

**SPALDING COUNTY PLANNING COMMISSION**  
**Regular Meeting**  
**October 28, 2003**

The Spalding County Planning Commission held its regular monthly meeting on October 28, 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, Lee Craig, Senior Planner, Bruce Ballard, Griffin-Spalding County School System, 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 October 14, 2003 meeting. The motion passed on a second by Ms. Phillips with Mr. Browning, Ms. Mathiak, Ms. Phillips, and Mr. Youmans voting for the motion and Mr. Green abstaining since he was not present.

**Application #03-21Z:** MRD Realty, LLC, Owner – Greg Pruitt Construction Company, Agent – Tract 84 West McIntosh Road (25.522 acres located in Land Lot 62 of the 3<sup>rd</sup> Land District) – requesting a rezoning from R-2, Single Family Residential and AR-1, Agricultural and Residential, to R-4, Single Family Residential.

Mr. Browning noted that there was a plat included with the application. This is a rezoning request and the plat is for concept only and is not for approval. The lot sizes are not at issue at this time. The moratorium is still in effect regarding one-acre lots. He requested a report from staff.

Mr. Taylor said the staff recommends conditional approval. The request is to a zoning that will allow for two-acre lots which is compatible with the lot sizes in the general area. The average house size in the general area is 1409 SF which is compatible with the request which will allow 1500 SF minimum house size. This is also compatible with the future land use map. The recommendation is for conditions as follows:

Streetscape plan including sidewalk, trees, and street lighting shall be submitted along with the preliminary plat.

Green space areas shall have a frontage along the public street and no lot shall be more than 500 feet from a green space area.

The design of the walking trails or playground areas shall be submitted with the construction plan.

The development shall incorporate a 25' vegetated buffer to act as screening along Westmoreland Road. If there are existing vegetation screens on the property along the road no additional vegetation will be required. However, if the property is not screened along Westmoreland Road additional vegetation shall be planted in accordance with Section 408 of the UDO which has vegetation requirements.

Greg Pruitt – 55 Partridge Path

Mr. Pruitt said he plans to develop an upgraded community with amenities. Square footage has nothing to do with price. He is proposing 1500 SF quality homes that will be all brick. There will be a pool with patio and clubhouse with bathroom. This is behind some older homes and will be hard to see from the road. They do not plan to do anything with the road frontage property. It will not be visible from Westmoreland Road and may not be visible from McIntosh Road. Mr. Pruitt commented on the recommendation by the staff regarding the green space. He said on this property it would be difficult to meet that condition. This is only 25 acres and that condition would be easier on a larger project. The amenities are going over and above anything that has been done in Spalding County.

The following comments were made by citizens present to address the board regarding this application.

Bob Burke – 120 King Richard Drive

Mr. Burke said on Henry Jackson Road, Sam Jackson had his property zoned to R-1. The property on Ellis Road that used to be industrial has been rezoned R-1. The property across the street, the Hart people, are developing is R-1. Nottingham Estates is in the process of being zoned R-1. There has been talk with everybody for the past two years and they have not changed. R-1 is the way for this land to be developed. When you have R-1 all around to put R-4 in would be a mistake because we want to move forward. As far as amenities are concerned there are amenities that enhance a community and other amenities like clubhouses and pools that are marketing attraction. To get these amenities you have to put in more houses so you have to raise the density. Most know that the people have been concerned about the density, especially what it does to the schools. There have been discussions in the past that the school population has stayed 10,500 for thirty years. Thirty years ago we did not have a 50% drop out rate; black males were not dropping out at the rate of 90%. We did not have seven private schools “sucking out” the brightest and best students we have that could be role models for the other students. We have a serious problem in our schools now. If we could get rid of this 50% drop out rate there would not be any place to put the students. The residents are looking for R-1. We fought long and hard on the Hart property. We did not get everything we wanted but we got better than 194 houses at 1400 SF.

Joyce King – 2355 West McIntosh Road

Ms. King said she agrees with Mr. Burke. Additionally, she said nothing will impact a quiet community like this more than to have an influx of houses that will create a mass noise level with an influx of traffic. This is a quiet community. This will increase an environmental problem regarding the sewage. This will affect the value of the property and crowd the schools. She questioned whether or not the property would perc noting drainage problems.

