

THE FAYETTE COUNTY PLANNING COMMISSION met on March 7, 2002 at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Public Meeting Room, First Floor, Fayetteville, Georgia.

MEMBERS PRESENT: Bill Beckwith, Chairman
Jim Graw, Vice-Chairman
Bob Harbison
Al Gilbert
Douglas Powell

MEMBERS ABSENT: None

STAFF PRESENT: Dennis Davenport, Assistant County Attorney
Chris Venice, Director of Planning
Delores Harrison, Zoning Technician
Robyn S. Wilson, P.C. Secretary/Zoning Coordinator

Welcome and Call to Order:

Chairman Beckwith called the meeting to order and led the Pledge of Allegiance. He introduced the Board Members and Staff and confirmed there was a quorum present.

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1. Consideration of the Minutes of the meeting held on February 7, 2002.

Chairman Beckwith asked the Board Members if they had any comments or changes to the Minutes as circulated. Bob Harbison made the motion to approve the Minutes. Al Gilbert seconded the motion. The motion unanimously passed 5-0.

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Chairman Beckwith explained to the audience that the Preliminary Plat on the agenda was for the Planning Commission to address the technical aspects of a proposed subdivision of property which was already zoned, and only the technical aspects of the Preliminary Plat could be addressed by the public.

THE FOLLOWING ITEM WILL BE CONSIDERED BY THE PLANNING COMMISSION ONLY ON MARCH 7, 2002.

2. Consideration of a Preliminary Plat, Serenity Lake Estates Subdivision, J & J Fason and Associates, Owners, and Tommy Chapman and Chad Epple of Southeastern Engineering, Agents. This property consists of 36.19 acres with 8 proposed single-family dwelling lots. This property is located in Land Lot 55 of the 7th District, fronts on Adams Road, and is zoned R-70.

J. Fason requested approval of the preliminary plat as submitted.

Al Gilbert made the motion to approve the preliminary plat. Doug Powell seconded the motion.

Jim Graw asked who would be responsible for the maintenance of the dam.

Mr. Fason replied the homeowners association.

Mr. Graw asked if the driveway across the dam would be the resident's driveway.

Mr. Fason replied that it would access the 17 acre tract which would belong to him.

Doug Powell pointed out that if the dam is a Category II that a dam breach analysis would be required. He asked if the dam was upgraded to a Category I who will bear the cost.

Mr. Fason replied that he would as the developer. He advised that his engineer had met with the E.P.D., and it is not a Category I and the dam is sound as is. He added that before he proceeded any further that he would have this information certified and he would be responsible for any future problems.

At this time, Chairman Beckwith called for the vote. The motion unanimously passed 5-0.

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Chairman Beckwith called for a short break from 7:05 P.M. until 7:08 P.M. in order to sign agendas for the students attending the public hearing.

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Delores Harrison read the procedures that would be followed including the fifteen (15) minute time limitation for presentation and opposition for petitions.

THE FOLLOWING ITEM WILL BE CONSIDERED BY THE PLANNING COMMISSION ON MARCH 7, 2002 AND BY THE BOARD OF COMMISSIONERS ON MARCH 28, 2002.

3. **Consideration of Petition No. 1089-02, Frank B. Flanders, Jr., Owner, and David G. Hovey, P.E., Agent, request to rezone 10.19 acres from R-70 to R-45 to develop a single-family residential subdivision consisting of 9 lots. This property is located in Land Lot 80 of the 7th District and fronts on Coastline Road.**

David Hovey provided a drawing indicating the subject property and the zoning of the surrounding properties. He said that his client was attempting to rezone 10.2 acres from R-70 to R-45. He explained that when the property to the north was originally rezoned to R-45 the subject property was going to be included but his client was told to hold off because the County was in the process of acquiring the right-of-way for Coastline Road so the subject property was not included. He advised that the previous Land Use Plan designated the area for Light Industrial, but it had since been amended to Low Density Residential (.2 to .5 units/acre). He stated that Staff had concerns about the overall density which exceeds the .5 units per acre, but when you add the subject property to the 65 lots currently under development in Ellen Ridge Subdivision to the north, the overall density is .55 units/acre. He commented that the development would be served by the extension of County water from Milam Road. He pointed out that there is a one (1) acre tract which touches the southern portion of the subject property. He remarked that the subject property has no wetlands or flowing streams. He noted that the subject property is bisected by Coastline Road and that there are approximately seven (7) residences on Coastline Road, which is 6,000 feet long. He reported that Coastline Road has minimal traffic. He went on to say that traffic going to Peachtree City and Fayetteville will probably utilize the paved portion of the road so traffic should not be a major consideration. At this time, he introduced the owner, Frank Flanders, Jr.

