

MINUTES
MAINLAND PLANNING COMMISSION
MAY 3, 2005 - 6:00 P.M.
Historic Courthouse, 701 G Street

MEMBERS PRESENT: Gary Nevill, Vice Chairman
Bill Brunson
Tommy Clark
Jeff Counts
Buddy Hutchinson
Barbara Stephens

ABSENT: Wayne Stewart

STAFF PRESENT: John Peterson, Director
York Phillips, Planning Manager
Iris Scheff, Planner III
Janet Loving, Admin/Recording Secretary

In the absence of the Chairman, Vice Chairman Gary Nevill called the meeting to order and the invocation was given, followed by the Pledge of Allegiance. He then gave a brief recap of the rules, voting procedure and audience participation in discussing agenda items.

Upon a motion made by Mr. Jeff Counts and seconded by Mr. Tommy Clark, the agenda for the May 3, 2005 Mainland Planning Commission meeting was approved and unanimously adopted.

ZM-2005-010 (M)

Consider a request to rezone from Forest Agricultural to Planned Development-Residential, property located at the east end of Ratcliff Road, approximately 7,500 feet east of US 82. The total site area is 123.7 acres. Atlantic Survey Professionals, agent for Wis-A-Wis Partners, LLC, owner.

Mr. Perry Fields, Mr. Carl Lindell, Mr. John Hunkele and Mr. George O'Brien were present for discussion.

It was noted that the staff's report (including property background, analysis and the six (6) criteria outlined in Section 1103 of the Glynn County Zoning Ordinance) is contained in the April 5th Minutes for the record. Mr. Phillips stated that staff has no new information to report. However, he did speak with the County Engineer regarding the roadway. Ratcliff Road was improved by the county as a SPLOST Project in the late 90's. The base is substandard only to the extent that it is not the normal standard for a rural road construction. The standards were dropped to a lower base because of the light duty nature of the road, which at the time was built to serve between three to six houses. The road was not designed for a suburban developed area. Mr. Phillips stated that staff's recommendation remains for denial with one of the reasons being that the access of the road is not designed for the type of development being proposed.

Mr. Perry Fields stated that he also spoke with the County Engineer about his comments in the staff's report pertaining to the road and Mr. Bruner advised that he did not make the comments. He stated Mr. Bruner advised that the road would handle the vehicular traffic generated by the project. Mr. Fields stated that most of staff's comments are not related to zoning. Staff's comments are development issues. The purpose of the PD text is to supervise the development as it occurs. He stated that he is at a loss to understand why a lake would be noisy or odorous as indicated in staff's comments, and he asked the Planning Commission to discount that portion of the staff's analysis.

Mr. Fields stated that the issue is the quality of the development. The property will be developed and there are multiple options; however, this proposal is the best option for the property. It provides for a community wastewater treatment system, it provides for a smaller lot size, larger greenspace and nature trails (as opposed to a platted subdivision).

Mr. Fields introduced Mr. Carl Lindell with Aqua Point, Inc. who is available to answer questions about the wastewater treatment system, as well as Mr. George O'Brien of the Glynn County Environmental Health Department. Mr. Fields stated that the Environmental Health Department encourages the development of a community wastewater treatment system, as opposed to individual septic tanks. He distributed a letter from Mr. Paul May, formerly of EPD, who has indicated that EPD also favors community systems over septic tanks.

In addressing drainage issues, Mr. Fields explained that the drainage of this property is away from the property to the south, north, east and west and would not flow over to any of the adjacent properties.

Mr. Gary Nevill stated that he was told that the location of the treatment facility was going to be moved. Mr. Fields stated that it has been moved and it is located

approximately 250 ft. from any adjacent property line. He also pointed out that there is a 25 ft. undisturbed buffer all the way around the backside of the property.

Concerns were expressed as to how the water would be disposed of relative to this system. Mr. Carl Lindell explained that there are three typical ways of disposal in meeting the EPD requirements; 1) spraying, 2) treating beneath the surface via drip tubing; and 3) conventional chamber system which holds the water longer before it is released. Mr. Fields stated that the disposal would not be a spray field. It would either be a drip system or an underground conventional system modified to trap and disburse the water after it is treated with chemicals.

Mr. Tommy Clark asked what the life expectancy is of this particular system. Mr. Lindell stated that the life expectancy is 40 years plus. Mr. Fields distributed a packet of information detailing how the system works. However, members of the commission indicated that this material was not received in time for tonight's review.

Mr. Buddy Hutchinson had questions about potential bacteria. Mr. Lindell stated that there will be a primary tank in front of the system for the natural solids. The bacteria will die off over a period of time. This process is called sludging action and is known as secondary sludge or biological solids. He elaborated on this system in more technical terms.

Mr. Bill Brunson asked at what point of the process of this development does EPD, Glynn County and other entities get involved in this treatment operation. Mr. Lindell stated that basically it starts with the soil science. He explained that typically, this is a nine month process. Mr. O'Brian of Environmental Health explained that the permitting process is a dual process applied through the Department of Human Resources and then to the Department of Natural Resources. The application is checked and rechecked for final approval by Environmental Health.

