

MINUTES
GLYNN COUNTY PLANNING COMMISSION
March 2, 2004 - 6:00 P.M.

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

ABSENT: Jonathan Williams

STAFF PRESENT: 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. Gary Nevill and seconded by Mr. Jay Kaufman, the agenda for the March 2nd Planning Commission meeting was approved and unanimously adopted.

GC-2004-37

Application by Jim Bishop, agent for Retreat Village Management Co., LLC, owner, to rezone to PD-G Planned Development-General property located on the west side of Frederica Road, south of Demere Road and containing approximately 12.06 acres, with approximately 575.8 feet of frontage on Frederica Road and approximately 179.2 feet of frontage on Demere Road. The purpose of this change is to remove the Retreat Village Shopping Center from the Triangle Planned Development and establish it as a separate planned development project with a separate planned development text and an updated master plan.

Attorney Jim Bishop was present for discussion. Also, Mr. Robert Ussery, the applicant's architect, stepped down from the meeting and joined Mr. Bishop in the audience, thereby avoiding a conflict of interest.

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

This is an existing shopping center that was developed pursuant to a planned development known as the "Triangle Planning Area" and originally approved in the early 1970's. The shopping center was recently purchased by a new owner who is interested in making a number of improvements. In discussions with the new owner, staff determined that some changes to the planned development text and master plan would be necessary. It was also determined that it would be both timely and practical to separate this site from the larger Planned Development to allow a more specific set of standards to be developed and applied and to facilitate the review process.

The site is located west of Retreat Avenue (also commonly known as Frederica Road) and south of Demere Road. To the north along Demere Road are smaller commercial establishments. To the east is the McKinnon Airport. To the southwest and south are residential areas that are part of the Triangle project.

The proposed changes to the shopping center are somewhat limited. The proposed master plan shows some limited enlargement of the existing main building, as well as the addition of two smaller buildings. Perimeter buffering is largely unchanged, as is traffic circulation. There is a proposal to reduce the parking requirement, in part to increase landscaping and trees in the parking lot.

Approval of the revised planned development zoning text and master plan will allow submittal and review of site plans by the Planning Commission for individual improvements before they can be permitted.

The county's adopted Comprehensive Plan designates this area for commercial use. Policies in the plan encourage use of the planned development zoning districts for commercial development along Demere Road and Frederica Road.

The only major issue in this proposal is the proposed reduction of the parking requirement. Experience with this shopping center indicates that the existing parking is in excess of what is necessary to support the shopping center. The reduction in the parking requirement will still provide adequate parking while accommodating the expansion of the commercial space and the addition of trees and landscaping in the parking lot. To be consistent with other procedures, review of the parking lot layout and landscaping should be included in the Planning Commission's site plan review process. This review should also include on-site traffic circulation. Staff notes that there are some conflict points within the project that can be helped by improving the channelization of traffic.

The proposal also includes changes to the entrance signage. This is particularly important along Demere Road where the number of signs can make it difficult to locate this development. While a substantial increase in the size of such signs is undesirable, the relocation and redesign of the signs might be appropriate. Staff recommends that the signage design be reviewed as part of the site plan review process.

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 proposed development enhances the appearance and functionality of the existing shopping center without adversely affecting the community.

Staff recommends that (1) the removal of this site from the Triangle Planning Area Planned Development and creation of a separate Retreat Village Planned Development be approved; (2) the proposed planned development text be approved; and (3) the proposed planned development master plan be approved. Staff also recommends that the parking lot landscaping, improved channelization of traffic within the parking lot, and entrance signage be reviewed as part of the site plan review process.

Mr. Phillips stated that the County Engineer's office has asked that consideration be given at the site plan review stage to the pedestrian crossing issues associated with the main driveway.

Mr. Mike Aspinwall asked that when this request comes back for site plan review could there possibly be some modifications to the Burger King entrance. Mr. Phillips stated that there is no proposal at this time to modify the entrance. Mr. Aspinwall stated that the additional traffic would make "a bad situation worst." Mr. Phillips stated that in the course of reviewing the site plan, it is possible that this issue could be addressed by the Engineers and the Traffic Safety Division.

Chairman Fields expressed concerns about the 100 ft. setback from the road right-of-way. He stated that landscaping may not have changed but the footage requirement will. If the ordinance says 100 ft. then they should not vary from that. He also expressed concerns about signage and wanted to know if staff had compared the sign requirements outlined in the text to the existing sign ordinance. Mr. Phillips replied no, because they don't really have a proposal at this time. Chairman Fields stated that he does not want to create a problem with what the PD Text says versus what the ordinance says. The opening paragraph in the text under signage states that the PD District "shall meet or exceed the requirements" of sections in Article VIII. In his mind, "exceed" means to make signage smaller. Mr. Phillips stated that staff has not done a detailed review of the signage issue but suggests that it be addressed in the site plan review process.

