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Clayton County
Community Development Department
121 S. McDonough St. Annex 2
Jonesboro, Ga. 30236



PATRICK EJIKE
DIRECTOR

Clayton County Zoning Advisory Group
Minutes of September 2, 2015

The regular meeting of the Zoning Advisory Group was held this date of September 2, 2015 in the Commissioners Board Room, Administration Building 112 Smith Street, Jonesboro, Georgia.

Members present were: Chairman Herman Turner, Board Member KC Watts, Board Member Kevin Lewis, Board Member Frenda Norwood, Board Member Rae James and Board Member Larry Bussey. Kimberly Smith, and Linda Willis were present from Community Development.

Members absent: Legal counsel was not represented.

The meeting was called to order at 7:00pm by Chairman Herman Turner. The pledge of allegiance was said in unison.

The motion to approve the agenda was made Board Member Kevin Lewis and seconded by Board Member Frenda Norwood. The vote was unanimous.

The motion to approve the minutes of August 3, 2015 was made by Board Member Frenda Norwood and seconded by Board Member Larry Bussey. The vote was unanimous.

Chairman Herman Turner asked for recognition of anyone having business with the Zoning Advisory Group. There were none.

Chairman Herman Turner asked if there were any Reports of Committees or Old Business. There were none.

The Procedures for the Clayton County Zoning Advisory Groups' Public Hearings was given by Ms. Linda Willis.

The Chairman called for New Business.

a. PEZ-15/06-207

The Applicant, **Wanda Moore** on behalf of The Bank of Georgia c/o H. Russell Byrd is requesting to combine five (5) lots in the **Stoney Creek Residential Subdivision Phase 3** for the purpose of constructing an amenity area and to Re-Plat Final Plat. The lot combination request is for parcels identified as 05113D-D008; 05113D-D009; 05113D-D010; 05113D-D011; 05113D-D012. The subject properties are located in Land Lot 113 of the 5th District. The property is zoned RS-180-Conservation.

Commissioner District 3 – Shanna M. Rooks

The staff report for case PEZ-15/06-207 was given by Kimberly Smith of Planning and Zoning.

Chairman Herman Turner called for the petitioner to present their case. There were no representation present.

The motion to **table** Case# PEZ-15/06-207 due to no representation, was made by Board Member Kevin Lewis and seconded by Board Member KC Watts. The vote unanimous.

b. MOD-15/07-5

The Applicant, **Chris Knight** on behalf of RES-GA MMC, LLC, is requesting modification to conditions of zoning. The request is for properties located in the **Garners Ridge Residential Subdivision**. The subject property is approximately 19.821 +/- acres of land, located in Land Lots 113 & 114 of the 5th District. The property is zoned RS-180-Conservation.

Commissioner District 3 – Shana M. Rooks

The staff report for case MOD-15/07-5 was given by Kimberly Smith of Planning and Zoning.

Kimberly Smith: The Planning & Zoning Staff did not make a recommendation. The decision is at the pleasure of the Board. The Applicant is requesting to modify the following zoning conditions:

1. Proposed: There will be side entry garages on all corner lots. Current: There will be side entry garages on all suitable lots
2. Proposed: All homes will consist of brick, stone, stucco or cement siding on all four sides with the front side being at least 50% brick or stone, soffits shall be vinyl. Current: All homes will be brick or stone construction on all four side.

Chairman Herman Turner called for the petitioner to present their case.

The petitioner was represented by Mr. Chris Knight. Located at 9497 Thornton Blvd., Jonesboro, GA

