

THE FAYETTE COUNTY PLANNING COMMISSION met on October 1, 2015 at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia.

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

STAFF PRESENT: Pete Frisina, Director of Community Services
Dennis Dutton, Zoning Administrator
Chanelle Blaine, Planning and Zoning Coordinator

Welcome and Call to Order:

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

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1. Consideration of the Minutes of the Meeting held on September 17, 2015.

Al Gilbert made a motion to approve the minutes. Brian Haren seconded the motion. The motion passed 5-0.

PUBLIC HEARING

2. Consideration of Amendments to the Fayette County Code of Ordinances, Chapter 110, Article V. Conditional Uses, Nonconformances, Transportation Corridor Overlay Zone, and Commercial Standards, Sec. 110-169. Conditional Use Approval. X. Home Occupation. To allow a barber shop or beauty shop as a home occupation.

Dennis Dutton stated that at one time the County did allow beauty salons as a home occupation. He added that once the County changed attorneys, the attorney they felt that beauty salons were not an applicable home occupation. He said that the current County Attorney and Environmental Health Department wanted to revisit the issue. He said that Robert Kurbes, Rhonda Ramos and himself met with the County Attorney and Environmental Health to discuss the issues involving the septic tank. He added that staff also included the verbiage with barbershops as well.

Chairman Graw stated that there was discussion about this issue two (2) weeks ago. He added that there were concerns about chemicals from the various uses. He said there were also concerns about the number of customers that would come through the home occupation on a daily basis. He stated that he understood that Rhonda Ramos could not answer all technical questions about what's in the chemicals.

Chairman Graw asked the public if they had any comment.

Rhonda Ramos said from her research all hair care products are much less harmful to septic systems. She added that hair care products are created to change the pH balance of the hair just a little, for the normal pH balance is a 7. She stated that hair care products are much less harmful than our normal cleaning supplies like Comet or Clorox. She added that hair care products are just trying to break through the cuticle of the hair.

She said that Mr. Kurbes stated that her septic system was adequate and he recommended that she add 50 to 75 feet of field line. She stated that Mr. Kurbes said that he would sign off on it.

Chairman Graw asked who made the recommendation.

Rhonda Ramos replied Robert Kurbes the Environmental Health Manager.

Chairman Graw asked had he looked at her septic system.

Rhonda Ramos replied yes and he looked at the layout.

Chairman Graw asked Rhonda Ramos if Mr. Kurbes felt comfortable with her adding the 50-75 feet of additional field line the tank would be sufficient.

Rhonda Ramos replied yes.

Chairman Graw asked if Mr. Kurbes went out to look/survey her property.

Rhonda Ramos replied no. She stated that Mr. Kurbes looked at a drawing from the Fayette County file. She added that he did not actually visit the home, but he did review the septic system, field line, and all other documentation that was needed for review when the home was built in 1999.

Chairman Graw asked if Mr. Kurbes had any concerns with the hair dyes and other chemicals that would be used.

Rhonda Ramos said that Mr. Kurbes did not seem concerned about it because of the number of clients she would be servicing. She added that Mr. Kurbes mentioned that household cleaners were strong chemicals that are handled by septic tanks.

Chairman Graw asked how many customers can flow through on a daily basis on an average.

Rhonda Ramos replied that it depends on the service whether it's a haircut or a hair color. She added that for a one chair it can be six (6) to eight (8) clients, maybe. She states that she has a disabled son and she is not looking to be full time.

Chairman Graw asked if she would be doing it full time.

Rhonda Ramos replied that she is unable to do it full time, but she would like to service as many as four (4) a day if possible.

Chairman Graw asked if six (6) to eight (8) clients would be full time.

Rhonda Ramos replied that six (6) to eight (8) people would be a maximum.

Arnold Martin asked would there be a separate entry from the home for your home occupation

Rhonda Ramos said that she would be using a finished room in her basement. She said that she would be adding double doors and a sidewalk and ramp for another entry.

