

ZONING PUBLIC HEARING

The Spalding County Board of Commissioners held their Zoning Public Hearing in Room 108 in the Courthouse Annex, Monday, December 7, 2009, beginning at 5:0 o'clock p.m. with Commission Chairman Edward Goss, Jr. presiding and Commissioners Gwen Flowers-Taylor, Eddie L. Freeman, Bob Gilreath and David Phillips present. Also present were County Manager William P. Wilson, Jr., 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 are expected at all times.

B. New Business:

1. Amendment to UDO #A-09-10: Article 12. C-1 Highway Commercial – Section 1203:A(17) – amend to add Assisted Care Living Facility and Section 1203:B(7) – amend to add Senior Planned Community.

Mr. Galloway, Zoning Attorney, provided background for Amendment #A-09-11 and #A-09-10 which are required for purposes of looking at the zoning applications.

Motion/second to approve Amendment to UDO #A-09-10 by Commissioners Freeman and Phillips carried by a vote of 5-0.

2. Application #09-09Z: Patricia G. Jackson, Owner – Heartland Retirement Communities, LLC, Agent – 1973 West McIntosh Road (8.50 acres located in Land Lot 67 of the 3rd Land District) – requesting a rezoning from R-1, Single Family Residential Low Density, to C-1, Highway Commercial.

Mr. Taylor advised the applicant has requested approval from Spalding County to rezone the subject property from R-1 to C-1 and allow for the development of a 113-unit senior apartment complex with the ability to house up to 126 seniors that has the ability to expand with additional units proposed on the side and rear of the building. Staff recommends conditional approval of rezoning the property to AR-1 with the following stipulations:

- a. The first floor of all permanent structures shall be constructed entirely with brick or stone facades on all sides. Materials used above the first floor shall meet or exceed the standards of the zoning ordinance.
- b. A letter approving the site access design from GDOT.
- c. The extension of the sidewalk along W. McIntosh Road to include the entire lot frontage at a minimum of five feet in width.
- d. The site will limit all lighting so any neighboring residential properties or rights of way will not be affected from glare.
- e. All parking shall be to side and rear of buildings.
- f. Any expansion in excess of ten additional residential units or 30 residents shall require an additional special exception.

At their meeting in November, the Planning Commission recommended conditional approval with the same conditions as proposed by staff with the exception that parking can be provided in the front of the buildings as proposed on the site plan.

Mr. Taylor and Mr. Galloway fielded questions. There will be ingress and egress from both Cowan Road and Highway 92, but the main entrance is designed for access from Highway 92.

John Joiner, 1127 Pine Valley Road

Mr. Joiner deferred speaking to Stuart Mills, developer for the property, for questions.

Stuart Mills, 350 South Main Street, Doylestown, PA

Mr. Mills described the proposed development which will serve independent living with optional support services. Their market survey of this area identified a much greater need than even this development will serve. They also will do Alzheimer's and dementia care, offering two meals daily with transportation for residents, as well as a full-time activities director for such programs as wellness, fitness, music, travel, etc. Full housekeeping will be provided. Average resident age is 82, and there is a trend more for couples these days rather than singular residents. Apartment sizes range from 400 square feet for a studio to 1100 square feet for the larger units. The building square footage dedicated to commons area totals about 38% with large dining areas and table

service for residents. There will be a hairdresser on site, organized exerciser, banking service with on-site teller to visit. Rental rates include television, utilities and computer wiring. No furnishings are provided for individual units but the commons areas will be furnished nicely. Three years is the average length of stay in retirement living before needing a higher level of care next door at assisted care, where three years is the average length there, as well. Many come to need this type living arrangement through loss of a spouse, and it provides good nutrition and good socialization. Mr. Mills feels they need access off Highway 92 and would like to see that remain. Older folks don't drive as well as some other folks, but for that reason with right-in and right-out where they cannot turn across the highway, he advocated leaving the main entrance on Highway 92 but with additional access on Cowan Road. Parking in front is primarily for elder patient drop-off and visitors. Employees will be parking around the side and rear. A concierge front desk will help with arrangements, and they have a van-style bus that accommodates 5-10 and can be used for shopping excursions, doctors' visits, or other type appointments. He felt traffic impact would be light overall, and none of patients in assisted living would have vehicles. Price point in independent living ranges from \$1800 for the studio to \$3000 for a 2-bedroom apartment, including amenities with an additional fee of \$600 for a second occupant for any unit. The facility will have a fine restaurant and not just a cafeteria. They will be adding a greater number of 2-bedroom units based on the survey. A charge of \$800 more applies for assisted and another \$400 above that price for dementia care, so very specialized care will be more in the area of \$2500 to \$4000. This facility will specialize in dementia care. Five buildings will provide very highly specialized care for dementia patients for a total of 14 people in each cottage, or building that provides a much higher level of care. There will be 70 employees in the two main buildings for three shifts, 7 days per week. Doors lock at bedtime and the front entrance has security. Landscaping will be generous to offset looking at cars in front along the highway. He can provide pictures of the buildings proposed brick façade but he did not have these available tonight. The total potential investment is about \$40 million and will interact with the healthcare community, as well as religious community. This is a project owned by his developing company, but is sponsored by First Assembly. They will help to market it and the project is at their request, but they will have no ownership. Much discussion followed over square footage. Very few 400 square foot studios will be included, but he cautioned they don't need to make units overly large. Smaller dwelling units encourage greater socialization and a lesser price point for segment of the population that really needs it.

