

Meeting Minutes 12/7/23

THE FAYETTE COUNTY PLANNING COMMISSION met on December 7, 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
Danny England

MEMBERS ABSENT: Arnold Martin

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

NEW BUSINESS

1. Call to Order.
2. Pledge of Allegiance.
3. Approval of Agenda.
The agenda was amended to move item number 9 to item 5. Danny England made a motion to approve the agenda. John Culbreth seconded the motion. The motion passed 4-0. Arnold L. Martin was absent.
4. Consideration of the Minutes of the meeting held on November 2, 2023.
Danny England made a motion to approve the minutes from the November 2, 2023, meeting. John Kruzan seconded the motion. The motion passed 4-0.

PUBLIC HEARING

5. Consideration of Amendments to Chapter 110. Zoning Ordinance, regarding Sec. 110-169- Conditional use approval. 2) Conditional uses allowed. Bb. Horse show, rodeo, carnival, and/or community fair.

Deborah Bell introduced the first consideration of amendments 110-169. In the packet, there are redline amendments and one change was made after meeting with staff and the event coordinator. The event coordinator had many good suggestions. Highlighted in blue is one change concerning production and entertainment lighting to not be permitted after 10 p.m., but that restriction does not apply to safety and security lighting. If an event has ended at 10

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p.m. and people are leaving, you would want lights on to help escort the people out of the event safely. The other items were all a result of the work sessions we have had with the Planning Commission, the public, staff, and the Board of Commissioners.

Jim Oliver asked how public input was incorporated.

Deborah Bell stated there was a lot of good public input. Staff wanted to try and assist those concerned about Mr. Ross's car show, but at the same time, didn't want to penalize smaller events. This ordinance is written with some latitude for staff to make decisions about what is required for a specific event. Staff can look at the size and scope of the event, so it doesn't drastically impact some of the smaller events. This is to be presented to the Board of Commissioners at the January 25, 2024 meeting.

Rick Minter, CEO of Inman Farm Heritage Days, a 501-C3 corporation that hosts events celebrating the agricultural heritage of our community. Mr. Minter thanked staff and the Board of Commissioners, specifically Mrs. Bell. At one point, events went from fourteen (14) days to one (1) day, but now there are twelve (12) days. Inman Heritage Days had input in the rules and could work with the proposed revisions. They have hosted this event for twenty-six (26) years, and the goal is to work with people to make as little impact on our neighbors as possible. He requested to be kept in mind when rules are being made and would like to see more community support.

Bobby Ferrell from Old Ford Road, President of the North Fayette Community Association thanked Ms. Bell for her communication. The North Fayette Community Association has been allowed to offer input and there has been great communication. Mr. Ferrell didn't see anything referencing how many days prior to an event a schematic was required to be submitted. He is concerned applications will be submitted without ample time to review. He asked if the event didn't meet the requirements of the County Noise Control Ordinance, would it be denied. He would like to see penalties itemized in the ordinance and/or the ability of enforcement to shut down the event. He also requested a hard shut down time.

Deborah Bell said the Marshal's Office usually investigates and if a violation is found, the Marshal's would be the ones to issue citations. Citations are heard by State Court. The maximum fine is \$1,000, but that is the discretion of the judge.

Danny England said this is just the zoning portion. There is the application itself that governs the questions that Mr. Ferrell is asking.

Ms. Bell stated the application is just a form developed by the administration and used internally. It wouldn't create a cut-off time if there is not one within the ordinance. A cut-off time would need to be specified. The deadline for submittal would be an internal procedure and not something codified in the ordinance.

Danny England confirmed these are the only rules applicable to the special event.

Ms. Bell stated the Conditional Use Permit does not require a separate public hearing. The applicant must meet all criteria. All Fayette County Conditional Uses are designed that way. For a larger event, it would require staff review of the site plan. There are multiple departments reviewing the schematic site plan: Sheriff's Department, Marshal's Office, Fire Marshal, Department of Building Safety, Environmental Health, Environmental Management, and Planning & Zoning. All departments are involved in the approval process for a Conditional Use Permit for an event.

Danny England asked if the Noise Ordinance is an existing ordinance outside of the Conditional Use Permit.

Ms. Bell stated it was.

Danny England requested a "lights-out" time be specified in the ordinance.

Jim Oliver requested a deadline for submittal, such as ten (10) days prior to the event be added. He asked the County Attorney if there was existing regulation specifying required review periods.

Mr. Ferrell stated there should be a hard 30 to 60 days before the event for the review, penalties, and noise controls. He would like to have harder deadlines

Danny England inquired as to why no single event should exceed three days in duration and then another line states no event shall be more than 5 days consecutive days in duration.

Ms. Bell stated through discussions with County Attorney Dennis Davenport, it is a maximum of 3 calendar days per calendar quarter, but a possible maximum of 5 if someone timed it right.

Danny England made a motion to approve the amendment to Sec. 110-169 of the Zoning Ordinance. John Kruzan seconded the motion. The motion passed 4-0.

6. Consideration of Petition No. 1335-23A, Veterans Pkwy and Lees Mill South, LLC, Owner; and Fayette County Development Authority, Agent; request to rezone 22.9674 acres from R-70 to A-R. The property is located in Land Lots 224 & 225 of the 5th District and fronts on Veterans Parkway.

Debbie Bell explained agenda items 6 through 9 are a single project, but because it is 4 different parcels, it will be 4 separate hearings. Per Ordinance 110-297, if a full Board is not present at the public hearing, the petitioner may elect to table the petition to the next Planning Commission Public Hearing provided the petitioner requests this prior to the presentation and asked if the petitioner would like to table or continue with the hearing.

Petitioner, Niki Vanderslice, wished to proceed.

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Ms. Vanderslice is the CEO of the Fayette County Development Authority and is the applicant on behalf of the owner/developer. Governor Kemp announced today the U.S. Soccer Federation has selected Fayette County as the location of the national training center and corporate headquarters. This site search has been underway for nearly two years and Fayette County was identified this summer as a potential site.

