



## JACKSON COUNTY PLANNING COMMISSION

### Minutes



Jackson County Administration Building Auditorium  
67 Athens Street  
Jefferson, Georgia

September 27, 2018  
6:00 P.M.

#### Members Present

Marty Clark – Chairman  
Steve Wittry – Vice-Chairman  
Nick Bledsoe  
David Ayers  
Les Knoblock

#### Staff Present

Gina Roy – Director  
Justin Crighton – Planner  
Jamie Dove – Planner

Marty Clark, Chairman, called the meeting to order at 6:00 pm.

Steve Wittry opened in prayer. Then, Marty Clark led everyone in the Pledge of Allegiance.

Nick Bledsoe made a motion to approve the August 23, 2018 Planning Commission Minutes and was seconded by Steve Wittry. The motion was approved unanimously.

Gina Roy noted there will be an October 25<sup>th</sup>, 2018 Planning Commission Meeting. Furthermore, Gina Roy read the public hearing procedures and noted they are located on the table by the door.

#### New Business –

1. RZ-18-15 – Rosemary Risse, 45 Nowhere Lane, Athens, GA; 6.76 acres; rezone from A-2 to A-R. (Map 008/Parcel 020)

Due to large attendance, Gina Roy asked if the applicant or a representative of was present to represent this rezone case. Seeing none, Nick Bledsoe made a motion to table the case until next month's meeting on October 25<sup>th</sup>. Steve Wittry seconded the motion. The motion was approved unanimously.

2. MA-18-07 – Bruce Rice, 78 Mangum Lane, Pendergrass, GA; 3.0 acres; character area map change from "Suburban" to "Rural". (Map 089/Parcel 018Y)

Justin Crighton gave the staff report. The applicant, Bruce Rice, is requesting a map amendment to the Comprehensive Plan in order to change the Character Area map from “Suburban” to “Rural”. The property was zoned B-1 in 2003 in order to locate an auto repair business. The business has since been closed and no new occupational tax license has been issued since 2007. The applicant is in hopes of moving onto the property and making repairs to the existing manufactured home on site, but cannot due to the zoning.

Bruce Rice, 3055 Wallace Road, Gainesville, Georgia 30507 was present to represent this map amendment case. Mr. Rice is interested in moving onto the property and using the manufactured home on site.

There was no opposition to this map amendment case.

Marty Clark closed the discussion for public comments and opened it up to the board for discussion, questions, or a motion.

Furthermore, Steve Wittry made a motion to approve the map amendment change from “Suburban” to “Rural” .The motion was seconded by David Ayers. Steve Wittry, Nick Bledsoe, David Ayers and Les Knoblock approved the map amendment.

3. RZ-18-17 – David Infante, 1285 Brooks Rd., Pendergrass, GA; 9.2 acres; rezone from A-2 to M-H. (Map 110/Parcel 027F)

Justin Crighton gave the staff report. The applicant, David Infante, is requesting approval to rezone the property from A-2 to M-H in order to subdivide the property. He wishes to remain in his current residence on a newly created 1.5-acre tract and sell the remainder for residential use.

David Infante, 1285 Brooks Road, Pendergrass, Georgia 30567 was present to represent this rezone case. As currently zoned, Mr. Infante will not be allowed to split the property as he wishes into two lots. If this rezoning is approved, he will be able to remain in his existing home and sell the remainder for residential purposes.

There was no opposition to this rezone case.

Marty Clark closed the discussion for public comments and opened it up to the board for discussion, questions, or a motion.

Furthermore, Steve Wittry made a motion to approve the rezone from A-2 to M-H. The motion was seconded by David Ayers. Steve Wittry, Nick Bledsoe, David Ayers and Les Knoblock approved the rezone.

4. RZ-18-18 – Dan E. Glick, Johnson Mill Rd., Jefferson, GA; 10 acres; rezone from A-R to A-2. (Map 083/Parcel 032A)

Justin Crighton gave the staff report. The applicant, Dan Glick, is requesting approval to rezone the property from A-R to A-2 in order to use the land for grazing cattle. The applicant also intends to build a home and a storage building on the property to store equipment used in a home-based business. Dan Glick, 6976 Jackson Trail Road, Jefferson, Georgia 30549 was present to represent this rezone case. Mr. Glick will use the property for agricultural and residential purposes. He will initially use the property for cattle, but will build a home and shop in the future.

There was no opposition to this rezone case.

