

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

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

ABSENT: John Williams, Vice Chairman

STAFF PRESENT: Denise Grabowski, Planning & Zoning Consultant
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

November 1, 2016 - Regular Meeting

Upon a motion made by Mr. Tom Boland and seconded by Ms. Mary Hunt, the Minutes of the *November 1st Regular Meeting* were approved and unanimously adopted.

At this time, Ms. Denise Grabowski introduced herself as the Planning Consultant employed by Glynn County to assist in the Planning & Zoning Division of Community Development Department.

ZM3333 175 Tison Drive: Consider a request to rezone one 1.65 acre parcel at 175 Tison Drive from Local Commercial (LC) to R-20 One Family Residential. The purpose of the request is to allow the construction of a one family home. Property is located on the north side of Tison Drive, approximately 300 ft. from its intersection with Highway 82. Parcel ID: 03-14335. Allan A. Cox, applicant and owner.

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

This is a proposal to rezone the above referenced property to R-20 One-Family Residential to allow construction of a one-family home. Under the current LC zoning, a one-family home is not a permitted use.

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 on three sides and a LC zoned parcel on the fourth side.

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.

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 categorizes this property as Medium Density Residential. The proposed use of this property for a single family home is less dense; however, changing the property to residential and keeping the 1.65 acres in tact does allow for further development of this property in the future, if the need arises.

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. Grabowski stated that staff believes that this application is complete and contains all of the information required by the Glynn County Zoning Ordinance, and as such, staff's recommendation is for approval of application **ZM3333**.

It was determined at this time that the applicant was not in attendance. Therefore, Chairman Nevill advised that discussion would be delayed pending arrival of the applicant or a representative. If the applicant or a representative does not appear, this request will be deferred until next month.

ZM3334 1701 Cate Road: Consider a request to rezone one 14.66 acre parcel at 1701 Cate Road from FA Forest Agriculture to MR Medium Residential. The purpose of the request is to allow the construction of an apartment complex. This property is located on the north side of Cate Road, approximately 745 ft. from its intersection with Golden Isles Parkway. Parcel ID: 03-03198. Sheryl Skarpalezos agent for Alexander Vakili, owner.

Mr. Abbas Vakili was present for discussion.

According to the staff's report, the applicant is requesting to rezone the property in order to construct an apartment complex. The property is located between a working farm and Pecan Pointe South, a planned development a majority of which is currently undeveloped but which allows detached single family homes as well as attached single family homes. Sewer infrastructure is available in this area; however, the lift station is currently at capacity. The traffic impacts will have to be examined more closely once there is a site plan for the development.

Staff requests that any positive recommendation of this rezoning be accompanied with a requirement for a traffic study being required at the site plan stage. This traffic study shall be included as part of any site development submittals (i.e. site plan or building permit submittals). The study will, at a minimum, evaluate the impacts of the proposed development on the existing and projected future traffic in the area and provide recommendations for mitigating those impacts both onsite and off-site. The development plans will be expected to reflect those recommendations.

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: Staff considers the rezoning and potential development of the parcel to be suitable in view of the use and development of the adjacent and nearby properties. Buffers will be required between the adjacent uses.

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

Staff comment: The zoning proposal should 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 that is subject to the rezoning request has a reasonable economic use as it is currently zoned.

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: Staff will not know the detailed impact on existing streets, transportation facilities, utilities or schools until more is known about the plans for developing the property. The site is located in close proximity to Golden Isles Parkway. This property would be served by a lift station that is at capacity; therefore, no sewer capacity is currently available.

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 categorizes this property as Medium Density Residential. Rezoning the property to Medium Residential would be in keeping with the Future Land Use Map.

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.

Because of the sewer issues, Ms. Grabowski stated that staff recommends a delay of rezoning this application until such time when sewer capacity is available to serve the proposed use. However, during Mr. Vakili's presentation, he pointed out that he contacted JWSC and was advised that the property could be rezoned conditioned upon availability of water and sewer. Mr. Vakili added that he understands that there is no capacity at this time, but he would like to proceed with this application.

Mr. Tom Boland wanted to know which lift station would service the proposed complex. Ms. Grabowski stated that the property would be served by Lift Station 4105. She also added that if the recommendation from the MPC is for approval, staff would like to recommend that it be conditioned upon a traffic study being done at the time of the site plan submittal.

The floor was opened at this time for public comments. Mr. Josh Kirkland, adjacent property owner, was present to oppose this request. He considers this proposal to be spot zoning.

There were no other comments from the floor and therefore the public hearing was closed.

At the end of discussion, a motion was made by Mr. Tim Murphy to recommend approval of application **ZM3334** conditioned upon a traffic study being done at the time of the site plan submittal. The motion was seconded by Ms. Larissa Harris. Voting Aye: Mr. Tom Boland, Ms. Larissa Harris, Mr. Tim Murphy and Mr. Gary Nevill. Voting Nay: Ms. Mary Hunt.

