



**Columbia County Planning Commission
September 16, 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

Commissioner Futch 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) September 2, 2021

Commissioner Futch made a motion to approve the September 2, 2021 meeting minutes. Commissioner Carraway seconded the motion. The motion carried unanimously.

F. APPROVAL OF THE AGENDA

Commissioner Futch made a motion to approve the September 16, 2021 Agenda. Commissioner Wilder seconded the motion. The motion carried unanimously.

G. PRESENTATION

H. DEBATE AGENDA

(H1) Unfinished Business

(H2) New Business

(H2a) Minor Waiver

(H2a1) MW21-09-01 - MW21-09-05, Minor Waivers, Tax Map 082F Parcel 123 (Portion of), 1.37 +/- total acres combined out of 6.97 +/- acres, located at 3667, 3669, 3671, 3675, & 3683 Lynnwood Drive, and currently zoned R-3 (Single Family Residential). **Presented as Information Only.**

Staff member Danielle Montgomery stated the following:

- These were requests for minor waivers at 3667, 3669, 3671, 3675, and 3683 Lynnwood Drive on 1.37 +/- acres and currently zoned R-3 (Single Family Residential).
- The request is for a decrease to the front setback from 50 feet to 45 feet from the right of way of Lynnwood Drive to shift the houses away from the easement at the rear of the lots.
- Approved by staff on August 30th, 2021.

(H2b) Temporary Use Authorization

(H2b1) Temporary Use Authorization, Tax Map 073I Parcel 001B, 100+/- acres, located at 4600 Columbia Road, and currently zoned S-1 (Special). **Presented as Information Only.**

Staff member Jennifer Neal stated the following:

- This was a request for a temporary office trailer during the renovation of the existing community office for Wymberly to be located in the parking lot at Independence Drive and Wymberly Drive.
- Approved by staff on September 2nd, 2021.

(H2c) Massage Operator's License

(H2c1) Massage Operator's License for Robert Steudle LMT, located at 6952 Moontown Drive East, for mobile massage services.

Staff member Will Butler stated the following:

- This is a request for a Massage Operator's License for Robert Steudle LMT at 6952 Moontown Drive East for mobile massage services.
- Therapist Robert Steudle meets all the MOL requirements.
- 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 Massage Operator's License for Robert Steudle LMT, located at 6952 Moontown Drive East, for mobile massage services. Commissioner Futch seconded the motion. The motion carried unanimously.

(H2d) Preliminary Plat

(H2e) Final Plat

(H2e1) Final Plat for River Pines, Tax Map 077 Parcel 050, 5 lots, 18.32 +/- acres, located at 3951 Mullikin Road, and currently zoned R-1 (Single Family Residential).

Staff member Danielle Montgomery stated the following:

- This is a request for approval of a final plat for 5 residential lots on 18.32 acres located at 3951 Mullikin Road currently zoned R-1 (Single Family Residential).
- The plat includes 5 lots with a minimum lot size of 1.65 acres and an average lot size of 3.66 acres.
- One of the lots has frontage on Mullikin Road, while the other four share access via a 30-foot access easement over River Pines Drive, which is private.
- All of the lots with comply with R-1 setback requirements.
- Staff recommends approval of the final plat.

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

Commissioner Futch made a motion to approve the Final Plat for River Pines, Tax Map 077 Parcel 050, 5 lots, 18.32 +/- acres, located at 3951 Mullikin Road, and currently zoned R-1 (Single Family Residential). Commissioner Wilder seconded the motion. The motion carried unanimously.

