

SPALDING COUNTY PLANNING COMMISSION
Regular Meeting
November 13, 2007

The Spalding County Planning Commission held its regular monthly meeting on November 13, 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.

Application #07-16Z: David Gooden and Kathy Gooden, Owners – 1539 Macon Road Extension (2 acres located in Land Lots 181 and 204 of the 2nd Land District) – requesting a rezoning from R-1, Single Family Residential Low Density, to C-1B, Heavy Commercial.

David Gooden – 17 Daniel Drive – Griffin, Georgia

Mr. Gooden said he wants to get this land rezoned so he can put some mini-storage buildings on the property. The last time he was present it was suggested that some pictures might help the Commission decide favorably. He showed pictures of the units he was planning to put on the site. He and his wife purchased this land to help them in their older age. They cannot find a better use for the land than the storage buildings.

Mr. Youmans asked if these are the same used buildings that are presently located behind Captain D's.

Mr. Gooden said they are the same buildings.

Mr. Taylor said this is the same request that were heard at an earlier date. Consideration was given to change the Future Land Use Map and the Planning Commission recommended that it be denied so this application was not recommended for approval either. The County Commission Board did approve the change in the Future Land Use Map and the Planning Commission needs to reconsider this application with that change having taken place. The Future Land Use Map now shows this property as being commercial but the Staff recommendation is to deny this application. Staff feels the use of the storage buildings is incompatible with the use of the area. If you look at the general area, it does not have anything that would support this type use.

Mr. Youmans said he voted against this use at the previous meeting because he is opposed to even the change in the Land Use Map. The County Commission has approved the change in the Land Use Map. As an appointed member of the Commission and as a citizen of the community, it is his responsibility to say when he feels something is a detriment to an area. This is not appropriate use of this land. He will be voting against this application.

Mr. Johnson said he looked at the area as well and if you follow Old Macon Road to Highway 16, there is a storage unit there, and he does not feel the area lacks for storage facilities. This area is residential, and he did not see any commercial use. He feels this is an inappropriate use of the land.

MOTION

Mr. Youmans made a motion to deny application #07-16Z. 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.

Mr. Gooden was allowed to make a comment. The Land Map shows that it should be commercial. He checked with the storage units in the County, and they are 75% full so there is need for another one. He does not see any reason this should be denied. This is a personal endeavor against him, and it is a misuse of the office. The book says you can be put out of office if it is a personal endeavor. If there is no reason, there is no reason. If there is a reason, then there is a reason. See. OK

Amendment to FLA-07-10: Inland Empires, Inc., Owner – 3458 Teamon Road (2.85 acres located in Land Lots 113 and 114 of the 2nd Land District) – from Agricultural to Commercial.

Application #07-17Z: Inland Empire, Inc. Owner – Smith, Gambrell & Russell, LLP, Agent – 3458 Teamon Road (2.85 acres located in Land Lots 113 and 114 of the 2nd Land District) – requesting a rezoning from R-2, Single Family Residential, to C-1, Highway Commercial.

These applications were heard together and voted separately.

Mr. Taylor was asked to explain these applications.

Mr. Taylor explained the need for the change in the Future Land Use Map to be in harmony with the zoning. If the Future Land Use Map does not support the zoning in the area, then it has to be amended to be compatible with the use before a zoning change can be made.

Chad Torri – 1230 Peachtree Street – Atlanta, Georgia

Mr. Torri said he was an attorney speaking on behalf of the applicant. The applicant and owner, Ms. Ginger Jackson, was also present with him.

Mr. Torri said this is a 2.5-acre tract that is located on the southwest intersection of Teamon Road and Georgia 155. It is an undeveloped tract currently zoned R-2 and does not have access to sewer. In the R-2 district, you can locate a single-family residence on the property with a minimum two-acre tract where sewer is not available. As a matter of right, the applicant could put one house on this tract. Because this property is located where it is at the corner of these two ever increasing, busy thoroughfares, residential development for the property is not appropriate. Because of that, they are requesting both a comprehensive land-use plan amendment and a companion rezoning. The land use change would modify the plan from the current agricultural use to the commercial designation and the rezoning would change the R-2 minimum two-acre residential use to the C-1 designation. He called attention to the proposed site plan for this tract. The proposed development would be for just under 1500 SF single-story building that would house a pharmacy. The property provides adequate space to handle all the buffers and all the setbacks. The corner location and its abundant frontage on Teamon Road and Highway 155 make it ideal for commercial use. It has access from both Teamon Road and Highway 155. DOT is in the process of expanding Georgia Highway 155 and has included a turn-in/turn-out lane onto Teamon Road. This property is in the northeast quadrant of Spalding County, which has experienced a great deal of growth. Several very large subdivisions have been approved and are currently being developed. Currently this area of the County is totally lacking in any local retail needed to serve this influx of new residents as well as existing residents. This development will help to fill the void that presently exists for essential service retail in the area. Importantly this project has received overwhelming support from the immediate area. He presented a copy of a number of signed petitions that have been secured from the local property owners. From the number of people that have signed the petitions, you can see that there is a need for retail in the area and it is appropriate at this location.

Jerry Savage – 425 Audubon Circle

Mr. Savage said he and his wife own 80 acres across Teamon Road from this property. They are in support of the land use map change and the rezoning change. This area is changing very rapidly. Highway 155 has been widened and turn lanes installed at Teamon Road to accommodate the heavy traffic. With the Sun City development, it is going to get heavier and heavier. It does not make sense to try to keep this property as residential or agricultural. It seems perfectly logical that this property be zoned commercial. He purchased this property in 1995.

