

SUMMARY
MEETING REPORT – Meeting held via Zoom
ROME-FLOYD COUNTY PLANNING COMMISSION
1/7/2021

PRESENT:

Logan Boss, Tom Bennett, Terry Jones, Steve Miller, Charles Love, Lambert, Anthony McClain, Melissa Eldridge, Ghee Wilson

Wendy Davis, Ex-Officio, City of Rome
Larry Maxey, Ex-Officio, Floyd County

ABSENT:

Frank Brown

STAFF:

Art Newell, Planning Director
Brice Wood, Senior Planner
Brittany Griffin, Associate Planner
Kayla Schaaf, Associate Planner
Bruce Ivey, County Special Projects Manager
Chris Jackson, County Attorney
Frank Beacham, City Attorney
Gary Burkhalter, Assistant County Manager
Mary Catherine Chewing, Fire Marshal
Sammy Rich, City Manager

PUBLIC:

Andy Rotenstreich, Donna Peavy, Scott Willesy, Barbara/Kenny Earle, Sam Naff, Missy Kendrick, Bill Thornton, David Thornton, Chris Flagello, Olivia Morley

CALL TO ORDER:

Tom Bennett – Chair, called the January 7, 2021 meeting of the Rome-Floyd County Planning Commission to order at 2:30 PM. It was determined by roll call that a quorum was present.

Chair Bennett then welcomed visitors and explained the rules of procedure.

APPROVAL OF AGENDA:

Logan Boss made a motion to approve the agenda, which was seconded by Ivy Lowery. The motion passed by common consent.

APPROVAL OF MINUTES:

Charles Love made a motion to approve the minutes from the December 2020 meeting, which was seconded by Ivy Lowery. The motion was approved 7-0.

FLOYD COUNTY SUP AND REZONING REQUESTS:

SUP20-11-02 – Requests a Special Use Permit for a cellular communications tower at 4753 Martha Berry Hwy, Armuchee, GA 30165, Floyd County Tax Parcel J10X081. Applicant: Verizon Wireless – Wendy Doyle, Agent. Owner: Storage One, Inc. Brice Wood presented the application, staff report and recommendation of approval. Attorney Andy Rotenstreich was present to speak on behalf of the application. Bill Thornton, Joel Thornton, and Tiffany Blackburn all spoke in opposition, citing multiple concerns regarding long-term health implications and an adverse effect on property values. Bill Thornton also requested that the tower, if approved, be moved further away from his property. Upon rebuttal, Rotenstreich talked about the safety of cell towers and case law that relates to it. Rotenstreich also discussed two real estate studies about the lack of a negative effect on property values. After the public hearing, Logan Boss asked Bill Thornton to respond to Mr. Rotenstreich’s comments. Bill talked about the close proximity to his property. Steve Miller questioned Rotenstreich about the timeline regarding the negotiations for the property. Rotenstreich was unsure of a precise answer. Charles Miller asked about the real estate studies. Rotenstreich further explained the studies. Miller questioned the effect on demand of nearby real estate. Rotenstreich explained that the study didn’t look at demand for the available properties in the study. Rotenstreich showed photo examples. An unknown woman, later identified as Tiffany Blackburn, questioned whether a similar study had been conducted in Rome. Rotenstreich confirmed that he was unaware of any such local study. Blackburn attempted to keep speaking about the possible effects on property values when Chair Bennett cut her off, stating that her comments were not related to the question at hand. County Attorney Chris Jackson stated that the public hearing had been closed. Terry Jones questioned whether technology was available to explain the service area of each tower. Rotenstreich explained that signals only go so far and can be impeded by steep terrain, as well as too much power to a tower can interfere with other towers. Anthony McClain questioned the location of the tower and whether it could be placed further away on the applicant parcel. Rotenstreich explained that the proposed site on the applicant parcel was chosen because of the need for access by their vehicles. Logan Boss questioned staff regarding a previous expansion request for the applicant parcel. Brice Wood confirmed that Boss’ memory was accurate. Boss then questioned whether Verizon could get an easement or some other option to improve access into the parcel. Rotenstreich confirmed that they were not aware of any other options. County Attorney Chris Jackson spoke about the legalities of such requests and what items can be considered, speaking specifically about the Federal Communications Act of 1996 and various court decisions related to said Act. Charles Love questioned whether the proposed tower would meet FCC requirements. Rotenstreich confirmed that they would, and that documentation had been provided to attest to this. Ivy Lowery made a motion to approve, which was seconded by Terry Jones. Anthony McClain asked to amend the motion by requiring that it be placed at least 300 feet from any current residential property line. A brief discussion was had amongst the members about the wording of the proposed amendment. Frank Beacham interrupted to ask that the commission see if a second is available to the motion to amend before discussing. Logan Boss seconded to amend the motion but expressed concern of the likelihood it would stand. Terry Jones expressed concern of the proposed additional requirement. McClain explained that it was likely their number one choice, but not their only choice and that he believed that they would adjust, and a tower would still be built. He went on to discuss another location on the northwestern side of the property. Chair Bennett requested that McClain restate the proposed amendment before voting. There was then some discussion about whether McClain had changed the wording of the proposed amendment. McClain clarified that the proposed amendment would require that the tower be placed a minimum of 300 feet from the existing residential property lines along StoneGable Drive. The motion to amend passed 5-4. Bennett, Jones,

Lowery and Love were in opposition. Brice Wood then called the roll for the motion to approve/deny. The motion passed 9-0.