The Fayette County Development Authority serves as a gatekeeper for the community, making sure companies are a good fit for our community. U.S. Soccer is a great fit! With over 6,000 active kids and adults participating in soccer in Fayette County, it is an obvious choice. Today's announcement by Governor Kemp unlocks the next phase of this project. The conceptual images will come to life over the next weeks and months to bring the training center and headquarters to this site. The Development Authority requests rezoning from R-70 to A-R which staff analysis indicates is a less intensive use. intense use. Current zoning allows one house per 2 acres which could result in 150 new homes.

Stephen Porter, CEO of Piedmont Fayette Hospital, on behalf of the hospital, their complete support for the project. As the largest health provider in the community, Piedmont Fayette supports wellness in the community and these fields support health and engagement in the community through exercise. Relocation of the US Soccer Federation will also support development of a sports medicine program and attract the next generation of the workforce. It will allow Piedmont Fayette Hospital to be a destination site. Currently, the hospital is down 100 nurses. This would be a great tool to attract a workforce.

Bryce Remkes states he is a regular soccer dad. This is an opportunity for U.S. Soccer to bring a non-profit philanthropic giant umbrella organization into our community which will in turn support local initiatives and community projects. Just to highlight, since 2008, the U.S.S.F. has given over \$4.2 million dollars to help talented kids who might not otherwise have access to a club soccer program. Here in Fayette County, we have two fantastic club soccer programs, AFC and MOBA, both winning respective National and State Championships.

Secondly, the Coach for Community Initiative provides free coaching education for anyone who wants to learn about becoming a coach. This is a great addition to our local County recreation programs.

Lastly, since its inception, the U.S.S.F. has awarded over \$57 million dollars of financial support to soccer organizations for new fields and facilities. Fayette County could sure benefit from some of this financial support.

Bryan McDermott is from Fayetteville, President of Fayette County Youth Soccer, and a board member for AFC Lightening. He felt the zoning change for U.S. Soccer to build their training center will benefit our community in many ways. This is a long-term project to serve many generations to come. Soccer is familiar to many people, and is played by many diverse people and cultures, but this project will also introduce us to the aspects of soccer that we may be unfamiliar with. The proposed complex will introduce us to power soccer and

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handicapped soccer. The complex will also have public areas for pick-up games. He looks forward to taking the kids that he coaches to watch the National players train.

U.S. Soccer can also help us show the leaders in the sport what is being done at the base level. This will help improve and train our player base. Inspiration comes in many forms, in 1999, Mr. McDermott was an assistant coach and hosted several kids from one of the teams to watch the Women's World Cup Final. One of those kids was Kelley O'Hara, a U.S. National Team veteran. You can never tell where inspiration may come from. The CEO of U.S. Soccer, JT Batson used to referee games here and plans to get out and referee games. He lists several influential names in soccer and quotes from the movie, Field of Dreams....if we build it, they will come. Let them come and they'll build it.

Steve Weeman moved to Fayette County in 1976. In 1978, Fayette County started soccer with five (5) teams and fifty (50) players. Now, there are 6,000 kids playing soccer in Fayette County. That is more than any other organized sport. There have been numerous successful soccer champions come from Fayette County. Having this facility can only help our kids, exposing them to the highest level of soccer there is. This is an obvious step for us, and he is all for it.

Russ Keefer of Fayetteville is a former player, a lifelong fan, and now a volunteer coach at AFC Lightening. He also spoke on behalf of his son, Brooks. Brooks grew up with a soccer ball at his foot and is a player with AFC Lightening. He has had opportunities to play with top players, against top competition, at some top facilities outside of Fayetteville as well. Brooks is lucky he has parents who can take him outside of Fayetteville and all around the country. There are thousands of kids that simply don't have that opportunity. A facility like this will give them access that many kids don't currently have. It is important to learn all the lessons that go with learning soccer. U.S. Soccer is well on its way to becoming a world soccer power. Now, the biggest and most successful clubs in the world are looking for the next international talent. One of the greatest players in U.S. Soccer history, Kelley O'Hara, has her roots in Fayette County. She won an Olympic Medal and 2 World Cups. If we have this facility built, it will ensure that every future U.S. World Champion will have their story linked to Fayette County.

Nick Ubom lives in Fayette County and is a local business owner. He graduated from Starr's Mill High School. He believes soccer will be great for the future development of Fayette County, it is good for kids and helps to keep them out of trouble. It is an awesome thing for our community.

Matt McBride from Peachtree City came to express his support. He graduated from McIntosh High School and played soccer there as well. He moved away following graduation, but came back to raise his family here. He also brought his 11-year-old soccer-playing kid to the meeting. Mr. McBride's son plans for AFC lightening and Mr. McBride is a proud soccer dad. He encourages the board to focus on the international recognition this project will bring to Fayette County. There are world-class companies that have come to Fayette County. And Fayette County has done a great job of creating a business-friendly environment. We are

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about to enter a golden period of soccer hosting here. The COPA America was selected to be hosted in Atlanta. We are going to have millions of eyeballs in the metro Atlanta region. Just by virtue of having the U.S. Soccer headquarters facility, we are going to have leaders from around the world come. Then they will recognize what we all recognize. We have an amazing quality of life, amazing facilities. This will bring the leaders and the leaders will bring the modern industries of the future. That will be a boom for our community.

Steven Smith grew up playing soccer in Fayette County. He knows a lot of people will step up and speak about past, present, and future. Mr. Smith was known as the kid who would get kicked off the fields at McCurry Park. Soccer has played such an instrumental part in his life, from playing at the club level to being a walk-on. Even though Fayette Football Club (FFC) is no longer around, it gave him the drive and the resiliency to face the challenges in his life. Ms. Smith does not have a World Cup, but is the only player in his youth club to play against Atlanta United. The inspiration came from the game of soccer. Kids learn resiliency and when they play sports, they learn a lot of things that resemble real life. Soccer is one of the best tools to do that.

