

**MINUTES**  
**GLYNN COUNTY PLANNING COMMISSION**  
**October 1, 2002 6:00 P.M.**

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**MEMBERS PRESENT:** Hal Hart, Vice Chairman  
Mike Aspinwall  
Perry Fields  
Ann McCormick  
Gary Nevill

**ABSENT:** Wayne Stewart  
Jonathan Williams

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

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Vice Chairman Hal Hart 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.

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Mr. Hart stated that the applicants for Agenda Item #5 (GC-2002-17) requested that their application be deferred.

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**Adoption of Agenda**

Upon a motion made by Mr. Gary Nevill and seconded by Mr. Mike Aspinwall, the October 1<sup>st</sup> Planning Commission Agenda was unanimously adopted.

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**GC-2002-13**

Application by Nathan L. Boudreaux, agent for Albert H. Thorton, property owner, to rezone from FA Forest Agriculture to GR General Residential, property located on the south end of W.O.W. Road near Sterling community, and consisting of 4.08 acres of land with 60 feet of frontage on W.O.W. Road.

Mr. Ray Richard and Mr. Nathan Boudreaux were present for discussion.

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

The applicant proposes a rezoning request to provide for development of 6 duplex lots on the subject property. Much of the area is currently zoned FA Forest Agricultural, except for property immediately south, which is zoned MH Mobile Home Park. The area is rural and residential in nature. Immediately to the west is the old Woodmen of the World (W.O.W.) Camp, from which the road takes its name. This area is now a single-family compound.

The future land use map identifies this area as low density residential. An adjacent area to the south is identified as medium to high density residential. The applicant proposes development of 6 lots with a minimum lot size of one-half acre. This size is sufficient to locate septic systems for each lot. Water will be provided by community well. The proposed density is 3 units per acre. The development will require subdivision approval, as well as approval of a variance from the requirement for public water and sewer.

**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.

**Proposed use as two-family dwellings with one-half acre lots is in keeping with the character of the area.**

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

**Proposed use will not adversely affect the existing use or usability.**

- 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.

**Proposed use would not result in a burdensome use of infrastructure. Proposed lot size is sufficient for septic and community well, and access roads are paved.**

- 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 low density residential and adjacent to medium to high density residential.**

- 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.**

The site is appropriate for the use requested. The development will require approval under the subdivision regulations of the county, including approval of a variance from the requirement for public water and sewer. There are no plans at this time for the county to provide water and sewer in this area. Staff's recommendation is for approval.

Following a brief discussion, a motion was made by Mr. Gary Nevill to recommend approval of this request. The motion was seconded by Ms. Ann McCormick and unanimously adopted.

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## GC-2002-14

Application by Atlantic Survey Professionals, agent for E. W. Merritt and Freddy Merritt, property owners, to rezone from FA Forest Agriculture to GC General Commercial two parcels of property located at the southwest corner of Canal Road and Atlantic Coastline Railroad, and consisting of a total of 1.28 acres with 313.95 feet of frontage on Canal Road.

Mr. Ernie Johns and Mr. Freddy Merritt were present for discussion.

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

The subject parcels are a portion of a triangular area bounded by Golden Isles Parkway (Spur 25) to the west, Atlantic Coastline Railroad right-of-way to the north, and Canal Road to the southeast. This triangle is adjacent to the Golden Isles Gateway Tract Parcel CR 1. Zoning in the area is a mixture of LC Local Commercial and HC Highway Commercial to the south, PDG Planned Development General to the north, and FA Forest Agriculture to the west and east.

The adopted Comprehensive Plan of the County identifies the subject property as low density residential, while the adjacent HC and LC zoned property is shown as commercial. The location of this property, in close proximity to good transportation facilities (particularly the Spur) and separated from residential (the property is bounded by the railroad right of way, beyond which is a commercial area within the Golden Isles Gateway Tract, suggests that some commercial development is appropriate. Consideration needs to be given to the development of a coordinated commercial area and more likely for non-retail or mixed retail and non-retail uses. This suggests that a coordinated development plan be developed with the participation of the other landowners. This should be implemented through planned development zoning.