Z21-01-01 – Requests a rezoning from Suburban Residential to Light Industrial at 0 Alabama Hwy Rome, GA 30165, Floyd County Tax Parcels F13Y209, F13Y210, F13Y211. Applicant: 33H SS 4685, LLC, Owner: Beers Housing, Inc. Brice Wood presented the application, staff report and recommendation of approval. Ashley Peters and Chad Beers were present to speak on behalf of the application. No one was present to speak in opposition. Terry Jones questioned the amount of additional units that will be built. Beers stated that it would be two additional buildings. Charles Love made a motion to approve, which was seconded by Ivy Lowery. The motion passed 8-0. Melissa Eldridge had to leave prior to the vote.

SUP21-01-03 – Request a Special Use Permit for a special event venue at 5406 Calhoun Road, Adairsville, GA 30103, Floyd County Tax Parcel M10W015. Applicant: Donna Peavy, Owner: Samuel and Donna Peavy. Brice Wood presented the application, staff report and staff recommendation of approval. Donna Peavy was present to speak in favor of the application. There was no one present to speak in opposition to the application. Upon discussion, Logan Boss questioned whether this application would meet the recently adopted ordinance amendment. Brice Wood confirmed that it would. Steve Miller questioned Wood about the neighbor notifications. Wood confirmed that notifications were sent out. Miller identified himself as an adjacent property owner and expressed concerns regarding noise, traffic and the number of properties being converted to commercial properties. Chair Bennett suggested allowing the applicant to speak to these issues. Peavy spoke about her plans for the property. Terry Jones questioned the ingress/egress of the property and the traffic that would be generated along Old Calhoun Road. Peavy discussed traffic flow and parking. Jones then asked about hours of operation as it relates to noise. Peavy spoke about the desire to have more daytime focused events. Director Newell spoke about the county noise ordinance. Charles Love announced that he would have to leave the meeting but would have supported the application. Ivy Lowery made a motion to approve. Anthony McClain seconded that motion. The motion passed 6-0. Steve Miller abstained.

Z21-01-03 – Requests rezoning from Suburban Residential/Light Industrial to Heavy Industrial at 0 Calhoun Hwy, Rome, GA 30161, Floyd County Tax Parcel M10Z095. Applicant: Old Castle Lawn & Garden, Owner: Rick Pitts/Linda P. Nelson. Brice Wood presented the application, staff report and staff recommendation of approval. Scott Willesy and Missy Kendrick were present to speak in favor of the application. There was no one present to speak in opposition. Steve Miller made a motion to approve. Logan Boss seconded the motion. The motion passed 7-0.

ULDC TEXT AMENDMENT:

- A. COUNTY HOBBY FARM ORDINANCE AMENDMENT. Director Newell spoke on this matter, stating that the Floyd County Commission had sent the proposed ordinance amendment back to Planning Commission for additional consideration. Ivy Lowery stated that she does not agree with livestock being in suburban areas. Terry Jones echoed this sentiment but stated that he has given up on fighting this if it is what the county wants. Jones questioned the process for addressing code violations. Director Newell discussed the shared duty between code

enforcement and animal control. Sam Naff spoke in opposition to the proposed amendment, expressing concern of the number of chickens potentially being in a subdivision. Mary Catherine Chewing questioned whether existing hobby farms would be grandfathered in. Carson Roes also spoke in opposition, stating that a minimum of four acres would be more practical. Terry Jones requested to hear from the County Commission's perspective. Logan Boss questioned whether this needed to be acted upon, or whether it could be delayed. Larry Maxey spoke about the amount of time that the proposed amendment has been in progress. Terry Jones made a motion to approve, which was seconded by Logan Boss. The motion passed 4-3, with Lowery, Miller and Wilson being the dissenting votes.

NEW BUSINESS:

- A. Re-Adoption of the ULDC and accompanying zoning maps. Ivy Lowery made a motion to approve, which was seconded by Terry Jones. The motion passed 6-0.

STAFF REPORTS & UPDATES:

Brice Wood presented the 2020 Planning Commission statistics, with the 2019 stats included for reference.

Brice Wood gave an update on the previous months' applications.

Director Newell announced the proposed dates for Planning Commission Training.

ADJOURNMENT:

Chair Bennett called for a motion to adjourn. Logan Boss made the motion to adjourn, which was seconded by Ivy Lowery. The motion was passed by common consent. There being no further business to bring before this body, the February 4, 2021, meeting of the Planning Commission was adjourned by Tom Bennett, Chair, at approximately 5:00 PM.

Tom Bennett, Chair

Staff Reports:

- <https://ga-rome.civicplus.com/DocumentCenter/View/1622/Z21-01-02---Wilshire-Road-Shurley>
- <https://ga-rome.civicplus.com/DocumentCenter/View/1623/Z21-01-03---Old-Castle-Calhoun-Rd>
- <https://ga-rome.civicplus.com/DocumentCenter/View/1624/SUP20-11-02---Martha-Berry-Cell-Tower-Request>
- <https://ga-rome.civicplus.com/DocumentCenter/View/1625/SUP21-01-01---Sweet-Cocoon-Event-Venue-Ellis-Road>
- <https://ga-rome.civicplus.com/DocumentCenter/View/1626/SUP21-01-03---Calhoun-Rd-Wedding-Venue-Peavy>
- <https://ga-rome.civicplus.com/DocumentCenter/View/1627/SUP21-01-04---Wilkerson-Rd-Wedding-Venue-Tumlin>
- <https://ga-rome.civicplus.com/DocumentCenter/View/1628/Z21-01-01---Alabama-Hwy-Storage-Units>
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