

Board of Zoning Appeals/Planning Commission

April 9, 2024 - 6:00PM

Opening: Acting Chair Perry welcomed everyone and called the meeting to order.

Roll Call: Jenecia Perry; Acting Chair, Michael Bruner; Parliamentarian, Jeff Ashley, Chad Flowers, Wayne Joyner, Yuridia Maldonado, Charlie Orrell and Misty Selph.

Staff: Denise Grabowski (Planning Manager -Consultant), Robert Wellmaker; Building Official, and Jonathan Trego (Planning and Zoning Supervisor)

Visitors: Enclosed

Acting Chair Perry called for a motion to approve the agenda. Commissioner Selph made a motion to approve the agenda with a second by Commissioner Ashley; vote passes with no opposition.

Acting Chair Perry asked for a motion to approve the March 12, 2024 minutes. Commissioner Orrel made a motion to approve with second by Commissioner Selph; the vote passes with no opposition.

Board of Zoning Appeals

PC-4-24-1079: Efren Figueroa request a variance to install a chain link fence for the perimeter of property located at 4912 Ogeechee Road; PIN 60957 01006.

Acting Chair Perry gave a reading of the item. Denise Grabowski gave an overview of the proposal and said the City Staff recommendation of the use request for the application is for denial.

Mr. Figueroa stated his neighbor installed a chain-link fence.

Commissioner Orrel said are their circumstances to allow a chain-link fence?

Denise Grabowski said color does not define the variance's circumstance; the property is commercial and adjacent to residential zoning district.

Mr. Efren said chain link on the side with wood on the back is a possibility; I want what's in the area.

Commissioner Selph said barbed wire isn't allowed in commercial districts.

Denise Grabowski said it's allowed in the storage area.

Mr. Efren said barbed wire is for safety of the future business and to prevent the dumping of trash. He said I am expecting an approval, the person who was doing the fence were caught and five days later they received a permit.

Acting Chair Perry said the fence next to the property is chain link.

Denise Grabowski said per the Building Inspector the fence has been in place.

Commissioner Selph said barbed wire is allowed in Industrial.

Denise Grabowski gave an overview of fence requirements in Industrial zoning districts.

Mr. Efren said I am utilizing the same fence company as my neighbor; I will do wood in the back and chain link on the sides if required.

Commissioner Selph said are there screening requirements?

Denise Grabowski said there are screening requirements of fabric or mesh for a particular use; this is a vacant lot.

Commissioner Ashley said is the Building Official familiar with the stop work order for the fence?

Robert Wellmaker said there has been continuous problems with dumping; I approved the permit to eliminate and control blight due to illegal dumping.

Mr. Efren said this is the same issue; I want to have a fence all the way around – this has been a process of two months.

Commissioner Orrel said we recognize the issues on the property.

Acting Chair Perry asked for additional comments; being none she called for those in opposition. With no opposition, she called for a motion. Commissioner Selph made a motion to approve the request with condition of wood material abutting the residential property and with screening on the chain link fence. Commissioner Ashley seconds the motion; vote passes with no opposition.

PC-4-24-1080: Amanda Wilkinson request a variance of Sec. 90-47(b)(6) to convert a detached 2 car garage into a mother-in-law suite at 113 Camellia Avenue; PIN 6009 01015A.

Acting Chair Perry gave a reading of the item. Denise Grabowski gave an overview of the proposal and said the City Staff recommendation of the use request for the application is for approval.

Charles Wilkinson said his mom is living in a home in Brooklet due to my brother passing away in Iraq.

Commission Orrel said are these changes inside only?

Mr. Wilkinson replied correct.

Don Bethune; 2621 Woodlawn Avenue said three years ago I came before the Board for the exact same request; we turned a 900 sq. ft. into an apartment.

Kim Tice; 19 Briarwood Drive said we need more of these in the community for seniors. Housing prices are not affordable; I am for this request.

Andrew Chase Rosen, 4109 Fenwick Village Drive said this should be an allowed use by right.

Acting Chair Perry asked for additional comments; being none she called for those in opposition. With no opposition, she called for a motion. Commissioner Orrel made a

motion to approve the request. Commissioner Selph seconds the motion; vote passes with no opposition.

