

**EUHARLEE PLANNING & ZONING PUBLIC HEARING MINUTES**  
**7:00pm | March 22, 2022 | Euharlee City Hall**

**MEMBERS PRESENT:** Judd Mobbs - Chair, Steve Gray, James Evans, Kathy Faulk, Frank Graziano, Lovako Patterson

Chair Judd Mobbs called the meeting to order at 7:00pm. Mr. Mobbs explained the order of the meeting: the Commission would hear from the two property owners, then owners of adjacent properties, and then residents of the current properties requesting rezoning.

Mr. Mobbs invited Jonathan Jones, the engineer representing property owner Rana Ahmaed at 937 Euharlee Rd. (Pak Eagle Homes). Mr. Jones is representing Mr. Ahmaed due to the latter having the flu. Mr. Jones described the property as 9 acres zoned R-6. They are requesting a mixed-use zoning: C-1 in the front portion of the property, and R-3 in the back portion. The property is currently a mobile home park. He explained the intent of the property owner is to build a little over \$500,000 lift station to pump sewage to the existing Bartow County sewage line which is uphill and approximately one mile away, as the property is currently on septic. The renovations to this property will be privately funded. Mr. Jones stated he would be happy to answer any questions from the Planning & Zoning Commission as it relates to the zoning.

Mr. Steve Gray asked Mr. Jones to describe a residential unit. Mr. Jones stated that the intent is to make the property frontage commercial with three story apartments in the back, holding two- or three-bedroom units. Mr. Jones noted that the plans in front of the Commission members were old plans that held commercial units on the corners, but those plans had since changed after discussion held at the last Planning & Zoning meeting. Mr. Jones was asked by Mr. Mobbs if they were aware of the Euharlee Road Corridor Overlay District. Mr. Jones stated that Mr. Ahmaed is aware of the overlay and amenable to the requirements of the overlay district. Mr. Gray asked if the property owner would be amenable to creating a frontage road with the owner of the adjoining property. Mr. Jones stated he was amenable to building a frontage road if the other property owner would be in agreement. He stated that if an interparcel connectivity road was something that the City requested, Mr. Ahmaed would be amenable. Mr. Gray asked if Mr. Jones had read the Euharlee Road Design Outlay. Mr. Jones responded yes. Mr. Frank Graziano asked if there had been discussion about the road between the two property owners. Mr. Jones stated that there had not been direct discussion between the two property owners about the road but indicated that he had spoken with the adjoining property owner and may also be the engineering firm for him as well to retain the same look across both complexes. Mr. Mobbs asked to clarify that Mr. Ahmaed planned on building three-story apartments. Mr. Jones answered yes, with 12 apartments per floor. Mr. Gray asked if the property owners would be willing to do away with 36 units to create an access road. Mr. Jones responded that it is doable to meet the requirements set forth by the zoning requirements and meet the City's requests. There being no other questions from the Commission, Mr. Mobbs thanked Mr. Jones for his time.

Michael Hopfner, property owner of 933 Euharlee Rd (Crabapple Parc) addressed the Commission. He stated that he was waiting on rezoning before coming with an official design.

He explained to the Commission that his vision was similar to that of Mr. Jones: commercial units at the front of the property, with residential units at the back, and possibly condo type living above the commercial units. He stated that having residential units above the commercial would allow him to let his current tenants live in those units without being “horribly displaced”, and additionally plans to take care of the moving process for any trailer owner who found property and wanted their trailer moved. Mr. Hopfner stated he would be more than willing to contribute to building and sharing an access road with the adjoining property owner. He would like to build the access road and commercial first, with apartment style living above, and two-story townhomes with single car garages on the back portion of his property. He stated he would probably retain Mr. Jones has his engineer to keep the properties synchronized engineering-wise and lean on one another for the lift station and other requirements. He also stated that he’s currently thinking the townhomes would be rental, but it’s possible based on focus groups that he’d sell them to families instead. Mr. Hopfner acknowledged that the current zoning ordinances do not allow for additional mobile home units and the current units are very outdated. He believes it’s time to do something with the property and improve the property and Euharlee Rd. Mr. Gray asked if Mr. Hopfner had a site plan similar to Mr. Jones. Ms. Kathy Faulk asked if he had an idea of when he would have something similar to Mr. Jones. Mr. Hopfner restated that he is seeking rezoning before design, and short of rezoning there will remain trailers. He further stated that he is willing to move forward but first needed a good idea that he would be fit for rezoning. Mr. Mobbs asked if the rezoning would be similar to the request of Mr. Jones. Mr. Hopfner replied yes, he envisions commercial in the front and residential in the back. Mr. Gray asked if Mr. Hopfner had any specific businesses lined up for the commercial space. Mr. Hopfner said he was going to provide the space and let the City help with filling them with businesses. He said that he would work with the City to help fill the spaces with tenants or possibly fraction them off if someone wanted to own their space. Mr. Gray asked how many units Mr. Hopfner was planning on building. Mr. Hopfner replied that he would sit down with Mr. Jones when/if rezoning was approved. Mr. Hopfner said that he would have a hard time stating how many units without knowing the square footage of the retail footprint with an average two-bed, two-bath upstairs. But he would guess fifty units in the front with possibly seventy-five in the back. Mr. Graziano mentioned that Mr. Ahmaed was proposing 144 units, 108 if the road impacted his range. Mr. Hopfner said his would be much less. Mr. Gray held up an old plan and stated that Mr. Ahmaed had 198 units proposed. Mr. Hopfner confirmed his would be much less. With his townhome style with single car garages, Mr. Hopfner’s property would have fewer total units. Ms. Faulk asked if Mr. Hopfner would work with Mr. Jones to make sure the frontage on both properties looked similar to one another. Mr. Hopfner said that he was unsure of what his or the adjoining property owner’s rental price point would be. Ms. Faulk asked if he was willing to work with Mr. Ahmaed. Mr. Hopfner said he was willing to work with Mr. Ahmaed to align the commercial frontage and thinks it would be the best avenue. There being no other questions, Mr. Mobbs thanked Mr. Hopfner for his time.

