

# MINUTES

## MAINLAND PLANNING COMMISSION NOVEMBER 5, 2007 - 6:00 P.M. Historic Courthouse, 701 G Street

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**MEMBERS PRESENT:** Gary Nevill, Chairman  
Wayne Stewart, Vice Chairman  
Bill Brunson  
Jason Counts  
Eric Croft  
Buddy Hutchinson

**ABSENT:** Buck Crosby

**STAFF PRESENT:** David Hainley, Director  
York Phillips, Planning Manager  
Iris Scheff, Planner III  
Eric Landon, Planner II  
Sarah Smolek, Planner I  
Janet Loving, Admin/Recording Secretary

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Chairman Gary Nevill 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 procedures and audience participation in discussing agenda items.

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### MINUTES

**October 2, 2007 Joint Meeting**

**October 2, 2007 Regular Meeting**

Upon a motion made by Mr. Wayne Stewart and seconded by Mr. Buddy Hutchinson, the Minutes of the October 2<sup>nd</sup> Joint Meeting and the Minutes of October 2<sup>nd</sup> Regular Meeting were approved and unanimously adopted.

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**Agenda - Additions, Deferrals, Deletions, Postponements**

A motion was made by Mr. Wayne Stewart to move the special use request (*SU-2007-003 M*) to the top of the agenda. The motion was seconded by Mr. Eric Croft and unanimously adopted. A motion was also made by Mr. Stewart, seconded by Mr. Croft and unanimously adopted to add a discussion item at the end of the agenda.

Mr. Hainley advised that staff has requested a deferral of Application #*TA-2007-017* in order to resolve legal issues involving this proposed amendment. The Planning Commission concurred.

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**SU-2007-003 (M)**

Consider a request for a special use permit for a mobile home due to medical hardship at 7475 New Jesup Highway. The property is located on the west side of New Jesup Highway approximately 200 feet north of its intersection with Williams Road. The property consists of 1.92 acres and is zoned Forest Agricultural. Parcel ID number 03-07286. Property owned by Vivian L. King.

Mrs. Vivian King was present for discussion.

The following report from staff was included in the packages for review and was presented by Mrs. Iris Scheff:

In addition to the existing dwelling unit, the applicant is asking for a temporary second dwelling unit (mobile home) due to a medical hardship.

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 704.3. The ordinance states that the applicant shall provide:

- 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 applicant has submitted a letter describing the need. Also, the applicant has indicated the use of an existing well and septic system on the site.

Staff recommends that the request for a special use permit for a medical hardship be approved for two (2) years, subject to meeting all requirements.

Mr. Stewart asked Mrs. King if she intends to replace the existing house, to which she replied no. Mrs. King also acknowledged that she understands that the mobile home is strictly for the use of the medical hardship and will not be used for rental purposes. Additionally, she understands that at the end of the two-year period the mobile home must be removed; however, if the hardship still exists, an extension must be applied for.

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

Following discussion, a motion was made by Mr. Bill Brunson to recommend approval of this two-year special use permit for a medical hardship. The motion was seconded by Mr. Buddy Hutchinson and unanimously adopted.

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**ZM-2007-033 (M)**

Consider a request to amend the Planned Development Text for the Golden Isles Gateway Planned Development for property located on the east side of Chanslor Road approximately 3,100 feet south of its intersection with Highway 99 and consisting of 202.951 acres. The change would allow a reduction in lot width and size. The property is zoned Planned Development. Parcel ID: 03-21121. Property owned by Greg Wilkes.

Mr. Greg Wilkes was present for discussion.

The following report from staff was included in the packages for review and was presented by Mr. Eric Landon:

This property is located within the former Parcel T-1 of the Golden Isles Gateway PD which was a Development of Regional Impact (DRI) originally rezoned in 1994. At that time this area was designated for timber management, thus named T-1.

In 2004 this property was rezoned to allow residential uses as permitted in the rest of the PD. As part of the original rezoning in 1994, a maximum number of dwelling units of 7,999 was established for the Golden Isles Gateway PD. When the amendment was made in 2004, the maximum number of units was increased to 799 units for a total of 8,798. Several projects have already been developed in the former T-1 tract, i.e., Saddlebrook, Kings Walk Phase I, and Solomon's Way. Therefore, the total number of dwelling units remaining for this property is 339.

The applicant would like to amend the specific type of dwelling unit and the total number of units that can be constructed. He would also like to allow a single family dwelling that has a minimum lot size of 2,000 sq. ft. and a total number of 1,057 dwelling

units. This subdivision will need to be coordinated with the surrounding developments or infrastructure including road access, and utilities.

