

**Spalding County Planning Commission**  
**Meeting**  
**June 28, 2005**  
**7:00 p.m.**

The Spalding County Planning Commission held its regular monthly meeting on June 28, 2005 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 and Ronald Green. John Youmans was not present.

Also present were Charles Taylor, Community Development Director, Chad Jacobs, Senior Planner, Newton Galloway, 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-05-04:** Scarbrough and Rolader Development, LLC, Owner – Paragon Consulting Group, Agent – South 6<sup>th</sup> Street Extension (96.594 acres located in Land Lot 170 of the 2<sup>nd</sup> Land District) – requesting an amendment to the Future Land Use Map from Agricultural and Open Space Network to Low Density Residential.

Mr. Taylor said this land use map amendment does not have a rezoning attached. The property is already zoned residential and has access to sewer. Under the county development standards the yield on the property, if developed as a conservation subdivision, would be equal to the yield that is being proposed on the special exception that is going to be considered by the Appeals Board next month. There is nothing the land use map has to say about this but the county is working to keep zoning and land use consistent and what is being requested with this amendment is to maintain that consistency.

Courtney Nolan – 199 Grant Road – Fayetteville, Georgia

Ms. Nolan was present representing Paragon Consulting Group, and they are requesting that the land use be changed to low density residential for this development.

Sinclair Hollberg – 3335 Jackson Road

Mr. Hollberg had a prepared statement that he wanted entered into the record. A copy of this statement is attached to and becomes a part of these minutes.

B. Frank Harris – 1881 South Sixth Street Extension

Mr. Harris said the 73 home subdivision that is being proposed is on property adjacent to his home and is on the north side of the Runnymede development. They have had several meetings and feel they have several things worked out between the homeowners and the developers. He questioned whether this change was necessary for Scarborough and Rolader to be able to proceed with this development. He and the other homeowners have concern regarding an additional 90 to 100 acres owned by Dr. King that abuts County Line Road. There is nothing between Maddox

Road and County Line Road that is less than two acres. This property is going to have less than one-acre lots, and there is nothing they can do about this. They are concerned that if the future land use map is changed to reflect this change then everything between this property and County Line Road will automatically “roll over”. If this change is not necessary to develop this property, they would like consideration be given to not making this change.

Mr. Taylor said the county is trying to keep the future land use map consistent with the zoning. The special exception they are requesting is a zoning change, and for that reason, he feels the change is necessary. He said he differs with Mr. Harris’ view. The land use designation can be changed on this property without the balance of the property automatically changing. Runnymede, which is designated as low-density residential, would be the transition from the more suburban density to the rural density approaching Orchard Hill. He does not see this as a domino effect.

Mr. Harris wanted the staff and Planning Commission to suggest that before it goes to the commissioners.

Discussion was held with the Planning Commission members recognizing the concern expressed by Mr. Harris.

Mr. Futral arrived and wanted to address the Commission.

Walter Cliff Futral – 4953 Jackson Road

Mr. Futral said he has a store and a farm on Old Jackson Road two miles from the Butts County Line. He wanted to address the Village Node being considered on Highway 155. Most of the people in the county want to keep the rural aspect of the county. He realizes the area is going to fill up with people one way or another. He feels the Village Node is a good plan considering the different zoning and different areas of the county. When they have something like a Village Node, it is different. If his understanding is correct, it will be a true type village with services provided with mostly houses and apartments. He is concerned about the density and who is going to develop it and how. Minerva Properties is a huge business, and if anyone has the money to do it right and it is approved, they are the ones that can. Their “feet need to be held to the fire” to make them do it right. They should not have just a little stone or brick façade. It should be primarily brick apartments or long lasting siding. If it is approved, during the process of the permitting, they should be required to do it right. If someone does this, they should have the financing, and they should have a bond to require a completed project up to fine standards to be proud of in the future. If you are going to have Village Nodes, you should have Village Nodes. You do not need to have subdivisions all around the county plus the Village Nodes. There is no need to have any more subdivisions. His understanding is that there are 5000 lots that have been approved in subdivisions. Less than 100 lots have been built on so why approve any more? He urged the Planning Commission to not be intimidated by lawyers that a subdivision has to be approved or there is going to be a lawsuit. Stand up for the people and don’t listen to fancy sales talks.

## **MOTION**

Mr. Green made a motion to approve Amendment to FLA-05-04 conditioned on the low density shown on the land use map as Runnymede becomes the buffer between the low density residential proposed and the rest of the rural area in the county to the south. The motion passed on a second by Ms. Bailey with Ms. Bailey, Mr. Chastain, Mr. Green and Ms. Mathiak voting for the motion.

**Amendment to FLA-05-05:** Walter T. Wilson, Owner – Business Realty, Agent – Georgia Highway 92 (8.26 acres located in Land Lot 27 of the 3<sup>rd</sup> Land District\_ - requesting an amendment to the Future Land Use Map from Agricultural to Low Density Residential.

