

May 28, 2025

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STATE OF GEORGIA COUNTY OF HENRY

The Henry County Board of Commissioners held a Regular Public Meeting *in-person* on Tuesday, May 28, 2025, at 6:30 p.m. at the Henry County Administration Building (Community Room), 140 Henry Parkway, McDonough GA. HenryTV also streamed this live online at its website, as well as Charter/Spectrum Channel 180 and Facebook Live.

Carlotta Harrell, Chair
Johnny Wilson, District 1 Commissioner
Neat Robinson, Vice Chair/District 2 Commissioner
Dee Anglyn, III, District 3 Commissioner
Michael T. Price, District 4 Commissioner
Kevin J. Lewis, District 5 Commissioner

Staff Present: Cheri Hobson-Matthews, County Manager; Kevin Johnson, Deputy County Manager; Rachel Mack, County Attorney; Stephanie Braun, County Clerk and Jasmin Head, Deputy County Clerk

INSTRUCTIONS TO PARTICIPATE

HENRY COUNTY CODE OF CONDUCT

(Sec. 2-2-128: Conduct during public meetings)

INVOCATION

The Invocation was given.

PLEDGE OF ALLEGIANCE

The Pledge was recited.

CALL TO ORDER

PROCLAMATIONS/RECOGNITIONS

- A. Proclamation recognizing National Public Works Week: May 18-24, 2025 (*Presenter: Amber Smith, Public Relations Specialist*)
- B. Honoring Commissioner Robinson with the 2025 Prominence Award Recipient Presented by the National Women of Achievement, Inc., Southern Crescent Chapter (*Presenter: Sharon Mosley, President of NWOA*)
- C. Recognition of Stockbridge High School Concert Choir (led by Mr. Joseph Smith, Director) on their performance at Carnegie Hall in New York on April 12, 2025 (*Presenter: Amber Smith, Public Relations Specialist*)

APPOINTMENTS

- A. District I Veterans Advisory Board: Willie Brown (To fill unexpired term: 12/31/28)
Commissioner Wilson made a motion to approve the appointment; **Commissioner Anglyn** seconded. The motion carried 6-0-0.
Resolution #25-176
- B. District IV Transportation Advisory Committee: Anne Fields (*To fill unexpired term: 12/31/2026*)
Commissioner Price made a motion to approve the appointment; **Vice Chair Robinson** seconded. The motion carried 6-0-0.
Resolution #25-175
- C. Appointment to McIntosh Trail Community Service Board: Judge Vincent A. Lotti (*Term: 05/28/25 - 05/28/28*)
Commissioner Anglyn made a motion to approve the appointment; **Commissioner Lewis** seconded. The motion carried 6-0-0.
Resolution #25-177

CONSENT AGENDA

Cheri Hobson-Matthews, County Manager read the consent agenda as follows:

Parks & Recreation

- A. Resolution to accept a conditional grant award of \$30,000 and to fund an outdoor fitness court and community wellness initiative at Village United Park in the amount of \$185,000, utilizing impact fees or SPLOST funds. **District 2.** (*Presenter: Jonathon Penn, Executive Director*)(*Exhibit 1*)
Resolution #25-178

SPLOST

- A. Resolution to authorize the acquisition of 3,508.08 Square Feet of Right of Way, a Permanent Easement of 847.05 Square Feet, a Temporary Easement of 409.58 Square Feet, and a Driveway Easement of 6,534.00 Square Feet, More or Less, in Land Lot 171 of the 7th District, Henry County, Georgia, by negotiated contract or condemnation pursuant to the provisions of O.C.G.A. Section 32-3-4 through Section 32-3-19 (SR 81 Widening Project, Parcel 91/TSPLOST). **District 1 and District 3.** (*Presenter: Roque Romero, SPLOST Director*)(*Exhibit 2*)
Resolution #25-179

County Attorney

(This item was moved to the Consent Agenda). The Henry County Board of Elections & Voter Registration Committee held a Special Called Meeting on 5/28/2025 at 5:00 p.m. in the Community Room of the Henry County Administration Building.

- A. Adoption of action taken by the Board of Election Committee regarding the appointment of the At-Large Board Member of the Henry County Board of Election and Voter Registration (*Presenter: Rachel Mack, County Attorney*)(*Exhibit 3*)

(Cross Reference: HCBOEVR Committee Resolution #25-174 – naming Benita Harris as the At-Large Member on the Henry County Board of Elections & Voter Registration. Term: July 1, 2025 – June 30, 2029).

(This Ends the Consent Agenda)

Commissioner Anglyn made a motion to approve the Consent Agenda; **Vice Chair Robinson** seconded. The motion carried 6-0-0.

