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# Planning and Zoning Commission

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## May 27, 2025, Planning and Zoning Commission Minutes

**Voting Board Members Present:** Steve Coleman (Chair), Hal Clarke, Kathy Rowland, and Martin Presley.

**Voting Board Members Not Present:** Michael Brewster, Noah Harbuck, and James Freeman

**Staff Present:** Dean Nelson (Community Development Director), Will Campbell, Rachel Floyd, and Brian Causey (City Attorney).

- I. **Call to Order:** Steve Coleman called the meeting to order at 5:04 p.m.
- II. **Approval of Agenda:** Hal Clarke moved for the agenda to be approved. Kathy Rowland seconded the motion. The agenda was approved unanimously. (4-0)
- III. **Approval of Minutes:** Kathy Rowland moved to approve the minutes from the previous meeting. Hal Clarke seconded the motion. Minutes were unanimously approved. (4-0)
- IV. **Public Hearing for Revision and Amendment of Article 26 of the Zoning Ordinance of the City of Forsyth, initiated by the Mayor and City Council:**

Chairman Coleman introduced the public hearing regarding proposed revisions to Article 26, Section 4 of the Zoning Ordinance, initiated by the Mayor and City Council. He invited Community Development Director Dean Nelson to present the proposed amendment.

Mr. Nelson explained that the amendment would remove the requirement that a licensed commercial building contractor or state-registered architect/landscape architect be on the board in order for it to act as a Design Review Board. City Attorney Brian Causey confirmed the amendment would delete the final two sentences of Section 26.4 and distributed revised copies.

Public Hearing opened at 5:08 p.m. No public comments were made.

Public Hearing closed at 5:08 p.m.

Motion to approve the amendment by Martin Presley; seconded by Kathy Rowland.

Motion carried unanimously (4–0).

**V. Public Hearing to consider a partial-lot rezoning for tax parcel 053 001B, from Highway Business to Residential Multi-Family by Meredith Homes:**

Mr. Coleman explained the public hearing procedures and noted public attendance: 10 attendees were present specifically for this hearing, with around 18 others attending for a separate rezoning matter.

Public Hearing opened at 5:10 p.m.

Community Development Director Dean Nelson presented the application submitted by Meredith Homes to rezone 30 acres of a 55.2-acre parcel (Tax Parcel 053 001B) from Highway Business (HB) to Multi-Family Residential (RM). Mr. Nelson reviewed site plans, maps, traffic data, and relevant issues. He noted the proposed development would include 150 townhomes with access from North Frontage Road.

Key points from Mr. Nelson's report included:

- A projected traffic increase of 5.1%
- Inconsistency with the 2022 Joint Comprehensive Plan's Future Land Use Map
- Concerns about the partial-lot rezoning approach, which is not considered best practice

Staff recommended the Commission either:

- Deny the application due to inconsistency with the Comprehensive Plan,
- Deny the application due to partial-lot rezoning, or
- Approve the application with a condition requiring the parcel to be subdivided and closed upon within 60 days, or the zoning would revert to HB.

Chairman Coleman recused himself from voting due to prior involvement in preparing a map/plat for the applicant. He continued to preside over the hearing procedurally.

Warren Tillery, representing Meredith Homes, argued that the down-zoning request was not typical but justified, as the property would only be viable for a large commercial development as it is zoned currently. He emphasized that adjacent uses

were largely residential and stated that meeting the 60-day subdivision/closure condition would be challenging, and if the rezoning was denied, it would likely result in a large commercial development on the property, or another request to rezone to residential in the future and questioned what the board and public would rather see in the area.

In response to a question from Chairman Coleman, Mr. Tillery estimated a buffer of approximately 50 feet between the proposed townhomes and the Betsy Lynn neighborhood property lines.

#### Public Comments:

Charles Richardson (Betsy Lynn resident): Opposed any potential access from the development into the Betsy Lynn neighborhood and any future development phases.

Latrell Cunningham (Betsy Lynn resident): Voiced concerns about increased traffic, especially at the North Frontage Road and Hwy 83 intersection, and suggested a traffic light is needed.

Marsha Linton (Betsy Lynn resident): Asked about future access onto Oakridge and expressed concerns about potential impacts on local schools. Chairman Coleman stated there was no planned ingress/egress onto Oakridge and the board could condition the approval accordingly.

In his rebuttal Mr. Tillery clarified that the development would not have interconnectivity with existing neighborhoods and any phasing would be limited to the proposed 30-acre portion. Addressing traffic concerns, Mr. Tillery explained that the increase in development would likely result in improving the roadways in the area. He also stated that the subdivision would be governed by a mandatory HOA and that maintenance of internal roads would remain private unless otherwise agreed upon.

Mr. Coleman and Mr. Nelson asked additional questions regarding ownership and development responsibility for the 60-foot strip connecting the property North Frontage Road. Mr. Tillery responded that the owner of the remaining 27 acres would retain ownership, and these issues could be addressed in a development agreement.

Public Hearing closed at 5:39 p.m.

In the board discussion, Mr. Clarke expressed concerns about traffic in the area, but also for the entire town, referencing Henry County. The statement earned applause. Mr. Presley followed up by stating that this proposal is symptomatic of what has been done in Henry County and motioned to deny the application. Mr. Clarke seconded the motion. The motion to deny carried unanimously (3-0 with Mr. Coleman recused).

Chairman Coleman concluded by noting that the Commission's recommendation would be presented to the City Council.

