



PLANNING COMMISSION MEETING

February 09, 2023 at 7:00 PM

950 Senoia Road, Tyrone, GA 30290

David Nebergall, Chairman

Dia Hunter, Vice Chairman

Jeff Duncan, Commissioner

Phillip Trocquet, Town Planner

Carl Schouw, Commissioner

Scott Bousquet, Commissioner

Patrick Stough, Town Attorney

AGENDA

Social Distancing will be observed, and seating is limited. The meeting can be accessed live at www.tyrone.org/youtube. If you do not plan to attend, please send any agenda item questions or comments to Town Manager Brandon Perkins (bperkins@tyrone.org).

I. CALL TO ORDER

II. APPROVAL OF AGENDA

III. APPROVAL OF MINUTES

1. Approval of Minutes from January 26, 2023
- [2.](#) Approval of minutes from December 8th, 2022

IV. PUBLIC HEARING

- [3.](#) Consideration of a text amendment to section 113-191 of Article V of the Zoning Ordinance regarding the Quality Growth Development District Special Requirements. **Phillip Trocquet, Community Development**
- [4.](#) Consideration of a text amendment to section 113 of Article V of the Zoning Ordinance regarding district regulations to create a Business Technology Park (BTP) zoning classification. **Phillip Trocquet, Community Development**
- [5.](#) Consideration of a text amendment to section 113-128 of Article V of the Zoning Ordinance regarding the Downtown Commercial (C-1) zoning district. **Phillip Trocquet, Community Development**

V. NEW BUSINESS

- [6.](#) Consideration of a revised final plat from applicant Richard Ferry to consolidate parcels 0738140, 0738156, 0738155, 0738166, 0738134, & 0738132 into an approximately 32.95 acre tract. **Phillip Trocquet, Community Development**

7. Consideration of a revised final plat from applicant Richard Ferry to consolidate parcels 0738160, 0738158, 0738159, 0738166, & 0738133 into an approximately 21.89 acre tract. **Phillip Trocquet, Community Development**

VI. STAFF COMMENTS

VII. COMMISSION COMMENTS

VIII. ADJOURNMENT

**Town of Tyrone
Planning Commission Meeting Minutes
December 8, 2022
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, Carl Schouw

Call to Order:

Commission Chair, Nebergall called the meeting to order at 7:00 pm.

Approval of Agenda:

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

Approval of October 27, 2022 Minutes

Vice-Chairman Hunter made a motion to approve the October 27, 2022 minutes.
Commissioner Duncan seconded the motion. Motion carried 4-0.

Public Hearing:

1. *Consideration of a petition from Foster Holdings, LLC for the rezoning of parcel 073611002 at property address 160 Greencastle Road from Office Institutional (O-1) to Downtown Commercial (C-1). **Phillip Trocquet, Community Development***

Mr. Trocquet presented the item stating that Foster Holdings, LLC has submitted an application to rezone 160 Greencastle Rd. from Office Institutional (OI) to Downtown Commercial (C-1). The stated intent of this rezoning is to permit a greater variety of uses on the property than are otherwise permitted, namely an exercise studio/gym. Mr. Trocquet continued that it was staff's determination that the building placement on site would be illegal under C-1 setback standards, particularly along the southern property line where the

building would encroach on the 20' C-1 setback. Although C-1 zoning is permitted in the Commercial Gateway character area, Market Hill business park was developed for office-institutional structures and uses; subsequent buildings and sites are designed according to this configuration. Staff cannot recommend approval of the rezoning given the building placement according to C-1 setback standards. Given the applicant's stated reason for the request, a discussion regarding which uses are/are not appropriate within the O-I district may be relevant for future text amendments.

He continued that the petition could be interpreted as consistent with the Comp Plan and Future Development map as C-1 is listed as a permitted zoning classification in the Commercial Gateway character area. Local context and surrounding zoning also contributes to the compatibility of this request. All surrounding commercial properties are O-I with many buildings built to O-I development standards, including this property. That being the case many of the buildings and site configurations within the Market Hill business park would be unable to move to C-1 zoning due to the more restrictive setback standards designed to accommodate their higher intensity uses.

The zoning impact assessment was then read:

1. *Will Zoning permit suitable uses with surrounding properties?* C-1 zoning is still considered a lighter intensity commercial district; however, all surrounding properties are zoned O-I per the design of the business park. Use suitability would be inconsistent with the business park's original design and intention, but staff does believe C-1 is suitable for the overall Character Area. The current building placement does not make C-1 a suitable zoning given that it would create an illegal zoning situation.
2. *Will Zoning adversely affect adjacent properties?* Given the required 75' buffer along the rear of the property, it is staff's opinion that the residential properties would not be adversely affected. Given that OI setbacks are lower to reflect the lower intensity of uses, it is staff's opinion that if zoned to C-1, the encroachment of the current building on that setback would adversely affect the southern property owner with higher intensity uses located closer than what is otherwise permitted.
3. *Does the property have reasonable economic use as currently zoned?* It is staff's determination that the property does have reasonable economic use as currently zoned.
4. *Would the proposed zoning result in a use which will or could be excessively burdensome on existing infrastructure?* It is staff's determination that this zoning would not result in an excessive burden on existing infrastructure.

Chairman Nebergall opened the public hearing for those in favor of the petition.

A representative of Foster Holdings LLC stated that they were looking to provide flexible space in the basement suite of their building for an exercise or yoga studio that would not conflict or compete with any of the other tenants in the building.

Chairman Nebergall closed the public hearing for those in favor and opened the public hearing for those in opposition to the petition. No one spoke.

Chairman Nebergall closed the public hearing for those in opposition.

