

The Planning & Zoning Commission of the City of Harlem, Georgia met for their Regular meeting on Tuesday, December 5, 2023, at 6:00 p.m. at the Public Safety Building with Chairman Robert Holland presiding.

Present: COMMISSION: Chairman Robert Holland, Vice Chairman Dustin Driggers, Commissioner Herbert Flick, Commissioner John Thigpen, Jr., and Commissioner James Thomas, Jr.; STAFF: Community Development Director David Jenkins, City Clerk Leona Holley, and City Attorney Tom Watkins.

The meeting was called to order by Chairman Holland at 6:00 p.m.

The Invocation was given by Vice Chairman Driggers.

The Pledge of Allegiance was led by Chairman Holland.

Determination of a Quorum: A quorum of the Commission was present.

Approval of the Agenda: Community Development Director Jenkins stated it was found that an additional condition needs to be added to the Conditional Use Application CU-2023-12-01, this will be Condition 7. Commissioner Flick made a motion to approve the Agenda with the amendment of conditions to CU-2023-12-01; 2nd by Vice Chairman Driggers. The motion carried with Commissioners Driggers, Flick, Thigpen, and Thomas voting in the affirmative.

Approval of the Minutes: Commissioner Flick made a motion to approve the minutes of the November 7, 2023 meeting as written; 2nd by Commissioner Thomas. The motion carried with Commissioners Driggers, Flick, Thigpen, and Thomas voting in the affirmative.

PUBLIC HEARINGS:

CU-2023-12-01 Parcel H03 139A – 380 W. Milledgeville Road: A Conditional Use Application has been received from Christies' Coffee by Joseph Christie for a conditional use for a drive-through at 380 W. Milledgeville Road. This conditional use application is required by the City of Harlem Commercial Overlay District. The request is to renovate the existing structure to include a drive-through window (without speaker communication), a painted stacking lane, and protective bollards and striping if needed. Mr. Jenkins stated after a review from the Harlem Public Works Director Robert Fields there is a concern about traffic congestion and customer stacking issues during school traffic hours. The entrance to the proposed location is located on W. Milledgeville Road, which is a federal highway. The entrance to the proposed location is also located 92 feet from the centerline of W. Boundary Street, which is a major traffic artery for Harlem Elementary School traffic. Staff have discussed the conditions with the applicant and the city attorney. Mr. Jenkins commented staff received one public comment request from Mr. Bill Dotson, 380 N. Hicks Street, for the business owner to install a wood fence to help shield the noise and lighting problems that might occur, no order squawk box be allowed and for the streetlight that is on the property to shine down on the property and not in their homes. Mr. Jenkins stated the proposed conditions appear to be consistent with the public comments and staff examined the lighting issue and did not find any impact from existing lighting locations. The property is being surveyed and the business owners are working

PUBLIC HEARINGS (cont'd):

CU-2023-12-01 Parcel H03 139A – 380 W. Milledgeville Road (cont'd): with Columbia County on the sewer line. Mr. Jenkins commented that he received a comment from former Planning Commissioner Tim Farr, stating that he did not see a problem in not requiring the black opaque screen since a wood fence is being put up.

Staff is recommending a Motion that the Harlem Planning Commission adopt the following Findings of Fact for Conditional Use Application CU-2023-06-01:

1. Parcel H03 139A is currently vacant with a proposed legal conforming land use for the zoning district.
2. The applicant is proposing to begin legal conforming land use by renovating an existing building in conformance with City of Harlem land development ordinances.
3. Sec. 108-41. Downtown Commercial Overlay District is the primary development ordinance for this proposed project.
4. The applicant has provided an application, site plans/elevations, and conceptual signage proposals that support a decision on a recommendation.
5. The Staff Report has been presented and is coupled with applicant submissions and evidence as well as other public comments.

Staff is making the recommendation of approval of Conditional Use Application Cu-2023-06-01 from Christie's Coffee/Joseph Christie with the following six Conditions:

1. A solid wooden fence six feet in height shall be installed along the north property line before and Occupational Tax Certificate is issued.
2. A black opaque screen be installed along the western fence to the north of the entrance gate.
3. Shrubbery shall be installed between the existing chain link fence and the sidewalk along W. Milledgeville Road and approved by the Community Development Director before an Occupational Tax Certificate is issued.
4. No intercom ordering system (squawk box) be utilized without a Conditional Use amendment.
5. The property survey required Columbia County Water Utility easements be recorded before any building permits are issued.
6. Apply building numbers as required by city ordinance.

Staff would like to request a Condition 7 to be added to the Suggested Motion to Approve with Conditions that reads:

7. Should the Harlem Police Chief determine that traffic conditions at 380 W. Milledgeville Road becomes a safety issue, the owner of the business shall provide an automobile stacking plan to maximize automobile stacking on the property and, upon approval by the Community Development Director, shall implement said plan.