Lee Southern – 2375 West McIntosh Road

Mr. Southern said he owns the property next to the proposed road into this the development. He has lived here since 1991 and there have been multiple wrecks with injuries at this driveway. There is a blind spot that will create a blind entrance that will cause additional injuries. He opposes R-4 but supports R-1.

Julie Southern – 2375 West McIntosh Road

Ms. Southern said she is concerned about safety. You bring in more people you bring in more potential for crime. She is raising a small child and is concerned with noise, traffic and his safety. She is concerned about property values but not as much as the safety of her child.

Sue Fowler – 2435 Fayetteville Road

Ms. Fowler said she agrees with all that has been said. This proposed subdivision is getting even closer to her farm than the other developments. This is an undesirable proposal. They would like to see controlled and improved growth. If it goes to R-4 what will happen next? Will there be special exceptions? If you allow this it will possibly get lower and lower. Some of the houses on West McIntosh are set back close to the back of their rear property line. If you go in with 48 houses their privacy will be greatly diminished. They would not object to the two-acre lots but this does not fit into the current land use plan nor the future land use plan.

James R. Green – 2437 West McIntosh Road

Mr. Green said he is a licensed surveyor and has spent 6 years working for Peachtree City Development. He knows what development is supposed to look like and he knows what planned growth is supposed to look like. This is not it. He would support R-1 zoning as has been suggested. He wanted to know whether a soil survey has been done and whether the wetlands have been delineated and whether a lower density has been considered. Larger lots could be used and there would be a lot less roads. This zoning allows the potential for high-density that sewer allows. He opposed the R-4.

Greg Pruitt

Mr. Pruitt said the staff report shows that the schools in this area are not at capacity. He posed the question to Mr. Ballard.

Mr. Ballard said the schools in some areas are close. The School Board is looking at the rezoning issue due to the completion of the Moreland Road Elementary School. This will

change the zoning for the schools in this area. This will not help the middle schools but will offer relief to the elementary school.

Mr. Pruitt said someone spoke regarding a blind spot in the road. He was not aware of this but he will see if there is a problem. There was some concern about the fact that people had built back off the road and this was going to impair their vision. He said he hopes that because they chose to build off the road is not going to keep the owners of this property from developing their property. Everyone has a right to use his property.

Mr. Pruitt said again, you can build cheap square footage and you can build nice square footage. He plans to build nice square footage.

Discussion was held regarding this application. All of the Planning Commission members were in agreement that this land should probably be zoned for a minimum of 1750 square footage.

### **MOTION**

Mr. Youmans made a motion to deny application #03-21Z. The motion passed on a second by Ms. Mathiak with Mr. Green, Ms. Phillips, Ms. Mathiak, and Mr. Youmans voting for the motion and Mr. Browning voting against.

**Application #03-22Z:** Dorothy Frances Farrar, Elaine F. Peavy and George Thomas Farrar, Jr., Owners – Brian J. Rainwater, Agent – 303 acres, more or less off Sidney Drive and Steele Road located in Land Lots 6, 7, 8, 9, 25, 26, and 27 of the 3<sup>rd</sup> Land District) – requesting a rezoning from AR-1, Agricultural and Residential, to R-1, Single Family Residential Low Density.

Brian Rainwater – 1410 Jackson Drive – Cumming, Georgia

Mr. Rainwater said the owners are trying to develop property for single-family residences. They have a 303-acre parcel they want to divide into 109 lots. It is currently identified in the land use plan for higher density than they want to develop. The land will be two-acre minimum with 2000 SF homes. According to the staff report the average house size in the area is 1989 SF. The zoning would allow 1750 SF but the owners want a minimum of 2000 SF. The Farrar Family wants to develop something that is unique in Spalding County. They have already done that with other land on Sidney Road that is divided into 5-acre parcels. He requested approval.

Pat English – 1063 Steele Road

Ms. English said she is not opposed to the proposal. She was not certain what was planned but would be in favor of this plan. They were very pleased with what they have done on Sidney Road. They would like for them to consider the location of the road into the property on Steele Road. That is right in a curve. She additionally questioned if all the lots would be approved for septic systems.

