

MINUTES
MAINLAND PLANNING COMMISSION
NOVEMBER 1, 2016 - 6:00 P.M.
Historic Courthouse, 701 G Street

MEMBERS PRESENT: Gary Nevill, Chairman
John Williams, Vice Chairman
Tom Boland
Larissa Harris
Mary Hunt
Jeff Homans
Tim Murphy

STAFF PRESENT: Frank Etheridge, Interim Planning Manager
Cayce Dagenhart, Planner II
Janet Loving, Admin/Recording Secretary

Chairman 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.

MINUTES

September 7, 2016 - Regular Meeting

A motion was made by Mr. Tim Murphy to approve the Minutes of the *September 7th Regular Meeting*. The motion was seconded by Mr. Tom Boland. Voting Aye: Mr. Tom Boland, Mr. Jeff Homans, Mr. Tim Murphy, Mr. Gary Nevill and Mr. John Williams. Abstained: Ms. Larissa Harris. (Ms. Hunt did not arrive in time to participate in this agenda item.)

At this time, Mr. Frank Etheridge introduced himself as the Interim Planning Manager recently appointed in the Glynn County Community Development Department.

ZM3359 2651 Old Jesup Road: Consider a request to rezone one parcel from Highway Commercial (HC) to Forest Agriculture (FA) for the purposes of making two adjacent properties owned by a single person the same zoning district, and to allow the property owner to build a stable. Parcel ID: 03-10090. Keith and Angela Stalvey, applicants and owners.

According to the staff's report, the applicants are requesting to rezone the property to FA in order to build a stable for a horse. The applicants own the residence adjacent to the subject property and are making this request because they have a special needs child who has shown a positive therapeutic response to horses. They would like to have a horse on their property so that interaction can occur more frequently.

Much of the surrounding property is zoned FA and there is a rural quality to Old Jesup in this area; a few of the properties already have stables on them. A Type A Buffer would need to be established between the subject parcel and the parcels zoned HC; Brunswick Self Storage abuts the property to the southeast. The applicants would be responsible for this buffer since they are the ones rezoning the parcel and creating the need for the buffer.

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

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

Staff comment: The proposed use is suitable in view of the use and development of adjacent and nearby property. The subject property is surrounded by single family homes, farmland and a self-storage building.

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

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

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

Staff comment: The property to be affected by the zoning proposal has a reasonable economic use as it is currently zoned. Developing it as a Highway Commercial property may have a negative impact on the current rural nature of Old Jesup Road unless cross-connections are made with the parcels fronting on New Jesup Highway.

4. 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.

Staff comment: The proposal will not result in any excessive or burdensome use of existing streets, transportation facilities, utilities or schools.

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

Staff comment: The Future Land Use Map (FLUM) categorizes this property as Corridor Mixed Use. At this time a low-density mixed use is appropriate for this area. If and when this portion of the New Jesup Highway corridor experiences higher development pressure, the properties can be rezoned or repurposed accordingly.

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

Staff comment: There are no other existing or changing conditions affecting the use and development of the property, which give supporting grounds for approval or disapproval.

Ms. Dagenhart stated that staff believes that this application is complete and contains all information required by the Glynn County Zoning Ordinance. Therefore, staff's recommendation is for approval of application **ZM3359**.

It was noted that the applicants were not in attendance at this time and as such, no action would be taken until they arrive. Chairman Nevill advised that discussion of this item would continue pending arrival of the applicant or a representative.

SP3363 Dollar General #8474: Consider site plan approval for a retail business, Dollar General. The proposed building will be 9,100 sq. ft. The site is located on Perry Lane Road next to Yappy Days. Parcel ID: 03-21108. Pete Schoenauer with Tidewater Engineering agent for Josh Hufstetler with Teramore Development LLC., applicant. Steve Pello, owner.

Mr. Schoenauer was present for discussion.

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

The proposed building shown on the site plan is a 9,100 sq. ft. retail store. The site requires and the plan shows, a Type E Buffer to be planted along Perry Lane Road, a Type A Buffer to be planted at the rear of the property between the commercial and residential uses, and a Type D Buffer to be constructed around the dumpsters.

Retail businesses are required to have one parking space per 200 sq. ft. of retail floor area. On the site plan under “parking summary,” the applicant states that there will be 7,220 sq. ft. of retail floor area. The business is thus required to have 36 parking spaces for this site. The site plan shows the required amount of parking, and the one loading zone space required for retail businesses with between 2,000 and 25,000 sq. ft. of total floor area.

