

**SPALDING COUNTY PLANNING COMMISSION  
MINUTES  
June 24, 2008**

The Spalding County Planning Commission held its regular monthly meeting in room 108 of the Spalding County Courthouse Annex on June 24, 2008. Members present were: Ed Johnson, Chairman, presiding, Janet Bailey, Frank Chastain and John Youmans. David Traer 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.

Mr. Johnson called the meeting to order and requested anyone present wishing to address comments to the Planning Commission regarding any of the applications to come forward and sign-in on the appropriate form.

**Application #08-06Z:** Griffin Motor Company Enterprises, Owner – 3418 North Expressway (1 acre located in Land Lot 105 of the 3<sup>rd</sup> Land District) – requesting a rezoning from C-1, Highway Commercial, to C-1B, Heavy Commercial.

**Application #08-06AZ:** Griffin Motor Company Enterprises, owner – 3420 North Expressway (1 acre location in Land Lot 105 of the 3<sup>rd</sup> Land District) – requesting rezoning from C-1, Highway Commercial, to C-1B, Heavy Commercial

These two applications were heard together and voted separately.

Jon Mattox – 256 Williams Trail

Mr. Mattox said this is a request for rezoning of two adjacent tracts that share a common drive. They propose to move Griffin Motor Company Enterprises to this new location. They have been in business for 21 years. They are presently located on a leased property and own this new site. This tract was grandfathered at one time to Walter Terry's Auto Repair.

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

1. A front yard setback variance shall be applied for and approved.
2. The two one-acre tracts shall be combined into one two-acre tract.
3. A planted vegetative buffer shall be provided along the rear property line.

The applicant said he had no problems with the conditions, but he does not understand why he needs to combine the two tracts. He would like to keep them as two one-acre tracts.

Mr. Taylor said it will keep the number of variances at a minimum. He would have to get a side yard variance if he keeps them as two one-acre tracts.

Mr. Mattox said he would still like to keep this as two tracts unless it will keep him from getting approval.

Mr. Taylor said it will be up to the Planning Commission what their recommendation is and the County Commission will have the final approval regarding whether or not the recommendation is approved.

Ms. Bailey said she wants the 19/41 corridor kept and not junky looking. There is a tendency for it to look bad and they want to keep it clean.

Mr. Mattox said he understands, and they try to keep their lot neat. They do not hang banners. They pride themselves in being the neatest in town. They do not work on the cars in front.

Mr. Johnson raised the issue regarding the combination of the two tracts.

Mr. Galloway said if the two tracts are combined, it will eliminate the non-conformity, and if Mr. Mattox is concerned regarding operating two businesses on one tract, he will be allowed to operate two businesses.

Mr. Mattox said that was his concern, because they have more than one operation, but if that is all right, he has no problem with combining the two tracts.

#### **MOTION**

Mr. Youmans made a motion to approve Application #08-06Z with the conditions as recommended by staff. The motion passed on a second by Mr. Chastain with Ms. Bailey, Mr. Chastain, Mr. Johnson, and Mr. Youmans voting for the motion.

#### **MOTION**

Mr. Youmans made a motion to approve Application #08-06AZ with the conditions as recommended by staff. The motion passed on a second by Mr. Chastain with Ms. Bailey, Mr. Chastain, Mr. Johnson, and Mr. Youmans voting for the motion.

**S/D #08-02: Cherokee Forest Estates** – Cherokee Forest Estates, LLC, Owner – 40.8 acres off Carver Road located in Land Lot 97 of the 2<sup>nd</sup> Land district – 36 lots.

Carl Vasallo – 60 Dutchtown Road – Hampton, Georgia

Mr. Taylor said this is a revised preliminary plat. It was previously approved as a conservation subdivision. In reviewing the construction plans, the applicant wanted to change some of the lots and some of the streets in order to improve the project's design. The street is a little straighter and some of the lots have been moved from the back to the front. All departments have reviewed and find that it meets the requirements and the recommendation is for approval of the preliminary plat.

