

MINUTES

MAINLAND PLANNING COMMISSION

MAY 1, 2007 - 6:00 P.M.

Historic Courthouse 701 G Street

MEMBERS PRESENT: Gary Nevill, Chairman
Wayne Stewart, Vice Chairman
Bill Brunson
Jeff Counts
Eric Croft
Buck Crosby
Buddy Hutchinson

STAFF PRESENT: David Hainley, Director
York Phillips, Planning Manager
Iris Scheff, Planner III
Eric Landon, Planner II
Fred Carpenter, Transportation Planner
Janet Loving, Admin/Recording Secretary

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 procedure and audience participation in discussing agenda items.

MINUTES

April 3rd Regular Meeting

April 17th Joint Meeting

Upon a motion made by Mr. Wayne Stewart and seconded by Mr. Buck Crosby, the Minutes of the April 3rd Regular Meeting and the Minutes of the April 17th Joint Meeting were approved and adopted by a majority vote (Mr. Brunson abstained from voting on the April 3rd Minutes.)

Agenda - Additions, Deferrals, Deletions, Postponements

In order to accommodate an applicant, a motion was unanimously adopted to move the Special Use Permit Application #SU-2007-001 (M) to the top of the agenda.

Deferral: Upon a written request by the applicant, a motion was unanimously adopted to defer Application #ZM-2006-014 (M).

SU-2007-001 (M)

Consider a request for a special use permit for a mobile home due to medical hardship at 339 Parker Road. The property is located on a private access easement on the west side of Parker Road approximately 3,000 feet east of Pennick Road. The property consists of 4.11 acres and is zoned FA Forest Agricultural. Parcel ID 03-11619. Property owned by Henry and Wendy Pruitt.

Ms. Wendy Pruitt was present for discussion.

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

According to the report, the applicant is asking for a temporary dwelling unit (mobile home) in addition to the existing single-family residence 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 an application describing the need, and has provided medical documentation. The applicant also indicates 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.

During a brief presentation, Ms. Wendy Pruitt expounded on the necessity of this request which she stated is due to her ailing father who needs constant care since the recent passing of her mother.

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

Following discussion, a motion was made by Mr. Buck Crosby to grant the request for a two year special use permit subject to the property not being sold or converted for rental purposes at the end of the two year period. The motion was seconded by Mr. Buddy Hutchinson and unanimously adopted.

ZM-2006-043 (M)

Consider a request to rezone from R-20 One-Family Residential to GC General Commercial, property consisting of approximately 3 acres located on the northeast side of Highway 82 approximately 600 feet north west from its intersection with Highway 17. Parcel ID 02-00714, 02-00715. James Perry Fields, agent for Libbie Shannon Estate, owner.

Attorney Perry Fields was present for discussion.

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

The proposed zoning change is not consistent with the surrounding zoning. The properties to the north, east, and west are all zoned for single-family use. In addition, the proposed change is not consistent with the Comprehensive Land Use Plan designation for this location. The adopted designation for this location is Low Density Residential, which is consistent with the existing zoning of the site.

Both the current zoning and future land uses are inconsistent, plus existing commercial property in the Southport PD remains vacant. Therefore, it is difficult to justify additional commercial zoning in the area.

Access to this location will be difficult no matter what the property is zoned due to its close proximity to the intersection of Highway 17 and Highway 82. However, commercial zoning supports uses that are generally capable of achieving higher intensity uses than residential zoning. Staff recommends the applicant work together with County Engineering and GDOT to coordinate access for whatever use is determined suitable at time of development. Also, access to this location will need GDOT approval. The applicant has proposed creating an intersection with the access of this project aligning with the access of another commercial drive to the south, thus creating an intersection.

Engineering staff has concerns that GDOT will not approve an intersection in such close proximity to the existing intersection of Highway 82 and Highway 17.

This proposed project is located on the north side of Highway 82. ITE (Institute of Traffic Engineers) data suggests that this type of project would generate an average 133 daily trips based on land area. The existing ADT (Average Daily Traffic) for this location is 9,280 bi-directional. Highway 82 is considered a Rural Principal Arterial at this site.

