



PUTNAM COUNTY PLANNING & DEVELOPMENT

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Minutes

The Putnam County Planning & Zoning Commission conducted a public hearing on Thursday June 04, 2020 at 6:30 p.m. in the Putnam County Administration Building, 117 Putnam Drive, Room 203, Eatonton, Georgia.

Opening

1. Call to Order

Putnam County Attorney Adam Nelson called the meeting to order.

2. Attendance

Attorney Adam Nelson called the roll.

PRESENT:

Chairman James Marshall, Jr.

Member Maurice Hill, Jr.

Member Martha Farley

ABSENT:

Vice Chairman Tim Pierson

STAFF:

Lisa Jackson

Courtney Andrews

Lynn Butterworth

Adam Nelson, Putnam County Attorney

Attorney Adam Nelson read the protocol for the meeting:

As for our procedure tonight, in response to the ongoing national public health emergency and applicable Executive Orders from Governor Kemp, staff has implemented several measures to insure proper social distancing and the safe conduct of tonight's meeting.

- a. For anyone wishing to speak on any matter, please sign the sign in sheet under the tent for the matter you wish to speak to. Please return to your vehicle after signing in. The public hearing will be on Facebook Live on the Putnam County page (<https://www.facebook.com/putnamcountyga>). You may also call in via Zoom to hear real time audio of the meeting by calling 929-205-6099 and entering Meeting ID #862 4238 5355. Your call will be muted, and we ask that you remain muted to eliminate background noises for other callers.
- b. Upon taking up an agenda item, the applicant and any member wishing to speak to the matter shall be allowed entry into the building. Prior to entry, all attendees shall be screened for elevated temperatures. Any attendee who has a temperature over 100.4 degrees Fahrenheit or who exhibits any other symptoms of COVID-19 shall not be

allowed entry into the building, but those attendees are encouraged to submit any comments in writing. All attendee shall be required to wear a face mask.

- c. Attendees shall be allowed in groups of 17, and upon submission of comments, speakers will exit the building. Please follow all marked paths while entering and exiting the building.
- d. Speakers shall be called in order as they signed in.
- e. We ask that at all times, whether in the building or waiting for entry, please maintain social distancing.

3. Rules of Procedures

Ms. Courtney Andrews read the Rules of Procedures.

Minutes

4. Approval of Minutes – March 5, 2020

Motion to approve the March 5, 2020 Minutes made by **Member Hill**, Seconded by **Member Farley**

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

Requests

Attorney Adam Nelson stated that the applicants for items 9 & 10 have requested for the items to be tabled. The Planning and Zoning Commission shall hold a called meeting on Wednesday June 10, 2020 at 6:30pm at the County Administration building.

Motion to table items 9 & 10 until Wednesday June 10, 2020 at 6:30pm made by **Member Farley**, Seconded by **Member Hill**

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

5. Request by **Jimmy O'Dell** for a side yard setback variance at 308 East River Bend Drive. Presently zoned R-1R. [Map 119B, Parcel 183, District 3]. **Mr. O'Dell** represented this request. **Attorney Adam Nelson** read the staff report and recommendation. **Mr. O'Dell** stated that he just wants to add a shed to his property. No one spoke in opposition of this request.

Staff recommendation is for approval of a 9-foot side yard setback variance, being 11 feet from the left side property line at 308 East River Bend Drive [Map 119B, Parcel 183, District 3].

Motion to approve the request by **Jimmy O'Dell** for a side yard setback variance, being 9 feet from the left-side property line at 308 East River Bend Drive made by **Member Hill**, Seconded by **Member Farley**

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

6. Request by **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.**

7. Request by **Gregory Leepow, agent for Kim Anderson** for a rear yard setback variance at 112 Sinclair Circle. Presently zoned R-2. [Map 112B, Parcel 003, District 4]. **Mr. Gregory Leepow** represented this request. **Attorney Adam Nelson** read the staff report and staff recommendation. **Mr. Leepow** stated that he had no additional comments. No one spoke in opposition of this request.

Staff recommendation is for approval of a 51.8-foot rear yard setback variance, being 48.2 feet from the nearest point to the lake at 112 Sinclair Circle [Map 112B, Parcel 003, District 4].

