

MINUTES

MAINLAND PLANNING COMMISSION AUGUST 2, 2011 - 6:00 P.M. Historic Courthouse, 701 G Street

- MEMBERS PRESENT:** Bill Brunson, Chairman
Buddy Hutchinson, Vice-Chairman
Aaron Carone
Larissa Harris
Julie H. Martin
Tim Murphy
- MEMBERS ABSENT:** Buck Crosby
- STAFF PRESENT:** David Hainley, Director
Eric Landon, Planner II
Janet Loving, Admin/Recording Secretary

Chairman Brunson called the meeting to order and the invocation was given, followed by the Pledge of Allegiance. He then introduced and welcomed Ms. Larissa Harris as the new member appointed to the Mainland Planning Commission.

For future reference, Chairman Brunson changed the order of the agenda to have the Minutes approved before reviewing the Meeting Procedures. Thereupon, a motion was made by Mr. Buddy Hutchinson and seconded by Mr. Tim Murphy to approve the Minutes of the **July 5th Regular Meeting**. Voting Aye: Mr. Bill Brunson, Mr. Buddy Hutchinson and Mr. Tim Murphy. Mr. Carone, Ms. Harris and Ms. Martin did not attend the July 5th Meeting and therefore abstained from voting.

A motion was made by Ms. Julie Martin and seconded by Mr. Buddy Hutchinson to approve the Minutes of the **July 12th Called Meeting**. Voting Aye: Mr. Bill Brunson, Ms. Larissa Harris, Mr. Buddy Hutchinson, Ms. Julie Martin and Mr. Tim Murphy. Abstained From Voting: Mr. Aaron Carone.

At this time, Chairman Brunson gave a brief recap of the rules, voting procedure and audience participation in discussing agenda items.

Mr. Hainley advised that two agenda items coincide with the requested zoning amendment for Logan's Roadhouse and as such, should be discussed simultaneously but each require separate action. Chairman Brunson read the items into the record as follows:

ZM2237 Logan's Roadhouse

Consider a request to amend the adopted Planned Development text for property south of Venture Drive and west of the southbound on-ramp of Interstate 95 at exit 38. The request is to amend the signage requirements for this property. Parcel ID 03-03351. Logan's Roadhouse, applicant for Southern Real Properties, Inc, owner.

PP2235 Logan's Roadhouse

Consider approval of a preliminary plat to subdivide a 2.102 parcel and the creation of a new 60 ft. right-of-way. Parcel ID 03-03351.

SP2233 Logan's Roadhouse

Consider approval of a site plan for a project consisting of a 6,505 sq. ft. restaurant on 2.102 acres. Parcel ID 03-03351.

Ms. Roberta Holcomb was present for discussion.

According to the staff's report, the property was rezoned as a planned development in 2007. The adopted PD text states that the sign regulations will meet the standards set forth in the Zoning Ordinance. The Zoning Ordinance states that PD signage will be identified in the PD text. As a result, there are no requirements for signage on this site. This application is a request to approve three (3) building signs, one (1) high-rise pylon sign, and one (1) subdivision directional sign. The total sign square footage requested is 363 square feet. This falls within the existing requirements for Highway Commercial or Freeway Commercial zoning. The proposed signage request also includes the ability to have neon/LED illumination.

This project requires the construction of a private right-of-way from Venture Drive for access. The applicant has submitted a preliminary plat and construction plans for this access. This right-of-way is also shown on the site plan.

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 clarifies signage for this property. Without this request no signage can be approved on this site. The original PD text does not provide regulatory standards.

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

The proposed signage will provide visibility to the proposed business, and will be visible to adjacent properties.

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

Yes, although the current zoning does not allow for signage on the site.

- 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.

None.

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

Yes, this property is located in Central Glynn which allows a mix of commercial uses.

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

No.

The preliminary plat is to create the parcel that the restaurant will be located on and a road to access the restaurant. The site plan is for the building and the parking itself for the restaurant.

Mr. Landon stated that staff recommends approval of application **ZM2237** to amend the Planned Development Text to provide signage regulations. Staff also recommends that **SP2233** and **PP2235** be approved subject to meeting all requirements.

Ms. Julie Martin had questions about the “tenants” listed on the Logan’s Roadhouse sign. She wanted to know if it’s really necessary and would Logan’s be the anchor, or would the other tenants perhaps not want their own sign. Mr. Hainley explained that this is currently allowed under directional signage of the existing ordinance. It is actually allowed in any commercial area. Ms. Martin was of the opinion that the other tenants would want their own sign. Mr. Hainley stated that the ordinance only allows one and the other tenants would have to “piggy back” on that particular one sign.

