



**Columbia County Planning Commission
June 29th, 2023 at 6:00 PM
Evans Government Center Auditorium
Evans, Georgia**

Present at the meeting included:

Chairman Al Dempsey
Vice-Chairman Michael 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
Matt Schlachter Deputy County Manager
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) June 15th, 2023

Commissioner Van Meter made a motion to approve the June 15th, 2023 meeting minutes. Commissioner Jackson seconded the motion. The motion carried unanimously.

F. APPROVAL OF THE AGENDA

Commissioner Wilder made a motion to approve the June 29th, 2023 Agenda. Vice-Chairman Carraway seconded the motion. The motion carried unanimously.

G. PRESENTATION

H. DEBATE AGENDA

1. Unfinished Business

- a. **(H1a) RZ23-06-02**, Conditional Use for a Bed and Breakfast, 635 River Pines Drive, Tax Map 077 Parcel 050, 6.29 +/- acres, and currently zoned R-1 (Single Family Residential). **Postponed from June 15th, 2023.**

Staff member Dylan Douglas presented the staff recommendation.

Chairman Dempsey opened the public hearing at 6:05 PM.

Applicant, Adam Kotter, 1020 Peninsula Crossing, stated that he planned to allocate some of the land for greenspace. He bought this property to maintain a quiet place. The Bed and Breakfast would be a private residence, that his son and daughter in law will live there, and have 6 rooms to rent out. Stated that this would reduce the traffic in the area vs having 5 homes built on the property.

George Sleister, 3939 Mullikin Road, stated that he is opposed to having a Bed and Breakfast next to his property and that a commercial business in a residential area will cause more traffic.

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

Commissioner Van Meter made a motion to recommend approval of RZ23-06-02, Conditional Use for a Bed and Breakfast, 635 River Pines Drive, Tax Map 077 Parcel 050, 6.29 +/- acres, and currently zoned R-1 (Single Family Residential). Commissioner Wilder seconded the motion. The motion failed 3-2. Chairman Dempsey, Vice-Chairman Carraway, & Commissioner Jackson opposed.

2. New Business

a. Massage Operator's License

1. **(H2a1) Massage Operator's License for Prospering in Wellness LLC dba Elements Massage Evans**, 935 Ronald Reagan Drive, Suite 103, Tax Map 072 Parcel 231Q, 1.08 +/- acres, and currently zoned PUD (Planned Unit Development).

Staff member Will Butler presented the staff recommendation.

Commissioner Van Meter made a motion to approve the Massage Operator's License for Prospering in Wellness LLC dba Elements Massage Evans, 935 Ronald Reagan Drive, Suite 103, Tax Map 072 Parcel 231Q, 1.08 +/- acres, and currently zoned PUD (Planned Unit Development). Commissioner Wilder seconded the motion. The motion carried unanimously.

b. Provisional Home Occupation

1. **(H2b1) CS Customs**, 3502 Ray Owens Road, Tax map 014 Parcel 055A, 2.32 +/- acres, and currently zoned R-A (Residential Agricultural).

Staff member Danielle Montgomery presented the staff recommendation.

Vice-Chairman Carraway made a motion to approve the Provisional Home Occupation for CS Customs, 3502 Ray Owens Road, Tax map 014 Parcel 055A, 2.32 +/- acres, and currently zoned R-A (Residential Agricultural). Commissioner Jackson seconded the motion. The motion carried unanimously.

c. Temporary Use Authorization

1. **Temporary Use Authorization**, 3508 Washington Road, Tax Map 082D Parcel 039, 3.63 +/- acres, and currently zoned C-2 (General Commercial). **Presented as information only.**

Staff member Danielle Montgomery presented the item as information only.

d. Preliminary Plat

1. **(H2d1) White Oak Road Subdivision**, 10 lots, Off White Oak Road, Tax map 008 Parcel 015L, 107.58 +/- acres, and currently zoned R-A (Residential Agricultural).

Staff member Danielle Montgomery presented the staff recommendation.

