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ASST. VICE CHAIR
Lynn Pace
SECRETARY
Jeff Ricketson



COMMISSIONERS
Sarah Baker
Alonzo Bryant
Marshall Kennemer
Phil Odom
Andrew Williams
Durand Standard

September 16, 2015

The Liberty Consolidated Planning Commission met on Tuesday, September 15, 2015, in the Historic Courthouse, 100 Main St., Hinesville, GA. Jack Shuman, Chair, called the meeting to order. A motion was made by Tim Byler to approve the minutes of the August 18, 2015, meeting. Phil Odom seconded the motion. The motion passed unanimously. The public was notified of the meeting; the agenda was posted in accordance with Georgia law.

COMMISSIONERS PRESENT:

Jack Shuman
Phil Odom
Lynn Pace
Sarah Baker
Andrew Williams
Timothy Byler

ABSENT:

Marshall Kennemer
Alonzo Bryant

OTHERS PRESENT:

Jeff Ricketson, Executive Director, Secretary
Kelly Wiggins, Executive Assistant
Jeremy McAbee, Planner I
Abe Nadji, Engineering Director
Gabby Hartage, Zoning Administrator

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.

A motion was made by Durand Standard to approve the agenda. Tim Byler seconded the motion. The motion was unanimous.

1.0 OLD BUSINESS (OPEN PUBLIC HEARING)

2.0 NEW BUSINESS

2.1 Consent Agenda Items (None)

2.2 Ordinances and Resolutions

2.2.1 Gum Branch Subarea Future Land Use Map

The Liberty Consolidated Planning Commission considered a resolution amending the Liberty County Consolidated Comprehensive Plan 2030, as adopted by the local governments of Liberty County, Georgia, in 2008, that will amend the future development map to include the future land uses specifically delineated in the Gum Branch subarea future land use map.

Melissa Jones presented the map to the commission and explained the mixed-use corridor.

RECOMMENDATION: Approval

MOTION: Durand Standard

SECOND: Tim Byler

VOTE: Unanimous

This map will be presented to the Gum Branch City Council on September 28, 2015 at 7:30 P.M. and to the LCBOC on October 6, 2015 at 5:00 p.m.

2.2.2 Ordinance amendments for the City of Flemington pertaining to health clubs.

Gabby presented the ordinance to the Commission and explained the reason for the change. There will still be a public hearing held by the City of Flemington. A hard copy of the ordinance was provided for each Commissioner.

RECOMMENDATION: Approval

The ordinance will go before the City of Flemington Council on October 13, 2015 at 4:30 p.m.

3.0 Rezoning Petitions and other zoning related petitions

FLEMINGTON

3.1 Rezoning Petition 2015-033-FL. A rezoning petition filed by US Real Estate Professionals on behalf of the Heritage Bank, owner, to rezone 0.23 acres of land, more or less, from B-1 (Neighborhood Commercial District) to B-2 (General Commercial District) for a fitness gym at 1661-F East Oglethorpe Hwy, further described as LCTM-Parcel 069B-019.

Gabby Hartage presented this rezoning to the Commission. The fitness club would offer group and individual sessions. The gym has applied for a Crossfit endorsement. The club has indicated that the hours of operation will be 6 a.m. to 10 a.m. and 4 p.m. to 8 p.m.

RECOMMEDATION: Approval

MOTION: Tim Byler with the condition that the City of Flemington votes for the ordinance change.

SECOND: Durand Standard

VOTE: Unanimous

This rezoning will go before the City of Flemington on October 13, 2015 at 4:30 p.m.

LIBERTY

3.2 Type “B” Home Occupation 2015-036-LC. The home occupation request was filed by Stephanie L. Cockerm, owner, to operate a tutoring business at 3340 John Wells Road, further described as LCTM-Parcel 006-046.

Jeremy McAbee presented this home occupation request to the Commission. Mrs. Cockerm will be operating her tutoring business within the hours of the ordinance. Commissioner Williams asked if it would be feasible for her to start tutoring at the hour she has proposed because of the time that schoolchildren are released. Mrs. Cockerm came forward and explained that she can tutor two students after school is out. She would like the time extended but she was proposing to operate within the constraints of the ordinance. Commissioner Standard stated that Mrs. Cockerm would need to petition the Board of Commissioners for an extension of the hours for her business.