Mr. Tommy Clark wanted to know how much liquid is stored in the primary tank or any of the tanks above ground at any given time. Mr. Lindell stated that primary treatment is sized to EPD standards and is based on the design flow, which is based on the gallons per day per home, times the number of homes. This particular operation is secondary treatment which means that it is ten times cleaner than a septic tank. Mr. Clark stated that his question is; "How many gallons of water will be stored above the surface of the ground at any given time?" Mr. Lindell explained that nothing will be stored above the ground. The primary is beneath the ground and the clarifiers for their systems are all beneath the ground.

Mr. Clark asked if the applicant intends at any time to ask the county to accept the responsibility of maintaining this system. Mr. Fields replied no, and stated that he did confirm that under EPD standards there will be a primary responsible person, a secondary person or a group, which in this case would be a homeowners association, to monitor the system and be responsible for its maintenance.

At this time, the floor was opened for public comments beginning with Mr. Jim Gibson, adjacent property owner. Mr. Gibson stated that the issue is not the quality of the design or development; it is about money, the developer's expenditures and his profits for this piece of property. He stated that he is not against development and he is not against the development on the property in question; however, he would like for this to be done with consideration for the property owners. Mr. Gibson stated that this proposed system is in his front yard as well as his neighbors. If the system is so good and the applicants want to use it, they should put it in the middle of the development and not in his front yard. He stressed that this type of development would devalue his property and no one has bothered to ask the homeowners what their concerns are. He further stated that a 25 ft. buffer is not enough and added that he would like to see a single-family development consistent with what is already in the neighborhood. Mr. Gibson stated that this is a high density development and he is asking the applicants to do this the right way and have some consideration for the adjacent property owners.

Mr. Tom Persons, adjacent property owner, stated that he is very disturbed by what he has seen and heard. He pointed out that he has tried to look upon the developers as honorable people; however, they have shown no interest in meeting with the homeowners. He agreed with Mr. Gibson that a 25 ft. buffer is just not enough. He further stated that he does not believe anything unless it is in writing. He also expressed concerns about the excessive amount of water that would be dumped on their property and in the creek. He stated that he just cannot believe that any commission would allow this type of development to happen without some very strict guidelines and he is prayerfully asking the Planning Commission to think about the impact that this would have on the people who live in the area.

Mr. Gary Cross, resident of Ratcliff Road, stated that the homeowners have received a lot more information tonight than they were previously given. He stated that he has a copy of the new text, and it is his understanding that the text is the base line. The plan has changed at least three times. He pointed out that he has been in the plumbing business for 30 years and he is very familiar with septic tanks. Mr. Cross stated that he is not against a package system but there is still a lot to consider, i.e. contamination, raw sewage, fill dirt, mechanical failure, etc. Regarding the three methods of disposal, he stated that he is concerned about there being an outflow pipe into the creek. He pointed out that if the water coming out of this package is clean and EPD approves of the system, why would the developer spend money to disburse it all underground, and if there is an overflow, where is the water or the raw sewage going to go.

Mr. Cross stated that the text is very vague. It says nothing about the treatment facility, drain fields or how much water is involved. He has been told by staff that the developers can change this plan five more times and as long as it meets the text, that is what they will go by. He stated that at the last meeting Mr. Perry Fields pulled him aside and told him specifically that "this is a done deal." (For the record, Mr. Fields profoundly denied making this comment.) Mr. Cross stated that the road is not adequate to handle this type of development and he is asking that this request be denied.

For clarification, Mr. Gary Nevill elaborated on the process of modifying and approving a PD text.

Ms. Kathleen Bodolay, resident of Ratcliff Road, displayed several photographs of the site and where the developers are proposing to put the sewage treatment plant. She pointed out the wetland areas, the creek, the marsh and all aspects of the property. Ms. Bodolay stated that the developers should have more consideration for the homeowners and for the wildlife. She is also asking that this request be denied.

Mr. James Holland, Altamaha Riverkeeper, stated that this area consists of 123 acres of wetlands. The ditches were put in place to drain the wetlands and some of them are still there. He stated that normally he does not oppose any subdivision development, but he is totally against this one. The only reason he would oppose a subdivision is if it were in the wrong place. "This is the wrong place at the right time," and it is clearly for profit. He elaborated on the different soil types in the area and why it would be wrong to put a treatment plant in this area. Mr. Holland stated that he is concerned about the environment and the responsibilities of maintaining this plant. He urged the Planning Commission to deny this request.

Mr. Robert Miller was present to oppose this request. He expressed concerns about flooding and the impact this would have on his property value as well as his livestock.

To clear up a few points, Mr. Gary Nevill explained that this request will still have to go through preliminary plat approval process, at which time, if the developers decide to change the location of the treatment facility, the Planning Commission could object. Another point he stated that he would like to make is that if all requirements are met, the developer could come back with 132 lots with the property being zoned FA and install 132 septic tanks on the site.

Mr. Paul Andrews, Assistant County Engineer, pointed out that the concerns that the Engineering Department had, which were misstated in the staff's report, were for the ability of the road that was originally laid out as a rural low-density road to accommodate the increased traffic more toward the 290 degree turns in the road. The right-of-way was originally prescriptive; however, the county is looking toward a more standard right-of-way for streets carrying a certain amount of capacity.

