

MINUTES

HENRY COUNTY ZONING ADVISORY BOARD

The Henry County Zoning Advisory Board held a Public Meeting with a Work Session at 6:00 p.m. and a Public Hearing at 7:30 p.m. on Thursday, February 22, 2007, in the Community Meeting Room, Henry County Administration Building, 140 Henry Parkway, McDonough, Georgia. Notice of these meetings was posted in the entrance foyer of the County Administration Building. *The Daily Herald* was notified of these meetings. Those present were:

Scott McCarter, District I, Chairman - presiding
Pamela White, District II
Charles Mobley, District III, Vice-Chairman
Rev. William L. Herndon – District IV
Michael Hightower, District V
Ray McDonald, City of Stockbridge
Andy Calhoun, County at Large
Allen Guimarin, Board of Education

Also attending were Ray Gibson, Planning & Zoning Director; Cheri Hobson-Matthews, Planning and Zoning Assistant Director; Doug Gilbert, Building Department Director; Jessica Guinn, Planner II; Andrella Slaughter, Planner II; Brecca Sherow, Planner I; Jeremy Gilbert, Planner I; Stacey Jordan, Chief Planner; David Simmons, Department of Transportation.

(NOTE: An audio of this meeting is available with the County Clerk in the Board of Commissioners' Office and will be retained for a period no less than twelve (12) months from the date of this meeting.)

A public Work Session was held at 6:00 p.m. The Zoning Advisory Board discussed the Agenda and staff recommendations, with no votes taken during the meeting. Official photos were taken by the County Photographer prior to the meeting.

Scott McCarter, Chairman, called the meeting to order at 7:30 p.m.

Chairman McCarter welcomed the audience and asked them to stand while Mr. Herndon gave the invocation. Chairman McCarter led the Pledge of Allegiance.

Chairman McCarter announced there were a couple of changes on the Agenda: under item V, Minutes, there would be no minutes approved; under Concept Plan Review, Item Number 1, David Standard of McDonough, had been postponed by Staff; item number 6 under Rezoning, RZ-06-59, West Panola, LLC of Stockbridge, had been withdrawn by

the applicant; and on item number 8, RZ-06-66, Majestic Realty Company, it was inaccurately stated as being in District 2, however, it is actually in District 1. Chairman

McCarter asked if there were any further changes from the Board. Hearing none, the Chairman entertained a motion for approval of the Agenda.

William Herndon moved to approve the Agenda as amended, Charles Mobley seconded the motion. The vote was unanimous to accept the Agenda as amended.

Chairman McCarter asked for any Planning Staff comments.

Ray Gibson stated it was his privilege on behalf of the Planning Staff, the Zoning Advisory Board and citizens of Henry County to honor Mr. Michael Eddy for his four years of service on the Zoning Advisory Board, one year of which he served as the Chairman. Mr. Gibson read the proclamation and presented the framed proclamation to Mr. Eddy. The audience applauded Mr. Eddy. Chairman McCarter thanked Mr. Eddy for his service on the Board.

Chairman McCarter asked if there were further comments from Staff. Hearing none, the Chairman called for the first item on the Agenda under Conditional Exception, **CE-07-01**.

CE-07-01

M & R Equipment of Stockbridge, GA requests a conditional exception for property located at 73 Bellamy Place. The property is located in Land Lot 33 of the 12th District, consisting of 1.15+/- acres. The request is for a temporary office trailer. **District 4**

Ray Gibson, Director, introduced the item; Jeremy Gilbert, Planner I, represented Staff.

Jeremy Gilbert stated the request was for a Conditional Exception to allow for a temporary office trailer to be located in an industrial business park. Mr. Gilbert stated the site was located within Bellamy Industrial Park, which is located off of Highway 42. He stated the applicant was requesting a Conditional Exception to allow for a 540 square foot mobile unit to be used as a temporary office. The Conditional Exception is temporary and limited to one year. The applicant will use the mobile unit until the primary structure, a permanent facility, can be constructed on the site. Mr. Gilbert stated the applicant had been notified that this is only good for a period of one year and if the project is not completed at the expiration of one year, then the applicant will have to apply for a continuation of the Conditional Exception.

Chairman McCarter entertained questions from the Board for Mr. Gilbert. Hearing none, the Chairman asked the representative for M & R Equipment to step up to the podium

Chairman McCarter gave a brief review of how the meeting would be conducted, stating there would be ten (10) minutes for those wishing to speak in support of a request and ten (10) minutes for anyone wishing to speak in opposition to a request. The Chairman asked

anyone speaking at the meeting to please fill out the speaker card for the record, and asked them to please give their name and address when they came up to the podium.

Patricia Glasscox, 73 Bellamy Place, stated she didn't have anything else to add to Mr. Gilbert's presentation.

Chairman McCarter asked for anyone wishing to speak in favor of the request. Hearing none, the Chairman asked for anyone wishing to speak in opposition to the request. Hearing none, the Chairman entertained questions from the Board for the applicant.

William Herndon asked what Ms. Glasscox's relationship was to M & R.

Patricia Glasscox stated she was the office manager.

William Herndon asked if she was the owner of the property.

Ms. Glasscox stated she was not the owner.

William Herndon asked who M & R was.

Ms. Glasscox stated it was owned by Paul Meng out of Snellville, Georgia.

William Herndon asked what kind of business it was.

Ms. Glasscox stated they worked on heavy equipment.

William Herndon asked if they worked on heavy equipment at that site.

Ms. Glasscox confirmed that was correct.

William Herndon asked if that work took place in the larger building.

Ms. Glasscox stated that was correct.

William Herndon asked how long the trailer had been on that site.

Ms. Glasscox stated it had been there probably two (2) years.

William Herndon asked Mr. Gilbert if he knew how long the trailer had been there as the office.

Jeremy Gilbert stated he didn't know for sure, but that while doing research on the property the tax assessor's records show the trailer as being on site as far back as 2001.

William Herndon asked what the trailer was currently being used as.

Ms. Glasscox stated the trailer was the office and that was where all the computers and office equipment and files were located.

William Herndon asked why they were coming before the Board now.

Ms. Glasscox stated a letter was sent to the owner telling them they needed a Conditional Exception.

William Herndon asked if they were given a citation.

Ms. Glasscox confirmed that.

William Herndon asked if there were any plans in place for building a permanent structure.

Ms. Glasscox stated the company was in the process of buying the land and afterwards they were planning to build.

William Herndon asked if once the property was purchased if they would then build a structure there.

Ms. Glasscox replied "yes sir".

William Herndon stated they only had twelve months to do that. Mr. Herndon asked if the mobile home had a sticker on it.

Ms. Glasscox confirmed that it did have a sticker.

William Herndon asked if it were stickered as a mobile home and if they were paying taxes as such.

Ms. Glasscox stated she thought so; however, it was paid for at the main office and she couldn't be sure what all they were paying for.

Chairman McCarter asked Ms. Glasscox if she were familiar with the Planning Staff's report and the approval with three conditions.