The project will have direct access to Chanslor Road. It is estimated that this development will generate 10,000 daily trips. The applicant has proposed that a secondary access may be utilized thru the development to the north which has access onto Highway 99. The potential impact on the road infrastructure needs to be considered. Chanslor Road was not designed or built to accommodate this type of daily traffic.

The project proposes to use Glynn County Water and Sewer. However, at this time there is not adequate infrastructure in place to accommodate this size of development. The applicant will be required to provide an analysis of the exiting facilities and propose improvements to these facilities that can accommodate the proposed development.

**In conformance with Section 1103 of the Glynn County Zoning Ordinance, the following findings of fact are to be considered in making a decision on a request for rezoning:**

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

**The request is residential in nature as is the surrounding area. However, this type of dwelling unit does not currently exist within the county.**

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

**The proposed use should not affect the usability of the surrounding property with the exception that this proposed use will cause stress on the existing infrastructure and will require upgrades to existing facilities.**

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

**Yes, this property can currently be developed as required in the Golden Isles Gateway PD text.**

- 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.

**The increase in lots will increase the stress and demand on existing infrastructure. Therefore conditions should be added to ensure that adequate facilities will be provided.**

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

**Based on when the FLUM was created, it appears that this location may have been reserved for agricultural and forestry uses.**

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

**Existing infrastructure will have to be analyzed and upgraded to accommodate this development.**

The applicant is requesting an increase in the total number of dwelling units and a reduction in lot size requirements. This request can be accommodated with proper conditions in place to protect the county infrastructure. Therefore, staff's recommendation is for approval with the following conditions:

1. It will be the responsibility of the developer to maintain a Level of Service C on Chanslor Road.
2. The developer will be required to provide to the county staff the current status of existing sewer facilities at this location. The developer will also be required to design and improve the sewer facilities to accommodate this development at the developer's expense.
3. Cap the number of dwelling units to 339 units at this location until a new DRI is approved for the Golden Isles Gateway PD.
4. The applicant will be required to work with the Community Development Director on design for the subdivision due to the limited number of access points so as to limit potential traffic impacts to future homes.

In discussions with the applicant prior to the meeting regarding the concerns surrounding the Development of Regional Impact (DRI) issue, Chairman Nevill stated that he had suggested a deferral until the issue is resolved and the applicant concurred. At this time, Mr. Wilkes confirmed that he would not have a problem with a deferral.

For clarification, Mr. Hainley explained the significance of a DRI which is managed by the Regional Development Center. He also explained the process of obtaining the DRI.

At the end of discussion, a motion was made by Mr. Wayne Stewart to defer this request until the December 4<sup>th</sup> Mainland Planning Commission meeting beginning at 6:00 p.m. with the possibility of an additional 30 day deferral if deemed necessary. The motion was seconded by Mr. Buddy Hutchinson and unanimously adopted.

### **ZM-2007-034 (M)**

Consider a request to rezone from Highway Commercial with restrictions (no access from Park Way and without buffers) to Highway Commercial without restrictions. It is a property consisting of 2.28 gross acres located east of US 341, just north of its intersection with the Brunswick-Altamaha Canal. The property has approximately 300 ft. of frontage on US 341 and 535 feet of frontage on Park Way. The proposed use of the property is a church. Parcel ID 03-04211, 03-04212, and 03-10077. Georgia-Cumberland Association of Seventh Day Adventists, owner.

Mr. Stephen Kelley was present for discussion.

The following report from staff was included in the packages for review and was presented by Ms. Sarah Smolek.

When the above referenced property was rezoned Highway Commercial in 2005, the following conditions were placed on the rezoning: 1) site plan approval by Planning Commission required; 2) 12.5 ft. buffer to be established along Park Street with at least 80% opacity to be determined by the Planning Commission at the time of site plan approval; and 3) no access allowed from Park Street. The purpose of this request is to remove conditions 2 & 3.

Conditions were placed on the Highway Commercial zoning to protect neighboring residential areas from heavy traffic on nearby residential roads from possible Highway Commercial uses. A church would not create the kind of traffic that these restrictions were designed to prevent, so an elimination of the restrictions is recommended. Churches are permitted as special or conditional uses in most of Glynn County's residential zones and are permitted in Highway Commercial zoning.

According to Engineering, the plan should be revised when a permanent structure is planned. Approval from GA DOT is needed for use of the existing driveway, as it is for single family residential use. If approval has already been obtained, the plan should reference the date of GA DOT approval. Development of the site will have to meet the minimum paving requirements and the requirements of the Water Resources Protection Ordinance.

