



**Columbia County Planning Commission
February 2nd, 2023 at 6:00 PM
Evans Government Center Auditorium
Evans, Georgia**

Present at the meeting included:

Chairman Al Dempsey
Vice-Chairman Michael W. Carraway
Commissioner James Van Meter
Commissioner Marty Jackson
Commissioner Russell Wilder

Scott Sterling, Division Director
Will Butler, Planning Manager
Nayna Mistry, Community Planner
Danielle Montgomery, Planner II
Dylan Douglas, Planner I
Members of the Media
Members of the Public

A. CALL TO ORDER

Chairman Dempsey called the meeting to order at 6:00p.m.

B. INVOCATION

Commissioner Wilder gave the invocation.

C. PLEDGE OF ALLEGIANCE

Commissioner Jackson led the pledge to the American Flag.

D. ROLL CALL / QUORUM

Chairman Dempsey declared a quorum with 5 Commissioners present (100% Quorum).

E. APPROVAL OF THE MINUTES OF PREVIOUS MEETING

(E1) January 19th, 2023

Commissioner Wilder made a motion to approve the January 19th, 2023, meeting minutes. Vice Chairman Carraway seconded the motion. The motion carried unanimously.

F. APPROVAL OF THE AGENDA

Commissioner Wilder made a motion to approve the February 2nd, 2023 Agenda. Vice Chairman Carraway seconded the motion. The motion carried unanimously.

G. PRESENTATION

H. DEBATE AGENDA

(H1) Unfinished Business

a. Rezoning

1. **(H1a1) RZ23-01-04**, Major PUD (Planned Unit Development) Revision, 5356 Columbia Road, Tax map 061 Parcel 081U, 15.9 +/- acres, and currently zoned PUD (Planned Unit Development). **Postponed from January 5th, 2022.**

Staff member Nayna Mistry presented the staff recommendation.

Chairman Dempsey opened the public hearing at 6:06PM.

Applicant, Bo Slaughter, 420 Gemstone Court, was present and stated that he was available to answer any questions the Commission might have and had worked with the County on this project.

No questions were provided by the Commission.

Members of the public were present but provided no comments or concerns.

Chairman Dempsey closed the public hearing at 6:07 PM

Commissioner Wilder made a motion to approve RZ23-01-04, Major PUD (Planned Unit Development) Revision, 5356 Columbia Road, Tax map 061 Parcel 081U, 15.9 +/- acres, and currently zoned PUD (Planned Unit Development). Vice Chairman Carraway seconded the motion. The motion carried unanimously.

b. (H1b) Variation

1. **(H1b1) VA22-11-02**, Variation to Section 90-99 *Corridor protection overlay district*, 4130 Columbia Road, Tax map 079 Parcel 070, 3.5 +/- acres, and currently zoned C-2 (General Commercial).. **Postponed from January 5th, 2023.**

Staff member Nayna Mistry presented the staff recommendation.

Chairman Dempsey opened the public hearing at 6:11 PM.

The applicant, Kirk Farely, 361 Summit Boulevard, Birmingham, Alabama was present. Mr. Farely made a presentation regarding the Mavis application and stated he was available to answer any questions.

No questions were provided by the Commission.

Rocco Sicca III, 4141 Bent Tree Lane, spoke in opposition to the request on procedural grounds, to include that plans were initially incomplete, the site plan showed encroachment into a required buffer, and that Mavis had failed to disclose a state Attorney General settlement for fraud.

Chairman Dempsey closed the public hearing at 6:20 PM

Commissioner Jackson made a motion to approve with conditions VA22-11-02, Variation to Section 90-99 *Corridor protection overlay district*, 4130 Columbia Road, Tax map 079 Parcel 070, 3.5 +/- acres, and currently zoned C-2 (General Commercial). Commissioner Wilder seconded the motion. The motion carried unanimously.

Conditions:

Planning:

1. Window signs on the customer waiting area elevations shall be limited to 75 square feet on the front elevation and 160 square feet on the east elevation, or 50% of the respective window areas, whichever is smaller.
2. The glazed overhead doors are not allowed window signage allowances.
3. Landscape plan shall be prepared by a landscape architect. Design emphasis for the landscape strip along Columbia Road shall be to lower the impact of the overhead doors along the frontage. Trees and shrubs in the rear buffer shall be retained and supplemented as necessary to create an opaque screen. Landscape designer shall coordinate the proposed design with the Columbia County Landscape Architect prior to submittal of the site plan.

(H2) New Business

(H2a) Minor Waiver

1. **(H2a1) MW23-01-01**, 3439 Hilltop Trail, Tax map 059 Parcel 879, 0.25 +/- acres, and currently zoned PUD (Planned Unit Development). **For information only.**

Staff member Will Butler presented the minor waiver for information only.