Mr. Chris Knight: I grew up and went to school in Clayton County, and my office is in Clayton County for 26 years at its present location. I have been building homes in Clayton since about 2002. I met with Staff on several occasions, met with the Community last week during the Community Informational Meeting (CIM) and presented the presentation there. The first condition we sought to change was the side entry garages. After meeting with Staff it was determined that we meet that condition without modification. The main condition we are discussing is the four side brick or stone. (He asked the Board to refer to the package he gave them to the summary of the project). There will be 51 home sites. These home sites are your typical 72 feet wide houses, they are on sewer, it is a conservation zoning, 7.4 acres of open space, and currently there are no homes in the Garners Ridge Subdivision. It was platted back in 2007 right before the crash. The location is exactly 2.5 miles from the Publix, and 1 mile from McDonough Road. If you look at slide #4 we have a large powerline easement to our east, and residents of large neighbors around the community. Then there is three homes with vinyl siding and brick fronts on McDonough Road just north of the community. This give you a snapshot of what it looks like. There are a few more features in here that is adjacent properties to the north. I spoke with that owner at last week meeting and his main concern was privacy and the separation of the lots that back up to his property. I do want to point out that his house is not four side brick, it is cedar siding. To the west of the property is slide #6, there are two homes there that is somewhat across the street from this entrance. One of them to the north is brick and siding and I am not sure about the other one. Slide #7 is the house directly to the south and I want to point out it is not four side brick. Slide #8 southwest is somewhat a metal building with a chain- link fence. Slide #9 is currently what the entrance look like and you can't tell because of the vegetation that is grown up, but there is a fairly good size berm all the way up New Hope Road. Coming from the south to the north looking at that berm it is somewhat a buffer and when I look at the lots from New Hope Road it did not appear to me that the houses would not be all that visible. Slide #11 is actually the request and what we are requesting is to be able to have more flexibility than what we current zoning allows. We would like to be able to offer/submit hardi-plank style siding, and we would like to have the flexibility to discuss with the customer who want us to offer brick, stone, stucco or cement siding on all four sides with the front side being at least 50% brick or stone, soffits shall be vinyl. The big change on that would be that the sides and rear would not be mandated to be brick, but we would offer that to customers. Slide #12 is an example of a recent built home off of Lakewood Road that is currently allowed. If I built this home and put brick on the side and rear of this home, it would be the correct condition for this zoning. I would like to point out, if it is brick, does it equal quality just because it has brick on it. I don't have a problem with it, but I don't think it's all that attractive. Slide #13 is a home we recently built that is hardi-plank, vinyl siding, shanks in the gable, and gutters on the front, cedar columns with brick bases and it is architecturally pleasing, and we believe sustainable. Our modification request is to allow us to do something like this. Attached are more pictures of houses that would be allowed if the modification is granted. We will have a Homeowners Association that is mandated by the zoning. The Planning Director (Patrick Ejike) advised us of that and he wants that in place before the building permits are pulled, and we do not have a problem with that. In the Homeowners Association documents we will have architecturally control and these are some of the things we would propose to protect the aesthetics of the homes. We will be open to suggestions of Staff or the Board to include other things into the HOA architectural controls. So that's just a short summary of the modification request. I will be glad to answer any questions.

Chairman Herman Turner called for anyone that was in opposition of the petition.

1. Mrs. Jimmie Mikoy, President, located at 11406 Azalea Trial, Hampton, GA

Approximately nine years ago the developer of the Garners' Ridge Subdivision maintained the quality of homes in the New Hope/Panhandle area have been known for their quality custom built homes, as well as large lots. We were successful in negotiating that entire level of standards that was found in the surrounding area. The original stipulations that was agreed upon has already been changed by the Commissioners without the consideration of the surrounding properties values. Taking the 45 originally scheduled lots to 54 lots, which is not in line size wise with the surrounding area unique community with particular destination being higher quality priced. We are most interested in protecting the value of our properties. We would like to see the stipulations of four side brick or stone remain, or at the very less three side brick or stone, which adds more value as well as the side entry garages. As proposed, the houses that are being proposed looks very much like the Stoney Creek Subdivision that is down the road which has less quality homes. My husband and I walked through them today. They do not have crown molding, they have this basic crown molding; and no granite counter tops. Since the economy is turning around and the structure of homes is lesser value and quality is being reduced, it's imperative that we do what we can to maintain and increase our property value. The Garners Ridge development will have a direct impact on our property values. Before you make a decision to grant the request of modifications or to give a recommendation to them, I will invite you to ride through our community, look at our homes, visit our subdivision and see firsthand our higher quality homes within our community. Clayton County need to

value and maintain the unique destination. Clayton County need more areas of unique destination. Clayton County has homes that people would pay a higher price for if they had the quality.

2. James Mikoy, located at 11406 Azalea Trail, Hampton, GA

I have a couple of questions for him, is it appropriate. Chairman Turner: You can put the question out and he can make a note of them and when he comes back he can answer them.

James Mikoy: No one mentioned the value of these homes. Also, I am still reading these stipulations, which indicates there are three different levels of houses basically from a standpoint of square footage that was originally involved in 2006. Is that still in place? **Kimberly Smith:** Yes.