REGULAR AGENDA

County Attorney (Moved to Consent Agenda)

- ~~A. Adoption of action taken by the Board of Election Committee regarding the appointment of the At Large Board Member of the Henry County Board of Election and Voter Registration~~

Annexation

- A. **AX-25-04 (Not a Public Hearing)**

The City of Stockbridge has received a request for annexation of properties west of Feucht Drive, north of Jodeco Road, consisting of 24.995 +/- acres in Land Lot 51 of the 6th District. **District 5** (*Presenter: Toussaint Kirk, Executive Director*)(*Exhibit 4*)

Toussaint Kirk, Planning and Zoning Director, presented an annexation request submitted by the City of Stockbridge for a 24.995 acre property located west of Feucht Drive and north of Jodeco Road, near the future Western Parallel Connector. The property is currently zoned C-3 (Highway Commercial) with a future land use designation of High-Density Mixed-Use under the county's comprehensive plan. The City of Stockbridge is requesting to rezone the property from C-3 to RM (Multifamily Residential) to allow for the development of 321 residential units with a density of 12.8 dwelling units per acre. Additionally, the request includes amending the comprehensive plan and future land use map from the county's High-Density Mixed-Use designation to the City of Stockbridge's High-Density Residential

Mr. Kirk explained that the county's current land use designation supports and encourages mixed-use development that includes both commercial and residential uses. In contrast, the City of Stockbridge's proposed high-density residential designation supports residential-only development, which presents a conflict with the county's planning goals. He further noted that, although the county would continue to provide fire services to the property, if annexed, permit reviews and approvals would be handled exclusively by the city. This separation of responsibilities creates a significant safety concern, as county

fire personnel may have to respond to emergencies without access to critical permit and site data, which could hinder emergency response efforts.

Based on these concerns, **Mr. Kirk** recommended that the county object to the annexation request. He cited the proposed significant change in land use which conflicts with county planning objectives and the increased burden on county fire services, particularly due to the lack of shared permit information, as key reasons for the objection.

Commissioner Lewis made a motion to object to the annexation; **Commissioner Anglyn** seconded. The motion carried 6-0-0. Resolution #25-180

Financial Services

A. (2nd Public Hearing and Adoption) FY 2026 Proposed Budget Adoption (*No pre-registration required to participate in Public Hearing) (Presenter: Bernita Campbell, Budget Director)(Exhibit 5)

Benita Campbell, Budget Director, presented the second of two public hearings regarding the proposed FY26 General Fund and Special Services District budgets. She noted that two budget workshops were previously held on April 1 and April 15, and there have been no changes to the proposed figures since the last presentation on May 6. The proposed FY26 budget totals \$287.8 million, reflecting a \$28.1 million (10.8%) increase from the adopted FY25 budget of \$259.7 million. This budget maintains the current millage rate of 15.733 mills and is designed to fund key priorities while supporting a balanced approach to financial planning. The budget includes major allocations such as \$6 million for debt service payments, \$3.3 million for inmate medical care and additional jail staff, \$2 million for fire personnel at Stations 17 and 18, \$1.8 million for critical need personnel, \$1.5 million for the Henry County Department of Transportation, and \$1.4 million for personnel and operations related to the addition of a fifth State Court Judge, who will take office in January 2026. It also includes funding for the North Mount Carmel Recreation Center, the Henry County Police Academy, and preparations for the opening of two new fire stations in FY26 and FY27.

The budget proposes 78 new positions, including 12 specifically designated for supporting the incoming State Court Judge. While departments requested a total of \$36.5 million for personnel and operating expenses, only \$9.9 million is recommended due to economic uncertainty, potential litigation over impact fees, and the anticipated effects of U.S. tariff implementation. Departmental funding decisions were guided by board-identified priorities, including road and park improvements and public safety. **Director Campbell** also reviewed FY25 budget carryover context, explaining that property tax collections in late 2024 yielded \$17.7 million in additional revenue from a three-mill increase for Fire, Police and Parks and Recreation. Although the Board did not formally amend the FY25 budget, these funds were allocated: \$7.5 million for fire capital purchases, \$6.4 million to contingency fund balance, \$2.9 million for debt service, and \$900,000 for critical operational needs. Only \$3.8 million of that total increased the operating budget, adjusting FY25 to \$263.5 million. The FY26 budget adds \$24.3 million in new expenditures, bringing the final recommended total to \$287.8 million. Director Campbell concluded the presentation by reiterating that the proposed budget supports the county's goals to maintain current service levels, advance strategic initiatives and address critical needs heading into the new fiscal year.

