



**Columbia County Planning Commission
February 18, 2021 at 6:00 PM
Evans Government Center Auditorium
Evans, Georgia**

Present at the meeting included:

Chairman Jim Cox
Commissioner Russell Wilder
Commissioner Gene Futch
Commissioner Al Dempsey

Scott Sterling, Division Director
Will Butler, Planning Manager
Nayna Mistry, Community Planner
Danielle Montgomery, Planner II
Jennifer Neal, Planning Technician
Cara Harden, Administrative Specialist
Members of the Public

A. CALL TO ORDER

Chairman Cox called the meeting to order at 6:00p.m.

B. INVOCATION

Commissioner Wilder gave the invocation.

C. PLEDGE OF ALLEGIANCE

Commissioner Futch led the pledge to the American Flag.

D. ROLL CALL / QUORUM

Chairman Cox declared a quorum with 4 Commissioners present (80%Quorum). Vice-Chairman Henderson absent.

E. APPROVAL OF THE MINUTES OF PREVIOUS MEETING

(E1) February 4, 2021

Commissioner Wilder made a motion to approve the February 4, 2021 meeting minutes. Commissioner Dempsey seconded the motion. The motion carried 3-0. Commissioner Futch abstained from vote due to being absent February 4, 2021.

F. APPROVAL OF THE AGENDA

Commissioner Futch made a motion to approve the February 18, 2021 Agenda. Commissioner Wilder seconded the motion. The motion carried unanimously.

G. PRESENTATION

Chairman Cox gave a brief description of the Planning Commission's role in the rezoning and variance process for the public's edification. Chairman Cox stated: "Before we begin, I'd like to take a moment to clarify that the Planning Commission is a recommending body to the Columbia County Board of Commissioners. The decisions made on rezoning & variance requests tonight will be forwarded to the Commissioners for final action on March 2, 2021. If you wish to address the Board of Commissioners at their meeting, please see Ms. Cara Harden to obtain a Request to Speak form."

H. DEBATE AGENDA

(H1) Unfinished Business

(H2) New Business

(H2a) Minor Waiver

(H2a1) MW21-02-01, Minor Waiver, Tax Map 075 Parcel 079, 0.17+/- acres, located at 2223 Laurens Street, and currently zoned PUD (Planned Unit Development). **Presented as Information Only.**

Staff member Jennifer Neal stated the following:

- This was a request for a minor waiver at 2223 Laurens Street on 0.17+/- acres and currently zoned PUD (Planned Unit Development).
- The request is for a reduction to the parking pad setback from 25 feet to 22 feet 11 inches from the edge of the alley.
- Approved by staff on February 3rd, 2021.

(H2a2) MW21-02-02, Minor Waiver, Tax Map 067 Parcel 2310, 0.19+/- acres, located at 2027 Sinclair Drive, and currently zoned PUD (Planned Unit Development). **Presented as Information Only.**

Staff member Jennifer Neal stated the following:

- This was a request for a minor waiver at 2027 Sinclair Drive on 0.19+/- acres and currently zoned PUD (Planned Unit Development).
- The request is for a reduction to the side setbacks from 10 feet to 9 feet from both side property lines.
- Approved by staff on February 10th, 2021.

(H2b) Massage Operator's License

(H2b1) Massage Operator's License for Southern Bliss Massage, LLC, located at 436 Evans Mill Drive Apartment A, for mobile massage services only.

Staff member Will Butler stated the following:

- This is a request for a Massage Operator's License for Candace Fralick at 436 Evans Mill Drive Apartment A for mobile massage services.
- Therapist Candace Fralick meets all the MOL requirements.
- Staff recommends approval.

Commissioner Futch made a motion to approve Massage Operator's License for Southern Bliss Massage, LLC, located at 436 Evans Mill Drive Apartment A, for mobile massage services only. Commissioner Wilder seconded the motion. The motion carried unanimously.

(H2c) Conceptual Plan

(H2d) Preliminary Plat

(H2d1) Preliminary Plat for Grimaud Farms Section II, Tax Map 009 Parcel 016, 20 lots, 69.04 +/- acres, located Off White Oak Road, and currently zoned R-A (Residential Agricultural).

Staff member Danielle Montgomery stated the following:

- This is a request for approval of a preliminary plat for 20 residential lots on 69.04 acres for property located off White Oak Road and currently zoned R-A (Residential Agricultural).
- There is no conceptual plan approval for this site due to a previous preliminary plat approved in 2013.
- The previously approved plat included 15 lots along an extension of Arthur Grimaud Way; this extension was planned to continue across the adjacent property, Tax Map 009 Parcel 016P, connecting to a planned extension of the private road Hampton Way for a second point of access to White Oak Road.
- The current plat under consideration includes 20 single family lots with a minimum lot size of 2.5 acres and an average lot size of 3.29 acres, which meets the requirements of the R-A district.

