

# Planning Commission



## Minutes of the Thursday, August 20, 2020 Regular Meeting

### *Members of the Planning Commission*

Briton Williams

*Chair*

Leonard Carter, Jr.

Timothy V. Key

Larry Watts

Bob Clark

JoAnn McKie

Dr. Christine Crawford

1. **Call to Order**– The regular meeting of August 20, 2020, having been duly publicized, was called to order at 7:00 p.m. and conducted via teleconference.
2. **Roll Call**– Members present via teleconference were Chairman Briton Williams, Commissioners Timothy Key, JoAnn McKie, Dr. Christine Crawford, Larry Watts, and Bob Clark. Commissioner Leonard Carter was absent. Also in attendance were Libby Hodges, Director of Planning and Development, Jim Clifford, City Administrator, Jim Price, David Banks, Glynn Bruker, Mason Harbin.
3. **Approval of Minutes** – The minutes from the Regular Meeting of July 16, 2020 were approved as written.
4. **Confirmation of Agenda** –There were no changes to the agenda.

Chairman Williams acknowledged and welcomed the new City Administrator, Jim Clifford to the Planning Commission meeting. Mr. Clifford thanked Mr. Williams and the Commissioners for the opportunity be part of the forum.

5. **Application RZM20-003**—A request by WTC of Martintown, LLC to rezone ±.45 acres located at 1132 Frances Street, TPN 007-16-01-001 from R-10, Medium Lot, Single-Family Residential to GC, General Commercial.
  - a. Consideration of Application RZM20-003
  - b. Recommendation to City Council

Chairman Williams read the application summary for Application RZM20-003. He opened the public hearing at 7:12 p.m. and asked Mrs. Hodges if she had any information she would like to share.

Mrs. Hodges stated this is a property at 1132 Frances Street located at the corner of Atomic Road and East Martintown Road and it is currently zoned R-10 and the adjacent property is zoned GC.

Chairman Williams questioned if the staff evaluation of the proposal refers to where the bike path ends on Atomic Road. Mrs. Hodges replied that SCDOT recently did a lot of improvements down Atomic Road but did not round the corner to Martintown Road.

Chairman Williams asked for questions from the Planning Commission for Mrs. Hodges. There were none.

Chairman Williams asked if the applicant had any comments.

Mr. Jim Price, representing the applicant, gave a brief description of the proposed project.

Chairman Williams asked for questions from the Planning Commission for the applicant.

Commissioner McKie questioned if there was the possibility of putting up a privacy fence. Mr. Price explained the adjoining property is a rental property, they were contacted to see if they wanted to purchase it, and they are wanting to upgrade the gas station. He stated if a security fence or a privacy fence is required to inhibit the view of the rear of the store they would entertain the idea in the planning process.

Chairman Williams asked if there were any comments submitted from the public. Mrs. Hodges replied yes. She read to the Commission an email from Mr. Darrell Gilliland who is in opposition of the rezoning (remarks attached). Mrs. Hodges stated Mr. Gilliland also provided a petition opposing the rezoning and is signed by twelve members of the adjacent neighborhood that will be included in the minutes of this meeting. She also read an email from Mrs. Janitsa Cofresi Werts stating her reasons for being in opposition of the rezoning.

Mrs. Hodges announced a correction to the staff report cover stating this will be in the HC Overlay.

Chairman Williams asked Mr. Price if he had a response to the public comments. Mr. Price replied they are cognizant of the neighborhood that is around this existing facility. He said they are enhancing the viability of this project, it will look better and function better, and they are not adding any ingress or egress. Mr. Price stated they will increase the buffering that is surrounding the area.

Chairman Williams asked for clarification that Mr. Gilliland and Mrs. Wertz are renters and Mr. Price is dealing with the owner. Mrs. Hodges replied that Mr. Gilliland owns his house. Mr. Price stated that he is talking with the owner of the rental property.

Commissioner Key questioned what the required buffer is for a commercial building. Mrs. Hodges replied 15-feet which would have to be planted to the standard. She explained that it would be 1+1 tree per 50-feet for a large tree, and 1+1 per 50-feet for a small tree, and at least .7 buffer points per linear foot.

