

**AUGUSTA-RICHMOND COUNTY, GEORGIA
PLANNING COMMISSION
STAFF REPORT**

Case Number: Z-23-52

Hearing Date: Monday, December 4, 2023

Applicant: Patrick Wells

Property Owner: PLM of Augusta Properties, LLC

Address of Property: 2930 Milledgeville Road, Augusta, Georgia 30919

Tax Parcel #: 070-4-100-00-0

Present Zoning: LI (Light Industrial) with conditions, Z-21-18

Commission District: 2 (S. Pulliam)

Super District: 9 (F. Scott)

Fort Gordon Notification Required: No

Request	Proposed Use/Activity	Applicable Comprehensive Zoning Ordinance Section
Amend Conditions from Z-21-18 by Removing Condition No. 7	No specific use is proposed as the owner wants to sell the property	Section 23

Summary of Request:

This application involves a property that was rezoned from R-1A (One-family Residential) and B-1 (Neighborhood Business) to LI (Light Industrial) with conditions in March of 2021 (Z-21-18). The purpose of the rezoning in 2021 was to establish a warehouse and office for a landscaping business. The development of the property for the landscaping business has not occurred and currently remains vacant. The specific condition requesting to be removed from rezoning application Z-21-18 is stated below:

The use of the subject property is limited to a landscape company and no storage of landscape-related materials may be located within the Special Flood Hazard Area (floodplain) or floodway. Any outside storage of landscape-related materials, outside of the Special Flood Hazard Area (floodplain) must be secured to prevent floatation or lateral movement, including the parking of vehicles related to the landscape business. No storage of soil, mulch, pine bark (chips or nuggets), pine straw, or other similar materials, may be located anywhere on the property due to the potential of being washed off of the property by impacts of flood waters.

The applicant's letter of intent submitted with the application states that there is no specific use proposed with this request and that the condition placed on the property limiting it to a landscaping business only hinders the ability to sell the property.

Findings:

1. The property has access to public potable water and public sanitary sewer systems along Milledgeville Road.
2. The Georgia Department of Transportation (GDOT) Functional Classification Map, 2017, identifies Milledgeville Road as a collector road. Public transit is available on Milledgeville Road.
3. According to the FEMA Flood Insurance Rate Maps (FIRM) the southern portion of the property is located within a Zone AE of the Special Flood Hazard Area with a 1% annual chance of flooding to include floodway comprising approximately sixty-six (66) percent of the site. The property also contains Zone X of the Special Flood Hazard Area with a 0.2% annual chance of flooding comprising approximately one (1) percent of the property.
4. According to the Augusta-Richmond County GIS Wetlands Layer the property contains jurisdictional wetlands in conjunction with Special Flood Hazard Area and are categorized as Freshwater Forested/Shrub Wetlands comprising approximately ninety (90) percent of the property, although the cleared area comprising approximately thirty-three (33) percent of the property closest to Milledgeville Road appears to have been cleared and filled at some point prior to previous Zoning Application Z-21-18.
5. The property will be required to comply with all the requirements of the Augusta Flood Damage Prevention Ordinance.
6. Augusta Commission approval letter dated April 6, 2021, which contains all the conditions for approval of Z-21-18 is included in the packet.
7. The applicant did consent to the condition requesting to be removed in this application at the time of Planning Commission's recommended approval of Z-21-18, in 2021.
8. At the time of completion of this report, staff has not received any inquiries concerning this rezoning application.

Recommendation: Planning Commission recommends **APPROVAL** for the removal of Condition No.7 from the previously approved rezoning Z-21-18 for the property with the following conditions:

1. Condition Number 4 shall be revised to read "Any future development of the property shall be oriented such that any future buildings, parking areas, including drive aisles are not located within the mapped Special Flood Hazard Area (floodplain) and a No Rise Certification shall be submitted to ensure that any future development will not negatively impact the existing floodway/floodplain and comply will all other requirements of the Augusta Flood Damage Prevention Ordinance.
2. A new condition added stating "No outdoor storage may be located within the mapped Special Flood Hazard Area (floodplain) or floodway. Any outside storage of materials shall be secured to prevent flotation or lateral movement, including the parking of vehicles."

