



**Board of Commissioners of Spalding County
Zoning Public Hearing
October 24, 2019
6:00 PM
119 E. Solomon St., Meeting Room 108**

The Spalding County Board of Commissioners held a Zoning Public Hearing in Room 108 of the Spalding County Annex on Thursday, October 24, 2019, beginning at 6:08 p.m. with Chairperson Rita Johnson presiding. Commissioners Bart Miller, James Dutton and Gwen Flowers-Taylor were present for the meeting. Commissioner Donald Hawbaker did not join the meeting until 6:10 p.m. Also present were Assistant County Manager, Michelle Irizarry, County Zoning Attorney, Newton Galloway, Community Development Director, Chad Jacobs and Executive Secretary Kathy Gibson to record the minutes.

A. Opening (Call to Order) by Chairperson Rita Johnson.

PLEASE SILENCE YOUR CELL PHONES AND ALL OTHER ELECTRONIC DEVICES.

B. Invocation led by Commissioner Gwen Flowers-Taylor, District #1.

C. Pledge to Flag led by Commissioner Bart Miller, District #4.

Chairperson Johnson then asked for a motion to table Items number 5 and 6 on this evening's agenda.

Motion/Second by Flowers-Taylor/Dutton to table Items number 5 and 6 on this evening's agenda. Motion carried 4-0.

Chairperson Johnson then asked for a motion to amend the Agenda to include an Executive Session to discuss pending or potential litigation, settlement, claims, administrative proceedings, or other judicial actions brought or to be brought against the County or any officer or employee or in which the County and any officer or employee may be directly involved as provided in OCGA §50-14-2(1).

Motion/Second by Flowers-Taylor/Dutton to amend the Agenda to include an Executive Session. Motion carried 4-0.

D. Public Hearing

At this time, I will recognize those citizens who have signed up to address the Board. Once your name is called, come to the podium, state your name and address for the record and make your comments. All speakers who are recognized will be allotted three minutes. No speaker will be permitted to speak more than three minutes unless the Board votes to suspend this rule.

Please direct your remarks to the Board and not to individual Commissioners or to the audience. Personal disagreements with individual Commissioners or County employees are not a matter of public concern and personal attacks will not be tolerated. The Chairman has the right to limit your comments in the interest of disposing of the County's business in an efficient and respectable manner.

E. New Business

- 1. Application #19-16S:** Richard William Pounds and Karen Sandow-Pounds, Owners - 108 Meeks Street (1.970 acres located in Land Lot 202 of the 3rd Land District) - requesting a Special Exception to allow a Class A Manufactured Home in the AR-1 District.

Michelle Irizarry, Assistant County Manager, stated that there are two people signed up to speak: Mr. Richard Pound and Karen Pound the owners of the property.

Commissioner Dutton stated that he felt it would be more efficient to hear the staff report on this application prior to the owners' statements.

Chad Jacobs, Community Development Director stated that the application being considered this evening is the placement of a manufactured home within the AR1 district pursuant to the Special Exception guidelines. The Ordinance states that staff has to look at a half mile radius of all the properties and provide a breakdown of conventionally constructed homes, manufactured homes and vacant property.

Mr. Jacobs then advised that in reviewing the request that the half-mile radius indicates there are 212 total parcels, with 66 of those being manufactured, 120 being single family conventionally constructed and 23 undeveloped parcels, there were also two duplexes. The way this percentage breaks down is conventional home construction is approximately 56%, with 31% being manufactured homes and 11% being vacant parcels.

Mr. Jacobs stated that the home the applicant is submitting meets all of the criteria with respect to square footage, roof pitch and things of that nature; however, based on the half-mile radius breakdown it does support a denial recommendation which staff has provided in this request. That being said, Mr. Jacobs then presented a GIS map of the area that denotes while the overall half-mile radius does skew the numbers to a denial recommendation, it is important to note that the homes within the immediate vicinity of this property are overwhelmingly manufactured homes. The majority of the homes on this road and Teamon Circle are manufactured homes, it appears the half-mile radius is picking up homes in Teamon Village to the south of the location. He felt it was important to show the immediate proximity of the lot in order to paint a clear picture.