Commissioner Bousquet asked the applicant what the building layout was like. They responded with an outline of the suites and tenants in the building with approximately 1,500 s.f. of open basement space for their proposed use.

Vice-Chairman Hunter wished to make the point that an exercise studio is different than a gym and asked Mr. Trocquet what that threshold was. Mr. Trocquet stated that it was not clearly defined in the Town's ordinance what that threshold was, but that a definition could be created along with the addition of that use to the district.

Commissioner Bousquet asked what similar uses are currently in O-I. Mr. Trocquet responded that most of the O-I uses were medical or office in nature, so Physical Therapy or Occupational Therapy uses would likely be the closest. Gyms are usually considered a higher intensity use due to the non-appointment nature of patrons and use level.

Vice-Chairman Hunter voiced his concern with the setback conflict and noted that the solution to the applicant's problem would be best addressed with a text amendment application. The Planning Commission then directed staff to research a text amendment for O-I regarding exercise studios.

Chairman Nebergall requested that Mr. Trocquet display the zoning map to see where all O-I properties were located in the Town for the purposes of better understanding what a potential text amendment would look like contextually for the entire town. He voiced that Market Hill was designed and planned as an office park and was leery regarding rezoning anything to a higher intensity within the business park itself.

Vice-Chairman Hunter made a motion to deny the petition. Commissioner Duncan seconded the motion. Motion carried 4-0.

2. *Consideration of a rezoning petition from applicant Ivo Jansink for the rezoning of an approximately 5-acre tract at property address 555 Dogwood Trail from R-20 to C-1 (Downtown Commercial). **Phillip Trocquet, Community Development***

Mr. Trocquet presented the item stating that applicant Ivo Jansink has applied to rezone Tract 'B' of parcel 0728065 at property address 555 Dogwood Trail from R-20 to C-1. The stated intent of this rezoning is to establish a business on the western half of the previously single tract and a home on the eastern tract, Tract 'A'. He continued that it is staff's determination that this petition is consistent with the Town's Comp Plan and future Land Use strategy. Many properties around this one have been zoned C-1 in order to foster a light community commercial concentration at the intersection of Dogwood Trail and SR-74. This rezoning would also eliminate an existing nonconforming condition of the building at the Shops at Glendalough directly to the west. Under the current zoning of R-20, the adjoining C-1 commercial center (Shops at Glendalough) are required to maintain a 75' buffer from their property line. This buffer is currently not in place. With the rezoning of Tract '5', this buffer requirement reduces down to simply a setback requirement of 20' which would be maintained. Staff recommends approval of this petition.

This petition is consistent with the Town's Comp Plan and Future Development Strategy. The property is located in the Community Gateway Character area which encourages commercial development with high quality architectural and landscaping standards.

Although this property would incur a 75' buffer on its eastern property line, staff has determined that a significant buildable area would still be maintained on the property. This property would constitute the border between the Community Gateway character area and Estate Residential character area. With the property having been split and with large acreage, this provides an adequate transition between character areas.

1. *Will Zoning permit suitable uses with surrounding properties?* C-1 zoning is situated on most sides and would be suitable adjoining these properties.
2. *Will Zoning adversely affect adjacent properties?* Given that this rezoning would eliminate a non-conforming issue with the western property of the same zoning, it is staff's determination that this would not adversely affect this neighbor. Given the large 75' buffer between this property and the R-20 tract to the east as well as the large land area of both tracts, it is staff's opinion that this zoning will not adversely affect the adjoining R-20 property.
3. *Does the property have reasonable economic use as currently zoned?* Given the large amount of floodplain on the property and unusual topography, it is staff's opinion that residential zoning for this 5-acre tract would not be economically viable.
4. *Would the proposed zoning result in a use which will or could be excessively burdensome on existing infrastructure?* It is staff's determination that this zoning would not result in an excessive burden on existing infrastructure. Only a single business entity or small multi-tenant building would be able to be constructed given the property line locations, topography, flood plain location, and known soils.

Chairman Nebergall opened the public hearing for those in favor of the petition.

Chairman Nebergall closed the public hearing for those in favor and opened the public hearing for those in opposition to the petition. No one spoke.

Chairman Nebergall closed the public hearing for those in opposition.

Applicant Carolina Jansink explained that the commercial site would be for their business which offers nature retreat classes to consult with businesses. She further explained that they would incorporate trails throughout the property including to the adjacent residential tract where they hope to construct a home. Mr. Ivo Jansink then spoke and stated that he was in favor of the rezoning considering that the floodplain occupied a large part of the property. He said that the floodplain area would constitute a large portion of the nature area aspect of their business.

Chairman Nebergall asked if there was any development on these properties. Mr. Trocquet responded that they were vacant. Mr. Duncan asked who would be living in the home; Mr. Jansink stated that it would be their primary residence on tract A.

Commissioner Duncan made a motion to approve the rezoning. Commissioner Bousquet seconded the motion. Motion passed 4-0.

3. *Consideration of a text amendment to section 113-191 of Article V of the Zoning Ordinance regarding the Quality Growth Development District Special Requirements. **Phillip Trocquet, Community Development***

Mr. Trocquet presented the item stating that one of the major text amendments called for in the Comprehensive Plan was to bolster the SR-74 Quality Growth District Overlay. This overlay calls for higher architectural and landscaping standards but was found to be missing elements called for by citizens and Council. He continued that although higher architectural and landscaping requirements are part of the current overlay, there is not much specific direction on each. This amendment specifies landscaping requirements much more specifically and expands the buffer from 20' to 50'; planting requirements are specified by quantity and size as well as other specific requirements. Architectural standards have been slightly modified to accommodate more class A building materials as well as specified percentage ratios achievable by the type of developments the Town is seeking to attract. This also includes screening and exterior storage requirements. Traffic management has been one of the top requirements associated with the SR-74 corridor. In an effort to reduce the impact of any new economic development projects along SR-74, the overlay district is being modified with a special traffic management area requirement for all properties on the east side of SR-74. This required road connection will act as a service road for all business traffic as the area develops.

