



**Columbia County Planning Commission
September 2, 2021 at 6:00 PM
Evans Government Center Auditorium
Evans, Georgia**

Present at the meeting included:

Chairman Jim Cox
Vice-Chairman Al Dempsey
Commissioner Russell Wilder
Commissioner Gene Futch
Commissioner Michael W. Carraway

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

Vice-Chairman Dempsey led the pledge to the American Flag.

D. ROLL CALL / QUORUM

Chairman Cox declared a quorum with 5 Commissioners present (100% Quorum).

E. APPROVAL OF THE MINUTES OF PREVIOUS MEETING

(E1) August 19, 2021

Commissioner Futch made a motion to approve the August 19, 2021 meeting minutes. Commissioner Wilder seconded the motion. The motion carried unanimously.

F. APPROVAL OF THE AGENDA

Commissioner Futch made a motion to approve the September 2, 2021 Agenda. Commissioner Wilder seconded the motion. The motion carried unanimously.

G. PRESENTATION

H. DEBATE AGENDA

(H1) Unfinished Business

(H2) New Business

(H2a) Massage Operator's License

(H2a1) Massage Operator's License for Your Me Time Massage & Spa, LLC, located at 4571 Cox Road, for on premise and mobile massage services.

Staff member Will Butler stated the following:

- This is a request for a Massage Operator's License for Your Me Time Massage & Spa LLC at 4571 Cox Road for on premise and mobile massage services.

- Therapist Temkia Hines meets all the MOL requirements.
- Staff recommends approval.

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

Commissioner Futch made a motion to approve the Massage Operator's License for Your Me Time Massage & Spa, LLC, located at 4571 Cox Road, for on premise and mobile massage services. Vice-Chairman Dempsey seconded the motion. The motion carried unanimously.

(H2b) Provisional Home Occupation

(H2b1) Provisional Home Occupation for Magnolia Avenue Hair Salon, LLC, Tax Map 060 Parcel 028, 4.17 +/- acres, located at 5221 Hereford Farm Road, and currently zoned R-1 (Single Family Residential).

Staff member Jennifer Neal stated the following:

- This is a request for a Provisional Home Occupation at 5221 Hereford Farm Road on 4.17 +/- acres currently zoned R-1 (Single Family Residential), in order to utilize a room within an existing cottage for a one chair salon.
- This property is family owned with a primary residence and two cottages. The property owner resides in the primary residence at 5219 Hereford Farm Road; the applicant and her husband reside in the cottage to the east of the primary residence; and the salon will be located within the cottage to the west of the primary residence.
- The applicant is proposing to utilize an approximately 162 square foot room within the existing 900 square foot cottage for a one chair salon.
- A Provisional Home Occupation allows the use within the cottage for up to 50 percent of the square footage of the primary residence on the property; the 162 square foot room in the existing cottage falls within this criteria as the primary home on the property is approximately 3,000 square feet.
- There is a gravel driveway coming off the left side of the primary driveway to the salon.
- The salon entrance is on the rear of the cottage facing the remainder of the subject property away from the neighbors and Hereford Farm Road.
- The applicant has provided pictures of the salon and plans to serve customers by appointments only for approximately 4 customers a day.
- The hours of operation will be from 9am to 5:30pm Tuesday thru Friday and from 9am to 4pm on Saturdays; closed Sunday and Monday.
- Staff recommends approval.

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

Commissioner Wilder made a motion to approve the Provisional Home Occupation for Magnolia Avenue Hair Salon, LLC, Tax Map 060 Parcel 028, 4.17+/- acres, located at 5221 Hereford Farm Road, and currently zoned R-1 (Single Family Residential). Commissioner Futch seconded the motion. The motion carried unanimously.

(H2c) Conceptual Plan

(H2d) Preliminary Plat

(H2e) Final Plat

(H2f) Plan Revision

(H2g) Public Hearing

(H2g1) RZ21-09-01, Rezone from C-2 (General Commercial) to C-3 (Heavy Commercial) with a Conditional Use for Light Industrial, Tax Map 078C Parcel 529, 1.664+/- acres, located at 287 Settlement Road, and currently zoned C-2 (General Commercial).

