

After Agenda

**Board of Commissioners of Spalding County
Zoning Public Hearing
Thursday, February 27, 2020
6:00 PM
Room 108, Annex Building**

The Spalding County Board of Commissioners held their Zoning Public Hearing in Room 108 of the Spalding County Annex on Thursday, February 27, 2020, beginning at 6:00 p.m. with Chairperson Gwen Flowers-Taylor presiding. Commissioners Rita Johnson and Bart Miller were present for the meeting. Commissioner James Dutton joined the meeting at 6:09 p.m. Commissioner Donald Hawbaker was absent from the meeting. Also present were County Manager, William P. Wilson, Jr., Assistant County Manager, Michelle Irizarry, County Zoning Attorney, Newton Galloway, Community Development Director, Chad Jacobs and Kathy Gibson, Executive Secretary to record the minutes.

- A. OPENING (CALL TO ORDER)** by Chairperson Gwen Flowers-Taylor.

PLEASE SILENCE YOUR CELL PHONES AND ALL OTHER ELECTRONIC DEVICES.

- B. INVOCATION** was delivered by Commissioner Rita Johnson.

- C. PLEDGE TO FLAG**

Commissioner Bart Miller, District #4, led the pledge to the flag.

- D. Public Hearings**

At this time, I will recognize those citizens who have signed up to address the Board. Once your name is called, come to the podium, state your name and address for the record and make your comments. All speakers who are recognized will be allotted three minutes. No speaker will be permitted to speak more than three minutes unless the Board votes to suspend this rule.

Please direct your remarks to the Board and not to individual Commissioners or to the audience. Personal disagreements with individual Commissioners or County employees are not a matter of public concern and personal attacks will not be tolerated. The Chairman has the right to limit your comments in the interest of disposing of the County's business in an efficient and respectable manner.

- E. New Business**

- 1. Application #19-12Z:** Herschel Andrew Estate, Owner - William Pickett, Agent - 1285 Moreland Road (1.25 acres located in Land Lot(s) 41 & 42 of the 2nd Land District) - requesting a rezoning from AR-1, Agricultural and Residential, to R-4, Single Family Residential.

Commissioner James Dutton joined the meeting at 6:09 p.m.

William Pickett, 1281 Moreland Road, Williamson, GA it is a Pike County address, but a Spalding County physical location. He advised that his mother-in-law and father-in-law lived next door to them at 1285 Moreland Road and his wife has inherited the home and it is their wish to have it rezoned. Right now, the house sits on 4.89 acres and they would like to see it rezoned to a smaller tract, approximately 1.25 acres because they would like to sell that property.

Chad Jacobs, Community Development Director, then stated that the tract that will be split from the current acreage would be 1.25 acres would be rezoned to R-4, assuming it is approved and it will meet all of the road frontage requirements and acreage requirements for a lot within the R-4 District.

Commissioner Johnson then asked if there were any conditions recommended by staff.

Mr. Jacobs advised that there is a condition that the remaining 3.6 acres will be rolled into the parcel next door, which is Mr. Pickett's property.

Motion/Second by Johnson/Miller to approve Application #19-12Z: Herschel Andrew Estate, Owner - William Pickett, Agent - 1285 Moreland Road (1.25 acres located in Land Lot(s) 41 & 42 of the 2nd Land District) - requesting a rezoning from AR-1, Agricultural and Residential, to R-4, Single Family Residential with the condition as stated by staff. Motion carried unanimously by all.

2. **Application #19-13Z:** High Top Holdings, Inc. of GA, Owner - Jesse Armistead, Agent - 964 South McDonough Road (1.79 acres located in Land Lot 12 of the 3rd Land District) - requesting a rezoning from AR-1, Agricultural and Residential, to R-2, Single Family Residential.

Chairperson Flowers-Taylor advised that since items 2, 3, and 4 are to be considered together and voted on independently she would go ahead and read all three applications prior to discussion.

