

# MINUTES

## MAINLAND PLANNING COMMISSION

JULY 10, 2018 - 6:00 P.M.

Historic Courthouse, 701 G Street

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**MEMBERS PRESENT:** Gary Nevill, Chairman  
Tim Murphy, Vice Chairman  
John Williams  
Larissa Harris

**ABSENT:** Bill Edgy  
Mary Hunt  
Gene Lee

**STAFF PRESENT:** Pamela Thompson, Community Development Director  
Will Worley, Senior Assistant County Attorney  
Stefanie Leif, Planning Manager  
Maurice Postal, Planner III  
Janet Loving, Admin/Recording Secretary

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

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### MINUTES

**May 15, 2018 Regular Meeting**

**June 15, 2018 Called Meeting**

Upon a motion made by Mr. Tim Murphy and seconded by Mr. John Williams, the Minutes of the *May 15<sup>th</sup> Regular Meeting* were approved and unanimously adopted.

Upon a motion made by Mr. John Williams and seconded by Mr. Tim Murphy, the Minutes of the *June 15<sup>th</sup> Called Meeting* were approved and unanimously adopted.

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**AGENDA CHANGES**

Chairman Gary Nevill advised that the agenda would be rearranged as follows: *Item 1) TA3822* moved to the end of the agenda - *Item 5) SP3789* moved first on the agenda.

Before continuing, Chairman Nevill gave a brief recap of the rules and meeting procedures in conducting Public Hearings.

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**SP3789 - Willie Jewel’s BBQ:** Consider site plan approval for the expansion and renovation of a currently existing restaurant building at 252 Millennium Boulevard. Ben Clark, applicant and agent for Paul Hinch, My Two Sons Inc., owner.

Mr. Johnathan McDill was present for discussion.

In presenting the staff’s report, Mr. Maurice Postal stated that the existing 1,967 sq. ft. restaurant was a Huddle House location and is currently vacant. After the addition, the square footage of the property’s gross building area will be 2,135 sq. ft.

A portion of the addition to the existing building will encroach into the southern side yard setback. The applicant is requesting a variance to the setback requirements (from the Glynn County Zoning Board of Appeals) from buffering requirements along the western property boundary.

The staff’s report also contained standards and criteria to be considered in making a decision on site plans, including staff’s comments, in accordance with Section 619.4 (a) of the Glynn County Zoning Ordinance.

Mr. Postal stated that staff recommends approval of application **SP3789** with the following conditions:

1. Prior to issuance of a building permit, the property shall have either an approved variance application for the setback encroachment or the plans shall be revised to comply with setback requirements.
2. The buffer requirement along Golden Isles Parkway is waived due to the existing parking area location.

Mr. Johnathan McDill gave a brief presentation and a general discussion followed. Afterward, a motion was made by Mr. Tim Murphy, seconded by Mr. John Williams and unanimously adopted to *approve application SP3789* with the following conditions:

1. Prior to issuance of a building permit, the property shall have either an approved variance application for the setback encroachment or the plans shall be revised to comply with setback requirements.
2. The buffer requirement along Golden Isles Parkway is waived due to the existing parking area location.

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**ZM3753 - 310 Old Jesup Road Rezone:** Request to rezone approximately 0.57 acres located at 310 Old Jesup Road (Parcel Number 03-17533), the present site of Vansh Corner convenience store and fuel station, from Local Commercial to General Commercial. Romin Patel, Vansh Holdings, LLC, owner and applicant. (*deferred from May 15, 2018*)

Mr. Romin Patel was present for discussion.

A detailed report from staff was included in the packages for the Planning Commission's review and was presented by Ms. Stefanie Leif who explained that the property should remain as currently zoned. What the applicant is requesting can be done within the current zoning district. Therefore, Ms. Leif stated that staff's recommendation is for denial of this zoning change.

During a brief presentation, Mr. Patel explained that his main reason for requesting the zoning change is to have a billboard. However, it was pointed out to Mr. Patel that this was not included in his application request. In explaining the zoning process to Mr. Patel, Mr. Tim Murphy suggested that he put his specific request in writing for clarification. For additional clarification, Chairman Nevill pointed out to the applicant that he could either withdraw his application or defer it to another date. Mr. Patel stated that he would like to defer and amend his application to include reference to the billboard.

At the end of discussion, a motion was made by Mr. Tim Murphy, seconded by Ms. Larissa Harris and unanimously adopted to *defer application ZM3753* to the August 7<sup>th</sup> MPC Meeting, beginning at 6:00 pm.

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**ZM3785 - 725 Harry Driggers Blvd/R4 Tract Rezone:** Request to make a minor revision to an existing Planned Development: Golden Isles Gateway, GC-34-99. The applicant would like to allow surface mining as a permitted use within a specific 86 acre area of the subject 442.68 acre parcel. Stewart Tate, agent, for RLF Kingsland Properties, LLC, owner and applicant.

Mr. Charles Ezell of Thomas & Hutton Engineers was present for discussion. Mr. Stewart Tate and Mr. Chris Germano were also on hand to answer questions.

A detailed report from staff was included in the packages for review and was presented by Mr. Postal. The following background information was also included:

- The applicant is interested in making a minor revision to an existing Planned Development: Golden Isles Gateway, GC-34-99. The applicant would like to allow surface mining as a permitted use within a specific 86 acre area of the subject 442.68 acre parcel.
- The sole mining activity will be the operation of a borrow pit for the excavation of sand. The resulting lagoons created by the excavation will be used as water features in a future residential subdivision to be developed on the parcel.
- The DNR mining permit allows for 8 years of excavation and 2 years of restoration. The applicant has indicated that the excavation will probably last for four years. If the housing market continues to improve, sand mining operations may be terminated early in favor of housing construction.
- Truck traffic exiting the parcel on to Harry Driggers Boulevard will primarily be making left turns and travelling east to US 17. Greer Elementary School and Needwood Middle School are to the west of the parcel. The applicant anticipates an average of 75 truckloads per day, with infrequent periods of high demand of up to 200 trips per day.
- The applicant plans on maintaining a minimum vegetative buffer of 900 ft. along all property lines.

