

SPALDING COUNTY PLANNING COMMISSION
Regular Meeting
March 28, 2006

The Spalding County Planning Commission held its regular monthly meeting on March 28, 2006 at 7:00 P.M. in Room 108 of the Spalding County Courthouse Annex. Members present were: Karen Mathiak, Chairman, presiding, Janet Bailey, Frank Chastain, Ronald Green and John Youmans.

Also present were Charles Taylor, Community Development Director, Chad Jacobs, Senior Planner, Chad Torri, Attorney, Bruce Ballard, Griffin-Spalding County School System, and Yvonne Langford to record the minutes.

Ms. Mathiak called the meeting to order, introduced the members of the Planning Commission, and invited those present wanting to address the Board regarding any matter to sign in on the appropriate form.

Amendment to FLA-06-01: Pravim Patel, Owner – Inland Empire, Inc., Agent –Corner of Highway 155 and Teamon Road (2.85 acres located in Land Lots 113 and 114 of the 2nd Land District)– requesting an amendment from Agricultural to Commercial.

Mike Jackson – 5138 Old Atlanta Road – Hampton, Georgia

Mr. Jackson said he needs this commercial zoning for a convenience store and cleaners.

Mr. Taylor said the recommendation is for denial of the application. The commercial village node will sufficiently provide for the commercial needs for the area. The present land use classification upholds the goals of the comprehensive plan to preserve the rural character and open space between those nodes. The denial of this request will prevent the Highway 155 corridor from developing as a suburban commercial sprawl.

Ms. Mathiak asked if this is not developed commercially, how it will develop.

Mr. Taylor said under the current land use scheme and the zoning, there are certain rights to develop the property. With the agricultural residential nature of the area, you could put a residential use on the property. Recently, a six-acre tract across from this was zoned for agricultural use. If planned right, this corridor does not have to be commercial.

Mr. Jackson said the six-acre tract is on the east side of Highway 155. It is not a corner tract. Teamon Road is a major east-west corridor, and when they upgrade Highway 155, it is going to be more of an east-west corridor, and they will have to do something about the traffic. Right now he has enough frontage on Highway 155 to ask for a curb cut to be a good distance from the corner to alleviate the pressure on the corner, and they would be happy to do that but the DOT is going to dictate where it will be located. He is planning

entrances on both Highway 155 and Teamon Road. He would put them as far from the corner as he can.

Mr. Youmans said when they visited the village node concept of this area, they had many, many homeowners that showed up and complained bitterly about even having village nodes. They were warned at the time that there is going to be a lot of development on that road unless we are very careful, and he has reservations because of that.

MOTION

Ms. Bailey made a motion to deny Application FLA-06-01. The motion passed on a second by Mr. Youmans with Ms. Bailey, Mr. Chastain, Mr. Green and Mr. Youmans voting for the motion and Ms. Mathiak voting against.

Amendment to FLA-06-02: Betty Cook Hewitt, Owner – Anthony Scarpati, Agent – 1837 West McIntosh Road (1.96 acres located in Land Lot 94 of the 3rd Land District) – requesting an amendment from Medium-Density Residential to Institutional/Public.

Anthony Scarpati – 319 Mathews Road – Fayette County, Georgia

Mr. Scarpati said the lot next to this, 1857 West McIntosh Road, has been approved for Institutional and this request is to coincide with that project. They want to build 8 small office buildings for the professional market. He showed a plan for the first phase which will be on the adjacent property. The plan is that this project will be Phase II and will mirror Phase I. The project will be for two 3000 SF buildings, two 2500 SF buildings and four 1600 SF buildings.

Mr. Taylor said the staff recommendation is for approval of the land use map. This property is in close proximity to existing commercial development both in the city and the county. The change in conjunction with the successful rezoning will provide a better transition from Highway Commercial uses to the residential uses further up Highway 92. There are sufficient infrastructure improvements to support the rezoning for this project.

Mr. Jacobs said the future land use map was approved with this as commercial land use designation.

Ms. Mathiak said there are two actions that need to be considered. First is to amend the land use map and second to lift from the table to change the zoning as requested in Application #05-23Z. They should be voted separately.

Mr. Taylor said if the land use map is not amended then there is no need to vote on the re-zoning.

MOTION

Mr. Youmans made a motion to approve Amendment to FLA-06-02. The motion passed on a second by Mr. Green with Ms. Bailey, Mr. Chastain, Mr. Green, Ms. Mathiak and Mr. Youmans voting for the motion.

Application #05-23Z: Lift from the table – Betty C. Hewitt, Owner – Keith Moore, Agent – 1837 West McIntosh Road (1.96 acres located in Land Lot 94 of the 3rd Land District) – requesting a rezoning from R-1, Single Family Residential Low Density to O & I, Office and Institutional.

MOTION

Mr. Green made a motion, seconded by Mr. Youmans, to lift Application #05-23Z from the table. The motion passed with Ms. Bailey, Mr. Chastain, Mr. Green, Ms. Mathiak and Mr. Youmans voting for the motion.

