



Columbia County Planning Commission
April 20th, 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

Lindsay Stahler, Administrative Specialist

Members of the Media

Members of the Public

A. CALL TO ORDER

Chairman Dempsey called the meeting to order at 6:00 p.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) March 30th, 2023

Commissioner Wilder made a motion to approve the March 30th, 2023 meeting minutes. Commissioner Van Meter seconded the motion. The motion carried unanimously.

F. APPROVAL OF THE AGENDA

Commissioner Wilder made a motion to approve the April 20th, 2023 Agenda. Commissioner Jackson seconded the motion. The motion carried unanimously.

G. PRESENTATION

H. DEBATE AGENDA

1. Unfinished Business

- a. **(H1a) RZ23-03-05**, Rezoning from R-2 (Single Family Residential) to C-2 (General Commercial), 4539, 4543, 4547, & 4551 Riverwatch Parkway & 525, 527, 531, & 533 Rountree Way, Tax Map 077A Parcels 060A, 060, 060C, 061, 172, 171, 170, & 166, 3.0 +/- acres, and currently zoned R-2 (Single Family Residential). **Postponed from March 16th, 2023.**

Planning Manager Will Butler presented the staff recommendation.

Chairman Dempsey opened the public hearing at 6:06PM

Applicant, Gary Simpson, 334 Holly Oak Way, stated that they have redesigned the project to have a minimal impact on the adjacent properties.

Commissioner Van Meter asked if he was familiar with the process of building a car wash, if he knew how much noise it would produce, and if there will be a gate at this location.

Gary Simpson stated that he is currently building his first car wash over by Costco. He is unsure of how much noise it will produce, but doesn't think it will cause a problem. He also stated that they will be putting up a gate.

Patricia Daniel, 530 Rountree Way, asked how this will impact her property taxes and what kind of car wash will this be.

Director Scott Sterling stated that the car wash wouldn't have a direct impact on the adjacent properties property taxes.

Gary Simpson stated that this is an up-scaled express carwash and the hours of operation are from 9AM-7PM.

Malika Mitchell, 526 Rountree Way, asked where the entrance will be and stated that there have been a lot of accidents around this location, she is concerned for the safety of the children, and will it affect property taxes in the future.

Planning Manager Will Butler stated that the entrance will be off of Rountree Way.

Chairman Dempsey stated this property is too expensive for it to stay zoned R-2 (Single Family Residential).

Chairman Dempsey closed the public hearing at 6:12 PM.

Commissioner Jackson made a motion to recommend approval of RZ23-03-05, Rezoning from R-2 (Single Family Residential) to C-2 (General Commercial), 4539, 4543, 4547, & 4551 Riverwatch Parkway & 525, 527, 531, & 533 Rountree Way, Tax Map 077A Parcels 060A, 060, 060C, 061, 172, 171, 170, & 166, 3.0 +/- acres, and currently zoned R-2 (Single Family Residential). Commissioner Van Meter seconded the motion. The motion carried 3-2. Vice-Chairman Michael Carraway and Commissioner Russell Wilder opposed.

- b. (H1b) VA23-03-06, Variance to Sections 90-98 *List of Lot & Structure Requirements*, 90-139 *Buffers & Screening*, 90-147 (h)(4)(b) *Use Provisions*, and 90-147 (i)(3) *Use Provisions*, 4539, 4543, 4547, 4551 Riverwatch Parkway & 525, 527, 531, & 533 Rountree Way, Tax Map 077A Parcels 060A, 060, 060C, 061, 172, 171, 170, & 166, 3.0 +/- acres, and currently zoned R-2 (Single Family Residential).**
Postponed from March 16th, 2023.

Planning Manager Will Butler presented the staff recommendation.

Chairman Dempsey opened the public hearing at 6:15PM

The applicant was present but provided no comments or concerns.

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

Chairman Dempsey closed the public hearing at 6:15PM

Commissioner Jackson made a motion to recommend approval of VA23-03-06, Variance to Sections, 90-147 (h)(4)(b) *Use Provisions*, and 90-147 (i)(3) *Use Provisions*, 4539, 4543, 4547, & 4551 Riverwatch Parkway & 525, 527, 531, & 533 Rountree Way, Tax Map 077A Parcels 060A, 060, 060C, 061, 172, 171, 170, & 166, 3.0 +/- acres, and currently zoned R-2 (Single Family Residential). Commissioner Van Meter seconded the motion. The motion carried 3-2. Vice-Chairman Michael Carraway and Commissioner Russell Wilder opposed.

