

# MINUTES

## MAINLAND PLANNING COMMISSION JANUARY 6, 2009 - 6:30 P.M. Historic Courthouse, 701 G Street

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**MEMBERS PRESENT:** Gary Nevill, Chairman  
Bill Brunson, Vice Chairman  
Jason Counts  
Alan Dixon  
Buddy Hutchinson

**ABSENT:** Buck Crosby

**STAFF PRESENT:** David Hainley, Director  
York Phillips, Planning Manager  
Janet Loving, Admin/Recording Secretary

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Chairman Gary Nevill called the meeting to order at 6:30 p.m. He explained that the delay in this meeting was caused by the extended length of the previous meeting conducted by the Board of Commissioners. He then invited everyone to join in with the invocation and the Pledge of Allegiance. Afterward, he gave a brief recap of the rules, voting procedure and audience participation in discussing agenda items.

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A motion was unanimously adopted to retain Mrs. Janet Loving as the Recording Secretary for the Mainland Planning Commission for 2009.

A motion was unanimously adopted to temporarily retain Mr. Gary Nevill as Chairman and Mr. Bill Brunson as Vice Chairman for tonight's meeting only.

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At this time, Chairman Nevill introduced and welcomed Mr. Alan Dixon as the new member appointed to the Mainland Planning Commission. He also recognized out-going members, Mr. Wayne Stewart for his countless years of dedicated service, and thanked Mr. Eric Croft for his many contributions while serving on the Planning Commission.

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## **MINUTES**

### **December 2, 2008 Regular Meeting**

A motion was made by Mr. Buddy Hutchinson to approve the Minutes of the December 2<sup>nd</sup> Regular Meeting. The motion was seconded by Mr. Bill Brunson. Voting Aye: Mr. Bill Brunson, Mr. Buddy Hutchinson and Mr. Gary Nevill. Mr. Jason Counts did not attend the December 2<sup>nd</sup> meeting and therefore abstained from voting. Mr. Alan Dixon was not a member at that time and also abstained from voting.

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### **ZM1403 (M) Majestic Oaks**

Consider a request to amend the Planned Development Text and Master Plan for property consisting of 77.57 acres located on the east side of US 82, approximately 3,900 feet north of its intersection with SR 303 and US 17. The property has approximately 1,441 feet of frontage on US 82. The proposed changes would primarily address density and development standards. The uses would remain as residential and commercial. Parcel ID: 03-19936 and 03-19937. Wayne Neal, The Regency Group, agent for Spartan Development Group and POPOW, Inc. owners. *(This item was deferred from the December 2, 2008 meeting to allow the applicant to address a potential legal issue.)*

Mr. Ray Richard and Mr. Wayne Neal were present for discussion.

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

This project was originally rezoned in 2000 and was known as Scarlett Oaks Plantation. A preliminary subdivision plat was submitted in 2004 for the entire site, and a final plat was approved (under the name Majestic Oaks) for Phase I in 2005. The approved PD accommodated 400 dwelling units and up to 25 acres for commercial development. A total of 156 lots are shown on plans approved or in the approval process for the portions of the site that are not included in this latest request.

This is a request to amend the PD text and plan for a portion of the original site. This proposal will accommodate 480 dwelling units (in addition to the units developed or being developed in the other parts of the project). Also, the plan shows approximately 12 acres of commercial development although the text indicates that this may be increased to as much as 20 acres. If some of the area devoted to residential development is shifted to commercial uses (i.e. an increase in commercial area and a reduction in residential of approximately 8 acres) the net densities will need to increase or the number of dwelling units will decrease.

While the total number of units may increase, the area has changed significantly since the original approval of the PD zoning in 2000. In addition to now having water and sewer service, other developments have emerged and road improvements have been made or are planned.

Engineering notes that some issues will need to be reviewed at the site plan and/or preliminary plat stage, including formal DOT review of the entrances, drainage easements, and environmental permits for wetlands.

The average daily traffic on US 82 in 2002 was 11,200, and is projected at 24,000 in 2030 according to the Long Range Transportation Plan (LRTP) updated in 2005. The LRTP projects traffic level of service to be C or better in 2030. This project will potentially add 1,850 trips to the current projections. This could be affected (either increasing or decreasing the projections) based on the mix of commercial development that results.