Ms. Glasscox stated she was.

The Chairman asked her if it were her belief that they company would be able to meet those conditions.

Ms. Glasscox replied "yes sir".

Chairman McCarter asked for any further questions from the Board.

Andy Calhoun asked if it were permissible for Ms. Glasscox to make the decision since she was not the property owner.

Chairman McCarter stated Ms. Glasscox was representing the applicant and could pass along the Board's decision to the applicant.

Cheri Hobson-Matthews stated that Ms. Glasscox was on the application and had been given permission to act as the agent on behalf of the applicant, so she would be able to make that decision.

Chairman McCarter asked for any further comments from the Board, applicant or staff. Hearing none, the Chairman reread the item and entertained the motion.

William Herndon moved to deny approval of the request. Charles Mobley seconded the motion. There being no further discussion, the Chairman called for the vote. The vote was two to five (2-5). The motion for denial failed.

Andy Calhoun moved to approve the request for the period of one year as stated. Ray McDonald seconded the motion.

Chairman McCarter asked for any discussion.

Charles Mobley asked if there were any conditions on the motion made.

Andy Calhoun amended his motion to include the three conditions. Ray McDonald seconded the amended motion. The vote was five in favor of approval and two votes against the motion. The motion for approval passes.

The Zoning Advisory Board APPROVED the Conditional Exception with the following three (3) conditions:

1. The mobile unit shall meet all codes for an office, including, but not limited to, building and fire codes.
2. Parking area shall provide a paved, dust-free surface and shall be clearly marked. Additional requirements shall be adhered to via the design criteria and standards of *Section 3-7-214* of the Henry County Code of Ordinances.
3. Condition number two (2) shall be completed in 90 days.

Chairman McCarter called for the next item on the Agenda

CU-06-36

Locust Grove Congregation of Jehovah's Witnesses of Locust Grove, GA requests a conditional use for property located north of the intersection of Peeksville Road and Burg

Road. The property is located in Land Lot 193 of the 2nd District, consisting of 6.63+/- acres. The request is for a religious facility. **District 1**

Cheri Hobson-Matthews, Assistant Director, introduced the item; Brecca Sherow, Planner I, represented Staff.

Brecca Sherow stated the applicant proposed to construct a 6,000 square foot worship center. Ms. Sherow stated there was a secondary structure or parsonage on the property and is serving as the church for the Jehovah's Witnesses. Ms. Sherow stated there would be a preacher occupying the dwelling as the acting pastor of the congregation and will be considered a guest quarters for the property. Ms. Sherow stated the site is located within the limited development area of the Tussahaw Watershed Protection District, pointing out that along the north side of the property were some floodplain and also a creek which would require compliance to the buffer requirements for the watershed district. Ms. Sherow indicated on the map the adjacent properties, stating that to the north, south and east were zoned RA, and to the west was also RA with a Conditional Use for Heritage Baptist Church and Christian School. There will be two congregations utilizing the building, on Sunday there will be two services. Ms. Sherow indicated on the site plan where the buildings were located, as well as the detention pond, stormwater management facilities, the creek area and wetlands. Ms. Sherow stated there was a proposed road and the applicant needed to preserve some right of way. She stated the applicant would have to meet all the developments per the ordinance for the parsonage. Staff recommends approval with ten (10) conditions.

Chairman McCarter entertained questions from the Board for Staff.

Chairman McCarter inquired about the additional structure which had been referred to as a guest quarters. The Chairman asked if there were some minimums that would be required on that structure.

Brecca Sherow stated that within an RA District, the minimum square foot of floor space for a lot 1.25 acres or larger is 1,000 square feet. She stated that at present it is 900 square feet, but they would have to adhere to the Ordinance requirement of 1,000 square feet.

Chairman McCarter asked for the representative for the Locust Grove Congregation of Jehovah's Witnesses.

Pete Love, 165 Braemar Road, Fayetteville, Georgia, stated he owned commercial property in Henry County. Mr. Love introduced Mr. Charles Rahming, Sr.

Charles Rahming, Sr. stated he lived at 281 New Hope Drive.

Chairman McCarter asked the representatives to tell the Board what their intentions were for the site.

Pete Love distributed an updated version of their site plan, stating that when they got there comments back they decided to go ahead with the changes, pointing out the additional 30' for the potential four lane highway. He stated they had moved the entire site back 30' just in case the four lanes went through. Mr. Love stated the parsonage was a guest quarters, in that they didn't have any paid ministers, but sometimes there was travel involved in and around Atlanta and this would be guest quarters. He stated they would be more than happy to make it 1,000 square feet and make it contiguous with the building. Mr. Love stated they had provided for parking beyond what was required. He stated they were several hundred feet from the creek, and pointed out the 100 year flood plain stating they would not be near the flood plains or creek at all. Mr. Love stated the engineers were with them at the meeting if they wished to ask them anything. He stated they build these buildings all over the United States and that they were architecturally designed. He stated that he had experience working in the Dekalb County area for his secular work, but was also in the field with his mission work. Mr. Love stated they hoped for a favorable decision.

Chairman McCarter asked for anyone wishing to speak in favor of the request.

Charles Rahming, Sr., stated he lived in the Henry County area and also was a member of the Locust Grove Congregation. Mr. Rahming stated that in looking at the plan and the various items indicated, they felt that they could support it and follow through on it. He stated they had regional support for the project.

Chairman McCarter asked for anyone else wishing to speak in favor of the request.

Susan Hart, 1901 Peeksville Road, stated they owned the property adjacent to this property. Ms. Hart stated they were not in opposition to the request at all, but wanted to make absolutely sure that there will be a buffer zone. Ms. Hart stated that originally they had been told there would be a thirty-foot (30') buffer zone, and then they were told a twenty-foot (20'). She stated they wanted it on record that a buffer did exist. Ms. Hart stated her house was located half-way up, referring to the depth of the property, and was near the property line. She stated she was there to make certain something was in place.

Chairman McCarter stated the Board would address the buffer.

Chairman McCarter asked for anyone else wishing to speak in favor of the request. Hearing none, the Chairman asked for anyone wishing to speak in opposition. Hearing none, the Chairman asked the church's representative back to the podium.

Chairman McCarter asked where the congregation was currently meeting.

Mr. Rahming stated they had a congregation building on Highway 42 just below Jodeco Road. He stated they were presently having at least three congregations, and were presently forming a congregation that would become effective April 1st. He stated they saw the need and had bought the property about two years ago and were at the point where they were spreading out and needed another structure.

Chairman McCarter asked for confirmation from Staff that the guest quarters would be required to be 1,000 square feet and 1,200 square feet.

Ms. Sherow confirmed that it would need to be a minimum of 1,000 square feet.

Chairman McCarter asked if they had read the Staff's report and if they had any problems with those conditions.

They affirmed they had read the report and were aware of the conditions.

Chairman McCarter entertained questions from the Board for the applicant.

Michael Hightower asked if the residence matched, in terms of the exterior, the main building.

Mr. Love stated the entire building would be four sided brick, architectural shingles, and the other structure will be identical to the primary structure.

