



CHEROKEE COUNTY MUNICIPAL PLANNING COMMISSION

WORK SESSION MINUTES

Approved 11-6-2018

**Cherokee County Administration Building
Business Center Conference Room
1130 Bluffs Parkway
Canton, Georgia 30114**

**October 22, 2018
6:30 p.m.**

Planning Commission Members Present: Bob Whitaker (Chairman), Dr. Rick Whiteside (Vice-Chairman), Marla Doss, Thais Escondo, Richard Weatherby, Tom Ware, and Ken Smith

Planning Commission Members Absent: Nicole Carbetta and Scott Barnes

Planning and Zoning Staff Present: Michael Chapman (Zoning Division Manager), Jeff Watkins (Planning and Zoning Director), Thomas Trawick (Planner).

Mr. Chapman provided the Planning Commission with their packets containing staff comments.

Chairman Whitaker called the meeting to order at 6:30 pm.

ZONING APPLICATIONS:

1. Case # 18-11-026 Milton O. Blankinship (BOC District 1)

Applicant seeks to rezone 1.84 acres of property located at Ball Ground Highway and Sharon Street from R-40 (Single-Family Residential) to RZL (Zero-Lot Line Residential). If rezoned, the property will be used for a storm water management facility for the adjoining residential development.

Mr. Chapman introduced the case and summarized the staff report. Mr. Chapman also explained that the facility would serve the adjoining residential development which was rezoned to RZL in 2016 with the following conditions:

1. Limit the number of lots to 200.
2. Lot width not to be less than 50' wide.
3. Adhere to Engineering's assessment from the Traffic Study in providing left and right turn lanes at both entrances.

Mr. Ware asked staff how many additional homes could be developed on the 1.84-acre

site and whether the subject parcel was included in the 2016 rezone case. Mr. Chapman said he would check the site plan for the 2016 rezoning case for additional clarification. *(Per an email sent to the Planning Commissioners by Mr. Chapman on Tuesday, October 22nd, 2018, Mr. Chapman stated that the subject property was not included in the original 2016 rezoning case).* Ms. Escondo asked staff to clarify the purpose for the rezoning. Ms. Escondo stated that the subject property was always meant to be a part of the adjoining residential development but was initially left off of the original rezoning in 2016. Ms. Escondo continued saying that since the property was left off, an interior buffer would be required since the surrounding zoning was different from the subject property designation. Since the buffer could not be reduced administratively, the applicant chose to rezone the property to be part of the overall RZL development in order to remove the required interior buffers. Mr. Chapman confirmed this clarification by Ms. Escondo. Ms. Escondo asked staff to clarify that no new lots were being created to which Mr. Chapman also confirmed.

2. Case #18-11-027 Woodall Communities, LLC (BOC District 1)

Applicant seeks to rezone an 11.85+/- acre parcel from AG (Agricultural) and R-40 (Single-Family Residential) to R-40 (Single-Family Residential). If rezoned, the property will be used for a single-family detached residential community consisting of seven (7) homes.

Mr. Chapman introduced the case and summarized the staff report. Mr. Chapman also explained some comments made by the Engineering Department that no scheduled improvements were proposed for this section of Land Road or Hobart Smith Road and the proposed lot count would create an additional count of 19 vehicle trips per day.