### **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.

**The zoning would allow uses that are compatible and ones that are not compatible. The best method for addressing uses, design guidelines, and coordination of development would be through the planned development process.**

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

**Not likely.**

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

**Yes, although single family residential use would be of limited benefit, and multi-family uses would be more reasonable.**

- 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 low density residential and commercial. It is also in close proximity to the multi-use node at the intersection of I-95 and Spur 25.**

- 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.**

Commercial development of this site would be appropriate, but should be coordinated with the development of other land in this immediate vicinity. The best solution for this would be a planned development. Staff recommends that this application be continued to allow development of a coordinated project with the other owners.

Mr. Ernie Johns stated that he is really not sure why he is being asked to continue this request. He stated that he would not mind a continuance for two weeks but he does not see anyway of being able to create a Planned Development project with adjacent property owners within two weeks. In fact, he does not know if or when the adjacent property owners may decide to rezone their property.

Mr. Phillips explained that staff has just recently received the applicant's layout plan, and he is not sure what has been done with regard to engaging in discussions with some of the other property owners. However, this could possibly be something as simple as producing a layout plan that provides for a more coordinated development, even under this proposed zoning category.

Mr. Fields stated that he understands staff's motivation, but the other property owners may not have any plans to rezone their property. Also, what if the other property owners have a rezoning request that would be in conflict with what is being proposed.

Mr. Hart asked Mr. Johns if he would be willing to continue this hearing and discuss this further with staff. But at this time, Mr. Dillon Wright pointed out that all of the adjacent property is under one contract, which means that the property will have one owner. He stated that two of the parcels are "sold and closed" and the other parcels are all under contract, with the exception of 1/3 acre in the entire triangle. He stated that a branch bank is being proposed for the area. Mr. Nevill asked Mr. Wright if there were plans to rezone the other parcels under the same zoning category. Mr. Wright replied yes. In fact, the other areas may end up as a parking lot for the branch bank.

Mr. Hart stated that it is staff's desire to consider this as a whole rather than "piece meal," and therefore recommends that the request be continued. Mr. Johns wanted to know if this continuance means that the Planning Commission would take no action on this request until the other property is rezoned. Mr. Nevill stated that if no action is taken on this request the other property owners would not have time to actually put together a rezoning for the other property within that time period. Therefore, what would be the difference in acting on this request now or in two weeks? Mr. Phillips stated that staff would like to see what the opportunities might be. However, it may be sufficient to resolve the coordination issues through the site plan process.

Following discussion, a motion was made by Mr. Perry Fields to recommend approval of this request. The motion was seconded by Ms. Ann McCormick. Discussion continued.

Mr. Mike Aspinwall stated that he doesn't see the purpose of waiting. Mr. Fields wanted to know if there is something in the layout plan that staff is unsure of. Mr. Phillips stated that there is nothing wrong with the plan but there are probably a few questions in that the plan is very conceptual.

As a point of clarification, Mr. Ernie Johns stated that a rezoning to General Commercial does not require a layout plan. However, he provided the plan at staff's request.

After discussion, the motion recommending approval of this request was unanimously adopted. (It was noted that this application would be placed on the November 7<sup>th</sup> Agenda of the Board of Commissioners meeting for final action.)

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### GC-2002-15

Application by Atlantic Survey Professionals, agent for Sawyer and Associates, owner, to amend the Planned Development text of Golden Isles Gateway Tract for the R7 tract, located on the south side of U.S. Highway 99 east of Canal Road and consisting of 199.846 acres with 6,032 feet of frontage on State Highway 99.

Mr. Ernie Johns was present for discussion.

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

This application is to amend the Golden Isles Gateway PD text (GC-34-99) to provide additional development regulations for the residential development of R-7 Tract East. The R-7 Tract was divided along Highway 99 into two tracts, East and West, in December 2001. The proposed text amendment is similar in large part to the Cypress Run planned development text in that it provides for the development of duplex units which are later subdivided along a center wall so that each unit is on a separate lot.