James Mikoy: I would like to know from each of you, do you know where Plantation is, have you been there? **Chairman Turner:** I know the area. **James Mikoy:** Have all of you been through our development? Have any of you been over to Garners Ridge? Rise your hands please if you don't mind. Only one of you have been to our development and one of you to Garners Ridge. I would strongly encourage you before you make a decision, get into your automobile, and come out and visit our community. I am opposed to what Chris said before. There is a very large distinction between what is being proposed on his site and what our development is. We have a custom built community and is on one acre lots, with three side brick, side entry garages, and high level of material inside. He proposes nowhere near what we have. The comments that was made earlier regarding the homes in the immediate area, he mentioned a metal building, if you look at that house, that house was probably built in the 50's maybe 60's and was strictly an agriculture area. He also mentioned the house was built a long time ago and before the standards were alter. You can't base or compare what he's referring to, to what we have right now. So again I encourage all of you to take the time before you make a decision to please visit our community and see for yourselves. It is not fair to any of us or any people on New Hope Road that you set here and make a decision on something you don't even know what it looks like. I know you have the Plat, but you cannot make a decision based on what's on the Plate.

To add to my wife's prior comments, I would like to stress the following: 1) Our major concern about the developer is retain surrounding home values. I saw some of the pictures and there was some reference to Craftsman style homes. I know what a craftsman house is, these are not. 2) I was directly involve with the original developer back in 2006. This is how all these things got put together to develop the three different level and size. In the beginning there were to be 45 houses, but for whatever reason the Board of Commissioners made a modification to bulk it up to 51, without notifying us. So you have already made one modification to what was originally designated to this area. Now you are asking for more designations further rocking the balance. The decreased in lot size also contributed to the change in size of the garages. I am a little confused in the verbiage as to which lots will be with side entry garages. Looking at the plat, there are only four lots with side entry garages, that's a far cry from four houses to one house with side entry garages. Side entry garages is made of certain material which directly contribute to value. There are people in the market that are ready and willing to buy upper level homes. If Fayette County can offer these homes, then why can't Clayton County. I encourage the Zoning Board to keep the provisional stipulations from Garners Ridge. Thank you. I would like answers to these questions.

3. Steve Plant, located at 11561 New Hope Road, Hampton, GA

I am not a resident of the community they are speaking of, but I do live directly on Cedar Grove. I've been there 16 years. I graduated and my children from Clayton County Schools and I am still a Clayton County resident. One reason I moved to this area is because of the warm feel on it. My lot is two acres, and I have a four sided brick home, I really love the feel of the area and all the homes in the area. The ones he is referring to are older homes and they look like something that has been thrown together. One thing I would like to say to Chris is way would you want to hide it, hiding is not for its value point. The four sided brick is what makes an excellent home, and if you put vinyl on the homes, then hide it with a berm, that's not going to make any more valuable. It's still going to be a non-four sided brick home. I plan to live in this area until I am no longer living and it distresses me that I keep seeing it going down in its value. I would like to live there for now on and pass it over to my children.

4. Norma Parker, located at 11199 New Hope Road, Hampton, GA

I live directly across from Garners Ridge and we are not asking for a modification. I ask you please, please try to improve Clayton County and make it a County we can be pride of.

5. Elmore P. Bellamy, located at 932 Magnolia Way, Hampton, GA

I relocated to here in 2002 looking for something nice for my family, and right now that's where we are at.

6. Gary Howard, located at 939 Magnolia Way, Hampton, GA

You have already heard from several of my neighbors. I moved here 13 years ago. I am retired from the military/Air Force and I brought my family here for a home community where we could retire and live. It took a long search before I found something in Clayton County that met that expectation and that's the only reason that I moved into the community that I'm in. The homes in that community is 4 side brick most of them, we have side garages and we work very hard to keep our community at a level of quality that's acceptable to most people who are looking for somewhere nice to live. We often have people that visit us not only from other counties within Georgia, but from out of state that say they are surprise that

we have a community like this within Clayton County. Mr. Knight came before us and talked about he has an office in Clayton County--, great he has an office in Clayton County. We live here in, he doesn't live here. So when he build those homes he's leaving after he make his profit. We do not believe that this gentleman cannot make a profit in Clayton County according to what we are asking. Secondly, you talked about a house on Lovejoy Road, we are not talking about Lovejoy Road, we are talking about New Hope Road where we live. When I moved here 13 years ago, Panhandle Road had very few homes along Panhandle Road between The Lakes and McDonough Road. We have seen subdivision after subdivision be built without the same quality as the home on Panhandle. Panhandle is something we need throughout Clayton County. It has changed, and don't need it to change anymore. So I kindly ask the Board to consider all the things my neighbors and myself has brought before you to make a decision that would be an improvement for Clayton County.

