

SPALDING COUNTY PLANNING COMMISSION
Regular Meeting
August 25, 2009

The Spalding County Planning Commission held its regular monthly meeting on August 25, 2009 at 7:00 P.M. in Room 108 of the Spalding County Courthouse Annex. Members present were: Ed Johnson, Chairman, presiding; Janet Bailey, Walt Glover, David Traer and John Youmans.

Also present were: Charles Taylor, Community Development Director; Bruce Ballard, Griffin-Spalding County School System and Yvonne Langford to record the minutes. Zoning Attorney Newton Galloway was not present at the meeting.

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.

#S/D 03-08: Consider extension of preliminary plat for Heron Bay – Pods JJ, KK, and LL – Cole Tract Associates, LP, Owner.

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

Ms. Curtis said they are requesting an extension of the preliminary plat for Heron Bay that was granted approximately two years ago. The economy has been flat, and the plan is to begin additional development as soon as possible. Water and sewer is being installed, and Johnson Road is being realigned. This involves 155 acres and 178 lots.

MOTION

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

#S/D 04-09: Consider extension of preliminary plat for Crestwick Subdivision – First National Bank, Owner.

MOTION

Mr. Youmans made a motion to approve #S/D 04-09. The motion passed on a second by Ms. Bailey with Ms. Bailey, Mr. Glover, Mr. Johnson, Mr. Traer and Mr. Youmans voting for the motion.

#S/D 05-13: Consider extension of preliminary plat for Flint Mill Estates Subdivision – Scarbrough and Rolader Development, LLC, Owner.

Donna Black – Scarbrough and Rolader Development – 270 North Jeff Davis Drive – Fayetteville, Georgia.

Ms. Black said the request is to extend the preliminary plat for Flint Mill Estates. This subdivision has been developed and platted. They have sold 25 of the 35 lots. They do still own the remaining property and are still interested in the subdivision. They are waiting for the market to recover so they can proceed to the second phase.

Mr. Traer said there is only one entrance and exit for this subdivision. He wanted to know if there were plans for a second entrance/exit.

Mr. Taylor advised during the zoning process, there was discussion regarding a second entrance/exit, and it was agreed that the developer would provide a 50' access easement set aside for future road construction to the adjacent undeveloped tract to the north. When that property is developed, the plan is to have connectivity between the two developments.

MOTION

Ms. Bailey made a motion to approve #S/D 05-13. The motion passed on a second by Mr. Glover with Ms. Bailey, Mr. Glover, Mr. Johnson, Mr. Traer and Mr. Youmans voting for the motion.

#S/D 05-14: Consider extension of preliminary plat for Orchard on Ellis Subdivision – David Luke, Owner.

Mr. Traer said this does not appear to be as complex as most of them that have only one access road.

MOTION

Mr. Youmans made a motion to approve #S/D 05-14. The motion passed on a second by Ms. Bailey with Ms. Bailey, Mr. Glover, Mr. Johnson, Mr. Traer and Mr. Youmans voting for the motion.

Amendment to UDO #A-09-07: Article 17A. VN Village Node – Section 1704:A – amend Development Review and Approval Process

Mr. Taylor said Mr. Galloway proposes to bring the review and approval process of the Village Node in line with the review and approval process of the PDD process so the two processes coincide. This amendment is proposed to achieve that goal. Mr. Taylor said he was not enamored by the idea because bringing it in line with PDD makes it more difficult to develop the Village Node. Since the comprehensive plan encourages that development pattern rather than a sprawling pattern, he was hoping it would be easier. Mr. Taylor reviewed the changes in the amendment. The change includes a preliminary concept review. This change will require that everyone within a mile and a half of the project be notified. This requires a mass mailing which generates lots of telephone calls. The master plan requirement has increased from 16 requirements to approximately triple that amount. There is also a paper size requirement.

