

MINUTES

GLYNN COUNTY PLANNING COMMISSION NOVEMBER 3, 1998 9:00 A.M.

MEMBERS PRESENT: Glenda Jones, Chairman
Richard Altman
Lamar Cole
Hal Hart
Iris Touw
Jeff Shell
Jonathan Williams

STAFF PRESENT: Charles Taylor, Community Dev. Director
Cindy Olness, Acting Planning Official
Keith Taylor, Assistant County Attorney
Deborah Taylor, Zoning Administrator
Ellis Carter, Building Official
Jim Bruner, County Engineer
Buster Reese, Assistant County Engineer
Janet Loving, Administrative Secretary

Chairman Jones called the meeting to order and the invocation was given, followed by the Pledge of Allegiance. She then gave a brief recap of the rules, voting procedure and audience participation in discussing agenda items.

**Preliminary Plat
Summit Commercial – Golden Isles
Gateway Tract, located near Spur 25
and Glynco Parkway Intersection
9.064 acres, zoned Planned Development
General**

Mitchell Land Company, Owner

Mr. Roger Purcell was present for discussion.

The following report from staff was included in the packages for review: (This item was deferred from the October 6th Planning Commission meeting.)

This request is for a proposed 714 ft. long road segment with a 60 ft. minimum county right-of-way in the CR-2 and CR-3 areas of the Golden Isles Gateway Tract. This is the 7,828 acre tract located west of the Glynco Jetport that is also known as the Branigar Tract (the area where the Branigar Organization plans to locate an assortment of residential and commercial developments, and open space and wildlife areas).

The new right-of-way will be curbed, guttered and paved in accordance with county paved road standards. It will extend from the Glynco Parkway northward to the existing four-story medical office building owned by the applicant, Mitchell Land Company. The application also includes the creation of two lots to be located on either side of the road. A curb cut off of Glynco Parkway is proposed for Lot 2 on the east side of the road.

The new road will divide the tract now owned by Mitchell Land Company and will tie into the existing parking lot serving the four-story medical office building. The parking lot presently has access onto the Glynco Parkway. The new road development will provide an additional access for the medical office building, and will also provide access to the two new lots that will likely have a series of medical offices developed by Mitchell Land Company.

This Preliminary Plat comprises the entire 9.064 acres of the CR-2 area of the Golden Isles Gateway Tract, and a small portion of the 13 acre CR-3 area. The CR-2 area is nestled in the extreme southern corner of the tract near the Spur 25/Glynco Parkway Intersection. The CR-3 area is located to the immediate north of the CR-2 area. The CR-2 area is now vacant, while the CR-3 area is occupied by the four-story medical office building that will tie into the northern end of the new road segment. According to the Planned Development Text, both the CR-2 and CR-3 areas must adhere to the Freeway Commercial development standards.

The two new lots meet the minimum requirements of the Freeway Commercial Zoning District with regard to lot area, lot width, and ability to meet setback requirements. Lot 1 located on the west side of the proposed road is proposed at 3.36 acres, and Lot 2 located on the east side of the road is proposed as 4.58 acres. A new curb cut from Glynco Parkway is proposed to serve Lot 2 on its east side.

The Engineering Department has recommended approval of this road with regard to grading, drainage and traffic control. There are no wetlands on-site.

Ms. Cindy Olness stated that staff recommends approval of this preliminary plat application, subject to the following condition:

1. The water and sewer services installed along the right-of-way and on-site will adhere to the requirements of the County Water and Sewer Ordinance and the regulations of the County Water & Sewer Division.

Following discussion, a motion was made by Mr. Jeff Shell to approve this request. The motion was seconded by Mr. Richard Altman and unanimously adopted.

**Preliminary Plat
Oak Grove Island, Phase V
Located on Oak Grove Island,
9.33 acres, zoned Planned
Development-General**

Oak Grove Island Ltd., L.P., Owner

Mr. Bud Myrick was present for discussion.

The following report from staff was included in the packages for review:

This is a revised preliminary plat of the lots in the Oak Grove Island development adjacent to two roadways; Northwind Drive and Hickory Pine. In the originally approved plat there were 6 lots fronting on Northwind Drive. This has been increased to 8 lots. Hickory Pine was originally approved for 11 lots and has been increased to 15 lots. Total area in this revised plat is 9.33 acres.

This subdivision will be served by a community water system and septic tanks. The proposed lot configurations meet the requirements of the PD-General Zoning District. According to the PD Text, a minimum lot area of 15,000 sq. ft. is allowed for a single-family development with an approved community water system. The smallest lot is 15,000 sq. ft. (Lot 306)

The project has been issued a Soil Erosion and Sedimentation Control permit as required by Section 703.2(f) of the Glynn County Subdivision Regulations. The additional 6 lots will impact Harbor Pointe Drive minimally, with an estimated additional 57 trips generated daily.