7. James Moss, located at 11364 Azalea Trail, Hampton, GA

I would like to thank you for giving me the opportunity to address the Board with my concerns. There is a distinct difference between quantity and quality. Why should I be penalized for the sake of quantity verse quality? I was on vacation and I had neighbors to call and email me saying this is what we have to do. They watch my home, just like where I grew up, it takes a village to raise a child. Everyone in our subdivision look out for one another. I have nothing against the developers, but the biggest concern is profitability. From 41 houses to 45 to now 51, 4 acres lots down to ½ acre lots so they can generate more revenue. I am a resident and I am here to stay. I want to be an example in bringing other people here. I can't bring people here if you continue dropping our standards to meet quantity instead of quality.

8. Joe Roache, located at 927 Magnolia Way, Hampton, GA

I may be a little repetitious, I will try not to be too much. For a little history lesson you may not need to hear, but I am going to say anyway. When these concessions were originally made to the standards, the original developer came around to our subdivision to try to get us not to oppose changing the minimum lot size, which at that time was 1 acre lots. There were several attempts. One of our neighbors was opposed of breaking the land use with the 1 acre lots. The fact that was only about 9 useable acres out of this, I think 54 acres, and 45 lots, that's 5 lots per acre. At that meeting when they approve his plans was the very first time they broke the land use line and two different requests were not even approved, the first time they ever done that. If I did not misunderstand him, first he talked about there was going to be a four sided brick/stucco, then I thought he said there will be three sides hardi-plank. Another thing I didn't hear any developer plan discussed on limits on plank front side. They can come in and build 51 hardi-plank side houses if this is approved. I still don't see any good reason to change the agreement that was made that broke the land use plan. That's about all I have to say.

Chairman Herman Turner asked Mr. Chris Knight to address the concerns/questions from the community from the Public Hearing. He then asked Mr. Chris Knight to hold on for moment and asked Mrs. Jimmie Mikoy to come back up for they had a question to ask her.

Board Member KC Watts: When you met with the community, what was the arrangements that made them happy? **Mrs. Jimmie Mckoy:** The average size is 1 acre, that's minimum.

Board Member KC Watts: In your subdivision do you have 2-story, ranch, or combination? **Mrs. Jimmie Mckoy:** Combination.

Board Member KC Watts: What type of garages? **Mrs. Jimmie Mckoy:** All one side car entry garages.

Board Member KC Watts: How many homes? **Mrs. Jimmie Mckoy:** There are 27 homes.

Chairman Herman Turner: Okay Mr. Knight, I hope you made notes and will be able to answer the questions that the residences had for you.

Chris Knight: Yes. I appreciate all the comments and I get it. We've built some of the same neighborhoods. I am originally from the area of Clayton County, so I certainly understand all of the comments. What we have is a neighborhood that hasn't been built out and we have certain forces we have to contend with. One is the market; what the market wants; what the market will pay; and we have some physical constraints with regard to topographic. We have an enormous powerline to our east that many of the lots back up to. So, we have those issues that we as a builder have to look at and consider. We have competitors, one was mentioned by one of the speaker down the road. We have to be aware of what they are selling and what we are selling it form and how the market is responding. We look at all those things. As I mentioned to the residences that came out last week to the Community Meeting, I love to sell for as higher prices as possible. It doesn't mean me no good for houses to be devalued. So we have this clean slate, we think we can do something great with it. To some people they may not be quality, because they are defining quality as brick basically. But we are confident that they can and will be quality. If you have the Staff Report with the photos of the different style houses, those houses are in Forsyth County, we built them recently and those houses sell for over \$300,000. They are similar lot size as to what you see here. But they are not brick and they are not cheap. There are people down the road that paid good money at higher prices for houses that are not necessarily all brick. I just wanted to point out where those houses were and what they were selling for. I heard from The Planation last week at the Community Meeting, a beauty neighborhood, you would love it, fantastic, but not everybody could afford to live there. I am not sure how old the

homes are, the lots are large one to two acres as we mentioned, and there are 26 homes that I counted. I also went through the other neighborhood on New Hope and Pine Needle. I would suspect that the residences of the Magnolia and The Planation would have some complaints about the houses, yards and up keep. I don't know if Pineneedle have a neighborhood home association, I would suspect they do not. There are some homes in there that are four sided brick and there are some nice homes in there, but there is some variety also. The word quality was used a lot in the beginning, there is no less quality that goes into our houses just because it does not have brick on it. Custom built was mentioned, we've built custom homes, production homes, we will build whatever the market wants to buy, because we respond to the market. The last speaker had a question about hardi-plank on the side. My comment to that is we will offer if someone wants to buy all four side brick, they are welcome to do that, we will build that, we are not saying we want but it would be up to the discretion of the purchaser. There were a lot of comments about lot sizes and what happen nine years ago. I wasn't there, and I wasn't the developer. But there were 51 lots approved and final platted, and developed, and there is nothing that's going to change that. Obviously what I need to deal with you as a competitor is to offer a better product at a competitive price. I did look up Magnolia Planation on builder.com and there is one hone for \$175,000, it seems like a great deal to me.