Mr. Mobbs asked Nicole Tribble to approach. Ms. Tribble introduced herself as living at 937 Euharlee Rd. (Pak Eagle Homes). She does not believe that rezoning is a good idea, because it will displace people who cannot afford to live elsewhere in this area. Ms. Faulk asked how much the rent was at Eagle Pack. Ms. Tribble responded that without utilities, the rent was on average \$650 for a 3-bedroom, 2-bathroom trailer.

Mr. Mobbs asked John Masteen to approach. Mr. Masteen stated that he was a resident at 937

Euharlee Rd, and has lived there for 20 years. He enjoys living in Euharlee but is concerned that current commercial buildings in Euharlee have not been filled, and that the property owners are going to build more units that will not be used, and will become run down. He expressed concern that many people would be displaced and not have time to find a new place to live. He requests a longer time table to allow current residents to find places to live.

Mr. Mobbs called Zach, a resident at 937 Euharlee Rd to the front. He stated that Mr. Masteen before him expressed the same concerns he was planning to express. He doesn't believe more commercial next to the river is the best way to use that property, and with the current state of real estate in the current market does not lend itself to make available affordable housing for the residents that would be displaced. He stated his main concern was having enough time to find a new place to live. When asked by the Commission how much time was acceptable, he stated six months to a year based on the current housing market.

Ms. Faulk addressed the concerns regarding the empty commercial down the street. She stated there were outlying reasons for why the commercial down the street was not full.

Mr. Rodney Stegall spoke to the Commission next. He owns property adjacent to the properties at 170 Milam Bridge Rd. His concern is the buffer between the new complex and the adjacent properties. He is also concerned about the increase of potential property taxes and the increase in traffic on Euharlee Rd. Ms. Faulk wondered if it would help the adjacent property owners feel more comfortable and safer if the business property owners were required to install cameras on their properties to monitor the back section of their properties. Mr. Stegall was amenable to that suggestion as well as the possibility of a requirement of a privacy fence.

Mr. Phillip Carrol, a resident at 937 Euharlee Rd was next to speak. His primary concern is losing the option for the low-cost housing at the current property, and/or the lack of options to have first come first serve at the new apartment complexes. He also expressed concerns regarding the increase in traffic.

Ms. Jennifer Johnson, a resident at 937 Euharlee Rd., voiced concerns regarding communication between the landlord and tenants on the subject of being displaced. She informed the Commission that she believed that the property owner of 937 Euharlee Rd. would not take care of this new property if rezoned. The Commission thanked her for her comments.

Mr. Raymond Freeman, and adjacent property owner at 134 Milam Bridge Rd. was called to address the Commission. He asked if the road previously discussed was an expansion to Euharlee Rd, or a private road specifically for the tenants of the initial new development. Ms. Faulk responded that the road discussed would be an access road. Mr. Freeman expressed concern regarding the increased number of new people living on Euharlee Rd, without increasing the size of Euharlee Rd. He wanted to bring the Commission's attention to the buffer ordinance and asked for them to consider the approval needed from surrounding neighbors in respect to the buffer. He called attention to the gas lines running through the property that would need to be removed.

Mr. David Ellis, a resident at 145 Milam Bridge Rd., was next to speak to the Commission. Mr. Ellis' main concern was upkeep and fence maintenance. He suggested stating minimums for upkeep and enforcement. He also had a traffic concern with the potential increase of people on Euharlee Rd. He agrees that the proposed access road be accompanied by a traffic light.

Mr. Jeff Kamke is a resident at 54 Milam Circle, an adjacent property to the proposed rezoning properties. Mr. Kamke feels that building a three-story building would be distracting from the overall look of Euharlee. He is not opposed to single story condos as it would reduce the traffic. He also has concerns regarding the property being taken care of, as he believes the current property is not taken care of. He does not want commercial of any type because of the added traffic on Euharlee Rd. Mr. Kamke pointed out that there is another large subdivision being built on Euharlee Rd.