(H2f) Plan Revision

(H2g) Public Hearing

(H2g1) RZ21-09-03, Major PRD (Planned Residential Development) Revision, Tax Map 051 Parcel 049, 265.94 +/- 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 a Major Revision to the existing PRD (Planned Residential Development) for Tillery Park located off Baker Place Road.
- This property is located on both sides of Baker Place Road, just south of I-20, and is currently zoned PRD.
- The Canterbury Farms PUD (Planned Unit Development) lies to the east of the subject parcel.
- Properties to the south and west are zoned primarily R-A (Residential Agricultural), with the exception of the Quaker Knoll subdivision to the south, which is zoned R-2 (Single Family Residential).
- Property to the north is zoned M-1 (Light Industrial) along the I-20 frontage.
- Per Section 90-139, residential developments are required to maintain a minimum 50-foot natural buffer along the exterior boundaries adjacent to public or private rights of way.
- This buffer is required by code to be undisturbed, but may be supplemented as necessary to provide the intended visual screen, and areas near the entrance may be improved for an attractive entrance feature.
- The conceptual plan for this development was approved with a 50-foot undisturbed buffer on all sides of the project.
- The applicants are submitting the Major Revision request to allow the buffer to be developed as a constructed berm, rather than a natural undisturbed buffer, and have provided examples of the similar berms installed by other developments on Baker Place Road, as well as a phasing plan.
- The applicants have indicated that the request is due to the amount of topsoil being generated during grading of the site, and their desire to be able to re-use this resource on site.
- Construction of the berm would therefore proceed in phases in conjunction with the grading of the phases of the project.
- The approved conceptual plan anticipated 7 total phases, of which the first phase is currently under construction.
- The buffer itself has been divided into four phases, and related sections of the development 'assigned' towards development of each berm.
- The intent is to construct the berm in phases as dirt becomes available throughout the construction process.
- The existing buffer would not be cleared until that section of the berm was ready to be built, and would be complete prior to homes being constructed behind the buffer.
- Staff has added recommended conditions to clarify this timing.
- In order for staff to support this request, it is necessary to have the completed buffer in place prior to home construction to meet the intent of the code.
- There are multiple utilities in the current right of way of Baker Place Road, including broadband, power, and water lines.
- Since all of these are in the right of way, they should not be impacted by the construction of the berm on the applicant's private property.
- Staff recommends to approve with conditions:

Conditions

Planning:

1. No lots within 300 feet of the required buffer shall be final platted unless the related portion of the buffer is either:
 - a. Fully constructed as a berm and planted in accordance with this revision OR

- b. Undisturbed and designated to remain that way in perpetuity. Once the lots designated above are final platted, no additional disturbance in the buffer will be allowed.
2. Excluding any areas of the buffer that are to remain undisturbed and any necessary tapering to these areas or the termini of the berm, the minimum constructed height of the berm shall be 6 feet.
3. Construction plans for the phases of the project which abut Baker Place Road must clearly indicate whether the buffer is to be bermed or is to remain undisturbed. Wherever the buffer is to include a berm, the submitted preliminary plat must include a landscaping plan for the berm, which must be implemented prior to final platting of the lots outlined in condition #1.

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

Jason Whinghter, 17578 Atomic Road, Aiken, SC:

- Explained the request for a berm versus simply leaving the existing pine trees as a buffer.
- Requested a revision to condition #3 regarding timing of the completion of the berm due to how water taps are issued and irrigation of the landscaping.

Director Scott Sterling further explained that irrigation of berms 1 and 2 could be included with the final plat for the entrance. The county and applicant could further discuss the irrigation timeline to come up with an alternative to condition #3.

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

Commissioner Futch made a motion to approve with revised conditions RZ21-09-03, Major PRD (Planned Residential Development) Revision, Tax Map 051 Parcel 049, 265.94 +/- acres, located off Baker Place Road, and currently zoned PRD (Planned Residential Development). Commissioner Carraway seconded the motion. The motion carried unanimously.

Conditions (Revised by Planning Commission on 9.16.2021)

Planning:

1. No lots within 300 feet of the required buffer shall be final platted unless the related portion of the buffer is either:
 - a. Fully constructed as a berm and planted in accordance with this revision OR
 - b. Undisturbed and designated to remain that way in perpetuity. Once the lots designated above are final platted, no additional disturbance in the buffer will be allowed.
2. Excluding any areas of the buffer that are to remain undisturbed and any necessary tapering to these areas or the termini of the berm, the minimum constructed height of the berm shall be 6 feet.
3. Construction plans for the phases of the project which abut Baker Place Road must clearly indicate whether the buffer is to be bermed or is to remain undisturbed. Wherever the buffer is to include a berm, the submitted preliminary plat must include a landscaping plan for the berm, which must be implemented prior to final platting of the lots outlined in condition #1, **subject to coordination between the applicant and the County for installation of irrigation in these areas.**

(H2g2) RZ21-09-04, Rezone from R-3 (Single Family Residential) to S-1 (Special), Tax Map 077C Parcels 064 & 065, 0.94 & 1.26 +/- acres respectively, located off Kuhlke Drive and Brittany Way, and currently zoned R-3 (Single Family Residential).