ZM3370 Northwest Quadrant PD DRM Tract: Consider a request to amend the Planned Development Text to include Surface Mining as a permitted use in the Residential section of the development, specifically on the 192.8 acres zoned Residential that is identified on the survey prepared by Shupe Survey Company, P.C. on or about December 15, 2015 which is attached hereto as Exhibit “T” and is incorporated herein by specific reference. The property is currently undeveloped and is accessed through several logging roads as well as Pond Road off of Highway 99. Parcel ID: 03-23244. Jason Tate with Roberts Tate, LLC, agent for Jeffery Counts with DMR Investments, LLC, applicant and owner.

Mr. Johnathan Roberts was present for discussion. Mr. Jeffery Counts was also on hand to answer questions.

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

The applicant is requesting to amend the Planned Development Text in order to include Surface Mining as a permitted use in the residential area of parcel 03-23244. The parcel is 192.8 acres of the 432.67 acre planned development. Surface mining is the process for the commercial removal of minerals from the surface of the earth.

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 area surrounding the parcel is undeveloped and has large swaths of natural shrub and trees that serve as buffers. The site will not be casually seen by neighboring or adjacent parcels.

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

Staff comment: The zoning proposal should not adversely affect the existing use or usability of adjacent or nearby properties as it currently exists. The approved PD master plan indicates future adjacent residential development. A future school site is in close proximity to the subject property.

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

Staff comment: The property that is subject to the rezoning request has a reasonable economic use as it is currently zoned.

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 added use will not cause an excessive or burdensome use of the 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 use of this property for surface mining does not make the property unusable for residential purposes in the future. The addition of this use does not change the parcel's conformity with the Future Land Use Map.

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. Grabowski stated that staff recommends approval of application **ZM3370** with the following conditions and modifications:

- a) Surface mining shall be permitted as a special use;
- b) Surface mining activities shall be concluded prior to the development of adjacent residential development;
- c) Surface mining activities shall be concluded prior to the operations of a new school site as shown on the approved master plan; and
- d) The surface mining operations shall leave the property in a condition suitable for adjacent residential development.

During a brief presentation, Mr. Johnathan Roberts elaborated on the operation of this proposed use of the property and a general discussion followed. Afterward, the floor was opened for public comments. The following residents were present to speak in opposition to this request: Mr. & Mrs. Julian Smith of St. Simons Island and Mrs. Sharon Lovin of 212 Rosewood Drive, Brunswick, Georgia. Concerns were expressed about the content of the application, staff's comments, a commercial operation taking place in a residential area, and possible violation of state regulations - all of which were addressed and clarified by the applicant and the planning members.

There being no further comments and the public hearing was closed. A motion was then made by Ms. Mary Hunt to recommend approval of application **ZM3370** with the following conditions:

- a) Surface mining activities shall be concluded prior to the development of adjacent residential development;
- b) Surface mining activities shall be concluded prior to the operations of a new school site as shown on the approved master plan; and
- c) The surface mining operations shall leave the property in a condition suitable for adjacent residential development.

The motion was seconded by Ms. Larissa Harris. Voting Aye: Mr. Tom Boland, Ms. Larissa Harris, Ms. Mary Hunt and Mr. Tim Murphy. Abstained: Mr. Gary Nevill.

ZM3376 Northwest Tract at Glynco Parkway and HWY 17: Consider a request to rezone an 8.44 acre parcel from FA Forest Agriculture to GC General Commercial for the purpose of constructing a Gas Station. This parcel is at 4715 Highway 17 which is at the corner of Glynco Parkway and Highway. Parcel ID: 03-00153. Bert Etheredge with Roberts Civil Engineering, PC, agent for J. Noel Osteen, applicant and owner.

Mr. Bert Etheredge was present for a discussion.

According to the staff's report, the applicant is requesting to rezone the property in order to construct a gas station. Approval of this rezoning request does not constitute approval of the site plan. An example layout for the property is included for review, but the details will be addressed during the site plan phase of this project.

Staff requests that any positive recommendation of this rezoning be accompanied with a statement about a traffic study being required at the site plan stage. This traffic study shall be included as part of any site development submittals (i.e. site plan or building permit submittals). The study will, at a minimum, evaluate the impacts of the proposed development on the existing and projected future traffic in the area and provide recommendations for mitigating those impacts both onsite and offsite. The development plans will be expected to reflect those recommendations.

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 zoning proposal will permit a use that is suitable in view of the use and development of adjacent properties. Any non-compatible uses will be separated by a buffer.

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

Staff comment: The zoning proposal should 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 that is subject to the rezoning request has a reasonable economic use as it is currently zoned.

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 proposed use should not create a burden on the utilities or schools.

