

PLANNING COMMISSION

Regular Meeting

March 13, 2001

The Planning Commission held its regular meeting on March 13, 2001 at 7:00 P.M. in the County Commission Meeting Room #108, Spalding County Courthouse Annex. Members present were: John Youmans, Vice-Chairman, presiding, Ray Browning, Bill Bryant, Frank Harris, and Delores Phillips. Karen Mathiak was not present.

Also present were Cindy McDaniel, Administrative Assistant II, Michael Sabine, Community Development Director, Newton Galloway, Attorney, and Yvonne Langford to record the minutes.

Mr. Youmans called the meeting to order, introduced the members of the Planning Commission, and gave the procedure for handling the applications.

MINUTES

Mr. Browning made a motion, seconded by Ms. Phillips, to approve the minutes of the February 27, 2001 meeting. The motion passed with Ray Browning, Frank Harris, Delores Phillips, and John Youmans voting for the motion.

Application #01-04Z: Lift from the table – MRD, LLC, Owner – D & N Construction, Agent – 20.23 acres on Arthur K. Bolton Parkway, located in land Lot 80 of the 3rd Land District. – requesting a rezoning from AR-1, Agricultural and Residential and R-2, Single Family Residential, to C-1, Highway Commercial.

MOTION

Mr. Harris made a motion to lift Application #01-04Z from the table. The motion passed on a second by Mr. Browning with Ray Browning, Frank Harris, Delores Phillips, and John Youmans voting for the motion.

Mr. David Nix came forward to address the Board regarding this application. He stated his name and gave his address as 849 Highway 18 West, Zebulon.

Mr. Sabine said this application had been tabled at the request of his office. At this time Mr. Nix's plans are in compliance with the Arthur K. Bolton overlay district. Everything is complete except the financial plan and it has been agreed that a standard Dun and Bradstreet report will be use to satisfy this request. This will give the necessary information without Mr. Nix having to furnish information that he considers proprietary and would give his competitors an unnecessary advantage in finding out his cost structures and financial plans. The gas station/mini mart and parking in that vicinity have been identified and that concern ahs been remedied. Currently C-1 standards require that this type development be located on a corner lot. Approval of this portion would be subject to a variance. This will have to be

addressed due to the limited number of corner intersections on the AKB Parkway. Approval of the plan is subject to the compliance with Appendix K of the landscape ordinance when construction plans are completed and submitted. There are plans to build an access road when ARK Parkway is upgraded to controlled the access. Recommendation of approval is made on conditions listed as A through G under conditional approval on page three of the Staff Report. A site plan will have to be approved and any changes to the plan will require adherence to procedures in Section 2205F. The gas station will require a variance which will be subject to any changes made to the UDO at a later date. The landscaping needs to comply with Appendix K. The structures that are visible to the AKB Parkway will be three sides brick and the structures to the very rear of the property, that are not visible to AKB Parkway, will at least have a masonry façade with the remaining sites as noted in the existing design standards 2208 which basically requires the appearance of masonry. Once the access road is constructed along AKB Parkway, projected to be in 2005, the entrance on Tomochichi can be closed. This can be specified one of two ways at the discretion of the Planning Commission. It can be closed entirely or it can be closed except to service vehicles only.

Mr. Bryant arrived during this discussion.

Mr. Nix said they plan to have controlled access with a locked gate for limited use. He said he has no problem with any of the conditions. He is planning to build only his building at the present time. If he has customers that want a building he will put one up for them at that time. He said his building will probably be the only building and there will not be a lot of traffic.

Mr. Sabine said the current design plans shown by DOT most recently available to the public in November showed the access road being constructed and paid for as part of the public road design project. The plan is that DOT will pay for the access road. However the AKB ordinance has a technical requirement saying that the developer needs to express a willingness to pay for the cost. This was prior to the decision that DOT was to develop this as controlled access. It may be advisable to say that based on current plans DOT is going to pay for the construction of that access road but in the event they do not the developer may obtain access to AKR Parkway 1) pending approval of a curb cut by DOT and 2) they will pay the cost of any upgrades necessary. This is largely a moot point because DOT has approved it in the design but to meet the very narrow criteria put in the existing AKB overlay design with controlled access this language should be included to meet the AKB overlay requirement.

Discussion continued on the sequence of events regarding the curb cuts and access road to AKB parkway.

MOTION

Mr. Bryant made a motion to approve Application #01-04Z with conditions as stated in the report and have the developer participation as mutually agreed on by Spalding County, Georgia DOT and the developer, for the access road. Once the access road is in place the entrance on Tomochichi Road will become a gated and locked, controlled access drive. The motion passed on a second by Mr. Browning with Bill Bryant, Ray Browning, Frank Harris, Delores Phillips, and John Youmans voting for the motion.

Amendment to UDO #A-01-05: Lift from the table – Article 18. PRRRD Planned Residential and Recreational Resort Development – Section 1803: A (8&9) – delete skeet ranges and sporting clays from permitted uses.

This application remained on the table at this time.