Motion to approve the request by **Gregory Leepow, agent for Kim Anderson** for a 51.8-foot rear yard setback variance, being 48.2 feet from the nearest point to the lake at 112 Sinclair Circle made by **Member Hill**, Seconded by **Member Farley**
Voting Yea: **Chairman Marshall, Member Hill, Member Farley**

8. Request by **Kevin & Kristy Slaughter** for a side yard setback variance at 1051 Crooked Creek Road. Presently zoned R-1. [Map 110B, Parcel 105, District 3]. **Mr. & Mrs. Slaughter** represented this request. **Attorney Adam Nelson** read the staff report and staff recommendation. **Mr. Slaughter** stated that he is building his home and tried to put in a three-car garage but wanted to stay within the setback without needing a variance. Instead of a three-car garage, he put in a two-car garage. He also stated that the proposed structure on the plans to put in a workshop. Due to how far the lake comes in by the bridge, the workshop would be placed in front of the front door. **Mr. Slaughter** stated that the proposed location is the only place the workshop could be. He added that it would be a concrete floor with hardy plank sides to match the house. No one spoke in opposition of this request.

Staff recommendation is for approval of a 30-foot rear yard setback variance, being 70 feet from the nearest point to the lake at 1051 Crooked Creek Road [Map 110B, Parcel 105, District 3].

Motion to approve the request by **Kevin & Kristy Slaughter** for a 30-foot rear yard setback variance, being 70 feet from the nearest point to the lake at 1051 Crooked Creek Road made by **Member Farley**, Seconded by **Member Hill**
Voting Yea: **Chairman Marshall, Member Hill, Member Farley**

9. Request by **Mark Smith, agent for Mary Wooten** for a rear yard setback variance at 147 Collis Marina Road. Presently zoned RM-2. [Map 104B, Parcel 012, District 3]. **Item has been tabled.**
10. Request by **Mark Smith, agent for Duke Gibbs** for a side and rear yard setback variance at 145 Collis Marina Road. Presently zoned RM-2. [Map 104B, Parcel 011, District 3]. **Item has been tabled.**
11. Request by **Jim Brown, agent for Wondal Perry** for a rear yard setback variance at 202 Long Island Drive. Presently zoned R-1R. [Map 122A, Parcel 064, District 3]. **Mr. Jim Brown** represented this request. **Attorney Adam Nelson** read the staff report and staff

recommendation. **Mr. Brown** stated that this is a unique yard and is very steep behind the retaining wall so there is very limited space. He added that the area that they are looking to put the spa, will be in the same vicinity as the previous pool that was filled in. No one spoke in opposition of this request.

Staff recommendation is for approval of a 15-foot rear yard setback variance, being 85 feet from the nearest point to the lake at 202 Long Island Drive [Map 122A, Parcel 064, District 3].

Motion to approve the request by **Jim Brown, agent for Wondal Perry** for a 15-foot rear yard setback variance, being 85 feet from the nearest point to the lake at 202 Long Island Drive made by **Member Hill**, Seconded by **Member Farley**
Voting Yea: **Chairman Marshall, Member Hill, Member Farley**

12. Request by **Jason Sells, agent for Interfor U.S. Inc** for a front yard setback variance at 370 Dennis Station Road. Presently zoned I-M. **[Map 059, Parcel 019, District 4]. The applicants are requesting to withdraw without prejudice.**

Staff recommendation is for approval to withdraw without prejudice for a front yard setback variance at 370 Dennis Station Road [Map 059, Parcel 019, District 4].

Motion to approve the request by **Jason Sells, agent for Interfor U.S. Inc** to withdraw without prejudice for a front yard setback variance at 370 Dennis Station Road made by **Member Hill**, Seconded by **Member Farley**
Voting Yea: **Chairman Marshall, Member Hill, Member Farley**

13. Request by **Vincent Richardson** for a front yard setback variance at 114 Allens Alley. Presently zoned R-2. **[Map 055A, Parcel 011, District 4]. Mr. Vincent Richardson** represented this request. **Attorney Adam Nelson** read the staff report and staff recommendation. Mr. Richardson stated that the lot is very narrow and there is no other place to put the carport. He added that the front line is on a 10-foot wide graveled driveway that dead ends to his neighbor's house. The carport would not obstruct anything. Mr. Richardson stated that the house is the only structure on the property.