The staff's report also contained factors to be considered in making a decision on a zoning request, along with staff's comments, in accordance with Section 1103 of the Glynn County Zoning Ordinance.

Mr. Postal stated that staff has determined that this application is complete and contains all information required by the Glynn County Zoning Ordinance. Staff's recommendation is for approval of application **ZM3785** with the following condition:

- The permitted use of mining within the R-4 Tract of the Golden Isles Gateway Planned Development shall be terminated when the DNR permit for the currently described mining operation expires.

Mr. Charles Ezell gave a brief presentation and general discussion followed. Afterward, Chairman Nevill opened the floor for public comments. There was no one present to speak in favor of this request. The following residents were present to oppose: Mr. Julian Smith, Ms. Victoria Fennel, Mr. Richard Hill, Mr. Bud Greco, Ms. Maranda Smith and Mr. Sam Self. The opponents expressed concerns about traffic, noise, hours of operation, smoke, road maintenance, encroachment into a residential subdivision, property values would decline, and the proposed operation would be too close to schools in the area. Mr. John Smith was not necessarily opposed and stated that the operation could be done, but with a different approach to perhaps re-route traffic.

Some residents complained about not being notified of this request. Mr. Postal elaborated on the addressing notification process in accordance with the regulations of Glynn County.

During a brief rebuttal, Mr. Charles Ezell, along with Mr. Stewart Tate and Mr. Chris Germano addressed some of the concerns of the residents and further explained the overall operation in an effort to ensure the residents that this proposal would not be an intrusion or detrimental to their property value.

At the end of discussion, a motion was made by Mr. Tim Murphy, seconded by Ms. Larissa Harris and unanimously adopted to recommend *approval of application ZM3785* with the following conditions:

- The permitted use of mining within the R-4 Tract of the Golden Isles Gateway Planned Development shall be terminated when the DNR permit for the currently described mining operation expires.
- Trucks hauling dirt arriving or leaving the site will not travel pass any school zone within Harry Driggers Boulevard when school caution lights are active.

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**TA3822 – St. Simons Island Tree Canopy Preservation:** Proposed amendment to repeal and replace Section 624 of the Zoning Ordinance of Glynn County, Georgia; to provide for the preservation, planting, and replacement of trees on St. Simons Island; to protect and preserve the tree canopy of St. Simons Island; and for other purposes.

Ms. Miriam Lancaster, Chairman of the Tree Ordinance Review Board, gave an in-depth presentation which began with an introduction of the board members and staff who participated in preparing this proposed ordinance. (The MPC members were provided with a draft copy of this document prior to the meeting.)

The following are some of the points made by Ms. Lancaster during her presentation:

- A tree plan will be required before construction of commercial developments, hotels, condominiums, new residential subdivision or redevelopment of substandard lots resulting in higher density.
- The ordinance is not applicable to:
  - a) approved site plans and preliminary plats;
  - b) removal of trees other than Live Oaks of any size on developed properties; and
  - c) removal of Live Oaks less than 38 inches DBH on developed properties.

Ms. Lancaster briefly updated the MPC members on the changes that had been incorporated as a result of the Joint Planning Commission Work Session. She also pointed out several distinctions between the original draft and the revised version of the ordinance. There were concerns expressed about tree protection standards, and according to the revised draft, tree protection must be in place prior to land disturbance activities. Trees to be saved will be flagged with green tape. This version of the tree plan also defined structural and critical root zones, as well as ecological root print. Ms. Lancaster pointed out that the ordinance is designed to protect root zones during construction projects.

In conclusion, Ms. Lancaster thanked her fellow board members and county staff who participated in updating this ordinance, which if approved, will only apply to St. Simons Island.

Mr. Tim Murphy, who was a member of the Tree Ordinance Review Board, elaborated on the extensive work that went into developing this proposal, and he encouraged his fellow board members to support this ordinance.

At this time, Chairman Nevill opened the floor for public comments. Mr. Julian Smith was present to speak in favor of this proposed ordinance. There was no opposition and no other comments. Thereupon, a motion was made by Mr. John Williams to recommend *approval of TA3822*. The motion was seconded by Mr. Tim Murphy. Voting Aye: Ms. Larissa Harris, Mr. Tim Murphy and Mr. John Williams. Voting Nay: Mr. Gary Nevill. The motion failed, which resulted in no action.

According to county regulations, four votes (not a majority of those in attendance) are required for a motion to be approved or denied.

Senior Assistant County Attorney Will Worley reminded the MPC members that some kind of action must be taken, either a recommendation of approval or denial. The Glynn County Board of Commissioner will not accept “no action.”

Ms. Pamela Thompson advised that there are two options; one would be to conduct a Special Called Meeting with more members in attendance, or Mr. Nevill could change his nay vote and vote in favor of this item in order to move the issue on to the Board of Commissioners. However, Mr. Nevill did not wish to change his vote. He feels that there are still a few issues to be addressed. A motion was then made by Mr. John Williams to ***defer application TA3822*** to a Special Called Meeting of the MPC to be conducted on Thursday, July 12<sup>th</sup> beginning at 12:00 Noon on the 2<sup>nd</sup> Floor of the Harold Pate Building, 1725 Reynolds Street. The motion was seconded by Ms. Larissa Harris and unanimously adopted.

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There being no other business to discuss, the MPC Meeting was adjourned at 8:45 p.m.