Commissioner Wilder made a motion to approve the Preliminary Plat for White Oak Road Subdivision, 10 lots, Off White Oak Road, Tax map 008 Parcel 015L, 107.58 +/- acres, and currently zoned R-A (Residential Agricultural). Vice-Chairman Carraway seconded the motion. The motion carried unanimously.

e. Final Plat

- 1. (H2e1) Misty Meadows Phase 1**, 71 lots, Off William Few Parkway, Tax map 050 Parcel 010, 24.09 +/- acres, and currently zoned PRD (Planned Residential Development).

Staff member Danielle Montgomery presented the staff recommendation.

Vice-Chairman Carraway made a motion to approve the Final Plat for Misty Meadows Phase 1, 71 lots, Off William Few Parkway, Tax map 050 Parcel 010, 24.09 +/- acres, and currently zoned PRD (Planned Residential Development). Commissioner Van Meter seconded the motion. The motion carried unanimously.

f. Public Hearing

- 1. (H2f1) RZ23-06-04**, Rezoning from M-2 (General Industrial) to C-C (Community Commercial), 5863 Washington Road, Tax Map 036 portion of Parcel 034, 0.59 +/- acres out of a total of 150.67 +/- acres, and currently zoned M-2 (General Industrial).

Staff member Will Butler presented the staff recommendation.

Chairman Dempsey opened the public hearing at 6:23 PM.

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 6:23 PM.

Vice-Chairman Carraway made a motion to recommend approval with condition of RZ23-06-04, Rezoning from M-2 (General Industrial) to C-C (Community Commercial), 5863 Washington Road, Tax Map 036 portion of Parcel 034, 0.59 +/- acres out of a total of 150.67 +/- acres, and currently zoned M-2 (General Industrial). Commissioner Jackson seconded the motion. The motion carried unanimously.

Condition:

Planning:

A combination plat showing the proposed area to be rezoned and combined with tax map 036 parcel 012 shall be recorded within 90 days of approval by the Board of Commissioners. A copy of the plat shall be provided to the Planning Department after recording.

- 2. (H2f2) VA23-06-06**, Variance to Sections 90-133 *Parking*, 90-135 *Signs*, & 90-139 *Buffers & Screening*, 6008 Clarks Hill Road, off Washington Road, and 5836 Washington Road, Tax Map 036 Parcels 012 & 013 and a portion of 034, a total of 3.83 +/- acres, and currently zoned C-C (Community Commercial) and M-2 (General Industrial).

Staff member Will Butler presented the staff recommendation.

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

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 6:27 PM.

Vice-Chairman Carraway made a motion to recommend approval with condition of VA23-06-06, Variance to Sections 90-133 *Parking*, 90-135 *Signs*, & 90-139 *Buffers & Screening*, 6008 Clarks Hill Road, off Washington Road, and 5836 Washington Road, Tax Map 036 Parcels 012 & 013 and a portion of 034, a total of 3.83 +/- acres, and currently zoned C-C (Community Commercial) and M-2 (General Industrial). Commissioner Jackson seconded the motion. The motion carried unanimously.

Condition:

Planning:

Variances shall expire if any of the conditions of Section 90-132 *Nonconforming uses of land and structures* of Columbia County Code are met.

3. **(H2f3) RZ23-06-05**, Rezoning from R-2 (Single Family Residential) to C-C (Community Commercial), 170 South Belair Road, Tax Map 074 Parcel 046, 8.46 +/- acres, and currently zoned R-2 (Single Family Residential).

Staff member Dylan Douglas presented the staff recommendation.

Chairman Dempsey opened the public hearing at 6:32 PM.

Cody Rogers with EMC Engineering, 1211 Merchant Way, Statesboro, GA, & Applicant, Daniel Ben-Yisrael, 17 W. McDonough St, Savannah, GA, stated that they are open to hear the feedback from the community. The connection to Oakley Pirkle Rd Extension was required by GDOT and the county.

The following Members of the public spoke:

Edward Kensinger, 660 Clinton Way West
Denise Vadnais, 4125 Meriden Drive
Lynda Blackstock, 630 Meriden Court
L. L. Zepp, 156 Hickory Drive South
Monique Ortiz, 4131 Meriden Drive
Monique Yancy, 4127 Meriden Drive

The members of the public spoke in regards to opposing the gas station at 170 South Belair Road. The traffic in the area is already bad and they believe this will cause more and become a big safety issue. They do not want the road connection into their neighborhood. There are already 8 station within a few miles and do not believe another one is necessary. Also cited was that the gas station would attract crime.