Mr. Taylor said this is a proposal for the intersection of Highway 92 and Vineyard Road. The request is to show the properties as low-density residential rather than agricultural and forestry. In reviewing the request, the staff recommendation is to deny this amendment for the following reasons:

1. The possibility of added density at the subject property would require improvements to be made to the intersection of Georgia Highway 92 and Vineyard Road.
2. The new fire station at Vaughn/Rio, which would better serve this area, is at least five years from construction.

#### **MOTION**

Mr. Chastain made a motion to deny Amendment to FLA-05-05 based on the recommendations of the staff and the safety implications. The motion passed on a second by Mr. Green with Ms. Bailey, Mr. Chastain, Mr. Green and Ms. Mathiak voting for the motion.

**Application #05-09Z: Lift from the table** – Bailey Preferred, LLC, Owner – JAL Holdings, LLC, Agent – West McIntosh Road and Beasley Road (91.70 acres located in Land Lots 30 and 35 of the 3<sup>rd</sup> Land District) – requesting a rezoning from R-2, Single Family Residential, and AR-1, Agricultural and Residential, to R-2, Single Family Residential.

#### **MOTION**

Mr. Green made a motion to lift Application #05-09Z from the table. The motion passed on a second by Ms. Bailey with Ms. Bailey, Mr. Chastain, Mr. Green and Ms. Mathiak voting for the motion.

Mr. Taylor said JAL applied for this rezoning prior to the amendments to the Future Land Use map being separated on the agenda so the Future Land Use Map will need to be amended with this application.

Dick Slade – 415 County Club Drive

Mr. Slade said he is representing Searcy and Company in the selling of 91 acres on West McIntosh Road, Beasley Road and Westmoreland Road. He said there is in excess of 5000 feet of road frontage on this property. The property will have sewer, and it will be comparable to Westchester, the Country Club and Nottingham Estates. Mr. Jason Lewis is the purchaser and joined Mr. Slade in making the presentation regarding this property.

Jason Lewis – 4030 Pine Ridge Road – Smyrna, Georgia

Mr. Lewis said he was a Griffin resident and graduated from Griffin High School in 1990. This will be his first development in Spalding County since Home Depot in 1992.

Mr. Slade said Mr. Lewis wants to develop a subdivision on this property with a nice entrance, median trees, 1 ½ acre cul de sac with a recreation area, walking trails, and the houses will sell for from \$150,000 to \$250,000. He has seen Mr. Lewis's work, and he will do a good job. In the 35 years he has been in the business, there is no one more qualified to give us a nice, upscale subdivision in this area.

Mr. Lewis displayed a rendering of the proposed project. He has worked with the planning department since October 2004. This will be a conservation subdivision. He went over the proposed plan. The land will be developed in phases with each phase having its own green space, and it meets the spirit of the ordinance regarding the conservation subdivision. They are asking for an R-2 rezoning as a matter of right on the property because the land use changed during their planning process. They began the planning process in October, and the change took place in December. Construction will begin as soon as they get approval.

The Planning Commission discussed the planned development with Mr. Lewis.

Dick Morrow – 263 Westchester Drive

Mr. Morrow said this proposal is like a lot of proposals. It is not all good, and it is not all bad. There are several levels of this development that need to be discussed. This is not really comparable to Club Estates. The houses in Club Estates are much larger. At the \$150,000 to \$250,000 price range, it is much below what most of the homes there are selling for. They have homes selling for over \$1,000,000. R-2 is not appropriate. It is a lower standard that is not needed in the area. Sam Jackson Farms between Club Estates and this development is zoned for R-1 at 2000 SF. The McElroy property behind this is zoned 2000 SF. This should be zoned no less than R-1 at 2000 SF. If you look at the area, there is the potential for development of a couple of thousand acres that could "fall like dominoes" after this. This is going to set the standard and he would like see the standard higher than what is being proposed. He does not have a problem with the conservation plan. He likes the green space but not the 1750 SF houses. The developer has already put the commissioners on notice that he is not going to be happy with the 74 lots that this would permit but he is going for the 86 lots for enhanced density. More density is not what is needed in the area with the traffic and other problems. If the City forces him to put in higher sewer capacity, then this opens everything to the west to higher density development. He requested denial of the zoning request. Mr. Morrow said there were other residents of the area but he was speaking for the group.

Dick Slade said this property has three separate entrances with a mile of road frontage. The feasibility shows 1.5 children per household. With the ingress and egress, he does not see how that could cause congestion. There is a lot of lowland in the green space that is unusable. In order to make this work, Mr. Lewis has agreed to come off the Old Westmoreland Road where the lift station is located, cross 237 acres up Beasley Road, and put a lift station at the top at a cost of \$350,000 to \$500,000. All the houses are not the type Mr. Morrow spoke about in his subdivision. Nottingham is below it and is comparable and quite a few on the other side of the

County Club. This area is conducive to this type housing due to its location. There are a lot of people that work in Griffin that travel back and forth on Highway 92 to Fayetteville and the Peachtree City area. People are looking for housing in this price range. To have sewer and the lots as proposed with the lake area, walking trails and security, he does not understand why anyone would disapprove.