Regarding access and parking, Chairman Fields stated that the text says, "additional parking reduction shall be allowed to a minimum of 1 space per 275 sq. ft... in exchange for additional *open space*." He stated that according to the ordinance, if less paving is required, some of the land is then dedicated to *green space* and not open space, so that it becomes undevelopable. He stated that he is not sure if what is written in the text is in compliance with the reduction requirements as listed in the ordinance. Mr. Phillips stated that he discussed this matter with Mr. Ussery. The principal is the same as it generally applies to the ordinance. The calculation is different because of the method of calculating how much square footage is devoted to a parking space. Chairman Fields stated that the text says "gross leaseable floor area" but the ordinance says "retail space area." Mr. Phillips stated that the language may need to be corrected.

At this time, Mr. Robert Ussery addressed the four issues of concern.

1) Burger King Entrance: He stated that his client is also unhappy with the Burger King entrance and this will be reviewed in coordination with the County Engineer for possible improvements.

2) Buffers: Mr. Ussery explained that the intent of the text was to replace the language entirely regarding the 100 ft. setback. The language was included for history purposes and has been replaced with new language.

3) Signage: The language that states, “meets or exceeds” is an error. The development text maintains the existing requirements for signage based on the old triangular tract development. “Meets or exceeds” would be deleted and replaced with language that says, “the sign requirements are as follows” (in accordance with the PD District requirements).

4) Parking Reduction: Mr. Ussery explained that the Zoning Ordinance does not address any existing greenspace. They were trying to convey that they would have a maximum of 90% site coverage, which leaves a minimum of 10% greenspace. They would like to be able to take out individual parking places as they see a need to create a landscaped node within the parking area up to a point of 275 sq. ft. as calculated. They intended for the calculation to be on gross area. Perhaps the language needs to be changed for clarification because the intent is to give the county the greenspace. The phrase “open space” would be changed to “greenspace,” as defined in the ordinance.

Chairman Fields still had problems with the buffer language in the text. Mr. Ussery explained that one of the goals of the text was to bring the text in compliance with what is physically located on the property. Chairman Fields stated that it would be better to just say “no buffers” except for existing setbacks. Mr. Ussery agreed. Chairman Fields stated that he would like to have all of the confusing language eliminated for clarification and have the request brought back to the Planning Commission for another review before it goes to the April 1st County Commission meeting.

Ms. Ann McCormick stated that she sees a potential problem with “Temporary Uses” (listed on page 7 of the text) relative to special events, specifically the “time period not to exceed twelve (12) months.” Mr. Jim Bishop stated that they would work on this language and perhaps limit the time to 60 days with respect to temporary uses.

Mr. Phil Driscoll, part owner of the Retreat Plaza Shopping Center, expressed concerns about the traffic pattern. He wanted to know if the two roads that go off of his parking lot area would continue to exist and continue to go into the SunTrust Bank area. Mr. Bishop replied yes.

Following discussion, it was the consensus to continue this item at the March 16th Planning Commission meeting, beginning at 6:00 p.m.

GC-2004-01

Application by Nick Chilton, agent for William Chanclor, owner, to rezone from FA Forest Agriculture to HC Highway Commercial property located on the northwest side of US Highway 17 South approximately 2,500 feet southwest of its intersection with US 82 and SR 303 (property address is 3380-3404 US Highway 17 South), and containing approximately 2.34 acres with approximately 675 feet of frontage on US 17.

Mr. Nick Chilton was present for discussion.

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

This site currently has two or three mobile homes. To the east is a county fire station. The area to the north is generally undeveloped with some limited agricultural activities. The area immediately to the south is part of the Southport project, but the closest development is the first phase of Somersby Point, which is over 1,000 ft. away. The site is currently zoned Forest Agricultural. To the south, across US 17 is Local

Commercial, beyond that is R-9 Residential. To the southeast is Planned Development-General. There are sporadic HC zoned areas on the north side of US 17 in this vicinity.

The proposal would allow some commercial development, including retail. A general layout plan has been submitted showing the feasibility of developing the site. Because the property has access from US 17, the number of entrances will be limited under GA DOT access regulations and county development standards.

The county's adopted 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.

The configuration of the subject property and the presence of commercial zoning in the vicinity suggest that this site will not be practical to develop for residential use. Uses will be somewhat limited due to the shape of the property and the limitations on access to US 17. Staff's recommendation is for approval.