Mr. Chapman stated that the site is located within the "Rural Places" Character Area which does not support suburban development such as those allowed under the requested rezoning classification of R-40. Mr. Chapman did mention that even though the proposed rezoning was not consistent with the established Character Area, he explained that some of the proposed lots were shown to be greater than two (2) acres in size which is consistent with the minimum lot size requirement for AG (Agricultural) zoning. Chairman Whitaker asked staff if the smaller portion of the property that lies across Hobart Smith Road is included in the requested rezoning. Mr. Chapman stated that this portion was not included in the request. Mr. Ware asked if a driveway can be constructed across any existing gas lines, referencing the shown gas line easement on lots 5 thru 7 on the submitted site plan. Staff confirmed that this is possible however no structure may be placed over an existing gas line easement. Vice Chairman Whiteside expressed some concern with the inconsistency with the proposed rezoning and the established Character Area of "Rural Places". Discussion ensued among the Commissioners that there may be some opportunity to reconfigure the lots to be more consistent with the Comprehensive Plan. Some other concerns of the Board Members were regarding sight distance, especially at the intersection of Land Road and Reinhardt College Parkway. Mr. Smith asked staff if most of the proposed lots were going to have access onto Land Road. Mr. Chapman confirmed yes, the applicant was proposing this. A question was raised if there was any public input at the community input meeting regarding the proposal. Vice Chairman Whiteside and Mr. Ware mentioned that the applicant presented a different site plan showing five (5) lots instead of the seven (7) currently proposed. Ms. Escondo questioned if the applicant can present a certain site plan at a community input meeting and present

an amended site plan to the Planning Commission in the public meeting. Mr. Ware stated that the review requirements and inspections were different for five (5) and seven (7) lots. Staff mentioned that applicants often amend their original site plan from the community input meeting to when they submit an application. Vice Chairman Whiteside explained that the applicant did mention that the site plan could change by proposing some additional lots.

3. Case #18-11-028 Stonecrest Homes, LLC/Charles Heiser, Jr. (BOC District 1)

Applicant seeks to rezone 56.6+/- acres from AG (General Agriculture) and PUD (Planned Unit Development) to R-20 (Single-Family Residential) with a Conservation Design, RZL (Zero-Lot-Line Residential) and NC (Neighborhood Commercial). The applicant is also seeking a variance to Article 10 – Buffer Requirements to reduce the buffers from dissimilar districts to the landscaped areas as shown on the site plan. If rezoned, the property will be used as a mix of assisted living, age-restricted residential, and single-family residential.

Mr. Chapman introduced the case and summarized the staff report. Mr. Chapman also presented a brief history of the surrounding area regarding the nearby Falls at Mill Creek PUD and recent rezoning cases. Mr. Chapman also indicated that the Engineering Department provided additional comments stating that no improvements were anticipated for the adjacent county road and that the proposed development could generate around one-thousand (1,000) additional vehicle trips daily. The Engineering Department also anticipates a left-turn lane to be constructed at the southern entrance of the project, and a right-turn deceleration lane at both proposed entrances.

Ms. Escondo asked staff if since a portion of the proposed rezoning was previously rezoned as PUD, could it be rezoned again. Staff confirmed yes. Vice Chairman Whiteside expressed some concern over the requested buffer variances and the applicant's response statement regarding hardships. Chairman Whitaker expressed a concern that an undisturbed buffer was not proposed adjacent to the commercially zoned area. Mr. Ware stated that many buffer variances are being requested that do not necessarily present hardships, but are rather being requested for ease of future development. Ms. Escondo had a concern that the proposed zoning was not consistent with the "Country Estates" Character Area designation. Chairman Whitaker stated that the current PUD commercial portion of the proposal is already not consistent with the Comprehensive Plan. Mr. Ware asked the applicant, Mr. Charles Heiser, Jr., what the anticipated number of beds for the assisted living facility was. Mr. Heiser said 88 beds. Ms. Doss asked staff if residential townhomes were originally proposed and if the commercial portion of the development could have residential. Mr. Chapman answered that the applicant did originally proposed residential townhomes and that residential dwellings could not be allowed in the commercial area.

4. General Discussion

Ms. Doss asked a general question if adjustments to variance requests were able to be discussed after a vote has been made on a particular rezoning item. Chairman Whitaker mentioned that alternative suggestions to variance requests during a rezoning case should be made prior to a vote. Chairman Whitaker also mentioned that if a vote does not yield a result, then an alternative suggestion could be made for the next motion.

ADJOURN

Mr. Chapman reminded the Planning Commission that their next regular meeting is scheduled for November 6, 2018.

There being no further business, Chairman Whitaker adjourned the Work Session at 7:21 pm.