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# Planning and Zoning Commission

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## April 27, 2026, Planning and Zoning Commission Minutes

**Voting Board Members Present:** Steve Coleman (Chair), Hal Clarke, John Howard, Martin Pennington, and Chris Soule

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

**Staff Present:** Dean Nelson, Rachel Floyd, and Brian Causey.

I. **Call to Order:** Steve Coleman called the meeting to order at 5:02 p.m.

Mr. Coleman welcomed Mr. Howard to the Planning and Zoning Board.

II. **Approval of Agenda:** Mr. Soule motioned to approve the agenda with an amendment to switch item IV, Tabled Business, with item V, Design Review. Mr. Clarke seconded the motion. The motion passed unanimously, 4-0.

III. **Approval of Minutes:**

a) **Regular Meeting – March 23, 2026, Meeting**

Mr. Clarke motioned to approve the minutes as presented. Mr. Soule seconded. The minutes were approved, 4-0.

IV. **Design Review:**

a) **Burger King Renovations**

Mr. Coleman welcomed Mr. Mike Avery, the Project Engineer for the applicant Schuster Enterprises, Inc.

Community Development Director Dean Nelson provided background information on the property, stating that 179 N. Lee St. is zoned Highway Business and located in the Hwy. 83 Overlay District, and the proposed renovations include the interior and exterior of the primary building, the parking lot, and the dumpster area as well as the addition of a bread freezer adjacent to the dumpster.

Mr. Nelson then provided information about the Highway Business district, corridor overlay, and the Board's authority to conduct a design review. In his staff report, Mr. Nelson said the proposed design should not adversely affect the adjacent or nearby properties, is consistent with design guidelines, and is allowable use of the property.

Elevation drawings, material and color samples, site plan, demolition plan, and the layout and drive-thru plans were presented. Mr. Nelson stated that the staff recommends approval.

Mr. Coleman asked if the building would keep the same footprint. Mr. Avery replied that the renovation would be new and modern and a new playground would also be installed. Mr. Avery also stated 6' would be added to the back of the building to accommodate a double drive-thru.

Mr. Clarke asked if the drive-thru would be covered. Mr. Avery responded that it would have canopies.

Mr. Soule asked if the outside sign would be replaced. Mr. Avery confirmed.

Mr. Coleman asked if the 6' addition to the back was to accommodate a window. Mr. Avery explained that it is to accommodate a payment window since the location currently only has one window.

Mr. Clarke asked if the drive-thru would have walkout doors. Mr. Avery said no because it could cause a bug issue.

Mr. Clarke asked how long the business would be closed for renovations. Mr. Avery responded that full closure would only be necessary for 8-10 days and the drive-thru will remain open while the dining room is renovated, and vice versa.

Mr. Soule asked for an expected completion timeframe. Mr. Avery answered about 10 weeks.

Mr. Soule motioned to approve the design review for Burger King. Mr. Clarke seconded the motion. The motion passed, 4-0.

**V. Tabled Business:**

**a) Preliminary Plat Review for Edgar Hughston Builders, LLC, The Villas at Juliette**

Mr. Pennington motioned to remove the item from the table. Mr. Clarke seconded the motion. The motion passed 4-0.

Mr. Nelson provided background information on the proposed preliminary plat. He stated the proposed plat was originally tabled during the August meeting to allow for greater notification to the public of the agenda, and on August 25, 2025, the City Attorney received an appeal to the property's annexation and rezoning, and on the advice of the City Attorney, a stop-work-order was issued.

Mr. Nelson said the City Attorney determined that the subject parcel was rezoned to PUD when the City adopted an overhaul of the zoning ordinances and the official zoning map expanding the number of zoning districts from three to thirteen on September 19, 2006. Although some documentation has not been located due to flooding and relocation of City Hall, the official zoning map by Jerry Weitz and Associates, dated September 19, 2006, was located, and depicts parcel 053 048 as zoned Planned Unit Development.

Mr. Nelson then provided a recap for the proposed preliminary plat. He said the proposal consists of 83, R-3 single-family homes, green space, and two lots for future commercial development. Mr. Nelson also provided the definition of Planned Unit Development (PUD) and explained that a rezoning for the plat was previously denied. He pointed out the walkable interconnectivity throughout the neighborhood, the commercial lots, and the wetlands that will remain undisturbed at the rear of the property.

In his staff recommendation, Mr. Nelson stated that requirements were met for Appendix A of the Subdivision Ordinance for Preliminary Plat Review, and that the preliminary plat meets the objectives and permitted use guidelines of the ordinance regulating PUD districts, therefore recommending plat approval.

Mr. Coleman asked about the recommendations by Falcon Design. Mr. Nelson answered that the recommendations by Falcon Design could be made conditions of approval.

Mr. Tyler Findley represented Edgar Hughston Builders, LLC.

Mr. Coleman asked if the presented plat is the same as what was submitted in August. Mr. Findley confirmed.

