

MINUTES
MAINLAND PLANNING COMMISSION
NOVEMBER 5, 2013 - 6:00 P.M.
Historic Courthouse, 701 G Street

MEMBERS PRESENT: Bill Brunson, Chairman
Buddy Hutchinson, Vice-Chairman
Larissa Harris
Thomas Boland, Sr.
Tim Murphy
Eddie Wildsmith
John Williams

STAFF PRESENT: 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

October 1, 2013 - Regular Meeting

Upon a motion made by Mr. Eddie Wildsmith and seconded by Mr. Buddy Hutchinson, the Minutes of the *October 1st Regular Meeting* were approved and unanimously adopted.

Agenda - Additions, Deferrals, Deletions, Postponements

Upon a written request for deferral from the applicant, a motion was made by Mr. Buddy Hutchinson, seconded by Mr. Eddie Wildsmith and unanimously adopted to defer Application **ZM2698** until the December 3rd MPC Meeting beginning at 6:00 p.m.

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

ZM2680 Golden Isles Gymnastics: Consider a request to amend a Planned Development Zoning Text for a property consisting of 1.781 acres, located at 635/591 Scranton Road. The purpose of the amendment is to establish a 5 ft. wide vegetative buffer at the adjacent residentially zoned property line rather than a type “A” buffer. Parcel ID: 03-04453 and 03-13680. William T. Ligon, Jr., agent for Yuri Kalinin, owner.

There was no one present to represent this item, and therefore the Chairman moved this request to the end of the agenda for discussion pending arrival of a representative.

ZM2715 Canal Crossing II: Consider a request to rezone from Planned Development, General Commercial, Local Commercial, and Highway Commercial to Planned Development for a 15.5 acre property located on the northeast corner of Canal Road and Spur 25. The purpose of the rezoning is to allow a mixture of commercial development. Parcel IDs: 03-26563, 03-03543, 03-03544, 03-03545, 03-03-03546, 03-03547, 03-09725. John Callaway, applicant.

Mr. Robert Ussery was present for discussion. Mr. Callaway was also on hand to answer questions.

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

The proposed request is to combine four different commercial zoning districts into a unified zoning as a single planned development. The proposed uses are generally retail and service establishments. The benefits of consolidating into a single PD is that the number of access points, buffers, and other infrastructure can be completed as one development, not pieced together one by one.

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 consistent with the development pattern of surrounding zoning and the access to Spur 25.

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

The applicant is working cooperatively with Glynn County to provide infrastructure improvements as needed.

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

Yes, however it is currently a mix of four different zoning districts within a small location.

- 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.

Infrastructure improvements will be required; specifically access to Canal Road and improvements to Canal Road including the intersection with Spur 25. The applicant is working cooperatively with Glynn County to make these improvements.

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

Yes, this property is identified as a Regional Center on the Future Land Use Map.

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

None

Mr. Landon stated that staff recommends approval of application *ZM2715* to rezone from Planned Development, General Commercial, Local Commercial, and Highway Commercial to Planned Development.

It was pointed out that although Mr. Ussery is representing this rezoning application, he is not the agent for the applicant's site plan request (*SP2714*). Mr. Ussery stated that he is prepared to answer any questions pertaining to the rezoning. There being no questions from the Planning Commission at this time, Chairman Brunson opened the floor for public comments beginning with Ms. Sharon Lovin of 212 Rosewood Drive.

Ms. Lovin expressed concerns about the location of a possible traffic signal in the area and a potential traffic hazard caused by vehicles backing up to Rosewood Drive. She also wanted to know if the proposed buildings would front on Canal Road.

Mr. Ussery explained that the improvements for this particular area are still in the planning stage and the applicant is working with county staff to determine the best possible improvements for the area. He pointed out that at this time, he is not sure where the traffic light will be located but the improvements will make the area safer for everyone.

Regarding the stores fronting on Canal Road, Mr. Ussery stated that those are individual parcels and the attempt is to limit the number of curb cuts to five on Canal Crossing, which is actually less than what the current zoning will allow. He reiterated that this is merely a conceptual plan at this point. Mr. Tom Boland had additional questions about the number of curb cuts and their location. Mr. Ussery stated that Mr. Callaway could elaborate for clarification; however, Chairman Brunson exclaimed that traffic and curb cuts are issues that should be addressed during the site plan review process. The issue at hand is the rezoning request. He then asked if there were any questions about the rezoning, to which there were none.

