



**PLANNING COMMISSION
MEETING - SPECIAL-CALLED
October 2nd, 2024 at 6:00 PM**

950 Senoia Road, Tyrone, GA 30290

David Nebergall, Chairman

Brad Matheny, Vice-Chairman
Joram Kiggundu, Commissioner
Phillip Trocquet, Assistant Town Manager
Patrick Stough, Town Attorney

Terry Noble, Commissioner
Jeff Duncan, Commissioner
Ciara Willis, Assistant Town Clerk

AGENDA

The meeting can be accessed live at https://www.youtube.com/@tyrone_GA. If you do not plan to attend, please send any agenda item questions or comments to Town Manager Brandon Perkins (brandon.perkins@tyronega.gov).

I. CALL TO ORDER

II. APPROVAL OF AGENDA

III. APPROVAL OF MINUTES

1. August 8th, 2024

IV. PUBLIC HEARING

V. NEW BUSINESS

2. Consideration of a conceptual site plan and architectural approval from owner Dogwood Church at property address 975 SR-74. **Phillip Trocquet, Community Development**

VI. STAFF COMMENTS

VII. COMMISSION COMMENTS

VIII. ADJOURNMENT

**TYRONE PLANNING
COMMISSION MEETING**

MINUTES

August 08, 2024 at 7:00 PM

David Nebergall, Chairman

Joram Kiggundu, Commissioner
Jeff Duncan, Commissioner
Phillip Trocquet, Assistant Town Manager
Patrick Stough, Town Attorney

Terry Noble, Commissioner
Brad Matheny, Commissioner
Ciara Willis, Assistant Town Clerk

Also Present:
Billy Campbell, Council Member

I. CALL TO ORDER

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

II. APPROVAL OF AGENDA

A motion was made to approve the agenda.

Motion made by Commissioner Duncan, Seconded by Vice-Chairman Matheny.
Voting Yea: Chairman Nebergall, Vice-Chairman Matheny, Commissioner Noble,
Commissioner Duncan, Commissioner Kiggundu.

III. APPROVAL OF MINUTES

1. July 25, 2024

A motion was made to approve the July 25, 2024 minutes.

Motion made by Vice-Chairman Matheny, Seconded by Commissioner Kiggundu.
Voting Yea: Chairman Nebergall, Vice-Chairman Matheny, Commissioner Noble,
Commissioner Duncan, Commissioner Kiggundu.

IV. PUBLIC HEARING

2. Consideration of a rezoning petition from applicant Clay Gilley for the rezoning of parcel 0737-040 at property address 355 Crestwood Road from Agricultural Residential (AR) to Residential 18 (1,800-min. home size 1-ac. min. lot). **Phillip Trocquet, Community Development**

Mr. Trocquet shared that applicant Clay Gilley had applied for rezoning of a roughly 5-acre tract at property address 355 Crestwood Road from Agricultural (AR) to R-18 (1,800-min. home size 1-ac. min. lot).

The applicant had also submitted a conceptual plat as an exhibit with this submission. He pointed out that this rezoning did not constitute approval for the conceptual plat and that a separate review process must be undertaken to approve any further divisions of

the lot. The conceptual plat showed four lots comprised of the five-acre tract. He added that the Technical Review Committee (TRC) would need to review the information to see if that was feasible.

The surrounding zoning to the north of this property was Educational Institutional (E-I), and to the south was R-12, similar to R-18 zoning. The difference was the 1,200 s.f. min-home size 1-ac. min. lot. The zoning to the east was R-18, and R-12 zoning to the west.

This lot had an existing home and accessory structure on the property. The house was over the 1,800 s.f. minimum requirement for R-18 zoning.

The petition was consistent with the Town’s Comprehensive Plan and Future Development map. This property’s Future Land Use designation was Estate Residential, which encourages low-density residential development not to exceed 1 unit/acre. This property was 5 acres, and R-18 zoning was permitted in this Future Development character area, emphasizing conservation-style developments. He pointed out that Mr. Gilley’s property could not exceed 1 unit per acre.