William Herndon asked if the secondary structure was for the pastor or leader.

Mr. Rahming stated it should say parsonage.

Chairman McCarter asked the representative s to address the buffer question.

Brecca Sherow stated that as a requirement of the Ordinances for Conditional Uses for churches there was a required twenty-foot wide planted buffer strip along the side and rear property lines. Ms. Sherow stated the property to the north was heavily vegetated so meeting the requirement shouldn't be a problem.

Andy Calhoun asked the Chairman if that addressed Ms. Hart's question.

Chairman McCarter stated it answered the question that had been asked, and that Ordinance a twenty-foot planted buffer was required.

Mr. Love stated the church would be another thirty feet (30') away from the buffer and he could assure her they would heavily plant that with evergreen materials, enough to give her plenty of screening.

Chairman McCarter asked for any further questions from the Board or Staff.

Brecca Sherow stated she wanted to add a condition that the applicant will adhere to the requirements for a guest quarters, so it would make it clear that the secondary structure would have to meet the conditions of the ordinance.

Chairman McCarter asked for any further questions from the Board or Staff. Hearing none, the Chairman stated that since this was in his District, he would turn the meeting over to Vice-Chairman Mobley to conduct the rest of this item.

Vice-Chairman Mobley reread the item and entertained the motion.

Scott McCarter moved to approve with eleven conditions, the ten conditions in the staff report, adding an eleventh condition stating that the applicant will adhere to all requirements for guest quarters on the accessory structure. Michael Hightower seconded the motion.

Vice-Chairman Mobley asked if there was any further discussion. Hearing none, the Vice-Chairman called for the vote. The vote was 6-0-1, with six (6) in favor and one (1) abstention from William Herndon. The motion carried as stated.

The Zoning Advisory Board APPROVED the Conditional Use with the following eleven conditions:

1. All building, fire, and accessibility codes shall be met.
2. All building exteriors shall be constructed of brick, stucco, stone, or glass.
3. An exterior lighting plan shall require all lighting to be of moderate brightness and consist of downcast lighting.
4. Primary ground signage shall consist of a monument-based sign that is consistent in design with the primary structure, constructed of brick, stone, stucco, or any combination thereof, and shall not exceed eight feet (8') in height.
5. The applicant shall be required to enhance existing buffers to the north, east and west of the property to meet the twenty foot (20') wide buffer requirement set forth by *Section 3-7-142(3)(b)*. Buffer requirements of the Tussahaw Watershed District must be adhered to as set forth in *Section 3-7-159, 7.3.2 and 7.4.2* of the Ordinance regarding imperious surface and vegetative buffer setbacks.
6. The developer shall install an acceleration taper and deceleration lane in accordance with the Henry County Department of Transportation construction standards, which may warrant the acquisition of additional easements from adjacent property owner(s).
7. The entrance shall be located so that the minimum intersection sight distance is met per the posted speed limit on Peeksville Road.
8. The applicant shall coordinate with Henry County Department of Transportation and SPLOST regarding the preservation of right-of-way for future road improvements along the site's frontage on Peeksville Road.

9. Any dumpster(s) shall be placed on a concrete pad and enclosed on three (3) sides. The enclosure shall be constructed of a material consistent with the primary structure and shall be a minimum of eight (8') feet in height. All dumpsters shall be located in the rear of the property and not visible from Peeksville Road.
10. Notwithstanding anything to the contrary herein, no zoning conditions imposed herein shall be interpreted or applied in such a manner so as to require any violation of any existing building, development, stormwater and/or any other applicable codes.
11. The applicant will adhere to all requirements for a guest quarters on the accessory structure.

Vice-Chairman Mobley turned the floor over to the Chairman.

Chairman McCarter asked for the next item on the Agenda.

CU-06-37

Jay Watson of McDonough, GA requests a conditional use for property located at 425 Brannan Road. The property is located in Land Lot 35 of the 7th District, consisting of 3.06+/- acres. The request is for a guest quarters. **District 3**

Ray Gibson introduced the item; Brecca Sherow represented Staff.

Brecca Sherow stated the applicant proposed to construct a 1,298 square foot guest quarters in the rear of their property. Ms. Sherow stated the property was zoned RA, single-family dwelling. Ms. Sherow stated that guest quarters would be utilized by a relative of the applicant. There is an existing primary structure on the subject property; the building materials for the proposed guest quarters will be consistent with those of the primary structure. Ms. Sherow stated that an additional on-site septic system would be utilized per a letter from the Environmental Health Department. Staff recommends approval with three conditions.

Chairman McCarter entertained questions from the Board for Staff. Hearing none, the Chairman asked the representative from the applicant to step up to the podium.

Derek Watson, 128 Madison Avenue, Jackson, Georgia, stated he was the applicant's brother. Mr. Watson stated he did not have anything else to add at this time.

Chairman McCarter asked for anyone wishing to speak in favor of the request. Hearing none, the Chairman asked for anyone wishing to speak in opposition to the request. Hearing none, the Chairman entertained questions from the Board for Mr. Watson.

Charles Mobley asked if the applicant had seen the three conditions recommended in the report.

Mr. Watson stated he had read them in the report.

Charles Mobley asked if they were in agreement with those conditions.

Mr. Watson stated his brother went over them with him and that he was in agreement with everything.

Charles Mobley stated he wanted to see an additional condition placed on the request, and that was that the building material will be consistent with the primary structure.

Chairman McCarter asked for anything else from the Board.

Andy Calhoun asked if the applicant realized that it was not to be rental at anytime.

Mr. Watson affirmed they were aware of the condition, stating this was for their Mother so there wouldn't be any rent.

Chairman McCarter asked if there was anything else from Staff.

Brecca Sherow re-emphasized that the property shall not be used as rental property at anytime, as stated within conditions number 1.

Chairman McCarter reread the item and entertained the motion.

Charles Mobley moved to approval with the three stated conditions and adding a fourth stating that the building materials will be consistent with the primary structure.

Chairman McCarter stated there was a motion for approval with four conditions and called for a second.

William Herndon seconded the motion.

Chairman McCarter asked for any further discussion from the Board. Hearing none, the Chairman called for the vote. The vote was unanimous for approval.

The Zoning Advisory Board APPROVED the Conditional Use with the following four (4) conditions:

1. The detached guest quarters shall not be utilized as a rental unit at any time. Such a condition shall run with the property and shall be filed within the deed book at the County Courthouse. Upon filing, the applicant shall be responsible for obtaining all building permits and submitting a copy of the filing to the Henry County Planning and Zoning Office.
2. All building, fire and accessibility codes shall be met for the proposed detached guest quarters prior to being utilized.

3. Notwithstanding anything to the contrary herein, no zoning conditions imposed herein shall be interpreted or applied in such a manner as to require any violation of any existing building, development, stormwater and/or any other applicable codes.
4. The building materials for the guest quarters shall be consistent with those of the primary structure.

Chairman McCarter called for the next item on the Agenda under Rezoning.