Mr. Nevill stated that eventually, there will be a development in this particular area at some point and in his opinion this proposal appears to be a better quality development with curb and gutter, green area, etc.

At the end of discussion, a motion was made by Mr. Tommy Clark to deny this request due to the existing Comprehensive Plan and staff's findings. The motion was seconded by Mr. Buddy Hutchinson. Discussion continued.

Mr. Clark applauded the developers for bringing in a new sewage concept; however, he stated that there are a lot of unknowns and a lot of unanswered questions. A subdivision of this magnitude with a build-out funneling approximately 80,000 gallons of water concerns him. He stated that the water will be treated and has to go somewhere and he is afraid that its destination will be the neighboring creek. Also, the environmental impact is still unknown. As a point of clarification, Mr. John Hunkele of Coastal Engineering stated that at build-out there will be 35,000 gallons of water; not 80,000.

Mr. Clark asked if buffers and setbacks could be established at this time, or should this be done at site plan approval. Mr. Phillips suggested that notations to the buffers and setbacks be made in the existing text. He explained that the text and the master plan provide for the layout of the various land uses in the project. Mr. Nevill stated personally, he would like to see a buffer that is not noticeable, such as a vegetative buffer. Mr. Clark agreed. Mr. Fields stated that he understands the logic of having buffers for environmental purposes, but he is concerned about establishing buffers for a "cow pasture." He then pointed out the location of the 25 ft. buffer and stated that it continues along the front of Ratcliff Road. He also noted that all tidal creeks are required by EPD to have 50 ft. buffers.

Mr. Bill Brunson asked if this type of treatment facility would be allowed in an FA zoning district. Mr. Phillips replied yes, in accordance with county regulations. He stated that a subdivision that does not have county water and sewer would require a variance from the Board of Commissioners, which is the only regulation in terms of water supply for sewage treatment facilities. Also, there are standards included in the Water & Sewer Ordinance relative to how the system is constructed.

Mr. Buddy Hutchinson had additional comments about the wetlands in the area. Mr. Fields stated that the wetlands in question are jurisdictional wetlands and have been noted by the Army Corps of Engineers. Mr. Hutchinson stressed that the Planning Commission relies heavily on staff's research and guidance; therefore his decision would be based on staff's recommendation.

There being no further discussion, the following vote was taken on the motion for denial: Voting Aye (in favor of denial): Mr. Tommy Clark, Mr. Buddy Hutchinson and Ms. Barbara Stephens. Voting Nay (against denial): Mr. Bill Brunson, Mr. Jeff Counts and Mr. Gary Nevill. Due to a tie vote, Vice Chairman Gary Nevill asked if there were any other motions for approval or deferral, to which no one replied. Therefore, a motion was made by Mr. Bill Brunson to forward this application to the Board of Commissioners for final action. The motion was seconded by Mr. Tommy Clark and unanimously adopted.

ZM-2005-011 (M)

Consider a request to rezone from Forest Agricultural and Highway Commercial to Highway Commercial, property located on the south side of Blythe Island Highway, approximately 828 feet northeast from its intersection with Fancy Bluff Road. The total site area is 3.93 acres, and has over 400 ft. of frontage on Blythe Island Highway. Neil Foster, agent for Lamar and Esther Bell, owners.

Mr. Neil Foster was present for discussion.

The staff's report was included in the packages for review and was presented by Mrs. Iris Scheff as follows:

The surrounding area is a mixture of zoning districts and uses, mostly FA, adjacent property is HC, and across Blythe Island Highway FA, PD-I, PD-G, and M-20. Nearby properties include an RV campground and single family residences. Adjacent to the south there is a subdivision of single family residences in FA zoning. Interspersed in the area are non-jurisdictional wetlands.

This proposal is to change to Highway Commercial to allow additional commercial development to serve the community that is anticipated to develop across the highway under its new General Residential zoning classification. The General Residential zoning will allow up to 10 units per acre.

The county's adopted Comprehensive Plan designates this area for commercial future land use, with surrounding areas designated for low density residential.

In conformance with Section 1103 of the Glynn County Zoning Ordinance, the following findings of fact were considered in making the 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 proposed zoning is for Highway Commercial and is consistent with surrounding and nearby existing development.

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

The proposal for Highway Commercial is intended to serve new development in the area which has recently been rezoned to GR, which will allow a density up to 10 units per acre.

- 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 property accesses Blythe Island Highway, adequate to serve commercial use.

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

The future land use map identifies this area for 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.

The property adjacent to the west of the subject property is compatible in that it is zoned Highway Commercial.

The applicant's property is near various intensities and densities of zoned properties. The proposal to change the zoning to Highway Commercial for this property would allow it to have development potential to serve the residential uses in the area and be consistent with the county's adopted Comprehensive Plan. Staff's recommendation is for approval.

Following a brief discussion, a motion was made by Mr. Tommy Clark to recommend approval of this request. The motion was seconded by Mr. Jeff Counts. During the course of discussion the motion was amended to require site plan approval with buffers being determined at that time. The amendment was accepted and the motion was unanimously adopted.

