

**THE FAYETTE COUNTY PLANNING COMMISSION** met on September 1, 2016 at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia.

**MEMBERS PRESENT:** Jim Graw, Chairman  
Arnold L. Martin, III, Vice-Chairman  
Al Gilbert  
Brian Haren  
John H. Culbreth Sr.

**STAFF PRESENT:** Pete Frisina, Director of Community Services  
Dennis Dutton, Zoning Administrator  
Chanelle Blaine, Planning and Zoning Coordinator  
Patrick Stough, County Attorney

**Welcome and Call to Order:**

Chairman Jim Graw called the Planning Commission Meeting to order. Chairman Graw introduced the Commission Members and Staff.

\* \* \* \* \*

**1. Consideration of the Minutes of the Meeting held on August 18, 2016.**

Al Gilbert made a motion to approve the minutes. Motion seconded by John Culbreth. The motion to approve the minutes was 5-0.

**2. Consideration of a Variance request (V/A 012-16) for Groom's Corner from the Fayette County Subdivision Regulations, Section 104-597. (3). Contiguous areas for residential development. This variance is to reduce the contiguous area from 2.00 acres to 0.95 acres for Lot 3. This property is located in Land Lot 155 of the 4th District and fronts on Rising Star Road. The property is zoned A-R.**

Rod Wright requested a temporary variance to get the approval for the minor subdivision plat, so he can fulfill contractual obligations. He said that the variance will no longer be needed once he can remove the powerlines from Lot 3.

Chairman Graw stated that the powerlines run right through Lot 3.

Rod Wright replied that is correct and it creates 0.95 acres of contiguous building area. He stated that he has met with the power company and made agreements as soon as he fulfills his contractual obligations and get this subdivision plat approved; he will then create the new easements for the power company to move through.

Chairman Graw stated that this is not a public hearing but if anyone wanted to speak to the technical aspect of the plat they were welcome to do so.

**Page 2**  
**September 1, 2016**  
**PC Meeting**

Hearing none Chairman Graw brought it back before the Planning Commission.

Rod Wright asked if this was for the variance only or the minor subdivision plat also.

Al Gilbert stated that Rod Wright was asking if they were going to hear the variance first and then come back and hear the plat.

Dennis Dutton replied yes.

Al Gilbert asked if the lots were going to be able to have a septic system and a backup system if necessary.

Rod Wright replied yes, we have good soils. He added that everything else meets within the bounds of the A-R district. He stated that this was a temporary variance and once they get the powerlines moved he will revise the plat for Lot 3 showing the contiguous area. He said that he would be finished revising it by October 15<sup>th</sup>.

Chairman Graw asked if the variance is approved how much time will it take to have the powerlines removed.

Rod Wright replied that the graders have to come in first to clear some trees for the new easement area. He said that the power company will be coming in at the end of the month, and he will be through by October 15<sup>th</sup> at the latest.

Chairman Graw asked if he had any intentions on building underneath those powerlines before they're moved.

Rod Wright replied no, he would not build on that lot at all until it has been revised with a contiguous area. He stated that he intends on getting building permits immediately for those other lots.

Chairman Graw read a note on the plat:

A variance is requested for Tract 3. After approval of the Minor Subdivision Plat of Grooms Corner and property transfer, the powerline and easement crossing Tract 3 will be relocated to outside the buildable area of the tract. A Revised Final Minor Subdivision Plat will then be submitted reflecting the change in the contiguous area of this tract.

Rod Wright stated that he is committed to fulfilling the comments listed on the plat.

Al Gilbert made a motion to approve the variance. Arnold Martin seconded the motion.

Brian Haren asked if the approval was contingent on conditions.

Al Gilbert replied that we have no conditions on this one (1).

Chairman Graw stated that we could put a condition on it, but in his opinion what has been written on the plat itself stating that he is going to come back after all the powerlines have been removed with Lot 3 showing a contiguous area of 2.071.

Rod Wright replied that is correct.

Chairman Graw reiterated that we could put a condition on it.

Brian Haren stated that this was the first time he had ever heard anything like this come before the Planning Commission, and he added that that if the note is on the plat it is a part of the conditions.

