

**MINUTES**  
**GLYNN COUNTY PLANNING COMMISSION**  
**November 4, 2003 - 6:00 P.M.**

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**MEMBERS PRESENT:** Perry Fields, Chairman  
Robert Ussery, Vice Chairman  
Jay Kaufman  
Ann McCormick  
Gary Nevill

**ABSENT:** Mike Aspinwall  
Jonathan Williams

**STAFF PRESENT:** John Peterson, Director  
York Phillips, Planning Manager  
Janet Loving, Admin/Recording Secretary

**ALSO PRESENT:** Mark Bedner, County Commissioner

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Chairman Perry Fields called the meeting to order and the invocation was given, followed by the Pledge of Allegiance. He then gave a brief recap of the rules, voting procedure and audience participation in discussing agenda items.

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Chairman Fields explained that due to an advertising error where a number of owners of individual units within the Barnes Plantation did not receive public notice, Agenda Item #2 (*GC-2003-27/Frederica Baptist Church*) will be deferred until the November 18<sup>th</sup> Planning Commission meeting. All those in attendance for this item will be allowed to speak for or against the request and all comments will be made part of the permanent record. No action will be taken by the Planning Commission. Chairman Fields stated that a new rezoning sign will be posted to reflect the meeting date, time and location, a supplement notice will be placed in the Brunswick News, and all property owners within 200 ft. of the subject property will be notified.

Continuing with changes to the agenda, Mr. York Phillips stated that he would like to include for discussion under Staff Items, information regarding Caleb's Crossing relative to the preliminary plat and final plat in order to obtain the Planning Commission's endorsement.

There being no further changes to the agenda, a motion was made by Mr. Robert Ussery, seconded by Mr. Gary Nevill and unanimously adopted to accept the agenda as amended for the November 4<sup>th</sup> Planning Commission meeting.

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GC-2003-25

Application by Robert W. Williams, agent for Michael R. and Beverly A. Yoak, to rezone from FA Forest Agriculture to HC Highway Commercial property located at 4269 U.S. Highway 17 North on the northwest side of U.S. 17 approximately 100 feet north of its intersection with Yacht Drive, and consisting of 0.62 acres with 112 feet of frontage along U.S. Highway 17 North.

Robert Williams, and Michael & Beverly Yoak were present for discussion.

The following report from staff was included in the packages for the Planning Commission's review.

This proposed rezoning would provide for development of a mini-warehouse facility. The area is of a commercial character with Highway Commercial and Light Industrial zoning to the north and east, and Forest Agriculture and General Commercial to the south. The Federal Law Enforcement Training Center is located a short distance to the west. Development to the north is a mix of storage facilities and light manufacturing, a kennel to the south, and a borrow pit to the west.

The Future Land Use Map of the Comprehensive Plan identifies this area as commercial. The site is served by individual well and septic system. Water and sewer service is in proximity to the site. The proposed use is consistent with development in the area, and access from U.S. 17 is established.

**In conformance with Section 1103 of the Glynn County Zoning Ordinance, the following findings of fact were considered in making the recommendation:**

- Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.

**Yes.**

- Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.

**No.**

- Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.

**Yes.**

- Whether the zoning proposal will result in a use, which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

**No.**

- Whether the zoning proposal is in conformity with the policy and intent of the Comprehensive Land Use Plan.

**The future land use map identifies this area as Commercial.**

- Whether there are other existing or changing conditions affecting the use and development of the property, which give supporting grounds for approval or disapproval.

**None.**

The proposed zoning classification is compatible with the area, and the proposed development is appropriate for the site. Staff's recommendation is for approval.

Following a brief discussion, a motion was made by Mr. Gary Nevill to recommend approval of this request. The motion was seconded by Ms. Ann McCormick. Voting Aye: Mr. Jay Kaufman, Ms. Ann McCormick, Mr. Gary Nevill and Mr. Robert Ussery. Abstained From Voting: Mr. Perry Fields.

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GC-2003-27

Application by Jim Fucetola, agent for Frederica Baptist Church, to amend the Planned Development-General text for Barnes Plantation (GC-30-94) to change the development standards for the commercial building and site located at 1700 Frederica Road on the east side of Frederica Road opposite Edwards Plaza, and consisting of approximately 0.981 acres with approximately 285.3 ft. of frontage on Frederica Road. The principal change would be to allow joint use of parking for church and commercial uses.

Mr. Jim Fucetola and Mr. Billy Gibson were present for discussion.