The project would require an extension of county water and sewer. The general layout plan provided shows a water connection to be made by completing a jack and bore under Highway 82. The applicant will have to seek approval from GDOT to complete the extension of the water line under Highway 82. The proposed sewer connection is to be made by negotiating an easement from the subdivision to the north.

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.

No, the proposed use is not consistent with the surrounding zoning and existing single-family development uses, and may therefore have a detrimental effect on the residents. Adequate safe access will pose an additional problem.

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

Yes, the adjacent property is zoned single-family residential. Commercial uses permitted in General Commercial zoning are capable of achieving high intensity with associated high traffic volume use.

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

Yes, there are existing residences along Highway 82 in the immediate area.

- 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.

Yes, it appears access to the location, particularly with it being so close to the intersection of US 17 and Highway 82, will be an issue.

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

No, the Comprehensive Land Use Plan shows this location for 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.

Yes, there is vacant commercial property near this proposal, indicating capacity for commercial use in this area is available but unused.

Mrs. Scheff stated that staff's recommendation of this application is for denial based on the following:

1. The proposed zoning change is not consistent with the surrounding zoning and land use pattern;
2. The proposed zoning change is not consistent with the existing Comprehensive Future Land Use Plan;
3. There is existing commercially zoned property in the vicinity that remains vacant; and
4. Access to this location will require DOT approval. At this time, no such approval has been obtained and given its location, approval is not assured.

During his presentation, Mr. Perry Fields asked that reason #3 of the staff's recommendation for denial be removed due to the vacant status of property in the vicinity being a market issue; it has no bearing on planning issues. He then presented photographs of the area relative to traffic and surrounding businesses. In addition, he presented letters from two adjacent property owners in support of this request. In fact, he pointed out that one of the letters of support is from Mr. Thomas Rentz who lives next door to the left of this proposed project.

Referring to engineering comments about a DOT curb cut being required, Mr. Fields presented a letter from the District Traffic Engineer of Georgia DOT agreeing to allow a commercial driveway, providing that approval is granted for the rezoning and all other requirements are met.

Mr. Fields stated that he has heard several comments that this request is considered to be spot zoning and perhaps by definition this is true, but it is the first of what will become a commercial strip. Residential is not the highest and best use for this property. He pointed out that no new residential dwellings have been built in this particular area for at least 40 years. The property has no function as residential.

In discussing this request with staff, Mr. Fields stated that an issue came up about having a shared access. He stated that the buyer is willing to work with future developments either to the left or right of this property to have a shared access in an effort to avoid excessive curb cuts.

Chairman Gary Nevill agreed with Mr. Fields about the area being a commercial corridor, but if approved, this request would indeed be considered spot zoning. He pointed out that General Commercial zoning doesn't require setbacks on the front or sides of property and it also doesn't allow for buffers. The only other possibility in his mind would perhaps be a Planned Development. Mr. Fields stated that he considered a PD zoning, but a PD with setbacks would shrink the property down, thus creating a lack of usable space.

Mr. Stewart agreed that perhaps the highest and best use of this property is commercial, but the reasonable use is residential. His main concern is that this proposed rezoning would be spot zoning. He would be more comfortable with a PD text, which would allow them to take a look at the entire area. Mr. Stewart stated that approval of this request for commercial would satisfy the landowner, but it would create additional problems for existing residential owners in the area. He reiterated the benefits of a PD text. However, Mr. Fields reminded Mr. Stewart of the two adjacent property owners who submitted letters of approval. There are other neighbors but they are a great distance away from the subject property. He explained that according to the ordinance, one of the requirements of a PD text is a 50 ft. buffer on each side of the property, which would severely restrict the use of this property. It would in fact cut the property width down to 200 ft.; additionally, he stated that the applicant is in the process of negotiating with the adjoining property owners to purchase the surrounding property.

Mr. Jeff Counts stated that if there is no opposition from the neighbors, he doesn't have a problem with granting this request. Mr. Bill Brunson stated that the letter from DOT speaks volumes in his opinion.