RECOMMENDATION: Approval with standard conditions.

MOTION: Durand Standard
SECOND: Andrew Williams
VOTE: Unanimous

This home occupation request will go before the LCBOC on October 6, 2015 at 6:00 P.M.

HINESVILLE

3.3 Rezoning Petition 2015-037-H. A rezoning petition and special permit use has been filed by Anthony R. McRae, applicant, to rezone 1.79 acres of land, more or less, from C-2 (General Commercial District) to C-3 (Highway Commercial District) at 1572 EG Miles Parkway, further described as LCTM-Parcel 036D-017.

Gabby presented this rezoning to the Commission. This is the site of the former Revolutions nightclub. Gabby explained that this rezoning would also require a special permit. The ordinance calls for a special permit for a church to operate at this location. Pastor McRae came forward and stated that his church has been operating in the Gum Branch area for some time but that they have outgrown the facility. He would like the Commission to approve both the rezoning petition and the special permit. Mr. George Holtzman came forward and spoke in favor of the rezoning. He represents Mike Alamo, owner of the property, and states that he cannot think of any better use for the facility than to serve the Lord.

RECOMMENDATION: Approval with standard conditions

MOTION: Tim Byler
SECOND: Phil Odom
VOTE: Unanimous

This petition will go before the Hinesville City Council on October 1, 2015 at 3:00 P.M.

3.4 Special Permit Use 2015-038-H. In conjunction with above rezoning, a special permit use was also filed to operate a church at 1572 EG Miles Pkwy.

RECOMMENDATION: Approval with Standard conditions

MOTION: Phil Odom

SECOND: Durand Standard

VOTE: Unanimous

This permit will go before the Hinesville City Council on October 1, 2015 at 3:00 P.M.

LIBERTY

3.5 Rezoning Petition 2015-039-LC. A rezoning petition has been filed by James E. Smith, owner and agent for June Smith Hendry, to rezone a combined acreage of 3.00, more or less, from R-2 (Two-Family Residential District) and A-1 (Agricultural District) to B-2 (General Commercial District). Properties are located adjacent to the Liberty County High School and are further described as LCTM-Parcel 084-019 and 084-020.

Jeremy presented this petition to the Commission.

RECOMMENDATION: Approval with standard conditions

MOTION: Phil Odom

SECOND: Andrew Williams

VOTE: Unanimous

This petition will go before the LCBOC on October 6, 2015 at 6:00 P.M.

HINESVILLE

3.6 Rezoning Petition 2015-040-H. A rezoning petition has been filed by Marcus Sack, agent for Jeremy Reaves, applicant, and John Tzen, owner, to rezone 1.35 acres of land, more or less, from O-I (Office Institutional District) to C-2 (General Commercial District) for a fast food restaurant with drive-through at 705 W Oglethorpe Hwy, further described as LCTM-Parcel 057C-262.

Gabby presented this petition to the Commission. The petitioner would like this property rezoned for the placement of a fast food restaurant (Cook-Out). It will be located on the corner of Highway 84 and MacArthur Drive. The access would be located on MacArthur Drive not on Highway 84.

RECOMMENDATION: Approval with standard conditions

MOTION: Phil Odom

SECOND: Durand Standard

VOTE: Unanimous

This petition will go before the Hinesville City Council on October 1, 2015 at 3:00 P.M.

FLEMINGTON

3.7 Rezoning Petition 2015-041-FL. A rezoning petition has been filed by Gail Holland, agent for the Heritage Bank, owner, to rezone 29.8 acres of land, more or less, from PUD (Planned Unit Development District) to A-1 (Agricultural District). Property is located off Old Savannah Road and is further described as LCTM-Parcel 067-001. **WITHDRAWN**

HINESVILLE

3.8 Rezoning Petition 2015-042-H. A rezoning petition has been filed by Sofran Partners, LLC, agent for the Kroger Co, to rezone the following four parcels close to Veteran's Pkwy and Deal Street to C-3 (Highway Commercial District): LCTM-Parcels 058A-002, 057C- 020, 057C-021, and 058A-001.

