

Approved 8-1-17



JOINT MEETING OF THE CHEROKEE COUNTY

BOARD OF COMMISSIONERS AND PLANNING COMMISSION

PUBLIC HEARING MINUTES

July 11, 2017

Cherokee Hall 7:00 PM

The Cherokee County Planning Commission and Cherokee County Board of Commissioners held a Joint Public Hearing on Tuesday, July 11, 2017 in Cherokee Hall at the Cherokee County Administration Building. All members of the Planning Commission and Board of Commissioners were present. In attendance for Cherokee County Planning Staff were Tamala Davis, Planning Technician and Jeff Watkins, Director.

The meeting was called to order at 7:00 p.m.

Case #16-12-045 Collett Family, LLC (BOC Dist. 1)

Applicant is requesting to rezone 102.519 acres on East Cherokee Drive from AG to R-30 and R-20 for a single family residential subdivision.

Marla Doss recused herself from this application.

Jeff Watkins presented the case. Mr. Watkins discussed the location of the property, surrounding zoning, future development designation and department comments.

Mike Bray represented this case. Mr. Bray presented history of the property and stated the staff report does not take into consideration the uses in the area. Mr. Bray presented a map indicating the uses in the area as well as current zonings. Mr. Bray stated R-30 is considered low-density residential per the Ordinance.

Sandy Reed spoke in support of this application. Ms. Reed stated she feels the owners should be able to do what they want with their property and supports this rezoning application.

George Russell spoke in opposition of this application. Mr. Russell stated his concerns with the number of subdivisions in this area, impact on schools and traffic.

Larry Edmondson spoke in opposition of this application. Mr. Edmondson stated he feels they should be able to sell their property however he has concerns with traffic, density, the number of subdivisions in this area and feels this plan needs to be modified to be less dense.

Bill Goddard spoke in opposition of this application. Mr. Goddard stated he is not opposed to anyone selling their property. He stated he is concerned with the notice how the signs were posted, density, type of homes and buffers.

Harry Mavromatidis spoke in opposition of this application. Mr. Mavromatidis stated his concerns with future growth in this area and feels this will set a precedent.

Ben Candebat spoke in opposition of this application. Mr. Candebat stated his concerns with impact on streets and schools.

Mr. Bray spoke in rebuttal. Mr. Bray stated this family has paid taxes in Cherokee County for over 80 years, that the proposed development will have buffers in place around this perimeter and this will have no impact on neighbors.

Mr. Whitaker closed public comment.

Dr. Whiteside discussed his concerns with the conservation design and the conservation area being shown in the middle of the development as developed lots.

Mr. Ware stated the schools are over capacity as is and this rezoning does not comply with the land use plan. He stated he cannot support as presented.

Dr. Whiteside stated the property can be sold as it is currently zoned and can be developed. He stated this proposed rezone does not meet the character area.

Ms. Escondo stated this proposal does not meet the minimum requirements of the character areas.

Dr. Whiteside made a motion to recommend denial of this application. Seconded by Mr. Ware. Motion passed 8-0.

Approval of Minutes

Mr. Ware made a motion to approve the May 15, 2017 Work Session Minutes. Seconded by Mr. Weatherby. Motion passed 9-0.

Mr. Whitaker stated he did not receive the June 6, 2017 Planning Commission Minutes so approval will be postponed until August Public Hearing.

Other Business

Public Hearing before the Planning Commission for proposed amendments to Article 18 of Cherokee County Zoning Ordinance

Jeff Watkins discussed the proposed Ordinance amendments after last meeting relating to map amendments, public participation process, application deadlines, variances, conditional approvals, special use permits, etc.

Dr. Whiteside stated we got to this point due to the public participation process being incomplete, flow thru process (changes in applications, site plans, etc.) and incomplete applications. He stated for the most

part he feels that the first two (2) items have been addressed. He stated we are not there yet with incomplete applications. He stated the zoning guidebook needs to be linked back to Article 18 and have it approved by the Board of Commissioners.

Ms. Escondo stated the incomplete applications were due to the language being vague and applications being moved forward with not enough information. Ms. Escondo asked Mr. Watkins if he feels the new language being proposed gives his staff adequate time to prepare the applications for the Planning Commission and Board without them being delayed. Mr. Watkins stated we are getting there, but we are still working on the specifics of what is needed for the application to be complete and the timeframe needed.

Commission Gordon stated he feels once this process is completed at some point it will need to be adjusted again, but feels staff is making headway on these amendments. Commissioner Gordon stated one of his primary concerns is having an Article 18 and then there being 3 or 4 pieces attached to it. He stated all of this still needs to be linked together with Article 18 and all will need to be adopted by the Board of Commissioners. Commissioner Gordon stated he would like to see some sort of mandatory training/requirement for the Planning Commission from the ARC.

Mr. Weatherby stated the ARC training is a great course.

Mr. Watkins stated there is also Georgia Planning Association that has a conference in the Spring and Fall.

Discussion ensued among Planning Commission, Board of Commissioners and staff on the application process and items required for application to be deemed complete.

Planning Commission would like to move in the direction of not assigning an application to a public hearing until the application is deemed complete. They would like to see if the applicant changes the zoning designation or uses then the applicant will be required to hold a new public participation meeting and provide a new report. They discussed keeping the existing site resource map as a requirement however changing the tree caliber to 30" instead of 14".

Mr. Barnes stated he would like the location of mines added to the list.

Dr. Whiteside stated he would like to keep all the items with site resource map and has no problem with changing the tree caliper.

Ms. Escondo stated in 18.9 and 18.10 under the Planning Commission actions it doesn't say how they are to dispose of variances. She stated there will be some cases where they will make a recommendation on the zoning but not on the variances. She stated she feels this needs to be addressed in these sections.

Mr. Watkins stated he would be making changes from what was discussed tonight and will be getting a new draft out to the Planning Commission at Work Session.

Adjourn

Mr. Weatherby made a motion to adjourn. Seconded by Dr. Whiteside. Motion passed 9-0. The meeting adjourned at 9:23 p.m.