Commissioners discussed the benefits and drawbacks of many of the provisions with specific mention to the area designated for the overlay district as well as use allowances.

Commissioner Bousquet asked about the inclusion of multi-use paths as a requirement for developers. Mr. Trocquet confirmed that this would be included as a requirement consistent with the Town's master path plan. Vice-Chairman Hunter mentioned that a 'Keep Tyrone Beautiful' organization may also help in keeping up with the right aesthetic along SR-74.

Commissioner Duncan made a motion to table this item to the February 9th 2023 meeting. Commissioner Bousquet seconded the motion. Motion passed 4-0.

4. *Consideration of a text amendment to section 113 of Article V of the Zoning Ordinance regarding district regulations to create a Business Technology Park (BTP) zoning classification. **Phillip Trocquet, Community Development***

The Comprehensive Plan has made mention of attracting quality economic development projects to the Town of Tyrone, specifically on the northern portion of the SR-74 corridor. Subsequent Council retreats and public input sessions associated with the comprehensive plan update confirmed this desire and noted that the zoning ordinance should be modified to better accommodate this vision and desire. Mr. Trocquet continued that after performing research and coordinating with entities such as the Fayette County Development Authority, staff has formulated a Business Technology Park(BTP) zoning classification intended on accommodating quality economic development projects to Tyrone in an effort to bolster the local economy and job market. The difference between this district and the M-1 or M-2 district is that it more accurately reflects citizen desires for the northern corridor of SR-74 as well as the unincorporated county's future development strategy in hopes to ease the annexation process. Many of the uses intended for this district are light assembly, manufacturing, production, and fabrication as well as industries focused on medical,

technology, and research facility expansion. Ancillary support uses are allowed as well. Uses such as outdoor storage facilities, exclusive warehousing & distribution facilities, trucking establishments, heavy manufacturing not housed within a building, heavy material dealers and mining operations are not intended for this district. This district is meant to operate in tandem with the Town's Quality Growth Overlay district for SR-74 which helps guide architecture, landscaping, and transportation to a high standard.

Conversation on this item was had regarding the allowed percentage of warehouse space with a specific concern not to attract large warehousing and distribution facilities as constructed for Amazon Corporation along Interstate 85. There was further discussion regarding crafting the right ordinance that was flexible enough to attract the right kind of economic development while allowing warehousing as part of any businesses every day activities.

Commissioner Bousquet made a motion to table this item to the February 9th 2023 meeting. Vice-Chairman Hunter seconded the motion. Motion passed 4-0.

5. *Consideration of a text amendment to section 113-128 of Article V of the Zoning Ordinance regarding the Downtown Commercial (C-1) zoning district. **Phillip Trocquet, Community Development***

Mr. Trocquet presented the item. The Downtown Commercial zoning classification may have, at one point in time, been relegated to the downtown district exclusively, but over time has been used as a light commercial alternative between O-1 and C-2 (Highway Commercial) across all corners of the Town. Given our latest focus on the Town Center (Downtown) district, this has caused some confusion amongst citizens and rezoning applicants as well as business owners. In an effort to reduce confusion, staff recommends a minor update to this district that re-titles it to Community Commercial while retaining the C-1 shorthand classification. It is staff's opinion that this name better reflects the application of the zoning district as it has evolved across Town and reduces confusion when discussing zoning matters.

Vice-Chairman Hunter made a motion to table this item to the February 9th 2023 meeting. Commissioner Duncan seconded the motion. Motion passed 4-0.

New Business

Staff Comments

Commission Comments

Vice-Chairman Hunter asked the status of the DRI off of Valleywood Road. Mr. Trocquet responded that Pulte had pulled out of the land deal last he had heard and that the DRI was suspended. Mr. Hunter then asked about the status of the East Group project. Mr. Trocquet responded that they were working with GA EPD on a stream buffer variance request.

Commissioners also discussed status of other various developments across town such as the Red Door building, a car wash, and a Montessori school off Senoia Road.

Adjournment

Commissioner Duncan made a motion to adjourn. Motion carried 5-0.

The meeting adjourned at 8:52pm.

Chairman David Nebergall

Phillip Trocquet, Asst. Town Manager



STAFF REPORT

Planning Commission Meeting

Subject: Quality Growth Overlay Alterations

1. **Background/History:** One of the major text amendments called for in the Comprehensive Plan was to bolster the SR-74 Quality Growth District Overlay. This overlay calls for higher architectural and landscaping standards but was found to be missing elements called for by citizens and Council.
2. **Findings/Current Activity:** Although higher architectural and landscaping requirements are part of the current overlay, there is not much specific direction on each. This amendment specifies landscaping requirements much more specifically and expands the buffer from 20' to 50'; planting requirements are specified by quantity and size as well as other specific requirements.

Architectural standards have been slightly modified to accommodate more class A building materials as well as specified percentage ratios achievable by the type of developments the Town is seeking to attract. This also includes screening and exterior storage requirements.

Traffic management has been one of the top requirements associated with the SR-74 corridor. In an effort to reduce the impact of any new economic development projects along SR-74, the overlay district is being modified with a special traffic management area requirement for all properties on the east side of SR-74. This required road connection will act as a service road for all business traffic as the area develops.

