

MINUTES
GLYNN COUNTY PLANNING COMMISSION
July 15, 2003 - 6:00 P.M.

MEMBERS PRESENT: Perry Fields, Chairman
Mike Aspinwall
Jay Kaufman
Gary Nevill
Robert Ussery
Jonathan Williams

ABSENT: Ann McCormick

STAFF PRESENT: York Phillips, Planning Manager
Carolynn Segers, Planner II
Paul Andrews, Assistant Engineer
Janet Loving, Admin/Recording Secretary

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.

At this time, Chairman Fields introduced and welcomed Mr. Jay Kaufman as the new member appointed to the Glynn County Planning Commission.

Upon a motion made by Mr. Robert Ussery and seconded by Mr. Jonathan Williams, the agenda for the July 1, 2003 Planning Commission meeting was unanimously adopted.

GC-2003-10

Application by Richard McKinna to rezone from GI General Industrial to PD-R Planned Development Residential, property located on the north side of GA Highway 99 just west of Southern Pines Mobile Home Village and consisting of 27.76 acres with 1,765 ft. of frontage on GA Highway 99.

Mr. Ray Richard and Mr. Richard McKinna were present for discussion

Mrs. Segers explained that this request was continued from the June 17th Planning Commission meeting to allow industry representatives and the applicant/developer more time to discuss and exchange information about the proposed development. The staff's report from the June 17th meeting was included in the packages for review and was noted as already being part of the record. In addition, Mrs. Segers stated that staff received a letter from Mr. Dave Erickson, President of Haven Manufacturing Corporation, expressing a disinterest in this area being rezoned. Also included were letters from the

June 17th meeting submitted by representatives of Seaboard Construction Company, Georgia Pacific Corporation and Norfolk Southern Railway Company. (All correspondence contained in the files.) Mrs. Segers stated that staff's recommendation remains for approval.

For the benefit of Mr. Perry Fields and Mr. Jay Kaufman who were not at the last meeting, Mr. Ray Richard gave a brief overview of the proposal and past history of the property. He stated that when the property was rezoned in the early 1980's there was some discussion by the Planning Commission regarding the amount of property being rezoned from FA to General Industrial. At that time, the decision was made to grant the rezoning of the entire tract. When the property was purchased earlier this year, Georgia Pacific decided to sell a portion of the subject property to the Timber Company, as well as several other holdings that were ultimately sold for development use. This particular piece of property was within that group. Mr. Richard stated that in his opinion, if there were ever any desires to develop the entire tract as General Industrial, the industries would not have sold off the highway frontage property.

Mr. Richard stated that when the property was purchased earlier this year, he approached a couple of realtors in the area who had done a lot of industrial marketing, and asked them their thoughts relative to what type of industrial development to put in the area. After reflecting on the issue for a while, it was their opinion that the property was more suited for residential use because over the years there had been a lot of residential development in the area. Mr. Richard stated that the property across the street from the proposed site is zoned FA but will be developed as residential. He then pointed out other surrounding residential uses in conjunction with the proposed development and the industrial sites.

Mr. Richard stated that at some point, there was going to be a transition from General Industrial to Residential, but the question in their minds was where should that transition take place. They felt that the area in question was best suited for this transition due to the combination of the wooded area used as office space by Georgia Pacific and the location of the natural wooded buffer along the 50 ft. gas line easement.

Addressing the letters submitted by the industries in the area, Mr. Richard pointed out that the second paragraph of the Seaboard Construction letter states that Seaboard Construction is only "a quarter of a mile" away from the proposed rezoning area. However, it is actually three-quarters of a mile away. He stated that it is also important to note that the last sentence of the letter says that "it is not Seaboard's intent to defer the application for rezoning, but to make the applicant aware of what our business consist of and how we are governed to operate."

Mr. Richard stressed that he understands that the sawmill is a noise producer, but he also understands that it is three-quarters of a mile away. In that light, he stated that he was curious about what some of the neighbors in the area felt about the noise so he spoke to some of them about the noise. One resident, Mr. Weaver, stated that he has lived in the area for a number of years and the noise does not bother him. He signed a petition in support of the rezoning. The other resident, Ms. Hope, lives off of Chanslor Road and stated that she has lived in the area for 30 years, long before the sawmill was there. When the sawmill is in operation 24 hours a day, she hears the noise once she is on the outside but it does not bother her. In fact, Ms. Hope stated that she would like to see the sawmill operating again at 24 hours because that would mean more jobs for the area.