Arnold Martin asked does the County have requirements regarding entry being separate from the home in our codes.

Pete Frisina replied that home occupations allow customers, and there is nothing that says they have to come in from a separate entrance.

Brian Haren asked does the activity have to take place in the main residence.

Pete Frisina replied they all have to take place in the main residence.

Brian Haren asked that you can't use a converted garage or detached garage.

Pete Frisina replies that you can't use a detached garage but an attached garage.

Rhonda Ramos replied that she has looked at the guidelines and is willing to stay within those parameters that are outlined. She added that she will abide by the amount of customers, the hours, and the days.

Brian. Haren asked are we only allowing this Monday – Friday.

Pete Frisina replied that home occupations are allowed Monday – Saturday.

Chairman Graw asked what the hours were.

Rhonda Ramos replied from nine (9) to seven (7) pm.

Chairman Graw apologized that he did not have the time to read the emails Dennis' wife sent him on home occupations. He asked if Dennis would summarize those emails.

Dennis Dutton replied that his wife is a planner that deals with a lot of counties out of Franklin, GA. He asked her to look up the counties that are close to us to see how they deal with the in-home hair salons. He stated that out of nine (9) counties she got seven (7) to respond. He stated that Spalding County does allow for in-home, but they have to do it under an exception. He added that Carroll County responds that they do allow them. He said that no issues or complaints regarding traffic have come up. He said that out of all the nine (9) counties that all allowed it. He added that Butts County limited the number of stations to one (1).

Chairman Graw stated that they would limit it to being one (1) chair only.

Rhonda Ramos said that she would only be using (1) chair.

Chairman Graw asked Rhonda Ramos if she used a hair dryer.

Rhonda Ramos stated yes sir.

Chairman Graw asked if we were counting the hair dryers as a station.

Dennis Dutton replied no.

Al Gilbert asked Mr. Dutton if his wife asked her contacts in other counties if they were on septic system.

Dennis Dutton replied that the counties were on septic tank.

Al Gilbert replied that Coweta has both. He reiterated that a lot of these counties have both and that was why he asked that question.

Dennis Dutton replied that a lot of the outlying areas in Coweta County are on septic. He stated that Butts and parts of Spalding County are both on septic system.

Al Gilbert asked if Mr. Dutton's wife asked if they had a different way of approving these on septic tank.

Dennis Dutton replied no.

Chairman Graw asked that if all the counties Mr. Dutton's wife talked to allow home occupations as a hair and beauty salon.

Dennis Dutton replied that in some cases they have to go before the board for approval. He stated that when he was in Powder Springs you could have an in-home beauty salon but it had to be approved by the council. He added when he was in Upson County the Environmental Health had to do inspections regularly but they did allow them. He stated that when he was in Haralson County, they also allowed them but the Environmental Health Department was very active with them.

Brian Haren asked if Powder Springs required that approval process for all in-home business or just salons.

Dennis Dutton replied that it was several but that was the one (1) of the few that they required because it was in-customers. He added that they had it broken down one being a home occupation where you didn't have customers, like an office and the other being in-customers.

Brian Haren asked if they were on septic.

Dennis Dutton replied that they were on sewer.

Arnold Martin asked for the background on why this was changed initially.

Al Gilbert replied that they were told at the last meeting the former attorney had some concerns for the environmental impact on septic systems and felt that it was best to not have them as home occupancy business.

Pete Frisina said that he doesn't think the attorney thought they were appropriate.

Chairman Graw asked Pete Frisina if the attorney gave him the reason that Mr. Gilbert mentioned.

Pete Frisina replied that he doesn't think the attorney was that specific.

Al Gilbert said that is what he was told from a County Commissioner from back in the day.

Pete Frisina said that it could have been.

Rhonda Ramos said that it may not matter but she did get the blessing of both of her neighbors.

