



Approved 2-4-2020
CHEROKEE COUNTY MUNICIPAL PLANNING COMMISSION
WORK SESSION MINUTES

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

**January 27, 2020
6:30 p.m.**

Planning Commission Members Present: Bob Whitaker (Chairman), Dr. Rick Whiteside (Vice-Chairman), Marla Doss, Richard Weatherby, Tom Ware, Lisa Tressler, Ken Smith, Lee Lusk, and Tom Hill

Planning and Zoning Staff present: Michael Chapman (Zoning Manager), Jeff Watkins (Director of Planning and Zoning), and Thomas Trawick (Planner)

Staff provided the Planning Commission with their packets containing staff comments.

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

ZONING & SPECIAL USE PERMIT APPLICATIONS:

1. Case #19-12-027 Kevin Seifert/Pacific Group, Inc. – (BOC District 4)

Applicant seeks to rezone property located at Elwin Ragsdale Way from R-40 to RD-3 for 69 single family residential homes. The case was tabled by the Planning Commission Board at the December 3rd, 2019 Public Hearing. The case ended in a tied vote at the January 7th, 2020 Public Hearing which tabled the case to the next Public Hearing.

Mr. Chapman introduced the case and summarized the staff report. He explained that a vote for the case ended in a tie at the previous meeting and was postponed to the February 4th, 2020 Planning Commission meeting. Mr. Chapman explained that the applicant has since revised their application, and is now asking for R-20 Conservation instead of RD-3. The lot count was reduced to 55 units. Staff went over the proposed changes to the application.

Dr. Whiteside asked for staff to clarify the 75-foot impervious setback buffer as mentioned on the plans. Mr. Chapman and Kevin Seifert, the applicant, clarified that this was considered a required 75-foot building setback, per the Conservation Subdivision regulations (Article 23 of the Zoning Ordinance). Lisa Tressler asked where the proposed trail easement was located on the site plan. Staff and Mr. Seifert confirmed that the proposed trail would run along the eastern property line and potentially connect to the

industrial park located to the south of the property. Tom Ware asked about a particular condition proffered by the applicant which was to install a 6-foot high fence with barbed wire on top. The applicant explained that the adjoining property owner asked for this condition to be included with the zoning request.

2. Case # 20-02-003 David Menna (BOC District 2)

Applicant seeks to rezone property located at 5762 Vaughn Road from R-80 (Estate Residential) to R-40 (Single-Family Residential). If rezoned, the property will be subdivided for two (2) single family residential homes.

Mr. Chapman introduced the case and summarized the staff report. Mr. Chapman explained that the applicant would like to subdivide the property and create two single-family lots. Staff explained that while the Future Development Map classification of Country Estates does not support the requested zoning classification, there is a subdivision, Millstone Creek, located behind the property that is zoned R-60, and is within the same Future Development Map designation. Staff mentioned that the site previously had structures located on the property that have been removed. Mr. Chapman mentioned he is going to confirm with the Fire Department if the buildings that were previously there burned down.

Chairman Whitaker asked staff to clarify the intent for a zoning condition on the Millstone Creek Subdivision which required additional right of way. He wanted to confirm if this would impact the buildable area for the subject site. Staff mentioned that they thought this condition only applied to the main entrance for the Millstone Creek Subdivision off of Vaughn Road, but would confirm this.

3. Case # 20-02-004 George Baker – (BOC District 1)

Applicant seeks to rezone property located at 1081 Wrights Mill Road from AG (General Agriculture) to R-60 (Single Family Residential) for a single-family residence.

Mr. Chapman introduced the case and summarized the staff report. Mr. Chapman explained that the applicant is seeking a rezoning of the property in order to subdivide and potentially market the property as single-family residential. He mentioned that the applicant wants to rezone a portion of the overall parcel (approximately 8.9 acres) which is currently split by Wrights Mill Road. He clarified that the applicant wished to rezone 1.5 acres located on the left side of Wrights Mill Road. Staff explained that the Transportation Department provided additional comments that future roadway improvements for Wrights Mill Road from the intersection of Wrights Mill Lane to Birmingham Highway was proposed. These improvements are located south of the subject site.

