

STATESBORO PLANNING COMMISSION

May 8, 2012

5:00 p.m.

City Hall Council Chambers

Minutes

Present: Planning Commission Members Jonathan McCollar, Ray Hendley, Rick Barr, Andrew Hansen, and Nick Propps. City of Statesboro staff: Director of Community Development Mandi Cody, City Manager Frank Parker, and Development Clerk Cindy Steinmann.

Absent: Commissioner Teresa Concannon and Brian Hulsey.

1. Approval of Meeting Agenda

*Motion to approve given by Commissioner Hendley; seconded by Commissioner Barr. Motion carried 5-0. Agenda set.*

2. Approval of Minutes

a. April 10, 2012 meeting.

*Motion to approve given by Commissioner Barr; second by Commissioner Hansen. Motion carried 5 to 0. Minutes approved.*

*Commissioner Propps recognized Commissioner Hendley for receiving the Dean Day Smith recognition. Commissioner Hendley recognized Commissioner Propps for being chosen for the "Top 40 under 40".*

3. Old Business

a. **APPLICATION # RZ 12-01-01:** Akins Family Limited Liability Limited Partnership requests a zoning map amendment from LI (Light Industrial) to R4 (High Density Residential) for property located at 520 Park Avenue (Tax Parcel Numbers S42000030000 & S42000006000).

Community Development Director Mandi Cody presented the staff report and answered questions from the Commissioners. John Dotson of Maxwell Reddick & Associates represented the applicant and answered questions from the Commissioners. Mr. Dotson also mentioned that the applicants were present for any questions. Arthur Howard of Howard Lumber Company spoke in opposition to the request stating his concerns for incompatibility

with the nearby lumber company. He also stated that an agreement between Howard Lumber Company and the applicant had not been reached.

*Commissioner Hendley motioned to recommend approval of Application RZ 12-01-01; seconded by Commissioner Barr. Motion carried 5-0.*

- b. **APPLICATION # RZ 12-05-02:** Downtown Statesboro Development Authority requests a zoning map amendment from PUD/CR (Planned Unit Development with Commercial Retail overlay) to R4 (High Density Residential) for property located on South College Street (Tax Parcel Number S21000011001)

Commissioners Propps and Hendley recused themselves and stepped down due to conflict of interest but were available for questions (See **Appendix A** for Conflict of Interest Disclosure). Commissioner McCollar volunteered to serve as a temporary chair for this case. Community Development Director Mandi Cody presented the staff report and answered questions from the Commissioners. Allen Muldrew of Downtown Statesboro Development Authority answered questions from the Commissioners. Commissioner Propps also answered questions of the board in his capacity as a representative of the Downtown Statesboro Development Authority Board.

*Motion to recommend approval of Application RZ 12-05-03 given by Commissioner Hansen; seconded by Commissioner Barr. Motion carried 3-0.*

Note: Commissioner Hendley left the meeting. Commissioner Propps returned to the board and resumed chairing the meeting.

#### 4. Announcements

Mandi Cody explained the difference between zoning related issues and building related issues and invited the Planning Commission to attend a Right Start meeting on any Thursday afternoon.

Commissioner Propps stated that he wanted to discuss the notice of the Planning Commission meetings that has been raised by a fellow Commissioner in emails to the Planning Commission members in the previous week. He stated that after a concern was raised, he checked with staff and felt confident that all measures were taken to follow procedures. He stated

that he did not see where in the Planning Commission's rules and regulations that Planning Commission holds the duty of confirming that staff's administrative matters were completed. He also confirmed that Planning Commission is not considered the official Public Hearing.

City Manager Frank Parker commented on the issue by stating that staff reports to him and that any issues, questions, or concerns should be addressed to him directly.

Commissioner McCollar stated his confidence in staff and offered a job well done.


Commissioner Propps requested that Ms. Cody describe the differences between Planning Commission and the Public Hearing. Ms. Cody stated that there are two statutes that staff must follow in reference to public meetings. The first is the Zoning Procedures Law which requires any zoning change to be advertised, signs posted on the property, etc. fifteen to forty five days before the public hearing takes place. A public hearing is defined as a hearing held by the decision making body and in this case is City Council. She also stated that staff actually includes variances in these notices to allow citizens the chance to give input on all cases, not just zoning changes.

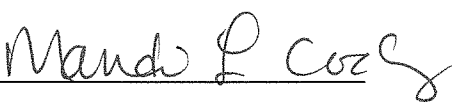
The second statute that staff must abide by is the Open Meetings Act which applies to any public body. The Open Meetings Act requires that any meeting by a public body be open for public participation and requires that any public meeting be posted at least 24 hours before the meeting. Staff sends the Planning Commission meetings and Case Site Tours to the newspaper to be included in the Community Calendar section approximately a week before the actual meeting. As a rolling calendar, the meeting may not actually show up in the paper until a few days before the meeting occurs.

5. Adjourn

*Chairman Nick Propps called the meeting adjourned.*

These minutes were adopted by the City of Statesboro Planning Commission at its June 12, 2012 meeting.

  
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Chair – Nick Propps

  
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Secretary – Mandi Cody, Director of  
Community Development