

THOMASVILLE PLANNING & ZONING COMMISSION
OFFICIAL MINUTES
April 2, 2007

A meeting of the Planning & Zoning Commission was held on Monday, April 2, 2007, at 5:30 p.m. in Council Chambers, Thomasville, GA. Members present were William Dickey, Bob Parrish, Rosemarye Boykins, Rudolph Elzy, and Dr. Annie McElroy. Also present were Duane Treadon, Zoning Administrator; Kha Thomas, Senior Assistant City Manager; Shannon Jones, Administrative Assistant. Guests are listed on the attached sign-in sheet.

Call to Order-

Chairman Dickey called the meeting to order and gave the invocation.

Approval of Minutes-

Bob Parrish moved that the minutes of the March 5, 2007 meeting be approved. The motion was seconded by Dr. Annie McElroy and passed unanimously.

Old Business – None

New Business-

Mr. Dickey reviewed the City of Thomasville's City Code 22-160, "Rules Pertaining to Public Comment", with the citizens that attended the meeting.

Applicant 07-04-01 Stanley Smith, owner's agent for property located at **510 North Crawford Street**, Thomasville, Georgia. The application is to rezone the property from R-1 to R-2, Limited Use; or C-1A, Limited Use (Professional Office Only)

Mr. Dickey asked for the staff report to be presented. Mr. Duane Treadon informed the Commission that the applicant wishes to purchase the subject property, which was moved onto the lot for resale, and use it as a professional office. The subject property consists of 23,522 (more or less) in square footage. He also informed the Commission that historically, the property has been zoned R-1 for over 20 years.

Mr. Treadon advised the Commission of the planning considerations. The first to consider was whether or not the rezoning proposal would permit a use that is suitable in view of the use and development of adjacent and nearby properties. Treadon explained that the location of this property in a local historic district adds another element in considering its suitable use. Protecting the historic fabric of the neighborhood, must be considered so that the development blends in instead of standing out. The applicant's proposed plans, which has been approved by the Historic Preservation Commission, shows a desire to maintain the residential look and feel of the structure. Thought must be given to what subsequent tenants might do to the property. As a local historic district, any exterior changes, would have to be reviewed and approved by the Historic Preservation Commission.

Treadon advised the next issue to consider in evaluating the application, is whether or not the proposal would adversely affect the existing adjacent, or nearby properties. He informed the Commission that the surrounding developed properties should not be affected; however, the possibility of future developments must be considered under the requested zoning. With a zoning of R-2 Limited Use (Professional Office), future tenants could include doctors, attorneys,

CPA's, psychologists, and other more intense professional offices, than that of the proposed architectural practice.

Bob Parrish asked Mr. Treadon whether or not insurance companies would be allowed. Treadon responded by stating that insurance companies would be allowed under the new rezoning.

Dr. Annie McElroy asked Mr. Treadon the differences of zoning the property as C-1A as opposed to R-2. Treadon informed the Commission that C-1A zoning would include some minor retail businesses. The setbacks and lot coverage would differ from that of R-2 zoning.

Mr. Dickey asked whether or not 40% lot coverage would be insufficient for parking under R-2.

Treadon advised the Commission that there may be a slight problem for parking if the lot coverage is only 40% under R-2.

Treadon advised another issue for the Commission to consider while evaluating the application, is whether or not the property affected by the rezoning proposal would have a reasonable economic use as currently zoned. Treadon informed the Commission that as currently zoned, and with a historic structure, reasonable economic use can be expected if developed as a single family residence. Depending on an occupant's needs as a residential dwelling, costs of remodeling, and renovations to upgrade the structure could impact its economical viability. Treadon also stated that the house could be used for a small family, however, larger families would need to expand the structure on the property.

Bob Parrish asked Mr. Treadon if the subject property has plumbing issues.

An audience member advised that the structure has no plumbing.

Another issue is whether or not the rezoning would result in a use that will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. Treadon stated to the Commission that the proposed rezoning would not cause excessive use of the existing infrastructure. However, future professional office may cause an increase in the use of existing streets, if they are expected to have many clients onsite at one time.

Rudolph Elzy asked whether or not the applicant can schedule clients to come to the office one at a time to minimize the excessive use of the existing street. Treadon informed the Commission that would be a matter of practice to be established by the applicant.

The last issue to consider, is whether or not there are existing conditions that may affect the use, and development of the property. Mr. Treadon advised the Commission spot zoning is often asked, when dealing with adjacent parcels with different zones. Treadon stated that courts have held that the rezoning of a single parcel adjacent to other parcels with different zones, is not within itself spot zoning. When considering spot zoning, courts tend to look at whether or not it is compatible with the Comprehensive Plan.

Treadon concluded his staff report by stating that before the Commission makes a decision, they should consider future tenants, and how they may use the property; and to reference the court's points of consideration related to spot zoning, noting that if elements exist that support, or oppose the request.