As stated at the beginning of the meeting, this item has been deferred until the November 18<sup>th</sup> Planning Commission meeting due to an advertising error. However, the Chairman will allow comments from the audience, but no action will be taken by the Planning Commission.

According to the staff's report, Barnes Plantation is a mixed-use development consisting of several apartment buildings and a commercial building, all zoned PD-G (Planned Development-General). The two portions of the project were undertaken separately as stand-alone developments. The site plan for the commercial building was approved in 1999. This building consists of a "ground floor" level open from the rear side and originally planned for parking, two conventional floors (the first floor being at ground level on the front or street side), and an unfinished third floor. The original site design provided for approximately 91 exterior parking space and 16 spaces under roof on the "ground floor" level.

The building has been purchased by a church, which desires to convert the ground floor level for church uses (including a sanctuary) and to convert a portion of the top floor for church offices. The church use is allowed per the PD text. As proposed, the total development will consist of 298 seats in the sanctuary and approximately 13,960 square feet of office and retail space. These uses would require 75 parking spaces (church) and approximately 70 (office/retail) separately. Either one of these requirements is well within the 91 exterior parking spaces currently available on site, but the two uses combined would not meet the current requirement.

While Section 723 of the Zoning Ordinance (Planned Development District) allows the PD text to provide for joint use of parking, no such provision was made for this project. This is a request to modify the PD text to allow the same parking to be used for the church use and for the commercial use in view of the fact that the uses are operated at different times. Staff's concern is that at some future date the church will seek to move to a permanent facility and will make this building available for sale. At that time, the improved space will not meet the parking requirement if the space is converted entirely to commercial use.

**In conformance with Section 1103 of the Glynn County Zoning Ordinance, the following findings of fact were considered in making the recommendation:**

- Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.

**Yes.**

- Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.

**No.**

- Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.

**Yes.**

- Whether the zoning proposal will result in a use, which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

**No.**

- Whether the zoning proposal is in conformity with the policy and intent of the Comprehensive Land Use Plan.

**The future land use map identifies this area as commercial.**

- Whether there are other existing or changing conditions affecting the use and development of the property, which give supporting grounds for approval or disapproval.

**No.**

The joint use approach is reasonable for situations where different use will be made of the parking during different time periods. Allowing joint use obviates the need to over-build parking. The proposed text amendment will ensure that future change in use will not create a parking deficiency. Staff's recommendation is for approval.

Mr. Robert Ussery asked if the PD Text specifically allows a church. Mr. Phillips replied yes. He explained that there are two spaces to be improved. One is the ground floor, which is accessible from the rear side but not the front, and is shown on the approved plan for parking. The other space to be improved is on the third floor, which is to be renovated for an office and church related uses.

Chairman Fields stated that if the building already exists, why is there not enough parking. He stated that it seems to him that the church requires less parking than the commercial use, so if the building already exists why is there not enough spaces to accommodate its use whether it be a church or a commercial use. Mr. Phillips stated that they are expanding to areas within the building, which were not anticipated for use originally and therefore did not generate a parking requirement. Chairman Fields stated that at the time of construction, parking should have been calculated or considered by the decision-making authorities at that time.

Mr. Billy Gibson, representing the Frederica Baptist Church, gave a brief presentation. He explained that the site in question is a temporary location. They are planning to move to the north end of St. Simons as soon as the Sea Island Company gets its master land plan developed. He stated that they purchased the property on an interim basis and would like to renovate the space for temporary use as a church. Mr. Gibson stated that he understands the problems about parking but there is adequate parking for the merchants during the day and the church has adequate parking for their needs at night. The church doesn't normally meet from 8 a.m. to 9 p.m., Monday through Friday.

Mr. Ussery asked how long would it be before the church relocates. Mr. Gibson stated that depending on Sea Islands generosity and master plan for the north end of the Island, he would estimate the move being within three to five years. Mr. Ussery wanted to know how many parishioners would be able to attend services in the bottom location of the building. Mr. Gibson stated that the area was designed to hold 280 chairs.

Currently, they have an attendance of approximately 90 people, including children and they're not expecting to grow beyond that.

Chairman Fields wanted to know the plans for the church once the congregation is related to the north end of the Island. Mr. Gibson stated that they have an alternative to either keep the building and rent out the space upstairs, or sell the building.

