

**SPALDING COUNTY PLANNING COMMISSION  
MINUTES  
October 26, 2004**

The Spalding County Planning Commission held its regular monthly meeting in room 108 of the Spalding County Courthouse Annex on October 26, 2004. Members present were: Karen Mathiak, Chairman, presiding, Ray Browning, Ronald Green, Delores Phillips, 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.

Ms. Mathiak called the meeting to order, introduced the members of the Planning Commission 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 #04-04X:** Annexation Request from Mickey Jones – 18.26 acres between Sweetbriar Land and Cedardale Drive located in Land Lot 151 of the 2<sup>nd</sup> Land District.

Ms. Mathiak said there was a request to table Application #-04-04X. She requested a motion.

**MOTION**

Application #04-04X was tabled on a motion by Mr. Green and a second by Ms. Phillips with Mr. Browning, Mr. Green, Ms. Mathiak, Ms. Phillips and Mr. Youmans voting for the motion.

**Application #04-21Z:** Earl Sherwood, Owner – Alan R. Mobley, Agent – High Falls Road off Alicia Drive (46.1 acres located in Land Lots 207 and 208 of the 2<sup>nd</sup> Land District) – requesting a rezoning from AR-1, Agricultural and Residential, to R-5, Single Family Residential.

**Application #04-21AZ:** Walter E. Jones, Jr., Executor of the Estate of Paul H. Walker, Jr., - Owner – Alan R. Mobley, Agent – High Falls Road (86.81 acres located in Land Lots 209 and 210 of the 2<sup>nd</sup> Land District) – requesting a rezoning from R-2, Single Family Residential and AR-1, Agricultural and Residential, to R-5, Single Family Residential.

These two applications were heard together and voted separately.

Alan Mobley – 262 Mobley Road

Mr. Mobley said these two tracts of land will be combined. Both tracts are in the Urban Proximity. The average house size in the area is 1,000 SF. They are requesting the 1,250 SF minimum. The houses will still have to comply with the county rules regarding

double car garages, roof pitch, and accented fronts. The price range will be targeted at \$106,000 to \$110,000. There are not many houses in this price range in the county due to the increase in square footage. In certain areas, where the smaller house sizes are predominating, it is needed. The engineer did a study and said the best entrance to the subdivision for traffic should be located across from Central Lake Circle. He has talked with Parks and Recreation about donating some land to the county for future use as a park or walking trail. There will be 79 lots in the subdivision. Soil studies have been done and identified on the map. They had considered a homeowners association, but in the Urban Proximity, it is not required. The more amenities that are created the greater burden it is on the homeowners. That was the reason they want to donate the 40 acres to the county in hopes the county will be able to develop a park. It is in the area of AMBUCS Park, and there is a possibility it can be donated to them if it doesn't work for the county.

Robert Bugg – 29 East South 6<sup>th</sup> Street

Mr. Bugg said most of his questions have been answered. He owns the land on the south side. Alicia and Ira Drives are both private roads, and he has concern over the entrance on Alicia.

Mr. Mobley said it would have been less expensive to use Alicia Drive, but they will not be using it due to the condition of the road.

Mr. Bugg discussed the condition of Alicia Road and wanted to know what could be done for the county to take the road and improve it for the area.

Discussion was held and Mr. Bugg was advised to contact the county to determine what would have to be done to get the improvements needed.

Lauren Kosko – 110 Tanglewood Trail

Ms. Kosko presented pictures of the property under consideration and pictures of property across the street. They are fearful that the property will become a “junkyard” as represented in some of the photos. She is representing the property owners of Tanglewood Trail. She has been a resident for 23 years and is proud to call Griffin her home. She grew up on the eastside of town which is considered not favorable in the view of many people. The area is growing very fast, and she wants to encourage positive growth and development in Spalding County. They have seen what has happened in Waterford and Cody's Plantation. They are fearful that if 1,250 SF homes are allowed on this property they will see Section 8 or an unfavorable development. This is being developed in their backyard. They have a 1,765 SF home. She encouraged larger square foot homes than are under consideration. She spoke with Mr. Mobley and was assured by him that there would be a homeowner's association which would promote positive growth in the area. Tonight he has said he is not going to have a homeowner's association. They want to maintain and promote positive growth on the east side of town.