3. All other conditions from the original rezoning application, Z-21-18, are to remain in effect.

Note: This staff report includes the information available approximately two weeks prior to the Planning Commission hearing. It represents an evaluation of the facts presented by the applicant, research done by the staff, and consideration of the relevant factors in the Comprehensive Zoning Ordinance of Augusta, Georgia. New facts may emerge, and staff reserves the right to make a verbal recommendation at the hearing based on all the information available at that time.



PLANNING & DEVELOPMENT DEPARTMENT

535 Telfair Street • Suite 300
Augusta, Georgia 30901

1803 Marvin Griffin Road
Augusta, Georgia 30906

April 8, 2021

PLM of Augusta Properties LLC
1446 Johns Rd.
Augusta GA 30904

To Whom It May Concern:

At its meeting on Tuesday, March 16, 2021 the Augusta Georgia Commission considered the following petition:

Z-21-18- A petition by PLM of Augusta Properties LLC, on behalf of Vivian H. Rhodes, requesting a change of zoning from Zone R-1A (One-family Residential) and Zone B-1 (Neighborhood Business) to Zone LI (Light Industry) affecting property containing approximately 11 acres and known as part of 2910 Milledgeville Road. Part of Tax Map 070-4-001-00-0

It was the decision of the Commission to APPROVE the petition with the following conditions:

1. A Concept Plan, with all required information, be submitted for review by the Development Review Committee (DRC) prior to formal submission of a Site Plan.
2. This project shall comply with all development standards and regulations set forth by the City of Augusta, GA at the time of development.
3. Tree Ordinance compliance will be required, including the requirement for a 6' solid board fence, large trees 45' on center and shrubs against any residentially zoned or residentially used properties. A breakaway fence may have to be used, at the discretion of the Planning Director, to adhere to Flood Ordinance requirements in the floodplain, and no fence may be allowed in the floodway, therefore, vegetative measures alone will have to be used for screening purposes to meet the intent of the Tree Ordinance.
4. The project will be oriented such that the proposed warehouse and the related parking areas and drive aisles are not in the mapped Special Flood Hazard Area (floodplain) and a No Rise Certification will have to be submitted to ascertain that the proposed development will not negatively impact the existing floodway / floodplain in that area.
5. No fill, including woody debris, may be brought in from offsite onto the subject property.
6. A wetlands survey may need to be performed to ascertain the extent of "present day" wetlands on the property. No wetlands impact will be allowed unless the wetlands are mitigated "one for one". A Corp of Engineers Permit will be required prior to issuance of a Land Disturbance Permit / any disturbance of the wetlands.
7. The use of the subject property is limited to a landscape company and no storage of landscape-related materials may be located within the limits of the Special Flood Hazard Area (floodplain) or floodway. Any outside storage of landscape-related materials, outside of the Special Flood Hazard Area (floodplain) must be secured to prevent floatation or lateral movement, including the parking of vehicles related to the landscape business. No storage of soil, mulch, pine bark (chips or nuggets), pine straw, or other similar materials, may be located anywhere on the property due to the potential of being washed off of the property by the impacts of floodwaters.

Remove
(PW) →

Enclosed is an ordinance verifying this change and a zoning restriction agreement. The zoning restriction agreement must be properly signed and returned to our office for recording.

Until the agreement is received and recorded, the zoning does not become official. This decision is final.

Sincerely,

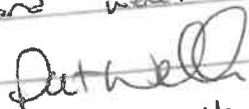
Robert Sherman ss

Robert Sherman
Director

Dear Planning & Zoning

10/26/23

My name is Patrick Wells and I am the president of PLM of Augusta Properties LLC. We purchased the property in anticipation of building our head quarters for Piedmont Landscape management. Since covid building prices surged and it was more cost effective to buy an existing facility. We now need to sell the property and would like to remove the zoning condition #7


Patrick Wells

PLM of Augusta Properties

706 631 1163


patrick@piedmontaugusta.com

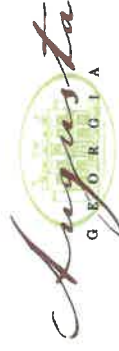
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2930 Milledgeville Road