Mr. Jones asked if he could address some of the public comments on behalf of the property owner of 937 Euharlee Rd. Mr. Jones stated that homes bring commercial business to an area. He informed the Commission that the investment would roughly be \$20 million for the 937 Euharlee Rd. complex. He informed the Commission that there are already two businesses interested in renting a commercial unit once built. He informed the Commission that the City of Euharlee implored Mr. Ahmaed to do something with his property, which is how the entire process began. He stated that a traffic study would be done to make sure that there would or would not need to be a widening project on Euharlee Rd. to include a left turn lane, as well as an acceleration lane. He stated that Mr. Ahmaed would be amenable to a zoning ordinance requiring a privacy fence to eliminate any sort of illegal activity. Mr. Jones thanked the Commission for his opportunity to address some of the public comments. Mr. Don Matthews, Code Enforcement Officer for the City of Euharlee added that the project would not happen at one time, but would be built in stages in compliance with all City codes and ordinances. Mr. Jones echoed that point by stating that Mr. Ahmaed was planning on this development overall taking roughly 5-7 years, with the first phase including 72 residential units. Mr. Ahmaed plans to wait until the first phase of residential housing is full before building the next phase. Mr. Gray asked Mr. Hopfner, owner of the property at 933 Euharlee Rd., if that was his plan as well. Mr. Hopfner stated that his primary focus was filling the commercial units before phasing in the residential behind.

One citizen, currently living at 937 Euharlee Rd. expressed concern over the tenants losing their homes. Another citizen wanted to know if the City of Euharlee would be involved in the aforementioned traffic study. Mr. Mobbs responded by directing that question to be asked at the upcoming City Council meeting.

Jo Turner, a Euharlee citizen and City Council member, informed the public in the room that the City Council would be involved in the traffic study once they received the plans. After stating that he had never lived in an apartment complex, he asked how the school buses were run when picking up and dropping off kids from an apartment complex.

Mr. Freeman stood and stated that he didn't want to have a property next to his that says they might build, or they might not.

There being no more public comments, the Commission went into discussion of the rezoning

application for properties 933 Euharlee Rd., and 937 Euharlee Rd. Ms. Faulk spoke to the residents of 933 and 937 Euharlee Rd. She stated that she was appalled by the living conditions of the trailers. She informed the public that the City has tried to get things done at the properties and was met with resistance. She understands the concerns of the current residents and the inability to find other affordable housing.

Mr. Graziano thanked the public for attending and speaking. He presented four takeaways from the discussion: 1. The lack of responsiveness from the owner of the property at 937 Euharlee Rd., 2. The fear of displacement of the current residents of the two properties, 3. The impact of extra traffic on Euharlee Rd., and 4. The viability of commercial units on Euharlee Rd.

Mr. Gray stated he was in favor of improvements, but only if he knows what he's approving. He believes there were a lot of questions that still needed answers, but was overall in favor of the improvements – better living conditions for the residents. He stated that he asked last month for the two property owners to talk to one another before the current meeting, and believes that task was not accomplished. Mr. Jones stated that he had been in contact with Mr. Hopfner about ten times. Mr. Gray disagreed and said that he heard the two owners did not communicate. He asked reiterated that he requested for Mr. Jones and Mr. Hopfner communicate what they wanted to do on the frontage of their adjoining properties. Mr. Gray stated that communication was not had and believes both properties should be the same on the frontage, with either commercial or residential. Both Mr. Jones and Mr. Hopfner assured him that they both were in agreement that commercial would be in the front with residential in the back and had stated that a few times during the meeting. Mr. Gray requested a general layout to show what each property owner planned for their new development.

Mr. Jim Evans stated that they were discussing zoning and not a development plan. He stated that once zoning was approved, the property owner had three years to get the development finished. He stated he had never heard of a development this small taking seven years.

Ms. Lovako Patterson stated that all other Commission members had already said what she was planning to say.

With no more comments from the Commission, Mr. Mobbs asked for a motion.

Mr. Gray made a motion to table the zoning until they received a general layout from both property owners on rezoning.

Mr. Evans thought that the layout did not need to be extremely detailed. The layout needed to show what part of the property was going to be commercial and which section was going to be residential.

Mr. Graziano made a motion to zone C-1 and R-3 contingent on a general layout being provided to the Planning and Zoning Commission. Mr. Evans advised to modify that motion to add a specific date that the general layout would be due. Mr. Graziano agreed and added the date of April 12, 2022 as the due date. Ms. Katie Gobbi, a representative from the City of Euharlee reminded the Commission that the rezoning notice was for O/I instead of C-1. She also informed

the room that the next Public Hearing on this zoning application would be April 19<sup>th</sup> at 7:00pm.

Mr. Evans then made the motion that the Commission approve the rezoning for O/I and Residential for the properties of 933 and 937 Euharlee Road, contingent upon the Commission receiving a general layout by the next meeting on April 12, 2022. Mr. Graziano made a second to that motion. The motion was passed unanimously.

Mr. Graziano motioned to adjourn with Ms. Lovako as a second. The motion passed unanimously. The meeting was adjourned at 8:28pm.