Ms. Olness stated that staff recommends approval of this request subject to the following condition from the Environmental Health Department:

1. The following statement must be placed on the final plat: **"The Glynn County Health Department approves Oak Grove Island Plantation, Phase V for on-site sewerage disposal systems and a community water system with modifications. A permit for on-site sewage disposal systems will be issued upon property owner's application. One combine area equal to twice the area needed to install the original on-site sewage disposal system must be left on property free of buildings, concrete pads and major trees to accommodate original system and future repairs."**

Following discussion, a motion was made by Mr. Jeff Shell to approve this request subject to the condition stated by staff. The motion was seconded by Mr. Jonathan Williams and unanimously adopted.

**Preliminary Plat
Connole Street
Located between Glynco Parkway
and Moss Road(Right-of-way Only)**

**Glynn-Brunswick Development
Authority, Owner**

Mr. Bobby Shupe was present for discussion.

The following report from staff was included in the packages for review:

This is a 1,302 linear foot county road segment proposed as a 60 ft. right-of-way near the Glynco Jetport. This segment will tie onto the existing Connole Street at its intersection with Glynco Parkway (130 ft. right-of-way) and will align with Moss Road (60 ft. right-of-way). Moss Road will be renamed. This right-of-way conforms to section 602.4 of the Glynn County Subdivision Regulations as a sub-collector street. The tract will be served by city water & sewer.

The Connole Street Extension will provide an opportunity for industrial development in this tract. Properties serviced by this street are the Brunswick- McBride Industrial Park, Brunswick & Glynn County Development Authority and the Glynco-McBride Development Associates.

This project has been issued a Soil Erosion and Sedimentation Control Permit as required by Section 703.2(f) of the Subdivision Regulations.

Traffic counts on Glynco Parkway will not be affected by the construction of this road segment; however, at the time a development is proposed along this segment, traffic impacts should be considered.

Ms. Olness stated that staff recommends approval of this request.

Following review, a motion was made by Mr. Richard Altman to approve this request. The motion was seconded by Mrs. Iris Touw and unanimously adopted.

Chairman Jones advised that the following agenda items have been deferred:
Item #4) Creekside Oaks
Item #5) Bedford Acres

**Discuss Proposed Road from Altama
Avenue to Altama Connector, to be
Located between Village at Glynn
Place (Publix/Goody's) and Wal-Mart**

Thomas Wheeler, Applicant
Attorney Tom Lee, Agent

Mr. Wheeler and Mr. Lee were present for discussion.

The following documents were included in the packages as part of the history surrounding this application:

- a) July 1, 1997 Staff Report
- b) July 1997 Planning Commission Minutes
- c) Oct. 29, 1998 Memo from Mr. Bruner and Mr. Horton to Mr. Taylor

Mr. Chuck Taylor explained that the applicant is requesting that he be allowed to construct the Scranton Connector as a two-lane road within a 50 ft. right-of-way. Conditional to this, he would like to be allowed to place his buildings right up to the right-of-way line. Mr. Taylor stated that in various forms, the developer has made a commitment to construct a road, however, what the road encompasses has not been addressed, with the exception of a proposed 80 ft. right-of-way deed.

Mr. Taylor stated that the applicant is concerned that too much of the right-of-way and setback required from the road would result in his not being able to develop Phase III of the project as he would like to. When the applicant approached staff for assistance, he was advised to submit a plat that would allow staff to research the matter in detail.

Mr. Taylor explained that the actual definition of the road was a commitment that was originally made to the Planning Commission in the form of a preliminary plat. The property has since been subdivided and developed. Again, the applicant made a commitment in various letters submitted to the county. Therefore, staff felt that it was necessary for the Planning Commission to address the issue and advise the applicant on whether or not a road is needed; and if so, what type of road is required.

Mr. Taylor stated that staff's recommendation is that a road be constructed, consisting of a 60 ft. right-of-way; 50 ft. of which to be donated by the applicant in conjunction with the development of the next phase, and 10 ft. from Wal-Mart. Also, an additional 60 ft. right-of-way to be dedicated to the county that would connect the end of this property with Altama, and a 60 ft. right-of-way that would connect the end of Merchants Walk with the new road. The applicant has agreed to the conditions.

Mr. Taylor explained that if the road is approved, the applicant would then be required to come back to the Planning Commission with an amendment to the zoning text. Staff would then rewrite the zoning text to allow for setback requirements.

According to staff, Mr. Altman stated that the applicant committed to the 80 ft. road, which he can now drop to a 60 ft. road. Mr. Taylor explained that the 80 ft. road was required prior to a traffic study that was done by the county. The traffic study does not necessarily call for the development of a four-lane road. If the area behind Goody's is developed as low density, the road may not be needed at all. Mr. Taylor stated that staff did however find some flaws in the traffic study. Staff believes that a road is needed

and that it should be a two-lane road with enough right-of-way that the county could eventually widen to a four-lane road if traffic necessitates.

Mr. Tom Wheeler explained that he came to the Planning Commission in April 1996 with a lease that he had with Goody's. At that time, staff wanted a major right-of-way on his remaining property. He committed to build 325 ft. of the road at that time, and he acknowledges that he still needs to do so.

Mr. Wheeler stated that in May of 1996 he was required to give a preliminary plat that showed an 85 ft. right-of-way, which he knew would eliminate his opportunity to construct buildings between Goody's and Wal-Mart. Since May of 1996, he has been trying to come up with a livable solution on preserving what is necessary for the road and for an opportunity to build Phase III of the project.