Mr. Taylor said the recommendation is for conditional approval. The conditions are as follows:

1. All structures will be constructed entirely with all brick or stone facades on all sides.
2. Only professional offices be allowed.
3. A permanent structure must be constructed. No temporary buildings.
4. The site will limit all site lighting so any neighboring residential properties or rights of way will not be affected from glare.
5. A variance will be necessary for relief from the 70' setback in Office and Institutional.
6. All parking shall be to the side and rear of buildings and not between the buildings and not between the buildings and Georgia Highway 92.

These are the same conditions that were approved for the adjacent property.

MOTION

Mr. Youmans made a motion to approve Application #05-23Z with the conditions as recommended. The motion passed on a second by Ms. Bailey with Ms. Bailey, Mr. Chastain, Mr. Green, Ms. Mathiak and Mr. Youmans voting for the motion.

Amendment to FLA-06-03: Alan R. Mobley, Owner – Minter Road (39.96 acres located in Land Lot 42 of the 3rd Land District) – requesting an amendment from Agricultural and Open Space Network to Low Density Residential.

Alan Mobley – 262 Mobley Road

Mr. Mobley said the Commission has a copy of the staff recommendations. It is noted that it does border a low density tract. The other option on this property is that it can be divided into seven road front tracts because they have 1500+ feet of road frontage on Minter Road. The approximate acreage of each tract would be 5+ acres. The house size would be 1500 SF with no garage and no carport. He could ask for a special exception to allow mobile homes on the seven tracts. He is not saying that is what he is going to do but this is just some things that can be done, and it is in an area of mobile homes.

Mr. Taylor said if the property is divided into seven tracts, it becomes a subdivision. All subdivisions are subject to those architectural requirements.

Mr. Mobley said he and Mr. Jacobs had talked and thinks Mr. Taylor is mistaken, but while it is being researched, he will move on. He said as a matter of right he could do a conservation subdivision. That would produce 17 lots with 1500 SF homes with the mandatory garages and 30% accent on the façade with no amenity package. He is asking for only 8 more lots with a square footage of 1750 SF. This represents a \$20,000 increase in each home that will be built. All the timber would stay because that is a requirement of the subdivision he is requesting. You would have a wooded buffer along Minter Road. The subdivision entrance would be on Minter Road, but no homes would be accessed from Minter Road. He has some issues with the Future Land Use Map. He is not against it but is not completely for it either. There are some things with which he does not agree. It did not take into consideration the un-useable land especially in the Birdie Community. There is a lot of rock and unsuitable soil. This particular tract has room for 26 lots because they have already paid for a level 3 soil study. He reduced the subdivision by one lot so he could do the Estate Life Subdivision. A lot of tracts that are contiguous, especially to the south, are not suitable for a lot of homes. This is not going to affect more sprawl in the area. He is willing to increase the size and price of the homes. To his knowledge, no one has concerns about this property. He will follow the rules of the Estate Life Subdivision regarding the amenities. His number one concern in the land use map is that it devalues property. The property is not worth what he paid for it if he cannot get this zoning.

Mr. Taylor said the staff recommendation is for denial. If approved, it will set a negative precedent for land use decisions with respect to density which could have an adverse affect. The land use plan and the comprehensive plan work together in creating a balance. It has an affect on values in the long run when it comes to making zoning decisions in that there are areas where the county has said these are the areas where we want growth and these are the areas where we plan to deliver services and these are the areas that we want to remain rural and the services we deliver to these areas are very limited. Approving requests, such as this, for higher density in areas where we want it to remain rural can play havoc with our service delivery strategy because we are putting density into areas that, on the comprehensive plan, the things that we base our growth decisions on are “overturning the apple cart”. Now we have to plan to provide services to this newly created higher density area. This is an individual case and an individual piece of property. What leads us to making an approval here and not approving the next and the next in a similar situation? You will eventually get to a point where the value of the land use plan is not as great and you will have to make some very large changes to provide the services. The best and most economic way to provide services is to plan those areas ahead and put higher density into concentrated areas and not have this kind of density sprawled over the county because it becomes very expensive from the standpoint of delivering services. In these areas that are planned to be rural, we recommend that they stay rural. In this case, it means a few less lots, a different development plan, but at “the end of the day”, it will balance out as far as future growth is concerned.

Discussion was held regarding the density of the surrounding area and the potential use of the property. The issue of the cul-de-sac was raised and it was noted that Mr. Mobley would have to get a variance. The idea of being a transition from the higher density to

less dense was discussed. Mr. Taylor said the approval of a land use change increases the density of this subdivision. The transition is transitioning from commercial or high density residential to low density residential and then to rural. This is not the case here. Low density residential exists here and you are not transitioning. This should remain rural in favor of having high-density elsewhere. It was noted that if you have a conservation subdivision you would still have houses clustered on small lots with a greater portion of green space. Mr. Taylor said you are setting a precedent of allowing medium or low-density residential where the county had a plan for rural and it is sending a message that it is fair to request that change. If you allow this, it will cause you problems because you will have to re-think provision of services to accommodate for the zoning. By right, you are able to have conservation subdivisions in rural areas but that is accounted for because there is a balance there between the people that want to do the conservation subdivisions and those that would rather have a farm. The overall density in the rural areas can be kept to 1 unit for every three acres which is not the case if the land use is changed.

