

# Meeting Minutes 7/6/23

THE FAYETTE COUNTY PLANNING COMMISSION met on July 6<sup>th</sup>, 2023 at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia.

**MEMBERS PRESENT:** Jim Oliver, Chairman  
John H. Culbreth Sr., Vice Chairman  
John Kruzan  
Arnold Martin  
Danny England

**STAFF PRESENT:** Debbie Bell, Planning and Zoning Director  
Deborah Sims, Zoning Administrator  
Chelsie Boynton, Planning and Zoning Coordinator  
E. Allison Ivey Cox, County Attorney

## NEW BUSINESS

1. Call to Order.
2. Pledge of Allegiance.
3. Approval of Agenda.

Debbie Bell requested changes for the agenda. She requested Item 8 Consideration of a Minor Subdivision Plat of Madison Monroe Acres be removed and replaced with the Consideration of Preliminary Plat of The Manor at Stonecrest Preserve. She also requested to amend Item 10 to the Consideration of the Minor Final Plat of The Alvarez Estate. She requested Item 11 be added and amended to the Work Session.

*John Culbreth made a motion to approve the agenda with amendments: Item 8 amended to Consideration of Preliminary Plat of The Manor at Stonecrest Preserve. This property will consist of 52 lots, zoned R-50, is located in Land Lot 104 of the 7<sup>th</sup> district. Item 10 amended to Consideration of Minor Final Plat of The Alvarez Estate. This property will consist of 5 lots, zoned A-R, is located in Land Lot 33 & 64 of the 5<sup>th</sup> District. Item 11 will be added to the agenda as the Work session of amending Sec.110-169. Conditional use approval (Special Events). Danny England seconded the motion. The motion carried 5-0.*

4. Consideration of the Minutes of the meeting held on June 1, 2023.

*Arnold Martin made a motion to approve the minutes of the meeting held on June 1, 2023. John Kruzan seconded the motion. The motion passed 3-0-1. John Culbreth Sr. and Danny England abstained.*

5. Consideration of a Minor Final Plat for Smith Dairy Estates. The property will consist of three (3) lots, zoned A-R, is located in Land Lot 158 of the 4<sup>th</sup> District and fronts on Rising Star Road and Massengale Road.

Debbie Bell stated the plat has been reviewed and approved by staff.

Mark McCullough stated a personal residence is being built on the property and they plan to sell the seven acre tract.

Chairman Oliver asked if anyone in the audience had any questions. There were none. He then brought the discussion back to the Board. There were no comments.

*Arnold Martin made a motion to approve the Minor Final Plat for Smith Dairy Estates. John Culbreth Sr. seconded the motion. The motion passed 5-0.*

6. **Consideration of a Minor Final Plat of Phillips & Suren Property. The property will consist of three (3) lots, zoned R-20 and A-R, is located in Land Lot 219 of the 5<sup>th</sup> District and fronts on Longview Road.**

Arnold Martin asked if there were any changes to the driveways?

Debbie Bell stated no. She stated she thinks there was a point of sale by deed but a proper plat had not been recorded and this is correcting that deficiency in preparation for the sale of the land.

Chairman Oliver asked if there was a motion?

*John Kruzan made a motion to approve the Minor Final Plat of Phillips & Suren Property. John Culbreth Sr. seconded the motion. The motion carried 5-0.*

7. **Consideration of a Minor Subdivision Plat for Towson Village Shiloh. The property will consist of two (2) lots, zoned M-H-P, is located in Land Lot 69 of the 7<sup>th</sup> District and fronts on Broken Bow Drive and Deanwood Terrace (Towson Village Shiloh – Peachtree City).**

Debbie Bell stated the property is being split along the centerline of the creek and the 11 acre parcel is being separated with the intent to make it part of the Towson Village Development which is in Peachtree City. She stated the plans have been reviewed and approved by staff.

Daniel Fields stated he was there on behalf of the applicant. He confirmed the intent to bring the parcel into the development.

Chairman Oliver asked if there were any questions. There were none.

