

DRAFT/MINUTES

MAINLAND PLANNING COMMISSION

DECEMBER 2, 2014 - 6:00 P.M.

Historic Courthouse, 701 G Street

MEMBERS PRESENT: Tim Murphy, Chairman
Tom Boland, Sr., Vice Chairman
Larissa Harris
Buddy Hutchinson
Gary Nevill

ABSENT: Bill Brunson
John Williams

STAFF PRESENT: David Hainley, Community Development Director
Eric Johnson, Planning Manager
Cayce Dagenhart, Planner II
Janet Loving, Admin/Recording Secretary

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

MINUTES

November 5, 2014 - Regular Meeting

A motion was made by Mr. Tom Boland to approve the Minutes of the *November 5th Regular Meeting*. The motion was seconded by Mr. Buddy Hutchinson. Voting Aye: Mr. Tom Boland, Mr. Buddy Hutchinson and Mr. Tim Murphy. Abstained: Ms. Larissa Harris and Mr. Gary Nevill.

At this time, Chairman Murphy 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 the Development Text of a Planned Development for a property consisting of 1.781 acres. The purpose of this amendment is to establish a 5 ft. wide vegetative buffer at the adjacent residentially zoned property line rather than a Type “A” Buffer. Parcel IDs: 03-04453 and 03-13680. William T. Ligon, Jr., agent for Yuri Kalinin, owner.

Mr. Ligon and Mr. Kalinin were present for discussion.

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

The subject property is comprised of two parcels. In October of 2012, the applicant submitted an application (*ZM2498 Kalinin Gymnastics, aka Golden Isles Gymnastics and Cheer*) to rezone the property from R-12 One-Family Residential and Highway Commercial to Planned Development. The Planning Commission recommended approval of the application in December of 2012 and the Board of Commissioners approved the request in January of 2013.

In August of 2013, the applicant submitted this rezoning application (*ZM2680*) to amend the Development Text of the PD with the intent to reduce the width of the buffer required along the west property line where it abuts residentially-zoned property. The case was scheduled to be reviewed by the Planning Commission but the applicant requested the item be deferred.

The Zoning Ordinance defines buffer as “land area used to visibly separate one use from another or shield or block noise, lights, or other nuisances.” For this development, a Type “A” buffer is required along the west property line where abutting residentially-zoned property. Type “A” buffers are required to be at least 20 ft. wide (with the option of reducing to 12 ft. in width if a wall is constructed).

The Development Text for this application originally proposed to reduce the width of the buffer to 5 ft. However, after hearing concerns from staff and the Mainland Planning Commission, the Development Text has since been amended to allow a 12 ft. buffer with a 6 ft. tall vegetative fence in lieu of a typical opaque wall or fence. Also, the proposed provisions would allow for a portion of the 12 ft. wide buffer to be located on the abutting residentially zoned properties via the recordation of landscape easements of not less than 5 ft. in width (along the shared property line). If landscape easements are recorded on Parcels 03-04446, 03-04455, or 03-04454, then the buffer portion required on the subject property (along the respective shared property line) may be as narrow as 7 ft. in width. However, if no landscape easements are recorded on Parcels 03-04446, 03-04455, or 03-04454, then the 12 ft. wide buffer would have to be provided on the subject property. In all instances, however, the 6 ft. tall vegetative fence is required on the subject property. The intent of the buffer is to protect current and future property owners from commercial uses encroaching onto residential properties. The required buffer would protect from noise, light, and provide an aesthetically pleasing transition between properties.

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.

This application (to amend the Development Text) would not change any of the permitted uses allowed in the PD.

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

The proposed Development Text would meet the intent of the buffer requirements of the Zoning Ordinance.

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

The property has a reasonable economic use as it is 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 Development Text amendment would not 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.

The Future Land Use Map (FLUM) categorizes this property as Regional Mixed Use Center. As such, the current zoning district (and use) is consistent with the policy and intent of the Comprehensive Land Use Plan. Regulations pertaining to buffers and minimum landscape requirements are components of the Zoning Ordinance and not addressed in this FLUM category.

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

When the property was rezoned to PD, the Development Text did not include deviations from minimum landscape requirements. The subject parcel (03-04453) is currently undeveloped and underutilized, which presently does not pose a threat to the quality of life for residents of the abutting residential

property. However, future development/redevelopment of the subject site should be anticipated, so a buffer must be planned accordingly. The width and placement of the buffer as stipulated in the proposed Development Text would be an acceptable design.

