

MINUTES

MAINLAND PLANNING COMMISSION NOVEMBER 9, 2010 - 6:00 P.M. Historic Courthouse, 701 G Street

- MEMBERS PRESENT:** Gary Nevill, Chairman
Bill Brunson, Vice Chairman
Buddy Hutchinson
Julie H. Martin
- ABSENT:** Jason Counts
Buck Crosby
Ryan Lawrence
- STAFF PRESENT:** David Hainley, Community Development Director
York Phillips, Planning Manager
Janet Loving, Admin/Recording Secretary

Chairman Gary Nevill called the meeting to order and the invocation was given, followed by the Pledge of Allegiance.

MINUTES

October 5, 2010 Regular Meeting

Upon a motion made by Mr. Buddy Hutchinson and seconded by Mr. Bill Brunson, the Minutes of the October 5th MPC Regular Meeting were approved and unanimously adopted.

ZM1975 (M) Brunswick and the Golden Isles CVB

Consider a request to rezone from Conservation Preservation (CP) to Freeway Commercial (FC), property consisting of 21.7 acres and being the upland portion of a property of approximately 114.7 total acres. The property is located on the east side of I-95, approximately one mile south of its interchange with US 17 South. The purpose of the request is to permit a sign adjacent to the I-95 right-of-way welcoming visitors to the county, and for other FC permitted uses. Parcel ID: 03-14382 (part). Brunswick and the Golden Isles CVB, agent for Josephine H. Fendig, Joseph C. Fendig, and Joe Fendig, owners. *(This item continued from the October 5th meeting.)*

Mr. Joe Fendig, owner, and Mr. Bill Tipton of the Golden Isles Visitor's Bureau were present for discussion.

Mr. Phillips gave a brief review of the staff's report, which is basically unchanged and is already included in the record in its entirety. (*See October 5th Minutes*) He explained that the application has been modified and now indicates that the area to be rezoned is the upland area only, consisting of approximately 21 acres. The remaining portion is marsh and would remain in the CP zoning district.

Mr. Phillips presented the general layout plan and a graphic depicting what the proposed sign would look like. He also stated that the permitted uses would include commercial uses oriented to the traveling public. Wetland and access permitting would be required, and the applicant has proposed a 100 ft. buffer strip along the upland boundary on the east side of the area to be rezoned.

Mr. Phillips stated that staff recommends approval of this request as being consistent with the Conservation Preservation large portion of the site and the limitation of the Freeway Commercial to a smaller portion of the site, implicitly subject to DNR approval.

It was noted that several letters of opposition were included in the packages and distributed to the members for review.

Chairman Nevill wanted to know if there is an access from the Royal Oaks property in conjunction with this proposal. Mr. Phillips stated that there is a trail that comes in off of the end of a cul-de-sac but it then crosses wet areas and is therefore considered not to be a very practical access. He stated that he is not sure if there is a legal access easement through Royal Oaks. Mr. Brunson stated that a stipulation was pointed out at the last meeting that access would absolutely not be from Royal Oaks. Mr. Phillips agreed that it was discussed.

Ms. Julie Martin asked if there is any possibility that there would be more than one sign in the area. Mr. Phillips stated that he would have to confer with the applicant. He stated that there are several sets of rules that apply in this case. Georgia DOT has a spacing rule that is tracked in the Zoning Ordinance which basically depends on whether there is enough upland area to meet the spacing requirement. In addition to spacing, there is a limitation on the number of signs; also tracked in the Zoning Ordinance. Mr. Brunson asked how many signs can there be in a quadrant. Mr. Phillips stated that currently there are three signs but there can be up to four in a quadrant.

Mr. Hutchinson asked if it is correct that any work to be done in the area with regard to the billboards, now or in the future, would require access via I-95 only. Mr. Phillips replied yes. He reiterated that there is a trail but it is very impractical and he is not sure if there is an easement for the road.

During a brief presentation, Mr. Bill Tipton noted that the staff's report was very accurate. He is soliciting approval at this time and is available to answer questions.

Chairman Nevill had questions about the type of proposed buffer. Mr. Tipton confirmed that the buffer would be natural, 100 ft. wide and any unhealthy trees in the buffer would be removed and replaced with healthier ones. He stated that the applicant is willing to work with the neighborhood in this regard.

