

SPALDING COUNTY PLANNING COMMISSION
Regular Meeting
August 26, 2003

The Spalding County Planning Commission held its regular monthly meeting on August 26, 2003 at 7:00 P.M. in Room 108 of the Spalding County Courthouse Annex. Members present were: Ray Browning, Chairman, presiding, Ronald Green, Karen Mathiak, Delores Phillips, and John Youmans.

Also present were Charles Taylor, Community Development Director, Newton Galloway, Attorney, and Yvonne Langford to record the minutes.

Mr. Browning called the meeting to order, introduced the members of the Planning Commission, and invited those present that wanted to address the Board regarding any matter to sign in on the appropriate form.

MINUTES

Ms. Mathiak made a motion to approve the minutes of the August 12, 2003 meeting. The motion passed with Mr. Browning, Ms. Mathiak, and Mr. Youmans voting for the motion and Mr. Green abstaining because he was not present.

Delores Phillips arrived at this time.

Application #03-13Z: Lift from the table – Peach State Land Development, Inc., Owner – 13.41 acres off Highway 16 West. Brooks Road and Tri-County Road located in Land Lot 13 of the 1st Land District – requesting a rezoning from AR-1, Agricultural and Residential, to C-1, Highway Commercial.

Ms. Mathiak made a motion to lift Application #03-13Z from the table. The motion passed on a second by Mr. Youmans with Mr. Browning, Mr. Green, Ms. Mathiak, Ms. Phillips and Mr. Youmans voting for the motion.

Attorney Crisp Flynt – P. O. Drawer A, Griffin, Georgia, addressed the board regarding this application.

Mr. Flynt said Mr. Rod Wright and Mr. Don Brandenburg are the owners of Peach State Marketplace and are trying to put together a facility out near Brooks. This is to be a multi-purpose facility. They have had a lot of drawings done to show the concept. This property fronts on Highway 16 on the north side just past the Brooks Road. This property has a natural buffer all around the site. The center is an open field. The problem with the land, from a residential standpoint, is that there are soil problems and the perc tests were not satisfactory. They will do whatever they need to do to develop this facility. It would be prohibitive to develop the land from a residential standpoint.

The drawings were turned in at the deadline and he understands the staff did not have time to review and change their previous recommendation which was to deny. Mr. Brandenburg and Mr. Wright have tried to address the concerns of the staff and make this a quality facility with a multi-purpose use. The surrounding area has a number of grandfathered commercial facilities. It is a natural place for this type operation. It will help the tax base and will not put an additional burden on the school system. The buffer will remain and they will consider an expansion of the buffer if it is wanted. It will not be an eyesore by any standards. They want to make it attractive.

Rod Wright – 165 Cooper Way – Brooks, Georgia

Mr. Wright said they are planning to have agricultural products, livestock, supplies, tools, crafts, and antiques. They would like to have one building as a consignment shop which would be open six days a week. The outside areas would be open on weekends only, approximately nine months out of the year. The outside areas would be closed on bad weather days. They want to have weekend events to bring customers. They would plan programs by local dance studios, church events, 4-H displays, Future Farmers of America displays, antique appraisers, car shows, coin shows, baseball card shows, etc. They plan to hire local school students on the early release program to help maintain the facility. They promise the Marketplace will be built and maintained with integrity. They are open to suggestions and ideas to improve the facility.

Mr. Browning called for a five-minute recess to give those in attendance an opportunity to review the plans. At the end of the recess Mr. Brandenburg and Mr. Wright went over the plans and identified the plans for the facility. The plan is to develop the property in stages over the next two years. They feel this is an appropriate location on the border of four different counties. The hours of operation on the weekends will be from 8-7 on Saturdays and Sundays. The consignment shop would be open during regular business hours during the week and close by 7:00. They plan to operate this facility themselves.

Mr. Flynt said he had talked with a gentleman that has a flea market in the area and he had no objection.

Mr. Wright said he had talked to people within a two mile area and there are a number of them that are in favor but it is hard to get them to come to a meeting.

Mr. Taylor said the staff had reviewed the application previously recommending denial. The plans were delivered just prior to the information having to be delivered for the meeting and the staff did not have time to review and get a written recommendation to the Planning Commission. However, they have now been reviewed and the staff feels there are a number of things that are inconsistent with the future goals of the county. When the application was initially reviewed Mr. Taylor met with the applicants and discussed the future goals of the county for this area. The area is rural and the plan is to preserve that atmosphere. The initial idea was that this would be a flea market. The staff did see the potential for something a little different to set the tone for future commercial

development. You can have commercial nodes with design and architecture and intensity that can still fit in with the rural character. They offered to meet with Mr. Wright and his designer to try to have a design that fits in with the area. Regretfully that meeting has not taken place even with the revised plan. The staff recommendation for the proposal presented remains for denial.