Based on current county averages, the residential portion of the project will generate approximately 363 school age children. This represents an increase of approximately 137 over the current approved zoning.

**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 development is consistent with development in the area.**

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

**The proposed development is consistent with developments in the area and will not adversely affect the usability of nearby property.**

- 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 use will not significantly impact existing county infrastructure.**

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

**This site is located in the West Glynn Future Development Area and is within an existing Activity Center (Exit 29). This designation is appropriate for residential and commercial use.**

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

**No.**

Mr. Phillips stated that staff recommends approval of application **ZM1403** for Planned Development, including the PD Text and the PD Master Plan.

During a brief presentation, Mr. Ray Richard explained that the applicants are proposing a village style project both on the commercial and residential side. They are proposing to reduce the commercial area from 25 acres in the current zoning to 10 acres. He stated that they would like some flexibility to do up to 20 acres but the current plan is for 10 acres, which is a better plan because the 25 acres would have allowed for a big retail type commercial development. The current plan as a village concept is for the commercial area to be more boutique type stores, which creates a more appealing visual environment as the commercial blends in with the residential.

Mr. Richard elaborated on other reasons why this is a better plan such as the entrance, buffers, etc. He stated that the developer is proposing to provide the primary entrance for the entire 78 acres of rezoned area to be a new entrance off of US 82, which would then provide a very limited access out of the development for egress. This would allow the single-family/multi-family to be more detached from one another and would provide exclusive access to the multi-family off of US 82. He stated that they intend to work with county staff during the site plan process for emergency access, but the intent is to provide a minor access point as opposed to a primary access off of the existing Majestic Oak Drive.

Mr. Richard stated that another improvement that they feel will add value to this plan is that by providing several different products in different price ranges, the build-out of the entire development would be sooner than what it would be with just a bunch of single-family lots or single multi-family developments. Another important feature is that the developer plans to gate all of the entrances off of the new road. He pointed out that the new access off of US 82 going into the three different developments would all be gated; thereby limiting access into the existing development. He also noted that in Phase II, which is not subject to this rezoning, the developer plans to add another lake feature. Not only would this add value to the lake front lots, but it would also be a necessity for drainage.

Mr. Richard stated that a neighborhood meeting was held to discuss this project and it was well attended. He feels that all of the concerns from the residents were addressed.

Mr. Alan Dixon wanted to know how the existing development would be affected by gating the proposed new development. Mr. Richard stated that this would reduce the amount of thru-traffic in the existing neighborhood. Mr. Dixon asked if there would be any issues with the homeowners in the first phase concerning turning over rights with respect to gating the area. Mr. Richard stated that the developer would like to also gate the existing Majestic Oak Drive although it is currently a county road. He explained that if the developer pursues this possibility, according to the process he would have to obtain 100% cooperation and agreements from all of the existing property owners. He stated that the developer is cognizant of this fact.

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

Following discussion, a motion was made by Mr. Bill Brunson to recommend to the Board of Commissioners approval of application **ZM1403** for Planned Development, including the PD Text and the PD Master Plan. The motion was seconded by Mr. Jason Counts and unanimously adopted.

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**ZM1421 (M) 4248 Community Road**

Consider a request to rezone from R-12 One-Family Residential to General Commercial property consisting of 22,550 square feet located on the south side of Community Road, approximately 350 feet east of its intersection with Old Jesup Road. The property has 100 feet of frontage on Community Road. Parcel ID: 03-09141. Golden Isles Engineering Consultants, agent for Jamey L. and Donna L. Day, owners.

Mr. Ray 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 was previously occupied by a single-family dwelling, which was recently demolished. The site has been acquired by the owner of the adjacent business which sells lawn ornaments and is to be used for expansion. This use involves outside storage and display of items for sale.

Engineering points out issues of access, including the need for provision of a frontage road or service drive to accommodate future development along this side of Community Road. Staff notes that the two parcels together will still be limited to two

entrances under the Zoning Ordinance. In addition, as a state highway, access to Community Road is controlled by GDOT.

The average daily traffic on SR 303 in 2002 was 13,000, and is projected at 17,400 in 2030, according to the Long Range Transportation Plan (LRTP) updated in 2005. The LRTP projects traffic level of service to be C or better in 2030. While this zoning change will potentially add a few trips based on the difference between residential and commercial use, the more significant traffic issue will be access to commercial property. As noted in engineering comments, provision for a service drive to limitation on direct access to Community Road will improve traffic flow and prevent congestion.

