

**Town of Tyrone
Planning Commission Meeting Minutes
Thursday April 12, 2018
7:00 PM**

Present:

Chairman, Jeff Duncan

Vice-Chairman, David Nebergall

Commission Member, Carl Schouw

Commission Member, Dia Hunter

Commission Member, Scott Bousquet

Town Attorney, Ali Cox

Planning & Development Coordinator, Phillip Trocquet

Planning Commission Chairman Jeff Duncan called the meeting to order at 7:00 pm.

Approval of Agenda

Vice-Chairman Nebergall made a motion to approve the agenda.

Commissioner Schouw seconded the motion. Motion was approved 4-0.

Approval of Minutes for March 22, 2018

Commissioner Nebergall made a motion to approve the minutes from March 22, 2018 conditioned upon the rectification of two grammatical errors; one on page two and another on page three. Commissioner Hunter seconded the motion.

Motion was approved 4-0.

Public Hearing:

1. *Consideration of a rezoning petition of a 1 acre tract with parcel number 0736-060 from applicant Brett Vincent. Requested rezoning is from C-2 (Highway Commercial) to M-1 (Light Industrial). Phillip Trocquet, Planning & Development Coordinator.*

Mr. Trocquet presented the item. Mr. Trocquet stated that the property's existing zoning was C-2 with an existing land use of commercial-office. The surrounding zoning districts consisted of M-1 (Light Industrial) to the north and west, C-1 (Downtown Commercial) to the south, and Unincorporated Fayette County Residential and C-2 to the east. Site improvements included water. Mr. Trocquet stated that the requested rezoning was unfortunately not consistent with the Town's zoning ordinance as the rezoning of the property from C-2 to M-1 would increase the front yard setback from 50 feet to 100 feet thus putting the majority of the existing structure within the new setback. Mr. Trocquet stated that this would result in the creation of an illegal structure per the zoning code. Staff recommendation was not for approval.

Chairman Duncan opened the public hearing for those in favor of the rezoning.

Applicant Brett Vincent spoke. Mr. Vincent stated that he appreciated appearing before Planning Commission. He stated that he lives at 378 Ebenezer Church Road in Fayetteville, GA and that he lived in Tyrone for 13 years before moving to Fayetteville. He stated that he owns Gatekeeper Property Management Co. and is looking to move his main office and his staff to Tyrone. He was interested in combining the property in question with the one directly to the north in order to locate offices and a climate controlled self-storage facility on the combined site. Mr. Vincent pointed to a map of the general area depicting both properties (Exhibit 1). He pointed out that most of the land surrounding the entrance to Shamrock Industrial Park off of Rockwood Road was zoned M-1. He pointed to the M-1 lot directly north of parcel 0736-060 and stated that the shape of the lot made it difficult from a development perspective. He pointed out the buildable footprint of the M-1 property to the north and stated that there was a problem with the number of easements and general shape of the buildable area in terms of putting a traditional building on the site. Mr. Vincent then began speaking about parcel 0736-060 and stated that he is not proposing an addition to the structure that exists on the property. Mr. Vincent stated that he believed the existing office to be arguably the best-looking building in the area. Commissioner Bousquet wanted to confirm that Mr. Vincent was not proposing any additions or expansions to the existing office. Mr. Vincent confirmed that he did not plan to expand the structure and that it was approximately 20% larger than his existing office in Fayetteville. Mr. Vincent stated that his proposed entrance to the self-storage facility would be located off of Rockwood Road and that the average traffic flow for the proposed facility would be approximately 1 car per hour. He went on to say that it would be a very low impact on the property and that there would be very little to no noise, pollution, or traffic impact. Mr. Vincent stated that he is proposing a class-A facility with improved landscaping, fencing, and architectural design with no exterior doors proposed.

Mr. Vincent, displayed an additional map showing the increased buildable footprint if parcel 0736-060 were to be rezoned to M-1 and subsequently combined with the property directly to its north. He stated that the elimination of the existing setback between the properties would be the most practical move. He also said that he had many conversations with surrounding property owners who were in support of the proposed development. Mr. Vincent stated that his main business of managing rental properties that would be held out of the office would also generate minimal traffic. He stated that the majority of the traffic flow is generated by his employees who stay during the day. He stated that he understood the issue regarding the creation of an illegal structure as a result of the increased setback, but that he was ultimately not looking to modify the use of the building. He stated that from a practical point of view he did not see how it posed an issue, but he understood there were other legal considerations.

Commissioner Bousquet asked Mr. Vincent if he had any site plans showing the location or layout of the proposed self-storage facility. Mr. Vincent stated that at this point, he did not have an exact layout for where the building would be located on the site. Commissioner Bousquet then asked if he had an idea as to where he would locate the facility, Mr. Vincent stated that since it was climate-controlled interior storage it would likely be a single rectangular structure in the center of the combined lot. Commissioner Bousquet asked how close that proposed location would be to the existing office. Mr. Vincent stated that it would likely be whatever the building code required.

Vice-Chairman Nebergall asked Mr. Vincent if he would consider demolishing the structure so that it would fit within the zoning requirements. Mr. Vincent stated that he would consider it if it were the only option, but that he would need to confront the seller of the properties to renegotiate the price as the building was included in the current sale price. Mr. Vincent stated that if that were the case, he would build his office into the proposed self-storage facility. Mr. Vincent also stated that he was aware that a denial of his application would result in a 6-month waiting period before an additional application could be made. He stated that if his petition was not doable, he would be willing to withdraw his application.

