

MINUTES
GLYNN COUNTY PLANNING COMMISSION
October 7, 2003 - 6:00 P.M.

MEMBERS PRESENT: Perry Fields, Chairman
Robert Ussery, Vice Chairman
Mike Aspinwall
Jay Kaufman
Gary Nevill
Jonathan Williams (arrived at 7 p.m.)

ABSENT: Ann McCormick

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

Chairman Perry Fields 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.

Chairman Fields announced that he would have to leave tonight's meeting early and at that time, Vice Chairman Robert Ussery will preside over the remainder of the meeting. Also, in order to avoid a conflict for Mr. Ussery, Item 8 (*Epworth Hotel Facility*) would be moved up on the agenda before the Chairman leaves the meeting.

At this time, Mr. York Phillips advised that he has included an additional site plan to be discussed with Item 4 (*SUP-2003-01*) on the agenda, which would require separate action from the special use permit.

There being no further changes to the agenda, a motion was made by Mr. Robert Ussery, seconded by Mr. Jay Kaufman and unanimously adopted to accept the agenda for the October 7th Planning Commission meeting.

GC-2003-21

Application by Mike and Nancy Holder, agents for Mamie Bowers to rezone from R-9 Residential to M-20 Manufactured Housing, property located at 300 North Goodbread Road and consisting of 1 acre with 114.17 feet of frontage on North Goodbread Road.

Mr. Mike Holder was present for discussion.

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

The subject property was established as a separate lot by a minor plat and was created from a larger 18 acre tract that is largely undeveloped. Mrs. Bowers was granted a two-year Special Use Permit for Medical Hardship (SUP-2001-09) to place a manufactured home on this site. Approval of this rezoning would provide for the permanent placement of a manufactured home on the site. Mrs. Bowers' residence (on the parent tract) is a manufactured home, which is a non-conforming use. The subject property is located at the northern end of N. Goodbread Road. Property to the northeast is the Federal Law Enforcement Training Center. To the east, south and west is a residential area zoned R-9. A small tract to the east was zoned M-20 in 1994.

The future land use map identifies this area as low density residential. Although the area is zoned R-9, the density of the area is limited by the lot size required for individual well and septic systems. Development also has been limited due to the limited access to the property and proximity to the Federal Law Enforcement Training Center and the Altamaha Canal to the north of the 18 acre tract. The neighborhood is along a 600 ft. section of North Goodbread Road, which has a 30 ft. right-of-way.

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 neighborhood is a mix of small homes and non-conforming manufactured homes.

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

Unlikely.

- 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 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.

No.

The proposal would allow permanent placement of a manufactured home on the one-acre site, which would be in keeping with the mix of small homes and non-conforming manufactured homes. The area is not expected to experience significant development due to non-availability of water and sewer services and limited access via North Goodbread Road and the proximity of Federal Law Enforcement Training Center and Altamaha Canal. Staff's recommendation is for approval.

It was noted that no one was present to oppose this request.

Following review, a motion was made by Mr. Mike Aspinwall to recommend approval of this request. The motion was seconded by Mr. Jay Kaufman and unanimously adopted. (Mr. Williams had not arrived yet.)

GC-2003-22

Application by Richard McKinna Investments, L.L.C. to rezone from FA Forest Agriculture to PD-R Planned Development Residential, property located on the south side of SR 99, approximately 1.4 miles east of its intersection with U.S. Highway 341 and consisting of 128 acres with 2,782 feet of frontage on SR 99.

Mr. Richard McKinna and Mr. Ray Richard were present for discussion.

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

This property is located on the south side of SR 99, generally east of the Sterling community. To the east and northeast are portions of the Golden Isles Gateway PD, including a residential area (Serendipity) and the Coastal Pines Golf Course. To the north across SR 99 is a small mobile home development. To the northwest across SR 99 is industrial. To the west and south are undeveloped or lightly developed areas characterized by extensive wooded areas and some wetlands. To the southeast is an area of mobile homes. Zoning to the northeast, east, and south is PDG (Golden Isles Gateway). To the southeast and west is FA. To the northwest and north across SR 99 is General Industrial.

This project proposes approximately 350 lots on 128 acres, for a gross density of approximately 3 du/ac. Development would be single family and accessory uses.

The area is not currently served by water and sewer, although an effort is underway to create a public-private partnership to extend utilities west from the Golden Isles Gateway tract to Sterling to serve several large proposed developments. The success of this effort will be important to the feasibility of this project.