Mr. Dickey asked anyone in favor of the rezoning to speak to the Commission. Stanley Smith, owner's agent, spoke on behalf of the project. Stanley Smith stated that he would not make any additions to the property. Smith would like to maintain the residential nature of the property, and would like to request R-2 zoning. Smith also informed the Commission that he would like to rehabilitate the structure, and use it as an architectural office. Restructuring the property would raise its value, and the value of properties adjacent to it. Mr. Smith stated that the hardware would be replaced to match what was existing already. Smith informed the Commission that working on the project would be self –fulfilling.

Mr. Dickey asked Mr. Smith for a time period that it would take to finish the project. Mr. Smith informed the Commission that it may take only five to six months to complete the project. Smith stated that there needs to be some demolitions to replace the flooring, as holes have been found.

Mr. Parrish asked Mr. Smith whether or not the structure is stabilized. Mr. Smith responded by stating to the Commission that the structure is stable, and that the property has been treated for termites. The roof and ceilings are also in stable condition.

Rosemarye Boykins asked Mr. Smith questions regarding his clientele. She asked Mr. Smith how would he control his clientele in order that there would not be excessive use of the streets. Mr. Smith assured the Commission that his architectural practice usually only has approximately two to three clients per week, and not more than two a day.

Mr. Dickey asked for anyone else who would like to speak in favor of the rezoning application.

Frank Heston, property owner located at 518 N. Crawford Street, stated that he has spoken with Mr. Smith in regards to the project, and is pleasantly surprised with his commitment to maintain the historical nature of the property. Heston stated that he feels that Mr. Smith is a man of integrity and believes that the professional office would be an appropriate addition to the community. He also stated that the proposed application would be a great investment in maintaining historical homes, and that it would increase the value of surrounding properties. He believes that Mr. Smith would do a professional job.

Peggie Wood, property owner located at 415 Fletcher Street, also expressed her support for the project. Wood stated that the property was once located near her home, and was happy that Landmarks purchased the home. She stated that it was a "miracle" that they were able to preserve such a historical property, as there are few historical properties of this age left in the City. Mrs. Wood stated that it would be a great idea to rehabilitate the property, and she is confident that Mr. Smith would do a great job in doing so.

Mrs. Heston, property owner located at 518 N. Crawford Street, stated that she was in favor of the proposal, however she opposed to a circular driveway in the front of the property. Mrs. Heston stated that a circular driveway would be out of character in a historic district; and that it would be too much for such a small front yard. Mrs. Heston asked that the drive way is placed on one side of the property, with parking in the rear.

Brent Taylor expressed his support for the application. Mr. Taylor stated that he was a local developer, with some of his developments in the neighborhood of the proposed application. Mr. Taylor stated that there are not many architects in the City, and that using the property as an architectural office would be appropriate. Mr. Taylor also stated that it would be difficult to sell the property as a residence, since there would need to be many improvements made.

Mr. Dickey then asked for those opposing the application to express their concerns.

Samuel Scheib, property owner located at 129 E. Clay Street, expressed his opposition to the application. Mr. Scheib stated that he would like to see the property rehabilitated. Mr. Schieb stated the following reasons for his opposition to the project:

- 1) The professional office could create a “blackhole” space in the neighborhood during the evening hours, due to a lack of lighting,
- 2) The development of a professional office on the property is moving in the opposite direction as the rest of the neighborhood, and
- 3) Businesses are not needed in the area, there are many vacant offices spaces available in other parts of the City that the applicant can consider for his business.

Donald West, property owner located at 502 N. Crawford Street, also opposed the rezoning. Mr. West stated that he has sympathy for Landmarks, as he understands that it has been difficult to sell the historical property, however, the rezoning would change the character of the neighborhood. He also stated that “horeshoe” paving is inappropriate in a historic district.

Aimee Schieb, property owner located at 129 E. Clay Street stated her opposition to the application. She stated that the business may increase the flow of traffic in the area, which is not safe for children that constantly play in the area.

Teresa West, property owner located at 215 E. Clay Street opposed the application. Ms. West stated that the rezoning may increase drainage and flooding problems, that already exists in the area.

Mr. Dickey closed the public comment portion of the meeting, and asked members of the Commission to express their views on the application. The following items were discussed:

- Limiting use to architectural practice only.
- Application of a gravel driveway
- Relocation of the parking area to the rear of the structure.
- Relocating driveway to one side, eliminating “horseshoe” driveway
- Concerns on drainage issues for the area.

Following a discussion by the Planning and Zoning members, a motion was made by Bob Parrish to recommend rezoning the property to R-2 Limited Use (Architectural Practice Only), seconded by Dr. Annie McElroy with the following conditions:

- ***Applicant’s driveway must be on one side of the property, with parking in the rear of the property.***
- ***Applicant is required to apply to the Zoning Board of Appeals for gravel vehicle use area.***

The motion was passed with a 4 to 0 vote. Mr. Rudolph Elzy abstained from voting due to a conflict of interest.

