



City of Liberty Planning Commission
 Meeting Minutes
 March 10th, 2022 5 PM
 APPROVED AUGUST 8th, 2022
 Rosewood Center

Board Members Present:
 Sarah Gilstrap
 Bo McDonald
 Bill Smith

Staff Present:
 Jennifer Vissage

1. Opening Comments, Establishment of a Quorum

Mrs. Vissage opened the meeting at 5:05 PM and stated that a quorum was established.

2. Election of Officers

Mrs. Vissage stated that since Mr. Deese has stepped down the board needed to elect a Chairman and Vice Chairman. Ms. Gilstrap nominated Bo McDonald for chairman and Mr. Smith seconded. Mr. McDonald nominated Mr. Smith for vice chairman and Ms. Gilstrap seconded it.

3. Review and Approval of Meeting Minutes (August 24th, 2021)

Mr. McDonald asked if all board members had a chance to review the last meeting minutes from August 24th, 2021 and if there were any comments. Mr. Smith made a motion to approve the minutes and Mrs. Gilstrap seconded. The board voted 3-0 to approve the August 24th, 2021 meeting minutes.

4. Text Amendment – Square Footage and Setback Requirements for RM-8 and RM-16

Staff explained that it was brought to staff’s attention that the setback and site regulations in the two Multi Family zoning districts only applied to multifamily and not single family and duplexes which are allowed uses. Staff reviewed other similar sized towns and had proposed revised regulations that are listed below:

RM – 8 PROPOSED CHANGES

	Multi Family	Single Family	Duplexes
Minimum Square Footage	1 acre	8000 Square feet	5000 square feet
Minimum Lot Width	100 Feet	50 feet	50 feet

Front Setback	30 Feet	25 feet	20 feet
Side Setback	15 Feet	10 feet	5 feet
Rear Setback	30 Feet	25 feet	20 feet

Text amendment NO. 2022-02-03 Changing Section 503.5 to read:

RM- 16

	Multi Family	Single Family	Duplexes
Minimum Square Footage	1 acre	6000 square feet	4500 square feet
Minimum Lot Width	100 Feet	50 feet	50 feet
Front Setback	30 Feet	20 feet	15 feet
Side Setback	15 Feet	10 feet	5 feet
Rear Setback	30 Feet	20 feet	15 feet

Mr. McDonald opened the public hearing and ask for any comments. Brian Petersen of 427 South Peachtree spoke. He stated that the single family needed to be changed because the current ones were limiting single-family development. He did not agree with the 1 acre in multifamily because of density. It would restrict development from coming and recommends that it stays 20,000 square footage for the minimum lot size.

Mark Griffin, a developer from Greenville, also spoke and stated that the city needs to encourage smart growth and the width size could be detrimental for smart growth.

Mr. McDonald closed the public hearing and ask for any questions from the board members. No questions and Ms. Gilstrap made a motion to recommend the text changes with an amendment that RM-8 stays at 20,000 square feet for minimum lot size. RM-16 will change to 1 acre for minimum lot size. Mr. Smith seconded the motion. The board vote 3-0 to recommend this text change.

5. Text Amendment – Board of Zoning Appeals Membership

Staff explained that the regulations state that the Board of Zoning Appeals requires three members. It has become difficult to hold meetings with only three members because of quorum requirements and conflict of interest. Staff recommends that the text be amended to require five members to help with these issues.

Mr. McDonald opened the public hearing and ask for any comments. No comments were received and he closed the public hearing. Mr. McDonald asked for any questions from board members and none were received. Mr. Smith made a motion to change the test and Ms. Gilstrap seconded the motion. The board



vote 3-0 to recommend the text amendment of the Board of Zoning Appeals membership to be increased to five members.

6. Text Amendment – Permitted and Conditional Uses in Core Commercial District

Mr. McDonald and Ms. Gilstrap had to recuse themselves from this agenda item because it affects properties they own. Since only Mr. Smith was left, staff stated that a vote could not be taken and that it would have to be moved on to council to make the final decision. However, the public hearing would still be held so that anyone could share his or her concerns.

Staff stated that council has requested that the Planning Commission look at the permitted and conditional used in the Core Commercial District. Council would like to see the area become more restricted to make it an area for retail and restaurants. The council and staff has presented the restrictions that would only allow restaurants and retail and current non-conforming uses would be allowed to remain

Mrs. Vissage opened the public hearing for any comments. Allen Toole who owns 115 and 119 West Main Street which one is a rental house and one is a Pharmacy. He stated would be hard to sell later in the future if they had to be commercial. Mrs. Vissage stated that the rental house could remain a house as long as the use never changes to commercial.