Mr. Johnson stated that staff recommends approval of application *ZM2680* to amend the Development Text of the PD to allow an alternate design/composition of the required buffer as provided for in the proposed Development Text.

During a brief presentation, Mr. William Ligon stated that the applicant is actually improving on what is already in place. He advised that the adjacent property owner, Mrs. Swain, who would be most affected by this proposal, has no objections to what staff is proposing. She has also executed the easement and it has been recorded.

Chairman Murphy expressed concerns about the proposed fence, including the different types and the definition, which he read from the Ordinance. Mr. Hainley explained that the fence issue could be resolved during the site plan review phase of this project.

There was no one present to speak in opposition to this request, and at the end of discussion a motion was made by Mr. Buddy Hutchinson to recommend approval of application *ZM2680* to amend the Development Text of the PD to allow an alternate design/composition of the required buffer as provided for in the proposed Development Text subject to the type of fence being determined during the site plan review phase. The motion was seconded by Mr. Tom Boland and unanimously adopted.

ZM2946 7950 New Jesup Highway: Consider a request to rezone a 2.403-acre parcel on New Jesup Highway from HC Highway Commercial to FA Forest Agricultural. The purpose of the request is to allow a residential use. The subject property is located on the east side of New Jesup Highway, approximately 400 feet north from its intersection with Popeye Road. Parcel ID: 03-07123. Ellen Driggers, applicant and owner.

Ms. Ellen Driggers was present for discussion.

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

In 2006, the Board of Commissioners approved an application (*ZM-2006-023*) to rezone the subject property from FA to HC with the following restrictions: 1) the zoning is for the use of storage buildings; 2) the site plan to be reviewed by the Planning Commission; and 3) the rear 15 ft. to be either buffer or detention. The applicant is now

requesting to rezone the property back to the FA Zoning District for the purpose of allowing a residential use.

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.

This application would downzone the property to a district consistent with the adjacent zoning.

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

The zoning proposal would not adversely affect the existing use or usability of adjacent or nearby properties.

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

Since neither a site plan has been submitted nor any business activity has occurred on the subject property subsequent to when it was rezoned to HC, staff has determined that the property does not have a reasonable economic use as currently zoned and restricted.

- 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 rezoning would not cause an 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.

The Future Land Use Map (FLUM) categorizes this property as Low Density Residential (LDR). As such, the proposed zoning district (and use) would be consistent with the policy and intent of the Comprehensive Land Use Plan.

- 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. Johnson stated that staff recommends approval of application **ZM2946** to rezone the property from HC to FA.

Mr. Johnny Norris McNair was present to oppose this request on behalf of adjacent property owner, Mr. Joe Norris, Sr. However, Mr. Gary Nevill explained to Mr. McNair that the current zoning would allow more intense uses than the requested zoning. He further stated that the request to rezone the property to Forest Agricultural is actually a down-zoning, which would allow residential uses as opposed to heavier commercial uses. Mr. McNair stated that if Mr. Norris had known that the request is for domestic residential usage and not commercial he more than likely would not be opposed.

During a brief presentation, Ms. Ellen Driggers explained that she is requesting to rezone the property back to its original zoning in order to make better use of the land.

There being no further discussion, a motion was made by Mr. Tom Boland, seconded by Mr. Gary Nevill and unanimously adopted to recommend approval of application **ZM2946** to rezone the property from Highway Commercial to Forest Agricultural.

PP2719 12-Star Ranch: Consider preliminary plat approval for a 26 lot subdivision on a 249.889-acre portion of a 1,175 acre parcel. The subject property is located on the north side of Georgia State Route 99 (SR 99), approximately 0.6 miles from its intersection with Georgia State Route 32 (SR 32). Parcel ID: 03-20986. Chris Amos with CSEC, Inc., agent for 12 Star Ranch, LLC, owner.

Mr. Chris Amos and Mr. Kyle Colafrancesco were present for discussion.

The following report from staff was included in the packages for review and was presented by Ms. Cayce Dagenhart:

The applicant is proposing 26 lots for one-family dwelling units and a common area. The smallest lot would be 4.61 acres and all lots would be compliant with the FA Zoning District regulations. All streets within the development would be private. One point of ingress/egress is proposed on Georgia State Route 99 (SR 99), and as such, it must be approved by the Georgia Department of Transportation before a preliminary plat can be approved. As of the date of this report, staff has not received any feedback from GDOT.