The Future Land Use Map in the Comprehensive Plan proposes this area for Agriculture/Forestry, although the plan also designates this area as part of the "urban service district."

Subject to the realization of utility extensions, services will be adequate to serve the area.

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 Planning Commission has been concerned about the compatibility of residential uses immediately adjacent to the existing industrial area north of SR 99, but this proposal seeks to create a greater separation and to focus residential uses along the south side of the road.

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

No.

- 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 Agriculture/Forestry, and designates this site as part of the “urban service district.”

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

Prospects for growth and development within the area have increased in recent years, particularly with the effort to extend utilities.

This area is expected to grow and develop in the future. The proposed development is consistent with this pattern. Staff’s recommendation is for approval.

Mr. Ray Richard gave a brief presentation. He explained that in putting a design together for this development they tried to approach what is considered a conservation subdivision where there are smaller lots with a substantial amount of greenspace and open space. He feels that they have achieved this goal. The applicant is proposing approximately 28% open space primarily made up of buffers, greenspace and some lakes. For clarification, Mr. Richard stated that the density is 3 units per upland acre. The overall density, including the wetlands that have been delineated is 2.7 units, which is still considered low density residential.

Mr. Richard explained that the other feature that they tried to incorporate was to not have any lots backing up to one another without having some kind of greenspace or lake between the lots. This would allow for the smaller lots and would avoid having the properties close together.

Finally, Mr. Richard stated that in reference to the property across the street, they looked at several different options when they decided to rezone the property. One option was to consider Highway Commercial and another option was multi-family. He stated that they ultimately decided on today’s proposal, which is to add 100 ft. setback or greenspace along the right-of-way of Highway 99 and keep all of the property single-family attached homes.

Mr. Ussery asked Mr. Richard if he referenced the 100 ft. in the development text. Mr. Richard replied no, it is in the total of the breakdown of the open space. However, he would not have a problem incorporating it in the text if necessary. Mr. Ussery stated that if the 100 ft. buffer is going to be there it needs to be part of this text and it needs to be more specific as to how it is to be treated, i.e., setback, buffer, etc. Mr. Richard stated that he would incorporate and define the 100 ft. in the development text.

Chairman Fields wanted to know if anything is currently located in the 100 ft. strip. Mr. Richard stated that underbrush about chest high is located in the strip. Chairman Fields stated that if this 100 ft. strip is termed as a buffer he would like for it to be an uncut buffer or perhaps landscaped so that there is some opacity. Mr. Richard stated that their intent was to leave it as an undisturbed buffer.

Following discussion, a motion was made by Mr. Gary Nevill to recommend approval of this request subject to the 100 ft. buffer being added to the zoning text along the frontage. However, the motion was amended to specify that the 100 ft. setback as shown on the master plan of Tanglewood Subdivision is to be incorporated as an undisturbed 100 ft. buffer except for the entrance, and any plantings in the buffer has to be approved by the Planning Commission. The amendment was accepted and the motion was seconded by Mr. Jay Kaufman. Voting Aye: Mr. Perry Fields, Mr. Jay Kaufman, Mr. Gary Nevill and Mr. Robert Ussery. Abstained From Voting: Mr. Mike Aspinwall. (Mr. Williams had not arrived yet.)

GC-2003-23

Application by White Sands, L.L.C., Scott A. Slade and J. Barrett Slade to rezone from FA Forest Agriculture to PD-R Planned Development Residential, property located on the west side of U.S. Highway 17 South approximately 3,300 feet south of its intersection with Buck Swamp Road and consisting of 152 acres with 2,609 feet of frontage on U.S. Highway 17 South.

Mr. Ray Richard and Mr. Ben Slade were present for discussion.

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

The proposed PD-R development is intended to create a maximum of 300 single-family lots and 160 multi-family units. The 152 acre tract has approximately 135 acres of upland, and the gross overall density is 3.0 units per acre. The single-family dwellings will be a mix of 6,000 square foot lots and 4,000 square foot lots for patio or neo-traditional home sites.

The subject property is located in an area with Forest Agriculture as the predominant zoning district. To the north of the property is an established mobile home park along with a small area of Highway Commercial zoning.

The Comprehensive Land Use Map identifies this area as Agriculture/Forestry. Although Forest Agriculture is the predominant zoning district for this area of the county, development is more of a rural residential nature rather than active farming. This area also is located within the "urban service district."

Glynn County water and sewer currently is not available to the site, however expansion of services is planned. Following expansion, services will be adequate to serve the development.

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 seen steady residential development.