Mr. Jacobs then added that the Board of Appeals did recommend approval by a vote of 4-0.

Richard William Pounds and Karen Pounds, 403 Paiute Road, Locust Grove the other address is 108 Meeks Street, Griffin introduced themselves. Ms. Pounds then stated that they had looked at having a stick built home and it was so expensive it was cost prohibitive. Mr. Pounds father lives next door to this lot, and he has dementia and that is one reason they want to move closer so they can help in Mr. Pounds father's care.

Ms. Pounds then stated that the home they plan to place on this property will be a hybrid home. The home will be placed on the lot, it will have covered porches on the front and the back of the home and will have an open deck on one end. It was a hard decision for them as they really wanted a stick built home, but they really like the house they will be getting and asked that the Board approve the application.

Mr. Pounds stated that his father had lived on this street for a number of years and he knows everybody on the street and his house is located on the lot next to their lot.

Motion/Second by Dutton/Flowers-Taylor to approve Application #19-16S: Richard William Pounds and Karen Sandow-Pounds, Owners - 108 Meeks Street (1.970 acres located in Land Lot 202 of the 3rd Land District) - requesting a Special Exception to allow a Class A Manufactured Home in the AR-1 District. Motion carried unanimously by all.

Chad Jacobs, Community Development Director, then asked Chairperson Johnson to read items 2, 3 and 4 for discussion and consideration and they would be voted on separately.

Commissioner Donald Hawbaker joined the meeting at 6:10 p.m.

- 2. Application #FLUMA-19-02:** LGS Industrial, LLC and William Lovett Fletcher, Sr. Estates have requested a future land use map change from Rural Neighborhood to Employment for the following: Off Wilti Road (179.12 acres, more or less, and 23.58 acres located in Land Lot(s) 38, 59 & 60 of the 2nd Land District).

Motion/Second by Flowers-Taylor/Dutton to approve Application #FLUMA-19-02: LGS Industrial, LLC and William Lovett Fletcher, Sr. Estates have requested a future land use map change from Rural Neighborhood to Employment for the following: Off Wilti Road (179.12 acres, more or less, and 23.58 acres located in Land Lot(s) 38, 59 & 60 of the 2nd Land District) with condition that approval of the Future Land Use Map Amendment shall be tied to approval of all required zoning processes in Butts County as recommended by staff. Motion carried unanimously by all.

- 3. Application #19-06Z:** LGS Industrial, LLC, Owner - Falcon Design Consultants, LLC, Agent - Off Wilti Road (179.12 acres, more or less, located in Land Lot(s) 38, 59 & 60 of the 2nd Land District) - requesting a rezoning from AR-1, Agricultural and Residential, to C-2, Manufacturing.

Motion/Second by Flowers-Taylor/Miller to approve Application #19-06Z: LGS Industrial, LLC, Owner - Falcon Design Consultants, LLC, Agent - Off Wilti Road (179.12 acres, more or less, located in Land Lot(s) 38, 59 & 60 of the 2nd Land District) - requesting a rezoning from AR-1, Agricultural and Residential, to C-2, Manufacturing with conditions as recommended by staff. Motion carried unanimously by all.

- 4. Application #19-06AZ:** William Lovett Fletcher Sr. Estate, Owner - LGS Industrial, LLC, Agent - Off Wilti Road (23.58 acres located in Land Lot(s) 38 & 60 of the 2nd Land District) - requesting a rezoning from AR-1, Agricultural and Residential, to C-2, Manufacturing.

Motion/Second by Flowers-Taylor/Miller to approve Application William Lovett Fletcher Sr. Estate, Owner - LGS Industrial, LLC, Agent - Off Wilti Road (23.58 acres located in Land Lot(s) 38 & 60 of the 2nd Land District) - requesting a rezoning from AR-1, Agricultural and Residential, to C-2, Manufacturing with conditions as recommended by staff. Motion carried unanimously by all.

Chad Jacobs, Community Development Director, stated it would be beneficial at this time to have the applicant come up and give an overview of the project and then he will present the staff report.