Mr. Eric Croft wanted to know what type of business is being proposed for the property. Mr. Fields stated that nothing has been finalized but the idea is to have some type of retail outlet. Keeping in mind the proximity of the existing church, he stated that there would be no alcohol or nightclubs involved.

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

Following discussion, a motion was made by Mr. Jeff Counts to recommend approval of this rezoning subject to site plan approval. The motion was seconded by Mr. Buck Crosby. Voting Aye: Mr. Bill Brunson, Mr. Jeff Counts, Mr. Eric Croft, Mr. Buck Crosby, Mr. Buddy Hutchinson and Mr. Gary Nevill. Voting Nay: Mr. Wayne Stewart.

ZM-2007-001 (M)

Consider a request to rezone from FA Forest Agricultural to PD-R Planned Development-Residential, property consisting of 9.818 acres located east of Interstate I-95 on the south side of Fancy Bluff Road and having 411 feet of frontage on Fancy Bluff Road. The project is known as “Flanagan Bluff.” Parcel ID 02-00830 & 02-00876. Atlantic Survey Professionals, Inc., agent for Turnpike LLC, owners.

Mr. Ernie Johns was present for discussion.

It was noted that the Planning Commission deferred this request at the March 6th meeting and again at the April 3rd meeting to permit the applicant time to address issues raised in the staff’s report and to meet with the community to discuss the project. Mr. Phillips stated that there has been no update on addressing these issues (as outlined in the March 6th Minutes) but the applicant has indicated that the neighborhood meeting has occurred.

Mr. Phillips stated that staff’s recommendation remains for denial for the following reasons:

1. The proposed plan is not consistent with the Comprehensive Land Use Plan;
2. The proposed plan is not consistent with the character of the existing community;
3. Access to the location requires traveling through a community that does not have a compatible land use; and
4. The proposed PD text and master plan appear to be incomplete and unenforceable with regard to buffers and setbacks.

At this time, Mr. Ernie Johns stated that the applicant needs a little more time to establish a more acceptable PD text. Therefore, on behalf of the applicant, he would like to request another 30-day deferral.

By a show of hands, there were approximately 25 property owners present to oppose this request. Chairman Nevill explained that the applicant is asking for a deferral until the June 5th meeting at which time he will submit additional text. In the meantime, the applicant has agreed to meet with the adjacent property owners, review the proposed plans and address the concerns relative to this request.

Mr. Rick Herndon of 180 Bluff Drive stated that there are a lot of residents with concerns about this proposal who do not live adjacent to the property in question. He stated that it is fine for the developers to meet with the residents who live at the end of Fancy Bluff east, but the traffic that this proposal will generate will affect everyone who lives in the Fancy Bluff area, and therefore they would all like to be a part of any

meetings scheduled to discuss this proposal. Chairman Nevill agreed, but suggested that the residents select a spokesperson.

Mr. Stewart pointed out that several of these homeowners have attended each of these meetings, and it is not fair to continue deferring this matter without hearing them or addressing their concerns. He stated that he is prepared to make a motion for deferral based on the applicant understanding that if this item is on the June 5th agenda, it will be reviewed by the Planning Commission for action at that time. Mr. Johns stated that the applicant understands and only needs a little more time to develop a more acceptable plan for the neighborhood.

Following discussion, a motion was made by Mr. Wayne Stewart to defer this item until the June 5th Mainland Planning Commission meeting, beginning at 6:00 p.m. with the understanding that if this item is on the June 5th agenda, it will be reviewed for action at that time. The motion was seconded by Mr. Buck Crosby and unanimously adopted.

ZM-2007-008 (M)

Consider a request to rezone from FC Freeway Commercial to PD Planned Development, property consisting of approximately 31.5 acres located on the south side of Venture Drive approximately 790 feet from its intersection with Perry Lane Road. The proposal is known as “Courtney Cove” and consists of a 348 dwelling unit multi-family community, and a 3.8-acre commercial out-parcel. Parcel ID 03-03351, 03-12452 (part). Ryan Thompson, Thomas & Hutton, Inc., agent for Southern Real Property, Inc., and Ridge Enterprises, Inc., owners.

