

Brad Townsend stated that was a good question. He stated that Cheryl Greenway stumped him. That is something that Townsend will have to look into because the request for down on the square, for Park Avenue was for a gluten-free restaurant which wouldn't be serving in his mind liquor. So they wouldn't need the chains to distinguish. The site plan that the staff saw had three tables with like six chairs or seven or eight chairs. He thinks they would want to limit it to a particular plan so it wouldn't creep. The desire is to make sure it is confined to a particular area so it is not impinging on the sidewalk of another establishment right next to it. That is something that Townsend will look into. He does not have an answer for Greenway.

Greenway stated that was just her concern that it could creep into the neighbor's area. She asked if there were any other questions for the city. Hearing none she called for a motion.

Motion

Harvey Smith made a motion that RZ12-01 the text amendment to the Roswell Zoning Ordinance which will allow for restaurants in the city to have sidewalk cafes be approved.

Joe Piontek seconded the motion.

Cheryl Greenway called the question. The motion was approved unanimously.

TEXT AMENDMENT

11-0785

RZ12-02

Text Amendment to allow Farmers' Market in commercial zoning districts

Cheryl Greenway stated that this is a text amendment to consider an amendment to the zoning ordinance for the use of the Farmer's Market.

Brad Townsend stated that this is a proposed text amendment to include, as an accessory use definitions that would have a Farmer's Market. There has been a specific request in a couple of the city of Roswell's current retail establishments to use their parking lots in some manner for a Farmer's Market. The staff has drafted this in a manor that those are temporary in use. That they have an on-site manager, that the actual items that are sold fall into a Farmer's Market or an accessory produced farmer like honey or bread or something like that. That they are not established like a flea market, they would not include guns and knives and art work and things of that nature. The uses would be permitted in the C-1 districts as well as the MPMUD and the HR districts. The staff has established some minimal criteria for this.

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This would be an annual that one would be allowed to come to the city of Roswell and get. They would show the city how they are impacting their parking, that they have utilized at least parking in a manner that would not inhibit fire protection or garbage pickup or things of that nature. The permit would be annually.

There is one item in here that Townsend needs to include that hasn't been really addressed. Staff has had a request that Farmer's Markets be able to utilize a banner the day that they are open in the establishment that gives the traveling public next to the road, Farmer's Market Thursday 4 to 3. That banner shall be put out the day of the market and removed the night of the market being gone. If the market is Friday and Saturday then it would be allowed for the time frame of when the market is there.

Brad Townsend stated that he has not written that language into this ordinance. He wanted to discuss it with the Planning Commission this evening and he needs to draft it to include it in the draft that goes to mayor and city council. So there needs to be some provision to allow for a temporary banner while the market is open. He would like the Commission to include that if they wish to move this forward, include that as an establishment.

Staff is recommending approval of this. They feel it would be useful for some of their shopping centers in a manner to utilize their property in a little different manner that is not permanent but allows activity to happen in certain areas.

Brad Townsend stated that he was here to answer any questions.

Bryan Chamberlain asked as it relates to the banner, he knows up in Alpharetta in the downtown near city hall they have a banner prior to and he believes it is the day prior to the farmer's market so that people who are passing through typically he thinks it is on a Friday, the banner is up on a Friday reminding people that on Saturday would be the farmer's market. Chamberlain thinks that would be a good suggestion to consider so that there is some...he knows there are farmer's markets but if he is not out and about the day of a farmer's market and the only day the banner is out...the day of, and he does not know. Where he might be inclined to get out of bed on Saturday and go to the farmer's market if he knew Friday that it was advertised that it was going to be there

Cheryl Greenway stated that she thinks a good example of that is the signs that are put out for Canton Street for the Thursday night Alive After Five because those tend to come out Monday before it occurs that week. She thinks the same philosophy follows there.

Regarding the banner, this would then be over and above the special allowance to put out banners for certain periods of time during the year. Brad Townsend stated that what staff would do is write the language to establish the criteria when they get their annual approval. They would indicate the farmer's market is going

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to run Friday night and all day Saturday. The banner will be out from here to here. He thinks they want to establish a routine as to when they are allowed to have it and it would not count against the tenants or the shopping center banner current allotment in dealing with establishing businesses and things like that that currently use their banner allotment for that.

Cheryl Greenway clarified that that would be addressed at that time along with the size for the banner. Brad Townsend stated that is 32 square feet.

Greenway asked if there were any questions for the city or any comments.

Mark Renier stated that under the definitions in the code book he sees there is a definition for farm/produce market. Since they are including a new definition under the code for farmer's market, is farm/produce market being taken out? Under the same thought process Renier knows that farm products...is farm produce being eliminated and farm products being put in its place?

Brad Townsend stated that is what is happening. On page 3 of 6, the top of it they are crossing through the word produce on the top of the page, A. They are taking produce away and putting back in farm products.

Mark Renier clarified that those two in the code are just being renamed and have a definition. Brad Townsend stated that renamed was correct.

Cheryl Greenway stated on page 3 under rules it indicates an established set of operating rules addressing the government structure of the market hours, etc. Is that to be filed with the city of Roswell? Do they just say that they have them or do they actually have to give staff a copy? Brad Townsend stated that as part of the application the staff will ask for the applicant's rules of how they want to run it. It really depends on the owners of the property as to do they completely take ownership of it or do they hand it over to a couple of the tenants who want to run it, or do they bring in an actual outside management that runs it. Staff just wants to know what establishes it and who they contact when they get the complaint or want to be able to justify or ask the question of who is taking care of it.

Cheryl Greenway stated that she would think the city of Roswell would want a copy of the rules because without that it would be easy for one to say that he has them but he really maybe doesn't. Townsend agreed.

Mark Renier stated that under nos. 2 and 3, just as kind of a point of order, when it says that the city of Roswell is hereby amending article 6 of the city of Roswell Zoning Ordinance, Table 6.1 as follows: Does Townsend want to say in there by adding the following as opposed to just amending it as follows? Just from a legal standpoint? They are not changing 6.1 to this they are adding this to 6.1.

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Brad Townsend stated that the way the ordinance is drafted with the strike-throughs and underlines, the strike-throughs are deleting, the underlines are adding. That in essence is saying how it is being amended as follows.

Mark Renier clarified that it is understood that this is just being added to the table. Brad Townsend stated that was correct because of the underlines of farmer's market and under the C's and the X's and the P's for permitted and not permitted.

Lisa DeCarbo stated that the text amendment says that the operation of a market may operate no more than two days per week. If they get an annual permit can they operate two days per week every week of the year?

Brad Townsend stated that if that is the way they want to run the establishment. The one market that they are looking for, Sweet Apple Village is a Thursday from like a 4 to a 7 time frame. It is looking to start up in March or April.

Cheryl Greenway asked if there were any other questions for the city.

Hearing no further questions, Cheryl Greenway called for a motion.

Motion

Joe Piontek made a motion to approve RZ12-02 Text Amendment to consider an amendment to the zoning ordinance for:

1. The use of a farmer's market.
2. The creation a definition of farmer's market.
3. The allowance of the use of a farmer's market to be located as a permitted use in the zoning districts HR, MPMUD, C1, C2 and C3.
4. The creation of a farmer's market permit requirement to allow for the approval of a farmer's market permit by the zoning director.
5. The inclusion of the requirements of a banner sign of 32 square feet to be shown prior to and the day of the event

Lisa DeCarbo seconded the motion.

Cheryl Greenway asked if there was any discussion or comments. Hearing none she called the question.

The motion to approve RZ12-02 was approved unanimously.

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