Mr. Wheeler stated that in 1997 the County Commissioners agreed that a traffic study was needed for a professional opinion because there had always been a disagreement between him and staff as to how much road was needed. He stated that his biggest objection to building four-lanes on a road that is not necessary is that it would create a safety operational issue between Wal-Mart, Goody's and Publix.

Mr. Wheeler stated that the traffic study was done and encompassed a 3 mile radius of the mall site. He stated that the cost of the study was \$15,000.00. He agreed to pay 40% of the cost in order to move the process along. Mr. Wheeler stated that the county paid the bill in April of this year. He found out within the last two weeks (after the bill had been paid and the study accepted) that the study apparently is flawed. Mr. Wheeler stated that in his opinion, staff believes that the study is flawed because it does not recommend the four-lane road.

Mr. Wheeler stated that he is committed to build a two-lane road. He cannot do it in an 85 ft. right-of-way or a 60 ft., but he has agreed to build a two-lane road, a heavy duty paving section to the ditch. He is willing to give what he owns of the two rights-of-way; however, he stated that he must be able to build within 50 ft. of the Wal-Mart property line. He stated that if the county continues to insist on a four-lane road, there would not be a setback. He stated that a four-lane road would do more than just service the vacant land that he owns north of the ditch behind Wal-Mart and Publix, it would service anybody in the area. He feels that such a requirement is not justifiable and should not fall on him.

Mr. Wheeler stated that he is asking the Planning Commission to make it plain that the two-lane road is sufficient. He pointed out that an analysis of the traffic study doesn't even recommend a two-lane road, but he made the commitment and he will build the two-lane road. He further explained that there was a lot of discussion about the area being a 24 acre tract; however, of the 24 acres, at least half is delineated jurisdictional wetlands, which means that he is limited in what he can do with the land.

Attorney Tom Lee stated that he would urge the Planning Commission to study the issue and decide what they think is a necessary road right-of-way. He suggested that after the recommendation is made, it should be forwarded on to the Board of Commissioners for their decision. Reason being is that part of the right-of-way is now owned by Wal-Mart and 10 ft. of the proposed road comes from Wal-Mart. Mr. Lee stated that the Planning Commission has no control over that issue and neither does the developer.

Mr. Lee stated that from a historical standpoint, when Wal-Mart expanded their store, they needed part of the right-of-way in order to relocate a drainage ditch, which showed up on the plat as being in the right-of-way. He stated that he was called upon to do some of the legal work for Wal-Mart. In doing so, he solicited assistance from Mr. Mark Schroeder who was the planner at that time, and they checked and reviewed all of the records in the Planning Office. After reviewing the records, he and Mr. Schroeder came to the conclusion that the county had no right to pursue the matter. He stated that the preliminary plat expired in 1987. In essence, the same commitment is being continued on and on, even though the preliminary plat has expired.

Mr. Lee stated that Mr. Wheeler made the commitment to build the two-lane road in April of 1996 and he is willing to abide by that commitment. However, he stated that there will need to be some decisions made as to the road right-of-way, and the decision has to come from the Board of Commissioners.

Mr. Lee stated that he would strongly urge the Planning Commission to review this and read the traffic study. Staff says that the traffic study is flawed, but he and Mr. Wheeler think that it is a valid study.

Mr. Jim Bruner stated that he doesn't understand where all the controversy is. He pointed out that staff is not recommending a four-lane road. He stated that they have classified the road and believe that it falls under the category of a collector street. According to the Subdivision Regulations, a collector street is required to have a 70 ft. right-of-way. The Subdivision Regulations also allow the County Engineer to reduce the right-of-way by up to 10 ft. if the drainage structure can be contained within the right-of-way. In this case, it can be done and therefore he is allowing the reduction of the right-of-way to 60 ft. instead of 70 ft. This goes back to staff's recommendation of 50 ft. from Mr. Wheeler and 10 ft. from Wal-Mart.

Mr. Bruner explained that a collector street is required to have 24 ft. of pavement and 6 ft. of shoulder, which gives a 36 ft. section of pavement and shoulder. Mr. Wheeler has indicated that he would like to build within 50 ft. of the property line, which would give the county 12 ft. from the wall of his building to the shoulder, for a total of 18 ft. from the edge of the building to the edge of pavement. In summary, Mr. Bruner stated that staff is recommending a two-lane section designed and built in accordance with the Glynn County Subdivision Regulations as a collector street, required to be a public access road, built to county standards.

Mr. Altman asked Mr. Wheeler if he is in agreement with what was said by the County Engineer and the stipulations. Mr. Wheeler stated that he is in agreement if this means that he can build within 50 ft. of the Wal-Mart property line. He stated that he could only build the road back to the ditch at this point.

Mr. Bruner explained that the applicant's PD Text does not allow him to build that close to the road. He would have to come back for a waiver or a variance on the PD Text. Assuming that the variance is granted to the PD Text, the applicant would be allowed to build up within 18 ft. of the pavement edge.

For clarification and at the request of Mrs. Touw, staff presented a plat of the area in question for the Planning Commission's review.