Brian Haren said it helps.

Chairman Graw read a letter from Robert Kurbes, Environmental Health County Manager regarding home base hair care operations.

The letter stated:

This department has (2) general concerns addressing the suitability of an existing residential septic system for the approval of a home based hair care (beauty parlor, barbershop, hair salon, etc.) operation:

Number one (1) does the existing septic system capacity or size sufficient to accommodate the initial sewage flow anticipated from the hair care operation. Number two (2) are any of the proposed hair care processes adding products to the septic system that are potentially detrimental to the functioning of the system.

This department currently evaluates each request for approval of a home base hair care operation on a specific evaluation of the capacity and size of the existing septic system and the proposed type of hair care services to be offered. Approval by this department is granted only if the system can show to be sufficient to serve the proposed operation or the system is expanded to serve the proposed operation.

If you have any questions please do not hesitate to contact me.

Chairman Graw stated that in his opinion it looks like he is going to provide some oversight to this whole operation for this home occupation. He added that Mr. Kurbes has already looked at the capacity of Rhonda Ramos system.

Rhonda Ramos said yes.

Chairman Graw said he doesn't see in the letter where Mr. Kurbes will be looking at the chemicals that will be used in the operation. He added that he doesn't understand what he means by that.

Rhonda Ramos said that maybe it's based on the septic tank and its services. She added that Mr. Kurbes said that her septic tank was one of the larger ones and that it was more than adequate outside of some field lines. She added that he said she could have used a smaller system if she wasn't going to offer any color services.

Pete Frisina said that he would make the assumption that Robert Kurbes is very much attuned to septic systems in general and he knows the chemicals that will affect it. He added that obviously he is going to do a thorough job looking at any situation. He stated that was his opinion.

Dennis Dutton said that he discussed with Mr. Kurbes in the past that he would allow it, if they would write a letter stating that there was no water going into the system. Mr. Dutton said the major thing is when you have to cut and wash hair and it fills up the septic system. He added that if you are doing this over a constant period of time that is what's causing the problem. He said that it's like when you wash your clothes all the time, they recommend that you wash your clothes once a week because you are putting too much capacity on your system. He stated that Mr. Kurbes would make them write a letter simply saying that they were only doing dry cuts. He added that the problem that Mr. Kurbes had with the dry cuts were that people would sometimes wash the hair anyway in the bathroom sink, and it would cause problems. He said that for the

most part people were accommodating to cutting the hair dry. He said if that lends anything to it that is one of the services he provides at one time mainly to the cities and through the county.

Chairman Graw asked Rhonda Ramos if that sounds like the kind of hair care services she offers.

Rhonda Ramos stated that from a professional standpoint that when you cut hair you shampoo it first then you cut it, so that there wouldn't be any debris from the hair cut going into the sink. She added whether it's a dry cut or wet cut you always shampoo first. She said if you color, you color, shampoo, and then cut.

Chairman Graw stated that backing into the capacity of the septic system. He added that if they continue to wash hair it fills up the septic tank.

Dennis Dutton said yes. He stated that he discussed with the Mr. Kurbes the last time about the number of clients and he was fine with the eight (8). Mr. Dutton said when the County goes through the occupational tax process Mr. Kurbes has taken it on himself to review every application to make sure there are not putting it on a system that is not adequate.

Al Gilbert stated that he has lived in a subdivision with multiple septic tank failures. He says he is concerned about anything that is put into a septic tank besides normal discharge from a house. He said that his neighbor across the street spent more than \$10,000 on repairing his septic tank. He stated that down his street another neighbor has spent the same amount, and he added that two of his neighbors had to get annexed into the city of Fayetteville because there was no solution. He added that the original overview done by the health department stated that everything worked fine and that septic tanks were going to work. He stated that septic tanks are not an exacting science and that was his concern.

Arnold Martin stated that this would fall under the possible cost/risk of doing business for an in-home business. He added if this is not an issue or cost to the county why we are taking this as an issue or concern.