At this time, the floor was open for audience participation. Mr. Jeff Nolan stated that he owns several residences on St. Simons Island, three condominiums in Barnes Plantation, and he also resides on St. Simons. He stated that his principal business is located both in Atlanta and locally. Mr. Nolan stated that the street next door to the shopping center is a private drive, owned by the condominium association. He stated that he does not believe that this property would have been allowed for use as a church as presently constrained with the entrances (ingress/egress) because of traffic problems. He stated that when you leave the church property the only way to exit toward Sea Island would be to use the private drive, turn left, and wait for the traffic signal to change. He stated that this creates traffic stacking problems.

Mr. Nolan stated that the developers are adding 40% more space to the existing building by taking away the parking spaces, which are currently underneath the building, and they are reducing the number of parking spaces available on the site by 20%. He pointed out that the 1995 approved zoning text for Barnes Plantation references a conditional use of a church, church synagogue, temple or place of worship provided it is located on a lot fronting on an arterial or collector street. He stated that Frederica Road is an arterial street, but he does not believe that Barnes Plantation private drive would be a collector street.

Mr. Nolan also expressed concerns about noise and the use. He stressed that nobody is against the church; it is just not the right place. The proposed amendment states that the "ground floor of the structure may be enclosed and used for church purposes, including sanctuary, daycare, social hall and other church related uses." He stated that these are different circumstances that the homeowners would be faced with as opposed to the current use, which is office/retail shopping center with adequate parking. Mr. Nolan stated that the proposed use is not what the homeowners who pay over \$200,000.00 dollars a year in taxes envisioned when they purchased their homes.

Mrs. Natalie Overman stated that she and her husband own a condominium in Barnes Plantation, which looks directly down on the new construction. She pointed out that she has no problem with the church. She resides in Atlanta and has lived next door to a church for 25 years; however, she is concerned about the traffic and parking situation. Currently at the retail shops, people pull out onto her private driveway and if there is more than one car the area is blocked off. She stated that it is a dangerous situation especially for the children. Mrs. Overman also expressed concerns about noise, the amount of people that would be in her backdoor, and the impact this would have on her property value. She stated that she contacted the church representative and inquired about their plans for overflow relative to parking once they start to grow. She was advised that the church does not plan to overflow. Chairman Fields asked Mrs. Overman if the building was located on the site when she purchased her property. Mrs. Overman replied that the building was there but underneath was a garage, and it was her understanding that it would remain a garage.

Ms. Angie Howard of Barnes Plantation agreed with Mrs. Overman's concerns and comments.

Ms. Betsy Barnes of Barnes Plantation stated that she also agrees with Mrs. Overman's concerns. She can visualize that when the church services are over, she and other homeowners won't be able to leave Barnes Plantation until the congregation clears out. She stated that the driveway is not very big and only holds three cars at the red light.

Ms. Judy Shaw, St. Simons Island resident, stated that her mother lives in Barnes Plantation. She expressed concerns about the traffic and parking problems. She also referenced other church functions and meetings that don't always take place on Sunday mornings, which could cause problems with traffic flow through Barnes Plantation.

Ms. Pat Cooper, Barnes Plantation homeowner and realtor, stated that she sold condominiums to a lot of investors and to homeowners telling them one thing and now all of a sudden it's going to be another. She emphasized that she is not against the church, but she does not want to see this happen. Ms. Cooper stated that the temporary situation concerns her even more because she does not know what could move in once the church moves out.

Mr. Ron Guzzetta of Barnes Plantation stated that he agrees with the comments and concerns already expressed.

In response to the parking and traffic concerns, Mr. Billy Gibson stated that the church has two exits, which needs to be taken into consideration. He explained that if they vacate the building, the downstairs area would remain empty because according to the zoning, there is not adequate parking for a restaurant, etc. He stated that they are asking to have enough parking for the church to meet on Wednesday nights and on Sunday's. Most of the church functions, i.e., WMU would take place at someone's home and not at the church. He pointed out that the nursery is being proposed downstairs because the children have to be on the ground floor due to fire protection and other safety precautions.

Mr. Kaufman wanted to know what could be done with the property under the current text once it becomes vacant. Mr. Phillips explained that the proposal is to amend the text to allow for the joint use of parking but with stipulations, which he hopes were written in such a way to limit future use of those expanded areas.

At this time, Chairman Fields explained that all comments will be included in the Minutes and made part of the permanent record in considering a recommendation to the County Commission. He reiterated that this item would be re-advertised for the November 18<sup>th</sup> Planning Commission meeting beginning at 6:00 p.m.

