

Cheryl Greenway asked Phylar how soon was he looking to be open in the facility. Phylar stated that he was thinking early spring. Greenway double checked with Brad Townsend that that would give enough time for the ordinance to be finalized. Townsend stated that it would.

Loren Conrad stated that he had a question for staff. On the striped island on the south driveway he looks at that layout so the south driveway would be right-in/right-out. There are two driveways on Warsaw. The northern one would still be allowed left-out/left-in. Brad Townsend stated that was correct. Conrad asked if there were any requirements to put any kind of turning arrows there. It looks like there is a middle lane there. Townsend stated that there is a turn lane to the one driveway also. That is the confusion because when cars are backing up on Holcomb Bridge Road they are really blocking that one ingress/egress. That is why transportation wanted it to be right-in/right-out only.

Susan Baur asked if there was anyone from the public who would like to speak in favor of this application. She asked if there was anyone from the public who would like to speak in opposition to this application. Hearing no comments from the public, Baur asked if there was anything else the applicant would like to say before she closes the public portion of the meeting. The applicant had no further comments. Baur closed the public portion of the meeting so that the Planning Commission can discuss the application and make a motion. She asked if there were any other questions for staff. Hearing none Baur called for discussion.

Cheryl Greenway stated that she just had a rhetorical question. She just wondered if the facility would be treating chickens.

Motion

Loren Conrad made a motion to approve CU09-05 as written with the conditions as written in by the staff. Karen Geiger seconded the motion.

The motion passed unanimously, 6-0. This recommendation will go forward to mayor and city council next month.

Susan Baur stated that CU09-03 and CU09-04 involve the same applicant. The Commission will hear them and then vote on each conditional use separately.

09-0811

CU09-03

PLEASANT HILL YOUTH DISCOVERY HOUSE

742 Bush Street

Presented by Bradford D. Townsend, Planning and Zoning Director

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09-0812

CU09-04

HANDS OF MERCY EXTENDED (H.O.M.E.)

728 Bush Street

Land Lot: 414

Presented by Bradford D. Townsend, Planning and Zoning Director

Brad Townsend stated that CU09-03 and CU09-4 are both being requested by the Pleasant Hill Baptist Church. CU09-03 is for a Youth Discovery Center located in an existing building. Both of these applications are using existing residences that were probably built in the 1940's. As one can see on the overhead the box in red is the CU09-03 application, which is for the Youth Discovery Center. The box that Townsend marked with his pen in black is the other house, which is closer to the church. That is being proposed for a food pantry. Both locations need variances for their existing situations since the Roswell code requires special setbacks for any customary accessory uses for churches. The section chapter 10.011 was really thought of when churches were on their individual pieces of property and not assuming or using adjacent residences as part of their accessory uses. T

The proposed discovery center is approximately 1300 square feet. This would be limited to small groups and a youth activities house in the evening. The proposed food pantry also has a limited time frame of when it is normally used. It is usually on Wednesday afternoons or one Saturday a month. That is when it is normally in operation. Other than that, people are just usually dropping food off at the location.

Staff would recommend approval of both conditional uses. They would recommend that the Planning Commission take separate vote on each of the applications.

Loren Conrad clarified that the buildings are being leased. Brad Townsend stated that he believes the food pantry is owned by the church. The youth house is being leased. Conrad clarified that the owner of the property is the applicant. Townsend stated that he has signed on the application. Conrad clarified that the condition would only apply to the existing building as laid out tonight. Townsend stated that was correct. Loren stated that if the building were torn down and was rebuilt, the new building would have to meet the existing standards setback. Townsend stated that was correct. Conrad clarified that this was like a one time conditional use for this building, this use. Townsend stated that was correct.

Cheryl Greenway asked Brad Townsend if they have exact numbers for what the variance requests are. Townsend stated that they have approximate actual numbers. They couldn't find actual surveys. These buildings were 1940's time frame. They wouldn't even be close to meeting the types of buffers that would normally be required in those locations. Greenway stated that where she is going

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with this is that she is wondering if it would be best just to add in the conditions or clarify in any motion that the Commission might be making that any variances that they are recommending tonight would stick only with the structures that are there now and would not apply to any potential future structures. Such as if they wanted to put a storage building out there or something like that; that would not be covered by this variance tonight. Brad Townsend stated that that would be appropriate.

