

**CHEROKEE COUNTY MUNICIPAL PLANNING COMMISSION**

**PUBLIC HEARING MINUTES**



**October 4, 2016**  
**Cherokee Hall 7:00 pm**

The Cherokee County Planning Commission held its regularly scheduled meeting on Tuesday, October 4, 2016 in Cherokee Hall at the Cherokee County Administration Building. In attendance for the Planning Commission were Bill Dewrell, Bob Whitaker, Rick Whiteside, Scott Barnes, Thais Escondo, Ken Smith, Jerald Hill, Richard Weatherby and Tom Ware. In attendance for Cherokee County Staff were Vicki Taylor Lee, Zoning Administrator and Tamala Davis, Planning Technician.

The meeting was called to order at 7:15 p.m.

**Case No. 16-09-026 Birchwood Properties, LLC (City of Ball Ground)**

Applicant is requesting to rezone 10.0 acres at Northridge Road from AG to RZL for a single family residential subdivision.

Vicki Lee presented this case. She discussed staff comments, location, surrounding zoning and uses. She stated the application is in compliance with the Future Development Map. She stated they are proposing 25 lots. She stated she has not received any letters in opposition to or in support of this application. Ms. Lee stated a public participation report nor existing resource map were required since this property falls within the City of Ball Ground.

Ms. Escondo made a motion to take this application off the table for consideration. Seconded by Mr. Barnes. Unanimous approval.

Taylor Weaver represented this case. Mr. Weaver stated they are working with the City of Ball Ground to make sure this development meets the intent of what they are looking for in this down town district area. He stated they will have a traffic study prepared and this development will have covenants that are maintained by the Homeowner's Association.

There was no one to speak in support of or in opposition to this application.

Mr. Whitaker closed public comment.

Mr. Barnes made a recommendation to approve this application. Seconded by Dr. Whiteside. Motion passed 9-0.

**Case No. 16-10-031 FR-Peachtree, LLC (BOC Dist. 2)**

Applicant is requesting to rezone 86 acres on the south side of Highway 140, east of Stringer Road from AG to RZL for a single family residential subdivision.

Vicki Lee presented this case. She discussed staff comments, location, surrounding zoning and uses. She stated this application is consistent with the node but not in compliance with the corridor or the character area. She stated a public participation meeting was held with 45 attendees. She stated she has received one (1) letter in opposition to requesting the variances.

Parks Huff represented this case. Mr. Huff stated this property was originally requesting annexation into the City of Holly Springs, however withdrew this annexation request due to their current regulations. He stated this development is proposing a density of 3.5 dwelling units per acre and presented a stipulation letter dated September 15<sup>th</sup>. He stated they have also agreed that the property will revert back to AG zoning if this property is not developed with 12 months. He stated they are in the process of having a traffic study prepared.

There was no one to speak in support of or in opposition to this request.

Mr. Whitaker closed public comment.

Mr. Ware stated he cannot support the density for this development.

Mr. Weatherby stated he does not like the high density proposed, however he does not want to see the property be annexed into the City of Holly Springs and be an even higher density.

Dr. Whiteside stated this is not consistent with the land use plan and is concerned about the variances requested and traffic concerns.

Ms. Escondo stated this is consistent with the surrounding zoning and can support if the stipulation letter is a condition and the reverting back to AG if not developed.

Mr. Whitaker stated this is not consistent with the land use plan, however will be less impact on county services and infrastructure.

Mr. Weatherby made a motion to recommend approval of this application with the condition that the applicant adheres to the stipulations in the letter dated September 15, 2016 and that the property will revert back to AG zoning if a development permit is not obtained with 12 months.

Seconded by Mr. Hill. Motion passed 8–1 (Mr. Ware opposed).

**Case #16-10-032 Core5 Industrial Partners, LLC (BOC Dist. 4)**

Applicant is requesting to rezone 24.97 acres at 3331 Highway 92 from GC & R-40 to LI for manufacturing and or warehousing along with incorporated offices for such uses.

