



CHEROKEE COUNTY PLANNING COMMISSION

PUBLIC HEARING MINUTES

Approved 12-4-2018

November 6, 2018
Cherokee Hall 7:00 PM

The Cherokee County Planning Commission held its regularly scheduled public hearing on Tuesday, October 2, 2018 in Cherokee Hall at the Cherokee County Administration Building. Planning Commission members present were Tom Ware, Richard Weatherby, Rick Whiteside, Ken Smith, Bob Whitaker, Marla Doss, Thais Escondo and Scott Barnes. Nicole Carbetta was not in attendance. In attendance for Cherokee County Planning Staff were Michael Chapman, Zoning Manager; Tamala Davis, Planning Technician; Thomas Trawick, Planner, and Jeff Watkins, Planning and Zoning Director.

The meeting was called to order at 8:15 p.m.

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

Applicant is requesting to rezone 56.6 acres at East Cherokee Drive from PUD and AG to R-20 (conservation design community), RZL and NC for a mix of assisted living, age-restricted residential and single family residential. Applicant is also requesting a variance to Article 10, Buffer requirements to reduce buffers from dissimilar district to the landscaped areas on the site plan.

Mr. Whitaker stated the applicant has requested this case be postponed until next month.

Charles Heiser with Stonecrest Homes stated they are requesting to postpone this application until next month to work with staff to decrease the density. He stated once they have a new plan they would mail everything out again but not hold another community input meeting.

Mr. Whitaker stated he suggests the Board postpone this application.

Mr. Weatherby stated he has reservations about just mailing out the new information, he would rather see them hold another community input meeting.

Mr. Heiser stated they have had two (2) community input meetings and thought they went very well. He asked if there was a way to put it online for everyone to see.

Mr. Chapman stated this information is available to the public on our website.

Mr. Ware stated if the changes are significant then he also prefers another community input meeting be held.

Mr. Heiser stated they are working on changes to lot county, density and buffers. Mr. Ware stated then he feels another meeting should be held.

Mr. Whitaker asked Mr. Heiser could he have this done within the next month. Mr. Heiser stated sure, if this is what they are wanting him to do.

Mr. Whitaker made a motion to postpone this application for one (1) month and request the applicant conduct another community input meeting with the updated site plan and report will need to be submitted prior to the public hearing. Also, the updated site plan will need to be provided prior to the Planning Commission work session meeting on November 19, 2018. Seconded by Mr. Weatherby. Motion passed 8-0.

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

Applicant is requesting to rezone 2.02 acres at Ball Ground Highway from R-40 to RZL to be a part of the infrastructure of the previously approved RZL project.

Michael Chapman presented the case. Mr. Chapman discussed current zoning, surrounding uses, land use compliance, economic use as currently zoned and department comments.

Mike Bray represented this case. Mr. Bray stated after Mr. Blankinship had a long history of understanding hydrology and water and after the project was approved for a 59 acres subdivision development it was observed that this site was better than what was in the original concept plan for storm water retention. He stated everything proposed is for storm water pond and will be subject to the Engineering regulations. He stated they were informed that both zonings needed to be the same and currently one is RZL and one is R-40. He stated nothing will change and that all the restrictions on the original tract will stay the same.

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

Mr. Whitaker closed public comment.

Mr. Ware asked Mr. Bray if he understood correctly that the one management pond would be relocated to this location. Mr. Bray stated, yes that this property is better suited at this location.

Mr. Ware asked if the maximum number of lots would remain the same regardless. Mr. Bray stated yes.

Mr. Weatherby made a motion to recommend approval. Seconded by Ms. Doss.

Ms. Escondo asked if they would consider amending to include Engineering's comments stating the zoning conditions from Case #16-07-020 apply to this parcel as well since they are to be developed together. The conditions from the previous zoning were 1) limit the number of lots to 200, 2) lot width not to be less than 50' wide and 3) adhere to Engineering's assessment from the Traffic Study in providing left and right turn lanes at both entrances.

Mr. Weathery and Ms. Doss agreed to the amendment. Motion passed 8-0.

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

Applicant is requesting to rezone 11.85 +/- acres at Reinhardt College Parkway from R-40 and AG to R-40 for a single family detached residential community.

Michael Chapman presented the case. Mr. Chapman discussed current zoning, surrounding uses, land use compliance, economic use as currently zoned and department comments.

Parks Huff represented this case. Mr. Huff stated this property is split zoned and is adjacent to the City of Waleska. He stated it falls within a transitional corridor and has R-40 zoning to the South. He stated they feel this zoning is consistent with the existing zoning in the area. Mr. Huff presented plans of homes Mr. Woodall is known to build and would be consistent with this area along with providing fencing.

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

Richard Belote spoke in opposition. Mr. Belote stated his concerns with safety and traffic at this area.

Tracie Hendrix spoke in opposition. Ms. Hendrix stated her concerns with safety, traffic, location of driveways coming in off Land Road and feels this zoning if approved will set a precedent for others to ask for R-40 zoning.

Dean Woodall spoke in rebuttal. Mr. Woodall stated there is a little over 11 acres and they could do 5 lots with 5 driveways without going through a rezoning. He stated the problem with this property is a power line coming across one area, a gas line across another portion and with the R-40 zoning it allows them less of a building setback to give them more room to situate the home on the property. He stated with AG zoning you have a 50 foot building setback from all property lines which restricts the location of the home.

Mr. Huff stated the driveway placements will be reviewed by the County Engineer when they come in for a final plat on these lots. He stated they will ensure they have proper sight distance and they will have to work with that as they go through plan review.

Ms. Escondo discussed further Engineering staff report as it relates the designed must prove that sufficient stopping sight distance is met for each residential driveway along Land Road and Hobart Smith Road. She asked what if they approve the zoning but then cannot prove sufficient sight distance. Mr. Huff stated then they would have to look at other options and they would not design the lots until they have driveway access whether that be individually or a shared access.

Mr. Whitaker closed public comment.

Dr. Whiteside stated he attended the community input meeting on this project and stated what really troubles him about this project is that this is not the plan that was presented to the public and would like to know why.

Mr. Huff stated initially the plan provided to the public did not have all the property subdivided and then they revised to show it all subdivided.

Dr. Whiteside stated he feels the public should have been provided what was going to be presented at the public hearing so they would have an opportunity to have some input. He stated the property could be zoned R-60.

Mr. Whitaker asked if this had been looked at. Mr. Huff stated they have not looked at an R-60 zoning. Mr. Woodall stated with R-60 the setbacks are still too restricted on where a home could be located.

Dr. Whiteside made a motion to table this application for the applicant to conduct another community input meeting with the updated plan and to also consider an R-60 zoning. Seconded by Mr. Smith.

Ms. Escondo stated she could not support this motion. She feels there has been enough information provided to the public. She stated a majority of the adjacent property is zoned R-40.

Motion fails to table this application 3-5.

Mr. Ware made a motion to recommend approval of this application with a maximum of seven (7) lots. Seconded by Mr. Barnes. Motion passes 5-3. Dr. Whiteside, Mr. Smith and Mr. Weatherby opposed.

Mr. Ware made a motion to approve September 17, 2018 Minutes. Seconded by Dr. Whiteside. Motion passed 8-0.

Mr. Ware made a motion to approve October 2, 2018 Minutes. Seconded by Mr. Barnes. Motion passed 8-0.

Dr. Whiteside made a motion to approve October 22, 2018 Minutes. Seconded by Mr. Weatherby. Motion passed 8-0.

Mr. Smith made a motion to adjourn. Seconded by Dr. Whiteside. Motion passed 8-0. The meeting adjourned at 9:05 p.m.