

Town of Tyrone
Planning Commission Meeting Minutes
October 13, 2022
7:00 PM

Present:

Chairman, David Nebergall
Vice-Chairman, Dia Hunter
Commission Member, Jeff Duncan
Commission Member, Scott Bousquet (absent)
Commission Member, Carl Schouw
Town Attorney, Patrick Stough
Town Planner, Phillip Trocquet

Call to Order:

Chairman Nebergall called the meeting to order at 7:00 pm, the meeting was also available via YouTube Live.

Approval of Agenda:

Commissioner Duncan made a motion to approve the agenda.
Commissioner Hunter seconded the motion. Motion was approved 3-0.

Approval of Minutes:

1. Commissioner Schouw made a motion to table the approval of the minutes from August 25, 2022. Commissioner Duncan seconded the motion. Motion carried 3-0.

Public Hearing:

2. Petition to consider a rezoning of parcel 072604009 from applicant Randy Wright from O-I (Office-Institutional) to C-2 (Highway Commercial). **Phillip Trocquet**
Community Development

Mr. Trocquet spoke of all three properties and stated that applicant Randy Wright. has submitted a petition on behalf of the owner, 74 South, LLC. for a rezoning petition for parcels 072604009, 072604012, 072604013 at property address 1400 Senoia Road. The applicant's expressed intent is to rezone this property from O-I to C-2 (Highway Commercial) to match the zoning adjacent to the properties under consideration. The proposed development is for a highway commercial flex office/warehouse business park consisting of three 30,000 s.f. structures. Last year, the adjacent properties to the east were rezoned to C-2.

He stated that the current existing land use was vacant and the surrounding zoning categories were, C-1, C-2 and M-2. He added that the petition was consistent with the Town's Comprehensive Plan and Future Development strategy. The property fell within the Commercial Corridor Character area which permitted C-2 zoning and encouraged high architectural and landscaping standards. Commercial areas should be screened from the right-of-way and pedestrian connectivity should be accommodated throughout the site and in accord with future path plans. He stated that the property lied within the SR-74 Quality Growth Overlay district which required higher architectural and landscaping provisions for any portion of the site fronting or visible from SR-74.

Mr. Trocquet then gave his zoning ordinance compatibility and impact assessment. He stated that the proposed zoning suggested appropriate uses for SR-74 and the Community Gateway Character area and surrounding properties if appropriately screened, buffered, and constructed to the architectural guidelines listed in the ordinance. He added that the proposed zoning was consistent with the zoning of surrounding properties; it was staff's determination that the zoning would not adversely affect adjacent properties. He stated that it was staff's determination that the property did have reasonable economic use as currently zoned. He shared that given the traffic capacity of Senoia Road, it was staff's opinion that if adequate vehicular circulation was provided on-site, that it would not be excessively burdensome on road infrastructure. The business park at the end of Senoia Road was designed for a buildout of all properties; the development of these parcels at C-2 zoning would be consistent with that buildout. He shared that the proposed development did not suggest a sewer usage that would be burdensome on the Town's existing sewer or water capacity. Stormwater facilities were already provided for the business park. He added that hydrological information confirming that preexisting facilities can handle the capacity of the development would be required.

Mr. Trocquet stated that regarding compatibility to the zoning ordinance, there was some incompatibility regarding the condominium parcels, they did not meet the minimum acreage requirements for C-2. However, the applicant wished to combine all properties including the adjacent property. He added that if the Planning Commission or the Town Council wished to rezone the properties in the future a condition would need to be applied. The properties should be re-platted in accord with the proposed conceptual plat or in a conforming manner within 90 days of the Council Public Hearing, subject to a Council hearing to revert the properties back to their previous condition. He stated that the condition was recommended and that there was a conceptual plat in their packets that reflected that combination. He reiterated that that applicant wished to combine all 3 parcels including the adjacent property.

Commission Chair Nebergall opened the public hearing for anyone that wished to speak in favor of the petition. No one spoke.

Chairman Nebergall opened the public hearing for anyone that wished to speak in opposition of the petition. No one spoke.

Mr. Trocquet stated that Mr. Jason Walls, the applicant's Engineer was present to answer any questions. Integrated Science & Engineering, Civil Design Leader Mr. Jason Walls spoke for the applicant. He stated that approximately 8-9 months ago, they came before the Planning Commission with the intent to combine all 4 parcels totaling 9 ½ - 10 acres. He added that the petitioner would own the entire property. They are not planning on subdividing the property in the future. Chairman Nebergall inquired about a site plan. Mr. Trocquet stated that the applicant did have a draft site plan, however, in order to submit a cohesive site plan, the parcels would need to be approved. Mr. Walls shared that nothing had changed from the first submission.

Commissioner Duncan asked what would be the future use of the buildings be. Mr. Walls stated that the future tenants would be businesses consistent with C-2 uses such as trade contractors.