Brian Petersen stated that this change would affect many and the restrictions will limit the number of businesses that want to come to Liberty. He did not understand why government offices could be allowed but not private ones.

Mark Griffin stated that he understood revitalizing the downtown area but that this would hurt the vacant and abandoned buildings. These proposed changed would make a negative economic impact and waste owners time and money to renovate and not be allowed to use them the way they want to. He also stated that the 500 feet between businesses that sell alcohol is too much. Ms. Vissage did state that only included stores and businesses that were primarily selling alcohol (bars, taverns, breweries) and would not include restaurants because food would be there primarily use not alcohol.

Sarah Gilstrap spoke as a property owner/citizen not a board member. She left that certain buildings like hers that is residential would not work if this was changed and there are other buildings are that are set up for offices not retail or



restaurants. She stated it would hurting property owners and the resale value and the availability of certain tenants.

Bo McDonald spoke as a property owner/citizen and not board member. He stated that the 500 foot rule for alcohol is limiting and needs to be looked at because that is 2 football fields and the downtown area is not that big. It will restrict service businesses as well.

Mrs. Vissage closed the public hearing and asked for any comments from Mr. Smith. He stated that is it too restricted and would restrict downtown. He agree with all comments made.

Mrs. Vissage stated the only resolution to this since that was not enough to vote was to pass a recommendation to council that they would need to vote on the text amendment due to conflict of interest of two board members. Ms. Gilstrap made this motion and Mr. Smith seconded. The board voted 3-0 to send the text amendment to council for vote without recommendation from the Planning Commissoin.

7. Subdivision Plans Review – Cannon Ridge

Cannon Ridge is a proposed subdivision of 194 lots on a property that was recently annexed in. It is located near the airport. The developers presented a preliminary plat for the Planning Commission for approval.

Mr. McDonald opened the public hearing and ask for any comments. Jim Kapach from Dubliner Inc (near the property) asked about a traffic study. He wanted to make sure that the developers were aware of the traffic that comes from shift changes and how a 194 lots subdivision will be impacted as well as the roads. The developer and Mr. Kapach stated that would get in contact with each other about those concerns.

Mr. McDonald closed the public hearing and asked for any comments from the board members. Mr. Smith made a motion to approve the Cannon Ridge Subdivision Plans and Mr. Gilstrap seconded the motion. The board voted 3-0 to approve the Cannon Ridge preliminary plans.

8. Rezoning Request – Park Plaza/Odell Street Request

Staff stated that this request has been omitted from the agenda because the applicant pulled the application at this time.

9. Rezoning Request – West Front Street



Council has asked the planning commission to look at Front Street and rezoning seven properties, which are listed below:

25, 113, 119, 141, 143, 145, and 100 West Front Street. These are on the same side of the street and currently zoned General Business and the other side is Core Commercial. It would make more sense for the street to be the same on both sides. At this moment, nothing can be prohibited in the area including a gas station and other uses that are not wanted in the downtown area.

Mr. McDonald opened the public hearing and asked for any comments. Brian Petersen understood the intent of the requested change. The city needs many more permitted uses especially with new residential development. The City needs more businesses to handle all the new people moving into the area. He owns four of the seven properties that are being proposed for rezoning and no other property owners show up. He wanted to know if they were all informed. Staff stated that every property owner received notice. Mr. Petersen feels that the value of the properties will be diminished if the rezoning is approved and will reduce the availability of investments.

Mark Griffin stated that he agreed with everything Mr. Petersen stated and is opposing the rezoning.

There were no other comments so Mr. McDonald closed the public hearing. Mr. McDonald stated that he felt the rezoning is too restricted and would not vote for the request. Mr. Smith made a motion to not recommend this rezoning request and Mrs. Gilstrap seconded. The board voted 3-0 to not recommend the rezoning request for the seven properties on West Front Street.

10. Other Business

a) Vacant Spots on Boards

Staff asked the board members to let me know if there is anyone they can recommend for the vacant spots on the Planning Commission and Board of Zoning Appeals.

b) Meeting Times

Staff asked to make sure that the meeting days and times still work for everyone's schedule. No one had any issues with it remaining the same.

11. Adjournment

Mr. McDonald made a motion to adjourn the meeting, Mr. Smith seconded it, and the board voted 3 to 0 to adjourn at 6:16 PM.