Susan Baur asked if there were any other questions for staff. Hearing none she stated that the Commission will hear from the applicant at this time.

Sabin Strickland, senior pastor of Pleasant Hill Baptist Church in Roswell, presented the applications. Also present was Ellington Bates, the church administrator. Basically as the application reads, they have a teen house that they are just using for small groups, youth activities. The food pantry is used on Wednesdays and Saturdays basically right now as they give out food and those kinds of things. These buildings will be used to really service the community both youth and families. Basically, that is why they are applying for these variances.

Loren Conrad asked the applicant to expand on the activities in the youth center like hours of operation and how many days a week and that kind of thing. Strickland stated that they are going there three days a week, Wednesday, Friday and Saturday. But basically, right now they are just using it twice a week...of course on Sunday so it is really four times a week but basically right now they are doing twice a week, which is Wednesday and Sunday. This would be daytime right now. On Wednesdays they are night time with the youth discovery hour night time. So basically they are out of there by no later than 9 p.m. Conrad stated that he noticed that there were sample activities of a barbecue and a yard sale and that sort of thing. How often would those occur? Strickland stated that they will not be doing a yard sale from there but they will kind of probably have barbecues and those kinds of things only during the times when they have youth activities. Strickland stated that he did leave off Monday night. Monday night is when the men meet up there for small groups. The barbecues will basically take place within that allotted time period and will go beyond the nine o'clock hour and those kinds of things. They want to be mindful of the people around about them. Conrad inquired if the closing time would be 9 p.m. Strickland stated that was correct.

Mark Renier stated that he had a question about the community center. What is that currently being used for? Strickland stated that the community center is being used for worship on Sunday mornings. They also have partnered with Fulton County Initiative and they do an energy program in there where seniors can come and get help with their energy bills. They use those things for partnering with certain civic groups if they need to, but they also will have basketball on Fridays and Saturdays in the building and of course they use it for their regular church activities also. It is kind of a multi-purpose use at this time.

Also during the summer they have their summer program going on which is basically all day from 7 a.m. to 4 p.m. or something like that. 7 a.m.-5 p.m. They try to make it kind of a full service community center combined with what they do with their church.

There were no further questions from staff. Susan Baur asked if there was anyone from the public who would like to speak in favor of this application. Hearing no one, she asked if there was anyone from the public who would like to speak in opposition to this application.

**Gail Bohannon
736 Bush Street
Roswell, GA**

Bohannon stated that she is in the middle of the two houses. She is opposed to this first because when it was being done they did not have permits to do it. Then it was Okayed by the city of Roswell for them to go ahead and do it. She does not know why they would go ahead and do it at that time knowing that they did not have permission to do it. Bohannon's thinking is if one is a church it is considered being a good neighbor. Since she lives by herself things go on. One does not know what is going on in between the two houses. At one time, at the food bank, she did not know it was a food bank. She came for lunch and there were some gentlemen standing on the other side of the street, just standing there watching. She did not know what was going on so she called the police to find out what. That is when she found out it was a food bank. Then she didn't find out it was going to be a youth center until she heard that they were having open house. That is when Bohannon came to the city to find out if there was a permit for the use of these two buildings. They have a gym and when the gym was done it was said that that was supposed to be the purpose of the gym for the community and they have ample, space she feels like to use it as a youth center, as a food bank and she really likes having neighbors as opposed to people going and coming as they do and not knowing what's going on. At different times of the night she looks and there are people next door not knowing who's there or whatever. She does live by herself so this is a concern of hers.

Loren Conrad asked Bohannon if she has ever been harassed in any way by these people. Bohannon stated that she has not. Conrad clarified that she just feels uneasy because there are strangers around. Bohannon stated that was correct.

Susan Baur asked if there were any other questions for Bohannon. Hearing none Baur asked if there was anyone else from the public who would like to speak in opposition to this application.

Hearing no more comments from the public, Baur asked if there was anything the applicant would like to say before she closes the public portion of the meeting.

