

MINUTES
GLYNN COUNTY PLANNING COMMISSION
February 10, 2004 - 6:00 P.M.

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

STAFF PRESENT: John Peterson, Director
York Phillips, Planning Manager
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.

Upon a motion made by Mr. Jay Kaufman and seconded by Ms. Ann McCormick, the agenda for the February 10th Planning Commission meeting was approved and unanimously adopted.

GC-2003-32

Application by Sea Island Company to rezone from RR Resort Residential to PD-G Planned Development-General property located on both sides of Sea Island Drive from the Black Banks Creek bridge to Fourth Street, including property between Hudson Drive and River Club Condominiums, together with a portion of Rainbow Island and consisting of approximately 107 acres, and having approximately 3,050 feet of frontage on Sea Island Drive, approximately 350 feet of frontage on Hudson Place, and approximately 350 feet of frontage on Fifth Street. The purpose of this zoning change is to provide for the redevelopment of the Cloister complex and related facilities.

Mr. Bill Edenfield and Attorney Jim Gilbert were present for discussion.

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

The existing complex has been developed over the past 80 years as primarily a resort. The Sea Island Company desires to redevelop the site, beginning with the Cloister Hotel itself on the west side of Sea Island Drive. Other than hotel and support uses, the complex will contain recreation facilities and resort villas. The change to PD-General is the result of the desire to have flexibility in the design and operation of the complex. The application proposes to deviate from the 45 ft. height limit for the RR district by permitting a height of 55 ft. for a portion of the main hotel building.

The adopted Glynn County Comprehensive Plan designates this area as commercial. The hotel complex has evolved over many years, and the proposed rezoning would not substantially change its character or 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 use and character of the area will not substantially change. The requested Planned Development zoning would permit the redevelopment process to proceed with greater flexibility. Staff's recommendation is for approval.

Mr. Phillips explained that this item was deferred from the January 20th meeting due to a number of suggested changes in the text. The applicant submitted an updated text and included the technical changes in the language as suggested by the Planning Commission. Some of these changes included clarification on temporary uses. Mr. Phillips stated that the language was largely derived from the existing ordinance. The applicant was trying to convey that there are unusual temporary uses affiliated with a large resort facility. The applicant has also addressed the concerns expressed about the number of parking spaces on-site for the hotel guest and off-site parking for employees, who would be transported to and from the site by way of a shuttle.

Mr. Phillips stated that the major concern expressed at the January 20th meeting was the proposed height standard for a small portion of the main hotel building (referred in the text as an exception). The applicant has included additional specifications to limit the applicability of the modified height.

Mr. Jim Gilbert distributed a summary of the revisions to the PD Text, which also included an explanation of each change. He stated that in an attempt to not have the building duplicated, they have added new language as follows: ***“the exception shall not create an additional habitable floor.”*** Also, a sentence in Section 502 of the text should read, ***“no building shall exceed four floors, including the service floor.”*** The term “habitable” in this instance will be deleted. For clarification, Mr. Phillips explained that the added sentence in Section 502 is separate from the exception. The exception does not apply to the number of floors.

Chairman Fields stated that he still has some reservations with regard to the intent. He then suggested that a paragraph be included in the text as to the intent of granting the variance. Basically, they have only provided the guidelines for the variance, but not the purpose. After several attempts to phrase the paragraph, Mr. Robert Ussery suggested the following: *“The intent of the building height exception is to create a significant structure that would become a landmark for all of Glynn County and Coastal Georgia. The exception shall not create an additional habitable floor.”* The Planning Commission and the applicant concurred with the language.

Mr. Tom Swan of RUPA stated that he is not necessarily opposed to this request but he does have mixed emotions about this particular change in the regulations. He stated that he is concerned about the attempt to make certain that some how in the future this would remain the way that it is intended. He also expressed concerns about setting a precedent.

Following discussion, a motion was made by Mr. Robert Ussery to recommend approval of this application as amended. The motion was seconded by Ms. Ann McCormick. Discussion continued. Mr. Mike Aspinwall noted that Sea Island is part of his district and he has not received any negative comments from anyone about this application. Mr. Jonathan Williams stated that Sea Island has always provided employment for a vast number of people in this area, and he feels that this kind of development keeps our county alive. After discussion, the motion was unanimously adopted.

GC-2003-36

Application by William T. Ligon, Jr., agent for Don Nunn, owner, to rezone from FA Forest Agriculture to HC Highway Commercial property located on the west side of US 17 opposite its intersection with Yacht Drive and containing approximately .704 acres, with approximately 90 feet of frontage on US 17.

Mr. William Ligon, Jr. was present for discussion.

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

This site is located on the northwest side of US 17 opposite its intersection with Yacht Drive. The site currently is improved with an older commercial building. A Power line easement and a ditch are located to the southeast of the property. To the east and southeast across US 17 is a commercial establishment as well as a mobile home park (Druid Oaks). Most of the zoning in the area is commercial, although there are small pieces of FA along US 17. To the northwest is undeveloped FA zoning. Immediately adjoining this site to the northeast is a parcel that was recently changed from FA to commercial.