Chairman Graw asked if he was okay with it that way.

Brian Haren replied yes.

Arnold Martin replied that he was also okay with it because it was on the plat.

The motion passed 5-0.

**4. Consideration of Petition No. 1260-16. Guerry Ballea, Owner Megan Almond, Agent request to rezone 8.5 acres from A-R to O-I to develop a Medical Office. This property is located in Land Lots 7 and 17 of the 6th District and fronts SR 74 South.**

Megan Almond stated that she is a pediatrician in the area and has been practicing here for about a year in a half. She said that she recently opened her own business and is due to open her pediatric facility next Tuesday in Peachtree City. She added that she would like to use the land there to move over her pediatric practice in time. She requested that the property be rezoned from A-R to O-I.

Chairman Graw asked if anyone would like to speak in favor of the petitioner. Hearing none, he asked if anyone would like to speak in opposition to the petition. Hearing none he brought it back before the Planning Commission.

Al Gilbert asked if they had read the condition from staff.

Megan Almond replied that she had read it.

Al Gilbert asked if she agreed to the conditions.

Megan Almond replied as far as designating area to be potentially used for a golf cart path.

Al Gilbert read the condition:

The owner shall provide permanent easements to Fayette County across the property for multi-use path construction, maintenance, and public use. One easement shall run across the front of the property for a path going parallel with SR 74. The second easement shall run from the front of the

property to the northeast with connection to the Starr's Mill School complex. The easements shall have a minimum width of 20 feet. Their locations shall be established by the owner on the Site Plan and defined by a written legal description. The easements, with legal description and map from the Site Plan shall be recorded at the Courthouse. (Per Public Works/Engineering)

Construction: The owner shall build the path connecting to the school property if an agreement is received from the Board of Education that allows for connection to the school's existing path network. The path along SR 74 may be constructed by the owner (for example as part of a loop around the complex) but it is not required as a condition of rezoning. Alternatively, it may be constructed by Fayette County at some point in the future. (Per Public Works/Engineering)

Chairman Graw asked if she agreed to those conditions.

Megan replied yes.

Chairman Graw stated that he talked with Pete Frisina about the letter he received from GDOT about the traffic flow coming in and out of the medical complex and from Brechin Subdivision across the street. He said that it will have a pretty heavy impact on the area and that the letter was in their package. He asked for Pete Frisina to explain further.

Pete Frisina stated that GDOT is considering an RCUT, and what that will do is not allow any left hand turns out of Brechin Park Subdivision. He said that it will be right in and right out only with a U-turn available at the next median cut. He added that they have spoken to the applicant with their design professionals, and they are meeting with GDOT next week. He stated that he has not been able to get in contact with Brechin Park Subdivision. He said that Jefferson Brown could explain it further.

Chairman Graw asked if traffic heading south on S.R. 74 will be allowed to turn left into the medical complex.

Pete Frisina replied yes.

Chairman Graw asked if traffic heading north on S.R. 74 will be allowed to turn left into Brechin Park Subdivision. He asked if traffic heading out of Brechin Park will be directed south to the next turn around and then be headed back north.

Pete Frisina replied yes.

Chairman Graw asked if traffic heading out of the medical complex will be go right and then come back south.

Pete Frisina replied yes same thing.

Chairman Graw stated that is not what they do right now.

Pete Frisina replied no.

Jefferson Brown principal of Jefferson Brown Architects stated that they have spoken with the

State and have a meeting schedule with them on Wednesday. He said this meeting will discuss their proposal of a right turn only for the medical complex and Brechin Park. He added that they were okay with making the right turn in and out and being able to come southbound and turn left into the facility. He stated that he has reached out to Brechin Park Subdivision but has not heard back from them.

Chairman Graw asked if Jefferson Brown was going to meet with GDOT along with Phil Mallon and Pete Frisina.

Jefferson Brown replied that they are not going his civil engineers and site engineer for the project will be at the meeting.

