

Hendrix Park, Ellabell-Pembroke



BRYAN COUNTY
PLANNING & ZONING COMMISSION and BOARD OF ADJUSTMENT
MINUTES

Meeting Date: January 6, 2021

Meeting Time: 6:30 p.m.

Attendees: Alex Floyd, Chairman
Joseph Pecenka, II, Vice Chairman
Ronald Carswell
Boyce Young
Michelle Guran
Stephanie Falls
Stacy Watson

Staff: Audra Miller, Community Development Director
Amanda Clement, Planning Manager
Ashley Young, Planning Technician
Sara Farr-Newman, Planner II

I. CALL TO ORDER

Chairman Floyd called the meeting to order at 6:31 p.m.

II. CHANGES TO THE AGENDA

Ms. Clement requested to move Other Business Item #1, the application of Parker Engineering on behalf of Zip N Foods, to be heard prior to the Planning and Zoning Public Hearing Items. The Board agreed.

III. APPROVAL OF MINUTES

Commissioner Young made a motion to approve the December 2, 2020 Minutes, and a second was made by Commissioner Falls. Vote 6:0, motion carried.

A handwritten signature in black ink, appearing to be "R. Young", is located in the bottom right corner of the page.

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IV. REVIEW OF MEETING/HEARING PROCEDURES

Ms. Clement announced that the meeting would be live streamed through Go-To Meeting and reviewed the meeting procedures for the on-line format.

V. BOARD OF ADJUSTMENT – PUBLIC HEARING

1. V#360-20, Michael Wolfe for a Variance to Section 1000(g) & (f) of the Bryan County Zoning Code for property located at 2799 Wilma Edwards Rd., Ellabell. The tax map and parcel number is 024-29-001-00B, zoning is A-5.
 - a. Commissioner Falls made a motion to open the public hearing, and a second was made by Commissioner Pecenka. Vote 6:0, motion carried.
 - b. Ms. Farr-Newman presented the application, stating the property owner owned both the subject parcel and the adjacent parcel to the west. She stated the adjacent property is where the main residence was located and the variance request was for the bunk house located on the east property. She stated because the bunk house was located on a separate parcel, it was considered as the primary structure and the square footage of the front yard accessory structure would exceed the allowed amount. She stated Staff recommended denial as the request would not meet the intent of the ordinance.
 - c. Michael Wolfe, representative for the property owner Andrew McCumber, spoke in favor of the request.
 - d. Commissioner Pecenka made a motion to close the public hearing, and a second was made by Commissioner Watson. Vote 6:0, motion carried.
 - e. Commissioner Young made a motion to approve the variance request for V#360-20, and a second was made by Commissioner Pecenka. Vote 5:1, motion carried. Commissioner Carswell opposed.

VI. PLANNING AND ZONING COMMISSION – NON-PUBLIC HEARING

1. Parker Engineering, on behalf of Zip and Foods, requesting a design modification to modify the requirement for a 25-foot landscaped corridor for the property located at 10820 East Hwy 280, Ellabell. The tax map and parcel number is 030-004.
 - a. Ms. Farr-Newman presented the application and identified a total of five (5) modifications relating to landscaping, buffers, and sidewalk requirements. She stated staff recommended approval of the modifications, since they met the objectives of the design requirements due to topography, surrounding sites, and existing natural vegetation.
 - b. Robert Ellis, with Parker Engineering, spoke on behalf of Zip and Foods in favor of the request.
 - c. Commissioner Watson made a motion to approve the design modification for Zip and Foods, and a second was made by Commissioner Young. Vote 5:1, motion carried. Commissioner Falls opposed.

A handwritten signature in black ink, appearing to be 'Robert Ellis', is located at the bottom right of the page.

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VII. PLANNING AND ZONING COMMISSION – PUBLIC HEARING

1. Z#239-20, Christopher Ferrel, requesting to rezone from the current zoning of R-1 to AR-1.5 for properties located on Michael Dr., Richmond Hill. The tax map and parcel numbers are 063-038 and 063-039.
 - a. Commissioner Pecenka made a motion to open the public hearing, and a second was made by Commissioner Watson. Vote 6:0, motion carried.
 - b. Ms. Farr-Newman presented the zoning request and explained the history of the area and the consistency with surrounding zonings. She stated the applicant requested the rezoning to AR-1.5 for the use of a manufactured home and to keep small farm animals such as chickens. She stated staff recommended approval.
 - c. Chris Ferrel, applicant, spoke in favor of the request.
 - d. Commissioner Falls made a motion to close the public hearing, and a second was made by Commissioner Pecenka. Vote 6:0, motion carried.
 - e. Commissioner Watson made a motion to recommend approval of Z#239-20, and a second was made by Commissioner Falls. Vote 6:0, motion carried.

