

THE FAYETTE COUNTY PLANNING COMMISSION met on April 4, 2019 at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia.

MEMBERS PRESENT: John H. Culbreth, Chairman
Danny England, Sr., Vice-Chairman
Al Gilbert
Jim Graw (absent)
Brian Haren

STAFF PRESENT: Pete A. Frisina, Director of Community Services
Chanelle Blaine, Zoning Administrator
Howard Johnson, Planning and Zoning Coordinator

Welcome and Call to Order:

Chairman Culbreth called the Planning Commission Meeting to order.

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- 1. Consideration of the Minutes of the Planning Commission meeting held on Thursday, March 21, 2019.**

Al Gilbert made a motion to approve the minutes of the meeting held on February 21, 2019 meeting. Brian Haren seconded the motion. The motion passed 4-0. Jim Graw was absent.

PUBLIC HEARING

- 2. Consideration of Petition No. 1282-19, Jean S. King, Alfred L. King, Jr, Charles W. King, Jerry F. King, Owners, and Randy Boyd, Agent, request to rezone 19.5 acres from A-R to R- 50. This property is located in Land Lot 60 of the 5th District, and fronts on Old Senoia Road.**

Chairman Culbreth asked the petitioner, Randy Boyd if he desired to move ahead with the public hearing agenda item with only four (4) Planning Commissioners present.

Randy Boyd stated that he was ready to move ahead with the public hearing and he introduced himself as the agent acting on behalf of the King family. He stated the property is approximately 19.5 acres and is currently zoned A-R. He said that he requested to re-zone the property to R-50. He noted that the adjacent property to the north and the east is zoned A-R, and the adjacent property to the south is zoned R-40, which are one (1) acre lots. He said he requested R-50, because it has a larger minimum house size than R-40. He noted the property located on the opposite side of Old Senoia Road is the Bellemeade subdivision, which is located in the City of Fayetteville. He stated the subdivision was developed more than 15 years ago and the lots sizes vary from 1/2 acre to 3/4 acre in size. He said that staff has reviewed the petition and has recommended approval since it fits the comprehensive plan with one (1) lot per acre and therefore he asked the Planning Commission to approve the petition as

submitted.

Chairman Culbreth asked if there was any one else in favor of the Petition.

Chairman Culbreth asked there was anyone in opposition of the Petition.

Chairman Culbreth asked that a representative of the neighborhood to come forward.

Elmira Main (185 Old Senoia Road) stated that she resides directly across the street from the property. She noted that she grew-up on the property and attended Fayette County schools. She noted that the neighbors have several objections, but their primary objection was the major problems that have resulted from water runoff. She stated that she has contacted the environmental people who replied that they will monitor the runoff. She added that that the runoff problems began when the timber was clear-cut years ago from the property across the street, soon afterwards the water travelled across the street onto her property. She then stated that on any given rainy day, the property floods like a river because there are no drainage ditches or any barriers to control the water runoff from across the street. She explained that the water comes downhill from the Bellmeade subdivision, because it was denuded. She added that the original engineers and developers properly graded the property, but when J.R. Homes acquired the property after the real estate bust, the property was denuded again and flattened. She stated that they now have a ditch along the entire frontage of her property, which her husband keeps dug out, because they are constantly flooded. She said that the proposed development across the street, is too high density for that property and that it is not compatible with the other properties area. She said the area is composed of five (5) acres lots, not the 1.5 acres lots which is proposed in this subdivision. She said that a high-density development will have a major negative impact on the traffic flow on Old Senoia Road and that additional traffic should not be put on a road that is busy like a race track. She said that I have problems with traffic using cut-through streets, and drivers losing control of their vehicle and tearing up our yard. She also noted that her husband was almost hit by a school bus on Old Senoia Road because Fayette County school bus drivers speed along Old Senoia Road to cut through to the Whitewater schools. She said that although the speed limit is 35 mph at Redwine Road and increases up to 45 mph at intersection with Harp Road and few people drive within these speed limits. She added the point that the proposed subdivision enters the highway at the crest of a hill, therefore site distance will be non-existent. She concluded by noting that the residents on the south side of the proposed development, along with residents on Cherokee Place will be most impacted, because they will be flooded with runoff. She stated that the road can't handle the traffic volume and it can't handle the water runoff.

Chairman Culbreth asked if anyone else wanted to speak in opposition.

