

THE FAYETTE COUNTY PLANNING COMMISSION met on November 5, 2020 at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia.

MEMBERS PRESENT: John Culbreth, Chairman
Danny England, Vice-Chairman
Brian Haren (via *teleconference*)
Arnold Martin (via *teleconference*)

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

Welcome and Call to Order:

Chairman Culbreth called the Planning Commission Meeting to order.

1. Consideration of Minutes of the Planning Commission meeting held on October 15, 2020.

Danny England made a motion to approve the minutes of the meeting held on October 15, 2020. Arnold Martin seconded the motion. The motion passed 4-0.

NEW BUSINESS

2. Consideration of a Minor Final Plat of Fernando Garcia. The property will consist of two (2) lots zoned R-70, is located in Land Lot 45 of the 7th District and fronts on Sams Drive.

Chairman Culbreth asked if the petitioner was present and he asked do you have any comments.

Fernando Garcia said no.

Chairman Culbreth asked are there any comments by the members of the Planning Commission.

Arnold Martin replied no.

Chairman Culbreth replied hearing none, the Chair would entertain a motion.

Danny England made a motion to approve the Minor Final Plat of Fernando Garcia. Brian Haren seconded the motion. The motion passed 4-0.

3. Consideration of a Minor Final Plat of Riverbend Overlook. The property will consist of twelve (12) lots zoned R-20, is located in Land Lot(s) 140 & 141 of the 5th District and fronts on McDonough Road.

Chairman Culbreth asked if the applicant was present.

David Black responded yes.

Chairman Culbreth asked do you have any comments.

David Black responded not at this time.

Chairman Culbreth asked are there any comments by the members of the Planning Commission.

Brian Haren stated it looks like all of these properties are feeding directly out onto McDonough Road, is that correct?

David Black replied yes.

Brian Haren asked so every one of these will have a curb-cut?

David Black responded no, we made it where two (2) houses will have one (1) curb cut.

Brian Haren asked so there is no issues with traffic or requirements for deceleration / acceleration lanes.

David Black replied we will put in a deceleration / acceleration lanes at the entrance and a center turning lane.

Chairman Culbreth asked are there any comments by the members of the Planning Commission.

Arnold Martin stated I see that we have a cemetery almost in the middle, is there anything that is affecting the construction of Lot 3 or Lot 4.

Davis Black replied there will be no impact on the cemetery at all. He added our intention is to manicure an area and put a fence around it and make it so that if someone is visiting they will have a small parking area. He concluded that Lot 3 and Lot 4 will not be affected at all by the cemetery.

Arnold Martin asked is it an active cemetery and are there any more spaces that can be used for internment.

David Black responded it is not an active cemetery.

Arnold Martin replied very good, thank you very much.

Chairman Culbreth asked are there any further questions by other members of the Planning Commission.

Chairman Culbreth said if not, the Chair will entertain a motion.

Arnold Martin made a motion to recommend approval of the Major Final Plat of Riverbend Overlook. Danny England seconded the motion. The motion passed 4-0.

PUBLIC HEARING

4. Consideration of Petition No. 1297-20, Estate of Norma R. Simmons, Owner, and, Nancy S. Lindsey, Executor, Agent, request to rezone 5.651 acres from A-R to R-75 to develop two (2) residential lots. This property is located in Land Lot 9 of the 5th District and fronts on SR 92 South and McBride Road.

Nancy Lindsey said this was her mother's property and her mother had recently passed away and for estate purposes they want to subdivide the property into two lots. She added that to subdivide they have to rezone the property. She said that from the staff report it was mentioned by GDOT that the existing driveway on SR 92 would need to be relocated and shared with the new lot but since the new lot would have to access McBride Road this would no longer be required.

Pete Frisina confirmed this was correct and that is why the second sentence under GDOT Comments states they support the new lot accessing McBride Road.

Chairman Culbreth asked if there were anyone present that would like to comment on the rezoning.

Philip Rossignol said he lived across McBride Road from the subject property and he was against the rezoning because every time it rains it floods McBride Road in front of his house so he does not want to see any additional houses and driveways on McBride Road. He added that all of this area is a five acre area and one time someone tried to get one acre lots and we all came up here and that didn't get approved. He stated that if this rezoning gets approved everybody else will want to rezone and subdivide their lots which will create more flooding issues. He said getting two more houses and all of those driveways on that property will be bad for us living on McBride Road and it will increase the flooding on my property from the road.

The Chairman asked if there was anyone else present that would like to make a comment concerning the petition. Hearing none, he asked if there was anyone in the live streaming audience that would like to call into the meeting to make a comment. Hearing none after approximately one minute the Chairman said he would bring the item back to the board.

