

MINUTES
GLYNN COUNTY PLANNING COMMISSION
March 4, 2003 - 5:00 P.M.

MEMBERS PRESENT: Hal Hart, Chairman
Perry Fields, Vice Chairman
Mike Aspinwall
Ann McCormick
Robert Ussery
Jonathan Williams

ABSENT: Gary Nevill

STAFF PRESENT: York Phillips, Planning Manager
Carolynn Segers, Planner II
Janet Loving, Admin/Recording Secretary

Chairman Hart explained that the first hour of tonight's meeting would be an informal workshop to discuss the proposed amendment regarding height limitations. No action is required.

The general discussion included the definition of "building height" and how to measure the height of buildings. As a refresher, Ms. Ann McCormick, who was appointed to study this particular section of the ordinance, distributed information containing the intent, the problem and proposed solutions, along with a proposed definition.

Mr. Robert Ussery presented architectural drawings depicting several ways of measuring the height including a proposal for measuring from the base flood elevation. The examples also illustrated a distinction between pitched roofs, flat roofs and a maximum number of habitable floors.

Members of the audience participated in the discussion. Relative to the height measurement, it was their general consensus that the fair and equitable solution would be to measure from the FEMA Line.

At the end of discussion, it was noted that additional review is needed on this section of the ordinance before any new action is taken.

At 6:10 p.m., Chairman Hart called the regular 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.

Upon a motion made by Mr. Perry Fields and seconded by Mr. Mike Aspinwall, the agenda for the March 4th Planning Commission meeting was approved and unanimously adopted.

GC-2003-02

Application by Ron Sluder to rezone from FC Freeway Commercial to FA Forest Agriculture property located at 689 Fancy Bluff Drive approximately 435 feet west of its intersection with Loper Drive and consisting of a triangular portion of land approximately .653 acres in size situated approximately 1,270 feet southeast of Fancy Bluff Road.

It was noted that no one was present to represent this request, therefore this item was deferred until later in the meeting pending arrival of a representative.

GC-2003-03

Application by Jay Kaufman, agent for Virtu Brunswick Associates, LLC, to rezone from FC Freeway Commercial to HC Highway Commercial property located at 3003 Scarlett Street near its intersection with Picric Drive and consisting of 8.73 acres with approximately 600 feet of frontage on Scarlett Street.

Mr. Jay Kaufman was present for discussion.

The staff's report was included in the packages for review and was presented by Mrs. Segers as follows:

The surrounding area is zoned FC Freeway Commercial along Scarlett Street and a portion of Picric Street. Property to the northeast across Picric is zoned R-9 and M-20 residential.

The Future Land Use Map of the Glynn County Comprehensive Plan identified this area as commercial. The subject parcel was developed as a retail center in 1986 and the applicant does not intend redevelopment at this time. The purpose of the rezoning is to permit a broader range of permitted uses, including a broader category of retail and services, churches, wholesale uses and schools. The current development provides sufficient access, off-street parking, lighting, etc., to support the uses of the Highway Commercial zoning district.

In conformance with Section 1103 of the Glynn County Zoning Ordinance, the following findings of fact were considered in making the recommendation:

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

Yes. The surrounding area is currently developed for Freeway Commercial uses, including a motel.

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

Unlikely, since no redevelopment is planned.

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

Yes.

- 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.

No.

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

The future land use map identifies this area as Commercial.

- 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.

Approval of this rezoning request would allow broader use of the existing development and would be in compliance with the Future land Use Map. Staff's recommendation is for approval.

Following a brief discussion, a motion was made by Mr. Perry Fields to recommend approval of this request subject to site plan approval of any changes or alterations of existing structure. The motion was seconded by Mr. Jonathan Williams and unanimously adopted.