Don McSwain – 114 Tanglewood Trail

Mr. McSwain said his concern is to try to maintain 1,500 SF houses. This appears to be well planned, but he wants larger homes.

Community Development Director Charles Taylor said since the staff report was completed, there has been a new development that Mr. Jacobs will address.

Senior Planner Chad Jacobs said a cell tower has been identified as being on the property. There was some discrepancy as to whether or not it was on this property, but it has been confirmed that it is on this property. They have received a new layout from the engineer for the property which involves the elimination of three lots, providing for a fall zone for the tower. The tower height is 200’.

Discussion was held regarding the impact the tower will have on the development.

Mr. Taylor said the property can be developed as a conservation subdivision by right. That would result in approximately 66 lots. The actual impact would be going from 66 lots to 79 lots, now 76 lots that are being proposed. The zoning will be an increase of the square footage in the area. It will have a minimum impact on the infrastructure. The recommendation is for approval of the rezoning. Recently, consideration has been given to tying roads into future development, and there are developable tracts to the north of this development that might benefit from an access point. That might be incorporated into the recommendation. He further recommends curb and gutter as conditions.

Mr. Browning discussed the wetlands in the area that would make it difficult to tie into the property to the north for future development.

Ms. Phillips questioned increasing the square footage of the homes.

Mr. Mobley said he would not want to commit to building larger homes, but in every subdivision that he has developed, the minimum was the base. There were always larger homes than the minimum. He further stated that he had not been very clear about the homeowner’s association. There will be a homeowner’s association. There will be areas in the subdivision that will be owned by the association and some of it may be some of the 40 acres he intends to donate. What he intended to say is that when you create a lot of amenities the association dues are increased. He intends to build this out himself and he would love to restrict this for no renters but state law does not allow that.

Mr. Ballard said this will be a substantial change, and the school system would prefer for the zoning to remain as it is and limit the number of lots. There is a lot of building going on in this area, and this is going to have an impact on the school system and tax base.

Mr. Mobley said he definitely intends to donate the land for parks and recreation. He is in discussions with the county, but they do not have the funds to develop a park. He is not certain whether or not AMBUCS is interested. The Urban Proximity does not require amenities and he is not planning any himself other than the donation of the property. He will look at reserving some land for a future road to adjoining property.

Vonda K. Blount – 164 Patton Court – Griffin, Georgia

Ms. Blount said she is a Pike County resident. She asked if the school system might be interested in the 40 acres of land for future use as a school.

Mr. Ballard said if the land is suitable, they would be interested. There are many factors that enter into sites for schools, and he does not know whether or not it could be used for a school.

**MOTION**

Mr. Browning made a motion to approve Application #04-21Z conditioned on all streets being curb and gutter and pending the resolution of the cell tower and fall zone. 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.

**MOTION**

Mr. Browning made a motion to approve Application #04-21AZ conditioned on all streets being curb and gutter and pending the resolution of the cell tower and fall zone. 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.

**Application #04-22Z:** Lee Wall, Kenneth D. Dorsey, John Wall and Tammy Wall, Owners – Jackson Road (Highway 155) and North McDonough Road (91.14 acres located in Land Lot 80 of the 2<sup>nd</sup> Land District) – requesting a rezoning from R-2, Single Family Residential and AR-1, Agricultural and Residential, to R-2, Single Family Residential.

Ken Dorsey – 261 Dobbins Mill Road

Mr. Dorsey said they want to have 54 one-acre lots on this tract. This is an extension of Sunshine Ridge. They will have a clubhouse and approximately 25 acres of green space. They will develop this on the Country Club Subdivision Design criteria. The houses will be 1,750 SF minimum.

Michael LaGreco – 1465 North McDonough Road

Mr. LaGreco said he is not against the zoning but he would like for it to be restricted for no easements on the property, no utility or road easements. He, also, does not want the green space to be developed at some future time.

