

MINUTES
PUBLIC HEARING & MEETING
BARTOW COUNTY COMMISSIONER
April 13, 2016
10:00 a.m.

Before calling the meeting to order, Commissioner Taylor joined Cartersville Mayor Matt Santini, Emerson Mayor Al Pallone and White Mayor Chris Allen to sign a Proclamation recognizing Manufacturers Appreciation Week in Bartow County.

Superior Court Judges David K. Smith, G. Carey Nelson, D. Scott Smith and Suzanne H. Smith presented Commissioner Taylor with a Resolution of Appreciation for the recent refurbishing and upgrades made to the courtrooms and administrative offices in the Frank Moore Judicial and Administration Building.

Public Hearing to abandon Pettit Circle and a portion of Old Tennessee Road

Commissioner Taylor called a Public Hearing to order at 10:10 a.m. for the purpose of hearing comments related to the removal of Pettit Circle and portions of Old Tennessee Road from the County Road System. County Administrator Peter Olson outlined the process for officially abandoning a county road. Pettit Circle is located adjacent to the property recently purchased by the County for the Hamilton Crossing Park expansion. A section of Old Tennessee Road has been closed off as a result of the recent SR 20/US 411 improvements. There were no comments regarding the planned abandonments.

The Hearing was closed and the Public Meeting called to order at 10:14 a.m.

Approval of Minutes

The minutes of the March 16th Public Hearing and Public Meeting were approved as presented.

Surplus County Property

Commissioner Taylor signed a Resolution authorizing the surplus of certain county property. The property surplused included:

- 1) Miscellaneous equipment from the Sheriff's Office
- 2) Fire apparatus used in the Chemical Products fire that cannot be re-used.
- 3) Laptop computer from the Magistrate Court that will be donated to Advocates for Bartow's Children.
- 4) 1995 Oakwood Mobile Home

Remove Pettit Circle and Portions of Old Tennessee Road from County Road System

A Resolution authorizing the removal of Pettit Circle and portions of Old Tennessee Road from the County Road System was approved and executed as presented.

Road Department Software

Mr. Joe Sutton from the County Road Department presented a contract with Azteca Systems, Inc. and Timmons Group for software for the Road Department. Mr. Sutton noted that their current system is outdated and has presented some problems. The company no longer supports the software. Commissioner Taylor approved and authorized the contract with Azteca Systems, Inc. and Timmons Group to provide CityWorks software for the road department.

Grass Cutting Services

A Resolution authorizing a contract with Tidwell Lawn Care & Landscaping for mowing services at various county sites was presented for approval. The contract will include mowing twenty-two sites. The County Maintenance Director feels that contracting the grass cutting at these outlying sites is a more efficient use of county funds than utilizing county employees and equipment. The contract with Tidwell Lawn Care & Landscaping, in the amount of \$ 20,790.00 was approved as submitted.

Hotel/Motel Lodging Ordinance Amendments

Commissioner Taylor approved amendments to the Hotel/Motel Lodging Ordinance to reflect an increase in the Excise Tax from 6% to 8%. The increase is contingent upon the pending approval and authorization of Senate Bill 432 by the Governor, with said amendments to be effective July 1, 2016.

Malt Beverage/Alcohol Licenses

BW-002; Special Event Application for Epilepsy Foundation; approved
BW-153; Change of Responsible Resident; Barnsley Gardens Rice House; approved
BW-3; Change of Responsible Resident; Barnsley Gardens Boutique; approved
BW-2; Change of Responsible Resident; Barnsley Gardens Beer Garden; approved
BW-152; Change of Responsible Resident; Barnsley Gardens Woodland Grill; approved

Zoning applications

RZ-2053-16; an application by Kim West requesting to rezone 1.283 acres on Rudy York Road from A-1 to R-1 in order to build one single family home. There were no registered speakers. The Planning Commission recommended approval by a vote of 7-0. **Commissioner Taylor approved the application as presented.**