A TRAFFIC STUDY WILL BE INCLUDED AS PART OF ANY SITE DEVELOPMENT SUBMITTALS (I.E. SITE PLAN, BUILDING PERMIT SUBMITTALS). THE STUDY WILL, AT A MINIMUM, EVALUATE THE IMPACTS OF THE PROPOSED DEVELOPMENT ON THE EXISTING AND PROJECTED FUTURE TRAFFIC IN THE AREA AND PROVIDE RECOMMENDATIONS FOR MITIGATING THOSE IMPACTS BOTH ONSITE AND OFFSITE. THE DEVELOPMENT PLANS WILL BE EXPECTED TO REFLECT THOSE RECOMMENDATIONS.

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 categorizes this property as Commercial Mixed Use. This rezoning request conforms to the Future Land Use Map.

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. Grabowski stated that staff's recommendation is for approval of application **ZM3376**, provided a traffic study will be included as part of any site development submittals (the details of which are outlined in this report).

Mr. Bert Etheredge gave a brief presentation and a general discussion followed. There were no comments from the public, and at the end of discussion, a motion was made by Mr. Tim Murphy to recommend approval of application **ZM3376** provided a traffic study will be included as part of any site development submittals. The motion was seconded by Ms. Mary Hunt. Voting Aye: Ms. Larissa Harris, Ms. Mary Hunt, Mr. Tim Murphy and Mr. Gary Nevill. Voting Nay: Mr. Tom Boland.

SP3350 - Oak Grove Island Storage Shed: Consider site plan approval for a storage shed on a 9.38 acre parcel. This property is located in the Oak Grove Island Planned Development, right between fairway number 12 and 13. Parcel ID: 03-26903. Steve Dawson with Heritage Oaks Golf Club, LLC, applicant and owner.

Mr. Bert Etheredge was present for discussion.

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

According to the Planned Development Text that governs this property, anything that is not the golf course and not residential is to be treated as commercial property. Other non-residential development in the planned development shall not exceed 60% of the lot area; the proposed building does not exceed 60% of the lot area.

The proposed storage shed is 5,000 sq. ft., and although no parking spaces are required for this building, nine parking spaces are provided.

The PD Text for the development dictates that property lines abutting single-family residential lots must be screened by a permanent, attractive planted buffer, wall or fence not less than 6 ft. in height and sufficient to screen out excessive sound and view from the residential areas.

Staff recognizes the property on which the storage shed does not share a property line. However, there is approximately 25 ft. that is between the subject parcel and single family residential property. This 25 ft. is mainly used for maintenance vehicles, and both properties are owned by Heritage oaks Golf Club, LLC. Once again, the PD Text indicates that any parking lot should be enclosed with a planting screen, wall or fence to a height of at least 6 ft. excluding gates or exit points. Staff is waiting on a resubmittal to show these buffers. (The staff's report also included guidelines for site plan approval as outlined under Section 619.4 (a) of the Glynn County Zoning Ordinance, along with staff's comments.)

Ms. Grabowski stated that staff recommends approval of site plan application **SP3350**, pending a revised site plan including the required buffers.

During a brief presentation, Mr. Bert Etheredge elaborated on the purpose of this request. He also addressed the buffer concerns and disagreed with staff's interpretation of the buffer.

At the end of discussion, a motion was made by Ms. Mary Hunt to approve application **SP3350** subject to the applicant providing a landscaped buffer plan for staff's review. The motion was seconded by Ms. Larissa Harris and unanimously adopted.

SP3379 - J & J Tire: Consider site plan approval for an eight bay vehicle service facility that will be operated as a satellite facility for J & J Tire, which is located directly across the road at 233 Candler Drive. Parcel IDs: 03-12680 and 03-12669.

There was no one present to represent this application. Therefore, a motion was made by Ms. Mary Hunt, seconded by Ms. Larissa Harris and unanimously adopted to defer application **SP3379** to the January 3, 2017 Mainland Planning Commission Meeting, beginning at 6:00 p.m.

At this time, Chairman Nevill referred back to application **ZM3333**; however, there was still no one in attendance to represent this request. Thereupon, a motion was made by Ms. Mary Hunt, seconded by Mr. Tom Boland and unanimously adopted to defer application **ZM3333** to the January 3, 2017 Mainland Planning Commission Meeting, beginning at 6:00 p.m.

In other business, a motion was made by Ms. Mary Hunt, seconded by Mr. Tom Boland and unanimously adopted to accept the *2017 MPC Meeting Schedule* as presented. Also, Ms. Grabowski agreed to find out if a nominating committee is necessary or mandatory for election of officers. In the meantime, election of 2017 officers will take place at the February 7, 2017 MPC Meeting, which commences at 6:00 p.m.

There being no further business to discuss, the meeting was adjourned at 7:45 p.m.