Discussion was held regarding whether or not this was an attempt to “kill” the Village Node concept with these additional requirements. Mr. Glover said he does not feel a developer would want to comply with all of the regulations. Mr. Taylor said PDD has to meet these same standards now. It is an onerous task to notify people within a mile and a half radius. It is a little easier now because there are data bases that have that information but it is a big task to send letters out to hundreds of property owners and he has not seen that it makes a real difference in the quality of the review process. Mr. Youmans said he thinks consideration should be given to the fact that it destroys the illusion that you are trying to hide or sneak something by the public. It gives the public ample opportunity to come by or respond. He said he understands the intent. Mr. Taylor said the difference between the PDD and the Village Node is that areas in the county where it is intended to be developed as Village Nodes are clearly identified on the Future Land Use Maps but the PDD can develop anywhere. Mr. Traer said it is common courtesy to notify people. Mr. Glover said a mile and a half radius is a large radius.

Jane Curtis – Minerva

Ms. Curtis said they have been “around this bend” a few times internally at Minerva. It used to be a lot more difficult to come up with the lists. The Planning Department always offer to assist

but they always have a lot to do. The tax assessor's office has a great source for providing the information. They have to submit the addresses to the Planning Staff so they can check to review for accuracy. It is not a burden. It is 44 cents per letter that goes out. It has not been a particular challenge to get it done. Typically, what happens if they see something with a Minerva letterhead versus a Spalding County letterhead it goes in the garbage. She is not certain of the rationale but they constantly hear from people that they did not get the letter. She has dealt with other counties and frequently, it is the Planning Department that sends out the letter to the surrounding area. The residents seem to deem it more important if it has the County letterhead. They are always willing to do what they need to do and it is not a huge challenge.

MOTION

Mr. Youmans made a motion to approve Amendment to UDO #A-09-07. The motion passed on a second by Mr. Traer with Ms. Bailey, Mr. Glover, Mr. Johnson, Mr. Traer and Mr. Youmans voting for the motion.

Amendment to UDO #A-09-08: Article 5. AR-1 Agricultural and Residential – Section 503:B(17) – Amend to allow Office use in the AR-1 District.

Mr. Taylor said this amendment was developed due to a recent request for rezoning for the purpose of using the property in an AR-1 zone for office use. The people in attendance did not have an objection to the office use but did not want the property rezoned. Staff was requested to develop an ordinance to allow very limited office uses in the AR-1 zoning district. This amendment has been developed to that end. He has reviewed the document and feels there is one item that might create a problem. One of the conditions is that the "Office use cannot result in increased traffic and/or noise." It is hard to enforce an ordinance that is difficult to quantify and "increased traffic or noise" is difficult to quantify. He would like to amend this to clarify that language. He suggested that the wording be, "The traffic and noise cannot be such as to be offensive to adjacent property owners".

Mr. Traer had some difficulty regarding the office hours as allowed in the proposed ordinance. Mr. Traer said he does not feel there is a need to limit the office hours. He does not feel that an office would generate noise or anything that would cause complaint from the neighbors. He suggested that it be deleted. Mr. Johnson said he would like to have it remain. This is the first attempt with this ordinance and he assumes this was acceptable to the applicant.

Mr. Youmans wanted to know why the number of employees was limited to four. Mr. Taylor said they wanted to control the intensity of the use. Four employees would not have the impact that a larger number would have and would not generate as much traffic.

Mr. Johnson said he noted from the minutes of the County Commission meeting that the Bowlins continue to have the heavy equipment up and down the road. Mr. Taylor said that was one thing the attorney said would not happen in the future. They are not going to have that equipment up and down the road. It will be limited to the office and employees and regular pick-up trucks. They have committed to not having that equipment traveling up and down the road if this ordinance is adopted. It would be enforceable by the County.

MOTION

Mr. Youmans made a motion to approve Amendment to UDO #A-09-08 with the language change in J to, "The traffic and noise cannot be such as to be offensive to adjacent property owners". The motion passed on a second by Mr. Johnson with Mr. Glover, Mr. Johnson and Mr. Youmans voting for the motion and Ms. Bailey and Mr. Traer voting against.

Mr. Traer said he is opposed, because he does not want the office hours restricted.

MINUTES

Mr. Youmans made a motion to approve the minutes of the July 28, 2009 meeting. The motion passed on a second by Mr. Glover with Ms. Bailey, Mr. Glover, Mr. Johnson, Mr. Traer and Mr. Youmans voting for the motion.

ADJOURN

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

Ed Johnson – Chairman

Yvonne M. Langford - Recorder