This project will be served by US 341 and Park Way. ITE (Institute of Traffic Engineers) data suggests that this project will generate an average of 99 (36.63 trips per 1,000 square feet\*2,700 square feet) Sunday trips and 26 (9.11 trips per 1,000 square feet\*2,700 square feet) weekday trips based on the building's square footage.

**In conformance with Section 1103 of the Glynn County Zoning Ordinance, the following findings of fact are to be considered in making a decision on a request for rezoning:**

- 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 use is consistent with the surrounding residential uses and commercial uses across the street.**

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

**The increase in traffic on Park Way that would result from an additional entrance may have an adverse impact on those living in the residential area to the north of the site. The adjacent property to the south is compatible with the proposed use.**

- 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.

**The proposed zoning would allow the property to have access to Park Way and to US 341. However, the zoning for this parcel has a provision prohibiting access from Park Way.**

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

**Yes, the proposal matches the Future Land Use for the subject site.**

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

**The conditions on the Highway Commercial zoning of the property were created to prevent heavy traffic arising from a commercial use from disturbing the adjacent residential areas. The traffic volumes coming from a small church do not reach the levels for a usual Highway Commercial use. In addition, a church is a special use in an R9 district, the zoning of the surrounding area. Having this site zoned Highway Commercial without any restrictions on traffic on the residential side could result in a use that would create a large traffic burden on Park Way. As a result, staff recommends that a condition be placed on the rezoning that limits this site to a church use.**

Staff feels that the request would allow a use that is more compatible with neighboring residential areas than many Highway Commercial uses. Churches are often

permitted in residential zoning and are a special use in R9 zoning. The traffic volume from a church use at this site will not add the much higher traffic that the restrictions on the Highway Commercial zoning were designed to mitigate. Therefore, staff recommends that this request be approved with the following conditions:

1. The site should only be used for church use; and
2. The applicant should obtain GA DOT approval for the use of the existing driveway before the site plan is approved.

Mr. Stephen Kelley, representing this request, stated that he has no problem with the stipulations referenced by staff, and added that he has indicated in writing that the site would only be used for church use and that if it were ever sold or ceased to be used as a church, the restrictions would revert back.

Following discussion, a motion was made by Mr. Buddy Hutchinson, seconded by Mr. Eric Croft and unanimously adopted to recommend approval of this request with the condition that the site be used as a church only, and subject to the applicant obtaining GA DOT approval for the use of the existing driveway prior to site plan approval.

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**ZM-2007-035 (M)**

Consider a request to amend the Planned Development Text to allow signs as permitted in the Highway Commercial District and to allow an increase in the number of permitted signs (from four to five) on property consisting of approximately 3.67 acres located on the north side of US 17, approximately 1,200 feet west of its intersection with Andy Tostensen Drive. The property is zoned Planned Development. Parcel ID 03-21107. GBCC, Inc., owner.

There was no one present to represent this request; therefore, Chairman Nevill moved the item down on the agenda and stated that it would be reviewed upon arrival of a representative.

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**PP-2007-021 (M) Flanagan's Bluff**

Consider a request for approval of a preliminary plat for property located on the south side of Fancy Bluff Road, approximately 8,200 feet northwest of its intersection with US 17. This project consists of 15 single-family lots on 4.836 acres. The property is zoned Planned Development. Parcel ID number 02-00876, 02-00830. Atlantic Survey Professionals, Inc., agent for Turnpike Creek LLC, owner.

Mr. Ernie Johns was present for discussion.

According to the staff's report, which was presented by Ms. Sarah Smolek, this is a proposal for a single-family subdivision to be located on land zoned Planned Development on the south side of Fancy Bluff Road. Based on acreage calculations provided, the proposed density for this development is 3.9 dwelling units per acre.

This project is to be served by county water and sewer. Drainage easements may be needed to accommodate offsite and onsite flow, but these will be identified on the construction plans. Although the project will be served by Fancy Bluff Road, the final plat will have to include language not allowing Lot 1 to have direct access to Fancy Bluff Road.

The Institute of Traffic Engineers (ITE) data suggests that this project will generate an average of 150 (10 trips per DU\*15 DU) daily trips based on the number of dwelling units. The proposed access is private.

Staff recommends approval of this preliminary plat, subject to a note being placed prohibiting Lot 1 direct access to Fancy Bluff Road, and subject to meeting all other requirements.

Chairman Nevill wanted to know if a pump station is going to be installed; however, Mr. Ernie Johns stated that he was not sure at this time. Chairman Nevill then asked if the cul-de-sac would be pushed past the proposed drainage easement or if there would be another stub street on the other side. Mr. Johns stated that the remainder of the project will probably be done in a condominium concept, as opposed to individual lots.