Mr. Smith told a story of a former player he coached on his rec team. The player was very sick and had to be airlifted for medical treatment. He didn't know what to think, but was proud to say he made it through. Mr. Smith spoke with another player at Atlanta United about the power of giving back to the community. Fayette County has the power to do that through this project.

“Without this investment, you don't have someone like me coming back. I shouldn't be here right now, and I work for a professional soccer team. Soccer gave me that strength. I was fortunate to get a signed jersey from Atlanta United that I could give my former player. I was able to give it to him. Now, he has an inspiration to engage. That is your next generation of business leaders and teachers.”

Mr. Smith said wherever he travels with Atlanta United, people ask where he played soccer. He says “Fayette County.” These are the people who make decisions about some of your favorite players.

Jim Oliver opened the floor to those wishing to speak in opposition to the petition.

John Fonzo resides on Lees Mill Road. He is not in opposition, but doesn't have a category to fit into. He is very impressed and comfortable with what he has heard this evening, but would like the Board to consider opinions of the adjoining landowners. 258 Lees Mill Road is part of 6 properties in Fayette Green subdivision. It was part and parcel of the 33-acre piece which is identified as C on the petition. It is the northernmost section of Lees Mill Road. The entire Southerly border of our subdivision borders the northernmost section of C in the petition. The planning staff noted in the application that it was inconsistent with the comprehensive plan. He asks the County do all it can to ensure compatibility with this use with the adjoining residential properties, because it is currently residential. If rezoning didn't take place, there could be as many as 100 homes on these parcels. Quite frankly, that wouldn't be as attractive as the facility. He hopes the developers will be sensitive to noise

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and when the location of the single curb cut for Lees Mill Road is selected, he hopes it will be on the property of petition, and not the other properties on Lees Mill Road. The required traffic impact study should include Lees Mill Rd. Mr. Fonzo is just a concerned adjoining resident asking that property owner's interests be protected when the final development process is finalized.

Jim Oliver asked Debbie Bell to enumerate the conditions in staff's recommendations to possibly address citizen concerns.

RECOMMENDED CONDITIONS

1. The owner/developer shall prepare a Traffic Impact Study for review and approval by Fayette County. The study shall determine the traffic impacts caused by the development and identify transportation projects to mitigate the impacts. The owner/developer shall pay for the design, permitting, and construction of all mitigation projects identified in the study. The details of project identification, schedule, delivery, cost, etc. shall be determined by a Memorandum of Understanding between Fayette County and the owner/developer.
2. The project's primary construction entrance/exit shall be located on Veterans Parkway. There shall be no project-related construction traffic on Lees Mill Road between Sandy Creek Road and Veterans Parkway. A secondary construction entrance, however, may be approved by Public Works if necessary for the construction of stream crossings and related grading work. If approved, all construction traffic entering and leaving the Lees Mill Road construction entrance shall be to the east (i.e., towards Veterans Parkway).
3. The project shall have a maximum of four curb cuts along the Veterans Parkway Road frontage: two serving the property on the west and two serving the property on the east. If two curb cuts are utilized for the property to the east (Parcel A), then at least one of the entrances shall be aligned with an entrance to the west.
4. The project shall have a maximum of one curb cut onto Lees Mill Road.
5. Development plans shall utilize the Whitewater Creek watershed protection buffers Sec. 104-182 Minimum watershed protection requirements, Article VII Watershed Protection.
6. All parcel remnants of parcels 0707 011 and 0708 042 located on the east side of Veterans Parkway shall be combined with Parcel 0542 005 within 6 months of approval of rezoning, or prior to the submittal of a site plan or permit application for any phase of the project, whichever comes first.
7. All parcels on the west side of Veterans Parkway shall be combined into a single parcel within 6 months of approval of rezoning, or prior to the submittal of a site plan or permit application for any phase of the project, whichever comes first.
8. Any development needing water along Veteran's will be required to install a 16-in line beginning at the tie-in at Lee's Mill/Veterans and South along Veterans.

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Robert J. Burcher, Jr. residing at 244 Lees Mill Road stated he basically agrees with Mr. Fonzo He does feel that it would be a great item for our County and simply requests some consideration of the adjacent property owners as it pertains to noise, buffers, or sound. He is simply concerned

Michelle Iverson at 658 Lees Mill Road is not adjacent and is further down the road towards Sandy Creek. She is a mom, sports fan, and sports mom. She loves the idea of this in the community. She wanted to know if the county required a site plan prior to the rezoning hearing.

Debbie Bell stated no.

“That is a big project not to require a site plan for,” said Ms. Iverson laughing. For the conditional use approval for Article 5, 110-169, paragraph mm, I believe that is the one that applies to this, it states that such recreation centers owned by non-profits, and I presume that the USSF is a non-profit, shall be permitted on a lot that fronts a major thoroughfare, designated by the County Major Thoroughfare Plan and that all access shall be limited to the major thoroughfare only. Lees Mill and Veterans Parkway are classified as minor. Are they looking to make a single cut, not just for construction, but for entrance and exit purposes onto Lees Mill Road in addition to Veteran’s Parkway?”

Allison Cox, County Attorney stated, “This is just a rezoning hearing, and we are not here to look at their plans. It will be very difficult for us to speculate as to the plans as right now we are just looking to see if we are going to rezone the property in its most basic form and what the development looks like in a very broad way which is what these conditions are meant to take care of. As to specific plans, we haven’t seen them and we really shouldn’t have at this point, it’s too early.”

Iverson says, “OK when you say that there is a specific study that is going to be recommended, will it actually be required?”