**VI. Public Hearing to consider an application to rezone tax parcel 053 048 from a Planned Unit Development to Conservation Subdivision by Hughston Homes:**

Public hearing opened at 5:43 p.m.

Chairman Coleman called on Community Development Director Dean Nelson to give his staff report.

Mr. Nelson presented the application submitted by Hughston Homes to rezone parcel 053 048, a 76.66-acre property located on Juliette Road, from PUD to a Conservation Subdivision containing 104 units and two conservation areas. He offered background on the request and provided maps, plans, noted the planned green spaces, maximum yield for homes on the property, housing plans, utility report, and traffic report.

Key points from Mr. Nelson's report included:

- Rezoning as single-family development within a Conservation Subdivision would be compatible with surrounding parcels.
- A Conservation Subdivision would allow for density while preserving the rural nature of the parcel.
- Proposed project conforms with the policies and intent of the Joint Comprehensive Plan
- Projected traffic increase of 10%.

Staff recommended the Commission approve the request to rezone from PUD to Conservation Subdivision since it does not meet the threshold for denial according to Article 25, Section 9 of the Zoning Ordinance.

Mr. Tyler Findley spoke for Hughston Homes in support of the application. He emphasized that a Conservation Subdivision impacts the site much less, while still allowing for a substantial amount of product. He referenced Juliette Crossing, another Hughston Homes subdivision in the area. The proposed subdivision will contain 66, 75-foot-wide lots and 30, 53-foot-wide lots with prices ranging between \$325,000 - \$530,000 and described the customization process and offerings for the proposed homes. Describing the conservation area, Mr. Findley said about 52% of the property will be conservation with walking trails and possibly a disk golf course.

Mr. Clarke inquired about the square footage of the homes. Mr. Findley replied that homes would range from 1,600 – 3,600 sqft.

Ms. Rowland asked how many lots of the 104 are less than one-third of an acre. Mr. Findley responded that he was not sure but thinks the majority of the 75-foot lots would meet that.

Mr. Coleman asked about the lots that are accessed from Juliette Road, and if they could eliminate those road frontage lots. Mr. Findley responded that they could work together to find a solution. Mr. Clarke added that he wants to ensure no lots back up to Juliette Road either.

Mr. Clarke asked where Mr. Findley believes their customers will come from. Mr. Findley guessed that around 33-35% would be from the local area, but across their company they see buyers from California, Colorado, the Northeast, and all across the country.

#### Public Comments:

Michael Edwards (Juliette Crossing resident): Opposed the subdivision due to quality issues with his current Hughston Home, from flooding and plumbing to concrete cracking.

Andrea Goolsby (Juliette Road resident): Stated the back of her house faces the parcel. She expressed concerns with the Juliette Crossing neighborhood, the overcrowding of schools, traffic in the area, emergency response times, runoff issues, light pollution, and the City's infrastructure as a whole. She also voiced concerns that the homes are not affordable. Ms. Goolsby suggested that there may have been issues with the initial annexation and rezoning of the property.

Kathy Dunn (Evergreen neighborhood resident): Expressed concerns for safety in her own neighborhood as well as the proposed neighborhood, overcrowding in the schools, and traffic. She also presented a petition with 167 signatures opposed to the subdivision.

In his rebuttal, Mr. Findley expressed that he is interested in addressing issues and working with the city.

Mr. Clarke asked about the history of the parcel's rezoning. It was clarified that the property was annexed in 2006 and zoned PUD in 2007.

Mr. Presley stated that property owners would like to see lot sizes and homes similar to their own in the area.

Mr. Coleman expanded on what PUD zoning is.

Ms. Rowland asked if a Conservation Subdivision is bound by lot sizes. Mr. Nelson stated that it's normally bound by the lot size of the zoning it is currently in but does not have a current zoning of R1, R2, or R3.

Mr. Coleman stated that they can stipulate lot size, and the board discussed the history of the annexation of the rezoning.

Mr. Clarke stated that he would like to see the property zoned as R1. Mr. Coleman said the owner of the property would have to ask for it to be rezoned.

Public Hearing closed at 6:20 p.m.

Ms. Rowland made a motion to deny. Mr. Presley seconded the motion. The motion to deny carried unanimously. (4-0)

## **VII. Preliminary Plat Review for Juliette Villas:**

Chairman Coleman voiced that the plat review is now moot since the rezone was just denied. Kathy Rowland motioned to remove the plat review from the agenda. Martin Presley seconded the motion, and the vote to remove the plat review from the agenda was unanimous. (4-0)

## **VIII. Additional Business:**

Mr. Nelson provided information about upcoming applications and public hearings.

The board recognized Dean Nelson and the Community Development Department.

Mr. Presley stated that he would like to add Counseling to the list of uses in the Zoning Ordinance. Mr. Nelson explained that counseling would fall under the use of clinic. Mr. Presley then asked if samples, including counseling, could be added in parentheses behind clinic, and the board agreed.

Councilman Chris Hewett asked how planning and zoning gets information concerning the schools, and Councilman Josh Hill questioned if schools need to be included in First Steps Meetings. Mr. Clarke stated that the board should find out what it costs per student. Mr. Coleman stated that he and Mr. Nelson would contact Dr. Finch to try to open a conversation.

Mr. Presley stated that he would like a retreat to discuss broader vision.

**IX. Adjournment:** Steve Coleman adjourned the meeting at 6:35 p.m.