Mr. Wayne Stewart had questions about the 25 ft. emergency access relative to the adjacent property owner. Mr. Johns stated that the applicant is providing the 25 ft. access easement across the property; however, the county is working on the water and sewer easement across the adjoining property. Mr. Phillips explained that the water and sewer easements are recorded, but to his knowledge, there is no recorded easement at this time. He stated that the access easement has been discussed with Mr. Ronnie Perry who is representing the adjacent property owner.

There being no further discussion, a motion was made by Mr. Wayne Stewart to approve this preliminary plat subject to a note being placed prohibiting Lot 1 direct access to Fancy Bluff Road, and subject to meeting all other requirements. The motion was seconded by Mr. Buddy Hutchinson and unanimously adopted.

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**PP-2007-002 (M) Satilla Sands**

Consider a request for approval of a preliminary plat for property located on the west side of Highway 17 South, approximately 100 feet southwest of its intersection with Buck Swamp Road. This project consists of 75 lots on 27.985 acres. The property is zoned Planned Development. Parcel ID 03-14304. Jackson Surveying, Inc., agent for RWD Properties, owner.

Mr. Johnathan Roberts was present for discussion.

The following report from staff was included in the packages for review and was presented by Mrs. Scheff.

The applicant is proposing a single-family subdivision to be located on land that is zoned Planned Development on the west side of Highway 17 South. The proposed density for this development is about 2 ½ dwelling units per acre (2.68du/acre). The project is proposed to have private streets, and will be served by Glynn County water and sewer.

Drainage easements may be needed to accommodate offsite and onsite flow, but these will be identified on the construction plans. The final plat will have to include language not allowing lot 1 to have direct access to Fancy Bluff Road.

This project will be served by Highway 17 South. The Institute of Traffic Engineers (ITE) data suggests that when completely built out and occupied, this project will generate an average of 750 (10 trips per DU\*15 DU) daily trips based on one dwelling unit per lot. The proposed access is private.

Fire hydrants will be shown on the construction plans when submitted. Police and Fire Department staff expressed no safety issues.

Mrs. Scheff stated that staff's recommendation is for approval.

Mr. Johnathan Roberts gave a brief presentation and clarified drainage concerns raised by Mr. Jason Counts. Afterward, a motion was made by Mr. Bill Brunson to approve this preliminary plat subject to meeting all requirements. The motion was seconded by Mr. Jason Counts and unanimously adopted.

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**PP-2007-026 (M) Glynn Place Mall Comm. Park East, Block J, Lots 5 & 6**

Consider a request for approval of a preliminary plat for property located to the south of Merchants Way and west of Scranton Connector, generally south of Wal-Mart. The project consists of the extension of Merchant’s Way to connect with Scranton Connector in order to support the development of two existing parcels. The easternmost parcel is a multi-family project that has been approved under site plan review and the westernmost parcel (zoned General Commercial) has not been submitted for review. Parcel ID 03-20982 and 03-20983. EMC Engineering, agent for Mulberry Construction, owner.

Mr. Kip Goodbread was present for discussion.

According to the staff’s report, which was presented by Mr. Phillips, this proposal is for approval of a street and drainage plan for the extension of Merchant’s Way from the current dead-end to Scranton Connector. Water and sewer improvements will be handled through the building permit process, and will not affect the street right-of-way. The site will be served by city water and sewer. Facilities will be located within the development and will be reviewed as part of the site plan. Engineering is involved in the construction plan review as well as the site plan review, and will address drainage and road construction.

Mr. Phillips stated that staff’s recommendation is for approval of this preliminary plat, subject to meeting all requirements.

Following a brief discussion, a motion was made by Mr. Buddy Hutchinson to approve this preliminary plat, subject to meeting all requirements. The motion was seconded by Mr. Eric Croft and unanimously adopted.

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**SP-2007-035 (M) Fox Run Amenity Center**

Consider a request for approval of a site plan for property located north of Fox Run Drive approximately 1,200 feet west of its intersection with Harry Driggers Boulevard. The project consists of a 2,100 square foot amenity center on 0.55 acre. The property is zoned Planned Development and is located within the Golden Isles Gateway Tract. Parcel ID number 03-15024. Fox Run Properties, owner.

Mr. Scott Shell was present for discussion.

The following report from staff was included in the packages for review and was presented by Mr. Eric Landon:

The applicant is proposing a new 2,100 square foot amenity center. This is a gated subdivision with private streets and will be served by county utilities. The property is

located within Phase II of the Fox Run Subdivision, which is currently under construction. The infrastructure for this structure was approved in the Construction Plans for the subdivision.