Bell says, “Yes, that is one of the requirements that a traffic study be completed. And to answer your question about the road classification, there is an overall road classification, which is what is specified here. Both of those roads are considered minor arterials and they fall under the umbrella of major thoroughfare, so they do meet that criterion.

Iverson said, “Did I misunderstand you that Lees Mill Road actually meets the criteria for major arterial?”

Bell, “It’s a minor arterial, and minor arterial and major arterial meet the umbrella classification of a major thoroughfare. There are two levels of road classification.”

Iverson said, “So you are saying that Lees Mill Road actually meets that criteria and therefore would actually create that access for an mm. conditional use on Lees Mill Road.”

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Bell, "It meets the criteria, but I believe the conditions are restricting the primary access to the facility to a point on Veteran's Parkway."

Iverson, "Those are what my primary concerns are about, the entrance on Lees Mill Road into this facility. It certainly seems appropriate to use Veteran's Parkway. It would be a great concern for this mom that there would be an entrance and lots of traffic spilling out onto Lees Mill Road vs. onto Veteran's Parkway."

Jim Oliver, "Not opposed to the project, but worried about the traffic."

Iverson states, "Yes just the traffic and specifically the Lees Mill Road entrance, not Veteran's Parkway at all. It seems very conducive to the project. Thank you."

Sheila Demons from 175 Lucky Leaf Place, in the Yates Crossing subdivision. This at the corner of Eastin and Veteran's Parkway. Once again, she is not opposed to the facility, but very concerned about the traffic. There are already a lot of sirens going to the hospital, big trucks, and the whole neighborhood is being bombarded with traffic.

She urged the Planning Commission to look at the study of Veteran's Parkway. A study was done about a year or so ago and came in front of the Commission. The study resulted in rumble strips behind her house, generating a lot of noise. She believes her hearing has been impaired, so the idea of more traffic is eerie because we are already dealing with a lot of noise. She is not opposed to the facility but concerned with the noise and hoping there will be something to help buffer the noise, such as trees.

Christian Jendrasak at 217 Lees Mill Road had similar concerns, not really for or against the project. He graduated Fayette County High School in 1992 and is very much a supporter of soccer. He remembers the year they won a state championship and shaved off the coach's beard. He is also a business and restaurant owner in Fayette County. His primary concerns are noise and traffic. The possibility of adding another construction entrance on Lees Mill Road, and everything is going to be going towards Veteran's Parkway could disrupt the peace and quiet he currently enjoys. He requests development mitigate the noise. Since there is traffic going both directions past his home, he is concerned about noisy rumble strips.

Ms. Vanderslice stated that she is confident U.S. Soccer will be a good community partner and will protect our neighbors.

Ms. Vanderslice addressed the proposed conditions. "With regard to watershed protection, we are committed to the water quality, and I would like to ask that a watershed protection buffer of 200 feet shall be applied to Whitewater Creek. This requested condition exceeds the current exempt status of this property, doubles the state environmental planning criteria 391-3-16, and more than doubles the Georgia Erosion and Sediment Act OCGA 12-7-6."

Ms. Vanderslice also requested the ability to submit the combination plat concurrently with the site plan parcels in the interest of time and to deliver the project by the World Cup in 2026.

Mr. Oliver was concerned the paperwork was not following along with the conditions. Ms. Bell explained the revised conditions were paperclipped A,B,C, and D and read revision 2 at the bottom of the page.

Danny England, "We have those, but there is no mention of the watershed distance. That is number 5 but no mention of distance."

Ms. Bell, "That is condition 5 at the bottom. The watershed protection buffers there has quite a bit of variability, and I would like to let Bryan Keller speak to that."

Bryan Keller, Director of Environmental Management for Fayette County explained the Watershed Protection Ordinance requires buffers that range on each one of our main streams in the County. The Whitewater Creek buffer is based on 400 feet of the wretched vegetation of the stream or 100 feet from the floodplain located on the property. In this case, she is asking that we reduce that to above the state minimum for large water supply watersheds.

Mr. Oliver noted the request is to reduce the buffer by half.

Ms. Vanderslice said it is not very clear on what that number is in each location.

Danny England says it is clear to Mr. Keller.

Bryan Keller explained it varies based on the floodplain distance and could be more than 400 feet or could be less.

Danny England inquired if it depended upon survey work done in the field, additional survey work, and do we know definitively about this section of Whitewater Creek.

Mr. Keller explained he would not know definitively what the buffers would be without a survey, but has good idea.

Danny England questioned that even if a condition was determined now, the buffers could not be determined before the field work and survey are completed.

Mr. Keller stated that was correct.

Danny England asked in the Planning Commission would have to approve the combination plat.

Debbie Bell explained, there would not be future presentations to the Planning Commission for the combination plat since additional parcels were not being created.

Oliver, states "I am a little upset with the project and how it has been brought up in coming forth. When the Governor makes an announcement before it has come to the Planning Commission that the property has been purchased, and the celebratory party and band have

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been booked. I have a question about the position it puts us in and the Development Authority and the questions I have about what is best for the tax-paying citizens of Fayette County. Generally, when the Development Authority gets involved I am usually of the opinion that if it is a good deal, let it stand on its own. When the Development Authority gets involved it is usually to do tax abatements. Are taxes going to be paid on this property? Our County is having difficulty enough with the education system with schools on virtual lockdown, they don't have any money and they have hiring freezes. This is something we need to look at the Development Authority can answer."

Vanderslice, "Yes, sir we did not offer a tax abatement on this. Due to their nonprofit status, it was an option, they are electing to file for a tax-exempt status which is granted by the County."

"So, is this going in as the get-go as a 501-3C," asked Mr. Oliver.

"It is, well not today but when they apply for their tax-exempt status on their Ad Valorem taxes the property must be in use. So, after the project is built, they will be paying taxes before they are issued their CO."

"Paying taxes for a year?" – Oliver.

