

OCONEE COUNTY PLANNING COMMISSION

Monday, May 19, 2008

Regular Meeting

7:00 p.m. Oconee County Courthouse

MEMBERS PRESENT: Dan Arnold, Mike Floyd, Bruce MacPherson, Travis Marshall, Penny Mills, Bill Ramsey, George Rodrigues, Chuck Steen and Bill Yarbrough.

STAFF PRESENT: BR White-Director, Brad Callender-Planner, Krista Gridley-Planner, Jason Gantt-Planner, and Karla Hulsey-Clerk.

OTHERS PRESENT: Ken Beall, Justin Greer, Chuck Horton, Jim Bob McElroy, Jon Williams, and Vinnie Williams-Oconee Enterprise.

The regular meeting was called to order by Chairman Dan Arnold at 7:00 p.m.

OLD BUSINESS

Item #1: Approval of minutes – 04/21/08 meeting. The minutes of the 04/21/08 meeting were approved as submitted.

NEW BUSINESS

Travis Marshall recused himself from Item #1 and left the room.

Item #1: Rezone # 5710, Marshall, Travis A., A-1 to AR-1, ±50.97 Acres, 40 Lots, SR 15, single-family residential subdivision. Krista Gridley presented the staff report (attached) into public record which proposed 5 conditions if the rezone was recommended for approval.

Justin Greer of Beall and Company represented the applicant. He explained that the proposed project is adjacent to an AR-1 development. He said that staff did a good job of presenting and he had nothing to add.

Public Hearing: No one chose to speak on this item.

Chuck Steen asked if there were water lines in the area. Ken Beall explained that the adjacent property had water within 100 feet of the proposed development. Ken also said that if the Planning Commission needed more time to consider this proposal before their vote, Travis Marshall was in no hurry for a decision. Penny Mills said that she had concerns about subdivisions encroaching into a character area designated as Rural Estates. Dan Arnold stated that the land use plan is a guide. Ken Beall said that work on this proposal had begun before the Future Land Use Plan was approved. Bill Yarbrough said that although he originally voted against the Wilkes rezone, water is available in the area now. Dan Arnold stated that the Planning Department does an excellent job of

preserving rural property. Bruce MacPherson asked about the proximity of the chicken houses located just south of this property. Krista Gridley said that since they are 440 feet away, they exceed the minimum distance requirement. George Rodrigues said that there is a history of spot zoning in that area and that this proposed rezone ignores the new land use plan.

Motion: George Rodrigues to recommend denial of the rezone. Second – Penny Mills. Vote 3-4 in favor of motion. (In favor of motion – George Rodrigues, Penny Mills, and Bruce MacPherson. Against the motion – Mike Floyd, Bill Yarbrough, Chuck Steen, and Bill Ramsey.)

Motion: Bill Ramsey to recommend approval of the rezone subject to the 5 conditions listed in the staff report. Second – Bill Yarbrough. Vote 4-3 in favor of motion. (In favor of motion – Bill Yarbrough, Bill Ramsey, Mike Floyd, and Chuck Steen. Against the motion – Bruce MacPherson, Penny Mills, and George Rodrigues.)

Travis Marshall recused himself from the discussion and votes on this item.

Item #2: Rezone # 5711, RJC Land Development, Inc., AR-3 and F-P to A-1, ±307.59 Acres, Price Mill Road and Gober Road, revise existing zoning of the property. Krista Gridley presented the staff report (attached) into public record which proposed 1 condition if the rezone was recommended for approval.

Jim Bob McElroy of Beall and Company represented the applicant. He explained that the owner, Bob Cain, has a buyer that wishes to purchase the entire property without the former zoning conditions.

Public Hearing: No one chose to speak on this item.

Ken Beall of Beall and Company stated that Bob Cain does not intend to develop this property into a subdivision.

Motion: Penny Mills to recommend approval of the rezone subject to the 1 condition listed in the staff report. Second – Bruce MacPherson. Vote 8-0 in favor of motion.

Item #3: Rezone # 5712, Virgil Langford Road, LLC, B-2 to O-B-P, ±1.494 Acres, SR 316 and Langford Drive, warehouse. Brad Callender presented the staff report (attached) into public record which proposed 10 conditions if the rezone was recommended for approval. He said that the new land use plan designates this area as Regional Center.

Jon Williams of Williams and Associates represented the applicant. He explained that this proposed warehouse would have no impact on the school system and would only generate 15-20 trips per day. He said that the applicant needed the high visibility of SR 316 and that there were many offices in the area that would utilize the facility. Jon thanked the staff for working with him on this application. He did have an issue with

Condition #7. Jon said that there was some confusion in the narrative and that the intent is to have both personal and office storage at the facility.

Public Hearing: No one chose to speak on this item.

Dan Arnold had concerns about the possibility of hazardous items being stored in the facility and asked BR White if a condition could be added to prohibit such items. BR said that although it is covered by code, a condition could be added. Bill Yarbrough asked Jon if furniture would be stored in the facility and Jon said that it would. Jon also explained that the climate-controlled building is a multi level with an elevator and storage units that would be accessed from the inside. Penny Mills asked Jon what percentage of storage would be office and Jon said that offices would be the targeted clientele. He also said that if personal storage was excluded, the facility would not be built in Oconee County. Chuck Steen inquired about provisions for security. Jon explained that there will be 24-hour surveillance and key card entry. Bill Yarbrough asked BR White about the history of Condition #7. BR explained that the narrative did not include self storage. BR read the revised Condition # 7: *“The warehouse facility shall only be used for storage of records, documents, files and other items needing climate control storage excluding hazardous and/or toxic materials.”* BR explained that climate control storage or warehousing is not clearly defined by the Code. Dan Arnold asked if the Planning Staff had concerns about personal storage and BR said the revised condition doesn’t negate it. Dan Arnold again expressed concerns about hazardous items being stored in the facility. Jon Williams said that the applicant, Mr. Michael Gray, has other facilities in Gwinnett and Fulton County and is aware of the risks involved. BR White said that if the board is uncomfortable with the proposed rezone, it could be tabled while he and Jon worked on the details. Bill Yarbrough stated that he is not sure where this facility would fit in the Code.

Motion: Bill Yarbrough to recommend tabling the rezone until the June 16, 2008 Planning Commission meeting. Second – Chuck Steen. Vote 8-0 in favor of motion.

Item #4: Adjourn. With no further business, Bill Yarbrough moved to adjourn and George Rodrigues seconded the motion. With a unanimous vote, the meeting was adjourned at 7:50 p.m.

OCONEE COUNTY PLANNING COMMISSION CHAIRMAN

DATE

OCONEE COUNTY PLANNING COMMISSION SECRETARY

DATE