Commissioner Crawford questioned if there were any allowances since it is a residential neighborhood, the concerns with the layout, and there being a dumpster near someone's home. Mr. Price replied yes, and once work is begun they will enhance the green area at the rear setback of the property and if there is a need for a privacy fence they would not have an issue putting up one.

Commissioner McKie questioned if the Commission can adjust the number of trees or shrubbery to enhance the buffer and then having the fence. Mrs. Hodges replied there is currently no credit system for fences instead of buffer planting and there is no way to do that within the current code.

There being no further questions, Chairman Williams closed the public hearing at 7:29 p.m. and asked the Commissioners for any further comments.

Commissioner Key stated he is in agreement that an existing commercial use and expansion will suite the area better but he wants to shield the residents to the commercial aspect of moving down that corridor taking place and make sure the neighbors are buffered in that particular zone.

Commissioner Crawford concurred with Commissioner Key.

Chairman Williams stated his biggest issue is the buffering and feels for those residents that commented on the rezoning.

Commissioner Watts stated he is in agreement with the privacy fence and would hope that the applicant would see fit to do that even though he is not required to.

Commissioner Clark stated the buffering that is there now is essentially the same as that is that is going to be placed on the other side of the property and the house that is there now has been connected to the gas station in the same manner with no more buffer than the trees. He said when the gas station was put there no other buffer was required.

Commissioner McKie stated she understands the privacy fence is not required and the applicant is trying to make it a better situation with the neighbors.

There being no further comments Chairman Williams invited the Planning Commission to make a motion.

Commissioner Clark motioned to recommend that the City Council approve Application RZM20-003 a request by WTC of Martintown, LLC to rezone ±.45 acres located at 1132 Frances Street, TPN 007-16-01-001 from R-10, Medium Lot, Single-Family Residential to GC, General Commercial. Commissioner McKie offered a second and the motion passed by a 4 to 1 vote with Commissioner Clark, Commissioner Watts, Commissioner McKie, and Chairman Williams voting in approval and Commissioner Crawford voting in opposition. Commissioner Key abstained.

6. **Application RZM20-004**—A request by Glynn Bruker to rezone ±2.02 acres located on West Five Notch Road, TPN 005-19-06-005 from PD, Planned Development to R-5, Mixed Residential.
  - a. Consideration of Application RZM20-004
  - b. Recommendation to City Council

Chairman Williams read the application summary for Application RZM20-004. He opened the public hearing at 7:41 p.m. and asked Mrs. Hodges if she had any information she would like to share.

Mrs. Hodges stated this is a development previously zoned PD, Planned Development, in 2000-2002 and they are requesting to change it to R-5, Mixed Residential. Their intention is to build single-family townhomes. She said as noted on all our projects that come through with R-5 there are several other residential types that are allowed in the R-5 zoning.

Commissioner McKie recused herself from the project application.

Chairman Williams asked for questions from the Planning Commission for Mrs. Hodges.

Chairman Williams questioned if it is common for a PD to use a shared driveway. Mrs. Hodges replied that in this case it was the best decision that could be made at the time and a lot of our PD's are a lot bigger now so it is a very different situation. She said she does not see it as completely unusual but this one is different because it is a small piece of property.

Chairman Williams asked if the applicant had any comments.

The applicant, Mr. Glynn Brucker, gave a brief description of the proposed project.

Chairman Williams asked if there were any comments submitted from the public. Mrs. Hodges replied no.

Chairman Williams asked for questions from the Planning Commission for the applicant.

Commissioner Clark questioned if there were going to be 16 townhomes or 12. Mr. Brucker answered 12 and he is purchasing the property next to it and there will be an additional 4 townhomes for a total of 16.

There being no further questions, Chairman Williams closed the public hearing at 7:50 p.m. and asked the Commissioners for any further comments.

Commissioner Watts stated in his opinion this looks like an appropriate project for this area.

After further discussion, all comments and questions were addressed.

Commissioner Clark motioned to recommend that the City Council approve Application RZM20-004 a request by Glynn Bruker to rezone  $\pm 2.02$  acres located on West Five Notch Road, TPN 005-19-06-005 from PD, Planned Development to R-5, Mixed Residential. Commissioner Crawford offered a second and the motion passed unanimously.