"We started the application process in October to be on tonight's calendar. If the announcement had not come out today, I would not have been able to disclose who it was. I would not have been able to say what the project was at all, and I would have just been able to ask for a rezoning to A-R with a lot of speculation. So, I understand that you are upset about the announcement, but it is what makes it so that myself and the others are able to speak of this project to our community."

Oliver states, "Of course we are the recommending body only and it is going to come up before the Board of Commissioners as well, but it does appear that the cart has been put before the horse. That it is all been said and done before we have even had the zoning hearing."

Vanderslice, "It is not all said and done, and you have a voice this evening. I would appreciate it if we could have your support for the project. But as I said, it is the chicken or the egg. I am either not able to tell you anything at all, or I am able to disclose what the use is. I apologize, but I am also the one who asked them to make the announcement so that I could speak and be transparent."

Mr. Oliver, "Well it is not very transparent to me!"

Vanderslice, "This was a very competitive project. We were competing with another state and another site in the state of Georgia. We came into the picture this summer and worked very hard to bring to our community, to our students, families, and soccer players so we could grow them here and there would be an opportunity for them to remain here in Fayette County. We are one of the oldest counties in metro Atlanta. We need to do something that is

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going to bring in some 20-somethings or we are going to be in real trouble in the next 20 years.”

Oliver, “Citizens have an opportunity to express their grievances. Now, I don’t see a lot of opposition, but we have a few. In this country we have a right to express our grievances, and when it appears that it is already a done deal, that causes me some concern. I haven’t heard anybody address that and what are you doing to address that? We need to address issues before we decide.”

Vanderslice, “Quite honestly if there were so many people opposed to the project, you should recommend that it doesn’t pass, but I don’t believe that is what you have heard this evening. I believe you have heard the benefits of this project and people have had an opportunity to be heard. It is not a done deal. You do have an opportunity to send to the Board of Commissioners not recommending it and we would have to live it. We would have to say that our Planning Commission voted it down and our Board of Commissioners voted it down even though there was overwhelming support in our community.”

Debbie Bell begins the staff report and re-reads the conditions for the board.

RECOMMENDED CONDITIONS

1. The owner/developer shall prepare a Traffic Impact Study for review and approval by Fayette County. The study shall determine the traffic impacts caused by the development and identify transportation projects to mitigate the impacts. The owner/developer shall pay for the design, permitting, and construction of all mitigation projects identified in the study. The details of project identification, schedule, delivery, cost, etc. shall be determined by a Memorandum of Understanding between Fayette County and the owner/developer.
2. The project’s primary construction entrance/exit shall be located on Veterans Parkway. There shall be no project-related construction traffic on Lees Mill Road between Sandy Creek Road and Veterans Parkway. A secondary construction entrance, however, may be approved by Public Works if necessary for the construction of stream crossings and related grading work. If approved, all construction traffic entering and leaving the Lees Mill Road construction entrance shall be to the east (i.e., towards Veterans Parkway).
3. The project shall have a maximum of four curb cuts along the Veterans Parkway Road frontage: two serving the property on the west and two serving the property on the east. If two curb cuts are utilized for the property to the east (Parcel A), then at least one of the entrances shall be aligned with an entrance to the west.
4. The project shall have a maximum of one curb cut onto Lees Mill Road.
5. Development plans shall utilize the Whitewater Creek watershed protection buffers Sec. 104-182 Minimum watershed protection requirements, Article VII Watershed Protection.
6. All parcel remnants of parcels 0707 011 and 0708 042 located on the east side of Veterans Parkway shall be combined with Parcel 0542 005 within 6 months of approval of rezoning,

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or prior to the submittal of a site plan or permit application for any phase of the project, whichever comes first.

7. All parcels on the west side of Veterans Parkway shall be combined into a single parcel within 6 months of approval of rezoning, or prior to the submittal of a site plan or permit application for any phase of the project, whichever comes first.

8. Any development needing water along Veteran's will be required to install a 16-in line beginning at the tie-in at Lee's Mill/Veterans and South along Veterans.

John Culbreth made a motion to approve Petition No. 1335-23A with conditions. Danny England seconded the motion. The motion passed 3-1 with Jim Oliver voting in opposition.

7. Consideration of Petition No. 1335-23B, Veterans Pkwy and Lees Mill South, LLC, Owner; and Fayette County Development Authority, Agent; request to rezone 237.4382 acres from R-70 to A-R. The property is located in Land Lots 13, 14, 18 & 19 of the 7th District and fronts on Veterans Parkway and Lees Mill Road.

Debbie Bell presents the staff report on the above-referenced 1335-23B with the following conditions in the looseleaf handout with the notation revision 2.

RECOMMENDED CONDITIONS

1. Lees Mill Road is a Minor Arterial per the Fayette County Thoroughfare Plan. The owner/developer shall dedicate right-of-way, as needed, to provide 50 feet as measured from the existing centerline of Lees Mill Road. Submittal of the warranty deed and legal descriptions shall be submitted to the Environmental Management Department prior to approval of a final plat for the properties.
2. The owner/developer shall prepare a Traffic Impact Study for review and approval by Fayette County. The study shall determine the traffic impacts caused by the development and identify transportation projects to mitigate the impacts. The owner/developer shall pay for the design, permitting, and construction of all mitigation projects identified in the study. The details of project identification, schedule, delivery, cost, etc. shall be determined by a Memorandum of Understanding between Fayette County and the owner/developer.
3. The project's primary construction entrance/exit shall be located on Veterans Parkway. There shall be no project-related construction traffic on Lees Mill Road between Sandy Creek Road and Veterans Parkway. A secondary construction entrance, however, may be approved by Public Works if necessary for the construction of stream crossings and related grading work. If approved, all construction traffic entering and leaving the Lees Mill Road construction entrance shall be to the east (i.e., towards Veterans Parkway).
4. The project shall have a maximum of four curb cuts along the Veterans Parkway Road frontage: two serving the property on the west and two serving the property on the east. If

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two curb cuts are utilized for the property to the east (Parcel A), then at least one of the entrances shall be aligned with an entrance to the west.