Staff recommendation is for approval of a 22-foot front yard setback variance, being 8 feet from the front property line at 114 Allens Alley [Map 055A, Parcel 011, District 4].

Motion to approve the request by **Vincent Richardson** for a 22-foot front yard setback variance, being 8 feet from the front property line at 114 Allens Alley made by **Member Farley**, Seconded by **Member Hill**
Voting Yea: **Chairman Marshall, Member Hill, Member Farley**

The following items 14-18 were heard together.

14. Request by **Howard McMichael, agent for Oconee Overlook, LLC & Lick Creek Holding's LLC** to rezone 2.14 acres on Collis Road from R-1 to RM-3. **[Map 104, Parcel 030, District 3]. ***
15. Request by **Howard McMichael, agent for Lick Creek Holding's LLC** to rezone 21.40 acres on Collis Road from AG-1 to RM-3. **[Map 104, Parcel 032001, District 3]. ***

16. Request by **Howard McMichael, agent for Mallard's Overlook, LLC** to rezone 29.58 acres on Collis Road from AG-1 to RM-3. [**Map 104, Parcel 032, District 3**]. *
17. Request by **Howard McMichael, agent for Oconee Overlook, LLC & Lick Creek Holding's LLC** to rezone 3.5 acres on Collis Road from R-1 to RM-3. [**Map 104, Parcel 033, District 3**]. *
18. Request by **Howard McMichael, agent for Oconee Overlook, LLC** to rezone 0.63 acres/27,298 sq. ft. on Doug Lane from R-1 to RM-3. [**Map 104B, Parcel 001, District 3**]. * **Attorney Doug Dillard** represented this request. He stated that Jeff Haymore and himself would be representing the applicants. He added that he would be discussing the important points that they think should be considered tonight. **Attorney Dillard** stated that he has given the board a book and advised them to look at Tab 1. On Tab 1 there is an aerial that is also on Tab 2. He added that last December, the board recommended for approval. At that time, Members Pierson and Hill, asked about Collis Road widening. As the staff report notes, his clients and the county, had signed a development agreement which resolves that issue. **Attorney Dillard** stated that later in the presentation he will discuss the traffic study on Tab 6&7. The issues of the traffic study were resolved by the development agreement. **Attorney Dillard** added that the properties are zoned agriculture and R-1. They submit to the board that these classifications are unconstitutional. Particular to AG, Tab 3 shows that the uses under AG are not compatible with the uses that are consistent in the area. You can have a slaughterhouse, meat processing plant, and the like of other agriculture uses that is certainly not something you would want to happen. If the property is not rezoned, those are the uses that this property is left with. **Attorney Dillard** stated that the uses are not reasonable, nor are they economical. He added that the conceptual plan and renderings are on Tab 4 and proposes 175 units. This will be a high-end hotel, Marriott, Hilton, Hyatt, etc. The resort will have a nautical decor and a laid-back environment where people can relax and enjoy the lake. The hotel will have two restaurants not unlike Reynolds Plantation. **Attorney Dillard** stated that they have major entities that are interested in developing the property with them and are major players in Atlanta and throughout the South East and United States. He added that the economic impact of this development is significant. In 2017, Putnam County approved and funded the hotel study and found that the hotel facilities were inadequate in Putnam County. On page 3 of the outline, it discusses annual tax sales, hotel motel tax, food and beverage, and the benefits to the county. **Attorney Dillard** stated that although they have submitted a hotel concept plan for 175 units, they also have an alternative use of a townhome development that is on Tab 7. The board has seen this plan before. It will be 124 units, 6 buildings with 4 units each and 20 buildings with 5 units each. He added that all the opponents have a more intense zoning than they have. Tab 2 shows the area around the subject property zoned to higher density or multi-use classification. The townhome concept proposes 124 townhome units with a density of 2.18. The hotel concept proposes 175 units with a density just about 3 units per acre. By contrast, the Enclave Townhomes has 18 units on 2.68 acres for a net density of 6.7 units per acre. Waterfront Condominiums has 72 units with a density of 8 units per acre. The proposed density is substantially less than properties similarly situated. **Attorney Dillard** stated that they submit that the project would be a third of the development already in place, near this property. There will be no access to and from this property off Doug Lane. **Attorney Dillard** stated that they will get all the necessary government improvements. They have spoken with EPD, DNR, US Fish and Wildlife, etc. to be in accordance with existing state and federal regulations. He added that they oppose the staff recommendations. Staff has recommended certain conditions that properties around them do not have. **Attorney Dillard**

stated that he appreciates the staff recommending for approval, but they ask that it be approved without added conditions. He asked to reserve the remainder of his time.

