



PUTNAM COUNTY PLANNING & DEVELOPMENT

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Minutes

The Putnam County Planning & Zoning Commission conducted a public hearing on Thursday, August 06, 2020 at 6:30 p.m. in the Putnam County Administration Building, 117 Putnam Drive, Room 203, Eatonton, Georgia.

Opening

1. Call to Order

Chairman James Marshall, Jr. called the meeting to order

2. Attendance

Ms. Lisa Jackson called the roll

PRESENT:

Chairman James Marshall, Jr.

Vice Chairman Tim Pierson

Member Maurice Hill, Jr.

Member Martha Farley

Member John Mitchell (not eligible for voting due to training requirements)

ABSENT:

STAFF:

Lisa Jackson

Courtney Andrews

Putnam County Attorney, Adam Nelson

3. Rules of Procedures

Ms. Courtney Andrews read the Rules of Procedures.

Minutes

4. Approval of Minutes- July 2, 2020

Motion to approve the July 2, 2020 minutes made by **Member Farley**, Seconded by **Member Hill**

Voting Yea: **Chairman Marshall, Vice Chairman Pierson, Member Hill, Member Farley**

Requests

5. **Garry & Nina Lassiter** for a side yard setback variance at 153 Hoot Owl Lane. Presently zoned R-1R. [Map 096A, Parcel 008, District 3]. **Item has been removed from the agenda.**

6. Request by **Tim Carrington** for a side yard setback variance at 174 West River Bend Drive. Presently zoned R-1R. [Map 119A, Parcel 114, District 3]. **Item has been removed from the agenda.**

7. Request by **Danny Copelan** to rezone 5.00 acres at 931 Pea Ridge Road from AG-2 to C-1. [Map 092, Parcel 017001001, District 2]. * Mr. Danny Copelan represented this request. He stated that he would like to develop a convenience/gas station/food type store. Vice Chairman Pierson asked Mr. Copelan what his plans would be if the convenience store/eatery does not happen. Mr. Copelan stated that he had not thought of anything else. Member Hill asked if there was a plan for a spill in place if the gas station is going to be there. Mr. Copelan stated that he did have plans for that. No one spoke in opposition of this request.

The staff recommendation was for approval to rezone 5.00 acres at 931 Pea Ridge Road [Map 092, Parcel 017001001, District 2] from AG-2 to C-1 with the following condition: (1) The developer shall construct a deceleration lane in accordance with the Georgia Department of Transportation Regulations for Driveway & Encroachment Control to service the entrance on Pea Ridge Road of the development. Additional right-of-way to accommodate the deceleration lane and a ten-foot shoulder shall be dedicated by the developer to the county.

Motion to approve the request by **Danny Copelan** to rezone 5.00 acres at 931 Pea Ridge Road from AG-2 to C-1 made by **Member Hill**, Seconded by **Member Farley**
Voting Yea: **Chairman Marshall, Vice Chairman Pierson, Member Hill, Member Farley**

8. Request by **Mark Smith** for a rear yard setback variance at 147 Collis Marina Road. Presently zoned RM-2. [Map 104B, Parcel 012, District 3]. Attorney Jay Dell represented this request. He stated that they are requesting a variance from the required 100-foot setback from the lake to be reduced to 65 feet. He added that they previously requested a variance for the adjacent property. The purpose of the request was to combine both lots (Map 104B Parcel 011 and Map 104B Parcel 012) and build 2 buildings with 5 units each totaling to 10 units on the 2 properties. Attorney Dell stated that the variance is needed because of the unique shape of the property, it is land locked and needs to be combined. He explained that if the 100-foot required setback was enforced, there would be minimal area to build. When combined, both lots will have the 65-foot setback.

At this time those who signed in to speak in opposition of the request were given 3 minutes each.

Mark Street-102 Doug Ln.
John Culpepper-104 Doug Ln.
Ron Carter-141 Collis Marina Rd.

At this time, Attorney Dell was able to use the remainder of his unused time.

Attorney Dell stated that the comments that were made by the neighbors, we specifically towards the rezoning and not the variance. He stated that in what he believes was the year of 2015, the properties were approved for a rezoning of RM-2 with the condition that the properties be combined. The neighbors argued that the since the condition was not met, it

should automatically go back to the initial R-1 zoning. **Attorney Dell** stated that he disagreed with the opposition from the neighbors.

