

MINUTES

MAINLAND PLANNING COMMISSION

APRIL 3, 2007 - 6:00 P.M.

Historic Courthouse, 701 G Street

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

ABSENT: Bill Brunson

STAFF PRESENT: David Hainley, Director
York Phillips, Planning Manager
Eric Landon, Planner II
Janet Loving, Admin/Recording Secretary

Chairman Gary Nevill called the meeting to order at 6:00 p.m. He then gave a brief recap of the rules, voting procedure and audience participation in discussing agenda items. (It was noted that the Invocation was given at the 5:00 p.m. joint meeting, as well as the Pledge of Allegiance.)

Minutes - March 6, 2007

Upon a motion made by Mr. Buck Crosby and seconded by Mr. Wayne Stewart, the Minutes of the March 6th Mainland Planning Commission meeting were approved and unanimously adopted.

Agenda - Additions, Deferrals, Deletions, Postponements

Addition: Mr. Eric Croft requested that an item be added to the agenda for discussion purposes only. Thereupon, a motion was made by Mr. Wayne Stewart to add a discussion item at the end of the agenda. The motion was seconded by Mr. Jeff Counts and unanimously adopted.

Deferral: Mr. Ernie Johns stated that on behalf of the applicant, he would like to request a deferral of application #ZM-2007-001(M) to allow the applicant to continue working with the neighbors in an effort to resolve their concerns. Thereupon, a motion was made by Mr. Buck Crosby to defer this item until the May 1, 2007 Mainland Planning Commission meeting beginning at 6:00 p.m. The motion was seconded by Mr. Wayne Stewart and unanimously adopted.

Deletion: Request for a meeting date for the Mainland Planning Commission meeting in July was deleted from the agenda. It was noted that this meeting date is already scheduled for Monday, July 2, 2007 at 6:00 p.m.

ZM-2007-004 (M)

Consider a request to rezone from R-12 One-Family Residential, to LC Local Commercial, property consisting of 1.56 acres located on the east side of Old Jesup Highway approximately 280 ft. north of its intersection with Community Road, and extends to the west side of B & W Grade Road approximately 300 ft. from its intersection with Community Road. Parcel ID 03-04847. Jackson Survey, applicant for Wendy and Michael Del'Acqua, owners. (This item was deferred at the March 6th meeting.)

Mr. Michael Del'Acqua was present for discussion.

For the record, the staff's report and the findings of fact as outlined in Section 1103 of the Glynn County Zoning Ordinance are contained in the Minutes of the March 6th meeting. Also at the March 6th meeting, the Commission requested that staff provide a report of alleged violations, along with code issues of the use of the building for commercial purposes. These items were included in the Planning Commission packages for review. Additionally, the applicant was required to submit a site plan; however, the site plan was submitted after the completion of this report. Mr. Eric Landon stated that he did get a chance to review the site plan to see how it coincided with Section 619 of the Zoning Ordinance. During his review, he discovered that there were a few items that did not meet all of the requirements. He suggested that the applicant address these concerns for clarification.

Mr. Landon stated that staff recommends approval of this application with the condition that a site plan be provided for approval of any further development, as well as some type of buffer being provided between the applicant's property and adjacent properties.

Mr. Michael Del'Acqua gave a brief presentation and elaborated on his intent, which he stated was to clean up the property that was previously being used as a "crack house" and a house of ill repute, and utilize it as office space for his wife who is a Certified Public Accountant. Mr. Del'Acqua stated that he was misrepresented by

Mr. Boatright at the last meeting and stressed that his wife is not a realtor. He further stated that he would like to dispel all rumors about Code Enforcement approaching him; this never happened. Code Enforcement never approached him at anytime, nor did anyone else, about being in violation of the regulations, and he never received any type of citation. He did state however that when he heard these rumors about Code Enforcement watching him he stopped working on the house immediately and he has not structurally changed anything in the house. Mr. Del'Acqua stated that he never meant to offend anyone and he is soliciting the Planning Commission's approval of his request to rezone the property.