GC-2003-04

Application by Dan Coty and Steven V. Brian, agents for Glynn County Airport Authority, to rezone from G Government to PD-G Planned Development General, property located at the northeast corner of Harry Driggers Boulevard and Canal Road, and consisting of 19.2 acres with approximately 1,500 feet of frontage on Harry Driggers Boulevard.

Mr. Dan Coty and Mr. Steven Brian were present for discussion.

The staff's report was included in the packages for review and was presented by Mrs. Segers as follows:

Property to the north is zoned PD-G and part of the Golden Isles Gateway Tract. Specifically, it is part of the Eagle Crest residential subdivision. Property to the east and south is zoned G and is developed either as the Glynco Airport or the National Guard facility. On November 19, 2002 property to the west across Harry Driggers Boulevard was rezoned from G Government to PD-G.

The Glynn County Airport Commission is working in cooperation with Dan Coty to develop a 7-acre mini-warehouse storage facility along the northern boundary of the tract. The operation is planned to have limited traffic volume. A 50 ft. wide natural wooded buffer along the development's northern boundary would protect the adjacent residential subdivision. The subdivision also has a 35 ft. wide buffer along this line. Together, these would create an 85 ft. buffer between residential and non-residential uses. Further, the property is located under the flight path of the Glynco Jetport and is extremely limited in suitable uses.

The Glynn County future land use map identifies this area as Transportation/Communications/Utilities. It is adjacent to commercial, residential and industrial areas. The proposed text is very similar to the PD text approved in November 2002 for the airport property located across Harry Driggers Boulevard. Significant changes are: additional permitted use of mini-warehouses; a reduction of front setback from 50 ft. to 30 ft., and side and rear setbacks from 75 ft. to 50 ft. when abutting residential use; and an increase of site coverage from 30 percent to 75 percent. The general layout plan is specific to the first phase of development. All development will require site plan and additional information.

In conformance with Section 1103 of the Glynn County Zoning Ordinance, the following findings of fact were considered in making the recommendation:

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

Yes, the property is managed by the Glynn County Airport Commission in a manner consistent with Federal Aviation Administration regulations.

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

Unlikely. Proposed northern buffer will separate proposed mini-warehouse facility from existing residential development.

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

Yes, although the property is owned by Glynn County and managed by Glynn County Airport Commission.

- 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.

No. The proposed use will have limited traffic, and will not impact school populations.

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

The future land use map identifies this area as Transportation/Communications /Utilities. It is adjacent to commercial, residential and industrial areas.

- 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.

Proposed text and General Layout Map provides for appropriate uses for this location, and the site is supported by facilities and utilities. The proposed 75% site coverage is high if nearly all of the 19 acres is to be developed to that density. It is recommended that a drainage plan for the entire 19 acre tract be developed and approved by the County Engineer during the site plan review phase and prior to issuance of building permit.

Staff's recommendation is for approval, conditioned on the completion of a drainage plan for the entire 19 acre site.

Chairman Hart stated that the text refers to a particular area as Area II, but it is not marked on the map. Mrs. Segers explained that when the title was made for the area that was rezoned in November for Harry Driggers, it had the same title but no designation. Since this is within that same area, she designated it as Area II, as opposed to Area I. Chairman Hart wanted to know if there is a map that shows this as Area II. Mrs. Segers stated that the area is highlighted on the text but staff would be amenable to a better name or title. Mr. Fields pointed out that he intends to abstain from voting on this item, but he does have some comments. He stated that perhaps it would be easier to call this particular area "Brunswick Golden Isles Airport Eastern Development Area." Mr. Steven Brian, Executive Director of the Airport Commission, stated that the area in question could be named anything that can be identified by everyone. He stated that the task of

identifying the area was left up to staff. Mrs. Segers stated that staff would also propose adding more description to Section B on the legal description of the property so that it is specifically defined in the survey dated February 27, 2003.

Chairman Hart had questions about the buffer. He wanted to know if the buffer is located on the airport property or on the other property shown on the map. Mr. Brian stated that the buffer is located on both properties. Mr. Fields suggested that the survey be redrawn and that Area II be labeled on the survey.