The staff recommendation was for approval of a 35-foot rear yard setback variance, being 65 feet from the nearest point to the lake at 147 Collis Marina Road [104B, Parcel 012, District 3] with the following condition:

(1) This approval is contingent upon the Board of Commissioners' approving the request to rezone the same said property from RM-2 with conditions to RM-2 with conditions.

Vice Chairman Pierson asked Attorney Adam Nelson if we were in good legal standing to proceed with this request due to the initial rezoning decision being reverted. **Attorney Nelson** stated that he felt that question related more to the rezoning request and he could explain more on that item. **Vice Chairman Pierson** stated that he was asking for technicality purposes of the request not coming back. **Attorney Nelson** stated that in 2018, parcels 12, 13, and 14 were approved to be rezoned from R-1 to RM-2 through a joint development standing. The idea was that lots 12, 13, and 14 would be combined with lot 11. It wasn't until Mr. Smith purchased lots 11 and 12 and came before the board for the variances that the 2018 zoning was brought to their attention. **Attorney Nelson** explained that the difference between lots 12, 13, and 14 is the owner of lot 12 has requested this rezoning and it is appropriate. If this rezoning is not successful, his advice would be for the P&Z Board and the Board of Commissioners to rezone that parcel back to R-1 to remove those conditions. **Attorney Dell** stated that if lot 12 is not approved for the rezoning, the property would be unusable. He added that if the property is not rezoned it will remain RM-2 with the condition that it is combined with lots 11, 13, and 14. Lots 13 and 14, if approved, would be rezoned to R-1 and make lot 12 unusable. **Attorney Dell** stated that he would prefer Lot 12 be rezoned to RM-2 and combined with Lot 11.

Motion to approve the request by **Mark Smith** for a 35-foot rear yard setback variance, being 65 feet from the nearest point to the lake at 147 Collis Marina Road [**104B, Parcel 012, District 3**] with the following condition:

(1) This approval is contingent upon the Board of Commissioners' approving the request to rezone the same said property from RM-2 with conditions to RM-2 with conditions made by **Vice Chairman Pierson**, Seconded by **Member Hill**

Voting Yea: **Chairman Marshall, Vice Chairman Pierson, Member Hill, Member Farley**

9. Request by **Mark Smith** to rezone 0.46 acres at 147 Collis Marina Road from RM-2 to RM-2. [**Map 104B, Parcel 012, District 3**]. * **Attorney Jay Dell** represented this request. He stated that he requested that the subject property be approved of a rezoning from RM-2 to RM-2 with the condition that the property is combined with lot 11. He added that the boards main job is to balance an individual right to use their property against the publics right for health, safety, morality, and general welfare of the community. Rezoning the 0.46 acres to RM-2 would not affect public health no safety. This property will be used for residential townhouses. **Attorney Dell** stated that there are 7 questions that the board considers when looking at this rezoning. Question 1: Is the rezoning consistent with the purpose of the zoning district? He stated that the area is residential and the use for the proposed zoning is residential. Question 2: Is it a suitable zoning with adjacent property? He stated that the property is adjacent to a RM-2 property and is located near multiple RM-3 properties. Question 3: Will the zoning adversely affect the use of adjacent properties? **Attorney Dell** stated that with the help of the conditions suggested by staff, there should be no adverse effect

to the area. Question 4: Is there a reason why the property can't be used as it's currently zoned? He stated that that the property is land locked and it is oddly shaped and doesn't have the area for development. Question 5: Does it cause excessive use of public facilities? **Attorney Dell** stated that it would not because there is water and sewer from Piedmont. He added that although this area is in a transitional stage, it is residential that is moving to higher volume and higher density residential district.

At this time those who signed in to speak in opposition of the request were given 3 minutes each.

John Culpepper-104 Doug Ln.

Mark Street-102 Doug Ln.

Darlyne Wright- 149 Collis Marina Rd.

Ron Carter-141 Collis Marina Rd.

At this time, Attorney Dell was able to use the remainder of his unused time.

Attorney Dell stated that the neighbors spoke of the west side of the cove being zoned R-1 except 1 lot. He added that because there is one lot that is zoned RM-2, it makes their remarks invalid. He stated that if the zoning is denied, the subject lot would be considered unbuildable. **Attorney Dell** added that if the zoning is not approved, the property will not revert back to R-1 due to their not being a motion set forth for that action. The only motion being considered is the property being rezoned to RM-2 with the conditions set by staff. **Attorney Dell** requested that they board allows his client the right to use his property for multifamily RM-2 use.