Marty Clark closed the discussion for public comments and opened it up to the board for discussion, questions, or a motion.

Furthermore, Steve Wittry made a motion to approve the rezone from A-R to A-2. The motion was seconded by Nick Bledsoe. Steve Wittry, Nick Bledsoe, David Ayers and Les Knoblock approved the rezone.

5. MA-18-08 – Adair Realty, Inc./Ackerman & Co. (Jim Eyre), Josh Pirkle Rd., Hoschton, GA; 0.53 acre; character area map change from “Suburban” to “Urban” and future land use map change from “Residential” to “Industrial”. (Map 120/Parcel 001A)
6. MA-18-09 – Adair Realty, Inc./Ackerman & Co. (Jim Eyre), Josh Pirkle Rd., Hoschton, GA; 3.52 acres; character area map change from “Suburban” to “Urban” and future land use map change from “Residential” to “Industrial”. (Map 120/Parcel 001B)
7. MA-18-10 – Adair Realty, Inc./Ackerman & Co. (Jim Eyre), Josh Pirkle Rd., Hoschton, GA; 229.78 acres; character area map change from “Suburban” to “Urban” and future land use map change from “Residential” to “Industrial”. (Map 120/Parcel 001D)
8. MA-18-11 – Adair Realty, Inc./Ackerman & Co. (Jim Eyre), Josh Pirkle Rd., Hoschton, GA; 100.92 acres; character area map change from “Suburban” to “Urban” and future land use map change from “Residential” to “Industrial”. (Map 120/Parcel 001)
9. MA-18-12 – Adair Realty, Inc./Ackerman & Co. (Jim Eyre), Josh Pirkle Rd., Hoschton, GA; 22.07 acres; character area map change from “Suburban” to “Urban” and future land use map change from “Residential” to “Industrial”. (Map 120/Parcel 003)

Gina Roy asked the Planning Commission if it would be in their best interest to combine the public hearing for the five map amendment cases, and vote on each separately. Planning Commission was unanimously in favor of this suggestion. Gina Roy asked the representative presenting this case, Jim Eyre, if he would be in favor of this. He agreed. Justin Crighton gave the staff report. The applicant, Adair Realty, Inc., is requesting a map amendment to the Comprehensive Plan in order to change the Future Land Use map from “Residential” to “Industrial” and the Character Area map from “Suburban” and “Parks, Recreation, and Conservation” to “Urban”. This parcel is one of five which the applicant has proposed combining and, according to their submitted letter of intent, develop as Office/Warehouse facility with up to four buildings totaling over 2.8 million square feet. It is of note within the packet that there are two designated sections specific to concept plans: one with the original concept plans submitted at the time of application and the other with the revised concept plans that were submitted on September 20, 2018.

Jim Eyre, 10 Glenlake Parkway, Atlanta, Georgia 30328 was present to represent this map amendment case. Mr. Eyre stated that the proposed use could be built-out within 7-10 years and that when all said and done, the land would total out at around 63% green space. The use would bring 1,600 jobs with a 60-million dollar payroll. Additionally, 3-million dollars in annual revenue would be afforded to Jackson County due to this project. Mr. Eyre stated that this company also brought five similar projects and uses to the County, including: Williams-Sonoma, Carters and others. Mr. Eyre stated that this proposed project would pay more in annual taxes to Jackson County than Deer Creek Subdivision would. Adair Realty was noted as the building developers of the neighboring project, U-Line. Mr. Eyre, after taking a look at the maps, felt this location was a logical expansion of the West Jackson Distribution Center seeing as the infrastructure is present. Mr. Eyre asked members of the Planning Commission to take a look at the site plan, specifically noting proposed building “B”. This building would be the closest to Deer Creek

Subdivision and it is shown as a frontload building, meaning no loading would take place towards Deer Creek.

Mr. Eyre discussed the project's compatibility. He discussed earth berms that would be put in place and noted that they would be re-vegetated. He distributed a packet to Planning Commission members that visualized site-line and distances to homes. He noted that there would be little or no visible impact. He also commented on stormwater management, as a whole. Many of the comments he had received thus far were in regards to flooding downstream. He noted that the project's water would be collected on-site and released at no greater speed than what it is now. He ended his presentation by touching on transitional uses. He asked that Planning Commission members look at the past 3-4 approvals. He did not feel as if this project would be inconsistent with what has been already approved. There was discussion between the applicant and the board regarding the traffic study, impacted roadways and their existing conditions.

