

THE FAYETTE COUNTY PLANNING COMMISSION met on May 16, 2013 at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Board of Commissioners Conference Room, Suite 100, Fayetteville, Georgia.

MEMBERS PRESENT: Al Gilbert, Chairman
Douglas Powell
Bill Beckwith
Tim Thoms

MEMBERS ABSENT: Jim Graw, Vice-Chairman

STAFF PRESENT: Pete Frisina, Director of Community Services
Dennis Dutton, Zoning Administrator
Travis Caldwell, Marshal
James Williamson, Marshal

Welcome and Call to Order:

Chairman Gilbert called the Planning Commission Meeting to order. Chairman Gilbert introduced Travis Caldwell of the Marshal's office and Dennis Dutton and Pete Frisina of Planning and Zoning. Chairman Gilbert introduced the Commission Members Doug Powell, Bill Beckwith, and Chairman Gilbert, Chairman and added that Tim Thoms would be late and Jim Graw would not be attending the meeting tonight. Chairman Gilbert recognized David Brill with the North Fayette Community Association, Aisha Abdur-Rahman and Alvin Williams. Alice Jones entered the meeting later.

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1. Consideration of the Minutes of the Meeting held on May 2, 2013.

Bill Beckwith made the motion to approve the minutes. Doug Powell seconded the motion. The motion unanimously passed 3-0. Members voting in favor of approval were: Chairman Al Gilbert, Bill Beckwith, and Doug Powell. Tim Thoms and Jim Graw were absent.

OLD BUSINESS

2. Discussion of proposed amendments to the Fayette County Code of Ordinances, Chapter 20. Zoning Ordinance, Article VI, Sec. 6-26., G-B General Business District regarding: building height.

Tim Thoms entered the meeting.

Pete Frisina stated this building height issue came up with the rezoning for the Pinewood movie studio and the Board of Commissioners has given staff direction to review the building height to accommodate movie studios. He said to review from the last meeting, the proposal is to allow the height of 65 feet for a soundstage building and for every foot the building is over 40 feet the

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front setback will increase by eight (8) feet and the side and rear setbacks will increase by five (5) feet and the Planning Commission had recommended that an acreage range be added to the requirements where for every five (5) foot increment of building height over 40 feet to 65 feet an additional 25 acres would be required. He said staff developed two options for the acre range and the only difference is Option 1 starts at 45 feet of build height with 10 to 25 acres and Option 2 starts at 50 feet of building height with 10 to 50 acres.

Aisha Abdur-Rahman said this ordinance as it is currently written with 40 feet of building height only applies to lots of 10 acres or more.

Pete Frisina said the proposed increase in building height would only apply to soundstages.

Aisha Abdur-Rahman said that she never thought we were anticipating a soundstage on a lot as small as 10 acres.

Pete Frisina said since G-B allows a one (1) acre lot he wanted to start with something bigger and a ten acre lot is a pretty good sized lot for starting purposes.

Doug Powell said right now with one (1) acre you could have a 40 foot building so what these amendments suggest is to have more building height you have to have more acreage and greater setbacks the higher you go.

Aisha Abdur-Rahman said, why permit the height increase with ten acres, why not start the acreage ranges at 25 acres?

Pete Frisina said even at 10 acres you would still need to meet the same setback as 25 acres.

Bill Beckwith said 10 acres is a pretty sizable lot.

Pete Frisina agreed.

Aisha Abdur-Rahman said she objects to allowing a building height increase with only 10 acres.

Pete Frisina said the Planning Commission had asked staff to research approaches to mitigating building height and found recommended measures including: broken wall planes, façade modulation, pitched roof elements, varied wall finishes and building mass that conforms to site contours. He said the architectural requirements in the SR 138 and SR 314 overlay zone cover the broken wall planes, façade modulation, pitched roof elements and varied wall finishes and the proposed increased for setbacks based on building height address conforms the building mass to the site contours.

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Alvin Williams said he was in favor of Option 2 based on his property which is close to 25 acres and Option 2 would allow him to build a 50 foot tall building. He added a 50 foot building would allow him to build a two story set within the building and a 45 foot building would not give him the room to build a two story set.

Aisha Abdur-Rahman said this zoning district was passed less than six (6) months ago and we went to the citizens and you said you can live with 40 feet and now you want 50 feet so what is the intent here and are the citizens going to feel like they were bamboozled.

Doug Powell said he agrees with Aisha Abdur-Rahman and the citizens in the area went through the process to create this zoning. He added that originally Alvin Williams had asked for 45 feet but the zoning was capped at 40 feet and he didn't know that everybody was happy with that height but that is what was approved. Doug Powell said he was in favor of Option 1 and he thinks the citizens in this area would be in favor of Option 1 as well.

