



**Forest Acres Planning Commission  
Minutes  
September 17, 2019 6:00 P.M.  
Forest Acres Council Chambers  
5205 N. Trenholm Rd.**

**I. Call to order**

- 1. Determination of a Quorum**
- 2. Statement of Notification**

Mr. Joe Gentry called the meeting to order at 6:04PM and noted that there was a quorum. Mr. Gentry, Mr. Ralph Bailey, Ms. Beronica Whisnant, Mr. Will Dillard, and Mr. Stephen Powell were present. Mr. Jack Cantey and Mr. Ellis Creel were absent.

Mr. Gentry and Mr. Shaun Greenwood, City Administrator, noted that proper public notice had been given for this meeting.

**II. Approval of Minutes**

- 1. June 18, 2019**

Mr. Powell made a motion to approve the minutes as written; Mr. Dillard seconded. Motion passed, unanimously.

**III. New Business**

- 1. A request by the owner to annex property at 6900 Longbrook Drive (TMS 16906-04-01) and to establish R-1(Single Family) zoning.**

Mr. Greenwood introduced this request for annexation and discussed the specifics of the request – zoning category (R-1), location/map, proximity with and contiguity to other Forest Acres parcels, etc. Mr. Greenwood noted that staff's recommendation is that the Planning Commission send this to council with a recommendation to establish R-1 zoning and allow annexation.

The property owner, Mr. Bruce Reisman, introduced himself.

Ms. Whisnant asked if any other property owners in the area have requested annexation. Mr. Greenwood said that there haven't been any requests of late, but that there may be some targeted annexation of donut holes (like the one in question) in the near future.

Ms. Whisnant made a motion to recommend to City Council R-1 zoning and annexation of this property into Forest Acres. Mr. Bailey seconded. Motion passed unanimously.

**2. A request by the owner to annex property at 1457 Bella Vista Drive (TMS 14214-05-03) and to establish C-3 (General Commercial) zoning.**

Mr. Greenwood introduced this request noting that the property owner, Mr. Mark Baker, is requesting to annex an existing Richland County General Commercial as C-3 under Forest Acres classification. Mr. Greenwood noted that this property is on the City's outer boundary which would mean growing the City's boundaries, while previous annexation has been more inward focused (i.e., donut holes). Mr. Greenwood noted that he discussed the request with the Police Chief and that the Chief was concerned about the property because it is on a new street, not currently patrolled by the police department and that the police would have to go out of the City (onto Two Notch Rd.) to get to the street that the parcel is on. Mr. Greenwood noted that the staff's opinion is that requests like this would be better as a mass annexation request because it creates jurisdictional irregularities when a single parcel on a separate street is annexed. So, the staff's recommendation is that this not be recommended to Council for annexation.

Mr. Baker spoke about the property. He noted that he's owned the property for 20 years and has had no crime and that many of the commercial parcels on the street are owned by the same woman, who is trying to sell them (which makes mass annexation unlikely). Mr. Baker noted that currently the commercial properties are on well water, but they'll likely need to go to City of Columbia water. His fear is that the City of Columbia will force annexation into their jurisdiction through the use of City water. He'd rather annex into Forest Acres. Mr. Greenwood concurred that such annexation agreements are common when people join city water utilities, but that state law requires contiguity for annexation and currently the property in question is not near contiguity with City of Columbia.

Several Planning Commission members asked about several parcels close by that were problematic to the county with respect to law enforcement issues. Mr. Baker noted that an old bar at the corner of Bella Vista and Two Notch had been shut down by the sheriff's department. Other parcels at this intersection currently include a dance studio and thrift store. Mr. Greenwood noted that the chief called the sheriff's department and they noted that there haven't been many calls for service to the properties in this area of late.

Mr. Dillard asked about how long Mr. Baker would have to wait to reapply if Council turned it down. Mr. Greenwood noted that he'd have to ask the City Attorney. Requests for rezoning that are denied can't come back up for rezoning for one year, but this is a request for establishment of new zoning, which may be different.

Mr. Dillard asked and Mr. Greenwood answered that the City of Columbia cannot force annexation of a parcel (even if it has City of Columbia water service) if it's in another city.

Mr. Gentry clarified with Mr. Greenwood that staff's opinion is that this annexation would put stress on city services (particularly police patrol). Mr. Greenwood noted further that this is a policy decision on how best to grow the city, particularly on its periphery.