Mr. Ryan Thompson was present for discussion.

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

The proposed zoning change is for property that is adjacent to I-95 to the east, freeway commercial property to the north and single-family residential to the west. Medium density residential is often an appropriate transition between commercial and single-family residential development. This may be true for this property if adequate buffers, setbacks and provisions for sufficient infrastructure are provided. Multi-family (i.e. medium density residential) use is generally considered more appropriate located adjacent to single family residential housing than the uses possible based on the existing zoning of Freeway Commercial.

The majority of the 30.5 acre property is proposed to be developed multi-family residential, with a 4+acre out-parcel to be developed for commercial purposes. The multi-family portion is to include sidewalks, a community pool, and clubhouse and landscaped open spaces. The commercial areas will have sidewalks and landscaped open spaces.

No standards are established within the Master Plan Zoning Text for the sidewalks or for the landscaping of the open spaces. Without such text, in the future when applications are submitted to the county there will be nothing for staff to reference as to the adequacy of the plans submitted for review regarding fulfilling zoning requirements.

The same is true for the buffer, which is stated to require a certain width. However, nothing more is specified so that the width alone is what the buffer consists of; no mention of a fence, wall, and/or vegetative or landscaped buffer establishes that any one or all might ever be required. As presently proposed, an expanse of land meeting the stated width requirement constitutes a buffer, in lieu of a description specifying anything more.

There is concern with the transition between the existing single-family subdivision and the proposed rezoning site. Presently, there is a berm physically separating the two sites. Section 723.7 of the Glynn County Zoning Ordinance provides for setbacks between such uses, but does not address buffers. With no direction or standard established in the Master Plan Zoning Text, there is no guarantee the berm will remain, nor that the required setbacks sufficiently address the situation of the distinct uses being located adjacent to one another.

Although the Master Plan Zoning Text alludes to Subdivision Ordinance in Section D of the application regarding “Exceptions from the Glynn County Zoning and Subdivision Ordinances,” it does not contain a unique statement regarding subdivision of property within its zoning district; further, it lacks an outright statement designating Glynn County Subdivision Regulations as prevailing within the proposed zoning district. The text needs to be revised to contain such a statement.

According to the County Engineer’s office, the site of the requested rezoning may require improvements to Venture Drive and /or Perry Lane Road. The traffic study for this site should be expanded to include the impact on Venture Drive.

The application indicates that the Traffic Impact Study submitted with the support materials refers to improvements on Perry Lane that are justified by the proposed development. At the time of the submittal of the rezoning petition, the applicant and Glynn County were working on an agreement to address the improvements outline in the study. Any action taken on the rezoning request, according the applicant, “shall be contingent upon a final agreement being resolved and executed to the satisfaction of both the applicant and Glynn County.” Since this is stated in the application by the applicant, this should be included in the motion for approval should the Mainland Planning Commission determine to recommend the rezoning request.

The proposed access is from Venture Drive, which provides access to several commercial projects. The applicant will need to work with Glynn County Engineering and Traffic Safety staff to ensure that the access provided is adequate. Also, this project would require an extension of county water and sewer from Venture Drive.

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 of PD-G mixed multi-family residential and commercial use is a more appropriate transition than the presently established FC zoning between adjacent single-family residential and FC zoning.

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

No, if adequate buffers and infrastructure are provided.

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

Yes, however the direct abutting of FC uses and single-family uses is more likely to compromise the quality of life for the residents of the single-family area.

- 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.

Yes. Access to the location is a concern that needs to be addressed with additional improvements to accommodate to proposed uses.

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

No, the Comprehensive Land Use Plan shows this location for commercial, not for mixed residential and 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.

Yes, as noted previously this proposed rezoning provides an opportunity for transitional use that may prove more satisfactory than the current zoning.

Staff recommends approval of this application with the following conditions:

1. A traffic study to be expanded to determine the impacts on Venture Drive, and that County Engineering and Traffic Safety are able to make a determination of what traffic improvements are necessary for Venture Drive and Perry Lane Road based on this study.
2. Adequate buffers to be provided where this property is adjacent to single-family residential property.