Mr. Trocquet read the Impact Assessment:

1. **Will the zoning permit suitable uses with surrounding properties?** Yes, R-18 zoning borders this property with 1-acre single-family zoning to the south, east, and west.
2. **Will zoning adversely affect adjacent properties?** No, such single-family zoning already predominantly exists along Crestwood Road.
3. **Does the property have reasonable economic use as currently zoned?** It was staff’s determination that this property does not have reasonable economic use as currently zoned. The surrounding property is zoned for more typical single-family zoning. Given the narrow width of the lot, agricultural uses would be impractical or impossible to build, given distancing requirements.
4. **Would the proposed zoning overburden existing infrastructure?** No, the lot would not yield enough homes to warrant an impact on traffic flow. Public water exists along Crestwood Road. Lots would be required to be on septic.

Staff recommended approval of this application.

He stated that Mr. Cole Gilley was present to answer any questions.

Chairman Nebergall opened the public hearing for anyone who wished to speak in favor of the item.

Mr. Cole Gilley shared that his son and wife bought this property 18 months ago. He explained that he was a developer, which was one of the reasons they purchased the property. He then stated that he wanted to rezone the property to R-18 and that he would meet all of the requirements. He added that R-12 zoning mostly bordered this property, which required a smaller minimum square footage home. They selected the R-18 zoning classification due to the larger square footage and the option of building three additional houses.

He further discussed the potential to build three additional homes, but that decision would be up to his son and family. The main goal was to construct a second home behind the already-constructed home. He was unsure if they would sell or rent the first house. He estimated the potential lots would be sold for \$100,000 and priced between \$500,000 and \$600,000. He then shared that his son spoke with the neighbor on the driveway side of the property since they would be the most affected and received positive feedback.

He stated that he would answer any questions from the public and Planning Commissioners.

Chairman Nebergall opened the public hearing for anyone who wished to speak in opposition to the item.

Mr. Joshua Prickett, who lives at 135 Grace Lane, spoke in opposition to the item.

Ms. Vickie Spurling, who lives at 115 Grace Lane, spoke in opposition to the item.

Mr. John Newberry, who lives on 125 Grace Lane, spoke in opposition to the item.

Mr. Michael Spurling, who lives at 115 Grace Lane, spoke in opposition to the item.

Mr. Richard Rashid, who lives at 135 Grace Lane, spoke in opposition to the item.

Mr. Gilley was allowed to rebut. Mr. Gilley reiterated that his son spoke with a neighbor and would attend the next meeting. He then addressed the question regarding the road. He added that it would not be a full-size road.

Chairman Nebergall closed the public hearing.

Commissioner Duncan inquired about the regulations for this road. Mr. Trocquet stated that the petition before them was whether R-18 was an appropriate zoning classification for this area. He added that there were different private and public road standards that would be reviewed during the site plan approval process.

Commissioner Noble asked for clarification regarding the four questions about ordinance compatibility and impact assessment presented earlier. Mr. Trocquet replied that the questions came directly from our ordinance. He added that other questions could be asked, but those four questions were typically answered as a minimum requirement.

Vice-Chairman Matheny inquired about the properties adjacent to this property. Mr. Trocquet explained the zoning map on the screen. He added that most of the surrounding zoning to this property was R-12 and R-18. The only difference between R-12 and R-18 was the square footage requirement. He added that a few other Agricultural Residential (AR) properties were in the direct vicinity.

Commissioner Noble then inquired why the plat presented consisted of four different lots. Mr. Trocquet reiterated that it was merely an exhibit submitted by Mr. Gilley and

that this petition was only for the rezoning designation. If the property was rezoned, that did not signify approval of the proposed plat. He added that another process for approval of the plat would come before the Planning Commission at another meeting.

Chairman Nebergall reminded everyone that the item before the Planning Commission was to rezone this property from AR to R-18. Mr. Trocquet stated that this item would also go before Council next month.

A motion was made to approve the rezoning of parcel 0737-040 at the property address 355 Crestwood Road from Agricultural Residential (AR) to Residential-18 (R-18).

Motion made by Commissioner Duncan, Seconded by Vice-Chairman Matheny.
Voting Yea: Chairman Nebergall, Vice-Chairman Matheny, Commissioner Noble, Commissioner Duncan, Commissioner Kiggundu.

3. Consideration of a Town Council-initiated text amendment to section 113-137 (Town Center Mixed Use Zoning District) of the Town of Tyrone Zoning ordinance as it pertains to purpose, requirements, and development standards. **Phillip Trocquet, Community Development**

Mr. Trocquet shared that the Town Center Mixed-Use (TCMU) ordinance was created because of the Town of Tyrone's Comprehensive Plan and Downtown Plan to serve the Town Center Character Areas with a zoning classification that permitted a mix of commercial and residential development types.