Mr. Browning advised him that the green space would not be able to be developed unless the zoning ordinance was changed so that it is allowed. He also told him that utility companies are allowed to take property they need for easements so the restrictions would have no affect.

Community Development Director, Charles Taylor said that the development plan could be revised and the green space shifted but the green space will have to remain at 25% of the development. He said the staff recommendation is for approval. They would be able to have 30 lots under the present zoning. This represents an increase to 54 lots. The

square footage in the area was analyzed, and this represents a slight increase over the average in the area.

### **MOTION**

Ms. Phillips made a motion, seconded by Mr. Green, to approve Application #04-22Z. The motion passed with Mr. Browning, Mr. Green, Ms. Mathiak, Ms. Phillips and Mr. Youmans voting for the motion.

**Application #04-23Z:** Deborah J. Puckett, owner – Bill Singh and Bob Singh, Agent – 19 North McDonough Road (1.25 acres located in Land Lots 15 and 16 of the 3<sup>rd</sup> Land District) – requesting a rezoning from R-2, single Family Residential, to C-1, Highway Commercial.

Vonda Blount – 164 Patton Court – Griffin, Georgia

Ms. Blount said she is a resident of Pike County and is representing Bill Singh and Bob Singh. Photographs were furnished of a recently completed convenience store in Zebulon, Georgia. These owners will put in a nice development if approved. They are good commercial neighbors. They have a great rapport with their clientele. This will be a smoke-free facility. They have two existing stores, one in Thomaston and one in Zebulon. These stores generate \$48,000 annually in sales tax revenue. Their property and inventory tax for the Pike County Store was \$7,500. The Spalding County store should generate more than \$10,000 in property taxes. They will have approximately 8 employees. Their hours will be in the range of from 5:00 a.m. until midnight. During the week, they will probably close a little earlier. Businesses in a residential area provide services needed by the local residents. She does not see this as a detriment to the neighborhood. The staff is recommending denial and their issue is traffic. Stores locate where there is already traffic. They do not create the traffic. They locate where traffic will sustain the business. They might change the traffic flow at the intersection. The staff just recommended approval of subdivisions in the area that will create traffic. With the growth in the area, this store is going to be needed.

Justin Osterland – 22 North McDonough Road

Mr. Osterland said this site is directly across the street from where he lives. She might not think this is going to hurt the community, but she is not going to be trying to sleep while this store is in operation at midnight. He had pictures showing the lot and his house and other houses adjacent to the property. There is a convenience store west from this intersection about one mile away, east there is one less than ½ mile away and north there is one two to two ½ mile away. He would not have a problem ½ mile south on Highway 16 at the corner of Highway 16 and North McDonough Road. This location is not in a neighborhood. His main concern is the noise and the traffic. There is already a lot of traffic, but they are not stopping and pulling into a store. A quiet business like a real estate office would be all right but not a convenience store.

David W. Floyd – 35 North McDonough Road

Mr. Floyd said he is not prepared with a lot of facts, because he has just received the notice regarding this zoning. This is a nice neighborhood particularly from Oxford Road

to High Falls Road. The residents have done a great job of restoring the older homes in the area. Most of the homes are owner occupied. They care about their property. He lives adjacent to this tract. His bedroom faces the proposed location of the convenience store. He is an educator and has to be up at 6:00 a.m. to meet his schedule. He has to go to bed early to get the rest necessary to teach the next day. He purchased this property two years ago. Traffic is already congested in the area at certain times of the day. Other people in the area are opposed to this proposal. His family lives next door, and he purchased this location to be close to them and take care of them so he plans to stay on this property. There is an abandoned store in the area that would make a good location for this convenience store. This needs to remain a nice residential area and not a commercial area.

Tricia C. Puckett – 2047 Locust Grove Road.

Ms. Puckett said she is the owner of 915 North McDonough Road which was the building Mr. Floyd said would be a better place to put a convenience store. She also has a residence at 750 North McDonough Road. She is familiar with the area and the activity. She knew when she purchased the property it was a great investment because, unfortunately for those that want it to remain residential, growth is coming. Traffic is getting worse. There are more cars in the area. There is a new subdivision at the end of 155 that is being developed. Subdivisions are coming all in the area. Growth is inevitable. The store is a great idea for the reason that they are going to offer something that the other stores do not. They will have food. No one delivers pizza to this area. You have to go into town if you want food. This store will not be bad for this area.