During the course of a lengthy discussion, it was determined that the applicant's PD text contained several items that the Planning Commission felt should be addressed and corrected before advancing to the next stage of the zoning process, which would be the Board of Commissioners for final action. Also noted by a show of hands were approximately 30 adjacent property owners in attendance to voice concerns and/or object to this rezoning. It was at this time that the developers agreed to meet with Chairman Nevill and Vice Chairman Wayne Stewart along with representatives from the neighborhood to review the text, make adjustments/corrections and bring the request back for another public hearing at the June 5th meeting. The following is a list of concerns expressed by adjacent property owners: a) Buffers; b) Building Height; c) Noise; d) Traffic; e) Drainage; f) Trash Compactors; g) Impact on Schools.

Following discussion, a motion was made by Mr. Wayne Stewart to defer this request until the June 5th Mainland Planning Commission meeting, beginning at 6:00 p.m. The motion was seconded by Mr. Buck Crosby and unanimously adopted.

ZM-2007-010 (M)

Consider a request to rezone from FA Forest Agricultural to GC General Commercial, property consisting of 1.03 acres on the west side of Highway 17 south approximately 1,100 feet south of its intersection with Martin Palmer Drive. Parcel ID 03-12080. Property owned by Lawrence Floyd.

Mr. Floyd was present for discussion.

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

It appears that the business on this site is an existing non-conforming use. Based on discussions with the applicant, the business has been in existence for over 50 years and therefore predates the Zoning Ordinance. The applicant wishes to replace an existing building on the site and operate a landscape installation and maintenance company, but cannot under the current zoning of FA.

The project is located on the west side of Highway 17 south. The existing ADT (Average Daily Traffic) for this location is 3,310 bi-directional. Highway 17 is considered a Rural Minor Arterial at this location. Engineering raised the issue of access to the site and would prefer to have a single access point. Any improvements in Highway 17 right-of-way will require GA DOT approval.

The applicant's use of utilities is via an existing well and septic system on site.

The landscape business will consist of an office, storage building, and limited outdoor storage of landscape materials. The applicant has asked for GC; however, this zoning does not allow for the outdoor storage of merchandise. Highway Commercial does allow this use and the outdoor storage required. In addition, the property adjacent to the north is already zoned HC. Therefore, based on the proposed use and the zoning of the adjacent property, HC would be an appropriate zoning for this location.

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 existing use has been in existence for many years and the applicant is using this application to come into compliance with existing regulations, this would also permit the proposed use of a landscape business.

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

No, the request for zoning change will make the existing and proposed use conforming.

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

Yes, the business can remain "as is" as an existing non-conforming use. However, if the applicant wishes to expand or rebuild on this site he would be prohibited.

- 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.

It appears that trucks and other vehicles enter and leave the site without a clear access point. The applicant may need to work with county engineering staff to clarify access to the site.

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

No, the Comprehensive Land Use Plan shows this location for 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.

No.

Mr. Landon stated that staff recommends that this zoning be approved as Highway Commercial, rather than General Commercial as requested by the applicant, to accommodate the use of outdoor storage of merchandise on the site.

Chairman Nevill asked if this change in the request would require being re-advertised. Mr. Stewart stated that if the applicant agrees to this change, the request would not have to be re-advertised. Mr. Floyd concurred with staff's recommendation.

There being no further discussion, a motion was made by Mr. Jeff Counts to approve the rezoning for Highway Commercial. The motion was seconded by Mr. Buddy Hutchinson and unanimously adopted.

ZM-2007-013 (M)

Consider a request to amend the Planned Development Master Plan and the Planned Development Text for property consisting of 687.822 acres located generally east of Golden Isles Parkway (formerly Canal Road), west of I-95, south of SR 99, and north of the Glynn County Public Safety Complex. The property has approximately 6,400 feet of frontage on Golden Isles Parkway and approximately 1,050 feet on SR 99. The property is zoned PD-G Planned Development-General and is part of the Golden Isles Gateway Planned Development. Parcel ID: 03-17029. L. Taylor Hanson, agent for Brunswick-Glynn County Development Authority, owner

Ms. Taylor Hanson and Mr. Nathan Sparks of the Development Authority were present for discussion.