Chairman Hart wanted to know if the 75% covers the entire 19.2 acres or the 7 acre warehouse tract. Mr. Dan Coty stated that he received the warehouse site plan from Mr. Ray Richard today and it is actually 71% of the 7 acre tract.

Chairman Hart had several questions about the drainage plan, i.e., whether drainage is based at 75% coverage, etc. In an attempt to clarify some of the drainage concerns, Mr. Jeff Halliburton, who made it clear that he doesn't have anything to do with this project, stated that a master plan could be done for the whole project with enough drainage to cover the entire 75% or whatever their calculations are, and then expand the drainage system as the parcels are expanded or developed. In other words, from an engineering perspective, he stated that they could master plan the whole thing, build what they need now, and expand as needed.

Chairman Hart stated that he doesn't see anything that would support the 45 ft. height limit as proposed. He then asked if there was a reason for this height. Mr. Brian explained that the 45 ft. was just an arbitrary number used for consistency. He stated that he is not proposing anything at 45 ft. in this particular area. Mrs. Segers concurred. She stated that the language in this text came from an article of the Zoning Ordinance that deals specifically with the airport.

Mr. Aspinwall asked if the buildings are going to be air-conditioned. Mr. Coty stated that construction would be done in three phases. The first phase will be approximately 200 units and will not be climate controlled; however, if there is a demand for such, it could be changed. Construction of the size units, etc. will depend on the market and demand, but the entire area will be secured and fenced.

Referring back to the 45 ft. height, Chairman Hart asked Mr. Brian if he wanted to change the number. Mr. Brian stated that the height should really be in conformance with what the county already has in place. Mrs. Segers stated for that reason, staff included the following language: "...45 ft., and in conformance with Article XII, Airport Zoning District." Mr. Robert Ussery suggested deleting the 45 ft. and just include the language proposed by staff. Staff concurred.

At this time, Mr. Phillips pointed out typographical errors in the text that should be deleted and language that should be added. Chairman Hart stated that this appears to be an incomplete application and perhaps a deferral should be considered. However, to avoid a delay for the April 3rd County Commission meeting, it was the consensus of the members to take action on this application with noted changes in the text to be brought back for review at the March 18th Planning Commission meeting.

Following discussion, a motion was made by Mr. Robert Ussery to recommend approval of this request subject to the following changes:

- 1) Paragraph A: Delete the last sentence as follows: "The initial proposed use..."
- 2) Paragraph B: Add the following language: "...as depicted in a Glynn County Airport Commission survey by Shupe Surveying Company, Inc., dated 2-27-03 by Gary Nevill, which is attached and incorporated herein."
- 3) Paragraph C: Correct typo; change the second 2 a) to 2 b).
- 4) Paragraph C: Item 2 g) Delete 45 ft. Add: Maximum height shall be in conformance with Article XIII Airport Zoning District.

- 5) Paragraph E: Tables showing the total number of acres...up to 100% of all permitted uses will be allowed.
- 6) Revise Paragraph K to read: “to be developed in phases within 7 years of approval of each phase site plan. Development will commence...”
- 7) Revise Paragraph L to read: “all development plans are subject to approval of the Glynn County Airport Commission and the Glynn County Planning Commission.”
- 8) Staff’s recommendation for a drainage layout plan of the 19 acres.

The motion was seconded by Mr. Mike Aspinwall. Voting Aye: Mr. Mike Aspinwall, Mr. Hal Hart, Ms. Ann McCormick, Mr. Robert Ussery and Mr. Jonathan Williams. Abstained From Voting: Mr. Perry Fields.

Variance Request-Golden Isles Gateway

A portion of CR-7; In accordance with Article IX of the Glynn County Subdivision Regulations, request by Wild Life Realty Associates for a variance from Section 602.2g, Permanent Dead-End Streets.