Brian Rainwater said sight distance is something they try to look at in the planning stage but it is something they will look at further when they look at the engineering design.

They are here tonight to see if the Planning Commission will allow them to develop the number of lots that are proposed. They have consulted with a soil scientist. Preliminarily it is going well, better than they expected.

Discussion was held regarding traffic issues, allowance for school buses, and emergency vehicles. Mr. Ballard asked them to consider a location with protection for children to wait for school buses.

Mr. Rainwater said he had read the staff recommendations for approval. He has some difficulty with the requirement for the green space area to be situated so that no lot shall be more than 500 feet from green space. The lots are going to be 200 feet wide except for those in a cul-de-sac. That means they would have to have green space every 2-½ lots, which would be very difficult. He would like for that to be eliminated and another distance considered. They have the required 10% green space. He discussed ways they would be able to increase the green space but it would not be within 500 feet of every lot.

Mr. Taylor said the staff recommends approval but with conditions. They recognize the fact that the county is almost forcing developers to build ugly roads. There are means whereby green space can be incorporated into the design of the road that would greatly enhance the aesthetic value.

Shayne Graves – 246 Sidney Drive

Mr. Graves wanted to know what is considered when a subdivision is recommended or not recommended for approval. He additionally was concerned about the population in the schools in this district. The developments in this area are not helping. He has heard concern from the firemen in the area that they are not able to keep up with the development in the area. He further said that there will be a problem with Sidney Drive and Highway 92.

Mr. Taylor advised what is considered with each application that is submitted.

Mr. Ballard said the middle school will have the biggest potential impact. Beaverbrook presently has 10 trailers. That is not what is liked but with the opening of Moreland Road relief is anticipated.

#### **MOTION**

Mr. Green made a motion to approve Application #03-22Z with the minimum square footage of 2000 SF. 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.

**S/D #03-05:** Parliament Place – Next Generation Properties, Inc., Owner – 40.26 acres off Highway 155 located in Land Lot 111 of the 2<sup>nd</sup> Land District – 31 Lots.

Staff recommendation is for approval conditioned on approval from Environmental Health Department.

Jzonn Cureton– 6958 Main Street – Lithonia, Georgia

Mr. Cureton said he is present to answer any questions or to give an update if needed. They have approval from DOT for the construction entrance. They are waiting on loggers to go in and cut limited trees. They are not going to clear-cut the land. They will be leaving hardwoods on each lot. The entrance and bridge will be developed with the same stone with lights. There will be cameras incorporated into their web site so the homeowners will be able to watch their children get off the school bus and walk home. They will also be able to watch them while they play at the park. They will be able to do this from their work or their home. They will be maintaining the property except for the streets, which will be turned over the Spalding County at the appropriate time. They have another subdivision like this in Rockdale County, which has been a success. They hope to develop other properties in Spalding County. This will be set up like a gated community without the gate. All the utilities will be off of one bill to the homeowners.

**MOTION**

Mr. Youmans made a motion to approve S/D #03-05 conditioned on approval from Environmental Health. The motion passed on a second by Ms. Mathiak with Mr. Browning, Mr. Green, Ms. Mathiak, Ms. Phillips and Mr. Youmans voting for the motion.

**S/D #03-06:** Sunshine Ridge – Ken Dorsey and Alan Mobley, Owners – 57.14 acres off Jackson Road (S.R. 155) located in Land Lot 49 of the 2<sup>nd</sup> Land District – 40 lots.

Kenneth D. Dorsey – 261 Dobbins Mill Road

Mr. Dorsey said he was present to answer any questions.

Mr. Taylor said there are a couple of issues. Public Works needs to approve and there is a green space requirement of every 500 feet and the developer is proposing to use a two-foot strip between the sidewalk and the street as part of meeting the green space requirement. He would like to approval conditioned on trying to incorporate green space.

**MOTION**

Ms. Phillips made a motion to approve S/D #03-06 conditioned on working out incorporating green space with the staff and approval of the streetscape plan by the Public Works. 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**

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

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Ray Browning – Chairman

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Yvonne M. Langford - Recorder