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The applicant stated that they want to be good neighbors to Ms. Bohannon. He does know that the food bank has been around for years, since 2007. They haven't had any major problems, no previous problems they have had in the past in servicing the community through their food bank. He will say that there were vagrants hanging around the teen house prior to the church actually leasing to purchase the teen house. There were vagrants around there, much more stranger than the individuals who would be attending the church and the young people there. That problem has been really rectified. They know that in being good neighbors they would to responsibility to make sure that it was operating within the hours, within the allotted times and those kinds of things that it is. They would do their very best to make that safe and keep the neighbors informed. He does know that they have had conversations about even other community groups using their facilities, both the community center and the teen house, whichever they have. They are open even unto that. They want to make sure that they are good neighbors in that sense. He does want to reiterate that the individuals that will be going in and out of there will be members of their congregation, church and community because they certainly want to do that. But they facilitate it at all times by their church. It will not be unattended youth and those kinds of things.

Mark Renier asked the applicant about the issues that were raised about having the gym in the community house. Was that intended for this kind of use? Why do they need this additional facility? The applicant stated that it was intended for this kind of use for a food pantry and those kinds of things. They did not intend for their community center to be the food pantry. They actually had, they were in the making of getting their food pantry in the process of that. So the community center was not actually a lot of to do the food pantry piece. But, quite literally they have kind of run out of space with the things that they are doing there. That is why they pursued and moved forward with plans for their teen house so that they could properly facilitate all that is kind of going on. It is just a space issue and as they are growing and expanding, those kinds of things. A teen house, remember the community center is certainly open for the community and that kind of thing. The church basically kind of uses the teen house for discovery hour, discovery classes for its young people and so forth.

Ellington Bates stated that he just wanted to say for the record as one noticed in the application that the teen house was set up for small group, family style operations. That is why the community center was not being used for that particular operation. They wanted them to have a family style setting as they were being counseled and whatever activities that they would go through.

Loren Conrad questioned if they did not have that kind of room or space... Bates stated that they don't have that type of environment in the community center. It is the environment there. And speaking of the environment, when they first rented the 742 Bush Street they were actually afraid to go to that house because folks were breaking in, they were using drugs there, they were staying there overnight,

they were urinating all over the place and it was really frightening to even go up and have them leave. They had to call the police several times. Bates thinks the police had been called because of the confusion that they were raising up there. The applicant wants to be good neighbors and Bates thinks it is truly an improvement.

Loren Conrad asked Bates if he thinks they have cleaned that up. Bates stated that they had.

Laura Light stated that she would like to clarify that the applicant currently leases the property, which they would like to use for the youth center. Do they own the property that is where the food pantry is existing now? Bates stated that they did. Light confirmed that the applicant owns that.

Susan Baur asked if there were any other questions for the applicant. Hearing none Baur stated that she was going to do something that she has been told by her mentor she is not technically supposed to do, but she is going to ask anyway. She asked Gail Bohannon to come back up so that she can ask her a couple of more questions. She apologized for not asking these when Bohannon was first in front of the Commission.

Susan Baur stated that Bohannon seems to be unhappy with the poor communication that she has had with the church. Bohannon agreed. Baur asked if that was her big issue with this, or was her big issue really the uses as well. Has the property been improved? What are her feelings on the uses of these properties for what the church is proposing?

Gail Bohannon stated that the property at 728 Bush Street is basically the same. 742 Bush Street has had some problems where people have been breaking in, drugs, whatever and yes, the police have been called and all of that. But, she does not know if the church was overseeing that property or if that was the people that owned the property's responsibility to take care of that because the property had been vacant for a long time. And anytime there is vacancy, there is going to be vandalism and all of that. So, yes, that part has. But the other issue is going to be parking.

Susan Baur asked if there were any other questions for Gail Bohannon while she is in front of the Commission.

Cheryl Greenway stated that Bohannon has mentioned the parking. Is that for the food pantry or the other side, or both?

Gail Bohannon stated that she was thinking that whenever one has a business or something he is supposed to have ample parking. When one has a business or anything.

Cheryl Greenway asked Bohannon if she know if the current people using the facilities for parking at the church or across at the child care facility. Bohannon stated probably the child care center.

Susan Baur stated that at this time she was going to close the public portion of the meeting so that the Planning Commission can discuss the application and make a recommendation. She asked if there were any other questions for staff or for the applicant.

Loren Conrad asked the applicant to tell the Commission about the parking.

Susan Baur stated that she was going to re-open the public portion of the meeting so that the Commission can hear from the applicant. Loren Conrad asked where folks park when they come to 742 Bush Street to the community center? The applicant stated that there are basically two parking spots that are theirs and then the childcare parking lot right across the street. They have had no problems with them allowing the church members park there. No problems at all. They have had ample parking as a user. So they park in all of the parking lots basically. On Wednesday night they are parking in their parking lots and some across the street. Basically, the major parking across the street at daycare takes place on Sunday mornings. Monday nights they are basically using their parking lots and they kind of use the daycare center. And they have had no problems. It is okay with the owners.