- c. **(H1c) VA23-03-07**, Variation to Section 90-96 (c)(1) & (c)(5) *Evans town center overlay district*, 4539, 4543, 4547, 4551 Riverwatch Parkway & 525, 527, 531, & 533 Rountree Way, Tax Map 077A Parcels 060A, 060, 060C, 061, 172, 171, 170, & 166, 3.0 +/- acres, and currently zoned R-2 (Single Family Residential). **Postponed from March 16th, 2023.**

Planning Manager Will Butler presented the staff recommendation.

Chairman Dempsey opened the public hearing at 6:18PM.

The applicant was present but provided no comments or concerns.

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

Chairman Dempsey closed the public hearing at 6:18PM.

Commissioner Jackson made a motion to recommend approval with condition of VA23-03-07, Variation to Section 90-96 (c)(1) & (c)(5) *Evans town center overlay district*, 4539, 4543, 4547, 4551 Riverwatch Parkway & 525, 527, 531, & 533 Rountree Way, Tax Map 077A Parcels 060A, 060, 060C, 061, 172, 171, 170, & 166, 3.0 +/- acres, and currently zoned R-2 (Single Family Residential). Commissioner Van Meter seconded the motion. The motion carried 3-2. Vice-Chairman Michael Carraway and Commissioner Russell Wilder opposed.

Condition:

Planning:

No elevation is permitted to have more than 50% taken up by glazing.

2. New Business

a. Massage Operator's License

- 1. **(H2a1) Massage Operator's License for Parichad Kormondy dba N & P Group, LLC**, 101 Maple Drive Suite 5, Tax Map 073C Parcel 014, Massage at premise address only.

Planning Manager Will Butler presented the staff recommendation.

Commissioner Jackson made a motion to approve the request for a Massage Operator's License for Parichad Kormondy dba N & P Group, LLC, 101 Maple Drive Suite 5, Tax Map 073C Parcel 014. Massage at premise address only. Commissioner Wilder seconded the motion. The motion carried unanimously.

b. Conceptual Plan

- 1. **(H2b1) Timber Creek**, Off Mullikin Road, Tax Map 077 Parcels 050B & 050A (Portion of) 62.39 +/- acres, and currently zoned R-1 (Single Family Residential).

Staff member Danielle Montgomery presented the staff recommendation.

Commissioner Van Meter made a motion to approve the Conceptual Plan for Timber Creek, Off Mullikin Road, Tax Map 077 Parcels 050B & 050A (Portion of) 62.39 +/- acres, and currently zoned R-1 (Single Family Residential). Commissioner Jackson seconded the motion. The motion carried unanimously.

- 2. (H2b2) Highland Lakes West Section 1**, 53 lots, Off William Few Parkway, Tax Map 060 Parcel 1767 (Portion of) 20.34 +/- acres, and currently zoned R-2 (Single Family Residential).

Staff member Danielle Montgomery presented the staff recommendation.

Vice-Chairman Carraway made a motion to approve the Conceptual Plan for Highland Lakes West Section 1, 53 lots, Off William Few Parkway, Tax Map 060 Parcel 1767 (Portion of) 20.34 +/- acres, and currently zoned R-2 (Single Family Residential). Commissioner Van Meter seconded the motion. The motion carried unanimously.

c. Temporary Use Authorization

- 1. (H1c1) Temporary Use Authorization**, 1000 Madelyn Court, Tax Map 030 Parcel 183, 2.84 +/- acres, and currently zoned R-A (Residential Agricultural).

Staff member Nayna Mistry presented the staff recommendation.

Commissioner Wilder made a motion to approve the Temporary Use Authorization for 1000 Madelyn Court, Tax Map 030 Parcel 183, 2.84 +/- acres, and currently zoned R-A (Residential Agricultural). Vice-Chairman Carraway seconded the motion. The motion carried unanimously.

d. Public Hearing

- 1. (H2d1) RZ23-04-01**, Major PRD (Planned Residential Development) Revision, 5001 High Meadows Drive, Tax Map 050 Parcel 010, 49.2 +/- acres, and currently zoned PRD (Planned Residential Development).

