

MINUTES

MAINLAND PLANNING COMMISSION

APRIL 3, 2012 - 6:00 P.M.

Historic Courthouse, 701 G Street

MEMBERS PRESENT: Bill Brunson, Chairman
Buddy Hutchinson, Vice-Chairman
Liane Brock
Terry Carter
Buck Crosby
Tim Murphy

ABSENT: Larissa Harris

STAFF PRESENT: David Hainley, Community Development Director
Paul Forgey, Planning Manager
Eric Landon, Planner II
Janet Loving, Admin/Recording Secretary

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

MINUTES

March 6, 2012 - Regular Meeting

Upon a motion made by Mr. Buck Crosby and seconded by Mr. Terry Carter, the Minutes of the *March 6th* Regular Meeting were approved and unanimously adopted.

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

ZM2347 - Whitlock Avenue Disposal Site

Consider a request to rezone from R-6 Single-Family Residential and LI Limited Industrial Zoning Districts to GI General Industrial, two parcels totaling approximately 13.96 acres located at 4200 Southern Road. The purpose of the request is to allow the existing landfill as a permitted use rather than a non-conforming use. Parcel ID's: 03-09031 & 03-09032. Belinda Nash, agent for J.D. Eller of Eller-Whitlock Avenue Disposal Site, Inc., owner.

Ms. Belinda Nash and Mr. J. D. Eller were present for discussion.

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

The existing construction debris landfill has been in existence for over 30 years, and the purpose of the request is to allow it to be a permitted use rather than a non-conforming use.

Based upon a review of the current zoning map and past zoning cases, it was concluded by staff that the 10.62 acre parcel to the south is currently zoned R-6 Single-Family Residential. The 3.34 acre parcel to the north is zoned LI.

This zoning was due to a series of actions taken over a period of five or more years involving various properties throughout Glynn County. An initial action was an approval made by the Board of Commissioners on November 1, 1967 to zone this property and others to TR-6 Single-Family Temporary Residential Zoning District.

A sunset action for Temporary Residential Zoning was set to take effect January 1, 1973 whereby all properties with the temporary zoning were to revert to the associated residential zoning district. In the case of the subject property, upon sunset, the zoning was to change from TR-6 Temporary Single-Family Residential, to R-6 Single-Family Residential.

April 19, 1973, the Board of Commissioners finalized the sunset ruling for all applicable properties with Temporary Residential Zoning, among which this was previously GI General Industrial zoned property. Its zoning became R-6 Single-Family Residential. Letters after that date incorrectly support the idea that the subject property was zoned GI General Industrial. No public meeting or other official zoning action is identified in the records after the April 19, 1973 Board of Commissioners action that would contradict the residential zoning which was placed into effect on that date. As a result, it was determined that it is necessary to rezone the property to GI General Industrial.

Although this zoning request for GI General Industrial is not in conformity with the adopted Comprehensive Future Land Use Map, the proposal does not necessarily conflict with the overall policy and intent of the Land Use Plan. The Future Land Use Map is intended to be a generalized overview of the county, which does not depict

development at the parcel level, such as individual industrial or commercial uses. Both are prevalent in the area around Whitlock Avenue. For example, in the same area as the Whitlock Landfill on the Future Land Use Map there are many industrially zoned properties operating with industrial uses; further east are commercially zoned properties operating with commercial uses, yet they, too, are depicted as Medium Residential under the broad brush of the Comprehensive Plan Future Land Use Map. These and any other identified inconsistencies should possibly be rectified on the Map at some point, although it is not necessary as part of this individual case.

In conformance with Section 1103 of the Glynn County Zoning Ordinance, the following findings of fact are to be considered in making a decision on a request for rezoning:

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

The proposed request is suitable. The property currently is used as a landfill. Nearby and adjacent use is industrial in its majority.

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

The landfill is located in an industrial area that has industrial uses. The proposed zoning is in-keeping with the current and historic use of the property since the 1980's, before which it was a barrow pit. It has not previously, and is not anticipated in the future 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.