The Future Land Use Map identifies this area as low-density residential. As submitted, the proposed text is sound in concept, however staff requests additional discussions to improve the clarity of the text and to address buffer requirements around wetlands. The development plan does not provide significant detail, however much of this information will be clarified through the preliminary plat/final plat process. Further, a site plan approval is required for the community center.

**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 proposed use is generally consistent with the existing residential district requirements listed in the Golden Isles Gateway text, and with the existing development in the area.**

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

**No adverse effects are anticipated based on the proposed development.**

- 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. While State Highway 99 currently is two-lane, long-range plans include road improvements and widening in anticipation of the residential development. Additionally, water/sewer improvements and impact to schools have been anticipated for this area.**

- 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 low-density residential.**

- 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.**

This appears to be an appropriate use for this location, and is supported by facilities and utilities. The text language needs to be improved so that interpretation problems will not occur in the future. Staff recommends a deferral to allow for clarification of the text language.

Mr. Fields stated that staff has indicated that there is a change in the zoning text, but he is not sure what those changes are. Mr. Phillips explained that the text included in the packages is the proposed text. He did not provide the existing text, but there are some differences. During the editing process he would like to make sure that there aren't any conflicts between the proposed text and the existing text, particularly with the larger area.

Mr. Nevill wanted to know if the property is currently owned by Mr. Sawyer. Mr. Ernie Johns stated that supposedly, the closing took place on yesterday, September 30<sup>th</sup>. He stated that neither he nor Mr. Sawyer objects to staff's recommendation for a continuance.

Ms. Bonnie Martin, adjacent property owner, stated that she's not so concerned about the buildings. Her concern is the delineated wetlands for the area. She then asked the following questions: 1) How will the developer handle the wetlands; 2) Will the developer apply to the Army Corps of Engineers to have the wetlands boundaries verified; and 3) Once the boundaries are verified, will the developer file for a permit for mechanical clearing and/or filling of the wetlands.

In response to Ms. Martin's questions, Mr. Johns stated that Mr. Sawyer intends to let the wetlands remain the same. The wetlands have been delineated, and there will be no applications for any clearing. Mr. Sawyer likes to buffer the lots so as not to have other lots backing up to them. The wetlands provide an ideal buffer for that purpose.

Following discussion, a motion was made by Mr. Mike Aspinwall to continue this item at the October 15<sup>th</sup> Planning Commission meeting. The motion was seconded by Mr. Gary Nevill and unanimously adopted. (For comparison purposes, Mr. Fields asked that staff provide the proposed changes for the Planning Commission's review.)

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## **GC-2002-16**

Application by Larry Bryson, agent for Triple T Investments, owner, to rezone from GR General Residential to MR Medium Residential property located at 3842 Darien Highway, and consisting of 3.793 acres upland, 0.323 acres wetlands, and 12.583 acres marsh/lagoon with 238.4 feet of frontage on Darien Highway (U.S. 17).

Mr. Larry Bryson and Mr. Ken Tollison were present for discussion.

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

This is a proposal to construct 60 apartment units on property adjacent to the marsh, generally behind Eddy's Restaurant (formerly Wilson Seafood) on the east side of US 17. A large portion of the property is in marsh and marsh buffer, but approximately

3.793 acres is upland, and can be developed. The Comprehensive Plan shows this area for commercial development.

Article VII, Section 707.4 lists a number of development requirements for the proposed zoning classification. The general layout plan, dated 8/9/02, specifies 60 units, which is the maximum number of units per acre under Section 707.4(1) based on 3.793 acres of upland on the subject parcel. Under Section 707.4(3)(b), this maximum permitted density requires a minimum net land area of 163,320 sq. ft., which is 2,722 sq. ft. per dwelling unit. The gross square footage of the 3.793 acres is 165,092 sq. ft.

