

MINUTES
GLYNN COUNTY PLANNING COMMISSION
May 4, 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
Paul Andrews, Assistant County Engineer
Eric Landon, Planner II
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 May 4th Planning Commission meeting was approved and unanimously adopted.

GC-2003-16

Application by J. Thomas Whelchel, agent for the Estate of Mittie B. Hendrix, to rezone from R-6 One-Family Residential to Office Commercial property located at 2010-2012 Demere Road and consisting of 27,000 square feet with 200 feet frontage along Demere Road. The application includes proposed stipulations that would apply to the development of the property.

Mr. Thomas Whelchel was present for discussion, but requested that his application be deferred at this time. Thereupon, a motion was made by Mr. Robert Ussery to defer this application until the June 1st Planning Commission meeting beginning at 6:00 p.m. The motion was seconded by Mr. Jonathan Williams and unanimously adopted.

GC-2004-05

Application by Mark R. Wendel, agent for Larry E. Wendel, property owner, to rezone from R-20 Residential to GC General Commercial property located at 6241 Blythe Island Highway and consisting of .573 acres with 100 feet frontage on Blythe Island Highway.

Mr. Mark Wendel was present for discussion.

This application was deferred from the April 20th Planning Commission meeting due to a tie vote. With the exception of additional history being provided, the staff's report is unchanged and is being re-entered into the Minutes for the record as follows:

- Previous application (GC-2002-17) filed: September 10, 2002
- Previous application Planning Commission public hearing dates: October 1, 2002; November 19, 2002; and December 3, 2002 - action: recommendation for denial
- Previous application Board of Commissioners public hearing date: January 23, 2003 action: denial
- Current application date: March 26, 2004
- Current application Planning Commission public hearing date: April 20, 2004; continued to May 4, 2004
- Current application Board of Commissioners anticipated public hearing date: May 20, 2004

The applicant seeks to rezone property for development of a welding school and body shop. This property is located amid developed residential property. Adjacent property to the north, west and south is zoned R-20. Property east across Blythe Island Highway is zoned HC Highway Commercial. The subject lot is currently developed as a single-family residential use.

The future land use map identifies this area as low density residential.

An updated general layout plan has been submitted showing the development of a new building. There are technical issues involving the general layout that can generally be resolved thorough the building permit site plan review process. The plan does reflect a fairly intensive use of the site, particularly in view of the use of a septic tank for wastewater disposal.

The property has an individual well and septic system serving the existing residence. Relocation of the septic system would require new permitting. This lot is too small to be permitted for a new system under current state and local regulations.

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.

The proposed higher intensity use as a welding school/body shop would be an encroachment into the residential character of the area. The majority of adjacent and nearby property is established as residential use.

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

It is likely that the proposed use would present adverse effects due to increased traffic and intermittent noise.

- 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 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.

None.

While there appears to be support within the larger community for this type of use, the specific site in question is not appropriate for the use requested due to the predominant residential use. Approval of a significant non-residential use in this area will exacerbate the problem of compatibility and will increase pressure for the remaining frontage lots to be converted. Staff's recommendation is for denial.

Mr. Mark Wendel did not have any new information to add with the exception of the layout plan, which he stated was requested at the last meeting. He then introduced Rev. Zack Lyde whom he stated would distribute the layout plan as a summary of his request. Rev. Lyde presented the following:

**WORK ACADEMY DEVELOPMENTAL ENVIRONMENT
(W.A.D.E)**

“The Work Academy Developmental Environment is a for profit business venture designed to focus on building skills among the hard to place residents. There are many cases of unskilled, untrained, disenfranchised citizens among our South Georgia residents. This segment of our society will be the focus or target population for W ADE. Our goal is to produce skilled technicians in areas such as, welding, auto body repair, etc. requiring welding skills.

The WADE will be under the direction of a seven-member Board of Directors and a fifteen-member committee, which will handle the management policies of the group. Cost will be covered by sponsored training events to ensure individuals among the target population will be recruited and enrolled to complete the designated training. The full membership of WADE is to closely represent the current diversity in the city of Brunswick in terms of age, ethnicity and gender. Instructors are in place and developing a curriculum that will deliver the necessary skills to the target population. Through a well-designed marketing initiative, the organization will improve communication and collaboration among individuals and entities that support a healthy community. Services will be coordinated for unskilled workers and their families based on ongoing community needs and resource assessments.

The Work Academy Developmental Environment operation will reduce crime within our area by providing job skill training to those most likely to commit crimes, giving them encouragement, which will promote a desire to become contributing citizens. This change in value will have a significant impact on the individual and their family.