Chair Harrell called a public hearing. The following people came forward to speak:

Public Hearing

Leslie Wantland, a Trustee for the Henry County Library System, urged the Board of Commissioners to reconsider their decision not to include the requested \$125,358 increase in the FY26 budget for libraries. She emphasized that the increase is needed to cover rising employer health insurance costs and mandatory retirement contributions. **Ms. Wantland** noted that the Board had supported these phased increases in the previous two years, and the absence of funding this year would force the library system to cut services, staff or operating hours. She tied her request to the county's stated budget priorities particularly fair and competitive employee compensation and maintaining current service levels and the Henry County Pillars of Excellence, especially service and inclusion. **Ms. Wantland** highlighted the library's impact, mentioning services such as support for the unhoused population, access to benefits through branch kiosks, basic computer skills training for seniors, public education on animal control, STEM programming, tutoring, a memory lab for family history preservation and free summer eye exams for children. She also referenced the installation of pickup lockers, including future plans with Piedmont Hospital.

Connie Snow of Conserve Henry (Chase Marion Way McDonough) expressed support for Wantland's concerns and questioned budget priorities. She asked how much was being cut from community services like animal rescue, litter cleanup and homelessness support, compared to expenditures on legal fees for government missteps -- including the impact fee case and security costs for elected officials. **Ms. Snow** urged the Board to prioritize essential community programs over discretionary or reactive expenses.

Anne Fields (Chase Marion Way McDonough), a former SPLOST VI committee member for District 4, echoed support for library funding. She reminded the Board that she had previously motioned to allocate \$100,000 for library CAPEX grants during SPLOST meetings. Speaking as a parent and grandparent, **Ms. Fields** emphasized the vital role libraries play in education and community enrichment and encouraged continued investment in these services.

Public Hearing closed.

During the discussion regarding Henry County Library System funding, **Chair Harrell** asked for clarification on the sources of the library's funding, specifically in relation to state contributions and the county's obligations. **County Manager Cheri Matthews** explained that the library system receives funding from three primary sources: the Henry County General Fund, the State of Georgia and impact fees. For FY25, the Board allocated \$3.1 million from the general fund to support the library. The State contributes approximately \$475,080 annually, primarily covering salaries for state-classified library employees. Additionally, the library receives impact fees averaging \$117,000 annually. These impact fees are collected through building permits and are distributed among four categories: Libraries, Public Safety, Parks and Recreation and Transportation Infrastructure. Impact fees, however, are restricted to capital expenses and cannot be used for operational costs. Over the past fiscal years, the County has steadily increased its general fund contributions to the library, from \$2.3 million in FY22 to \$3.1 million in FY25. Further support has also included facility maintenance and capital investments across library branches, as well as mid-year funding amendments to assist with rising healthcare and salary costs.

Commissioner Lewis made a motion to approve; **Vice Chair Robinson seconded**. The motion carried 5-1-0 with Commissioner Wilson voting in opposition. Resolution #25-181

SPLOST

- A. Resolution Authorizing the Chair to sign a Georgia Department of Transportation Local Maintenance & Improvement Grant Application for Local Road Assistance Administration (LRA) Funds in the amount of \$3,165,226.74. **Districts 1, 2, 3, 4, and 5.** (Presenter: *Roque Romero, SPLOST Director*)(Exhibit 6)

Roque Romero, SPLOST Director, presented an authorization request to apply for Local Road Assistance (LRA) funds through the Georgia Department of Transportation's Local Maintenance and Improvement Grant (LMIG) program. This is the second year Georgia's Governor and Legislature have allocated \$250 million for LRA funding. For FY2025, Henry County is eligible to receive \$3,165,226.74 in LRA funds, which are 100% state-funded with no local match required. Staff met with each Commission District to identify roads in critical need of resurfacing. The selected subdivisions include Leguin Forest (District 1), Panola Woods (District 2), Cutters Mill (District 3), Glenn (District 4), and Martha's Vineyard (District 5). **Mr. Romero** emphasized that these roads are in poor condition, with pavement condition ratings between 30–40 out of 100. In comparison, a newly paved road would rate near 100. He expressed appreciation for the state's support and confirmed the application would be submitted.

Vice Chair Robinson requested the inclusion of Spivey Road, noting that due to annexation, only a small portion remains under Henry County's jurisdiction. Clayton County and the City of Stockbridge have already completed their sections, and this remaining segment was previously overlooked. **Mr. Romero** confirmed Spivey Road would be added to the list with no change to the funding amount. **Chair Harrell** called for a motion. **Commissioner Anglyn** motioned to approve, seconded by **Commissioner Lewis**. Before the final vote there was more discussion.

