

# Agenda

## Spalding County Planning Commission

July 28, 2020

7:00 PM

Room 108, Spalding County Courthouse Annex

### 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. Speakers will be allotted three (3) minutes to speak on their chosen topics and relate to matters pertinent to the jurisdiction of the Planning Commission. No questions will be asked by any of the commissioners during citizen comments. Outbursts from the audience will not be tolerated. Common courtesy and civility are expected at all times during the meeting.

### B. New Business:

1. **S/D #06-03:** Consider review and approval of preliminary plat for Holliday Pass Phase II off Tomochichi Road - 40 lots.
2. **Amendment to UDO #A-20-07:** Article 7. R-1 Single Family Residential Low Density - Section 704:Y, Article 7A. R-1A Single Family Residential - Section 704A:Y & Article 8. R-2 Single Family Residential - Section 804:Y - delete private driveways.

### C. Approval of Minutes:

3. Consider approval of June 30, 2020 minutes.

### D. Other Business:

### E. Adjournment



## SPALDING COUNTY PLANNING COMMISSION S/D #06-03 - Holliday Pass Phase II

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### Requesting Agency

Office of Community Development

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### Requested Action

**S/D #06-03:** Consider review and approval of preliminary plat for Holliday Pass Phase II off Tomochichi Road - 40 lots.

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### Requirement for Board Action

Appendix A. Subdivision Ordinance - Section 404:F

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### Is this Item Goal Related?

No

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### Summary and Background

Applicant proposes to subdivide an existing 101.49 acre tract into 74 lots ranging from 1/2 acre to 3/4 acre for the construction of single family residential conservation subdivision.

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### Fiscal Impact / Funding Source

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### STAFF RECOMMENDATION

#### APPROVAL.

Per Appendix A. Section 404.F, a preliminary is valid for a period of two (2) years. This plat was not renewed prior to the expiration of the previous renewal deadline. The applicant has requested an approval of the preliminary plat.

The first phase of this development is complete, and construction of houses has begun.

### ATTACHMENTS:

Description	Upload Date	Type
<input type="checkbox"/> S/D #06-03 Staff Report	7/23/2020	Backup Material

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# SPALDING COUNTY PLANNING COMMISSION

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**DATE:** April 17, 2006  
**AMENDED:** March 25, 2008  
**AMENDED:** March 23, 2010  
**AMENDED:** April 24, 2012  
**AMENDED:** March 25, 2014  
**AMENDED:** March 29, 2016  
**AMENDED:** April 24, 2018  
**AMENDED:** July 23, 2020

**TO:** Spalding County Planning Commission

**FROM:** Department of Community Development

**RE: Preliminary Plat Subdivision  
Application  
Holliday Pass (S/D 06-03)  
101.49± Acres—Zoned R-2**

*The following report constitutes the assessment and evaluation by the Community Development Department staff on the above referenced subdivision application.*

## **Identification of the Property**

### **Size and Location:**

The application requests preliminary plat approval on 101.49 acres, more or less, located on Tomochichi Road.

### **District and Land Lots:**

The property is located in the 3<sup>rd</sup> Land District, in Land Lot 23.

### **Current Owner:**

J. Hollis Bankston  
951 Hutchinson Road  
Williamson, GA 30292

Clay Robertson  
B.S.T. Homes LLC  
922 Highway 81 E; Suite 212  
McDonough, GA 30252

## **Proposed Use:**

Applicant proposes to subdivide an existing 101.49 acre tract into 74 lots ranging from 1/2 acre to 3/4 acre for the construction of single family residential conservation subdivision.

## **Health, Safety, Utilities Assessment:**

### **Water:**

This site is proposed to be serviced by Spalding County.

### **Sewerage:**

This site will be served by individual septic tanks. (As per settlement agreement)

### **Wetlands/Watershed Area:**

Per the plat, no portion of this site is located within a 100-year floodplain. (Source: FEMA Map Community-Panel Number 130388-0070B)

### **Environmental Overlay Districts:**

The site is not located within a watershed district as indicated on the S-2 overlay map.

It is not included in a recharge area within the S-3 overlay map.

## **Preliminary Plat Review:**

All county departments have reviewed the plat submitted (as revised during zoning process).

### **Environmental Health Department**

No approval needed at this time.

### **Public Works**

Approved

### **Water Authority**

Approved

### **Fire Department**

Approved

### **County Engineer/Community Development**

Approved

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Per Appendix A, Section 404.F a preliminary plat is valid for a period of two (2) years. This plat was not renewed prior to the expiration of the previous renewal deadline. The applicant has requested an approval of the preliminary plat.

