

**THE FAYETTE COUNTY PLANNING COMMISSION** met on August 6, 2009, at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Public Meeting Room, First Floor, Fayetteville, Georgia.

**MEMBERS PRESENT:** Douglas Powell, Chairman  
Tim Thoms, Vice-Chairman  
Bill Beckwith  
Jim Graw  
Al Gilbert

**MEMBERS ABSENT:** None

**STAFF PRESENT:** Tom Williams, Assistant Director of Planning & Zoning  
Dennis Dutton, Zoning Administrator  
Robyn S. Wilson, P.C. Secretary/Zoning Coordinator

**STAFF ABSENT:** Pete Frisina, Director of Community Development

*(The Public Hearing Minutes were prepared from log notes only. The CD was inaudible.)*

**Welcome and Call to Order:**

Chairman Powell called the Public Meeting to order and led the Pledge of Allegiance. He introduced the Board Members and Staff and confirmed there was a quorum present.

\* \* \* \* \*

**1. Consideration of the Minutes of the Public Hearing held on June 4, 2009.**

Chairman Powell asked the Board Members if they had any comments or changes to the Minutes. Al Gilbert made the motion to approve the Minutes. Tim Thoms seconded the motion. The motion unanimously passed 5-0.

\* \* \* \* \*

**2. Consideration of the Workshop/Public Meeting Minutes of the meeting held on June 18, 2009.**

Chairman Powell asked the Board Members if they had any comments or changes to the Public Meeting/Workshop Minutes. Bill Beckwith made the motion to approve the Public Meeting/Workshop Minutes. Jim Graw seconded the motion. The motion unanimously passed 5-0.

\* \* \* \* \*

**Planning Commission Public Hearing**

**3. Consideration of the Workshop/Public Meeting Minutes of the meeting held on July 16, 2009.**

Chairman Powell asked the Board Members if they had any comments or changes to the Public Meeting/Workshop Minutes. Tim Thoms made the motion to approve the Public Meeting/Workshop Minutes. Al Gilbert seconded the motion. The motion unanimously passed 5-0.

\* \* \* \* \*

Dennis Dutton read the procedures that would be followed including the fifteen (15) minute time limitation for presentation and opposition for petitions.

\* \* \* \* \*

**THE FOLLOWING ITEMS WILL BE CONSIDERED BY THE PLANNING COMMISSION ON AUGUST 6, 2009, AND THE BOARD OF COMMISSIONERS ON AUGUST 27, 2009.**

**4. Consideration of Petition No. 1216-09 and Petition No. RP-046-09, John Alan Bell, Owner/Agent, request to rezone Lot 18 of Lakeview Estates consisting of 1.03 acres from R-40 to O-I to develop Office Institutional Uses and request to Change the Use of Lot 18 from single-family residential to office-institutional. This property is located in Land Lot 127 of the 5th District and fronts on SR 54 West.**

Due to being out of town, the applicant requested in writing on August 5, 2009, to table said petitions until September 3, 2009, to be heard by the Planning Commission and September 24, 2009, to be heard by the Board of Commissioners.

Jim Graw made a motion to table said petitions until September 3, 2009, to be heard by the Planning Commission and September 24, 2009, to be heard by the Board of Commissioners as requested by the applicant. Al Gilbert seconded the motion. The motion unanimously passed 5-0.

\* \* \* \* \*

**5. Consideration of Petition No. 1217-09, BBWJ, LLC, Owners/Agents, request to rezone 4.77 acres from C-C Conditional to C-H to develop a Mini-Storage Facility. This property is located in Land Lot 182 of the 5th District and fronts on SR 54 East and Corinth Road.**

## **Planning Commission Public Hearing**

Woodie Johnson requested to rezone 4.77 acres from C-C to C-H to develop a mini-storage facility. He agreed to the three (3) recommended conditions.

Chairman Powell asked if there was anyone to speak in favor of the petition. Hearing none, he asked if there was anyone to speak in opposition of the petition. Hearing none and with no rebuttal required, he closed the floor from public comments.

Tim Thoms questioned the concerns from GDOT regarding the second entrance.

Mr. Johnson replied that the proposed stormwater management facility would be relocated.

Mr. Thoms asked Mr. Johnson if he was aware of the overlay requirements.

Mr. Johnson replied he was aware of the overlay requirements.

Mr. Thoms expressed his concern about the more intense uses allowed under the C-H zoning district and compliance with the Comprehensive Plan.

Mr. Johnson pointed out that there was an electrical easement across the rear property line of the subject property and the commercial property across the street.

Chairman Powell noted that the property was rezoned from A-R to commercial in 1992.

Al Gilbert commented SR 54 East was rural when the property was rezoned to C-C in 1992, over 20 years ago. He remarked that the C-H zoning district is appropriate; however, it is more intense than C-C. He pointed out that the area had changed from being rural with a two-lane road in 1992 when the property was rezoned to C-C.