- These lots will be served by private wells and septic systems.
- The setbacks are 75 feet from the rights of way, 10 feet from the side property lines, and 25 feet from the rear property lines, or 10 feet from the edge of the buffer where the 25 foot buffer is present on the lots.
- This development still includes the extension of Arthur Grimaud Way from Section I of Grimaud Farms, and includes an additional cul-de-sac road that allows the development to increase the number of lots.
- The total cul-de-sac length is 3,603 feet, which does require approval from Planning Commission as this length does exceed the 700 foot maximum length specified in Chapter 74.
- This project consists of larger acreage lots, with the minimum lot size being 2.5 acres, and is located in a rural area of the county, and has additionally provided traffic circles along the road that would allow emergency or other vehicles to turn around prior to reaching the end of the cul-de-sac.
- With these factors, the cul-de-sac length is less of a concern than it may be in a denser neighborhood development.
- The project additionally no longer stubs out to the adjacent parcel, which may be required by Planning Commission if they feel such future connection is warranted.
- These adjacent properties are now under ownership of White Oak Farm Road, LLC, with the parcel fronting on White Oak Road zoned S-1 for a special event facility.
- This connection would primarily allow development on the adjacent 42.7 acre parcel, due to environmental features and existing lot lines in the area that would constrain access to additional parcels from this point, and therefore is likely not needed.
- Staff is recommending approval of the preliminary plat.

Planning Commission questions/comments/concerns:

Chairman Cox questioned staff about lots 21, 22, 17, and 18 and whether there would be a problem for traffic like a previous situation in River Island.

Staff member Danielle Montgomery answered the width of the lot frontage is larger with a minimum 100 foot road frontage which gives more room to work with than River Island.

Chairman Cox stated this was not a public hearing, however we received a request to speak on Grimaud Farms Section II.

James Dover, 385 Arthur Grimaud Way:

- 2 lots do not meet the 150 feet minimum road frontage requirement of R-A zoning.
- Expressed concerns with reducing the size of the lots.
- Expressed concerns with current roadway conditions and the amount of traffic.
- Expressed concerns about this item not being advertised.

Planning Commission questions/comments/concerns:

Commissioner Cox questioned staff whether this is the first revision.

Staff member Danielle Montgomery answered there have been two plan review submittals. The first submittal the lots were not compliant, there were frontage issues and lots exceeding the maximum depth requirement. The first submittal was not presented to Planning Commission due to not meeting code. The second submittal does meet requirements which is what we are reviewing tonight.

Chairman Cox questioned staff whether the developer will have to repave the road.

Staff member Danielle Montgomery answered the Engineering Department has requested the pavement section be brought up to county code requirements for phase 1 to go along with this phase.

Commissioner Dempsey stated all county requirements have been met with this plan.

James Dover stated that two lots do not meet the requirements of 150 foot frontage.

Staff member Danielle Montgomery answered that on radial lots the frontage can be reduced by a third so the lots on the cul-de-sac are allowed less than 150 feet.

Chairman Cox stated this is the Planning Commission's first time reviewing this item and it does not require a public hearing to address James Dover's concerns about the lack of a public hearing. Staff member Danielle Montgomery stated that is correct, this is a revision so there was no concept plan for Planning Commission to review and this item did not go through a rezoning so there was no public hearing.

Chairman Cox stated this was not a public hearing and called for a motion.

Commissioner Dempsey made a motion to approve Preliminary Plat for Grimaud Farms Section II, Tax Map 009 Parcel 016, 20 lots, 69.04 +/- acres, located Off White Oak Road, and currently zoned R-A (Residential Agricultural). Commissioner Futch seconded the motion. The motion carried unanimously.

(H2d2) Preliminary Plat for Tillery Park Section I, Tax Map 051 Parcel 049 (Portion of), 126 lots, 48.1 +/- acres, located Off Baker Place Road, and currently zoned PRD (Planned Residential Development).