The staff recommendation was for approval of the proposed rezoning at 147 Collis Marina Road [Map 104B, Parcel 012, District 3] from RM-2 to RM-2, subject to the following conditions:

- (1) This parcel must be combined with the adjacent parcel: Map 104B, Parcel 011, and cannot be used or sold as standalone parcels,**
- (2) A 15-foot wide landscape buffer shall be established adjacent to all single-family residential zoned property,**
- (3) Must improve any existing easement that services Map 104B Parcel 013 & Map 104B Parcel 014 with at least a 20-foot paved bed.**
- (4) Vehicles shall not be parked on the easement at any time.**
- (5) This rezoning shall be conditioned upon the resurveying and the recordation of the plats, as stated in Section 66-165(e)(3) of the Putnam County Code of Ordinances.**

Vice Chairman Pierson asked Attorney Dell where in his client's rights does it supersede lots 13 & 14 being stuck between 2 large buildings. **Attorney Dell** stated that this is weighing an individual's right to use their property as they choose. The use of the property is not going to affect the value there.

Motion to approve the request by **Mark Smith** to rezone 0.46 acres at 147 Collis Marina Road from RM-2 to RM-2 made by **Member Farley**, Seconded by none

The motion dies without a second.

10. Request by **Rick McAllister, agent for Farmers and Merchants Bank** for a front, rear, and side yard setback variance on Scott Road. Presently zoned R-1. [Map102, Parcel 002, District 3]. **Mr. Rick McAllister** represented this request. He stated that his client owns approximately 4,100 linear feet of frontage along Scott Road. Part of the plan will require the right of way on Scott Road to be larger. Currently Scott Road has portions of right of way that do not meet county arterial road standards. The plan is to add turning lanes, straightening curves, and complete intersections along Scott Road. **Mr. McAllister** stated that his client owns enough of the land to allow the right of way to shift to the subject property without acquiring right of way to the north of the property. They requested to reduce the 100-foot setback to 50 foot for the requested rezoning item on the agenda. With reducing the setback, they would have the ability to obtain as much property for development as possible while still allowing some of the right of way to be acquired on the owner's side of the road. Essentially, they will donate the amount of right of way that is needed for the development with reducing the amount of land that would affect the development. **Mr. McAllister** added that if the right of way moved, 10-30 feet to the south of the property, then that would be less area to development the property even more. He added that he is looking for the same setback adjustments to the rear side of the property as well. The subject property is surrounded by commercial used but is currently zoned residential. The plan is to have mixed use on the property. He stated that he cannot obtain a 50-foot buffer and would like to produce a berm instead of the required 50-foot buffer. No one spoke in opposition of this request.

At this time those who signed in to speak in favor of the request were given 3 minutes each.

Peter Durham- Representative of Farmers and Merchants Bank

The staff recommendation was for approval of the proposed 50-foot front, rear, and side yard setback and buffer variance on Scott Road subject to the following condition: This approval is contingent upon the Board of Commissioners' approving the request. Presently zoned R-1. [Map102, Parcel 002, District 3].

Vice Chairman Person asked if the board could make a motion for the request to be approved contingent upon the development. Planning & Development director, **Lisa Jackson**, stated that she would think it would be better to be contingent upon the rezoning instead of the project. She added that if it is rezoned you would still want the variance to be approved.

Motion to approve the request by **Rick McAllister, agent for Farmers and Merchants Bank** for a 50-foot front, rear, and side yard setback and buffer variance on Scott Road subject to the following condition: This approval is contingent upon the Board of Commissioners' approving the request. Presently zoned R-1. [Map102, Parcel 002, District 3] made by **Vice Chairman Pierson**, Seconded by **Member Hill**
Voting Yea: **Chairman Marshall, Vice Chairman Pierson, Member Hill, Member Farley**

