

SPALDING COUNTY PLANNING COMMISSION
Regular Meeting
August 29, 2006

The Spalding County Planning Commission held its regular monthly meeting on August 29, 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; Newton Galloway, Attorney; Bruce Ballard, Griffin-Spalding County School System and Yvonne Langford to record the minutes.

Ms. Mathiak called the meeting to order and invited those present wanting to address the Board regarding any matter to sign in on the appropriate form.

S/D #01-02: Stonebriar – Reese Developers, Inc., Owner – 98.82 acres off Moreland Road and Carver Road located in Land Lot 88 of the 2nd Land District – 191 lots.

Mr. Taylor said this is different, and he wanted to offer an explanation. In 2003, as a result of donating property to the schools, Stonebriar developer had a revised development plan approved by the County. They were under the impression that the revised development plan was also approval of the preliminary plat. They have learned that is not the case and so this is to get the preliminary plat approved that matches the revised development plan before they move forward with the construction plans for the subdivision. There is a representative for the developer to answer any questions.

Bill Weston – 71 Fish Trace – Newnan, Georgia

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

Mr. Taylor said the plat has changed from the previous plat that was approved. It matches the development plan.

MOTION

Mr. Youmans made a motion to approve S/D #01-02. 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.

S/D #06-01: Sun City Peachtree – Minerva Properties, Owner – 1715.568 acres off Teamon Road and Jordan Hill Road located in Land Lots 184, 185, 186, 187, 199, 200, 217, 218, 231 and 232 of the 3rd Land District 3,389 lots.

Jane Curtis – Minerva – 2292 Henderson Mill Road – Atlanta, Georgia

Ms. Curtis furnished copies of the old plan and the new plan with the changes identified. The changes are not extensive. When they got on site and the golf course architect was

present, they needed to reroute some of the holes slightly to help reduce the impact on streams as well as improve the course layout. The result was a slight change to some of the internal roads within the pods and a slight shift to the circular road that goes through the entire community. There is not that much difference, but they want to keep the County advised on everything that is happening. In addition to the golf course, the other major change is an increased in lot sizes. The 40-foot lots are 42 feet and the 50-foot lots are 52 feet and the 65-foot lots are 66 feet. They have removed the commercial component that was attached to the amenities area. The commercial area will be located at the Baptist Camp Road and Jordan Hill Road location. In their market research, they have found that the larger lots are more in demand, and they have increased the number of 52-foot lots and the 66-foot lots. Everything else is essentially the same. The density is the same, and the open space was increased to 51%. They have finalized the street names and the right-of-way sections. They have produced a traffic survey for stacking the gates. That report is included.

Mr. Taylor said the staff recommendation is for approval.

MOTION

Mr. Green made a motion to approve S/D #06-01. 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.

S/D #06-06: Le Paradis – Francine Pelletier, Owner – 48.38 acres off Georgia State Route 16 and Ellis Road located in Land Lot 25 of the 1st Land District – 9 lots.

Gaston Pelletier – 300 Ebenezer Church Road – Fayetteville

Mr. Pelletier said they want to build single-family homes. There will not be any streets just private driveways; some off of Highway 16 and some off of Ellis Road.

Mr. Taylor said the staff recommendation is for approval. This is considered a minor subdivision with AR-1 zoning with a minimum of 1500 SF homes.

Mr. Pelletier said he is planning 2500 SF homes with two-car garages. The homes will have to be approved by him and/or his wife. They will be selective on what is approved.

MOTION

Mr. Chastain made a motion to approve S/D #06-06. 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.

Application #CS-06-05: Sketch Plan: A conservation subdivision consisting of 39.96 acres on Minter Road located in Land Lot 43 of the 3rd Land District – 19 lots.

Mr. Taylor said the applicant could not be present but his hopeful that it moves forward. The Planning Commission has seen this previously as an amendment to the future land use map. The Board of Commissioners has approved the amendment that will be the pre-

cursor to application for rezoning and special exception for the Estate Life Subdivision. That application has not been filed, but it is the applicant's intent to file. Should the zoning fail the applicant wants to move forward with approval for the conservation subdivision so that they have a "back-up". They have looked at the design, and it meets the requirements for a conservation subdivision. They can have 24 lots with the Estate Life Zoning.

It was noted that the application is for 19 lots but there are only 18 lots in the sketch plan.

MOTION

Mr. Youmans made a motion to approve Application #CS-06-05 as an 18-lot Conservation Subdivision. The motion passed on a second by Mr. Green with Mr. Chastain, Mr. Green, Ms. Mathiak and Mr. Youmans voting for the motion and Ms. Bailey voting against.

Application #CS-06-06: Sketch Plan: A conservation subdivision consisting of 285.3+ acres located on Smoak Road located in Land Lots 197, 198, 218, 219, 220 and 230 of the 3rd Land District – 247 lots.