RZ-06-58

West Panola, LLC of Stockbridge, GA requests a rezoning from RA (Residential-Agricultural) to C-2 (General Commercial) for property located on the north side of West Panola Road, west of Danner Drive. The property is located in Land Lot 198 of the 12th District, consisting of 8.40+/- acres. The request is for future commercial development..

District 5

Ray Gibson introduced the item; Andrella Slaughter, Planner II, represented Staff.

Andrella Slaughter stated the applicant requests to rezone property from RA to C-2 for future commercial development. Ms. Slaughter stated the property consists of 8.40+/- acres on West Panola Road. She stated the property was surrounded by C-2 on the north, RA and R-2 on the south, OI and RA on the east, and RA on the west. Ms. Slaughter stated the Future Land Use Map designates the property as commercial and services land uses. Ms. Slaughter stated the rezoning is part of the transition that is going on in the area into a major commercial node. This proposal is consistent with the Future Land Use Map and the County Code. Planning Staff recommends approval with the conditions listed in the report.

Chairman McCarter entertained questions from the Board for Ms. Slaughter. Hearing none, the Chairman asked the representative for West Panola, LLC to step up to the podium.

Nick Griffiths, 1280 Bailey Jester Road, Griffin, Georgia, represented Jeff Grant and West Panola, LLC for this request. Mr. Griffiths stated this project meets all the requirements for the C-2 zoning they are requesting. He stated he had worked with the Henry County Transportation Department as far as the roadway realignment with West Panola Road, indicating the area on the site plan, and with the right-of-way preservation and work with the County to make that beneficial for everybody.

Chairman McCarter asked Mr. Griffiths if there was anything else.

Mr. Griffiths stated "not at this time".

Chairman McCarter entertained public comment from anyone wishing to speak in favor of the request. Hearing none, The Chairman entertained comments from anyone wishing

to speak in opposition to this request. Hearing none, the chairman asked Mr. Griffiths back up to the podium.

Chairman McCarter entertained questions from the Board for Mr. Griffiths.

Michael Hightower thanked Mr. Griffiths for working with staff, stating he thought the road improvements were needed and he appreciated Southern Lumber's help in improving the situation. Mr. Hightower stated he wanted to go over some thing. He stated one of his biggest concerns was the impact of C-2 zoning on the residential areas that are right across the street from West Panola. There were some things in terms of landscaping Mr. Hightower thought would be helpful. He stated that they had talked about limiting the hours of operation from 6:00AM to 10:00 PM. Mr. Hightower stated that if the tenant they think will be coming in there won't be as much concern, but if a different tenant comes in there could be a fast food restaurant that is open 24 hours a day and that kind of thing. Mr. Hightower asked if there was a way to identify the tenants.

Ray Gibson suggested they make the recommendation and have the applicant give them a plan showing the division and what actually will be in a pod before they go before the Board of Commissioners.

Mr. Griffiths said they could do that.

Michael Hightower stated that Staff had recommended that on condition number 6, they add that an architectural review would be conducted by Planning & Zoning. Mr. Hightower wanted to make sure that on condition number 9, that they would coordinate with Henry County DOT (Department Of Transportation) on placement of sidewalks. Mr. Hightower asked Mr. Griffiths if her were okay with that as it reads. Mr. Hightower stated he was going to do a condition on landscaping that he would add.

Chairman McCarter asked for anything further from the Board.

Andy Calhoun asked if there was an Ordinance for times of operation in the County.

Ray Gibson replied there wasn't and Ordinance governing hours of operation.

Andy Calhoun stated he wanted to be sure they didn't go against any Ordinance that might already exist regarding times of operation.

Charles Mobley asked Staff about the lack of the application in the reports, statement concerning contributions, the Water Department letter, and so forth.

Ray Gibson stated it wasn't a mistake, but they were actually going to eliminate some of the forms. Since the Department posts the reports on the internet, they weren't going to put the full documents in the books due to right now having an overcharge on copies in our Department. We have fifteen thousand dollars budgeted and we have gone over that right now, so we are having to cut back on the amount of copying we are doing.

Charles Mobley stated that he wasn't aware he could see the report on the webpage, but would get that from the webpage in the future.

William Herndon asked who the owner of West Panola, LLC was.

Nick Griffiths stated Jeff Grant was the owner.

Chairman McCarter asked if there were any further comments or questions from the Board. Hearing none, the Chairman reread the item and entertained the motion.

Michael Hightower moved to approve the request with thirteen (13) conditions. On condition number 6, he added that an architectural review shall be conducted by the Planning & Zoning Department. Condition number twelve (12) will read: The applicant will submit a plan to Planning & Zoning, which will identify the two structures whose business hours shall be limited to the hours of 6:00AM to 10:00 PM, stating that was on the southern end of the property. Condition thirteen (13), a landscaping plan which provides for heavy screening between this property and existing residential areas shall be prepared and submitted to the Planning & Zoning Department.

Chairman McCarter stated there was a motion for approval with thirteen conditions. The Chairman asked for a second.

Charles Mobley seconded the motion.

Chairman McCarter asked if there were any further discussion.

William Herndon asked for a point of order from Staff. The motion made mention of a retail center. Mr. Herndon asked if that was anything different between a retail center or C-2.

Ray Gibson stated that C-2 is the type of zoning district the applicant had requested, and retail is a part of that zoning district.

Chairman McCarter reemphasized that retail uses was part of the C-2 zoning district.

William Herndon asked if it would limit it in anyway if they just said retail center instead of C-2.

Ray Gibson stated that retail center was not a zoning district; whereas C-2 is a zoning district. Mr. Gibson stated the request should be for rezoning to C-2, not a retail center.

Chairman McCarter stated there was a motion and second to approve the rezoning from RA to C-2 with thirteen conditions, and asked if there were any further comments. Hearing none, the Chairman called for the vote. The vote was 6-0-1, with Mr. Mobley abstaining. The motion for approval stands.

The Zoning Advisory recommended APPROVAL with thirteen conditions as follows:

1. An exterior lighting plan shall require all lighting to be of moderate brightness and downcast.
2. Dumpster(s) shall be placed on a concrete pad and enclosed on three (3) sides. The enclosure shall be constructed of brick, stone, or any combination thereof.
3. Entrance locations are to meet the minimum intersection sight distance for the posted speed limit.
4. The developer shall coordinate with Henry County Department of Transportation to preserve necessary right of way for future improvements to West Panola Road.
5. The developer shall coordinate with Henry County Department of Transportation to determine the portion of the roadway within the property limits of the previously zoned parcel to the north of this subject property regarding the road construction.
6. All buildings shall be constructed of brick, stone, glass or any combination thereof on all sides. An architectural review shall be conducted by the Planning & Zoning Department.
7. An earthen berm at least 1.5 feet higher than the finished elevation of the parking lot shall be required, consisting of one shade tree and five shrubs for every 35 linear feet of frontage (Max. slope on berm not to exceed 3:1).
8. A master sign plan shall be approved by the Planning and Zoning Department prior to issuance of sign permits.
9. The developer shall coordinate with HCDOT on the placement of sidewalks (5 feet in width) along West Panola Road.
10. There shall be inter-parcel connectivity between this development and the C-2 zoned property to the north.
11. Notwithstanding anything to the contrary herein, no zoning conditions imposed herein shall be interpreted or applied in such a manner so as to require any violation of any existing building, development, stormwater and/or any other applicable codes.
12. The applicant will submit a plan to Planning & Zoning, which will identify the two structures whose business hours shall be limited to the hours of 6:00AM to 10:00 PM.