The available site for the Work Academy Developmental Environment is currently zoned residential. We are requesting that the site located off of Highway 17 South (Blythe Island) be considered for re-zoning appropriately to meet the need of creating a school site for the students/participants in the Work Academy Developmental Environment. This operation will roll out in phases with the first being the acquisition of the site and preparing the building for classroom environment; second will be the formal commitment of instructors and the recruitment of participants. Continuing monitoring and evaluation will take place to ensure that the venture stays on target and meets the intended need. A complete business plan including a budget is being developed.

Should there be questions regarding this business venture, please contact Rev. Bobby Hall at (912) 264-6015.”

Ms. Rebecca Lovett of 447 Blythe Island Drive was present to oppose this request. She stated that she does not understand why anyone would even consider putting a commercial building in the middle of residential property. She stated that none of the Planning Commissioners would want a commercial building next door to their home. Ms. Lovett stated that she understands that commercial property is in the area, but there are no residences on either side of the existing commercial property. She stated

that the proposed request would be detrimental to the entire area and would devalue her property. She is very definitely against this request.

Mr. Wayne Stewart of 136 Midway Circle was also present to oppose this request. As he stated at the last meeting, no one on Blythe Island is against the school but they are against commercial zoning in the middle of a residential neighborhood. He stated that this is clearly spot zoning and he is respectfully asking that it be denied.

Mr. Robert Ussery stated that he basically has the same comments that he made at the April 20th meeting. He pointed out that the nature of this proposed school is that of a body shop, which in his opinion has appropriate locations. One of the needs of this particular kind of commercial development is a yard in order to store vehicles that are being repaired, etc. He feels that the kind of commercial that would be more suitable for the area in question is local commercial, which allows a small grocery store and other uses that would serve the residences surrounding it. He stated that the intent of local commercial zoning is to service the neighborhood.

There being no further comments, a motion was made by Mr. Robert Ussery to recommend denial of this request. The motion was seconded by Ms. Ann McCormick. Voting Aye (in favor of denial): Mr. Mike Aspinwall, Mr. Jay Kaufman, Ms. Ann McCormick, Mr. Gary Nevill and Mr. Robert Ussery. Voting Nay (against denial): Mr. Perry Fields and Mr. Jonathan Williams. The motion carried for denial.

GC-2004-07

Application by Jack D. Carter, owner, to rezone from Limited Industrial to Highway Commercial property located at 3704 Community Road and consisting of 1.013 acres located on the west side of Community Road and on the south side of Newman Drive, and with 195 feet of frontage on Community Road and approximately 510 feet of frontage on Newman Drive.

Mr. Jack Carter was present for discussion.

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

This request is to allow the use of the property for sale and servicing of automobiles. The previous use was for automobile repair. The parcel is located at the intersection of Community Road (SR 303) and Newman Drive. The area is characterized by a mix of commercial and industrial uses. The zoning of the area is a mix of retail commercial and light industrial districts. The county's adopted 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 for commercial use.

- 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 zoning is consistent with the use and development of the surrounding area. The application did not include a general layout plan. The survey, however, shows the existing building and paving and no improvements are planned at this time. Accordingly, the survey adequately demonstrates the feasibility of using the site for the proposed purpose. Staff's recommendation is for approval.

Chairman Fields asked if the driveway in this development is in compliance with the distance requirements from the intersection. Mr. Phillips stated that he would have to check the ordinance for the requirements. Also, he pointed out that Community Road is a state highway, and as such, it is subject to state rules regarding entrances. Mr. Phillips

stated that he would have to confer with the state to determine if the existing entrance is in compliance.

It was noted that no one was present to oppose this request.

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

Preliminary Request for Site Plan Approval

Application by Stonestreet Investments, LLC for site plan approval for a hotel consisting of 24 suites (48 sleeping rooms) on .77 acres located at 720 Ocean Boulevard. This is a preliminary request to allow reduction of the required parking in favor of increased open space.

Ms. Cathy Dunn and Mr. Walt Bazemore were present for discussion.

In a memorandum addressed to the Planning Commission, Mr. Phillips explained that staff is in the process of reviewing a proposed site plan for a 24-unit suite type hotel on property located at 720 Ocean Boulevard. The site is made up of four lots currently containing three single-family dwellings that are to be removed.

With the recent discussion of the parking requirement for hotels, staff has reviewed the building plans and concluded that the “study/den” in each suite (unit) will serve as a potential sleeping room. Accordingly, the number of sleeping rooms is 48, yielding a parking requirement of 53 spaces. The Planning Commission is authorized to allow a reduction of up to 25% where the area that would otherwise be used for parking is preserved in open space. A 25% reduction would require 40 spaces. The draft site plan shows 36 spaces, or four less than the requirement with the reduction.