This site is located at the point where US 17 transitions from a two-lane section (toward the northeast) to a four-lane divided section (toward the southwest). The adopted Glynn County Comprehensive Plan designates this area for 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.

While the individual uses in this area are not developed in a modern, coordinated manner, it is clear that the pattern of development is for non-residential use and has been for many years. Staff's recommendation is for approval.

Following review, a motion was made by Mr. Gary Nevill to recommend approval of this request. The motion was seconded by Mr. Mike Aspinwall and unanimously adopted.

GC-2003-38

Application by Dan Johnson, agent for Leon C. Braddock and Betty Ruth Braddock, owners, to rezone from FA Forest Agriculture to HC Highway Commercial property located on the west side of US 341 (New Jesup Highway) south of its intersection with Commercial Drive and containing approximately 3.998 acres, with approximately 400 ft. of frontage on US 341.

Mr. Dan Johnson and Mr. Leon Braddock were present for discussion.

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

This site is located on the southwest side of New Jesup Highway (US 341) opposite the Interstate Commercial Park light industrial development. Located to the east is a shopping center anchored by a Winn Dixie store. Generally, the frontage on the west side of US 341 is residential and the east side (from the industrial area toward the south) is commercial. Behind the properties that front on the west side of US 341 are residential subdivisions. This site abuts Glover Heights.

Zoning generally tracks the uses. Frontage properties on the west side of US 341 are generally zoned FA, except for the parcel on the corner of Crispen Boulevard and US 341, which is zoned HC. Properties fronting on the east side (from the industrial area toward the south) are zoned commercial (HC and PD). Residential areas to the west are

zoned R-9 and R-12. The adopted Glynn County Comprehensive Plan designates this area for residential 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 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.

No.

While this area was historically residential, there has been a change in uses along US 341 over a period of many years. This change included the Interstate Commercial Park development in the 1970's and 80's, up to the recent zoning change for the Capital Commercial Park at the intersection of Crispin Boulevard and US 17. This transition will necessarily continue until the areas on both sides of US 341 from Commercial Drive to Crispin Boulevard are in non-residential uses.

Care should be taken during this transition to ensure that the commercial areas do not creep west and interfere with the existing residential areas. Care also needs to be taken to buffer the expanded commercial areas from the existing residential areas that lie behind the frontage lots. For example, buffers were included in the zoning stipulations for the Capital Commercial Park site.

While utilities are not immediately available to the site, service will be available in the near future. Provisions should be made to ensure that any new development of this area connects to utilities. Staff's recommendation is for approval.

Following a brief discussion regarding a proposed buffer and site plan approval, a motion was made by Mr. Robert Ussery to recommend approval of this request subject to site plan approval, along with a 6 ft. solid fence as specified by the Planning Commission, and a minimum 20 ft. development setback to include paving. The motion was seconded by Mr. Jay Kaufman and unanimously adopted.

SUP-2004-01

Application by Lori Altimus, agent for Mable George, owner, for a special use permit to allow a mobile home in the case of a documented medical hardship on property located on the west side of US 17 approximately 150 south of its intersection with Fairway Drive and containing approximately 1.6 acres, with approximately 153 ft. of frontage on US 17.

Ms. Lori Altimus was present for discussion.

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

This is a request for permission to locate a temporary mobile home on property zoned R-12 based on a documented medical hardship. The property is located on the west side of US 17, a short distance south of its intersection with Fairway Road. The property currently contains a residence and several outbuildings. To the south is a private school and daycare center. To the north is a single-family residence. To the west is a residential development known as Country Club Park. The property immediately to the north and generally to the west is R-12. The abutting property to the south is HC. Other property along US 17 farther north is zoned OC and HC.

The adopted Glynn County Comprehensive Plan designates the area for residential use.

The Zoning Ordinance provides for temporary (two year) use of a mobile home in the case of a medical hardship. Such use is permitted when a documented medical hardship exists and provided such use meets all other requirements of Section 702.5. The ordinance also states that the applicant shall provide the following:

- a) A property owner's statement describing the need, identifying the person requiring medical care and the person to provide the care, and relationship of the persons to reside in the mobile home.
- b) A certificate of need and necessity filled out and signed by a medical doctor, describing the medical problem(s), and offering a professional opinion of need.

The proposed use meets the requirements of Section 702.5, however the other documentation has not been submitted. Staff's recommendation is for approval subject to provision of documents supporting the medical hardship, as required by the Zoning Ordinance.

Ms. Gayle Gibson, adjacent property owner, was present to oppose this request. She stated that if approved, a mobile home would have an adverse affect on her property value and the neighborhood.