Mr. Lewis said the GIS records indicate that an average of 1425 SF homes are currently built within a ½ mile radius of this property. As a builder, he understands the “bait and switch” of saying that he is going to build a good product but the budget did not work out that way. The facilities are not available unless he can get the city to cooperate. They expect him to bear the full cost of the entire West McIntosh basin, as it will be known. There are over 500 acres of potential development. The property to the north was rezoned to allow an R-2 conservation subdivision of 100 lots which is a higher density than his increased request. He is purchasing 91.7 acres and requesting 86 lots. As a matter of right, they can have 74 lots, but with a \$500,000 increase in infrastructure being mandated by the city, they are not even close to the cost with the 12 additional lots. They will have a 350 SF increase over the houses in the ½ mile radius. That is a substantial improvement. They are requesting to match the zoning on the property that is on the road frontage of R-2. The average home that he built in the City of Smyrna around a similar project started out at the \$500,000 to \$600,000 price point, but when the project was completed, they completed the highest price homes that had ever been sold in the City of Smyrna. People were drawn to a garden park concept. There will be plenty of elderly residents that would like to have smaller lots but still have the green space to enjoy. They want a quality built home that does not necessarily want anything other than a ranch house. They are not looking for steps, or a large upstairs. He was raised in the area and his family maintains a residence there. His friends and neighbors will not approve anything less than what has already been discussed.

Mr. Morrow said the Westmoreland Road Subdivision was zoned R-1, it is not R-2. R-1 was 1750 SF which was the highest zoning. The reason the zoning was raised to 2000 SF was to get larger, nicer developments. The sewer is going to open up the next property. If this is zoned at the R-2 level, it is going to open up the next for the same R-2 zoning. It should be moved to R-1. To say there are smaller houses within ½ mile is an insult to the community. They do have older, smaller houses around east but the whole thrust in the county for the last two years has been to stop that and move up. This is a chance to move up and not settle for R-2 zoning.

Mr. Taylor gave the staff report. He identified property on the Future Land Use Map. He said the recommendation is to approve amending the future land use map. There are a number of things that have happened that affect this property. He went over the zoning in the area. Putting in sewer draws development and density. This request, at a one unit per acre density, is not a bad precedent to set.

In zoning, they look at a ½ mile radius. The houses that are being proposed are larger than the average. The county is looking to building larger homes. This will be an increase in house size. The MRD development was approved at 1750 SF. That will be 45 houses. The Hart property is approved at 1750 SF. With that in mind, this development at 1750 SF is not out of question for

the area. The Planning Commission has the authority to recommend the R-1 zoning. Staff recommends conditional approval of the rezoning. The conditions are:

1. Maximum number of homes for the property will be allowed at 74 units.
2. Front porches shall be finished in character with the design of the houses and will be underpinned.
3. Approval will be given to amend the Future Land Use Map.

This is a conservation subdivision. They have worked with the developer on this plan. 74 units is the allowable density for the subdivision, but there is an allowance for an increased density that rests entirely with the Board of Commissioners if the developer meets one of three criteria as outlined in the ordinance. If the Board of Commissioners does not allow the increased density, then it is his opinion that the layout will have to return to the Planning Commission and Board of Commissioners prior to the platting phase.

Mr. Chastain discussed the proposed map and wanted to know if the Planning Commission had the authority to propose split zoning or put conditions on the zoning change.

Mr. Taylor said it can be split zoning or conditions can be put on requiring a certain number of houses at an increased square footage.

#### **MOTION**

Mr. Chastain made a motion to amend the Future Land Use Map to reflect the property as low density residential. The motion passed on a second by Ms. Bailey with Ms. Bailey, Mr. Chastain, Mr. Green and Ms. Mathiak voting for the motion.

#### **MOTION**

Mr. Chastain made a motion to approve Application #05-09Z for R-2 zoning conditioned on the homes on lots 35-87 being a minimum of 2000 SF, limit the number of homes for the property to 74, and front porches shall be finished in character with the design of the houses and will be underpinned. The motion passed on a second by Ms. Bailey with Ms. Bailey, Mr. Chastain, Mr. Green and Ms. Mathiak voting for the motion.

**Amendment to FLA-05-07:** Willie A. Alford and Mary L. Alford, Owner – Keith Moore, Agent – 1857 West McIntosh Road (1.95 acres located in Land Lot 94 of the 3<sup>rd</sup> Land District) – requesting an amendment to the Future Land Use Map from Medium Density to Commercial.

**Application #05-11Z:** Willie A. Alford and Mary L. Alford, Owners – Keith Moore, Agent – 1857 West McIntosh Road (1.95 acres located in Land Lot 94 of the 3<sup>rd</sup> Land District) – requesting a rezoning from R-1, Single Family Residential Low Density, to C-1, Highway Commercial.

These applications were addressed together and voted separately.

Keith Moore – 103 King Richard Drive

Mr. Moore said this proposal is to build 6 to 7 commercial buildings. They will be all brick buildings with Hardiplank accents. He had drawings of the plans for the buildings.