Mr. Taylor said the County has a Future Land Use Map that seeks to preserve ruralness in the County given the fact of growth. The way this is done is that it proposes a series of villages around the County where commercial areas are provided within those villages. It also discourages the use of those commercial areas by walking and bicycle traffic. Critical to the implementation of those plans is that the areas between those villages remain rural and that the areas between those villages not be stripped with commercial zones. In order to maintain that, land use policy the staff recommendation is not to change the land use at the corner of Teamon Road and Highway 155. The villages being proposed in the immediate area are at the entrance to Sun City, one near the County border at Heron Bay and a village proposed at Jackson Road and Highway 155. They are

concerned that if they start rezoning at the corners of other roads that intersect Highway 155 they will decrease the demand for commercial zones in the village and take a first step of lining those roads with commercial uses and will be detrimental to handling traffic.

There was a plan for a village at this intersection. A decision was made not to have a village at this intersection after a public meeting where they received input from those in attendance. Those in attendance felt the village should be moved and located at Jackson Road and Highway 155.

The village proposed at Heron Bay is approximately 2 miles north of this location and the one at Jackson Road is 1.4 miles south of this location. There were people in the area that were concerned about have villages too close together. They were afraid the Jackson Road Village was already too close to the Heron Bay Village.

Discussion was held regarding what was going to be allowed in the village areas. No outside storage will be allowed in the village areas.

Mr. Chastain said he does not feel an entrance on Highway 155 is appropriate with the amount of traffic on that Highway. He understands the logic of the village concept and the fact there are already three on the land use map in the area. This site is approximately half way between Heron Bay and Sun City so he can see that a pharmacy would be of use in the area. He does share the concern of the staff that if every crossroad gets developed then you have a Highway 19/41 from Jonesboro to Forest Park and for that reason he opposes this.

Mr. Youmans said he thinks once you open “Pandora’s Box” on Highway 155 the precedent will be set and it will be like a “domino effect”. He will have a hard time supporting this.

Mr. Johnson said at the Planning Commission meeting when village nodes were discussed, it was determined that commercial would be in those village only and kept away from other places. He feels the citizens are going to be watching what is approved and what is not approved to ensure the Planning Commission is going to live up to what they said. For that reason,⁴ he cannot support this application.

MOTION

Mr. Youmans made a motion to deny Amendment to FLA-07-10. 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.

MOTION

Mr. Youmans made a motion to deny Application #07-17Z. 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.

Amendment to FLA-07-11: William Boyd, Owner – Boyd’s Crossing Road (29.27 acres located in land Lots 213 and 236 of the 2nd Land District) – from Agricultural to Industrial.

Application #07-18Z: William Boyd, Owner – Mike Jackson, Agent – Boyd’s Crossing Road 929.27 acres located in land Lots 213 and 236 of the 2nd Land District) – requesting a rezoning from AR-1, Agricultural and Residential, to C-2, Manufacturing.

These applications were considered together and voted separately.

Frank Harris – 1881 South Sixth Street

Mr. Harris said he was representing Mr. Boyd regarding these applications. He identified the area on a map and the locations of the industrial operations in the area. The entire tract is 55 acres but they are requesting the changes for only 29.27 acres. There is a sale for the property conditioned on the rezoning. They are trying to get the same zoning that is in the rest of the area. He presented a proposal and identified the location of buildings proposed for the site.

Mr. Taylor discussed the Future Land Use Map and noted that this property is essentially surrounded by industrial property. This property was originally not identified as future industrial because they were advised that Mr. Boyd was going to farm his property well into the future and it was not going to be industrial anytime soon. They felt it should remain agricultural to comply with his wishes. It makes sense that this tract be used for industrial uses. When they first received an application for the land use map change, it was for development on the 55-acres of land, the entire tract, and it encompassed 400,000 SF of industrial use. That is a significant impact and they are looking very carefully at the infrastructure and services to the 400,000 SF of industrial. The future land use map process requires that at that threshold there would need to be a study for transportation as well as an environmental impact study. When this was communicated to the applicant, he wanted to reduce the amount of land use map change. This is fine and perfectly legal. In looking at the zoning, if the development of the property goes back to exceed the 50,000 SF development, then they would want to go back to the traffic impact and environmental impact studies. The recommendation is for approval with conditions.

The development as proposed is for 5 lots encompassing 49,500 SF of industrial use.

The proposed conditions are:

1. The maximum number of curb cuts on Green Valley be limited to two.
2. The maximum number of curb cuts on Boyd’s Crossing be limited to one.
3. Sight lighting be designed so as to not glare in adjacent residential areas or onto public streets.
4. Any expansion of the total aggregate of the structures square footage to 50,000 SF or more will require an environmental and traffic study.

Discussion was held regarding whether or not the entire area should be designated as industrial on the land use map.

MOTION

Ms. Bailey made a motion to approve the Amendment to FLA-07-11. 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.

MOTION

Mr. Youmans made a motion to approve Application #07-18Z with the conditions as recommended by the 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

Ms. Bailey made a motion to approve the minutes of the October 30, 2007 meeting. The motion passed on a second by Mr. Traer with Ms. Bailey, Mr. Johnson and Mr. Traer and voting for the motion and Mr. Chastain and Mr. Youmans abstaining because they were not present.

ADJOURN

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

Ed Johnson – Chairman

Yvonne M. Langford - Recorder