13. A landscaping plan which provides for heavy screening between this property and existing residential areas shall be prepared and submitted to the Planning & Zoning Department.

Chairman McCarter called for the next item on the Agenda.

RZ-06-65

Four Kings Group, LLC of Morrow, GA requests a rezoning from RA (Residential-Agricultural) to R-2 (Single-Family Residence) for property located at 3736 and 3748 Jonesboro Road. The property is located in Land Lots 72, 73, 88, and 89 of the 6th District, consisting of 156.5+/- acres. The request is for the development of a single-family residential subdivision. **District 2**

Cheri Hobson-Matthews introduced the item; Andrella Slaughter represented Staff.

Andrella Slaughter stated the applicant is requesting to rezone property from RA to R-2 for a single-family residential subdivision on 156.5+/- acres off of Jonesboro Road. Ms. Slaughter stated the surrounding zonings are RA to the north, to the south are RA and R-2, to the east R-2 and also to the west is R-2. The Future Land Use Map designates the property for low-density residential land uses up to 2.5 dwelling units per acre. Ms. Slaughter stated the proposed density for this development was 1.59 dwelling units per acre. She stated the developer proposes 224 lots with an average lot size 27, 244 square feet, a minimum lot size of 18,000 square feet, stating further that the site will be on sewer. She stated the minimum heated floor space being proposed 2,000 square feet. Ms. Slaughter stated the development would include an amenities area, which is to include a heated club house with a covered patio area, a swimming pool with a separate child's pool with a waterfall feature, a playground with five or six commercial playground pieces. There is an existing house on the property which will remain as part of the development. Ms. Slaughter stated this rezoning would continue the transition from rural to low density in this area of Jonesboro Road. She stated there were several R-2 subdivisions in close proximity to the project: Jonesboro Manor, Wyntercreek, and Hampton Shores. Ms. Slaughter stated the request was consistent with the Future Land Use Map and Planning Staff recommended approval with the conditions listed in the report.

Chairman McCarter entertained questions for Ms. Slaughter from the Board. Hearing none, the Chairman asked the representative for Four Kings Group, LLC to step up to the podium.

Andy Ausband of Ausband and Farr represented the applicant. Mr. Ausband put a site plan on the viewer for the public to see. He indicated where the entrance would be off of Jonesboro Road, stating they had worked with staff to give them the desired extra space they had asked for contemplating the future widening of Jonesboro Road. He stated he thought that was 70'. Mr. Ausband stated they were currently proposing a minimum lot size of 18,000 square feet, which is what the code provides for. However, the average lot size will be just above 27,000 square feet. Mr. Ausband stated there was a need for a

second ingress/egress for this particular property, stating they had proposed a second egress/ingress for an adjoining subdivision that had recently been granted an R-2 status. Mr. Ausband indicated the location of the retention pond, and the amenities package,

which would be at the rear of the property where Pates Lake abuts the property. The amenity package they were proposing would be both an adult swimming pool and a children's swimming pool with a heated pool house and a commercial grade playground. Mr. Ausband reviewed photos of what the development would look like, stating the homes would have a minimum square footage of 2,000, with an average somewhere in the 2,400 square foot range. He pointed out the different front elevations and proposed exterior materials. He also showed a pool house the developer had built in Spalding County, stating it was 1,400 square feet with 1,100 square feet heated space. He also displayed an entryway into the amenity area which showed what the playground might look like. Mr. Ausband stated the conditions provided by staff were agreeable to the applicant, and offered to answer any questions the Board might have.

Chairman McCarter asked for anyone wishing to speak in favor of the request.

Todd Moore, 3779 Jonesboro Road, stated he lived across from the subdivision that was being proposed. Mr. Moore stated he had been a lifelong resident and realized changes were going to come and he accepted that. Mr. Moore stated he just wanted it to be a quality subdivision, and it appeared to be similar to what was being developed around them. He stated he did not have a problem with that. Mr. Moore said he had talked to Mr. Ausband on the phone regarding a lake across the street and discussed concerns about the watershed. He stated he had also talked to Ms. White and didn't think it was going to be a problem. He said he had no problem with the request, but just wanted it to be a quality subdivision.

Chairman McCarter asked for anyone else wishing to speak in favor of the request. Hearing none, the Chairman asked for anyone wishing to speak in opposition to the request. Hearing none, the Chairman asked Mr. Ausband back to the podium.

Chairman McCarter addressed Staff regarding revision or additions to the some Ordinances that would require more than one entrance to subdivisions depending on the number of lots. The Chairman asked if that had ever been approved.

Ray Gibson stated it had been talked about, and Staff was actually working on the wording to include it in the ULDC.

Chairman McCarter stated he remembered the Fire Department having a big concern for emergency access.

Chairman McCarter entertained questions from the Board for Mr. Ausband.

Pamela White asked if they were planning for the emergency exit to be a paved road between the two subdivisions.

Ms. Ausband affirmed that they were planning to pave the connecting road.

Pamela White asked if the forty foot (40') landscaped buffer was outside the right-of-way.

Mr. Ausband stated that was correct. He stated their experience with buffers was that if you just came in and put some kind of berm in and pine straw down and whatnot, that over the course of a few months it doesn't look so good. He stated they try to do a layered approach with some kind of tree and then a shrub so you can truly have a buffer instead of low-growth holly that gets about 2' tall and you have all this gray pine straw. He stated they truly tried to make it a nice berm.

Pamela White stated she had met with Mr. Strain and asked if Mr. Strain would be agreeable to the minimum 18,000 square foot lots and 2,000 square foot homes.

Mr. Ausband stated that was agreeable.

Pamela White stated they had talked about building materials. Ms. White asked if Jonesboro Manor was conditioned to four sides brick.

Ms. Slaughter stated it was listed under criteria point 9: The building materials shall consist of brick, stone, stucco, or any combination thereof on all four sides. Vinyl shall only be used in soffits, eaves, or fascia. Cement-based products can be used as accents in the dormers, gables, bay windows and above the roof line of the homes.

Ms. White asked the applicant if that condition was acceptable.

Mr. Ausband asked if the condition was stating four sides masonry.

Ms. White stated it was.

Mr. Ausband stated that was not what they were asking for. We are asking for masonry on the front and a combination on the remaining three sides.

Ms. White stated she didn't have a problem with a combination. She stated she was trying to accomplish not having hardi-plank all the way to the ground.

Mr. Ausband stated he would have to answer no to all sides masonry, but would be agreeable to a combination on the remaining three sides.