3. **Actions/Options/Recommendations:** Staff recommends approval of this item.
4. **Planning Commission Recommendation:**

Sec. 113-191. - (SR-74 Quality Growth Development District)

The purpose of this section is to maintain a physically and aesthetically pleasing gateway into the Town of Tyrone, while keeping it in line with the surrounding environment to ensure visual continuity. In reviewing any application within this area, the mayor and council shall consider among other things, the general design, the character and appropriateness of design, scale of buildings, arrangement, texture, materials, and colors of the structures in question and the relationship of such elements to similar features of structures in the surrounding area. Any structure or site within 800 feet of the State Route 74 right-of-way line shall, in addition to the other requirements of this Ordinance, comply with the following:

(1) *Landscaping and Screening Requirements*

- a. Landscape plan submission. A landscape plan shall be submitted and approved as part of the predevelopment site plan as required by the provisions of this ordinance with particular attention paid to the following:
 - i. Preservation: an effort should be made to preserve as much of existing plant material and land form as possible; clear-cutting and mass grading are not acceptable practices.
 - ii. Context: The design shall be planned in such a fashion that it is physically and aesthetically related and coordinated with other elements of the project and surrounding environment to insure visual continuity and context (color, material, mass, function, topography).
 - iii. Quality: landscape design shall be designed in a sound manner and constructed according to accepted good planting procedures.
- b. Planted Buffer. A maintained planted buffer shall be in place for the first 50 feet of the building setback adjacent to State Route 74. The buffer area is defined as the unpaved segment of land located between the property line that abuts a right-of-way and any building or vehicular use area and designed for the preservation and placement of plant materials.
 - i. The landscaping design shall protect scenic views via berms and screening and utilize natural features of the site;
 - ii. Within the required street planting area, measuring the total length of the project street frontage exclusive of drives, trees from the large category shall be planted at intervals of 40 feet with either one medium category or three small category trees in between; however, creativity is encouraged. Trees in the large category shall be three inches caliper and not less than 12 feet in height at planting. Trees in the medium category shall be two and one-half inches caliper and not less than ten feet in height at planting. Trees in the small category shall be two inches caliper and not less than six feet in height at planting. The remaining area shall be landscaped with shrubs and ground cover. The shrubs and ground cover shall be defined in three categories: large shrubs (at a minimum size of 7 gallon and 3-foot in height at time of planting), medium shrubs (at a minimum size of 3 gallon and 18 inches in height at time of planting), and ground cover (at a minimum size of 4 inch pots and 4 inches in height at time of planting). Each category shall comprise of the following percentages of required shrubbery: a minimum 15% large shrubs, a minimum 15% medium shrubs, and maximum 10% ground cover. All plants must meet ASFNS standards.

Category	Height Range at Full Growth	Description
Small/ understory	10-20	This category shall be used primarily where there are overhead obstructions or in a planting area which cannot accommodate an overstory or shade tree. The Town's environmental specialist shall have the authority to disallow trees that are not suitable for a specific location due to growth habits of the tree or site conditions.
Medium	20-40	These trees shall be used primarily as street and shade trees. The Town's environmental specialist shall have the authority to disallow trees that are not suitable for a specific location due to growth habits of the tree or site conditions.
Large/ overstory	40+	These trees will be used primarily as street and shade trees. The Town's environmental specialist shall have the authority to disallow trees that are not suitable for a specific location due to growth habits of the tree or site conditions.

- iii. Berms. When required as a condition of site plan or zoning approval shall be a minimum of five feet in height above grade of the road pavement, and shall be placed to the inside of the applicable buffer along State Route 74.
- iv. Exemption – Tree Coverage. Landscaping requirements may be adjusted to preserve and utilize existing tree coverage for screening where:
 - 1. Preexisting dense forestry exists at such intervals of at least 8-10 trees over 6" diameter per 100 square feet; and
 - 2. provides continuous visual screening that satisfies the purpose and intent of this ordinance .

(2) Architectural & Dimensional Requirements

- a. Every application for the construction of a new building or structure and alterations and/or additions to existing structures shall be accompanied by drawings signed by the architect, engineer, or other appropriate professional which clearly show the following:
 - i. Exterior elevations drawn to scale with color rendering;
 - ii. Proposed colors, materials and textures for structures;
 - iii. Location of all exterior utility facilities including any roof top units;
 - iv. Proposed signs and location including size, color and material;
 - v. Line of sight study from State Route 74;

- b. The design shall protect adjacent properties from negative visual and functional impacts;
- c. All loading docks, trash receptacles and equipment areas shall be screened from all streets via the use of plantings, fences, walls, and berms;
- d. Loading and unloading shall be done only into or from the rear or side of buildings;
- e. All roof-top HVAC equipment shall be visually screened from adjacent roads and residential areas. The screen shall extend to the full height of the objects being screened.
- f. Outside finish construction
 - i. 70 percent category “A” materials - brick (hard burned clay), brick veneer, stone (with weathered or polished fluted broken face), or glass.
 - ii. 30 percent category “B” materials – masonry backed stucco, E.I.F.S, metal, or fiber cement boards.
- g. Exterior walls must be designed to provide visual relief at a minimum of every 20 feet (no long flat walls);
- h. Exemptions
 - i. When an existing nonconforming structure is enlarged by 50 percent or less, the enlargement does not have to meet the aforementioned architectural standards, but does have to match the architectural design of the existing nonconforming structure. This exemption shall only apply to the first occurrence of any enlargement. Only one structure per lot shall be entitled to the exemption. When an existing nonconforming structure is enlarged by more than 50 percent, the entire nonconforming structure shall be brought into compliance with the aforementioned architectural standards.
 - ii. Development approved prior to the adoption of this ordinance, provided the property is not rezoned from one category to another. If rezoning occurs, the requirements of this ordinance shall take full effect on the parcel or lot to the extent parcel dimensions will allow.