(Someone in the audience spoke out, and the Chairman Turner instructed them to give the same respect he gave them).

Mr. Knight continued: There is one closing this year for \$239,900. We don't know what our houses will be priced at, yet we will have houses in Garners Ridge that were more expensive than the recent sale in the Magnolia Plantation community. I only point that out to go back to the comments mission about value. There's nothing that we are proposing in Garners Ridge that would reduce the value of the homes in Magnolia Planation. The square footage is correct. One of the conditions was that the minimum square footage will be higher than the minimum square footage allowed under the conservation zoning category in which the property was zoned, and that's 2200, 2500, 3000 square feet in which a certain percent of the homes would need to be each of the square foot levels. We are not asking to change that.

The comment about hiding the houses, that wasn't my point. My point was when driving pass a neighborhood, I like for it to be beautiful when I ride pass it. But if I don't live in there, then I really don't care what the houses look like if I don't see them. If you pass Garners Ridge, there is a berm that would buffer the houses from the view as you travel down New Hope Road. We certainly are not trying to hide the houses.

There was a comment about me not living in Clayton County. I don't live in Clayton County, but I still have an interest in Clayton County. I would like to see some really cool things happen in Clayton County, and I think the current Planning Director (Patrick Ejike) has a good vision for that.

Quantity –vs- Quality was mentioned. The quantity of the lots will not change. There will be 51 homes built as platted nine years ago.

Chairman Herman Turner asked if there were any questions from the Board Members.

Board Member Rae James: Can you tell us if your company has the capacity to deliver housing the way the current community wants it to be? **Chris Knight:** If the conditions is not modified we will not be building houses in Garners Ridge, the capacity in the standpoint of ability, certainly.

Board Member Rae James: You had a Community Meeting with the members of the community? **Chris Knight:** The zoning application required that we notify the residents within a certain distance of the community, and we did that. Then last week we had the Community Information Meeting (CIM). I think why some of the people here were not aware, was because of the distance from our community to their community was outside of the required notification area. The list was provided by Staff.

Board Member Larry Bussey: Why didn't Staff make a recommendation on this case? **Kimberly Smith:** Staff wanted the decision to be made by the pleasure of the Board. Staff prepared a very detailed Staff Report and provided the facts of the case for the Board to make a decision based on those facts.

Board Member Larry Bussey: I don't know if this is out of order, but I am going to ask a question before making the change. You said that you couldn't give a price range of the homes being built. But am I incorrect to say that there was a home in the subdivision that was under \$175,000 and another for \$235,000? **Chris Knight:** In the Magnolia.

Board Member Larry Bussey: You also said you look at the competitors' pricing, so I quest what I am asking, if you don't know what the price range is for your homes, how would you not know that's going to impact the vacant homes that's presently here, that's my question? **Chris Knight:** What we will do is a couple of things. We look at what resales are selling for. Our recent competitor is the Stoney Creek neighborhood that was mentioned by one of the speakers that is east of this property. There are currently new homes in that neighborhood listed for \$180,000, \$247,000, \$171,000, \$233,000 and there are a wide range around \$170,000 to \$235,000. If I am going to build a house that is smaller and much more expensive then I would have to be very, very careful. The market detects value. If we start building today, in six months we will have houses completed in this neighborhood. I don't know what values will be in six months, I hope they would be drastically higher than what they are today. If they are then that's what we will do, we will raise our prices to the market. What's interesting

to me is that the houses are selling for in this new home community nearby are very close to the prices of the most recent sales and listing in the Magnolia Plantation community. So, I don't see how those kind of prices will have any downward effect on the values in Magnolia. If anything they should have an upward value because they are on smaller lots.

Board Member Rae James: I do know the area you are talking about, and I have been through this community. When you compare this community with the community that are on sale in the area, you are not comparing the same commodity. What will be a concern would be whether or not what your intent to put upon the community is consistent with their needs and ongoing standard of living. Are you able and willing to do that? **Chris Knight:** I am not I understand the question.

Board Member Rae James: The question is, the community as it sits have a certain standard, they like that standard, and want to continue that standard. It appears as though you are giving them something that is below the standards they now have. Yet telling them this is just as good and oh by the way, across the way it's just about equal to this. So my question is, do you have the ability and or the willingness to build in the community consistent with what the community desires? **Chris Knight:** My understanding of what the community desires is one acre lots and four side brick homes.