Danny England said there were a number of variances that would be required to subdivide the property and asked if the applicant was aware of the variances that would be needed.

Nancy Lindsey acknowledged from the audience that she was aware.

Arnold Martin said he wanted to confirm that the opposition to this rezoning mentioned earlier was that building an additional home will increase flooding and is this flooding presently occurring on other properties in the area.

Philip Rossignol said his son lives next door and he also has to drive through all of the deep water on McBride Road to get to SR 92. He added that three or four new driveways will add a whole lot more problems because McBride Road is a cut through road. He said when the road floods they have to call the County to clear the pipes.

Arnold Martin asked Mr. Rossignol if he had any solutions to these problems that he has recommended to the County or has the County suggested anything to fix these problems.

Phillip Rossignol said the County needs to install a bigger pipe under McBride Road and make the ditches deeper.

Brian Haren said it sounds like the problem is the drainage capacity on the road and if that is the case it is not a problem with the property it is an issue for the County and one more driveway on McBride Road should not be a problem.

Phillip Rossignol said there is 100-acre area that drains down through this area and more driveways will make it worse. He added that if she is moving the driveways off of SR 92 to McBride Road because there are already two houses on those properties and if they make two new lots that's four driveways on McBride Road.

Nancy Lindsey said the new lot is the only lot that will go out on McBride Road and the existing house would keep the current driveway on SR 92.

Danny England said water runoff is an engineering issue and not a zoning issue.

Phillip Rossignol said that's one driveway of McBride road and if they get a variance they could have more driveways on McBride Road.

Danny England said there is only one lot that will access McBride Road and that is the new lot.

Phillip Rossignol said I thought they were creating two new lots with two new driveways on McBride Road.

Danny England said the one of the lots contains an existing home and the home will keep the current driveway on SR 92.

Phillip Rossignol said he's concerned that they will move the existing driveways from State Route 92 to McBride Road.

Danny England said there will be one new driveway on McBride Road and drainage issues are an engineering issue not a zoning issue.

Phillip Rossignol said it's still going to create more drainage problems.

Chairman Culbreth said he be can appreciate the issues with flooding but the Planning Commission's task is to consider the rezoning request.

Phillip Rossignol said this a five acre area.

Danny England said the zoning in the area is five acres but the Comprehensive Plan calls for two acre density north of McBride Road and three acre density south of McBride Road.

Phillip Rossignol said that means that everybody with five acres could subdivide and that is going to create more problems if that happens.

Brian Haren made a motion to recommend approval the Petition No. 1297-20. Danny England seconded the motion. The motion passed 4-0.

- 5a. Consideration of Petition No. 1298-20A, R. Alexander Family Limited Partnership & Smith Living Trust, Owner, and, Trent Foster, Allegiance Development Group, LLC, request to rezone 9.661 acres from A-R to R-50 for a residential subdivision. This property is located in Land Lot 104 of the 7th District and fronts on Dogwood Trail and Crabapple Lane.**
- 5b. Consideration of Petition No. 1298-20B, R. Alexander Family Limited Partnership & Smith Living Trust, Owner, and, Trent Foster, Allegiance Development Group, LLC, request to rezone 48.837 acres from A-R to R-50 for a residential subdivision. This property is located in Land Lot 104 of the 7th District and fronts on Dogwood Trail and Crabapple Lane.**
- 5c. Consideration of Petition No. 1298-20C, R. Alexander Family Limited Partnership & Smith Living Trust, Owner, and, Trent Foster, Allegiance Development Group, LLC, request to rezone 5.00 acres from A-R to R-50 for a residential subdivision. This property is located in Land Lot 104 of the 7th District and fronts on Dogwood Trail and Crabapple Lane.**
- 5d. Consideration of Petition No. 1298-20, R. Alexander Family Limited Partnership & Smith Living Trust, Owner, and, Trent Foster, Allegiance Development Group, LLC, request to rezone 27.519 acres from A-R to R-50 for a residential subdivision. This property is located in Land Lot 104 of the 7th District and fronts on Dogwood Trail and Crabapple Lane.**
- 5e. Consideration of Petition No. 1298-20E, R. Alexander Family Limited Partnership & Smith Living Trust, Owner, and, Trent Foster, Allegiance Development Group LLC, request to rezone 2.025 acres from A-R to R-50 for a residential subdivision. This property is located in Land Lot 104 of the 7th District and fronts on Dogwood Trail and Crabapple Lane.**

- 5f. **Consideration of Petition No. 1298-20F, R. Alexander Family Limited Partnership & Smith Living Trust, Owner, and, Trent Foster, Allegiance Development Group, LLC, request to rezone 1997 acres from A-R to R-50 for a residential subdivision. This property is located in Land Lot 104 of the 7th District and fronts on Dogwood Trail and Crabapple Lane.**

Pete Frisina explained that this rezoning involves six properties that have been assembled to create one residential subdivision. He added that each individual property / petition will need to be voted on separately. He suggested that the rezoning petitions be discussed in their totality under this first petition and if the public wanted to make comments under each individual petition they would be free to do so.