#### **MOTION**

Ms. Bailey made a motion, seconded by Mr. Chastain, to approve Preliminary Plat Subdivision Application S/D #08-02. The motion passed with Ms. Bailey, Mr. Chastain, Mr. Johnson, and Mr. Youmans voting for the motion.

**S/D #08-03: Heron Bay Village** – Cole Tract Associates, L.P. and North Spalding Development Company, LLC. Owners – 93.8 acres off Highway 155 located in Land Lots 146 and 147 of the 2<sup>nd</sup> Land District – mixed use with 494 residential units.

Brian Davison – 2292 Henderson Mill Road

Mr. Davison said this is the Village Node at Heron Bay. It is a mix of different uses. This is a part of the overall Heron Bay Community which has been in the top five selling communities in Metropolitan Atlanta since it opened in 2004 and even in the down market they are still holding that spot. The development is in both Spalding and Henry Counties. The prices range from \$170,000 to \$1,150,000. Mr. Davison went over the proposed development noting that the reason for the change is to include the proposed Charter School. He reviewed the plans for the various phases of development of the Village Node. They anticipate being able to begin in November.

A lengthy discussion was held with the issue of the importance of the phases being developed in appropriate order. Mr. Galloway said he would like to make certain that there is not an overdevelopment of one phase of the project. Mr. Davison reviewed the housing market and said that the single-family home is in a depressed market and it will be sometime before that is going to recover. Minerva Properties is positioned to maintain its position in the market. They are aware of Mr. Galloway's concerns. Mr. Galloway asked if there is some way a plan can be furnished that will prioritize the order of phases. Mr. Galloway said, when working on the Village Node concept, multi-family use was allowed. However, there was a specific provision in the requirement that the plan for the Village Node must ensure that the various housing types are developed essentially simultaneously. The County experience is that when you allow two uses you get the "worst" one first and then the better one proposed is never built. He does not have a problem with the layout and the plan but he just wants to be certain that the node is developing without a predominance of one housing type overwhelming the other.

Mr. Davison said he would be happy to cooperate. He has no choice but to build them simultaneously.

Mr. Taylor said this change has been brought about because of the addition of the Charter School. The overall numbers have not changed. Mr. Taylor said they do need to see the Village Node as the apartments and school are built. There is going to be so much investment with the sewer, streets and school that the Village will have to happen and should happen together. The staff recommendation is for conditional approval. The conditions are:

1. The overall concept, development plan has to be approved by the Board of Commissioners.
2. Meadowlark Lane, as proposed on the preliminary plat, needs to be changed to another name that fits 911 requirements.
3. The staff be allowed to work with Minerva to change the Phase Lines of the development with the main focus being, as the school, apartments and infrastructure go in, a proportionate amount of the Village develop as well.

#### **MOTION**

Mr. Chastain made a motion to approve S/D #08-03 with the conditions as recommended by staff. The motion passed on a second by Ms. Bailey with Ms. Bailey, Mr. Chastain, Mr. Johnson, and Mr. Youmans voting for the motion.

**Amendment to UDO #A-08-14:** Quarterly adoption of the official zoning map in revised Geographic Information Systems (GHS) platform as applicable to unincorporated Spalding County.

Mr. Taylor said this needs to be tabled pending action regarding efforts to rezone property on Macon Road. There will be a public information meeting on July 15 at 6:00 p.m. to talk about the

future land use map. They would like to do the zoning and the change to the future land use map together.

**MOTION**

Mr. Chastain made a motion to table Amendment to UDO #A-08-14. The motion passed on a second by Ms. Bailey with Ms. Bailey, Mr. Chastain, Mr. Johnson, and Mr. Youmans voting for the motion.

**MINUTES**

Mr. Youmans made a motion to approve the minutes of the May 27, 2008 meeting. The motion passed on a second by Ms. Bailey with Ms. Bailey, Mr. Chastain, Mr. Johnson, and Mr. Youmans voting for the motion.

**ADJOURN**

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

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Ed Johnson – Chairman

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Yvonne M Langford - Recorder