Mr. Billy King, adjacent property owner, was present to oppose this request. He expressed concerns about traffic and drainage. Also, if this rezoning is approved for commercial, he expressed concerns about the other uses that would be allowed. Mr. King stated that last year the Planning Commission denied a commercial rezoning in this area and he feels that this rezoning should be denied as well.

Mr. Wayne Stewart stated that this area is surrounded by residential property. He explained that it is wrong to just pick an area, begin developing it, and then later work out the problems. Once you start rezoning property of this nature it can easily turn into a domino affect for the entire neighborhood. Any type of commercial would be an intrusion into this residential area. Mr. Stewart stated that the applicant still has full use of his house, and until Old Jesup Road is improved, he will not vote to put commercial in this residential area.

Mr. Buck Crosby agreed with Mr. Stewart and added that the Planning Commission has to be fair and consistent. He also reminded everyone of the pitfalls of setting this type of precedent. However, Mr. Del'Acqua stated that this would not be a negative precedent. He is asking the Planning Commission to approve what is already on the property.

Following discussion, a motion was made by Mr. Wayne Stewart to recommend denial of this request. The motion was seconded by Mr. Buck Crosby. Voting Aye (in favor of denial): Mr. Eric Croft, Mr. Buck Crosby, Mr. Buddy Hutchinson and Mr. Wayne Stewart. Voting Nay (against denial): Mr. Jeff Counts and Mr. Gary Nevill. The motion carried for denial.

ZM-2007-006 (M)

Consider a request to rezone from R-6 One-Family Residential to HC Highway Commercial, property consisting of 0.15 acre located on the southeast corner of 8th Street and Hardee Avenue. Parcel ID number 03-08410. Angela Martina LLC, owner.

Mr. Mike Souther was present for discussion.

The following report from staff was included in the packages for the Planning Commission's review and was presented by Mr. Landon:

According to the application, this lot is to be used as a commercial parking lot. However, once rezoned this property could be used for any permitted use in Highway Commercial.

The entire length of Hardee Avenue (including areas within the City of Brunswick) is residentially zoned. There is only one exception - a parcel which is zoned General Industrial that fronts directly onto Newcastle Street. The land use pattern for Hardee Avenue is clearly residential, and a rezoning to Highway Commercial would break the established pattern.

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.

Yes, if adequate buffers are provided to the commercial property in the rear, then a single-family home is a suitable use.

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

Yes, if this property were rezoned, it would create an adverse affect on the surrounding community by disrupting the established land use pattern.

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

Yes, as a single-family home.

- 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.

No, the Comprehensive Land Use Plan for this property is 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.

Engineering issues will need to be addressed once this property is ready to be developed. Among other things, the Water Resources Protection Ordinance and the requirements for commercial driveway locations will need to be addressed.

A single dwelling unit generates approximately 10 trips per day. A commercial parking lot for a lot this size would generate approximately 45 trips per day. Traffic counts are not shown for Hardee Avenue in data available to the county. Hardee Avenue runs parallel to Norwich Street, which is a heavily used commercial street (7,640 daily trips).

Depending on its location to the nearest existing utility, this property would be required to use municipal water and sewer.

Staff recommends that this request be denied for the following reasons: The proposed request is not consistent with the Comprehensive Land Use Plan; and it is not consistent with the established land use pattern for the area.

During a brief presentation, Mr. Mike Souther pointed out the areas owned by his client, Ms. Angela Martina, along with some of the other areas zoned for commercial use. He stated that currently, the property is not in use but the applicant would like to rent out the building and use the back space for commercial and for parking.

Mr. Stewart stated that the property should perhaps be made into one lot, but he asked Mr. Souther if his client would be willing to submit a site plan for review. He explained that there are a number of uses allowed under Highway Commercial, but with the site plan approval, the Planning Commission could control the lighting, fences, buffers, and other things that would otherwise be an intrusion. Mr. Souther stated that Ms. Martina would not have any objections to a site plan.