Mr. Dickey also requested that drainage problems in the area, be investigated by the City Manager.

Applicant 07-04-02 New Generation Christian Center, owner of property located at **1907 Martin Luther King Jr, Blvd.** Thomasville, Georgia. The application is to rezone the property from M (Manufacturing) to R-2.

Mr. Dickey asked for the staff report to be presented. Mr. Treadon informed the Commission that the applicant plans to develop an affordable housing subdivision on the subject property. The preliminary site plan shows a single family development of 14 lots developed under the R-2 development standards with area left as open space. Treadon also stated that historically, the property was zoned A-Agriculture, until June of 1992. It was then rezoned to Manufacturing. It is not a single parcel rezoning. Parcels to the north and west were also rezoned to Manufacturing at the same time.

Mr. Treadon advised the Commission of the planning considerations. The first planning consideration to consider in evaluating the rezoning application is whether or not the rezoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property. Treadon informed the Commission that the rezoning to R-2 can act as a buffer between the more intense use of manufacturing to the west and single family residential to the east. The development would offer a suitable transition point between the two zones.

Another planning consideration to consider while evaluating the application is whether or not the rezoning proposal would adversely affect the existing use of adjacent or nearby property. Treadon stated that there were no adverse affects to adjacent properties from the placement of a medium density residential subdivision at this location. Existing developed uses will be allowed to continue with minimal, to no impact.

The third planning consideration when evaluating the application is whether or not the property to be affected by the rezoning would have a reasonable economic use as currently zoned. Treadon informed the Commission that Manufacturing zoning, and approximately 2.8 acres economic value can be recognized as currently zoned. Current infrastructure would support a small manufacturing or like commercial activity. As a transition area between two zones, Manufacturing use may not be best suited for this location.

The fourth planning consideration to consider when evaluating the application is whether or not the rezoning proposal would result in a use that will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. Treadon informed the Commission that there exists adequate infrastructure to serve the proposed 14 lots. If development plans change under the requested zoning, a maximum of 33 units could be constructed on the property provided that all parking, open space, and landscaping requirements are met. Treadon advised that even under this maximum density infrastructure capacity would not be reached.

The fifth planning consideration to consider when evaluating the application is whether or not, the proposal is in conformity with the policy and intent of the Thomasville Comprehensive Plan. Treadon stated that the residential development of this project is in conformity with the City of Thomasville Future Land Use map, which depicts this area as a medium to high density residential development. The project supports this element by providing a buffer between the higher intensity non residential use of manufacturing to the west and the lower density residential use to the east.

Treadon concluded his staff report by stating that the project is in compliance with Thomasville's Future Land use map and Comprehensive Plan. The proposed use is compatible for the area, and would offer a buffer between low density residential, and high intensity non residential use.

Mr. Dickey asked for anyone in favor of the application to speak.

Joe Burns, Senior pastor and founder of New Generation Christian Center spoke in favor of the application. Burns feels that the subdivision would be a lower income housing development, that would be beneficial to the community. He stated that there may be future hardships that may prohibit lower income residents to afford housing. The project will make housing affordable to them.

Mr. Dickey asked Mr. Burns, whether or not the church will develop the project. Mr. Burns informed the Commission that the church will develop the project

Mr. Kemp, the applicant's developer spoke in favor of the application. Mr. Kemp stated that they are pursuing a total of \$40,000 from the Georgia Department of Community Affairs.

Mrs. Boykins asked Mr. Kemp whether he was going to use the subdivision for homeownership properties, or for rental properties. Mr. Kemp informed the Commission that they will develop the property for homeownership.

Mr. Dickey asked for anyone who is in opposition to the application to speak.

Mary Lewis, resident located at 137 Payne Street , stated that she was not opposed to single family residents, but would oppose to their being apartments developed on the property .

Mr. Elzy wanted to know if duplexes can be permitted in the development, and whether one part of the duplex can rent, while the other owns.

Mr. Treadon stated that under the requested zoning, duplexes could be allowed, however, individual duplex units could not be sold unless developed under the State's Condominium Law.

Mr. Dickey then closed the public comment portion of the meeting.

Following a discussion by the Planning and Zoning Commission, Rosemarye Boykins motioned to recommend approval of the application as presented, seconded by Rudolph Elzy. The motion passed unanimously.

FINAL PLAT- Grove Pointe Phase II Final Plat Approval Request, Lee Greene.

Mr. Treadon presented a letter from the Engineering Department, that advised that all engineering requirements for Final Plat have been met .

Following a discussion by the Planning and Zoning Commission Rudolph Elzy motioned to approve recommendation for approval of the Grove Pointe Phase II final plat requested, seconded by Rosemarye Boykins. The motion passed unanimously.

There being no further business, the meeting was adjourned at 7:40 p.m.

Chairman