John Palmer, Falcon Design Consultant, 1611 Avery Drive, Locust Grove. He is here this evening to talk about a development called the River Park. It is an ecommerce center, it is unique in that part of the development is in Butts County and part of the development is in Spalding County. There is approximately 200 acres of property located in Spalding County and the only access to this property would be from SR16 in Butts County. They will not be touching Wilti Road and they will not be connecting to Wilti Road. They will have buffers on that side of the property.

Mr. Palmer stated that in general this will be an ecommerce center, with a small commercial development area on the Butts County side. This may look to be a small section in Spalding County, but it is not. It is over 200 acres, and the two buildings

indicated on that property will be over 2 million square feet total. So, you are talking about an \$80 million investment into Spalding County and onto the tax rolls of Spalding County.

Mr. Palmer then added that this development is designed to be a very green community, there will be a lot of open space and buffers. There will be measures taken to make sure that we protect all the streams, wetlands and flood plains in the area.

Mr. Palmer advised that this is approximately a \$1 billion development, approximately \$80 million of that will be in Spalding County. The thing that excites them is this development will create over 5,000 new jobs. Almost 5,800 new jobs, so it is of great benefit to the local community.

Mr. Palmer stated they are excited about the proximity to the new airport. This is going to be Fortune 500 companies, so you will have Fortune 500 executives flying in in their jets coming to this development. The airport is a very big plus for this location.

He then reiterated that these would be Fortune 500 companies who would have offices and possibly their headquarters in a portion of the building and then the remainder of the building would be ecommerce. Ecommerce is also known as the Amazon Effect. Amazon has changed the world. This is the direction we are going as a Country and these types of centers house this commerce.

He then wanted to visit "Why here", "Why is Spalding County uniquely situated?" The Port of Savannah has now been deepened, it is now the second busiest port in the United States. The governor, approximately 4 weeks ago, announced that they are going to double the size of the Port of Savannah, which will make it the largest port in the United States. So, you are going to have a lot of commerce coming in from overseas to the Port.

Another thing that will make Spalding County unique are the Commercial Vehicle Lanes. This actually just got bumped up by GDOT another couple of years to be implemented even faster. So, by the end of 2030 there will be new lanes on I-75 all the way from 475 up through 155 in Henry County and they will resemble the Peach Pass lanes that we have right now. It is going to be a dedicated section just for trucks, because Savannah is going to be the Port that most of this commerce is going to come through and that gives Spalding County a unique opportunity to benefit off of that.

Mr. Palmer then stated that this planned ecommerce development will be the epitome of smart growth. Within a quarter mile of the interstate is the entrance to this development, so all trucks and all traffic will get off the interstate and within ¼ of a mile enter into this park, then there will be ¼ mile return back to the interstate. It is not often they get to represent quality, smart growth concepts, but this is one of those concepts.

Commissioner Miller then asked if this passes when will they start building?

Mr. Palmer stated that the developer who will own the property would probably have the two buildings in Spalding County under the Phase II development of the property because you have to get back to the area. They do have business goals to start this coming year with many of the improvements. The demand is actually much stronger than anticipated, this will be a total 20-year project, but if the economy continues at the speed it is currently going, it will probably be faster than that.

Commissioner Dutton then asked if this was in conjunction with the Butts County Development Authority?

Mr. Palmer stated this is a private entity doing this project, but the Butts County Development Authority will be very involved in it. They have actually met with David Luckie from Spalding County as well about doing some type of joint development group similar to what was done for other sites.

Mr. Jacobs advised that he would review the three applications together and then the Board will vote on each item separately. Staff is recommending approval of the Future Land Use Map Amendment and for both of the rezoning applications.

We went through and adopted a Future Land Use Map in 2017. This area of the County has always been an interesting area going back to the early 2000's and we have been planning for these types of uses for many years. The current plan update includes the Lakes of Green Valley area which is a current Employment Center and this area on the west side of I-75 would also be another employment center. We didn't see this coming on the east side of I-75, we didn't have it planned simply because the infrastructure was not there to support it. Given the fact that this development is coming through Butts County, this makes a whole lot of sense.