Lucius Drewery (120 Cherokee Place) stated that he resides directly adjacent to the property. He said that he purchased his home three (3) years ago, because they thought it was beautiful place and he was told that the land behind him was a wildlife conservancy and would always remain that way. He noted that the Bellemeade subdivision, located across the street, does not have access unto Old Senoia Road and the traffic from that subdivision does not have to travel down Old Senoia Road. He stated that there would be a traffic impact on Old Senoia Road from a 12 homes with an average of 2-cars per home. One of the key factors why he chose to purchase the home was that he is allowed to

have a horse and he felt that if there is construction behind his home, it would cause stress for his horse and his neighbor's animals. The said there are several other neighbors with horses as well and this is not what I bought into two (2) to three (3) years ago when I bought the property.

Sonia Squires (155 Cherokee Place) stated that she lived at this residence for the past 21 years. The entire reason that she purchased on this particular street was because the lot sizes were three (3) acres or larger and the fact that she can have her a horse at her home. She stated that she and her neighbor (dressed in riding attire) were just out riding that same day in Lagrange, Georgia. She claimed that there are no other subdivisions along Old Senoia Road except at the end near Harp Road that have small lot sizes. Their subdivision has more than three (3) acres with the cul-de-sac lots containing five (5) to six (6) acres. She said when you turn south onto Old Senoia Road from Redwine Road, the tree-lined streets form a canopy, which reminds her of the old Fayette County, which she thinks should be preserved. She added that there is no reason to squeeze a subdivision in the area when all the lots around it are not that size. She stated that she vehemently opposes the subdivision for many reason, but primarily that is does not match the surrounding area.

Brian Carden (260 Old Senoia Road) stated that he came forward to voice his definite opposition. He said one of the main issues that he has is the runoff from the Bellemeade subdivision. He added that when he originally bought his house 2.5 years ago he could not tell that is was not a major issue. He stated that since the recent rains, he does not have a backyard. He said that his backyard is basically a swamp, this is only the runoff from Bellemeade. He added that it comes under Old Senoia Road and flows directly through his backyard. He warned that if the proposed subdivision is added, all the water runoff will flow down to Cherokee Place and soak more of his lot, and he will not be able hold all that water. He said, if you look at the intersection of Old Senoia Road and Cherokee Place you can already see the washout that is already happening with the property being vacant. He said that he is concerned that the possibility of adding a subdivision will increase additional washout. He also has issues with the speed of the traffic, because his kids and the kids across the street play in the area. He said that thad called the Sheriff Department a number of times due to drivers running the stop sign. He stated, he is currently preparing a campaign to ask the Sheriff Department and the Board of Commissioners to install speed tables to the road, and if you add more houses, you add more cars. Another issues that he stated, is that if you add more houses, and you have a Sherriff Department which can't keep people employed. He said that he was told that at any given time there are only five (5) Sheriff deputies to patrol the entire County and if we add more houses the Sheriff department can't keep up. He is opposed to having that many houses on such a small piece of land because it takes away. He mentioned that on Inman Road there are four (4) houses that stretch along one driveway. He felt that we don't need to keep adding so many houses to these small parcels on these small parcels. He stated that he moved from inside of Fayetteville out to the County because of the development. He thanked the Planning Commission for listening but he is opposed to the petition.

Amy Tipton (140 Cherokee Place) stated that it may seem as though they look like a group of neighbors who don't want to see a landowner make a profit because they want privacy. She said that this is not the case, the neighbors have made several attempts to purchase the property so that the property may keep the current zoning and leave it undeveloped. She added that they all bought into the neighborhood because they were told and they believed that it would remain a conservation area which could not be developed. She stated that the increased traffic is an issue to the residents because

the adults, children, pets, horses, and the farm animals all walk to a nature preserve, all the time. The idea of increased traffic scares the residents, however installing additional walking trails will reduce the group's fears. She added the issue of water drainage is a real problem for the residents because they are already flooded and putting in more homes, grading and the clearing the land will add to the amount of runoff. She stated that the neighborhood has horses, goats and sorts of livestock and lovingly refer to themselves as "Cherokee Farms", and they often host "farm parades" with their animals, including their horses, and donkeys and this conflict with new traffic and flooded yards may result in a "disaster" for the neighborhood. She stated they don't expect that the land owners of the adjacent 19-acre parcel not to make a profit, however, they hope that the developer will consider lots larger than one (1) acre. The area will be too congested, too crowded, too much traffic, the children will have less space to run and play, all of the animals will be negatively impacted. She added the residents, the children and the horses will not be happy. Hopefully, the land owner will reconsider selling the lots to the residents on Cherokee Place and not rezoning the lots simply to make a profit.