Chairman Powell said that a mini-storage facility is a good fit; however, a fast-food restaurant is not the type of development he would like to see at this location. He added that the subject property is land used as commercial.

Jim Graw confirmed that should the subject property be rezoned to C-H, it could be utilized for any of the uses allowed under the C-H zoning district. He added that he did not want to see the property rezoned and developed with a strip shopping center.

Mr. Johnson pointed out that the property could be developed with a strip shopping center under the current zoning.

**Page 4**

**August 6, 2009**

**Planning Commission Public Hearing**

Mr. Graw concurred but reported that the uses under the C-C zoning district were less intense than those under the C-H zoning district.

Bill Beckwith commented that commercial zoning was appropriate for the area and the property had been zoned C-C in 1992.

Al Gilbert made a motion to approve the petition subject to the three (3) recommended conditions. Bill Beckwith seconded the motion.

Mr. Thoms stated that C-C is a commercial land use.

Chairman Powell read the recommended conditions aloud and asked Mr. Johnson if he agreed to them.

Mr. Johnson reiterated that he agreed to the recommended conditions.

Mr. Thoms reiterated that approval of C-H zoning for the subject property was a step in the wrong direction. He expressed concern that the proposed driveway to the west will be tied into the adjacent A-R property in the future.

At this time, Chairman Powell called for the vote. The motion for approval with conditions passed 3-2 with Tim Thoms and Jim Graw voting in opposition.

\* \* \* \* \*

6. **Consideration of proposed amendments to the Fayette County Comprehensive Plan Future Land Use Map and Land Use Element Text regarding the SR 74 North Corridor and Consideration of proposed amendments to the Fayette County Zoning Ordinance regarding:**

**Article IV. Establishment of Districts by adding 25. BTP Business Technology Park District (Sec. 6-25);**

**Article VI. District Use Requirements, by adding Section 6-25. BTP Business Technology Park District;**

**Article VII. Conditional Uses, Exceptions, and Modifications regarding Section 7-1. Conditional Use Approval, B. Conditional Uses Allowed, 11. Colleges and Universities by adding BTP and 37. Single-Family Residence by adding BTP;**

Page 5  
August 6, 2009  
Planning Commission Public Hearing

**Article VI. District Use Requirements, Section 6-17. Office-Institutional District by adding G. SR74 North – East Side Special Development District;**

**Article VII. Conditional Uses, Exceptions, and Modifications, Section 7-6. Transportation Corridor Overlay, C. General State Route Overlay Zone by adding SR 74 North; and**

**Article VII. Conditional Uses, Exceptions, and Modifications, Section 7-6. Transportation Corridor Overlay, by adding D. SR 74 North Overlay Zone.**

Chairman Powell advised that the proposed amendments had been reviewed and discussed, by the PC and property owners along the SR 74 North corridor, at seven (7) Workshops/Public Meetings since August of 2007.

Tom Williams presented the following:

On August 1, 2007, the BOC instructed Staff to begin review of the Land Use Plan Text and Map and the Zoning Ordinance regarding the SR 74 North Corridor. Meetings were held with the Town of Tyrone.

Under the O-I Zoning District, a Special Development District was created for the East Side of SR 74 North. The purpose of this Special Development District is to promote planned office development along the frontage of SR 74 North to a depth of approximately 800 feet to fulfill the following goals for the future development of the corridor: (1) to maintain the efficient traffic flow of SR 74 North as the County's main connection to Interstate 85; (2) to enhance and maintain the aesthetic qualities of the corridor, as it is the gateway into Fayette County; and (3) to protect existing and future residential areas in the SR 74 North corridor.

The assemblage of parcels will be necessary in some areas to meet the intent of the Special Development District. The minimum requirements for acreage and road frontage will necessitate large tracts of land to achieve a reduction in individual curb cuts, consistency and coordination in architectural scheme, and capacity to develop a required service road where applicable.

Under the Transportation Corridor Overlay Zone, the S.R. 74 North Overlay Zone was added for all property and/or development, which have frontage on and/or access to SR 74 North with nonresidential use or nonresidential zoning, shall be subject to the requirements of the SR 74 North Overlay Zone. The intent of the overlay is to set standards specific to SR 74 North from Sandy Creek Road to the Fulton County line.

**Page 6**

**August 6, 2009**

**Planning Commission Public Hearing**

Standards were established for the West Side of SR 74 North which requires internal roadways and limited access on SR 74 North. Lots created in conjunction with the development of these tracts will not be allowed individual curb cuts on SR 74 North or Kirkley Road. A multi-use path system is required as an integral component of site development to provide for alternative modes of transportation including golf carts, bicycles, and pedestrian traffic.