One option is to require a stipulation as to how the study/den units will be used. Another choice is to allow the reduction subject to requiring 4 additional spaces.

Mr. Phillips stated that staff is seeking direction from the Planning Commission in determining the parameters for the site plan upon its submittal, perhaps in time for the May 18th meeting.

Mr. Ussery commented that according to the ordinance, the formula for reducing parking is based on non-residential development. Mr. Phillips stated that with this being a hotel, it is classified as a commercial project. However, Mr. Ussery stated that the property is located in a Resort Residential District. He stated that there isn't anything in the ordinance that defines a hotel as residential or commercial, therefore he would lean

more towards the nature of the district, which is residential. Mr. Ussery stated that in his opinion, he doesn't think that this can be allowed. Also, the project appears to be 18 two-bedroom condominiums regardless of what the applicant is calling it. The density allows 16 units per acre for condominiums, which would allow 12. If the applicant insists on calling this a hotel, he would challenge that what they have is 36 hotel rooms. Mr. Ussery stated that in his professional experience on St. Simons, he has seen this happen before. He stressed that this is an attempt to increase the density by calling a condominium a hotel.

Chairman Fields stated that he always thought that the reduction in parking for greenspace is clearly tied to property that is fully usable, and therefore the trade off is to have usable property, which would be dedicated for non-use forever in exchange for a reduction in the parking. It looks like they are saying that they don't want to park in the setbacks, which they cannot use anyway. Mr. Phillips stated that they could park in the setbacks. Chairman Fields then questioned the whereabouts of the greenspace that we're gaining that is otherwise developable property. Mr. Ussery explained that no one is allowed to park in the 50% site coverage. Currently, there is 47.3% site coverage and the difference is 911 sq. ft., which would cover two parking spaces according to the formula. He further stated that there seems to be a lot going on with this project, such as trying to get away from what has traditionally been done in this district by taking a condominium and calling it a hotel. He stated that he does not see this as being a viable site plan.

Ms. Cathy Dunn, Stonestreet Investments, argued that she is building a hotel and plans to manage the development as a hotel. She stressed that the project does meet the requirements of the ordinance.

Mr. Walt Bazemore, architect, explained that he did the plans for this project and the calculations are correct; there are 27 hotel rooms. He stated that they elected to put 24 rooms. However, Mr. Ussery pointed out that they have elected to put 24 two-bedroom hotel rooms. The issue would be whether or not a hotel unit is two bedrooms. Traditionally in this district a bedroom and a bathroom is considered a hotel. Mr. Bazemore stated that traditionally it is, but this is clearly labeled as a hotel.

Chairman Fields asked if the calculations are based on sleeping rooms or number of rooms. Mr. Phillips explained that according to the ordinance, the density for a hotel in the RR District is a certain number of units per acre, but when dealing with the parking, sleeping rooms is the term that is used rather than units. He does not know how far back this particular provision goes; it may be part of the 1983 amendments, the 1966 ordinance, or somewhere in between. He suspects that the character of a hotel has evolved since the ordinance was written.

Chairman Fields pointed out that Section 611.7 of the ordinance regarding parking reduction states that "for each parking space so eliminated, the plan shall show a 450 sq. ft. increase in undeveloped area over the area of required yards." Chairman Fields stated that if a reduction is granted, according to the ordinance, "the Planning Commission must make a finding that the remaining amount of parking will be adequate

for the purposes used.” He stated that he is not sure that they are prepared to give such a finding at this time.

Mr. Aspinwall stated that it is important to figure out how many rooms are going to generate parking, because if there is not enough parking there will be spill over into an area of the Island that already has a major traffic problem. He stated that as much as we need the greenspace, we cannot overlook the fact that the parking has to match up with the number of rooms, whether they are called condominiums or hotel rooms and there appears to be 36 rooms at this time.

Mr. Nevill stated that according to his calculations, if the den is included as a sleeping room, there are 36 rooms at 450 sq. ft. for 43% site coverage, which means that there would need to be a redesign because the applicant is showing 47% site coverage.

Mr. Kaufman asked if the rooms/units would be constructed in such a way that the study and perhaps a bathroom could be rented out separately. Ms. Cathy Dunn replied no.

Chairman Fields stated that he is looking for a balance. Parking in the RR District is horrendous. It appears that the parking in this particular case is going to create a spill over and he does not see a balance with regard to greenspace versus parking although greenspace is more desirable. Mr. Aspinwall agreed.

Mr. Nevill stated that he would like to see a better definition of a hotel relative to commercial and residential.