Mr. Mobley said the tract should have been low-density because it is contiguous to low-density. The land use map is wrong. It is not perfect.

MOTION

Mr. Chastain made a motion to approve Amendment to FLA-06-03. The motion passed on a second by Mr. Green with Ms. Bailey, Mr. Chastain, Mr. Green, Ms. Mathiak and Mr. Youmans voting for the motion.

Amendment to FLA-06-04: Tommy Payton, Owner – Teamon Road (8 acres located in Land Lot 170 of the 3rd Land District) – requesting an amendment from Agricultural to Low Density Residential.

Kenneth Mullins – 446 Moose Lodge Road

Mr. Mullins said he is representing Tommy Payton. Mr. Payton has inherited 24 acres. He wants to take 8 acres on the front of the property and leave the 16 acres as it is. He is proposing two-acre lots with 1750 SF houses for the 8 acres. The current land use map requires three acres. If this is not approved, it will diminish his value in use of the land. He had pictures of houses in the area on two-acre lots adjacent to this property. Mr. Payton needs to develop the property to generate income. He has not been able to work for medical reasons and has exhausted his financial resources. They are not changing the complexion of the overall area. The remaining 16 acres will remain wooded with the hardwoods with the zoning as it is. Mr. Payton plans to put his own home there when he returns to Griffin to live.

Mr. Taylor said the staff recommendation is for denial. It will create a negative precedent for land use decisions which will affect the density which could have an adverse affect in allowing the county to deliver services properly.

MOTION

Mr. Green made a motion to approve Amendment to FLA-06-04. The motion passed on a second by Ms. Bailey with Ms. Bailey, Mr. Chastain, Mr. Green and Ms. Mathiak voting for the motion and Mr. Youmans voting against.

Application #06-02Z: Tommy L. Payton, Owner – Teamon Road (8 acres located in Land Lot 170 of the 3rd Land District) – requesting a rezoning from AR-1, Agricultural and Residential to R-2, Single Family Residential.

Kenneth Mullis – 447 Moose Lodge Road

Mr. Mullis said they want to build four homes on 2+ acre tracts with a minimum of 1750 SF heated space. Mr. Payton will be developing the property with Mr. Mullis’s help.

Mr. Taylor said the recommendation is for denial, but if approved, the recommendation is that the houses built on the site must meet, at a minimum, the architectural requirements of the subdivision area and further that sharing of driveways be required to limit the number of curb cuts on Teamon Road.

MOTION

Mr. Chastain made a motion, seconded by Mr. Green, to approve Application #06-02Z with the conditions as recommended by staff. The motion passed with Ms. Bailey, Mr. Chastain, Mr. Green and Ms. Mathiak voting for the motion and Mr. Youmans voting against.

MINUTES

Mr. Chastain made a motion to approve the minutes of the February 27, 2006 meeting. The motion passed on a second by Mr. Youmans with Ms. Bailey, Mr. Chastain, Mr. Green, Ms. Mathiak and Mr. Youmans voting for the motion.

Other Business:

Alan Mobley to discuss the 25% façade requirement for single family dwellings in subdivisions.

Mr. Mobley – 262 Mobley Road

Mr. Mobley said Hardi-plank is a concrete siding. He has been discussing this issue with the staff for sometime. A lot of the plans now have little stone or stucco. Sometimes it is the foundation only. The average size home in Spalding County has 30 squares of siding. A square is 100 SF. Vinyl siding costs \$105 per square. Concrete board costs \$170 per square which is \$1950 more. It then has to be painted which costs from \$65 to \$100 per square. A 1500 SF home in Spalding County, if you wrap it with concrete board and paint it the siding will cost \$4000 more than if you use vinyl siding. The average cost of an accent is 25%. His average cost to accent a 1500 SF house is \$1200. Stack stone costs \$9.00 per SF, brick is \$7.50 per SF and stucco is \$3.50 per SF. He feels it needs to be changed so that if a developer uses the concrete siding on all sides of the house there should be no accent requirements because the product is superior to the vinyl with accents. Discussion was held and it was decided to request staff to draft an ordinance.

MOTION

Mr. Youmans made a motion to direct the staff to draft an ordinance to allow concrete boards on all four sides with no accents and to allow concrete shakes as accents along with the stone, brick or stucco. The motion passed on a second by Mr. Green with Ms. Bailey, Mr. Chastain, Mr. Green, Ms. Mathiak and Mr. Youmans voting for the motion.

MOTION

The meeting was adjourned on a motion by Mr. Chastain and a second by Mr. Youmans with Ms. Bailey, Mr. Chastain, Mr. Green, Ms. Mathiak and Mr. Youmans voting for the motion.

Karen Mathiak – Chairman

Yvonne M. Langford - Recorder