

Meeting Minutes 3/7/2024

THE FAYETTE COUNTY PLANNING COMMISSION met on March 7, 2024, at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia.

MEMBERS PRESENT: John H. Culbreth Sr., Chairman
John Kruzan, Vice-Chairman
Danny England
Jim Oliver
Boris Thomas

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. *Danny England made a motion to approve the agenda with the following item number 5 changed to read Approval of Paislee Park. John Kruzan seconded the motion. The motion passed 5-0.*
4. Consideration of the Minutes of the meeting held on February 1, 2024. *Danny England made a motion to approve the minutes of the meeting held on February 1, 2024. John Kruzan seconded the motion. The motion passed 5-0.*
5. Approval of ~~Minor Final Plat for Sterling Ridge.~~ *Item number 5 was amended to read Approval of Major Final Plat for Paislee Park. John Kruzan made a motion to approve the Major Final Plat for Paislee Park. Danny England seconded the motion. The motion passed 5-0.*
Rod Wright is here tonight to request the approval of the Final Plat for Paislee Park.
John Culbreth asks if there are any questions from the board. There were none.

PUBLIC HEARING

6. Consideration of Petition No. 1344-24, Stephen Willoughby Homes, owner; Rick Lindsey, agent, request to rezone 41.10-acres from A-R to R-40 for the purposes of developing a subdivision of single-family detached homes; property is located in Land Lot 230 of the 5th District and fronts on Kenwood Road and Longview Road.

Debbie Bell reviews the staff report for Petition No. 1344-24. Low-density residential, 1 unit per 1- acre is designated in this area, so the request for R-40 zoning is appropriate. Staff recommends conditional approval of the petition with recommended conditions.

RECOMMENDED CONDITIONS

1. Kenwood Road is a minor arterial on the Fayette County Thoroughfare Plan. The developer shall dedicate land, as needed, to provide 50 feet of right-of-way as measured from the existing centerline of Kenwood Road. The corner at the intersection of Kenwood Road and Longview Road shall be chamfered 20 feet along tangent legs.
2. Longview Road is a collector of the Fayette County Thoroughfare Plan. The developer shall dedicate land, as needed, to provide 40 feet of right-of-way as measured from the existing centerline of Longview Road.
3. Submittal of all warranty deed(s) and legal descriptions for right-of-way dedications shall be provided to the County within 60 days of the approval of the rezoning request, or prior to the submittal of a development site plan, whichever comes first.
4. The development shall have no more than eight (8) homes with direct road frontage onto Kenwood Road and Longview Road.
5. Any new road constructed to access lots shall be built with a deceleration lane and acceleration taper per the Fayette County Entrance and Striping Detail.
6. The development shall provide a 30-foot access easement from the interior street to the right-of-way on Kenwood Road.

There were no specific objections by staff. Most of the conditions you heard about are related to transportation uses. The property is located in North Fayette County, specifically at the southwest corner of Kenwood Road and Longview Road. It is currently zoned A-R and has one single-family home on it. You can see the land-use plan is low-density residential. There are some environmental features on the property that will be subject to the watershed protection ordinance. This is a closer look at the property by the aerial. You can see there is currently a single-family home on the lot now. That home does meet or exceed R-40 so if it remains that is no issue. Here is a survey of the property.

Good evening, Mr. Chairman. My name is Rick Lindsey, and I am here tonight representing Stephen Willoughby Homes. My client would like to develop a high-quality subdivision. The price point of the homes is projected to be \$800,000 and up. As Debbie was describing there are some water issues on the NW corner and there is an easement that crosses over the property. We will comply with all the local ordinances with setbacks and such for the sensitive areas that are up in that part. I believe the conditions are acceptable. I would like to talk about the 30-foot easement that connects to Kenwood. I had a conversation with Debbie, and I believe if we put a street up there that connects Kenwood with the subdivision, that could serve as the access easement. Is that correct?

Debbie Bell, "That is correct. The purpose of the request is in the long-range transportation planning. There are plans for a multi-use path along Kenwood Road. That hasn't been specifically engineered.

