

CHAIR
Jack Shuman
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

February 25, 2019

The Liberty Consolidated Planning Commission met on Tuesday, February 19, 2019, in the Historic Courthouse, 100 Main St., Hinesville, GA. Tim Byler, Vice-Chairman, called the meeting to order. Vice-Chairman Byler asked for a motion to accept the minutes from the previous meeting. A motion was made by John Hodges and the motion was seconded by Sarah Baker to accept the minutes from the January 18, 2019 meeting. Motion passed unanimously. Vice-Chairman Byler asked for a motion to accept the final agenda. Jeff Ricketson stated that we have been asked by Marcus Sack with P.C. Simonton to move his item to the beginning so that he can make it to the Effingham County Commission meeting. Vice-Chairman Byler stated he could make the change. Phil Odom made a motion to approve the agenda with the change. Sarah Baker seconded the motion. Motion passed unanimously. The public was notified of the meeting and the agenda was posted in accordance with Georgia Law.

COMMISSIONERS PRESENT:

John Hodges
Durand Standard
Lynn Pace
Phil Odom
Tim Byler

ABSENT:

Jack Shuman
Alonzo Bryant
Durand Standard
Marshall Kennemer

LCPC STAFF PRESENT:

Kelly Wiggins, Executive Assistant
Jeff Ricketson, Executive Director
Gabby Hartage, Zoning Administrator
Alan Seifert, Planner III
Nils Gustavson, Planner III

Vice-Chairman Byler 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

2.1 Consent Agenda Items (None)

2.2 Ordinances and Resolutions (None)

4.0 SITE PLANS, PRELIMINARY PLATS & FINAL PLATS

4.1 Request for preliminary plat approval for Walthourville Lakes Subdivision.

Request was submitted by P.C. Simonton and Associates, Inc. on behalf of Provident Construction for a preliminary plat consisting of 47 single-family residential lots.

Nils presented this preliminary plat to the Planning Commission. Nils stated that the total acreage is approximately 30 acres.

Marcus Sack came forward to state he is present to answer any questions if needed.

RECOMMENDATION: Approval with standard and the following special conditions.

Prior to presenting the project to the City of Walthourville, the following special conditions shall apply:

- EPD approval for water and sewer system.
- Sidewalks are approved for one side only for Road A and B.
- Show the limits of the 100-year floodplain per the December 2018 FEMA maps.
- Sidewalks are required for all new lots fronting Talmadge and Wilder Roads.

MOTION: Phil Odom

SECOND: John Hodges

VOTE: Unanimous in favor of staff recommendation

This preliminary plat will go before the Walthourville City Council when the special conditions have been met.

3.0 REZONING PETITIONS AND OTHER ZONING-RELATED ITEMS

HINESVILLE

3.1 Rezoning Petition 2019-003-H. An application has been filed by Keith T. Bacon, owner, to rezone 1.0 acre of land, more or less, from R-A-1 (Multi-Family Dwelling District) to MH-2 (Single-Family Manufactured Home Dwelling District) at 940 Hollywood Drive, further described as LCTM-Parcel 046C-057.

Gabby presented this rezoning to the Planning Commission.

RECOMMENDATION: Approval with standard conditions. This rezoning will go before the Hinesville City Council on March 7, 2019 at 3:00 PM.

MOTION: Phil Odom

SECOND: Lynn Pace

VOTE: Unanimous in favor of staff recommendation.

This rezoning will go before the Hinesville City Council on March 7, 2019 at 3:00 PM.

RICEBORO

3.2 Conditional Use 2019-004-R. An application has been filed by SNF, owner, for a Conditional Use to have a truck terminal for storage and shipping on approx. 1.1 acres of land, more or less, which is a portion of LCTM-Parcel 191D-043 which consists of 99.75 acres of land, more or less. Property is zoned B-2 (General Commercial District).

Gabby presented this conditional use to the Planning Commission. Gabby pointed out that most of the Chemtal property is zoned I-1 but there is a small portion in the front that is zoned general commercial.

Commissioner Odom asked Gabby if terminal parking was part of the B-2 classification. Gabby stated no.