Staff member Will Butler stated the following:

- This is a request for a rezoning from C-2 (General Commercial) to C-3 (Heavy Commercial) with a Conditional Use for Light Industrial for property located at 287 Settlement Road on 1.664 +/- acres and currently zoned C-2 (General Commercial) for proposed multi-tenant light industrial building.
- A companion variance (VA21-09-01) for building setbacks and buffers will be heard on the same agenda.
- Property to the north and east is zoned C-2 (255 Bobby Jones Expressway is currently in for a similar request which will be before the Board of Commissioners on September 7th), property to the south is in Richmond County, but is zoned B-2 which is similar to the current zoning, and property to the west is zoned R-3 (Single Family Residential).
- While the primary commercial zoning is C-2, many of the current uses along Settlement Road would now be C-3 with the most recent revision in 2016 to the use table in Columbia County Code.
- This includes contractor's offices immediately across the street from the subject property, as well as further north along Settlement Road.
- Other uses, such as auto repair and body shops, are found on this road as well.
- While these are allowed in C-2, they quite often are better suited for a heavy commercial or industrial area.
- The applicant has noted that due to the configuration and nature of the site there will be no outdoor storage.
- In regards to the Vision 2035 Future Development Map, the subject property is located within the Martinez Activity Center.
- As a Mixed Use Activity Center, the intent is to enhance and create concentrated commercial uses, employment centers, and mixed use development in defined areas.
- Primary future land uses include retail, restaurants, professional and mid-rise office, higher density residential (including apartments, condos, townhomes, and mixed use), hotels, civic uses, and light industrial uses with development standards applied at rezoning or as part of an overlay at the periphery or with existing industrial zoning.
- The proposed rezoning allows for light industrial uses and is also at the periphery of the character area, so it meets the intent of the Vision 2035 Future Development Map.
- Staff recommends approval.

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

Bill Corder, 842 Sparkleberry Road:

- This use fits what is already along Settlement Road as some of the existing uses could allow for the properties to be rezoned to C-3.

Planning Commission questions/comments/concerns:

Commissioner Wilder questioned the applicant whether there were prospective tenants.

Bill Corder answered the owner plans to utilize the larger space. There are no prospective tenants at this time, however, future tenants will more than likely be contractors with a roll-up door and office space.

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

Commissioner Futch made a motion to approve RZ21-09-01, Rezone from C-2 (General Commercial) to C-3 (Heavy Commercial) with a Conditional Use for Light Industrial, Tax Map 078C Parcel 529, 1.664 +/- acres, located at 287 Settlement Road, and currently zoned C-2 (General Commercial). Commissioner Carraway seconded the motion. The motion carried unanimously.

(H2g2) VA21-09-01, Variance to Sections 90-98 *List of Lot & Structure Requirements* and 90-139 *Buffers & Screening*, Tax Map 078C Parcel 529, 1.664 +/- acres, located at 287 Settlement Road, and currently zoned C-2 (General Commercial).

Staff member Will Butler stated the following:

- This is a request for a variance to Sections 90-98 *List of Lot & Structure Requirements* and 90-139 *Buffers & Screening* for property located at 287 Settlement Road, 1.664 +/- acres, and currently zoned C-2 (General Commercial) to reduce building setbacks and buffers.
- This request is the companion variance to the previously presented item.
- For reference, with the current zoning of this property and adjacent properties as C-2 there is not a buffer required unless there is a use provision that requires it and the building setback would be three feet on the sides due to similar zoning classifications.
- If the property is rezoned to C-3, then a twenty foot structural buffer (a solid fence and landscaping) would be required since the zoning has moved into a classification that is more industrial in nature.
- Similarly, the building setback would increase to thirty feet because the ability to reduce the setback down to three feet is lost due to the dissimilar zoning classifications.
- The applicant requests to reduce the building setback to three feet to reflect what the setback currently is and to waive the buffer requirement against the properties located at tax map 078C parcels 527 and 524B (located to the north).
- Neither of these structures should be a detriment to the adjacent properties, nor should another building if the site plan were to be revised and it were built at the typical three foot side setback adjacent to these properties.
- However, staff must be clear that this reduction will not apply along the rear property line which is currently zoned residential and will require a thirty foot building setback.
- It must be noted though that this requested variance does not eliminate buffers required by certain uses as part of their use provisions in Section 90-147 of Columbia County Code, such as a contractor's office with storage, if outdoor storage is added as part of that use.
- In this situation, the area used for outdoor storage would require a minimum ten foot structural buffer.
- However, as noted with the rezoning request, there isn't an intention to have outdoor storage with this proposed development.
- Staff recommends approval.

Chairman Cox stated this was a public hearing and asked if the applicant had anything to add. The applicant had no additional information.

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

Commissioner Futch made a motion to approve VA21-09-01, Variance to Sections 90-98 *List of Lot & Structure Requirements* and 90-139 *Buffers & Screening*, Tax Map 078C Parcel 529, 1.664 +/- acres, located at 287 Settlement Road, and currently zoned C-2 (General Commercial). Commissioner Carraway seconded the motion. The motion carried unanimously.