ZM-2005-012 (M)

Consider a request to rezone from Forest Agricultural to Planned Development-Residential and General Commercial, property located on the north side of the intersection of Old Cate Road and Touchstone Parkway. The site area is approximately 16.6 acres residential use, and 1.28 acres commercial use, for a total area of 17.876 acres, with 1,226 feet of frontage on Old Cate Road, and 1,307 feet of frontage on Touchstone Parkway. Linda Turner of Atlantic Survey Professionals, agent for C. E. Wildsmith, owner.

Mr. Eddie Wildsmith was present for discussion.

The staff's report was included in the packages for review and was presented by Mr. York Phillips as follows:

The surrounding area is mainly Forest Agriculture. The applicant stated that he originally intended to rezone the property (minus the corner piece) to residential use for development of a subdivision, but later amended the application to request commercial use at the intersection to accommodate a tenant to whom he leased a portion of a storage building on the property for use as an accounting office.

The county's adopted Comprehensive Plan designates this area for agriculture and forestry.

In conformance with Section 1103 of the Glynn County Zoning Ordinance, the following findings of fact were considered in making the 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 proposed zoning is for Planned Development-Residential for a proposed 50 unit residential subdivision on 16+ acres, and General Commercial on 1+ acres. With proper buffering, the development can be compatible with surrounding and nearby forest agricultural uses.

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

The existing use of adjacent or nearby property is agricultural, which should not be adversely impacted with the proper buffering. The requested zoning allows a density of approximately 4 dwelling units per net acre (not calculating acreage for roads and common area), and a density of about 2.8 dwelling units per gross acre, both of which are low density, slightly higher than the density allowed within Forest Agricultural zoning.

- 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 property is on Old Cate Road, and Touchstone Parkway, both of which are paved roads. Access requirements with traffic impact would be assessed at time of development by engineering staff. In general, single family residential housing is estimated to generate about 10 average daily trips per dwelling unit.

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

The future land use map identifies this area as Forest Agricultural, which allows limited 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.

The existing and desired use for the corner piece of property is professional office, and consideration should be given to a less intense commercial use such as Limited Commercial or Office Commercial, since approval of General Commercial as requested would allow a wider array of uses more intense than needed.

The applicant's property is surrounded by Forest Agriculture land use. In the greater area towards Golden Isles Parkway, there is low density residential and commercial development. If developed under the present zoning of FA, it could be anticipated to develop at a density of about 2 dwelling units per acre. The proposal to change the zoning to PD-R and GC for this property would allow it to develop as a planned subdivision with paved roads and common open space area, at a slightly higher density, while remaining low density overall. The request for General Commercial would allow the present office professional use, but would also allow a wide array of more intense commercial uses. If commercial zoning is desired, a category allowing professional office such as Local Commercial may be more appropriate.

Mr. Phillips explained that the PD text indicates that no building will be on the lot smaller than 8800 sq. ft., which is the minimum size of the lot prior to splitting the lot. Also, minimum lot width will be 40 ft. He stated that staff's recommendation is for approval of the PD-R and approval of the LC zoning for the commercial portion.

Mr. John Beech, adjacent property owner, was present not to oppose but to express concerns about possible wetlands in the area. Mr. Eddie Wildsmith explained that the property was surveyed by Mr. Ernie Johns of Atlantic Survey Professional and they did not come across any wetlands in the area.

Ms. Katie Hibbeler, adjacent property owner, wanted to know where the access points would be for this development and how many neighbors should she expect to have. Mr. Gary Nevill stated that according to the applicant's plans, access points will be at Touchstone. Mr. Wildsmith stated that there will be approximately 46 residents. It was also noted that the property would be served by county water and county sewer. The existing residences will be allowed to keep their septic systems. Ms. Hibbeler stated that she would like to see some type of traffic signal or maybe even a stop light near Old Cate Road for safety purposes, and perhaps a fence around the entire perimeter of the property.

Mr. Wildsmith stated that he had not planned to fence the entire property but he does intend to have a fence around the perimeter of the commercial area.

Mr. Nevill stated that he would like to have some clarification on the lots backing up to Old Cate Road and Touchstone, basically the rights-of-way. He also stated that perhaps a privacy fence would be helpful.

Mr. Tommy Clark stated that it appears to be a difference in what the applicant is requesting and what staff is recommending. He asked Mr. Wildsmith if he would be amendable to having a Restricted Neighborhood Commercial zoning rather than General Commercial or Local Commercial. Mr. Wildsmith stated that he would not have a problem with that particular zoning classification. Mr. Clark read the following list of uses allowed under the Restricted Neighborhood Commercial zoning: barber and beauty shops, book, stationery or newspaper store, confectionery and ice cream stores, convenience store, etc.