Rick Lindsey stated that, "At this time there have been no definitive plans drawn. There have been some drawings back and forth, talking to the civil engineers, but no final plan as to what the subdivision street would look like. But the plan is for there to be internal streets with all the homes facing inward internally and not on Kenwood or

Longview. On the west side of the property, those properties are already zoned R-40. Those to the south and the east are zoned A-R, and to the north right across the is a Baptist Church. It does fit in the neighborhood, and it also complies with the future land plan and the comprehensive plan of the county. Again, my client wants to develop a new quality subdivision for new residents coming into the northern part of our county. This area was developed primarily in the 70's and 80's and there hasn't been development in a long, long time. This will bring a new home product to a market where there hasn't been any meaningful development in this area for a long time. This will be a new home product for those looking for new construction and to live in expensive homes. Hopefully, this will provide some new shoppers who will patronize the stores and the restaurants in the northern part of the county. My client seeks to be a good neighbor and bring a quality product to the county. I would like to reserve the rest of my time for any rebuttal and to respond to anyone who might be opposed to this development.

John Culbreth asked if anyone else would like to speak on behalf of the petitioner or in opposition.

"Hello, my name is Darrell Carlson and I live on Longview Road. The side of my property is actually where this property backs up. I have a few concerns as do some of my neighbors. We haven't been able to get a lot of the neighbors here tonight, but we are worried about our property values. I think that is probably out of the worry realm right now because of what was said about the \$800,000. R-40 stipulates 1,500 s.f. or larger, which is not an \$800,000 home. I am concerned about maybe a different classification of perhaps R-55 or something that would demand a bigger home. There are very nice homes in this area and many of us are worried about the decline of our homes. So, he has cleared up the \$800,000 home so that must be at least 3,500 square feet. So, also a concern is I don't know if the existing home that was there is going to stay. Also, how far off of Longview are these homes going to be? According to the description of the map, it looks like all of these homes are going to have frontage on Longview, because of the existing drive and what's already there. I know the property well and I tried to buy it a number of years ago. My neighbors and I are very concerned about the homes that are going to front on Longview. This is a 25-mile-an-hour small road to live on and we have already increased the traffic on it probably two or three times from when the bridge was out on Kenwood, and it has made our street very disastrous. I have had 4-5 accidents last year just out in front of my house. That is my main concern, and I don't know if it is possible to reclassify it to an R-55 or what control we have over this. I just want to be here in opposition just to make sure that it doesn't devalue our homes in any way shape or form. It is also a concern; I would like to see a plat that shows where the homes are going to go. On the existing home, there was probably a 25- or 30-acre area that was cleared. It's got many pines growing up now, but I don't know if they can answer that. Where the positioning of these homes is going to be. If they are putting acceleration and deceleration lanes on our small street, it is going to have to be redone. If there are 8 homes off the street, how far will they be off the road? I don't know what zoning requires for that.

Thank you, sir, is there anyone else in opposition? John Culbreth asks.

Good evening, I am Cynthia Cunningham, and I am Daryll's neighbor across the street. One of our concerns is what it would do to property values, but hearing the \$800,000

valuation, I am not concerned about that. The lady over there spoke of a potential future project regarding pathways and in speaking about a future road. We have not seen a plan and he has not spoken to the engineers about it. If there was a new road then all the homes would be facing inward, with all the access from this new street that doesn't currently exist. If they didn't opt for that plan, then you wouldn't have a road there and all the houses would be backing up onto Longview. The addition of an acceleration or deceleration lane wouldn't alleviate the concern that Daryll has about car accidents in front of his home. Within the last year, seriously, there have been at least 5 accidents. Each accident involves 3 fire trucks, a couple of police cars, and a couple of ambulances, and the whole street is completely blocked. This is because there is a dangerous turn on a road that has not had a lot of maintenance. I don't, personally, think the current state of the road properly handles the volume and the speed of the vehicles that go down it now. I can only imagine how if this development were to come to fruition how the traffic would increase and I would think improvements to Longview need to be made, because who wants someone to get killed just so someone can build some new houses? Let's make people safe, please.

"Thank you, anyone else in opposition," said John Culbreth.

Hello, my name is Steve Cunningham. A lot of concerns I have, one is that a lot of the homes out there have 5,6, 7 -acres. Having a development out there is kind of alarming. It comes out of the blue actually. You know there is a lot of wildlife out there. A lot of deer call that home out there. I am not sure they took surveys, but it is going to force them into other communities or the roads. It is a danger zone just the way it is. I am not sure anyone has been out there, but it can barely handle the volume it handles now. I just think it is a bad idea. If they could do 5-acre lots, perfect, there would be minimal impact on the environment. There are not a lot of trees out there so maybe they could plant some trees and keep it natural out there instead of a lot of noise and then abatements here, abatements there. It is just a mess. And the road is barely constructed the way it is. Thank you.