Planning Manager Will Butler presented the staff recommendation.

Chairman Dempsey opened the public hearing at 6:28PM.

Wayne Hodges, 153 Misty Woods Drive, wanted to know why the trees that were cut down have not been replanted and why the road is not a cul-de-sac as stated in the approved plan.

Applicant, Joseph Gulino, 7009 Evans Town Center Boulevard, advised Mr. Hodges that the cul-de-sac is planned, but not developed to that point yet.

C.W. Hayes 179 Misty Woods Drive, stated that from the work going on within his neighborhood it has turned the pond by his house muddy and the ditch in front of his house is now filled with rocks, sand and dirt.

Joseph Gulino, stated that he will come by Mr. Hayes property the following day to look at his concerns.

Jason Fletcher, 120 Misty Woods Drive, wanted clarification if the approved plan was going to be changed to show the cul-de-sac.

Planning Manager Will Butler, stated that the approved plan is to illustrate the lot layouts and that the conditions would override the plan shown on the PowerPoint.

Director Scott Sterling, stated that the approved plan shown on the PowerPoint is not considered the

construction plans that have been approved through the county.

Chairman Dempsey closed the public hearing at 6:41PM.

Vice-Chairman Carraway made a motion to recommend approval with conditions of RZ23-04-01, Major PRD (Planned Residential Development) Revision, 5001 High Meadows Drive, Tax Map 050 Parcel 010, 49.2 +/- acres, and currently zoned PRD (Planned Residential Development). Commissioner Wilder seconded the motion. The motion carried unanimously.

Conditions:

Planning:

Conditions from RZ19-05-02 still apply, with the exception that the purple coded lots will not be required to use the side loading layout

Water & Sewer:

No permanent structure or house shall be located within 20' of a water main.

2. **(H2d2) RZ23-04-02**, Rezoning from R-A (Residential Agricultural) to S-1 (Special), 2278 Wortham Lane, Tax Map 039 Parcel 048V, 14.5 +/- acres, and currently zoned R-A (Residential Agricultural).

Staff member Will Butler presented the staff recommendation.

Chairman Dempsey opened the public hearing at 6:45PM.

Applicant, Mark Barinowski, 2278 Wortham Lane, stated that he is not open to the public. He operates a nonprofit radio station as a family business and only has 3 employee's that aren't family. He moved here 20 years ago and the construction was permitted by the county. He has a warehouse in McDuffie County and no freight trucks come on to this site. He doesn't intend to change the character of the property. He is agreeing with rezoning to S-1 (Special) that it is more specific than R-A (Residential Agricultural).

Commissioner Jackson asked Mr. Barinowski how many cars will this new building bring to his property.

Mark Barinowski stated that his business is not open to the public. There is no storefront that would allow for people to come there. He has no trespassing signs and the front of his property as well.

Commissioner Wilder asked Mr. Barinowski if he has any immediate plans to increase his number of employee's.

Mark Barinowski stated that he doesn't have any plans to increase the number of employees he has and he is not currently hiring at the moment either.

Attorney for the property owners of Grimaud Place,, Hammad D. Sheikh Esq. 755 Jones Creek, stated that existing use has been in violation for 20 years. The 21 different types of business the staff recommendation includes is not necessary. There is only one access point to the neighborhood and believes that the applicant shouldn't use a neighborhood feeder road for his business. The neighbors that have lived there prior to 2005 are against the rezoning and are concerned about the traffic this causes to the neighborhood. The reasonable solution would be to revise the application to limit the amount of uses and for the applicant to use Louisville Road as the primary access to his property.

The following members of the public spoke:

Mark Kaune, 6054 Foster Way
Daryl Stewart, 6065 Foster Way
Cara Wooten, 5997 Heidrich Way
Mark Walls, 2230 Wortham Lane

John Walters, 6020 Heidrich Way

The Grimaud Place homeowners are against the rezoning to S-1. They are concerned with the negative effects of allowing traffic through the subdivision, speeding along Wortham Lane, that the neighborhood is not an entrance for a business, and that property values will be negatively impacted by the requested rezoning.