2. SD#3147-20, EMC Engineering, on behalf of North Bryan Properties LLC, requesting a Preliminary Plat for the Interstate Exchange commercial subdivision located on HWY 280 and I-16, Ellabell. The tax map and parcel numbers are 029-004; 029-005; and 030-001.
 - a. Commissioner Pecenka made a motion to open the public hearing, and a second was made by Commissioner Falls. Vote 6:0, motion carried.
 - b. Ms. Clement presented the application for the preliminary plat, describing the plat as providing nine (9) parcels for commercial development, with a detention pond/open space parcel, and a new 80' right-of-way. She stated that staff recommended approval with the following condition:
 1. That the final Water and Sewer and Traffic Contribution Agreements are approved by the Board of Commissioners, prior to construction plan approval.
 - c. Cody Rogers, with EMC Engineering, spoke on behalf of North Bryan Properties, LLC in favor of the request.
 - d. Commissioner Pecenka made a motion to close the public hearing, and a second was made by Commissioner Young. Vote 6:0, motion carried.
 - e. Commissioner Falls made a motion to recommend approval of SD#3147-20, with the Staff conditions that the final Water and Sewer and Traffic Contribution Agreements are approved by the Board of Commissioners prior to construction plan approval, and a second was made by Commissioner Pecenka. Vote 6:0, motion carried.

3. SD#3170-20, Thomas and Hutton Engineering, on behalf of JI Interstate West Land LLC, requesting a Preliminary Plat for the Van Trust Kelly Tract Phase 1 subdivision located on Oracal Parkway and Old Cuyler Road, Ellabell. The tax map and parcel number is 034-021.
 - a. Commissioner Pecenka made a motion to open the public hearing, and a second was made by Commissioner Carswell. Vote 6:0, motion carried.
 - b. Ms. Clement presented the application for the preliminary plat to establish a 100' right-of-way to serve the future industrial development. She stated that staff recommended approval with the following conditions:
 1. The proposed sanitary sewer lift station (LS) shall be relocated with direct frontage along the dedicated right-of-way at an approved location. The LS shall be designed in accordance with current County and EPD standards.



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2. The proposed intersection at Oracal Parkway shall be positioned at an approved location which meets County Ordinance requirements
 - c. Tre Wilkins, Thomas and Hutton Engineering, spoke on behalf of JI Interstate West Land, LLC in favor of the request.
 - d. Commissioner Pecenka made a motion to close the public hearing, and a second was made by Commissioner Young. Vote 6:0, motion carried.
 - e. Commissioner Falls made a motion to recommend approval of SD#3147-20, with the Staff's conditions, and a second was made by Commissioner Pecenka. Vote 6:0, motion carried.
- 4.-9. Bryan County Board of Commissioners Comprehensive Plan Amendment and County Initiated Rezoning, Case Z#234-20, Z#235-20, Z#236-20, Z#237-20, and Z#238-20.
- a. Ms. Clement advised the Commission that Item 4, the request for a Comprehensive Plan Amendment, was submitted in conjunction with items 5-9 and recommended to keep the public hearing open to cover the associated items.
 - b. Commissioner Pecenka made a motion to open the public hearing, and a second was made by Commissioner Watson. Vote 6:0, motion carried.
 - c. Ms. Clement presented the proposed amendment to the Comprehensive Plan and Future Land Use Map for approximately 2600 acres located in the north east quadrant of I-16 and Highway 280, between I-16 and Eldora Road. She stated the request for the amendment was to reclassify the area as industrial instead of agricultural.
 - d. Ms. Miller presented the five (5) rezoning requests to rezone the property from "A-5" to "I-1" and clarified that with the implementation of the Unified Development Ordinance, the "I-1" zoning would be renamed "I-2". She stated that if approved, Staff recommended that the conditions outlined on pages 152-169 of the Agenda Packet be included.
 - e. Ms. Miller read a statement into the record that was submitted to Staff from Satarra Lee, expressing her concerns with the rezonings.
 - f. Ralph Forbes, Thomas and Hutton Engineering, spoke on behalf of the property owners in favor of the request.
 - g. Clifford Underwood, Jennifer Fichthorn, Jerry Tapley, Andrew Dunkle, Shannon Kroymann, Wayne Carney, and Del Harrison spoke in opposition to the request.
 - h. Mr. Forbes, Thomas and Hutton Engineering, responded to the speaker's concerns and questions.
 - i. Commissioner Young made a motion to close the public hearing, and a second was made by Commissioner Watson. Vote 6:0, motion carried.
4. Bryan County Board of Commissioners has initiated a Comprehensive Plan Amendment to amend the North Bryan Character Areas and Future Land Use Map, by changing the classification of certain parcels currently classified as Low density and Agricultural to Industrial. The affected tax map and parcel numbers are 029-023; 033-028-01; 029-023-01; 029-024; 028-029; 028-031; and 033-024-01.
- a. Commissioner Young made a motion to recommend approval of the Comprehensive Plan Amendment, and a second was made by Commissioner Carswell. Vote 6:0, motion carried.
5. Z#234-20 Bryan County Board of Commissioners has initiated a Rezoning application to rezone from the current zoning of A-5 to I-1 for property located on US Hwy 80, Ellabell. The tax map and parcel numbers are 029-023; 033-028-01; 029-023-01.

