

Town of Tyrone
Planning Commission Meeting Minutes
04/27/2023
7:00PM

Present:

Chairman, David Nebergall
Vice-Chairman, Dia Hunter
Commission Member, Scot Bousquet
Commission Member, Jeff Duncan

Town Attorney, Patrick Stough
Town Planner, Phillip Trocquet

Absent:

Commission Member, Jeff Duncan

I. Call to Order:

Chairman Nebergall called the meeting to order at 7:00 pm.

II. Approval of Agenda:

Vice-Chairman Bousquet made a motion to approve the agenda.
Commissioner Schouw seconded the motion. Motion was approved 4-0.

III. Approval of February 9, 2023, Minutes

1. Chairman Nebergall tabled for a motion to approve the minutes from the February 9, 2023, planning commission meeting.
Vice-Chairman Hunter made a motion to approve the February 9, 2023, minutes.
Chairman Bousquet seconded the motion. Motion was 4-0.

IV. Public Hearing:

Mr. Trocquet opened by stating that there are 3 text amendments being pursued in response to House Bill 1405 which was passed July 1, 2022. It was intended to clarify the process of zoning decisions and disputes with local governments. It is an administrative change to the response to the house bill. Legal counsel did draft up a change in accord with what was compliant with state laws. He also stated that all appeals for any quasi-judicial process go to local municipal or county court. There will be 3 separate hearings.

2. Consideration to recommend approval of a text amendment to section 113-10 of Article 1 of the Zoning Ordinance regarding appeals of zoning administrator decisions. **Phillip Trocquet, Community Development**

Mr. Trocquet stated that this section includes the appeals of council decisions.

Chairman Nebergall opened the public hearing for all those in favor of the item. No one spoke. Chairman Nebergall closed the public hearing for those in favor and opened the public hearing for those in opposition of the item. No one spoke. Chairman Nebergall closed the public hearing for those oppositions.

Vice-Chairman Hunter asked for a motion to approve the changes to 113-10. Commissioner Bousquet seconded the motion. Motion passed 4-0.

3. Consideration to recommend approval of a text amendment to section 113-68 of Article 1 of the Zoning Ordinance regarding zoning appeals. **Phillip Trocquet, Community Development**

Mr. Trocquet stated that section 113-68 included the appeals of text amendment and map amendments.

Chairman Nebergall opened the public hearing for all those in favor of the item. No one spoke. Chairman Nebergall closed the public hearing for those in favor and opened the public hearing for those in opposition of the item. No one spoke. Chairman Nebergall closed the public hearing for those oppositions.

Commissioner Schouw motioned for approval for the amendment. Commissioner Bousquet seconded the motion. Motion passed 4-0.

4. Consideration to recommend approval of a text amendment to section 113-243 of Article IX of the Zoning Ordinance regarding variance appeals. **Phillip Trocquet, Community Development**

Mr. Trocquet stated that 113-243 referenced amendment appeals on council decision for variances.

Chairman Nebergall opened the public hearing for all those in favor of the item. No one spoke. Chairman Nebergall closed the public hearing for those in favor and opened the public hearing for those in opposition of the item. No one spoke. Chairman Nebergall closed the public hearing for those oppositions.

Chairman Nebergall made motion to approve amendment of 113-243. Commissioner Schouw seconded the motion. Motion approved 4-0.

V. New Business:

5. Consideration to approve a site plan and landscape plan from applicant Charlie Heath for a 1.61-acre tract located at property address 1540 Senoia Road. **Phillip Trocquet, Community Development**

Mr. Trocquet stated applicant Charlie Heath is requesting a site plan approval for a 6,000 sq. ft. structure to be located at 1540 Senoia Rad on behalf of the owner, Ken Spivey. The property has been reviewed by the Town's Technical Review Committee (TRC) members. The Town only has minor engineering and environmental management comments outstanding. Staff does recommend that the site plan be approved with the conditions that any remaining TRC comments be resolved.

Mr. Trocquet stated that the existing zoning of the property is C-2, highway commercial. The existing land use is for commercial use, surrounding zoning is C-2 to the north and south. To the east of the property is town owned property that does not currently have any zoning that we know of. To the west is C-1, community commercial and there are currently no site improvements, and the property acreage is 1.61 acres. He future development maps calls for the property to lie in the commercial corridor character area. This encourages non-residential areas to be screened from the view of Highway 74. This is in the back of a cul-de-sac that is far from Hwy. 74 and the character area does promote high standards of architecture, landscaping and signage.

Mr. Trocquet states that it is compatible with the zoning ordinance. Mr. Trocquet shows the landscaping and site plans on the projector and states that it is a simple, small commercial facility and the representative for the applicant, Mr. Charlie Heath is present if anyone has any questions.