Mr. Taylor said the property is located adjacent to the Conner-Westbury Funeral Home which is zoned commercial. Care is taken regarding zoning the Highway 92 corridor because you do not want all of this property commercial in the future. It is very expensive to service for transportation, police and fire protection. There are some individual areas that are appropriate for this zoning. The office development will be a low impact commercial use. The recommendation is for approval of the change in the land use map.

### **MOTION**

Mr. Chastain made a motion to approve Application FLA-05-07. The motion passed on a second by Ms. Bailey with Ms. Bailey, Mr. Chastain, Mr. Green and Ms. Mathiak voting for the motion.

Mr. Taylor said the recommendation is to approve the rezoning with conditions as follows:

1. All structures will be constructed entirely with brick or stone facades on all sides.
2. Only professional offices shall be allowed.
3. Permanent structures must be constructed, no temporary buildings shall be allowed.
4. The site will limit all lighting so that any neighboring residential property or rights of way will not be affected by glare.
5. A variance will be necessary for a group development with respect to the two acre requirement.
6. An acceleration/deceleration lane shall be provided at entrance.
7. All parking shall be to side and rear of buildings and not between buildings or on Georgia Highway 92 right of way.

### **MOTION**

Mr. Green made a motion to approve Application #05-11Z with the staff recommendations. The motion passed on a second by Ms. Bailey with Ms. Bailey, Mr. Chastain, Mr. Green and Ms. Mathiak voting for the motion.

**Application #05-12Z:** Jonathan W. Baird, Owner – Alan R. Mobley, Agent – 111 Mt. Zion Road (11 acres, more or less, located in Land Lot 29 of the 1<sup>st</sup> Land District) – requesting a rezoning from AR-1, Agricultural and Residential, to R-5, Single Family Residential.

Julian Mobley – 225 Birdie Road

Mr. Mobley said he was representing Alan Mobley in this application. They want to divide this into five parcels. The smallest will be 1.2 acres and the largest will be 2.4 acres. The staff is recommending conditional approval, and they do not object to the conditions. He reviewed the tax maps, and on East Maddox Road, it appears that the highest value is \$73,000 down to somewhere around \$10,000. They propose 1250 SF heated space homes with a two-car attached garage and front porch which will bring the square footage to 1700 SF under roof. The present structure on the property will be removed.

Mr. Taylor said the staff recommendation is for conditional R-4 zoning rather than the R-5. In looking at the properties in the ½ mile radius, the average house size is 1303 SF. The policy of the county is to try to improve on the average in the area. The more appropriate zoning would be R-4. The condition is that all front porches will be underpinned and finished in character of the home.

Mr. Mobley said they would like the zoning to be R-5 with adjustments to the square footage up to 1325 or 1350 which would be above what is in the area.

Mr. Ballard said there is a lot of land adjacent to this property that is zone AR-1 and that should be considered when making a zoning change.

### **MOTION**

Mr. Chastain made a motion to approve Application #05-12Z for R-4 zoning with the condition that all front porches be underpinned and finished in the character of the home. The motion passed on a second by Ms. Bailey with Ms. Bailey, Mr. Chastain and Ms. Mathiak voting for the motion and Mr. Green voting against.

**Application #05-13Z:** Cole Tract Associates, L.P., Owner – Johnson Road (199.669 acres located in Land Lot 146 of the 2<sup>nd</sup> Land District) – requesting a rezoning from PDD, Planned Development District, to PDD, Planned Development District, and VN, Village Node.

**Application #05-13AZ:** Frank S. Wilson, Sr. and Emily Howard Wilson, Georgia Wilson-Jones, Thomas D. Wilson, Jr. and William P. Wilson, Jr. as Trustee for the Estate of William P. Wilson, Sr., Owners – Minerva Properties, L.L.P., Agent – Georgia Highway 155 (35.891 acres located in Land Lot 147 of the 2<sup>nd</sup> Land District) – requesting a rezoning from R-2, Single Family Residential, to VN, Village Node.

These two applications were considered together and voted separately.

Brian Davidson – Minerva Properties – 2292 Henderson Mill Road – Atlanta

Mr. Davidson said he was present to address the plans for the Village Node concept. The future land use map indicates five locations for this type development. This particular location is the most immediate in terms of development. This is part of the overall plan for Heron Bay. They have a large portion of the development planned with the Village Plan concept. He went over the plans they have for this property. The general concept is to create a mix of retail, office and residential all united in the same core community. It will create a more pedestrian focus, village like atmosphere, versus the typical sprawling subdivision. There are a lot of people looking for a change in their life style, trying to find something where the neighbors are closer, where people are walking more with more of a sense of community spirit. Things have been focused on car movement and there is a nationwide trend to get away from that. The problem with this type development is to write an ordinance that allows this by uniting them all together. To make it work requires a lot of flexibility and creativity. He had photos of the concept and went over in detail the possible design of the area.

Sinclair Hollberg – 3335 Jackson Road

Mr. Hollberg read a prepared statement that is attached to and becomes a part of these minutes. He noted that a group of people contributed to this statement and represents the thoughts of more than just himself.