No, residential zoning is not in keeping with the existing industrial use. In view of the landfill use, and other industrial uses that exist in the area, residential zoning does not provide a reasonable economic use for this property, which has been operated in compliance with State regulations as a landfill for decades.

- Whether the zoning proposal will result in a use, which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

No, the proposal is to correct a zoning to be in conformity with its existing use, and will not result in a new or different use which could cause excessive

or burdensome use of existing streets, transportation facilities, utilities or schools.

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

No, technically the zoning proposal is not in conformity with the Comprehensive Future Land Use Map. But, neither is the proposal in conflict with the overall policy and intent of the Comprehensive Land Use Plan. The map was formulated to be generalized in nature.

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

Yes, the overriding factor and existing condition is the existence of the landfill on this property for over 30 years, and in addition, many nearby properties are zoned, developed, and operated as industrial uses.

Mr. Forgey stated that staff recommends approval of application **ZM2347** to rezone from R-6 Single-Family Residential and LI Limited Industrial to GI General Industrial for Whitlock Avenue Disposal Site.

Chairman Brunson questioned the thought process behind the TR-6 Temporary Residential Zoning District. Mr. David Hainley explained that the time-frame of this district was during the Vietnam War era. The zoning was designed to provide housing not necessarily suitable on a long term basis but primarily for mobile homes.

Mr. Buddy Hutchinson wanted to know if the property has been used as a continuous landfill throughout the years. Ms. Belinda Nash, agent for the applicant, replied yes.

There was no one present to oppose this request.

At the end of discussion, a motion was made by Ms. Liane Brock recommending approval of application **ZM2347** to rezone from R-6 Single-Family Residential and LI Limited Industrial to GI General Industrial for Whitlock Avenue Disposal Site. The motion was seconded by Mr. Tim Murphy and unanimously adopted.

ZM2358 - 106 Sunbelt Way

Consider a request to rezone from HC Highway Commercial Zoning District to PD Planned Development Zoning District, a 10.189 acre property located at 106 Sunbelt Way. The purpose of the rezoning is to allow mixed use of residential uses permitted in MR Medium Residential and commercial uses permitted in GC General Commercial. Parcel ID: 02-02159. Robert Jenkins, agent for Bill Kirby, owner.

Mr. Robert Jenkins was present for discussion.

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

The owner has received inquiries about the possibility of using the property for multi-family dwellings. This request is to allow such use, as well as retain the ability to use the property for commercial use.

The property is well positioned to be developed for mixed uses, as it is near a shopping plaza, and across from the mixed use - Southport Development area. Note that an electric power easement runs parallel to the front of the property, a factor that would be part of site plan design for access. Additionally, the property can be accessed from either Highway 17 or Deerwood Way.

Utilities will be provided by the Joint Water and Sewer Commission.

There is no definite site plan for this request; however, if the property were developed 100% medium density residential, the allowable density is a maximum of 16 units per acre. If the entire 10 acre property were developed as multiple family residential at maximum density, then [10 acres x 16 units x 0.54 school children per unit = 87] school aged children might be generated.

It would be unlikely for property development to achieve the maximum allowable 16 units per acre. The estimates for development can safely be reduced by 10% acreage use to allow for parking stalls, drive aisles, common area, and so forth. Also, the allowed density usually falls short of the maximum by several units. Therefore, the calculation: 9 acres x 12 dwelling units x 0.54 school aged children per unit would predict 58 children, as a more realistic estimate.

In conformance with Section 1103 of the Glynn County Zoning Ordinance, the following findings of fact are to be considered in making a decision on a request for rezoning:

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

The proposed request is suitable in view of the use of adjacent and nearby property.

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

The proposed change is not anticipated 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.

This question will be better answered depending upon the future specific development plans.

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

Yes, as noted it is in an existing Activity Center and Regional Center in a Medium Density Residential area.

- 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. Forgey stated that staff recommends approval of application **ZM2358** to rezone from HC Highway Commercial to PD Planned Development for a 10.189 acre property located at 106 Sunbelt Way.