Applicant, Daniel Ben-Yisrael, stated that he hears the community concerns and is willing to work with GDOT and the county to see if there is any way around not having the connection off of Oakley Pirkle Rd Extension.

Chairman Dempsey closed the public hearing at 6:48 PM.

Commissioner Jackson made a motion to recommend disapproval of RZ23-06-05, Rezoning from R-2 (Single Family Residential) to C-C (Community Commercial), 170 South Belair Road, Tax Map 074 Parcel 046, 8.46 +/- acres, and currently zoned R-2 (Single Family Residential). Commissioner Van

Meter seconded the motion. The motion carried unanimously.

4. **(H2f4) VA23-06-07**, Variance to Section 90-147(g)(10)(b) *Use Provisions*, 170 South Belair Road, Tax Map 074 Parcel 046, 8.46 +/- acres, and currently zoned R-2 (Single Family Residential).

Staff member Dylan Douglas presented the staff recommendation.

Chairman Dempsey opened the public hearing at 6:52 PM.

Applicant, Daniel Ben-Yisrael, 17 W. McDonough St, Savannah, GA, stated that the majority of the Parker's Kitchens are open 24 hours.

Commissioner Wilder asked if he knew of the statistics for crime that a Parker's Kitchen could bring to the area.

Daniel Ben-Yisrael stated that he is not aware of the exact crime rate that a Parker's Kitchen could bring to the area, but that unfortunately crime happens everywhere not just at a convenience store.

Beth Connell, 2538 Falling Branch Lane, stated that since the rezoning was disapproved also wants the variance to be disapproved as well.

Chairman Dempsey closed the public hearing at 6:55 PM.

Commissioner Jackson made a motion to recommend disapproval of VA23-06-07, Variance to Section 90-147(g)(10)(b) *Use Provisions*, 170 South Belair Road, Tax Map 074 Parcel 046, 8.46 +/- acres, and currently zoned R-2 (Single Family Residential). Commissioner Van Meter seconded the motion. The motion carried unanimously.

5. **(H2f5) RZ23-06-06**, Major PUD (Planned Unit Development) Revision, 1000 West Lake Commons Road, Tax Map 082 Parcel 526, 5.68 +/- acres, and currently zoned PUD (Planned Unit Development).

Staff member Will Butler presented the staff recommendation.

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

Applicant, Rafy Bassali, 3808 Inverness Way, here to answer any questions. Stated the massage facility will be more of a medical spa. The majority of the site will be leased out and that the gated entrance to Westlake is not the only way in to this site, there will be multiple entrances.

Mahi Majanovic, 3713 West Lake Drive, stated he has been a resident of West Lake for 30 years. The land use covenant on this property states no massage businesses allowed and also the building signage is not to be painted on the building per the covenant. He stated that there is also no retention pond on the site and believes the proposed pedestrian entrance could cause a security issue at the main gate.

James Oester, 3701 West Lake Drive, stated that he has some concerns with there not being enough space for the outdoor gym.

Linda Townsend, 602 Pebble Peach Court, stated that she has been a resident of West Lake for 41 years. Is concerned with the safety issues this might cause with children riding their bikes and people walking within the neighborhood, also has concerns about if there will be a retention pond or not.

Commissioner Wilder asked Matt Schlachter Deputy County Manager what the stormwater plan will be.

Matt Schlachter Deputy County Manager stated the retention ponds retain and release water slowly. The existing development used the 10% method for stormwater and did not provide a pond. The 10% rule implies that if you are close to the stream you will release the water first. The applicant will have to submit a site plan with updated calculations before the 10% rule can be in place.

Chairman Dempsey closed the public hearing at 7:14 PM.

Commissioner Van Meter made a motion to recommend approval with condition of RZ23-06-06, Major PUD (Planned Unit Development) Revision, 1000 West Lake Commons Road, Tax Map 0082 Parcel 526, 5.68 +/- acres, and currently zoned PUD (Planned Unit Development). Commissioner Wilder seconded the motion. The motion carried unanimously.