He stated that after subsequent rezoning applications, Town Council had directed staff to modify the Town Center Mixed Use district in two phases. The first phase presented in this text amendment was a request to remove townhouses as permitted use due to concerns about the use type. The second phase would be a comprehensive review of the Town Center Mixed Use district and the Town Center overlay to increase the clarity of the language and reduce ambiguity to ensure developments met certain quality and performance metrics consistent with the development patterns desired in the downtown area.

Staff had prepared Phase I of these text amendments in accordance with this request.

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

Chairman Nebergall opened the public hearing for anyone who wished to speak in opposition to the item. No one spoke. The public hearing was closed.

Commissioner Duncan inquired about the difference between a condominium and a townhome. Mr. Trocquet stated that per the TCMU district, townhomes were standalone dwelling units and considered single-family attached units. A condominium was considered a multi-family unit. Attorney Stough clarified that a townhome could be a condominium because condominiums were a style of ownership. He stated that

condominium property owners owned the inside of the unit, and a property association owned the common area outside of the unit.

Commissioner Kiggundu requested that staff elaborate on Council's concerns regarding townhomes. Mr. Trocquet stated that due to recent rezoning requests Council wanted to ensure specific performance metrics were met. He added that townhomes would not be allowed in the TCMU district if this text amendment was approved until additional modifications were made to the ordinance.

The Planning Commissioners then discussed their concerns with removing townhomes as a use from the ordinance as it pertained to the Comp Plan regarding mixed-use types. Commissioner Duncan then asked about how this revision would affect a live-work-play community. Mr. Trocquet stated that residential units above commercial space would still be allowed in the TCMU district, but it would be more challenging from a developer's perspective.

Commissioner Kiggundu asked how long the TCMU language existed in the ordinance. Mr. Trocquet replied for approximately two years regarding the provision for townhomes. Commissioner Kiggundu then asked what other zoning districts permitted townhomes. Mr. Trocquet explained that the residential multi-family district and District 4 for HWY 74 could accommodate townhomes.

A motion was made to approve the text amendment to section 113-137 (Town Center Mixed Use Zoning District) of the Town of Tyrone Zoning ordinance as it pertains to purpose, requirements, and development standards.

Motion made by Chairman Nebergall, Seconded by Commissioner Noble.
Voting Yea: Chairman Nebergall, Commissioner Noble, Commissioner Kiggundu
Voting Nay: Vice-Chairman Matheny, Commissioner Duncan.

Attorney Stough stated that this approval was only a recommendation and would go before Council on August 15 for a final vote.

V. NEW BUSINESS

- 4. Consideration of a Conceptual Site Plan application from applicant Erick Mullokandov for parcel 0736 033 at property address 437 Senoia Road. **Phillip Trocquet, Community Development**

Mr. Trocquet shared that applicant Erick Mullokandov with Iron Horse Communities had submitted an application for a Conceptual Site Plan at 437 Senoia Road. This property was developed as Whispering Pines Mobile Home Park, with the submitted concept plan proposing a re-development of the park. He shared that the applicant was not present.

Whispering Pines had been located at 437 Senoia Road from the late 1960s to the early 70s. The number of homes in the mobile park had decreased over the years. The Town's

ordinance for Mobile Home Park (MHP) zoning had changed since that time, with many current homes in non-conforming conditions.

The Town's Comprehensive Plan did not specifically address Mobile Home Park (MHP) developments. It lacked designated character areas where MHP zoning was explicitly recognized as suitable for future development. The plan emphasized maintaining high standards in established residential areas. Zoning classifications not mentioned were generally not recommended for expansion but were expected to be developed to high-quality standards in their current locations. This site plan focuses on redeveloping within the existing property boundaries, aiming to enhance the quality and aesthetics of the included residential units. It was staff's determination that this site plan was compatible with the goals and intentions of the Comp Plan.

Staff had noted some items requiring revision but recommended approval of the plan with the condition that all remaining Technical Review Committee (TRC) comments be resolved.