*Danny England made a motion to approve the Minor Subdivision Plat for Towson Village Shiloh. John Kruzan seconded the motion. The motion carried 5-0.*

8. **REVISED: Consideration of a Preliminary Plat of The Manor at Stonecrest Preserve. The property will consist of 52 lots, zoned R-50, is located in Land Lot 104 of the 7<sup>th</sup> District and fronts on Dogwood Trail.**

Debbie Bell stated the Preliminary Plat was reviewed and approved by staff in 2021. She stated Deborah Sims, Zoning Administrator, discovered this while doing some research and found that it was never brought before the Planning Commission. She stated in order to correct the error they are presenting the plan tonight.

Deborah Sims stated they need make sure the Preliminary Plat gets approved before construction.

Arnold Martin asked about how this came to surface?

Deborah Sims stated preliminary plats are good for two years and during conversations of other projects this one came up. She stated construction plans had been approved and when she searched through the minutes the plat had not been approved. She stated she did not know why but they are doing the housekeeping to get it approved. She stated ordinances have not changed since it was done in 2021 and they are close to breaking ground.

John Kruzan asked will they have two years after being approved tonight?

Deborah Sims stated yes. They will have two years to have 50% of the streets in and paving done. She stated they can phase it if they want to. She stated they have approved drawings and have had a preconstruction meeting. She stated she believes this was just an oversight.

Danny England stated it looked familiar.

Deborah Sims stated staff could not find anything in the minutes to show approval from the Planning Commission. She stated they do have the Enclave at Stonecrest Reserve which is also on Dogwood Trail.

Danny England stated he remembered having a conversation about connecting the two developments.

Arnold Martin agreed. He stated he remembered that conversation as well.

Chairman Oliver asked if there was a motion?

*John Kruzan made a motion to approve the Preliminary Plat of The Manor at Stonecrest Preserve. Danny England seconded the motion. The motion carried 5-0.*

9. **Consideration of a Minor Final Plat of the John Sullivan Smith, Jr, Testamentary Trust. The property will consist of two (2) lots, zoned A-R, is located in Land Lot 5 of the 7<sup>th</sup> District and fronts on Davis Road.**

Randy Boyd stated they've surveyed and prepared a plat that was turned into the County. He stated it has been approved by the County.

*Danny England made a motion approve the Minor Final Plat of the John Sullivan Smith. Testamentary Trust. Arnold Martin seconded the motion. The motion carried 5-0.*

10. **Consideration of a Minor Final Plat of The Alvarez Estate. This property will consists of five (5) lots, zoned A-R, is located in Land Lot 33 & 64 of the 5<sup>th</sup> District and fronts Ebenezer Church Road and Lester Road.**

Debbie Bell stated this is a subdivision estate property. She stated they did reconfigure some of the lots, there was a lot that didn't have any road frontage, so they corrected some things that were considered

problems in the process as well.

Randy Boyd stated he didn't know this would be on the agenda tonight, but he did work on this one as well and they've been working on it for three years. He stated they tried to just straighten some things out with driveways and property lines and just fix it.

Arnold Martin asked if any was in wetlands.

Randy Boyd stated he hasn't seen the plat lately but if there were wetlands they would be shown on the plat because staff from Environmental Management has been working with them. He stated there is a lot of topography changes there. He stated it goes up quick due to the lake.

Arnold Martin stated he did not see any wetlands on the plat.

*Danny England made a motion to approve the Minor Final Plat of The Alvarez Estate. John Culbreth Sr. seconded the motion. The motion carried 5-0.*

11. Work session of amending Sec.110-169. Conditional use approval (Special Events).

Debbie Bell stated that several people have expressed interest in the revising and recreating of a special events ordinance. She stated this is not a public hearing but just a discussion. She stated the Rick Ross event is a large event and that they have to have a way to address events of that scope. She stated at the same time, she is looking and working with residents and churches to make sure they are not having an adverse impact on events that have been going smoothly. She stated they want to make sure they are not affecting private parties. She stated the intent is not to affect graduation parties or weddings with 100-300 people but there need to have some parameters for events like the Rick Ross event where there is 8000 people on one site in one day. She stated she wanted to just have a discussion before putting in some kind of formal ordinance format and having a public hearing. Debbie also provided some discussion points as a place to start on what could be revised in the ordinance.

