

GREATER LOWNDES PLANNING COMMISSION
MEETING MINUTES
325 WEST SAVANNAH AVENUE
Monday, July 26, 2021 – 5:30 PM

GLPC Commission Members Present: Franklin Bailey, Vicky Biles, Calvin Graham, Ed Hightower, Lou McClendon, Steve Miller, Vicki Rountree (Chairperson), Debbie Sauls, Chris Webb, Chip Wildes

GLPC Commission Members Absent: Johnny Ball, Tommy Willis

Staff: Matt Martin, City of Valdosta/Hahira Planning & Zoning Administrator; JD Dillard, Planning & Zoning Director; Trinni Amiot, Lowndes County Planner (Clerk)

VISITORS PRESENT:

(Sign-In sheet available in file)

CALL TO ORDER, INVOCATION, PLEDGE OF ALLEGIANCE

Chairperson Rountree called the meeting to order at 5:30 p.m. and welcomed everyone to the GLPC meeting. Chairperson Rountree explained that the Planning Commission serves as an advisory (recommending) body to the local member governments regarding land use requests, and the final determination of the requests presented at this meeting will be made by the applicable local governments. Chairperson Rountree explained the meeting procedures and announced the dates of the public hearing for the local member government, as listed on the agenda.

Chairperson Rountree asked Commissioner McClendon to lead the Pledge of Allegiance followed by the Invocation.

Agenda Item #2

Approval of the Meeting Minutes: June 28, 2021

Chairperson Rountree called for additions, questions, and corrections of the June 28, 2021, GLPC meeting minutes. There being none, Chairperson Rountree called for a motion. Commissioner Hightower made a motion to approve the June 28, 2021, meeting minutes as presented. Commissioner Graham second. All voted in favor, no one opposed. Motion carried.

Agenda Item #3

CU-2021-03 SHJ Construction Group (3205 Inner Perimeter Road) CUP for a Car Wash and Quick Oil Change business in a C-C zoning district.

SHJ Construction Group is requesting a Conditional Use Permit (CUP) for a Car Wash and Quick Oil Change business in a Community Commercial (C-C) zoning district. The subject property is located at 3205 Inner Perimeter Road, which is along the north of the street,

about 600 feet west of North Oak Street Extension. This property is the former "T3 Outdoors" sales lot, which has been vacant for some time. The applicant is proposing to completely redevelop the property as an "Auto Spa" commercial center consisting of a freestanding tunnel car wash building, 16 separate covered vacuum bays, and a quick oil change business (3 bays) on a separate parcel. The site will feature shared access drives and internal traffic circulation, along with a planted buffer yard along the northern border with a solid opaque fence, and heavy landscaping throughout which is promised to exceed the City's minimum requirements for new development.

The subject property is located within a Community Activity Center (CAC) Character Area on the Future Development Map of the Comprehensive Plan. The property is also located with the Urban Commercial Corridor Overlay District (UCCOD).

The subject property is part the built-out commercial corridor along the westernmost segment of Inner Perimeter Road, between North Oak Street Extension and North Valdosta Road. The property has always been zoned and developed for commercial uses. In C-C zoning, the main purpose for these proposed uses to obtain a CUP approval is to ensure that the proposed site layout and overall magnitude of the proposed use(s) is compatible with less-intensive uses which are sometimes within or in close proximity to C-C zoning. In this case, the property fronts a very busy Arterial roadway and there are other automotive-related uses nearby (such as a gas stations and self-service car wash). When also considering the other nearby commercial uses that include restaurants and even a self-storage facility, the proposed uses will fit in well with this established commercial corridor. The only potential area of concern is the adjacent neighborhood to the north, which could be adversely impacted by a noisy commercial use that operates during nighttime hours. Development in C-C zoning requires a landscaped Buffer Yard along this northern boundary, and there is already dense vegetation and an 8' opaque fence along this border. This already helps mitigate any compatibility issues. The applicant is also proposing to limit their hours of operation from 8am to 8pm daily, and this kind of reasonable limitation should be included in any conditions of CUP approval.

Staff Recommendation: Find consistent with the Comprehensive Plan and the Conditional Use Review Criteria, and recommend approval to the City Council, subject to the following conditions:

1. Approval shall be granted for an automotive Car Wash and Quick Oil Change business facilities in C-C zoning, in general accordance with the submitted site layout plan.
2. The required landscaped buffer yard along the north property line shall include the existing vegetation to be fully maintained along with the solid fence.
3. Hours of operation for these uses shall be within a daily timeframe of 7:00am to 9:00pm.

4. Conditional Use approval shall expire after 2 years from the date of approval if building and site development plans have not been approved and there is no request for building permit(s) by that date.

Several Commissioners had questions regarding an increase in traffic, buffering, and demolition of the existing buildings and parking lot.

Speaking in favor of the request:

- Jack Langdale
- Marty Murphy

Mr. Langdale stated he represents the applicant and can assure the buffering will be in excess of the requirements. Mr. Murphy also represents the applicant and stated the parent company strives for a nice looking business and goes above and beyond to present a charming business location for the community.

Speaking against the request:

- Ben Meney

Mr. Meney lives to the rear of the subject property and had questions regarding noise, light, traffic, fences and buffering. Mr. Murphy stated the parent company takes in to consideration all these things and assured Mr. Meney that these items would be addressed to avoid any distress to the adjacent property owners.

There being no further discussion, Chairperson Rountree called for a motion. Motion by Commissioner Bailey to recommend approval of the request with modifications to Condition #2, Commissioner Miller second. All in favor, no one opposed. Motion carried.

The approved motion is:

1. Approval shall be granted for an automotive Car Wash and Quick Oil Change business facilities in C-C zoning, in general accordance with the submitted site layout plan.
2. The required landscaped buffer yard along the north property line shall include the existing vegetation to be fully maintained.
3. Hours of operation for these uses shall be within a daily timeframe of 7:00am to 9:00pm.
4. Conditional Use approval shall expire after 2 years from the date of approval if building and site development plans have not been approved and there is no request for building permit(s) by that date.

Agenda Item #4

VA-2021-15 SW North Valdosta LLC (3277 North Valdosta Road) Rezone 0.59 acres from R-15 to C-C.

SW North Valdosta LLC is requesting to rezone 0.59 acres from Single-Family Residential (R-15) to Community Commercial (C-C). The subject property is located at 3277 North Valdosta Road, which is along the south side of the road immediately east of the Dollar General store. The property is currently vacant and the applicant is proposing to develop this as a small fast food restaurant (1,650-sf) with drive-thru.

The subject property is located within a Community Activity Center (CAC) Character Area on the Future Development Map of the Comprehensive Plan, which allows the possibility of C-C zoning. The property is also located within the Urban Commercial Corridor Overlay District (UCCOD).

The existing land use pattern in this area is dominated by commercial uses, although there are some office type uses along the corridor to the east. The existing zoning pattern reflects the same mixture, with R-P zoning to the east and C-H zoning elsewhere along the corridor. The existing R-15 zoning is non-compliant within the CAC Character Area (not intensive enough) and it is simply a remnant carryover from the Castle Creek residential development to the south. The residential streets of this neighborhood are no longer planned to connect through the subject property area to North Valdosta Road, which leaves the subject property's only physical means of access being along its frontage with North Valdosta Road. Maintaining such a low intensity zoning along this frontage is illogical under today's development pattern. Although less intensive than the dominant C-H zoning along this corridor, the applicant's proposed C-C zoning matches the actual "land use" pattern of the area and is more compatible with the adjacent R-P zoning to the east and other R-15 zoning to the south.

Staff Recommendation: Find consistent with the Comprehensive Plan and the Standards for the Exercise of Zoning Power (SFEZP) and recommend approval to the City Council.

Speaking in favor of the request:

- Jason Fritz

Mr. Fritz offered to answer any questions the Commissioners may have. Commissioner Bailey asked if there was a tenant in place? Mr. Fritz responded not yet. Commissioner Miller asked about multiple franchises? Mr. Fritz responded yes.

No one spoke against the request.

There being no further discussion, Chairperson Rountree called for a motion. Motion by Commissioner Hightower to recommend approval of the request as presented, Commissioner Webb second. All in favor, no one opposed. Motion carried.

Agenda Item #5

VA-2021-16 Uvalde Land Co. (Cherry Creek – Withlacoochee River) Deannex 310 acres from the City of Valdosta.

Uvalde Land Company LLC, represented by James Warren, is requesting to deannex 310 acres from the City of Valdosta. The subject property is the City portion of the "Cherry Creek Wetlands Mitigation Bank" property which is located between the Withlacoochee River and the Cherry Creek residential neighborhoods. The applicant's stated reason for the deannexation is to use it "for wildlife management and recreational use". Pursuant to State law, the Lowndes County Commission has already adopted a Resolution formally "consenting" to the deannexation, however the final decision for such deannexations rest with the City Council. It should be noted that the property is currently zoned R-15 in the City, and there has been no discussion of any proposed zoning for this property in Lowndes County, and a rezoning application has not yet been submitted to County staff.

The property is located within the Parks / Recreation / Conservation (PRC) and the Linear Greenspace /Trails (LGT) Character Areas on the Future Development Map of the Comprehensive Plan which supports both residential and conservation-related zoning districts. The property is adjacent to the unincorporated area of Lowndes County. Deannexation of this property would not create any "islands" of incorporated area and it is therefore eligible for consideration under State law.

Brief history. The subject property was part of a family farm estate that would later be sold off and eventually developed into the Lake Laurie, Cherry Creek Hills, and Cherry Creek North subdivisions that we know today. These subdivisions slowly started developing about 50 years ago on individual parcels - primarily around the shoreline of the central lake (Lake Cleve, a.k.a. Cherry Creek Lake). Most all of the property was annexed into the City in the 1970's and it continued developing as the early phases of the now-existing subdivisions. The only portions that remained in the County were these few small pockets of land (individual homesites) around the lake (and these were later annexed into the City as part of the "Islands Annexation" in 2006). The bulk of the remaining undeveloped land (including the subject property) was conveyed to the University of Georgia (UGA) and then later sold to local developers in 1994. In 2001, the subject property was included as part of the developers' creation of the 'Cherry Creek Wetlands Mitigation Bank", and this was later conveyed to the UGA "Arch Foundation" in 2007. The applicant acquired the subject property from the Arch Foundation in March 2020.

Deannexation requests are reviewed and processed in a similar manner as annexation, but in reverse. As required by State law, the applicant has already received a Resolution of support from the Lowndes County Commission consenting to the deannexation (see attached). However, just like an annexation request, the final decision for deannexation rests with the Valdosta City Council and the decision is purely discretionary. Deannexation requests are very rare, and the last such request was by Scott Houser in 2013 (Stallings

Road) which was unanimously denied by City Council. Previous to that, the latest request was an approval in 1998 (5 acres along Lloyd Jackson Rd).

Many of the same factors and rationale considered for an annexation, are also considered for a deannexation. In this case, these reduce down to two main areas: land use and "potential development" as it relates to physical access, and City provision of utilities and other services. Because any future bridge crossing of the Withlacoochee River in this area would be extremely unlikely, and this property being located wholly on the east side of the river bank, any access to this property must come from the east side of the river --- which means "through the city limits". This would hold true for ANY form of development access, public/landowner access, public utilities, fire/police protection, or emergency medical response. Lowndes County is simply not able to provide any of these in an adequate manner from the west side of the river. In terms of the existing R-15 zoning, wildlife management and passive recreation are already Permitted Uses in the City R-15 zoning (as long as there is no discharge of a firearm). Additional recreational uses (active) might also be available in the City's "E-R" zoning, either as a Permitted Use or with a CUP approval. Therefore, based on the applicant's stated intentions, staff does not recognize any legitimate or sufficient reason why this property should be deannexed – particularly since the property has been in the city limits for more than 40 years and the applicant has only owned the property for barely the past 1 year.

Furthermore, it should be pointed out and emphasized that the applicant still has NOT petitioned nor discussed any requested Zoning designations with Lowndes County planning staff. It is believed that the County's "Conservation (CON)" zoning classification would be the most logical choice, since that is the designation on the remaining county-portion of the Mitigation Bank property and is the same zoning that elsewhere follows the boundaries of the river floodplain. However once deannexed, the City of Valdosta has no jurisdiction or purview over what the approved County zoning would be.

Nonetheless, the main question in reviewing any deannexation request is "Why?" and there is simply no compelling adequate reason(s) which support this particular request. If the property is truly to remain undeveloped and in a primarily natural state like it has for the past 40+ years, then leaving it in the city limits is clearly the best choice. This is particularly true if for no other reason than the City's access and protective services, and "if" there should be any form of a development proposal for this property (or a portion thereof) in the future. And because of these same reasons, staff would further encourage the applicant to go ahead and ANNEX the remaining portion of the Mitigation Bank property so that all of the property would be under one jurisdiction. This would also serve as a logical means of "rationalizing the City boundaries" by making the property lines along the River channel match the city limits line, like it does in many other places.

Staff Recommendation: Find inconsistent with the Comprehensive Plan and recommend denial to the City Council. Staff also formally recommends that the applicant pursue

voluntary annexation of the remaining portion of the "Cherry Creek Wetlands Mitigation Bank" property.

The Commissioners had several questions regarding: land use, letters of opposition, code reference, mitigation bank, adjacent property owners, current zoning, development potential, and road frontage. Mr. Martin answered those questions to the best of his knowledge.

Speaking in favor of the request:

- James Warren

Mr. Warren is the property owner and stated the covenants restricting many activities are for the lifetime of the property. He stated this property will always be in the mitigation bank and he has no plans to develop it. The Commissioners had questions concerning mining of the property, future development (not allowed), construction of a dwelling (not allowed), logging (no access to the property for log trucks), the rezoning process, and hunting.

Speaking against the request:

- Gretchen Quarterman
- Jim Tunison
- Brian Browning

Comments against the request centered on the environmental sensitivity of the property, the possibility of removing the restrictions, the cost per acre of the purchase, the outdoor recreational use of adjacent property could be hindered, the precedence set for deannexation in the area.

Additional questions from the Commissioners in regards to the year the property was sold and the potential to rezone.

There being no further discussion, Chairperson Rountree called for a motion. Motion by Commissioner Graham to recommend denial of the request as presented, Commissioner Wildes second. Those voting in favor of the recommendation to deny: Commissioners Biles, Graham, Miller, Sauls, Webb, and Wildes. Those voting against the recommendation to deny: Commissioners McClendon, Bailey, Hightower. Motion carried.

Agenda Item #6

REZ-2021-12 US Hwy 84W (I-75 Industrial Park), Hwy 84W & Wetherington Lane, 0058 082, 282.05 ac., M-1/M-2/P-D to M-1/M-2/P-D (Amendment).

This case represents a request by the applicant to amend the P-D portion of an approved site plan from 2010 to allow the use of solar arrays. The ~542-acre subject property is bounded by landfills to the west and two residential subdivisions to the east (Westwood

Estates ~85 Residences and Loch-Winn Farms ~120 Residences). The northern property is largely agricultural/forestry with the exception of one residence adjacent to the northwestern corner of the subject property. The southern property is a mixture of highway commercial/light industrial uses. From a planning standpoint a transition from the intensive uses to the west to the non-intensive uses to the east was the vision for this property. That transition is currently supported to the level of Highway and General Commercial on the Future Development Map. Solar arrays have been added to the I-S zoned portion, currently owned by the City of Valdosta as a wastewater treatment plant.

Staff has reviewed the request and concluded that a solar panel array such as this is not allowed in a P-D zoning district. A P-D is intended for projects that include interrelated residential, commercial, and office uses, unified by a development plan. A solar panel array is not consistent with this intent.

Intensive Service (I-S) zoning specifically allows for "... private facilities for... energy generation...which may require environmental permits."

The current site plan approved in 2010 is binding on all future use and development. A P-D Amendment requires a new, fully compliant site plan. Staff has not been presented with a new, fully compliant P-D site plan.

In addition, a solar panel array does not fit within the M-1 or M-2 zonings, as M-1 districts are intended for "warehousing, assembly, storage, and commercial services," while M-2 districts are for "manufacturing, assembling, storage, distribution, and sales activities that are generally high intensity."

Staff is supportive of a solar panel array on the property. The question is how to achieve to this use consistent with the current ULDC standards. If the application was withdrawn and resubmitted to rezone the property to I-S, Staff would find the request consistent with the intended use of the property.