County Manager Matthews asked **Mr. Romero** to explain the road grading process. Mr. Romero explained that the Georgia DOT contracts a company to assess road conditions throughout unincorporated areas of the county, assigning grades based on surface damage such as cracks and potholes. This data helps prioritize resurfacing projects and is available on the Henry County DOT website. **Mr. Romero** also noted that the County has already completed two resurfacing batches and plans to approve another batch of over 200 roads totaling \$26–\$27 million. **Vice Chair Robinson** thanked Mr. Romero and his team for addressing the grading and inspection of Spivey Road and moved to amend the motion to include it in the list.

Vice Chair Robinson (asked that previous Motion be rescinded so we could add Spivey Road to the District 2 list) and she made a motion to approve with the addition of adding Spivey Road to the list; **Commissioner Anglyn** seconded. The motion carried 6-0-0. Resolution #25-182

- B. Resolution approving the bid award for design services for the Mount Carmel Road at North Mount Carmel Road intersection improvement project to Croy Engineering in the amount of \$344,180.00, funded by SPLOST VI. District 5. (Presenter: Bert Bivens, SPLOST Deputy Director)(Exhibit 7)

Bert Bivins SPLOST Deputy Director, presented an agenda item seeking approval for funding the design services of the Mount Carmel Road and North Mount Carmel Road intersection improvement project, located in District 5. The Henry County Purchasing Department issued a Request for Qualifications (RFQ) for design services, receiving five proposals. Following evaluation by county staff and professionals, Croy Engineering received the highest score and submitted a fee proposal of \$344,180.

Funding for this project is available through the SPLOST VI District 5 project account. Staff recommended approval. The preliminary concept plan illustrates improvements aimed at realigning the intersection to enhance visibility, safety, and north-south connectivity linking State Route 81 to State Route 138 and ultimately North Henry Parkway. **Mr. Bivins** also noted that SPLOST VI collections began on April 1, and to date, the Board has approved \$26.2 million in SPLOST-funded projects, demonstrating substantial progress in county infrastructure development.

Commissioner Lewis made a motion to approve; **Commissioner Anglyn** seconded. The motion carried 6-0-0. Resolution #25-183

Planning & Zoning

A. RZ-23-18 (Public Hearing)

North Ola Land Holdings, LLC of Stockbridge, GA requests a rezoning from RA (Residential-Agricultural) to MU (Mixed Use) for property located to the northwest of the intersection of Highway 81 and North Ola Road in Land Lot 145 of the 7th District. The property consists of 115.08 +/- acres, and the request is for a mixed use development. District 3 (Presenter: Tayla Solomon, Planner III)(Exhibit 8)

Tayla Solomon, Planner III, presented a rezoning request for 115.08 acres from RA (Residential-Agricultural) to MU (Mixed Use) to allow for the development of single-family homes and commercial space. The subject property, as highlighted on the zoning map, is surrounded by a combination of residential, commercial, and mixed-use zoning. According to the future land use map, the property is designated as "Village," which supports commercial development with residential elements, aligning with the applicant's proposal. The conceptual plan includes 37.19 acres designated for commercial development and 77.89 acres for a 55+ age-restricted residential community, proposing up to 234 residential units for seniors. All future development must meet code requirements at the permitting stage, including elevation standards for both residential and commercial structures. The project falls within the Highway Corridor Overlay District and was reviewed as a Development of Regional Impact (DRI) by the Atlanta Regional Commission (ARC), which approved it with conditions. Multiple departments reviewed the plans and provided feedback that informed the recommended conditions for approval. On March 13, 2025, the Zoning Advisory Board recommended approval with 30 to 36 conditions. It was also noted that Condition #2 should reference the date May 28, 2025.

Public Hearing:

(In Favor):

Michelle Battle of Battle Law addressed the Board to express excitement about the proposed North Ola mixed-use development, a project that has been in progress since 2021–2022. She emphasized the intention to bring continued quality development along the North Ola corridor. With guidance from Commissioner Anglin to “think bigger, think better,” the project evolved significantly from its original concept. The updated plan includes a mixture of senior housing and a robust commercial development component. The residential portion, known as the Villages of Ola, is designed as a gated, age-restricted (55+) community. It will feature walking trails, sidewalks, pocket parks, a clubhouse with a swimming pool and tennis courts, a community pavilion, golf cart paths, and access to an existing lake. All homes will be single-family, with a total of 234 units replacing the original plan of 169 homes, duplexes, and quads. Lot sizes will be a minimum of 8,000 square feet, and all homes will have a heated floor area of at least 1,600 square feet, exceeding the previously required minimum of 1,200 square feet.