Mr. Trocquet read the Impact Assessment:

It was staff's determination that the proposed Concept Plan meets the Town's ordinance requirements for Mobile Home Parks with the following minor items be revised prior to the final site plan submittal:

1. Lot 1 shows a proposed mobile home within the 150' required setback. Mobile home lots are permitted within the overall MH Park setback, but homes are not permitted.
2. Lots 98 & 77 appear to be in conflict with the MHP internal 7.5' lot setback requirement.
3. The rear setback line should be accurately notated as 40'.
4. All other TRC comments, including confirmation of lot dimensions and Fayette County Environmental Health bedroom requirements, are resolved prior to the submittal of final site plan details.

This submission otherwise met overall density conditions set by lot size and development standard conditions associated with buffers and setbacks. Non-conforming homes had been shown as resolved through the establishment of required buffers and setbacks adjoining adjacent residential properties.

He mentioned that he spoke with Iron Horse Communities about the property to the south, which was technically in unincorporated Fayette County. Staff believed this property would be annexed into the Town if a petition was submitted. The site plan showed a 50 ft. undisturbed buffer, but the developer had things within that buffer, so a 40 ft. setback was applied. If that property was annexed into the Town in the future, a 50 ft. buffer would be applied, making it non-conforming.

Chairman Nebergall then inquired about the site plan's multiple drain fields and detention ponds. Mr. Trocquet stated the drain fields were new, and the property currently did not have detention areas. In the 1960s, there were no detention

requirements, but there was one now, given the redevelopment of the property. He added that a level 3 soil analysis was performed on the property.

Commissioner Noble asked if Iron Horse Communities purchased the property. Mr. Trocquet replied yes and stated that the previous owner had sold the property.

Commissioner Kiggundu asked if there were current residents living in the mobile park. Mr. Trocquet stated there were approximately 100 residents. He noted that there was not a density requirement for mobile home parks in the ordinance.

Chairman Nebergall inquired about the likelihood that the property to the south in unincorporated Fayette County would be annexed into the Town. Attorney Stough stated that was unknown until a petitioner applied for an annexation.

Chairman Nebergall reiterated that he was uncomfortable approving the current site plan with the lots in the front because they would be non-confirming if the property to the south was annexed into the Town in the future.

Commissioner Kiggundu asked how the site plan would change if the property to the south was annexed into the Town. Mr. Trocquet stated that the developer would need to relocate the drain field in the front of the property. The only thing that would be non-confirming in the future would be the detention pond. Attorney Stough emphasized the importance of making decisions based on what was proposed and not what-ifs scenarios.

A motion was made to approve the Conceptual Site Plan for parcel 0736 033 at property address 437 Senoia Road with the condition that all remaining TRC comments be resolved.

Motion made by Commissioner Kiggundu, Seconded by Commissioner Duncan.
Voting Yea: Vice-Chairman Matheny, Commissioner Noble, Commissioner Duncan, Commissioner Kiggundu.
Voting Nay: Chairman Nebergall.

VI. STAFF COMMENTS

Mr. Trocquet shared a staff report for a proposed text amendment to sections 109-78, 84, and 148 regarding procedures, standards, and requirements associated with a Certificate of Appropriateness. He added that Council wanted to modify the process for a Certificate of Appropriateness, which was an architectural review. If approved by Council, review applications would come before the Planning Commission instead of Council. Those changes would be bundled as part of the conceptual and final site plan process. He added that this item would be considered at next Thursday's Council meeting.

VII. COMMISSION COMMENTS

Chairman Nebergall asked for an update on the Tyrone Post Office. Mr. Trocquet stated that it had been confirmed that the post office would be reopening soon.

VIII. ADJOURNMENT

A motion was made to adjourn.

Motion made by Commissioner Duncan.
Voting Yea: Chairman Nebergall, Vice-Chairman Matheny, Commissioner Noble,
Commissioner Duncan, Commissioner Kiggundu.

The meeting adjourned at 8:15 p.m.

By: _____
David Nebergall, Chairman

Attest: _____
Ciara Willis, Assistant Town Clerk



APPLICATION NO.	PLANNING COMMISSION DATE	TOWN COUNCIL DATE
24TYR-CA0003	09/26/2024	N/A

ADDRESS	OWNER	PARCEL NO.	EX. ZONING	PROPOSED ZONING	FUTURE LAND USE	SURROUNDING ZONING	SITE IMPROVEMENTS	ACREAGE
975 SR-74	Dogwood Church	0729 036	E-I	N/A	Quality Growth Overlay	North: C-1 South: PTC East: E-I West: O-I	Existing Church Buildings & Structures	50.5 ac.