At the end of discussion, a motion was made by Mr. Tim Murphy, seconded by Mr. Eddie Wildsmith and unanimously adopted to recommend approval of application **ZM2715** to rezone from Planned Development, General Commercial, Local Commercial and Highway Commercial to Planned Development.

SP2714 McDonald's at Canal: Consider a request to approve a site plan for a 4,600 square foot fast food restaurant on the northeast corner of Canal Road and Spur 25. The property is proposed to be zoned General Commercial, Local Commercial and Highway Commercial. Parcel ID: 03-09725, 03-03547, 03-03543. Wade Olszewski, applicant for John Callaway, owner.

Mr. Olszewski and Mr. Callaway were present for discussion.

According to the staff's report, the proposed request is to permit a fast food restaurant with drive-through. This use will be accessed by Canal Road and the proposed Canal Crossing Road (approved as a Preliminary Plat by this Board). The applicant has been working with Community Development staff to develop a master plan for this intersection.

Under Section 619.4 (a) of the Zoning Ordinance, the Planning Commission's 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. The applicant will be accessing from Canal Road and the proposed Canal Crossing Road.**
- 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 building permit process.**
- 5) Adequate provisions are made to protect trees that are selected to remain as depicted on the site plan. **Staff comment: This site has been previously cleared.**
- 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: Buffers will be required as provided in Section 613 of the Glynn County Zoning Ordinance.**
- 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 will be met during the review, permitting and inspection of buildings.**
- 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. Water and sewer will be provided by JWSC.**

Mr. Landon stated that staff recommends approval of application *SP2714* to allow a 4,600 square foot fast food restaurant on the northeast corner of Canal Road and Spur 25.

Mr. Boland wanted to know when construction would commence. Mr. Olszewski, agent and engineer for this project, stated that construction would commence at the beginning of the upcoming year. Chairman Brunson asked if 4,600 sq. ft. considered the normal size of a McDonald's. Mr. Olszewski replied yes. He stated that the company has a couple of different prototypes which is essentially based on the projected sales and the shape of the site, but this particular proposal is one of the largest restaurant prototypes for McDonald's.

In addressing the traffic concerns, Mr. Callaway stated that what he is proposing will hopefully help with the traffic by relieving the pressure at Rosewood and Canal Road intersection. He explained that the road that is part of his proposed development connects Gateway Boulevard to Canal Road which means that everyone who wants to go onto Gateway Boulevard won't have to go all the way to the intersection of Rosewood. With the new proposed road people will be able to shortcut the distance between Canal Road and Gateway Boulevard to avoid a bottleneck effect at the Rosewood intersection. Mr. Callaway also stated that eventually, there will be a traffic signal at Canal Road. Chairman Brunson stated that he believes that the residents will see a positive difference with the proposed improvements.

There being no further discussion, a motion was made by Mr. Tom Boland, seconded by Mr. John Williams and unanimously adopted to approve application *SP2714* to allow a 4,600 square foot fast food restaurant on the northeast corner of Canal Road and Spur 25.

CUP2690 Mercy House: Consider a request to permit a residential group home in Highway Commercial zoning as a conditional use. The property is located at 3512 Norwich Street. Parcel ID: 03-07925. Mary Baker, applicant.

Ms. Baker was present for discussion.

Mr. Landon reported that this proposed request is to provide a residential group home for at risk and under privileged children. The use will have full-time staff and is proposing to work cooperatively with the Department of Family and Children Services, Juvenile Court, and Gateway Center.

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, special use permit, or a conditional use permit:

- 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 conditional use is not substantially different from the previously approved use. Section 713.3 (7) allows as a conditional use a "Public or Private Care Home."

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

The property is located along a commercial corridor and is zoned HC; however, there is adjacent single-family uses to the east and south.

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

Yes, it has a reasonable economic use as currently zoned.

- 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 proposed conditional use will generate some additional traffic as compared to a single-family use.

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

Yes, this is consistent with the adopted Future Land Use of High 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.

- *The proposed use appears to be a good option considering it has an existing single family home located in HC zoning.*

Mr. Landon stated that staff recommends approval of application **CUP2690** to permit a residential group home in Highway Commercial zoning as a conditional use.