On the commercial side, the development now includes over 216,000 square feet of commercial space, expanded from the initial five commercial outparcels to a more comprehensive layout with nine outparcels. The commercial area will accommodate both large retailers and smaller vendors and feature a central courtyard area for community gatherings and events.

Jefferson Brown, the architect for the project, shared the design philosophy, which was heavily inspired by the existing character of the North Ola community. Architectural elements such as stone walls, wooden fences, gabled roofs, and traditional materials were incorporated to honor the area's heritage. He highlighted the effort to make the commercial buildings feel familiar and welcoming. The design includes community spaces that can be used in all weather conditions, with lawns and gateways that allow for flexibility and events such as concerts and movie nights. He emphasized that the development was designed with community integration, tradition, and functionality in mind, aiming to create a space that feels like home. designed with community integration, tradition, and functionality in mind, aiming to create a space that feels like home.

Anne Fields (Chase Marion Way McDonough) expressed strong support for the aesthetic of the proposed development, highlighting that it captures the "farm look" and "beautiful fences" that many Henry County residents value. She emphasized her desire to preserve the farmland and country feel of the area amid ongoing development.

(In Opposition):

Dale Durrance (River Road, McDonough) opposed the proposed development, citing concerns about worsening traffic on Highway 81, especially near three nearby schools. He noted existing commercial growth in the area and warned the project would increase strain on local infrastructure.

Connie Snow of Conservative Henry (Chase Marion Way McDonough) expressed broad concerns about ongoing developments in the county. She highlighted serious issues such as failing schools, poor air quality (recent F rating), water concerns, and public safety. She criticized the trend of increased mixed-use developments, arguing that the county's infrastructure cannot support the growth. **Ms. Snow** warned that unsold homes may eventually turn into rentals, worsening existing problems. She urged county leaders to consider the long-term impact and legacy they are creating for future generations.

Public Hearing closed.

Commissioner Anglyn stated in response to Mr. Durrance's concerns about traffic on Highway 81, officials invited Roque Romero, SPLOST Director to explain the planned changes and widening timeline for the road. The update aimed to address how future improvements would help manage increased traffic related to nearby developments.

Roque Romero, SPLOST Director provided an update on two planned road widening projects along State Route 81. The first phase will extend from Lemon Street to Bethany Road, covering approximately three miles. The second phase will continue from Bethany Road to Keys Ferry Road, spanning about three and a half miles. Both phases will expand the roadway to four lanes divided and are part of the SPLOST 6 program. **Mr. Romero** noted that the second phase is also receiving federal funds for its design, which is expected to take about three to three and a half years. Following the design phase, the right-of-way acquisition and construction will begin, with construction projected to start in approximately seven years. He emphasized that although Highway 81 is a state road, Henry County is actively leading the project rather than waiting on state action, demonstrating the county's commitment to addressing traffic issues directly.

Commissioner Anglyn addressed school concerns, noting his son attends school in the area. He explained the project has been in development for about four years and, while originally proposed as multi-use, now includes only commercial and age-restricted housing, with no multifamily units in District 3. He supported added commercial space to help reduce traffic on Highway 81. **Commissioner Anglyn** praised the Jefferson Group for involving the community in the design process and clarified there is a 5% rental clause, but the age restriction is meant to limit school impact.

Commissioner Wilson stated his only request is for the homes to not be built with vinyl products for the siding of the house.

Commissioner Anglyn asked **Michele Battle of Battle Law** if the language regarding amenities could be updated to allow for a tennis court or pickleball court in the neighborhood. He also requested a change to prohibit the use of vinyl products on homes, to which **Attorney Battle** agreed. When asked about the price point, **Attorney Battle** stated homes for seniors would start in the mid \$300,000s and up. She also noted a proposed revision to Condition 12, requesting that the general layout reflect the conceptual plan presented at the current meeting rather than the one dated May 8, 2023, and confirmed that staff supports this change.

Commissioner Anglyn made a motion to approve with the above-stated amendments; **Commissioner Lewis** seconded. The motion carried 6-0-0.
Resolution #25-184

B. RZ-24-19 (Public Hearing)

Arrowhead Real Estate Partners, LLC of Norcross, GA requests a rezoning from C-3 (Highway Commercial) to RM (Residential Multifamily) for property located north of Highway 20/81 West, and east of McDonough Parkway in Land Lot 157 of the 7th District. The property consists of 22.19 +/- acres and the request is for a townhome development. District 5 (Presenter: Tayla Solomon, Planner III)(Exhibit 9)

Tayla Solomon, Planner III, presented a request to rezone 22.19 acres from C-3 (Highway Commercial) to RM (Multifamily Residential) for a proposed 149-unit townhome community. The site is located near Highway 81 West and McDonough Parkway. The project's 10.62 units per acre is consistent with the Urban Residential designation on the future land use map. The property was rezoned in 1993 but has remained undeveloped. The proposal complies with the Highway Corridor Overlay, and the Zoning Advisory Board recommended approval with conditions.

