

CHAIR
Jack Shuman
VICE CHAIR
Timothy Byler
ASST. VICE CHAIR
Lynn Pace
SECRETARY
Jeff Ricketson



COMMISSIONERS
Sarah Baker
Alonzo Bryant
Don Emmons
Marshall Kennemer
Phil Odom
Durand Standard

July 16, 2014

The Liberty Consolidated Planning Commission met on Tuesday, July 15, 2014, in the Historic Courthouse, 100 Main St., Hinesville, GA. Jack Shuman, Chair, called the Meeting to order. A Motion was made by Durand Standard to approve the minutes from the June 17, 2014 meeting, seconded by Alonzo Bryant; the motion passed unanimously. The public was notified of the meeting; the agenda was posted in accordance with Georgia Law.

COMMISSIONERS PRESENT:

Jack Shuman
Timothy Byler
Phil Odom
Alonzo Bryant
Lynn Pace
Durand Standard

ABSENT:

Don Emmons
Marshall Kennemer
Sarah Baker

OTHERS PRESENT:

Jeff Ricketson, Executive Director, Secretary
Kelly Wiggins, Executive Assistant
Melissa A. Jones, Planner II
Joey Patenaude, Planner I
Curles Butler, Senior Inspector
Abe Nadji, Engineering Director

Chairman Shuman asked the public to disclose prior to speaking at the podium if they had contributed more than \$250.00 to any elected official who would be voting on these zoning matters.

1. OLD BUSINESS (PUBLIC HEARING OPEN)

Old Business Items.

- 1.1 Rezoning 2014-019-H.** A rezoning petition has been filed by Berry Engineers, LLC, agent for Wilma Gaskins, owner, and Polestar Development, LLC, to rezone 5.33 acres of land, more or less, from R-1 (Single Family Dwelling District) to C-2 (General Commercial District) for a grocery store and gasoline pumps with a small kiosk. The property is located at 1422 W. Oglethorpe Highway, further described as LCTM-Parcel 061A-031.

Recommendation: APPROVAL with Standard and the following Special Conditions:

Lynn Pace raised the question of the buffer on the Topi Trail side with the vacant existing land between the store and the road. Mr. Berry indicated this is an additional 18 feet. Chairman Shuman asked if the one way street at Brittney Lane was proposed to the city and Mr. Berry stated no it had not, and noted that it would be up to the city to make that change.

At this time, Chairman Shuman opened the floor for public comments.

George Holtzman spoke in favor of the grocery store and stated that it would be an asset to the community.

Joel Osteen and Jimmy Shanken turned in a card to speak but declined when asked because the topic had already been covered by Mr. Berry.

Wilbur McCullough lives on Brittney Lane and is opposed to the grocery store. His concern is the amount of traffic and the public using his neighborhood streets as a short cut to the grocery store. He would also like to see a fence higher than 8 feet installed.

Randal Baehr lives at the corner of Topi Trail and Brittney Drive. He would like to see the council accept the concerns of the public and stated that an 8-foot wooden fence would not deter the noise of the grocery store to the houses located around it. He recommends a different type of fencing. He raised concerns over the traffic light and stated that he would like to see Brittney Lane changed to a one way street again. He also stated that he realized this issue is going to pass whether they are against or not.

Robert Aasand lives on Brittney Lane and he objects to the grocery store due to the amount of people that walk the neighborhood and the amount of children that play outside and is afraid someone will get hurt. He also wanted to know if the trees that shade his back yard would remain intact.

Thomas Ratcliff is a Topi trail resident and he stated that an 8 foot high fence was not enough and would also like to see a higher fence and one made of sound deadening quality. He would also like to see Brittney Lane changed to a one-way access as well and would like that sent to the city council as special conditions.

Discussion went back to Mr. Berry who stated he would like the road changed to one way as well but for the zoning to not be affected by that special condition. His company has reviewed different types of fencing and the cost would be 150,000.00 over budget. His opinion is that the vegetation that is located there and the vegetation they are adding will be of more help to deter the sound than the fencing. Phil Odom asked him if he knew the decibels of sound that would be in the grocery store shopping area. Mr. Berry does not have that information but made it clear that it is not more than the city sound ordinance allows. Mr. Tim Byler brought up the drawing and pointed out that there is a drop off in the land behind the site of about 4 to 5 feet. This would make the land and the 8-foot fencing actually a 12 to 13 foot barrier. Mr. Berry stated that all the trees within the buffers would remain. The only trees they are looking to remove are the ones located in the center of the property. Lynn Pace asked if the property owners have been contacted. Joel Osteen who represents The Berry Company replied that they had mailed letters to all the landowners within a certain area of the site and made an announcement at the last meeting to make contact with him if they had any concerns. No one called and no one contacted him. Lynn Pace also expressed concern about the location of the gas station. Durand Standard stated what could be done about changing the road to one way. In other words what confidence level can we get from the city to agree to it? Lynn Pace stated that the C2 zoning in that residential area is not something she would agree to. She does not want it in that area and does not want it open 24/7. Mr.

Liberty County

2.3.4 Special Exception 2014-023-LC. A special exception has been filed by Douglas Wink, owner, to be allowed to give piano lessons as a home occupation at 116 Village Drive, further described as LCTM-Parcel 334D-061.

Recommendation: APPROVAL with Standard Conditions

Joey explained the zoning and that R-3 does not allow for this, so that is the reason for the special exception.

MOTION: Durand Standard made motion to approve with standard conditions.

SECONDED: Alonzo Bryant

VOTE: Unanimous. The motion passed. This action will go before the Board of Commissioners on August 5th.

CLOSE PUBLIC HEARING

2.4 Site Plans, Preliminary Plats & Final Plats

2.4.1 The Preserve at Cinder Hill Phase 2. Request for final plat approval.

Recommendation: APPROVAL with Standard and Special Conditions:

- Letter of credit in the amount of \$41,814.00 for road paving shall be in place
- Letter of credit in the amount of \$46,115.00 for street trees & sidewalks
- Letter of credit for maintenance in the amount of \$29,147.70
- Letter from Georgia Power for installation of streetlights
- Variance required on affected lots for net lot sizes due to drainage easement

Abe made the presentation. Trent stated that the easement issue has been added to the agenda.

MOTION: Timothy Byler made a motion to approve with standard and special conditions.

SECONDED: Alonzo Bryant

VOTE: Unanimous. This action will go to City of Hinesville this Thursday, July 17, 2014.

2.4.2 The Retreat at Oak Crest Phase 2. Request by T & T Enterprises for preliminary plat approval.

Recommendation: APPROVAL with Standard Conditions and special conditions.

Abe made presentation. Mark Sapp from Simonton and Associates was present on behalf of Josh Wheeler.

MOTION: Phil Odom made the motion to approve with standard and special conditions.

SECONDED: Timothy Byler

VOTE: Approved by Bryant, Standard, Byler and Odom.

OPPOSED: Lynn Pace

Addendum

Standard LCPC Conditions:

1. The applicant must obtain all required local, state and federal licenses and permits prior to commencement of any construction
2. All plans, documents, materials, and statements contained or implied in this application are considered to be a condition of this action
3. No change or deviation from the conditions of approval are allowed without prior notification and approval of the Director of the LCPC or the Planning Commission, and the approving governmental authority