Trent Foster said this is a request to rezone 90 acres to develop a residential subdivision with one acre lots. He added that the request complies with the new Comprehensive Plan for one acre density in this area and he always asks for what the Comprehensive Plan has in place. He stated that he has two one acre subdivision just north across Dogwood Trail in the Town of Tyrone. He added that he is developing a one acre subdivision on the adjacent property to the east that is in the County. He said that they are in agreement with the recommended conditions of rezoning including no new driveway cuts on Crabapple Lane and dedicating an easement for the storm water SPLOST project on Crabapple Lane. He added that when you develop a subdivision the project has to be engineered to maintain the existing storm water flow which is released over time which can be better controlled.

Chairman Culbreth asked if there were anyone present that would like to comment on the rezoning 1298-20A.

Amanda Ott said she resides in Kedron Hills Subdivision to the south in Peachtree City and previously this property was up for annexation into Peachtree City proposed with lots that were comparable to the lots in Kedron Hills and they were not comparable. She added that she has no problem with the dirt road (Crabapple Lane) but if that gets paved with how many homes and you are going to have people cutting through Kedron Hills with over 200 homes to get into Peachtree City. She said Dogwood Trail is getting more traffic as it is used as a cut through from SR 54 to SR 74 and more subdivisions will add to this problem.

Mark Ott said he resides in Kedron Hills Subdivision to the south in Peachtree City and he is concerned with the traffic in the area. He added that he is concerned that the will be paved bringing more traffic into Kedron Hills Subdivision as a cut through from Peachtree Parkway. He stated if you rezone 90 acres for 90 new homes and everybody has two cars that's 180 cars that will create traffic issues.

Pete Frisina said while there are 90 acres in the rezoning only about 50 homes are being proposed which is density slightly less than two acres per home. Mark Ott said that is still 50

homes that will add to the traffic problem. He added that they already have a problem in Kedron Hills with people cutting

The Chairman asked if there was anyone else present that would like to make a comment concerning the petition 1298-20A. Hearing none, he asked if there was anyone in the live streaming audience that would like to call into the meeting to make a comment. Hearing none after approximately one minute the Chairman said he would bring the item back to the board.

Pete Frisina said we will go through all of the petitions for public comments. He asked if there was anyone else present that would like to make a comment concerning the petition 1298-20B. Hearing none, he asked if there was anyone in the live streaming audience that would like to call into the meeting to make a comment. Hearing none after approximately one minute he said we will move on to the next petition.

Pete Frisina asked if there was anyone else present that would like to make a comment concerning the petition 1298-20C. Hearing none, he asked if there was anyone in the live streaming audience that would like to call into the meeting to make a comment. Hearing none after approximately one minute he said we will move on to the next petition.

Pete Frisina asked if there was anyone else present that would like to make a comment concerning the petition 1298-200. Hearing none, he asked if there was anyone in the live streaming audience that would like to call into the meeting to make a comment. Hearing none after approximately one minute he said we will move on to the next petition.

Pete Frisina asked if there was anyone else present that would like to make a comment concerning the petition 1298-20E. Hearing none, he asked if there was anyone in the live streaming audience that would like to call into the meeting to make a comment. Hearing none after approximately one minute he said we will move on to the next petition.

Pete Frisina asked if there was anyone else present that would like to make a comment concerning the petition 1298-20F. Hearing none, he asked if there was anyone in the live streaming audience that would like to call into the meeting to make a comment. Hearing none after approximately one minute he said that are all of the petitions.

Arnold Martin asked if Mr. Foster would like to comment on the issue of traffic.

Trent Foster said the topic of paving Crabapple Lane came from the annexation discussion with Peachtree City. He said that annexation was not approved by Peachtree City. He stated one of the recommended conditions on this rezoning is to build a multi-use path connecting to Crabapple Lane which will allow bicycle or golf cart access to Peachtree City.

Danny England stated that there are recommended conditions for these petitions and do we need to read them for each separate petition.

Pete Frisina said the conditions are in the staff report so they are part of the record and Mr. Foster had stated earlier that he was in agreement with the recommended conditions so we don't have to read them.

Brian Haren made a motion to recommend approve the Petition No. 1298-20A with conditions. Danny England seconded the motion. The motion passed 4-0.

Brian Haren made a motion to recommend approve the Petition No. 1298-20B with conditions. Danny England seconded the motion. The motion passed 4-0.