Staff is recommending conditional approval of the Future Land Use Map request as it is consistent with the goals and development strategies of the Comprehensive Plan with the following condition: Approval of the Future Land Use Map Amendment shall be tied to approval of all required zoning processes in Butts County.

Staff is also recommending conditional approval on both of the Zoning Applications with the following conditions:

- Future Land Use Map Amendment shall be approved.
- At no point will Wilti Road be used as an access point for the development.
- All side and rear yard setbacks pursuant to adjoining tracts that are not zoned C-2 shall be followed.
- Approval of rezoning requests shall be tied to approval of required zoning processes in Butts County.
- Approval shall be tied to the conceptual plans submitted by the applicant

At their meeting the Planning Commission recommended conditional approval with the same conditions recommended tonight by a vote of 3-0.

Commissioner Dutton then asked if the property butts up against the property owned by the Noah's Ark Nature Preserve?

Mr. Palmer advised that property is located off of Locust Grove and is not close to this property.

Commissioner Dutton asked if there is a plan for light abatement for those who reside on Wilti Road?

Mr. Jacobs stated there is a site plan included in the packet, there is a large distance between the back of the proposed buildings and any privately owned property. There is a setback for C-2 zoning that is required when it is adjacent non C-2 zoning or residential use there is a larger space they have to accommodate.

Commissioner Flowers-Taylor then stated that one portion of the Future Land Use Map has already been changed to employment and if we change what they are asking us to change, if part of the purpose for doing this is to make it a more viable area to look toward putting a Spalding County exit there, wouldn't it make sense for us to go ahead and change the Future Land Use Map for all four quadrants. It doesn't mean you change the zoning, but the plan would be that those four quadrants would be basically employment.

Mr. Jacobs advised that would have to be a County initiated change, or amendment. So, if that is the wishes of the Board, we could basically go through the same process as the applicant. We would have to get an idea of what property the Board would like to have changed and send out notices to residents. It would have to go through a process much like this. It would be at the Board's direction.

Commissioner Flowers-Taylor stated that this is something that we as a Board need to look at, if we are looking at that area to be employment, then we need to think about making that change.

5. **Application #FLUMA-19-01:** Mary Elizabeth Griffin, Georgia Wilson Jones, William P. Wilson Trust (William P. Wilson, Jr. Trustee) & Thomas D. Wilson, Jr. Estate (William P. Wilson, Jr., Co- Executor & Michael G. Wilson, Co-Executor) have requested a future land use map changed from Rural Community to Commercial Corridor for the following: Highway 155 (2 acres located in Land Lot 147 of the 2nd Land District).

This item was tabled at the request of applicant's counsel.

6. **Application #19-07Z:** Mary Elizabeth Griffin, Georgia Wilson Jones, William P. Wilson Trust (William P. Wilson, Jr. Trustee) & Thomas D. Wilson, Jr. Estate (William P. Wilson, Jr., Co- Executor & Michael G. Wilson, Co-Executor), Owners - Paragon Consulting Group, Agent - Highway 155 (2 acres located in Land Lot 147 of the 2nd Land District) - requesting a rezoning from R-2, Single Family Residential, to C-1, Highway Commercial.

This item was tabled at the request of applicant's counsel.

F. **Other Business** – None.

G. **Closed Meeting**

Motion/Second by Flowers-Taylor/Hawbaker to enter into Executive Session to discuss pending or potential litigation, settlement, claims, administrative proceedings, or other judicial actions brought or to be brought by or against the county or any officer or employee or in which the county or any officer or employee may be directly involved as provided in O.C.G.A. § 50-14-2(1) at 6:37 p.m. Motion carried unanimously by all.

County Zoning Attorney requests an Executive Session to discuss pending or potential litigation, settlement, claims, administrative proceedings, or other judicial actions brought or to be brought by or against the county or any officer or employee or in which the county or any officer or employee may be directly involved as provided in O.C.G.A. § 50-14-2(1).

Motion/Second by Flowers-Taylor/Hawbaker to exit Executive Session at 6:51 pm. Motion Carried unanimously by all.

XIV. Adjournment

Motion/Second by Flowers-Taylor/Miller to adjourn the meeting at 6:52 p.m. Motion carried unanimously by all.