Note that there are some minor discrepancies between the numbers indicated on the zoning application, the survey, and the general layout plan. These will need to be resolved at the time of the site plan review, and may require an adjustment in the number of units allowed. Site plan review by the Planning Commission will be required.

This property is not currently served by public water and sewer, but service (City of Brunswick) is available in the vicinity and will need to be extended by the developer.

This development is very close to the marsh along an extended front. This is an example of the kind of intense development where careful design and grading will be needed to ensure that stormwater runoff does not empty directly into the marsh, but goes through a retention system to allow the removal of contaminants. As part of this, a single source of ground maintenance is preferable to individual property owner maintenance.

**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 area has a number of multi-family developments.**

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

**No. The project will have to provide for adequate drainage retention for marsh protection.**

- 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.

**No.**

This project presents an opportunity to make appropriate use of a development site, subject to some design issues that will be addressed in the site plan. Staff recommends that the proposal be approved subject to providing water and sewer and subject to design of the surface water management system to provide for retention for water quality.

Mr. Larry Bryson gave a brief presentation. He explained that the plans that he turned in were conceptual only and not necessarily the final design. On the marsh side of the property there is an existing lagoon, which he intends to use as part of the retention drainage structure.

Mr. Aspinwall wanted to know how the surface water problems would be handled. Mr. Bryson stated that the intent is to collect the surface water internally in a drainage structure or piping system and take it into the existing lagoon, and use that as a retention structure.

Mr. Fields wanted to know if the lagoon is influenced by any type of tide water. Mr. Tollison replied no. The lagoon is the site of a former catfish pond. Mr. Fields also wanted to know if the applicants had discussed accel/decel lanes with Georgia DOT. Mr. Bryson replied no, and he further stated that the development would be two-stories over a parking garage.

Following discussion, a motion was made by Mr. Perry Fields to recommend approval of this request. The motion was seconded by Mr. Gary Nevill and unanimously adopted.

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## GC-2002-ZT8

*An Amendment to the Glynn County Zoning Ordinance, Article VII, Sections 709 (SSVPD) and 709.3 (Permitted Uses in Overlay Zone) to Clarify Restrictions on Outside Activities*

In a memorandum addressed to the Planning Commission, Mr. Phillips explained staff's recent involvement in enforcement of the prohibition against outside sales and storage in the Village Preservation District. After discussing this issue with the County Attorney and the individual involved, it was determined that the provision was sufficiently confusing and vague. Staff prepared revised wording for consideration. The proposed wording is not intended to change the meaning of the regulations, but simply to articulate it more clearly, thus making it enforceable. The amended text was included in the packages as follows: (words highlighted will be added; words with strike through lines will be deleted)

### 709.3 Permitted Uses in Overlay Zone

Unless otherwise specified elsewhere in this ordinance, the permitted uses, conditional uses or special uses allowed in the base zoning district will be allowed in the Overlay Zoning District. Each ~~zoning district~~ **land use and development** shall be required to conform to this ordinance as well as the standards set forth in ~~each~~ **the underlying** zoning district.

There shall be no open or outside storage area or sales area **within the district.** ~~or organized promotions which involves outside storage or sales area.~~ **There shall be no sales or storage activities** on public right-of-way or sidewalks in the district. **Notwithstanding these provisions, outside sales and storage may be permitted in connection with a promotion organized by** ~~unless an organized promotion of~~ a Merchants Association or similar group, **and unless such promotion is specifically authorized** ~~and approved by~~ **the** Glynn County Board of Commissioners.

During the course of discussion, there were still concerns about some of the language in the text, i.e., the term “notwithstanding,” which is very vague. It was also noted that the wording possibly presents the potential for abuse of privilege with regard to promotions, and the approval process should perhaps be re-examined. The Planning Commission advised staff to work on revising the language in the text and bring it back for another review at the October 15<sup>th</sup> meeting. Staff concurred.