Gabby presented this petition to the Commission. The petitioner would like this property rezoned to build a Kroger store. Gabby pointed out the properties that are slated to be rezoned; she also pointed out the site plan, the proposed gas station, and the proposed traffic light. Chairman Shuman asked Gabby to point out the parcels again. Commissioner Pace asked about the entrances to the property. Gabby explained where the accesses would be located. Commissioner Odom asked for verification that Gilbert Street would not be connected to this development and that only a small portion of Pixie Lane will be included. Gabby verified that is correct. Arahn Hawkins, representing the Kroger franchise, spoke in favor of the development. Mr. Hawkins went over the features of the store. Kroger will be 123,000 square feet. Kroger will offer a Starbucks, on-line grocery shopping, a large pet department, home décor, clothing, and a large nature market to include organic foods. Mr. Paul Harrell was present for technical questions, but none were asked. Joseph Stuart spoke in opposition to the development due to quality of life. He would like to see the areas left natural. Sheila Eichorn stated she is concerned about the intersection with Deal Street and would like the caution light changed to a traffic signal. Chairman Shuman asked if there was a traffic study completed at this area. Jeff Ricketson stated that there has not been one completed at this intersection. Phil Odom stated that there was a traffic study completed five years ago and GDOT declined the traffic light. Chairman Shuman stated that once this development moves forward and this becomes an issue the City of Hinesville would consider it at that time.

RECOMMENDATION: Approval with standard conditions

MOTION: Tim Byler

SECOND: Lynn Pace

VOTE: Unanimous

This petition will go before the City of Hinesville Council on October 1, 2015, at 3:00 p.m.

LIBERTY

3.9 Rezoning Petition 2015-043-LC. A rezoning petition has been filed by William C. Nijem, agent for Teramore Development, LLC., applicant, and Floyd Morris, owner, to rezone 1.89 acres of land, more or less, from AR-1 (Agricultural Residential District) to B-1 (Neighborhood Commercial District) at 29 Cooper Lane, further described as LCTM-Parcel 030-060.

Jeremy presented this petition to the Commission. Mr. Nijem submitted a narrative stating that this rezoning would be for a commercial retail store. The main entrance to the store would be off of Cooper Lane not off Highway 196. Jeremy stated that the staff is recommending a special condition of an opaque fence and a vegetation buffer. Commissioner Williams asked how close this development is to a residence. Jeremy pointed out the surrounding houses on the map. Jeremy also stated that the owner of 94 Cooper Lane submitted a letter in opposition of the rezoning stating that this would be disturbing the serenity of the neighborhood. Commissioner Pace asked if Gum Branch recommended the mixed-use corridor and Jeremy stated that it is not actually within the City of Gum Branch but they were not opposed to this zoning. Mr. William Nijem, attorney for petitioner, spoke in favor of the development. Mr. Nijem stated that the highest and best use for this location is commercial development. He stated it does conform to the proposed Liberty County Comprehensive Plan and stated that the applicant has agreed to the fencing and the vegetation stipulation. Mr. Nijem also wanted to point out that there would probably be questions about the storm water runoff with the creek being there. The site plan does require a retention pond, and he feels this would rectify that issue. Mr. Nijem also stated that he personally drove over to the site and looked at the address of the opposition and stated that there is a FOR SALE sign in the yard and the house seems vacant. Commissioner Williams asked Mr. Nijem if he stated he went to the site today and Mr. Nijem stated he did in fact go there and the home was listed online for sale. Commissioner Odom asked whether the client had started the process of dealing with the delineated wetland area. Mr. Nijem stated that Mr. Hufstetler has already put a plan in place for that issue. Josh Hufstetler of Teramore Development came forward and presented a picture of the property with the for sale sign in the yard.

RECOMMENDATION: Approval with standard and the following special conditions: A six-foot opaque fence in conjunction with a 20-foot wide landscape buffer abutting residentially zoned properties.

MOTION: Lynn Pace

SECOND: Andrew Williams

VOTE: Unanimous

This petition will go before the LCBOC on October 6, 2015 at 6:00 P.M.

HINESVILLE

3.10 Rezoning Petition 2015-044-H. Request by Carolyn S. Carter, owner, to rezone two parcels consisting of 0.75 acres of land, more or less, from R-4 (Single-, Two- Family Dwelling District) to D-D (Downtown Development District) for a park. Properties are located on Rebecca St/Shipman Ave and are further described as LCTM-Parcels 055C-022 and 055C-032.