The first phase of this development is complete, and construction of houses has begun.

**Staff Recommendations:**

- Staff recommends **APPROVAL** for this preliminary plat.



## SPALDING COUNTY PLANNING COMMISSION Amendment to UDO #A-20-07

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**Requesting Agency**

Office of Community Development

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**Requested Action**

**Amendment to UDO #A-20-07:** Article 7. R-1 Single Family Residential Low Density - Section 704:Y, Article 7A. R-1A Single Family Residential - Section 704A:Y & Article 8. R-2 Single Family Residential - Section 804:Y - delete private driveways.

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**Requirement for Board Action**

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**Is this Item Goal Related?**

No

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**Summary and Background**

The adoption of this text amendment will delete private driveways from R-1, R-1A and R-2 districts.

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**Fiscal Impact / Funding Source**

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**STAFF RECOMMENDATION****APPROVAL.****ATTACHMENTS:**

Description	Upload Date	Type
<input type="checkbox"/> Amendment to UDO #A-20-07	7/14/2020	Backup Material

IN RE:

***Text Amendment #A-20-07***

AMENDMENT TO THE ZONING ORDINANCE OF SPALDING COUNTY

**RESOLUTION AMENDING  
THE ZONING ORDINANCE OF SPALDING COUNTY, GEORGIA**

WHEREAS, the Board of Commissioners of Spalding County, Georgia under the Constitution and Laws of the State of Georgia is empowered by virtue of its police power to regulate the health, safety and welfare of the citizens of Spalding County to provide for and enact zoning and developmental regulations;

WHEREAS, the Board of Commissioners of Spalding County, Georgia enacted the current Zoning Ordinance of Spalding County, Georgia on January 4, 1994 and therein adopted the Official Zoning Map of Spalding County, Georgia, in Article 23, Section 2301, et. seq.;

WHEREAS, the Board of Commissioners of Spalding County has determined that it is in the best interests of the citizens of Spalding County for certain text revisions and amendments to be made to the Zoning Ordinance of Spalding County;

WHEREAS, such text amendments to the Zoning Ordinance of Spalding County were reviewed by the Spalding County Planning Commission, and a hearing on the text amendments to the Zoning Ordinance of Spalding County was conducted by the Board of Commissioners of Spalding County, Georgia on \_\_\_\_\_ pursuant to O.C.G.A. § 33-66-1, et. seq. in the Spalding County Hearing Room, Room 108, Spalding County Courthouse Annex, 119 East Solomon Street, Griffin, Spalding County, Georgia;

WHEREAS, the Board of Commissioners of Spalding County, Georgia considered the proposed amendment, any and all alternate proposals or amendments, the report of the Spalding County Planning Commission and all data and evidence taken at the public hearing; and

WHEREAS, it is deemed by the Board of Commissioners of Spalding County, Georgia that an amendment to the Zoning Ordinance of Spalding County, Georgia and an amendment to the Official Zoning Map of Spalding County, Georgia is in conformance with the Spalding County Comprehensive Plan and sound comprehensive planning principles and of substantial benefit to the public and in the promotion of the best interests and general welfare of the people;

NOW THEREFORE, IT SHALL BE AND IS HEREBY RESOLVED by the Board of Commissioners of Spalding County, Georgia, that the Zoning Ordinance of Spalding County, Georgia shall be and is hereby amended as follows:

Section 1. The following provision shall be deleted from Article 7, Single Family Residential Low Density District, Section 704 “Development Standards for R-1 Districts:” Section 704(Y) Development on Private driveways and it shall be designated as “Reserved.”

Section 2. The following provision shall be deleted from Article 7A, Single Family Residential District, Section 704A “Development Standards for R-1A Districts:” Section 704A(Y) Development on Private driveways and it shall be designated as “Reserved.”

Section 3: The following provision shall be deleted from Article 8, Single Family Residential District, Section 804 “Development Standards for R-2 Districts:” Section 804(Y) Development on Private driveways and it shall be designated as “Reserved.”

Section 4. The foregoing amendments to the Zoning Ordinance of Spalding County shall become effective immediately upon adoption of this resolution.

Section 5. All Ordinances or resolutions in conflict herewith shall be and are hereby, repealed.



## SPALDING COUNTY PLANNING COMMISSION Approval of June 30, 2020 Minutes

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**Requesting Agency**

Office of Community Development

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**Requested Action**

Consider approval of June 30, 2020 minutes.