Al Gilbert asked have you ever lived next door to a house where a septic tank failed.

Arnold Martin replied no.

Al Gilbert said you don't want to. He stated that it's a health issue for the neighborhood not just that one (1) house.

Brian Haren understood what Al Gilbert is stating but he says that this is the business owner's septic system. He added that the county would have done its due diligence in evaluating the septic systems for capacity, based on establish engineering principles would have given approval or disapproval. He said that at that point it's the business owner's liability. He added that it's not like they're connected to the county or city sewer and their dumping raw methamphetamines in to it.

Al Gilbert asked about the impact it has on the neighbors.

Arnold Martin asked if by chance a septic system fails are we then assuming that the individual would not have the finances to fix that.

Al Gilbert said even if its fixed it's not fixed immediately. He added you get such an overflow and a terrible odor you will have raw sewage flowing out into streets. He stated that he doesn't care if the sewage is in the streets for just a day it's still too much.

Arnold Martin stated that septic systems usually fail due to a lack of maintenance and they give a warning.

Al Gilbert said that septic systems usually fail due to being an old system and maybe has roots in the lines.

Brian Haren said that whether or not they're cutting hair as a business or they have 12 kids and they're doing eight loads of laundry a day that septic system is going to fail. He added we shouldn't discriminate because one happens to be running a business out of their home and the other one is a good Catholic.

Rhonda Ramos reiterated that hair care products are not as strong as some household cleaners such as Drano.

Arnold Martin said that he has lived in homes on septic and that there are usually warning signs when something is wrong. He stated that for example your toilets began to run slower, your showers begin to back up. He said that it is rare that you wake up one day and your system has failed and there has not been any warning. He added that it is on the home owner to take heed to these warning signs. He said that these issues are no different than a cavity; you know that something is wrong, but you choose to ignore it. It's not going to get better it is only going to get worse.

Chairman Graw asked if anyone else would like to speak on this. There were no more comments.

John Culbreth made a motion to recommend approval of the proposed amendments. Arnold Martin seconded the motion. The motion passed 4-1. Al Gilbert voted in opposition of the motion.

Arnold Martin asked when the ordinance changed did existing in-home hair salons get grandfathered in.

Pete Frisina replied yes, but he doesn't know of one (1).

Arnold Martin stated that he knew of several in-home hair salons.

Pete Frisina said that if they are conducting business they may be doing it illegally.

Chairman Graw asked if the septic tank is not being maintained properly can we void the permit.

Pete Frisina replied if there was a septic tank problem, the business owner would have to fix it, and if they refuse to fix it we could then withdraw the permit but it would have to be with Environmental Health's recommendation.

3. **Consideration of Amendments to the Fayette County Code of Ordinances, Chapter 110. Article III. General Provisions Sec. 110-94. Buffer to eliminate buffers between a Church and/or other place of worship, College and/or university, Hospital, Private school, Child care facility, Cemetery, or Recreation centers and similar institutions owned by nonprofit organizations as so registered with the Georgia Secretary of State office that is in a residential or A-R zoning district.**

Chairman Graw asked Pete Frisina about amending the ordinance.

Pete Frisina replied that he and Dennis Dutton changed some of the verbiage of the proposed ordinance to make it clearer.

Chairman Graw stated that the ordinance with the language change sent out by Pete Frisina is a little different than what was given to them in their packages.

Chairman Graw asked the public if they had any comment.

John Lee said that he was very much in favor of the ordinance amendment.

Chairman Graw asked the board what's their pleasure.

Al Gilbert said that he believed that everyone was in favor of the ordinance from their last discussion.

Pete Frisina said that he and Dennis Dutton made the wording more specific. He added that they used actual terms listed under the conditional uses. He stated that the way it is written and formatted on their handouts is the way it would appear in the ordinance.