(3) *Traffic management*

- a. A traffic management plan, prepared by a qualified professional engineer or transportation planner shall be submitted at the discretion of the Town engineer, based on the size and intensity of the development, and traffic conditions. The traffic management plan must identify any traffic impacts that will be created by the development as well as present and reasonable solutions to those impacts.
- b. *Multi-use path connectivity.* In order to provide for alternative modes of transportation (including the accommodation of golf carts, bicyclists, and pedestrians), the integration of multi-use paths is required consistent with the Town’s multi-use path plan. Path construction standards will be held to the standards set forth in the Fayette County Master Transportation Plan.
- c. *Northwest Corridor Special Traffic Management Area* – For any properties within the Town’s municipal boundary north of Kirkley Road and West of SR-74, an internal collector road will be required, from the existing median break at Thompson Road south to Kirkley Road. The design of the collector road will require left turn lanes at the intersections of SR 74 North and Kirkley Road as well as all intersections internal to developments. Final design approval of these intersections will be made by the Town’s engineer and the Georgia Department of Transportation.

(4) *Fences & Walls*

- a. All required opaque fences or walls shall be constructed of one or a combination of the following: decorative wood, stone, stucco on block, decorative block, or brick. These fences or walls shall not exceed eight feet in height.
 - b. Decorative wrought iron fencing may be used for architectural and security purposes only.
 - c. Chain link, unfinished concrete or cinder block, plastic or fiberglass, barbed or razor wire, and plywood fences, or like materials are prohibited in the front yard of any property and shall be screened from view if visible from SR-74. Paint shall not be considered a finish material.
- (5) *Lighting and shielding.* Lighting shall be placed in a manner to direct light away from any adjacent roadways or residential areas. Fixtures shall be a maximum of 35 feet in height within parking lots.
- (6) *Utilities and service equipment.* All utilities shall be located underground.
- (7) *Outdoor Storage.* Outside storage of merchandise, commercial vehicles, equipment and parts shall not be visible from the right-of-way or adjoining properties. This shall not apply to overnight parking of regular business vehicles under GVWR of 26,000 ancillary to business activities.
- (8) *Location.* The location of the SR-74 Quality Growth overlay shall apply to buildings and sites within 800 linear feet of SR-74 right of way. This area extends from the northern limits of the Town to the southern limits.
- (9) *Administrative variance.* Where staff finds that extraordinary and unnecessary hardships may result from strict compliance with these development standards, the Town Manager or his designee may vary the standards so that substantial justice may be done and the public interest secured; provided that such variations will not have the effect of nullifying the intent and purpose of these development standards. Where staff finds that, due to special circumstances of a particular lot, use, or building, the director may waive applicable development standards, provided the modification does not waive the required standard by more than 15 percent. The following factors where relevant, shall be considered in evaluating an administrative variance:
- A. The dimensions of a lot;
 - B. Natural features of the property, such as topography, watercourses, rock formations, and similar conditions;
 - C. Unique and special uses; and
 - D. Building design and construction.

In granting variances and modifications, the director shall require such conditions that will, in the director's judgment, secure substantially the objectives of the standards or requirements so varied or modified.

The following shall be submitted to the director when an administrative variance is being requested:

- a. An administrative variance fee in the amount prescribed in the fee schedule.
- b. A denial letter from the development review division of the planning department indicating the reason(s) for noncompliance.
- c. A letter from the applicant stating their appeal including reasons for noncompliance and provide suggested mitigated measures, if any.
- d. Copy of warranty deed.

- e. If applicable, a plat of property indicating all existing and proposed structures in relation to nearby streets, property lines, and driveways; dimensions are to be accurate (submit two copies of the plat).

Appeals of an interpretation or of an administrative variance denial by the director relative to the requirements of these development standards may be submitted to the board of zoning appeals in accordance with the procedures in article 28, criteria for variances and conditional uses, of the zoning and development ordinance.



STAFF REPORT

Planning Commission Meeting

Subject: BTP (Business Technology Park) Zoning Classification

1. **Background/History:** The Comprehensive Plan has made mention of attracting quality economic development projects to the Town of Tyrone, specifically on the northern portion of the SR-74 corridor. Subsequent Council retreats and public input sessions associated with the comprehensive plan update confirmed this desire and noted that the zoning ordinance should be modified to better accommodate this vision and desire.
2. **Findings/Current Activity:** After performing research and coordinating with entities such as the Fayette County Development Authority, staff has formulated a Business Technology Park (BTP) zoning classification intended on accommodating quality economic development projects to Tyrone in an effort to bolster the local economy and job market. The difference between this district and the M-1 or M-2 district is that it more accurately reflects citizen desires for the northern corridor of SR-74 as well as the unincorporated county's future development strategy in hopes to ease the annexation process. Many of the uses intended for this district are light assembly, manufacturing, production, and fabrication as well as industries focused on medical, technology, and research facility expansion. Ancillary support uses are allowed as well.

Uses such as outdoor storage facilities, exclusive warehousing & distribution facilities, trucking establishments, heavy manufacturing not housed within a building, heavy material dealers and mining operations are not intended for this district.

This district is meant to operate in tandem with the Town's Quality Growth Overlay district for SR-74 which helps guide architecture, landscaping, and transportation to a high standard.

3. **Actions/Options/Recommendations:** Staff recommends approval of this item.
4. **Planning Commission Recommendation:**

Sec. 113-____. - BTP, Business Technology Park District.

