

**Cherokee County Planning Commission
Public Hearing Minutes
December 1, 2015
7:00 pm**

The Cherokee County Planning Commission held its regularly scheduled meeting on Tuesday, December 1, 2015 in Cherokee Hall at the Cherokee County Administration Building. In attendance for the Planning Commission were Richard Weatherby, Bill Dewrell, Bob Whitaker, Rick Whiteside, Scott Barnes, Thais Escondo, Ken Smith and Tom Ware. Jerald Hill was not in attendance. In attendance for Cherokee County Staff were Vicki Taylor Lee, Zoning Administrator and Tamala Davis, Planning Technician.

The meeting was called to order at 7:03 p.m.

Other Business

Public Hearing on Tree Ordinance Revisions

Geoff Morton presented the revisions to Article 27 addressing industrial development issues and updating the tree harvesting provisions.

Mr. Whitaker asked if there was anyone to speak in favor of or in opposition to these revisions. There being none, he closed public comment.

Mr. Barnes made a recommendation for approval. Seconded by Mr. Smith. Unanimous approval.

Zoning Cases

Case #15-12-030 Centric Development, LLC (BOC Dist. 2)

Applicant is requesting to rezone 4.72 +/- acres on Highway 92 from R-40 to OI for an assisted living facility.

Vicki Lee presented this case with a power point presentation. She discussed staff comments, location, surrounding zoning and uses. She stated this application is in compliance with the Future Development Map and Comprehensive Plan.

Parks Huff represented this case. Mr. Huff stated the property is surrounded by the City of Woodstock however would like to develop within the County. He stated they are proposing a 2 story, 120 unit assisted living facility that is needed within this area. He stated there is no median break so the access will be right in-right out only. He stated this use will be quieter than other uses allowed currently within the Overlay. Mr. Huff showed a picture to the Board of what they are proposing this facility to look like.

Mr. Whitaker asked if there was anyone to speak in support of or in opposition to this application. There being none, he closed public comment.

Ms. Escondo asked staff what the response was from the City of Woodstock. Ms. Lee stated we received no comments from the City.

Ms. Escondo asked Mr. Huff if there were any discussions with the other parcel owner regarding access to Ragsdale. Mr. Huff stated this is a separate ownership and does not want inter-parcel access.

Mr. Weatherby made a recommendation to approve. Seconded by Mr. Ware. Unanimous approval.

Case #15-12-031 Pacific Group (BOC Dist. 2)

Applicant is requesting to rezone 29.37 +/- acre on Charles Cox Drive from AG to R-30 for a single family residential subdivision.

Vicki Lee presented this case with a power point presentation. She discussed staff comments, location, surrounding zoning and uses. She stated this application is not in compliance with the Future Development Map and Comprehensive Plan.

Benson Chambers represented this case. Mr. Chambers presented a site plan to the Board. He stated they are proposing 32 lots and will provide 69% of greenspace. He stated they are requesting an emergency entrance as the second entrance to the property. He stated the additional 32 lots would require a second entrance per County regulations. He stated there concerns regarding having a full service second entrance on Old Batesville Road with it being so close to the intersection of Highway 140 that it might be used as the primary entrance to the subdivision. He discussed the surrounding zoning and current uses. He stated if this was approved it would provide value and opportunity for the property owner, provide only opportunity to be accessed from Lower Birmingham Road, prevents access from Charles Cox Drive, makes availability of sewer cost effective and eliminates the existing trailer park that is located currently on the property. He stated there were 59 public participation notices mailed out and they had seven (7) attendees. He stated the owners in attendance were favorable to this rezoning request with the understanding that access to Charles Cox Drive and the existing mobile homes would be eliminated.

Bill Berman spoke in favor of this application and is an adjoining property owner. Mr. Berman stated he attended the informational meeting and discussed their concerns. He stated they have had numerous problems with the adjoining trailer park and would be very happy to have this subdivision next door. He stated the applicant has offered to put up a fence so there will be no access to Charles Cox Drive. He stated everyone he has spoken with is in favor of this request.

Mr. Whitaker asked if there was anyone else to speak in support of or in opposition to this request. There being none, he closed public comment.

Mr. Whitaker stated he was not clear as to why you can't provide full access to development from Old Batesville Road. Mr. Chambers showed a drawing to the Board and discussed access further.

Mr. Ware stated Engineering comments requires a second entrance due to the number of lots. He stated he is not opposed to the zoning however he is opposed to having a second entrance restricted to emergency vehicles only.

Ms. Escondo asked Staff how we can propose a second entrance on property that was already zoned. Ms. Lee stated it is due to this being an extension to the subdivision and when it goes over 150 lots a second entrance is required.

Dr. Whiteside asked Staff if they have confirmed that the greenspace requirements are being met. He stated a good portion of this greenspace is in floodplain. Ms. Lee stated these are concept plans and she has not taken this drawing and reviewed Article 23. She stated this would be done at a later time during preliminary review.

Dr. Whiteside stated if this does not meet the requirement it could very well effect the location of the second entrance and is not ready to approve this until this has been confirmed.

Mr. Whitaker stated the second entrance to the development would not be located within the current development and the location would not likely be impacted by a calculation of lot yield. He stated this will be addressed as the design of the project gets submitted for review.

Dr. Whiteside made a recommendation to table this application for 30 days. Seconded by Ms. Escondo. Four (4) in favor, four (4) oppose. Motion fails.

Mr. Weatherby stated he is familiar with this area and does not feel that an emergency only entrance is appropriate.

Mr. Whitaker stated he has not seen Engineering make a specific request before and feels this second full entrance must be important to have and is for public safety.

Ms. Escondo stated the R-30 zoning is not consistent with the Future Development Map and cannot support this request.

Mr. Ware made a recommendation to approve R-30 with a condition to provide a fully functional second entrance. Seconded by Mr. Weatherby. Six (6) in favor, two (2) oppose. Ms. Escondo and Dr. Whiteside opposed.

Case #15-12-032 RRR 2015, LLC (BOC Dist. 1)

Applicant is requesting to rezone 18.37 +/- acres on Ball Ground Highway from R-80 to RZL for a residential subdivision.

Vicki Lee presented this case with a power point presentation. She discussed staff comments, location, surrounding zoning and uses. She stated this application is not in compliance with the Future Development Map and Comprehensive Plan. She stated a public participation meeting was held with no one in attendance and she has received no letters in support of or in opposition to this application.

Curt Swilley presented this case. He stated they are proposing 51 homes on the subject property and does fall within the Workplace Center. He stated the property is suited for high density residential and gave the surrounding zoning and uses.

Mr. Whitaker asked if there was anyone to speak in support of or in opposition to this application. There being none, he closed public comment.

Ms. Escondo stated this plan is not in compliance with the Future Development Map or the Airport Master Plan.

Mr. Barnes stated this plan does not comply with the zoning in this area.

Mr. Weatherby stated he agrees with Ms. Escondo and Mr. Barnes.

Mr. Barnes made a recommendation to deny this application. Seconded by Mr. Weatherby. Unanimous approval.

Mr. Barnes made a motion to adjourn. Seconded by Mr. Whitaker. Unanimous approval. The meeting adjourned at 8:00 p.m.