Applicant's Comments:

Joseph and Lisa Christie, 1815 Robinson Drive, N. Augusta, SC – Owner of Christie's Coffee. Mr. Christie stated they have a Coffee shop locating in North Augusta, S.C. and have been in business for a couple of

PUBLIC HEARINGS (cont'd):

CU-2023-12-01 Parcel H03 139A – 380 W. Milledgeville Road (cont'd):

Applicant's Comments (cont'd):

years and have been business owners for the past seven years in Georgia and the CSRA. Mrs. Christie stated they are a local business and very active in the community and are looking forward to coming to Harlem.

Commission's Comments:

Vice Chairman Driggers asked the applicants how will orders be taken and if there will be a squawk box; Mr. Christie replied there will not be a squawk; the orders will be taken at the drive-thru window and there will be a small sitting area inside the building. Vice Chairman Driggers commented on Condition 2, he understands the logic behind the black opaque screen, he stated with winds, the screens do not stay in place, and it would be a constant repair, or it will not be effective. Vice Chairman Driggers stated he would be all right if Condition 2 is omitted in the Conditions; Commissioner Flick agreed.

With no further discussion Vice Chairman Driggers made the motion to adopt the "Findings of Fact" for Conditional Use application CU-2023-12-01 and to recommend for approval Conditional Use application CU-2023-12-01 with Conditions Items 1, 3, 4, 5 and 6 omitting Condition 2; 2nd by Commissioner Flick. Discussion: Mr. Jenkins asked the Commissioners for consideration to amend the motion to add the following Condition 7 to read "Should the Harlem Police Chief determine that traffic conditions at 380 W. Milledgeville Road becomes a safety issue, the owner of the business shall provide an automobile stacking plan to maximize automobile stacking on the property and, upon approval by the Community Development Director, shall implement said plan". Commissioner Flick made the motion to amend the previous motion by adding Condition Item 7 to the Conditions stated by staff; 2nd by Vice Chairman Driggers. The motion carried with Commissioners Driggers, Flick, Thigpen and Thomas voting in the affirmative. Vice Chairman Driggers made the motion to adopt the "Findings of Fact" and to recommend approval with the amended Conditions 1, 3, 4, 5, 6, and 7 omitting Condition Item 2 for Conditional Use Application Cu-2023-12-01; 2nd by Commissioner Flick. The motion carried with Commissioners Driggers, Flick, Thigpen and Thomas voting in the affirmative.

NEW BUSINESS:

Approval 2024 Planning Commission Calendar: Mr. Jenkins commented that the 2024 Planning Commission calendar was presented at the last meeting in November; there was no conflict in the dates. Chairman Holland asked for a motion to adopt the 2024 Planning Commission Calendar. Commissioner Flick made the motion to adopt the 2024 Planning Commission Calendar; 2nd by Commissioner Thigpen. The motion carried with Commissioners Driggers, Flick, Thigpen, and Thomas voting in the affirmative.

Other: Chairman Holland asked if there would be a conflict if the Commissioners could vote on the 2024 Officers at tonight's meeting; Mr. Jenkins referred to City Attorney Watkins. City Attorney Watkins replied there would not be a conflict in the Election of Officers. City Attorney Watkins recommended for the Election of Officers motion to be clear it would be effective for the new year 2024. Commissioner Thomas made the motion to nominate and elect Robert Holland for the position of Chairman for the year 2024; 2nd by Commissioner Flick. The motion carried with Commissioners Driggers, Flick, Thigpen, and Thomas voting in the affirmative.

Commissioner Thigpen made the motion to nominate and elect Dustin Driggers for the position of Vice Chairman for the year 2024; 2nd by Commissioner Flick. The motion carried with Commissioners Driggers, Flick, Thigpen, and Thomas voting in the affirmative.

OLD BUSINESS:

None.

Public Comments: Mr. Jenkins commented he has put in his resignation with the City of Harlem and his last day will be on December 31st. Mr. Jenkin stated he will be moving to Roswell Georgia. Mr. Jenkins commented that he knows there will be a lot of challenges before the Commissioners, and he would be praying for them. Chairman Holland commented it was an honor serving with Mr. Jenkins and he appreciates everything he has done.

Legal Matters: None

Staff Report: David Jenkins:

- a. Provided information on Continuing Education Reading – APA Policy Guide on Historic and Cultural Resources
- b. January Election of Officers – An Election of Officers was held during New Business of the meeting.

Chairman's Comments: Chairman Holland wished everyone a Merry Christmas and a Happy New Year.

With there being nothing further before the Commission, Commissioner Flick made the motion to adjourn the meeting; 2nd by Commissioner Thomas. The motion carried with Commissioners Driggers, Flick, Thigpen, and Thomas voting in the affirmative. The meeting was adjourned at 6:25 p.m.

Respectfully submitted,

Leona H. Holley
City Clerk