Mr. Richard stated that the Norfolk Southern letter has some statements that are factually inaccurate. The first paragraph says that the "parcel of land is adjacent to their rail line." This is simply not true according to Mr. Richard. He pointed this area out on the map and stated that it is a quarter of a mile away. A statement in the second paragraph is also inaccurate. It states that the three primary properties adjacent to the subject parcel are Seaboard, Georgia Pacific and Norfolk Southern. Mr. Richard stated that Georgia Pacific is adjacent to the site but Seaboard and Norfolk Southern are not.

Mr. Richard reiterated that there would eventually be a transition in the area with the only question being where. He feels that the proposed site is an appropriate place for this transition. He further stated that the applicant is willing to offer some type of buffer around the property, specifically along the two sections adjacent to Georgia Pacific in an effort to satisfy their concerns. Mr. Richard stated that he spoke to a representative of Georgia Pacific about the buffer but was advised that this offer is not sufficient.

Mr. Gary Nevill wanted to know what type of buffer was being offered. Mr. Richard stated that the applicant proposed a buffer along the highway and a 30 ft. buffer all the way around the parcel. Chairman Fields pointed out that the 30 ft. proposed buffer is not included in the text. Mrs. Segers explained that it could be added as a zoning condition in the motion or added as a condition to be clarified at the preliminary plat stage.

Chairman Fields questioned the definition of an industrialized single-family dwelling unit. Mr. Richard stated that an industrialized single-family dwelling is a specific unit defined in the Zoning Ordinance as a modular home and is approved anywhere stick built houses are allowed, provided they are approved by DCA. Chairman Fields stated that according to the design standards in the applicant's text, there would be no single-wide mobile homes. He then asked if the proposed could be accommodated on a 60 ft. minimum lot width. Mr. Richard replied yes, provided the unit is oriented with the entryway on the narrower side with the longer unit deep. Chairman Fields stated that the design standards do not apply to industrial housing. He then referred to Section 4.3.4 of the text, which includes a private childcare center or home schooling with criteria for a daycare center. He wanted to know if the applicant is anticipating allowing a daycare in this proposed facility. Mr. Richard replied no, they are not anticipating a daycare and would be willing to remove it from the text. He stated that they wanted to try to provide as much flexibility as possible. The daycare center and private childcare center were included in the text because they are allowed in other residential uses.

Chairman Fields stated that Section 5.7 of the applicant's text indicates minimum lot width at 60 ft., but that amount is only with water and sewer. Otherwise, minimum lot width would be 100 ft. Mr. Richard explained that the frontage is not specified in the text. Chairman Fields stated that he has a problem with the applicant's text being in conflict with state law. Mr. Richard stated that perhaps Section 5.15 would satisfy his concerns. However, Chairman Fields advised that the 100 ft. would still be needed. Mr. Richard stated that he is receptive to including that as a condition of the zoning. He stressed that the applicant has every intention of providing county water and sewer to the project.

Mr. Vernon Copeland, Facility Manager of the Sterling Sawmill - Georgia Pacific Corporation, distributed information on the noise level of the sawmill, the location and purpose of a sandpit for the facility, traffic hazards with regard to log trucks, etc. and hours of operation. During his presentation, he stated that he is not against development, but he is against any residential development being located on top of a heavy industrial facility. He gave a brief history of the property and how it became part of the Timber Company and its relationship with Plumb Creek, which is described as a large landowner that buys and sells land. Mr. Copeland expounded on the deadly combination of the sandpits and children. He stressed that the area in question was never intended for residential use.

Mr. Steve Swan of Seaboard Construction stated that there are two issues to consider; 1) is it a good idea to have residential next to General Industrial; and 2) do we want to change the integrity of the industrial park. He stated that in looking at the integrity of the park, the industrial community has great liability because of the heavy equipment, possibility of theft, safety, disturbance to the environment, etc. He stated that they have specific guidelines to follow, i.e., OSHA Guidelines. He also expressed concerns about the changes, expenses and guidelines that they have to follow for any complaints lodged against them.

Mr. Swan emphasized that their facility was placed in this particular location because the area in question is an industrial park. In fact, the land was sold to them as an industrial park. He pointed out that Section 720.1 of the Zoning Ordinance states that “it is the intent of this section that the General Industrial Zoning District be developed and reserved for general industrial purposes. The regulations, which apply within this district, are designed to encourage the formation and continuance of a compatible environment for all types of industrial, warehouses, terminal, laboratory and open yard storage operations or concerns; and to discourage any encroachment by residential developments or other uses capable of adversely affecting the industrial character of the district.”

