

THE FAYETTE COUNTY PLANNING COMMISSION met on June 2, 2005 at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Public Meeting Room, First Floor, Fayetteville, Georgia.

MEMBERS PRESENT: Jim Graw, Chairman
Douglas Powell, Vice-Chairman
Bill Beckwith
Al Gilbert
Tim Thoms

MEMBERS ABSENT: None

STAFF PRESENT: Aaron Wheeler, Director of Zoning/Zoning Administrator
Delores Harrison, Zoning Technician
Bill McNally, County Attorney
Robyn S. Wilson, P.C. Secretary/Zoning Coordinator
Sgt. Earl Williams

Welcome and Call to Order:

Chairman Graw called the meeting to order and led the Pledge of Allegiance. He introduced the Board Members and Staff and confirmed there was a quorum present.

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1. Consideration of the Minutes of the meeting held on May 5, 2005.

Chairman Graw asked the Board Members if they had any comments or changes to the Minutes as circulated? Al Gilbert made the motion to approve the Minutes. Doug Powell seconded the motion. The motion unanimously passed 5-0.

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2. Consideration of the Workshop Minutes of the meeting held on May 19, 2005.

Chairman Graw asked the Board Members if they had any comments or changes to the Workshop Minutes as circulated? Doug Powell made the motion to approve the Workshop Minutes. Bill Beckwith seconded the motion. The motion unanimously passed 5-0.

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Chairman Graw explained to the audience that a Preliminary Plat was the subdivision of property which was already zoned and only the technical aspects of the Preliminary Plats could be addressed by the public.

THE FOLLOWING ITEMS WILL BE CONSIDERED BY THE PLANNING COMMISSION ON JUNE 2, 2005.

3. Consideration of a preliminary plat, Arctura Plantation, Shane Waters, Owner, and Frank James, Agent. This property consists of 27.541 acres with 13 single-family dwelling lots. This property is located in Land Lot 86 of the 5th District, fronts on County Line Road, and is zoned R-20. Staff requested to TABLE said preliminary plat until July 7, 2005 due to applicant being unable to make the necessary revisions prior to the required mailing date.

Bill Beckwith made a motion to table the preliminary plat until July 7, 2005 to allow the applicant time to make the necessary revisions as requested by Staff. Al Gilbert seconded the motion. The motion unanimously passed 5-0.

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Aaron Wheeler read the procedures that would be followed including the fifteen (15) minute time limitation for presentation and opposition for petitions.

THE FOLLOWING ITEMS WILL BE CONSIDERED BY THE PLANNING COMMISSION ON JUNE 2, 2005 AND BY THE BOARD OF COMMISSIONERS ON JUNE 23, 2005.

4. Consideration of Petition No. 1143-05, Dorothy Price and Patricia Price, Owners, and L. H. (Dan) Davis, Jr., Agent, request to rezone 2.77 acres from A-R to C-H to develop a Convenience Store/Service Station and a secondary building. This property is located in Land Lot 70 of the 5th District and fronts on Price Road and S.R. 85 South.

Dan Davis remarked that the subject property had been owned by the Price family for a long time. He reported that the subject property was under consideration for rezoning in the late fall of 2004, however at that time, approval from the Georgia Department of Transportation (GDOT) for access from S.R. 85 South had not been approved and the petition was requested to be withdrawn. He confirmed that he had received a letter of approval from GDOT for access to S.R. 85 South. He said that the plans for the subject property was to develop a convenience store with gasoline sales on the corner piece of property and a retail facility to the rear of the convenience store. He commented that he had no objections to the recommended conditions, however stated he had found a deed dedicating right-of-way from the centerline of Price Road and would present a copy to the County Attorney's Office for clarification. In regards to the second condition, he said that the GDOT has no plans for additional right-of-way needed for S.R. 85 South and requested not to be required to dedicate additional right-of-way if it was not necessary.

Aaron Wheeler stated that the site plan would be forwarded to GDOT and it must comply with their requirements.

Chairman Graw asked if there was anyone to speak in favor of the petition. Hearing none, he asked if there was anyone to speak in opposition of the petition. Hearing none and with no rebuttal required, he closed the floor from public comments.

Bill Beckwith asked how many pump stations were planned for the convenience store.