Ms. Martin asked if there are plans to light the sign up at night. Mr. Tipton stated that if and when it comes to that, the lighting would be solar or more of a glow, but not bright. He stated that they have looked at other reflective materials as an alternative.

Mr. Joe Fendig, owner of the property, stated that there is a legal easement through Royal Oaks but it is only a minimal trail access for foot traffic only. Any significant work would have to be done off of the I-95 entrance, which is why it is so important to have DOT approval. Chairman Nevill agreed, and added that due to the access limitation the only other thing they could do is signage. Mr. Fendig concurred and stated that DOT would not allow them to access a limited highway for any other usage.

Mr. Brunson wanted to know the status of the other quadrants in the area relative to the number of billboards. Mr. Fendig explained that not every quadrant has three signs per quadrant. Currently on the southwest side of the area there are permit applications pending for billboards but they have not been approved. The north side of the interchange has three signs in each quadrant with one additional request. There is one other spot on the northwest side of Exit 38 on the Toyota Dealership where an additional sign could go.

At this time, Chairman Nevill opened the floor for public comments beginning with Mr. Phillip Jackson, owner of Lot 53 in Royal Oaks Subdivision. Mr. Jackson pointed out that there is a 12 ft. easement on the side lot line that is actually the legal access to the existing signs. He stated that at some point he is going to close off the trail road for marketing reasons because he intends to sell the lot. Mr. Jackson stated that he is not necessarily against this rezoning as long as there is a stipulation that "there will be no access through his lot to get to the property that is being rezoned."

Mr. George Giannoumis, adjacent property owner, stated that he is opposed to this request for several reasons. He stated that a month ago, the applicant asked for 123 acres to be rezoned to FC, which he understood to be an atrocious misuse of natural resources. The applicant has since altered the request to approximately 22 acres for one sign welcoming people to Glynn County that fits on a piece of property approximately 14,000 sq. ft.

Mr. Giannoumis stated that they are already inundated in the community with signs and bright lights. He pointed out that signage is already permitted on CP property which means that the applicant could put up the welcoming sign without having to rezone anything. He stated that once this property is rezoned a communications tower would also be allowed, and if the owners were to sell the property the future buyers might

consider putting up a communications tower. In his opinion, this would be a detriment to the community. Mr. Giannoumis also cited traffic as a concern.

Mr. Richard Ulrich of 104 Royal Drive feels that this rezoning request is overkill; “why would they need so much acreage to install one sign.” He asked the Planning Commission to only approve the installation of the sign and to rezone, if necessary, only a “patch” of property.

In an effort to appease everyone, Chairman Nevill suggested a modification to the request by restricting certain uses, such as only allowing the monument sign, possibly one billboard with a maximum height of 35 ft., retain the buffer, and no access to be allowed from Royal Oaks. Mr. Fendig stated that he would not have a problem with this suggestion but they do have a legal access that is only a walking path, which is how they service the current billboards. The entrance off of I-95 is a construction entrance. To limit or to say that they could never come through a legal access that they have already paid for would be very difficult. It is a 12 ft. easement and could possibly be limited to maintenance only. Mr. Fendig also stated that he is not opposed to putting up a gate to deter traffic if it would help the neighborhood.

Mr. Hutchinson asked Mr. Fendig his reasons for rezoning the entire strip along I-95. Mr. Fendig stated that the area is upland. He explained that they could have reduced the parcel down and subdivided it out to a separate parcel but that would have been additional survey work. He was trying to keep the cost down for the Chamber of Commerce and therefore he opted for a method to get everything done at a minimal cost and accomplish their goals.

At the end of discussion, a motion was made by Mr. Bill Brunson to recommend approval of application **ZM1975 (M)** Brunswick and the Golden Isles CVB rezoning request from Conservation Preservation to Freeway Commercial, property consisting of 21.7 upland acres as defined by Georgia Department of Natural Resources and depicted on the General Layout Plan, to permit a sign adjacent to the I-95 right-of-way welcoming visitors to the county and for other FC permitted uses limited to one additional sign at a maximum height of 35 ft. with access off of I-95, and to allow the 12 ft. easement for maintenance only as well as the 100 ft. buffer on the eastern side. The motion was seconded by Mr. Buddy Hutchinson and unanimously adopted.

There being no further business to discuss, the meeting was adjourned at 6:40 p.m.