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

The proposed changes in this request involve two areas: Area A consists of 194.51 acres in the more northerly part of the site and is proposed for Office/Distribution

and Industrial uses. Area B consists of 493.31 acres in the more southerly part the site and is proposed for Office/Distribution, Industrial, Retail Commercial, and General Residential uses. Where an issue is not specifically addressed in the proposed text, standards will be provided by the general provisions of the planned development text for the Golden Isles Gateway Planned Development.

The text has been reviewed with the applicant and reflects some of the changes supported by staff including 1) required buffer adjacent to Area A in the event that Area B develops as residential; 2) required buffers between commercial and residential areas within Area B; and 3) limit extent of commercial in Area B to 10% of the area and limit any one retail establishment to 20,000 square feet. In addition, minor changes in the permitted uses are reflected.

While not critical initially, the project will eventually trigger a Development of Regional Impact (DRI) review, due to the development caps contained in the DRI approved in 1999. Specifically, there is a limitation of 2.5 million square feet of distribution and industrial in the current DRI. At full development, this limitation may be exceeded. Coincidentally, the total number of units in the Golden Isles Gateway project will exceed the cap at build-out due to revisions that have been made over time (although the current number of units approved or in the permitting process is well short of the cap). Since either the residential cap or the industrial cap will eventually require a new DRI, staff suggests that the county initiate the process soon.

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 generally consistent with the overall development of the area, although consideration might be given to the need for buffers adjacent to Golden Isles Parkway in the event that industrial or commercial development occurs along that road. This will protect the residential character of the areas to the west of Golden Isles Parkway.

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

No, although the above comment about buffers would be appropriate.

- 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.

Generally no, demand for water and sewer may actually be reduced, as will demand for schools and recreation space. Storm water infrastructure will have to be improved to meet standards. The proposed project will generate a higher number of truck trips, primarily for the segment of SR 99 between the site and I-95, but worker trips may be lower than trips from residential development.

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

No, the Comprehensive Land Use Plan shows this location for residential, although the planned development is designed to create employment areas.

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

Since the original approval of the planned development (1994) and the 2000 revisions, there has been a shift in the development pattern and rate for this portion of the county. County water and sewer have been extended and a number of development projects have been initiated with a significant level of development. The focus of the wildlife park and theme park as an attraction and employment center has evolved into a focus on traditional industrial and distribution activities.

Access and drainage will need to be addressed during the site plan review and building permit review process. The site served by the extensions of the County system funded by Branigar and the Economic Development Administration (EDA) in the early 2000's. Also, the site is served by SR 99 and Golden Isles Parkway. Both are planned for improvement, although no specific schedule has been set. This project might cause the timetable to be accelerated. The site is well situated for access as it is convenient to both Exit 42 and Exit 38 on I-95, although the former is closer. Based on ITE (Institute of Traffic Engineers) studies (chart 150), 8.5 million square feet of warehouse/distribution center will potentially generate 42,160 trips daily.

Mr. Phillips stated that staff's recommendation is for approval subject to corrections in the PD text.

Ms. Hanson gave a brief presentation. She explained that the Development Authority's interest is that the entire parcel become office/industrial use if possible, with complementary commercial as would be suited to an industrial complex. The uses for Area B are primary, secondary, and then third. The applicant is proposing for the office/distribution/industrial (ODI) to be primary; commercial to be secondary; and

residential to be third. Ms. Hanson stated that her clients want the property to result in its highest and best use. The Development Authority's goal is to bring jobs to the community. She noted that the residential district is included as a possibility.

Mr. Stewart stated that a buffer was not included, but he'd like to know if the applicant would have a problem with the buffer along the road. For point of clarification, Ms. Hanson asked if the buffer will exist no matter what the use is, or would the buffer exist only if the use is for ODI or the commercial. Mr. Stewart replied that the buffer would exist only if the use is for ODI or commercial. He stated that there is a 25 ft. buffer for most of the developments in the area. Chairman Nevill explained that what it amounts to is that there would be no parking in that particular area but there could be landscaping. Mr. Nathan Sparks of the Development Authority agreed with having a buffer along the road, recognizing that there is a 200 ft. existing right-of-way.