Staff member Danielle Montgomery stated the following:

- This is a request for approval of a preliminary plat for 126 residential lots on 48.1 acres for property located off Baker Place Road and currently zoned PRD (Planned Residential Development); the zoning was approved in 2020 (RZ20-07-03).
- The conceptual plan was approved with the rezoning request.
- This section of the PRD includes 126 single family lots, in line with the 125 identified as part of section I with the approved concept plan.
- The lots have a minimum lot size of 5,615 square feet and an average lot size of 8,773 square feet.
- This section includes 50 alley-loaded lots with side setbacks of 6 feet; the remaining front-loaded lots have minimum side setbacks of 7.5 feet.
- Front setbacks are 15 feet from the right of way for front loading lots, with a minimum driveway length of 20 feet from the back of the sidewalk.
- The minimum front setback for alley loaded lots is 10 feet.
- Sidewalks and street trees are required on both sides of the roads, and 4.3 acres of open space is provided in this section, including one of the 13 required park spaces, which has been designated as a passive park.
- Zoning conditions required a traffic study to be submitted with this first section; that study has been completed and reviewed by the County, and the intersection improvements on Baker Place Road consisting of a left turn lane and right turn deceleration lane are included in the construction plans for this section.
- Additionally, an agreement for access to the County sewer system was required to be submitted prior to approval of this first phase; a copy of this agreement has been received by the County.
- Staff recommends approval.

Planning Commission questions/comments/concerns:

Chairman Cox questioned staff whether the traffic study could be used for a later development or would a new one would be required.

Staff member Danielle Montgomery answered a new traffic study would be required.

Planning Director Scott Sterling answered they could use this traffic study as a base line for information, but a new traffic study would be required.

Chairman Cox stated this was not a public hearing and called for a motion.

Commissioner Wilder made a motion to approve Preliminary Plat for Tillery Park Section I, Tax Map 051 Parcel 049 (Portion of), 126 lots, 48.1 +/- acres, located Off Baker Place Road, and currently zoned PRD (Planned Residential Development). Commissioner Futch seconded the motion. The motion carried unanimously.

(H2e) Final Plat

(H2f) Plan Revision

(H2g) Public Hearing

(H2g1) RZ21-02-03, Major PUD (Planned Unit Development) Revision, Tax Map 082J Parcel 016, 0.72+/- acres, located at 3801 Park Lane, and currently zoned PUD (Planned Unit Development).

Staff member Nayna Mistry stated the following:

- This is a request for a major revision to the current PUD (Planned Unit Development) on 0.72 +/- acres for property located at 3801 Park Lane and currently zoned PUD (Planned Unit Development) to revise the site layout that was approved in 2017.
- The subject property is located on the north side of Park Lane at its intersection with Furys Ferry Road.
- The existing house on the property is currently used as a real estate office.
- Property to the north is the commercial and professional portion of the existing Forest Creek PUD, property to the west is the residential portion of the Forest Creek PUD, property to the south is PUD as well with professional office and a restaurant use, and property across Furys Ferry is zoned PUD for the C-1 commercial section of West Lake.
- The subject parcel is part of the Forest Creek Planned Unit Development which was rezoned in 1983 with a mixture of professional and commercial on the property to the north (Tax Map 082 Parcel 080A), single family towards the west, and apartments to the south; the subject parcel was originally a single family lot under this PUD.
- The apartment section was revised to include a restaurant (Zaxby's), as well as professional uses in 2003 (RZ03-12-04).
- The plat of the property shows a water line with a twenty foot easement along Park Lane and a sewer line with a twenty foot easement along Park Lane and the southwest side of the property along 551 Forest Crossing.
- The Furys Ferry Road widening project took some of the property along Furys Ferry Road and added some along Park Lane.
- Traffic Engineering has commented that the existing permanent slope easement along Furys Ferry Road and the utility easements must be shown on the site plan at the time of permitting.
- A major revision was requested and approved in 2017 for a 5,400 square foot building with 18 parking spaces, with the building pulled up towards the frontage on Furys Ferry with a setback of 20 feet from the right of way with parking along the side and rear of the building. This leaves an access road at the rear of the building for the property to the north.
- Subsequently in 2019, rezoning file RZ19-10-03 revised the commercial and professional property to the north (Tax Map 082 Parcel 080A), improving the proposed development plan and moving the buildings forward on the site and away from residential properties to help to alleviate the potential for noise and to coordinate with the approved revision for the subject parcel under the 2017 revision.
- The current proposal is to essentially reverse the site plan, with parking fronting on Furys Ferry Road and the building moved to the west side of the site, closer to the adjacent houses.
- The proposed building is located on the edge of the required 20-foot structural buffer with no space for rear access or fire escape doors with access which are typical of this type of building.
- For the building as shown at 5,147 SF, the parking number in the code is based on a maximum and minimum which in this case would be 15 to 25 spaces.
- The plan shows 30 spaces so it is over the parking allowance.
- The approved plan is for a 5,400 square foot building with 18 parking spaces
- The site plans for these two parcels need to be coordinated to allow for interparcel access and to provide for a more consistent development pattern throughout this side of Furys Ferry.
- The proposed revision would force the adjacent property developer to revise their plans through a second major revision application to accommodate the applicant's requested revisions.
- Another concern is that the original plan showed a dumpster enclosure location to the back of the site and the new plan shows a location on Park Lane frontage.
- The parcel is within the Furys Ferry Corridor Protection Overlay District.