Due to the various concepts being discussed, Chairman Jores suggested that the developer, the County Engineer and perhaps a planning staff member take a few moments away from the meeting to discuss and work out the details, and bring the plan back into the meeting. Mr. Wheeler concurred. Thereupon, it was the consensus of the Planning Commission to defer its recommendation until later in the meeting.

GC-22-98

Request to rezone from Forest Agricultural to Highway Commercial, a parcel of land consisting of approximately 7,344 sq. ft., fronting 107 ft. on the east side of U.S. Highway 341 also known as New Jesup Road, beginning 229 ft. north of Pyles Marsh Road.

**Christine M. Gendron, Property Owner
Winton Carver, Agent**

Mr. Ronnie Perry was present for discussion.

The following report from staff was included in the packages for review:

This request is to rezone an existing lot that currently has a single-family residential structure. The property owner desires to rezone the lot to Highway Commercial to expand the existing Highway Commercial District located immediately to the north, which is also owned by the applicant. This zoning change would expand the existing Highway Commercial District further north along Highway 341/New Jesup Highway.

Approximately 600 ft. further north is a 3 acre tract that was rezoned from Forest Agricultural to Highway Commercial in 1988. Approximately 900 ft. to the southwest are several tracts of land fronting along Highway 341/New Jesup Highway that are zoned commercial and industrial.

The current zoning of the lot is Forest Agricultural. This lot contains 7,344 sq. ft. and is considered non-conforming due to square footage. The minimum lot size for Forest Agricultural is 20,000 sq. ft. Highway Commercial, (which is the zoning classification that the applicant is seeking) requires a minimum lot size of 6,000. The lot would meet the square footage requirement and the minimum lot width requirement if rezoned to Highway Commercial.

Mr. Chuck Taylor stated that in conformance with Section 1103. of the Glynn County Zoning Ordinance, the following facts were considered in developing staff's recommendation:

- **Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property;**

Property to the south is zoned Highway Commercial, properties to the north, west and east are zoned Forest Agricultural and residential.

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

No, this would be an expansion of the Highway commercial District to the south.

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

Yes, there is an existing residential structure located on the property and the adjacent properties are zoned to allow residential structures.

- **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;**

Only if the other properties in the neighborhood are also rezoned to Highway Commercial.

- **Whether the zoning proposal is in conformance with the policy and intent of the Comprehensive Land Use Plan;**

No, the Comprehensive Land Use Plan map indicates that this property and the surrounding property is low-density residential. Staff recommends a re-evaluation of the future land use from the subject property to the Highway Commercial tract located to the north.

- **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. Taylor stated that staff recommends approval of this request with the understanding that this area will be re-evaluated as to its future land use.

Following discussion, a motion was made by Mr. Hal Hart to recommend approval of this request. The motion was seconded by Mr. Jonathan Williams and unanimously adopted.

GC-24-98

Request to rezone from Forest Agricultural to Planned Development-Residential (mobile home subdivision: 4,000 sq. ft. lots) an irregular shaped tract of land consisting of 54.41 acres fronting 808.79 ft. on the east side of Pennick Road, beginning approximately 826 ft. south of Parker Road.

Mr. Terry D. Williams and Mr. Willie D. Williams, property owners, were present for discussion.

The following report from staff was included in the packages for review:

This request is to rezone a large tract of land having 808.72 ft. of frontage on Pennick Road.

The Planned Development Zoning Text and Master Plan is for the development of a mobile home subdivision to be known as "Pennick Estates." The proposed 110 lots have a minimum 14,000 sq. ft. and lot width of 90 ft.

The subject property is proposed to be served by individual septic tanks and a central water system. Included in the packages for the Planning Commission's review was a letter from the Glynn County Environmental Health Department, which states that at the present time the minimum lot size proposed would be acceptable. The letter also states that the square footage per lot requirements outlined in the revised manual for on-site sewage management systems proposed for approval in the near future, would increase substantially.

The current zoning of the property allows the development of a mobile home subdivision having minimum lots of 20,000 sq. ft. and 100 ft. lot width. This would allow the property to be developed at a density of 2.1 units per net acre. The proposal is to allow a density of 3.7 units per net acre.

Mr. Taylor stated that in conformance with Section 1103. of the Glynn County Zoning Ordinance, the following facts were considered in developing staff's recommendation:

- **Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property;**

The use, mobile home subdivision, would be suitable because it is already a permitted use in the current zoning district in which it is located.

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

The adjacent and nearby property is zoned Forest Agricultural which permits a mobile home subdivision. The affect on the area would not be the use, but the proposed density that's being requested.

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

Yes, the property could be developed as a mobile home subdivision under the present zoning of Forest Agricultural.

- **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, the increase in density (from 88 lots to 110 lots) would generate additional traffic and would require more services. Current traffic count at the Pennick Road and Old Jesup Road intersection is 400 average annual daily trips. (Source: DOT Road Characteristics Database, June 1998).

Additional traffic for current zoning: Approximately 88 units (9.57 trips/lot) = 842
Additional traffic for proposed zoning: Approximately 110 lots (9.57 trips/lot) = 1053

- **Whether the zoning proposal is in conformance with the policy and intent of the Comprehensive Land Use Plan;**

The Comprehensive Land Use Plan map indicates that this area 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;**

Yes. This request is for an increase in density in the rural area of Glynn County, which is outlined in the future land use plan to be developed as low density residential. As stated previously, the present zoning allows for the development of a mobile home subdivision but not at the density being sought by the applicant.