Aerial

Legend

 Subject Property



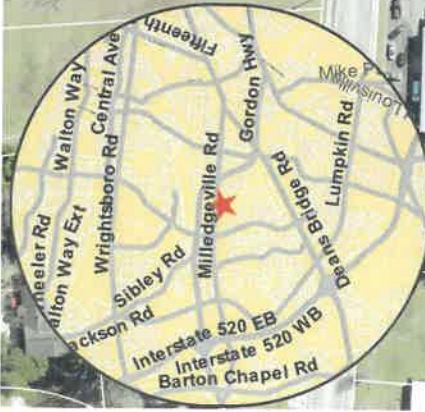
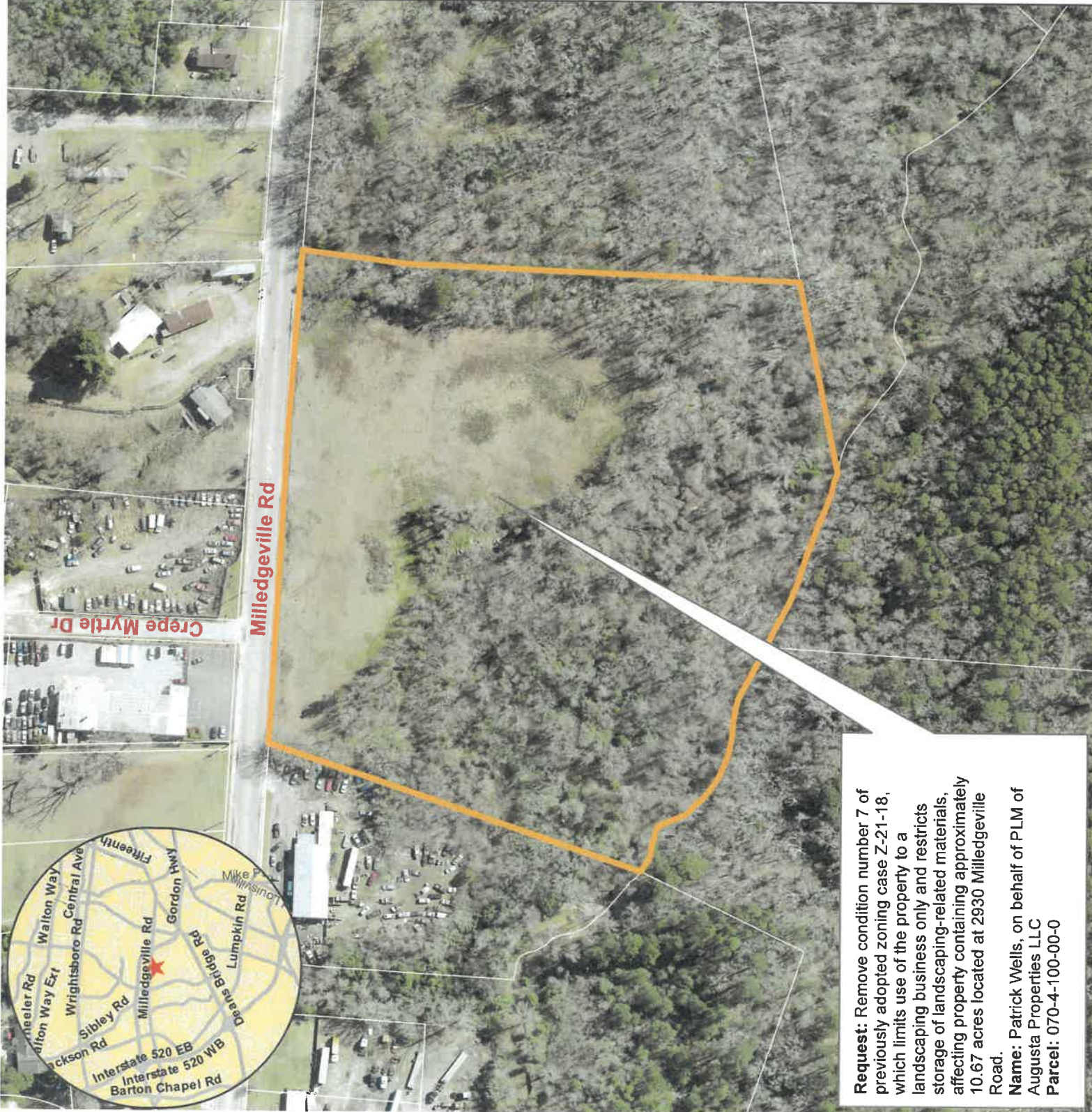
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Augusta, GA 30901
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0 200 Feet



Request: Remove condition number 7 of previously adopted zoning case Z-21-18, which limits use of the property to a landscaping business only and restricts storage of landscaping-related materials, affecting property containing approximately 10.67 acres located at 2930 Milledgeville Road.