Condition:

Planning:

Previous adopted conditions still apply.

6. **(H2f6) RZ23-06-07**, Minor S-1 (Special) Revision, 285 Flowing Wells Road, Tax Map 079 Parcel 066, 50 +/- acres, and currently zoned S-1 (Special).

Staff member Danielle Montgomery presented the staff recommendation.

Chairman Dempsey opened the public hearing at 7:16 PM.

The applicant or their representative were not present.

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

Chairman Dempsey closed the public hearing at 7:17 PM.

Commissioner Jackson made a motion to approve with condition of RZ23-06-07, Minor S-1 (Special) Revision, 285 Flowing Wells Road, Tax Map 079 Parcel 066, 50 +/- acres, and currently zoned S-1 (Special). Vice-Chairman Carraway seconded the motion. The motion carried unanimously.

Condition:

Landscaping:

Minimize any tree removal. Pruning of branches allowed near the proposed roof if necessary. Coordinate any necessary work with the County Landscape Architect.

7. **(H2f7) VA23-06-05**, Variance to Section 90-98 *List of lot & Structure Requirements*, 210 Meridian Drive, Tax Map 062 Parcel 086I, 1.55 +/- acres, and currently zoned C-2 (General Commercial).

Staff member Will Butler presented the staff recommendation.

Chairman Dempsey opened the public hearing at 7:19 PM.

Franchisee of Chick-Fil-A, Erik Smith, 2209 Fothergill Drive, stated that the variance will help alleviate the traffic concerns.

Applicant, Ryan O'Donnell of Hill Foley Rossi & Associates, LLC, 3680 Pleasant Hill Road, stated that the variance will help with the safety concerns and the flow of traffic. Also available to answer any questions.

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 7:21 PM.

Commissioner Wilder made a motion to recommend approval of VA23-06-05, Variance to Section 90-98 *List of lot & Structure Requirements*, 210 Meridian Drive, Tax Map 062 Parcel 086I, 1.55 +/- acres, and currently zoned C-2 (General Commercial). Vice-Chairman Carraway seconded the motion. The motion carried unanimously.

8. (H2f8) **VA23-06-08**, Variance to Sections 90-139 *Buffers & Screening* & 90-147(g)(10)(b) *Use Provisions* , off Columbia Road, off Lewiston Road, & 120 Lewiston Road, Tax Map 061 Parcels 020M, 022A, & 022, a total of 8.83 +/- acres, and currently zoned C-2 (General Commercial).

Staff member Will Butler presented the staff recommendation.

Chairman Dempsey opened the public hearing at 7:26 PM.

Cody Rogers with EMC Engineering, 1211 Merchant Way, Statesboro, GA, stated that variance was required to comply with GDOT. Also here to answer any questions.

Beth Connell, 2538 Falling Branch Lane, stated that she is against the variance to allow 24 hours of operation and that it could cause more noise and crime issues to the area.

Carole Buki, 5381 Hereford Farm Road, stated that with the possibility of Circle K at William Few and Columbia Road being just around the corner, is another gas station really needed.

Chairman Dempsey closed the public hearing at 7:34 PM.

Commissioner Jackson made a motion to recommend approval with condition of VA23-06-08, Variance to Sections 90-139 *Buffers & Screening* & 90-147(g)(10)(b) *Use Provisions* , off Columbia Road, off Lewiston Road, & 120 Lewiston Road, Tax Map 061 Parcels 020M, 022A, & 022, a total of 8.83 +/- acres, and currently zoned C-2 (General Commercial). Commissioner Wilder seconded the motion. The motion carried unanimously.

Condition:

Planning:

All lighting shall be shielded and directed away from tax map 061 parcel 071F. How this condition is being accomplished shall be provided with the building permit submittal or site plan submittal and reviewed by Columbia County staff.

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 7:35 p.m. Commissioner Jackson seconded the motion. Motion carried unanimously.

Al Dempsey, Chairman

Scott Sterling, Planning Services Director