Mr. Cameron Bland and Mr. Jeff Halliburton were present for discussion.

In presenting the staff’s report, Mr. Phillips stated that there are two items related to the same project. The first item is a request for a variance in accordance with the guidelines of Article IX of the Subdivision Regulations. The second item is approval of the preliminary plat. In discussing the variance request with staff, Mr. Phillips stated that he concluded that this is not a permanent dead-end street, and therefore it may or may not need a variance. However, staff’s recommendation is for approval. He explained that eventually, the street would continue on and possibly connect to an emergency access road.

Mr. Fields wanted to know if the road would be private or ultimately dedicated to the county. Mr. Halliburton stated that currently, the intent is for the road to be public. Mr. Fields stated in that case, he assumes that Glynn County has adequate design standards to ensure that the road is not constantly repaired over the areas near the wetlands which the developer intends to fill. Mr. Halliburton stated that the road issue, design standards, etc. would be addressed at construction plan phase, but he assured Mr. Fields that all county requirements would be met.

For the record, the following report from staff was included in the packages for review:

The subject property has approximately 1350 ft. of frontage on GA Highway 99 that was rezoned to Planned Development as part of the Golden Isles Gateway Tract. Glynn County GIS identifies the parcel as being 2148 acres. The official Zoning Map of Glynn County identifies approximately 2709 acres as zoned Planned Development. This proposed subdivision is a 110 acre portion of the parcel.

Staff has reviewed the preliminary plat for this proposed 2 lot commercial subdivision and has received a request from Mr. Jeff Halliburton, Thomas & Hutton Engineering Co., for a variance from Section 602.2g of the Glynn County Subdivision Regulations. Article IX addresses when variances from the design standards of the ordinance are permitted as follows:

1) General:

When a peculiar shape, or the topography of a tract of land, or other unusual condition, makes it impractical for a subdivider to comply with the literal

interpretations of the design requirements of this Ordinance, the Planning Commission shall be authorized to vary such requirements, provided, however that in so doing the intent and purposes of this Ordinance are not violated.

2) Conditions:

In approving variances, the Planning Commission may require such conditions that will, in its judgement, secure substantially the objectives of the standards and requirements of these regulations.

3) Procedures:

A petition for any such variance shall be submitted in writing by the subdivider at the time when the preliminary plat is filed for the consideration of the Planning Commission. The petition shall state fully the grounds for the application and all of the facts relied upon by the petitioner.

This section of the ordinance raises two issues: when a particular request to vary from the design standards qualifies and what stipulations the variance must meet to be approved. The first issue is addressed by the question of whether the property is a peculiar shape, or the topography of the tract of land makes it impractical to comply with Section 602.2g, permanent dead-end streets. The second question is whether the request for a variance, if approved, violates the intent and purposes of the Subdivision Regulations. The following purpose in Article IV is the most relevant to this:

To help prevent and reduce the traffic congestion and traffic hazards which result from narrow or poorly aligned streets, and which result from excessive entrance and exit points along major traffic arteries.

Staff also referred to definitions for Minor and Subcollector Streets in determining which streets require a variance from the Subdivision Regulations. These definitions are as follows:

Street(s), Minor:

Those streets which are used primarily for access to abutting residential property and are designed to carry no more traffic than that which is generated on the street itself. Minor streets should be designed to convey an average daily traffic (ADT) volume not greater than 250 for cul-de-sacs and 500 for loop streets.

Street(s), Subcollector:

Those streets which are used for access to abutting residential property and also conduct traffic from minor streets that intersect it. Subcollector streets should be designed to convey an average daily traffic (ADT) volume not greater than 1,500. Residential streets that can be used as through streets between collector and arterial streets shall be classified as collector streets.

This last sentence in the definition of subcollector is of particular interest since it defines through street. This definition is required to understand the reference “nearest intersection” used in Section 602.2g.