Chairman Nebergall inquired who owned the property from the ending Senoia Road cul-de-sac to Hwy 74. Mr. Trocquet stated that he believed that property to be State right-of-way. Chairman Nebergall inquired about extending that area onto Hwy 74 in the future as development continued. Mr. Trocquet stated that the Town could inquire again, however, GDOT did give the Town a very definitive no in the past. The issues were the close proximity of the railroad and the major intersection regarding distance requirements. Chairman Nebergall stated that the answer was an excuse, the Town needed to look forward regarding traffic before it became a problem.

Vice-Chairman Hunter shared that the staff report stated that if the office park were to be built out, the street could accommodate the anticipated traffic flow. He inquired if a Senoia Road connection was also anticipated at the time of that study? He added, would another traffic study be required? Mr. Trocquet stated that the study at the time should have reflected the current condition for the build-out, not a connection to Hwy 74 N. He added that in terms of impact on Carriage Oaks Drive, a traffic study could be performed, however, typically C-2 commercial could have a lower traffic impact than O-I based on peak traffic times unless drive-through uses were constructed. Mr. Trocquet stated that a traffic study could be requested. Vice Chairman Hunter stated that there seemed to be more traffic on Carriage Oaks at lunchtime due to additional restaurants, other businesses would just add to that.

Chairman Nebergall asked how much truck traffic would come along with the new businesses and added that the roads were not wide enough. Mr. Walls stated that most users would be in sprinter vans and box trucks with few heavy tractor trailers.

Mr. Trocquet shared that there were a few larger trucks coming in and out of Powers Court and that there was a trucking company currently within the business park. He added that the width of Senoia Road was wide enough to handle those types of vehicles. Carriage Oaks Drive should have been designed for those types of vehicles, but staff could confirm.

Chairman Nebergall stated that since he allowed Mr. Walls to speak in favor of the item, he then re-opened the public hearing for anyone that wished to speak in opposition. No one spoke.

Vice-Chairman Hunter made a motion to approve pending staff conditions.

Mr. Trocquet stated the condition was pending on bringing the properties into a conforming nature and consolidating the lots per the conceptual plat process within 90-days of Council's approval.

Mr. Stough stated that currently the lots were non-conforming and may be illegal, they were also undersized. If the lots were nonconforming and are rezoned, they become illegal. He added that the better way to approach would have been to combine the lots before rezoning. The condition would be ok; however, the issue would remain in front of Mayor and Council at the public hearing. He stated that making conditions regarding plats complicates the issue. Mr. Stough reiterated that combining the three lots to one lot would have been a better option before rezoning.

Commissioner Schouw seconded the motion. Motion was approved 3-0.

3. Petition to consider a rezoning of parcel 072604012 from applicant Randy Wright from O-I (Office- Institutional) to C-2 (Highway Commercial). **Phillip Trocquet**
Community Development

Chairman Nebergall opened the public hearing for anyone to speak in favor of the rezoning. No one spoke.

Chairman Nebergall opened the public hearing for anyone that wished to speak in opposition of the item. No one spoke.

Commissioner Duncan made a motion to approve the rezoning from O-I to C-2 with the conditions stated by staff.

Vice-Chairman Hunter seconded the motion. Motion was approved 3-0.

4. Petition to consider a rezoning of parcel 072604013 from applicant Randy Wright from O-I (Office-Institutional) to C-2 (Highway Commercial). **Phillip Trocquet**
Community Development

Chairman Nebergall opened the public hearing for anyone that wished to speak in favor of the item. No one spoke.

Chairman Nebergall opened the public hearing for anyone that wished to speak in opposition to the item. No one spoke.

Commissioner Schouw made a motion to approve the rezoning from O-I to C-2 with the conditions stated by staff.

Commissioner Duncan seconded the motion. Motion was approved 3-0.

Staff Comments

Commission Comments

Vice-Chairman Hunter stated that although he understood Mr. Stough's direction, how could the Commission move forward for a similar item in the future? Mr. Stough advised to not perpetuate the situation of non-conforming lots. He stated that when conditions were added, in 90 days the property did not revert back to its original zoning, the Town would need to hold its own public hearing to revert the zoning back to the original zoning. Commissioner Hunter inquired if the Town could direct the applicants to go through a certain proper procedure? Mr. Trocquet stated that the procedure would fall on him in the planning and zoning department to direct the applicant in the correct direction. He added that the current application had already been advertised when this issue was identified hence the condition. Vice-Chairman Hunter stated that the procedure was standard, Commissioners would just require clarity.

Adjournment

Chairman Duncan made a motion to adjourn. Motion was approved 4-0. The meeting adjourned at 7:29 pm.

David Nebergall, Chairman

Phillip Trocquet, Asst. Town Manager