ARZ-2054-16; an application by Dennis Graham to amend the Comprehensive Land Use Map and rezone 241.854 acres located on Euharlee Road from Commercial/Low Density Residential to Residential/Mixed Use and from A-1, R-1, C-1 to PUD. The Planning Commission recommended approval (7-0) with the following conditions; 1) Lots developed along Harrison Road must be a minimum of 1/4 acre; 2) No multi-family development; 3) Directional lighting in the commercial area is to be directed away from the residential areas; 4) Commercial buildings are to be brick or masonry faced; 5) Developer must plant a double row of evergreen trees/plantings in the commercial areas along Harrison Road. **Mr. Jeff Watkins**, counsel for the applicant presented the application, noting that the property had been formerly zoned several years ago. The commercial part of the development remains the same. This request is to change the lot size in the residential area to include 12,000 to 20,000 square foot lots. Sewer lines have already been placed in the development by Mr. Graham to service the development. These are common lot sizes for the sewer lines. **Ms. Mary Norton** presented questions and concerns of the proposed changes and asked the Commissioner to postpone a decision until more information could be provided. She is not taking an anti-growth position but wants to participate in zoning issues that affect this area of the county. She asked how the proposed changes will impact taxes, schools and those living in the area and how will this impact future infrastructure, i.e. water, sewer, roads. The Comprehensive Plan was last updated in 2008 and is scheduled to be updated again in 2018. In 2014 the City of Euharlee allocated \$2.4 million of SPLOST funds for water and sewer. These two initiatives should be considered before making any decisions affecting the future of the area. If this goes through, she is certain that other similar developments will follow. The Etowah Historic District is comprised of 40,000 acres, and is designated as such to protect the archeological resources of the Creek and Cherokee Nations with fewer buildings erected. Most of the District is located in Bartow County and includes land on both sides of the Etowah River. The property owned by CDR Holdings, LLC is not part of this Historic District but according to the historical experts, the land across Euharlee Road from this property is part of the Historic District. The 2008 Comprehensive Plan recommends that Bartow County utilize land use planning and regulatory powers to preserve the character of the Etowah Historic

District. So representatives of the Historic District should be asked to provide a developmental impact statement before moving forward. In closing Ms. Norton asked again if the rezoning process could slow down long enough to review and consider the long range impact and receive clear transparency of the details. **Mr. Robert Blankenkemper**, who lives at 610 Euharlee Road, an adjoining property owner, voiced concerns about water runoff and water usage associated with the development. He also noted that there were no detention ponds included on the plans and there is currently no sewer in the area at all. Traffic is already a nightmare. There is not a community of this density in Bartow County except in the City of Cartersville. He is okay with the development itself, but not with the density of the development. He feels that crime will go up, putting a greater strain on law enforcement. He feels it is irresponsible to allow this to happen without some transparency of what they plan to do. **Ms. Sandra Collins**, who lives at 19 Ridgeview Court, an adjoining property owner, voiced concerns of noise associated with the development, in particular the amphitheater and also crime. She feels that there should be a barrier placed between the development and other residents in the area. **Mr. Graham** indicated that there is no amphitheater planned for the development; that this was put in the plans early on by the engineer that drew up the plans, but he assured the Commissioner and the audience that there is no amphitheater planned for the development. **Mr. Brandon Johnson, County Zoning Official**, stated that apparently some of the residents were given the old set of plans. The applicant did submit a new site plan with the required setbacks and it does not include an amphitheater. **Mr. Watkins** followed up the comments with closing remarks, stating that at the planning commission hearing, some residents stated that sewer is needed in the area, others stated that jobs are needed, and others stated that we don't need any growth. As for the comments about drainage and runoff, the engineer's final plans will address these issues which must be approved by the County's engineering department. This is smart growth. It will increase commercial development in the area. As for the sewer capacity, Mr. Graham oversized the sewer lines in the development to support the sewer capacity down the road into Euharlee. **Commissioner Taylor approved the application with the following conditions: 1) Lots along Harrison Road must be a minimum of ¼ acre; 2) No multi-family housing is allowed in the development; 3) Directional lighting away from the residential area is to be used in the commercial area; 4) Commercial buildings are to be brick or masonry faced; 5) A double row of Leland Cypress or similar tall evergreen plantings/trees must be installed along Harrison Road in the commercial development area; 6) No amphitheater is allowed in the development.**

There was no further business to address. The meeting adjourned at 10:45 a.m.

On File
Kathy Gill
County Clerk
Bartow County, Georgia

APPROVED:

On File
Steve Taylor
Sole Commissioner

5/11/2016
Date