In conclusion, Mr. Swan stated that they have spent a great deal of money meeting the OSHA Environmental Requirements. They also purchased a lot of unneeded property around them in order to create sound buffers to protect the small number of homes currently in the area. He stated that it is their intent to expand and grow in this community, but if residential is continually allowed around the industrial sites, this would limit their growth, and in doing so, would limit jobs in this area.

Mr. Billy Crafford was present to speak against this rezoning. He expressed the same concerns regarding safety issues, traffic problems with the railroad line, noise, etc. He also stated that residential areas developed around railroad lines result in several crossing accidents. He asked that the area be preserved in its current zoning of industrial.

In rebuttal, Mr. Ray Richard stated that he has listened to all of the comments from the various industrial representatives and he respects their concerns. However, he recognizes that there is a lot of residential property to the south and southeast of the industrial sites, and all of the issues of concern are still going to be there with other residential property. Mr. Richard stated that he feels that this is a sound request and he stands by the application.

Following discussion, a motion was made by Mr. Mike Aspinwall to recommend denial of this request. The motion was seconded by Mr. Robert Ussery. Discussion continued.

Mr. Aspinwall stated that it would not be conducive to have families near industrial property and if the situation were reversed, there would be a great deal of public outcry. Mr. Ussery agreed and added that he could see the potential dangers with the sandpits and the residents in the area. Mr. Williams stated that this is not an easy decision to make because it is hard to envision everything with the mill being closed at this time. Mr. Kaufman commented that when appraising property, it is common practice to consider the highest and best use of the property.

After discussion, the following vote was taken on the motion for denial: Voting Aye: Mr. Mike Aspinwall, Mr. Perry Fields, Mr. Jay Kaufman, Mr. Robert Ussery and Mr. Jonathan Williams. Abstained From Voting: Mr. Gary Nevill.

GC-2003-13

Application by Donald M. Willis to rezone from LI Limited Industrial to HC Highway Commercial, property located at 118 Key Circle and consisting of 0.814 acres with 137.53 ft. of frontage on Key Circle.

Mr. Donald Willis was present for discussion.

The staff’s report was included in the packages for review and was presented by Mrs. Segers as follows:

The applicant seeks to change the zoning to Highway Commercial to provide for a lot size less than 1 acre. The parcel was created through deed and does not comply with Glynn County Subdivision Regulations. The applicant would like to establish a buildable

lot in compliance with Zoning and Subdivision Regulations. This requires a re-subdivision process (Section 802) in addition to the rezoning action.

The subject property is located in Phase 2 of Key Industrial Park, which was rezoned from General Residential to LI and developed in 1973. Subsequent rezonings in the area from Limited Industrial to Highway Commercial followed to establish commercial uses.

The property and the area along Key Drive are generally industrial in character, with small industrial buildings and uses that include outside storage. To the west along Community Road (SR 303) are a number of commercial establishments. Zoning in the area is a mix of HC and LI. To the east is a residential development (zoned PDR) along the west side of Old Cypress Mill Road.

The area is generally served by the City of Brunswick for water and sewer, although service is not provided in the immediate vicinity of this property.

The Comprehensive Plan indicates this area for residential use and the area immediately to the east for industrial, although the actual zoning and use is the reverse. The area to the west is shown for commercial and industrial uses.

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 residential, although it appears that the intent is for industrial.

- 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 change in zoning is consistent with the zoning and use of nearby properties and would not appear to create any adverse impacts. It should be noted that the property has apparently been divided and sold in violation of the County Subdivision Regulations and that simply changing the zoning will not resolve the issue. Furthermore, the survey submitted with the rezoning application does not appear to conform to the submitted deed or to the plat of the subdivision, specifically with respect to the right-of-way alignment.

Mrs. Segers pointed out that since the time of writing the staff's report, staff received verbal information from Mr. Willis that there is an additional deed where sections of the cul-de-sac were quick claimed or given from the county to the property owners. These issues will need to be resolved before the re-subdivision can be approved and any development of the property permitted. There may be other issues raised during this process, including adequate lot width and frontage. Staff's recommendation is for approval.

Mr. Robert Ussery wanted to know if the applicant had any particular use in mind for the property. Mr. Willis stated that he is proposing a warehouse building.