Motion/Second by Miller/Dutton to approve Application #19-13Z: High Top Holdings, Inc. of GA, Owner - Jesse Armistead, Agent - 964 South McDonough Road (1.79 acres located in Land Lot 12 of the 3rd Land District) - requesting a rezoning from AR-1, Agricultural and Residential, to R-2, Single Family Residential. Motion carried unanimously by all.

3. **Application #19-13AZ:** High Top Holdings, Inc. of GA, Owner - Jesse Armistead, Agent - 964A South McDonough Road (2.04 acres located in Land Lot 12 of the 3rd Land District) - requesting a rezoning from AR-1, Agricultural and Residential, to R-2, Single Family Residential.

Motion/Second by Johnson/Miller to approve Application #19-13AZ: High Top Holdings, Inc. of GA, Owner - Jesse Armistead, Agent - 964A South McDonough Road (2.04 acres located in Land Lot 12 of the 3rd Land District) - requesting a rezoning from AR-1, Agricultural and Residential, to R-2, Single Family Residential. Motion carried unanimously by all.

4. **Application #19-13BZ:** Cedar Creek Farms, Inc., Owner - Jesse Armistead, Agent - Rehoboth Road (.09 acre located in Land Lot 12 of the 3rd Land District) - requesting a rezoning from AR-1, Agricultural and Residential, to R-2, Single Family Residential.

Chairperson Flowers-Taylor then asked Mr. Jacobs to tell the Board about these three applications then we will hear from anyone wishing to speak.

Mr. Jacobs then advised that there are three tracts that currently exist, one tract that has road frontage, one tract that is land locked and a third tract which is a small sliver that provides access to the land locked tract. The intention of the perspective owner is to combine these three parcels and then subdivide them into two tracts. The rezoning is needed because the tracts do not currently meet the minimum of 6 acres in an AR-1 Zoning District.

The current zoning requires a minimum of 3 acres and a road frontage of 200' per tract. Additionally, tract 2 would have been non-buildable under the current zoning. The only way these lots can be combined and then subdivided would be to go to one of the R Districts. Since the planned house sizes will meet or exceed the square footage requirement for R-2 Zoning, this is why we are asking to go to that designation. The purpose of this zoning is to get the buyer to a point to where they can build two houses on the new tracts that would be created, assuming approval.

Butch Armistead, stated that he works 203 East Taylor Street, Griffin, and he resides at 127 Jackson Street, Zebulon, GA. He stated what Mr. Jacobs stated is correct, it is his understanding that one of the properties did not get properly recorded back in the 80's and in order to sell the property as two lots this is what had to be done.

Chairperson Flowers-Taylor then asked if both of the lots as presented meet the minimum road frontage requirements?

Mr. Jacobs stated that once the two lots are combined the property in front will provide the road frontage needed.

Chairperson Flowers-Taylor then asked for the staff recommendation.

Mr. Jacobs advised that staff is recommending approval for all three with no special conditions.

Motion/Second by Dutton/Johnson to approve Application #19-13BZ: Cedar Creek Farms, Inc., Owner - Jesse Armistead, Agent - Rehoboth Road (.09 acre located in Land Lot 12 of the 3rd Land District) - requesting a rezoning from AR-1, Agricultural and Residential, to R-2, Single Family Residential. Motion carried unanimously by all.

F. Other Business:

1. Discussion of preliminary concept plan for Southside Animal Hospital proposed within the Tri County Crossing Overlay.

Mr. Jacobs advised that this a request to develop a Veterinary Clinic on Hwy 41 South headed toward Lamar County. He presented the Architectural Conceptual and the Concept Site Plan for this location. This is much like what we were dealing with when RaceTrac came before the Board as there is road frontage surrounding this parcel. Pursuant to the Tri-County Crossroads Overlay, the conceptual plan has to come before both the Planning Commission and the Board of Commissioners for any input.

Mr. Jacobs then stated that the Planning Commission loved the plan and recommended approval. There will be a need for some variances at some time in the future regarding sidewalks widths and other requirements. It will be similar to the variances applied for and approved for RaceTrac. He wanted this to be presented to both the Planning Commission and the Board of Commissioners prior to application of any variances, due to the fact if there is something that forces the design to change slightly, that would potentially have an effect on any variance.