Al Gilbert made a motion to recommend approval of the proposed amendments. Brian Haren seconded the motion.

Brian Haren asked Arnold Martin if he had any questions since he was not at the last meeting.

Arnold Martin had a question about the article where it stated storm water detention and retention facilities. He asked for a definition of detention facilities.

Brian Haren replied that it's a storm pond.

Al Gilbert stated that it's where your run-off goes and is collected.

Arnold Martin said he understood how it is used, but the term "detention facility" sounds like a prison.

Pete Frisina clarified that the term is storm water retention and detention.

Brian Haren stated that there is a difference between retention and detention, but he did not know what the difference was.

Pete Frisina said that retention normally doesn't have an outlet on it; it just holds the water and allows it to seep into the ground. He added that detention holds water and allows it to go out at a certain rate.

Chairman Graw called the question. The motion passed 5-0.

NEW BUSINESS

4. Demonstration of Fayette County Geographic Information System Maps by Carlo Frate.

Carlo Frate, Fayette County GIS Analyst, provided a demonstration of the County's GIS mapping system.

OLD BUSINESS

5. Discussion of the SR 85 and SR 74 intersection.

Pete Frisina stated last week they had a discussion on defining some of the L-C uses. He added that he has crafted some definitions for the uses for review.

Al Gilbert asked what he thought about a quick copy.

Pete Frisina said he would look into it. He stated the uses that he had defined were arts and crafts, bakery, card and stationary shop, check cashing, gift shop, mail shop, pay day loan establishment and pawn shop.

Chairman Graw stated that the definition of gift shop seemed limited. He then read the definition for gift shop and it stated that it was an establishment selling small decorative or amusing items that suitable with gifts or souvenirs. He asked Pete Frisina would that be all they could sell.

Pete Frisina said it depends on what a small decorative item and amusing item is. He added that this was pulled from zoning ordinances and is a standard definition.

Brian Haren said that with a gift shop we're going to see a lot of Hallmarks. He added that this sort of shop is a card, stationary, and gift shop. He stated that there can be standalone gift shops. Brian Haren stated that Warm Springs' main street is half gift shops.

Al Gilbert added that gift shops can sell college memorabilia.

Arnold Martin asked if amusing items can open up to adult novelty shops.

Pete Frisina said that they discussed that at the last meeting. He added that per the County's code there is a special chapter for adult establishments and there are only allowed in the M-1 zoning district.

Arnold Martin stated that he remembered when this was a big issue with the Commission and that they were only allowed in M-1. He added that he took it as adult facilities such as bars, dance clubs, etc. He asked would an adult novelty shop be included in that.

Pete Frisina replied yes they would be included in that.

Pete Frisina stated that gift shop is not new to L-C it's always been in there, but never defined. He asked for suggestions and stated that he pulled definitions from other sources.

Al Gilbert asked would the term novelty work better than amusing.

Brian Haren states that gift shop means an establishment selling small decorative or "novelty" items.

Pete Frisina replied that we then have to define what a novelty item is. He said that novelty is a term used in a lot of zoning ordinances.

Chairman Graw asked what would be wrong with including gift shop with the card and/or stationary shop. He then stated that a card and/or stationary shop means establishments which also sell products such as small

decorative or amusing items that are suitable as gifts or souvenirs.

Pete Frisina said that it is up to them. He stated that as of right now it's a standalone use.

Chairman Graw said you are really limiting this gift shop to only a few items.

Pete Frisina replied that the definition is very broad.

Chairman Graw stated that when you think of a card and or stationary shop he is thinking of a Hallmark. He added that they sell a lot of items. He stated that if you allowed the gift shop to be next door to the stationary shop they would basically be selling the same things. He said that we should drop gift shop added to card and or stationary shop. He asked the board what they thought.

Arnold Martin agreed that it was a good suggestion.

Pete Frisina said that card shop is the first use stated there. He added that the definition used for stationary store will move away from greeting cards and wrapping paper to a more office related supplier. He asked does gift shop fit somewhere in the middle there.