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- a. Commissioner Watson made a motion to recommend approval of Z#234-20, with the conditions outlined on pages 152-169 of the Agenda Packet, and a second was made by Commissioner Young. Vote 6:0, motion carried.
6. Z#235-20, Bryan County Board of Commissioners has initiated a Rezoning application to rezone from the current zoning of A-5 to I-1 for property located on US Hwy 80, Ellabell. The tax map and parcel number is 029-024.
 - a. Commissioner Young made a motion to recommend approval of Z#235-20, with conditions outlined on pages 152-169 of the Agenda Packet, and a second was made by Commissioner Watson. Vote 6:0, motion carried.
 7. Z#236-20, Bryan County Board of Commissioners has initiated a Rezoning application to rezone from the current zoning of A-5 to I-1 for property located on US Hwy 80, Ellabell. The tax map and parcel number is 028-029.
 - a. Commissioner Young made a motion to recommend approval of Z#236-20, with conditions outlined on pages 152-169 of the Agenda Packet, and a second was made by Commissioner Watson. Vote 6:0, motion carried.
 8. Z#237-20, Bryan County Board of Commissioners has initiated a Rezoning application to rezone from the current zoning of A-5 to I-1 for property located on 260 Willie Rd., Ellabell. The tax map and parcel number is 028-031.
 - a. Commissioner Young made a motion to recommend approval of Z#237-20, with conditions outlined on pages 152-169 of the Agenda Packet, and a second was made by Commissioner Carswell. Vote 5:1, Commissioner Pecenka opposed.
 - b. Commissioner Pecenka and Commissioner Falls discussed their concerns with the proximity of the property to existing residential areas and Commissioner Falls stated her intent to vote against the request.
 - c. Chairman Floyd called for a recount on the motion.
 - d. Vote 4:2, Commissioner Pecenka and Commissioner Falls opposed, motion carried.
 9. Z#238-20, Bryan County Board of Commissioners has initiated a Rezoning application to rezone from the current zoning of A-5 to I-1 for property located on Eldora Rd., Ellabell. The tax map and parcel number is 033-024-01.
 - a. Commissioner Watson made a motion to recommend approval with conditions outlined on pages 152-169 of the Agenda Packet of Z#238-20, and a second was made by Commissioner Young. Vote 4:2, Commissioner Pecenka and Commissioner Falls opposed, motion carried.

VIII. PLANNING AND ZONING COMMISSION – OTHER BUSINESS

1. 2021 Election of Officers
 - a. Commissioner Watson nominated Commissioner Pecenka for Chairman. Vote to elect Commissioner Pecenka as Chairman carried unanimously.
 - b. Commissioner Falls nominated Commissioner Young for Vice Chairman. Vote to elect Commissioner Young as Vice Chairman carried unanimously.



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IX. ADJOURNMENT

Commissioner Falls made a motion to adjourn at 9:05 pm, and a second was made by Commissioner Watson. Vote 6:0, motion carried.

Approved on this 16th day of February, 2021 by action of the Commission.



Joseph Pecenka, Chairman

ATTEST:



Secretary to the Commission