Ms. White stated they had been particular about building materials along that section of Jonesboro Road and the request would still have to go before the Board of Commissioners and Commissioner Mathis.

Mr. Ausband stated they had spoken with Ms. Mathis.

Ms. White asked the applicant if she were to condition him to four sides masonry materials, that would be something they could work out with Ms. Mathis.

Mr. Ausband asked that she condition it to a combination on three sides.

Ray Gibson asked if he would do a combination on all sides.

Mr. Ausband stated they would.

Ms. White asked if they would have a problem with being conditioned to the two pools, and a club house.

Mr. Ausband stated it would be a heated club house and it would be agreeable to them.

Ms. White stated there had been some talk of a picnic area and asked if that was going to be part of the amenities.

Mr. Ausband said he didn't know about that. He stated he knew about the heated clubhouse, adult and childrens' pool, and the commercial grade playground. He stated that in terms of a picnic area he didn't know where that stood. Mr. Ausband put the site plan back up and stated there was a kind of pavilion area with the clubhouse and that was what they were calling a picnic area.

Ms. White stated she was going to condition them to coordinate with Jonesboro Manor regarding the stubout.

Mr. Ausband stated they had already done that.

Ms. White asked if there was any type of buffer between the developments.

Mr. Ausband stated it hadn't been discussed and he didn't know the answer to that.

Chairman McCarter stated that the access would be almost like it was the same subdivision. He stated there would access from subdivision to subdivision.

Mr. Ausband stated there would be a road connecting them, but he couldn't answer regarding the buffer. He didn't know if there was a stand of trees there or not, but it would probably be viewed by the public as one subdivision.

Chairman McCarter asked for any further questions from the Board.

Andy Calhoun asked what the applicant estimated the approximate build out time to be.

Mr. Ausband stated it would probably be done in at least two phases, possibly three. He stated that in terms of how long he stated it would be two to four years.

Andy Calhoun asked if they would have any objection to doing the amenities first in the project.

Mr. Ausband stated they would not have a problem with doing it as part of phase one.

Andy Calhoun asked if that could be made as a condition. He stated it was going to be a big project and he would like to see the amenities go in during the first phase.

Mr. Ausband stated they wouldn't have any objection to the condition being that the amenities package being part of Phase I.

Ms. White asked how many homes would be in Phase I.

Mr. Ausband stated that if they did it in two phases and divided in half, there are 224 homes so there would be 120 homes in Phase I.

Andy Calhoun stated that what he was asking was not after they built out Phase I, but in the beginning of Phase I.

Mr. Ausband asked if that was after putting in the roads.

Andy Calhoun stated after pulling the permits.

Mr. Ausband stated the problem with that is you have a pool sitting there that needed maintenance and whatnot and that would be a practical concern as far as maintenance. He felt like it could be more of a liability.

Ray Gibson asked if they could do it after the twenty-fifth home or something.

Mr. Ausband stated that would be fine. He stated he thought Mr. Calhoun's concern was that it would be available to the first homeowners.

Chairman McCarter asked Mr. Strain to come to the podium and state his name for the record.

David Strain, 230 Old Conyers Road, stated he was with the Four Kings Group.

Michael Hightower stated that when the two subdivisions were connected he was assuming the only the residents of this subdivision would have access to the amenities in this subdivision.

Mr. Ausband stated that was correct. He stated he didn't know if they were going to gate it or anything at this point.

Ms. White stated that on the building materials she wanted to confirm the building materials.

Ray Gibson suggested the wording as follows: The building materials shall consist of all sides brick or a combination of two of the following material on all sides, brick, stone, stucco, cement fiberboard. Vinyl shall only be used for soffits, eaves, and fascia.

Mr. Ausband stated that would be agreeable.

Chairman McCarter asked if there was anything else from the Board or Staff.

Andrella Slaughter stated they needed to make sure to add a condition that there is a mandatory homeowners' association so they can maintain the amenities area.

Chairman McCarter reread the item and entertained the motion.

Pamela White moved for approval with the eleven conditions staff has recommended and seven additional conditions to read as follows:

12. The net density shall not exceed 1.59 dwelling units per acre, with a minimum lot size of 18,000 square feet.
13. The minimum house size to be 2,000 square feet heated floor space.
14. Side entry garages wherever possible.
15. Building materials shall consist of four sides brick, or any combination of two or more of the following, brick, stone, stucco on all four sides. Vinyl shall only be used on the soffits, eaves, and fascia. Cement based products can be used as accents, in dormers, gables and windows, and above the roofline.
16. Amenities to consist of heated clubhouse, and adult and a children's swimming pool, a playground, picnic area, and is to be completed after the first twenty-five homes of Phase I.
17. The developer shall coordinate with the developer of Jonesboro Manor to create a stubout to connect the two subdivisions.
18. There shall be a mandatory homeowners association.

Chairman McCarter stated there was a motion for approval with eighteen conditions and asked if there was a second.

Michael Hightower seconded the motion.

Chairman McCarter asked for any further discussion from the Board.

Ray Gibson asked for clarification on the building materials. Mr. Gibson restated the condition as follows: The building materials shall consist of all sides brick or a combination of two of the following material on all sides, brick, stone, stucco, cement fiberboard. Vinyl shall only be used for soffits, eaves, and fascia.

Mr. Ausband asked if the could add canterlevers as well.

Mr. Gibson stated that could be added.

Cheri Hobson-Matthews asked Ms. White to restate the condition regarding the stubout .

Ms. White stated the developer of the proposed subdivision and Jonesboro Manor shall work together to create a stubout connecting the two subdivisions.

Ms. Matthews stated the condition could be interpreted as having to have the stubout and the road, and suggested changing the wording as follows: The second entrance, emergency exit or stubout, if feasible to the development shall be provided. Ms. Matthews stated that would at least give them three options should the developer next door decide not to develop the property.

Chairman McCarter asked Ms. White if she were amending her motion.

Ms. White stated she was. Mr. Hightower seconded the amended motion.

Chairman McCarter stated there was a motion and a second for approval with 18 conditions. The Chairman asked if there was any other discussion from the Board. Hearing none, the chairman called for the vote. The vote was 6-1-0, with Mr. Guimarin in opposition. The motion for approval passes.

The Zoning Advisory Board recommended APPROVAL with eighteen (18) conditions as follows:

1. Developer shall plant a forty foot (40') wide landscaped buffer to serve as a visual screen between Jonesboro Road and the lots abutting the right-of-way of Jonesboro Road. The following number of plant materials shall be required for each fifty linear feet (50'), or portion thereof, of the required property buffers:
 - a. One canopy tree
 - b. One evergreen tree
 - c. One understory tree
 - d. Five shrubs
2. Underground utilities and streetlights shall be required.
3. All yards shall be sodded to the rear drip line of the houses.
4. There shall be a tree-lined streetscape that will include one tree to be located on each interior lot and two trees located on each corner lot. Canopy, evergreen, and/or understory trees may be included in the streetscape.
5. There shall be uniform mailboxes throughout the subdivision.

