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



COMMISSIONERS
Sarah Baker
Alonzo Bryant
John Hodges
Marshall Kennemer
Phil Odom
Durand Standard

August 26, 2019

The Liberty Consolidated Planning Commission met on Tuesday, August 20, 2019, in the Historic Courthouse, 100 Main St., Hinesville, GA. Jack Shuman, Chairman, called the meeting to order. A motion was made by Alonzo Bryant and seconded by Marshall Kennemer to approve the minutes from the July 16, 2019, meeting. Motion passed unanimously. Chairman Shuman asked for a motion to accept the final agenda. Durand Standard made a motion to approve the final agenda. Sarah Baker seconded the motion. The motion passed unanimously. The public was notified of the meeting and the agenda was posted in accordance with Georgia Law.

COMMISSIONERS PRESENT:

John Hodges
Lynn Pace
Jack Shuman
Marshall Kennemer
Alonzo Bryant
Durand Standard
Phil Odom
Sarah Baker

ABSENT:

Tim Byler

LCPC STAFF PRESENT:

Kelly Wiggins, Executive Assistant
Jeff Ricketson, Executive Director
Gabby Hartage, Zoning Administrator
Nirav Gandhi, Planner II
Curles Butler, Senior Inspector
Mardee Sanchez, 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.

- 1.0 OLD BUSINESS (None)**
- 2.0 NEW BUSINESS**
- 3.0 REZONING PETITIONS AND OTHER ZONING-RELATED ITEMS**

HINESVILLE

3.1 Special Permit Use 2019-026-H. A special permit use application has been filed by Alden D. James for a proposed used automotive sales lot at 353-D W. Memorial Drive, further described as LCTM-Parcel 055C-159. Property owner is Victor H. Shanks. The property is zoned C-2 and automotive sales lots are only allowed with special permit use in the C-2 zoning district. In addition, this parcel is in Hinesville's Downtown Redevelopment Overlay District and more specifically in the mixed-use corridors sub-area and multi-family residential redevelopment sub-area.

Gabby presented this special permit use request to the Planning Commission. Gabby stated the reason for a special permit is because the normal zoning for a car sales lot is C-3. Gabby stated that there are other businesses related to car repair located on Memorial Drive, however those businesses are grandfathered. A landscaped tree buffer is required by ordinance. Once the buffer is added a reduction in the amount of parking spaces can be expected. Gabby stated that this use does not meet the comprehensive plan although this use is not out of character with the current nonconforming uses on Memorial Drive. Gabby stated that adequate measures must be taken for ingress/egress. The driveway would need to be constructed to commercial standards and a privacy fence will need to be installed with a 25-foot vegetative buffer inside the fence as required per ordinance.

RECOMMENDATION: Disapproval.

Alden James came forward as the car lot owner and stated that he has been in Liberty County since 2001. He spoke about his endeavor to start his own car sales business. Mr. James stated that this property was an eyesore and in anticipation of his proposed use, he has made significant changes to improve the property.

Victor Shanks, owner of the property, came forward to speak on behalf of the applicant. Mr. Shanks stated that he does not see a problem with this business and was really surprised to see the City turn it down.

Michelle James, spouse of applicant, came forward to speak. Mrs. James stated that the vision Mr. James has with this used car sales lot is in standing with the use of the area. Mr. James use of the property will improve this area.

Diana Reid, Hinesville City Council, (District 1) came forward and stated that this area has been improved. Ms. Reid stated that this young man is attempting to improve his life and be a positive influence on the community. Ms. Reid asked for the Planning Commission to support this action and give Mr. James an opportunity to succeed.

Commissioner Odom asked if the buffer that is required by the City of Hinesville Ordinance is invoked, how much space would this lot lose. Commissioner Odom stated that in his opinion this lot is not the size needed for this type of business and he would lose many of his parking spaces for the car sales due to the buffer requirement.

Gabby stated that the 25-foot buffer would eliminate some parking spaces. Chairman Shuman asked Gabby if Commissioner Odom's statement was correct. Gabby stated that he would lose some of his car sales spaces. Chairman Shuman asked how this would affect the ordinance.