- (a) *Purpose.* The purpose of the Business Technology Park District (BTP) is to encourage a business/employment center or technology research park in a planned campus setting with internal streets serving individual lots that contain a single business or multi-tenant buildings housing uses which are free from such nuisances as noise, vibration, smoke, gas, fume, odor, dust, radiation or other injurious or noxious conditions related to those uses. The district regulations are intended to promote an environment that is conducive to continued development of a technology, manufacturing, headquarters, or research park and to accommodate the unique needs of research, development, high tech firms, light manufacturing/distribution firms, and professional firms. Such facilities, along with offices, are the primary intended uses in the district, with secondary uses such as retail and personal services intended for the convenience of workers and visitors in the area. These convenience uses are encouraged to be located on the ground floor of buildings devoted to permitted principal uses and with active pedestrian orientation incorporated in the design. The district is designed to enable flexibility of development, maximum utilization of scarce land resources and innovative and efficient means of providing needed off-street parking facilities, while affording protection from potentially incompatible development. Through the district regulations and the plan of development review process, the district is intended to encourage high-quality development that promotes continued economic investment; that provides amenities that contribute to an attractive and comfortable environment; and that complements and does not detract from the adjacent downtown retail, office, and medical areas.
- (b) *Permitted uses.* The following permitted uses shall be allowed in the BTP zoning district:
- 1) Automotive/ marine parts sales
 - 2) Business, professional, and/or government offices;
 - 3) College and/or university, classrooms and/or administration only;
 - 4) Computer or data collection / processing centers / IT services
 - 5) Computer services and/or information technology;
 - 6) Educational/instructional/tutoring facilities, including, but not limited to: art; computer; dance; driving and/or DUI; martial arts; music; professional/business/trade; and similar facilities;
 - 7) Financial, credit, real estate, and/or insurance offices;
 - 8) General medical and surgical hospitals
 - 9) Light manufacturing and/or fabricating and/or assembling of products, including, but not limited to, the following:
 - a. Production of food, beverages, cosmetics, and/or pharmaceuticals, but not including, fish and meat products, sauerkraut, vinegar, yeast, and rendering plants;
 - b. Fabrication and assembly of metal, wood, cloth, and/or plastic products;
 - c. Production of computer and/or electronic components and products.
 - 10) Professional and/or Business offices
 - 11) Publishing and/or printing;
 - 12) Research, development and laboratory facilities related to the medical, biotechnology and other life science industries;
 - 13) Television/radio broadcasting studio, and/or telecommunication;
 - 14) Trade contractors;
 - 15) Training center, trade school, and/or vocational center;

(c) *Support uses.* In addition to the permitted uses in subsection (b) of this section, no more than 25 percent of the floor area of an individual multi-tenant building may consist of business operations providing support services for the larger development. Permitted support service uses include:

- 1) Business service support establishments
- 2) Convenience store;
- 3) Office and/or computer supplies; and
- 4) Personal services (i.e., alterations; barber shop; beauty salon; clothing/costume rentals; counseling services; electrolysis and/or hair removal; fitness center; laundry drop-off/pick-up; locksmith; nail salon; photography studio; shoe repair; and tanning salon;
- 5) Photographic studios
- 6) Radio and television broadcasting stations
- 7) Restaurant/restaurant take-out;

(d) *Conditional uses.* The following conditional uses shall be allowed in the BTP zoning district provided that all conditions specified in article V of this chapter are met:

- 1) Animal hospitals and veterinary clinics;
- 2) ATM's
- 3) Building materials dealers (all materials interior);
- 4) Movie and media production studios (including ancillary businesses that supply support services, equipment and resources to the movie / media industry);
- 5) Telecommunications antennas and towers; and
- 6) Warehousing and distribution (as an ancillary use not to exceed 50% of gross floor area).

(e) *Dimensional requirements.* The minimum dimensional requirements in the BTP shall be as follows:

- (1) Minimum site area for a BTP development: 10 acres.
- (2) Minimum Lot width: 150 feet.
- (3) Front yard setback:
 - a. Major thoroughfare:
 1. Major arterial: 100 feet.
 2. Arterial: 100 feet.
 3. Collector: 65 feet.
 - b. Minor thoroughfare: 65 feet.
- (5) Rear yard setback: 25 feet.
- (6) Side yard setback: 25 feet.
- (7) Buffer. If the rear or side yard abuts a residential or A-R zoning district, a minimum buffer of 100 feet shall be provided adjacent to the lot line. Where a side or rear lot line abuts property in a residential or A-R district with little to no dense forestry, there shall be a continuous evergreen vegetative screen within the buffer not less than 4 feet in height at the time of installation or opaque structural fence or wall not less than six feet in height erected along such lot line. Evergreen vegetative material intended to satisfy this subsection shall be planted at such intervals that will result in a continuous visual screen within one year of planting.

- (8) Height limit: 50 feet.
- (9) Impervious surface coverage limit, including structure and parking area: 50 percent of total lot area.
- (10) *Outside storage, refuse area, and bay door requirements.* The following requirements shall apply to outside storage and refuse areas. Where this section contradicts any other requirement, the most restrictive shall apply.
 - a. All refuse areas shall be allowed in side or rear yards only, shall be screened, and comply with the required buffers and setbacks.
 - b. Bay doors shall not be visible from SR-74 right of way and shall be screened from all other right of way.
- (11) Maximum building footprint: 300,000 s.f.
- (f) *Other requirements.*
 - (1) *Utilities.* All utilities shall be underground.
 - (2) *Multi-tenant buildings.*
 - a. *Location.* Developable frontage on a major arterial road to a minimum depth of 300 feet shall be reserved for multi-tenant buildings.
 - b. *Uses limited.* Multi-tenant buildings in this area will be limited to the aforementioned business uses.
- (h) *Rezoning requirements.* The following is required for a rezoning petition for the BTP zoning district in addition to what is normally required for a rezoning petition:
 - (1) A development plan is required for the rezoning petition and will take the place of the required concept plan. The development plan, as approved, shall establish the layout and uses planned for the development. Any change in the approved development plan, which affects the intent and character of the development, the land use pattern, the location or dimensions of streets, or similar substantial changes, shall be reviewed and approved by the town council upon the recommendation of the planning commission. A petition for a revision of the development plan shall be supported by a written statement as to why the revisions are necessary. The development plan shall include what is normally required on the concept plan, as well as the following:
 - a. A delineation of the business use area and the light manufacturing/distribution use area, including the acreage within each area;
 - b. A delineation of the internal transportation network, including roads, multi-use paths, and inter-parcel access/roads as applicable; and
 - c. Requirements of any overlay zone which is applicable to the property.