Steven Pirkle, 1636 Lovekamp School Road, Arenzville, Illinois 62611 was also present to speak in favor of the map amendment case. In addition to his 88-year old mother who currently resides in the Oaks of Braselton and his brother who just recently passed away, Mr. Pirkle and his family have been longtime residents of Hoschton and Jackson County. The family has been paying taxes since the 1800's and are responsible for carving the road that is now Josh Pirkle Road with ax, mule, etc. The family straightened the Mulberry River some time ago so that the water would not stagnate. With all that they have done for the benefit of this property, the environment and the community as a whole, Steven Pirkle noted that he would not sell this property to anyone who could damage the Mulberry River. The front porch of the house that resides on the property has seen a lot of change. He felt that the noise impacts that are evident to the area are not that of U-Line (directly across the street), but of the gun range that has taken up residence in the community. There was discussion between the board and Mr. Pirkle, asking who of the Pirkle family permanently resides here. Mr. Pirkle noted that his mother is a full-time resident, although she resides at the Oaks of Braselton for care. He also noted that his brother was a full-time resident, but has just recently passed away. Steven Pirkle said he lives here 50% of the time.

Frank Jenkins, 5898 Highway 20, Cartersville, Georgia 30121 was present as opposition to this map amendment case. Mr. Jenkins noted that Jackson County is one of the few counties in the State that places an emphasis on their Comprehensive Land Use Plan prior to the rezone process. He felt this was progression of change in order to protect the citizens. Approving these map amendment cases would not provide protection to the neighborhoods impacted by this project. Transfer trucks would be flowing in and out of an area with five single-family subdivisions. He asked to please protect their interests. Diesel fuel would be cast over the neighborhoods and deplete their peaceful enjoyment that they currently know. According to the traffic study, Mr. Jenkins noted there would be some 4,800 moving vehicles throughout the day. Trucks would be moving in and out, and at the peak afternoon hour, the traffic study shows evidence of 6 vehicles a minute entering/leaving the property. Highway 124, Josh Pirkle Road and Highway 53 are not equipped for this amount of traffic. 676 docks are proposed for this project. Mr. Jenkins noted that with the municipalities of Braselton and Hoschton both objecting this proposed project, it is offensive industrial. Whereas he would endorse Planning Staff's recommendation, he would ask that Planning Commission consider denial of both the proposed Character Area map change and the Future Land Use map change. There was discussion between Mr. Jenkins and the board regarding how many of these citizens Mr. Jenkins represents and the road incompatibility. Mr. Jenkins noted that you cannot tell truck drivers where not to go. He felt that at the intersection of Highway 124, trucks will line up at this road and have difficulty turning.

Scott Butler, 448 Deer Creek Trail, Hoschton, Georgia 30548 was present as opposition to this map amendment case. Mr. Butler noted that he would be discussing the pollution that comes with a project of this type: visual, air, noise and financial. As someone previously on the Planning Commission for the City of Hoschton, Mr. Butler always made sure to make decisions that offered no harm to the residents or

Hoschton itself and did research which prepared him to make the best decision he could. Mr. Butler played a video clip through his speaker, noting that at the speaker's maximum volume, the noise registered at 80 decibels. This 80 decibels represented only one truck backing up. Now, multiply that by 1,400 trucks, 24 hours a day. 400 homes would be inundated with toxic diesel fumes. The numerous health impacts would overload citizens, such as reduced lung function. The noise pollution that Mr. Butler provided a sample of earlier was not even the decibel level that these trucks usually produce. One truck's built-in beeper produces 95 decibels. This same beeper triggers stress hormones and cardiac issues. The World Health Organization notes through studies that permanent health issues are instilled from these types of noises at high decibels. Permanent health issues are instilled, such as hypertension, that insurance doesn't always cover entirely. With these type of projects, neighboring residents will lose 30% equity overnight, taking \$18-27 million off of the tax records. There was discussion between Mr. Butler and the board regarding a downwind plume study. This type of study has not been conducted, but Mr. Butler has had several conversations with realtors in the area agreeing that this type of project would degrade property values. The board asked if a certified appraiser had made this decision or if they knew of any who had conducted a similar study in the area. Mr. Butler did not know of any that had been conducted in the area.