No one made a motion to recommend this annexation to City Council. Mr. Dillard then made a motion not to recommend the annexation to City Council; Mr. Bailey seconded. Mr. Gentry asked for more discussion about the property that gives this

parcel contiguity – which is a parcel owned by the City of Forest Acres that is currently vacant. The motion passed unanimously.

Mr. Greenwood and Mr. Gentry noted to the applicant that City Council makes the ultimate determination and that this is just a recommendation.

#### **IV. Old Business**

##### **1. Continued discussion of Planned Development District regulations**

The Planning Commission discussed changes made by staff to the draft PDD ordinance based on conversation and minutes from prior meeting. Mr. Greenwood noted that he included a recently redrafted PDD ordinance from Fort Mill. This included a helpful timeline for PDD application and some discussion about lighting that might be helpful.

The Planning Commission decided to move forward with a draft PDD ordinance for Council as it is with the plan to more closely consider lighting in the near future.

Mr. Greenwood went through changes to the ordinance since the last meeting:

- Signage – Staff left the current language in the PDD ordinance (e.g., PDD must conform to general sign ordinance), but the plan is to change the sign ordinance in the near future.
- Streets – The City will defer to the County with regulations regarding streets, even if the PDD developer turns the streets over to the City.
- Infrastructure/Bonding/Plat approval – PDD ordinance will reference the Land Development Regulations (which were last updated in 1992 and will be updated soon, perhaps with the help of a consultant).
- Major Changes – how do we define increase in lighting, included 10% threshold for increase in building size, took out #10 from prior list.
- Minor Changes – Process for appeal to include Planning Commission before going to ZBA for final determination at the City level. Mr. Dillard asked about the timeline – do they have a total of 30 days after initial determination by Zoning Administrator before going to ZBA (with Planning Commission somewhere in the middle) or does the Planning Commission’s interim review extend the timeline? Mr. Greenwood said he thought that the Planning and Enabling Act would require that the 30 total (from Zoning Administrator to ZBA ruling), but he would check with the City Attorney. Mr. Dillard requested that we make the timeline and order-of-appeal clear in the PDD ordinance.

Mr. Greenwood asked Mr. Dillard for clarification on the proposed policy statement and the checklist. He clarified that the checklist would be mandatory, but part of the application packet. Mr. Dillard noted that he simplified the language and proposed two different options –

1. Policy Statement saying that the Planning Commission *shall* develop a checklist (without specifying the questions in the ordinance), or

2. Policy Statement with specific checklist to be included in the ordinance

The first is more flexible; the second, more permanent.

Mr. Powell noted that he likes the first option. Ms. Whisnant noted that she likes the questions and wants to make sure they're emphasized. Mr. Greenwood asked clarification and Mr. Dillard confirmed that the questions would be included in both scenarios, just that in the first scenario they're included in the application process, not the ordinance.

Mr. Greenwood noted that, with the flexibility of #1, we could adjust through time as we learn how the new PDD ordinance/application process will work. Mr. Bailey, Mr. Gentry, and Mr. Powell noted that they leaned toward #1, while Ms. Whisnant leaned toward #2, but all indicated that they thought either would work. The Commission decided to move forward with option #1.

Mr. Greenwood noted that he would make the adjustments discussed tonight to the draft and send it to the City Attorney for review. That would then come back to the Planning Commission.

**Beautification Foundation**

Mr. Gentry noted that he attended the first Beautification Foundation the previous week as chair of the Planning Commission. Mr. Gentry noted that he or his designee is a member of the Foundation board. He noted that he's asked Ms. Whisnant to serve on the Foundation board as his designee. Mr. Greenwood noted that this Foundation just formed and replaces the old Appearance Commission; the Foundation (unlike the Commission) will have the ability to raise money for specific projects and request matching HTax funding from the City.

Mr. Gentry requested that Mr. Greenwood and Mr. Smith send the founding documents for the Foundation to the Planning Commission members.

**V. Adjournment –**

Ms. Whisnant made a motion to adjourn; Mr. Baily seconded. Motion passed. Meeting adjourned at 7:15p.

Respectfully Submitted,

Andy Smith, Asst. City Administrator/Finance Director  
*(Administrative support of Planning Commission)*