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## **GC-2002-ZT9**

*An Amendment to the Glynn County Zoning Ordinance, Article VII,  
Section 701 (R-6, R-9, M-6, M-9, Mh-6, and Mh-9 One-Family Residential)  
Section 701.1 and Section 701.5 to prohibit the rezoning of land in Planning  
District 2 to the R-6 District*

The amendment was included in the packages for the Planning Commission’s review and was presented by Mr. Phillips. He explained that this proposal only applies to St. Simons Island and would prohibit rezoning additional land to the R-6 District. The proposal does not affect existing developments in this district.

In a memo addressed to the members, Mr. Phillips pointed out that the R-6 District is the single-family district with the smallest lot size in the Glynn County Zoning Ordinance. While there are many residential developments utilizing this zoning district, it is clear that the more modern approach to small lot residential development is to use some form of planned development zoning. Because there is a good bit of existing R-6 development and zoned land, it is necessary to maintain the district in the Zoning Ordinance text and on the zoning map.

Mr. Larry Bryson stated that a PD is limited to a minimum of 3 acres. Therefore in essence, this proposal would limit the ability to do any R-6 zoning on a small tract of land. He stated that although R-6 zoning is looked at as low income or low housing, there is a certain need on St. Simons for cluster type housing, i.e., a retirement community or upgraded residential community, which can be done under an R-6 zoning. He stated that it would not be fair to limit people to what they are allowed to do with their property. Also, there is existing 3 acre tract land on St. Simons that’s not zoned R-6 and does not qualify for a PD. Again, this limits the property owners to what they would be allowed to do with the smaller tracts. Mr. Fields commented that on a 2 or 3 acre tract of land, if the option of an R-6 zoning is not available, the property owner could rezone to an R-9, which in affect would give the same amount of density but less open space available to not be developed.

Following discussion, a motion was made by Mr. Mike Aspinwall to recommend approval of this amendment. The motion was seconded by Ms. Ann McCormick. Voting Aye: Mr. Mike Aspinwall, Mr. Perry Fields, Mr. Hal Hart and Ms. Ann McCormick. Abstained From Voting: Mr. Gary Nevill.

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At this time, the Planning Commission took a 10-minute recess. The meeting resumed at 7:45 p.m.

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**SP-2002.0904.09:01**

Parcel CR-2, Golden Isles Gateway Tract, Lot 1 (AKA Summit Commercial Park), Request by Jerry Wise of Wise Inc. for approval of a site plan for a professional office on 1.5 acres in the CR-2 Tract of the Golden Isles Gateway Planned Development District.

Mr. Don Hutchinson was present for discussion.

The staff's report was included in the packages for review and was presented by Mr. Tyler Frazier as follows:

The CR-2 Tract of the Golden Isles Gateway Planned Development is located on Gateway Boulevard, near the on ramp for I-95 North at the Spur 25 Exit. The subject property is Lot 1 of the 5-parcel subdivision. This subdivision occurred earlier this year and resulted in a new 80 ft. private easement with a cul-de-sac built to serve anticipated traffic flows. Also, earlier this year, the Glynn County Planning Commission approved a Site Plan on Lot 2 of the subdivision, for a Microtel Inn. The Microtel Inn and the road serving the entire CR-2 Tract have been completed and all bonding elements have been released.

The CR-2 Tract is governed by the Golden Isles Gateway Planned Development text. The PD text for the Branigar tract states that any development in the CR-2 district must be in compliance with standards set forth in the Freeway Commercial district. Furthermore the Branigar Organization requires a 30 ft. vegetative buffer along Glynco Parkway. Included in the packet for this case analysis is a letter from William B. Dempsey, Director of Land Planning for Branigar, acknowledging approval of this site plan.

The subject property is zoned Freeway Commercial, which states that set backs for buildings are to be 70 ft. if measured from a major street and 20 ft. if measured from a frontage road. This leaves open for interpretation the classification of Glynco Parkway and Gateway Center Boulevard. The minor subdivision plat for Parcel CR-2 (approved by the Community Development Director 1/7/02) shows a 70 ft. setback along Glynco Parkway and a 20 ft. setback along Gateway Center Boulevard. The site plan under consideration shows only a 10 ft. setback along Gateway Center Boulevard. The developer, Mr. Wise, is proposing to measure this 10 ft. setback from the private easement line.