Community Development Director Charles Taylor said that in developing the comprehensive plan lengthy discussions were held regarding establishing commercial areas in residential villages. The draft plan is full of areas where there are villages with commercial areas. Convenience stores are a little different because they have a huge impact because of the lighting that is required. They generate a lot of traffic because they are not designed to be accessible for the pedestrian traffic like a village retail store. Convenience stores are designed for the traveling public. There are areas in the county that are designed for this. The land use map does not identify this area as a future commercial site. That is the reason the staff recommends denial.

Debbie Puckett – 189 Hall Road

Ms. Puckett said she does not understand the issues. There is a man that sells fruit across the road five days a week from 10:00 a.m. to 7: p.m. He causes traffic. There is no parking area. She has two full size double driveways, one on High Falls Road and two on McDonough Road. There is already so much traffic on that road. They turn down the road and go to the other convenience stores and then come back down the road. Having a store in this location would stop all of that congestion. The present stores are very old. People want new clean stores with enough parking to get gas and not get run over. The other convenience stores as so congested this would relieve the congestion at the other locations.

Discussion was held with the members expressing concern that this is not the appropriate time for commercial development in the area. A lot of time was spent on the land use plan and this area is not designated as commercial on that plan. It is appropriate to support the land use plan. Concern was also expressed regarding the traffic dangers.

**MOTION**

Mr. Youmans made a motion, seconded by Mr. Browning, to deny Application #04-23Z. The motion passed with Mr. Browning, Mr. Green, Ms. Mathiak, Ms. Phillips and Mr. Youmans voting for the motion.

**Application #04-27Z:** James S. Wade, Jr., Owner – John M Cogburn, Jr., Agent – 1206 Enterprise Way (2.50 acres locate in Land Lot 117 of the 2<sup>nd</sup> Land District) – requesting a rezoning from C-1, Highway Commercial, to C-1B, Heavy Commercial.

James S. Wade, Jr. - Chestnut Hill Road

Mr. Wade said he is the owner of this lot as well as the adjoining two lots to the south which is the location of Wade Tractor Equipment. He purchased this building and facility that adjoins his last April. He has been using the rear portion of the property for storage. He would like to open the facility as a new business selling ATV four-wheelers. He found out that the property would have to be zoned C-1B rather than the present C-1. He does not see any negatives on this rezoning.

Community Development Director Charles Taylor said the staff recommends approval. There is already intensive commercial use in the area requiring outside storage that has been there for awhile. The land use calls for the area to be industrial in the future. This will be less intensive that some of the uses allowed in the C-2 district.

**MOTION**

Mr. Browning made a motion to approve Application #04-27Z. The motion passed on a second by Mr. Green with Mr. Browning, Mr. Green, Ms. Mathiak, Ms. Phillips and Mr. Youmans voting for the motion.

**Amendment to UDO #A-04-20:** Lift from the table – Infill Ordinance – adds provision in Definitions and in all single-family residential districts as permitted use.

**MOTION**

Mr. Youmans made a motion, seconded by Mr. Browning, to lift Amendment to UDO #A-04-20 from the table. The motion passed with Mr. Browning, Mr. Green, Ms. Mathiak, Ms. Phillips and Mr. Youmans voting for the motion.

Mr. Galloway went over the proposed changes for the Infill Ordinance.

A lengthy discussion was held regarding this proposed change.

**MOTION**

Mr. Browning made a motion to approve Amendment to UDO #A-04-20 which includes the ordinances as presented identified as Infill Definitions and Infill Districts. 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.

**MINUTES**

The minutes of the October 12, 2004 meeting were approved on a motion by Mr. Youmans and a second by Mr. Green with Mr. Browning, Mr. Green, Ms. Mathiak, Ms. Phillips and Mr. Youmans voting for the motion.

**ADJOURN**

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

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Karen Mathiak – Chairman

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Yvonne M Langford - Recorder