PC4-24-1081: Virginia M. Nichols request to establish a use for repairing trucks and trailers to be located at 112 Airport Park Drive; PIN 60988D 02016.

Acting Chair Perry gave a reading of the item. Denise Grabowski gave an overview of the proposal and said the City Staff recommendation of the use request for the application is for approval.

Virginia Nichols said I am the CFO for Low Country Fleet Services; we started on Lynah Avenue in 2004 then built buildings on Bryce Industrial Drive; we met with Scott Robider and he sent an email that it was approved. We have been in the process of getting the business license. We do mobile work of repairing trucks and trailers.

Acting Chair Perry asked for additional comments; being none she called for those in opposition. With no opposition, she called for a motion. Commissioner Bruner made a motion to approve the request. Commissioner Selph seconds the motion; vote passes with no opposition.

Acting Chair Perry called for a motion to adjourn. Commissioner Orrel made a motion to adjourn with a second by Commissioner Selph; the motion passes with no opposition.

Planning Commission

PC-3-24-1077: Robert L. McCorkle, III request to rezone 5231 Ogeechee Road; PIN 60991 06004 from R-A to I-1, Ogeechee Road; PIN 60991 06003 from C-2 to I-1 and Ogeechee Road; PIN 60990D 01006 from C-2 to I-1 for proposed use as a general office/warehouse and cross-dock facility for SAIA LTL freight with ancillary truck and trailer parking.

Acting Chair Perry gave a reading of the item. Denise Grabowski gave an overview of the proposal.

Robert McCorkle said we are asking for a continuance at this time regarding the availability of water and sewer. We prefer a continuance of the May 14th meeting agenda.

Denise Grabowski said given the additional information needed the recommendation is to table.

Acting Chair Perry said we want to give anyone who wants to speak the opportunity to do so.

Don Bethune said I am opposed, there was another piece that was to be Commercial and rear as Industrial – staff dropped the ball.

Andrew Chase Rosen said I live in the area and being sandwiched between this property; the change would not be good.

Acting Chair Perry asked for additional questions or comments; being none she called for a motion. Commissioner Selph made a motion to continue request to the May 14th meeting. Commissioner Ashley seconds the motion; vote passes with no opposition.

PC-3-24-1076: Joshua Yellin request a general development review of 2301 Hwy 80: PIN 60881 04001 for proposed development as a service station for electric fleet vehicles.

Acting Chair Perry gave a reading of the item. Denise Grabowski gave an overview of the proposal and said City Staff recommendation is approval of the general development plan as presented.

Amira Streeter; Voltera gave an overview presentation and said we are asking for help to bring this project into fruition. Voltera builds, owns and operates electric vehicles. There will be 127 stalls upon completion; offers job opportunity, creates a pathway for electric vehicles that provide zero emissions, offers community benefits. The use the Board is looking for is automobile service station, the use is meant to be a place to charge trucks for up to six hours, tire change and truck washing. We want to ensure the best practices, we are committed to safety, we are working on emergency response plan to be a management of any fire hazards. Voltera is not new to this type of development and want to be positive fixture. We have opened a site in the past month in California and hoping to generate a tax revenue, create jobs and contribute to underutilize parcels.

Josh Yellin said there are other members and the project engineer of the Voltera team to answer any questions, the site plan has been revised to meet use requirements. Voltera received confirmation on 12/2022. He said we have added conditions to

eliminate concerns, the primary use is charging of vehicles, there is no truck assembly, no container storage, no storage of goods and if these are violated this puts the business license at risk. This is a charging facility not a truck terminal. Voltera encourages the elimination of polluted emissions, there's no negative impact that is what's in the Industrial area. We have met every criteria of the plan. The use is permitted by right per meetings with Staff and we will address additional concerns. The project engineer can address any traffic concerns - this site is zoned C-2, there are other allowed uses that have more traffic impact. We are asking for approval of the site plans as we have met the criteria.

Acting Chair Perry said how was Garden City determined and chosen as location for this project; was it easy to work with Garden City?