Dick Morrow – 263 Westchester Drive

Mr. Morrow said when he served on the county commission, his goal was to shape the county into something that would give pride. One of his crusades was to get away from the “1940’s zoning” which he felt would destroy the county. The element of that zoning was that everything is separated. You have to live in one place, work in another area and shop somewhere else. You had to drive to get everything. The only hope of saving some of the rural look for Spalding County is with the Village Node concept. If this is approved, which he supports, then this commission has to stop changing land use maps and putting residential everywhere with high density everywhere. If you go to Village Node, it is designed to put density and business in the nodes and protect the rest of the county. You cannot have it both ways. You have to have one or the other. This Village Node is a culmination of several years of working and planning. He did not come up with this idea. The planners did. This is a good idea. He supports this application, but Minerva should not get a “blank check”. The staff has been diligent to trying to shape this concept, and he hopes they will continue to “tread carefully”. He does have some concerns. Traffic is an issue and Highway 155 needs to be four-laned. He does not see any provision for a school. Minerva gave land in the Springs Lake subdivision for a school. There is going to be a need for an additional school.

Newton Galloway, Zoning Attorney, addressed some issues regarding this application. The land use map presumes that development rights in the bulk of the county will remain at AR standard which is a unit to two acres or a unit to a greater size tract in return for designating these areas in Village Nodes for greater density residential development and concentration of commercial development to provide services in particular areas of the county. This application has been presented prior to the text amendment allowing the zoning. Later in the agenda this will be addressed. The text amendment is in preparatory form only and the request is going to be made to hold workshops and public hearings prior to it being approved. There is nothing in the present zoning ordinance that would allow for this zoning classification. It has been decided to create an entirely new zoning classification designated as Village Nodes, which if the land use map is followed, can only be developed in those areas. There are not a lot of guides for Village Nodes. This is the first development of this type in the Southern Crescent. There are few elsewhere. They have requested that Minerva bring a plan, and if it is agreed that this is what the county intended when it developed, the Village Node on the land use map then the ordinance will be drafted accordingly. Whatever rules and regulations are put in the text for the Village Node at Heron Bay will have to apply for all Village Nodes in every area of the county.

Mr. Galloway addressed the concerns expressed by Mr. Hollberg.

Mr. Taylor reported from the staff noting that the land use map supports the Village Node concept. The plan is to concentrate growth in order to allow for the area between the villages to remain rural because preserving the rural character of the county is a major goal. There are other benefits of concentrated growth environmentally. It reduces the amount of infrastructure and service costs as well as expense of schools. There is a lot of opportunity in the villages to try to

create a quality life and save on future services. The one thing that was not included in the plans was the architectural criteria and the relationship of buildings to people. That will have to be done as part of the ordinance. Minerva has experience in developing Village Nodes, because they were involved in that concept with the work they have done in the Chattahoochee Hill Country. This was one of the templates that was used in developing the comprehensive plan. Minerva has suggested that they develop this concept in Spalding County at some risk because they do not know that it will work here. It is important that this be done correctly the first time, because it will serve as a template for the other village nodes in the county. Staff recommends conditional approval of this zoning request. The recommendations are that:

1. All front porches will be underpinned and finished in character with the house.
2. Parking plan will be provided.
3. Access to sewer with sufficient capacity to serve the development shall be available.
4. Approval of the rezoning requires the County Commission to adopt the ordinance to make it possible.

Mr. Green said when he first heard of this concept, he was not comfortable that it was appropriate. Since hearing more, he is excited about the plans. He feels educating the public is going to be critical.

#### **MOTION**

Ms. Bailey made a motion to approve Application #05-13Z with the conditions as recommended by the staff. The motion passed on a second by Mr. Green with Ms. Bailey, Mr. Chastain, Mr. Green and Ms. Mathiak voting for the motion.

#### **MOTION**

Mr. Green made a motion to approve Application #05-13AZ with the conditions as recommended by the staff. The motion passed on a second by Ms. Bailey with Ms. Bailey, Mr. Chastain, Mr. Green and Ms. Mathiak voting for the motion.

**Amendment to FLA-05-06:** Jaya Momaya, Owner – Carver Road (40 acres, more or less, located in Land Lot 87 of the 2<sup>nd</sup> Land District) – requesting an amendment to the Future Land Use Map from Low Density Residential and Open Space Network to Medium Density Residential.

**Application #05-14Z:** Jaya Momaya, Owner – Carver Road (40 acres, more or less, located in Land Lot 87 of the 2<sup>nd</sup> Land District) – requesting a rezoning from R-1, Single Family Residential Low Density, to R-4, Single Family Residential.

These two applications were discussed together and voted separately.

Mark Anthony - 1775 Carver Road

Mr. Anthony said this is a proposal for a community for those 55 and older. The reason for the size of the houses is to meet the needs of the people that want to downsize from the larger to smaller homes that are affordable and works for their needs. The home will be 1500 SF with zero thresholds on flat ground and wheelchair accessible. Each home will have a 320 SF

enclosed gated courtyard. They do not need the use of large lots. There will be in excess of 25% green space that the homeowners' association will maintain. The impact on the community will not be that great. There will be a minibus for shuttle back and forth. The homes will be brick and high quality.