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**Requirement for Board Action**

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**Is this Item Goal Related?**

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**Summary and Background**

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**Fiscal Impact / Funding Source**

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**STAFF RECOMMENDATION****ATTACHMENTS:**

Description	Upload Date	Type
 Minutes 06-30-20 PC	7/14/2020	Backup Material

**SPALDING COUNTY PLANNING COMMISSION**  
**Regular Meeting**  
**June 30, 2020**

The Spalding County Planning Commission held its regular monthly meeting on June 30, 2020 at 7:00 P.M. in Room 108 of the Spalding County Courthouse Annex. Members present were: John Youmans, Chair, presiding; Bruce Ballard; Walter Cox; Sonny Eubanks and Frank Harris.

Also present were Deborah Bell, Community Development Director; Newton Galloway, Zoning Attorney; and Teresa Watson to record the minutes.

Mr. Youmans called the meeting to order, introduced members of the Planning Commission and invited those present wanting to address the Board regarding any matter to sign in on the appropriate form.

**A. Call to Order**

Note: Persons desiring to speak must sign in for the appropriate application. When called, speakers must state their names/addresses and direct all comments to the Board only. Speakers will be allotted three (3) minutes to speak on their chosen topics and relate to matters pertinent to the jurisdiction of the Planning Commission. No questions will be asked by any of the commissioners during citizen comments. Outbursts from the audience will not be tolerated. Common courtesy and civility are expected at all times during the meeting.

**B. New Business:**

- 1. Application #20-06Z:** Marksmen Real Estate, LLC, Owner – Howard Johnson, Agent – 2342 North Expressway (1.156 acres located in Land Lot 102 of the 3<sup>rd</sup> Land District) – requesting a rezoning from C-1, Highway Commercial, to C-1B, Heavy Commercial.

The applicant has requested to rezone approximately 1.56 acres from C-1 to C-1B. The property is developed with an existing building that has been used legally nonconforming (grandfathered) for various commercial uses for many years. The last commercial business license lapsed for a period that extended beyond 12 months and the grandfathering lapsed. Staff recommends approval of the request as it is consistent with the Spalding County Comprehensive Plan and the associated Future Land Use Map, as well as existing zoning in the surrounding area.

Mr. Howard Johnson, 2081 Reserve Parkway, McDonough

Mr. Johnson said the building he has rented has been empty for quite some time. It was previously an auto repair shop, and he desires to maintain an automotive repair shop, as well as a place to display cars to sell, as in a dealership. There is sufficient space for vehicle storage and display and the property has adequate setbacks from the road.

Ms. Bell said because this is in the commercial corridor and because it has been vacant for so long, staff recommends approval. A copy of the plat for said property was referenced. She answered Mr. Cox that when staff recommended approval, it was with the understanding that the business would involve auto repair and sales.

Mr. Cox said there should be no junked vehicles, and adequate storage for vehicles utilizing continuous outside storage should be sufficient. C1-B would be adequate for either auto repair or auto sales, and a list of accepted uses for this zoning designation was reviewed. Mr. Johnson responded to questions.

Mr. Ballard said everyone was concerned on the north side of town since there had been unsatisfactory experiences in the past. Mr. Johnson said their intent was to provide a high standard

for a complete automotive service company, providing repair and sales. There is more than enough space in the building to even provide for detailing of vehicles should they want to go in that direction. They plan to improve the building's exterior and remove debris that has been placed in the rear of the property. The vacant building certainly needs to be occupied, and that will help. A roof repair also needs to happen so that everyone can be proud of the business. They have currently stopped painting the building but are ready to proceed if approved. Mr. Johnson feels they can be competitive and produce a quality product. To do a good job will solidify them in the community with something to be proud of for automotive services. He takes pride in his personal and professional dealings, and this venture would be no different. There will be a waiting area that will be nice for customers, as well.

Mr. Youmans asked about the two smaller buildings, and Mr. Johnson advised they would refurbish the buildings and they will not be eyesores. They will improve the main building first and then the smaller accessory buildings. Lighting will also be improved for the property. No cars will be parked on the grassed areas, said Mr. Johnson.

Mr. Harris explained to Mr. Johnson the responsibilities of Spalding County Planning to ensure a quality product, and they are concerned very much with the aesthetics of the north corridor to the County. He provided an overview of a similar application where they imposed conditions to help ensure this. Mr. Johnson said he was quite comfortable with conditions should they want to impose on the application. He does not want the property to look unsightly and they are investing in the property accordingly so as to promote return business. To allow the business to fall into disrepair or be junked up would be counterproductive to their intentions and plans. They would not want to estrange themselves to the community they depend on for their livelihood.