Mr. Albert Shelander was present to speak in favor of this request, stating that the proposed changes will enhance the area and will be a positive economic factor for the community. He stated that as an adjacent property owner, he does not intend to request a buffer between the properties.

There being no further discussion, a motion was made by Mr. Buddy Hutchinson to recommend approval of this request. The motion was seconded by Mr. Buck Crosby and unanimously adopted.

PP-2007-004 (M) Cobblestone

Consider a request for approval of a preliminary plat for property located south of Baumgartner Road, north of US 17, and generally west of the US 17, US 82, and GA 303 intersection. The property is zoned Planned Development-Residential PD-R. The project is known as "Cobblestone" and consists of detached single-family dwellings and an amenities center with 162 lots on 80.53± acres. Parcel ID: 02-01382. Jason Boatwright of Jackson Surveying, Inc., agent for Bryan Adamson of Sunbelt, Inc., owner.

Mr. Peter Schoenauer was present for discussion.

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

This site is shown on the Future Land Use Plan as low-density residential. It is currently wooded and undeveloped. However, the proposed use is for a single-family subdivision.

This preliminary plat generally meets the requirements of the adopted PD-R Text and should state that the property is zoned PD-R, rather than PD with residential development.

Engineering has indicated that subdivision of the proposed ponds will require the ponds to be treated as state waters so that drainage easements around the ponds and easements for access to the ponds will be required. Also, the proposed western access to Baumgartner Road is not paved and is not scheduled to be paved by Glynn County. The applicant will be responsible to meet these and other requirements.

This site will be served by US 17. ITE (Institute of Traffic Engineers) data suggests that this project will generate an average 1,690 daily trips based on the total number of possible dwelling units.

This site is to be served by Glynn County water and sewer.

Staff recommends that this preliminary plat be approved subject to meeting all technical requirements.

Following a brief presentation by Mr. Schoenauer, a motion was made by Mr. Wayne Stewart to approve this request. The motion was seconded by Mr. Bill Brunson and unanimously adopted.

PP-2007-008 (M) Clear Water Phase 4

Consider a request for approval of a preliminary plat for property located approximately 1,600 feet west of US 17, west of Clear Water Phase 3. The project consists of 48 lots on 7.812 acres and requires a variance from Section 602.4 of the Subdivision Regulations to allow the 30 ft. alleys. The property is zoned PD Planned Development and is part of the Clear Water Planned Development. Parcel ID: 03-14708. Ray Richard, agent for Clear Water Partners, LLC, owner.

Mr. Richard was present for discussion.

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

This site is designated as low-density residential on the Future Land Use Plan. Currently, the property is vacant and wooded; however, the proposed use is for a single-family subdivision.

The proposed development meets the requirements of the adopted planned development text. This portion of the planned development will be developed in a “neo-traditional” style, with smaller lots and building setbacks, and with rear service alleys. The smaller lot size is to be off-set by common open space elsewhere in the project. This is not a tenant of neo-traditional design, which incorporates smaller lots fronting on

greenspace or open space. Travel lanes for the alleys and streets also align at the center of building lots, which is not in accordance with neo-traditional design. The project will be served by private streets and county water and sewer. EPD review and approval is also required.

Engineering has indicated that technical issues will need to be addressed before approval of construction plans. Specifically, the 30 ft. alleys will require a variance from the Subdivision Regulations, and information concerning Corps of Engineers approval of the wetland filling will need to be submitted.

This site will be served by US 17. ITE (Institute of Traffic Engineers) data suggests that this project will generate an average 459 daily trips based on the number of dwelling units.

Staff recommends approval of the request for a variance from the provisions of Section 602.4 for minimum right-of-way width to allow the proposed 25 ft. alleys and approval of the preliminary plat for Clear Water, Phase IV subject to meeting all requirements, including submittal of a plat for the Chairman's signature.

Mr. Stewart asked if parking would be in the alley, to which Mr. Richard replied yes.