Irma Denney, 85 Hunters Way, Hoschton, Georgia 30548 was present as opposition to this map amendment case. Mrs. Denney presented herself as the former mayor of Hoschton who was there to ask the Planning Commission to please defend their citizens who clearly are opposed to this abutting their property. There was discussion between Mrs. Denney and the board regarding the proposed project, and if not this use, what would these citizens like to see there. Mrs. Denney noted anything but this. The board surveyed Mrs. Denney on her thoughts regarding 700-800 low-income homes. Mrs. Denney did not feel that there was a strong possibility of that use locating on that property, as it did not fit in the area.

Theresa Kenerly, 70 Butternut Walk, Hoschton, Georgia 30548 was present as opposition to this map amendment case. As the current mayor of Hoschton, she asked the Planning Commission to please use their hearts and their guts when making the decision regarding these cases, as she knows how valuable their homes are to them and their families. These people have put all of their money and sweat equity into their homes, only to be asked to regroup. She noted that these developers do not want to improve any of the roads that they would be impacting. She mentioned that the community needs a break from warehouses. There was discussion between Mayor Kenerly and the board regarding the road guard on 6-ton vehicles and travel down these impacted roads.

Joe Vogt, 777 Buck Trail, Hoschton, Georgia 30548 was present as opposition to this map amendment case. Mr. Vogt felt that this was socially irresponsible in terms of economic development to place an industrial use next to residential. The developer has mentioned that the proposed warehouse is the best use for this property. Mr. Vogt has conducted research on the area, seeing there is plenty of land available that is properly zoned for this use. Mr. Vogt also noted that the most likely tenant for a building of this capacity is a company moving from Gwinnett County to Jackson County because they have outgrown their current space. This property devaluation is permanent. This impacts numerous retired home owners who intended to pass down financial legacies to their children based on the values of their homes. There was discussion between Mr. Vogt and the board regarding the trend of robotics and automating warehouses vs. employees. Mr. Vogt felt that as long as these companies could find employees who would work for \$10-12 an hour, they would not have to spend the money to automate these warehouses.

Michelle Sutter, 63 Butternut Walk, Hoschton, Georgia 30548 was present as opposition to this map amendment case. Ms. Sutter was attracted to the area due to its "Small Town America" feel. Ms. Sutter spoke on the criminal element of these types of projects. In 2009, the FBI created a program dealing with highway serial killing initiatives. There is a substance abuse and prostitution element that are seen at

service stations that stem from projects of this nature. Due to demand in drivers, the majority of trucking companies are now hiring once-convicted felons. Many of these drivers are resorting to drugs simply to keep them awake. Interstate 85 has been labeled the “meth highway”. Unfortunately, Hoschton has no police force, which makes the severity of this impact even more dangerous. There will be accidents near these neighborhoods as a result of traffic. Trucks will back up on entrance and exit ramps. Lastly, truck stops such as Flying J are providing names of parks for these drivers to spend their leisure time at after driving for 10-12 hours. These parks, full of children, will be negatively impacted by these drivers.

Gene Lathem, 278 Chestnut Chase, Hoschton, Georgia 30548 was present as opposition to this map amendment case. Mr. Lathem discussed the previous hearings he had been to regarding this property when they attempted to annex into the Town limits of Braselton. Mr. Lathem noted that those attending those meetings were told by the developer “if you do not want us here, then we will not come”, regarding the use and the development. He said the developer obviously does not tell the truth, as here they are attempting to get this type of development approved in yet another jurisdiction. He asked the Planning Commission to please make sure they dotted their “I’s” and crossed their “T’s”. As a real-estate agent for over 50 years, he emphasizes with the Pirkle family in regard to them being entitled to the highest, best use of their land. However, he doesn’t feel as if it should encroach on what it is going to do to those nearby.

James Carroll, 257 Doe Ridge, Hoschton, Georgia 30548 was present as opposition to this map amendment case. Mr. Carroll discussed the static number of trucks running through the community. Mr. Carroll requested the services of a consulting firm to take a look at the traffic study provided by the applicant. 38% of the traffic in the community is currently from trucks. Also, there are currently four empty warehouses totaling more than 2 million square feet. Adding in a project of this size on Josh Pirkle Road will increase the truck traffic percentage to 51%; essentially a 1:1 car to truck ratio.