Mr. Galloway said parking on paved areas and not on grassed areas might be something to condition, as well. Mr. Johnson said they have tow trucks and access to other properties, so if someone should abandon a vehicle, they could move the vehicle elsewhere and charge for storage. They would not leave abandoned vehicles on the lot. Mr. Youmans said he personally had issues with some long-term storage practices of other businesses in the area. The tow service would not be a part of this venture, said Mr. Johnson, and there would not be any wrecked vehicles stored here.

***Motion by Mr. Ballard to approve with the following conditions, seconded by Mr. Cox:***

- A) All outdoor storage shall be neat and orderly.***
- B) There shall be no junked, abandoned or wrecked vehicles stored on the property.***
- C) All site lighting shall be structured so as not to glare onto adjacent properties.***
- D) All vehicles shall be parked on designated paved areas and not on grassed areas.***
- E) Business shall not use the right-of-way for display of vehicles.***

***Motion carried by a unanimous vote of 5-0. Mr. Youmans informed Mr. Johnson that his application will go to the Spalding County Board of Commissioners on July 23, 2020.***

- 2. S/D #08-03:** Consider approval of revised preliminary plat for The Village at Heron Bay – Cole Tract Associates, L.P., Owner – mixed use with 489 units.

The applicant proposes to develop a mixed-use village on 93.8 acres consisting of 494 residential units while providing 18.2 acres of open space (19.4%). The Village at Heron Bay will also provide 186,400 square feet of non-residential uses consisting of office, commercial and civic uses. The plat dated June 17, 2020 is a revision to the multi-family portion of the project. There are no changes to the density or the number of residential units per the previously approved plat. This plat provides a redesign of the multi-family configuration:

- a) Pod JJ Single Family - no change - 24 units.

- b) Detached Cottages - no change - 90 units.
- c) Townhome units increased from 123 to 145.
- d) Apartment units decreased from 252 to 230.
- e) Residential apartments in live-work units are eliminated.

Staff recommends approval of the revision of this preliminary plat as presented. No net change in the number of units has occurred, but rather only a slight configuration change only.

Mr. Brian Davison, Minerva Properties, 2292 Henderson Mill Road, Atlanta

He stated this is the same proposal presented in the conceptual plan stage a couple of months ago. There have been no significant changes. He offered to answer questions. The school campus is still planned for the same size as before. He wanted to note, though, that he did agree to move to a more appropriate site if the school should so desire. Perhaps they could think over the next year about another area west of the site. They are willing to do a donation for this parcel for the school with one caveat that stipulates a timeframe after which the parcel would revert back to them following a specified period of non-use. There are still 170 acres on the west side of the creek to be developed after this project, so he will be returning for more future actions.

***Motion/second by Messrs. Harris/Cox to recommend approval of S/D #08-03 as presented carried by a vote of 5-0.***

- 3. Amendment to UDO #A-20-06:** Article 23. Official Zoning Map – Section 2302:E – semi-annually adoption of official zoning map in revised Geographic Information Systems (GIS) platform as applicable to unincorporated Spalding County.

Adoption of this text amendment will update the UDO with respect to updates made to the Official Zoning Map. Staff recommends approval of the Resolution of Amendment #A-20-06 to the Unified Development Ordinance of Spalding County, Georgia. This is the semi-annual update to the Zoning Map and will include all recent updates to this point.

The Board and Ms. Bell wanted to thank Brian Haynes for all his assistance with GIS. Ms. Bell said she speaks with him at least once a week, and he is always very knowledgeable and helpful.

***Motion/second by Messrs. Eubanks/Ballard to recommend approval of Amendment to UDO #A-20-06 carried by a vote of 5-0.***

**C. Consider approval of the minutes for the May 26, 2020 meeting.**

***Motion/second by Messrs. Ballard/Eubanks to approve the Minutes of the May 26, 2020 meeting of the Spalding County Planning Commission carried by a vote of 5-0.***

**D. Other Business:**

Mr. Cox apologized to Ms. Bell for so many comments on the situation surrounding the car repair/lot application, noting that in recent years businesses of this type along this northern corridor have given this Board a great deal of concern and caused much grief over the unkempt image of properties there.

**E. Adjournment.**

***On motion/second by Messrs. Harris/Ballard the meeting was adjourned by a unanimous 5-0 vote at 7:52 p.m.***

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John Youmans – Chair

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Teresa Watson – Recorder