7. **Application MW20-003** – A request by HR Developers, LLC for approval of a waiver from the property line buffer requirements of Article 10, Landscaping, of the North Augusta Development Code. The request affects approximately  $\pm 1.43$  acres within the HC, Highway Corridor Overlay District zoned GC, General Commercial and located near the corner of Walnut Lane and Edgefield Road, TPN 010-10-04-062.
  - a. Consideration of Application MW20-00

Chairman Williams read the application summary for Application MW20-003. He opened the public hearing at 7:53 p.m.

David Banks, Engineer with Southern Partners, Inc., speaking on behalf of the applicant was sworn in by Vice-Chair Commissioner Clark.

Mason Harpe and Stan Harpe, of HR Developers, LLC, speaking on behalf of the applicant were sworn in by Vice-Chair Commissioner Clark.

Chairman Williams asked Mrs. Hodges if she had any information she would like to share.

Mrs. Hodges stated this request is for two general commercial lots which have not been divided yet and this request is in anticipation of having the property divided in half.

Chairman Williams asked for questions from the Planning Commission for Mrs. Hodges.

Chairman Williams confirmed that the applicant has received BZA approval for setbacks. Mrs. Hodges replied yes.

Chairman Williams asked if the applicant had any comments.

Mr. Banks explained that the requested buffer variance is to allow the project to be developed as one development, but it will have two property owners. He said though they meet the parking requirements for each lot there will be shared parking with connectivity between the two with driveways, and there is handicap accessibility that crosses the property line and they feel the buffer variance is needed for these reasons.

Chairman Williams asked if there were any comments submitted from the public. Mrs. Hodges replied no.

Chairman Williams asked for questions from the Planning Commission for the applicant.

There being no further questions, Chairman Williams closed the public hearing at 7:57 p.m. and asked the Commissioners for any further comments.

After some discussion and reviewing the findings of fact, the Commission found in the affirmative that Criteria 1, 2, 3, 4, and 5 met all the standards required to issue the waiver.

Chairman Williams asked for a motion from the Planning Commission.

Chairman Williams motioned that Application MW20-003 a request by HR Developers, LLC for approval of a waiver from the property line buffer requirements of Article 10, Landscaping, of the North Augusta Development Code. The request affects approximately ±1.43 acres within the HC, Highway Corridor Overlay District zoned GC, General Commercial and located near the corner of Walnut Lane and Edgefield Road, TPN 010-10-04-062 of the North Augusta Development Code be granted with the following agreements and/or conditions:

1. Final approval of the Major Site Plan application will be granted by staff when the plans are in substantial compliance with the requirements of the North Augusta Development Code and any proposed conditions recommended by the Planning Commission in regard to the Major Waiver application.
2. The waivers granted apply only to this project and will not apply to any future development on the site should this plan not be developed.
3. If the site plan is substantially revised, the site plan and any additional waivers will require Planning Commission as determined by the Planning Director.

4. Minor alterations to the site plan, as determined by the Planning Director, will adhere as closely as possible to the requirements of the Development Code and this waiver.

Commissioner Crawford offered a second. The Planning Commission unanimously voted in favor of approval of the Major Waiver request.

8. **Application SP20-003**—A request by HR Developers, LLC for approval of a Major Site Plan application for an Arby's/Starbucks development on approximately ±1.43 acres zoned GC, General Commercial and located near the corner of Walnut Lane and Edgefield Road, TPN 010-10-04-062. The property falls within the HC, Highway Corridor Overlay District.
  - a. Consideration of Application SP20-003

Chairman Williams read the application summary for Application SP20-003. He opened the public hearing at 8:05 p.m. and asked Mrs. Hodges if she had any information she would like to share.

Mrs. Hodges stated this is the final approval that the Planning Commission must give us to make sure any comments are addressed, and the final site plan is issued.

Chairman Williams asked for questions from the Planning Commission for Mrs. Hodges. There were none.

Chairman Williams asked if the applicant had any comments.

David Banks, Engineer with Southern Partners, Inc., speaking on behalf of the applicant gave a brief description of the proposed project.

Chairman Williams asked what the timeline is for the beginning and completion of the project. Mr. Stan Harpe, of HR Developers, LLC, replied that they would like to begin in November 2020 for a spring opening for both stores.

Chairman Williams asked for questions from the Planning Commission for the applicant.