Mr. Jack Sullivan, adjacent property owner, stated that he has lived in the area since 1951. He stated that located next to the small section noted as Highway Commercial there is a sign indicating that the alley would be closed. However, he doesn't think that the alley section was ever approved for Highway Commercial. Mr. Sullivan pointed out that he does not object to the applicant closing the alley, but this should not impede on the other property owners. He stated that in his opinion, Highway Commercial should face the highway and not a residential area. Therefore, he is asking that this request be denied.

Mr. Walter Waxman stated that he owns property in the area. The street is quiet and there are a lot of elderly people who live in this residential neighborhood. Some of the houses have ramps to them. Mr. Waxman expressed concerns about traffic and drainage. He stated that the street is very narrow and ingress/egress also concerns him. He pointed out that Highway Commercial is a very broad zoning and he feels that this request should be denied.

Mr. Wayne Stewart reiterated his thoughts on the site plan approval process. Mr. Souther stated that Ms. Angela Martina has put forth a great effort in remodeling and cleaning up the area. He feels that the adjacent property owners can attest to her being a good neighbor. Again, he stated that she would not object to the site plan approval process.

There being no further discussion, a motion was made by Mr. Wayne Stewart to approve this request subject to complete site plan approval. The motion was seconded by Mr. Eric Croft and unanimously adopted.

ZM-2007-007 (M)

Consider a request to rezone from R-20 One-Family Residential, to HC Highway Commercial, property consisting of approximately 0.67 acres on the south side of Stuart Road approximately 140 feet east of its intersection with Highway 17. Parcel ID 03-00574. Property owned by Michael Yoak.

Mr. Ernie Johns was present for discussion.

The following report from staff was included in the packages for the Planning Commission's review and was presented by Mr. Landon:

According to the application, this property is to be used as a commercial parking lot to support the existing restaurant. However, once the property is rezoned it could be used for any permitted use in Highway Commercial.

This area of Highway 17 and Stuart Road is a mix of several types of zoning and land uses. There does not appear to be a clear pattern of development in this area. A development pattern does not clearly begin until Old Belle Point Road. It appears that all properties east of Old Belle Point are residential in nature, and properties to the west are a mix of residential and commercial.

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.

Yes, if adequate buffers are provided. The adjacent property to the east is R-20 and would therefore require a buffer. However, if this property is to be developed as something other than a parking lot then other measures should be taken to buffer incompatible uses. The general layout plan shows a 10 ft. buffer and a 6 ft. privacy fence.

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

It depends on how this property is to be developed, and what the future uses on the site are. Once the property is zoned Highway Commercial all permitted uses in this district would be allowed.

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

Yes, as a single-family home.

- 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.

If the property were rezoned, it could cause a potential increase in demand on existing facilities depending on the type of use.

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

Yes, the Comprehensive Land Use Pattern for this property is Commercial.

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

No.

If applicable, development of the parking area will have to meet the requirements of the Water Resources Protection Ordinance. In addition, this location should be the only access to the restaurant lot. The restaurant lot should be limited to no direct access to Highway 17.

A single dwelling unit generates approximately 10 trips per day. Vehicular trips for the proposed parking lot will be a function of the trips generated by the restaurant

which it serves. Traffic counts are not shown for Stuart Road in data available to the county. Stuart Road connects to Highway 17 which currently (2002) has 13,100 daily trips.

Regarding utilities, the application shows a private well and septic system for this property.

Staff recommends that this request be approved subject to the following: 1) The primary access to the existing restaurant to be on Stuart Road as shown on the general layout plan; and 2) A 10 ft. setback (or buffer if specified) and a 6 ft. privacy fence be required on the eastern property line as shown on the general layout plan.

Mr. Ernie Johns pointed out that the buffer is intended to be a 10 ft. vegetative buffer with a fence. Also, the applicant is proposing a gravel parking lot.

Following discussion, a motion was made by Mr. Wayne Stewart to recommend approval of this request subject to a complete site plan approval. The motion was seconded by Mr. Buck Crosby and unanimously adopted.

ZM-2007-009 (M)

Consider a request to rezone from R-20 One-Family Residential, to FA Forest Agricultural, property consisting of approximately 1.475 acre northeast of the intersection of Highway 17 North and Old Belle Point Road. Parcel ID 03-00577. Property owned by Paul Daniels.