Mr. Taylor stated that staff is recommending denial of this request.

Mr. Terry Williams gave a brief presentation. He stated that approximately two years ago, he was successful in getting some property rezoned from FA to 12,000 sq. ft. which allowed him to do some things in the development that's considered unusual for manufactured housing, i.e., curb and gutter, underground power, etc. He stated that in 18 months he has sold 21 of those 28 lots, which were mainly purchased by retirees with 90% of those individuals financing over \$50,000.00. Today, those homeowners have placed sod in the yards, added improvements to their homes and have complied with the restrictive covenants placed on the subdivision.

Mr. Williams stated that he is proposing to do the same thing on Pennick Road. He has somewhat redesigned the plat which now totals 94 lots instead of 110. This greatly reduces the traffic problems and density indicated by staff. He stated that if he is successful, those few extra lots are going to allow him to build narrower streets, which would avoid having to dig roadside ditches and eliminate the use of wider utility easements. He stated that he would also be able to install a water system. This has been discussed with Mr. Wayne Nuenke of Environmental Services who has agreed to assist him in working out the square footage for the lots. Avoiding the use of wells and septic tanks would allow him to better place the homes on the lots.

Mr. Williams stated that he is proposing a "good-looking" project that would have less impact on the area.

Mr. Willie Williams gave a brief history of other projects that he and his son were successful in developing. He stated that it is not their intention to devalue any property. He pointed out that all of the homes would have vinyl siding and sod.

Mr. Ernest Johns, Atlantic Survey Professionals, stated that staff is concerned about the density of this project; however, they have not mentioned that 1/3 of the 54 acres is wetlands. In order to make this a viable project, the applicant needs the higher density in the usable area.

Mr. John Durham, adjacent property owner, submitted a petition containing 50 signatures of residents opposed to this request. Mr. Durham stated that they are concerned about the drainage problems that this development would create and they are concerned about the safety of the children in the area.

Ms. Leigh Ann Holton of 390 Pennick Road also submitted a petition containing 75 signatures of residents opposed to this request. She stated that their main concern is drainage. Ms. Holton stated that she is not opposed to a mobile home subdivision, but she is opposed to one this size.

Also present to speak in opposition of this request were Ms. Janet Beverly of Parker Road and Mr. Lester M. Buchan of 104 Pennick Road.

For clarification, Mr. Jeff Shell asked if mobile homes could be placed on the property as it is currently zoned. Mr. Taylor replied yes, the mobile homes could be placed on half-acre lots and staff has estimated that at approximately 22,500 sq. ft. In essence, Mr. Shell stated that the way the property is currently zoned, 88 mobile homes could be placed on the property. He stated that the property owner has a legal right to develop the property as it is currently zoned. The property is zoned FA which could accommodate 88 mobile homes.

For the benefit of the residents opposing this request, Mr. Hal Hart gave a brief explanation of a PD Text.

Mr. Wayne Nuenke elaborated on his October 15th letter submitted to staff. He explained that state regulations are totally different from Glynn County's regulations. In his letter he stated that the minimum 14,000 sq. ft. per lot is acceptable for this project, but the required square footage would increase if the owner does not make preliminary plat application with Glynn County before adoption of the new "Manual for On-Site Sewage Management Systems."

Mrs. Iris Touw stated that if the community well is not approved and it becomes necessary for residents to have individual wells, those would not fit on a 14,000 sq. ft. lot and would not meet the current regulations. Mr. Nuenke stated that is correct.

Mrs. Touw stated that the applicant would be increasing the lots from 88 to 94. She stated that due to the potential problems and uncertainties in changing this rezoning, she would like to recommend that this request be denied. The motion was seconded by Mr. Lamar Cole. Voting Aye (for denial): Mr. Richard Altman, Mr. Lamar Cole, Mrs. Glenda Jones, Mrs. Iris Touw and Mr. Jonathan Williams. Voting Nay (against denial): Mr. Hal Hart and Mr. Jeff Shell.

GC-27-98

Request to rezone from Planned Commercial to General Commercial, a parcel of land consisting of 5,552 sq. ft., located 200 ft. north of Arnold Road and lying directly behind Barry's Beach Service and the GA Power Substation fronting along Arnold Road. The subject property to be eliminated from 36-97 Planned Commercial and incorporated into other property owned by the applicant.

Mr. Barry Hannah, property owner, was present for discussion.

The following report from staff was included in the packages for review:

This request is to rezone a parcel of land located behind a commercial business owned by the applicant. The subject property is part of the Planned Commercial that was approved in 1998 for the development known as "Island Cottage and Business Center" on Arnold Road. On the master plan the property was shown as "reserved for outside storage." Following approval of the Planned Commercial, the property was sold to Mr. Hannah, the applicant.

The property owner is seeking to rezone the property to General Commercial to incorporate the land into his existing property, which is the site of "Barry's Beach Service" with frontage on Arnold Road and zoned General Commercial. The proposed use for the property is storage and parking for the existing business.