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VP-2003-04

Application by William Downey and J. Thomas Whelchel, owners, to modify exterior of building at 509-511 Ocean Boulevard by replacing existing mansard roof with a gabled-pitched roof. This is the current location of Subway and former location of Parker's Convenience Store, and is located in the northwest quadrant of the intersection of Ocean Boulevard and Neptune Street.

Mr. William Downey was present for discussion.

The following report from staff was included in the packages for the Planning Commission's review:

The purpose of this renovation is to replace the mansard style roof and replace it with a pitched-gabled roof. There is no change of use. The roof eave will extend an additional 4 feet along the front façade. The metal roof will be hunter green, with cream vinyl siding on the gable ends. The existing white tabby exterior will remain unchanged. The finished height will be 18 ft. above existing grade. The applicant states that no trees will be removed from the site.

Under Section 709.5 General Provisions regarding height, the proposal will increase height approximately 4 ft. and will not exceed the average height of the principal structures located on the adjacent side lots at the time of adoption of the Ordinance.

Under Article VII, Section 709.8. consideration of proposed improvements shall be based on a variety of criteria, including but not limited to:

- A) Conformity of the plans submitted to the purpose and provision of this ordinance.  
*Proposal is in conformity. The use of the property will not be changed.*
- B) Conformity and harmony of external material and design with existing and neighboring structures.  
*Proposed design, materials and colors are in harmony with existing and neighboring structures. The material and design is more in harmony than the existing roof.*
- C) The effect of the improvements on neighboring structures or sites.  
*Proposed design would have a positive aesthetic effect.*
- D) The consistence and compatibility with existing architectural design and building exterior finishes used on neighboring properties or in the overlay zone.  
*Proposed design and materials are consistent and compatible with the existing architectural design in the neighborhood and in the overlay district.*
- E) Exterior materials, exterior doors and windows, color schemes and other building elements which are considered compatible with neighboring structures in the overlay zone and appropriate for the area.  
*Proposed roof design and materials are consistent and compatible with the existing architectural design in the neighborhood. There will be no other change to exterior finishes or colors, No doors or windows will be changed.*
- F) The use of landscaping to cause the improvement to conform to the character of the area or to buffer the improvement from the neighboring sites.  
*No change in existing landscape has been proposed.*

Provisions of Section 709.8, regarding Site Plans, Architectural Alterations and Landscaping have been met and requirements under Section 709.5 regarding height have also been met. Staff's recommendation is for approval.

Following review, a motion was made by Mr. Robert Ussery to approve this request. The motion was seconded by Mr. Jay Kaufman and unanimously adopted.

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## MINUTES

### **Regular Meeting: October 21<sup>st</sup>**

A motion was made by Mr. Gary Nevill to approve the Minutes of the October 21, 2003 Planning Commission meeting. The motion was seconded by Mr. Robert Ussery. Voting Aye: Mr. Perry Fields, Ms. Ann McCormick, Mr. Gary Nevill and Mr. Robert Ussery. Mr. Jay Kaufman did not attend the October 21<sup>st</sup> meeting and therefore abstained from voting.

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## CHAIRMAN ITEMS

Ms. Ann McCormick and Mr. Jonathan Williams were appointed to serve on the nominating committee for election of the 2004 Chairman and Vice Chairman of the Glynn County Planning Commission.

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**STAFF ITEMS**

**a) Caleb’s Crossing**

Mr. Phillips presented the preliminary plat and the final plat for Caleb’s Crossing and pointed out the comparisons. He also gave a brief history of Caleb’s Crossing and explained the advantage of proposing a change in the process, which he stated would eliminate one step for the applicant. The proposed change in the process includes having only one final plat as opposed to 39 minor plats. It was pointed out that there would be no physical changes in the density or setbacks. Mr. Phillips stated that no action is required, but staff would like to have the Planning Commission’s endorsement of this change. It was the consensus of the Planning Commission to allow staff to move forward with this process.

**b) Draft Ordinance Amendment**

The draft amendment regarding procedure for issuance of land disturbing permits was included in the packages. The Planning Commission authorized staff to advertise this amendment as a public hearing item for the December 2<sup>nd</sup> Planning Commission meeting beginning at 6:00 p.m.

Also under *Staff Items*, Chairman Fields asked Mrs. Loving to draft a letter on behalf of the Planning Commission members to Mr. Matthew Permar offering condolences for the recent passing of his mother, Mrs. Elise Permar, publisher of “*The Islander*.”

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There being no further business to discuss, the meeting adjourned at 7:05 p.m.