The developer has also made a request for a parking reduction from 49 to 42 spaces, which amounts to an allocation of 3,150 sq. ft. dedicated to undeveloped land as shown on the site plan. Included in the packet is a copy of the parking ordinance, 611.7.

Engineering has made a number of comments in response to the site plan that addresses the storm water system, the Erosion and Sedimentation Control plan, and paving design. Utilities Management has made comments in response to the site plan that addresses a conflict of existing data and the proposed water main.

The unfortunate size of the site has greatly constrained the design of this professional building. The median curb that extends from the entrance of Gateway Center Boulevard seems to have driven the location and placement of the entrance to Lot 1. The building could have a better arrangement on the site if the entrance were located closer to Glynco Parkway and the median cut back further. This would allow the architect to situate the back of the building parallel to either the northern or western property boundary and better accommodate future expansion of the facility if so desired. Parking and internal circulation would also benefit from the arrangement.

This project meets all the requirements of site plan approval. It is important to acknowledge that this proposal indicates the area has taken a more professional direction than perhaps envisioned by the Branigar Comprehensive Plan. The site plan itself contradicts the approved minor subdivision plat with regard to building setbacks along Gateway Center Boulevard. Furthermore, staff offers the observation that the site and immediate area could be better served through adjusting the placement of the building on the subject lot.

Staff recommends that the proposed site plan for Parcel CR-2, Golden Isles Gateway Tract, Lot 1 (AKA Summit Commercial Park) be approved subject to meeting the requirements for building setbacks as defined in the Freeway Commercial Zoning District and all comments indicated by Engineering and Utilities Management.

Mr. Fields wanted to know if the subdivision plat shows a 10 ft. setback or a 20 ft. setback. Mr. Hutchinson stated that it shows a 20 ft. setback. Mr. Fields stated that his concern is that the Planning Commission can recognize a zoning setback of 10 ft. but the developer has put a 20 ft. setback on the property. He stated that he doesn't want the Planning Commission to vote to approve something that supercedes the 20 ft. side setback that the developer has set. Mr. Hutchinson assured Mr. Fields that the Planning Commission would not be superceding the developer in that Branigar submitted a letter indicating approval of this site plan. However, Mr. Fields stated that if the subdivision plat shows a 20 ft. setback, then it must be adhered to. Mr. Hutchinson stated that may be true, but Branigar has submitted a letter approving the 10 ft. setback. Mr. Fields wanted to make it clear that the developer is bound by what is shown on the plat.

Mr. Bobby Shupe commented that he has always tried to resist showing setbacks on plats. However, the previous administration requested surveyors to do so. He stated that because he has shown the setbacks, if someone were to purchase the lot behind this particular property, that individual could enforce the setbacks shown on the plat. (Mr. Hutchinson noted at this time that all other concerns expressed by staff have been addressed.)

There was further discussion on the setback issue with regard to restrictive covenants, etc. Afterward, a motion was made by Mr. Gary Nevill to approve this site plan with the reduction in parking as indicated by staff. The motion was seconded by Mr. Mike Aspinwall and unanimously adopted.

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#### SP-2002-0507-1605

Request by P & A Engineering, agent for Camden Motor Sports for approval of a reduction in parking spaces and designation of permanent open space in exchange for the required parking on property located at the southwest corner of the intersection of Community Road (SR 303) and Habersham Street.

**No one was in attendance to represent this item. It was therefore deferred until the next meeting.**

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#### PP-2002.0910.13:55

Hardwood Forest, Phase II, Request by RSG Development for approval of a preliminary plat for Hardwood Forest on property consisting of 54.21 acres located in the Golden Isles Gateway Planned Development District

Mr. Ray Richard was present for discussion.