6. Sidewalks shall be installed on both sides of the interior streets.
7. For future road widening purposes the developer shall work with the HCDOT and SPLOST to preserve right-of-way along site's frontage to achieve a right-of-way of seventy foot (70') measured from the centerline of Jonesboro Road to the front property line of the subject property.
8. The developer shall install acceleration tapers and deceleration lanes for each entrance, to be constructed to Georgia Department of Transportation standards.
9. Each entrance shall meet the minimum intersection sight distance required per the posted speed limit of Jonesboro Road.
10. A second entrance, emergency access or stubout to the development shall be provided. All entrances must meet the fire code. The applicant shall coordinate with the Henry County Fire Department.
11. Notwithstanding anything to the contrary herein, no zoning conditions imposed herein shall be interpreted or applied in a manner so as to require any violation of any existing building, development, stormwater and/or any other applicable codes.
12. The net density shall not exceed 1.59 dwelling units per acre, with a minimum lot size of 18,000 square feet.
13. The minimum house size to be 2,000 square feet heated floor space.
14. Each house shall have a minimum of a two-car garage with side entry where feasible.
15. The building materials shall consist of all sides brick or a combination of two of the following material on all sides, brick, stone, stucco, or cement fiberboard. Vinyl shall only be used for soffits, eaves, cantilevers, and fascia.
16. An amenities package, to consist of a heated clubhouse with a covered patio area, a swimming with a separate child's pool with a waterfall feature, a playground with 4-5 commercial playground pieces, to be installed after the first twenty-five (25) homes of Phase I are constructed.
17. The developer shall coordinate with the developer of Jonesboro Manor to create a stubout to connect the two subdivisions.
18. There shall be a mandatory Homeowners' Association.

Chairman McCarter called for the last item on the Agenda.

RZ-06-66

Majestic Realty Company, c/o Dillard & Galloway, LLC of Atlanta, GA requests a rezoning from RA (Residential-Agricultural) to M-2 (Heavy Manufacturing) for property located on the west side of Highway 42, north of King Mill Road. The property is located in Land Lots 198 and 219 of the 7th District, consisting of 163.24+/- acres. The request is for the development of an industrial warehouse distribution facility. **District 1**

Ray Gibson introduced the item; Jessica Guinn, Planner II, represented Staff.

Jessica Guinn stated the applicant was requesting to rezone 163.24+/- acres from RA and M-2 to M-2. Ms. Guinn stated that a portion of the property, approximately 39.50 acres, is already zoned M-2, and 123.73 acres is currently zoned RA. Ms. Guinn stated the applicant was seeking to rezone the entire tract to M-2 in order to have consistent zoning conditions throughout should the zoning be approved. The property is located on the north side of King Mill Road and has frontage along the west side of Highway 42. Ms. Guinn pointed out that on the Zoning Map the property was surrounded by industrial land uses to the north, west and to the south. To the north, just for you to get your prospective of exactly where this is at, is the Toys-R-Us Distribution Center, and over to the west is the King Mill Distribution Park. Ms. Guinn stated the Future Land Use Map calls for industrial and wholesale land uses on the property, so the request is consistent with the future Land Use Map. Ms. Guinn indicated on the site map where the applicant was proposing about 2.8 million square feet of warehouse space. She stated there were six buildings proposed, with one large building in the center. The Georgia Department of Community Affairs requires that industrial development exceeding 500,000 of floor space go through the Development of Regional Impact Review. Ms. Guinn stated this development has gone through that Development of Regional Impact Review with GRTA and also the Atlanta Regional Commission. GRTA has issued a notice of decision last week recommending approval of the development with several conditions of road improvements. Ms. Guinn stated the applicant was proposing two entrances from King Mill Road., and three entrances from Highway 42. The Norfolk Southern Railroad is to the west of the subject property and the applicant proposes to have two spur tracks that will provide the larger building in the middle, as well as the two smaller buildings in the middle, with railroad access. Ms. Guinn stated the development is within the Indian Creek and the Tussahaw Creek Watershed Districts and will be required to use the guidelines and requirements for the Watershed Districts. She stated that one of the guidelines with those districts was that development within the limited development area of the watershed is limited to 25% of impervious surface cover. The DRI report that was issued by the Atlanta Regional Commission estimates approximately 80% of the development would be impervious surface cover. The Ordinance, however, does provide for an increase in impervious cover with the submission of a detailed stormwater management plan that must be approved by the Stormwater Management Department. Staff recommends approval of the request with the fifteen conditions listed in the Staff report.

Chairman McCarter asked if there were limitations, other than the 25% impervious surface, that must be met based on the Stormwater regulations.

Jessica Guinn stated there wasn't a cap listed within the Ordinance as far as if you provide a Stormwater Management Plan you can increase it to 50%. There is no such cap in the Ordinance and that would be left to the discretion of the Stormwater Management Department. Ms. Guinn stated she thought the applicant was proposing some type of underground stormwater management for the development.

Chairman McCarter entertained questions from the Board for Ms. Guinn. Hearing none, the Chairman asked the representative for Majestic Realty Company to step up to the podium.

Woodson Galloway, 3500 Lenox Road, Atlanta, Georgia, was present to represent the applicant. Mr. Galloway stated the rezoning was for the 163.24+/- acres at King Mill Road and Highway 42. He stated a good portion of the property was already zoned M-2. He stated they were seeking to rezone the balance to the M-2 classification. Mr. Galloway pointed out that it was consistent with the Future Land Use Map's recommendation; and also with the area zonings, with industrial to the north, to the west and to the south, so it is consistent with the existing development the area and also with the Future Land Use Plan. Mr. Galloway stated they went through the DRI procedure and the ARC and GRTA did make a recommendation for approval. He stated that Staff had made a recommendation of approval with conditions. Mr. Galloway stated this was a major development that has been the subject of both County and State Economic Development efforts to attract a specific brand named appliance manufacturer to the site. He stated they were very close in negotiations for them to occupy the 1.6 million square foot building, the large building, on the western side of the development. Mr. Galloway stated this development would have a significant economic impact to the County. It is anticipated there would be approximately 600 jobs created as a result of this. Mr. Galloway stated it would have a million dollars of annual tax revenue generated as well. Improvements on this site will be about 120 million dollars worth of actual improvements.

Chairman McCarter entertained public comment from anyone wishing to speak in favor of the request. Hearing none, the Chairman entertained public comments from anyone wishing to speak in opposition to the request. Hearing none, the Chairman asked Mr. Galloway back up to the podium.

Chairman McCarter entertained questions from the Board for Mr. Galloway.

Chairman McCarter asked if there had been any determination as to how King Mill Road may be realigned, either the eastern part of the western part, based on the DRI report.