Stephen Fusco – 945 East Paces Ferry Road – Atlanta

Mr. Fusco said he is an attorney representing Bill Mathis who has the property directly next door to this development. This development is inconsistent with the land use map. The land use map calls for low density residential and this would be medium density residential. There is nothing in the area that is remotely trending toward medium density residential. This would be spot zoning with no property in the area zoned R-4 and with no indication that it would be appropriate. The proposed development is intended for people 55 and older. A development of that type should have services in the area to accommodate the concept. There are no services in the area. You have to cross a major highway to get to the commercial nodes and it is not appropriate for this type housing. There is a stream on the property. There is a proposed buffer across the stream. He does not feel the developer has looked at the issues of water runoff or sewer runoff. He is planning 120 units and if you look at the impervious surfaces that will be created he has not addressed that issue. Where would detention be for the proposed 120 units? The board needs to look at that when considering soil and erosion. How is he going to control runoff to make certain that water does not go into the stream that leads to a lake that is on Mr. Mathis's property? Transportation has to be considered. The norm is 10 trips per day per household which is 1200 trips per day. You might be able to mitigate that with buses and services but the houses have courtyards and two-car garages. If you plan to bus people in and out there would be no need for two-car garages. The lot is going to be a flag lot according to the development code which is not allowed under the current UDO. If this is approved, it would create a non-conforming lot under the zoning ordinance. Mr. Fusco said he wanted to preserve Mr. Bailey's constitutional objections and puts this on the record for the purposes of going forward.

James Bevil – 1844 Carver Road

Mr. Bevil said he lives directly across the street from this proposed development. This proposed development is out of place. It is like a "fish out of water". He does not want to sit in his front yard and look at the back of six houses backing up to Carver Road. There is nothing in the area less than two acres. Most of the properties are three, four, five and seven acres. He was shocked at the plan for 120 houses being proposed for this field.

Dick Morrow – 263 Westchester Drive

Mr. Morrow said he does not mean this to be disrespectful to the developers proposing this development but he has seen a lot of development proposed in Spalding County in the last several years but this might be the worst he has ever seen. This might be the worst possible place to put this type development. 120 units on 40 acres violates two principles. He is asking to go from low density residential open space to medium density in the middle of nowhere. This is absolutely and totally inappropriate. These densities belong in a Village Node not stuck out on Carver Road in the middle of low density. He strongly disagrees with down zoning. He is going from R-1 to R-4 which is a bad policy. It is the wrong development in the wrong place. This should be voted down with prejudice.

Ms. Mathiak said that Mr. Youmans, a member of the Planning Commission Board, who could not be present sent a letter opposing this application.

Mr. Taylor said this requires an amendment to the land use map. This is low density residential. In reviewing the request, there is no precedent for the change. The staff recommendation is for denial for the land use map change. In research of the ½ mile circle regarding the zoning change, the average house size is 2081 SF. The R-4 minimum 1500 SF would not be appropriate so the recommendation is for denial of the rezoning.

**MOTION**

Mr. Green made a motion, seconded by Mr. Chastain, to deny Application FLA-05-06. The motion passed with Mr. Chastain, Mr. Green and Ms. Mathiak voting for the motion and Ms. Bailey abstaining.

**MOTION**

Mr. Green made a motion, seconded by Mr. Chastain, to deny Application #05-14Z. The motion passed with Mr. Chastain, Mr. Green and Ms. Mathiak voting for the motion and Ms. Bailey abstaining.

**S/D #05-06: Pomona Road Estates** – Paradigm Development & Consulting, Owner – 29.69 acres, more or less, off Kilgore Road, North Pomona Road and Pomona Road located in Land Lot 120 of the 3<sup>rd</sup> Land District – 14 lots.

Mr. Taylor said the staff recommendation is for approval conditioned on all departments reviewing and approving the plat.

Greg Pruitt – 55 Partridge Path

Mr. Pruitt said he was present to answer any questions.

**MOTION**

Mr. Chastain made a motion to approve S/D #05-06 conditioned on review and approval by all departments in the county. The motion passed on a second by Ms. Bailey with Ms. Bailey, Mr. Chastain, Mr. Green and Ms. Mathiak voting for the motion.

**S/D #05-07: Vineyard Park** – Westmoreland Partners, Inc., Owner – 85.51 acres off Vineyard Road and Westmoreland Road located in Land Lots 37, 38, 59 & 60 of the 3<sup>rd</sup> Land District – 82 lots.

Mr. Taylor said the staff recommends approval.

**MOTION**

Mr. Green made a motion to Approve S/D #05-07. The motion passed on a second by Mr. Bailey with Ms. Bailey, Mr. Chastain, Mr. Green and Ms. Mathiak voting for the motion.

**S/D #05-08: Lexington Place** – MRD, LLC, Owner – 25.53 acres off West McIntosh Road located in Land Lot 62 of the 3<sup>rd</sup> Land District – 48 lots.