Mr. Kaufman stated that focusing on the parking issue alone, he would be inclined not to waiver from the ordinance. Ms. McCormick commented that she is concerned about the density.

Mr. Phillips stated that for clarification, there are two issues of concern: 1) the 25% reduction in parking, and 2) the interpretation of sleeping rooms.

Attorney Carroll Palmatary stated that he has lived on St. Simons for a number of years and he is well aware of the parking situation. He stated that the concept of sleeping rooms goes back to the days of boarding rooms. Over the years, he has observed that most of the people who come to stay on the Island generally come in one car to occupy one unit. He stated that there are exceptions, but generally this is the case. He is concerned that the Planning Commission is making this out to be a much larger problem than it actually is. He feels that we are simply looking at an outdated ordinance.

Chairman Fields stated that it is the consensus of the Planning Commission that there will be no concession on the parking at this point. Mr. Phillips stated that his suggestion to the applicant would be to first look at the unit layout to see if there can be some refinements in the nature of the unit as it affects the number of potential sleeping rooms. Secondly, the applicant should look at solutions for providing adequate parking. Chairman Fields added that density should also be reviewed carefully.

It was noted that no formal action is required from the Planning Commission at this time.

Arnold House - Site Plan Extension

Request by James G. Timbes, Owner/Developer for extension of site plan approval for a project zoned HC Highway Commercial (**SP-2002-0311-0957 Arnold House**) located on the southeast side of Ocean Boulevard and northeast of Neptune Drive, St. Simons Island.

Request by James G. Timbes, Owner/Developer for extension of site plan approval for a project zoned RR Resort Residential (**SP-2002-0311-1020 Arnold House**) located southeast of Ocean Boulevard on the northeast side of Neptune Drive and on the northeast side of Forest Street, St. Simons Island. Previous approvals of one-year extensions were granted May 7, 2002 and May 6, 2003.

Mr. James Timbes was present for discussion.

In a memorandum addressed to the Planning Commission, Mr. Phillips explained that this proposal involves two projects, which are related and are abutting, but are on parcels with different zoning classifications. They have therefore been designed and reviewed as separate projects. In both cases, the use involves a hotel with only limited accessory uses.

Since the approvals in May 2002 and May 2003, the ordinance has been amended to allow for reduction in parking in order to increase greenspace. Otherwise, there have been no changes in regulations or conditions that substantively affect this proposal. Staff's recommendation is for approval of the requested extension.

Following a brief discussion, a motion was made by Mr. Gary Nevill to grant approval of the extensions. The motion was seconded by Ms. Ann McCormick. Voting Aye: Mr. Perry Fields, Mr. Jay Kaufman, Ms. Ann McCormick, Mr. Gary Nevill, Mr. Robert Ussery and Mr. Jonathan Williams. Abstained From Voting: Mr. Mike Aspinwall.

SP-2002-0506-1641 Live Oaks Power Plant

Request by Live Oaks Company, LLC, for extension of site plan approval. Approval was granted June 4, 2002 and is effective for one year. The request is for an extension of 12 months. The property consists of approximately 90 acres, located east of New Jesup Highway (US 341) in the Sterling area. The original approval was granted June 4, 2002 and a one-year extension of approval was granted March 18, 2003.

Mr. Richard Zwolak was present for discussion.

Mr. Phillips explained in the staff's report that this application was reviewed on June 4, 2002 by the Planning Commission and was approved subject to (1) staff's review and approval of detailed plans in connection with specific building permits, and (2) execution of an agreement for use of treated wastewater.

This project requires approval by the Georgia Department of Natural Resources, Environmental Protection Division (EPD) for groundwater withdrawal, as well as certain other permits. Applications for these permits were made to EPD in 2002 and were recently approved.

The applicant has also indicated that he has been working on an agreement with the City of Brunswick for use of treated wastewater. There have been no formal discussions thus far with the county over the route of the necessary pipelines or any county permitting.

It was noted that there have been no changes in the conditions, nor have there been any changes in ownership.

Following a brief discussion, a motion was made by Mr. Robert Ussery to grant the extension for Live Oaks Power Plant as requested. The motion was seconded by Mr. Jay Kaufman and unanimously adopted.

MINUTES

Regular Meeting: April 20, 2004

The Minutes of the April 20th Planning Commission meeting were approved and unanimously adopted.

Under **Staff Items**, Mr. Phillips introduced Mr. Eric Landon, Planner II of the Planning & Zoning Division. Mr. Landon was formally employed as a Planner in Nassau County, Florida. On behalf of the Planning Commission, Chairman Fields welcomed Mr. Landon and as the new staff member of Community Development Department.

There being no further business to discuss, the meeting adjourned at 8:35 p.m.