
Planning and Zoning Commission

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August 26, 2024, Planning and Zoning Commission Minutes

Voting Board Members Present: Steve Coleman, James Freeman, Hal Clarke, Kathy Rowland, and Michael Brewster.

Voting Board Members Not Present: Martin Pressley and Keisha Rawls.

Staff Present: Dean Nelson and Will Campbell.

- I. **Call to Order:** Steve Coleman called the meeting to order at 5:03 p.m.
- II. **Approval of Agenda:** Michael Brewster moved for the agenda to be approved. Kathy Rowland seconded this motion. The agenda was approved unanimously. (5-0)
- III. **Approval of Minutes:** Kathy Rowland moved to approve the minutes from the previous meeting. James Freeman seconded the motion. Minutes were unanimously approved. (5-0)
- IV. **Planning and Zoning:** Steve Coleman introduced the rezoning item for George Emami and asked Dean Nelson to provide background information. Mr. Nelson provided information and listed what would be discussed. Mr. Coleman invited Mr. Emami to come up and speak. Mr. Emami introduced his rezoning from the previous meeting and said he would be happy to answer any questions. Mr. Emami noted there were fewer lots in his plans since his previous presentation. Mr. Coleman asked if there were any changes made to the alleys. Mr. Emami confirmed that there were. Mr. Coleman mentioned that in conversations with Mr. Emami that he asked him to take a look at alleys between large lots near cul-de-sacs. Mr. Coleman said that a small issue probably wouldn't hold up approval. Mr. Coleman then suggested specific lots where changes could be made and suggested adding front driveways. Mr. Emami agreed with suggestions and listed lots where the changes could be made. Mr. Coleman said he didn't necessarily want that to be a part of any motion. Hal Clarke asked if the layout needed to be in a grid pattern. Mr. Coleman noted that the topic of grid patterns came up in the previous meeting and that's why they were discussing alleys. Mr. Coleman further noted that a neighborhood of 55+ year old

residents is part of the discussion and stated that was the only legal form of housing discrimination. Mr. Clarke asked about legal enforcement of the 55+ rules. Kathy Rowland said that the 55+ rule would be enforced by the HOA. Mr. Clarke asked about the benefits of 55+ community. Mr. Emami said that 55+ communities are less taxing on schools and benefit the community and local economy. Mr. Emami stated that polling shows support for this type of community. Mr. Clarke asked what would happen if a 55+ buyer bought a home and then sold it to someone not 55+. Mr. Coleman said that it would be enforced by HOA and deed restrictions to prevent that from happening. Mr. Clarke asked what would happen if the bylaws were to change. Mr. Coleman said that was a possibility, but very unlikely. Mr. Emami agreed and noted that they may open themselves to a lawsuit. Mr. Coleman said that he was open to Traditional Neighborhood Development rezoning if conditions were met. Mr. Clarke said that he believes it would be a net positive. Mr. Clarke asked if the lots were previously R-1. Mr. Nelson confirms it was R-1 with a variance for R-2 dimensions. Mr. Clarke asked about green space. Mr. Emami said that there will be a community area and mentioned a pool/clubhouse. Mr. Coleman referenced the engineering drawings with how alleys work and driveways. Mrs. Rowland asked if the community would be gated. Mr. Emami said it was not discussed yet, but he thought so. Mr. Coleman noted that it could be a good selling point. Mr. Emami mentioned Butterfly RX gates would allow easy access to residents and other services. Mr. Clarke noted that should be used in all gated communities. Mr. Coleman agreed. Mr. Clarke said that he liked the alleys and garages in the back. Mr. Clarke noted that his biggest concerns were related to traffic and mentioned Highway 42 and Thornton Rd. Mrs. Rowland said roadwork was happening on the road near the subdivision. Mr. Coleman mentioned the density of the proposed subdivision. Mr. Clarke asked about minimum square footage. Mr. Nelson said the minimum square footage was 1200 sq ft. Mr. Clarke asked if modular homes were allowed in TND. Mr. Emami stated that they weren't banned anywhere in Georgia. Mr. Coleman asked if the homes would be modular homes. Mr. Emami stated that they probably wouldn't be, but that he couldn't rule it out. Mr. Emami noted that modular homes have very strict codes. Mr. Coleman asked more about modular homes. Mr. Emami provided more background and specifically mentioned the crawl spaces and foundations. Mr. Clarke asked about sheet rock. Mr. Emami says all of that is done in the factory where they are made. Mr. Emami further stated that he thinks these will all be site built. Mr. Emami inquired about the density concerns from Mr. Clarke. Mr. Emami says density and traffic won't be big concerns and that older people will have less cars. Mrs. Rowland also expressed concerns about smaller lots, but said it makes more sense for 55+ communities. Mrs. Rowland said she was willing to approve the rezoning if it is made 55+ specifically. Mr. Clarke reiterated concerns about younger residents. Mr. Emami said that it won't happen.