Samuel Chapman former Homeowner's Associate President of Brechin Park Subdivision, stated that the reason why they had that straight cut through was because GDOT thought it would be too dangerous for the busses to swing out and back into traffic. He said that there are 88 homes in the subdivision with 3 cars to a house, for about 300 cars, and that it's a pretty busy neighborhood. He added that he would get someone from the HOA in touch with Mr. Brown. He stated that he got with Sunny Purdue to make sure that opening was there for the subdivision so they could come straight across. He said that they changed the design.

Al Gilbert asked if this goes into effect like they are proposing what are the kids in high school going to do that live in Brechin Park.

Samuel Chapman replied that the County lease swapped with Peachtree City or either the County owns that area. He stated that he was sure Herb Frady, Jack Smith, Robert Horgen, Eric Maxwell, and Lee Hearn were Commissioners at the time and swapped with the city, because there is a nice access that goes underneath the road that goes to the Chick Fil'A. He said that they are connected to The Gates Subdivision and there is a cart path that goes through the subdivision. He added that there is no reason for the children to go to the top of the hill. He stated that they do it now because they're forced to do it because of the right-of-way. He said that he has talked to Peachtree City and the Scarborough Company; when they did their development of The Gates before they sold to Chadwick they had to tender all the money for the cart path. He added that they were willing to put the path in themselves but decided against it because Peachtree City had a larger paver and they wanted it to their standards. He stated that he tendered all the money for Brechin Park Subdivision and The Gates to connect those two (2) neighborhoods, which they have not done yet but I'm sure that it's in scheduling now. He added that they go to The Gates, the ball field, then they go to the path that goes underneath the highway, and they pop out to connect to the highway. He stated that for Brechin if everybody had to turn right coming out the neighborhood you would have a nice steady flow of 300 cars for a short amount of time. He said that it was better for them to go straight across and turn left because most of the traffic is going left.

Arnold Martin stated that the proposal from GDOT is separate from the petitioner's decision to develop this land. He asked if they plan on doing this either way.

Pete Frisina replied that his understanding from GDOT is when that property develops it going to create a situation where they are going to want an RCUT on that property.

Arnold Martin asked if the development of that property triggers an RCUT.

Pete Frisina replied yes. He said that he doesn't know if they are going to do one (1) in the future or not, but we know now that they are reacting to this rezoning and proposing the RCUT.

Arnold Martin asked how many feet from the RCUT are people having to go before they turn back around to come down.

Pete Frisina replied he did not know.

Samuel Chapman replied that it is about 300 yards it's a long way, and then you immediately have another traffic light. He reiterated that they had it in the original design and changed it because they thought it would be safer for the pedestrians and citizens of Brechin.

Arnold Martin asked Jefferson Brown what his objective was with the conversation with GDOT.

Jefferson Brown replied we would like to understand better why they want the RCUT. He said that GDOT is siting safety and they would like to understand that from an engineering perspective. He added that they want to understand how they can accelerate out of there subdivision, go across two (2) lanes, get into a turning lane and come back; we want to understand how that is safer. He stated that we are not asking them to change it to an RCUT and that they would prefer it not be change. He said that he understands that every road there is a peak morning and evening, but also understand that the Sheriffs are there to help protect the cars and the buses go in and out; and that's a part of what they will asked. He stated that they didn't think that it was a part of the approval for the request from A-R to O-I, and was surprised it triggered this discussion.

Pete Frisina replied to Arnold Martin 700 feet.

Chairman Graw stated that once the GDOT proposes something the County will not have any control. He said that Pete Frisina mentioned GDOT had done something similar to this on SR 74 for Sandy Creek. He added that he didn't understand exactly what was going on up there.

Jefferson Brown stated that the RCUT's on SR 74 and Sandy Creek are envisioned the lanes with separation greenspace and sod. He said so you could stage, turn and be perpendicular, and then accelerate out. He said that the SR 74 RCUT would be about 200 feet between the inside lanes (northbound and southbound).

Pete Frisina stated that we don't have that.

Jefferson Brown replied that it's just a concrete median. He stated that was his concern and if you donate that turn, how you make the turn on the other side; do we have to put a shoulder on

the other side. He said that he had questions about the improvements on the north and south section and how much will that be on his owner. He added that the whole facility is about the children and they want to connect to the high school middle school and elementary school. He stated that the park area in the back is for the community so they can be engaged.