The following are preliminary plat requirements (and staff's comments) in accordance with Section 703 of the Glynn County Subdivision Regulations - The preliminary plat shall consist of a map or maps, drawn at a scale of not less than one inch, two hundred feet depicting the following:

- 1) The proposed name of the subdivision and proposed street names shall not duplicate or too closely approximate phonetically the name of other subdivisions or streets in Glynn County. If shown to the contrary, the Planning Commission or Geographic Information System (GIS) office may refuse to accept such subdivision and street names; must indicate whether the streets are to be public or private.

Staff Comment: Provided by applicant on plat.

- 2) Name, address and telephone number of the owner of record.

Staff Comment: Provided by applicant on plat.

- 3) Name, address and telephone number of the subdivider.

Staff Comment: Provided by applicant on plat.

- 4) Date of survey, north point and graphic scale, source of data, date of plat drawing, and space for revision dates.

Staff Comment: Provided by applicant on plat. The surveyor needs to double check the scale shown on the preliminary plat to ensure it has been corrected. This must be accurate before any construction plans are approved.

- 5) Preliminary Plat Certificates and Statements.

Staff Comment: Provided by applicant on plat.

- 6) A vicinity map locating the subdivision in relation to the surrounding area with regard to well-known landmarks such as major streets and thoroughfares, railroad rights-of-way, rivers, streams and other named bodies of water. Vicinity maps may be drawn in freehand and at a scale sufficient to show clearly the information required, but not smaller than one inch to one mile.

Staff Comment: Provided by applicant on plat.

- 7) Name of former subdivision(s), if any.

Staff Comment: None

- 8) Exact boundary lines of the tract or parcel to be subdivided, indicated by a heavy line giving length and bearings, and total subdivision land area in acres. The boundary lines shall apply to the entire tract to be subdivided.

Staff Comment: Provided by applicant on plat.

- 9) Natural features within the proposed subdivision, including drainage channels, bodies of water, flood plain, wetlands and other significant features.

Staff Comment: Provided by applicant on plat.

- 10) Cultural features within the proposed subdivision, including rights-of-way widths, and names of existing and proposed streets and alleys, existing structures, existing easements, buildings, city and county lines, zoning districts and boundaries, and other significant information.

Staff Comment: Provided by applicant on plat.

- 11) Proposed layout including lot lines with rough dimensions, lot numbers, block letters, street and alley lines, sites reserved through covenants, dedication or otherwise for public uses.

Staff Comment: Provided by applicant on plat. Addresses need to be shown on each parcel. This must be accurate before any construction plans are approved.

- 12) Location of existing water and sewer utilities, if a connection to these public systems is proposed.

Staff Comment: Public water and sewer is not available in this location. The applicant has applied for a water and sewer variance.

- 13) Proposed unit division or stage of development, if any, by the subdivider.

Staff Comment: Staff understands that all infrastructure/improvements would occur in one phase.

- 14) The names of owners of record and zoning of land adjacent to the tract to be subdivided.

Staff Comment: Provided by applicant on plat. One property line is missing from the preliminary plat and the surveyor needs to use a unique line when delineating any property. This must be corrected before the construction plan application is approved.

- 15) FIRM Panel Number and flood zone designation.

Staff Comment: Provided by applicant on plat.

- 16) Building setback information per Zoning Ordinance including setback lines on odd shaped lot.

Staff Comment: Provided by applicant on plat.

Ms. Dagenhart stated that staff recommends approval of preliminary plat application **PP2719**, subject to meeting the requirements of all applicable codes and regulations; including the approval of the pending water and sewer variance (**WSV2733**) and addressing the comments from the Georgia Department of Transportation.

Mr. Chris Amos gave a brief overview of this project and stated that the roads are being paved; however, a decel lane will not be required due to the amount of proposed trips. Regarding concerns about the front entrance of the project, he pointed out that he is in negotiations with the fire department but they have not worked out all of the details yet.

It was noted for the record that staff and the Planning Commission members received a letter of approval of this application from Megan Desrosiers, Executive Director of the 100 Miles Organization.

At the end of discussion, a motion was made by Mr. Gary Nevill to approve preliminary plat application **PP2719**, subject to meeting the requirements of all applicable codes and regulations; including the approval of the pending water and sewer variance (**WSV2733**) and addressing the comments from the Georgia Department of Transportation. The motion was seconded by Mr. Buddy Hutchinson and unanimously adopted.

PP2944 McKenzie Gardens: Consider preliminary plat approval for a 73 lot subdivision on a portion of a 15.578-acre parcel, located on the north side of McKenzie Lane. Parcel ID: 03-07364. Gene Brockington, agent for Jill Brockington and C.L. Tankersley, owners.

Mr. Teeple Hill and Mr. Gene Brockington were present for discussion.