Mr. Emami said that he will be declarant at first and that as long as he was, it will remain 55+. Mr. Coleman suggested putting that language in the deed. Mr. Emami mentioned that he wasn't sure if that was allowed. Mr. Clarke said that he thinks anything can be put in a deed. Mr. Coleman agreed and asked Bobby Melton if that was ok. Mr. Melton said that he believes so. Mrs. Rowland references River Forest rules. Mr. Emami said that according to his internet search, nothing can be changed until 80% threshold is met. Mr. Emami continued by saying that 80% of residents would never agree to do that. Mr. Clarke asked further questions about housing age discrimination being allowed. Mr. Emami delved further into that. Mr. Nelson explained further on age discrimination in housing and community rules. Mr. Clarke asked about enforcement. Mr. Nelson suggested bringing in professional management. Mr. Coleman suggested just following HUD guidelines. Mr. Coleman motioned to approve the rezoning request with conditions: alter alleyways in the design to eliminate alleys at lots 20, 21, 23, 24, 53, and 54 and require the development to be 55+ housing for older persons governed by HUD Federal laws and regulations. Mrs. Rowland seconded the motion. The vote passed 4-1 with Hal Clarke being the only no vote.

V. Additional Business: Mr. Coleman introduced the topic and asked Mr. Nelson to explain. Mr. Nelson proposed changes to the submission of documents for hearings. Mr. Clarke asked what the current cutoff was. Mr. Nelson answered. Mr. Clarke asked if things often come in at the last minute. Mr. Nelson said yes. Mr. Coleman notes that it may be common because the board has allowed it in the past. Mr. Clarke noted that he was curious if the new proposed timeline is enough time still and asked if the new suggested timeline is more frequent elsewhere. Mr. Coleman said that he had seen this elsewhere. Mr. Clarke asked Mr. Nelson if he is comfortable with new timeline. Mr. Nelson confirms he is. Mr. Nelson stated that the shorter timeline made it harder to prepare. Mr. Clarke expressed support. Mrs. Rowland asked if that included everything. Mr. Nelson said that it did and that he feels more comfortable with more time. Mr. Clarke asked about fees. Mr. Nelson confirmed that they are low and that we should consider an increase. Mr. Clarke asked about called meetings and said he thinks we don't need to have them as often as we do. Mr. Nelson said he thought they were rare. Mr. Freeman motioned to approve Mr. Nelson's changes to submission deadlines. Mr. Clarke seconded the motion. Vote was unanimous (5-0). Mr. Nelson said that he would post the changes on the app.

Mr. Coleman introduced the topic of Planning and Zoning training for the board and said that the city would pay for it. Mr. Nelson explained that the Middle Georgia Regional Commission, located in Macon, is hosting the UGA Carl Vison Institute of Government's Planning & Zoning 101 training at their office on September 25th. Mr. Nelson stated that he recently attended the class and believe it is a great

opportunity regionally and complimented the program. Mr. Clarke confirmed his interest. Mrs. Rowland and Mr. Freeman also confirmed their interest. Michael Brewster said he wasn't sure he could attend.

VI. Adjournment: Steve Coleman adjourned the meeting at 6:03 pm.