Thank you. Anyone else?

Hello, my name is Eloise Delaine, and my concern is Kenwood. The street now, where the houses are is called roadkill because every day there is some animal that has been killed on that curve and you are saying that you want to put that many houses coming onto a curve, you are asking for trouble, and we have been living there. The speed limit is 35, but if you go 35, you will be passed. And Kenwood and Longview to turn onto that road, you can't turn onto that road if someone is sitting on Longview. Because of that ditch, there is a ditch. So nowhere did he talk about improving the road on Kenwood or Longview. So, we need improvement on Longview and Kenwood, thank you.

Thank you, is there anyone else who would like to speak against the petitioner? Llewellyn Bryant, thank you. I wanted to say that I do agree with all the opposition as they are my neighbors. What I am hearing here is this, Longview is not going to take that kind of development here. It is just too curvy and when that bridge went out it became really hazardous....it really did. So, not once or twice a year, but 6 times a year someone comes around that curve too fast and gets hurt. I don't think so with an \$800,000 home. That is going to devalue what we have, and we moved out there for a reason not to have development out there. We are not concerned about the people who

need high-end homes. That is not a high-end home to me. That needs to start at about \$1.5 million if they are going to do something they should be \$1.5 million plus. I can see that. That would give them \$1.5, and I do think something needs to be there on that site because it is becoming a landfill, but people see the house as abandoned then they just pull in a dump their trash, but again I don't see that type of development coming out there. I have been out there for 20 years, and I didn't move out there for this. I just don't see \$800,000 houses out there...eh no. So, that is all I have to say. Where do we get the plat and where they are going to build the houses and such?

Debbie Bell, "All of the information in the agenda package, that is published online. Usually about a week to two weeks before the meeting, so all of this information is publicly available."

Danny England, "The plat is not required for rezoning. So, we don't need a plat to rezone the property. Even if that were the case, there is no impetus for the developer to share the plat for public approval. It is provided to us, we approve it. We just approved one right before this case. So, we approve the plat, and we can approve or deny it, but that is not a matter of public input. This is all that is required for rezoning. We look at the possible uses that may go in, we say yes or no, but a plat is not required."

Is there anyone else in opposition?

Hello, my name is Debra Basso and I live on Thornton Drive. I have a couple of questions. One is there any guarantee that this is the size of the house they are going to put on, because if they are asking for 1,600 s.f. why wouldn't they go for more? Second, why aren't we able to see what they are going to put? They are saying what they are going to put but why can't we see it? I have nothing against this gentleman, but it is just his word. I think we are entitled to see something more concrete."

Danny England, "Well, you can return at the time this final plat is submitted to be approved."

Debra Basso, "But then do we vote for that?"

Danny England, "You can voice your opinions, yes."

Debra Basso, "Why wouldn't they approve it for larger homes, now?"

Danny England, "The zoning code only has the minimum square footage. It doesn't put a cap on the maximum. It is considered to be the baseline for the development standard. I can tell you mathematically that someone buying 41-acres and splitting it up for 8 homes from a development standpoint does not make any sense from a development standpoint."

Debra Basso, "Is there certain acreage that they are allowed to have to build this size of homes, like is it 1-acre, 2-acre?"

Danny England, "The land use plan is one house per acre. So now we are looking at this development would be a 5-acre lot. This is a much larger piece of property."

Debra Basso, "So they are not going to put one-acre, one-acre, one-acre."

Danny England, "It is stipulated in the conditions that they can put no more than 8 homes on this piece of property."

"Oh, hold on. That is 8 homes that can front."

Debra Basso, "So that is not how many homes that is how many can front, that is a whole different story then."

Debbie Bell, "May I please clarify?"

Danny England, "I apologize, I read that incorrectly. I read it as 8 homes total."

Mr. Culbreth, "Alright, Debbie has the floor, please."

Debbie Bell, "The request to rezone is for R-40 which permits 1-acre lots. The stipulation about 8 is if homes have direct access to the road, they are limited to 8 new driveways on those roads. If they build an internal road like in a conventional subdivision there is not a limit of 8."

Debra Basso, "So they can put 40 homes there."