Chairman Herman Turner: I am sorry to cut you off, but the only thing that we or you can do right now is the façade of the house. The lots are set in stone, that's going to be, but the facade is up to you. **Chris Knight:** Exactly. In my opinion what they really want is the lot size, but they can't have because it is already Final Plat and four sided brick homes. My contention is that condition of four side brick in itself does not equal quality and higher homes. (From the handouts he compared slide #12 with three side brick and slide #13 without, and felt slide #13 would sell at a higher price, and that there are other factors that goes into establishing the value of a home other than the material). The Commissioners and communities can't dictate everything upon a developer. We think we can achieve quality and value, which I believe is what the community wants without the condition of homes being required to be four sided brick.

Chairman Herman Turner: Mr. Knight would you be willing to add the three side in brick? **Chris Knight:** What we would propose is flexibility. We will build in the first home a four sided brick home, and we would show it. We would probably start with building about five homes. What we would proposed is that one of those homes will be a four sided brick, so when a customer comes in they can decide if that is what they want.

Board Member Kevin Lewis: When did you buy Garners Ridge? **Chris Knight:** We have not brought Garners Ridge, we are under contract to purchase.

Board Member Kevin Lewis: The type of homes you are proposing, will they be ranch style and two story? **Chris Knight:** Combination.

Board Member Kc Watts: The side entrance garage is what everyone seems to want. What is your maximum number? **Chris Knight:** If you look at the Plat, the typical lot size is 72 feet wide. We can install side entrance garages on that size lot on corner lots, because we can bring the driveway off of the side street. We cannot fit our product on a 72 foot wide size lot.

The motion to **deny** Case# MOD-15/07-5 was made by Board Member Kevin Lewis and seconded by Board Member Larry Bussey. The vote was unanimous.

The audience applauded.

c. LUP-15/072

The Applicant, **Michele L. Battle** on behalf of Odion I. Omene, is requesting an amendment to the Future Land Use Map (FLUM) 2034 from Mixed Use to General Commercial to allow for a used car dealership on the property. The subject property is located at **6267 Riverdale Road, Riverdale, GA 30274** and otherwise known as parcel number 13-120D-C001. The subject property is approximately 4.3 +/- acres of land.

Commissioner District 2 – Gail Hambrick

The staff report for case LUP/15/072 was given by Kimberly Smith of Planning and Zoning.

Kimberly Smith: The Planning & Zoning Staff finds that this application is not consistent with the polices, goal and intent of the 2034 Future Land Use Map and Comprehensive Plan for this area of unincorporated Clayton County. The application does not meet the minimum standards of Section 6.16 Automobile and Recreational Vehicle Sales Uses Standards (AV) and based on this, other findings highlighted in this Staff Report, the accompanying application materials and concept plan, the Planning & Zoning Staff recommends **denial** of the Future Land Use Map Amendment request to change the land use from Mixed Use to General Commercial to use the subject property for a used car sales dealership.

Chairman Herman Turner called for the petitioner to present their case.

The petitioner was represented by Michele Battle, located at One West Court Square, Suite 750, Decatur, GA on behalf of Odion I. Omene.

Michele Battle: I am here representing Mr. Odion Omene. Mr. Omene brought this property back in May of this year, and at the time when he looked at this property he was lead to believe through the real estate he was working with it could be used as a used car lot dealership. I am here before you today trying to help history come true as he moved to this country with the vision of having a used car dealership and literally put all of his savings in the purchase of this property for \$166,00 to make this happen for himself. We looked at this property and recognize that this is an area that is certainly in need of some transition and particular when you look across the street at businesses that are located there, they are all automobile related businesses and are located within the City of Riverdale. They are not in the best condition and there is no question about that. Staff last year through the Future Land Use Plan (2035) amended it to show this property as well as some others in the area as being suitable for the mixed use destination. Our position on that is, it is certainly a long term plan and goal. Meanwhile within the reality of the current uses that are surrounding this property, abutting one side is a storage facility, to the rear is a residential subdivision; there is a vacant parcel that is zoned GB (General Business) on the other side of the property is a Verizon Cell Tower, and north of that is an office building, which has been up sale for the last three/four months. There is a 330 foot wide overhead power lines that traverse on the property. We believe that the mixed use is ambiguous, it certainly something that we can see in the future, but we are dealing with the present and should put it into some useful status. The site plan and the overall vision for this property will allow for the use of a used car dealership, which can be done in a very tasteful manner and bring up the area not down. Also not duplicating what is already across the street. There can be conditions placed on this property that would ensure you get what you believe you want on this property. It could be tailored like a Car-Max. The parking lot will be striped, there will be landscaping within the exterior of the parking lot and it will be no different than any other parking lot you see for any other business. You wouldn't know the difference other than a sign out front saying it's a used car dealership. It wouldn't be any banners and all that other kind of stuff. It can be conditioned out so that at the end of the day you will have a nice quality looking facility that allows for an upgrade of getting some movement over in this area. Based on the investment already made on this property you can see my client is already committed in being here. Whether this get approved or not, he will have to figure out what to do with this property. I think a duplication of another convenient store or a beauty salon or something that would be in line with the current mixed use, will give you more of what you already have. This is all my client knows which is cars, he knows how to buy and sales cars.