Chairman Graw asked if they could answer on the square footage of the building and why they had such a range.

Megan Almond stated they have such a range because commitments have not been solidified yet. She said that the campus going forward has been designed to be very safe, children friendly, outdoorsy, and green. She added that the whole concept is to enrich the community especially on the south end of SR 74. She stated as far as the buildings go the only commitment she has is her practice that she would like to move there. She said that her practice will be opening on Tuesday of next week. She added that she has practiced in the area for over a year in a half and five years before this; and that she would have to grow in order to be able to move over there. She stated that she currently has a lease in Peachtree City which she would be riding out for the next two (2) to five (5) years. She reiterated that the campus would be very safe, green, and all about children and enriching the community particularly on the south end of town. She said safety would be their priority and is already in their building discussions and plans and the whole vision going forward.

John Culbreth asked Megan Almond what the level of discussion she has had with the community or neighborhood leadership.

Megan Almond asked him to clarify on neighborhood leadership.

John Culbreth asked if she had talked to anyone from Brechin Park Subdivision.

Megan Almond replied that she has not spoken to anyone in the Brechin Park Subdivision. She stated that her friend who is a fellow pediatrician has spoken with some families that live in The Gates Subdivision. She said that she has not spoken with anyone door to door. She added that this is her first go at a Public Hearing and rezoning; she said she never looked to developing and has relied on Jefferson and the Planning & Zoning staff. She stated that she would be more than willing to meet with people and wouldn't mine any suggestions along the way.

Arnold Martin asked what the timeframe would be if this was approved to begin construction/development.

Megan Almond replied that a lot of the land is green right now and she would like for the campus to remain green and outdoorsy with parks and play areas. She stated that there would have to be some land clearance that went on along with some utility access before she could wager when buildings would be going up. She said that she couldn't imagine any turn key for at least a couple of years, but maybe some adjustment to the land as far as clearance and utility access within six (6) months.

Chairman Graw stated that the request for an O-I does meet the Comprehensive Land Use Plan, and that there is a requirement for a 30 foot buffer between O-I and residential property and there is a 30 foot buffer on the plat so they have met that requirement.

Brian Haren stated that they have looked at this little piece of property repeatedly as it pertains to SR 74 corridor and have always understood that this would someday go O-I. He said whether this petitioner or another petitioner comes in to rezone this GDOT's issue is still going to be there. He added that he doesn't know why this rezoning got linked to the GDOT's decision to change that interchange. He stated that they should be separate issues. He said they are here to consider what the County has control of and let the GDOT do what it's going to do. He reiterated that the property is going to go O-I at some point.

Chairman Graw agreed.

Al Gilbert made a motion to recommend approval of Petition 1260-16 with one (1) condition. Arnold Martin seconded the motion. The motion passed 5-0.

Chairman Graw stated that they are not the last word and that they only make recommendation to the Board of Commissioners. He said that the County Commission would hear this sometime this month.

Pete Frisina replied it would be heard before the Board of Commissioner on the 22<sup>nd</sup> of September.

Chairman Graw stated that they are the ones that make the final decision. He said there have been a lot of discussions about rezoning in the past month or so. He recommended going in there with a presentation.

Jefferson Brown asked like a rendering and a couple of elevations.

Brian Haren said that pictures are always good.

Jefferson Brown said that he would make that commitment.

**5. Consideration of Petition No. RP-060-16, George and Anne Cocolos, Owner, request to revise the Minor Subdivision Plat for Woodbridge Farms Subdivision to increase the number of platted lots by subdividing Lot 6 into two (2) separate lots. This property is located in Land Lot 133 of the 4th District and fronts on Rising Star Road.**

George Cocolos a resident of Brooks requested to revise the minor subdivision plat from 10 acres into two (2) five (5) acre parcels.

Chairman Graw asked if anyone would like to speak in favor of the petitioner. Hearing none, he asked if anyone would like to speak in opposition to the petition. Hearing none he brought it back before the Planning Commission.

Arnold Martin stated that he did not have any additional comments.