Mr. Flanders said he had lived in the area for 47 plus years and had raised his family and paid taxes (\$30,000 per year) during this time. He commented that he is in the construction business and his equipment very seldom stays in Fayette County but he has elected to keep the equipment in the County and pay a much higher tax rate than if the equipment was located somewhere else. He remarked that he had always tried to help the County and not do anything to hurt the County. He explained that when the bridge on Coastline Road was condemned by the State that he donated right-of-way through the subject property and also gave the County dirt needed at Whitewater Creek. He noted that if the County had purchased and trucked in the dirt that it would have cost them \$4,000. He added that he did not consider Coastline Road a Collector road since the bridge is restricted to seven (7) tons and the school bus would not go over the bridge. He stated that Mutt Hunter (a previous County Public Works Director) had told him to just be quiet on this and something would

be worked out to get a road through this area because the County had to have the road. However, once this was done, he said that Mr. Hunter forgot about him and he had no recourse whatsoever.

Mr. Flanders said that the area was designated Light Industrial on the previous Land Use Plan. He stated that his previous rezoning was approved for 85 one (1) acre lots. He stressed that after the screwy Watershed Protection Ordinance was applied that he ended up with one (1) house on seven (7) acres. He pointed out that with the combined acreage of 133 that approximately 74 lots could be utilized. He commented that he was unaware of any objections to the rezoning. He indicated a one (1) acre tract and a six (6) acre tract are adjacent to the subject property. He confirmed that Truett Cathy owned a 25 acre tract adjacent to Whitewater Creek. He further confirmed that the subject property is also bounded by the railroad tracks.

Mr. Flanders advised that a three (3) way stop would be provided on Coastline Road where a proposed road from Ellen Ridge intersects Coastline Road. He stressed that Coastline Road should not be affected by traffic. He confirmed that he was giving the County roads with curb and gutter and County water at his expense. He added that the R-45 zoning district required a minimum house size of 1,800 square feet, but his restrictive covenants would require a minimum house size of 2,250 square feet which will provide a better tax base for the County. He pointed out that the rezoning would create nine (9) lots instead of four (4) lots which would help with his finances. He said he had owned the land long enough to use it for its best purpose and the rezoning would not hurt anyone. He requested approval of the rezoning petition.

Chairman Beckwith asked if there was anyone to speak in favor of the petition. Hearing none, he asked if there was anyone to speak in opposition of the petition. Hearing none and with no rebuttal required, he closed the floor from public comments.

Al Gilbert asked Mr. Hovey to point out the proposed road in Ellen Ridge which would intersect with Coastline Road.

Mr. Hovey indicated the information as requested.

Chairman Beckwith stated that the subject property is a continuation of Ellen Ridge.

Mr. Hovey replied yes it is. He reiterated that Mr. Hunter asked them in 1996 not to include the subject property with their previous rezoning petition due to the acquisition of right-of-way for Coastline Road.

Jim Graw asked Mr. Flanders why he wanted to reduce the minimum lot size requirement from two (2) acres to one (1) acre.

Mr. Flanders replied that the rezoning would not hurt the County but would help him financially. He pointed out that the lots would access the 80 foot right-of-way which he gave the County free of charge, along with dirt for Whitewater Creek, and also dedication of the proposed curbed and guttered roads to the County which he would be developing at his own expense.

Mr. Graw said he had thought a lot about this rezoning request. He pointed out that the property is surrounded by R-70, is adjacent to a railroad, and is in close proximity to Whitewater Creek which is a water supply. He noted that R-45 would double the number of septic tanks but on the other hand the subject property will be a part of the existing R-45 subdivision. He stated that he did not know if a two (2) acre minimum was appropriate on a rail road line. He added that he had to look at what is fair is fair.

Jim Graw made the motion to recommend approval of the petition. Al Gilbert seconded the motion.

Doug Powell stated that Chris Venice had indicated that the northern portion of the County was under consideration for changes to the Land Use Plan.

Chris Venice said that Staff is in the process of reviewing some of the densities of the County. She confirmed that previously this area was designated Light Industrial on the Land Use Plan, east to the rail road line, but when the area was not developed as planned it was land used back to Low Density Residential (.2 to .5 units/acre). She stated that in retrospect the area could have been considered for Low Density Residential (0.5 to 1 units/acre), but this is not what is indicated on the current Land Use Plan.

Mr. Powell said that the past rezoning is his only conflict, and if Staff is going to recommend to the B.C.C. that the land use for the area be changed to Low Density 0.5 to 1 units/acre then it becomes a moot point.

Mr. Graw said the reason he was having a problem with the request was where do you stop the R-45 zoning should this property be approved for rezoning. He stated he recommended approval because other circumstances outweighed future rezoning requests.