Vicki Lee presented this case. She discussed staff comments, location, surrounding zoning and uses. She stated this application is not consistent with the Future Development Map. Ms. Lee stated a public participation meeting was held with ten (10) attendees. She stated she has received no letters in support of or in opposition to this application.

Jeff Rusbridge represented this case. Mr. Rusbridge discussed previous zonings in this area and stated the modification to the Highway 92 Overlay now allows industrial within this corridor. He stated they are proposing a 300,000 square foot rear loading facility. He provided renderings to the Planning Commission at the Work Session and has them with him tonight.

There was no one to speak in support or in opposition to this application.

Mr. Dewrell made a recommendation to approve this application. Seconded by Mr. Weatherby. Motion passed 9-0.

### **Case #16-10-033 Billy Kennedy (BOC Dist. 3)**

Applicant is requesting to rezone 0.98 acres at 6739 Bells Ferry Road from LI to GC for automotive sales and service.

Vicki Lee presented this case. She discussed staff comments, location, surrounding zoning and uses. She stated this is in compliance with the Future Development Map and she has received no letters in support or in opposition to this application.

Billy Kennedy represented this case. Mr. Kennedy stated he would like to have this property rezoned to commercial to allow addition of automotive sales at his existing automotive repair facility.

There was no one to speak in support of or in opposition to this request.

Mr. Whitaker closed public comment.

Mr. Ware made a recommendation to approve this application. Seconded by Mr. Hill. Motion passed 9-0.

### **Case #16-10-034 Lehigh Development (BOC Dist. 2)**

Applicant is requesting to rezone 17.05 acres at 540, 568 and 678 Mountain Park Road from R-40, R-20 and RM-10 to R-20 for a single family residential subdivision.

Vicki Lee presented this case. She discussed staff comments, location, surrounding zoning and uses. She stated they are proposing 32 lots and is consistent with the Future Development Map. She stated she has received one (1) letter in opposition to this application. Ms. Lee stated a public participation report was held with 15 attendees.

Brennan Walsh represented this case. Mr. Walsh stated they are requesting R-20 zoning for the entire 17 acre parcel. He stated they held two (2) public participation meetings and most of their concerns with sediment with the nearby creeks and streams as well as traffic impact. Mr. Walsh stated this will be an HOA conservation development.

Jim Still, Mayor of Mountain Park spoke in support. Mr. Still stated he is here representing the City of Mountain Park and stated even though they are not in support of development around Mountain Park, they do support his willingness to cooperate with them with the conditions set forth regarding traffic and the consideration of doing the sedimentation study.

Noor Rajah spoke in opposition. Mr. Rajah stated his concerns with traffic, sediment, creek buffers and flood zone.

Eama Sympson spoke in opposition. Ms. Sympson discussed her concerns with traffic and the number of homes proposed.

Seth Lamoyne spoke in opposition. Mr. Lamoyne stated he lives on the Fulton County side and discussed his concerns with traffic and density.

Mr. Walsh spoke in rebuttal. Mr. Walsh stated they will not be building 32 homes at once. The five (5) year timeframe was to complete this development. He stated what they are proposing is less dense than what could be allowed on this property as currently zoned. He stated they are willing to have a pre-development and post-development sediment survey prepared.

Mr. Whitaker closed public comment.

Dr. Whiteside made a recommendation to approve this application with conditions that the applicant provide pre-development and post-development sediment survey on adjacent stream and cove into which it discharges into Lake Cheerful and best efforts are to be made to provide construction access via Wiley Bridge Road.

Seconded by Mr. Smith. Motion passed 9-0.

### **Other Business**

Mr. Weatherby made a motion to approve the September 6, 2016 Minutes. Seconded by Mr. Ware. Motion passed 9-0.

Mr. Weatherby made a motion to adjourn. Seconded by Mr. Barnes. Motion passed 9-0. The meeting adjourned at 8:50 p.m.