Alvin Williams said he respects Doug Powell's position but he respectfully disagrees because at that time he was the only individual proposing to build a film and television studio and now Pinewood is coming into the marketplace which changes things as they are an international movie studio that will be much larger than his facility. He added his rezoning opened the door for movie studios in Fayette County and if you want to hold him to 40 or 45 feet, hold Pinewood to 40 or 45 feet. He said as a resident of Fayette County he would not want Pinewood held to less than 65 feet and he would not want to be held to less than 65 feet because both facilities will have a positive economic impact on the county but to be fair to him and his business peers if you keep him at less than 65 feet you need to keep Pinewood at less than 65 feet.

Bill Beckwith said if you have more than 100 acres as this proposal recommends you could have 65 feet.

Alvin Williams said his intent was to rezone only 25 acres on SR 138 of the 85 acre tract to protect the surrounding residential areas as he plans to live on the remainder of the property. He said that he is willing to compromise at 50 feet because it will allow him to stay competitive, however if he is held to 40 or 45 feet he cannot be competitive.

Aisha Abdur-Rahman said to Alvin Williams that he was not supposed to be competing with Pinewood's movie studio because that is not what you said you were going to do.

Alvin Williams said at the time he was the only studio being proposed for Fayette County and to be competitive he needs to have similar rules as Pinewood will have.

Aisha Abdur-Rahman said to Alvin Williams not what he said he was going to do.

Alvin Williams said at the time Pinewood had not been proposed.

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Aisha Abdur-Rahman said to Alvin Williams that Pinewood should not have an effect on what Mr. Williams told the community he was going to build on SR 138 as he said he was going to film television shows and you could work in a 40 foot building.

Alvin Williams said you are giving pinewood a 65 foot building and if he could get 65 feet it would allow him to do the same type of production Pinewood is able to accomplish. Alvin Williams said Pinewood has changed the situation and all he wants is for the County to be fair to him.

Aisha Abdur-Rahman said to Alvin Williams that he needs to be fair to the residents of the area.

Chairman Gilbert asked everyone to address their comments to the Planning Commission.

Aisha Abdur-Rahman said the residents understood 40 feet would meet the intent so now don't change because another company has come into the county.

Alvin Williams said the intent changed because Pinewood came into the picture and when the county was working with him to create the zoning and rezone his property he was told that 40 feet was going to be the maximum height so he didn't have a choice. He added that he understood that the County needs to be careful when they create new regulations but he doesn't want to be treated unfairly when Pinewood will get the ability to build up to 65 feet and he will be held to 40 or 45 feet and he is in favor of Option 2 which gives him, the ability to build at 50 feet.

David Brill suggested in Option 2 that the starting acreage be 25 acres for a 50 foot building.

Aisha Abdur-Rahman said that still allows someone to build up to 50 feet with 25 acres.

David Brill said it does not allow 50 feet on a lot of less than 25 acres.

Pete Frisina said that Alvin Williams is just less than 25 acres so that is why he started the acreage at 10 acres.

David Brill suggested starting the acreage at 20 acres to allow some increase in building height but insist on a minimum amount of acreage.

Aisha Abdur-Rahman said that the bottom line is aesthetics and she doesn't even think a 40 foot building belongs in a residential neighborhood.

Alice Jones said we need to consider fairness as an equitable situation and consider all sides of this issue given the present ordinance and the business concerns.

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Tim Thoms said that initially he didn't think a 65 foot building belonged anywhere in unincorporated Fayette County but he drove by the Pinewood site and they have started a berm along the road and the site slopes down where the buildings will be located so those building will be less visible. He added that he is not as familiar with the site on SR 138 because there is a row of pine trees along the road.

Alvin Williams said the pine trees will help block the view on his property.

Tim Thoms said wasn't as familiar with the area on SR 138 but there are some neighborhoods close by.

Pete Frisina said the site on SR 138 backs up to a portion of Dix-Lee-On subdivision.

Tim Thoms said we have to look at the future as well as the existing properties and try to be equitable. He added that the increased setbacks combined with minimum acreage are a good approach and he is leaning toward Option 1.

Alvin Williams said he would like to restate his earlier comment and he doesn't think it is a good idea to hold Pinewood to less than 65 feet because they need that for the product they produce because the economic impact they will have on the County will be great. He added that what he likes about these meetings is the people involved here are great stewards of the County and have the best interests of the County in mind. He said any consideration for a building of greater than 40 feet that can be given to his site would help him remain competitive and that is all he can ask.