Under Section 619.4 (a) of the Glynn County 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: The proposed uses, buildings and structures are compliant with the requirements of this ordinance and other ordinances of Glynn County.**
- 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.**
- 5) Adequate provisions are made to protect trees that are selected to remain as depicted on the site plan. **Staff comment: There are no trees to protect on site.**
- 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: This requirement has been met.**
- 7) Adequate provisions are made to control the location, intensity, and direction of outdoor lighting so that it will not have an adverse effect upon adjoining properties. **Staff comment: The applicant will submit a lighting plan with the building permit application and all lighting will comply with Glynn County Ordinances and Regulations.**

8) Open space, as required, has been provided and appropriate means are proposed to assure maintenance of common areas and facilities. **Staff comment: No open space is required in the HC Zoning District.**

9) Adequate provisions are made for water supply, fire protection and sewage collection and treatment. **Staff comment: Due to the current state of wastewater conveyance within the county, the applicant has proposed their own on-site septic system. The JWSC has said that they are fine with this. The developers are currently seeking a wastewater variance to proceed with this method of addressing the need for sewer facilities.**

Ms. Dagenhart stated that staff has reviewed this site plan and determined that it satisfactorily complies with all applicable codes and ordinances. Any remaining issues will be addressed during the permitting process. Therefore, staff's recommendation is for approval of application *SP3363* as presented.

During discussion, Mr. Tom Boland asked if Dollar General had agreed to put in the septic system. Ms. Dagenhart replied yes. Mr. John Williams wanted to know if the applicant has the option of keeping the septic system once the capacity is obtained. Ms. Dagenhart stated that the option can always be discussed but according to JWSC, they would prefer that the site is connected to public sewer once the capacity is available. Chairman Nevill stated that he believes that this is considered to be a temporary fix but he's concerned about who will monitor the system. Ms. Dagenhart stated that JWSC would monitor this situation because they know when capacity reaches a certain point.

Mr. Pete Schoenauer of Tidewater Engineering gave a brief presentation. During which time he explained that they are proposing an on-site septic system because of the capacity issue, but all of the components have not yet been decided. He stated that he doesn't want to make a commitment or a condition with this site about when or how they're going to tie into the public system because this issue would have to be discussed with the JWSC. Chairman Nevill stated that he understood that once the capacity is available, then you would be required to tie into the system. However, Mr. Schoenauer stated that he doesn't know the exact position of the JWSC at this time.

Chairman Nevill expressed concerns about the required Type E Buffer in front along Perry Lane Road especially with the existing overhead power line and the large deciduous trees shown on the site plan. He suggested that perhaps the buffer should be modified to the next required lower level especially after seeing what occurred with the most recent hurricane in relation to downed power lines and large oak trees. Mr. Schoenauer stated that they would modify the plans to accommodate these concerns. For information purposes, Mr. Boland elaborated on the JWSC's position to allow a "temporary fix" with the septic system until the capacity is available. Chairman Nevill reiterated that the applicant would be required to tie-into the system once the capacity is in place.

At the end of discussion, a motion was made by Mr. Tom Boland to approve site plan application **SP3363** with the condition that the applicant can temporarily install the septic system until JWSC obtains capacity in the area, at which time the applicant would be required to tie into the public system. The motion was amended to include that a Type E Buffer would be allowed in front along the street but instead of large deciduous trees, the applicant would install the next required lower level type buffer (such as crepe myrtle). The amendment was accepted and the motion was seconded by Mr. John Williams. Voting Aye: Mr. Tom Boland, Ms. Larissa Harris, Mr. Jeff Homans, Mr. Tim Murphy, Mr. Gary Nevill and Mr. John Williams. Abstained From Voting: Ms. Mary Hunt.

SP3368 The Peninsula at Golden Isles Amenity Center: Consider site plan approval for an amenity center with a pool, dock, outdoor kitchen and a playground area, for the Peninsula at Golden Isles subdivision. Parcel ID: 03-22434. James A. Bishop with The Bishop Law Firm, agent for Peninsula Investment Holdings, LLC, applicant and owner.

Attorney Jim Bishop was present for discussion. Mr. Charles Ezell with Thomas & Hutton Engineers was also on hand to answer questions.