Chairman Culbreth asked Randy Boyd to come forward for a rebuttal.

Randy Boyd responded by stating that he nor his clients cannot do anything to address the drainage issues across the street in the Bellemeade subdivision. He noted that that subdivision is located in the City of Fayetteville. He explained that on this property (subdivision), there are very stringent pre-water and post water development guidelines that must be followed. He said there will be a pre-develop flow and a post-development flow after the subdivision has put in the detention and water control and quality basins and the same guidelines as any other County subdivision will be followed. He addressed the traffic concerns by stating that the plan submitted (15-lots on 19.5 acres), is still a preliminary concept plan, however the actual number of lots may decrease because all the information to complete design is not yet completed. He clarified that this development fits within the land use plan completed in 2016. He noted that the land use plan was revised and studied for four (4) to six (6) months with input by Planning Commission, developers, land owners and the Board of Commissioners, who approved this area for one unit per one acre. He asked for R-50, which is also one (1) unit per acre. He clarified that Cherokee Place is zoned R-40 which allows for one unit per acre minimum, however the lots are larger. He responded to the site distance question by stating the posted speed limit for Old Senoia Road is 30 mph. The site distance has been checked and the entrance does meet the requirements. He stated that his team feel that this development is not burdensome on the community or the area. He noted that staff also agrees that the proposed rezoning will not result in the burdensome use of roads, utilities or schools therefore, staff recommends approval. He concluded by asked the Planning Commission for approval.

Chairman Culbreth brought it back to Planning Commission for discussion. Chairman Culbreth asked the Commission members for any questions.

Brian Haren asked for clarification about the direction of the water flow. He stated he had two conflicting stories, one from the residents, and one from Randy Boyd.

Randy Boyd responded that the water is flowing from both directions. He said there is water flowing into the roadway near the front of the property and another direction toward the lowest point at rear of the property near the cul-de-sac.

Brain Haren asked a questions about the residents understanding of the conservation easement or area. He stated that he sympathized with the residents, he said he heard the same story about the subdivision where he moved. He suggested that the residents take that questions with their realtor if that promise was made to them. He added that as far they can tell this property was always designated for development and he didn't think there was any consideration for a conservation area.

Peter Frisina responded that a landowner can place a conservation use on their property for up to ten (1) years for property tax purposes, which gives a landowner a reduction in their taxes with the County Tax Assessor.

Al Gilbert stated there is a conservation area further down on Old Senoia Road, called Sam's Lake.

Chairman Culbreth asked the other Commission members if there was any additional questions.

Al Gilbert made a comment, he said that reaching a decision is tough because although he sympathized with the public, the petition meets the land-use plan. He added that the land-use plan is like the Planning Commission's bible and if the Commission turns down a land-use that is appropriate for that area, it makes that makes the land-use plan ineffective. He stated that what makes Fayette County a good place to live, is quality people, quality homes, quality development based a well-planned land-use plan.

A resident had a question, therefore Chairman Culbreth asked her to come to the podium.

Amy Tipton (140 Cherokee Place) asked the Commission if there is a method to petition the Planning Commission to have a minimum acreage requirement for their area. Her second question was how many names would be needed for a signed petition to such a change will be considered. She commented that the land use plan may work for the Fayette County in general because growth is coming to Fayette County, but she stated it's not working for their neighborhood. She emphasized that she not opposed to growth and development and thinks it is wonderful, but she asked is there a way to have growth that meets everyone's needs. She stated that her area has farmland, farm animals, playing children and a nearby, new public park, Patriot Park on Old Senoia Road. She asked the Commission what her neighborhood can do to change the land use designation for her neighborhood so it make it enjoyable for everyone.

Chairman Culbreth asked Pete Frisina to address the citizen input into the land-use plan.

Pete Frisina stated that the land use plan, has this area designated as a one (1) acre per lot area since about 1985. He stated that the Board of Commissioners re-approved this area again in 2016 as a one (1) acre per lot area.

Amy Tipton asked how the land use can be changed.

Peter Frisina suggested that she speak with each Board Member of the Board of Commissioners to get them to change the land-use.

Al Gilbert stated that he recently addressed the Board of Commissioners about changing the land-use designation on Harp Road. The Board of Commissioners response was that the land use was recently changed and it will not be changed again.

Amy Tipton thanked the Planning Commission for allowing her to ask questions.

Chairman Culbreth asked if there any further questions, being none, he asked for a motion.