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

In 2007, the Board of Commissioners approved an application (**ZM-2006-035**) to rezone the subject property from Forest Agricultural to Planned Development in anticipation of 99 dwelling units, but subject to the recommendations provided by staff regarding the traffic on McKenzie Drive. At this time, staff has determined that these traffic issues can be effectively addressed during the construction plans submittal/review phase of the project and prior to approval of the final plat.

This preliminary plat proposes 73 lots for one-family (attached) dwellings. Although only a portion of the property is proposed for subdivision at this time, the entire parcel would have a 10 ft. wide buffer along the perimeters as required by the Development Text. One point of ingress/egress is proposed on McKenzie Lane.

The following are preliminary plat requirements (and staff's comments) in accordance with Section 703 of the Glynn County Subdivision Regulations - The preliminary plat shall consist of a map or maps, drawn at a scale of not less than one inch, two hundred feet depicting the following:

- 1) The proposed name of the subdivision and proposed street names which shall not duplicate or too closely approximate phonetically the name of other subdivisions or streets in Glynn County. If shown to the contrary, the Planning Commission or Geographic Information System (GIS) office may refuse to accept such subdivision and street names; must indicate whether the streets are to be public or private.
Staff Comment: Provided by applicant on plat.
- 2) Name, address and telephone number of the owner of record.
Staff Comment: Provided by applicant on plat.
- 3) Name, address and telephone number of the Subdivider.
Staff Comment: Provided by applicant on plat.
- 4) Date of survey, north point and graphic scale, source of data, date of plat drawing and space for revision dates.
Staff Comment: Provided by applicant on plat.
- 5) Preliminary Plat Certificates and Statements.
Staff Comment: Provided by applicant on plat.
- 6) A vicinity map locating the subdivision in relation to the surrounding area with regard to well-known landmarks such as major streets and thoroughfares, rail road rights-of-way, rivers, streams and other named bodies water. Vicinity maps may be drawn in freehand and at a scale sufficient to show clearly the information required, but not smaller than one inch to one mile.
Staff Comment: Provided by applicant on plat.
- 7) Name of former subdivision(s), if any.
Staff Comment: Provided by applicant on plat.
- 8) Exact boundary lines of the tract or parcel to be subdivided, indicated by a heavy line giving length and bearings and total subdivision land area in acres. The boundary lines shall apply to the entire tract to be subdivided.
Staff Comment: Provided by applicant on plat.

- 9) Natural features within the proposed subdivision, including drainage channels, bodies of water, flood plain, wetlands and other significant features.

Staff Comment: Provided by applicant on plat.

- 10) Cultural features within the proposed subdivision, including rights-of-way widths, names of existing and proposed streets and alleys, existing structures, existing easements, buildings, city and county lines, zoning districts and boundaries, and other significant information.

Staff Comment: Provided by applicant on plat.

- 11) Proposed layout including lot lines with rough dimensions, lot numbers, block letters, street and alley lines, and sites reserved through covenants and dedications or otherwise for public uses.

Staff Comment: Provided by applicant on plat.

- 12) Location of existing water and sewer utilities, if a connection to these public systems is proposed.

Staff Comment: Provided by applicant on plat.

- 13) Proposed unit division or stage of development, if any, by the subdivider.

Staff Comment: Provided by applicant on plat.

- 14) The names of owners of record and zoning of land adjacent to the tract to be subdivided.

Staff Comment: Provided by applicant on plat.

- 15) FIRM Panel Number and flood zone designation.

Staff Comment: Provided by applicant on plat.

- 16) Building setback information per Zoning Ordinance, including setback lines on odd shaped lots.

Staff Comment: Provided by applicant on plat.

Mr. Johnson stated that staff recommends approval of **PP2944**, subject to the preliminary plat meeting the requirements of all applicable codes and regulations.

Mr. Teeple Hill gave a brief presentation and a general discussion followed. Afterward, a motion was made by Mr. Buddy Hutchinson to approve application **PP2944**, subject to the preliminary plat meeting the requirements of all applicable codes and regulations. The motion was seconded by Mr. Tom Boland. Voting Aye: Mr. Tom Boland, Ms. Larissa Harris, Mr. Buddy Hutchinson and Mr. Tim Murphy. Abstained From Voting: Mr. Gary Nevill.

In other business, a motion was made by Ms. Larissa Harris to conduct the next regular MPC meeting on Tuesday, January 6, 2015 beginning at 6:00 p.m. The motion was seconded by Mr. Gary Nevill and unanimously adopted.

There being no further business to discuss, the meeting was adjourned at 6:50 p.m.