There being no further questions, Chairman Williams closed the public hearing at 8:09 p.m. and asked the Commissioners for any further comments.

There being no further comments Chairman Williams asked for a motion from the Planning Commission.

Commissioner Key motioned to recommend that the City Council approve Application SP20-003 a request by HR Developers, LLC for approval of a Major Site Plan application for an Arby's/Starbucks development on approximately ±1.43 acres zoned GC, General Commercial

and located near the corner of Walnut Lane and Edgefield Road, TPN 010-10-04-062. The property falls within the HC, Highway Corridor Overlay District. Commissioner Watts offered a second and the motion passed unanimously.

#### **9. Staff Report**

Mrs. Hodges presented the July Performance Report.

Mrs. Hodges stated the Steering Committee for the Development Code rewrite has been appointed and we are looking at having a kick-off meeting in early to mid-September. Currently Bob Clark and Dr. Christine Crawford will be representing the Planning Commission.

Mrs. Hodges stated the Knobcone Sidewalk Project is under a public comment period and once the public comment period is over, we will be able to proceed with bidding and having the work started. There is no further action needed. Comments can be made through the link on the web page. She explained that under the same program there is a Greenway Extension project to Mayfield Drive. It is early in the process and further information will be forthcoming.

Mrs. Hodges stated the ARTS 2050 Metropolitan Transportation Plan will hopefully be adopted September 6, 2020.

Mrs. Hodges stated she is currently writing the Request for Proposals for a study of Georgia Avenue and the overall transportation plan. She said the funds have been approved from ARTS and it is a 20% match from the City.

Mrs. Hodges stated we are waiting on some final transportation study information on the Martintown Road study from some of the adjacent property owners and as soon as that is received we will be able to finalize the study. She said some of the initial findings have been forwarded to Council for review and a few comments have been received.

Mrs. Hodges stated there are a few projects that are happening outside of Planning that are through SCDOT and one of them is the paving of Exit 1 for the improvements where the light is going to go and should be paved in the next couple of weeks assuming there are no delays.

Mrs. Hodges stated the light at Bergen Road is in final design and there are a few utility conflicts that are being worked out.

Mrs. Hodges reminded the Commissioners to do their on-line training. She said she does not foresee any in-person training happening. Mrs. Hodges said the training is free and can be done on your own time and asked that when the training is completed that the Certificate of Completion be sent to her.



Mrs. Hodges stated there are several annexations along Mae Street area to clarify City limits that run through parcels. She explained these annexations are for the Next Generation 911 service that will switch over in late October 2020.

Mrs. Hodges stated we will be sending out letters to some addresses in the City that will need to be changed. She explained this mainly to deactivate addresses where buildings have burnt down or have been removed.

Mrs. Hodges stated that Code Enforcement is a little slow right now, and we are managing. She said we have cleared any backlog that we have had.

Chairman Williams asked Mrs. Hodges to give an overview of the Council Study Session being held on August 31, 2020 and the 13<sup>th</sup> Street Bridge project. Mrs. Hodges explained this is a Georgia DOT project and they are going to cover the basic structure of the bridge that will be adding a local use lane on one side and a sidewalk on the other side. She said there will be some added width to the bridge and it will be more accessible than it currently is. Mrs. Hodges stated we are working with Georgia DOT in trying to find some funding, decide what type aesthetic improvements we want to make to the bridge, and discuss how the multi-use paths will connect to our greenway.

#### **10. Adjourn**

With no objection, Chairman Williams adjourned the meeting at approximately 8:21 p.m.

Respectfully Submitted,



Libby Hodges, AICP, Director  
Department of Planning and Development  
Secretary to the Planning Commission

#### **Attachments:**

- Email from Darrell Gilliland
- Copy of Petition to Oppose
- Email from Janitsa Cofresi Werts



Attn: Libby Hodges

My name is Darrell Gilliland and I am 57 years old. I have owned this house since 2000, but I have been associated with this house for over 57 years. You see, my Grand Parents owed this home before me. I used to help my Grandfather weld back in the shop behind the house every summer. Every summer my parents would drive us from Alexandria, Va., Charleston, SC, and Va. Beach, Va....wherever we were living at the time. My dad was in the Navy so we tended to be stationed in those areas. But every summer we would make the trip and then after a brief stay, my parents would head back home.