Mr. David Daniels was present for discussion.

The following report from staff was included in the packages for the Planning Commission's review and was presented by Mr. Landon:

This area of Highway 17 and Old Belle Point Road is a mix of several types of zoning and land uses. Development east of Old Belle Point is generally residential in nature, but properties along US 17 are a mix of residential and commercial, but with residential being more prevalent.

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.

Yes, the proposal is essentially to allow a mobile home in lieu of restricting development to conventional housing.

- 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.

Yes, the Comprehensive Land Use Plan designates this property for low density residential 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.

Direct access to Highway 17 should be limited. If allowed, it should be coordinated with the properties adjacent and aligned with Honey Bee Road.

A single dwelling unit generates approximately 10 trips per day. A mobile home will generate the same traffic volume. Old Belle Point Road connects to Highway 17, which currently has 13,100 daily trips.

The application indicates that this property will be served by a private well and septic system.

Staff's recommendation is for approval.

During a brief presentation, Mr. David Daniels explained that the house is simply too small for the family who is in desperate need of assistance at this time.

Mr. Gary Nevill asked Mr. Daniels if he would have a problem with a 50 ft. setback, to which Mr. Daniels replied no, that would not be a problem.

Following discussion, a motion was made by Mr. Jeff Counts to recommend approval of this request subject to a 50 ft. setback from US Highway 17. The motion was seconded by Mr. Buddy Hutchinson and unanimously adopted.

PP-2006-041 (M) The Plantation at the Golden Isles

Request for approval of a preliminary plat for property located on the east side of the proposed extension of Golden Isles Parkway, approximately 1,300 feet north from its intersection with Highway 99. The project consists of 155 single family lots on 80.64 acres. The property is zoned PD Planned Development and is located within the Golden Isles Gateway Planned Development. Sundown Properties, Inc., applicant.

Mr. Ron Sluder was present for discussion.

According to the staff's report, the Future Land Use Plan indicates that this site is designated for low density residential. The property is currently a vacant wooded area and the proposed use is for a single-family subdivision.

The proposed development meets the requirements of the adopted planned development text.

Engineering has concerns with items, including the development of the access to the property and drainage. Approval of this plan needs to be conditioned on the completion of the portion of Golden Isles Parkway between this site and SR 99. In addition, the alignment of this expansion needs to be clearly and accurately shown on the proposed plan.

This site is to have access from the extension of Golden Isles Parkway. This road does not currently exist, and therefore staff cannot provide existing traffic data. ITE (Institute of Traffic Engineers) data suggests that this type of project would generate an average 1,550 daily trips based on the number of dwelling units.

The site is served by county water and sewer and requires EPD approval.

Staff's recommendation is for approval subject to completion of the extension of Golden Isles Parkway and subject to meeting all other requirements.

Following a brief discussion, a motion was made by Mr. Wayne Stewart to approve this request subject to the extension of Golden Isles Parkway and subject to meeting all other requirements. The motion was seconded by Mr. Buddy Hutchinson and unanimously adopted.

SP-2007-004 (M) Hopewell Island Amenity Village

This is a request for approval of a site plan for property located north of Highway 82 within the proposed Hopewell Island development. The project consists of a 20,283 square foot clubhouse, fitness center, and pool on 9.85 acres, and is zoned PD Planned Development. The property is located within the Hopewell Creek Planned Development. Dean Island, LLC, applicant.

Mr. Charles Ezell of Thomas & Hutton Engineers was present for discussion.

According to the staff's report, the Future Land Use Plan indicates that this site is shown for low density residential and agricultural/forestry. The property is currently vacant but the proposed use is for a clubhouse, fitness center and pool.

The site is located within the Hopewell Creek Planned Development. The subdivision is in the review process for a preliminary plat. The first phase of this plat will provide access to this location. The property is served by an internal subdivision road that is in the review process in conjunction with the preliminary plat.

This site is proposed to be served by county utilities, and will require EPD approval.

Staff's recommendation is for approval subject to access to the property being completed to serve this project.