According to the Glynn County Zoning Ordinance, all site plans with Planned Development Zoning require Planning Commission approval. Engineering finds this plan compliant for Planning Commission review. Drainage conditions should be reviewed before issuance of a permit.

Mr. Landon stated that staff's recommendation is for approval of this site plan.

Following the staff's presentation, a motion was made by Mr. Wayne Stewart to approve this site plan, subject to meeting all ordinance requirements. The motion was seconded by Mr. Bill Brunson. During discussion, Chairman Nevill had questions about the "heavy landscaped buffer" as proposed by the developer. Mr. Scott Shell explained that he had not received the actual landscape plans from the landscape architect at the time of his submittal, but the "heavy landscaped buffer" encompasses very expensive mature plants. He stated that everything will be done to help protect the value of the lots.

At the end of discussion, the motion for approval was unanimously adopted.

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It was noted that no one showed up to represent Application #ZM-2007-035 M; therefore, a motion was made by Mr. Wayne Stewart, seconded by Mr. Buddy Hutchinson and unanimously adopted to defer this item until the December 4<sup>th</sup> Mainland Planning Commission meeting, beginning at 6:00 p.m.

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**TA-2007-016**

Consider an amendment to the Glynn County Zoning Ordinance to amend Section 619 to establish procedures, requirements and provide for conditions of approval for site plan approval by the Planning Commissions; and for other purposes.

The proposed amendment was included in the packages for the Planning Commission's review and was presented by Mr. David Hainley.

According to the staff's report, this amendment will replace the existing requirements and procedures for site plans reviewed by the Planning Commissions. The changes modernize the regulations, adding certain provisions and deleting or modifying other provisions. These changes also consider revisions recently made to the Planned Development District procedures and bring the two sets of site plan regulations into alignment.

Mr. Hainley stated that staff recommends approval of this proposed amendment with the following added as line #51:

(6) and any other use herein specified by this Ordinance.

Following review, a motion was made by Mr. Wayne Stewart to recommend approval of the proposed amendment to Section 619 of the Glynn County Zoning Ordinance with the addendum of line 51 as noted by staff. The motion was seconded by Mr. Bill Brunson and unanimously adopted.

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**TA-2007-018**

Consider an amendment to the Glynn County Zoning Ordinance Section 906 (Sign Permits and Tags) to permit agreements with sign companies to fabricate sign tags; and for other purposes.

The proposed amendment was included in the packages for review and was presented by Mr. Hainley.

According to the staff's report, this is an amendment to modify and clarify requirements for sign tags. These are tags incorporated on the sign or sign post giving information about the valid sign permit. Sign tags aid in the management and enforcement of the Glynn County Sign Ordinance.

Mr. Hainley stated that staff recommends approval of this proposed amendment.

Following review, a motion was made by Mr. Eric Croft to recommend approval of the proposed amendment to Section 906 of the Glynn County Zoning Ordinance as presented by staff. The motion was seconded by Mr. Wayne Stewart and unanimously adopted.

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**Appointment of Nominating Committee**

Chairman Nevill appointed Mr. Buck Crosby and Mr. Eric Croft as the Nominating Committee to report back to the Planning Commission for election of officers at the December 4<sup>th</sup> meeting.

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**Appointment of Representative to Technical Coordinating Committee**

Technical Coordinating Committee represents various technical interests associated with Transportation Planning and meets jointly with the Citizens Advisory Committee every other month to make recommendations to the Policy Committee. (The previous representative was Mr. Jeff Counts who recently resigned from the Mainland Planning Commission.)

Chairman Nevill advised that Mr. Eric Croft volunteered to serve as the representative of the Technical Coordinating Committee.

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**Discussion Item**

Mr. Stewart referenced Section 1102.6 and stated that the language needs extensive work for clarification. The Planning Commission concurred. Mr. Hainley advised that staff would include this item on the agenda for a more in-depth discussion at the December 13<sup>th</sup> joint workshop.

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**2008 Calendar**

A motion was made by Mr. Wayne Stewart, seconded by Mr. Buddy Hutchinson and unanimously adopted to move the January 1<sup>st</sup> meeting to January 8, 2008. The remainder of the meeting dates will be reviewed for approval at the December 4<sup>th</sup> meeting.

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At this time, Mr. Brunson commended staff for the preparation, diligence and efforts put forth concerning all of the recent amendments.

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There being no further business to discuss, the meeting was adjourned at 7:10 p.m.