Tracy Sadowski – 6586 Dearborn Drive – Acworth, Georgia

Ms. Sadowski owns the property that surrounds this property. She objects to this application. The surrounding area in Brooks, Georgia is predominantly single-family houses and undeveloped property. She came to understand more about their plans and the presentation raises more questions than it answers. They originally purchased the land for houses. The land did not perc and this appears to be the alternate idea of what to do. They describe this as multi-purpose which is rather ambiguous as to meaning. There is a detention pond that was not mentioned. She is concerned. They mentioned that they would not spend the money for detailed drawings and if you won't spend the money up front to get what you want then how is there a guarantee they will spend the money to fulfill what they have said. The people that are in favor of this won't come but there is an entire group of people, who own the immediate adjacent property, that are present to speak against this application. To approve this application will bring an undesirable element. A flea market by any other name is still a flea market and will decrease the value of the surrounding property. It adds absolutely nothing and probably detracts from what is currently there.

Julia H. Manos – 1021 Tri County Road

Ms. Manos said she regrettably sold this property to Mr. Wright. Ms. Manos read a prepared statement in which she said she had advised Mr. Wright that she would not sell to him unless she knew exactly what use of the land was intended. She feels that Mr. Wright falsified his intent and deliberately misled her. He told her that it was for residential use. Ms. Manos read the statement, which included a history of the area and voiced her total opposition to any rezoning. She raised the issue as to whether the water and lack of sewer facilities would adequately serve an operation of this size if it will not serve residential.

Rodney Ison – 7176 Newnan Road

Mr. Ison said he lives across the road from this property. He requested the Planning Commission preserve the rural community. He works for the sheriff's office and he likes the peace and quiet when he goes home. This will create more traffic problems. If this is like the farmer's market in Atlanta the workers will not be desirable. The drawing looks nice but there is already a house on the corner that has a continuous yard sale and the code enforcement officer cannot get him to stop. If these men do not maintain the integrity of this facility how will that be enforced? He requested denial.

Crisp Flynt said this was a late hour to determine that this facility is not appropriate. The owners have tried to incorporate what was wanted into their plan. They will be glad to

meet any requirements. If Ms. Manos intended to restrict the use of the property she should have done that in the deed.

Mr. Wright said he never stated his intended use of the property. He never said that he intended it for residential use. With the price he paid for the land residential use would not be practical. Additionally, the highway will probably be four-laned one day and residential use would not be appropriate.

Mr. Taylor said they had offered to meet with Mr. Wright's designer to come up with a detailed plan and no meeting ever took place. The staff mentioned to Mr. Wright the idea of a Renaissance Festival type layout which is a use that is very mixed with green space and public plazas none of which was incorporated into the plan that was presented. At this late hour that plan is 180 degrees off of what was envisioned by the staff. There is no way that conditions can be imposed with this plan that would be appropriate. He wanted to meet with Mr. Wright and his designer to get a plan that would be workable.

Mr. Youmans asked if it would be appropriate to table this application again to give the owners an opportunity to meet with the staff to come up with a more appropriate plan.

Discussion was held regarding the land use map and the fact that this area is designated as rural reserve. The proposed land use map does have some areas designed as commercial with the closest one being at Huckaby's, which is already developed commercially, and the other area is in the Vaughn Community. With the existing and the proposed land use map this area is shown as remaining rural.

MOTION

Mr. Youmans made a motion to deny Application #03-13Z. The motion passed on a second by Mr. Green with Mr. Brown, Mr. Green, Ms. Mathiak, Ms. Phillips, and Mr. Youmans voting for the motion.

Application #03-19Z: Thomas West Gary, III, Owner – 1740 Highway 16 West (6.989 acres located in Land Lot 79 of the 2nd Land district) requesting a rezoning from C-1, Highway Commercial, to AR-1, Agricultural and Residential.

Tom Gary III – 3040 Brook Hollow Drive – Rex, Georgia

Mr. Gary said he plans to move back to Griffin and build a home. He has planned this for 28 years. The land was acquired from his grandfather when it was farmland. He has made some improvements by restocking the pond and building a dock and utility building. He applied for a building permit and was advised that he could not build a residence on commercial land. The county rezoned this land and he wants to zone it back for residential. He plans to build a site-built home.

Mr. Taylor said the staff recommends approval.

Mr. Browning said he does not feel it is appropriate to rezone this to residential. He can see this becoming a problem because the surrounding land is zoned for commercial use and someone can, at sometime in the future, develop it for commercial use which could be a problem for Mr. Gary. The true value of the property would be to develop it for commercial use. He suggested that Mr. Gary might want to sell this land and purchase property somewhere else for a home. He feels this land is going to develop at a very rapid rate for commercial use.

Mr. Gary said the land around this is owned by relatives of his and they do not intend to sell it for commercial use. He wants to build a home there and is willing to take his chances.

Mr. Galloway suggested that Mr. Gary might want to get those family members together and request the land be zoned for residential use. He advised him that if anyone whose land around him is zoned for commercial use wanted a permit for commercial use they would have to give it to them.

MOTION

Mr. Green made a motion, seconded by Ms. Phillips, to approve Application #03-19Z. The motion passed with Mr. Green, Ms. Phillips, Ms. Mathiak, and Mr. Youmans voting for the motion and Mr. Browning voting against.

MOTION

The meeting was adjourned on a motion by Ms. Mathiak and a second by Mr. Youmans with Mr. Browning, Mr. Green, Ms. Mathiak, Ms. Phillips, and Mr. Youmans voting for the motion.

Ray Browning – Chairman

Yvonne M. Langford - Recorder