Arnold Martin asked about the difference between the discussion points provided and what was in place for the Rick Ross event?

Debbie Bell stated the only thing that really covered events is Section 110-169, Horseshow, Carnival, and/or Community Fair. She stated they would issue an occasional special event permit to somebody that wanted to have a barbecue fundraiser for their church or something like that. That is ultimately what the Rick Ross event was permitted under. They didn't have something that anticipated the scope of this event. She stated this year the event coordinator came and met with county staff, met with the sheriff's department, with the marshal's office, fire marshal, building official, planning and zoning, environmental health met with all of us and they told the event coordinator what was needed. She stated this long list is basically based on things that they asked for and they provided and she thinks that's the reason that it went much, much better this year. She stated there are some residents from North Bay here. And they may have some specific issues like traffic issues that she's not aware of specifically but it was better addressed than last year. She stated the list provided are things that the host should be doing when putting on an event of that scale.

Chairman Oliver asked if there was any comment from those in the audience?

Ray Minter spoke about Inman Farm Heritage Days. He mentioned how the event is three days long

with free admission. He spoke about having certified traffic control and nurses on standby at the event and the Plan to get EMS down there if necessary. He stated he's not sure if he would fit into the special events category and feel they should be able to continue as is.

Chairman Oliver asked if it would be an undue burden meeting the requirements?

Mr. Minter stated yes. He spoke about how it is the mission of the organization to preserve and honor the history. He shared his concern about being treated as a special event when instead they should be treated as a church or a school.

Debbie Bell stated the list of requirements leaves staff latitude to determine what's needed for an event depending on the scale and scope of an event because not all events are going to need all of those things. Some events might just need a simple sketch that says here's where we're having it.

Chairman Oliver stated there is wording that stated all requirements must be met.

Debbie Bell stated they would have to tweak the wording.

Chairman Oliver asked about how the application fee would be determined?

Debbie Bell stated there is a posted fee schedule and if they add any fees for this it would be posted in that fee schedule as an amendment to the fee schedule.

Mr. Minter further spoke about his event. He stated he wouldn't have a problem getting the permit if they were doing something outside of their mission and stated bylaws.

Chairman Oliver stated because of the level of sophistication the bar has been raised and he may have to provide a plan of his event.

Mr. Minter stated he'd be glad to share the plan but he thinks that what he does is adequate for the public. He stated they don't use any County resources. He expressed one of his main concerns is having to pay some kind of EMT or POST certified officers to be there.

Chairman Oliver asked how many people come to the event?

Mr. Minter stated two or three thousand over the weekend. He shared how having over a few days helps spread out the traffic.

John Culbreth Sr. spoke about how events grow over time and they have look toward the future. He spoke about the Peachtree Road Race and how ordinances were created to regulate the event.

Mr. Minter stated that is one of the reasons they have two shows a year.

Arnold Martin asked about organizations where it is the mission of the LLC or the 501c3 to hold a two day event. He shared his concern about people using this tactic to get around the special event ordinance.

Debbie Bell stated they try to find a definition that will work but sometimes it doesn't work. She stated she started crafting an ordinance that was trying to base it on the event size but Mr. Rapson, County

Administrator, requested she leave those requirements in there for staff to determine as needed. She stated that would allow them to look at a certain event and say okay, these are the things that we feel like in our professional judgment would be needed for such and such an event.

Chairman Oliver asked if anyone else wished to speak?

Larry Younginer expressed his concern on the Rick Ross events. He shared how when Holyfield lived on the property, he had events that were enjoyable. He stated Holyfield lived at the house and Rick Ross doesn't live there and doesn't do anything that would qualify as A-R. He shared his concern about the property being a business site for him. He shared the experiences the residents of Northridge are having, including traffic and noise.

MiMi Phillips stated she lived in the Northridge subdivision as well. She shared her concern about the Rick Ross event and the rap concert. She shared that the residents of the subdivision are settled, quiet, and respect each other. She spoke about how the first event caused concern for the second one because of how many residents were stuck in their home.

Chairman Oliver asked if this year was better than last year?

