

## **MINUTES OF THE CARTERSVILLE PLANNING COMMISSION**

The Cartersville Planning Commission met in a regularly scheduled meeting on Tuesday, December 12, 2023, at 5:30 p.m. in the City Hall Council Chambers.

Present: Lamar Pendley, Greg Culverhouse, Travis Popham, Jeffery Ross, Steven Smith, Anissa Cooley, and Fritz Dent

Absent:

Staff Members: Randy Mannino, Ashley Peters, David Hardegree, Zack Arnold

### **CALL TO ORDER: 5:30 PM**

### **ROLL CALL**

Chairman Lamar Pendley stated to the audience that the Planning Commission is a recommending body only and that for all cases heard, recommendations would be forwarded to the City Council for consideration. Furthermore, the cases would be heard before Council at the December 21, 2023, and January 4, 2024, Council Meeting.

### **APPROVAL OF MINUTES**

#### **1. November 7, 2023, Meeting Minutes**

Board Member Popham made a motion to approve the minutes. Board Member Smith seconded the motion. Motion carried unanimously. Vote: 6-0

David Hardegree, Planning and Development Assistant Director provided an update on case Z23-04 regarding the extension of the senior living on Mimosa Drive. Stated that the City Council had approved the first reading with conditions. Will be moving to a second reading.

### **ZONINGS**

#### **2. Z23-06. Rezoning Application**

**Applicant: Merrill Trust**

Mr. Hardegree stated that all adjacent property owners had been notified and the property had properly been posted and advertised.

Continuing, Mr. Hardegree gave an overview of the application stating the applicant is requesting the rezoning of Parcel No. C108-0001-001 containing 103.85 acres from R-20 (Single Family Residential) to RA-12 (Single Family Residential, Attached) for development of 199 townhomes. Zoning application, Z23-06, request that 103.85 +/- acres, currently zoned R-20 with conditions, be rezoned to RA-12 for the construction of a max 199 townhouse units with an amenity area. The Site is located directly west and adjacent to 1-75 on the north side of Center Road.

In 2022 the same applicant presented zoning application, Z22-01, requesting the same zoning and a similar project concept plan and scope of work. That application was denied by the council.

Since the denial, the applicant has met with Councilman Wren to address his concerns with primarily were traffic and development quality. A traffic study was provided, and Councilman Wren visited Foxhall Resort in Douglasville, a development by the applicant, Merrill Trust.

Reached out to all City departments and the only comments provided were from Fire stating that an additional entrance will be needed if there is over 199 townhomes.

The project is now represented by Karl Lutjens, Southland Engineering.

A conceptual site plan is provided; however, no additional information has been provided regarding architectural elevations, material lists, floor plans, bedroom configurations, etc.

Chairman Pendley opened the public hearing.

Mr. Karl Lutjens, 114 Old Mill Rd, came forward on behalf of the applicant. Provided an overview of the project and stated that the meeting with Councilman Wren allowed them to go over all concerns. They also stated the traffic study was completed and it showed that this development would not affect the level of service. The traffic study will continue to show there is a timing issue with the signal that will need to be corrected by the DOT.

Chairman Pendley asked if there would be breaks in the buildings that are not shown on the plans. Mr. Lutjens stated that there would be green spaces added but did not know where yet.

Board Member Fritz Dent asked about the bedroom count for the townhomes. Mr. Chris West, 8000 Capps Ferry Rd, stated that they were waiting for the builders to provide that information. Mr. Lutjens stated that since it is a build-to-sale community that he could see them being 3 bedrooms.

Board Member Stephen Smith brought a concern about the property being broken up of the acres that are not being used. Mr. David Archer, Assistant City Attorney, stated that you could list conditions that would stop that from happening where the owner would have to come back before the commission.

Board Member Culverhouse had concerns that the school board was not able to decide as to whether they have the accommodation for the students that this could potentially bring in. The school board needs to have a bedroom count to make a uniformed decision.

Chairman Pendley does not believe that there is enough information available on this project to decide today and that it would be best for the commission if it was tabled and that the plans could be updated as well as get the input for the school board.

With no one else to speak for or against the application, the public hearing was closed.

Board Member Culverhouse made a motion to table the discussion until there is enough information to make a better decision on Z23-06. Board Member Popham seconded the motion. Motion carried unanimously. Vote: 4-0-2.

Chairman Pendley called for the next item on the agenda.

## **SPECIAL USE PERMIT**

### **3. SU23-02. 645 Henderson Drive (BLDG 659, Suite 1) Applicant: Richard Wiernek**

Mr. Hardegree provided an overview of this application stating that the applicant Richard Wiernek would like to locate his auto sales business at 645 Henderson Drive. The inventory would be stored inside the warehouse. There would be an office at this location but would only be used as needed for showings or business operations. Special use is required because staff viewed this request as an auto sales business which does require special use in the O-C Zoning District. The business could also be viewed as an office-warehouse operation which is not allowed in the O-C district.

Auto Sale business in the O-C district, properties must front an arterial or major collector street only, but this is only intended for auto sales lots with inventory. Henderson Drive is categorized as a local street with West Ave/ Hwy 113 categorized as an arterial street and Old Mill Road is categorized as a Major Collector Street per the City's classification map.

Reached out to all City departments and the only comments provided were from Fire regarding the applicant's request. The amount of fuel in the vehicles can not total more than 30 gallons. This is the total of fuel in all vehicles combined, not per vehicle.

Staff does not oppose the application with the following conditions.

1. The special use permit is only for the applicant and for the applicant's business.
2. No outdoor storage or display of inventory.

Chairman Pendley opened the public hearing.

Richard Wiernek, 1061 Bradshaw Estates Drive, came forward and described his business in more detail referring to it as a specialty dealership that sells vintage SUV's.

Board Member Ross asked if the city has any other special permits on other office properties and would it be only tied to the applicant and this business only. Mr. Hardegree stated that this is the first one within the city limits and this would only be tied to that applicant and business. Randy Mannino, Planning and Development Director stated that they have a unique business model.

Board Member Dent asked the total number of cars that would be at the location and will anyone crank the cars. Mr. Wiernek stated that there would be no more than 5 and they would not go over 30 gallons.

With no one else to speak for or against the application the public hearing was closed.

Board Member Culverhouse made a motion to approve SU23-02 with conditions. Board Member Smith seconded the motion. Motion carried unanimously. Vote: 6-0.

With no other business to discuss, Board Member Culverhouse adjourned the meeting.

The meeting adjourned at 6:43 PM.

Date Approved: January 11, 2024.

/s/ \_\_\_\_\_  
Lamar Pendley, Chairman