Debbie Bell, "Well that wouldn't account for infrastructure. There may be soils, and roads, infrastructure, stormwater. Things that go into creating a development plan that they can do 1-acre lots. So however many 1-acre lots they can fit into their design is what they are going to do."

Debra Basso, "So, they are going to put in a lot more homes. So, now these people are going to have to worry about that. So, now we are not worried about 8 houses we are worried about 20 or 30."

Debbie Bell, "They can develop it as a conventional subdivision."

Mr. Culbreth, "Is there anyone else in opposition?"

Hello, my name is Kimberly Ball and I live in the subdivision next door which is Bethsaida Woods South. I have been in the community for about 25 years and now that I hear that this could be 20 to 30 homes, that is a problem. I am concerned about the devaluation of my home and the traffic flow. I am concerned that there will be a bunch of houses in that one small area, so I do stand in opposition to this.

John Culbreth asks if there is anyone else who wishes to speak in opposition or if not for the petitioner to come for rebuttal, please.

Rick Lindsey says, "Thank you Mr. Chairman. As has been stated, the minimum size for any lot is 1-acre but there is a huge portion of this property that is not developable. Debbie, can I have the slide? There is a large area in the northwest corner of the parcel that is not developable under state law or county ordinances. The projected number of homes is somewhere between 25-27. I know Debbie has in her report, dealing with traffic that it might go up to 29, but I don't believe we are going to get that many homes there because we will have internal streets. There isn't a final site plan because the engineers are still working on this, and we have to get it rezoned first. When there is a site plan, as Mr. England has stated, it comes back to this body and there will be an opportunity for folks to weigh in. Of course, we will have to meet all the requirements of Fayette County but the R-40 that is requested, complies with the land use plan that was adopted by the county. The question of how close the houses will be to Longview. Again, each of the lots will be an acre, at least, if not more. In addition to that, the county is making sure that we have adequate right-of-way along Kenwood and also along Longview to apply with the county ordinances which were probably not in effect at the time those roads were developed. So, there will be some property that will be carved off of this plat that will be dedicated to the county if the county wants to widen the road, but it won't belong to any individual homeowner. The acceleration and deceleration lanes are requirements of the county for any type of subdivision not just this one. I believe there is information in the packet from the people at the county.

People who want to be in our county for the good school system, who are willing to pay the prices of homes here. I appreciate the gentleman who would like to see \$1.5 million homes, but I am here to report that most people can't afford \$800,000 and that is a very high quality and high-priced home. My client wants to be a good neighbor and

for the homes to fit in and not be considered to be a problem. He wants to make sure that the neighborhood stays nice and also to attract new residents who are good quality folks who can afford homes of this price. Again, it complies with the land use plan, and I believe it complies with all the requirements of the county. So, for those reasons, I propose that the planning commission recommend approval for rezoning. Thank you. Mr. Culbreth states, "Thank you, if there are no further questions or comments, we will bring this back to the board. Are there any questions that you would like to have addressed that you have not heard addressed?"

Boris Thomas says, "I have a question. I was looking at the congestion in that area and how it would impact church activities and some of the activities on the street itself. I have been out here like 30 years myself. It is a little more crowded than it used to be. I would like to know if the county is planning to do any widening or any type of improvements to the road to help the ingress and egress with your 26 or so more neighbors."

John Culbreth asked, "Let me address that to staff when we get to that point. Can we require a traffic study when we get to that point?"

Debbie Bell states, "There usually wouldn't be a requirement for a traffic study for a development of this size. Usually, that would be closer to a development with 100 lots there might be a requirement for a traffic study."

Ok, any other questions for the commissioners? If there are no further questions, shall we entertain a motion?

Jim Oliver made a motion to approve Petition No. 1344-24 with conditions. Danny England seconded the motion. The motion passed 5-0.

ADJOURNMENT:

Danny England moved to adjourn the meeting. John Kruzan seconded. The motion passed 5-0.

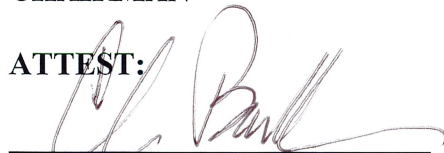
The meeting adjourned at 7:42 p.m.

**PLANNING COMMISSION
OF
FAYETTE COUNTY**



**JOHN CULBRETH, SR.
CHAIRMAN**

ATTEST:



**CHRISTINA BARKER
PLANNING COMMISSION SECRETARY**