Vice-Chairman Carraway asked if we could narrow down the uses in the applicant's narrative.

Mr. Barinowski agreed to remove some of uses that were stated in his narrative. Discussion followed between staff, the Commission, and Mr. Barinowski which is reflected in the revised condition below.

Chairman Dempsey closed the public hearing at 7:51 PM.

Commissioner Van Meter made a motion to recommend approval with conditions of RZ23-04-02, Rezoning from R-A (Residential Agricultural) to S-1 (Special), 2278 Wortham Lane, Tax Map 039 Parcel 048V, 14.5 +/- acres, and currently zoned R-A (Residential Agricultural). Commissioner Jackson seconded the motion. The motion carried unanimously.

Conditions:

Planning:

1. Uses on the site shall be limited to the following:
 - a. Business services including advertising, business management consulting, and graphic design.
 - b. Professional services including, accountant, auditor, and bookkeeper
 - c. Financial services including real estate management office
 - d. Radio, recording studio.
2. Total employees on the property shall not exceed ten.
3. **(H2d3) RZ23-04-03**, Major PUD (Planned Unit Development) Revision, located off William Few Parkway, Tax Map 065 Parcel 934, 3.56 +/- acres, and currently zoned PUD (Planned Unit Development).

Staff member Will Butler presented the staff recommendation.

Chairman Dempsey opened the public hearing at 7:57PM.

Marlena Bergeron, 2545 Willow Creek Court, stated that one person's profit shouldn't supersede the community interest, that they already have a 24 hour gas station, there is no benefit to the community in adding another one, and that removing the trees will increase noise and light pollution.

Applicant, Robert Titus, 886 Windmill Lane, stated that the county has a post construction storm water quality requirement that the water must be treated before it enters the creek. There is also a 25 foot undisturbed natural buffer as well.

Chairman Dempsey closed the public hearing at 8:08PM.

Vice-Chairman Carraway made a motion to recommend approval with condition of RZ23-04-03, Major PUD (Planned Unit Development) Revision, located off William Few Parkway, Tax Map 065 Parcel 934, 3.56 +/- acres, and currently zoned R-A (Residential Agricultural). Commissioner Wilder seconded the motion. The motion carried unanimously.

Condition:

Planning:

Prior to approval of the site plan, a photometric plan shall be provided showing the location of lighting on the site, footcandle readings at the property lines and beyond, and any proposed shielding.

4. **(H2d4) VA23-04-01**, Variance to Section 90-53 *List of Lot & Structure Requirements*, 722-736 Campana Drive, Tax Map 071 Parcels 137-144, 2.29 +/- acres, and currently zoned R-2 (Single Family Residential).

Staff member Dylan Douglas presented the staff recommendation.

Chairman Dempsey opened the public hearing at 8:12PM.

Scott Holt, 3139 Carillon Way, concerned about property values, if a retaining wall has to be built, and wants a condition requiring the retaining wall.

Rhonda King, 3108 Carillon Way, stated that she is against the variance, that it will affect the aesthetics of Bell Tower and that it is concerning that a new neighborhood is already requiring variances.

Carolyn Hamill, 3121 Carillon Way, wants to know why this issue is just now being addressed. She understands that the developer is in a tough spot, but thinks that a smaller back yard will make a house less attractive which would then cause the prices of the homes to decrease.

Applicant, Robert Titus, 886 Windmill Lane, stated the purpose the retaining is wall to create a ±25 foot deep backyard.

Developer, Matt Eschelbach, 5235 Riverwood Parkway, the purpose of the variance is to make more adequate lots that won't require front entry garages to help keep the aesthetics of the neighborhood.

Zach Kafoglis, 740 Campana Drive, stated he supports both of the variances and would like there to be something to be enforced that won't allow front entry garages.

Phillip Tully, 241 Mount Olive Lake, stated he intends to build nice houses and that he is the one who stated the variance process in hopes that it will allow the homes to have a backyard by putting up the retaining wall.

Chairman Dempsey closed the public hearing at 8:42PM.

Commissioner Van Meter made a motion to recommend approval with conditions of VA23-04-01, Variance to Section 90-53 *List of Lot & Structure Requirements*, 722-736 Campana Drive, Tax Map 071 Parcels 137-144, 2.29 +/- acres, and currently zoned R-2 (Single Family Residential). Commissioner Jackson seconded the motion. The motion carried unanimously.