Ms. Mathiak said this application is for a conservation subdivision. She will open the floor for comments from those present. She asked that comments be limited to five minutes.

Peter Langham – 81 Woodstock Road – Roswell, Georgia

Mr. Langham said he is the land planner that worked on this project. The basis of the plan is that they are not deviating from the land use map and are using a permitted use under the zoning plan. They are going through the same process that all Conservation Subdivisions have to go through. He expressed appreciation to Mr. Taylor for his time in working with them on the plan. He went over the process they have gone through to get the plan prepared.

The project is served by an on-site sewer treatment facility, the yield is 247 lots which is less than one unit per acre; average lot size is 15,000 SF; less than 20% of the lots are 12,000 SF; the lot frontages range from 80' to 150'; the design of the roads is such that they follow the ridges; parks and green space have been added along the roads; focal points break-up the traditional subdivision look; the cul-de-sacs are oversized so they will have green space; green space is 55% which is 152 acres; every lot backs up to green space; there are 4.5 miles of interconnected nature trail with the trail heads located at significant road crossings; and the design is such that the lots closest to Smoak Road are on the other side of the first ridge which protects the view from Smoak Road. There will be a homeowner's association to maintain the trails.

Mr. Taylor said the key to the design is the provision for sewer to the site. It makes the design efficient so the density allowed under the ordinance is less than one unit per acre. The average lot size is 15,000 SF with the minimum size being 12,000 SF. The provision of sewer increases the green space in the subdivision well above the 40% required. The

subdivision meets the density requirements and the street design requirements. The staff recommendation is for approval conditioned on the provision for sewer.

Mr. Galloway went over the history of the development of this property and the changes represented in this application with reference to previous applications.

Mr. Galloway additionally stated that the County Commission has adopted a moratorium on Conservation Subdivisions until the ordinance can be reviewed. The moratorium does not apply to any development plan that had been submitted by the date of their enactment of the moratorium. This application is not governed by the moratorium. This is a development that is allowed as a matter of right under the zoning ordinance provided it is serviced by sewer. The issue of sewer will have to be reviewed. There is pending litigation regarding this property. The approval by the County of a development plan along these lines, as a matter of right, under the R-1 zoning classification essentially will lead to the conclusion of the litigation.

Mr. Taylor said the design of the subdivision and the preservation of the natural resources on the site are the main items under consideration with this application. If the plan is approved, staff recommends the condition that public sewer be available to the site. Public sewer in this context means that it is owned by the Spalding County or the City of Griffin or is approved by the Board of Commission.

Tilman Blakely – 599 Smoak Road

Mr. Blakely said to comment on the density is probably a moot point since it has been noted that it falls within the laws of regulation of Spalding County. They are not happy with the density even though it is less than originally proposed. This is still too dense for the area. He would like to suggest that the Conservation Subdivision regulations be reviewed as it relates to this to see if this is really what was intended with this particular regulation. It is far too dense for this type road and there needs to be some type allowance or some type recognition of where you are going to allow something like this. He would also like consideration to be given to the lack of notification that is involved in Conservation Subdivision. There was no notification at all. There was an amendment made to the agenda and that was all. Anything that changes the atmosphere of the neighborhood needs to allow for comment from the people that live there. He would have preferred more information about the plan. He is still not in favor of this development, because he feels it is too dense. He expressed appreciation for the efforts to lessen the density that was originally proposed which would have been a tremendous overdevelopment of the area.

Josephine Scott – 1906 North Second Street Extension

Ms. Scott said she is very upset that she was not given any notice. She questioned whether this was really a Conservation Subdivision. She furnished information regarding the Conservation Subdivision from the UDO regarding the fact that it states that it will minimize the disturbance of the environmentally and culturally sensitive area including, but not limited to, the areas located in the 100-year flood plain, having a 25% wetlands or historic area. It requires the developer to identify these features and to demonstrate that

the features will be protected. In Mr. Hockett's plan, the flood plain has become a spray field. This is not a minimum disturbance. A minimum disturbance would be to run an electrical or water line; it is not to make it a drip or spray field. This subdivision does not meet the requirements of a Conservation Subdivision as defined in the UDO. There is a land use plan in the County, and Mr. Hockett's property on that plan is to be agricultural or estate residential which is one house per five acres. Mr. Hockett's plan will create storm water run off problem. Mr. Hockett will tell you he is going to build a storm water pond and the run-off will not be a problem. Ms. Scott furnished information regarding the efficiency of storm water run-off ponds. She requested denial of the plan.

Jabez McCorkle – 2051 East McIntosh Road

Mr. McCorkle said his property adjoins Mr. Hockett's property. He is concerned with the storm water run-off and the impact it is going to have on his property. He wanted to know what provisions have been made to control the run-off.