Cheryl Greenway stated that she feels like all of this can be handled properly through good communication with Bohannon. Would there be someone they could set up from the church that would be a liaison for her that if there are problems she is seeing or something that concerns her, she could call and inquire. Or if the church was doing something special at one of the two houses they could at least notify Bohannon of what is going on or something? Greenway thinks that if the communication could be improved there it could help rectify the situation.

Sabin Strickland stated that they have no problem with that. She can call the church and speak with the church administrator, Ellington Bates at anytime if she has any questions about the activities that will take place so they will have no problems communicating what will take place.

Laura Light stated that she would like to hang onto that. She thinks that because the church is aware of the fact that they have a neighbor who has had some concern maybe it would be in their best interest to be proactive. Instead of her calling the church, if there are some big events or things going on, they might want Bates to initiate the calls to her and say we have this going on, we want to let you know and ask if she would even like to join in. Strickland stated that they have no problem with that either.

Ellington Bates stated that they actually made that agreement at the neighborhood meeting that he would do that because they do email each other. So they have each other's email address.

Susan Baur asked the applicant if they have improved that property, that rental property that they said had vandals and drug users in it. Has that property been enhanced, improved since they have used it? Ellington Bates stated that he believes it has been enhanced significantly because they are leasing to buy it. They are in the process of actually leasing to buy. He believes they have done significant improvement. They have taken away the dead hedges that were there kind of blocking where people were kind of blocking the view. They have moved those and really kind of cleaned up the yard and all of those good things, even internally. They have added ample lighting and those kinds of things. Bates believes that they have done some significant improvements and since they have taken on the home and the property there has been no more vagrancy, no more vagrants, no more drug use, and those kinds of things. All of that has been cleaned up and that was kind of initiated by the church at the okay and the approval of the actual owner. So they went up and got all of that stuff cleaned and made it ready and presentable for the way that they would be using it.

Susan Baur asked if there were any further questions. She thanked the applicants and closed the public portion of the meeting again. She asked for any discussion or a recommendation.

Motion on CU09-03

Cheryl Greenway stated that she would like to make a motion to approve CU09-03 with the conditional items set by staff that the structure shall not be used for overnight functions. She would also like to add to that that the variances are being approved through this conditional use apply only to the buildings that are actually there now and would not cover any additional structures added to the property.

Karen Geiger seconded the motion.

Mark Renier stated that there were some issues raised, but it sounds like the church has addressed some of them and is willing to talk to Gail Bohannon about any future issues so he feels good about this.

The motion on CU09-03 passed unanimously. The recommendation will go forward to mayor and city council for their final decision.

Motion on CU09-04

Karen Geiger made a motion that CU09-04 be approved with the same stipulations concerning the setbacks applying only to the existing buildings.

Brad Townsend stated that the way that is written it is saying that it is open on Wednesday afternoons and only one Saturday a month. He didn't get that out of the conversation with the applicant. It was stated that was okay.

Karen Geiger stated that she would actually not include that in her motion, she thinks they should say Wednesdays and Saturdays because they are just going to be back before the Commission in a year asking to use it on other Saturdays. She does not see the point in that.

Brad Townsend stated that he did not see the point.

Geiger's motion would be that they include the third condition concerning the setbacks, the no. 2 condition that the structure shall not be expanded would be included and that the food pantry will operate on Wednesday afternoons and Saturdays.

Brad Townsend clarified that Geiger was striking "a month" and using no.1 over again. Just say on Wednesday afternoon and Saturdays. Geiger stated that was her motion.

Cheryl Greenway seconded the motion. The motion passed unanimously. The recommendation will go forward to mayor and city council for their final decision.

APPROVAL OF MINUTES

Karen Geiger made a motion that the minutes of the October 20, 2009 meeting of the Roswell Planning Commission be approved as written. Cheryl Greenway seconded the motion.

The minutes were approved 4-0-2. Loren Conrad and Mark Renier abstained.

ADJOURN:

The meeting adjourned at 8:17 p.m.

Susan Baur, chairman

CC: mayor and city council
community development
applicant's files

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