With all time being exhausted for opposition, Mr. Jim Eyre came back to the podium for his rebuttal. Mr. Eyre stated that he had worked extensively in the past in regards to the questions posed about the roadways in Hoschton. He noted that he had proposed closing the road, using a roundabout, or even installing an overhead bar to keep truck traffic impacts to a minimum. Mr. Eyre also noted that he did not agree with what Mr. Butler said about noise pollution. The decibel range for a truck back-up system actually ranges from the low 50’s – low 60’s. A special tax district was offered to Hoschton in regards to the commercial property tax to pay for the roads. Mr. Eyre discussed the upcoming public hearings in the City of Hoschton regarding the Kolter residential project that would drastically impact Old Covered Bridge Road. Whereas this proposed project would put additional car and truck traffic on the roads, it would be of no comparison to the traffic that would have to be endured if an approval was warranted of the Kolter residential project. Mr. Eyre did want to note that there were no chemical aspects proposed to this project. He used a recent statistic he received from the Chamber of Commerce, noting that 60,000 citizens are leaving the County to go to work in other communities. There was discussion with Mr. Eyre and the board regarding the assessed values of homes, when using the methods of fee assessment vs. mass appraisal. Fee assessment can vary by 3% whereas mass appraisal can vary by 35%. Mass appraisal was used in all of their studies, which the board felt may be misleading. A specific example was used by Mr. Eyre from the Buford/Duluth area. He noted that there was an increase in value when looking at the development because of demand. There was a lack of supply in these areas, therefore increasing the values. There was discussion regarding the use of buffers and use of sound. Mr. Eyre stated that the berm was proposed to go around the entirety of the bottom of building B, which would be the closest to residential. There was discussion regarding the rolling terrain and the height/visual impacts of the buildings. The board also asked what would happen to the cemetery on site. Mr. Eyre noted it would stay and access would be provided to the Pirkle family. There would be a landscape berm and convenience spacing. Lastly, there was discussion regarding the total number of jobs. The board felt that there were moving pieces, incremental if the end-user were to move from an earlier site in a neighboring

County or of close proximity. There was also discussion regarding people leaving the County for jobs and whether this has something to do with the fact that the warehouses are here, but not paying enough, so they rather commute for a larger pay check.

Marty Clark closed the discussion for public comments and opened it up to the board for discussion, questions, or a motion. David Ayers asked Planning Staff a question regarding the Comprehensive Plan and transitions. Gina Roy noted that there are transitions from use and land transition, such as: buffers, landscaping, setbacks (softscape).

Voting Breakdown:

- MA-18-08: Steve Wittry made a motion to approve staff recommendation, which was to approve the amendment of the Character Area map from “Suburban” to “Urban” and to deny the amendment of the Future Land Use map from “Residential” to “Industrial”. The motion was seconded by Nick Bledsoe. Steve Wittry, Nick Bledsoe and Les Knoblock approved staff’s recommendation. David Ayers did not.
- MA-18-09: Nick Bledsoe made a motion to approve staff recommendation, which was to approve the amendment of the Character Area map from “Suburban” to “Urban” and to deny the amendment of the Future Land Use map from “Residential” to “Industrial”. The motion was seconded by Steve Wittry. Steve Wittry, Nick Bledsoe and Les Knoblock approved staff’s recommendation. David Ayers did not.
- MA-18-10: Steve Wittry made a motion to approve staff recommendation, which was to approve the amendment of the Character Area map from “Suburban” to “Urban” and to deny the amendment of the Future Land Use map from “Residential” to “Industrial”. The motion was seconded by Nick Bledsoe. Steve Wittry, Nick Bledsoe and Les Knoblock approved staff’s recommendation. David Ayers did not.
- MA-18-11: Nick Bledsoe made a motion to approve staff recommendation, which was to approve the amendment of the Character Area map from “Suburban” to “Urban” and to deny the amendment of the Future Land Use map from “Residential” to “Industrial”. The motion was seconded by Steve Wittry. Steve Wittry, Nick Bledsoe and Les Knoblock approved staff’s recommendation. David Ayers did not.
- MA-18-12: Steve Wittry made a motion to approve staff recommendation, which was to approve the amendment of the Character Area map from “Suburban” to “Urban” and to deny the amendment of the Future Land Use map from “Residential” to “Industrial”. The motion was seconded by Nick Bledsoe. Steve Wittry, Nick Bledsoe and Les Knoblock approved staff’s recommendation. David Ayers did not.

Nick Bledsoe made a motion to adjourn the meeting. Steve Wittry seconded this motion. Meeting adjourned at 8:19 p.m.

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Marty Clark, Chairman

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Date