Doug Powell said when Alvin Williams first came in he asked for 45 feet and the County gave him 40 feet and he asked Alvin Williams how he came up with 45 feet.

Alvin Williams said he needs a five (5) foot clear area between the set and the roof for riggings, lights, and fire safety as the lights get very hot and that is why he initially requested 45 feet. He added that if he could get a 50 foot building he could build a two story set which would be more economical.

Doug Powell said Option 1 gives you 45 feet.

Alvin Williams said the higher the building the more he can do in terms of sets.

Doug Powel said we are giving you what you originally wanted in the first place with Option 1 and we don't want everyone on every G-B lot to have the ability to build up to 65 feet unless they have a lot of property. Doug Powell asked what other zonings are in the County that allows the property owner to do more based on the amount of property.

Chairman Gilbert said that the more acreage you have in residential zoning the more horses you could have.

Doug Powel said the point is the County has in practice allowed greater usage of property based on the amount of acreage and that is the principal we are applying with building height in G-B.

Alvin Williams said his request started the process of creating the G-B zoning district and acreage was not tied to building height initially. He added that he understands what the County is trying to do now because of Pinewood studios and acreage is another method to control the development but because of Pinewood other studios will be interested in coming into Fayette County.

Tim Thoms asked Alvin Williams if he had looked at sinking the building to reduce the height.

Alvin Williams said he had not hired an engineer yet but he thinks the water table on his property is high which would make it hard to sink the building.

Bill Beckwith said the acreage range we have come up with is a good approach as it is reasonable to allow greater usage, or in this case a higher building, as the acreage is increased.

Pete Frisina said that he developed both options based on the discussions at previous meetings and he took into consideration the situation with pinewood studios, the property on SR 138, input from the neighborhood when the zoning district was developed and the issue of competitiveness and he recommends Option 2 as a good compromise because strikes a balance between the various interests.

Aisha Abdur-Rahman said if we were starting from scratch and this had been what you were going to do six (6) months ago instead of going back on what you said you were going to do six (6) months ago that would make a lot more sense than doing it now.

Bill Beckwith said you are right but things have changed and if we would have known then what we know now, we would have probably come up with something similar to what we are doing now with acreage and building height.

Doug Powell said if we had time we would have developed a PUD zoning for a movie studio and dealt with building height but we only had 27 days to look at Pinewood.

Tim Thoms agreed that we would have probably looked at increased acreage for greater building height.

Alvin Williams said the movie industry will have a positive impact on the economy of Fayette County.

Tim Thoms said we have to be careful what we do because we need to protect the County.

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Alvin Williams said as a resident of the county he understand the concern.

Pete Frisina said he will take these two options back to the BOC for their input.

Tim Thoms asked Pete Frisina why he recommends Option 2.

Pete Frisina said he feels it is a good compromise and a 65 foot building on SR 138 may not be appropriate but we need to be cognizant of the competitive nature of the business and that is why we needed the input from Alvin Williams and he thinks it is a fair balance between all of the concerns.

David Brill asked if it would be advisable to move the acreage in option 2 from 10 to 20 acres.

Pete Frisina said that would be alright.

Aisha Abdur-Rahman said what difference it would make to her neighborhood.

Pete Frisina said we had to start at some acreage.

Aisha Abdur-Rahman said these amendments are being done specifically for individuals and that is not the way zoning should work and it should be done for what's best for the community not individuals and this is not going to keep this building from being 50 feet tall as opposed to the 40 feet that was initially approved in her neighborhood.

Doug Powell said when you develop a new zoning district and you put it into practice you sometimes have to go back and amend the regulations based practical experience.

Aisha Abdur-Rahman said you don't even have anything built under this zoning and in less than six (6) months you are already changing the ordinance.

Alice Jones asked if the County had communicated directly with the people in Dix-Le-On.

Pete Frisina said he had contacted David Brill as President of the North Fayette Community Association and asked him to get the word out.

Alice Jones said the North Fayette Community Association has a meeting this Saturday and could Alvin Williams attend the meeting.

Alvin Williams said he could attend the meeting on Saturday.

David Brill said he could come to the meeting and speak.

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Aisha Abdur-Rahman said there are more neighborhoods than just Dix-Le-On that will be affected by this development.

Pete Frisina said that he will take these recommended amendments to the BOC for their input.

Chairman Gilbert said he would entertain a motion to adjourn the meeting.

Tim Thoms said so moved.

Chairman Gilbert said the meeting was adjourned.

PLANNING COMMISSION
OF
FAYETTE COUNTY



AL GILBERT, CHAIRMAN

ATTEST:

