

**APPROVED MINUTES
PLANNING COMMISSION
Monday, June 21, 2021 at 6:00 PM**

I. CALL TO ORDER

The meeting was called to order by Chair Ed Fuson at 6:00 pm. Members present were Chris Jordan, Chris Kueny, Stockton Wells, Maudra Brown, Robert Power, and Joe Long. Staff present were Tracy Hegler, Wade Luther and Monique Ocean.

II. APPROVAL OF MINUTES

Chris Kueny made a motion to approve the minutes of the May 17, 2021, meeting. Maudra Brown seconded the motion. All were in favor.

III. STATEMENT OF NOTIFICATION

Monique Ocean confirmed that the media and public had been notified of the meeting.

IV. PRESENTATION

Gregory Sprouse, from Central Midlands Council of Governments, came before the Commission to give the status of the updates to the Comprehensive Plan. Mr. Sprouse stated his plans are to have all updates completed and presented to the Planning Commission in September through October time frame. The Planning Commission did not have any questions.

V. PUBLIC HEARING**1. Map Amendment MA003-21**

A request, by the applicant, to re-zone a split zoned property from RS-3 Single Family Residential and C-4 Highway Commercial to C-4 Highway Commercial. The property is located at 1204 Knox Abbott Drive (TMS 004633-06-009).

a. Opening Statement

Chair Ed Fuson discussed the Rules of Order. Mr. Fuson stated that the Planning Commission is a recommending body and final decision is made by City Council. Wade Luther, Planning Director, came before the Commission to issue the opening statement. Mr. Luther stated that the subject property is separated from a residential neighborhood by H Avenue. Mr. Luther stated the rezoning request has been reviewed for compatibility and the requested zoning change complies with the Future Land Use Map. Mr. Luther stated the proposed property is a through lot and subject to zoning regulations for setbacks and buffers. Attorney Robert Fuller came before the Commission, as the representative of the applicant. Mr. Fuller stated the purpose of the rezoning request is to construct a Cookout restaurant with frontage on Knox Abbott Drive. Mr. Fuller stated there is no intention to connect to H Avenue but there is an ability to enter the side of the lot through the Krispy Kreme lot. Mr. Fuller stated the restaurant is primarily take-away and the location has been vetted internally. Mr. Fuller stated his clients are willing to accommodate the residents on H Avenue and the location is mutually beneficial to the City and his clients.

b. Public Comment

Mr. Fuson opened the floor for public comment. Jackie Bantan, 1226 H Avenue, spoke against the rezoning request. Ms. Bantan handed a signed petition to the

Commission and requested protection from noise, crime and rodents. Brian Williams, 1226 H Avenue, spoke against the rezoning request. Mr. Williams stated it is a quiet neighborhood and he requests the split zoning to be left as it is. Keith Adams, 1220 H Avenue, spoke against the request. Theresa Johnson, G Avenue, spoke against the request. Ms. Johnson stated the increased traffic, car lights, drive-thru speaker noise and dumpster smells would have a negative impact on her quality of life. Nancy Drew, 921 M Avenue, spoke against the request. Ms. Drew submitted documents to the Planning Commission for review. Robert Brazell, 1300 H Avenue, spoke against the rezoning request. Mr. Brazell stated he strongly opposes the rezoning and would like to keep neighborhood as it is. Mr. David Burke, of Chapin, SC, and representing 1234 H Avenue, spoke against the rezoning request. Nancy Stone-Collum, 1222 H Avenue, spoke against the rezoning request. Steve Collum, 1222 H Avenue, spoke against the rezoning request. Mr. Collum stated he has a petition of 59 signatures from people in the neighborhood. Mariam Kemmerlin, 1726 McSwain Drive, West Columbia, spoke against the rezoning request and read a letter from her sister Janet Johnston, who is also against the rezoning request. Ms. Kemmerlin confirmed that the Planning Commission was in receipt of a letter pertaining to zoning from 1965. Ann Celorea, 1326 H Avenue, spoke against the rezoning request. Noah Reynolds, 1330 H Avenue, spoke against the rezoning request. No one present spoke in favor of the rezoning request. Mr. Fuller came before the Commission to respond to the comments from the public. Mr. Fuller stated Cookout restaurant has maintained the reputation of being a good neighbor and is attentive to the concerns of the neighborhood. Mr. Fuller stated he has reached out to the neighborhood and that there is no intention to disrupt H Avenue. After inquiry from the Planning Commission, Mr. Luther explained that the Planning Commission may not enact requirements stricter than the minimum for the Zoning Ordinance without a text amendment.

c. Adjourn Public Hearing

Without any further discussion, the Public Hearing Was adjourned.

d. Motion

With no further discussion, Stockton Wells made a motion to deny approval of the request for rezoning, as presented. Maudra Brown seconded the motion. Maudra Brown, Stockton Wells, Robert Power, and Ed Fuson voted in favor of the motion to deny approval of the rezoning request. It was stated that they voted in favor of denying the request to Council because of unclear deficiencies, the voiced concerns of the residents would require more time to research, combining the two lots would create incongruent lots, and the residential area needs to be protected. Chris Kueny, Chris Jordan and Joe Long voted against the motion to deny the request. It was stated that they voted against the motion to deny the request because it is not up to the Planning Commission to set additional buffers, the zoning ordinance is strict, assurances that deed restrictions will supersede zoning regulations, and commercial uses currently exist in the area. So, by a vote of 4 to 3, the Planning Commission voted to recommend denial of the rezoning request for 1204 Knox Abbott Drive.

2. Map Amendment MA004-21

A request, by the applicant, to re-zone property from C-1 Office and Institutional to RG-2 General Residential, High Rise. The property is located at 1407 Dunbar Road (TMS 005766-03-006).

a. Opening Statement

Wade Luther came before the Planning Commission to discuss rezoning of 1407 Dunbar Road. Mr. Luther stated the applicant is applying to rezone the property to RG-2. Mr. Luther stated the rezoning request is in compliance with the Future Land Use Plan. Jessie Brae came before the Commission as the applicant to discuss the rezoning request. Mr. Brae stated the requested zoning complies with the Future

Land Use Plan and RG-2 fits in with the area. Mr. Brae stated the applicant is aware of the requirements of the Infill Development ordinance and is willing to comply.

b. Public Comment

Augusta Thompson, 2019 Middleton Street, spoke against the rezoning request. Ms. Thompson stated she would like to see more single family homes and more green space. Mike Wuest, 1501 Abbott Road, spoke against the rezoning request. Mr. Wuest stated he would like for the property to be used as green space or single family homes. Alexis Moore, 1424 Dunbar Road, spoke against the rezoning request. Ms. Moore stated she would like to see more single family homes. Will Brits, 1600 Granby Road, believes duplexes can create a traffic problem because of more people coming into the area. Jessie Brae returned before the Planning Commission to address comments from the public. Mr. Brae stated the re-zoning request complies with the Future Land Use Map, the property has been on the market for over 18 months before his company decided to purchase, and a traffic study will be completed to ensure traffic problems can be resolved.

c. Adjourn Public Hearing

After no further discussion, the Public Hearing was adjourned.

d. Motion

Joe Long made a motion to recommend that Council approve rezoning the property to RG-2. Chris Kueny seconded the motion. All were in favor. The Planning Commission agreed that the vote to recommend the rezoning request was based on the fact that the requested zoning complies with the Future Land Use Map.

VI. OTHER BUSINESS

There was no other business.

VII. NEW BUSINESS

There was no new business

VIII. ADJOURNMENT

Chris Kueny made a motion to adjourn. Maudra Brown seconded the motion. All were in favor.

A quorum of Council may be present. No discussion or action on the part of Council will be taken.