Following discussion, a motion was made by Mr. Gary Nevill to recommend approval of this request. The motion was seconded by Mr. Jonathan Williams and unanimously adopted.

GC-2003-15

Application by Clarke Wiggins, Sr. to rezone from FC Freeway Commercial to FA Forest Agriculture, property located approximately 445 ft. southeast of Crispen Boulevard and approximately 270 ft. southwest of Picric Street consisting of 1.66 acres. The property is also described as Tract C & D, Lot 50, Glyndale Subdivision, Section C.

Mr. Clarke Wiggins, Sr. was present for discussion.

The staff's report was included in the packages for review and was presented by Mrs. Segers as follows:

This proposal is to return the property to the original FA Forest Agricultural zoning. The zoning was changed to FC Freeway Commercial in 1966 (GC-49-66) as part of several map amendments implemented by the Joint Planning Commission in anticipation of Interstate 95.

The applicant intends to use the property for residential use. Development will require a minor plat to establish access as required by Glynn County regulations. The subject property is undeveloped.

The character of the area along Crispen Boulevard is mixed use of commercial, medium residential and single-family residential. Property to the northwest, north and northeast of the subject property is developed as single family residential or is undeveloped. Property to the west is a Georgia Power easement and property to the south and east is undeveloped.

The Future land Use Map of the Glynn County Comprehensive Plan shows this area as low-density residential. The area is served by private well and septic tank. Under Glynn County Environmental Health regulations, lots served by septic tank and shared well must be at least one-half acre in size. Based on gross acreage, no more than three lots could be created.

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. The surrounding area is single-family residential.

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

Not likely. The development potential is limited by minimum lot size.

- 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, at most, the property size would provide for three zoning lots.

- 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 low-density residential.

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

This proposal is a return to the previous zoning classification from 1966.

The zoning proposal would provide for single-family development, which is in character with the area and which is not permitted under the current Freeway Commercial zoning. Staff's recommendation is for approval.

Following review, a motion was made by Mr. Jonathan Williams to recommend approval of this request. The motion was seconded by Mr. Jay Kaufman and unanimously adopted.

SP-2003-0626-1600 Gateway Self-Storage

Request by Coastal Realty Investments, Inc. for approval of a site plan on a 300,000 square foot parcel zoned Planned Development and being located at the entrance to the Golden Isles Gateway Tract near the intersection of Harry Driggers Boulevard and Glyngo Parkway.

Mr. Dan Coty and Mr. Ray Richard were present for discussion.

Mr. Phillips explained that this item was presented to the Planning Commission earlier this year for a rezoning to develop a storage type facility. He stated that there are only two issues affecting the design of this proposal. The first issue is drainage. When this proposal was discussed at the rezoning stage staff suggested that the drainage plan for the entire site be developed initially, although it was not clear at that time if it would be possible to design the entire site. Staff has come to the conclusion that the existing layout for a portion of the site is reasonably served by the existing facilities. As the site is developed more fully, there will be a need for some additional detention because the downstream facilities are limited.

Mr. Phillips stated that the second design issue is the buffer. The northern part of this particular property abuts the Eagle Crest Residential Subdivision. There is a very substantial 50 ft. buffer on one side and a 30 ft. buffer on the adjoining side, for a total of 80 ft. between the two projects. Mr. Phillips stated that the only question is what kinds of improvements are anticipated in the buffer in terms of plantings, etc. Staff is particularly concerned about the area along Canal Road and Harry Driggers Boulevard. Mr. Phillips stated that there aren't a lot of details in the proposal with regard to the buffer, but perhaps the Planning Commission could offer some suggestions. He stated that staff's recommendation is for approval subject to any suggestions the Planning Commission may have with respect to the buffer.

Chairman Fields wanted to know if everything was in order for the Planning Commission to vote on the site plan. Mr. Phillips replied that everything is prepared for a vote but staff would like some input with regard to the buffer, which could be implemented as this progresses forward. He stated that it would not necessarily have to come back to the Planning Commission unless there is a great deal of concern.

Mr. Dan Coty stated that the minimum 80 ft. wooded buffer would be substantial in his opinion. However, Chairman Fields stated that according to the PD Text, the proposed perimeter buffer as indicated on the general layout plan is described as a 50 ft. planted buffer, and if the consensus is that this is adequate he would prefer that it remains as such. He stated that Eagle Crest has a 30 ft. buffer and Mr. Coty is proposing to attach at least 50 ft. on to that for a total 80 ft. buffer. He pointed out that the area is heavily wooded, much like a forest.