Lelon Frazier Jr. came forward to speak in opposition of this conditional use. Mr. Frazier stated his house is located right next to the proposed property. Gabby pointed out to the council the location of his property. Mr. Frazier stated that he has seen tremendous growth from Chemtal and is concerned about how this growth is affecting his property. Spills from Chemtal and noise and traffic. The employees are currently parking on his property. Mr. Frazier stated that he humbly opposes this. Vice-Chairman Byler asked for Gabby to point on the monitor where the cars are parking. Commissioner Pace stated that the property Mr. Frazier lives on is zoned B1. There was discussion about buffers.

Marcus Sack with P.C. Simonton came forward to speak on behalf of SNF/Chemtal. Marcus pointed out that Jones Street, which runs behind Mr. Frazier's house and the Riceboro City Hall was deeded to SNF. Marcus stated that there is a little bit of existing buffer. Marcus stated that trucks parking off property would be a concern and that he would speak with Gary at SNF and ask him to take care of that. Just as a note, there is a plan to redesign the main entryway into SNF. This project will include green infrastructure. This property is being used as a parking lot now and will be used as that later.

Vice-Chairman Byler asked if there was a need for a buffer. Gabby and Mr. Frazier stated that this property was not drawn correctly on the GIS map. Mr. Frazier brought his deed with him. Jeff stated that the office would need to conduct further research on the property. Marcus stated that the street right-of-way is going to be at least 40 feet. Commissioner Odom suggested having this area fenced to include Jones Street by SNF. Commissioner Pace asked if this could be put off for legal opinion.

Marcus Sack and Jeff Ricketson discussed the buffer and decided with the layout it is a moot point.

RECOMMENDATION: Approval with standard conditions.

MOTION: Phil Odom

SECOND: John Hodges

VOTE: Unanimous in favor of staff recommendation.

This conditional use will go before the City of Riceboro on March 5, 2019 at 6:00 PM.

WALTHOURVILLE

3.3 Variance 2019-005-W. A variance to Walthourville's subdivision ordinance has been applied for by HAR'S LLC, (Julie Dawson), for a variance to postpone right-of-way dedication and installation of sidewalk adjacent to the proposed development on the east side of Busbee Road. The project encompasses the following LCTM-Parcels: 041B-011, 041B-012, and 041B-013.

Gabby presented this variance to the Planning Commission. The request is to waive the additional right-of-way dedication until the additional sidewalk is installed. Busbee Road has a very narrow right-of-way. In this case, seven feet of this right-of-way would have to be dedicated to the City of Walthourville. The owners would like to postpone installing the sidewalk until Parker's installs the sidewalk on their side. Mr. Dawson stated that he would be willing to enter into a similar agreement that the City of Walthourville made with Parkers. Gabby stated that this would be detrimental to the public good without the safety of the sidewalks.

RECOMMENDATION: Disapproval.

Commissioner Odom asked if Parkers was granted a variance from the City of Walthourville. Gabby stated that Parkers made some kind of arrangement with the City of Walthourville. There was a document drawn up that Parkers install their sidewalks at a later time. Commissioner Odom asked isn't that what this owner is asked for. Gabby stated very possibly she is, but we are going by the ordinance. Commissioner Odom asked if commercially zoned property is responsible for putting sidewalks in. Gabby stated that is correct. Commissioner Odom stated that he has not witnessed much traffic on Busbee Road. Jeff stated that Parkers did not get a variance. They have some sort of development agreement with the City of Walthourville. That did not come to us. If it had come to us, we would have recommended disapproval of that one as well. Commissioner Pace stated that Busbee Road is a busy road and with the development of commercial businesses there will be an increase in pedestrian traffic. Commissioner Pace asked if there was a time limit put on Parkers. Gabby and Jeff stated that we do not know this information because we were not involved in the agreement.