Brian Haren replied in that context no.

Pete Frisina said unless you say card, gift, and/or stationary shop.

Chairman Graw agreed.

Pete Frisina said card, gift, and/or stationary shop and then add in there items that are suitable for gifts or souvenirs.

John Culbreth stated that someone might want a business that's not geared towards cards but specialty souvenir items.

Pete Frisina said will use items that are suitable for gifts and souvenirs.

Brian Haren asked have we forced ourselves to create another category to cover office supplies.

Pete Frisina replied that it's a part of the stationary shop. He then added that office related paper products, calendars, pencils, pens, briefcases, calculators; desktop office supplies.

Chairman Graw asked if someone wanted to start a shop with just a few of these uses they could do that. He added that they don't have to have a shop with all these uses.

Arnold Martin replied yes. He added that he knows of a stationary business right across the street that literally only sells stationary and maybe a couple of pens, but that's it.

Brian Haren said that Pete Frisina made a good suggestion using the phrase desktop office related supplies.

Pete Frisina replied that what those are in his opinion besides from the briefcase.

Brian Haren said that this may open the door for someone to come in and start a wholesale office furniture

business.

Al Gilbert agreed and stated or a computer business.

Pete Frisina stated we can say desktop office related products. He added that paper products would be considered a related product.

Brian Haren agreed.

Pete Frisina said that the only thing we have related to furnishing is home furnishings. He emphasized that we are only talking about small retail space. He added that if someone sells a few desk chairs or a computer stand that shouldn't be a problem

Chairman Graw stated home furnishing and accessories could be like a Tuesday Morning.

Pete Frisina said as of right now we will change card, gift, and/or stationary shop. He then asked if the board was good with check cashing, mail services, pay-day loans, and pawn establishments. He then stated for antique shop he added vintage store, thrift/second hand store, or consignment store. He said that was the list we talked about last week. He stated that he found a definition for antique shop that had to do with the percent of products or items that were a certain age. He said using that definition would be a lot of work for staff to administer. He added that in this day in age not everything is antique but people like to buy dated things. He stated that he's okay with antique shop, art and/or craft studio, and bakery. He said the definition for banking and financial institutions includes brokerage firm, credit union, financial planning, or mortgage brokerage (no Pay Day Loan, Check Cashing or Pawn Establishments).

Arnold Martin asked if we wanted to include insurance agency.

Pete Frisina replied he didn't know if they would fit under financial institution or professional.

Arnold Martin stated that a lot of insurance companies do financial planning.

Pete Frisina said he would add insurance company to banking and/or financial institution.

Chairman Graw then asked if insurance company would be considered financial institutions.

Arnold Martin said absolutely that's just what we were discussing. He added that State Farm does banking and financing automobiles.

Pete Frisina asked if the board was good with the cellular phone sales and service and clothing and/or accessories. He listed accessories. He said that someone could open a purse store or shoe store. He said hardware store and home furnishings and accessories were added. He stated that he would list what the accessories are in home furnishings and that he took out appliances and things of that nature. He said that mail services store was also added.

Brian Haren asked why on page seven (7) we took out no drive-thru.

Pete Frisina told him he moved it to page (8) number (4).

Brian replied okay.

Chairman Graw asked for the board to turn back to page six (6) number seven (7) clothing and/or accessories. He asked the board for clarification on the phrase "such as", and whether or not they can have other things in addition to what is listed.

Brian Haren replied yes. He stated that when we say "such as" that is not all inclusive.

Chairman Graw then said such as but not limited to.

Brian Haren said correct.