Mr. Clark expressed concerns about the setbacks being listed in the text as 10 ft. from any other building. The standard has always been 7 ft., which gives a 14 ft. wide building for clearance. Mr. Ernie Johns explained that the applicant's text was modeled after the Cypress Run PD text. The 10 ft. allows a little more flexibility with locating the buildings on the lot. Mr. Clark stated that allowing 10 ft. instead of 14 ft. between the buildings would be a problem for him. He also had some concerns about the buffer. Mr. Wildsmith stated that there will be regulations and covenants relative to garbage, storage, etc. He stated that he will be responsible for all of the maintenance on all of the units as well as the lawns. Mr. Nevill asked Mr. Wildsmith if he would consider installing a privacy fence along the main roads, which would help the residents along Old Cate Road as well. Mr. Wildsmith replied yes.

Mr. Nevill expressed concerns about the 25 ft. frontage on each single family home after splitting the building, except in the case of flag lots which would then be half. Mr. Johns stated that he could remove that language and just have a 25 ft. minimum frontage on any lot after splitting.

Mr. Jeff Counts reminded everyone that under General Residential there is a minimum of 90 ft. lot frontage and a minimum of 45 ft. on each side although a PD text allows you to vary from that.

There was continued discussion on the language in the text relative to the setbacks, buffers and the preferred zoning change. Afterward, a motion was made by Mr. Jeff Counts to recommend approval of the zoning change to 1) NC Neighborhood Commercial; 2) a minimum of 14 ft. between adjacent lots with a minimum of 5 ft. on either side from the property line; 3) a 6 to 8 ft. high fence of quality material to be installed along all public rights-of-way and along side the western property line; and 4) 25 ft. frontage on any subdivided portion of the lot. The motion was seconded by Mr. Buddy Hutchinson and unanimously adopted.

At this time, the Planning Commission took a 10 minute recess. The meeting resumed at 8:35 p.m.

ZM-2005-013 (M)

Consider a request to rezone from Local Commercial to Limited Industrial, property located on the southeast side of Highway 17, at the northeast corner of US Highway 17 and South Port Parkway, 3387 Highway 17 South, Brunswick, Georgia. The site area is 15.12 acres and has 217.8 feet of frontage on US Highway 17. Larry L. Bryson, AIA, agent for Jimmy D. Veal, owner of Tents Real Estate, LLC.

Mr. Larry Bryson was present for discussion.

The staff's report was included in the packages for review and was presented by Mr. York Phillips as follows:

This request for rezoning is for combined properties including 15.12 acres belonging to Southport Group, LLC, and 2 acres owned by Tents Real Estate, LLC. The uses proposed are storage for a general contractor's office and "Liberty Rentals" container storage, both uses are allowed in the Limited Industrial zoning district. A conceptual plan labeled "site plan" was submitted with the rezoning request, indicating the contemplated layout of access with buildings, and parking in relation to the property lines and some wetlands located on the southwest side of the property. A "30 ft. continuous natural planted buffer strip" is labeled on the southeast property line of the entire acreage, along R-9 zoned adjacent property. Although labeled "site plan," design layouts submitted with rezoning requests do not obligate applicants to that design, once the new zoning is approved, unless made a condition of the rezoning.

The area in which the subject property is located is northwest of the interstate interchange Exit #29 of I-95. Commercial and industrial uses are developing there, taking advantage of close and easy access to the interstate for transportation in the conduct of their business operations. The land uses in the surrounding area (in order of prominence percentage-wise) are (a) residential [zoning districts Forest Agricultural, R-9 Low Density Residential, Planned Development-General, Medium Residential, and R-20 Low-Density Residential], and (b) scattered commercial on the opposite side of Highway 17 [zoning district Highway Commercial. Immediately adjacent to the west, south, and east of the subject property is MR, R-9, and PD-G zoned property].

The county's adopted Comprehensive Plan designates the subject area Forest Agricultural, and the surrounding area (north side of Highway 17) commercial, corresponding to property currently zoned Highway Commercial.

In conformance with Section 1103 of the Glynn County Zoning Ordinance, the following findings of fact were considered in making the 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, with proper buffering to screen open storage.

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

Only if the uses are not visually buffered from the Highway and from adjacent residential property would there be adverse impact on the existing adjacent and 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.

It is believed Highway 17 is adequate for the uses proposed under the requested zoning.

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

The future land use map identifies this area as Agriculture/ Forestry.

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

Property on the opposite side of Highway 17 close to the subject area is identified on the Future Land Use Map as commercial, and corresponds with the current HC (Highway Commercial) zoning of those properties.

Since the large majority of property in the area is residential in nature, Limited Industrial use would be appropriate; only if properly buffered. The applicant has a need for storage of building materials near good access to adequate roads.

Property around the I-95 exchange is developing rapidly and a general master plan update in the comprehensive plan and Future Land Use Map are recommended in the near future, to prevent undue speculation and guide future development in an orderly manner. Note that under the Zoning Ordinance, site plan review by the Planning Commission will be required. Staff's recommendation is for approval.