Chairman Graw stated that in the past they have had several of these requests come through. He said that he feels when people buy a particular lot in a subdivision whether it be 10 acres or five (5) acres; they bought it with the knowledge that the subdivision would look the same today, tomorrow, or forever. He added that he thinks it's unfair to residents to all of a sudden change the looks of a subdivision. He stated that he would be upset himself. He asked Pete Frisina how many lots in the subdivision are over 10 acres.

Pete Frisina replied I don't know. He stated that it looks like all of the properties fronting the road adjacent to this lot is in the five (5) acre range.

Chairman Graw stated that if there are any lots in that subdivision that is over 10 acres that this sets precedents for those lots also.

Pete Frisina stated that there looks like there is a flag shaped lot behind this one that may be 10 acres. He said that it only has 100 feet of frontage; so you couldn't do anything else with it.

Chairman Graw stated looking at the zoning map there could be parcels bigger than the subject property and they could be 10, 15, or 20 acres. He said that approving something like this opens it up and sets a precedent. He added that he doesn't think it will set a good precedent and he is personally not in favor of the request.

Al Gilbert asked how big the property is right now.

George Cocolis replied that it is approximately 10.5 acres. He said that it is proportionate in shape to where five acre (5) parcels are very close and very similar to the other five (5) acres on both sides of the property.

Al Gilbert asked if all of the frontage lots seem to be in the five (5) acre range.

George Cocolis replied that is correct.

Al Gilbert stated that the bigger lots are flag shape lots, and like Pete it would be hard to get those subdivided into another lot. He said that he follows what Mr. Graw is saying but you're not infringing anybody on the road frontage, because you're going to be offering the same size lots that are already there.

George Cocolis replied correct and that he had been in the Woodbridge Farms Subdivision for quite a while. He stated that he reached out to the Woodbridge Farms Homeowner Association to make sure there are no concerns, and he did receive back feedback from the HOA president

and he did not see any concerns with him proceeding with this request.

Al Gilbert asked if he was aware of the conditions recommended to him by staff.

George Cocolos replied that he does and agrees to the two (2) conditions. He stated that one (1) of the conditions has three (3) options and that he agreed to them both.

Brian Haren reads the following conditions:

That the applicant brings Lot 6A into compliance with Sec. 110-79. - Accessory structures and uses. (b). and this can be achieved either through:

- (1) The construction of a single-family structure. Said single-family structure shall be constructed or substantially in the construction process (an approved framing inspection) within 180 days from the effective date of the recording of the Revised Final Plat: or
- (2) A variance, obtained from the Zoning Board of Appeals, to allow an accessory structure prior to the principal structure. If the owner/developer pursues a variance, said variance shall be obtained from the Zoning Board of Appeals within 180 days from the effective date of the recording of the Revised Final Plat. If the variance is denied, the owner/developer agrees to take all necessary action consistent with the direction of the Zoning Board of Appeals; or
- (3) Removal of the existing garage. Said garage shall be removed within 180 days from the effective date of the recording of the Revised Final Plat.

In addition, staff recommends the following condition:

The owner/developer shall provide, at no cost to Fayette County, a quit-claim deed for 40 feet of right-of-way as measured from the centerline of Rising Star Road prior to the approval of the Revised Final Plat and said dedication area shall be shown on the Revised Final Plat.

Chairman Graw asked Mr. Cocolos if he agreed to the conditions.

George Cocolos replied that he does agree to the conditions.

Arnold Martin made a motion to recommend approval of Petition RP-060-16 with conditions. John Culbreth seconded the motion. The motion passed 4-1.

Chairman Graw asked if there were any new business.

Pete Frisina replied no.

Chairman Graw stated that we have a meeting on September 15, 2016.

Pete Frisina asked if we had any plats.

Dennis Dutton replied one (1) possible.

\*\*\*\*\*

**Page 11**  
**September 1, 2016**  
**PC Meeting**

Arnold Martin made a motion to adjourn the meeting. Chairman Graw said the meeting was adjourned at 7:50 pm.

**PLANNING COMMISSION OF  
FAYETTE COUNTY**

  
\_\_\_\_\_  
**JIM GRAW, CHAIRMAN**

**ATTEST:**

  
\_\_\_\_\_