Name: Patrick Wells, on behalf of PLM of Augusta Properties LLC


Parcel: 070-4-100-00-0

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2930 Milledgeville Road


Current Zoning

Legend

 Subject Property

Zoning Classification

 B-1: Neighborhood Business

 B-2: General Business

 LI: Light Industry

 R-1A: One Family Residential

 R-3C: Multiple-Family Residential

 R-MH: Manufactured Home Residential



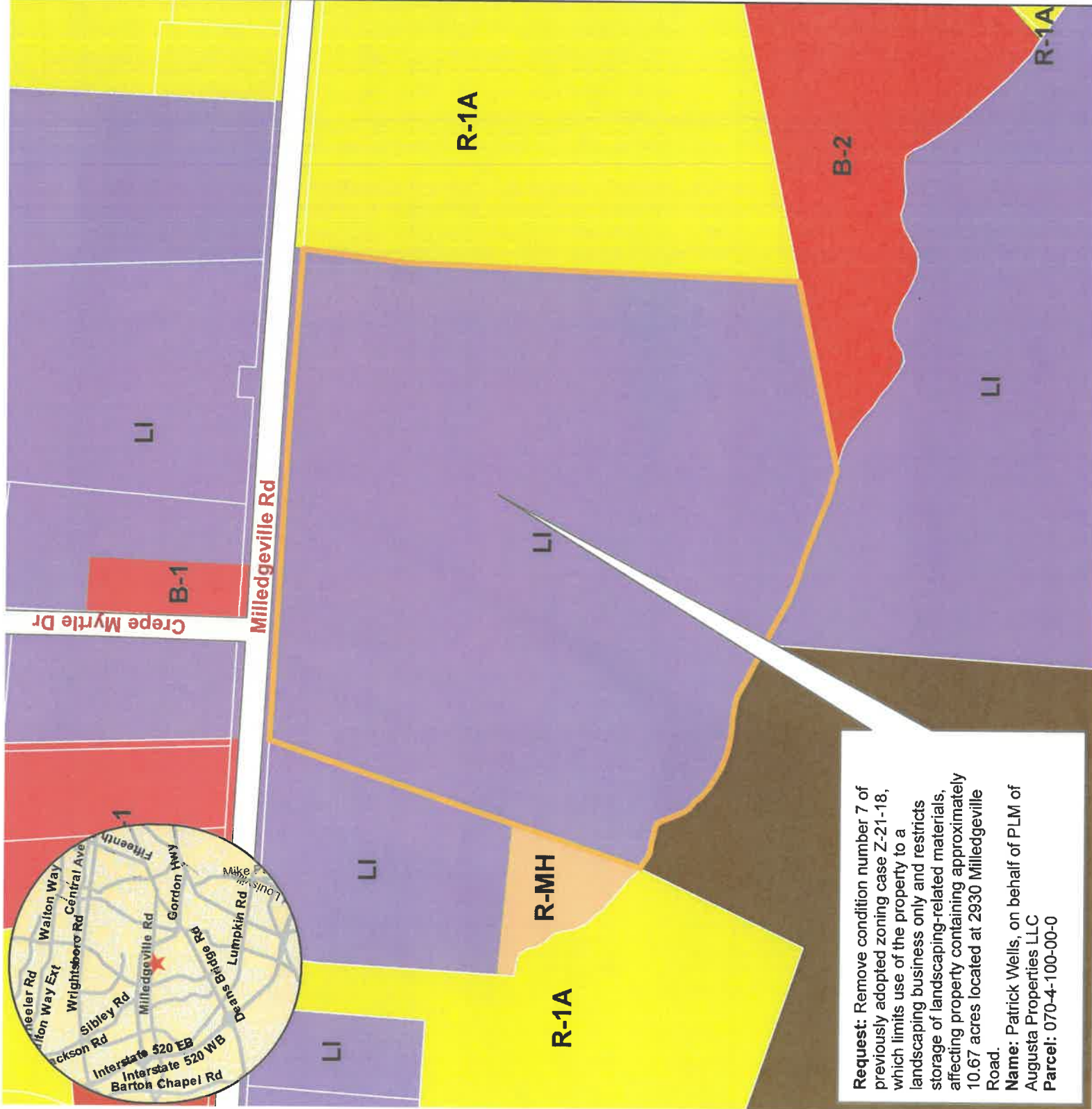
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