Mr. Taylor stated that in conformance with Section 1103. of the Glynn County Zoning Ordinance, the following facts were considered in developing staff's recommendation:

- **Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property;**

On March 5, 1998 this property and the property to its north was rezoned to Planned Commercial, therefore this request would be compatible with adjacent property.

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

No, the property to the north is zoned Planned Commercial and the applicant's property to the south (Barry's Beach Service) is zoned General Commercial.

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

Yes, but the Planned Commercial Zoning Text and Plan reserved the property for outside storage only. The proposed zoning change would permit the new owner the flexibility to allow other commercial uses.

- **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 conformance with the policy and intent of the Comprehensive Land Use Plan;**

The Comprehensive Land Use Plan map indicates that this area 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;**

Only the conditions stated in the above facts.

Mr. Taylor stated that staff recommends approval of this request.

Following discussion, a motion was made by Mr. Richard Altman to recommend approval of this request. The motion was seconded by Mr. Lamar Cole and unanimously adopted.

GC-28-98

Request to amend 8094 Golden Isles Gateway Tract Planned Development Zoning Text and Master Plan on 61.999 acres, designated as a portion of Tract R6 (low density residential) to be re-designated as a portion of CR-6 (Freeway Commercial). The subject property is located between Cate Road and Interstate 95.

Union Camp Corporation, Property Owners

Mr. Will Burgstiner, agent, and Mr. Harvey Gifford of the Branigar Corporation were present for discussion.

The following report from staff was included in the packages for review:

This request is to amend the Planned Development Zoning Text and Master Plan for Golden Isles Gateway Tract, to change the designated zoning classification of a large tract of land from residential to commercial.

The subject tract consists of 61.999 acres fronting 1,338.91 ft. on the east side of Cate Road just north of North Golden Isles Parkway.

As outlined in the Planned Development Zoning Text and Master Plan, the property is shown as a portion of Tract R-6 which is designated for low-density residential, site-built homes on minimum lots of 20,000 sq. ft. The applicant is requesting that the Planned Development be amended to designate the subject property for commercial/retail use. The property would be incorporated into Tract CR-6, which permits uses as outlined in Freeway Commercial of the Glynn County Zoning Ordinance.

The Planned Development Zoning Text and Master Plan amendment would be reflected as follows:

Approved PD

Amended PD (proposed)

Tract #R-6

Tract #R-6

**Total Acreage – 1082 Acres
145 acres, wetland
937 acres, upland**

**Total Acreage – 1020 Acres
140 acres, wetlands
880 acres, upland**

Tract #CR-6

Tract No. CR-6

**Total Acreage – 125 Acres
22 acres, wetland
103 acres, upland**

**Total Acreage – 187 Acres
27 acres, wetland
160 acres, upland**

On the west side of Cate Road to the north and south from the North Golden Isles Parkway and Cate Road intersection, the property is zoned Forest Agricultural and R-6 One-Family Residential and developed as residential (mobile homes, site-built homes and manufactured homes).

Mr. Taylor stated that in conformance with Section 1103. of the Glynn County Zoning Ordinance, the following facts were considered in developing staff's recommendation:

- **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 adjacent property to the south is part of the Planned Development designated for commercial and vacant and the property to the north and west is zoned Forest Agricultural with residential use.

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

Yes, the property directly across Cate road is zoned Forest Agricultural.

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

Yes, as indicated on the Comprehensive Land Use Map, the property can be used for residential.

- **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;**

Cate Road is a narrow two-lane paved road. The Brunswick Area Transportation Study (BATS) Transportation Improvement Program (TIP) has programmed preliminary engineering right-of-way and utilities cost in FY99 and construction costs in FY01 for Cate Road.

- **Whether the zoning proposal is in conformance with the policy and intent of the Comprehensive Land Use Plan;**

No, the Comprehensive Land Use Plan map indicates that this area 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.

Mr. Taylor stated that the above findings of fact were based on the original information that was submitted to staff. Staff met with the developer on 11-2-98 and discovered new information that would enable staff to modify the denial recommendation.

Mr. Taylor stated that to lessen the impact on adjacent property owners, staff recommends that there be a 30 ft. undisturbed buffer along the property line; that the out parcel developments be buffered from Cate Road as well; and that wetlands be minimally impacted.

Mr. Taylor stated that staff would recommend approval of this request with modifications to the Text.

Mr. Harvey Gifford stated that the developer concurs with staff's recommendation and with the conditions that staff has outlined. He explained that in their planning efforts, they found that the presence of the wetlands and the lake have impacted the usability of the acreage. It is Branigar's intention to protect and preserve the wetlands.

Mr. Gifford stated that another factor to be considered is drainage. He stated that they plan to require a system of lagoons to be built in order to accommodate the drainage of the entire acreage west of I-95. He explained that their overall plan is to maintain a similar quality to what they have done on the other side of the interstate within Gateway Center in terms of buffers, drainage, and preserving the wetlands. In affect, the extension of this rezoning has been dictated by the characteristics of the tract. Mr. Gifford stressed that they will have a well planned and a well executed development.