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

GC-2004-02

Application by Phillip Jackson, agent for Fox Run, LLC, owner, to amend the planned development text for the Golden Isles Gateway Planned Development to change the specifications (particularly lot size and width) for one-family attached dwellings on property located approximately 1,500 feet northwest of Harry Driggers Boulevard and consisting of approximately 28 acres. This site is northwest of Fox Run Phase I and southwest of Lexington Place Phase I.

Mr. Robert E. Blake and Mr. Chris Amos were present for discussion.

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

This site is located within the "Lake Residential" section of the Golden Isles Gateway Planned Development. The development would constitute Phase II of the Fox Run Development, and lies between Fox Run Phase I and Lexington Place Phase I. Fox Run Phase I and Lexington Place consist of one-family homes. This proposal would allow one-family attached units, each on a separate lot so that they can be conveyed separately.

The proposed text lacks a preamble to explain how it is to be incorporated into the Golden Isles Gateway Planned Development text. The following preamble text should be added to the beginning of this request:

Amend the Planned Development Text for the Golden Isles Gateway Planned Development, as amended, by adding thereto the following at end of the section entitled "Residential District - Permitted Uses and Descriptions"

The county's adopted Comprehensive Plan designates this area for residential use. The application is based on a related expectation that Fox Run Drive can be converted to a private street with no normal public access between Fox Run and Lexington Place. Fox Run Drive would then be gated at Harry Driggers Boulevard, and an emergency access (open only to emergency and utility personnel) would be provided where Fox Run Drive and Freedom Trail meet. Normally this decision would be made in conjunction with the review of the preliminary plat for Fox Run Phase II, but that application has not yet been submitted. If the concept is approved, a revised preliminary plat and construction plans for Fox Run Phase I would also be required.

Staff is concerned that such a large area would be left with only one access (i.e. all of Fox Run coming from one entrance off Harry Driggers Boulevard, and all of Lexington Place and Hardwood Forest coming from another entrance). The master plan for Golden Isles Gateway depicts this as a thru road, and a formal amendment to the master plan may be required. Staff has advised the applicant that he needs to demonstrate that the proposed change would not adversely affect traffic circulation or emergency access.

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.

The proposed changes provide for development that is generally consistent with the existing and planned development in the area. The issue of eliminating the through movement on Fox Run Drive should be addressed.

Staff recommends that the application be approved following a discussion of the merits of closing Fox Run Drive to thru traffic.

Mr. Gary Nevill wanted to know if a temporary cul-de-sac easement is located at the end of Freedom Trail. Mr. Phillips stated that there is a piece of dedicated street that is still being completed, but staff is anxious to get a preliminary plat so that there is resolution on the thru street issues.

Chairman Fields stated that at the time of approving Fox Run, the road was previously approved as a thru street on the basis that it would go all the way around and loop back in through Lexington. It appears that this has changed. Mr. Phillips stated that is correct, but he pointed out that if the change is to be made, the Planning Commission would also have to review the Fox Run Phase I, which is still in the construction plan phase, in order to authorize some of those changes. He stated that the issue of the connectivity between Phase II and Lexington Place is still in existence. Staff has advised Mr. Amos that there needs to be some type of analysis of the emergency access issue and traffic circulation for the Planning Commission's review.

Mr. Robert E. Blake, the managing partner for Fox Run, gave a brief presentation. He explained that they are proposing a gated upscale resort type development. In fact, he stated that this would be more of a self-contained exclusive community. He pointed out that when the Regency Group owned the property there was a road connecting everything together. However, upon their purchase of the property they have decided to take another direction and have private roads. He stated that the engineer and surveyor are both present to answer questions.

Chairman Fields asked Mr. Blake if he presented the preliminary plat for Fox Run, Phase I. Mr. Blake replied yes. He stated that the Regency Group has nothing to do with Fox Run, which was originally going to be part of Lexington Place.

Chairman Fields asked if there is a cul-de-sac at the end of Freedom Trail. Mr. Phillips replied no, there is not a cul-de-sac there now. The last piece of street has not been constructed. Chairman Fields asked if a cul-de-sac could be put there without impacting the other lots. Mr. Phillips replied yes. He then expounded on several options by which to accomplish this.

Mr. Nevill stated that in the text under “*Land Use & Development Standards*” regarding lot splits, he would rather see language to the affect that the proposal would meet the subdivision requirements contained in Section VIII, which means they would have to come back for a lot split. Mr. Chris Amos stated that they would not have a problem with changing the language.