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

Unlikely. Surrounding area is a mix of undeveloped land, with small amounts of residential and commercial.

- 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. The proposed roads connect to U.S. Highway 17 South, which has the capacity for increased traffic. Glynn schools have planned for development in this area with construction of an elementary school a few miles away. Improvements to Glynn County water and sewer services are planned as part of this project.

- 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 agriculture forestry use, however it is located within the “urban service district.”

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

Prospects for growth and development within the area have increased in recent years, particularly with the effort to extend utilities.

The proposal is consistent with the development patterns of the county, particularly in light of the planned expansion of utilities. Staff’s recommendation is for approval. (Mrs. Segers distributed corrections to page 6 of the applicant’s text containing additional information.)

Mr. Ray Richard gave a brief presentation. He stated that during a conversation with the Utilities Manager, Mr. Ray Shell about water and sewer, it was explained that there is a certain amount of capacity dedicated to the Southport Development and the remaining capacity is on a first come first served basis. He stated that Mr. Shell reported that they have been trying to get EPD to give them additional capacity, which would enable them to expand the plant. However, EPD typically does not consider granting additional capacity until there is at least 70% of the current capacity at the plant. Currently, the plant is at less than 50% capacity in terms of the actual wastewater that flows to the plant. In that light, Mr. Richard stated that he asked about service to the applicant’s development and Mr. Shell advised that he did not foresee any problems with water and sewer for the development.

Regarding density, Mr. Richard stated that the single-family density is less than the 3 units per acre. On the multi-family medium residential zoning they are proposing only 10 units per acre as indicated, 160 units on about 16 acres. He further stated that they are proposing a substantial amount of greenspace. In describing the neo-traditional development, Mr. Richard stated that the key to this type of development is having smaller, narrower lots with fewer setbacks and leaving more greenspace. He stated that they are proposing to leave the setback at 20 ft., which is the standard county setback along the street frontage. However, they are asking for 5 ft. on the side and rear, which is more consistent with some of the patio home developments in Glynn County. Mr. Richard stated that they would like to have the flexibility to put some patio homes in with those setbacks.

Mr. Mike Aspinwall had questions about maintaining the area. Mr. Richard explained that either the owners immediately adjacent to the courtyard would share in the cost of maintaining the area or everybody in the back section in the neo-traditional homes would pay dues to have all of the common areas maintained.

Chairman Fields wanted to know if this development would be done in phases. Mr. Richard replied yes. The first phase would be the regular site built homes located on the main entrance into the single-family development. Chairman Fields wanted to know the size of the greenspace area. Mr. Richard stated that the largest plan is marked 50 ft. He stated that one of the reasons for proposing the buffer in that particular area is because of the state highway mainly due to traffic, and also because of the residents located across the street on the larger lots.

Mr. Robert Ussery stated that the developer is showing 38% open space, which is referred to as an estimated breakdown. He wanted to know if there is any guarantee that there is going to be a certain percentage of open space. Mr. Richard stated that he would be amenable to stipulating that it will be 38% or not less than 35% open space.

Mr. George Mills of 122 Terranova Lane pointed out his property in relation to the site of the proposed neo-traditional development. He stated that he is opposed to this request. He stated that he is also speaking on behalf of his neighbors. Mr. Mills stated that he was not aware that this development was going to take place in his backyard. He stressed that he moved to this particular area in an attempt to get out of the city. He

stated that the applicants are asking for a 5 ft. setback from his property line to their property line, which appears to him to be 65 units in his back yard. For clarification, Chairman Fields pointed out that the proposed buffer between the edge of the property and the first development is 25 ft., not 5 ft. Mr. Mills stated that he and his neighbors are concerned about the access and density.

Mr. Mike Bradley of 299 Buck Swamp Road stated that he is opposed to the neo-traditional development. He stated that he is concerned about parking, access and density. He also commented that the development looks like a mobile home park.

Mr. Mike Pernell of 303 Buck Swamp Road stated that he does not want 300 people and children accessing his property. He stated that the area is too dense. When he first heard about this project he thought the developers were going to build regular homes, perhaps 12 at the most. He stated that the greenspace that they are proposing is not as wide as his driveway, which is only 25 ft. Mr. Pernell stated that the proposal is too close to his property. He also expressed concerns about aesthetics in relation to the garages facing the street, etc.