Gabby presented this petition to the Commission. Gabby stated that Ms. Carter would like to make this area a park. She would like to place a sign on the property. There is a fence around the property and Ms. Carter would like to use the property as a park for private events. Ms. Carter has also presented a letter from her pastor of the First Calvary Church stating that she can use the church parking at any time that the church is not having an event. Ms. Carter would eventually like to place a cupola and restrooms on the property for weddings. Liberty Commissioner Gary Gilliard represents district 5. He stated he grew up in this neighborhood and wanted to speak in favor of this park. He would like the Commission to

approve the park. Joseph Stuart spoke in favor of the park. Mr. Stuart stated that he was pleased when he found out the rezoning was for a park and he recommends this park as well.

RECOMMENDATION: Approval with standard conditions.

MOTION: Tim Byler

SECOND: Andrew Williams

VOTE: Unanimous

This petition will go before the City of Hinesville Council on October 1, 2015 at 3:00 P.M.

CLOSE PUBLIC HEARING

4.0 SITE PLANS, PRELIMINARY PLATS & FINAL PLATS

4.1 Preliminary Plat. Request by RTS Homes for preliminary plat approval for a subdivision consisting of 155 lots adjacent to the existing Pineridge Plantation subdivision off Airport Road.

Abe presented this preliminary plat to the Commission. He explained that the lots would be 8,000 square feet in size. There was a discussion about the exact location of the neighborhood and Abe explained to the Chairman and the Commissioners where it would be located. Commissioner Odom asked if this neighborhood is located in the City of Hinesville and Abe stated that is correct. Commissioner Odom asked to which watershed the runoff would flow. Marcus Sack indicated that most of this water runoff would go to Horse Creek.

RECOMMENDATION: Approval with standard and the following special conditions: Must receive EPD water and sewer approval and drainage approval before presenting to the City of Hinesville.

MOTION: Phil Odom

SECOND: Durand Standard

VOTE: Unanimous

This will go to the Hinesville City Council on October 1, 2015 at 3:00 P.M.

4.2 Final Plat and Development Agreement. Request by Polestar Exchange GA Hinesville (General Stewart), LLC, for final plat approval in conjunction with a development agreement to be executed with the City of Hinesville.

Jeff presented this Plat and Development Agreement to the Commission. Jeff stated that this Development Agreement states that the Developer would be responsible for the entire cost of the road construction at the Walmart Neighborhood Market site and for submitting a bond in exchange for the City of Hinesville approval of the final plat so that the developer can deliver the building on time for his client. The city attorney reviewed the agreement and he has approved the agreement. Chairman Shuman asked what the initial discrepancy was with this road. Jeff stated there is a huge box culvert that has to be constructed to allow the creek to flow under the road, and the time required for construction has put a constraint on the developer. Mr. George Holtzman came forward and stated that heard mention of The Coastal Courier Sound Off stating that the City of Hinesville was paying for the

road to Walmart to be built and he suggests somehow letting The Coastal Courier know that the developer is paying for the entire cost of the road. Commissioner Odom asked if portion of the road that is being dedicated will eventually go to Patriot's Trail and Jeff stated that it would.

RECOMMENDATION: Approval with standard and the following special condition: A bond for \$1,349,281.00 must be posted prior to recording of final plat.

MOTION: Tim Byler
SECOND: Phil Odom
VOTE: Unanimous

This final plat will go before the City of Hinesville Council on September 17, 2015 at 3:00 P.M. at Hinesville City Hall.

5.0 INFORMATIONAL ITEMS

6.0 GENERAL PUBLIC COMMENTS

7.0 OTHER COMMISSION BUSINESS

7.2 Director's Report

Jeff Ricketson gave an update on the outcome of each of the actions from the last LCPC meeting. He stated the pet services business located in Lake George was approved by the LCBOC. Mr. Frasier's Barber Shop rezoning was approved by the City of Hinesville. The development on McLarry's curve was tabled at the City of Flemington Council meeting and they are having a workshop on Friday at 11:00 a.m. to discuss this matter further. The Preliminary Plat for Hampton Ridge was not voted on because The City of Walthourville did not have a quorum at their meeting. Hinesville Professional Center was not on the agenda because they have not submitted a letter of credit.

8.0 ADJOURN

MOTION: Lynn Pace
SECOND: Sarah Baker
VOTE: Unanimous

Meeting adjourned at 6:00 PM.

Jack Shuman, Chair

Date

Jeff Ricketson, Secretary to the Board