11. Request by **Rick McAllister, agent for Farmers and Merchants Bank** to rezone 171.23 acres on Scott Road from R-1 to C-3. [Map 102, Parcel 002, District 3]. * **Mr. Rick McAllister** represented this request. He stated that to his knowledge, this is the first time Putnam County has utilized the C-3 zoning request. He stated that he is happy to understand that there is a flexible zoning scenario in this county that works. In his professional opinion, the site is currently zoned R-1 but it is surrounded by C-1 and C-2 development. There is not a better opportunity to incorporate the zoning in the area. **Mr. McAllister** stated that this

property is unique and is located within the fastest growing corridor or Putnam County. There is no access to Georgia Highway 44, but it fronts 4100 linear feet of road frontage on Scott Road that connects to Highway 44 and Harmony Road. It can contain its own water shed. The property has access to arterial roads and exiting access to the industrial corridor of Sammons Industrial Parkway. The site would be mixed used of residential and commercial use. It would have office space, assisted living, and independent living units. **Mr. McAllister** stated that the comprehensive plan list this as mixed use. The plan is to have 35 acres of commercial use of assisted living and hospice. 12 acres of office opportunities and 53 acres of residential use. There was a plan that was presented to Piedmont Water and the project was approved. **Mr. McAllister** stated that the infrastructure of the road is not made for 8,000 square feet of commercial use. He felt that their plan would work better for the 2 corridors of Harmony/Sammons Industrial and Scott Road. He added that the DRI is a large scaled development that will likely have regional affect beyond local government. He included his DRI in his packet. **Mr. McAllister** explained that the Middle Georgia Regional Commission stated that they have no issues with this project, and they could take action as they see fit from a county standpoint. He added that he had an independent study that was done, and it gave an illustration of what the development could do. This development could bring approximately 405 jobs, total annually estimated pay roll of approximately \$15,000,000.00. In one year after the development is completed, there is an estimate of local buying sales tax of approximately \$7,000,000.00. Local property tax from new buying power estimates approximately \$200,000.00 per year. Local property tax from Scott Road commercial estimates approximately \$1,300,000.00 and local sales from Scott Road sales estimates approximately \$415,000.00. Local property tax from Scott Road residential sales estimates approximately \$675,000.00. This total project is estimating a little over \$9,000,000.00 a year.

At this time those who signed in to speak in favor of the request were given 3 minutes each.

Howard McMichael

Those who signed in to speak who were neither in favor nor against the request but wanted their comments/questions to be heard.

Harley Wood- Sebastian Cove

Beth Colie- Sebastian Cove

Don Hill- Sebastian Cove

Rebecca Sharp- Sebastian Cove

At this time, Mr. McAllister was able to use the remainder of his unused time.

Mr. McAllister stated that the concern about the traffic signal would be a county project. He stated that when a traffic signal is done, there must be a warrant study provided. He added that this development, could help with the process of getting a traffic signal. **Mr. McAllister** stated that he submitted a detailed traffic study with his packet. The traffic study was based on the total development and a 5-year plan. The road that is there today is a 20-foot-wide type C traffic setting. To improve the traffic, they would need to put in turn lanes in order to redirect traffic.

The staff recommendation was for approval of the proposed to rezone 171.23 acres on Scott Road from R-1 to C-3. [Map 102, Parcel 002, District 3] with the following conditions

- (1) The developer shall construct a deceleration lane and turn lane in accordance with the Georgia Department of Transportation Regulations for Driveway & Encroachment Control to service the main entrance on Scott Road to the residential portion of the development. Additional right-of-way to accommodate the deceleration lane and a ten-foot shoulder shall be dedicated by the developer to the county. It shall be completed by the developer prior to the completion of phase one.
- (2) The developer shall direct construction traffic through the entrance located at Sammons Parkway or the current ingress and egress point servicing the Putnam County Convenience Center, located approximately 672 feet from the intersection of Scott Road and Harmony Road. Subject to this condition, the Planning & Development Director may authorize, in writing, construction traffic along Scott Road on an as necessary basis. The intention of this condition is to minimize construction traffic along Scott Road.

Vice Chairman Pierson asked Mr. McAllister why he chose the C-3 zoning over C-1 and some of the property as R-1. **Mr. McAllister** stated that C-3 zoning allows you to master plan and gives the opportunity to design uses. The reason why it wouldn't stay R-1 is because of the proposed assisted living facilities that are not allowed in the current R-1 zoning. He added that there are a variety of factors that give planners and engineers the most flexibility to take 171 acres and develop it correctly. **Vice Chairman Pierson** asked Mr. McAllister to address the impact of the road, particularly at Harmony Road. **Mr. McAllister** explained that they would need to put deceleration lanes to enter the development itself. Scott Road has 2 scenarios that don't meet DOT or county factors which is the width of the road and the sharp curve. He added that the only way to do it inexpensively is to utilize the land you have so that you can put in everything that is required. **Mr. McAllister** stated that they talked with the county in their initial meeting about helping with the land on Harmony Road and keeping the convenience center there. He added that they are developers willing to work with the county to develop a plan and utilize the land they can control to help. Member Hill stated that he understands Mr. McAllister not wanting to rezone to R-1, but what would be the likelihood of choosing a different residential zoning district to accommodate the growth without using C-3. **Mr. McAllister** stated that the C-3 zoning is available, and it is his opinion that it would be the best use.