SUMMARY & HISTORY

Applicant ISE and Jefferson Architects on behalf of owner, Dogwood Church, have submitted an application for conceptual site plan and architectural approval for 975 SR-74. The proposed site plan shows an expansion/addition of their main sanctuary building located on the western side of the property. The applicants have included the conceptual layout and architectural renderings for the expansion.

Staff recommends approval of this conceptual site plan and architectural rendering.

COMPREHENSIVE PLAN & FUTURE DEVELOPMENT MAP COMPATABILITY

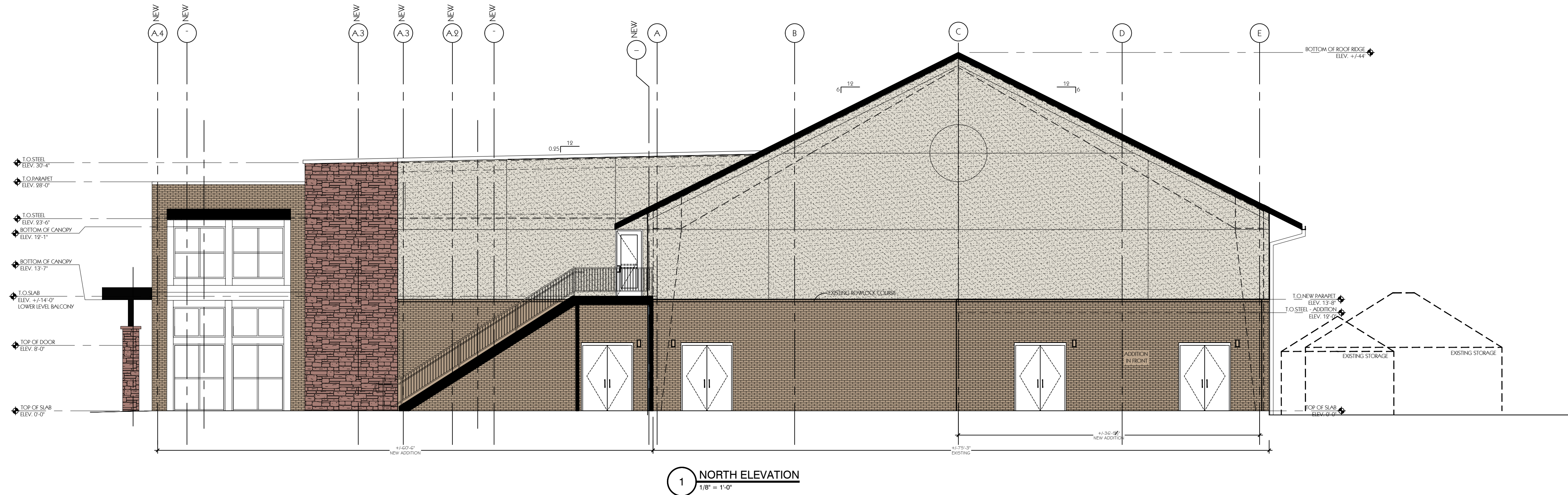
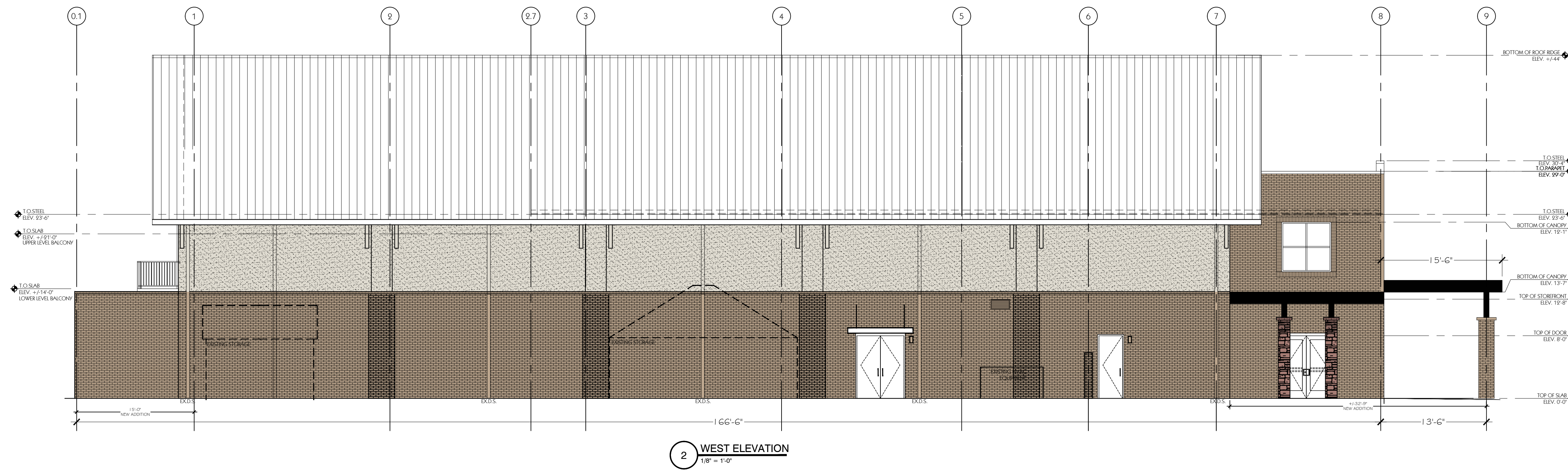
The property lies within the Community Gateway character area which encourages commercial development consistent with the Town’s C-1, C-2, CMU, and O-I zoning classifications to maintain a high standard of architecture, landscaping, and sign controls that also accommodate pedestrian and traffic circulation throughout the developments.