Pete Frisina stated that the way the ordinance is now written there are no drive-through facilities allowed in L-C whatsoever. He added that would mean no laundry /dry cleaning pickup, banks, etc. He stated that certain businesses rely on the drive-through. He added that when L-C was created it was to be a limited commercial district. He stated the intent was to limit the intensity of the uses for food services that being fast-food type restaurant that relies heavily on drive-through and drive-in clientele. He said the discussion we had last week was only taking one (1) use out of here and saying that they cannot have drive-through but allowing other uses such as banks and possibly the dry cleaners to have a drive-through and could this be putting the County in a position to have someone challenge us. He added that they may say you're not allowing the restaurant to have a drive-through but you're allowing the bank to have a drive-through. He stated that he talked to legal and said that the intent initially was to create a limited and low intensity commercial. He asked legal would this put us in a legal limbo. He stated that legal said as long as you have a justifiable reason for what you are doing he didn't see it as a liability. He added that legal said that the difference in the amount of traffic for a fast-food restaurant and a dry cleaner are totally different.

Arnold Martin asked what if a dry cleaner that had a drive-through failed and the window is sitting there not being used and a restaurant of some type wants to lease the space; are we saying that they cannot lease it, or they can lease it but cannot use the drive-through.

Pete Frisina said they can lease it but cannot use the drive-through. He added that he doesn't have a problem leaving it the way it is, but someday we may see some issues when a low intensity use wants to move in and says why can't I have a drive-through.

Brian Haren stated that banning all drive-throughs goes towards what we're trying to create here. He added that if we're going to allow banks to have a drive-through it's going to look like the Wells Fargo up the road and that's not what we want in this environment here. He said that he is in favor of banning that type of activity for all businesses and that it would make it more legally defensible.

Al Gilbert asked are we going to allow walk-up to the bank.

Pete Frisina replied yes.

Brian Haren said and we will also allow for carry-out food services, but you can't have a drive-through.

Brian Haren stated that in the morning on Highway 85 north traffic is bad due to the Dunkin Donuts located near the square. He added that the traffic is so bad that they have to rent a cop to direct traffic.

Chairman Graw agreed.

Al Gilbert said that traffic is also bad near the Chic Fil'A on Saturday nights at midnight.

Brian Haren stated that we're talking about an area with small retail space, very dense road network and if we start allowing drive-through it's going to back up into the public space.

Pete Frisina explained floor to area ratio definition for Arnold Martin.

Chairman Graw said it tries to eliminate the strip/shopping center concept. He stated that personally he would not like to see in strip shopping centers instead just individual buildings. He added that he did not want to see them on the northeast corner of the intersection.

Arnold Martin stated that has about four (4) acres or so.

Chairman Graw stated that he is afraid that someone is going to build a strip shopping center and it's going to look horrible.

Pete Frisina said that a minimum of what we will end up with is a strip shopping center with 26 feet between two (2) buildings. He said by taking that one (1) building and splitting it into two (2) you get an extra 1500 square feet.

Chairman Graw said that is going to cost more money for somebody to do that but there going to get more square footage out it.

Al Gilbert said he liked Pete's approach to writing policy and how he rewards the developer instead of punishing them.

Chairman Graw stated that developers are going to want to build in that area because of the growth.

Arnold Martin asked will there be architectural standards.

Pete Frisina replied yes. He stated that on page nine (9) in the new limited commercial zoning district he took out the convenience commercial establishment. He said that he forgot the new definition for convenience commercial but would bring it to the next meeting.

Arnold Martin asked were you talking about a convenience store.

Pete Frisina replied yes. He stated that at the last meeting everyone seemed to like it. He added that based on Arnold's comment it's under the definition for what we have for convenience commercial and allows someone with a small natural food store or something similar to that. He said that the way it's reworded it will allow for a standalone establishment.

Chairman Graw is concerned about lot number two (2) because its less than four (4) acres and the floor to area ratio states that the total maximum square footage for all structures combined on the site shall not exceed 10,000 square feet.

Pete Frisina said that it is more than four (4) acres.