Ms. Liane Brock wanted to know that if the owner were to sell the property, with this being a Planned Development, could the new owner choose some other use. Mr. Forgey explained that any proposed changes would have to come back to the Planning Commission for review (and approval). Ms. Brock had additional questions about signage requirements for US 17. Mr. Forgey stated that electronic message boards are allowed but motion, blinking or flashing lights are not allowed. He stated that Highway Commercial and General Commercial basically have the same rules for signage.

During a brief presentation, Mr. Robert Jenkins explained that this request is actually a down zoning and it gives them more flexibility with respect to allowable uses. It also allows the Planning Commission to have more control to make recommendations about what the PD Text should have.

Chairman Brunson asked Mr. Jenkins if he would have a problem removing “truck and transportation terminal” from the permitted uses, to which he replied no.

There was no one present to oppose this request.

At the end of discussion, a motion was made by Mr. Buck Crosby to recommend approval of **ZM2358** to rezone from HC Highway Commercial to PD Planned Development for a 10.189 acre property located at 106 Sunbelt Way with the elimination of truck and/or transportation terminal from among the permitted uses. The motion was seconded by Mr. Terry Carter and unanimously adopted.

SP2345 - Glynn County Detention Center

Consider a request to approve a site plan for a 129,234 square foot detention center including a Sheriff’s office and on-site food and laundry facilities on 35.13 acres. The property is located on the west side of Ross Road at its intersection with Norwich Street Extension. The property is zoned BI Basic Industrial. Parcel ID 03-08936 and a portion of 03-04612. David Hainley, agent for Glynn County, Honeywell Inc., owner.

Mr. Hainley was present for discussion.

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

This request is to construct a new 129,234 sq. ft. County Detention Center. The facility will include 616 beds, Sherriff’s office, along with food and laundry facilities. The property consists of over 35 acres adjacent to the south of the County Public Works complex. The property has frontage and will access Highway 341 via Sulphur Springs Road and Ross Road.

Engineering has determined that this project is compliant for site plan approval; however, other comments will be addressed during the building permit stage.

The site will be served by the Brunswick Joint Water & Sewer, but details of the design are currently being discussed.

Under Section 619.4 (a) of the Zoning Ordinance the Planning Commission review shall be guided by the following standards and criteria:

- 1) The application, site plan, and other submitted information contain all the items required under this Section. ***Staff comment: This requirement has been met.***
- 2) The proposed uses, buildings and structures are in accordance with the requirements of this Ordinance and other ordinances of Glynn County. ***Staff comment: This requirement has been met.***
- 3) Adequate provisions are made for ingress and egress, off-street parking, loading, and the flow of traffic, which may reasonably be anticipated. ***Staff comment: This requirement has been met.***
- 4) Adequate provisions are made to control the flow of storm water from and across the site. ***Staff comment: This requirement has been met, subject to review by Engineering as part of the review of the building permit.***
- 5) Adequate provisions are made to protect trees that are selected to remain as depicted on the site plan. ***Staff comment: No specimen trees are shown.***
- 6) Adequate provisions are made to buffer intensive uses and to screen all service areas from view of the adjacent properties and streets. ***Staff comment: The applicant is surrounded by other industrially zoned properties. Additional buffers are not required.***
- 7) Adequate provisions are made to control the location, intensity, and direction of all outdoor lighting so that it will not have an adverse effect upon adjoining properties. ***Staff comment: This requirement has been met.***
- 8) Open space, as required, has been provided and appropriate means are proposed to assure maintenance of common areas and facilities. ***Staff comment: Not applicable.***
- 9) Adequate provisions are made for water supply, fire protection, and sewage collection and treatment. ***Staff comment: This requirement will be met during the building permit process. Fire and JWSC will be required to approve permit.***

Mr. Landon stated that staff recommends that **SP2345** be approved subject to meeting all requirements.

As agent for Glynn County, Mr. David Hainley respectfully asked that this request be approved.

Following review, a motion was made by Mr. Buck Crosby to approve **SP2345** subject to meeting all requirements. The motion was seconded by Mr. Buddy Hutchinson and unanimously adopted.

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