Motion to approve the request by **Rick McAllister, agent for Farmers and Merchants Bank** to rezone 171.23 acres on Scott Road from R-1 to C-3. [Map 102, Parcel 002, District 3] with the following conditions:

- (1) The developer shall construct a deceleration lane and turn lane in accordance with the Georgia Department of Transportation Regulations for Driveway & Encroachment Control to service the main entrance on Scott Road to the residential portion of the development. Additional right-of-way to accommodate the deceleration lane and a ten-foot shoulder shall be dedicated by the developer to the county. It shall be completed by the developer prior to the completion of phase one.
- (2) The developer shall direct construction traffic through the entrance located at Sammons Parkway or the current ingress and egress point servicing the Putnam County Convenience Center, located approximately 672 feet from the intersection of Scott Road and Harmony Road. Subject to this condition, the Planning & Development Director may authorize, in writing, construction traffic along Scott Road on an as necessary basis. The intention of this condition is to minimize construction traffic along Scott Road, made by **Vice Chairman Pierson**, Seconded by **Member Hill**
Voting Yea: **Chairman Marshall, Vice Chairman Pierson, Member Hill, Member Farley**

12. Request by **Putnam County Board of Commissioners** to rezone .60 acres at 149 Collis Marina Road from RM-2 to R-1. [**Map 104B, Parcel 013, District 3**]. * **Putnam County Attorney Adam Nelson** represented this request. He stated that at the last Board of Commissioners meeting, the board directed staff to file an application to rezone parcels 104B 013 and 104B 014 from RM-2 to R-1 and recognize the failure of the common development plan from the 2018 rezoning matter. There is no applicant other than the county and it will return the property back to the zoning prior to the 2018 zoning.

At this time those who signed in to speak in opposition of the request were given 3 minutes each.

Mark Street-102 Doug Ln.

Ron Carter-141 Collis Marina Rd.

The staff recommendation is for approval to rezone .60 acres at 149 Collis Marina Road [Map 104B, Parcel 013, District 3] from RM-2 to R-1.

Vice Chairman Pierson asked for clarification that lot 12 will also be changed tonight. **Attorney Nelson** stated that he would not advise speaking on an item that is not on the agenda.

Motion to approve the request by **Putnam County Board of Commissioners** to rezone .60 acres at 149 Collis Marina Road from RM-2 to R-1 made by **Vice Chairman Pierson**,

Seconded by **Member Hill**

Voting Yea: **Chairman Marshall, Vice Chairman Pierson, Member Hill, Member Farley**

13. Request by **Putnam County Board of Commissioners** to rezone .54 acres at 151 Collis Marina Road from RM-2 to R-1. [**Map 104B, Parcel 014, District 3**]. * **Attorney Adam Nelson** represented this request. He stated that at the last Board of Commissioners meeting, the board directed staff to file an application to rezone parcels 104B 013 and 104B 014 from RM-2 to R-1 and recognize the failure of the common development plan from the 2018 rezoning matter. No one spoke in opposition of this request.

The staff recommendation is for approval to rezone .54 acres at 151 Collis Marina Road [Map 104B, Parcel 014, District 3] from RM-2 to R-1.

Motion to approve the request by **Putnam County Board of Commissioners** to rezone .54 acres at 151 Collis Marina Road from RM-2 to R-1 made by **Member Hill**, Seconded by **Vice Chairman Pierson**

Voting Yea: **Chairman Marshall, Vice Chairman Pierson, Member Hill, Member Farley**

New Business

The Planning & Zoning Board welcomed a new member, **Mr. John Mitchell**, who will represent District 4.

Adjournment

Motion to adjourn the meeting made by **Member Hill**, Seconded by **Member Farley**

Voting Yea: **Chairman Marshall, Member Hill, Member Farley**

The meeting adjourned at approximately 8:10 p.m.

Attest:

Lisa Jackson
Director

James Marshall, Jr.
Chairman