Chairman Nebergall asked is there are any questions.

Commissioner Hunter asked about the orientation of the building and wondered if the building was visible from the street.

Mr. Charlie Heath stated that the building is located on the hill and has an elevation of approximately 6 ft. Mr. Heath stated that you can see the side of the but if you turn it the other way, you could not build.

Commissioner Hunter inquired about the type of the type of material on the side of the building to clarify that it was indeed metal.

Mr. Heath stated that the entire building is wrapped with metal and there are glass front doors and black garage doors. There also 3in to 4 in trees.

Commissioner Hunter posed a question to Mr. Trocquet asking if there are the same requirements from the street to have the architectural standards since it faces the side of the street? Mr. Trocquet states it is located too far from Hwy 74 therefore no architectural standards apply to the area. It is in the cul-de-sac area of the business park. He stated that the Town does have landscaping standards which they are working out small items on.

They are putting in adequate landscaping screening the front portion (Mr. Trocquet shows on the projector). He states there are no architectural requirements.

Commissioner Hunter inquiries about the accessibility of the doors right next to the office.

Mr. Heath states there are glass doors, black garage doors and a small storage area, 10ft fencing and a large gate. He indicated that there will be no automotive work done on the property and it is being built for the film industry. The property has been leased out already.

Commissioner Hunter inquired about the accessibility of us of the facility such as the driving area, storage area and locking and unlocking of the garage doors.

Mr. Heath stated that the garage doors pop open. He stated there is a very big need in the industry for small warehouse spaces with small office spaces and a small restroom. He said a small trailer can be pulled up onto the property and stored. It will not be visible from the street from where it is located on the property. Mr. Heath stated that there will be handicap spaces up front to meet the necessary requirements. He noted that there will be red lights throughout the warehouse as well as two big fans. He stated that the warehouse will be kept nice and cool.

Chairman Nebergall asked if the outside storage was in the back of the building.

Mr. Heath stated yes and said that the storage usage will be very minimum, but people have requested it for different reasons. He again stated that there will be absolutely no automotive activity on the property and mentioned again the entire location has been leased.

Commissioner Schouw asked if the rear of the building has exit doors per unit.

Mr. Heath indicated that each unit has an exit door that is made of steel.

Commissioner Schouw asked if they were steel doors to which Mr. Heath stated yes.

Commissioner Schouw asked if it will just be used to access the storage in the rear of the building.

Mr. Heath confirmed and stated that he hopes they like the plan because he has been working on it for 2 years.

Chairman Nebergall asked if in fact is C-2 zoning and what are the standards and requirements for outdoor storage.

Mr. Trocquet stated that site plans show the outside storage area. He stated that they do have some limitations on exterior storage, but the applicant will just have to meet the standard if there is any kind of equipment or items that need to be on an improved surface come time for construction. The fence will be approved during construction as well. He stated that they will go through that to meet the town standards for exterior storage. Mr. Trocquet noted that for architectural requirements it is a basic requirement for bay doors and given the configuration of the building, it's not squarely facing the street. He stated

that the town does require screening if they are facing the street or that the building be oriented in a way the bay doors are not facing the street. It is oriented a little bit away from the street. It is not completely parallel to where the landscaping is requested to be screened.

Commissioner Hunter asked in the absence of Commission Duncan, he would ask about the pond.

Mr. Trocquet stated where the detention pond is located, there is very little onsite storm water that needs to be done on the property. We do have some infrastructure for storm water in the rear of the property but it is really just catching a little bit of the first inches of rain just for treatment purposes and then its putting it down stream. Given the small scale of the project there wasn't a lot of storm water that needed to happen. Jeff and I have been reviewing one site plan and Environmental Management was requesting they provide green infrastructure.

Commissioner Schouw asked what is directly to the east of the property and stated that it looked like the rail line.

Mr. Trocquet stated that there is a rail spur that is no longer used by the quarry, and it is owned by the Hobgood family, and the other part is owned by the Town. He also stated that the other part of the land is used by Sandy Creek High School for Cross Country running.

Commissioner Hunter motioned to approve the site plan conditioned upon all TRC comments being resolved. Commissioner Bousquet seconded the motion. Motion carried 4-0.

VI. Staff Comments

VII. Commission Comments

Vice-Chairman Hunter stated that this would be his last meeting and wanted to thank each and every one of the commission members. He stated that has enjoyed the time he has spent with them and brags about the Planning Commission members often. Each of the commissioners thanked Mr. Hunter for his service and wished him luck.

VIII. Adjournment

Chairman Nebergall made a motion to adjourn. Motion carried 4-0.

The meeting adjourned at 7:21 pm.

Chairman David Nebergall

Phillip Trocquet, Asst. Town Manager