According to the staff's report, this proposed site plan contains 56,473 sq. ft. of impervious surface which includes the 1,845 sq. ft. of enclosed buildings. The use of this property qualifies as "Other Assembly Center" in the Glynn County Zoning Ordinance which requires one parking space for each 70 sq. ft. of patron space or use area. The design requires 27 parking spaces; 31 spaces are provided. The total site area is 3.31 acres.

Under Section 619.4 (a) of the Glynn County 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: The proposed uses, buildings and structures are compliant with the requirements of this ordinance and other ordinances of Glynn County. Any other issues that may arise shall be addressed during the construction phase and prior to the issuance of a building permit.**
- 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.**
- 5) Adequate provisions are made to protect trees that are selected to remain as depicted on the site plan. **Staff comment: There are no trees to protect on site.**
- 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 Planned Development Text does not require the planting of any buffers.**
- 7) Adequate provisions are made to control the location, intensity, and direction of 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: No open space is required.**
- 9) Adequate provisions are made for water supply, fire protection and sewage collection and treatment. **Staff comment: A note has been added to the site plan that acknowledges that there are downstream wastewater conveyance capacity problems and that the applicant will coordinate with JWSC at the appropriate time.**

Ms. Dagenhart stated that staff has reviewed this site plan and determined that it satisfactorily complies with all applicable codes and ordinances. Any remaining issues will be addressed during the construction phase and prior to issuance of the building permit. Therefore, staff's recommendation is for approval of application *SP3368* as presented.

Chairman Nevill asked if there is a restroom in the existing pavilion to which Ms. Dagenhart replied yes.

Mr. Boland had questions about JWSC regarding lift station 3114, septic tanks, and other requirements for Phase I of this project. He then asked if the applicants met with the JWSC. Attorney Jim Bishop replied yes and these concerns were discussed at length. He explained that this particular plan is only for the amenity center and he stated that there is an existing sewer tap that they plan to use in connection with the amenity center. Mr. Charles Ezell elaborated on the JWSC issues in relation to this project.

Following discussion, a motion was made by Mr. John Williams to approve application **SP3368**. The motion was seconded by Mr. Jeff Homans. Voting Aye: Ms. Larissa Harris, Mr. Jeff Homans, Ms. Mary Hunt, Mr. Tim Murphy, Mr. Gary Nevill and Mr. John Williams. Voting Nay: Mr. Tom Boland.

At this time, staff advised that Mr. Keith Stalvey, the applicant for Agenda Item **ZM3359** was now in attendance. Mr. Stalvey, who is a Glynn County Police Officer, apologized for being late. He then gave a brief presentation and a general discussion followed. It was noted that no one was present to speak in favor of or against this request, and at the end of discussion a motion was made by Ms. Mary Hunt to approve application **ZM3359** with a 20 ft. untouched natural buffer between the applicant's property and the adjacent Highway Commercial property. The motion was seconded by Mr. Tim Murphy and unanimously adopted.

SUP3362 Zuta Wireless Telecom: Consider a request for a special use permit to allow a 300 ft. self-support telecommunications tower for SouthernLINC and at least five of its competitors to be constructed at 9074 New Jesup Highway, Brunswick Georgia. The property contains 5.3 acres and is in the FA Forest Agriculture Zoning District. Parcel ID: 03-19245. Jonathan L. Yates with Hellman, Yates & Tisdale, agent for Municipal Communications and SouthernLINC applicant; Don L. Woods, owner.

Mr. Johnathan Yates was present for discussion. Mr. Don Woods was also on hand to answer questions.

The following report from staff was included in the packages for the Planning Commission's review and was presented by Ms. Dagenhart:

Telecommunication facilities are a permitted use in the FA district, however if the proposed tower is more than 150 ft. it may only be built upon approval of a special use permit as well as a building permit. The proposed tower is 300 ft. tall. According to Article XIV of the Glynn County Zoning Ordinance, "no new tower shall be permitted unless the applicant demonstrates to the reasonable satisfaction of the Glynn County Planning Commission that no existing tower or structure can accommodate the applicant's proposed antenna."

The Ordinance also states that evidence submitted to demonstrate that no existing tower or structure can accommodate the applicant's proposed antenna shall consist of any of the following:

1. No existing towers or structures are located within the geographic area required to meet applicant's engineering requirements.
2. Existing towers or structures are not of sufficient height to meet applicant's engineering requirements.
3. Existing towers or structures do not have sufficient structural strength to support applicant's proposed antenna and related equipment.