Amira Streeter said we wanted to find sites that fit certain criteria, this is the best use that fits the criteria. We are in a good working condition with City Staff.

Calera Chrisma with Voltera said I have a background in fuel. I am familiar with the types of fire hazards. We work under local and federal guidelines and take the approach of asking for help and hire engineering firms to help with the design and how it should be built because the batteries burn fast and hot; there is an armory to the right and a church to the left.

Commissioner Selph asked has the City reviewed what's needed to fight the fire? The infrastructure needs to be addressed prior to approval.

Denise Grabowski said this will happen during the stage of the building review. We are not at that stage; this is an extensive process and requires approvals for permits. This is the first step in the process, if it gets to a point where this needs to be addressed then the process stops.

Commissioner Selph asked if there are fees passed along to the applicant?

Denise Grabowski said yes; fire, utilities and structural fees.

Acting Chair Perry asked if there will be charging stations for cars?

Josh Yellin said there are plans of stations for those working at the facility – the employees working at the site, there is a federal grant submitted to open an additional

site. The conversations today were relating to fire mechanisms; there have been ongoing communication with the submittal of the fire plan. Lithium batteries are everywhere, this is no more catastrophic than a regular car.

Commissioner Selph said there is currently heavy commercial traffic in the area. I am a ½ mile from the proposed request and I spend ten minutes in the morning and afternoons to get onto the roadway.

Harrison Dean; Traffic Engineer said we studied five intersections, there is no reduction to the level of service, this is not shipping demanded, this actually less. We did a comparison of Quick-Trips and they add over 5000 vehicles per day.

Amira Streeter said the hours of operation is 24/7 but this is not a typical parking lot, the trucks are charging for six hours; the different operation schedule will be staggered.

Commissioner Bruner said what are the drivers doing for six hours?

Amira Streeter said there is a breakroom area in the building.

Josh Yellin said there will be no trailers or chassis.

Commissioner Ashley said you have an existing location that you have referred to; is it in operation?

Amira Streeter said the California location has been operational since September; we are pioneers and filling a gap with multiple pieces falling into place. We are working to expand Arizona.

Commissioner Ashley said are there any special apparatuses for the buildings – what type materials are the roofs?

Amira Streeter said solar roofing. The three operational buildings have fire extinguishers and smoke alarms.

Commissioner Asley said we don't want to take the responsibility of the hazards such as the containment of drainage from washing of batteries on the adjoining property.

Amira Streeter said we want to be good neighbors; we will address concerns with safety and adhere to all regulations. The technology installed is in order to mitigate hazards.

Commissioner Ashley said the betterment of the community is not to have 800 trucks.

Amira Street said this number is for all vehicles; trucks and employee vehicles.

Commissioner Ashley said was a site plan given when the letter was signed off?

Robert Wellmaker replied yes, the site plan is in the packet.

Commissioner Ashley said Mr. Yellin please define how you determined automobile use.

Josh Yellin reads an overview of the ordinance and stated motor vehicles includes all types of vehicles on the road.

Commissioner Bruner said automobiles and trucks are defined; this use does not allow trucks.

Josh Yellin said this was the interpretation of the City Manager. We relied on the information provided when the application was submitted.

Commissioner Selph said the interpretation by Staff is incorrect.

Gwyn Hall; City Councilmember said there has been conversation to create an ordinance for electric vehicles and trucks.

Commissioner Selph said what are the plans for truck washing and stormwater?

Thomas Ashley with Voltera said it will be a dry wash, normal washing – safety drainage is an option – we will look at options as determined by the City.

Commissioner Ashley said what are the use of the buildings?

Thomas Ashley said the front building is for both administrative Staff or for drivers, we do not have a hard head count as this time.

Commissioner Ashley said what would those need to be in the building for, I have a problem voting on a design that is unknown.

Commissioner Bruner asked Robert Wellmaker are you able to repair trucks per section 90-47, # 66 and #66a, #57 and #58?

Denise Grabowski reads an overview of the ordinance and stated these are primary uses.

Robert Wellmaker said this is incidental to the usage.