Mr. Findley stated that the proposed plat addressed much of the feedback received when a rezoning request for Conservation Subdivision was denied for the same property, including pedestrian connectivity to the commercial lots and fewer lots fronting onto Juliette Rd.

Mr. Clarke asked Mr. Nelson if the lot sizes fall within the zoning designation. Mr. Nelson confirmed.

Mr. Soule referenced the Juliette Crossing neighborhood and asked if the retention ponds in the Villas at Juliette would be fenced. He also asked if the Villas at Juliette would be considered two subdivisions since the two roads are only connected by a walking trail, and

raised concerns about school bus safety. Mr. Findley answered that the topography of the property does not allow for road connectivity. Mr. Soule stated that based on the Juliette Crossing neighborhood, he is concerned about the safety of children and the neighborhood having no designated areas for play.

Mr. Soule asked about the expected price ranges of the homes. Mr. Findley responded that based on current market conditions, he would expect homes to range from the mid \$300's to the high \$400's.

Mr. Soule asked about construction of the proposed walking trail with potential 30'-40' drop-offs in some areas near the trail. Mr. Findley replied that he and the project's engineer would work with Falcon Design to address any drainage or safety concerns.

Mr. Soule also said he is concerned there is only one point of access without a connecting road.

Mr. Coleman said he does not think a school bus will have an issue turning around in the cul-de-sacs.

Mr. Clarke said that connectivity is an issue.

Mr. Coleman and Mr. Soule discussed how the topography would affect a road versus a walking trail.

Mr. Coleman stated that the plat had been made to the standards outlined by the city and questioned if the board is imposing personal preferences on the developer.

Mr. Clarke said he thinks the board must also consider if the development would be somewhere people want to live so that the city does not end up with a second "Hamburger Hill."

Mr. Soule said the concerns he voiced were raised by several people, and he wanted the opportunity to discuss them before the plat goes before City Council.

Mr. Coleman said he understands but also understands that the plat was not arbitrarily drawn.

Mr. Soule asked if there are planned businesses for the commercial lots and commented on the small size of the commercial lots compared to the largest home lot. Mr. Findley said the lots will be empty until they are purchased to be used by a business.

Mr. Clarke discussed if this would be considered two subdivisions because there is no interconnecting road and questioned if the ordinances need to be amended to prevent this in the future.

Mr. Coleman said this type of design is not unusual. He also said the developer cannot already have business commitments for the commercial lots because the plat has not been approved.

Mr. Soule and Mr. Clarke agreed that interconnectivity is a concern. Mr. Soule stated that this is the preliminary plat and not final design, so he wanted to bring up his concerns now so the developer could take them into consideration before final design.

Mr. Findley said the developer is not able invest in a full design until a preliminary plat has been approved, because they were previously denied a rezoning for a conservation subdivision then the appeal placed the project on hold.

Mr. Coleman referred to the Falcon Design Review page in the agenda packet. He said the recommendations need to be added to the plat prior to approval and read the eight recommendations.

A member of the audience asked if they would be allowed to speak against the proposed plat. Mr. Coleman responded that it is not a public hearing. Mr. Soule responded that because it is not a rezoning issue, there is not a public hearing.

The audience was told to speak to City Council about concerns. Mr. Coleman also explained that Planning and Zoning is a recommendation board.

Another audience member spoke out. Mr. Coleman said he will not address her question because it is not a public hearing.

Mr. Findley indicated the sidewalk running along Juliette Road instead of between residential lots to get to commercial lot 601.

Mr. Soule asked about the lots surrounding the commercial lots potentially being purchased for commercial uses. Mr. Nelson replied that once the preliminary plat is approved, the subdivision must reflect what has been approved.

The board discussed through traffic. Mr. Soule stated a connecting road would improve safety. Mr. Nelson responded that he believes the topography is the reason there is no connecting road. Mr. Clarke said it was a money issue. Mr. Coleman stated that he does not believe a connecting road is feasible.

Mr. Soule clarified that the plat aligns with the plat requirements, so there are no legal grounds to deny it.

Mr. Nelson explained the rest of the preliminary plat approval process and clarified that no public hearing is required for the review by City Council either. Mr. Coleman recommended that those with concerns about the plat contact Councilmembers prior to the meeting.

Chris Soule motioned to recommend Council approve the proposed preliminary plat with the condition that all the recommendations made by Falcon Design Consultants on their August 8, 2025, review of the preliminary plat be incorporated. Martin Pennington seconded the motion. The motion carried 3-1-1, with Mr. Howard abstaining, Mr. Clarke voting no, and Chairman Coleman casting the deciding vote.

**VI. Additional Business:**

**a) Request to alter meeting schedule to accommodate Memorial Day**

The Board agreed to meet on Tuesday, May 19 at 5:00 PM in City Council Chambers.

**VII. Adjournment:**

The meeting was adjourned at 6:08 p.m.