

ZONING PUBLIC HEARING

A public hearing was held by the Spalding County Board of Commissioners in Room 108 in the Courthouse Annex, Thursday, May 28, 2009 beginning at 6:00 o'clock p.m., with Commission Chairman Edward Goss, Jr. presiding and Commissioners Gwen Flowers-Taylor, Eddie Freeman, Bob Gilreath and David Phillips present. Also present were County Manager William P. Wilson, Jr., Assistant to the County Manager Paul Van Haute, Zoning Attorney Newton M. Galloway, Community Development Director Chuck Taylor and Teresa Watson to record minutes.

A. Call to Order.

Note: Persons desiring to speak must sign in for the appropriate application. When called, speakers must state their names and addresses and direct all comments to the Board only. Time allotted to speakers will be five minutes each, unless otherwise noted at the Board's discretion. No speakers will be allowed to readdress the Board without express consent from a Board member. Outbursts from the audience will not be tolerated. Common courtesy and civility area expected at all times.

Motion/second to add to tonight's Zoning Public Hearing agenda: Discussion of a proposed offer to the City of Griffin regarding County assumption of entrance fees for users of the City Pool, by Commissioners Flowers-Taylor and Freeman, carried by a vote of 5-0.

B. New Business:

1. **Application #09-05S:** David L. Cawthon and Lucy M. Cawthon, Owners –136 Cumberland Road (0.64 acre located in Land Lot 183 of the 2nd Land District – requesting a Special Exception to allow a general home occupation in the R-1 District.

Chuck Taylor reported that the applicant requests a Special Exception to allow a general home occupation on his property at 136 Cumberland Road, zoned R-1. The proposed home occupation will consist of a dental lab.

Motion to approve Application #09-05S: David L. Cawthon and Lucy M. Cawthon, Owners –136 Cumberland Road (0.64 acre located in Land Lot 183 of the 2nd Land District – requesting a Special Exception to allow a general home occupation in the R-1 District, by Commissioner Phillips, seconded by Commissioner Freeman, carried 5-0.

2. **Application #09-01Z:** Griffin-Spalding Development Authority, Owner – Paragon Consulting Group, Agent – Arthur K. Bolton Parkway, Rehoboth Road and Wild Plum Road (576.62 acres, more or less, located in Land Lot 211, 237, 238, 243, 244 and 245 of the 2nd Land District) – requesting a rezoning from C-2, Manufacturing, and AR-1, Agricultural and Residential, to PDD, Planned Development District.

On advice of counsel, Commissioner Phillips made a motion to combine Items 2 and 3, Applications #09-01Z and #09-01AZ, for the purpose of general discussion with a separate vote to be taken on each, seconded by Commissioner Flowers-Taylor. Motion carried 5-0.

Mr. Taylor advised the applicant is proposing a mixed use project of approximately 2,000,000 square feet of industrial space, a 150,000 square foot hotel (including 25 cottages), a 72,000 square foot conference center, and 50,000 square feet of swim/tennis complex, as well as a 5-acre nature center with walking trails. Additional development on site by others will include a 45,000 square foot grocery store, and 39,250 square feet of retail shops. Future development proposed will also include a 27-lot, single family residential subdivision. There is the possibility of a grocery store on Tract A which Commissioner Gilreath contended would increase traffic. This intersection, noted Mr. Wilson, is slated for improvement in the Spalding County Comprehensive Transportation Plan. Mr. Upson advised the road would be upgraded and widened at such time as traffic counts warrant. For now, it is GDOT's opinion that a traffic signal is not warranted based on traffic counts. McIntosh Trail RDC has given an approval of the project in the DRI review process. Staff recommends conditional approval of the request as does the Planning Commission as follows:

- a. The recommendations from the DRI review process have been attached and the County has the option to include these recommendations as part of the zoning conditions.
- b. The County should consider improving road connectivity by extending Boyd's Crossing Road to intersect with the proposed access road at Rehoboth Road.

- c. The County and Development Authority should work together with the Georgia Department of Transportation to effect the alignment of Wild Plum Road on both sides of SR 16.
- d. Staff recommends enhancing sustainability and encouraging pedestrian mobility and safety within the commercial center and the proposed hotel/conference center tracts. To that end, we recommend that applicant meet with County and Regional Development planning staffs to accomplish a possible redesign of these sites prior to their being developed.
- e. The road frontage along SR 16 is very scenic and should be preserved in its current appearance. To that end a minimum 50-foot buffer should be maintained along SR 16 with the exception of the proposed new road alignments and a 300-foot linear section along the SR 16 on either side of Rehoboth Road. The buffer should include the protection of the trees and scenic vista.
- f. All site lighting shall be directed so as not to glare on adjacent properties.

Brian Upson, Paragon Consulting Group, Griffin, Georgia

Mr. Upson provided a general overview of the project, requesting that minimal restrictions be placed on the property as they have not asked for any variance. They were basically interested in getting the property rezoned "as is." The single family residential area will be a zero lot-line type of development, and only 30% of the acreage is scheduled to be developed. There will also be other developers beyond the Development Authority. At such time as developers are identified and purchase property from the Development Authority, this Board will have another look at those plans prior to construction. Some increased traffic, from this development to SR 16, will materialize, but the Board of Education feels school traffic increases will not be significant in the Rehoboth Road area. The County has requested a traffic study for a signal at Rehoboth Road but was advised such a warrant study would be better served at a later date. The School Board also plans to implement staggered start times, which will help alleviate traffic congestion. Zoning for this classification requires that developers must come back before the Planning Commission and the Board of Commissioners before a final plan is approved. The natural gas pipeline has minimal crossing in this area, and the developable area has been maximized with this and other factors, such as lakes and creeks, in mind.