(Code 1992, § 20-6-24; Ord. No. 2012-09, § 4, 5-24-2012; Ord. No. 2012-14, § 5, 12-13-2012)



STAFF REPORT

Planning Commission Meeting

Subject: C-1 Downtown Commercial Edit

1. **Background/History:** The Downtown Commercial zoning classification may have, at one point in time, been relegated to the downtown district exclusively, but over time has been used as a light commercial alternative between O-1 and C-2 (Highway Commercial) across all corners of the Town. Given our latest focus on the Town Center (Downtown) district, this has caused some confusion amongst citizens and rezoning applicants as well as business owners.
2. **Findings/Current Activity:** In an effort to reduce confusion, staff recommends a minor update to this district that re-titles it to Community Commercial while retaining the C-1 shorthand classification. It is staff's opinion that this name better reflects the application of the zoning district as it has evolved across Town and reduces confusion when discussing zoning matters.
3. **Actions/Options/Recommendations:** Staff recommends approval of this item.
4. **Planning Commission Recommendation:**



PLANNING DATE 02/09/2023
COUNCIL DATE NA

Section V, Item 6.

P&Z STAFF REPORT

PREPARED BY:
Phillip Trocquet, Asst. Town Manager
ptrocquet@tyrone.org | (770) 881-8322

DOCKET/APPLICATION #	APPLICANT	ADDRESS/PARCEL #
PC 02092023	Clarendon Place LLC Richard Ferry	Palmetto Road

SUMMARY & HISTORY

Applicant Richard Ferry on behalf of owner Clarendon Place LLC. Has applied to consolidate two collections of parcels: **Tract A** north of Palmetto Road would consolidate parcels 0738140, 0738156, 0738155, 0738166, 0738134, & 0738132 into an approximately 32.95 acre tract. **Tract B** south of Palmetto Rd. would consolidate parcels 0738160, 0738158, 0738159, 0738166, & 0738133 into an approximately 21.89 acre tract. The stated intent for this re-plat is to prepare the two properties for rezoning.

STAFF DETERMINATION

It is staff's determination that the proposed plat be approved with the condition that any outstanding TRC comments be resolved.



EXISTING ZONING	PROPOSED ZONING	EXISTING LAND USE	SURROUNDING ZONING	SITE IMPROVEMENTS	PROPERTY ACREAGE
Tract A parcels: C-1 Tract B parcels AR	N/A	Vacant	North: LUR South: AR/R-12 East: AR West: R-12	Vacant Accessory Structures	32 Acres (N. Palmetto Road) 21 Acres (S. Palmetto Road)

COMPREHENSIVE PLAN & FUTURE DEVELOPMENT MAP COMPATABILITY

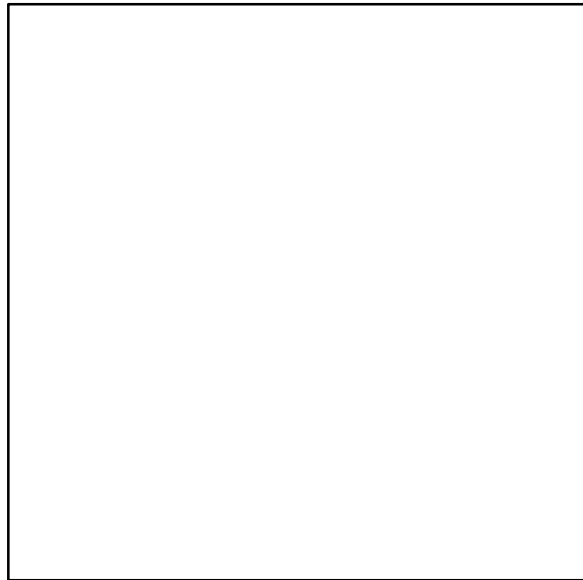
This petition is consistent with the Town's Comprehensive Plan and Future Development strategy. The property lies within the Town Center District Future Development Character area which promotes pedestrian-oriented mixed-use development and zoning. Buildings are encouraged to be located along the street which is not the case currently, however, any new proposals for development including new building structures should follow the requirements in the ordinance and comprehensive plan. Such site plans and building elevations will need to be approved by the Planning Commission.

ZONING ORDINANCE COMPATABILITY & IMPACT ASSESSMENT

This plat is consistent with the Town's zoning and subdivision regulations.



Developed by  **Schneider**
GEOSPATIAL



LEGEND

- ## SURVEY NOTES

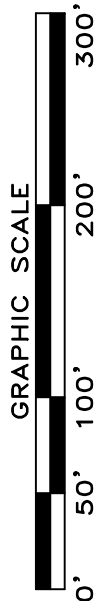
- NOTE:**

Any streams or bodies of water may be subject to State, County, and Local buffers and restrictions. This survey makes no interpretation regarding these buffers or restrictions. Users of this survey are cautioned to consult with the appropriate government authorities concerning possible buffers or restrictions.