Brenda Cobb – 322 Smoak Road

Ms. Cobb said she is across from this property. She is in agreement with everything that Mr. Blakely said and everything that Ms. Scott said. This area is rural and does not need this density. It does not need an untried sewer treatment system that is spraying. We are just beginning to understand the environmental consequences of not taking the environment seriously enough. We do not want our grandchildren to suffer those consequences. This is a very rural road with an old bridge with a dirt road going to the main connectors. She does not see how it is going to accommodate this.

Elton Russell – 3030 Teamon Road

Mr. Russell said he is director of the Roosevelt Railroad. His main concern is the railroad. They have been there since 1886. He wants to be certain that they are not being ignored. The sewer treatment plant is a concern. They are having hundreds of people coming to Spalding County wanting to ride the train. They expect thousands in the future. Traffic is a concern.

Mr. Galloway said in a conflict with the future land use map, the property is already zoned the zoning will control. This property is zoned R-1 and has been that way for a long time.

Mr. Taylor identified the location of the sewer treatment plant on the plan. EPD will have to approve the plan. The future land use map does identify this area as less dense than is being proposed. The zoning laws allow the density by right. Providing sewer to the site, if approved by EPD, increases the efficiency of the design and increases the density over what is allowed under septic systems. There are more lots in this Conservation Subdivision than you would see if the design was based on one-acre lots with septic systems on every lot. From an environmental standpoint, there is a benefit to a sewer system rather than separate septic systems for each house. The design and the additional green space works toward the benefit of storm water management because the area impacted by impervious surface is much lower. This subdivision will fall under the county's storm water requirements, and therefore, will have to be designed so that the

post-development runoff will be no more than the pre-development run-off. He discussed the design of detention and retention ponds and noted that he does not know how this one will be designed but, regardless, the storm water flow rate cannot be increased.

Andy Welch – 2200 Keys Ferry Court - McDonough, Georgia

Mr. Welch said he is the attorney representing Mr. Hockett. The ordinance says that in the green space protection area you are supposed to minimize the clearing of the trees except in a situation where you are going to install a septic sewerage disposal system or a spray irrigation facility. The ordinance contemplates those kinds of things being installed in the green space area. This is in compliance with the Conservation Subdivision ordinance. Earlier it was said the minimum lot size would have to be two acres. However, in the R-1 zoning classification with the Conservation Subdivision states that the minimum lot size allowed for a septic tank in Spalding County is one acre.

Mr. Taylor said the EPD will be in charge of approving the septic system, and they will be the authority.

Mr. Chastain said he feels this is how a Conservation Subdivision should be designed.

Mr. Youmans said he has had his issues regarding Conservation Subdivisions, but this is one of the best he has seen. He does understand the comments made by the people in opposition, because he understands their concerns about the density. They are in a more rural area and he “feels their pain”. He does feel the issue on Smoak Road is going to have to be addressed. It will be untenable once this subdivision is built out. Since it is going to be a boost to the tax base, he hopes the County will undertake a project to remedy the problems.

MOTION

Mr. Chastain made a motion to approve Application #CS-06-06 conditioned on a public sewer system. The motion carried on a second by Mr. Youmans with Ms. Bailey, Mr. Chastain, Mr. Green, Ms. Mathiak and Mr. Youmans voting for the motion.

Amendment to UDO #A-06-09: Lift from the table – Appendix A. Subdivision Ordinance – Sections 702, 703, 704, 706 and 710 – amend Conservation Subdivision regulations.

Mr. Galloway said the County Commission has approved a moratorium on Conservation Subdivisions to review the regulations. He would like to leave this amendment on the table to give additional time to review all the regulations.

No action was taken on Amendment to UDO #A-06-09.

Amendment to UDO #A-06-12: Quarterly adoption of official zoning map in revised Geographic Information Systems (GIS) platform as applicable to unincorporated Spalding County.

Mr. Taylor said the recommendation is to table. The plan is to move to six-month adoptions and this should not have been on the agenda.

MOTION

Mr. Youmans made a motion to table Amendment to UDP #A-06-12. 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.

Ms. Mathiak said she would like to discuss and formulate some kind of ordinance that protects the public from having people park their trashy RV's and motor homes in the middle of their yards. She said she would like to be protected. Discussion was held and the difficulty of such an ordinance was recognized.

Mr. Taylor announced a training opportunity in October, and he requested anyone interested in attending this two-day session to let him know.

Mr. Taylor said there will be a meeting on the Village Node design criteria on September 7, 2006 at 6:00 p.m. in the county meeting office. They will be looking at the Jackson Road and Rover Village Nodes.

MINUTES

Mr. Green made a motion to approve the minutes of the July 25, 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.

ADJOURN

The meeting was adjourned on a motion by Mr. Green 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