Mr. Flanders confirmed that he was an industrial developer and he had a chance to do something industrial with the property but chose not to because he did not think it would be the best thing for the County. He said that in response to “where do you stop”, he pointed out that Whitewater Creek is in close proximity to the property and also the rail road tracks which would basically bound the area.

Chairman Beckwith commented that if the subject property had been included with the previous rezoning request that he would not have any objections to rezoning the subject property since the subject property is contiguous to the existing R-45. He added that he supported the rezoning request.

Hearing no further comments, Chairman Beckwith called for the vote. The motion passed 4-1 with Doug Powell voting in opposition.

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NEW BUSINESS:

4. Discussion of the revisions to the Economic Development and Housing Objectives and Policies for inclusion in the Fayette County Comprehensive Plan by the Planning Department.

Chris Venice explained that this was the first draft of the 4th and 5th of six (6) elements to create objectives and policies to direct the review and possible amendments to the Land Use Plan in the coming year. She commented that tonight we would be reviewing Economic Development and Housing. She advised that the Economic Development Authority has had substantial input into the Economic Development element.

Economic Development

Objective ECD 1: Jim Graw asked what was the definition of “diversified economic base”. He suggested to substitute these words for “industrial base”.

Mrs. Venice replied that economic development covers a broader area than industrial base. She suggested that possibly economic development could be subdivided into industrial and commercial. She said that definitions may also need to be added.

Objective ECD 3: Mr. Graw said that in his opinion, Fayette County was already a leader in controlled development. He suggested using the word “maintain”.

Mrs. Venice concurred.

Objective ECD 4: Mr. Graw asked how the County could provide a superior quality of life for the residents and business personnel. He added that these words were too broad. He said that they could provide for certain things which will provide for a superior quality of life.

Chairman Beckwith stated that economic development as proposed would provide a superior quality of life.

Al Gilbert stressed that the County did not want to be too specific because someone at the State level will say that the County is not doing what they said that they would do.

Mrs. Venice concurred and added that different elements require different levels of specificity.

Doug Powell suggest using high quality services for County residents.

Mr. Graw concurred.

Objective ECD 1, f: Mr. Powell asked what was the definition of a brownfield.

Mrs. Venice replied that a brownfield is an area that is contaminated with industrial pollutants such as a toxic waste dump.

Objective ECD 2,c: Mr. Powell asked if anyone had given any thought to the establishment of a Training and University Center.

Mrs. Venice said that the meaning was to investigate the possibility and to get all the information before a decision is made. She added that this was provided from the E.D.A. and she would get additional direction on this item.

Housing

Objective HSG 2: Mr. Graw asked if #2. could be included in #1.

Mrs. Venice replied that she would not commit to it, but that Staff will take a look at it.

Mr. Gilbert suggested that she contact the Mid-West Georgia Home Builders Association and see if they have any input.

Mrs. Venice said that was a good point; her only concern is that if the County approaches one (1) organization specifically then others can say that we did not approach them.

Mr. Gilbert advised that M.W.G.H.B.A. was the only organization, and that they would be a good group to contact.

Mr. Powell asked if there is a projected date when the median value of a home would be available.

Mrs. Venice replied probably in late spring or summer.

Mr. Graw and Mr. Powell praised Mrs. Venice for her high quality work on this matter.

Mrs. Venice said she would give the P.C. a redline copy so that they could see the changes as discussed. She advised that the next element would probably not be ready for the March Workshop and that she may present it at the April public hearing. She added that from this point on any material presented to the P.C. would be reviewed for discussion only, and when completed adopted at one time.

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Chairman Beckwith asked if there was any further business.

Robyn Wilson advised the P.C. of the Workshop scheduled for March 21, 2002 had been canceled.

Attorney Dennis Davenport presented a proposed amendment to the Telecommunications Antennas and Towers ordinance. He explained that the proposed amendments dealt with the exemption that if a government or publically owned tower is placed on publically owned property that the criteria regarding the tower does not apply. He advised that the County is not in the business of putting up towers but they do have the need to use tower space. He said that the proposed amendments regarded public safety issues. He added that this item needed to be addressed as soon as reasonably possible.

Chairman Beckwith instructed the Secretary to advertise the proposed amendment for the P.C. public hearing scheduled for April 4, 2002 and for the B.C.C. public hearing scheduled for April 11, 2002.

There being no further business, Al Gilbert made the motion to adjourn the meeting. Chairman Beckwith seconded the motion. The motion for adjournment unanimously passed 5-0. The meeting adjourned at 8:00 P.M.

PLANNING COMMISSION
OF
FAYETTE COUNTY

ATTEST:

BILL BECKWITH
CHAIRMAN

ROBYN S. WILSON
SECRETARY