Chairman Graw says that is a site and if you build on that four (4) acres your limited to 10,000 square feet and if you do individual buildings it will be 11,500. He states that an acre is about 44,000 square feet and if you

take and divide the 10,000 that's 2500 square feet of building on 47,000 square feet of land. He asked is that a lot of building on an acre.

Pete Frisina replied that an acre is limited to 4,560 square feet.

Chairman Graw stated that the four (4) acres is a site and then asked would that be a site as stated in the floor to area ratio.

Pete said yes and that it is limited to 10,000 square feet.

Al Gilbert said it might not be one (1) site.

Pete said "site" means the development as a whole.

Al Gilbert asked what if one (1) developer buys one (1) site and another developer buys a site; that's two (2) sites right.

Pete Frisina replied yes.

Chairman Graw said he bets someone is going to buy that lot and it will be four (4) acres.

Pete Frisina asked would it be better to call it "lot" instead of "site."

Chairman Graw asked how big a lot is.

Pete Frisina replied its one (1) acre for this district, and that is the minimum size.

Chairman Graw said he thinks 10,000 square feet on one (1) acre is too much.

Pete Frisina replied you can't have 10,000 square feet on one (1) acre. He then added that Chairman Graw suggestion of changing "site" to "lot" was a good idea. He added that the area was made up of four (4) parcels and some of them are not even an acre. He stated that he would assume that some assembly would be required for that corner.

Chairman Graw stated that they had discussed O-I near the subdivision. He asked will we be requiring the same architectural restrictions that we had for the commercial.

Pete Frisina replied that we would.

Chairman Graw asked would we do the commercial first and then the O-I.

Pete Frisina said we would do it all at the same time. He stated that we would amend the land-use plan and the zoning ordinance to match everything.

Al Gilbert asked will we have a Highway Overlay Zone.

Pete Frisina replied yes, and it will be for the specific areas we want to capture and it will include the O-I. He asked the board if there was anything on page nine (9) they wanted to take out to be more limited than the L-C. He stated that the only thing they took out was the convenience commercial.

Chairman Graw asked what about gift.

Pete Frisina said that he could make that change. He added that this district mimics everything that is in L-C. He asked again if there was anything that they wanted to take out of this district to make it less intense.

Arnold Martin asked what the difference would be between the L-C and the unnamed district.

Pete Frisina said it won't allow the convenience stores.

Chairman Graw said that the unnamed district would be good to use at the 85 Connector and 85. He asked Pete what he thinks the lot at the 85 Connector is going to be.

Pete Frisina replied that he thinks the lot is fine as it is now.

Chairman Graw said but we know that it's not going to stay like that for long.

Pete Frisina stated that property owners on multiple corners feel like they have a commercial location.

Chairman Graw asked could you say that the commercial could only be in our "Historical District" that goes up to the 85 Connector and stops.

Pete Frisina replied that right now no one could have commercial.

Chairman Graw said that it's going to eventually happen.

Pete Frisina said that we are going to get challenged at every corner. He added that it is just going to happen from that corner all the way up to Fayetteville.

Chairman Graw asked why you can't exclude commercial all the way up to Barnard Road.

Pete Frisina replied that you can include and exclude as you see fit. He added that he has had more people come into his office looking at this corridor more towards the other end of SR85. He stated that we have made a special distinction for the corner of SR 74 and SR85 and that it will be very busy. He said that SR74 and SR85 will both be four (4) lane roads.

Chairman Graw said that at one time Rising Star was questioned, but he thinks of that corner as more residential.

Pete Frisina said that everybody that lives on a corner sees a gold mine. He stated that by sticking to this we are recognizing an area that is going to have high traffic in the future and he is not sure on whether or not the other corners will have the same intensity

Al Gilbert made a motion to adjourn the meeting. Chairman Graw said the meeting was adjourned at 8:59 pm.

ATTEST:



PLANNING COMMISSION OF
FAYETTE COUNTY



JIM GRAW, CHAIRMAN