5. The project shall have a maximum of one curb cut onto Lees Mill Road.
6. Development plans shall utilize the Whitewater Creek watershed protection buffers Sec. 104-182 Minimum watershed protection requirements, Article VII Watershed Protection.
7. All parcel remnants of parcels 0707 011 and 0708 042 located on the east side of Veterans Parkway shall be combined with Parcel 0542 005 on the east side of Veterans Parkway shall be combined with Parcel No. 0542 005 within 6 months of approval of the rezoning, or prior to the submittal of a site plan or permit application for any phase of the project, whichever comes first.
8. All parcels on the west side of Veterans Parkway shall be combined into a single parcel within 6 months of approval of rezoning, or prior to the submittal of a site plan or permit application for any phase of the project, whichever comes first.
9. Any development needing water along Veteran's will be required to install a 16-in line beginning at the tie-in at Lee's Mill/Veterans and South along Veterans.

Christian Jendrasak thanked Mr. Oliver for mentioning everything happened without us knowing about it. It was weird to him and his neighbors. Not only was it announced the US Soccer Federation today, but also a party at Trilith Studios on the 13th in celebration of the Soccer Federation. Citizens are concerned about the government and decisions they are making, with or without us. It seems shady. There has not been enough time for the citizens to review. The people here tonight for the project had prepared a presentation, and they didn't do all of that today. Perhaps they knew beforehand. Mr. Jendrasak admits to sounding skeptical and cynical, but says he is actually neutral. "I am not for or against it, but it smells, and I appreciate you pointing it out. And I wish to thank you for pointing it out. It just seems coincidental, odd, and underhanded."

Sonia Wignall, a resident of 283 Lees Mill Road is also concerned that a site plan was not required at this point, but some very comprehensive information must have been presented to win an opportunity to host a team like the US Soccer Federation. The team or headquarters have a plan and the city, County, and government that oversees the land has no plan. So, there is something wrong with that. Secondly, the people supporting the project do not live near the project. Ms. Wignall expressed her concern with additional noise and magnitude of development that would accompany the soccer complex. Ms. Wignall feels What we have now at Trilith is not enough. "We are proud that Fayette County was considered, but Fayette County is a huge County and there is lots of land space available for a project such as this. comprehension of the project. Now, to save face and time we NOW are all herded forward without a plan." The full development will displace many residents in and around Lees Mill Road and is not being shared or discussed with Fayette County residents.

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Ms. Vanderslice explained one requirement is the location within 20 minutes of the airport. While there are other large properties in Fayette County, this is the only site that the acreage requirement within 20 minutes of the airport. While there are those in opposition, it will bring additional restaurants and lodging to the area. The additional development will bring tax dollars to the community. This project allows Fayette County to decide its destination.

Ms. Vanderslice reiterated the request to reduce the buffer along Whitewater Creek to 200' from wretched vegetation and permission to submit the combination plat concurrently with the site plan in the interest of time.

Robert Burcher, Jr. from 244 Lees Mill Road noted the U.S. Soccer website has posted pictures of the proposed fields and buildings.

Ms. Vanderslice noted these are only concepts and many things could change before the final development is approved and constructed.

Ms. Bell read the conditions into the record prior to the motion.

RECOMMENDED CONDITIONS

1. Lees Mill Road is a Minor Arterial per the Fayette County Thoroughfare Plan. The owner/developer shall dedicate right-of-way, as needed, to provide 50 feet as measured from the existing centerline of Lees Mill Road. Submittal of the warranty deed and legal descriptions shall be submitted to the Environmental Management Department prior to approval of a final plat for the properties.
2. The owner/developer shall prepare a Traffic Impact Study for review and approval by Fayette County. The study shall determine the traffic impacts caused by the development and identify transportation projects to mitigate the impacts. The owner/developer shall pay for the design, permitting, and construction of all mitigation projects identified in the study. The details of project identification, schedule, delivery, cost, etc. shall be determined by a Memorandum of Understanding between Fayette County and the owner/developer.
3. The project's primary construction entrance/exit shall be located on Veterans Parkway. There shall be no project-related construction traffic on Lees Mill Road between Sandy Creek Road and Veterans Parkway. A secondary construction entrance, however, may be approved by Public Works if necessary for the construction of stream crossings and related grading work. If approved, all construction traffic entering and leaving the Lees Mill Road construction entrance shall be to the east (i.e., towards Veterans Parkway).
4. The project shall have a maximum of four curb cuts along the Veterans Parkway Road frontage: two serving the property on the west and two serving the property on the east. If two curb cuts are utilized for the property to the east (Parcel A), then at least one of the entrances shall be aligned with an entrance to the west.
5. The project shall have a maximum of one curb cut onto Lees Mill Road.

6. Development plans shall utilize the Whitewater Creek watershed protection buffers Sec. 104-182 Minimum watershed protection requirements, Article VII Watershed Protection.

7. All parcel remnants of parcels 0707 011 and 0708 042 located on the east side of Veterans Parkway shall be combined with Parcel 0542 005 on the east side of Veterans Parkway shall be combined with Parcel No. 0542 005 within 6 months of approval of the rezoning, or prior to the submittal of a site plan or permit application for any phase of the project, whichever comes first.

8. All parcels on the west side of Veterans Parkway shall be combined into a single parcel within 6 months of approval of rezoning, or prior to the submittal of a site plan or permit application for any phase of the project, whichever comes first.

9. Any development needing water along Veteran's will be required to install a 16-in line beginning at the tie-in at Lee's Mill/Veterans and South along Veterans.