(H2g3) RZ21-09-02, Rezone from R-2 (Single Family Residential) to P-1 (Professional), Tax Map 072A Parcels 067, 067A, & 338, 0.551, 0.46, & 1.0 +/- acres respectively, located at 4414 Hereford Farm Road and off Hereford Farm Road, and currently zoned R-2 (Single Family Residential).

Staff member Will Butler stated the following:

- This is a request for a rezoning from R-2 (Single Family Residential) to P-1 (Professional) for property located at 4414 Hereford Farm Road and off Hereford Farm Road, a combined 2.01 +/- acres, and currently zoned R-2 (Single Family Residential) for a proposed medical use.
- A companion variance (VA21-09-02) for building setbacks will be heard next.
- Property to the east, south, and west is zoned PUD (Planned Unit Development) for the Town Park development and property to the north across Hereford Farm is zoned R-2.

- Per the provided narrative, the applicant is requesting the rezoning for a proposed chiropractic practice to be located in the existing structure.
- A sketch of site improvements is included and shows additional parking constructed to the east side of the existing building and modification to the existing drive for two way traffic.
- Also shown is a possible future connection to Parkview Drive to the south.
- The narrative also indicates that the property to the west would remain undeveloped at this time, but within the next five years would be developed for professional and medical uses that would be complimentary to the proposed chiropractic office.
- In regards to the Vision 2035 Future Development Map, the subject properties are located within the Evans Town Center Activity Center.
- Primary future land uses include retail, restaurants, professional and mid-rise office, higher density residential (including apartments, condos, townhomes, and mixed use), hotels, civic uses, and light industrial uses with development standards applied at rezoning or as part of an overlay at the periphery or with existing industrial zoning.
- The request meets the intent and primary future land uses of the Vision 2035 Future Development Map.
- Staff recommends approval.

Chairman Cox stated this was a public hearing and asked if the applicant was present. Applicant representative present, but had no additional information.

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

Commissioner Wilder made a motion to approve RZ21-09-02, Rezone from R-2 (Single Family Residential) to P-1 (Professional), Tax Map 072A Parcels 067, 067A, & 338, 0.551 +/-, 0.46 +/-, & 1.0 +/- acres respectively, located at 4414 Hereford Farm Road and off Hereford Farm Road, and currently zoned R-2 (Single Family Residential). Commissioner Futch seconded the motion. The motion carried unanimously.

(H2g4) VA21-09-02, Variance to Section 90-98 *List of Lot & Structure Requirements*, Tax Map 072A Parcel 067A, 0.46 +/- acres, located at 4414 Hereford Farm Road, and currently zoned R-2 (Single Family Residential).

Staff member Will Butler stated the following:

- This is a request for a variance to Section 90-98 *List of Lot & Structure Requirements* for property located at 4414 Hereford Farm Road on 0.46 +/- acres and currently zoned R-2 (Single Family Residential) to reduce building setbacks.
- This request is the companion variance to the previously presented item.
- The applicant has requested to reduce the rear building setback in order to allow for an existing garage to remain in place.
- The applicant has indicated this garage will be used for storage of supplies and equipment, to include durable medical equipment, supplies used for marketing and community events, and seasonal decorations and furnishings for the proposed chiropractic office; and not for other miscellaneous items, such as boat storage, which would not be permitted within the proposed P-1 (Professional) zoning.
- An as built has not been provided showing the exact location of the existing building.
- However, based off of the aerial from Columbia County GIS, the building appears to be within the ten foot rear setback.
- If the rezoning is approved the property will be within the Evans Town Center Overlay District which has a front setback along Hereford Farm Road of a minimum of five feet and a maximum of 125 feet from the centerline.
- The existing home is within this maximum setback, so a variance to remove the maximum setback is not required at this time.
- If the home is demolished and a new structure built on the subject property the maximum setback

will apply.

- Staff recommends to approve with condition:

Condition

Planning:

The reduction in the rear setback only applies to the existing garage. Any future structure on the property must meet building setbacks.

Chairman Cox stated this was a public hearing and asked if the applicant representative had anything to add. The applicant had no additional information.

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

Vice-Chairman Dempsey made a motion to approve with condition VA21-09-02, Variance to Section 90-98 *List of Lot & Structure Requirements*, Tax Map 072A Parcel 067A, 0.46 +/- acres, located at 4414 Hereford Farm Road, and currently zoned R-2 (Single Family Residential). Commissioner Futch 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

K. PUBLIC COMMENTS AND PARTICIPATION

There was no further business to discuss; therefore Commissioner Futch made the motion to adjourn the meeting at 6:19p.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