Commissioner Bruner said the definitions for automobile service and repair; we don't have a permitted use for EV charging facility; an ordinance should have been written.

Robert Wellmaker said I was instructed to find a use to place the request.

Josh Yellin said new uses come in often that are not in the ordinances and Staff has to make a determination.

Acting Chair Perry said the Board is taking this matter very seriously. She then asked for further questions; being none she called for those in opposition.

Don Bethune said I am opposed to the request; this is the wrong location. I am in favor of electric vehicles; this is a stretch that this is a service station. Could someone put electric vehicles within an Enmarket proposal?

Denise Grabowski said based on comments from Council an ordinance may occur.

Richard Lassiter; City Councilman said something of this magnitude needs to be addressed; I am not against EV vehicles but we have to understand this is not a service station.

Andrew Chase Rosen said I am opposed; this is not the proper area for this type development, this is similar to a transformer; this has been hashed out repeatedly. The area needs walkability and safety – need to facilitate pedestrian traffic.

Gwyn Hall said we are in favor of electrical vehicles will need in the future to create for passenger vehicles and commercial vehicles.

Commissioner Orrel said the zoning use, pumps and tanks are class 3 – the operation creates congestion across from Sharon Park; these are prohibited uses.

Acting Chair Perry asked for additional questions or comments; being none she then called for a motion. Commissioner Orrel made a motion to deny. With no second, Commissioner Orrel retracts the motion.

Commissioner Ashley said the Board has three new members; in my opinion we should table and move to next month and have a workshop with a video of previous cases.

Acting Chair Perry asked for additional questions or comments; being none she then called for a motion. Commissioner Ashley made a motion to table with a workshop. Commissioner Bruner seconds the motion; vote passes with no opposition. Staff agrees to coordinate a workshop date with question submittal for workshop.

PC-3-24-1078: City of Garden City request an ordinance to amend the Code of Ordinances of Garden City, Georgia as amended, to revise Chapter 90, Article VI, pertaining to signs, for the purpose of revising the provisions thereof regarding the limitations, safeguards, and controls for the location of outdoor advertising or separate use signs; to repeal all ordinances in conflict herewith; to provide for severability; to provide an effective date; and for other purposes.

Denise Grabowski gave an overview and staff recommendations. Denise Grabowski talked about changes since the last proposal.

Commissioner Selph mentioned not wanting to limit billboards in commercial areas and that she believes the City is missing revenue opportunities from installs.

Chair Perry asked if there were any additional questions.

Alex Voss from Lamar said that permit fees were roughly ten times what other jurisdictions charge.

Commissioner Orrell asked Commissioner Ashley about his thoughts.

Commissioner Ashley mentioned doing a line-by-line comparison.

Alex Voss stated that every existing billboard would be nonconforming.

Commissioner Bruner asked about the distance from residences that other cities require.

Alex Voss said it often ranges from 200'-500' and talked about modern light mitigation technology.

Commissioner Ashley made comments about ordinance changes.

Denise clarified that this is simply to provide a recommendation to City Council.

Chair Perry asked if the changes are necessary.

Denise said that this is a proposal for City Council for the benefit of the City.

Commissioner Bruner asked how many spaces for new billboards are left.

Alex Voss speculated on some numbers.

Drew Well who lives near Woodlawn spoke and does not like the new billboard at the Chus.

Commissioner Orrel made a motion to table the item, Commissioner Selph seconded. The motion passes with no opposition.

Nominations

Commissioner Selph nominated Commissioner Ashley for parliamentarian. No other nominations for this role. Commissioner Ashley wins 7-0.

Commissioner Ashley nominates Commissioner Perry for Vice Chair. No other nominations for this role. Commissioner Perry wins 8-0.

Commissioner Perry nominated Commissioner Bruner for Chair. No other nominations for this role. Commissioner Bruner wins 7-0.

Commissioner Selph gave welcoming remarks to the new members.

Commissioner Perry gave a thank you message to the members, guests, public, elected officials, and staff.

Commissioner Selph made a motion to adjourn, Commissioner Orrell seconded.
Motions passes with no opposition.

Respectfully submitted,
TTR and JRT