- Therefore, staff will look for a consistent architecture to all four elevations and appropriate screening with parapets.
- This is a corner location with two frontages and the elevation to Park Lane must be equally as attractive as the elevation to Furys Ferry Road.
- The subject parcel is located within the Evans Area Neighborhoods Character Area of the Vision 2035 Future Land Use Map.
- While the request does not fit within the Character Area, the Furys Ferry corridor, particularly in the vicinity of this parcel, has been and continues to be, developed as commercial and professional uses serving the surrounding residential developments.
- The proposed uses were approved with the 2017 rezoning and that is not a concern.
- The main concern is the proposed site layout which adversely affects the adjacent parcel (Tax Map 082 Parcel 080A) of the Forest Creek PUD.
- Staff recommends disapproval.

Planning Director Scott Sterling stated the applicant has requested to postpone until the March 18, 2021 meeting.

Planning Commission questions/comments/concerns:

Chairman Cox questioned staff how long ago some of the property was abandoned to shift Park Lane to line up with Inverness Way, what happened to the property when it was abandoned, and how much was paid for the property.

Staff member Nayna Mistry answered the Furys Ferry Road widening was approximately 2004.

Staff member Danielle Montgomery answered the plat that was submitted is dated 2009. A portion of the property on Furys Ferry was taken for the widening and they got a portion of the property along Park Lane.

Staff member Will Butler answered staff is unaware of the price as that is not something that we take into account for our review.

Chairman Cox questioned staff where the utilities were then and where they are now to make sure the current owner has been aware of their location since he purchased the property.

Staff member Danielle Montgomery answered the utilities have not moved and are on the recorded plat.

Staff member Will Butler answered the water line was shown to be relocated on the 2017 plan, so the owner knew the location the entire time he has owned the property.

Chairman Cox questioned staff whether the sewer line would have to be moved.

Planning Director Scott Sterling answered the sewer line should be ok but it has not been fully engineered at this time.

Staff member Will Butler answered the new plan shows the water line staying in the same place and the sewer line will probably not be moved at all.

Chairman Cox stated this was a public hearing and asked if the applicant was present.

Applicant was not present.

Chairman Cox stated this was a public hearing and asked if there was anyone to speak for or against the Major Revision.

Danielle Farr, 551 Forest Crossing:

- Provided a letter showing Don Lawrence offered her money for her property when her house burned down two years ago informing her that he would not put any commercial buildings on her property.
- Expressed concerns of water pollution from stormwater leaving the site; buffers to include extension of the fence; noise; traffic to include the median along Park Lane with no sidewalks; and pest control due to the proposed dumpster location.
- This property will be developed before the property to the north, which is not feasible for the only entrance to be on and off Park Lane.

Planning Commission questions/comments/concerns:

Chairman Cox questioned staff whether anything would be done to make sure there will not be run off to other properties.

Planning Director Scott Sterling answered yes, they will have to address stormwater requirements and meet county code.

Chairman Cox stated this was a public hearing and asked if there was anyone else to speak for or against the Major Revision.

Peter Brown, 550 Forest Crossing:

- Applicant obtained signatures for community support under false pretenses in 2017.
- Expressed concerns with parking and pollution to Reed Creek and the neighborhood.
- Expressed concerns about noise, light, trash, and stormwater runoff.
- Requested for the applicant's request be denied, along with his request to postpone.

Planning Commission questions/comments/concerns:

Both Planning Commission and staff reiterated several times the Major Revisions in 2017 for this property and 2019 for the property to the north were already approved and will still be allowed if this request is denied. This is simply a request for revision to the approved plan.

Peter Brown answered if there was any way to reverse the revisions, we would all be on board.

The Planning Commission responded that the county could be sued for taking away someone's approved zoning. The decision to be made tonight is whether he would be allowed to use the new plan or continue to move forward with the previously approved plan.

Chairman Cox questioned staff whether the applicant would have to have a photometric study done.

Planning Director Scott Sterling answered he will have to do a landscape plan with a structural buffer that is in compliance with county code.

