



**Forest Acres Planning Commission
Minutes
November 16, 2021
City Council Chambers
6:00 PM**

I. Call to order

- 1. Determination of a Quorum**
- 2. Statement of Notification**

In the absence of Chairman Jack Cantey, Vice Chairman Ellis Creel called the meeting to order at 6:05PM and noted that there was a quorum. Mr. Ralph Bailey, Mr. Ellis Creel, Mr. Stephen Powell, and Ms. Nora Armstrong were present. Mr. Jack Cantey, Ms. Beronica Whisnant, and Mr. Lyle Lee were absent.

Proper public notice was given for this meeting.

II. Approval of Minutes – October 19, 2021

Mr. Creel noted that minutes will be available for consideration at the next meeting.

III. New Business

- 1. Rezoning Request – A request to rezone the property at 1615 Valley Road (TMS 14006-02-04 and NX 1615 Valley Road (14005-02-05) from R-1 (Single Family Residential) to R-1A (Single Family Residential).*

Mr. Creel introduced this proposed rezoning and turned the floor over to representatives from the applicant.

Representatives from Cypress Development noted that they recently closed on the property and are requesting a rezoning to R-1a to develop 5 single-family residential units on the site. They noted the previous attempt by a different developer to develop at a higher density (11 homes) and acknowledged neighborhood concerns about that earlier plan. They're still in the design phase for these homes, but they will be in the \$450K - \$500K range (2,100 – 2,400 sq. ft.) and will complement the neighborhood.

Ms. Armstrong asked about the developer and builder's commitment to the designs included in the packet and about similar projects they've completed. The developer noted their interest in developing a quality product in the area and cited other projects they've worked on in the Midlands. Ms. Armstrong further noted her concern about the preservation of hardwoods.

Mr. Bailey expressed his concerns about the narrowness of Valley Rd., particularly with emergency vehicles. The developer noted that current zoning allows 4 homes on the site regardless of current road width and other factors, and that they're asking for an additional lot given that the market is currently demanding smaller lots with less maintenance. He noted that there's not a lot of traffic and that the proposed plan will not add significantly to it. Mr. Bailey asked and Mr. Smith confirmed that all the City (through the Planning Commission and City Council) is charged with doing at this point is considering a change in the zoning; Mr. Bailey noted that regardless of zoning, the road width is a problem. Mr. Smith confirmed that the only matter before the Planning Commission is the rezoning and that the Planning Commission doesn't have purview over such matters as road width or design of the structures. The developer will have to work with the D.O.T. on curb cuts, etc., and will have to stay within our zoning ordinance (R-1 or, if rezoned, R-1a) when planning the structures.

Mr. Creel opened the floor to public comment. He requested that commenters give their name and address and try not to duplicate previous comments.

- Rebecca from 1721 Dalloz noted her concern that other properties cited by the developer are tightly packed and she's concerned about that for this site (in particular setbacks). The developer noted that the front setbacks are 35 ft, side setbacks are 10ft., and rear setbacks are 20ft. They further noted that given proposed lot size and planned home size, these won't be tightly packed. They also noted that the lot width for R-1a is only 5 feet less than lot width for R-1.
- Elizabeth Houck, 106 Walden Ct., has lived here since Sept. 2020. Her concerns revolve around safety and walkability of the area – in particular, adding lines on the road designating lanes and sidewalks. Mr. Creel noted that neither the developer nor the City has control over the road; this is the D.O.T.'s purview. We can petition the D.O.T. Ms. Houk requested that the City petition the D.O.T. accordingly if the rezoning goes through.
- Mr. Williams, 105 Walden Ct., asked what the developer plans to do to retain the hardwoods. The developer noted that they have marked the half-dozen or so significant hardwoods on their survey and plan to preserve them if possible, in accordance with the City's code.
- Linda Kemp, 114 Walden Ct., asked who owns the property now. The developer noted that they just closed on the property. She asked for further clarification of how much property they own and how they've dealt with the neighboring vacant home.
- Maura Sullivan, 3725 John Francis Ct., asked further about the hardwoods and the City's tree ordinance. She asked what the City's ordinance does to protect trees in the event of a new development. Mr. Smith noted that the ordinance makes a distinction between existing development and new development. With existing development, you have to get a permit; with new development you can cut trees within certain parameters but you can't generally clear-cut. He cited the land disturbance provisions in the tree ordinance, including

survey and planting plan. The developer reiterated their interest in maintaining the wooded character of the site, as this is part of its appeal and economic value.

- Ms. Kemp asked about construction timelines. The developer noted that they plan a 6-month timeline, but that will be dictated by the availability of supplies, etc.
- Ms. Scott, 117 Walden Ct., asked about the number of curb-cuts on Valley. The developer confirmed that each home would have its own driveway onto Valley, but that ultimately the D.O.T. will dictate approval. Ms. Scott noted her concern that Valley Rd. has a dangerous curve and is already used as a cut-through.
- Ms. Houck noted her concern with the high price point. She indicated her interest in affordable housing and asked if these higher price points are truly what the local market is demanding. The developer noted that the original development with 10 or 12 \$300k homes was less desirable to the neighbors and that this proposal was, in part, a reaction to that concern. They settled on fewer homes at higher price points.
- Ms. Kemp, 114 Walden Ct., asked about privacy between these homes and the park. The developer noted that their interest will be to the potential homeowner and ensuring their privacy from the park and that they'll likely make some provision for such privacy.
- Ms. Kemp further asked about next steps. Mr. Creel noted that the Planning Commission will finish its discussion and vote to either recommend or not recommend this to City Council, who would then vote. Mr. Smith clarified that, because this would be a zoning change, this would require a public hearing and two readings at the City Council level.
- A nearby resident asked for clarification about home size and value. She noted that an elderly neighbor expressed her concerns with rising tax values with this development and her ability to pay taxes after reassessment.
- Ms. Creel asked if the developer has a plan to put 4 houses rather than 5 on the property if the rezoning doesn't proceed. The developer noted that they're committed to the property and completing a successful project.

Mr. Armstrong asked for clarification of R-1 and R-1a. Mr. Creel noted that for this parcel, R-1 would allow up to 4 lots while R-1a would allow 5. Mr. Smith noted that smaller lot sizes in the R-1a zoning category dictate the number of parcels that a given piece of property could be subdivided into. The Planning Commission is asked to consider whether this property is an appropriate place for the kind of step-down zoning contemplated in the R-1a category. Mr. Creel noted that a previous request asked for R-3 zoning which could have allowed multi-family and this was not well received.

Mr. Powell made a motion to recommend rezoning of the property from R-1 to R-1a. Mr. Bailey seconded. The motion passed 3-1, with Ms. Armstrong opposed.

IV. Old Business

There was no old business.

V. Adjournment –

Mr. Bailey made a motion to adjourn; Mr. Powell seconded. Motion passed unanimously. Meeting adjourned at 6:58p.

Respectfully Submitted,

Andy Smith, Asst. City Administrator/Finance Director
(Administrative support of Planning Commission)