Ms. Phillips stated it was better but they were still trapped in their homes. She shared that the complaint is not for him to not have the event but to instead have the event somewhere that can better accommodate the number of attendees. She expressed concern about not being able to get to her family if there were to be an emergency. She also shared how this event affects multiple businesses including a ballet studio near his home. She then shared about a tractor trailer that knocked out the power in their subdivision. The tractor trailer was setting up for the Rick Ross event.

Arnold Martin stated they have spoke with Fun Spot in the past about the noise with their fireworks to make sure there wasn't a negative effect. He stated in the same manner, if the parameters are such that in the end, whether it is Mr. Ross or anybody else and they can't meet those requirements, then they may be forced to have to choose another location. He then explained that there are for profit golf courses that are zoned A-R. He then explained the importance of the HOA calling the police when adverse activities are going on. He stated if the neighbors are complaining, after a while, they're going to find another place because it becomes too difficult.

John Culbreth Sr. asked what kind of permit did Rick Ross have?

Debbie Bell stated it was issued under Section 110-169 bb.) Horse Show, Carnival, Community Fair. She stated that's the only category that they have for special events other than an A-R conditional use permit for an AR wedding event facility which is different. She stated there are only four items under the category in terms of requirements and they are very basic. She stated it worked well for a long time.

John Culbreth Sr. stated that's a starting line. He stated they have hear the residents in terms of their concerns and their inconveniences that have been made and craft something as Mr. Martin indicated that will deter certain types of events. He stated having 6500 people in a neighborhood becomes a nuisance over time. He stated if they don't they will constantly be using resources of the county and local counties, South Fulton, Peachtree City, Fayette county offices, you're tying up that many resources for a one specialty event while there are other parts of the region that need police protection. He stated 1000 is a low number if 6500 has been disrupting a community for two years.

Debbie Bell noted that in terms of the law enforcement, the different municipalities and law enforcement officers that were there all worked together under Chief Deputy Rhodes, and they were off duty and paid for by Mr. Ross. She stated last year it was a drain on law enforcement because they had to respond and try to deal with that the traffic issues and things going on, but this year, those were off duty from City of South Fulton and so forth.

Holly Longino expressed concern of when addressing the big events that they don't throw the baby out with bathwater. She stated she volunteers at the Iman Heritage Days and shared that it is an education event. She stated maybe there's some wording that can help these churches and events that don't really fall under some of the problems that other residents are having just to make sure that community and culture are protected. She stated it's a historic admin community and they enjoy education others on the history of farming and agriculture. She stated the possibility of financial burdens that could make it impossible and they want to speak up during these important decisions.

Arnold Martin asked if there is anything they would change or improve as their festival continues to grow?

Ms. Longino stated they've had years where they've held far more cars than they do today. She stated they've been able to open up extra space with the help of their community. She stated she doesn't feel growth is an extreme concern and being able to spread it out over the days and twice a year helps.

Mr. Minter stated they can probably handle twice as many people as they get now.

Danny England stated a boiler plate code isn't going to work. He stated Rick Ross gets 5000 people in one day and that's not a good solution. Mr. Minter gets 5000 over the weekend and they've never experienced a hassle getting in and out. He stated the location, the scale of the operation, the type of operation all makes a difference. He stated this is much more malleable and much more of a gray area in terms of the types of codes that we normally work with. But it is on a case by case basis. He stated they're trying to protect against this happening multiple locations across the county. He asked how many events in the county are the same scale as Rick Ross?

Debbie Bell stated that was the only one that she knew of.

Mr. Younginer stated one thing that separates them dramatically is the amount of noise. He spoke about the pool party Mr. Ross had and how it caused a disturbance starting in the morning. He asked that something be put in the ordinance to help with the noise.

Chairman Oliver asked if there were any further comments. There were none.

**PUBLIC HEARING**

*No Public Hearings.*



*Arnold Martin made a motion to adjourn. Danny England seconded. The motion passed 5-0.*

The meeting adjourned at 8:16pm.

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PLANNING COMMISSION  
OF  
FAYETTE COUNTY

  
JIM OLIVER, CHAIRMAN

ATTEST:

  
CHELSIE BOYNTON  
PC SECRETARY