Mr. Taylor said the staff recommendation is for approval conditioned on the revised plat being reviewed and approved by all departments.

**MOTION**

Mr. Green made a motion, seconded by Ms. Bailey, to approve S/D #05-08 conditioned on review and approval of all county departments. The motion passed with Ms. Bailey, Mr. Chastain, Mr. Green and Ms. Mathiak voting for the motion.

**S/D #05-09: Rocky Creek Estates** – Standards Properties, Owner – 141.578 acres off Boynton Road and Hillview Road located in Land Lots 171 and 172 of the 3<sup>rd</sup> Land District – 33 lots.

Mr. Taylor said the staff recommendation is for approval.

Jerry Standard – Standard Properties – 1605 Zach Hinton Parkway McDonough, Georgia

Ms. Mathiak asked if there is anything that can be done regarding the flag lots. She said she realizes that a portion of this is in Henry County.

Mr. Standard said they have met with Henry County and are satisfied with the development.

Mr. Galloway said the position is that if the road frontage satisfies the county that has the road frontage then it is in compliance.

Mr. Taylor said they have received a letter from Henry County, and they confirm that he has met the Henry County requirements.

**MOTION**

Mr. Chastain made a motion, seconded by Ms. Bailey, to approve S/D #05-09. The motion passed with Ms. Bailey, Mr. Chastain and Mr. Green voting for the motion and Ms. Mathiak voting against.

**S/D #05-10: Hunt’s Mill Estates** – Johnscar, LLC, Owner – 21.885 acres off Macon Road located in Land Lots 181, 203 and 204 of the 2<sup>nd</sup> Land District – 32 lots.

Mr. Taylor said the staff recommendation is for approval.

**MOTION**

Mr. Green made a motion to approve S/D #05-10. The motion passed on a second by Ms. Bailey with Ms. Bailey, Mr. Green and Ms. Mathiak voting for the motion and Mr. Chastain voting against.

**S/D #05-011: Hudson Industrial Park Phase 2** – Griffin Spalding County Development Authority, Owner – 44.766 acres off Hudson Industrial Drive located in Land Lot 212 of the 2<sup>nd</sup> Land District.

Mr. Taylor said the staff recommendation is for approval.

Dick Morrow – 263 Westchester Drive

Mr. Morrow said that there is an industry acquiring a portion of the land in the Hudson Industrial Park.

**MOTION**

Mr. Chastain made a motion to Approve S/D #05-11. The motion passed on a second by Ms. Bailey with Ms. Bailey, Mr. Chastain, Mr. Green and Ms. Mathiak voting for the motion.

**Amendment to UDO #A-05-11: Lift from the table** – Appendix A Subdivision Ordinance – add provision for Gated Communities.

**MOTION**

Mr. Green made a motion to lift Amendment to UDO #A-05-11 from the table. The motion passed on a second by Ms. Bailey with Ms. Bailey, Mr. Chastain, Mr. Green and Ms. Mathiak voting for the motion.

Mr. Taylor said this ordinance is regarding gated streets.

Mr. Chastain said there is nothing in the ordinance that requires the call box to be monitored. He would like to see that added.

Dick Morrow – 263 Westchester Drive

Mr. Morrow said this was a policy decision made by the previous Commissioners when Mr. Davidson explained the higher value homes in a gated community. The higher priced homes would have gone to Henry County if this was not approved.

**MOTION**

Mr. Chastain made a motion to approve Amendment to UDO #A-05-11 with an addition requiring the call box to be monitored. The motion passed on a second by Mr. Green with Ms. Bailey, Mr. Chastain, Mr. Green and Ms. Mathiak voting for the motion.

**Amendment to UDO #A-05-12:** Quarterly adoption of official zoning map in revised Geographic Information Systems (GIS) platform as applicable to unincorporated Spalding County.

Mr. Taylor said this is the quarterly update to the zoning map.

**MOTION**

Mr. Green made a motion, seconded by Mr. Chastain, to approve Amendment to UDO #A-05-12. The motion passed with Ms. Bailey, Mr. Chastain, Mr. Green and Ms. Mathiak voting for the motion.

**Amendment to UDO #A-05-13:** Article 17. PDD Planned Development District – amendment to Sections 1701-1704.

Mr. Taylor said this amendment is an effort to attempt to change the nature of the PDD Development. There is concern that the PDD Developments are not an effort to create mixed use. The process is not resulting in better review just more “spinning of wheels”. This effort will require a mixed use development and make the process more meaningful. This will probably result in the PDD not being used.

Dick Morrow – 263 Westchester Drive

Mr. Morrow said he recommends approval. Developers used PDD as a means to circumvent the subdivision requirements for green space and less density.

**MOTION**

Mr. Chastain made a motion, seconded by Ms. Bailey, to approve Amendment to UDO #A-04-13. The motion passed with Ms. Bailey, Mr. Chastain, Mr. Green and Ms. Mathiak voting for the motion.

**Amendment to UDO #A-05-14:** Article 11A. R-6 Planned Residential Community District – Section 1104A – amend maximum impervious surface and decrease density.