At this time, those who signed in to speak in favor of the rezoning request on Collis Road and Doug Lane, were given 3 minutes each to speak.

Josh Sprayberry
Kip Oldham
Howard McMichael
Lauren Sprayberry
Walt C. Rucker III
Brandon Burgess
David Collis
Jeff Haymore
Cynthia Wallace

At this time, those who signed in to speak in opposition of the rezoning request on Collis Road and Doug Lane, were given 3 minutes each to speak.

Ron Ryland
Denise Moore
Steve Burgess
Kristie McLeod
Kathy Wardlaw
Pete Wardlaw
Debbie Wilcox
Jeff McLeod
Rex Bishop
Carl Anderson
John Culpepper

Chairman Marshall asked Mr. Dillard why he felt that they should not be held to the conditions. **Mr. Dillard** stated that his clients are being imposed with conditions that are not imposed on other similarly situated properties. **Chairman Marshall** stated that this was an erroneous assumption. **Josh Sprayberry** stated that there were no conditions on Great Waters, Waterfront or Cuscowilla. He added that the zoning conditions on the RM-2 development at the end of the Collis Marina only has 4 conditions. **Mr. Sprayberry** stated that the Ritz Carlton, a top tier hotel, is not constructed in that manner. He asked why they should be subject to something more stringent to that of the Ritz Carlton. He read lines from the staff recommendation comparing conditions to other developments that he felt was unfair. **Chairman Marshall** asked what the 21-acre tract would be used as. **Mr. Sprayberry** said that it will be used as green space. They don't have any development plans. **Kitty Burgess** stated that because there is nothing shown on the 21 acres and as they look at the ordinance, it says that it must be shown on the plan. She added that if the county is not going to require that, why do they need zoning. **Mrs. Burgess** stated that the board should vote only on what is shown and come back to the 21-acre tract later. **Mr. Haymore** said that the concept plan met the requirements as stated in Putnam County Code of Ordinances Chapter 66-161(c).

Staff recommendation is for approval of the proposed rezoning, subject to the following conditions:

1. To restrict the available uses of the property as follows:
 - a. Hotel
 - i. The hotel shall substantial conform to the submitted scaled conceptual plans and renderings submitted in support of the proposed rezoning application, to include the buildings, ingress and egress improvements, and other structures;
 - ii. No more than ten percent (10%) of the total number of guest rooms may contain stoves, conventional ovens or full-size refrigerators (larger than 11.5 cubic feet). No more than ten percent (10%) of the total number of guest rooms shall be rented or leased by the same person for continuous periods in excess of ten (10) days;
 - iii. Buildings shall be constructed of brick and/or stacked stone on all sides. The hotel building may utilize contrasting architectural metal panels or accents;
 - iv. Not to exceed the proposed total of 175 room as stated in the application. Any increase beyond this total will require approval from the Board of Commissioner;
2. The application of green infrastructure (bioswales/biorention, etc) in combination of water quality retention ponds, will require implementation to minimize the negative effects of imperviousness and stormwater runoff to the water quality of Lake Oconee. The Georgia Stormwater Manual will be applied to the project under review. The manual’s water quality template will be used to assess the various water quality BMP options.
3. Provide at least one 3-inch caliper tree per 3 parking spaces. Trees shall be placed in tree islands within the footprint of the parking lot. Location of trees shall be determined by the county during the site development review (LDP phase). Provide two – 3-inch caliper trees per 100 feet on the shoulder of all roadways within the development. Trees to be placed on both sides of all internal roads. Specific location of the trees adjacent to the internal roads to be determined by the county during the site development review process. These tree plantings shall not preclude the developer from installing additional vegetation as he/she deems appropriate.
4. Provide a 25-foot-wide densely planted landscape buffer along the property line on Doug Lane and where the property abuts residential parcels on Collis Marina Road. The additional plantings shall provide a 75% buffer within 3 years of planting. Landscape plan and species to be approved during the development review phase.
5. Emergency exit required on Collis Marina Road. Emergency exit shall not be paved. “Grass Crete” or similar product shall be used as the surface treatment for this access. A removable bollard (s) or similar barrier shall be used with only emergency services being provided entryway
6. Preserve a 20’ non-buildable strip along the Collis Road frontage measured from edge of right-of-way. The purpose of this condition is for future county acquisition as right-of-way.