Public Hearing

(In Favor):

Michele Battle of Battle Law (3562 Habersham at Northlake Bldg. Suite 100, Tucker GA 30084) spoke in support of the rezoning request to RM, explaining that the change would bring the property into alignment with the urban residential land use designation. The proposed project includes 149 fee-simple townhomes, with 22 rear-loading units facing McDonough Parkway for visual appeal. She highlighted community amenities like a pool, cabana, fire pit, walking trails, and a dog park.

Attorney Battle requested a correction to Condition 12, asking that the landscape buffer remain 20 feet instead of the erroneous 55 feet, noting it borders a self-storage facility. She also asked that Condition 14 allow a crush-and-run trail instead of paved asphalt to ease HOA maintenance costs. She emphasized that the townhomes are not intended to be a rental community, though they are open to rental restrictions. The homes are expected to be priced between \$350K–\$400K, with a minimum size of 1,700 sq. ft.

(In Opposition):

Angie Collins from Crystal Lake Golf and Country Club said the project looks better than expected. She emphasized the importance of using quality materials like brick and asked for clarity on the percentage of renters. She expressed concern about the \$350K–\$400K price point and suggested adding fencing or making the community gated. While pleased with the added amenities like pools and walking trails, she wants more details on materials to ensure value for the cost.

Connie Snow of Conserve Henry (Chase Marion Way, McDonough) expressed concern about infrastructure issues tied to the proposed development. She cited outdated water letters, EPD fines, poor air quality, and failing schools as ongoing challenges. She questioned how much developers are contributing to water infrastructure and stressed that current and future developments strain county resources. **Ms. Snow** urged decision-makers to consider the broader community impact and noted concerns over taxpayer burdens and past overcharging on impact fees.

Councilwoman Vanessa Thomas with the City of McDonough expressed support for smart growth but raised concerns over rapid residential development especially apartments and townhomes in District 5. She noted infrastructure is not keeping up and recommended a temporary moratorium on new builds in the district until roads and other services can properly support the growth.

Public hearing closed.

Commissioner Lewis addressed Councilwoman Thomas' concerns by noting the project includes joint road widening efforts between Henry County and the City of McDonough. He clarified that a countywide 6-month residential rezoning moratorium is already in place, including a separate moratorium on the west side of District 5. He praised the project's quality, agreed to amend conditions 12 and 14 related to buffer and trail requirements, and emphasized the need for upgraded development standards in Henry County. He also noted that \$350K is now considered an entry-level home price.

Chair Harrell asked County Manager Cheri Matthews to clarify misinformation about impact fees. **County Manager Matthews** explained that impact fees are only paid by developers/builders, not taxpayers. A court ruling required the county to reduce impact fees from \$7,000 to \$1,661.50, which the county is legally contesting. While this reduction impacts funding for infrastructure like parks, roads and libraries, it has not led to any tax increases or budget amendments. Matthews emphasized no financial burden has been shifted to taxpayers, and legal expenses are covered under the existing legal budget.

Commissioner Lewis made a motion to approve the request with an amendment to Condition 17, changing the rental cap to 5%. **Commissioner Price** seconded the motion. The motion carried 4-2-0, with Chair Harrell and Commissioner Wilson voting in opposition. Resolution #25-185

C. COMP-AM-25-03 (Public Hearing)

Liberty Communities, LLC of Stockbridge, GA requests an amendment to the Comprehensive Plan for property located on Highway 81 West, east of Highway 19/41 in Land Lot 197 of the 6th District. The property consists of 38.84 +/- acres and the request is to amend the Future Land Use Map designation from Low Density Mixed Use and Medium Density Suburban Residential to High Density Suburban Residential. **District 5 (Presenter: Kenta Lanham, Planner III)(Exhibit 10)**

RZ-24-12 (Public Hearing)

Liberty Communities, LLC of Stockbridge, GA requests a rezoning from RA (Residential-

Agricultural) to RS (Residential Suburban) for property located on Highway 81 West, east of Highway 19/41 in Land Lot 197 of the 6th District. The property consists of 89.16 +/- acres and the request is for a single-family detached and townhome development. **District 5** (*Presenter: Kenta Lanham, Planner III*)(*Exhibit 11*)

Kenta Lanham, Planner III, presented a rezoning and comprehensive plan amendment request for three properties totaling approximately 89.16 acres, located along Highway 81 and Lovejoy Road, east of Highway 19/41. The current zoning is RA (Residential Agricultural), and the applicant is requesting to rezone the properties to RS (Residential Suburban). Additionally, a comprehensive plan amendment is being requested for 38.84 acres of the site to change the future land use designation from Low-Density Mixed Use and Medium-Density Suburban to High-Density Suburban.