During a brief presentation, Mr. Larry Bryson clarified that the frontage of this property includes more than 217 ft. The total acreage is 17.12 acres and the frontage is about 1500 ft., which includes the entire strip of land. Beachview Tent Rental was permitted and has been constructed. He stated that he was in the process of permitting another tract of which Mr. Jones is a partner when it was discovered that what he wanted to do did not necessarily fit into the current zoning. Therefore, the zoning had to be changed from General Commercial to Light Industrial. Mr. Nevill stated that frontage on Highway 17 is actually 1700 ft. Mr. Bryson stated that the 217 ft. is only the 2 acre tract. During this discussion, it became apparent that the amount of acreage was improperly advertised. As an alternative to a possible deferral, Mr. Phillips explained that the Planning Commission could stipulate in its action that the approval of this application is contingent on whether or not the request was properly advertised. If staff finds that the advertisement was incorrect, the action is null and void. The applicant and the Planning Commission concurred. It was noted that no one was present to oppose this request.

Following discussion, a motion was made by Mr. Tommy Clark to recommend approval of this application subject to staff's finding that the request was properly advertised. If the request was improperly advertised, this action becomes null and void and the application will be re-advertised for Public Hearing at the June 7th Mainland Planning Commission meeting beginning at 6:00 p.m. The motion was seconded by Mr. Bill Brunson and unanimously adopted.

ZM-2005-014 (M)

Consider a request to rezone from Forest Agricultural to General Industrial, property located on the north side of SR 99 approximately 3,100 feet east of its intersection with US 341. The property consists of a 17.33 acre parcel and an 8.96 acre parcel with approximately 267 feet of frontage on SR 99. Property owned by Seaboard Construction Company, Inc.

Mr. Kicklighter was present for discussion.

The staff's report was included in the packages for review and was presented by Mrs. Iris Scheff as follows:

The Seaboard Construction Company owns adjacent parcels that have been acquired over a period of 30 years, totaling almost 50 acres of both industrial and agriculturally zoned property (Parcel 03-13620; 17.33 acres zoned FA, parcel 03-05079; 8.01 acres zoned GI, parcel 03-05063; 15.12 acres zoned GI, and parcel 03-05062; 8.96 acres zoned FA). The company recently acquired a 2 acre \pm parcel zoned FA, which was recommended for approval by this Planning Commission on March 25, 2005 to be rezoned. At that meeting, Mr. Steve Swan, agent for Seaboard Construction Company, advised the Commission that the rezoning application was intended to include parcels depicted and labeled "A" and "B," as well as the 2.024 acre parcel fronting on SR 99 depicted and labeled "C." Parcels "A" and "B" are added to the request in this addendum to previous zoning application ZM-2005-009 (M).

The county's adopted Comprehensive Plan designates this area for industrial use. Other properties in the immediate area are shown for industrial, forestry, and residential use. The site is served by rail and a major road (SR 99).

In conformance with Section 1103 of the Glynn County Zoning Ordinance, the following findings of fact were considered in making the 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 proposed zoning is for GI (General Industrial), consistent with existing land use and development.

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

The proposal is intended to make two parcels consistent in zoning with adjacent property owned by Seaboard Construction.

- 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 property is part of additional property owned by Seaboard Construction Company that accesses SR 99, which is adequate to serve the Seaboard site. The proposed rezoning is for property already occupied by Seaboard serving their use, and there will be no change in traffic volume.

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

The future land use map identifies this area for industrial 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.

Seaboard Construction owns almost 50 acres currently used for an industrial business. The combined parcels comprise a site conducive to industrial use, and not to farming or agricultural operations as permitted in the FA zoning district.

The applicant's property is dedicated to industrial use. The proposal to change the zoning to GI for this property would allow it to become consistent with the long established, use, and with the county's adopted Comprehensive Plan. Development of this property for industrial use is appropriate. Therefore, staff's recommendation is for approval.

Following review, a motion was made by Mr. Tommy Clark to recommend approval of this request. The motion was seconded by Mr. Jeff Counts. During discussion, Mr. Nevill asked if the applicant would entertain a buffer adjacent to the residential areas. The applicant concurred. Thereupon, the motion was amended to include a 15 ft. buffer along the residences in the FA zoning area. The amendment was accepted and the motion was unanimously adopted.

ZM-2005-015 (M)

Consider a request to rezone from R-9 One-Family Residential to Highway Commercial, property located on the east side of New Jesup Highway, approximately 400 feet south of its intersection with Park Way. The property consists of 0.59 acre parcel approximately, with 289.3 feet of frontage on New Jesup Highway. Judy Kicklighter, agent for Carolyn A. Warren and Eileen P. Dowdy, owners.

Ms. Judy Kicklighter was present for discussion.

The staff's report was included in the packages for review and was presented by Mr. York Phillips as follows:

This application is a request to rezone property that is just over one-half acre to allow Highway Commercial zoning district uses. Scattered properties in the immediate

area along New Jesup Highway are zoned HC, intermixed with properties such as the subject property that are zoned R-9 One-Family Residential. The subject property is buffered on both sides property zoned R-9 One-Family Residential. The site is located on New Jesup Highway directly across from other property zoned HC. In back of the property is old Altamaha Canal property, which due to its origin, is linear in configuration, running in a northeasterly direction behind property to the north. New Jesup Highway is a highly traveled corridor connecting to the City of Jesup. New Jesup Highway intersects with Interstate Highway I-95 about 1/10 of a mile north of the subject property at Exit 36.