Chairman Herman Turner called for anyone that was in opposition of the petition. There were none.

Chairman Herman Turner asked if there were any questions from the Board Members.

Board Member KC Watts: How many cars will upon the property? **Michele Battle:** A maximum of thirty-five (35) cars on the site at one time. All of the cars will be operational and parked in a designated striped parking space.

Board Member KC Watts: Will this be similar to a Car-Max? **Michele Battle:** Yes.

Chairman Herman Turner: Will there be any repairs handle at that car lot? **Michele Battle:** When the cars come in there will be a service area toward the rear.

Chairman Herman Turner: There will be no major repair? **Michele Battle:** No.

Chairman Herman Turner: What will happen if a car comes in and the engine goes out? What will he do with the car, park it on side or fix it? **Michele Battle:** Conditions can be placed where there is no major repairs are allowed. There is a place across the street where major repairs can be done.

Board Member Larry Bussey: How many other dealerships are in the area? **Michele Battle:** The one across the street I wouldn't call a used car dealership, it is a repair shop. The only other used car dealership that I am aware of is much further down the road going toward I285.

The motion to **deny** Case# LUP-15-072 based on the recommendation of Staff was made by Board Member Kevin Lewis and seconded by Board Member Frenda Norwood. The vote was unanimous.

d. RECZ-15/07-20

The Applicant, **Michele L. Battle** on behalf of Odion I. Omene, is requesting a rezoning from Article 3, Section 3.18 Neighborhood Business (NB) District Standards to Section 3.21, General Business (GB) District Standards to allow for a used car dealership on the property. The subject property is located at **6267 Riverdale Road, Riverdale, GA 30274** and otherwise known as parcel number 13-120D-C001. The subject property is approximately 4.3 +/- acres of land.

Commissioner District 2 – Gail Hambrick

The staff report for case RECZ-15/07-20 was given by Kimberly Smith of Planning and Zoning.

Kimberly Smith: The Planning & Zoning Staff recommended **denial**.

Chairman Herman Turner called for the petitioner to present their case.

The petitioner was represented by Michele Battle, located at One West Court Square, Suite 750, Decatur, GA on behalf of Odion I. Omene.

Michele Battle: No Comment

Chairman Herman Turner called for anyone that was in opposition of the petition. There were none.

Chairman Herman Turner asked if there were any questions from the Board Members. There were none.

The motion to **deny** Case# RECZ-15/07-20 based on the recommendation of Staff was made by Board Member Kc Watts and seconded by Board Member Larry Bussey. The vote was unanimous.

e. CUP-15/07-18

The Applicant, **Michele L. Battle** on behalf of Odion I. Omene, is requesting a Conditional Use Permit (CUP) related to Article 3, Section 3.21 General Business (GB) District Standards to allow for an automobile sales (used car dealership) on the property. The subject property is located at **6267 Riverdale Road, Riverdale, GA 30274** and otherwise known as parcel number 13-120D-C001. The subject property is approximately 4.3 +/- acres of land.

Commissioner District 2 – Gail Hambrick

The staff report for case CUP-15/07-18 was given by Kimberly Smith of Planning and Zoning.

Kimberly Smith: The Planning & Zoning Staff recommended **denial**.

Chairman Herman Turner called for the petitioner to present their case.

The petitioner was represented by Michele Battle, located at One West Court Square, Suite 750, Decatur, GA on behalf of Odion I. Omene.

Michele Battle: No Comment.

Chairman Herman Turner asked if there were any questions from the Board Members. There were none.