The proposed development includes a total of 353 residential units—202 single-family detached homes and 151 townhomes—with an overall density of 4.74 dwelling units per acre. This density is below the maximum allowable threshold of 8 units per acre for high-density suburban designation. Lanham explained that the site spans across multiple land use categories (low-density mixed use, medium, and high-density suburban) and that consolidating the site under a single high-density suburban designation would allow for more cohesive planning and result in a lower unit count than if the parcels were developed separately under their existing designations. The development falls within the Highway Corridor Overlay District and will be required to meet multifamily design standards. Staff noted that the proposed development is well below the allowable density thresholds and would provide a better overall layout and design under the unified land use designation. Staff recommended approval of both the comprehensive plan amendment and the rezoning request, with conditions including a 10% rental cap and a modification to Condition 8 to reference the updated site plan presented on May 28, 2025. Although the Zoning Advisory Board previously voted to deny both requests, staff maintains their recommendation for approval based on the project's alignment with planning standards and the benefits of coordinated development.

Public Hearing

(In Favor):

Michele Battle of Battle Law (3562 Habersham at Northlake Bldg. Suite 100, Tucker GA 30084) representing the applicant, addressed the board to support the rezoning request from RA (Residential Agricultural) to RS (Residential Suburban). She highlighted the intentional design of the project, which transitions from commercial frontage on Highway 19/41 into a residential community. The plan includes 199 single-family detached homes with lot sizes of 7,260 sq. ft., exceeding zoning requirements. These homes feature a modern farmhouse style, with upgraded design elements such as decorative garage doors and varied textures to avoid monotony.

Amenities for the single-family portion include a clubhouse, pool, pickleball courts, playgrounds, dog parks, and walking trails placed throughout for community walkability. Homes are expected to start in the \$400,000 range.

The development also includes 124 townhomes, each 1,800 sq. ft. and grouped in buildings of no more than four units to maintain a less dense, neighborhood feel. These units will include shared green spaces and amenities. Battle noted all homes will be under a mandatory HOA and that the applicant agrees to a reduced rental cap of 5%. She praised Liberty Communities for making improvements based on feedback and expressed excitement about the quality and thoughtfulness of the project.

(In Opposition):

Angie Collins (Crystal Lake Golf and Country Club) spoke in opposition to the project, stating that while amenities like the pickleball court are appreciated, they do not outweigh broader concerns. She emphasized that residents attend these meetings not out of convenience but out of deep concern for Henry County's future. She criticized prior comments implying that some citizens are never satisfied, calling such remarks dismissive of legitimate concerns.

She stressed the importance of maintaining high development standards, especially when homes are being sold at premium prices. The resident noted that the proposed townhomes appeared too "cookie cutter," specifically pointing out one that looked like a box and called for more attention to privacy features such as shrubbery or fencing between units. She expressed that development should be thoughtful and respect the character of the community, urging the Board to prioritize smart, sustainable growth.

Connie Snow of Conserve Henry (Chase Marion Way, McDonough) supports smart growth and clarified that she's not against all development. She noted impact fee issues are still unresolved and that cost will ultimately affect taxpayers. She also corrected a false claim that schools are failing due to special needs students and emphasized that the water service letter is outdated, highlighting ongoing water concerns.

Councilwoman Vanessa Thomas apologized if her previous comments seemed condescending, stating that was not her intention. She expressed confusion about the current moratorium status, asking if the county was still under one. **Commissioner Lewis** confirmed the moratorium remains in effect, explaining that while no new zoning applications or rezonings are accepted during the six-month moratorium, legally required hearings for already submitted cases must continue. **Ms. Thomas** said she was unaware of this and thought no cases were being heard. She then noted concerns about amending the comprehensive plan, sharing that personally she would likely oppose such changes and wanted to highlight that to the board.

Public Hearing closed.

Chair Harrell began by stating, "I have some questions regarding the comprehensive plan amendment. What was the reason for it?"

Kenta Lanham, Planner III, responded, "The proposed development has a density of 4.74 dwelling units per acre. The middle portion of the land is designated as Medium Density on the future land use map, which only allows up to 4 units per acre so there's a discrepancy of 0.74 units. During the pre-application meeting, staff agreed that the entire site should fall under a single designation. That's why we recommended changing it to High Density Suburban, which aligns better with the plan and allows the project to be unified instead of split into three disjointed developments with different standards."