The county's adopted Comprehensive Plan designates this entire area, including the subject site and aforementioned properties zoned HC, for Low Density Residential land use. The Future Land Use Map designation for the area was compromised incrementally over the years, with the paving and widening of New Jesup Highway and previous rezoning of scattered properties in the area to HC.

In conformance with Section 1103 of the Glynn County Zoning Ordinance, the following findings of fact were considered in making the 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 HC zoning district permits uses that are suitable in view of the area and surrounding uses. The property is small to accommodate appropriate access and parking for commercial use, and accordingly will require special design consideration for Highway Commercial use. Ideally, this property would be combined with additional property to achieve a larger site, within which access and parking would be much improved.

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

Surrounding properties are a mix of Highway Commercial and Low Density Residential along a high traffic volume highway. There is no frontage street to buffer residential properties from constant traffic in the area. Adverse effects of the high traffic volume are an issue no matter what zoning district is in place; however, high traffic volume is a characteristic valued for commercial property use such as is permitted within the HC zoning district. The property would serve for commercial use if access and parking can be accommodated appropriately.

- 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.

As stated above, access and parking will require special design considerations.

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

The future land use map identifies this area as Low Density Residential land use. HC zoning is commercial use, and does not conform with the policy and intent of the Comprehensive Plan in this regard.

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

A single family residential house located along this area of the highway faces the issue and danger of difficult access to their property in high traffic volume traveling at speeds of 45 miles per hour or more. Special site design employed for commercial use may improve the safety of ingress and egress.

The request to rezone the subject site to HC, although not in conformity with the Future Land Use Map of the Glynn County Comprehensive Plan, is reasonable given the changes that have occurred including traffic volume and previous rezonings that have taken place. Ideally, this property would be combined with additional property in the future to allow improved access and parking for the purpose of better accommodating commercial use. Staff's recommendation is for approval.

Mr. Nevill inquired about a survey for this particular property. Mr. Phillips stated that the lots were created in the 1940's and in discussing this application with Ms. Kicklighter, she advised that a survey is not available at this time. Mr. Nevill stated that he is hesitant to consider this request without a survey or a sketch plan, which is a requirement of the zoning. Ms. Kicklighter stated that this is an obsolete neighborhood and a survey is not available for this parcel. She pointed out that the total acreage of the property is approximately 3.4 more or less, and the entire property needs to be surveyed upon its purchase. Mr. Nevill was adamant about having a survey before considering the zoning change. He explained that the survey would show the legal dimensions and all aspects of the property necessary for the Planning Commission's review.

Speaking on behalf of the owners, Mr. Ken Dowdy stated that when he began marketing this property, there was an existing old survey. He was not aware that a portion of the property was taken when the highway was widened. His father-in-law willingly gave the property to the county without anything ever being recorded. Mr. Dowdy stated that he has been trying to find out exactly what they actually need. He

understands that a survey is needed when the property is sold, but he did not know that it was necessary for the rezoning process. No one told him. Ms. Kicklighter stated that due to the work involved in getting the property surveyed, the process would take approximately 90 to 120 days, which would be a hindrance to the owners, delay the assembling and sale of the property.

Mr. Tommy Clark stated that he understands about the regulations and requirements, but in this case the property is bordered along the highway on one side and there is an easement on the other side, which means that the property is not likely to expound beyond those boundaries. He stated that when the applicant finds a buyer for the property a survey will have to be done. Therefore, he would not have a problem approving this request, with the understanding that this in no way sets a precedent, contingent upon the applicant providing a survey.

At this time, Mr. Buddy Hutchinson asked for staff's opinion. Mr. Phillips explained that the purpose of the general layout plan, which is what he thinks the ordinance actually requires, is to demonstrate that it is feasible to develop the property. This particular piece of property maybe feasible to develop, but for the full benefit of all of the property owners collectively, a more profitable development would occur by merging all of the properties. If a site plan is stipulated for the entire property, the Planning Commission would at least be aware of some of the issues that the general layout plan would show.

Following discussion, a motion was made by Mr. Tommy Clark to recommend approval of this request contingent upon the applicant providing a survey, and with the understanding that this action in no way sets a precedent. The motion was seconded by Mr. Buddy Hutchinson and unanimously adopted.

ZM-2005-016 (M)

Consider a request to rezone from Forest Agricultural to Office Commercial, property located on the southeast side of the intersection of Highway 99 and Highway 32. The property consists of a 3.2 acre parcel approximately, with 504 feet of frontage on Highway 99. Atlantic Survey Professionals, agent for Nykki Smith Sikes, owner.

Mr. Ernie Johns was present for discussion.

The staff's report was included in the packages for review and was presented by Mrs. Iris Scheff as follows:

Application was made for approximately three acres of property to be rezoned to Office Commercial. A conceptual “general layout plan” of the site was provided with the application, which indicated that the rezoning would be in harmony with the character of the neighborhood because “the property is naturally buffered from the adjoining residential area by the river, drainage canal, and the railroad.” The immediate area is at present rural and largely undeveloped in character.

The county’s adopted Comprehensive Plan designates this area for Agriculture/Forestry use.

In conformance with Section 1103 of the Glynn County Zoning Ordinance, the following findings of fact were considered in making the recommendation:

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

Office use seems to be a suitable use here, particularly if developed in the future as conceptualized in the general layout plan provided with the application for rezoning.

