

**SPALDING COUNTY PLANNING COMMISSION**  
**Regular Meeting**  
**April 24, 2007**

The Spalding County Planning Commission held its regular monthly meeting on April 24, 2007 at 7:00 P.M. in Room 108 of the Spalding County Courthouse Annex. Members present were: Ed Johnson, Chairman, presiding; Janet Bailey; Frank Chastain; David Traer and John Youmans.

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.

Mr. Johnson 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-07-05:** Jackie Perkins, Owner – 2303, 2305 and 2307 Williamson Road (3.76 acres located in Land Lot 52 of the 2<sup>nd</sup> Land District) – from Low-Density Residential to Commercial.

Dick Slade – 415 County Club Drive

Mr. Slade said he is a local realtor and is trying to help Mr. Perkins get the zoning back to what it was when he first purchased the property.

Jackie Perkins – 1667 West Poplar Street

Mr. Perkins said he purchased the property in 1986 from Champion International Corporation. They had a business at this site beginning in 1958. Shortly after he purchased the property, he changed jobs and did nothing with the property until the present time. He is retiring and has decided to sell the property and use part of the money to subsidize his retirement. He asked Mr. Slade to assist him in selling the property, and Mr. Slade discovered that the zoning has been changed to residential. When he purchased the property, it was in the County records as commercial property. Unknowing to him, they changed it back to residential. He is requesting a re-instatement to commercial zoning. If he has to sell it as residential, it will have a negative effect since the switch tracks for the Borden Company backs up right behind this property. He was never notified that the zoning was changed. He did not know it was changed until Mr. Slade advised him. He has no plans to develop the property, but he would like to sell it as commercial property. That was the intent when he purchased it in 1986.

Mr. Slade said the property is in somewhat of a commercial corridor. He identified the property on the map and noted the adjacent property along with its zoning. He noted that some of the property in the area, which is in the City, is being developed as commercial. The rail behind his property is being used by the Borden Company as a switching operation. Sometimes they are doing the switching at all times of the night. He identified the residential property in the area. This site is surveyed as three tracts. If you build on one of the tracts, the backdoor of the house would almost be on the railroad tracks. He does not see how this would impact negatively on the area if it is commercial. With the railroad operation at this site, he does not feel the lots would sell for residential use. Mr. Perkins has lived in Griffin all his life. He is not a rich man. He owns his home, and he owns this land and that is all. That piece of property has to be a commercial property because of the railroad tracks.

Mr. Taylor reviewed the area noting that the area south of this property is still very residential in nature. When you look at the land uses now with the plan that was adopted in 2004, one of the things the plan tries to prevent is the promulgation of commercial uses along major rights of way such as Highway 362.

This type of strip commercial use over time as commercial uses the cumulative effect of those uses are that it has a effect on the roads efficiency to carry traffic. The plan has made a shift in the policy. The plan now favors nodal development in terms of commercial crossroads at major intersections and village nodes which is just down the road at Rover Zetella and Moreland where it intersects with Highway 362 in the Rover area. This type plan allows for a more efficient management of traffic and still allows for some commercial uses to serve the population in the area. In reviewing the application and looking at the land use patterns immediately around the site, it is the staff opinion that the residential character of that area would still have this tract be residential with the railroad track, and the road being the land use boundary between the more residential and the more commercial uses to the north.

Mr. Youmans said he understands what Mr. Taylor is saying, and he agrees with the overall development strategy. However, who would want to purchase this property for residential with the location of the rail?

Mr. Taylor said this is a heavily wooded lot toward the railroad track, and there is a good bit of distance between what would normally be the setback and the track. Additionally, you have residential uses on Oak Grove Road and along Lenox Circle as well as the other residential developments to the north. Proximity to a railroad tract, in and of itself, especially since it is not a heavily traveled spur, is not a deterrent to residential uses.

Mr. Youmans asked about the re-zoning from commercial to residential.

Mr. Taylor said that issue was not raised until tonight, and they did not research whether or not the property was zoned commercial at one time.

A lengthy discussion was held regarding the property in the area and the zoning and plans for development.

#### **MOTION**

Mr. Chastain made a motion to approve Amendment to FLA-07-05. The motion passed on a second by Ms. Bailey with Ms. Bailey, Mr. Chastain, Mr. Johnson, Mr. Traer and Mr. Youmans voting for the motion.