Brian Haren made a motion to approve Petition 1282-19 to rezone 19.5 acres from A-R to R-50 to develop a Residential Subdivision with 15 lots. Al Gilbert seconded the motion. The motion passed 4-0. Jim Graw was absent.

Pete Frisina asked the Planning Commission for a 5 minute recess.

Chairman Culbreth called for a recess.

Chairman Culbreth reconvened the meeting back to order at 7:38 pm.

OLD BUSINESS

3. Discussion of the State Route 54 West Corridor

Pete Frisina re-opened the discussion by giving each member of the Planning Commission a draft document titled the State Route West Overlay District Study which was discussed in past meetings.

He noted that the first page outlined the lots along the Corridor zoned O-I, the number developed versus undeveloped, the concept of expanded uses on O-I zoned parcels in a special development district with a minimum lot size of five (5) acres, the concept of interior self-storage facility and its attributes such as internal access. He also mentioned that some expanded uses were discussed in the past meetings in addition to the development possibilities for the larger parcels.

Pete Frisina noted (Page 2) that the verbiage of the State Route 54 West overlay district was taken directly from the Comprehensive Plan, with his proposed changes written in red. He then reviewed each paragraph in detail with the proposed changes.

Pete Frisina stated that the corridor overlay was created in the middle of the 1990s. He noted that the majority of the areas between Sandy Creek Road and Tyrone Road has now been annexed into the City of Fayetteville and the existing commercial area of Summerville South is now located within the City of Peachtree City. Peter Frisina stated that he added a few more subdivisions to the list of existing residential subdivisions.

Peter Frisina noted an additional paragraph he added which states that since the adoption of the Highway 54 West, approximately 100 acres have been zoned O-I and of this 100 acres, approximately 60 have been developed, and 40 are still undeveloped.

Under the section which covers future development, Goal #2: Maintain a non-urban separation between Fayetteville and Peachtree City was read by Pete Frisina. Due to the changes of annexations, the distance from the city boundaries has been reduced to slightly less than two (2) miles from approximately a six (6) mile separation. Therefore, Pete Frisina replaced the word "separation" to "character".

Pete Frisina noted the changes to Page 3 which covers recommendations for non-residential. Pete Frisina recommended to maintain an allowance to consider O-I, but due to a change in vision, recommended the creation of a special development district within the O-I zoning district, only for the Highway 54 West Corridor.

Under the residential recommendations section, Pete Frisina suggested that that the land-use boundary could be expanded southward to the nearby Land Lot line and everything north of that boundary could be an area which should allow a development less than three (3) acres.

Al Gilbert commented that it may be difficult to get people interested living in a residential development along a state highway.

Pete Frisina responded that the Longboat Subdivision did not have any issues during development.

Brian Haren responded that if the homes are placed far enough off the highway, they should sell.

Al Gilbert agreed, however, he noted there should a buffer from the highway.

Pete Frisina responded there are large tracts in the area, however not many options for a 90-acre parcel. He recommended changing the land use to a two (2) acre per unit land use, then allowing a conservation subdivision option so that the development can be pushed back from the highway. He noted that the people bought into the Longboat Subdivision although it was close to the State Highway. He also noted the lack of a conservation option for a three (3) acre, it is only given for two (2) acres or five (5) acres. The Conservation Subdivision (C-S) zoning is geared toward two (2) acre development and the Estate (EST) zoning is geared for five (5) acre development. A yield plan will be completed and reviewed to make sure is correct and representative.

Brian Haren stated the area that can be seen from Highway 54 will fill-up first since it can be seen.

Peter Frisina said he does not foresee Willow Road as being improved.

Brain Haren noted the developer will have to pay the improvement cost.

Brian Haren suggested that a developer could come forth and ask for O-I along the frontage of the highway and a residential use in the rear.

Peter Frisina stated that this suggestion could be added to the plan. He noted that the plan is now

written more open with some flexibility to allow some options for developers as opposed to existing tracts from the past. The original plan was not geared to create new parcels quickly.

Brian Haren asked if there were other mechanisms in the Zoning Ordinance to would allow such a request (flexible) for a developer.

Pete stated that (flexibility) could be included in the recommendation for the Corridor.

Al Gilbert noted when the Corridor was created the residents were encouraged to leave the existing houses in place, even when the land use changed from residential to office.

Peter Frisina explained that the overlay was not created to put new parcel on O-I, then he gave a quick history of the gradual rezoning along the corridor.