Mr. Taylor said this request originated with a developer wanting a townhouse development. He demonstrated to the UDO Review Committee that the current restrictions on the impervious surface in townhouse developments is limiting the design and forcing a more sprawled development when things could be more concentrated. There is also the recommendation to make a change to 6 units per acre.

Dick Morrow – 263 Westchester Drive

Mr. Morrow said he originally pushed for the green space rules in this development as well as all developments. The developer of this property showed that with some rule changes you could get a better development. He prepared two designs, one using the current rules and one using the proposed new rules, to show the improvements.

**MOTION**

Mr. Chastain made a motion to approve Amendment to UDO #A-05-14. The motion passed on a second by Mr. Green with Ms. Bailey, Mr. Chastain, Mr. Green and Ms. Mathiak voting for the motion.

**Amendment to UDO #A-05-15:** Article 19. Office and Institutional – Section 1903:A – add provision for group development.

Mr. Taylor said it was discovered that group development was not allowed in the Office and Institutional District. It will add value to make this change.

**MOTION**

Mr. Chastain made a motion to approve Amendment to UDO #A-05-15. The motion passed on a second by Ms. Bailey with Ms. Bailey, Mr. Chastain, Mr. Green and Ms. Mathiak voting for the motion.

**Amendment to UDO #A-05-16:** Article 17A. VN Village Node – add new article.

Mr. Galloway said the members of the Planning Commission have draft #2 of the proposed ordinance. The recommendation is to table this amendment and have a workshop to consider and discuss the Amendment.

**MOTION**

Mr. Chastain made a motion to table Amendment to UDO #A-05-16. The motion passed on a second by Mr. Green with Ms. Bailey, Mr. Chastain, Mr. Green and Ms. Mathiak voting for the motion.

A workshop was scheduled for July 19, 2005.

**Amendment to UDO #A-05-17:** Article 5. AR-1 Agricultural and Residential – Section 503:A(1), Article 6. AR-2 Rural Reserve – Section 603:A(1), Article 7. R-1 Single Family Residential Low Density – Section 703:A(1), Article 7A. R-1A Single Family Residential – Section 703A:A(1), Article 8. R-2 Single Family Residential – Section 803:A(1), Article 8A. R-2A Single Family and Two Family Residential; Article 10. R-4 Single Family Residential – Section 1003:A(1), and Article 11. R-5 Single Family Residential – Section 1103:A(1) – add provision for minimum size of first floor of any single family dwelling.

Mr. Taylor said this amendment originated with the UDO Review Committee. The intent is to increase the minimum square footage on the first floor of buildings. They feel this change will result in better designed houses.

Dick Morrow – 263 Westchester Drive

Mr. Morrow said he was not present when this was discussed. He feels the intent was good but the 1250 is counter productive. There are many split-level, split foyers and tri-level houses with good value that cannot meet this criteria.

Discussion was held and it was decided to table and recommend further consideration by the UDO Review Committee.

**MOTION**

Mr. Green made a motion to table Amendment to UDO #5-05-17. The motion passed on a second by Mr. Chastain with Ms. Bailey, Mr. Chastain, Mr. Green and Ms. Mathiak voting for the motion.

**MINUTES**

Ms. Bailey made a motion to approve the minutes of the April 26, 2005 meeting. The motion passed on a second by Mr. Chastain with Ms. Bailey, Mr. Chastain, Mr. Green and Ms. Mathiak voting for the motion.

Sketch Plan Discussion: A conservation subdivision consisting of 18.32 acres off Vaughn Road, New Salem Road and Church School Road (for discussion only).

Mr. Taylor said this is for discussion only but the Planning Committee will need to consider a recommendation. A conservation subdivision is being proposed. There are no new streets being proposed. It meets the requirements.

Mr. Chastain said he is not certain he is entirely comfortable with the conservation subdivisions, because in some respects it is opposite of the stated goals to maintain a rural feel to the county. If you cluster the houses together, it seems opposite to what people want. It may be good urban planning, but it does not appear to be consistent for the desire for the rural feeling.

Dick Morrow – 263 Westchester Drive

Mr. Morrow said in a “perfect world” a conservation subdivision would have the houses in little clusters throughout so you would have the rural feel. Unfortunately, some of the properties are not “perfect world” properties. With this property, you are so limited in where you can locate the houses you have to bunch them together so it does not give the rural feeling. There is a tremendous advantage for wildlife. You end up with green space pieces that are large enough to support that. If everyone has two-acre lots, most would mow them and cut down the trees, and there is no green space where any wildlife can live. The object is to get a large enough piece of green space to support wildlife. This site has limited flexibility but if you cut it up into two-acre lots it will be less desirable.

#### **MOTION**

Mr. Chastain made a motion to approve the sketch plan. The motion passed on a second by Mr. Green with Ms. Bailey, Mr. Chastain, Mr. Green and Ms. Mathiak voting for the motion.

#### **ADJOURNMENT**

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

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Karen Mathiak – Chairman

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Yvonne M. Langford - Recorder