(H2b) Preliminary Plat

1. **(H2b1) Wrights Farm Section III**, off Wrightsboro Road, Tax map 075 Parcel 098 & Tax map 069 Parcel 097C, 25.4 acres total, 81 lots, and currently zoned PUD (Planned Unit Development).

Staff member Danielle Montgomery presented the staff recommendation.

Commissioner Wilder made a motion to approve the Preliminary Plat for Wrights Farm Section III, off Wrightsboro Road, Tax map 075 Parcel 098 & Tax map 069 Parcel 097C, and currently zoned PUD (Planned Unit Development). Vice Chairman Carraway seconded the motion. The motion carried unanimously.

(H2c) Final Plat

1. **(H2c1) River Oaks Phase 3**, off Hardy McManus Road, Tax map 071 Parcel 244, 14.86 +/- acres, and currently zoned R-2 (Single Family Residential).

Staff member Danielle Montgomery presented the staff recommendation.

Commissioner Van Meter made a motion to approve the Final Plat for River Oaks Phase 3, off Hardy McManus Road, Tax map 071 Parcel 244, and currently zoned R-2 (Single Family Residential). Commissioner Jackson seconded the motion. The motion carried unanimously.

(H2d) Public Hearing

1. **(H2d1) RZ23-02-01**, Rezoning from PUD (Planned Unit Development) to S-1 (Special), 777 Jones Creek, Tax map 077H Parcel 731, 6.945 +/- acres, and currently zoned PUD (Planned Unit Development).

Staff member Will Butler presented the staff recommendation.

Chairman Dempsey opened the public hearing at 6:27 PM.

The applicant or their representative were not present.

The following members of the public spoke:

Wendell Johnston, 235 Davis Road, attorney for Jones Creek HOA
Tripp Nanney, 4113 Heritage Ridge, President, Jones Creek HOA
Hammad Sheikh, 755 Jones Creek
Chris Noah, 528 McKinnis Line
David Miles, 4149 Hammonds Ferry

The public expressed that the request should be denied since it changes the function of the golf course area, does not meet the criteria for a rezoning, property was purchased speculatively, impacts the overall PUD, as well as adjacent neighbors, the HOA has held a vote and over 98% were not in favor, request sets a precedent for breaking up other PUDs in Columbia County, neighborhood will not support the request so it will close again, zoning should be retained so that the infrastructure of the clubhouse is retained, discussed what a PUD is and how this rezoning is not in keeping with the intent of a golf course community, request is not in keeping with Vision 2035, and that the request should be postponed.

The Planning Commission responded that the property in question and the golf course are privately and separately owned, cannot force them to work together, the property is already being used for the requested uses, and there is no need to postpone the request for a year.

Chairman Dempsey closed the public hearing at 7:00 PM.

Commissioner Van Meter made a motion to withdraw without prejudice RZ23-02-01, Rezoning from PUD (Planned Unit Development) to S-1 (Special), 777 Jones Creek, Tax map 077H Parcel 731, 6.945 +/- acres, and currently zoned PUD (Planned Unit Development). Commissioner Wilder seconded the motion. The motion carried unanimously.

2. (H2d2) VA23-02-01, Variance to Section 90-135 *Signs*, 140 Cooper Drive, Tax map 083 Parcel 170, 0.53 +/- acres, and currently zoned C-2 (General Commercial).

Staff member Danielle Montgomery presented the staff recommendation.

Chairman Dempsey opened the public hearing at 7:06 PM.

The applicant's representative, Philip Green, 1233 Augusta West Parkway, was present and spoke regarding the distance between the right of way of Cooper Drive and the travel lane was wide enough that the proposed sign would not impact the intersection visibility according to AASHTO standards.

Members of the public were present but provided no comments or concerns.

Chairman Dempsey closed the public hearing at 7:07 PM.

Commissioner Van Meter made a motion to approve with condition Variance to Section 90-135 *Signs*, 140 Cooper Drive, Tax map 083 Parcel 170, 0.53 +/- acres, and currently zoned C-2 (General Commercial). Commissioner Wilder seconded the motion. The motion carried unanimously.

Condition:

Planning:

The sign permit application shall include written approval from the Property Owner's Association prior to approval of the application.

(H2h) Text Amendments

I. LEGAL MATTERS

J. STAFF AND COMMISSIONER COMMENTS

K. PUBLIC COMMENTS AND PARTICIPATION

There was no further business to discuss; therefore Vice Chairman Carraway made the motion to adjourn the meeting at 7:08 p.m. Commissioner Van Meter seconded the motion. Motion carried unanimously.

Signature on file
Al Dempsey, Chairman

Signature on file
Scott Sterling, Planning Services Director