Chairman Cox questioned staff whether the applicant intends to still run his real estate business on the property.

Planning Director Scott Sterling answered yes.

Chairman Cox stated that the real estate business would have different hours than Zaxby's and lights should not be an issue.

Peter Brown questioned whether the applicant had intentions for other businesses to go on the property.

Chairman Cox stated yes, but they would be businesses with a lower impact than a restaurant.

Commissioner Dempsey stated that the property would not be large enough for a restaurant.

Chairman Cox stated he believes the applicant requested to postpone because he is meeting with the engineer to determine how to work with the water line.

Chairman Cox stated this was a public hearing and asked if there was anyone else to speak for or against the Major Revision.

Jennifer Lowers, 506 Oak Chase Drive:

- This property is part of our neighborhood and the neighborhood was on board for the property going to commercial because they were under the impression the property would be used as a real estate office run in the existing single family home.
- We cannot go back on the previously approved plan, but we can hold him accountable to the approved plan. The Commission could approve the plan that will help the neighborhood the most, which is the previously approved plan.
- Expressed concerns about the brown water and how the water company cannot keep up with the amount of population growth.

Planning Commission questions/comments/concerns:

Chairman Cox questioned staff whether Columbia County Water Utility has been running a slurry cleaning.

Planning Director Scott Sterling answered yes.

Commissioner Dempsey stated that when the property is developed, the county will make sure the property is up to code.

Jennifer Lowers questioned staff on what could go into C-1 zoning.

Staff member Will Butler answered restaurants without a drive thru, retail, and professional office.

Commissioner Dempsey stated with the size of the lot a restaurant would not succeed.

Chairman Cox stated this was a public hearing and asked if there was anyone else to speak for or against the Major PUD Revision. Hearing none, he closed the public hearing and called for a motion.

Commissioner Dempsey made a motion to disapprove RZ21-02-03, Major PUD (Planned Unit Development) Revision, Tax Map 082J Parcel 016, 0.72+/- acres, located at 3801 Park Lane, and currently zoned PUD (Planned Unit Development). Commissioner Wilder seconded the motion. The motion carried unanimously.

(H2g2) RZ21-02-04, Major PUD (Planned Unit Development) Revision, Tax Map 065 Parcel 523, 0.75+/- acres, located at 731 Bishops Circle, and currently zoned PUD (Planned Unit Development).

Staff member Danielle Montgomery stated the following:

- This is a request for a Major PUD Revision for property located at 731 Bishops Circle on 0.75 +/- acres and currently zoned PUD (Planned Unit Development).
- The applicant has requested to withdraw this application.
- The subject property is located in the Bishops Court section of Riverwood, and is currently zoned PUD, as are all surrounding properties.
- The request for the Major PUD Revision was to reduce the side building setback for the existing pool house.
- The applicant was requesting that the side setback for the subject parcel be reduced to 4 feet to accommodate the existing pool house on the property.
- Since the application was submitted, the as-built has been prepared, and does verify that the existing building is just over five feet from the property line and in compliance with the required setbacks.
- The applicant therefore does not require the requested revision, and has submitted a request to withdraw the application.
- Staff recommends to withdraw.

Chairman Cox stated this was a public hearing and asked if there was anyone to speak for or against the Major Revision. Hearing none, he closed the public hearing and called for a motion.

Commissioner Futch made a motion to withdraw without prejudice RZ21-02-04, Major PUD (Planned Unit Development) Revision, Tax Map 065 Parcel 523, 0.75+/- acres, located at 731 Bishops Circle, and currently zoned PUD (Planned Unit Development). Commissioner Wilder seconded the motion. The motion carried unanimously.

(H2h) Text Amendments

(H2i) Items Added (which need immediate action)

I. LEGAL MATTERS

J. STAFF AND COMMISSIONER COMMENTS

Director Scott Sterling informed the Planning Commission and public the draft of the Vision 2035 Comprehensive Plan Update is available online for public comments. The public hearing will be held on March 4th, 2021. The Comprehensive Plan will then go to the Board of Commissioners for approval to be sent to the Department of Community Affairs to confirm compliance with state requirements. Final adoption by the Board of Commissioners will be no later than June 2021. This is the five year update to the ten year plan.

K. PUBLIC COMMENTS AND PARTICIPATION

There was no further business to discuss; therefore Commissioner Futch made the motion to adjourn the meeting at 6:59p.m. Commissioner Wilder seconded the motion. Motion carried unanimously.

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Signature on File

Jim Cox, Chairman

Signature on File

Scott Sterling, Planning Services Director