Rochester and Associates, LLC
286 Highway 314, Suite A, Fayetteville, GA 30214
770.718.0600 p | www.rochester-assoc.com

COMBINATION PLAT FOR
**OLD TOWNE
TYRONE PROPERTY**

AND LOT 140, 7th DISTRICT
TOWN OF TYRONE
FAYETTE COUNTY, GEORGIA

[illegible]

SHEET
1
OF
2

DATE: 11/17/22
SCALE: 1:100
JOB NO.: F218005
DRAWN BY: LJG
DWG NO.: TOB.COMB

FINAL PLAT APPROVAL:

MAYOR _____ DATE _____

OWNER #1 _____ DATE _____

OWNER #2 _____ DATE _____

TOWN CLERK _____ DATE _____

SURVEYORS CERTIFICATION

AS REQUIRED BY SUBSECTION (D) OF O.C.G.A. SECTION 15-6-67, THIS PLAT HAS BEEN PREPARED BY A LAND SURVEYOR AND APPROVED BY ALL APPLICABLE LOCAL JURISDICTIONS FOR RECORDING AS EVIDENCED BY APPROVAL CERTIFICATES, SIGNATURES, STAMPS, OR STATEMENTS HEREON. SUCH APPROVALS OR AFFIRMATIONS SHOULD BE CONFIRMED WITH THE APPROPRIATE GOVERNMENTAL BODIES BY ANY PURCHASER OR USER OF THIS PLAT AS TO INTENDED USE OF ANY PARCEL. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.

BRANDON C. REGISTER, PLS #
bregister@rochester-assoc.com
Rochester and Associates, LLC.
LSF-000484 EXPIRATION 6/30/2024
www.rochester-assoc.com

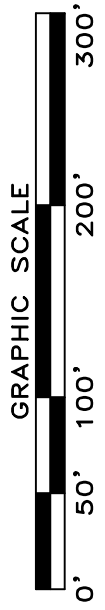
12/16/2022

DATE _____

OLD TOWNE
TYRONE PROPERTY

COMBINATION PLAT FOR
LAND LOT 140, 7th DISTRICT
TOWN OF TYRONE
FAYETTE COUNTY, GEORGIA

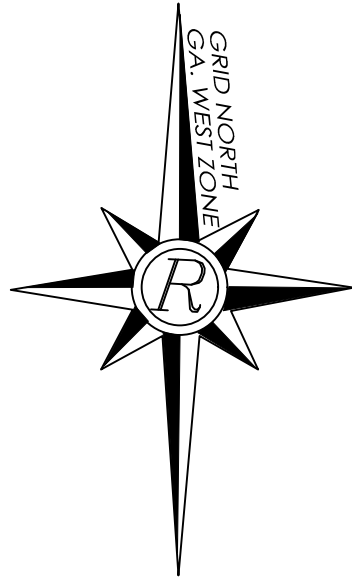
REVISIONS



SHEET
2
OF
2

DATE: 11/17/22
SCALE: 1:100
JOB NO.: F218005
DRAWN BY: LJC
DWG NO.: TOLCOMB

THIS BLOCK RESERVED FOR THE
CLERK OF THE SUPERIOR COURT



SEE SHEET 1

LEGEND

- AIF - ANGLE IRON FOUND
- AKA - ALSO KNOWN AS
- BC - BACK OF CURB
- BL - BUILDING SETBACK LINE
- BWF - BARBED WIRE FENCE
- C&G - CURB & GUTTER
- CBX - CABLE BOX
- CCN - CONCRETE NAIL
- CTP - CRIMPED TOP PIPE
- CI - CURB INLET
- CL - CENTERLINE
- CLF - CHAIN LINK FENCE
- CMF - CONCRETE MONUMENT FOUND
- CMP - CORRUGATED METAL PIPE
- CO - CLEANOUT
- CONC - CONCRETE
- DB,PG - DEED BOOK, PAGE
- DE - DRAINAGE EASEMENT
- DI - DROP INLET
- DIP - DUCTILE IRON PIPE
- DWCB - DOUBLE-WING CATCH BASIN
- EP - EDGE OF PAVEMENT
- FES - FLARED END SECTION
- FH - FIRE HYDRANT
- G- - GAS LINE
- GM - GAS METER
- GP - GUY POLE
- GV - GAS VALVE
- GW - GUY WIRE
- HW - HEADWALL
- IPF - IRON PIN FOUND
- IPS - IRON PIN SET (1/2" REBAR)
- JB - JUNCTION BOX
- LL - LAND LOT
- LLL - LAND LOT LINE
- LP - LIGHT POLE
- MH - MANHOLE
- MON - MONUMENT
- N/F - NOW OR FORMERLY
- OCS - OUTLET CONTROL STRUCTURE
- P- - POWER LINE
- P/T- - POWER & TELEPHONE LINE
- PBX - POWER BOX
- PC - PROPERTY CORNER
- PL - PROPERTY LINE
- PM - POWER METER
- POB - POINT OF BEGINNING
- PP - POWER POLE
- PLP - POWER & LIGHT POLE
- PTLP - POWER, TELEPHONE & LIGHT POLE
- PTP - POWER & TELEPHONE POLE
- PVC - POLYVINYLCHLORIDE PIPE
- RCP - REINFORCED CONCRETE PIPE
- R/W - RIGHT OF WAY
- SS- - SANITARY SEWER LINE
- SSE - SANITARY SEWER EASEMENT
- S/W - SIDEWALK
- SWCB - SINGLE-WING CATCH BASIN
- TBM - TEMPORARY BENCHMARK
- TBX - TELEPHONE BOX
- TMH - TELEPHONE MANHOLE
- TP - TELEPHONE POLE
- TPOB - TRUE POINT OF BEGINNING
- WI - WEIR INLET
- W- - WATER LINE
- WM - WATER METER
- WMH - WATER MANHOLE
- WV - WATER VALVE