Staff member Will Butler stated the following:

- This is a request for a rezoning from R-3 (Single Family Residential) to S-1 (Special) for property located off Kuhlke Drive & Brittany Way on 0.94 & 1.26 +/- acres and currently zoned R-3 (Single Family Residential) for a proposed utility contracting business.
- The subject property is located off of an easement from Kuhlke Drive but has frontage on Brittany Way, a private road.
- Property to the south is zoned C-3 (Heavy Commercial) for Maner Builder Supply, property to the west is zoned M-1 (Light Industrial), property to the north is zoned R-3, and property to the east is

zoned R-3 and T-R (Townhouse Residential).

- The provided plan shows a 4,500 square foot warehouse with a 1,500 square foot office (overall 6,000 square foot footprint) located centrally on the lot.
- Gravel outdoor storage is shown on three sides of the building with an asphalt parking area and drive to Brittany Way on southeast side of the property.
- Buffers for the property are shown at 40 feet where adjacent to property zoned R-3, but tapers down to a little less than 20 feet adjacent to the Brittany Place townhome development due to the entrance.
- This area also has easements within it that will limit the placement of buffer landscaping which will be addressed shortly.
- In regards to the Vision 2035 Future Development Map, the subject property is located within the In-Town Neighborhood Character Area.
- The intent of an In-Town Neighborhood is to maintain the scale and density of existing residential neighborhoods and create opportunities for infill development at a higher density.
- This use clearly does not meet this character area, but, there is a provision built in to the character area policy that allows for the consideration of extending a character area on the periphery of that area when the request follows the intent and primary future land use of the area.
- The adjacent character area is the Martinez Activity Center (this ends at the property to the south).
- The proposed rezoning allows for a light industrial use, has development standards applied as conditions, and is at the periphery of the Martinez Activity Center.
- Due to these factors, staff is amenable to extending the Activity Center to this property using the policy noted above which would allow for the request to meet the intent of the Future Development Map.
- Staff recommends to approve with conditions:

Conditions

Planning:

1. Prior to submittal of the site plan to Columbia County, the landscape plan will require review by the Columbia County landscape architect and Water Utility to address the design of the buffer on the east side of the property. Particular attention shall be paid to maintaining a buffer that is in compliance with easement requirements.
2. The Planning Commission shall review and approve the proposed building elevations prior to approval of a building permit.
3. Building materials on the eastern facing façade shall consist of the following materials or a mixture: brick, stucco, stone, cementitious fiber board, synthetic paneling (Nichiha panels), or wood. Metal may be allowed on 25% of the elevation.

Stormwater Management:

Provide 20 ft. ingress/egress easement along east side of property in order for Columbia County Stormwater to access detention pond for Hillwood Court.

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

Otis Cartledge, 101 Brittany Way:

- Questioned the location of the entrance and expressed concerns about traffic.

Staff member Danielle Montgomery marked the location of the entrance on the PowerPoint.

Chairman Cox asked the applicant to explain the traffic in and out of the site.

Ollie Higdon, 967 Windmill Lane:

- Explained the amount of employee traffic in and out of the site in more detail.

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

Pam Lightsey, 113 Brittany Way:

- Questioned what would happen if the applicant decided to sell the business.

Staff member Will Butler explained the site would be S-1 (Special) for this specific use. Therefore, if the buyer decided to do anything other than the approved use with the approved site plan a rezoning or revision would be required.

Chairman Cox stated this was a public hearing and asked if there was anyone else 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 with conditions RZ21-09-04, Rezone from R-3 (Single Family Residential) to S-1 (Special), Tax Map 077C Parcels 064 & 065, 0.94 & 1.26+/- acres respectively, located off Kuhlke Drive and Brittany Way, and currently zoned R-3 (Single Family Residential). Commissioner Carraway seconded the motion. The motion carried unanimously.

(H2g3) RZ21-09-05, Major PUD (Planned Unit Development) Revision, Tax Map 082 Parcel 526, 5.68 +/- acres, located at 1000 West Lake Commons Drive, and currently zoned PUD (Planned Unit Development).

Staff member Will Butler stated the following:

