



COUNCIL AGENDA ITEM COVER SHEET

Meeting Type: Council - Regular

Meeting Date: April 20, 2023

Agenda Item Type: Old Business

Staff Contact: Brandon Perkins, Town Manager

STAFF REPORT

AGENDA ITEM:

An update on zoning restrictions and emergency access to Shamrock Industrial Park.

BACKGROUND:

On July 20, 2000, the Town Council zoned all properties located in Phase VIII of Shamrock Industrial Park (SIP) to M2 with conditions. One of those conditions was that a secondary entrance into the park, limited to emergency vehicles, must be provided by the developer prior to any additional development taking place. That required entrance was never provided and the Town has held firm on its position that it must be completed before additional construction is allowed.

This issue was revisited by the Town in 2008 and the Council was provided a letter from Fire Marshal David Scarbrough on June 2, 2008 in which he stated, "...it is my opinion that a second entrance or emergency access road should not be required at this time. We will provide the best possible service under whatever conditions or situations are presented at the time." The Council took no action on the zoning conditions at that time.

On May 6, 2021, Scott Moore, who owns a 14 acre parcel within Phase VIII of SIP, requested a rezoning of his property from M2 with conditions to M2 so that he could develop his property. After a lengthy discussion, Council denied the rezoning. However, Mr. Moore was asked during this meeting if he would be willing to "put in the work to communicate with property owners if they would contribute to the outcome" and he stated that he would do that. He was then advised that Council had the authority to revisit the rezoning request if he came back in the future "with information regarding the inability to create a second exit".

Mr. Moore has recently come back to Staff indicating that none of the property owners within SIP that he has been able to discuss this with are willing to assist with making an emergency entrance happen. Mr. Moore has also made it clear that he does not have the financial resources to make this happen on his own. He has further advised us that he has a buyer for his property, but cannot complete the sale until the conditions are lifted. Consequently, he wishes to have Council reconsider his rezoning request. That would require properly advertising new public hearings before the Planning Commission and the Council. The purpose of tonight's agenda item and discussion is to allow Mr. Moore to explain his current position and ascertain Council's willingness to revisit the matter by have staff move forward with the rezoning process.

It should be noted that a 1.73 acre parcel (parcel# 0744042) has been donated to the Town since Mr. Moore last requested a rezoning. This parcel could provide a direct connection/emergency entrance between Rockwood Road in Tyrone and Cottonwood Circle in Peachtree City in the future. The Town has an emergency easement on the Peachtree City side of this property to accommodate the development of such an access.

It should also be noted that, since management of the County Fire Department has changed over time, Staff recently reached out to the current Fire Marshal, Vernon Piper, to discuss this matter again. He has indicated that he and Chief Hill both stand behind Scarbrough's position from 2008.

FUNDING:

None

STAFF RECOMMENDATION:

Staff is seeking direction from Council on whether or not to initiate the rezoning process for this property.

ATTACHMENTS:

1. Minutes from July 20, 2000.
2. Minutes from May 6, 2021

PREVIOUS DISCUSSIONS:

This has been discussed several times over the last 23 years. The last time it was formally discussed by Council was on May 6, 2021.