



Approved 2-6-2018
CHEROKEE COUNTY PLANNING COMMISSION

PUBLIC HEARING MINUTES

January 9, 2018
Cherokee Hall 7:00 PM

The Cherokee County Planning Commission held its regularly scheduled public hearing on Tuesday, January 9, 2018 in Cherokee Hall at the Cherokee County Administration Building. Planning Commission members present were Ken Smith, Tom Ware, Richard Weatherby, Marla Doss, Nicole Carbetta, Rick Whiteside, Thais Escondo and Scott Barnes. Bob Whitaker was not in attendance. In attendance for Cherokee County Planning Staff were Rhonda Hilliard, Executive Assistant, Margaret Stallings, Principal Planner and Jeff Watkins, Community Development Director.

The meeting was called to order at 7:16 p.m.

Zoning Cases

Case #17-12-031 Feroz Ali (City of Ball Ground)

Applicant is requesting to rezone 5.45 acres at 8049 and 8051 Ball Ground Hwy from R-80 to TND/Commercial for a gas station with a convenience store and retail spaces.

The applicant was not present. Mr. Barnes made a motion to postpone this case for staff to reach out to the applicant to see why they were not in attendance and if it meets the conditions in Article 18. Seconded by Mr. Ware. Motion passed 8-0.

Case #18-01-005 Liberty Property Limited Partnership (BOC Dist. 4)

Applicant is requesting to rezone 17.64 acres at Highway 92 and Woodstock Road from GC to LI for a logistics center. Applicant is also requesting a variance to allow an 80 percent brick exterior.

Mr. Watkins stated this application has been postponed due to improper sign posting.

Case #18-01-002 Oak Hall Companies, LLC (BOC Dist. 2)

Applicant is requesting to rezone 39.58 acres at Highway 140 and Arnold Mill Road from R-40 and AG to RD-3 and NC for an age-restricted single family detached home community consisting of 77 lots and 10,700 square feet of retail space.

Jeff Watkins presented this case. Mr. Watkins discussed current zoning, surrounding uses, land use compliance and department comments.

Parks Huff represented this case. Mr. Huff stated this revised plan is in full compliance with the land use plan. He stated this plan is not high density, it will be 2 units per acre and 40 percent of this site is green space. He discussed traffic concerns and parking and stated this will be an age-restricted development

There was no one to speak in support.

Jodie Davis spoke in opposition. Ms. Davis stated she lives on Bailey Road and states this proposed plan is not suitable for this area and does not conform with the land use plan. She stated this will adversely affect adjoining property owners and stated the 40% greenspace is unusable, so feels they are not giving anything up.

Sharon Martin spoke in opposition. Ms. Martin stated her concerns with age restricted community along with retail. She stated her concerns with water run-off, current road conditions and traffic.

John Long spoke in opposition. Mr. Long stated he provided a document and report for Planning Commission and Board to review. He stated this project is totally out of character with the surrounding area and discussed briefly the Engineer report.

Paul Burnthall spoke in opposition. He stated his concerns with traffic, density, property values and setting a precedence for other high density development.

Kaj Savenius spoke in opposition. Mr. Savenius stated he lives at 930 Homer Road and stated several letters were submitted in opposition of this case. He asked why they are not posted on the Cherokee status page and if this is a change in policy.

Mr. Huff spoke in rebuttal. Mr. Huff stated there are options with handling Grimes Road. He stated this development will be age restricted, with architecturally pleasing homes along with landscaping that will be maintained by the HOA. He stated the green space will provide a natural buffer along Highway 140. He stated this is not a high density development and commended Oak Hall for coming up with a plan that is consistent with the land use plan.

Mr. Braswell from Oak Hall stated they have been working with property owners to provide a plan consistent with comprehensive plan and vision for the County.

