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**PUBLIC HEARING MINUTES**  
The Hartwell Planning & Zoning Commission held a Public Hearing on November 18th, 2021 at 6:00 p.m. in the Council Chambers at City Hall.  
  
The following members were present: Charles Rushing, Tina Howard, Michelle Wetherbee, Erin Fleming, Lenford Smith, and Jermaine Durham

At 6PM, the planning and zoning hearing was called to order by Chairman Rushing.

The Pledge of Allegiance to the Flag of the United States of America was recited by all.

The minutes for the August meeting were adopted.

Chairman Rushing explained the process of how the hearing would be conducted and the minutes from July were adopted.

CASE NO. 2021-19 – Tax Parcel I69N 094

Of note, this annexation request has been objected to by the Hart County Board of Commissioners.

Kenny Whitworth – From Hart County, petitioned the city to annex the above referenced parcel into the city limits and apply R2 Multifamily zoning. See attached plan. He stated he modified his original proposal from 160 apartments to 80 apartments and 10 duplexes (20 doors) for a total of 100 doors or a density of 6.25 units/acre. See attached plan. He stated he spoke with the city for this guidance. The proposal for the duplexes would look like what is on Summerset Court. Houses are selling fast, more people are working from home and there is more opportunity to live in Hartwell. People need employers. This development would be for young professionals, single parents, and active adults. The county talked about their comprehensive plan. The plan was referenced. Stated that the comp plan says to “direct growth toward the city” (p. 26, Hart County Comprehensive Plan).

Planning and Zoning Commissioner Howard asked if the duplexes were for sale or rent? Kenny Whitworth answered that if somebody wanted to buy them, they could, if they then rented them out, he couldn’t control that.

Planning and Zoning Commissioner Dr. Durham asked about affordability – by reducing the density, how does that effect affordability? Kenny Whitworth answered that it doesn’t necessarily affect price, it could. He hopes rent would be between $800-$900/month.

Planning and Zoning Commissioner Howard asked who the developer/purchaser would be? Kenny Whitworth answered they may develop the project themselves but he has a partner developer that would likely work on it.

Kenny Whitworth added that he is open to installing a deceleration lane at the entrance to the proposed project per discussion w/zoning administrator.

Hart County Board of Commissioner Joey Dorsey, speaking in opposition – Zoning Administrator asked if he was speaking on behalf of the County or himself. Commissioner Dorsey said on behalf of the County. He later amended to say that he was speaking as a member of the Board of Commissioners. He stated that Juniper Court was not contiguous to any city area when it was annexed. He went on to say that when the Hershberger property was annexed it filled the gap. He said the County Comprehensive Plan was worked on in 2017 and included Mayor Brandon Johnson, Councilman Tony Haynie, Councilman Tray Hicks, and the City Manager at the time David Aldrich. This area on the County’s Character map is in the Lake area. Ridge Road has many subdivisions – very populated. The plan says one residential home per acre and the plan was approved by DCA. The issue is density. If this passes it will change the character of the neighborhood. He restated 1 unit per acre and that there were no apartments in the County. He brought up traffic, trees on Ridge Road, utilities would have to be moved. He stated that the people who lived in the neighborhood worked hard for their property and don’t want to see it change. The County has received numerous complaints from County residents. He stated that County residents pay City taxes through mechanisms like SPLOST and others. He said he had been appalled by City Council comments in the past. He stated that a study was conducted in the area and that pre-pandemic numbers showed 10 trips/day and that Ridge Road was not wide enough to accommodate boats and RVs. The road will be destroyed by equipment. He read the City of Hartwell Mission and Vision Statement. He said the development at Oakview will be a major development. What will happen when the economy tanks? He again brought up traffic on Highway 29 and that he discussed options for Johnson Street with the Mayor.

Lloyd Cowart, speaking in opposition - Lives on Sunnybrook Lane. He noted the additional traffic. It’s good that Purina is here and they create good jobs and good benefits. He noted the need for good homes. He enjoys where he lives. The biggest problem is the traffic especially at Ridge and Nancy Drive. He noted most people at Juniper Court don’t drive. He said apartments bring knifings, shootings, and drug selling. The builder will sell and not collect rent. Absentee ownership will occur. The roads are terrible. Across from his neighborhood homes may be built but is ok with that. 2” waterline and no fire protection exists for them. He stated that David Aldrich (the former City Manager) stated if the City ever does anything with Hart State Park they would put in a 5” water line. The roads aren’t wide enough for cars to pass if more cars are added it will be a problem. There are accidents at the redlight at Old 29 and Ridge Road at ingles already.

David Christopher, speaking in opposition – Lives on Nancy Drive, the first road south of the proposed project. He can stand in his front yard and see speeders on Nancy Drive. He would settle for 16 lots with homes.

Planning and Zoning Commissioner Wetherbee asked if he would go on record with the rent range?