Danny England recommended stipulating where the main entrance would be. We stipulate a limit of four (4) curb cuts on Veteran's Parkway and one (1) on Lees Mill Road, but not the location of the main entrance. It would be a travesty if the main entrance were to be on Lees Mill Road. Should we stipulate the front door needs to be on Veteran's Parkway or eliminate the Lees Mill curb cut entirely and drive all the traffic through Veteran's Parkway?

Ms. Bell stated the conditions could be amended.

Phil Mallon respectfully thinks access to Lees Mill Road should be allowed. When emergencies happen it is in everyone's best interest to have some flexibility. A site plan is still required.

Danny England agreed to allow staff control of access points, but reiterated the desire to steer access away from Lees Mill Road.

Jim Oliver stated, "I am simply basing my opposition on the fact that taxes are not being generated for the citizens to help with our own tax burdens."

John Culbreth made a motion to approve the Petition No. 1335-23B with conditions. John Kruzan seconded the motion. The motion passed 3-1 with Jim Oliver voting in opposition.

8. Consideration of Petition No. 1335-23C, Veterans Pkwy and Lees Mill South, LLC, Owner; and Fayette County Development Authority, Agent; request to rezone 39.6621 acres from R-70 to A-R. The property is located in Land Lots 15 of the 7th District and Land Lots 224 & 225 of the 5th District and fronts on Veterans Parkway and Lees Mill Road.

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Ms. Vanderslice again requested the watershed buffer be reduced to 200 feet from the wretched vegetation of Whitewater Creek and permission to submit the combination plats and site plan concurrently.

Ms. Vanderslice mentioned the four parcels in the rezoning have paid approximately \$23,787 each year in property taxes. While this is a substantial sum, it is a minimal amount for the number of acres. She anticipates the community will reap tenfold what is being lost in property taxes for the tax-exempt project.

John Fonzio from 258 Lees Mill Road questioned the need to specify that each parcel will not be entitled to a curb cut on Lees Mill Road since each parcel is considered separately.

Ms. Vanderslice said that is why the plan is to combine the parcels within six (6) months of rezoning.

Michelle Iverson questioned the distinction of a minor vs. major arterial. She was unsure why there is a distinction if anything classified as minor is the same as major.

Ms. Bell explained that in terms of road classification, there is a category called major thoroughfare and within that is a broken-down classification of major and minor arterial.

Ms. Iverson, "So down the road when this is being reviewed and we get to the point of Article 5 Section 110 mm – the conditional use approval. And we get to that point where it says it shall be permitted only on a lot that fronts a major thoroughfare. I just urge you to keep an eye on that and if we are looking to change Lees Mill to a major thoroughfare category, I encourage you to make sure that it doesn't happen." She specifically did not understand how Lees Mill Road could be classified the same as a state route.

Ms. Bell reiterated Lees Mill Road is already a major thoroughfare. It is a minor arterial and major and minor arterial fall under the category of major thoroughfare. It already meets that criterion.

David Brill from 552 Hwy 279 inquired as to what was required for the soccer relocation other than acreage and proximity to the airport.

Ms. Vanderslice explained a project of this size must also have access to a sewer system. A project of this size could not be constructed on a septic system.

Charles Martin from 110 Beaverdam Road expressed concerns of loss of privacy. He understands this is the cusp of progress he encourages caution and protections for the community. When the Governor and media announced this development, it was a done deal. He's concerned that Fayette County does not have any input. This development will bring construction jobs, but it will also displace residents. Remaining residents will be inconvenienced by the dust, dirt, and noise.

Sonia Wignall asked for the complete list of requirements for U.S. Soccer Federation to locate in Fayette County along Veterans Parkway and Lees Mill Rd. She noted the site does not currently have access to sewer and asked staff to clarify.

Ms. Bell stated that is not part of a rezoning discussion, but a discussion they would have with a sewer provider.

Jim Oliver noted the sewer lines would be run during the development process.

David Brill again asked what the requirements were besides proximity to the airport and sewer access.

Ms. Vanderslice explained there was a long list of requirements. They had to have at least 200 contiguous acres, be part of a diverse community, and sewer. They have the ability to select and they selected this site. She reiterated Fayette County has the right to say no, but our community met all of the requirements.

Deborah Sims reads the conditions for the petition –

RECOMMENDED CONDITIONS

1. Lees Mill Road is a Minor Arterial per the Fayette County Thoroughfare Plan. The owner/developer shall dedicate right-of-way, as needed, to provide 50 feet as measured from the existing centerline of Lees Mill Road. Submittal of the warranty deed and legal descriptions shall be submitted to the Environmental Management Department prior to approval of a final plat for the properties.
2. The owner/developer shall prepare a Traffic Impact Study for review and approval by Fayette County. The study shall determine the traffic impacts caused by the development and identify transportation projects to mitigate the impacts. The owner/developer shall pay for the design, permitting, and construction of all mitigation projects identified in the study. The details of project identification, schedule, delivery, cost, etc. shall be determined by a Memorandum of Understanding between Fayette County and the owner/developer.
3. The project's primary construction entrance/exit shall be located on Veterans Parkway. There shall be no project-related construction traffic on Lees Mill Road between Sandy Creek Road and Veterans Parkway. A secondary construction entrance, however, may be approved by Public Works if necessary for the construction of stream crossings and related grading work. If approved, all construction traffic entering and leaving the Lees Mill Road construction entrance shall be to the east (i.e., towards Veterans Parkway).
4. The project shall have a maximum of four curb cuts along the Veterans Parkway Road frontage: two serving the property on the west and two serving the property on the east. If two curb cuts are utilized for the property to the east (Parcel A), then at least one of the entrances shall be aligned with an entrance to the west.