Dr. Whiteside asked Mr. Huff what are the other options for Grimes Road. He noted the current plan shows a cul-de-sac. Mr. Huff stated you don't zone something site plan specific. He stated one item discussed was it could just connect through, he said the alternative would be to put in emergency access.

Dr. Whiteside asked where the 700' sewer line be located. Mr. Braswell stated they are staying within public right-of-way.

Dr. Whiteside closed public comment.

Mr. Ware asked audience how many use Grimes Road on a daily basis. Several people raised their hands. Mr. Ware stated Grimes Road should not be closed to build more houses. He stated this proposal doesn't fit this area and cannot support application.

Mr. Weatherby stated he supported the idea of estate parcels.

Ms. Carbeta agreed and stated this property should remain as currently zoned.

Dr. Whiteside stated this is a 40 acre development, 15 acres will be set aside for green space, so there will be 77 homes on 25 acres. He stated this is not similar to what is in this area.

Ms. Escondo stated the applicant has made effort to come into compliance with the land use plan, however there are other issues to consider. She stated it is not consistent with the adjoining properties. She stated she is also still concerned with safety issues. Ms. Escondo stated she cannot support this application.

Mr. Ware made a motion to deny. Seconded by Mr. Weatherby. Motion passed 8-0.

Case #18-01-004 Perlis Nease Development (BOC Dist. 1)

Applicant is requesting to rezone 0.59 acres from R-40 to GC at 2281 Cumming Highway for commercial uses. Applicant is also requesting a variance to eliminate the six foot wide commercial landscape strip on the western side of the property and a variance to encroach 3 feet into the minimum commercial 10 foot side setback to allow for a drive thru canopy.

Jeff Watkins presented this case. Mr. Watkins discussed current zoning, surrounding uses, land use compliance and department comments.

Skylar Long represented this case. Mr. Long stated they are the developers of the Canton Exchange retail development that surrounds this property. He stated this parcel changed ownership recently and they were offered to purchase the property. He stated if rezoned, he will plat the properties to make this parcel larger, however will still need variances. He discussed the surrounding zoning and uses. He stated the main access is already designed on Highway 20 and will not need any additional curb cuts.

There was no one present to speak in support.

John Boss spoke in opposition. Mr. Boss provided materials to the Board to review. Mr. Boss stated he lives in Estates at Brook Park and Chairman of the HOA Board. He stated they understand this will be developed however would like a responsible development. Mr. Boss discussed their concerns with light and noise pollution. He stated this is not consistent with the character area and would like NC zoning to be considered instead of GC zoning.

Mr. Long spoke in rebuttal. Mr. Long provided aerial photos to the Planning Commission that gives a better overview of the parcel and location. He discussed lighting plans and sound concerns. He stated all surrounding areas are General Commercial and they are requesting this zoning for drive-thru. He stated he met with representatives of the subdivision to discuss landscaping.

Dr. Whiteside closed public comment.

Ms. Escondo stated she supports this application. She stated the GC zoning is to allow a drive-thru establishment.

Ms. Doss asked staff about City of Canton requirements. Mr. Watkins stated City of Canton is requesting the sign and landscape requirements of the Canton Overlay Zone Community Standards Ordinance be a condition of this application.

Ms. Escondo made a motion to approve with the two (2) concurrent variances: (1) to eliminate the six (6) foot wide commercial landscape strip and (2) allow three (3) foot encroachment into the 10 foot side setback

for a drive thru canopy with the condition that the applicant comply with City of Canton sign and landscape Ordinance. Seconded by Ms. Doss. Motion passed 8-0.

Approval of Minutes

Dr. Whiteside made a motion to approve the November 7, 2017 Minutes, November 20, 2017 Work Session Minutes, December 5, 2017 Minutes and December 18, 2017 Work Session Minutes. Seconded by Mr. Smith. Motion passed 8-0.

Adjourn

Mr. Weatherby made a motion to adjourn. Seconded by Mr. Smith. The meeting adjourned at 8:54p.m.