Following review, a motion was made by Mr. Buck Crosby to approve this request subject to access being completed to serve this project. The motion was seconded by Mr. Wayne Stewart and unanimously adopted.

SP-2007-006 (M) Canal Plaza

This is a request for approval of a site plan for a property located southeast of the intersection of Canal Road and Glynco Parkway. The project consists of 21,000 square feet of retail space on 2.943 acres. The property is zoned PD Planned Development and is located within the Golden Isles Gateway Planned Development. BMW Properties, applicant.

Mr. Don Hutchinson of Korb Engineering Company was present for discussion.

According to the staff's report, the future land use plan shows that this site is designated for commercial usage. The property is currently a wooded vacant area but the proposed use is for a strip shopping center.

In general, the site is appropriate for some type of commercial use due to its location and exposure. The relationship to the two main roads is problematic however and may result in limitations on usability for retail. A commercial use with less need for good access might be more appropriate.

While the site has reasonably good access at present, future widening of Glynco Parkway (and possibly Canal Road) will limit access to right turns only for entering and exiting traffic. The site design does not allow for landscaping along Glynco or Canal Road. While it is not a requirement of the PD text, staff is aware that there may be deed requirements for extensive landscaping along Glynco Parkway. The applicant should address this issue and ensure that the county does not have any liability in this area.

The developer does not have specific tenants and has proposed to calculate the parking on the basis that 70% of the leased area will be sales area, leaving a flux of 8 parking spaces for the complex. The site plan depicts two drive-thru areas that could be developed as restaurants. The parking area for restaurants is a much higher parking ratio per square foot than standard stores. Additionally, certain medical offices use the total floor area at a higher parking ratio. Staff will monitor the uses moving into the center and their finish out plans to ensure that the parking ratios required for the center are met. This could possibly mean that one or more bays in the center are un-leaseable space.

Engineering has concerns with the access to the property and recommends coordination of the access on Glynco Parkway with the access to the adjacent Hospice site.

This site is to have access from both Canal Road and Glynco Parkway. Current traffic on these roads is 3,970 daily trips. ITE (Institute of Traffic Engineers) data suggests that this project would generate an average of 900 daily trips based on the retail space.

This site will be served by county water and sewer and EPD review and approval is required. Sewage treatment is provided by the City of Brunswick, and a capacity letter will need to be provided prior to EPD review.

Staff recommends approval of the site plan with the understanding that depending on the type of use, the parking shown on the site plan will be inadequate and therefore it may result in un-leaseable space in the building.

Following a brief discussion, a motion was made by Mr. Jeff Counts to approve this request. The motion was seconded by Mr. Buddy Hutchinson. Voting Aye: Mr. Jeff Counts, Mr. Buck Crosby, Mr. Buddy Hutchinson, Mr. Gary Nevill and Mr. Wayne Stewart. Abstained From Voting: Mr. Eric Croft.

TA-2007-005

Consider an amendment to Chapter 2-19 of the Glynn County Code of Ordinances; to amend Section 2-19-4 of the Glynn County Planning Commission Ordinance to provide for four-year terms for planning commission members; to provide that those terms run concurrently with the terms of the members of the Board of Commissioners; and for other purposes.

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

After review and a brief discussion, a motion made by Mr. Wayne Stewart, seconded by Mr. Buck Crosby and unanimously adopted to recommend approval of the proposed amendment with the following changes:

- Line 48 No person shall be eligible for membership on the Commission who holds an elected County, **City**, State or **any municipal** office.

- Line 55 An individual may serve additional successive terms provided that there has been a period of at least ~~two (2) years~~ **one (1) year** since the end of their last term on either Planning Commission.

At this time, Mr. Eric Croft inquired about the Planning Commission members having full access to the GIS system on-line. Also, in addition to zoning maps and ordinances, Chairman Nevill wanted to know what other information is offered on-line for the benefit of the Planning Commission. Mr. Hainley stated that he would check with

the IT Department or a GIS representative about access and availability of information and report back to the members at the next work session.

There being no further business to discuss, the meeting was adjourned at 7:25 p.m.