Mr. Chris May of 133 Timber Ridge Drive stated that this development would devalue residential property in the area, and therefore he is opposed to this request.

Mr. Jeff Guest of 110 Timber Ridge Drive stated that he is opposed to this request due to the traffic impact.

Mr. Richard Edwards expressed concerns about wetlands. He stated that this development would be a dissatisfaction to the community and he is opposed to commercial intrusion into residential areas.

Ms. Valerie Wright of 138 Timber Ridge Drive stated that this development would devalue her property. She presented a petition containing 46 signatures of homeowners of Timber Ridge Drive who are opposed to this request.

Mr. Michael Kitchens stated that he moved to the area because it was family oriented. He stated that if this development is allowed, his property value would decrease and traffic would increase, thereby posing a safety problem for the children in the area. He stated that he is opposed to this request.

The homeowners also expressed concerns about the permitted uses in the Freeway Commercial Zoning District.

In rebuttal to the opposition, Mr. Will Burgstiner explained that the wetlands to be impacted within in the area would be minimal. He stated that there is a detailed application process through the Corps of Engineers in which they have reviewed. He reiterated that it is Branigar's intention to minimize the impact on wetlands as reflected in the Corps permit. He stated that they intend to have heavy buffering in the areas in question, and they would also restrict any undesirable uses, i.e., truck stops.

Mr. Richard Altman stated that the developer is saying that what they might do today should not affect the Planning Commission's recommendation. However, he pointed out that if they were to sell the property, the new owners could come in and put in any of the permitted uses allowed in the Freeway Commercial Zoning District. Mr. Burgstiner explained that they could sell the property with deed restrictions that would include harmonious uses with the surrounding area.

Following discussion, a motion was made by Mr. Richard Altman to recommend denial of this request. The motion was seconded by Mrs. Iris Touw. Discussion continued.

Chairman Jones commented that this is the first project proposed by the Branigar Group that she disagrees with. Her concern is the intrusion into the residential neighborhood. Mr. Williams agreed with Chairman Jones. He stated that the planning members and the residents are concerned about what could happen in the future.

After discussion, the following vote was taken on the motion for denial: Voting Aye (for denial): Mr. Richard Altman, Mr. Hal Hart, Mrs. Glenda Jones, Mrs. Iris Touw and Mr. Jonathan Williams. Voting Nay (against denial): Mr. Jeff Shell. Abstained From Voting: Mr. Lamar Cole. The motion carried for denial.

The Planning Commission took a 10 minutes recess. The meeting resumed at 11:35 a.m.

**At this time, discussion continued on Agenda Item #6)
Proposed Road from Altama Avenue to Altama Connector**

Ms. Cindy Olness stated that staff recommends that the Planning Commission agree in concept that a two-lane road be built to collector street standards, that 50 ft. of right-of-way would be donated by the developer adjacent to the present Wal-Mart property line, and also agree in concept to allow the developer to build as close as 50 ft. to the present boundary with the Wal-Mart property. Ms. Olness stated that the applicant would have to file a preliminary plat and site plan for approval.

Following discussion, a motion was made by Mrs. Iris Touw approve the concept as stated by staff. The motion was seconded by Mr. Richard Altman and unanimously adopted.

GC-29-98

Request to rezone from LI Limited Industrial to R-20 One-Family Residential, 7.1387 acres fronting 950.66 ft. on the south side of Blythe Island Highway (formerly known as Highway 303), lying directly across said highway from Ellis Point Subdivision.

**Virgil Hinson, Property Owner
Danny Highsmith, Applicant**

Mr. Hinson was present for discussion.

The following report from staff was included in the packages for review:

This request is to rezone a 7 acre tract of land from industrial to residential to allow the development of a single-family residential subdivision.

The subject property and property located to the east, also owned by the applicant, was rezoned from R-9 One-Family Residential to Limited Industrial in 1972. The applicant is now requesting that the property be rezoned back to a residential zoning classification, R-20 One-Family Residential.

The concept plan submitted with this request shows a proposed 13 lot subdivision, having a minimum of 20,000 sq. ft. and 100 ft. lot width. The subdivision could be served by individual septic tanks and individual wells, or central water system and individual septic tanks, depending on soil types and other documentation. If the rezoning were approved, this would be determined during the subdivision platting process.

Mr. Taylor stated that in conformance with Section 1103. of the Glynn County Zoning Ordinance, the following facts were considered in developing staff's recommendation:

- **Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property;**

Yes, because the property across Blythe Island Highway is developed as residential (Ellis Point Subdivision), and there are several residential homes to the west.

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

No, because of residential development in the area.

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

Not at this time, which is why the applicant is requesting residential zoning.

- **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;**

Not for a 13 lot subdivision. This would have less impact than currently zoned.

- **Whether the zoning proposal is in conformance with the policy and intent of the Comprehensive Land Use Plan;**

Yes, the Comprehensive Land Use Plan map indicates that this area 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;**

Only the conditions stated above.

Mr. Taylor stated that staff recommends approval of this request.

Mr. T. R. May, Jr., adjacent property owner, was present to oppose this request. He stated that he has invested a lot of money for the Limited Industrial use. If this rezoning is changed, it would create a hardship for him in the future.