Dead-end streets, designed to be permanent cul-de-sacs shall not be longer than 1,200 linear feet measured from the centerline of the nearest intersecting through street to the center of the turnaround.

This passage states “through streets” are classified as collectors, and implies that certain build-out capacities will generate a given amount of traffic.

While Article IX clearly states when a variance should be approved, staff has not been consistent in its application of this section of the Ordinance.

Staff concludes that Village Way is in excess of 1,200 ft. in length, but is intended as a subcollector or “through street.” According to the definition of subcollector a variance is not required. Furthermore, Village Way may be a temporary dead-end street, governed by 602.2h. It has not been concluded whether average daily traffic will be in

excess of minor and/or subcollector street limits. The variance petition does not fully state the facts relied upon by the petitioner.

Following discussion, a motion was made by Mr. Mike Aspinwall to approve the variance request. The motion was seconded by Mr. Robert Ussery and unanimously adopted.

PP-2003-0131-1400 Golden Isles Gateway, Portion of CR-7
Request by Wild Life Realty Associates for approval of a Preliminary Plat, a portion of CR-7 of the Golden Isles Gateway, in accordance with Article VII of the Subdivision Regulations.

Mr. Cameron Bland and Mr. Jeff Halliburton were present for discussion.

The following report from staff was included in the packages for the Planning Commission's review:

The subject property has approximately 1350 ft. of frontage on GA Highway 99 that was rezoned to Planned Development as part of the Golden Isles Gateway Tract. Glynn County GIS identifies the parcel as being 2148 acres. The official Zoning Map of Glynn County identifies approximately 2709 acres as zoned Planned Development. This proposed subdivision is a 110-acre portion of the parcel. Staff has reviewed the plat and considers it compliant.

The preliminary plat, Golden Isles Gateway, a portion of CR-7, is characterized by a number of large, jurisdictional freshwater wetlands. The Glynn County Comprehensive Plan Natural Resource Element states two policy goals and objectives that relate to the review of this preliminary plat as follows:

- Acquire, preserve and encourage areas for natural open space. Protect and preserve natural open space wherever possible.
- Encourage the preservation of coastal resources, productive wetlands, and other natural resources.

Staff also referred to the Glynn County Zoning Ordinance, Section 618, which states that development adjacent to freshwater wetlands, as defined by the Clean Water Act, shall provide a buffer of natural vegetation. The on-site jurisdictional wetlands are subject to Section 618 of the Zoning Ordinance. As always, staff recommends a minimum 15 ft. buffer from all Army Corps of Engineer jurisdictional wetlands.

Mr. Phillips explained that staff had discussions with the applicants about the specific provisions in the ordinance that require a 10 ft. utility easement to be shown along all roadways. The applicants' particular design includes the utilities being handled within the right-of-way or in easements that might be in other locations. Their intent is to use the area immediately abutting the right-of-way, primarily for landscaping and for access ways into the various developments along the road.

Staff received a request for a variance to eliminate the 10 ft. utility easement outside the road right-of-way, but this request was not received in time for the agenda. Mr. Phillips explained that the Planning Commission could proceed to approve the preliminary plat subject to approval of the second request for the variance, which could then be placed on the next agenda; or the Planning Commission could defer action on the preliminary plat itself and do them both at the next meeting. Staff is comfortable either way.

Mr. Ussery questioned the point of having the 10 ft. easement and not having to use it. He stated that in his experience with most subdivision developments they rarely used the 10 ft. easement. Mr. Halliburton explained that they have made an 80 ft. right-of-way of the front part of the Village Way. With this type of road, he stated that they could do a 60 ft. right-of-way and then have the 10 ft. easement on the outside. He pointed out that from a development design guideline they want everything to be inside the right-of-way. They intend to have some sort of defined landscaped buffer maintained area. Mr. Halliburton stated that they feel that they could have better control of the appearance outside of the right-of-way without having the easement there. He stated that it is a matter of semantics as to how wide the right-of-way is.