Brain Haren stated the two (2) acres land use is a good idea.

Pete Frisina stated that he would draft some verbiage with the frontage zoning being O-I and then figure out options behind the O-I and then allow the higher density of a two (2) acre land use behind it.

Brain Haren questioned what if developer came-in and desired to develop a large O-I tract such as an office park, would there be a limit on the O-I before it become residential.

Peter Frisina responded that he does not foresee a developer wanting to develop at a large scale since there is no sewer available.

Chairman Culbreth stated that the lack of sewer is a real handicap.

Peter Frisina said he would draft some language that would blend the O-I land use in the front with the residential uses in the back, take a look of the densities and what should be allowed. He also questioned that if you put residential behind non-residential should the densities higher than two (2) acres be considered.

Brain Haren responded, maybe, since it would be the same as having a conservation subdivision where you ultimately end up with one (1) acre anyway, however a development can be placed in the O-I in the conservation area, where it would be it more attractive.

Pete Frisina said he would look at a density of two (2) acres, first.

Brain Haren stated he would like the density to stay at two (2) acres. He also noted the higher densities of the development now under construction and proposed in the City of Fayetteville.

Pete Frisina then proposed the expanded condition that included internal storage facilities. He asked the members of the Planning Commission whether the loading in these facilities should be located on the rear. The consensus was that the proposed interior storage facilities should have

internal unloading either on the side or the rear.

Pete Frisina then reviewed the proposed internal storage details. He stated that developers could not make this meeting but are expected at the next meeting.

The Planning Commission members then discussed in detail the percentage vs the storage parameters of the building.

Pete Frisina recommended the parameters that 20 to 30 percent of the first floor shall consist of office space. These parameters will be discussed with developers at the next meeting for feedback.

Brian Haren asked about the parking space constraints.

Pete Frisina noted that there are parking ratio in the Development Regulations.

Chanelle Blaine read the parking ratios from the Development Regulations, she said that for the self-serve, self-storage bays (outdoor) requires one (1) parking space for every 75 storage bays plus one (1) parking space for every employee plus two (2) parking spaces for each customer. She then read the parking ratios for office and professional business as one (1) space per every 300 square feet of gross floor area.

Pete Frisina stated that these parking ratios will have to be studied and some modifications will be recommended.

Brain Haren expressed that the office space should not be used exclusively for storage.

Al Gilbert expressed the same concern.

Pete Frisina recommended that no outside storage of material or equipment. He also recommend that vehicle storage must be fully enclosed inside the facility. He then added the definitions and the definitions of height and setback. A handout was presented by Pete Frisina to show how to measure the average height of the structure with the assumption of a mansard roof. The mansard would be required to be 8 feet in height.

Brain Haren asked how does the Planning Commission / County control what is stored.

Peter Frisina responded that what is stored is not controlled under zoning.

Chairman Culbreth said that the developer should be able to control what is stored.

Pete Frisina responded that he would check with the Fire Marshall to find out what are regulations for storage units.

Brian Haren asked how is it controlled under O-I.

Pete Frisina responded that O-I zoning still does not control what is stored. He noted that under the Commercial and Industrial zoning districts, the Fire Marshall conducts an inspection of what is stored. He further explained that hazard materials maybe stored, if stored correctly. However, he said the does not believe that the Fire Marshall inspects self-storage facilities but the developers may have internal control of what they do not want stored in the facility.

Al Gilbert stated that their insurance policy will have conditions and restrictions.

Brian Haren asked whether the sprinkler and fire suppression systems are covered by regulations.

Pete responded that those items are covered under the Fire Code.

Peter Frisina noted he has not yet discussed the fire suppression requirements of the upper floors with the Fire Marshall.

Peter Frisina asked about the construction of the facility.

Danny England responded that it will be built with a steel frame with concrete floors. The HVAC units will mostly likely placed on the roof.

Brian Haren asked if the developers of the interior storage facility are still interested.

Pete Frisina responded, yes, they should attend the next meeting.

The Planning Commission took no official action on this item and will continue the discussion at a future meeting.

Chairman Culbreath said he would entertain a motion to adjourn the meeting. Al Gilbert made a motion to adjourn. Brian Haren seconded the motion and the motion passed 5-0. The meeting was adjourned at 8:19 pm.

PLANNING COMMISSION
OF
FAYETTE COUNTY



DANNY ENGLAND, VICE-CHAIRMAN

ATTEST



HOWARD L. JOHNSON
PLANNING COMMISSION SECRETARY