**Application #07-06Z:** Alan Mobley, Owner – 191 Bourbon Street (0.42 acres locate in land Lot 159 of the 3<sup>rd</sup> Land District) – requesting a rezoning from C-2, Manufacturing to R-5, Single Family Residential.

**Application #07-06AZ:** Alan Mobley, Owner – 193 Bourbon Street (0.39 acres locate in land Lot 159 of the 3<sup>rd</sup> Land District) – requesting a rezoning from C-2, Manufacturing to R-5, Single Family Residential.

#### **MOTION**

Mr. Johnson made a motion to consolidate Application #07-06Z and Application #07-,06AZ for discussion. The motion passed on a second by Mr. Chastain with Ms. Bailey, Mr. Chastain, Mr. Johnson, Mr. Traer and Mr. Youmans voting for the motion.

Staci Donaldson – 262 Mobley Road

Ms. Donaldson said she was representing Mr. Mobley because he was not able to make the meeting. Mr. Mobley wants to re-zone this. She understands that the staff recommendation is for approval.

Mr. Taylor said these applications are supported by the future land use map which calls for the area to be medium density residential. Staff does not know why it is zoned C-2. Staff recommends approval of the applications and looking at zoning all the properties along the whole road to residential.

Mr. Traer said the overview states that the applicant intends to develop two lots as single-family residential. Is that just on a promise that we take this? Combined there is not even one acre.

Mr. Taylor says looking at the lot sizes he thinks they are grandfathered on those two lots. It would not behoove them to move any lot lines after they get the zoning because they would lose the grandfathering.

Mr. Traer said that it states there is no significant increase to public safety but when there are more people there is more crime. That is a fact.

Mr. Taylor said the lots that face Hill Street have some commercial use value, but the lots that face Bourbon Street are more residential in character.

Ms. Bailey said she visited the site. Bourbon Street is a dead end street and two new houses will be a benefit to the community.

**MOTION**

Mr. Youmans made a motion seconded by Ms. Bailey to approve Application #07-06Z. The motion passed with Ms. Bailey, Mr. Chastain, Mr. Johnson, Mr. Traer and Mr. Youmans voting for the motion.

**MOTION**

Mr. Youmans made a motion seconded by Ms. Bailey to approve Application #07-06AZ. The motion passed with Ms. Bailey, Mr. Chastain, Mr. Johnson, Mr. Traer and Mr. Youmans voting for the motion.

**MOTION**

Mr. Johnson made a motion to recommend that the Board of Commissioners consider a rezoning of Bourbon Street exclusive of the lots facing Hill Street from C-2 to appropriate residential zoning. The motion passed on a second by Mr. Youmans with Ms. Bailey, Mr. Chastain, Mr. Johnson, Mr. Traer and Mr. Youmans voting for the motion.

**Amendment to FLA-07-06:** Jessie R. Champion, Jr., Owner – 102 Moreland Road (3.87 acres, more or less, located in Land Lot 119 of the 2<sup>nd</sup> Land District) – from Commercial to Industrial.

**Application #07-07Z:** Jesse R. Champion, Jr., Owner – 102 Moreland Road (3.87 acres, more or less, located in land Lot 119 of the 2<sup>nd</sup> Land District) – requesting a rezoning from C-1, Highway Commercial and R-1, Single Family Residential, to C-2 Manufacturing.

No one was present to address Amendment to FLA-07-06 or Application #07-07Z. Mr. Taylor recommending tabling.

**MOTION**

Mr. Johnson made a motion to table Amendment to FLA-07-06 until next month. The motion passed on a second by Mr. Traer with Ms. Bailey, Mr. Chastain, Mr. Johnson and Mr. Traer voting for the motion and Mr. Youmans voting against.

**MOTION**

Mr. Johnson made a motion to table Application #07-07Z until next month. The motion passed on a second by Mr. Traer with Ms. Bailey, Mr. Chastain, Mr. Johnson, Mr. Traer and Mr. Youmans voting for the motion.

**S/D #06-01C: Lift from the table – Birdie Commercial Center** – Griffinite Partners, LLC, Owner – 24.138 acres off U.S. Highway 19 & 41 and Birdie Road located in Land Lot 104 of the 3<sup>rd</sup> Land District – 12 lots.

**MOTION**

Mr. Johnson made a motion to lift S/D #06-01C from the table. The motion passed on a second by Mr. Chastain with Mr. Chastain, Mr. Johnson, Mr. Traer and Mr. Youmans voting for the motion and Ms. Bailey voting against.