John Stover, 539 Brook Circle, Griffin, Georgia

He was present on behalf of LRTS Properties, LLC, owner of Tract A.

Motion to approve Application #09-01Z: Griffin-Spalding Development Authority, Owner – Paragon Consulting Group, Agent – Arthur K. Bolton Parkway, Rehoboth Road and Wild Plum Road (576.62 acres, more or less, located in Land Lot 211, 237, 238, 243, 244 and 245 of the 2nd Land District) – requesting a rezoning from C-2, Manufacturing, and AR-1, Agricultural and Residential, to PDD, Planned Development District. with no conditions, by Commissioner Freeman, seconded by Commissioner Phillips, carried by a vote of 4-1 with Commissioner Gilreath opposing.

- 3. **Application #09-01AZ:** LRTS Properties, LLC, Owner – Paragon Consulting Group, Agent – Arthur K. Bolton Parkway and Rehoboth Road (14.65 acres located in Land Lot 211 of the 2nd Land District) – requesting a rezoning from C-2, Manufacturing, to PDD, Planned Development District.

Motion to approve Application #09-01AZ: LRTS Properties, LLC, Owner – Paragon Consulting Group, Agent – Arthur K. Bolton Parkway and Rehoboth Road (14.65 acres located in Land Lot 211 of the 2nd Land District) – requesting a rezoning from C-2, Manufacturing, to PDD, Planned Development District with no conditions stipulated, by Commissioner Freeman, seconded by Commissioner Phillips, carried 4-1 with Commissioner Gilreath opposing.

C. Other Business:

- 1. Update on the activities of the Land Bank Authority and the Neighborhood Stabilization Program (NSP) Grant.

Frederick Gardiner, City of Griffin, One Griffin Center, Griffin, Georgia

Mr. Gardiner provided an overview of the five public meetings held at the Griffin Housing Authority. They are working on approval of documentation and have met public hearing requirements. DCA is currently reviewing contracts and, once approved, they will bring before the Board of Commissioners for adoption. The Land Bank

Authority also seeks to hire an executive director and has narrowed the 12 resumes received to 4 presently. Of these 4, one will be successful and hired within about three weeks. The authority appears to be progressing nicely and expectations are high.

2. Consider approval on first reading Amendment to the Spalding County Code of Ordinances regarding minimum housing standards.

This is the final format of an ordinance that has been in process for quite some time. We have limited capability currently with regard to minimum housing standards, and this ordinance will provide greater tools in the enforcement tool box. Complaints being generated by aggrieved parties, neighbors, etc. will be addressed by enforcement agencies. Commercial standards will be moving forward and should track this ordinance closely with appropriate changes based on uses.

Motion/second was made to approve, on first reading, Amendment to the Spalding County Code of Ordinances regarding minimum housing standards, by Commissioners Flowers-Taylor and Phillips. Motion/ second were rescinded and discussion followed.

Much discussion followed regarding the language concerning the Zoning Administrator as decision-maker referring complaints to Code Enforcement or others in question. Chairman Goss reported he would feel more comfortable if Code Enforcement, who has the ability to deal with force if necessary, were the first line of defense in handling complaints. Some agreed that all complaints should go to Code Enforcement while others felt this was not an appropriate use of County funds from a duplication of effort situation, because should Code Enforcement have to call in more specialized services, such as building inspections, etc., their initial site visit would have been nullified. The Zoning Administrator provision provides for flexibility and follows logic stated Mr. Galloway. Chuck Taylor said now they use this same discretion and request Code Enforcement in all issues that appear to warrant such a visit. He stresses to all employees not to go on site if they feel at all uncomfortable and call Code Enforcement first. This Ordinance addresses property standards, roof conditions, plumbing, electrical, etc., and flexibility is needed for a determination of appropriate personnel to send. The enforcement mechanism was not changed from this Board's original direction to use the Zoning Administrator to determine appropriate action. In enforcement, should Building Inspectors decide a citation is needed, Code Enforcement will have to issue the violation citation. After much discussion, Mr. Wilson, as Zoning Administrator, stated he would follow direction to send Code Enforcement as a precursor to all complaints in this area.

Motion to approve, on first reading, Amendment to the Spalding County Code of Ordinances regarding minimum housing standards, by Commissioner Flowers-Taylor seconded by Phillips carried by a vote of 5-0.

3. Commissioner Flowers-Taylor stated she wanted to discuss her disappointment with the City's plan to charge a \$1 fee per child to use the pool at City Park. The City has agreed to allow the swim team use of the facility from 7 a.m. until 10 a.m. at a cost of \$10 per child per month, with a minimum of \$600 per month. She advised she had taken the liberty of calling the City and requesting the same deal with other children if the County would agree to finance the \$600 per month cost. The maximum pool capacity is 60. If the County were willing to sponsor 60 kids at \$10 per month each through the two months of summer, for total of \$1200 that would allow many children whose only entertainment in these hot months is to swim in the City pool to continue to do so. Should the \$1 fee be implemented, then many of those who have enjoyed the facility in past years would have to discontinue going to the pool. She felt this would keep many of them from getting into trouble on the streets. ***Commissioner Phillips made a motion to approve funding by the County to the City of Griffin for these sixty (60) users to access the City pool at a cost of \$600 per month, not to exceed \$1200 total. Motion was seconded by Commissioner Gilreath and carried by a vote of 5-0.***

D. Adjournment.

Motion to Adjourn at 7:22 p.m., by Commissioner Flowers-Taylor, seconded by Commissioner Freeman, carried by a vote of 5-0.

Chairman

County Clerk