Brian Haren made a motion to recommend approve the Petition No. 1298-20C with conditions. Danny England seconded the motion. The motion passed 4-0.

Brian Haren made a motion to recommend approve the Petition No. 1298-20D with conditions. Danny England seconded the motion. The motion passed 4-0.

Brian Haren made a motion to recommend approve the Petition No. 1298-20E with conditions. Danny England seconded the motion. The motion passed 4-0.

Brian Haren made a motion to recommend approve the Petition No. 1298-20F with conditions. Danny England seconded the motion. The motion passed 4-0.

6. Consideration of Petition No. 1299-20, Robert John Bracewell and Christina Celeste Bracewell, Owners, request to rezone 1.515 acres from A-R to R-20 to develop one residential lot. This property is located in Land Lot 227 of the 13th District and fronts on Kite Lake Road.

Christina Bracewell said she and her husband live at 162 Kite Lake Road on about 20 acres and they plan cut out a piece of property for the existing home so they can build a new house on the remaining acreage.

The Chairman asked if there was anyone present that would like to make a comment concerning the petition. Hearing none, he asked if there was anyone in the live streaming audience that would like to call into the meeting to make a comment. Hearing none after approximately one minute the Chairman said he would bring the item back to the board.

Brian Haren said the audio was dropping out but in his understanding the applicant is proposing to build a new house on the A-R portion of the property and to do that they need rezone and then subdivide out a lot for the existing house.

Christina Bracewell said that was correct because they can't have two houses on one lot.

Brian Haren said thank you for the clarification.

Danny England made a motion to recommend approve the Petition No. 1299-20. Brian Haren seconded the motion. The motion passed 4-0.

7. Consideration of Petition No. 1300-20, George Tchaykov and Diliانا Panova, Owners, request to rezone 1.96 acres from R-70 to 0-1 to develop a fitness center/tennis instruction facility. This property is located in Land Lot 57 of the 7th District and fronts on Flat Creek Trail.

George Tchaykov said they would like to rezone their property to 0-1.

The Chairman asked if there was anyone present that would like to make a comment concerning the petition. Hearing none, he asked if there was anyone in the live streaming audience that would like to call into the meeting to make a comment. Hearing none after approximately one minute the Chairman said he would bring the item back to the board.

Arnold Martin made a motion to recommend approve the Petition No. 1300-20 with one condition that the driveway location be approved by the County Engineer in conjunction with the Site Plan review/approval process. Danny England seconded the motion. The motion passed 4-0.

Chairman Culbreth asked the applicant if he agreed with the recommended condition. The applicant signified that he did.

8. Consideration of Petition No. 1301-20, Wayne Damron Jr, Trustee for Wayne Damron, Jr Revocable Trust, requests to rezone 21.71 acres from R-20 to A-R. This property is located in Land Lot 118 of the 5th District and fronts on County Line Road.

Wayne Damron said he would like to rezone his property to A-R.

The Chairman asked if there was anyone present that would like to make a comment concerning the petition. Hearing none, he asked if there was anyone in the live streaming audience that would like to call into the meeting to make a comment. Hearing none after approximately one minute the Chairman said he would bring the item back to the board.

Brian Haren asked why the applicant is taking the property back to A-R.

Wayne Damron said he is not aware that the property was ever zoned A-R before so he basically rezoning the property to A-R.

Brian Haren said thank you for the clarification.

Danny England made a motion to recommend approve the Petition No. 1301-20. Brian Haren seconded the motion. The motion passed 4-0.

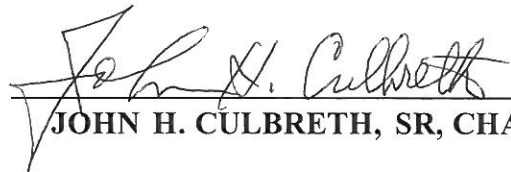
Chairman Culbreth asked if there were any other items. Pete Frisina replied that there are no other items

Chairman Culbreth said he would entertain a motion to adjourn.

Danny England made a motion to adjourn. Arnold Martin seconded. The motion passed 4-0.

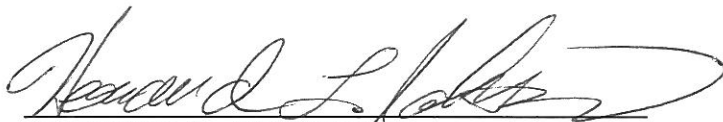
The meeting was adjourned at pm.

PLANNING COMMISSION
OF
FAYETTE COUNTY



JOHN H. CULBRETH, SR, CHAIRMAN

ATTEST:



HOWARD L. JOHNSON,
PLANNING COMMISSION SECRETARY