Mr. Taylor said this was tabled last month for failure of a majority vote. The Planning Commission reviews the preliminary plats. The next step in the process will be approval of a construction plan the applicant will submit. The zoning of the property is what determines what is allowed. Generally, the determination that needs to be made is whether or not it meets the zoning requirements. Mr. Taylor went over the review process for the staff.

Mr. Traer said he had some concerns, because the sewer line is depicted as going right over, through or under the creek and the flood plain. If you have visited the site, you have seen that it is fairly wide at that point. There appears to be stagnant water there now. It is not a swift running stream. He wondered why the Environmental Health Department is not involved.

Mr. Taylor said they do get copies of the plan. They choose not to comment on preliminary plats. They reserve the right to review each individual lot should it be served by septic. He thinks the plan is to serve this subdivision with a small package sewer system.

Mr. Galloway said in the past, they have tried to amend the subdivision regulations to require Environmental Health to respond, and it created such controversy, and they refused to go on record in advance without a specific application for a specific lot.

Mr. Johnson asked if this type sewer system is the norm.

Mr. Taylor said this is definitely an exception. The sewer system will have to be approved by the County and the Environmental Protection Division of Georgia EPD separately. He thinks sewer approval is still pending. They have received these requests infrequently but they are seeing more.

**MOTION**

Mr. Chastain made a motion, seconded by Mr. Youmans to approve preliminary plat S/D #06-01C. The motion passed with Mr. Chastain, Mr. Johnson and Mr. Youmans voting for the motion and Ms. Bailey and Mr. Traer voting against.

**S/D #07-01: Minter Road Estates** – Alan R. Mobley, Owner – 39.96 acres off Minter Road located in land Lot 42 of the 3<sup>rd</sup> Land District – 25 lots.

Staci Donaldson – 262 Mobley Road

Ms. Donaldson said she was present to answer any questions.

Mr. Traer said this is a lot of houses, and there is only one access road. For public safety reasons, he is concerned. There is a prediction that there are going to be a lot of storms. He asked if there has been a study about entrance ways.

Mr. Taylor said the County is in the process of a county-wide comprehensive transportation plan. One of the things the plan stresses is the idea of multiple entrances and exits into subdivisions and the idea of

connectivity of roads throughout the County. Staff is advocating that approach over the idea of having cul de sac streets everywhere in the County. However, this property was zoned and received approval by the Board of Appeals for the special exception for the density and a variance for the length of the cul-de-sac street which is not normally supposed to exceed 250 feet. The staff reviewed the plat based on the ordinance, and those approvals that have already been made by the County and found that it meets the requirements as a result of the approvals.

**MOTION**

Mr. Youmans made a motion to approve S/D #07-01. The motion passed on a second by Mr. Chastain with Ms. Bailey, Mr. Chastain, Mr. Johnson and Mr. Youmans voting for the motion and Mr. Traer voting against.

**Amendment to UDO #A-07-04: Lift from the table** – Appendix A – Section 502:Q – upgrade Roadway Classification Standards.

**MOTION**

Mr. Youmans made a motion to lift Amendment to UDO A-07-04 from the table. The motion passed on a second by Ms. Bailey with Ms. Bailey, Mr. Chastain, Mr. Johnson, Mr. Traer and Mr. Youmans voting for the motion.

Mr. Taylor said this amendment changes the paving standards for roads and high traffic areas in subdivisions such as cul-de-sacs, accel/decal lanes and entrances to multiple phases of subdivisions. Mr. Galloway requested that this be tabled last month to give him an opportunity to review. They have incorporated his suggestions. Most of the changes are changes in wording rather than a change in the intent. The requirements have not changed. He went over the changes since last month.

Discussion was held and minor changes and corrections were suggested by staff.

**MOTION**

Mr. Youmans made a motion to approve Amendment to UDO #A-07-04 with the two language changes as suggested by staff. The motion passed on a second by Mr. Chastain with Ms. Bailey, Mr. Chastain, Mr. Johnson, Mr. Traer and Mr. Youmans voting for the motion.

**MINUTES**

Mr. Chastain made a motion to approve the minutes of the March 22, 2007 meeting. The motion passed on a second by Mr. Traer with Ms. Bailey, Mr. Chastain, Mr. Johnson and Mr. Traer voting for the motion and Mr. Youmans abstaining because he was not present.

**ADJOURN**

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

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Ed Johnson – Chairman

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Yvonne M. Langford - Recorder