Gabby stated that the requirement is the 25-foot buffer. Jeff interjected and pointed out to the audience where the buffer would be located and what spaces would be lost. Jeff stated that Mr. James would be able to get cars in there but not as many as he proposed because of the buffer.

Mr. James came back and stated that there is a fence already in that space and he spoke to the residents and each of the neighbors have stated they do not have a problem with his business operating at this location. Mr. James stated that the area that was next to their residences was very overgrown and he removed it and tidied up for them. He stated he is aware that he still must put the fence back up.

Commissioner Standard stated that he thinks Mr. James is trying to ask if we allowed him to not install the buffer, would he still be able to operate the car lot. Commissioner Odom stated that he would be reduced to 8 lots for sales. Commissioner Odom asked Mr. James if he could operate with only 8 lots. Mr. James stated that he could. Commissioner Standard asked if this action needed to go before the Downtown Review Board. Jeff Ricketson stated the Design Review Board is needed only if the person is making 50 percent of value of building in improvements.

Mr. Shanks stated that he is moving the fence but was waiting on this to pass to move it.

MOTION: Durand Standard made a motion to approve with the following special conditions: The petitioner must meet the buffer and access requirements.

SECOND: Phil Odom

VOTE: Motion passed with Commissioner Pace opposing. Vote: 7-1-0.

This rezoning will go before the Hinesville City Council on September 5, 2019, at 3 PM.

MIDWAY

3.2 Rezoning 2019-027-M and Annexation 2019-01. A rezoning and annexation application have been filed by Claude Dryden for the proposed Auburn Ridge Phase 2 Subdivision, further described as LCTM-Parcels 243B-014, 243B-013, 243B-016, and 243B-015. Property owner is Claude Dryden. The property is zoned B-2 (General Commercial) and IC (Interstate Corridor) and is proposed to be rezoned to PUD (Planned Unit Development). 45 units are planned for the new phase. In addition, these parcels will be annexed into the city of Midway per ordinance 2019-01.

Nirav presented this rezoning and annexation to the Planning Commission.

RECOMMENDATION: Approval of rezoning.

Marcus Sack with P.C. Simonton came forward to speak on behalf of Dryden Enterprises to answer any questions.

MOTION: Alonzo Bryant

SECOND: John Hodges

VOTE: Motion passed unanimously with Commissioner Baker abstaining. Vote 7-0-1.

Nirav explained the annexation to the Planning Commission.

Commissioner Odom asked who was responsible for the 4 acres that are undeveloped. Nirav stated that the Homeowners Association will maintain the 4 acres.

MOTION: Durand Standard

SECOND: Marshall Kennemer

VOTE: Motion passed unanimously with Commissioner Baker abstaining. Vote 7-0-1.

This rezoning and annexation will go before the Midway City Council on September 9, 2019, at 6 PM.

HINESVILLE

3.3 Special Permit Use 2019-028-H. A special permit use application has been filed by Fredrick Heath with Life Center Church for the operation of a church (worship and mission work) at 1060 W. Oglethorpe Hwy, further described as LCTM-Parcel 059C-174. Property owner is West Oglethorpe Church, Inc. (Anthony Bryant). The property is zoned C-3 (Highway Commercial District) and a religious building is not allowed without a special permit use in a C-3 zoning district.

Gabby presented this special permit use to the Planning Commission. Gabby stated that this is a non-conforming building. Gabby stated that a non-conforming building can only be improved to the extent of 10 percent of the current fair market value of the building unless the building is changed to a conforming structure. Gabby mentioned that the applicant has been granted a temporary permit to operate for 40 days.

RECOMMENDATION: Approval with standard and special conditions:

- Per Ordinance, building alterations shall not exceed 10% of the fair market value unless the building is brought into conformance with the ordinance.
- LCPC approval of a site plan showing ingress/egress, required parking and storm water facilities.
- All building and life safety codes shall be met.

Commissioner Odom asked if the site plan for the parking lot would have pervious cover. Gabby stated that the ordinance for churches has different requirements for pervious cover. Jeff Ricketson stated that would have to be decided by the engineer and that a church can have some unpaved parking. Marcus Sack stated that they can have pervious surface, it just must be engineered pervious surface. Jeff Ricketson stated that the staff spent a lot of time analyzing this request and part of our decision here to recommend approval is that we have recommended approval of other churches in C3 zoning districts throughout the city. We acknowledge in this case that they are severely limiting their growth potential. The church has accepted this as the case.