Chairman Brunson stated that the design company included a letter indicating that the signage is in compliance with Section VIII of the ordinance. He then asked staff if it is in fact compliant with this section of the ordinance. Mr. Landon explained that the sign is in compliant with regard to square footage. If it were just a regular sign you would be allowed 500 sq. ft. total for a regular restaurant and commercial zoning with three signs. But the applicant is asking for five signs with the lowest square footage of 363. This is a rezoning to allow this particular sign package. Chairman Brunson noted that this is actually an exception to Section VIII and the letter from the design company is not really accurate. Mr. Hainley stated that the overall package is compliant with the intent of the ordinance.

There was no one present to oppose this request.

Following discussion, a motion was made by Mr. Aaron Carone to recommend approval of **ZM2237** to amend the Planned Development Text to provide signage regulations. The motion was seconded by Ms. Julie Martin and unanimously adopted.

A motion was made by Mr. Aaron Carone to approve **SP2233** subject to meeting all requirements. The motion was seconded by Mr. Buddy Hutchinson and unanimously adopted.

A motion was made by Mr. Aaron Carone to approve **PP2235** subject to meeting all requirements. The motion was seconded by Mr. Buddy Hutchinson and unanimously adopted.

ZM2248 148 Crispen Boulevard

Consider a request to rezone from FC, Freeway Commercial to PD, Planned Development a 0.46 acre property located generally west of I-95 near Exit 36, approximately 1,200 ft. northeast of New Jesup Highway on the southeast side of Crispen Boulevard. The purpose of the rezoning is to allow the applicant to use the property for residential purposes until such time as it is developed in keeping with its Freeway Commercial zoning. Parcel I.D. 03-06301. Property owned by Esther Cook.

Mr. Tommy Hull, agent, was present for discussion.

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

The property is to continue to support an owner-occupied residential dwelling. The Planned Development Zoning Text proposed for the property outlines the manner in which the property is intended to allow the residential use, until such time as it is to be developed in the future under the Freeway Commercial zoning.

The owner intended to expand the residential structure. However, the residential dwelling is non-conforming located in its present Freeway Commercial zoning district. Expansion of a non-conforming use is not allowed, so a building permit application was denied.

Possible options for the owner to pursue to allow expansion of the residence would be to (1) rezone to residential, which in this case would be “spot zoning,” or (2) to rezone to a Planned Development. The possibility of rezoning to a residential use was dismissed because it could not be supported since the property is surrounded by commercial zoning on all sides. Planned Development rezoning was chosen to allow the present use, and transition at time of development to a Freeway Commercial permitted use in a two step development process.

The project uses public water and sewer utilities. No new residence is being created to generate added students in local schools, and future demand for school capacity is not applicable for the proposed Freeway Commercial use.

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 suitable. It is in fact no different from the present use, except that it would allow the owner to expand their residence, until such time as the property is developed for Freeway Commercial purposes.

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

No, the zoning proposal will not adversely affect the existing use, or usability of adjacent or nearby property.

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

Yes, although the residence is small and although adequate for the owner alone, it is more than modest in size to house the owner’s family which is the owner’s objective for expansion of the structure.

- 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. The present use proposes no immediate change and the future Freeway Commercial use will be evaluated for such use at time of development.

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

Yes, in that the future use proposed is consistent with the Comprehensive Plan.

- 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, the owner wishes to expand the residence for now to adequately house family until such time in the future as the property is developed for Freeway Commercial purposes.

Mr. Hainley stated that staff recommends approval of application **ZM2248 (M)**, 148 Crispin Boulevard, from FC Freeway Commercial to PD Planned Development.

During a brief presentation, Mr. Hull explained that the owner is not proposing to rent the property. He stated that Ms. Cook intends to make the residence her permanent home. He also pointed out that the footprint will stay the same.

There was no one present to oppose this request.

Following discussion, a motion was made by Mr. Buddy Hutchinson to recommend approval of application **ZM2248 (M)**, 148 Crispin Boulevard, from FC Freeway Commercial to PD Planned Development. The motion was seconded by Mr. Tim Murphy and unanimously adopted.

There being no further business to discuss, the meeting was adjourned at 6:25 p.m.