Chairman Whitaker confirmed with staff that the request was to potentially market the two proposed properties as residential. Tom Hill confirmed the future road widening of Wrights Mill Road from Wrights Mill Lane to Birmingham Highway, to which staff confirmed, yes. Chairman Whitaker also confirmed with staff that the parcel on the left side of the street was proposed for rezoning.

4. Case # 20-02-005 Quality Future Properties and Investments – (BOC District 2)

Applicant seeks to rezone property located at 4925 Hickory Flat Highway from R-80 (Estate Residential) to LI (Light Industrial) for an office, shop, and warehouse. Applicant seeks a concurrent variance to Article 10 - Buffer Requirements, Table 10.1 - Minimum Buffer Width Between Abutting Districts to encroach into the zoning buffer.

Mr. Chapman introduced the case and summarized the staff report. Mr. Chapman explained that the subject property is located across the street from an existing self-storage business and no light industrial property is in close proximity to the site. Staff explained that the Future Land Use classification of Community Village supports mixed-use development. Staff further explained that the Transportation Department had provided information that Hickory Flat Highway is proposed to be widened sometime in the future.

Chairman Whitaker asked staff to clarify how the use was allowed in LI but not in GC. Mr. Chapman explained that it was the general warehousing use that pushed it into LI. Marla Doss expanded on the discussion and questioned what the difference was between uses allowed in GC, HI, and LI. Chairman Whitaker explained that LI uses could allow larger warehouse type uses.

Dr. Whiteside questioned if the proposed parking and driveway area would be paved, contain pavers, or be gravel. Tom Ware explained that, at the Community Input Meeting, the applicant seemed accommodating to the owner on the west side of the property to relocate the proposed building to the other side of the property. Chairman Whitaker asked for staff to contact the applicant to ask about the potential for relocating the building, and to ask about improvements to the parking and driveway areas.

5. Case # 20-02-006 Chris and Michelle Coyne – (BOC District 4)

Applicant seeks to rezone property located at 5153 Highway 92 from OI (Office Institutional) to GC (General Commercial). If rezoned, the property will be used as a pest control office.

Mr. Chapman introduced the case and summarized the staff report. Mr. Chapman explained that the applicant is proposing to use an existing building on the property, which used to be a house, to operate a pest control business. Staff explained that the applicant will be preserving a 35-foot zoning buffer to the rear of the property to screen the commercial property from existing residential properties. Staff also explained that the Engineering Department provided a comment that any proposed driveway entrance for the site would have to be approved by GDOT (Georgia Department of Transportation).

Chairman Whitaker explained that the applicant was recently approved for rezoning of property in another location for a similar use, but at that time, required LI zoning. Staff explained that the Board of Commissioners recently adopted a change to the Zoning Ordinance allowing pest control services to be permitted in GC zoning. Discussion ensued among the Planning Commissioners about the current OI designation of the property and the layout of the parcel shown encroaching within the right of way.

Dr. Whiteside asked if the HVAC company located adjacent to the subject property was an allowed use under OI zoning. Staff stated that this is not a permitted use in the OI classification. Chairman Whitaker asked about any additional zoning conditions for the

proposed use of the site, to which Mr. Chapman explained that the zoning ordinance lists several conditions for pest control offices under Article 7.

6. Other Topics of Discussion

- Mr. Chapman presented a slideshow to the Planning Commissioners explaining some concerns regarding auto brokers and auto sales uses, and proposing some possible solutions. He explained that auto brokers are usually more office only, and do not store inventory on-site. Jeff Watkins elaborated on this and mentioned that auto brokers typically do not take title to any particular vehicle. Chairman Whitaker explained that he recommends amending the ordinance to define auto brokers as being office only, and having no inventory.
- The election of officers was held to which the Planning Commissioners elected Mr. Bob Whitaker as Chairman and Dr. Rick Whiteside as Vice-Chairman.
- Discussion ensued among the Planning Commissioners regarding issues and possible solutions for SUP (Special Use Permits) and Rezoning applications being reviewed by the Board at the same meeting.

ADJOURN

Mr. Chapman reminded the Planning Commission that their next regular meeting is scheduled for February 4th, 2020.

There being no further business, Chairman Whitaker adjourned the Work Session at 7:30 p.m.