S/D #01-02: Lift from the table – Stonebriar – Reese Builders & Developers, Owner – 146.36 acres off Moreland Road, located in Land Lot 88 of the 2nd Land District – 275 lots.

MOTION

Mr. Browning made a motion to lift S/D #01-02 from the table. The motion passed on a second by Mr. Bryant with Bill Bryant, Ray Browning, Frank Harris, Delores Phillips, and John Youmans voting for the motion.

Mr. Bill Weston came forward to address this application. Mr. Weston stated his name and gave his address as 237 Hampton Shores Drive, Hampton, Georgia.

Mr. Weston said he felt most of the questions and comments as discussed at the last meeting have been answered.

Mr. Sabine said he feels a lot was accomplished since the last meeting and he expressed appreciation to Mr. Weston and Mr. Reese for their willingness to resolve the issues. There are some elements that will need to be identified under construction plans. The outline of the dwellings will be added; this was an oversight. The maximum proposed height has been addressed. It will be 35 feet consistent with other residential districts. The accel/decel lanes are on the map. The representative building plans were submitted with the written report. The cul de sac lengths have met the concurrence of Mr. Sabine and Mr. Galloway. Financial plan will be covered with a standard Dun & Bradstreet report. The construction plan will have a better statement of the construction time. Homeowners association has already been proposed. Utility plans will be on the construction plans. The Water Authority has indicated the available capacity to service this development. The other pedestrian vehicle traffic access is laid out. The development impact is available.

The Planning Commission and the Board of Commissioners requested that this be zoned PD. Mr. Reese initiated the action and Spalding County shaped the action and encouraged the development be put in PD. This does set the standard to some degree. There are certainly some exceptions in this particular context that we need to be advised about. When the Planning Commission and the Board of Commissioners shifts a zoning to PD as opposed to an applicant coming in and requesting PD the important difference is related to intent, He is very comfortable with what is in file. It completely and accurately details the development and it fits in with the conditions that were agreed to by the developer as conditioned for PD for this property. At the same time the record needs to reflect clearly the intent and the demonstration of intent is very important. We intend to follow the standards. We have not varied from the standards, and should anyone read a variance in this situation, it would not be a guarantee for the future and should not be interpreted as such.

Discussion was held regarding the issue of the width of the entrance boulevard. It was noted that the width of the lanes is 12 feet on each side. There will be 24 feet of pavement which is the requirement. There have been circumstances where 22 feet of pavement has been allowed. No one was able to determine why the Fire Marshall has an objection to the pavement width. It was decided that there will probably be no parking on the boulevard. Mr. Sabine said he is comfortable with the 12 foot of pavement on each side.

Mr. Reese said there will be no curbing at the center next to the green space which will mean that there will actually be 14 feet on each side. He said he feels this exceeds the standards and that he has met every requirement.

Mr. Galloway said he is not aware of any other divided road like this that has been approved under the subdivision regulations. While we have always attempted to comply with the various department's comments, they are not mandatory.

MOTION

Mr. Browning made a motion to approve Application S/D #01-02 as delineated. The motion passed on a second by Ms. Phillips with Bill Bryant, Ray Browning, Frank Harris, Delores Phillips, and John Youmans voting for the motion.

BETHANY RIDGE SUBDIVISION EXTENSION

Mr. Sabine said this project for Mr. Bolton was approved in 1999 and he has not been able to move forward due to other business concerns. He has started to aggressively pursue this project again and has concerns that he cannot meet the April deadline for construction plans. He has requested an extension.

MOTION

Mr. Browning made a motion to grant a 12-month extension for Mr. Bolton for the Bethany Ridge Subdivision. The motion passed on second by Mr. Bryant with Bill

Bryant, Ray Browning, Frank Harris, Delores Phillips, and John Youmans voting for the motion.

RENAME STREET

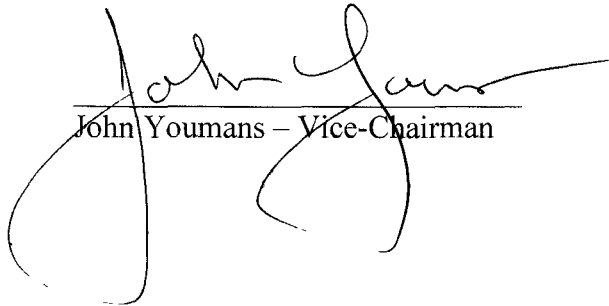
Mr. Youmans said there has been a request to grant a name change on one of the streets in Park Place subdivision. The request is to change Chase Place to Tanner Drive.

MOTION


Mr. Browning made a motion to change Chase Place to Tanner Drive in the Park Place subdivision. The motion passed on a second by Ms. Phillips with Bill Bryant, Ray Browning, Frank Harris, Delores Phillips, and John Youmans voting for the motion.

MOTION

Mr. Bryant made a motion, seconded by Mr. Browning, to adjourn the meeting. The motion passed with Bill Bryant, Ray Browning, Frank Harris, Delores Phillips, and John Youmans voting for the motion.



John Youmans – Vice-Chairman



Yvonne Langford – Recorder