Mr. Jacobs then stated that pursuant to the TCC Concept Plan, this is where we are, and we wanted to get this before the Board. The construction will be tied to this design, if they come back with significant changes, it will have to come back before the Board.

Mr. Jerry Johnson, with Perspective Engineering, 4255 Wade Green Road, Kennesaw, GA, stated that he is present this evening representing the owner of the property, Dr. Daniel Roberts. He is the owner of the existing Southside Animal Hospital and wishes to move to this site once they can get it constructed. He stated that the intent would be to build the two buildings initially, one for the Veterinary Hospital and the other for the Boarding Facility. The third building would be constructed at some point in the future. It would be a complimentary business and at this time they don't know what that would be. They felt they should show it on the plan so the Board could view everything that is intended for the property.

Mr. Johnson then advised that Dr. Roberts does not intend to build all of the parking to begin with, just what will service the two buildings he is initially

constructing; however, once the future building is added, the additional parking will be constructed as well.

Mr. Jacobs stated that it makes sense to present the entire project in the conceptual plan so that the Board can see what it will ultimately be at build out, but it is not uncommon to phase in the ultimate construction. They will be required, upon submission of their plans to construct the required amount of parking for the facility they are building at the time.

Mr. Johnson then provided the Board with additional elevations for the buildings being proposed.

Consensus of the Board was to approve the concept plan for the Southside Animal Hospital within the Tri County Crossing Overlay.

2. Consider authorizing a County initiated Amendment to the Future Land Use Map (FLUM) to change the current designation of the Airport Road Corridor.

Mr. Wilson advised that this was discussed at the last meeting and the Board asked that it be placed on this meeting for a formal vote. It was discussed that since there were a number of properties along Airport Road that were being rezoned and that area has been moving from a Residential District to a Commercial District over the past 10 years. The Board, at that time, thought it would be a good idea to initiate a Future Land Use Map change for that corridor so those wanting to located along that portion of Airport road would only have to rezone and not be required to go through a two-step approval process.

Chairperson Flowers-Taylor then asked for a description of the designations for the Land Use Map as the names have changed, and she is uncertain as to the designations.

Mr. Jacobs stated that for the Land Use Map that is tied to the current Comp Plan, you will have Employment Corridor, Commercial Corridor and then Mixed Corridor. The Employment Corridor is probably going to be more of an industrial setting like the Lakes at Green Valley. Commercial Corridor would be like 19-41 and the way the text reads in the Comp Plan, it is really more an emphasis on redevelopment of that corridor. Staff is recommending for this corridor would be to take this area to a Mixed Corridor designation. This will encompass both Commercial, Office and Residential and would give the Board greater flexibility to deal with future rezoning requests.

Motion/Second by Dutton/Johnson to authorize staff to move forward with a County initiated application to change the Future Land Use Map (FLUM) designation for those parcels in the Airport Road Corridor to a Mixed Use Corridor. Motion carried unanimously by all.

Mr. Wilson then added that before the Board adjourns, he would like to remind everyone that qualifying dates are Monday thru Friday of next week, March 2nd thru March 6th. On Monday thru Thursday, the hours are from 9:00 a.m. to 5:00 p.m. and on Friday the hours are from 9:00 a.m. to 12:00 p.m. at the Board of Elections Offices.

Mr. Jacobs also wanted to remind the Board that the Census is coming up and he wanted to make sure that everyone is “spreading the word.” We are currently waiting on the post cards from the U.S. Census Bureau. Next month the cards will be mailed out to all county addresses.

Mr. Wilson then announced that this is the last meeting that Mr. Jacobs as the Community Development Director for Spalding County. He will be moving across the street, he will be working with the County in a joint effort with the City on many projects. We wish him well and we will miss him. He has done a great job while he has worked for Spalding County and he wanted to thank him for all his hard work and his working in moving that Department forward.

G. Closed Meeting – None.

H. Adjournment

Motion/Second by Miller/Johnson to adjourn the meeting at 6:44 p.m. Motion carried unanimously by all.