5. The project shall have a maximum of one curb cut onto Lees Mill Road.
6. Development plans shall utilize the Whitewater Creek watershed protection buffers Sec. 104-182 Minimum watershed protection requirements, Article VII Watershed Protection.
7. All parcel remnants of parcels 0707 011 and 0708 042 located on the east side of Veterans Parkway shall be combined with Parcel 0542 005 on the east side of Veterans Parkway shall be combined with Parcel No. 0542 005 within 6 months of approval of the rezoning, or prior to the submittal of a site plan or permit application for any phase of the project, whichever comes first.
8. All parcels on the west side of Veterans Parkway shall be combined into a single parcel within 6 months of approval of rezoning, or prior to the submittal of a site plan or permit application for any phase of the project, whichever comes first.
9. Any development needing water along Veteran's will be required to install a 16-in line beginning at the tie-in at Lee's Mill/Veterans and South along Veterans.

John Culbreth made a motion to approve Petition No. 1335-23C with conditions. Danny England seconded the motion. The motion passed 3-1 with Jim Oliver voting in opposition.

9. Consideration of Petition No. 1335-23D, Veterans Pkwy and Lees Mill South, LLC, Owner; and Fayette County Development Authority, Agent; request to rezone 18.4863 acres from R-70 to A-R. The property is located in Land Lots 14 & 15 of the 7th District and fronts on Lees Mill Road.

Ms. Vanderslice noted that conditions 6, 7, and 9 are not necessary on this parcel. When it is replatted, it would become part of the larger tract.

Ed Wyatt from 362 Lees Mill Road was impressed with how thorough and thoughtful the citizens are. He felt it was unfair to require a board decision without the benefit of knowing how many seats or parking spaces would be included in the project. He asked Mr. England to make it part of the recommendation for the main entrance to be on Veteran's Parkway. He was concerned the Planning Commission and Board of Commissioners would have little to no input following the rezoning hearing.

Bryan Keller stated the entrance needs to be on Veteran's Parkway.

Jim Oliver asked if the public would have an opportunity to review and comment on the site plans when they are submitted before a final vote or acceptance.

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Ms. Bell explained site plans are not subject to a public hearing. People can request to see the plans. The final site plan would be several months from now. It is unlikely to have a conceptual site plan prior to the Board of Commissioners vote.

Ed Wyatt stated if the petitioner objects to having Veteran's Parkway as the primary entrance, it would speak loudly. The conceptual drawings online depict all the buildings, parking lots, and trams along Lees Mill Rd. He felt it was unfair for a decision to be made without requiring additional information.

Danny England asked Phil Mallon if there were essentially three (3) curb cuts on parcel B, the largest parcel, wouldn't that essentially eliminate the need for a curb cut on Lees Mill Road. Mr. England would like to see a traffic signal or roundabout on Lees Mill Road.

Danny England explained there isn't a site plan, nor is a site plan a requirement of rezoning. He understood the community's frustration and explained there is an extensive list of uses in A-R zoning including airports and hospitals. It is the Commissioner's job to look at one of those uses potentially happening. While it would be nice to have all the details at this point, it is not how the system works. Additionally, Commissioners do not have input after this point. It is incumbent on staff to review design and make suggestions. Rezoning is the first step.

Ms. Vanderslice thanked everyone involved in the hearing. These comments will go back to the developer and the U.S. Soccer Federation for consideration. The wetlands and buffer zone impacts where things may be placed. The initial plan is for a primary building and a maintenance shed, and then the fields. Fayette County requires a certain number of parking spaces for specific uses. Aspects of the project cannot be developed prior to the rezoning. If the watershed protection buffer had been reduced to 200' from wretched vegetation, the structure could have been moved further south.

You heard from all of these parents and coaches, and the fact that Kelley O'Hara can come home to Fayette County is an opportunity for our community. We will never get this again. I would ask for you to support this final rezoning application."

Deborah Sims stated staff is agreeable to removing 6,7 and 9 from this property as it doesn't really apply.

John Culbreth makes a motion to approve with all the associated amended conditions which are:

RECOMMENDED CONDITIONS

1. Lees Mill Road is a Minor Arterial per the Fayette County Thoroughfare Plan. The owner/developer shall dedicate right-of-way, as needed, to provide 50 feet as measured from the existing centerline of Lees Mill Road. Submittal of the warranty deed and legal descriptions shall be submitted to the Environmental Management Department prior to approval of a final plat for the properties.

2. The owner/developer shall prepare a Traffic Impact Study for review and approval by Fayette County. The study shall determine the traffic impacts caused by the development and identify transportation projects to mitigate the impacts. The owner/developer shall pay for the design, permitting, and construction of all mitigation projects identified in the study. The details of project identification, schedule, delivery, cost, etc. shall be determined by a Memorandum of Understanding between Fayette County and the owner/developer.
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4. The project shall have a maximum of one curb cut onto Lees Mill Road.
5. Development plans shall utilize the Whitewater Creek watershed protection buffers Sec. 104-182 Minimum watershed protection requirements, Article VUU Watershed Protection.
6. All parcels on the west side of Veterans Parkway shall be combined into a single parcel within 6 months of approval of rezoning, or prior to the submittal of a site plan or permit application for any phase of the project, whichever comes first.

John Culbreth made a motion to approve Petition No. 1335-23D with amended conditions. Danny England seconded the motion. The motion passed 3-1 with Jim Oliver voting in opposition.

Danny England invited everyone to attend the Board of Commissioners meeting on January 11th. and if there were further comments, you will bring them to those meeting. If this is approved, then the developer can move forward, and it becomes an active project for the developer. After that happens, the public is removed from the project, because it is not a public project, such as a library. It is nothing that is being funded by the city, so January 11th is your last time to come in to voice your opinion on the project.

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ADJOURNMENT:

John Culbreth moved to adjourn the meeting. Danny England seconded. The motion passed 4-0.

The meeting adjourned at 9:47 p.m.

PLANNING COMMISSION
OF
FAYETTE COUNTY



JIM OLIVER, CHAIRMAN

ATTEST:



CHRISTINA BARKER
PLANNING COMMISSION SECRETARY