Following discussion, a motion was made by Mr. Wayne Stewart to approve the variance from the provisions of Section 602.4, as well as the preliminary plat for Clear Water, Phase IV. The motion was seconded by Mr. Buck Crosby. Voting Aye: Mr. Bill Brunson, Mr. Jeff Counts, Mr. Eric Croft, Mr. Buck Crosby, Mr. Buddy Hutchinson and Mr. Wayne Stewart. Abstained From Voting: Mr. Gary Nevill.

SP-2007-011 (M) Hawk's Eye Condominium

Consider a request for approval of a site plan for property located on the east side of US 17 north approximately 500 feet south of its intersection with Cardinal Drive. The project consists of a 45-unit apartment project (three buildings with fifteen units each) to be developed as a condominium. The property consists of 18.1 acres, of which the development area is 4.4 acres, and has approximately 1,026 feet of frontage on US 17. The property is zoned is MR Medium Residential. Parcel ID 03-02976; 03-14904. Darby McCloskey, agent for South Port Group, LLC, owner.

Mr. Darby McCloskey was present for discussion.

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

According to the Future Land Use Plan, this site is shown for commercial usage. Currently, it is vacant but the site previously contained a motel and restaurant, both of which have been demolished.

A site plan was approved for a multi-family project on this site (SP-2004-0408-1645). Subsequently, the owner acquired an additional parcel and had it rezoned. The proposed project is the result of the changed configuration and meets the provisions of the Medium Residential district. Under this district, density is permitted up to 16 units per acre, while the proposal is for just over 10 units. Height is permitted to 45 feet.

During the building permit site plan review phase several technical issues will need to be addressed, including paperwork from the Corps of Engineers and the Department of Natural Resources, as well as access and right-of-way work permits from the Georgia DOT.

This site will have access from US 17. ITE (Institute of Traffic Engineers) data indicates that this project will generate an average of 302 daily trips based on the number of dwelling units.

Utilities are provided by the City of Brunswick for water and sewer. EPD review and approval is required. Extension of utilities along US 17, including a jack and bore will also be required. This process will need to be coordinated during building permit site plan review.

Mr. Phillips stated that staff recommends approval of this request subject to meeting all requirements.

Following review, a motion was made by Mr. Jeff Counts to approve this request subject to meeting all requirements. The motion was seconded by Mr. Eric Croft and unanimously adopted.

SP-2007-007 Odyssey Lake (M)

Consider request for approval of a site plan for property located on the south side of Highway 99, approximately 200 ft. east of Golden Isles Parkway Road. The project consists of a 212-unit apartment development on 32.41 total acres, of which 18.40 acres are uplands; 7.42 acres are lake; and 6.59 acres are wetlands. The property is zoned PD-G Planning Development-General and is part of the Golden Isles Gateway Planned Development. Parcel ID: 03-17882. Elliott Lewis of Alexander Properties Group, agent for Ron Sawyer of 504 LLC, owner.

A representative from Alexander Properties Group was present for discussion.

The staff's report was included in the packages for review and was presented by Mr. Fred Carpenter as follows:

The site is shown for Medium to High Residential and Undeveloped/Unused on the Future Land Use Plan. It is currently vacant but the applicant is proposing residential units, garages, clubhouse and pool.

The site is located within the Golden Isles Gateway Tract Planned Development. The first phase of this planned development will provide access to this location and to Phase II for future development. Access to SR 99 must be approved by Georgia DOT.

The site is served by an internal private road that has two points of egress and ingress. The access point on the northwest side of the development is the general point of entry, whereas, the entry point on the southwest side of the development is provided for as an emergency point of enter and exit. Both roads have direct access to SR 99. This segment of SR 99 currently has a Level of Service of C.

The proposed development will be served by county utilities, and will require EPD approval.

Mr. Carpenter stated that staff's recommendation is for approval.

Following review, a motion was made by Mr. Buck Crosby to approve this request. The motion was seconded by Mr. Eric Croft and unanimously adopted.

There being no further business to discuss, the meeting was adjourned at 8:30 p.m.