motion was made by Commissioner Gilbert to adjourn the meeting at 10:26 p.m. and seconded by Commissioner Burds. The motion passed unanimously.*