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

The R4W Tract of the Golden Isles Gateway Planned Development is located on Harry Driggers Blvd (formerly known as Altamaha Blvd.) near the county owned and operated Miocene Well water plant. The proposed Phase II of Hardwood Forest would

be an extension of Phase I, and also adjacent to the Shadowlake Subdivision. Final platting of Hardwood Forest, Phase I occurred earlier this summer.

The R4W Tract is governed by the Golden Isles Gateway Planned Development text. The PD text for the Branigar Tract states that any development in the R4W District must be in compliance with standards set forth in the PD text. The lots proposed by this subdivision fall under two sets of standards; lots between a ½ and ¼ acre and lots less than a ¼ acre. All of the lots in this subdivision meet the requirements set forth by the Planned Development text.

The PD text also states that the subdivision shall meet other requirements set forth in the Glynn County Zoning Ordinance. In section 602.2i of the Subdivision Regulations, half-streets or streets with a ROW less than 50 ft. shall not be permitted within a subdivision. Hardwood Forest, Phase II proposes a number of 40 ft. right-of-ways that are smaller side streets extending from Hardwood Forest Drive. Redwood Lane is a permanent dead-end street serving Lots 68 and 69 under the assumption that Lots 67 and 70 will access Teak Trail.

The cul-de-sacs at the end of Hardwood Forest Drive and Birch Court are oblong and irregular in shape. In meeting with Mr. Richard, staff reached agreement that these cul-de-sacs centers would be curbed and landscaped, adding an aesthetic and pleasing quality to the subdivision. At this meeting staff also addressed the problem presented by extending one or more streets from a temporary cul-de-sac. Staff presented the option of a roundabout (AKA circus) at the end of Hardwood Forest Drive to manage the flow of traffic to and from Hardwood Forest Drive and Teak Trail. If preferred, this cul-de-sac could be straightened into a typical intersection in compliance with the design standards for subdivisions.

Earlier this week, the Community Development Director signed an amended final plat to the master plan for Hardwood Forest. Once recorded, this amended plat will enable the developer to donate the wetlands on these two properties to a Land Trust.

Engineering has made a comment in response to the preliminary plat regarding the need for drainage easements. Drainage easements will be determined by the developer upon submittal of construction plans and its accompanying hydrology report.

GIS has made a comment in response to the preliminary plat regarding the name of Birch Court, and is asking to rename this street.

The project meets all the requirements of preliminary plat approval. It is important to acknowledge that this proposal demonstrates a number of the qualities typically exhibited by conservation subdivisions. Building lots within the preliminary plat are in general compliance, but it is questionable whether the streets within the subdivision meet all the design standards set forth by the Subdivision Regulations. This is particularly notable with regard to the narrow right-of-ways, oblong cul-de-sacs, and the extension of Hardwood Forest Drive from the temporary cul-de-sac.

Staff recommends that the proposed site plan for Hardwood Forest, Phase II be approved subject to meeting requirements for streets as set forth in the Glynn County Subdivision Regulations in Section 602.2.

Following a brief discussion, a motion was made by Mr. Mike Aspinwall to approve this request. The motion was seconded by Ms. Ann McCormick. Voting Aye: Mr. Mike Aspinwall, Mr. Perry Fields, Mr. Hal Hart and Ms. Ann McCormick. Abstained From Voting: Mr. Gary Nevill.

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## MINUTES

**Regular Meeting: September 3<sup>rd</sup>**

**Regular Meeting: September 17<sup>th</sup>**

A motion was made by Mr. Gary Nevill to approve the Minutes of the September 3, 2002 Planning Commission meeting. The motion was seconded by Mr. Perry Fields. Voting Aye: Mr. Perry Fields, Mr. Hal Hart, Ms. Ann McCormick and Mr. Gary Nevill. (Mr. Mike Aspinwall did not attend the September 3<sup>rd</sup> meeting and therefore abstained.)

Upon a motion made by Mr. Gary Nevill and seconded by Ms. Ann McCormick, the Minutes of the September 17, 2002 Planning Commission meeting were approved and unanimously adopted.

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There being no further business to discuss, the meeting adjourned at 8:30 p.m.