Commissioners directed staff to explore greater minimum square footage for such facilities.

Motion/second to approve Application #09-09Z by Commissioners Freeman and Phillips, with conditions as noted below carried 5-0.

- a. *The first floor of all permanent structures shall be constructed entirely with brick or stone facades on all sides. Materials used above the first floor shall meet or exceed the standards of the zoning ordinance.*
- b. *A letter approving the site access design from GDOT.*
- c. *The extension of the sidewalk along W. McIntosh Road to include the entire lot frontage at a minimum of five feet in width.*
- d. *The site will limit all lighting so any neighboring residential properties or rights of way will not be affected from glare.*
- e. *All parking shall be to side and rear of buildings.*
- f. *Any expansion in excess of ten additional residential units or 30 residents shall require an additional special exception.*
- g. *Additional 25' vegetative landscape buffer for parking area in front as proposed by Planning Commission with at least a 3' high hedge shall be completed prior to issuance of a Certificate of Occupancy.*

3. Application #09-09AZ: Kay S. Moore, Executrix of the Estate of Clyde Saylor, Owner – Heartland Retirement Communities, LLC, Agent – 1905 West McIntosh Road (7.51 acres located in Land Lot 94 of the 3rd Land District) – requesting a rezoning from R-1, Single Family Residential Low Density, to C-1, Highway Commercial.

Motion to approve Application #09-09AZ by Commissioner Freeman, seconded by Commissioner Phillips, with same conditions as noted above for Application #09-09Z, carried by a vote of 5-0.

4. Amendment to UDO #A-09-11: Article 2. Definitions of Terms Used – Section 202:HHH' & XX'' – amend to add Senior Independent Living Facility & Mini-Warehouse/Self-Storage Facility.

Motion/second to approve Amendment to UDO #A-09-11 by Commissioners Freeman and Phillips carried by a vote of 5-0.

5. Amendment to UDO #A-09-08: Article 5. AR-1 Agricultural and Residential – Section 503:B(17) – amend to allow Office use in the AR-1 District.

Mr. Taylor advised this amendment was discussed at the last zoning meeting regarding the provision of offices in the AR-1 zoning district. Mr. Galloway has offered this amendment and he deferred questions to Mr. Galloway. This relates to a business whose office is located on the property but whose business is conducted off-site. Conditions are set out in the text.

Motion/second to table Amendment to UDO #A-09-08: Article 5. AR-1 Agricultural and Residential – Section 503:B(17) – amend to allow Office use in the AR-1 District with direction to alter Items I and J before a revisit of the amendment by the Board at a later date, by Commissioner Flowers-Taylor and Phillips, carried 5-0.

6. Amendment to UDO #A-09-09: Lift from the table – Article 17A. VN Village Node – amend Article 17A of the Unified Development Ordinance (UDO).

Motion/second to lift Amendment to UDO #A-09-09 from the table by Commissioners Freeman and Flowers-Taylor carried by a vote of 5-0.

Motion/second to approve Amendment to UDO #A-09-09 by Commissioners Flowers-Taylor and Freeman carried by a vote of 5-0.

C. Other Business:

1. Approve Alternate Design to allow for a temporary building to be located at 1973 West McIntosh Road (8.50 acres located in Land Lot 67 of the 3rd Land District).

Heartland Development’s marketing strategy requires a temporary office site on the premises to provide for advance sales. This approval would provide for alternative design review, and Mr. Taylor showed an example of architectural design for the sales office. The structure will probably up during the development and marketing phases, but should be removed within a few months of the building being completed, at which time marketing services will be moved into the facility. He suggested, and the Board concurred, that removal should be required within 60 days from the date a Certificate of Occupancy is received for either building.

Motion/second to approve Alternate Design to allow for a temporary building to be located at 1973 West McIntosh Road (8.50 acres located in Land Lot 67 of the 3rd Land District) by Commissioners Phillips and Freeman, provided the building is positioned to face Highway 92 on the west side of Cowan Road, carried 4-1 with Commissioners Flowers-Taylor opposing.

D. Adjournment.

Motion/second by Commissioners Freeman and Phillips to adjourn at 6:29 p.m. carried 5-0.

Chairman

County Clerk

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