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

Office use would be unlikely to 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.

- 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.

It is unlikely that office uses permitted by OC zoning will or would cause an excessive or burdensome use of existing streets, utilities, or schools.

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

The future land use map identifies this area as Agriculture/Forestry.

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

The natural and existing buffers mentioned by the applicant in the rezoning request give supporting grounds for its approval.

Although the request for OC is not in conformance with the Glynn County Future Land Use Map, the rezoning request can be approved. The requested OC use is not an intensive traffic generator, the subject site is of sufficient size, has good access to a paved road, and there are natural and other buffers between the property and existing surrounding uses on Agriculture/Forestry property. Therefore, staff's recommendation is for approval.

Following review, a motion was made by Mr. Tommy Clark to recommend approval of this request. The motion was seconded by Ms. Barbara Stephens and unanimously adopted.

PP-2005-004 (M) Autumn's Wood

Application by Alta Road Developers, owner, for approval of a revised preliminary plat for a property located on the south side of SR 99 approximately 1.4 miles east of US 341. The project consists of a 209 single-family development on 80 acres. The property is zoned Planned Development and located within the Tanglewood Planned Development.

Mr. Peter Schoewouer was present for discussion.

Mr. Phillips explained that this particular subdivision received preliminary plat approval on September 21, 2004. Subsequently changes were made, i.e., road connection to the south. Also, since this was originally designed, the county has developed a lift station, which is part of the SR 99 sewer improvements. The lift station will collect sewage from this particular area to be pumped up to Highway 99 all the way back to the Golden Isles Parkway, formerly known as Canal Road; all of which necessitated coordination between this development, the adjoining Tanglewood Development and the design engineer for the county sewer force main.

Mr. Phillips stated that staff's comments have either been addressed or can be addressed during the construction plan review phase. Therefore, staff's recommendation is for approval.

Mr. Nevill pointed out that several statements are listed for final plat approval that should be removed before the plat is signed by the Planning Commission Chairman. Staff concurred.

Following discussion, a motion was made by Mr. Jeff Counts to approve this revised preliminary plat subject to removal of the final plat statements. The motion was seconded by Mr. Bill Brunson and unanimously adopted.

SP-2005-007 (M) Bible Baptist Church

Application by Mike Landrum, representative for Bible Baptist Church, for site plan approval of Phase I of a church facility project with a 31,010 sq. ft. main building, and a 3,200 sq. ft. maintenance building on a 23.4 acre parcel. This property is located on the south side of Harry Driggers Boulevard at its intersection with and on the west side of Shell Road. The property is zoned Planned Development as part of tract R-3 of the Golden Isles Gateway Planned Development.

Mr. John Hunkele of Coastal Engineering was present for discussion.

Staff has reviewed this site plan and all comments have either been addressed or can be addressed during the building permit phase of the project. Therefore, staff's recommendation is for approval subject to meeting all requirements. Also, staff recommends that the Planning Official be directed to give final approval to the site plan consistent with the Planning Commission's action.

Following review, a motion was made by Mr. Jeff Counts to approve this request. The motion was seconded by Mr. Tommy Clark and unanimously adopted.

SP-2005-008 (M) Woods Mobile Sandblasting

Application by Don Woods, owner of Woods Mobile Sandblasting, Inc., for site plan approval of a project consisting of a 4,500 sq. ft. sandblasting wood shop on approximately 3 acre parcel of land. This property is located on the east side of U.S. Highway 341 (8918) New Jesup Highway) approximately 363 feet north of Zuta Branch Road, and is zoned Limited Industrial.

Mr. Don Hutchinson was present for discussion.

According to the staff's report, this project consists of a new 4,500 square foot sandblasting wood shop with parking and access via an existing DOT permitted driveway to New Jesup Highway. Staff's comments have either been addressed or can be addressed during the building permit phase of this project. Therefore, staff's recommendation is for approval subject to meeting all requirements. Also, staff

recommends that the Planning Official be directed to give final approval to the site plan consistent with the Planning Commission's action.

Following review, a motion was made by Mr. Tommy Clark to approve this request. The motion was seconded by Mr. Buddy Hutchinson and unanimously adopted.

MINUTES

April 5, 2005 Regular Meeting

Upon a motion made by Mr. Bill Brunson and seconded by Mr. Tommy Clark, the Minutes of the April 5th Mainland Planning Commission meeting were approved and unanimously adopted.

Under *Planning Commission Items*, Mr. Brunson asked that some type of comprehensive training be scheduled for the members to help familiarize them with the terminology, rules and regulations of planning to assist them in their duties as officials for Glynn County. Mr. Phillips stated that he would work on scheduling a workshop and contact all of the members of both Planning Commissions.

Under *Staff Items*, Mr. Phillips pointed out the running list of ordinance amendments contained in the packages for the Planning Commission's review. He also reminded everyone of the local workshop on "Saving Money Through Smart Development" scheduled for May 4th from 9 a.m. to 4 p.m. at the Stellar Conference Center.

There being no further business to discuss, the meeting adjourned at 9:30 p.m.