Pastor Heath came forward to speak in favor of this special permit for his church. He stated that they have completed all the items that the City of Hinesville has asked of him. He also stated that he has closed off the upstairs and will not be using the back portion of the building. He is now working on the parking lot.

Vicky Nelson, Hinesville City Council (District 3), came forward to speak on behalf of the church. Ms. Nelson stated she is there to attest to Pastor Heath's statement. They have completed all the items requested by the City of Hinesville.

Commissioner Pace stated that no matter how good they are she will oppose it because it infringes on the future property rights of the convenience store located nearby. This is interfering with the future use of these properties. Commissioner Hodges stated that this hinders the future rights of those businesses and the small shopping center located directly across the street.

Commissioner Standard stated that the reality is that this is similar to what we have passed in the past.

There was much discussion about the current uses that exist close to this structure. There is one convenience store next door that sells alcohol.

Jeff Ricketson stated that it is possible to change the ordinance and reduce the amount of feet required between a church and another piece of property.

MOTION: Durand Standard with standard and the recommended special conditions.

SECOND: Marshall Kennemer

VOTE: Motion passed with Commissioners Pace and Hodges opposing. Vote: 5-2-0.

This special permit use will go before the Hinesville City Council on September 5, 2019, at 3 PM.

MIDWAY

3.4 Conditional Use 2019-029-M. A conditional use permit has been filed by Mindi Morrall for a proposed dog day care located on E. Oglethorpe Highway, further described as LCTM-Parcel 242D-004. Property owner is Mindi Morrall. The property is zoned IC (Interstate Corridor) and the operation of an animal care center is allowed only as a conditional use in IC.

Nirav presented this conditional use to the Planning Commission. Nirav stated that this parcel is located in the Midway Gateway Overlay District. The Gateway Design Review Board will have to approve before this item goes to the Midway City Council.

RECOMMENDATION: Approval

MOTION: John Hodges

SECOND: Lynn Pace

VOTE: Unanimous in favor.

This conditional use will go before the Midway City Council on September 9, 2019, at 6 PM after the Gateway Review Board meets.

4.0 SITE PLANS, PRELIMINARY PLATS & FINAL PLATS

4.1 Request for final plat approval of Pineridge Subdivision Phase 3B. A request has been submitted by P.C. Simonton and Associates on behalf of RTS Homes for

approval of 29 single-family detached residential homes located in the City of Hinesville.

Mardee presented this final plat to the Planning Commission.

RECOMMENDATION: Approval with standard and the following special conditions:

Prior to going to the City of Hinesville, the following letters of credit shall be received:

- \$2,400 for remaining primary improvements (striping and signage.)
- \$53,556.00 for secondary improvements (sidewalks and street trees)
- \$59,096.48 for maintenance of all primary improvements.

MOTION: Phil Odom with standard and special conditions.

SECOND: Marshall Kennemer

VOTE: Motion passed unanimously with Commissioner Hodges abstaining. Vote: 7-0-1.

This final plat will be heard by the Hinesville City Council on September 5, 2019, at 3 PM if the conditions have been met.

- 5.0 INFORMATIONAL ITEMS
- 6.0 GENERAL PUBLIC COMMENTS
- 7.0 OTHER COMMISSION BUSINESS

7.1 Director's Report

Jeff Ricketson, Executive Director, presented the Planning Commission with an update of last month's actions. Jeff stated that the PUD for RTS Homes was approved by the Hinesville City Council with the minimum setback of 15 feet.

8.0 ADJOURN

MOTION: Phil Odom

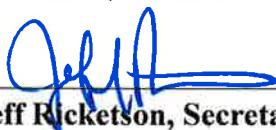
SECOND: John Hodges

VOTE: Unanimous



~~Jack Shuman, Chairman~~

TIMOTHY BYLER VICE CHAIRMAN



Jeff Ricketson, Secretary to the Board

17 SEPTEMBER 19

Date