Conditions:

Building Standards:

The retaining wall must not cross property lines. A Cast-in-Place wall may be constructed only if it has a "Cold Joint" at each property line. This allows each property owner to be separated from the adjacent property.

Planning Commission:

A retaining wall is required.

5. **(H2d5) VA23-04-02**, Variance to Section 90-53 *List of Lot & Structure Requirements*, 721-731 Campana Drive, Tax Map 071 Parcels 083-088, 1.98 +/- acres, and currently zoned R-2 (Single Family Residential).

Staff member Danielle Montgomery presented the staff recommendation.

Chairman Dempsey opened the public hearing at 8:47PM.

Rhonda King, 3108 Carillon Way, understands that the developer is in a hard place, but wanted to know if there was a way for them to not change the covenants to allow front loading garages.

Director Scott Sterling, stated that the county does not enforce covenants. That would be handled between the homeowner and the developer.

Scott Holt, 3139 Carillon Way, wanted some clarification on the retaining wall for this variance.

Planning Manager Will Butler, clarified that the addendum for this application should not have included the retaining wall and that we would be going off of the concept plan.

Chairman Dempsey closed the public hearing at 8:52PM.

Commissioner Van Meter made a motion to recommend approval of VA23-04-02, Variance to Section 90-53 *List of Lot & Structure Requirements*, 721-731 Campana Drive, Tax Map 071 Parcels 083-088, 1.98 +/- acres, and currently zoned R-2 (Single Family Residential). Commissioner Jackson seconded the motion. The motion carried unanimously.

6. (H2d6) VA23-04-03, Variance to Sections 90-140 *Placement of Buildings & Structures* and 90-147(g)(10)(b) *Use Provisions*, 925 Husk Box Way, Tax Map 062 Parcel 086N, 1.19 +/- acres, and currently zoned C-2 (General Commercial).

Staff member Dylan Douglas presented the staff recommendation.

Chairman Dempsey opened the public hearing at 8:56PM.

Applicant, Robert Titus, 886 Windmill Lane, wanted clarification on where the landscaping will be going on the wall.

Planning Manager Will Butler stated various types of ivy or greenery will grow on the face of the wall and provide screening of the finished concrete per the addendum presented by the applicant.

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

Chairman Dempsey closed the public hearing at 8:58PM.

Commissioner Wilder made a motion to recommend approval with condition of VA23-04-03, Variance to Sections 90-140 *Placement of Buildings & Structures* and 90-147(g)(10)(b) *Use Provisions*, 925 Husk Box Way, Tax Map 062 Parcel 086N, 1.19 +/- acres, and currently zoned C-2 (General Commercial). Commissioner Van Meter seconded the motion. The motion carried unanimously.

Condition:

Planning:

Landscaping for the development will include plant material to grow on the face of the wall. This landscaping will provide a softening visual effect for the wall. Plant material will be reviewed and approved by the county landscape architect during plan review.

7. (H2d7) VA23-04-04, Variation to Section 90-99 *Corridor protection overlay district*, 3508 Washington Road, Tax Map 082D Parcel 039, 3.63 +/- acres, and currently zoned C-2 (General Commercial).

Staff member Nayna Mistry presented the staff recommendation.

Chairman Dempsey opened the public hearing at 9:00PM.

Applicant, Chris Cook, 5330 Cemetery Road, was present and there to answer any questions.

No questions were provided by the Commission.

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

Chairman Dempsey closed the public hearing at 9:01PM.

Commissioner Van Meter made a motion to recommend approval with condition of VA23-04-04, Variation to Section 90-99 Corridor protection overlay district, 3508 Washington Road, Tax Map 082D Parcel 039, 3.63 +/- acres, and currently zoned C-2 (General Commercial). Vice-Chairman Carraway seconded the motion. The motion carried unanimously.

Condition:

Planning:

The final elevations shall be substantially similar to the submitted design for the variation 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 Commissioner Jackson made the motion to adjourn the meeting at 9:02 p.m. Commissioner Van Meter seconded the motion. Motion carried unanimously.

Al Dempsey, Chairman

Scott Sterling, Planning Services Director