Mr. Phillips stated that a wooded buffer is an excellent buffer and it may be that all staff needs is to have the plan noted that the existing wooded buffer is to be retained. Chairman Fields stated that part of the problem is that there are no massive trees because the other side of Canal Road is in the flight path for the airport. Mr. Phillips stated that a lower tree canopy is probably a more affective buffer. It may be that it solves the problem just to put a notation on the plan.

Mr. Coty stated that once the buildings are designed along the buffer line, they would act as a buffer. The buildings would be backed up to the buffer and there would be no access in that particular area.

Following discussion, a motion was made by Mr. Robert Ussery to approve this request with the stipulation that the buffer shown remains as a wooded buffer, and that the wrought iron fence remains as submitted. The motion was seconded by Mr. Gary Nevill. Voting Aye: Mr. Mike Aspinwall, Mr. Jay Kaufman, Mr. Gary Nevill, Mr. Robert Ussery and Mr. Jonathan Williams. Abstained From Voting: Mr. Perry Fields.

MINUTES

Regular Meeting: June 17th

A motion was made by Mr. Mike Aspinwall to approve the Minutes of June 17, 2003 Planning Commission meeting. The motion was seconded by Mr. Gary Nevill. Voting Aye: Mr. Mike Aspinwall, Mr. Gary Nevill, Mr. Robert Ussery and Mr. Jonathan Williams. Mr. Perry Fields did not attend the June 17th meeting and therefore abstained from voting. Mr. Jay Kaufman was not a member at that time and also abstained from voting.

Under **Chairman Items**, Chairman Fields asked the members to advise him if anyone of them is interested in serving as Vice Chairman of the Glynn County Planning Commission and they would proceed from there.

For clarification, Chairman Fields stated that there was an inquiry as to whether or not the Planning Commission is in compliance by having the category "**Planning Commission Items**" on the agenda. He stated that this category is for information purposes only with no official action being taken. Therefore, until he receives a clear firm direction that this is inappropriate, he would rather leave this category on the agenda. The Planning Commission concurred.

Regarding the calendar of ordinance amendments listed under **Staff Items**, Chairman Fields stated that there are still a number of amendments on the table. He then appointed Mr. Jay Kaufman to work with staff on prioritizing these amendments in an effort to move them along quickly.

Also under **Staff Items**, Mr. Phillips listed *Minor Plat and the Re-subdivision Process Amendment* for discussion. He distributed copies of proposed options for Section 802, which he stated contains a few mechanical problems. He stated that staff is proposing to write up an amendment that would take care of the problems without necessarily addressing all of the range of issues listed in Article VIII. He stated that he would like to advertise this amendment for the August 5th Planning Commission meeting and subsequently schedule it for the August 7th Board of Commissioners meeting. Chairman Fields stated that he would prefer to discuss this item at a workshop before discussing it at the regular Planning Commission meeting.

Mr. Phillips explained the advertising process that staff has to abide by in order to meet the ordinance requirements. He stated that the workshop could take place on July 29th but in order to meet the requirements, he would have to submit the advertisement this week for the regular August 5th meeting. If necessary, the Board could be asked to continue the item to a time and date certain to avoid any possible conflicts. The Planning Commission agreed to discuss this item at the July 29th workshop. They also authorized staff to advertise the amendment for the August 5th Planning Commission meeting and the August 7th Board of Commissioners meeting. The idea is to have some type of consensus on the issue by the August 5th meeting. (The workshop was scheduled for July 29, 2003 at 5:30 p.m. in Room 234 of the Office Park Building.) Mr. Phillips stated that he would ask the County Attorney or the Assistant County Attorney to attend the workshop.

At this time, Mr. Phillips announced that Mr. Tyler Frazier has resigned from his position as Planner II with the Glynn County Planning & Zoning Division. Mr. Frazier has accepted a position in Lee County, Florida.

In other business, Chairman Fields stated that due to the length of time and the dedicated service provided by Mr. Hal Hart as a member of the Planning Commission, he would like to have some type of social event in his honor, in addition to the presentation, perhaps toward the end of the August 5th meeting. He stated that he would confer with Mrs. Loving on the details of the event.

There being no further business to discuss, the meeting adjourned at 8:08 p.m.