- This is a request for a major PUD revision for property located at 1000 West Lake Commons Drive on 5.68 +/- acres and currently zoned PUD (Planned Unit Development) to revise the site layout and uses for the subject parcel.
- The subject property is located on the eastern side of Furys Ferry Road and is the commercial section of West Lake.
- Property adjacent to the parcel is zoned PUD for West Lake to the north and east, the University Medical Center Prompt Care to the south, and The Claiborne to the northwest. Property to the west across Furys Ferry is zoned PUD for commercial development as well.
- The most recent rezoning in 1988 shows basically an L shaped, grocery/supermarket anchored development on this parcel (long side facing Furys Ferry) with a large parking lot in front.
- The University Hospital tract shows a bank with a similar layout to what was constructed.
- The applicant has submitted a revised plan that is very different from the previously approved plan and is more in keeping with the current development along Furys Ferry.
- The plan shows a total of five buildings oriented around a traffic circle located centrally on the lot.
- The three buildings located closer to Furys Ferry are separated by a central drive with on street parking.
- There is also a proposed area for a small food truck plaza and a mobile car wash station.
- The mobile car wash station has been removed by the applicant and a condition has been recommended to that effect.
- The applicant has provided elevations of two of the buildings with the submittal.
- Currently, the West Lake POA has the ability to approve the architecture of proposed buildings within this development.
- At the time the original narrative was written, the POA was controlled by the developer of West Lake, so it was not a concern to have this as a condition since they were one in the same.
- This is no longer the case and the POA was involved with the approval of the University Health prompt care several years ago.
- This revision seeks to remove that requirement and staff did request that the applicant provide a statement or some other type of proof that the POA had agreed to this.
- After speaking with Brooks Blumenthal, West Lake POA President, this has not been agreed to at the time of the writing of this recommendation.
- With the full understanding that Columbia County is not involved with POA/HOA enforcement, the fact that this was specifically noted in the PUD narrative prior and is now being proposed to be removed without an agreement or consent from the POA is not preferred by staff.

- Also of concern are covenants between the POA and the previous owner of the property which are also in effect with the current owner.
- These covenants, among other things, do not permit a drive thru to be on the property.
- According to the West Lake POA, this has not been amended at this time and a drive-thru would not be permitted via these covenants.
- This is an agreement between two parties not involving the County, but similar to previously noted, there appears to not be support for the development from the POA at this time since these larger issues that have been in place for years have not been addressed by the applicant at present.
- In regards to the Vision 2035 Future Development Map, the subject property is located within the Professional Corridor along Furrys Ferry Road.
- The requested revision is an existing commercial zoning, but is less intense at C-1 than the permitted C-C intent along Furrys Ferry Road.
- While the overall uses and design do meet the intent of the Future Development Map, there is still the issue of potential conflict with the adjacent neighborhood.
- Staff recommends to postpone the request.

Planning Commission questions/comments/concerns:

Chairman Cox questioned staff about the square footage, parking spaces, drive-thru, overnight deliveries, and drainage.

Staff member Will Butler answered the previously approved plan was for 111,000 square feet and the requested revision for the development will be approximately 33,000 square feet with 149 parking spaces. The approved plan allows C-1 (Neighborhood Commercial) uses and per current county code drive-thrus are not allowed in C-1; part of the revision request is to allow a drive-thru on the site. The current property covenants however do not allow a drive-thru. The current county code also requires them to follow the noise ordinance which would limit overnight deliveries between the hours of 11pm and 6am. Stormwater has provided comments and will be part of the review to make sure EPD requirements are met. This site was previously approved to be developed without retention because runoff was able to be maintained through the stormwater pipes to Reed Creek.

Chairman Cox stated this was a public hearing and asked if the applicant was present. Applicant present, but did not add any additional information.

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

Mahi Majanovic, 3713 West Lake Drive:

- Expressed concerns about signage and further explained his concerns about stormwater issues in reference to his email (Included in agenda packet).

Director Scott Sterling explained there are several options for this site to address stormwater. However, the request for this meeting is for the revision to the approved zoning. Site plan requirements will still have to be met through the plan review process.

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

Phillip Green, 5774 Carriage Hills Drive:

- The engineer, county, and applicant are all working together to create a plan that addresses the stormwater.
- Explained detention and peak flows in detail and why this site is able to be developed without a detention pond.

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

Commissioner Wilder made a motion to postpone to October 7, 2021 RZ21-09-05, Major PUD (Planned Unit Development) Revision, Tax Map 082 Parcel 526, 5.68 +/- acres, located at 1000 West Lake Commons Drive, and currently zoned PUD (Planned Unit Development). Commissioner Futch seconded the motion. The motion carried unanimously.

(H2g4) RZ21-09-06, Major PUD (Planned Unit Development) Revision, Tax Map 075 Parcels 071-075, 1.05 +/- acres, located at 2218, 2220, 2222, 2224, and 2228 Laurens Street, and currently zoned PUD (Planned Unit Development).