Trent Long with T.R. Long Engineering came forward to speak on behalf of Jeff and Julie Dawson. Trent stated that he is respectfully requesting the same opportunity that was granted to Parker's. Trent stated that he did attempt to go to Walthourville and ask for the same agreement that Parker's was granted, and Trent was told to bring this issue through the Planning Commission. That is why he is here. Trent stated that they owners were not attempting not to install the sidewalk but just to postpone installing it to a later date. Commissioner Pace stated that the Planning Commission cannot grant that type of permission because it is against the ordinance. Commissioner Odom stated their job is to follow the ordinance, but in this situation the City of Walthourville has already legally granted one corporate citizen an exemption. This corporate citizen is asking for the same exemption, but the City says it must go through this Commission first. The staff says this should be disapproved but a legal precedent has been set when the city gave Parkers an exemption. This citizen is asking for the same exemption. Commissioner Odom stated he disagreed with the staff and feels it should be approved. Vice-Chair Byler asked if there was a way for the Planning Commission to bring our recommendation to Walthourville to address the concern that we have that Walthourville has created by offering this to one person and not the other. There was discussion on how to send the recommendation to the City of Walthourville. Commissioner Pace said that the Dawsons could probably sue

Walthourville. Commissioner Odom stated that without having the agreement here between Parkers and the City of Walthourville, it is hard to make a decision. Jeff stated that he has seen the agreement and it is a legal agreement drawn up by their attorneys. Now they are choosing to handle through the variance process instead of a legal agreement. The only thing the staff can do is go by the ordinance. The reason why the staff brings it to you is because you have a say in this. Once it leaves the staff and comes to you, you can say whatever you want to say, and we will bring that to Walthourville. Commissioner Pace recommended that they tell Parkers its time to put their sidewalk in. Jeff stated that Parkers agreement is to install their portion of the sidewalk when the City of Walthourville installs the rest of the sidewalk for the Busbee Road that is assigned to the city.

MOTION: Commissioner Odom recommended that we approve the request for this variance with a special condition that at the time the City of Walthourville accepts the responsibility of building the rest of the sidewalks the corporate citizens that have the agreement in place will pay for their share.

SECOND: None

VOTE: Motion failed

MOTION: Commissioner Pace made a motion, since the sidewalk is needed, to recommend that the City of Walthourville use this opportunity to require both sidewalks be brought into compliance.

SECOND: None.

VOTE: Motion failed

Commissioner Baker asked when this legal document was approved by the City of Walthourville. Jeff stated two years ago.

Vice-chairman Byler stated that he is inclined to table this. This needs to be disapproved but because of the decision they made with Parker's this has caused an issue. Lynn Pace said she would second that.

Jeff asked what are you directing the staff to communicate to Walthourville. Vice-Chairman Byler stated he would like the staff to communicate to Walthourville that looking at the ordinance as it stands, they violated the ordinance and they are putting us in a position to deny someone else a variance on what is essentially the same stretch of property. We are not comfortable giving to Peter and not giving to Paul. Or at list give us the ability to see the agreement they made with Parkers. Commissioner Odom stated he would like to see the City of Walthourville master plan for that road. Jeff stated it is in the sidewalk plan, but it is not budgeted. Vice-chairman Byler asked for a motion to table this action.

MOTION: Lynn Pace

SECOND: Sarah Baker

VOTE: All in favor of tabling action.

This variance will go before the Walthourville City Council at a later date.

LIBERTY COUNTY

3.4 Rezoning Petition 2019-006-LC. An application has been filed by Ted Eby, owner, to rezone 1.45 acres of land, more or less, from AR-1 (Agricultural Residential District) to B-2

(General Commercial District), on Leroy Coffey Hwy, further described as LCTM-Parcel 120-015. This rezoning is for the construction of a 30' x 60' building with offices and storage.

Alan presented this rezoning to the Planning Commission.

RECOMMENDATION: Approval with standard conditions

John Lewis came forward to ask questions about this rezoning. He stated he owns the property in the back and to the side of this property. Mr. Lewis stated that he wanted to know what was going to be stored in the storage building. Mr. Ted Eby, owner, stated that the storage building would be for construction materials such as, cabinets and wood. There would not be any hazardous materials stored.

Ms. Vernie Luckey came forward to speak in opposition of the rezoning. Ms. Luckey stated that she received the letter about the rezoning. She owns a house right next to the property and rents it out. She would like to have more information on what they plan to put there. Vice-Chairman Byler stated that there will be a building for a construction business with a storage building for storing building supplies. Ms. Luckey is concerned about how the tenants will like this being located next to them. Ms. Luciria Lovette came forward to speak with her mother. She stated that her mother's concern is that the property could be used to store old cars and things such as that. Mr. Eby stated that he will only be storing building materials on the property.