Commissioner Hunter asked if the relocation of some of those power lines would improve the buildability of the lot. Mr. Vincent stated that it would and that per his discussion with Fayette-Coweta EMC, the power line on the front of the property would be approximately \$30,000-\$40,000 to relocate. Mr. Vincent stated that he would need to do more

research to see if investing in power line relocation would provide enough benefit. He went on to state that there is plenty of demand for self-storage in the area and that his proposed facility would improve the overall area. He also stated that he would not need large or unappealing signage on the property as most self-storage advertising is done online. Commissioner Schouw asked if Mr. Vincent owned the properties in question. Mr. Vincent stated that he had both properties under contract, but that he was not yet the primary owner.

Chairman Duncan asked if there were any others who wished to speak in favor of the rezoning petition.

Dr. Billy Watts, owner of Peachtree City Animal Clinic at 343 Senoia Road, approached the podium. He stated that he had been in the area since the property on the corner was Barbecue Junction and subsequently torn down. Dr. Watts stated that he was glad the old buildings on the corner were torn down, but that the proposed development would be suitable to the area. He also spoke in favor of the property being redeveloped and cleaned up as it is currently an eyesore due to overgrowth. Mr. Vincent stated that his proposed development would be the best-looking facility at the Rockwood and Senoia Roads intersection

Chairman Duncan closed the public hearing for those in favor of the rezoning.

Chairman Duncan opened the public hearing for those in opposition to the rezoning. No one spoke.

Chairman Duncan opened the item for commission discussion.

Commissioner Hunter asked Ms. Cox to confirm that if the Commission were to approve this rezoning request, they would in effect make something that was legal, illegal. Ms. Cox confirmed that was the case. Commissioner Hunter asked if there was some kind of process that has been done before that would essentially make the illegal structure legal again. Ms. Cox stated that if the town voted to approve the rezoning, they would be responsible for the creation of the illegal structure thereby creating a precedent; she also stated there was not much the town could do to make it legal after the fact.

Commissioner Nebergall stated that he was in favor of Mr. Vincent's preliminary development plan, but that he was not comfortable with a rezoning that would immediately put the Town in a legal predicament. Vice-Chairman Nebergall stated that he believed it would set an unwanted precedent. Commissioner Bousquet stated that he agreed and stated that he saw no problem with what Mr. Vincent wanted to do in terms of locating his self-storage business at that location, but that he felt uncomfortable supporting something that goes against the zoning ordinance. Commissioner Hunter requested confirmation from staff that if Mr. Vincent were to rezone the norther parcel from M-1 to C-2, Mr. Vincent could increase his buildable area and combine the two properties, but that self-storage facilities were not permitted in that zoning district. Mr. Trocquet (Planning & Development Coordinator) confirmed that this would be the case. Mr. Hunter stated that if Planning Commission recommended denial and Council ultimately denied Mr. Vincent's application, there would be a six-month waiting period between a subsequent application, but if Mr. Vincent withdrew his application, he would have the ability to represent an application that did not include a request for the creation of an illegal structure.

Planning Commission asked Mr. Vincent if he would like to withdraw his rezoning request. Mr. Vincent stated that he would. Vice-Chairman Nebergall made a motion to approve the withdrawal. Mr. Hunter seconded the motion. Motion passed 4-0.

Old Business:

New Business:

Public Comments:

Staff Comments:

Commission Comments:

Vice-Chairman Nebergall asked Mr. Trocquet about the situation with the Tyrone Rd. turn lane. Mr. Trocquet stated that the turn lane design not allowing a dedicated right hand turn and the removal of the acceleration lanes was the result of GDOT requirements. Mr. Trocquet stated that based on conversations with GDOT officials, the Town does have the ability to increase the length of the right-hand turn lane to allow more cars to stack in that lane and that the Town is also inquiring as to how they can reopen the acceleration lanes. Mr. Trocquet stated that GDOT required the acceleration lanes to be striped off because of safety concerns.

Chairman Duncan gave an update from the county Master Transportation Plan stakeholder meeting. He stated that the focus for the meeting was on a master path plan for the county and that there was discussion around bike lanes and multi-use trails such as the Silver Comet Trail. He stated that they identified some roads and routes that could be interconnected throughout Fayette County for paths. Mr. Trocquet stated that there will be an additional public engagement meeting similar to the last one held except that there will be an emphasis on path planning. Commissioner Hunter stated that Tyrone and Peachtree City utilize golf carts and that many paths do not allow motorized vehicles. Chairman Duncan stated that was commented on during his meeting and that they discussed the fact that charging stations would be a big part of path planning in Fayette County. Mr. Trocquet stated that the more the discussion progresses, the more PTV's (Personal Transport Vehicles) would be part of the conversation. He stated that given the large use of PTVs within Fayette County, it is likely that any major path networks would allow them. He stated that any paths that connect beyond the county into an Atlanta regional network may not allow PTVs.

Commissioner Bousquet inquired as to the path plan for Tyrone and its status. Mr. Trocquet stated that the town did not have a formally adopted Master Path Plan, but that there was a map created that showed future path projects identified by previous administrations.

Adjournment:

Commissioner Nebergall made a motion to adjourn. The meeting adjourned at 7:32 pm.

Jeff Duncan, Planning Commission Chairman

Phillip Trocquet, Planning &
Development Coordinator