Following discussion, a motion was made by Mr. Gary Nevill to recommend approval of this request with the amendment to the text that the proposal would meet the requirements of the Subdivision Regulations for lot splits. The motion was seconded by Mr. Mike Aspinwall and unanimously adopted.

Proposed Amendment

Proposed Amendment to the 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.

As referenced in a memorandum from Mr. Phillips, the above item addresses three proposed ordinance amendments related to processing of Land Disturbing Activity (LDA) permits. The amendments address the County’s Erosion and Sedimentation Control Ordinance, Water and Sewer Ordinance, and Subdivision Regulations, respectively. The Planning Commission heard these proposed amendments at its meeting on December 2, 2003 and referred the matter to a committee. The committee has reviewed the proposals and has recommended changes that are incorporated in the amendments.

One of the committee’s recommendations was to make an amendment to the Development Procedures Manual approved in July 2002. The ordinance sections authorizing the adoption of the Development Procedures Manual require that amendments be addressed in the same manner as ordinance amendments; i.e., public hearings at the Planning Commission and Board of Commissioners level.

Following a brief presentation from Mr. John Peterson, a motion was made by Mr. Robert Ussery to recommend approval of the above amendment subject to correction of minor typographical errors. The motion was seconded by Mr. Gary Nevill and unanimously adopted.

Proposed Amendment

Proposed Amendment to the Development Procedures Manual adopted pursuant to §909 of the Glynn County Zoning Ordinance and §1004 of the Glynn County Subdivision Regulations. The purpose of the amendment is to establish a time limit for review of applications and to clarify the methods for conveying staff comments to applicants.

According to the staff’s report, as part of the ad hoc committee review of the ordinance amendments regarding LDA’s, the committee recommended a change in the Development Procedures Manual to limit construction plan review to two weeks. The committee also asked that this change be implemented concurrently with the ordinance amendments.

The proposed amendment was included in the packages for the Planning Commission's review. Under the provisions of the Zoning Ordinance and Subdivision Regulations that authorize the adoption of the Manual, amendments to it shall be processed in the same manner, as are amendments to these two ordinances. Staff's recommendation is for approval.

Following review, a motion was made by Mr. Robert Ussery to recommend approval of the above amendment subject to correction of minor typographical errors. The motion was seconded by Ms. Ann McCormick and unanimously adopted.

SP-2004-0209-1400 Country Inn & Suites

Application by Jai Laxmi Maa, Inc., owner, for approval of a site plan for a 65-room hotel (Country Inn & Suites) located on the east side of Gateway Center Boulevard approximately 350 feet south of its intersection with Glynco Parkway. Zoning is PDG; the site is part of the Golden Isles Gateway PD.

Mr. Ray Richard was present for discussion.

Mr. Phillips stated that staff has reviewed the proposed plan and finds no significant issues. (Comments were included in the packages for the Planning Commission's review.) Technical comments can be resolved during the building permit site plan review process.

The plan shows a high-rise sign. Signage will be subject to the provisions of the planned development text, which may limit such signs. Staff's recommendation is for approval of the site plan subject to meeting all requirements.

During a brief presentation, Mr. Ray Richard pointed out that a 6 ft. gate would be placed at the front of the dumpster pad for visual purposes. The gate would be a block enclosure with a stucco finish the same color as the building.

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

MINUTES

Regular Meeting: January 6, 2004

The Minutes of the January 6th Planning Commission meeting were approved and unanimously adopted.

Regular Meeting: February 17, 2004

The Minutes of the February 17th Planning Commission meeting were approved and unanimously adopted.

Under **Chairman Items**, Chairman Fields stated that before the end of this year, he would like for staff to work on having a PD Commercial Text in place that involves ½ acre of land or more for special uses. He stated that this issue has come up a number of times. Mr. Phillips concurred. Chairman Fields suggested forming a committee to assist with this task. He then asked Mr. Ray Richard if he would consider serving if a committee is formed. Mr. Richard replied yes.

Under **Staff Items**, Mr. Phillips reminded the Planning Commission of the special workshop scheduled for March 9th at 5:00 p.m. at Selden Park Recreation Gym. The purpose of this workshop is to hear a presentation and discuss plans for the Steamboat City project. The public is invited to attend. An advertisement will be placed in the Brunswick News this week.

Also under **Staff Items**, Mr. Phillips asked for a consensus to possibly cancel the June 15th Planning Commission meeting in anticipation of disruption of activities due to the G-8 Summit. If necessary, the meeting would be rescheduled. This change would not affect the June 1st meeting. The Planning Commission concurred.

There being no further business to discuss, the meeting adjourned at 7:30 p.m.