Staff member Danielle Montgomery stated the following:

- This is a request for a Major Revision to the existing PUD (Planned Unit Development) on 1.05 +/- total acres located at 2218, 2220, 2222, 2224, and 2228 Laurens Street.
- The applicants are proposing a Major Revision to the lot layout to allow front loaded garages on these parcels.
- The subject parcels are located on the south side of Laurens Street, and are currently zoned PUD as part of the Wrights Farm development per RZ18-06-03.
- Surrounding parcels are all zoned PUD as part of the same development.
- The approved concept plan submitted with the rezoning request showed these lots, and the adjacent lot at 2216 Laurens Street, to be accessed by an alley running behind the lots.
- During development and grading of the site, a steep slope was created behind these lots that made the alley infeasible.
- Therefore, a compromise was worked out to require slide-by driveways on these lots instead, retaining the look along the main road with de-emphasized garage doors, while recognizing the difficulty in providing the approved alley.
- Earlier this year, building permits were submitted for these lots and were approved, and construction on all of these lots has commenced.
- Per the PUD, all building plans were to be approved by the Architectural Review Board prior to being submitted to the County for permitting.
- In discussions with the applicants and the ARB representative, the plans for the houses were reviewed by the ARB.
- The ARB indicated that they typically approve the house plans, but do not necessarily review each lot.
- The building plans were subsequently submitted and approved by the County, and were for houses with front-facing garages, and no slide-by driveways.
- The unique requirements for these lots noted on the final plat were therefore not recognized by the builder, ARB, or the County prior to construction commencing.
- The oversight was reported to the County after construction had started, and since the applicants are building in accordance with approved building permits, the Major Revision was recommended to revise the approved PUD site plan and the requirements for the subject parcels to bring them into zoning compliance without undue hardship to the applicants.
- Both the County and the Architectural Review Board have implemented additional practices to avoid future oversights of conditions on lots in the future, however, for the current situation, the Major Revision is appropriate to correct the situation and bring the lots into compliance.
- Staff recommends approval.

Chairman Cox stated this was a public hearing and asked if the applicant was present. Applicant present, but did not provide any additional information.

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

Commissioner Futch made a motion to approve RZ21-09-06, Major PUD (Planned Unit Development) Revision, Tax Map 075 Parcels 071-075, 1.05 +/- acres, located at 2218, 2220, 2222, 2224, and 2228 Laurens Street, and currently zoned PUD (Planned Unit Development). Commissioner Wilder seconded the motion. The motion carried unanimously.

(H2g5) VA21-09-03, Variance to Section 90-53 *List of Lot & Structure Requirements*, Tax Map 035B Parcel 027, 0.8 +/- acres, located at 3821 Lady Court, and currently zoned R-4 (Recreational Residential).

Staff member Danielle Montgomery stated the following:

- This is a request for a variance to Section 90-53 *List of Lot & Structure Requirements* for property located at 3821 Lady Court on 0.8 +/- acres and zoned R-4 (Recreational Residential) to reduce the rear building setback for a deck.
- The subject property is located at the end of Lady Court, off Keg Creek Drive, and is currently zoned R-4 (Recreational Residential).
- Surrounding properties are all zoned R-4, and include the Corps of Engineers property to the south.
- The applicant is requesting to reduce building setbacks for a deck being built on the back of the house.
- The applicants did submit for and receive building permits to remove an old deck and replace it with a larger deck.
- The setbacks of the new deck from the property lines were not shown on the submitted plan.
- The building permit was approved, with a note on the transmittal that setbacks of 10 feet were required.
- The deck is now under construction, and based upon the footing inspection by the County inspector, the deck will be approximately 1 foot off the property line when complete.
- In regards to the lot itself, it is a nonconforming R-4 lot, being less than 40,000 square feet, and is somewhat oddly shaped.
- The lot also adjoins the Corps property around the lake, and like many lakefront properties, the applicants have sought to take advantage of this location by building the house and deck at the rear of the lot.
- With the Corps as the adjacent property owner, there is little impact to the neighborhood or surrounding properties from reducing the rear setback on this lot.
- The applicants have been in communication with the Corps, and staff has confirmed with the Corps that they have no concerns with the reduced setback, provided that no improvements trespass onto Corps property.
- Staff recommends to approve with condition:

Condition

Planning:

The reduced setback applies only to the existing house and deck under construction. Any additional structures constructed must comply with the building setbacks.

Chairman Cox stated this was a public hearing and asked if the applicant was present. Applicant present, but did not provide any 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 VA21-09-03, Variance to Section 90-53 *List of Lot & Structure Requirements*, Tax Map 035B Parcel 027, 0.8 +/- acres, located at 3821 Lady Court, and currently zoned R-4 (Recreational 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 6:56 p.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