The site is not served by public water and sewer. The Joint Water & Sewer Commission (JWSC) recommends that the applicant be required to connect to public utilities as the condition of the existing private systems dictate.

**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 development is consistent with development in the area.**

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

**The proposed development is consistent with developments in the area and will not adversely affect the usability of nearby property. This area is in transition from residential and mixed use to commercial 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 use will not significantly impact existing county infrastructure. Future development in this area will involve issues of providing water and sewer and managing access to SR 303 from abutting commercial properties.**

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

**This site is located in the West Glynn Future Development Area and is within an existing Activity Center (Exit 29). This designation is appropriate for general commercial uses along existing commercial corridors.**

- 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. Phillips stated that staff recommends approval of application **ZM1421** to be rezoned from R-12 One-Family Residential to General Commercial.

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

Following a brief presentation by Mr. Richard, a motion was made by Mr. Buddy Hutchinson to recommend to the Board of Commissioners approval of application **ZM1421** to be rezoned from R-12 One-Family Residential to General Commercial. The motion was seconded by Mr. Jason Counts and unanimously adopted.

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**ZM1437 (M) Clarence Hunter**

Consider a request to rezone from Highway Commercial to Forest Agricultural, property consisting of 29,994 square feet located on the east side of US 17 North, south of its intersection with Tortuga Run (approximately 600 feet south of its intersection with Harry Driggers Boulevard). The property has 200 feet of frontage on US 17. Parcel ID: 03-0006. Atlantic Survey Professionals, agent for Gene Brockington, owner.

Mr. Gene Brockington and Mr. Ernie Johns were present for discussion.

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

This property consisted of an isolated commercial use and is understood to have been a motel many years ago, but any buildings have since been demolished and the property has more recently been unused. This is part of a property that was subdivided in mid-2008. At the time, it was determined that the property could be developed, but that it would be beneficial for it to be rezoned to conform to the surrounding area.

Staff has discussed the comments of Environmental Health with the health department staff. One issue that will be resolved with the rezoning will be removing the potential for commercial development, which is a concern for the health department. Environmental Health also notes that it requires completion reports from a licensed well

driller for the well abandonment, require the well operator to make certain regular reports, and may require soil analyses before issuing septic tank permits.

Engineering notes that the access was arranged through the recent subdivision. Access is to be by way of the private easement and not directly to US 17.

The average daily traffic along this section of US 17 in 2002 was 5,400, and is projected at 19,000 in 2030, according to the Long Range Transportation Plan (LRTP) updated in 2005. The LRTP projects traffic level of service to be C or better in 2030. This project will reduce traffic by changing uses from commercial to residential.

The site is not served by public water or sewer. A Water and Sewer Variance was approved to allow the subdivision.

Based on current county averages, the residential rezoning of this parcel will generate approximately 1 school age child.

**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 zoning is consistent with development in the area.**

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

**The proposed zoning is consistent with developments in the area and will not adversely affect the usability of nearby property.**

- 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 use will not significantly impact existing county infrastructure.**

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

**This site is located in the Central Glynn Future Development Area. This designation is appropriate for single-family 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.**

Mr. Phillips stated that staff recommends approval of rezoning application **ZM1437**.

Mr. Alan Dixon asked if the community well is capable of serving the four lots, to which Mr. Phillips replied yes.

Mr. Brockington pointed out that according to Mr. William Jenkins of Environmental Health all of the concerns from the health department have been addressed.

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

Following discussion, a motion was made by Mr. Jason Counts to recommend to the Board of Commissioners approval of application **ZM1437** to be rezoned from Highway Commercial to Forest Agricultural. The motion was seconded by Mr. Alan Dixon and unanimously adopted.

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In other business, Chairman Nevill appointed Mr. Buddy Hutchinson and Mr. Jason Counts to serve on the nominating committee to select a 2009 Chairman and Vice Chairman, which is expected to take place at the January 27<sup>th</sup> Called Meeting.

Also in other business, a motion was made by Mr. Buddy Hutchinson, seconded by Mr. Jason Counts and unanimously adopted for approval of February 3, 2009 as the next regular meeting date for the Mainland Planning Commission.

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There being no further business to discuss, the meeting was adjourned at 7:00 p.m.