The motion to **deny** Case# CUP-15/07-18 based on the recommendation of Staff was made by Board Member Kevin Lewis and seconded by Board Member Larry Bussey. The vote was unanimous

f. RECZ-15/07-18

The Applicant, **Charlie Hood** on behalf of Big Lagoon, LLC, is requesting a rezoning from Article 3, Section 3.21, General Business (GB) District Standards to Section 3.29, Light Industrial (LI) District Standards to allow for a fenced and graveled trailer storage yard. The subject property is located on **Quicktrip Way, Ellenwood, GA 30294** and otherwise known as parcel number 12-182C-B003. The subject property is approximately 7.168 +/- acres of land.

Commissioner District 1– Sonna Singleton Gregory

The staff report for case RECZ-15/07-18 was given by Kimberly Smith of Planning and Zoning.

Kimberly Smith: The Planning & Zoning Staff recommended **approval**.

Chairman Herman Turner called for the petitioner to present their case.

The petitioner was represented by Charlie Hood, located at 220 Greencastle Road, Suite B, Tyrone, GA

Charlie Hood: It's not working too well for the Applicants tonight. This piece of property was foreclosed on, it got up in the crash six or seven years ago. (Mr. Hood asked the Board to look at the aerial). There is a QuickTrip adjacent to this property and a QuickTrip warehouse in the back in of this cul-de-sac. The subject property is in between the two. What I am proposing is to fence the site and put some lights upon it for some of the local trucking companies in that area as a trailer storage parking lot.

Chairman Herman Turner called for anyone that was in opposition of the petition. There were none.

Chairman Herman Turner asked if there were any questions from the Board Members.

Board Member KC Watts: This is for trailer storage? **Charlie Hood:** Yes, empty trailers.

Board Member KC Watts: Beside the gravel, are there any other improvements to the property? **Charlie Hood:** When I applied for the zoning change, Staff has a form for you to fill out for what the usage will be, and to be honest with you I can't tell you I know exactly what I will have on that property. It will be either trailer

storage or it could be a company that need metal storage or the rest will be trailer storage. My goal is for it to be trailer storage.

Chairman Herman Turner: Will there be any type of decorative landscaping entrance or are you just going to clear the trees, put some gravel down, and put a fence around it? **Kimberly Smith:** The Applicant will be required to abide by all the zoning standards for that zoning district. There are landscape plans; Tree Preservation Ordinance requirements; there are front/side yard setbacks; and maximum impervious surface. So, there are requirements that must be met.

Board Member Kevin Lewis: There are a lot of trucks in that area? **Charlie Hood:** Yes. Gilliam is around the corner, Kroger, and more down the road. That whole corridor is trucking. QuickTrip is a truck stop and there are a lot of trucks that goes in and out already. There is a stop light that slow the traffic down.

The motion to **deny** Case# RECZ-15/07-18 due to the additional increase in traffic in that area was made by Board Member Kevin Lewis and seconded by Board Member Kc Watts. The vote was 5 to 1. (Board Member Frenda Norwood approved)

g. RECZ-15/07-19

The Applicant, **Charlie Hood** on behalf of Big Lagoon, LLC, is requesting a rezoning from Article 3, Section 3.21, General Business (GB) District Standards to Section 3.29, Light Industrial (LI) District Standards to allow for a fenced and graveled trailer storage yard. The subject property is located on **Quicktrip Way, Ellenwood, GA 30294** and otherwise known as parcel number 12-182C-A001. The subject property is approximately 1.569 +/- acres of land.

Commissioner District 1– Sonna Singleton Gregory

The staff report for case RECZ-15/07-19 was given by Kimberly Smith of Planning and Zoning.

Kimberly Smith: The Planning & Zoning Staff recommended **approval**.

Chairman Herman Turner called for the petitioner to present their case.

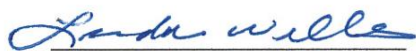
Chairman Herman Turner called for anyone that was in opposition of the petition. There were none.

Chairman Herman Turner asked if there were any questions from the Board Members.

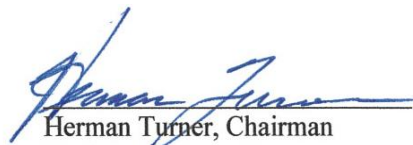
The motion to **deny** Case# RECZ-15/07-19 due to the additional increase in traffic in that area was made by Board Member Kevin Lewis and seconded by Board Member Kc Watts. The vote was 4-2. (Board Member Frenda Norwood and Board Member Rae James approved)

There being no further business, the motion to adjourn was made by Chairman Herman Turner and seconded by Board Member Larry Bussey. The vote was unanimous.

The meeting adjourned at 9:00 p.m.



Linda Willis, Assistant Secretary
Zoning Advisory Group
Clayton County, Georgia



Herman Turner, Chairman
Zoning Advisory Group
Clayton County, Georgia