Currently, my home and the one's next to me are zoned R-10, meaning that my property, which is around 19,000 square feet, cannot be divided. My hopes, at one time, was to be able to divide the property into two parcels and build a duplex on the property facing Atomic Road. The State was kind enough to cut me a driveway coming in from Atomic Road when they took my property for the widening project. But after finding out that I could not divide the property, I was stuck. That dream was gone.

Now you tell me that this Corporation is wanting to buy the property next to me and enlarge their property which is now going to be closer to my bedrooms. I now am going to have no buffer to deaden the Trash Truck when it picks up the trash or the fuel trucks delivering the fuel. Hopefully, you are not going to tell me that this corporation is going to be able to get the city members to approve this change from R-10 to Commercial simply because they are a corporation and I am only a peon.

This change...if allowed to happen will decrease whatever property values that we have. Will destroy the house next to me which has been there for over 60 years and evict a nice couple that has two young boys, one who just turn 16 and got his license.

Please do not allow this to happen.

Darrell Gilliland

1130 Frances Street

# PETITION TO OPPOSE

I am **opposed** to the proposed rezoning of +/- .45 acres of land located at 1132 Frances St., Tax Parcel Number 007-16-01-001 from R-10, Medium Lot, Single Family Residential to GC, General Commercial

Name	Address	Signature	
EQUIGATE	1127 FRANCES ST	<i>EQUIGATE</i>	O
Jorge Lopez	1122 Frances St.	<i>Jorge Lopez</i>	O
Richard Ventres	1120 Frances ST	<i>Richard Ventres</i>	O
Vanessa	1114 Frances ST	<i>Vanessa</i>	O
Danette Harmon	1112 1/2 Frances St	<i>Danette Harmon</i>	O
Leonika Toribio	1113 FRANCES ST	<i>Leonika Toribio</i>	O
Russell E. Hensley Jr	1117 FRANCES ST	<i>Russell E. Hensley Jr</i>	O
SOSC FRANCISCO	1119 FRANCES ST	<i>SOSC FRANCISCO</i>	R
* Brandon Neuman	1132 Frances St	<i>Brandon Neuman</i>	R
Dale Alexander	1131 Frances St	<i>Dale Alexander</i>	O
Benito Ramirez	112 SHORT ST	<i>Benito Ramirez</i>	O
Christopher Pates	1128 Frances St	<i>Christopher Pates</i>	R

## Cook, Lisa

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**From:** Hodges, Libby  
**Sent:** Thursday, August 20, 2020 6:15 PM  
**To:** Cook, Lisa  
**Subject:** FW: Rezoning of 1132 Frances Street

Please include in minutes.

**From:** Janitsa Cofresi Werts [mailto:janitsa.a.cofresiwarts@gmail.com]  
**Sent:** Thursday, August 20, 2020 5:12 PM  
**To:** Hodges, Libby <LHodges@northaugusta.net>  
**Subject:** Rezoning of 1132 Frances Street

Hello, I am Janitsa Cofresi Werts and my husband (Brandon Newman) along with our 2 sons aged 14 and 16 have been residing in the house 1132 Frances Street, North Augusta, SC, 29841 since 2016 when I was an active duty soldier stationed at Fort Gordon, GA and a 68- C (Army Nurse) at Dwight D. Eisenhower Army Medical Center. I was medically retired from the US Army in 2018 due to a sexual assault that was inflicted upon me. Currently I am not working. I am a disabled Veteran and I go to VA appointments regularly. My husband is a type 1 Diabetic and works at Crossroads Building Supply here in North Augusta and our sons attend school at North Augusta Highschool, 9th and 11th grade.

If the house is torn down, we have no where else to go.

My youngest son is asthmatic and my husband is immune compromised due to complications from his juvenile diabetes. This is not a time to have to move around and uproot my family during a pandemic. Please keep us informed as we are a renter who has always paid the owner the rent on time and feel as we are not being informed to what is all going on and we have no other place lined up to move to. I have no family in this area and as a Veteran with children I feel as I'm not being represented the way I should be. If please someone could call me on my cell at 337- 378- 4207. Thank you for your time and prompt response.

v/r,

Janitsa Cofresi Werts