ORDINANCE COMPATABILITY

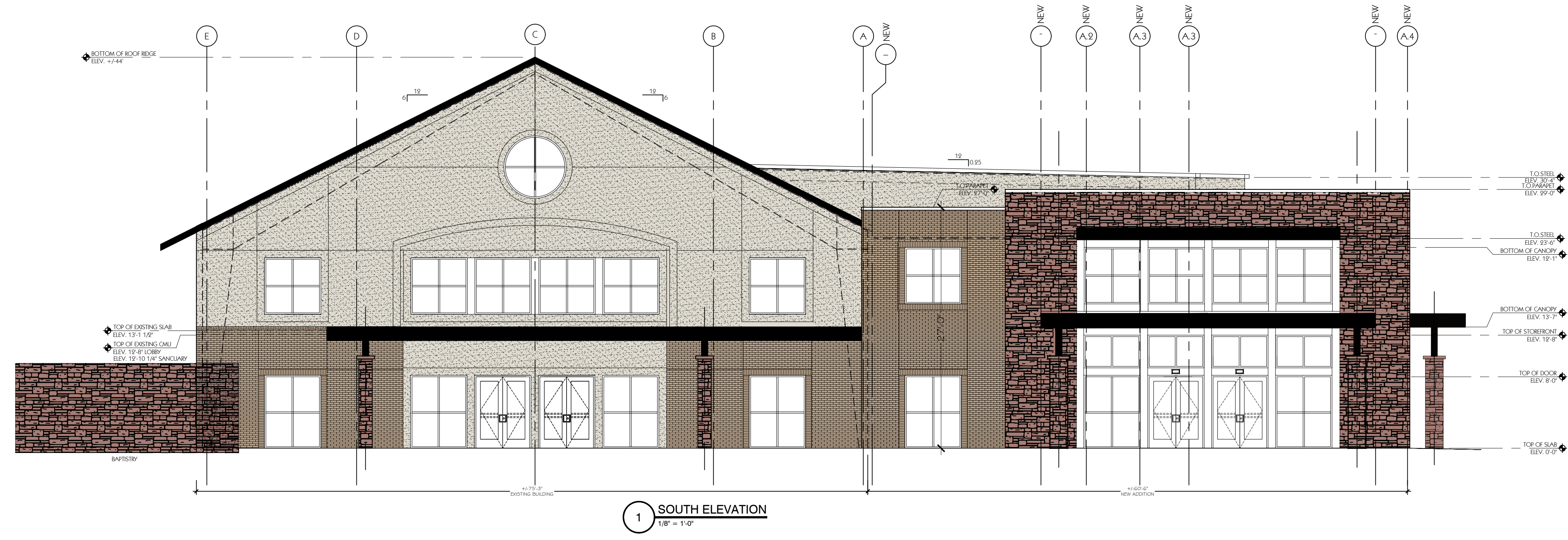
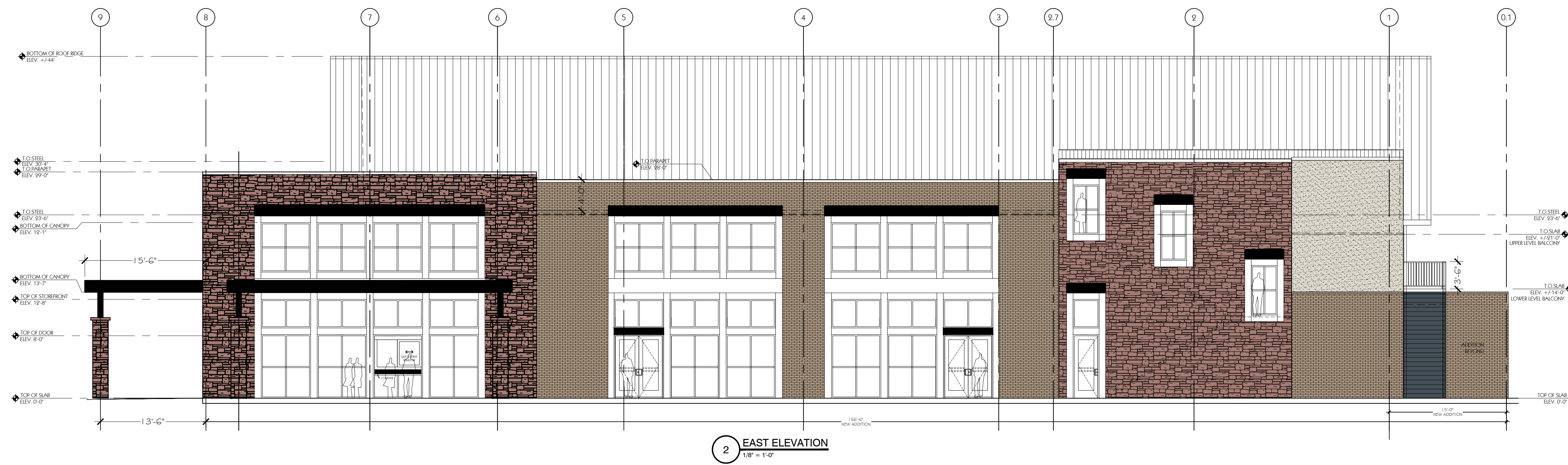
Upon review, it is staff’s determination that the proposed architectural and site plans are consistent with the Town’s overlay ordinance and Certificate of Appropriateness requirements. The architectural renderings meet the standards outlined for the Quality Growth Overlay for class ‘A’ materials of brick, glass, and stone. Although this structure exists within the new boundaries of the SR-74 overlay, the structure is not visible from SR-74 as it is buffered by approximately 225’ of forested tree coverage.

Existing stormwater facilities and parking will be used to accommodate the expansion. Minor stormwater modifications will be utilized and excess parking spaces constructed as part of the original lot will be used towards the parking calculations of the new addition.





EXTERIOR FINISH LEGEND	
NOTES: 1. ALL SCREENED DOOR AND WINDOW FRAMES DARK BRONZE COLOR 2. SPANISH CORNICES SHALL BE THE FINISHED DARK BRONZE COLOR	
	MODULAR BRICK VENEER RUNNING BOND MATCH EXISTING BRICK
	MANUFACTURED STONE MATCH EXISTING STONE AT BAPTISTRY
	EXISTING OR NEW STUCCO - PAINTED
	DARKENED STEEL PAINTED COLOR DARK BRONZE



EXTERIOR FINISH LEGEND	
NOTES: 1. ALL SICKERBENT DOOR AND WINDOW FRAMES DARK BRONZE COLOR. 2. SPANISH CORNICES SHALL BE THE FINISHED DARK BRONZE COLOR.	
	MODULAR BRICK VENEER RUNNING BOND MATCH EXISTING BRICK
	MANUFACTURED STONE MATCH EXISTING STONE AT BAPTISTRY
	EXISTING OR NEW STUCCO - PAINTED
	DARKENED STEEL PAINTED COLOR DARK BRONZE

LINE OF SIGHT