The Commissioners had questions regarding access, zoning classification, and concerns of the neighbors.

Speaking in favor of the request:

- Jack Langdale

Mr. Langdale stated he represents the owner. The owner has refused offers to sell that would bring more intensive services to the property. He stated solar energy is a perfect fit for the property. The existing berm is in place and will remain. The amendment being requested is to allow for solar panels only. Transmission lines are essential public services, and solar panels are transmission lines.

Speaking against the request:

- Ken Smith
- William Kolb

Comments against the request focused on encroachment, the intensity of the proposed use, noise, pollution, property values, aesthetics, and smell.

Commissioner Miller asked if solar arrays are allowed in the City, Mr. Martin responded yes, in M-1 zoning.

There being no further discussion, Chairperson Rountree called for a motion. Motion by Commissioner Wildes to recommend approval of the request as presented, Commissioner Hightower second. All in favor, no one opposed. Motion carried.

Agenda Item #7

REZ-2021-13 The Val Del Villas, Val Del Rd., 0072 061C, 28.4 ac., P-D to PD (Amendment)

This request represents an amendment to the previously rezoned Val Del Villas Planned Development (P-D). The general motivation in this case is so the subject property can be modified to add additional residential lots and to remove narrative note #7 that states, "ALL BUILDABLE LOTS ARE SIZED APPROPRIATELY FOR A HOUSE TO FIT ON IT WITHOUT ADMINISTRATIVE WAIVERS." For reference, the ULDC Standards for P-D zoning require that any changes to a previously approved P-D site plan must be presented to the GLPC for recommendation and presented to and approved by the Board of Commissioners.

Red Oak Environmental, LLC submitted a request to the U.S. Army Corps of Engineers to determine if the wetlands depicted on the original PD Site Plan for Lot 1 were under the jurisdiction of the Corps, which they were determined not be, and therefore "the placement of dredged or fill material into these wetlands would not require prior Department of the Army authorization" pursuant to Section 404 of the Clean Water Act. This Jurisdictional Determination by the Corps leaves environmental impact mitigation at the discretion of the County, to which the Engineering Department has put forth the following measures.

For all newly platted lots that are adjacent to wetlands, floodplain, drainage ditches, or detention ponds, the following shall be provided:

- A bench mark shall be established at the front property corner for every lot.
- A highwater mark, base flood elevation or hydraulic analysis performed shall establish the 100-year flood elevation established.
- A minimum finished floor elevation shall be established for the lot in question a minimum of 2 feet above the established 100-year elevation.

- A minimum of two soil borings on opposite sides of the proposed foundation shall be completed to determine the seasonal high-water table.
- If the seasonal high-water table is less than one foot from the bottom of the footer elevation, a subsurface drainage system shall be designed by the professional engineer who was responsible for development of the subdivision construction plans and shall be installed
- Before any inspections are performed and signed off on, a Registered Land Surveyor must certify that the proposed finished floor is at or above the minimum finished floor elevation established on the final plat.

Aspects of this case worthy of consideration include the following: 1. The overall intent of Planned Development zoning, 2. The previously designated wetlands and their recent change in jurisdiction, 3. Current growth trends in the area, and 4. The preservation of natural green spaces.

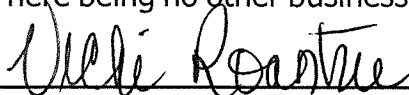
Overall, staff finds this request consistent with the Future Development Map and with the Community Goals of the Comprehensive Plan.

Commissioner Miller had questions regarding the status of the wetlands. Mr. Dillard responded that the US Army Corp of Engineers changed the jurisdiction of the wetlands. Commissioner Hightower asked if those statements from the County Engineer's office are conditions? Mr. Dillard responded no, those are for the final plat.

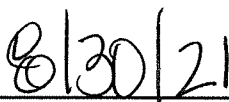
No one spoke in favor of or against the request.

There being no further discussion, Chairperson Rountree called for a motion. Motion by Commissioner Bailey to recommend approval of the request as presented, Commissioner Hightower second. All in favor, no one opposed. Motion carried.

There being no other business, Chairperson Rountree adjourned the meeting at 7:23 p.m.



Vicki Rountree, Chairperson
Greater Lowndes Planning Commission



Date