4. The applicant's proposed antenna would cause electromagnetic interference with an existing antenna on the existing towers or structures, or the antenna on the existing towers or structures would cause interference with the applicant's proposed antenna.
5. The fees, costs, or contractual provisions required by the owner in order to share an existing tower or structure or to adapt an existing tower of structure for sharing are unreasonable. Costs exceeding new tower development and operating costs are presumed to be unreasonable.

In the report submitted by the applicant, Mr. Yates states that the only existing tower within one mile of the proposed facility is a tower owned by Glynn County, which has denied permission to collocate. "SouthernLINC approached Mr. John Catron, Information Technology Manager for Glynn County, in February regarding collocating their equipment on the county tower. After the request was reviewed by the Joint Public Safety Communications Department Board Members, Mr. Catron informed SounthernLINC that Glynn County will not lease space on the tower due to their concern that Glynn County's needs may exceed what can be done to the tower and that it might end up limiting the county's capability to put equipment on the tower."

According to the applicant, the height of 300 ft. and the location of the proposed facility are absolutely necessary to provide continuous coverage on US Highway 341 and to provide good coverage throughout to the Georgia Power smart grid devices in the surrounding area. "Without the proposed facility, the existing signal strength is very low and non-existent on portions of US Highway 341 and at the Georgia Power smart grid device locations."

To satisfy the requirements set forth in Section 1404 A. of the Glynn County Zoning Ordinance, the applicant has included in their submission packet certifications and letters, such as:

- A Building Codes Letter (for 1404 A.1)
- An FAA Determination of No Hazard to Air Navigation (for 1404 A.2.a)
- FCC Antenna Structure Registration (for 1404 A.2.a)
- Glynn County Airport Commission Zoning Evaluation (for 1404 A.2.a)
- U.S. Fish and Wildlife Service letter, SHPO Concurrence and THPO (for 1404 A.2.a)

The packet includes site plan information, as well as security, visual impact and landscaping information. The proposed location of the tower is on the property at 9074 New Jesup Highway and will be sited behind the existing tree line with minimal disturbance to the on-site vegetation. The tower is approximately 850 ft. from the nearest residential structure. The proposed tower will not negatively impact any historic properties in the area.

According to Glynn County Zoning Ordinance Section 1405 B, “The Glynn County Planning Commission shall consider the following factors in determining whether to approve the height or design of a proposed tower, although the Planning Commission may waive or reduce the burden on the applicant of one or more of these criteria if the Planning Commission concludes that the goals of this ordinance are better served thereby.

1. Height of the proposed tower.
2. Proximity of the tower to residential structures and residential district boundaries.
3. Nature of uses on adjacent and nearby properties.
4. Surrounding topography.
5. Surrounding tree coverage and foliage.
6. Design of the tower with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness.
7. Proposed ingress and egress.
8. Availability of suitable existing towers and other structures as discussed in Section 1403.1 of this ordinance.

Before recommending approval of a special use permit to the Board of Commissioners, the Planning Commission shall determine that all of the requirements of Sections 1404 and 1405 have been satisfied, and further, that the benefits of and need for the proposed tower to the public are greater than any possible negative effects and damage to the neighboring properties.

Ms. Dagenhart stated that staff’s recommendation is for approval of application **SUP3362**, Zuta Wireless Telecom.

Mr. Johnathan Yates gave a brief presentation and a general discussion followed. During his presentation, Mr. Yates commended Ms. Dagenhart and county staff for their diligence, hard work and assistance with this request. There was no one present to speak in favor of or against this request; however, it was noted that staff received three letters of support from adjacent property owners.

At the end of discussion, a motion was made by Mr. Tom Boland, seconded by Ms. Mary Hunt and unanimously adopted to recommend approval of **SUP3362**, Zuta Wireless Telecom.

In other business, Mr. Tim Murphy stated that it would be beneficial to the members, applicants and the general public to have a representative from the JWSC attend the Planning Commission meetings. Mr. Frank Etheridge agreed and pointed out that the Islands Planning Commission expressed the same concerns. He stated that staff has consented to work with JWSC to have a representative attend the Planning Commission Public Hearings.

There being no further business to discuss, the meeting was adjourned at 6:55 p.m.