Following discussion, a motion was made by Mr. Lamar Cole to recommend approval of this request. The motion was seconded by Mr. Jeff Shell and unanimously adopted.

SR-8-98

Consider amending the Glynn County Subdivision Regulations process for Subdivision Plat Approval Article VII

The amendment was included in the packages for the Planning Commission's review.

Several developers and surveyors were present who indicated that they did not have time to review the amendment. They were also concerned about public comments being incorporated into the amendment.

Mr. Taylor suggested that this amendment be deferred for 30 days to allow more public input and to allow more time for review. Chairman Jones advised Mr. Taylor to notify the Planning Commission members of their next Development Review meeting.

Following discussion, a motion was made by Mr. Hal Hart to continue the public hearing on this item in 30 days. The motion was seconded by Mr. Lamar Cole and unanimously adopted.

GC-2-98M

Consider amending the Glynn County Zoning Ordinance Process for Site Plan/Development Approval: Section 302. Definitions; Section 619. Site Plan Approval; and Section 709.9 St. Simons Village Preservation District

The amendment was included in the packages for the Planning Commission's review. However, a motion was made by Mr. Richard Altman to defer this item for further review. The motion was seconded by Mr. Lamar Cole and unanimously adopted.

GC-2-98N

Consider adoption of the Glynn County Planning District Map to be incorporated into the Glynn County Zoning Ordinance and known as Section 405 Glynn County Planning Districts

Mr. Taylor stated that staff is currently working with the GIS Department on developing highway maps that would define more details.

A motion was made by Mr. Richard Altman to defer this item until the GIS Maps are completed. The motion was seconded by Mr. Hal Hart and unanimously adopted.

GC-2-98O

Consider amending the Glynn County Zoning Ordinance, add a new Article, to be known as Article XV Landscape Ordinance

The Landscape Ordinance was included in the packages for the Planning Commission's review. Mr. Taylor explained that this is the same document that the Planning Commission received at the October 6th meeting, with the exception of one additional section noted as **Appendix A "Approved Landscaped Materials."**

Mr. Hart stated that he needs more time to review this document. He pointed out that he is concerned with the section dealing with "impervious surfaces" and parking. He commented that it is a good ordinance but it still needs a little more work before it is included in the Zoning Ordinance. Mr. Roger Purcell and Mr. Bobby Shupe agreed. They stated that they also need more time to review the document and suggested that it be open for public comments as well.

Following discussion, a motion was made by Mr. Hal Hart to defer this item for 30 days. The motion was seconded by Mr. Lamar Cole. Voting Aye: Mr. Richard Altman, Mr. Lamar Cole, Mr. Hal Hart, Mrs. Glenda Jones, Mr. Jeff Shell and Mr. Jonathan Williams. Abstained From Voting: Mrs. Iris Touw.

GC-2-98P

Consider amending the Glynn County Zoning Ordinance, Section 713. Highway Commercial and Section 714. Freeway Commercial to allow a small printing business as a conditional use

The amendment was included in the packages as follows:

**713.3 Highway Commercial
Conditional Uses**

Add:

- 10) Mixed Retail and Wholesale Printing Operations, provided that:
 - a) The business employs no more than 10 persons at the site location.
 - b) The retail operation occupies at least 30% of the space.
 - c) Parking be provided based on the retail gross floor area, plus 1 space for each employee.

**714.3 Freeway Commercial
Conditional Uses**

Add:

- 2) Mixed Retail and Wholesale Printing Operations, provided that:
- a) The business employs no more than 10 persons at the site location.
 - b) The retail operation occupies at least 30% of the space.
 - c) Parking be provided based on the retail gross floor area, plus 1 space for each employee.

Mrs. Touw expressed concerns about changing the ordinance for one specific need. There was also a brief discussion regarding the different types of printing, such as silk-screening.

Following discussion, a motion was made by Mr. Jeff Shell to recommend approval of this amendment. The motion was seconded by Mr. Lamar Cole. Voting Aye: Mr. Richard Altman, Mr. Lamar Cole, Mr. Hal Hart, Mrs. Glenda Jones, Mr. Jeff Shell and Mr. Jonathan Williams. Voting Nay: Mrs. Iris Touw.

MINUTES

A motion was made by Mr. Richard Altman to approve the Minutes of October 6, 1998 Planning Commission meeting. The motion was seconded by Mr. Jeff Shell. Voting Aye: Mr. Richard Altman, Mr. Lamar Cole, Mr. Hal Hart, Mrs. Glenda Jones, Mr. Jeff Shell and Mr. Jonathan Williams. Mrs. Iris Touw was not present for the October 6th meeting and therefore abstained from voting.

STAFF ITEMS

Mr. Chuck Taylor distributed the following draft documents for informational purposes. Action may occur at a later date.

- 1) Tree Protection
- 2) Architectural Designs Requirements
- 3) Light Pollution

COMMISSION ITEMS

Chairman Jones appointed Mr. Lamar Cole and Mr. Hal Hart to the nominating committee. Nominations/Election of Chairman and Vice Chairman will take place at the December 1st Planning Commission meeting.

There being no further business to discuss, the meeting adjourned at 1:24 p.m.