7. A minimum of 65 feet building setback from Lake Oconee will be required. This includes all structures and stormwater management facilities. Walkways/paths and boat docks are excluded from this setback requirement.
8. Development shall have only one (1) vehicular access. Access shall be from Collis Road.
9. Map 104, parcel 030, map 104 parcel 032, map 104 parcel 032001, map 104, parcel 033 and map 104 B, parcel 001, must be combined and cannot be used or sold as a standalone parcel.
10. This rezoning shall be conditioned upon the resurveying and recordation of the plat as stated in Section 66-165 (e)(3) of the Putnam County Code of Ordinances.

Motion to approve the request by **Howard McMichael, agent for Oconee Overlook, LLC & Lick Creek Holding's LLC** to rezone 2.14 acres on Collis Road from R-1 to RM-3, and by **Howard McMichael, agent for Lick Creek Holding's LLC** to rezone 21.40 acres on Collis Road from AG-1 to RM-3, and **Howard McMichael, agent for Mallard's Overlook, LLC** to rezone 29.58 acres on Collis Road from AG-1 to RM-3, and **Howard McMichael, agent for Oconee Overlook, LLC & Lick Creek Holding's LLC** to rezone 3.5 acres on Collis Road from R-1 to RM-3, and **Howard McMichael, agent for Oconee Overlook, LLC** to rezone 0.63 acres/27,298 sq. ft. on Doug Lane from R-1 to RM-3 with the following conditions:

1. To restrict the available uses of the property as follows:
 - a. Hotel
 - i. The hotel shall substantial conform to the submitted scaled conceptual plans and renderings submitted in support of the proposed rezoning application, to include the buildings, ingress and egress improvements, and other structures;
 - ii. No more than ten percent (10%) of the total number of guest rooms may contain stoves, conventional ovens or full-size refrigerators (larger than 11.5 cubic feet). No more than ten percent (10%) of the total number of guest rooms shall be rented or leased by the same person for continuous periods in excess of ten (10) days;
 - iii. Buildings shall be constructed of brick and/or stacked stone on all sides. The hotel building may utilize contrasting architectural metal panels or accents;
 - iv. Not to exceed the proposed total of 175 room as stated in the application. Any increase beyond this total will require approval from the Board of Commissioner;
2. The application of green infrastructure (bioswales/biorention, etc) in combination of water quality retention ponds, will require implementation to minimize the negative effects of imperviousness and stormwater runoff to the water quality of Lake Oconee. The Georgia Stormwater Manual will be applied to the project under review. The manual's water quality template will be used to assess the various water quality BMP options.
3. Provide at least one 3-inch caliper tree per 3 parking spaces. Trees shall be placed in tree islands within the footprint of the parking lot. Location of trees shall be determined by the county during the site development review (LDP phase). Provide two – 3-inch caliper trees

per 100 feet on the shoulder of all roadways within the development. Trees to be placed on both sides of all internal roads. Specific location of the trees adjacent to the internal roads to be determined by the county during the site development review process. These tree plantings shall not preclude the developer from installing additional vegetation as he/she deems appropriate.

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8. Development shall have only one (1) vehicular access. Access shall be from Collis Road.
9. Map 104, parcel 030, map 104 parcel 032, map 104 parcel 032001, map 104, parcel 033 and map 104 B, parcel 001, must be combined and cannot be used or sold as a standalone parcel.
10. This rezoning shall be conditioned upon the resurveying and recordation of the plat as stated in Section 66-165 (e)(3) of the Putnam County Code of Ordinances

Made by Member Farley, Seconded by Chairman Marshall
Voting Yea: Chairman Marshall, Member Farley
Voting to Abstain: Member Hill

New Business

None

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 8:45 p.m.

Attest:

Lisa Jackson
Director

James Marshall, Jr.
Chairman