Valerie Luckey came forward and stated she would like to see a visual as to how this will look. Vice-Chairman Byler stated that his meeting is just for the rezoning only. What is built on the property will be handled by Liberty County. Ms. Luckey stated that this was her grandmothers' home and is still worried about what will happen if this is approved and what else will be allowed in the area. Ms. Luckey asked if we could table this. This area is designated as a mixed-use area.

MOTION: Lynn Pace recommended disapproval.

SECOND: Sarah Baker

VOTE: Sarah Baker and Lynn Pace in favor. John Hodges and Tim Byler abstained. Phil Odom voted against. Motion carries 2-1.

This rezoning will be heard by the LCBOC on March 5, 2019 at 6 PM.

3.5. Rezoning Petition 2019-007-LC. An application has been filed by Liberty Creek Partners LLC. /Hal Hayes, on behalf of Kevin Smith, owner, to rezone 38.65 acres of land, more or less, from A-1 (Agricultural District), AR-1 (Agricultural Residential District), and R-2 (Two-Family Residential District) to R-1 (Single Family Residential), further described as LCTM-Parcel 100-007.

Alan presented this rezoning to the Planning Commission. Travis Bazemore came forward to speak on behalf of the petitioner. He stated he is here to answer any questions.

RECOMMENDATION: Approval with standard conditions.

MOTION: Lynn Pace

SECOND: Phil Odom

VOTE: Unanimous in favor of staff recommendation.

This rezoning will be heard by the LCBOC on March 5, 2019 at 6 PM.

3.6 Variance 2019-008-LC. WITHDRAWN An application for a variance of ten (10) ft. to the required fifteen (15) ft. Side yard setback to allow a side yard setback of five (5) ft. has been filed by Stoy F. Marlow, owner, to allow the placement of an accessory building at 218 Camellia Rd, further described as LCTM-Parcel 353C-019.

3.7 Variance 2019-010-LC. An application for a variance (2019-010-LC) to the accessory building requirement for all accessory buildings to be placed in the rear yard has been filed by Stoy F. Marlow, owner. This request is to allow construction of a garage in the front yard setback in Liberty County, further described as LCTM-Parcel 353C-019.

Alan presented this variance to the Planning Commission. Mr. Marlowe came forward to answer questions. Vice-Chairman asked what timeframe he will have the other structures removed. Mr. Marlowe stated within 90 days.

RECOMMENDATION: Approval with standard and the following standard condition: Once the garage is constructed, two of the existing accessory structures shall be removed from the property according to the applicant provided site plan.

MOTION: Phil Odom with standard and special conditions.

SECOND: Sarah Baker

VOTE: Unanimous in favor of staff recommendation.

This variance will be heard by the LCBOC on March 5, 2019 at 6 PM.

HINESVILLE

3.8 Rezoning Petition 2019-009-H. An application has been filed by RTS Homes, LLC, owner, to rezone 25.0 acres of land, more or less, from L-I (Light Industrial District) to R-4 (Single-, and Two-Family Dwelling District) on property being part of Pineridge Subdivision, further described as LCTM-Parcel 039A-016.

Gabby presented this rezoning to the planning commission.

RECOMMENDATION: Approval with standard conditions.

MOTION: Lynn Pace

SECOND: Sarah Baker

VOTE: All in favor of staff recommendation except John Hodges abstained.

This rezoning will be heard by the Hinesville City Council on March 7, 2019 at 3 PM.

4.0 SITE PLANS, PRELIMINARY PLATS & FINAL PLATS

5.0 INFORMATIONAL ITEMS

Gabby gave a short presentation on the remodeling of the Kentucky Fried Chicken and the new proposed One Stop Package Shop.

6.0 GENERAL PUBLIC COMMENTS

7.0 OTHER COMMISSION BUSINESS

7.2 Director's Report

Jeff Ricketson, Executive Director, presented the Planning Commission with an update of last month's actions. Jeff stated that the Hinesville City Council approved that afterschool program at Raintree Apartments and the rezoning at Pleasant Grove Church. Jeff stated that Kelly has passed out a copy of your bio from the website. Jeff asked the Commissioners to update the bio and Kelly will get the website updated.

8.0 ADJOURN

MOTION: Phil Odom
SECOND: Sarah Baker
VOTE: Unanimous



Jack Shuman, Chairman

3-19-19

Date



Jeff Ricketson, Secretary to the Board