Toussaint Kirk, Director, added, "Initially, staff didn't realize that all three parcels were owned by the same person. Once we found that out, we recommended a change to allow the property to be developed or sold as a single unit rather than piecemealed under three separate land use designations."

Chair Harrell responded, "But regardless of ownership, land should be designated in the Comp Plan by category."

Mr. Kirk agreed but noted, "Yes, and to Kenta's point, three separate developments would likely look very different. This plan lets us approach it more like a mini master plan to ensure cohesion."

Chair Harrell then asked about the appearance of the proposed townhomes, stating, “The renderings look like vinyl to me and aren’t very impressive.”

Attorney Battle, representing the Battle Law Firm, clarified, “No ma’am, the exterior will be brick and board and batten -- not vinyl. If the Board of Commissioners wants to change the condition around the look or request enhancements, we’re open to modifications to align with your preferences.” **Chair Harrell** asked, “Is the lower portion shown in the rendering on the rear?”

Attorney Battle replied, “Yes, that’s the rear. We’ve shown both front and rear views. I’ll have Val Akins from Liberty Communities address any further questions.”

Val Akins introduced himself, saying, “I’m with Liberty Communities, now partnered with Dream Finder Homes out of Jacksonville. Thank you for the collaboration. We look forward to future growth in Henry County.” He added, “The renderings don’t do (the project) justice the fronts are mostly brick, and there’s a water table wrapping the sides. The rear and sides feature board batten and both vertical and horizontal Hardy Plank to avoid monotony.”

Attorney Battle asked if the board had specific preferences on the look, and Mr. Akins added, “We can include porches, privacy fences between units, and at minimum a 10x12 patio many customers even request covered patios for more privacy.”

Kenta Lanham then brought up Condition #11, stating, “Staff is now recommending for all townhome units to include a 5 lb fire extinguisher on both the first and second floors, and a fire escape ladder installed per manufacturer specs on the second floor in at least one sleeping room window. This is about ensuring safety and easy egress in emergencies.”

Chair Harrell asked if the units would include sprinklers. Kenta responded, “Currently, sprinklers aren’t required under code.”

Michael Black, Assistant Fire Chief confirmed, “Under the ULDC, developments with six or more units require sprinklers. These are four-unit runs, so they’re exempt. But we support the fire escape ladder and extinguisher requirement—it’s a good safety measure and doesn’t alter the residential aesthetic.”

He added, “There are many ladder designs on the market that are hidden and won’t make the structure look commercial.

Commissioner Lewis closed the discussion by thanking the team, saying, “I want to give kudos to Attorney Battle and the team. When I originally raised concerns about a lack of amenities for the townhomes, you quickly pivoted and added amenities throughout both sides of the development. I appreciate that. This project has been in the works for a few years, and you’ve really worked to make it happen. Liberty Communities is a Henry County builder, and we value local companies that live and work here. Thank you for investing in our community.”

Kenta Lanham noted it will need to be two votes taken (one for the Comp Amendment and another for the rezoning.)

Vote: Commissioner Lewis made a motion to approve COMP-AM-25-03 with stated amendments; **Vice Chair Robinson** seconded. The motion carried 4-2-0 with Chair Harrell and Commissioner Wilson voting on opposition. Resolution #25-186

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Vote: Commissioner Lewis made a motion to approve RZ-24-12 with stated amendments; Vice **Chair Robinson** seconded. The motion carried 4-2-0 with Chair Harrell and Commissioner Wilson voting on opposition. Resolution #25-187

County Manager Comments

Public Comments

Upcoming Meetings and Events

A. June 3, 2025 at 9:00 a.m. is a regularly-scheduled BOC Meeting

B. June 17, 2025 at 6:30 p.m. is a regularly-scheduled BOC Meeting

Executive Session (Re: Litigation and Real Estate)

VOTE: Commissioner Price made a motion to enter into Executive Session (9:06 p.m.); Commissioner Anglyn seconded. The motion carried 6-0-0.

Reconvene from Executive Session

VOTE: Commissioner Anglyn made a motion to reconvene from executive session (10:01 p.m.); Commissioner Lewis seconded. The motion carried 6-0-0.

Approval of an Affidavit and Resolution pertaining to Executive Session

VOTE: Commissioner Anglyn made a motion to approve the Affidavit and Resolution pertaining to Executive Session; Commissioner Lewis seconded. The motion carried 6-0-0.

Adjournment

10:02 p.m.

*Carlotta Harrell, Chair
Henry County Board of Commissioners*

*Stephanie Braun
County Clerk*