Mr. Halliburton stated that he intended to put a note on the plat addressing the utility easement, rather than writing the letter of request, which staff presented tonight. He stated that this was an oversight. Mr. Fields questioned whether or not this could be addressed by adding a note to the preliminary plat. Mr. Halliburton stated that they would be amenable to the Planning Commission's approval subject to a note being added to the preliminary plat or as a condition of the final plat referencing that all utilities would be within the right-of-way. Chairman Hart stated he would not have a problem with the condition as long as reference is made to the Engineers R&D note on the plat.

Following discussion, a motion was made by Mr. Perry Fields to approve this preliminary plat as submitted with the condition that a note be added to the preliminary plat and the final plat that all utilities will be inside the right-of-way as noted by the Engineering Department for Glynn County. The motion was seconded by Mr. Jonathan Williams and unanimously adopted.

It was noted that no one had appeared to represent Agenda Item 2, **Application #GC-2003-02**. Therefore, a motion was made by Mr. Perry Fields to defer this item until the March 18th meeting beginning at 6:00 p.m. The motion was seconded by Mr. Mike Aspinwall and unanimously adopted.

MINUTES

Regular Meeting: February 4th

Upon a motion made by Ms. Ann McCormick and seconded by Mr. Mike Aspinwall, the Minutes of the February 4, 2003 Planning Commission meeting were approved and unanimously adopted.

CHAIRMAN ITEMS

Guest Quarters as Accessory Use

Mr. Phillips stated that he has not had a chance to put together a proposal on this subject. However, he has included in the packages for information purposes, a current definition and a report from the former subcommittee.

Planning Commission Items

Mr. Robert Ussery gave a brief presentation on the Resort Residential Zoning District. He distributed a report on this subject from the former subcommittee (of which he was a member) appointed by the Glynn County Planning Commission in 1999. The subcommittee defined the problem as they perceived it to be and proposed a solution.

Mr. Ussery presented photographs of duplexes described as a panoramic view of what has occurred in the last few months on St. Simons Island, specifically, Beachview Drive. Duplexes are classified the same as single-family residences with reduced setbacks and reduced site coverage. Multi-family requires a maximum of 50% site coverage with 15 ft. side yard setback, 15 ft. rear yard setback and 30 ft. front yard setback. Single-family and duplexes require 7 ft. side yard, 7 ft. rear yard and 20 ft. front yard. Mr. Ussery stated that he needs help with finding out what the problem is and how to solve it. Chairman Hart stated that the problem as he sees it is density and site coverage.

Mr. Fields referred to the 1999 report which states "...While the intent of the district is to encourage accommodations for seasonal and part-time residents, care should be taken to retain some of the smaller scale structures that have become part of the identify of St. Simons." He stated that someone has identified this as a problem. Mr. Fields explained that what has caused St. Simons to grow is now fueling itself because of the property value, in that no one can afford to maintain a small single scaled structure.

Mr. Ussery stated that the former subcommittee proposed the possibility of reducing the requirement for the size of a single-family dwelling from 6000 sq. ft. to 5000 sq. ft. and changing the 60 ft. minimum lot width to 50 ft., thereby encouraging someone with a 100 ft. lot to build two houses. He stated that the ordinance is very clear. It actually encourages density. Mr. Fields stated that the problem he has with this issue is the fact that people who have property already zoned Resort Residential have vested rights and the Planning Commission cannot change how they can redevelop their property. He stated that if the property was being rezoned to Resort Residential, he would not have a problem with proposing new restrictions. Mr. Ussery commented that a lot of changes have taken place over the years in this district, such as height limitations, etc.

There was additional discussion regarding drainage, septic tanks and parking in relation to Resort Residential Zoning.

Staff Items

Mr. Phillips distributed an updated schedule of amendments, meetings and workshops for the Planning Commission's consideration.

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