Mr. Boland stated that there is no driveway straight into the property. It appears that the applicant would have to use the neighbor's driveway and then cut across the property. He's concerned about parking, and he had questions pertaining to a possible easement, as well as a shed on the property. Mr. Landon stated that the applicant would have to address most of these concerns, but there is an alley that runs behind the property.

Mr. Hutchinson asked if this request requires state approval. Mr. Landon replied yes. He explained that the state will not consider this application until it receives county approval. Ms. Baker pointed out that other applicable agencies will also be involved, such as the Fire Marshal, Environmental Health and Building Inspections.

Mr. Murphy expressed concerns about a possible precedent being set, but Mr. Landon explained that the Planning Commission's approval of this request would not open the door for more of the same. It is however approval at the local zoning level to allow the applicant to proceed with the process.

During a brief presentation, Ms. Baker stated that she owns the property in question, which consists of three bedrooms and one bath. She stated that a second handicapped accessible bathroom will be added and the facility will be ADA compliant. Ms. Baker explained that there would be a privacy fence around the property and no flashing signs. This will be a structured environment, but it will also resemble a regular normal home for the children because she wants them to feel safe and comfortable. She provided a recent article from the Brunswick News emphasizing the need for more of these types of facilities.

Mr. Wildsmith wanted to know how many individuals would be housed at this facility. Ms. Baker stated that there would be at least five or six residents. She explained that the state regulates or determines the number of individuals allowed based on the square footage of the bedrooms, but there would be no more than seven individuals housed at the facility.

Mr. Hutchinson stated that during his site visit he noticed a manhole cover near the kitchen door that appears to be bolted down. Ms. Baker stated that she was advised that the manhole is for sewage.

Mr. Boland asked Ms. Baker if the existing shed is on her property, to which she replied yes. She is planning to renovate the shed and possibly use it for storage. Mr. Murphy wanted to know the age limit of the children. Ms. Baker stated that the age limit is set at 17 to 18. She stated that the plan is to try and place these teens back with their biological families if at all possible, but she will also assist them with housing of their own. Mr. Murphy then asked how many vehicles would be on the premises at any given time. Ms. Baker stated that she is anticipating at least two or perhaps three vehicles, depending on the amount of staff that she is allowed or required to have.

Chairman Brunson asked Ms. Baker which government agency would she have to report directly to. Ms. Baker stated that the Child Care Licensing Agency of Atlanta is the regulatory branch that she would report directly to. She also pointed out that she has 14 years of previous experience in child care, which is actually how she derived at this particular idea for a residential group home. The Planning Commission members commended Ms. Baker for her efforts.

It was noted that two adjacent property owners were present to express concerns about this application. Their main concerns involve the safety and security of their own families, evening and outdoor activities for the residents, and who would be legally responsible if any of them were to cause trouble. As previously pointed out, Ms. Baker stated that the property will contain a privacy fence. Also, each individual will be screened prior to being accepted into this facility. There will be 24 hour staffing and supervision available at all times. The facility will also be monitored and routinely inspected by local and state officials. Ms. Baker stressed that each resident will be required to attend some type of educational program, they will do their homework, clean their rooms, and they will be encouraged to participate in some type of religious setting.

She noted that all staff members will work closely with the Department of Family and Children Services, the Juvenile Courts System and the Gateway Center for Human Development.

Ms. Baker stated that her goal is to assist these individuals in all aspects of life, i.e., grocery shopping, cooking, planning, budgeting and financial skills. She stated that they will not linger outside riding bikes; instead, they will be learning lessons that will hopefully enable them to have a successful productive life. During the departure process, each individual will be assisted with on the job training and job placement.

In conclusion, Ms. Baker stated that she hopes that she has satisfied the concerns of the Planning Commission as well as the surrounding neighbors.

There being no further questions or discussion, a motion was made by Mr. Buddy Hutchinson to approve application *CUP2690* to permit a residential group home in Highway Commercial zoning as a conditional use. The motion was seconded by Mr. John Williams and unanimously adopted.

ZM2680 Golden Isles Gymnastics

There was still no one in attendance to represent this item. Therefore, a motion was made by Mr. John Williams, seconded by Mr. Tom Boland and unanimously adopted to defer this item to the December 3rd MPC Meeting beginning at 6:00 p.m.

There being no further business to discuss, the meeting was adjourned at 6:45 p.m.