Mr. Davis replied that the guess was between 10 to 12, however there are no specifics at this time.

Mr. Beckwith questioned the dedication for right-of-way on Price Road.

Attorney Bill McNally advised that if the County in fact owns the right-of-way then the County will not be requesting additional right-of-way on Price Road.

Tim Thoms confirmed that the concept plan was based on a 60 foot right-of-way on Price Road.

Mr. Davis replied yes sir.

Doug Powell asked Mr. Davis if he was aware that the storm water management/detention would have to be relocated.

Mr. Davis replied yes sir.

Chairman Graw stated that in the Technical Review Committee (TRC) Meeting that Environmental Health had expressed concern about adequate space for the septic drain field area.

Mr. Wheeler stated that there was concern that should a heavy water user occupy the building that there may not be enough area for the septic drain field lines to handle the water, however this is only a concept plan and these type of items will be addressed at the time of site plan approval.

Chairman Graw confirmed that this could control the use of the secondary building.

Mr. Wheeler replied correct. He added that once the site plan is submitted that the Environmental Health Department will be reviewing the site plan for the heaviest water user allowed under the zoning district.

Attorney McNally advised that the property could not be utilized if the soil does not perc.

Mr. Davis confirmed that the P.C. was reviewing a concept plan only at this time. He said that the convenience store would be developed first which will determine if or what type use could be developed on the remaining property. He added that he understood that the second use would be driven by the septic.

Al Gilbert made a motion to approve the petition subject with two (2) conditions. Bill Beckwith seconded the motion.

Mr. Thoms noted that the TRC had commented about several deficiencies of the concept plan.

Mr. Wheeler explained that while the concept plan does contain several deficiencies it is only a concept plan to give an idea of what is being proposed. He confirmed that a site plan will be required which must comply with all of the County rules and regulations. He stated that in regards to rezoning the property that it should be reviewed as if every use listed in C-H were being developed on the property to determine if nonresidential zoning is appropriate for the subject property.

Mr. Thoms expressed concern about no left turn lane being proposed for Price Road.

Mr. Davis replied that GDOT did not feel that a left turn lane for Price Road was necessary.

Mr. Thoms expressed concern about the proposed uses.

Chairman Graw explained that the P.C. must consider the rezoning request to determine if it fits in with the surrounding area and land use. He stressed that the P.C. could not deny a rezoning request based on the concept plan. He added that should the subject property be rezoned the site plan must comply with all of the County requirements and regulations. He remarked that the request complies with the land use plan and the surrounding area and seems appropriate for the area.

Mr. Beckwith clarified that even if the concept plan only indicated the convenience store a secondary building could or could not be constructed.

Chairman Graw asked if there were any further comments. Hearing none, he called for the vote. The motion passed 4-1 with Tim Thoms voting in opposition.

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5. Consideration of proposed amendments to the Fayette County Zoning Ordinance regarding Article V. General Provisions, Section 5-9. Single-Family Dwelling, A. Additions To A Single-Family Structure.

Aaron Wheeler advised that this item was presented and approved by the P.C. on January 2, 2005. He said that the proposed amendment was presented to the B.O.C. on January 27, 2005, however some questions arose and Staff requested to have the proposed amendment withdrawn. He explained that the B.O.C.'s questions have now been answered and since the proposed amendment was withdrawn it must be voted on again by the P.C. He added that the proposed amendment was in its original form.

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Chairman Graw asked if there was any public input. Hearing none, he closed the floor from public comments.

Tim Thoms made a motion to approve the proposed amendment as submitted. Al Gilbert seconded the motion. The motion unanimously passed 5-0.

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Chairman Graw asked if there was any further business.

Aaron Wheeler reminded the P.C. of the Workshop scheduled for June 16, 2005 in the Board of Commissioners Conference Room, Suite 100 at 7:00 P.M.

There being no further business, Doug Powell made the motion to adjourn the meeting. Al Gilbert seconded the motion. The motion for adjournment unanimously passed 5-0. The meeting adjourned at 7:29 P.M.

**PLANNING COMMISSION
OF
FAYETTE COUNTY**

ATTEST:

**JIM GRAW
CHAIRMAN**

**ROBYN S. WILSON
SECRETARY**