Mr. Galloway stated the DRI report recommends two signals. The County was already in the process of getting signalization approval for both intersections at King Mill Road and Highway 42. Mr. Galloway stated that did not achieve approval based on a cost benefit

analysis, but ARC and GRTA are recommending that those two intersections be signalized as a part of the overall development improvements in the area. He stated he was sure that Majestic Realty would be asked to make their fair share of contribution to that. Mr. Galloway stated there was a concept of realigning King Mill Road so that King Mill Road would intersect at a right angle or be straight through. He stated that was something the applicant was interested in pursuing, but doesn't have control of the property on the other side of the street at this point. Mr. Galloway said that may be something that would be forthcoming in the future, but at this point and time it was beyond this request. He stated the DRI proposal did recommend signalization at both intersections; however, if realigned, then one signal at the King Mill Road intersection.

Chairman McCarter asked staff if recommendations from the DRI had to be done with the development of this impact.

Jessica Guinn replied that the items listed on attachment "A" from the DRI would have to be completed either by the County or the developer in order to maintain our Qualified Local Government Status.

Chairman McCarter stated he would like to go back to the impervious surface item, where being in the limited development area limiting impervious surface to 25%, where this development is estimated at 80%. The Chairman asked Mr. Galloway to elaborate on how that is addressed, and why the Board should move to approve this request with it being in the limited development area of the watershed and not meeting that Ordinance.

Mr. Galloway stated their engineers had been working with the watershed management folks and did understand the rules and regulations, and are anticipating, as illustrated, having underground facilities; potentially doing some additional items that would compensate for the impervious surface. Mr. Galloway pointed out the Board was approving the zoning district, but they also had to go through and get approval from the Stormwater Management Department. He stated they realized that, and it was a separate process they were dealing with.

Chairman McCarter asked Mr. Galloway if he were familiar with all the recommendations in the staff's report; the DRI recommendations and those from Staff.

Mr. Galloway stated he was familiar with the recommendations.

Chairman McCarter entertained any further questions from the Board for the applicant.

Michael Hightower asked Mr. Galloway if the main tenant would be a manufacturing facility, or a warehouse facility.

Mr. Galloway stated it would be a warehouse distribution facility. It would be a southeastern distribution center for a major brand that everyone would recognize, someone that Henry County would be glad to have as a major tenant in the County.

Chairman McCarter asked if there was anything else from the Board.

Chairman McCarter stated that since the request was in his District, he would like for Vice-Chairman Mobley to read this item and call for a motion.

Vice-Chairman Mobley read the item and entertained the motion.

Scott McCarter moved for approval with the fifteen conditions in Staff's report. William Herndon seconded the motion.

Vice-Chairman Mobley asked for any further discussion from the Board. Hearing none, he called for the vote. The vote was unanimous to approve.

The Zoning Advisory Board recommended APPROVAL with fifteen conditions as follows:

1. Conditions to GRTA Notice of Decision

Development Intensity and Use

- Preserve at a minimum an additional 20 feet of right-of-way along property frontage abutting SR 42.

Road Connectivity and Internal Circulation

- No internal left-turning movement shall occur within 200 feet of SR 42 as measured from the stop bar.
- No internal right-turning movement shall occur within 150 feet of SR 42 as measured from the stop bar.
- Provide a maximum of three access points onto SR 42.
 - One of the access points shall align with the eastern leg of King Mill Road
- Provide an internal vehicular connection between King Mill Road and SR 42.

Parking Facilities

- No parking lot shall be permitted within a minimum of 10 feet of the centerline of any rail line. If the railroad authority requires a different clearance, the stricter of the two shall apply.

Pedestrian Facilities

- Provide sidewalks connecting all parking areas to building entrances.

Roadway Improvements as Conditions to GRTA Notice of Decision

The following improvements are required on and adjacent to state routes:

SR 42

- Preserve at a minimum an additional 20 feet of right-of-way along property frontage abutting SR 42.

SR 42 at Site Driveways

- Install left-turn and right-turn lanes at all access points.
- Design storage lengths based on truck queues and GDOT regulations.

King Mill at SR 42 (western and eastern legs)

- Provide two westbound lanes along the eastern leg of the King Mill approach at SR 42.
- Either realign the two legs of King Mill Road to one intersection with SR 42 and signalize,
- Or signalize both the eastern and western leg intersections with SR 42.

The following improvements are required on non-state routes:

King Mill Road at Site Driveways

- Install left-turn lanes and right-turn lanes at all access points.
2. All buildings shall be constructed of brick, stone, concrete, glass, or any combination thereof. Stucco shall be allowed for architectural accents only.
 3. The Planning and Zoning Department shall approve the architectural design of all proposed building plans prior to the issuance of a building permit.
 4. Dumpsters shall be placed on a concrete pad and enclosed on three (3) sides. The enclosure shall have consistent character and design details that reflect the architectural design of the project, and shall not exceed eight feet (8') in height.
 5. An exterior lighting plan shall require all lighting to be of moderate brightness and consist of downcast lighting.
 6. Primary ground signage shall consist of a monument-based sign and shall have consistent character and design details that reflect the architectural design of the project.
 7. Developer shall submit a master sign plan for review and approval of the Planning and Zoning Department prior to the issuance of any sign permits.
 8. An earthen berm at least six feet (6') higher than the finished elevation of the parking lot shall be required, consisting of one shade tree and five shrubs for every thirty-five linear feet (35') of frontage along Highway 42.
 9. A detailed landscaping plan shall be submitted. The Planning and Zoning Department shall have final approval of the plan prior to issuance of any permits.
 10. A stormwater management plan detailing the stormwater control structures proposed for the development shall be required to be approved by the Henry County Stormwater Management Department prior to issuance of any permits. Stormwater management facilities shall be designed and constructed utilizing the principles of Best Management Practices and the most recent edition of the Georgia Stormwater Manual.
 11. Entrance(s) shall meet the minimum sight distance required per the posted speed limit of the road.
 12. Entrance(s) on King Mill Road shall be aligned directly across from opposing drives where possible. If this is not possible, as determined by Henry County

- Planning and Zoning and HCDOT, there shall be a minimum separation of 125 feet between centerlines of drives.
13. The developer shall have a pavement investigation performed on King Mill Road by a certified geotechnical engineer. The report and recommendations shall be forwarded to HCDOT for review. If warranted, as determined by HCDOT based on the pavement investigation report, the developer shall improve the pavement section along the site's frontage on King Mill Road to HCDOT standards.
 14. Any access from Highway 42 shall be approved by the Georgia Department of Transportation (GDOT) and shall have acceleration lanes/deceleration tapers to be designed and constructed to GDOT standards.
 15. Notwithstanding anything to the contrary herein, no zoning conditions imposed herein shall be interpreted or applied in such a manner so as to require any violation of any existing building, development, stormwater and/or any other applicable codes.

Chairman McCarter asked for any comments from Staff.

There were no comments from Staff.

Chairman McCarter entertained public comment.

There was no public comment at this time.

Chairman McCarter adjourned the meeting at 9:02 p.m.

Scott McCarter, Chairman

Ray Gibson, Director

Cheri Hobson-Matthews, Assistant Director

Transcribed by Dianne Pinson,
Secretary to the Board

Shay Mathis, County Clerk