



**Forest Acres Planning Commission
Minutes
November 6, 2023
City Council Chambers
6:00 PM**

I. Call to order

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

Jack Cantey, Chair, called the meeting to order at 6:03p. He noted that there was a quorum. Mr. Cantey, Marshall Minton, Nola Armstrong, Stephen Powell, Ellis Creel, and Lyle Lee were present. Ralph Bailey was initially absent.

Shaun Greenwood, City Administrator was also present. Mr. Cantey asked and Mr. Greenwood confirmed that the meeting had been properly noticed.

II. Approval of Minutes

- 1. July 18, 2023** – Mr. Creel made a motion to approve. Ms. Armstrong seconded. Motion carried.
- 2. September 19, 2023** – Ms. Minton made a motion to approve. Mr. Creel seconded. Motion carried.

III. New Business

- 1. Rezoning Request – A request to rezone 1462 Florawood Drive (TMS 14005-06-05) from R-1 (Single Family Residential) to C-1 (Limited Commercial District).*

Mr. Cantey introduced this request to rezone 1462 Florawood Drive. Mr. Cantey asked for discussion from Mr. Greenwood.

Mr. Greenwood noted that since the original application, the address and tax map number have changed because the parcel has been subdivided. He demonstrated on a map where the subdivision line is – showing that the piece fronting Florawood (with existing house) would remain residential and the piece fronting Landmark Drive is up for rezoning consideration to commercial with this rezoning request. Mr. Greenwood enumerated what's currently allowed in R-1 (our largest single-family designation) and C-1 (our office commercial, i.e., lowest density commercial designation). The parcels around this parcel on Landmark are C-1. He enumerated the uses that are allowed in C-1.

Mr. Greenwood noted that there's currently a use planned for this if rezoned, but the action to rezone would open the parcel to future development with any of the uses allowed in C-1 (regardless of current plans and concepts).

Mr. Cantey asked what the address would be if this were approved (Florawood or Landmark). Mr. Greenwood noted that it is currently labeled “a portion of” the Florawood address and that he spoke to the City Attorney who confirmed that the application can still proceed even though there’s no Landmark address established yet.

Mr. Powell asked how to handle the rezoning request given that the address hasn’t changed. Mr. Greenwood noted that the Planning Commission could place the condition on their action that their recommendation only pertains to the piece fronting Landmark Drive.

Mr. Greenwood confirmed that the pieces meet our current minimum size requirements for subdivision.

Mr. Cantey asked for comment from the applicant and agent:

- Crawford Prezioso, Colliers International spoke to the rezoning request from the developer’s perspective. He sees this as the last commercial piece on Landmark Drive and they’ve got a plan for a one-practitioner medical use.
- Susan Laird, property owner, noted that the parcel is rather large and unusual for a downtown property, and that it’s too much for her to manage. There’s currently a building on the site that needs to be torn down and would be if redeveloped as planned. She also noted that it’s a cut through with trash and debris, and she can’t keep it clean. She noted that she began investigating subdividing the property after taking her house off the market. She further noted that Landmark is all medical buildings.

Mr. Cantey opened the floor for the public to address the Commission:

- Jack Tompkins (owner 1458 Florawood Drive, residential property adjacent to subject property) noted his opposition to this proposed rezoning. He noted that the plat he has for his own lot is not consistent with what’s being shown in the rezoning application. He’s concerned about safety for his children, particularly with regard to use of the pool in his back yard (i.e., visibility from a commercial parking lot). He also noted his concern about decrease in property value and the alteration of the configuration of his back yard. He noted his concern about the property being a cut-through and worries that this will make it worse. He worries about continued expansion of commercial in residential areas.
- Ryan Gay (Florawood resident on opposite side) noted his agreement with Mr. Tompkins, but added concerns about stormwater/flooding issues that could be caused by adding concrete. He stated that his property currently has flooding issues that all come from Landmark.

- Dr. Benjamin Ingram, eye doctor who is planning to use the medical office proposed for the site, spoke in favor of the rezoning noting the configuration and location of the lot and his intent for the lot.
- David Lauten, 1470 Florawood Drive (4th house adjacent to the lot), encouraged the Planning Commission not to recommend for the reasons already stated. He added that the street has become increasingly family-oriented, with children. He feels that eliminating this buffer through rezoning would negatively impact that aspect of the neighborhood.
- Mary Milliken, who lives around the corner, noted that she likes Dr. Ingram and his plans but that rezoning will allow anything in C-1 to come in to the site down the road. She noted that this site is what protects the street from the commercial activity of Landmark.

Mr. Prezioso noted that the applicant is requesting a deferral on a decision to have time to address concerns of the community. Mr. Greenwood noted that the Planning Commission has that discretion defer, but doesn't have to defer. Mr. Greenwood further clarified that, as it currently stands (post subdivision of the lot and without a rezoning request), a house could be built on this parcel fronting Landmark. It's large enough to be built on.

Mr. Cantey asked for a motion from the Planning Commission.

Mr. Creel made a motion to not recommend rezoning. Mr. Bailey seconded. Mr. Creel noted his conviction that the concerns of the neighborhood are valid. Mr. Bailey concurred and noted his concerns with stormwater. Mr. Armstrong noted the slope of the lot and how that negatively impacts the neighborhood if redeveloped as commercial. Ms. Minton noted the recent successful Brentwood rezoning and the importance of the neighborhood being in support. **Motion passed unanimously.** The recommendation to Council will be to not approve the rezoning.

Mr. Greenwood offered clarifications about the next steps in the process. He noted that the Planning Commission is a recommending body, but that City Council has final determination. He noted that the public hearing for this rezoning request will be at the next City Council meeting (11/14/2023, 6:00 PM). City Council will hear public comments, for or against. The City Council will not vote on 11/14/2023. The City Council will have first reading at their December Council meeting (12/12/2023). At that point, they can ask the developer to amend the plan and come back to the Planning Commission, turn down the rezoning request, or allow it to proceed to second reading (which would be at the January City Council meeting).

IV. Adjournment

Mr. Creel made a motion to adjourn. Mr. Lee seconded. Motion passed unanimously. Meeting adjourned at 6:37 PM.

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