Kenny Whitworth answered that he be to go on record as being told between $800-$900/month. They would be 1 to 2 bedrooms. He rebutted Commissioner Dorsey’s remark about no apartments in Hart County because there are no sewars in Hart County. As far as making money, he stated that this is capitalism, everyone works to make money. He noted that Mt. Hebron (spelling?) subdivision they did exactly what the County allows and it was approved. He said he asked City and County officials what they would like/recommend in the area. He is trying to work with everyone. He stated Nancy Drive and Savannah Street provide alternate routes to travel. He also noted there is no zoning in the County. He stated that he is trying to work within City and State laws to get zoned.

Planning and Zoning Commissioner Howard asked Commissioner Dorsey if the Hershberger properties were in the City. The Zoning Administrator informed her that they were. Discussion was held and Dr. Durham noted that the County did not object to the Juniper Court annexation and asked to confirm that Juniper Court is in the City. Commissioner Dorsey said that there was no objection and that Juniper Court is contiguous to this proposed annexation.

Planning and Zoning Commissioner Dr. Durham asked how traffic could be relieved. Planning and Zoning Commissioner Wetherbee stated a condition of this proposed area could be to request a traffic study.

Planning and Zoning Commissioner Chairman Rushing made a comment about how bad the traffic is in all areas surrounding the proposed development and that adding 100 cars to the daily flow is not good.

Planning and Zoning Commissioner Wetherbee discussed her remarks at the Rotary meeting earlier in the day. The remarks were on the efforts of the housing team. She stated there were approximately 600 apartments in the city including public housing. She said there was a 64 family waiting list and they are no longer taking names. All of the LITECH properties have waiting list and at $800/month in rent that means the salary for the individual need to be at least $32000/year. That is teachers, fireman, and police salaries. She said there has to be a place for people with various jobs to live. She brought up the example that if you hire a teacher from outside the county, as soon as a job opens up closer to home, they will take it. She also talked about an employee at Common Ground who had to leave a job she loved because the closes attainable housing was in Athens. She understood traffic issues and growth issues. She said adding 100 units like this is exactly what the housing team has been working on for years. She stated her support of the development, its not the developers fault people speed.

Planning and Zoning Commissioner Howard asked why is Sydney Point ok and this not, she agrees we need housing. She admonished the County Commissioners and the City Council to work together.

Planning and Zoning Commissioner Wetherbee moved to recommend approval of the project with 80 apartment units and 10 duplexes (20 doors) with the condition that a traffic study be completed and a deceleration lane be included.

Planning and Zoning Commissioner Dr. Durham advised to amend the motion to include the possibility of a deceleration lane contingent upon legalities of doing so.

Planning and Zoning Commissioner Wetherbee amended her motion to approve the plan and to consider a deceleration and recommended to install one if possible.

Planning and Zoning Commissioner Dr. Durham seconded the motion.

The vote on the motion was 3-3 which defeated the motion.

City Attorney Rob Leverette clarified the process of what happens.

Planning and Zoning Commissioner Dr. Durham made a motion to approve the plan that was presented, incorporate a deceleration lane, and conduct a traffic study, and that the findings of the traffic study should be included in the development.

Planning and Zoning Commissioner Wetherbee seconded the motion.

Questions were asked about the benefits of a traffic study, who reviews it?

The vote on the motion was 3-3 which defeated the motion.

Planning and Zoning Commissioner Howard made motion to delay further hearing until a traffic study is done. Planning and Zoning Commissioner Gaines seconded the motion.

The vote on the motion passed 4-2.

Kenny Whitworth stated it was no problem getting a traffic study completed.

Planning and Zoning Commissioner Howard made a motion that the cost of the traffic study was the responsibility of the developer and a licensed engineer should conduct the study. The motion was seconded by Planning and Zoning Commissioner Gaines.

The vote on the motion passed 5-1.

CASE NO. 2021-21 – Tax Parcel

Scott Appling presented a plat for subdivision approval. He stated he’s built thousands of homes, they are the current owner of this parcel, will be the developer, will be putting in infrastructure, will be building homes. Their intent is to provide housing for the area. They will improve the entrance, have amenities like a walking trail, dog park, benches, and fire pits. This is Phase 1 of three phases. In addition to sewar, they’ve studied the lift station and it meets capacity, will do three sided brick and a concrete fascia.

Dr. Durham asked about the current state of the development site. Mr. Appling stated it was developed 20 years ago, but nobody ever did anything with it. The houses will be 1800-2200 sq. ft. with passive park between phase I and II, wants to create a sense of place.

Planning and Zoning Commissioner Wetherbee asked about the lot limits. They meet standards, there will be sidewalks, everything will meet the city requirements.

Dr. Durham made motion to approve, Lenford Smith seconded, all voted in favor.

The Zoning Administrator made an announcement about next year’s dates.

The meeting was adjourned at 7:33.

Faithfully Submitted,

Jason Ford

Zoning Administrator, City of Hartwell