Standards were also established for the East Side of SR 74 North which requires a parallel service drive to be developed approximately 400 feet east of SR 74 North. This service drive must be constructed when improvements are made to the property. The service drive will connect to the service drive being developed in Fairburn from Milam Road southwards to the Fayette County line. Within Fayette County this service drive will extend from the Fulton County line into the property just north of the golf recreation facility. In addition, all residential properties proposed to be accessed through non-residentially zoned properties along SR 74 must be accessed via a public road built to County standards and dedicated to the County. Those affected properties are identified and addressed in the Fayette County Comprehensive Plan. The multi-use path system must connect to any existing or proposed external multi-use paths. In the cases where a planned future multi-use path is to be located on abutting parcels, an alignment shall be established and the internal facilities shall be developed so as to provide for connection at the property line.

A new zoning district entitled BTP Business Technology Park District was created. The purpose of the Business Technology Park District (BTP) is to provide a business/employment center in a planned campus setting with internal streets serving individual lots that contain a single business or multi-tenant buildings housing uses which are free from such nuisances as noise, vibration, smoke, gas, fume, odor, dust, radiation or other injurious or noxious conditions related to those uses. Additional requirements would include architectural standards. This district is to provide for high tech firms, light manufacturing/distribution firms, and professional firms with some support establishments (commercial and personal services) primarily for the employees. A Development Plan is required for the rezoning petition and will take the place of the required Concept Plan.

Chairman Powell asked if there was anyone to speak in favor of the petition.

Angela Rosser stated she had attended every meeting regarding the SR 74 North corridor. She remarked she currently ran an in-home day care; however, she would like to expand and develop a day care facility. She added she was in favor of the proposed amendments.

Chairman Powell asked if there was anyone to speak in opposition of the petition.

**Page 7**  
**August 6, 2009**  
**Planning Commission Public Hearing**

Gordon Furr commented that he was not impressed with the County changing the Comprehensive Plan. He said the Town of Tyrone should be able to annex property along the SR 74 North corridor. He remarked that it is cheaper to develop in the County because there are no city taxes to pay. He noted there had been no wetland studies performed. He expressed concern about impervious run-off into Trickum Creek and the streams should be protected. He also expressed concern about the West Fayetteville By-Pass.

Al Gilbert advised Mr. Furr that the PC has nothing to do with the by-pass.

Mr. Furr remarked that once the by-pass is built, the County should let the City swallow up the property.

Chairman Powell advised that the County has a Watershed Protection Ordinance and other ordinance to control run-off and to also protect the streams.

Jim Graw confirmed that the SR 74 North corridor contains both County and Town of Tyrone properties. He said that if the County portion is left alone with no planning that you would not know how it will be rezoned or what would be developed. He stressed that the PC is trying to protect the SR 74 North corridor so it doesn't look like Riverdale. He noted that the Town of Tyrone has agreed with the proposed amendments to the Comprehensive Plan. He commented that with good planning decent businesses would be attracted to the corridor.

Mr. Furr commented that once development begins, the corridor would be like Old National Highway.

Chairman Powell confirmed that the County is only amending the Comprehensive Plan at this time.

An unidentified citizen requested to speak in favor of the proposed amendments.

Chairman Powell advised that the opportunity to speak in favor had passed.

Hearing no further comments, he closed the floor from public comments.

Jim Graw made a motion to approve the proposed amendments to the Fayette County Comprehensive Plan Future Land Use Map and Land Use Element Text and the Fayette County Zoning Ordinance regarding the SR 74 North Corridor. Tim Thoms seconded the motion.

Tim Thoms said that Staff had done a tremendous job on the proposed amendments which should assist in bringing businesses to the corridor. He stated he was proud to have been a part of the creation of the proposed amendments. He asked the unidentified citizen if the proposal was feasible for the property owners along the corridor.

The unidentified citizen, a representative of the Etris family, replied that the proposed amendments were appropriate for the development of the SR 74 North corridor which serves as a pathway into the County.

Hearing no further comments, Chairman Powell called for the vote. The motion unanimously passed 5-0. Said proposed amendments are attached hereto and made a part hereof.

Mr. Gilbert advised the public to attend the Board of Commissioners Public Hearing scheduled for August 27, 2009.

\* \* \* \* \*

Chairman Powell asked if there was any further business.

Robyn Wilson advised that there were no applications submitted for the September Public Hearing and the September Agenda would consist of Minutes, Workshop/Public Hearing Minutes, and the petitions tabled from tonight.

Dennis Dutton reminded the P.C. of the Public Meeting/Workshop scheduled for Thursday, August 20, 2009, in the Board of Commissioners Conference Room, First Floor at 7:00 P.M.

Chairman Powell advised that a Workshop/Public Meeting would immediate follow the public hearing tonight.

There being no further business, Jim Graw made the motion to adjourn the Public Hearing. Al Gilbert seconded the motion. The motion for adjournment unanimously passed 5-0. The Public Hearing adjourned at 7:49 P.M.



**PLANNING COMMISSION  
OF  
FAYETTE COUNTY**

**ATTEST:**

---

**DOUG POWELL  
CHAIRMAN**

---

**ROBYN S. WILSON  
SECRETARY**