Ms. Dawn Hudson, adjacent property owner, stated that she has lived in this area for 22 years and she would like for it to remain a single-family residential neighborhood. As a realtor and representative of 20 of her neighbors, she is asking that this request be denied in order to maintain the integrity of their neighborhood.

Chairman Fields commented that he had received approximately three phone calls from residents opposed to this request.

During the course of discussion, it was noted that the application did not contain a signed certificate from a medical doctor as outlined in the ordinance. It was also noted that the degree of the medical condition was not clarified. Therefore, a motion was made by Mr. Jonathan Williams to defer this request until the appropriate documentation is received as outlined in the Glynn County Zoning Ordinance. The motion was seconded by Mr. Gary Nevill. Voting Aye: Ms. Ann McCormick, Mr. Gary Nevill, Mr. Robert Ussery and Mr. Jonathan Williams. Voting Nay: Mr. Mike Aspinwall, Mr. Perry Fields and Mr. Jay Kaufman.

Chairman Fields commented that additional works needs to be done on the SUP section of the ordinance as to what constitutes a certificate of need.

Proposed Amendment

Code of Ordinances of Glynn County, Chapter 5 “Buildings and Construction,” Article VII “Soil Erosion and Sedimentation Control,” Section 2-5-104 “Applications/Permit Process;” Proposed Amendment to the Code of Ordinances of Glynn County, Chapter 2-16 “Utilities and Services,” Division 8 “Construction of a Water and/or Sewer System,” Section 2-16-75 “General Procedures and Provisions;” and Proposed Amendment to the Glynn County Subdivision Regulations, Article V “Definition of Terms;” Article VI “Design Standards,” Section 602.2 “General Provisions;” and Article VII “Subdivision Plats,” Section 705 “Construction Plan,” and Section 707 “Construction Plan Review and Approval Procedure.” The purpose of these amendments is to clarify and coordinate the review of construction plans and land-disturbing activity permits among these different ordinances.

This item was continued until the March 2, 2004 Planning Commission meeting, per staff’s request.

PP-2003-1209-1650 Clearwater, Phase I

Application by White Sands, LLC, owner, for approval of a preliminary plat for Clearwater, Phase 1, consisting of 46 lots on 16.202 acres located on the west side of US 17 approximately 4,600 feet southwest of its intersection with Buck Swamp Road. Property zoned PD-R Planned Development-Residential.

Mr. Ray Richard was present for discussion.

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

The planned development zoning for this property was approved in 2003. A zoning text and master plan were included in the packages for review.

Staff has reviewed this proposal and has no significant comments that cannot be addressed during the construction plan review phase. Therefore, staff’s recommendation is for approval.

Following review, a motion was made by Mr. Robert Ussery to approve this request with the addition of the cul-de-sacs. The motion was seconded by Mr. Jay Kaufman and unanimously adopted.

PP-2003-1216-1630 Tanglewood Subdivision

Application by Village Green Properties, LLC, owner, for approval of preliminary plat for Tanglewood subdivision consisting of 142 lots on 48.12 acres located on the south side of SR 99 approximately 6,500 feet west of its intersection with Canal Road and 10,500 feet east of its intersection with Jesup Highway (US 341).

Mr. Tom Pruitt was present for discussion.

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

This property is located approximately 1¼ mile west of the intersection of SR 99 and Canal Road and approximately 2 miles east of its intersection with Jesup Highway (US 341).

This site is part of a planned development approved in 2003. This portion represents less than 40% of the total site, with the remaining 80+/- acres lying to the west. The buffer along the SR 99 frontage reflects a recommendation of the Planning Commission made at the time of the planned development zoning.

Staff has reviewed this proposal and has no significant comments that cannot be addressed during the construction plan review phase. Therefore, staff's recommendation is for approval.

Following a brief discussion, a motion was made by Mr. Gary Nevill to approve this request subject to the temporary cul-de-sacs being shown. The motion was seconded by Mr. Mike Aspinwall. Voting Aye: Mr. Mike Aspinwall, Mr. Perry Fields, Mr. Jay Kaufman, Ms. Ann McCormick, Mr. Gary Nevill, and Mr. Jonathan Williams. Voting Nay: Mr. Robert Ussery.

MINUTES

Regular Meeting: December 16, 2003

The Minutes of the December 16, 2003 Planning Commission meeting were approved and unanimously adopted.

Regular Meeting: January 20, 2004

The Minutes of the January 20, 2004 Planning Commission meeting were approved and unanimously adopted.

Under **Staff Items**, Mr. Phillips stated that a one-day Planning Commission Training Workshop is scheduled for February 20, 2004 in Midway, GA. All members were encouraged to attend and to contact staff for early registration.

Also under **Staff Items**, Mr. Phillips advised that a special Planning Commission meeting to hear the "Steamboat City" presentation is scheduled for Tuesday, March 9th at Selden Park Recreation Gym. This presentation is for information purposes only.

There being no further business to discuss, the meeting adjourned at 7:45 p.m.