Mr. Mitch Strickland of 421 Buck Swamp Road stated that he is not necessarily opposed to this project; however he is concerned about access and bicycle traffic. He wanted to know the quality of the patio homes that the applicant is proposing and also, if this request is approved would the applicant have to come back. Chairman Fields explained that the applicant is asking for a recommendation of approval of the zoning change. Any specific development would have to come back to the Planning Commission for public comment and review. Mr. Strickland stated that he is opposed to the non-traditional type housing.

Mr. Ray Richard stated that the two major issues seem to be the number of units in the neo-traditional development and cross access. He stated that the solution to the access problem would be to put up a 6 ft. wooden or opaque fence along the rear property line of the neo-traditional development. Specifically, the fence would be from where the wetlands begin on the northwest end all the way down to Mr. Pernell's driveway and up toward the lake. The fence would be in addition to the 25 ft. buffer. Mr. Richard stated that hopefully this would take care of any visual concerns as well. In terms of the patio homes, he stated that the first phase is planned for single-family lots with a substantial price range. He stated that they would certainly not put up any type of patio homes that would detract from the property value in the area. He stated that if it looks like there is more of a demand for single-family housing, they may not even do the patio homes.

Ms. Patty Hale stated that she and her husband, along with other friends purchased the adjacent tract of land for the purpose of getting out from a small neighborhood. She stated the reason that many of them purchased the larger tracts of land was to not have neighbors right next door within a certain amount of space. She also expressed concerns about water usage and the density.

There being no further comments, a motion was made by Mr. Robert Ussery to recommend approval of this request subject to the following: 1) a 6 ft. wooden fence along the northern and eastern property line; 2) the development setback being no closer than 25 ft. with 50 ft. across U.S. 17; and 3) open space to be no less than 35%. The motion was seconded by Mr. Gary Nevill. Discussion continued.

Chairman Fields stated that he has a problem with wooden fences in that they don't hold up as well as masonry or vinyl fences. He then asked that the motion be amended to include that the fence be approved at the time of insertion. He further stated that in an effort to satisfy some of the neighbors' concerns, he would suggest shifting the neo-traditional development away from the established neighborhood, if possible. Mr. Richard stated that he would take the suggestion into consideration.

After discussion, Mr. Ussery and Mr. Nevill accepted the amendment to the motion that the fence be approved at the time of insertion. The motion was unanimously adopted. (It was noted that Mr. Williams was present for this discussion and voted in favor of this request.)

As stated at the beginning of the meeting, the agenda was adjusted to hear Item #8 at this time.

SP-2003-0708-1145 Epworth Hotel Facility

Application by Epworth by the Sea, Inc., for site plan approval for a hotel type facility on property located approximately 2,500 feet north of the Torras Causeway and on the east side of the Frederica River. The project area consists of approximately 3.96 acres as part of a total site of approximately 75 acres. The site is accessed from Arthur J. Moore Drive.

Mr. Joel Willis and Mr. Joe Combs were present for discussion.

In order to avoid a conflict of interest, Mr. Robert Ussery abstained from discussion and from voting on this item.

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

This project consists of 76 hotel type rooms and associated parking to be used by those attending activities at Epworth. A future building for an additional 42 units is also shown.

Fire and drainage issues have been resolved and comments from staff were included in the packages. The facility is served by a private water system that has been recently upgraded. Improvements to the sewer system are planned and will need to be in place by the time this facility is ready for occupancy. Staff's recommendation is for approval.

Chairman Fields wanted to know if Epworth has its own wastewater treatment plant. Mr. Phillips stated that Epworth has a lift station that pumps into the county system. Chairman Fields stated that at one time it was self-contained. Mr. Joel Willis, Manager of Epworth By The Sea, stated that they shut the system down and connected to the county. The wastewater goes to the St. Simons plant.

Following a brief presentation by Mr. Joe Combs, representative from Ussery/Rule Architects, a motion was made by Mr. Gary Nevill to approve this request. The motion was seconded by Mr. Mike Aspinwall. Voting Aye: Mr. Mike Aspinwall, Mr. Perry Fields, Mr. Jay Kaufman, Mr. Gary Nevill and Mr. Jonathan Williams. Abstained From Voting: Mr. Robert Ussery.

At this time, Chairman Fields excused himself from the meeting. The remainder of the meeting was turned over to Vice Chairman Robert Ussery.

SUP-2003-01

Application by Southern LINC for a Special Use Permit to construct a 190 ft. telecommunications tower on property located at 1650 Lawrence Road north of its intersection with Burns Landing Road and consisting of 3.229 acres with 480 ft. of frontage on Lawrence Road. The applicant seeks approval for a reduction in the setback provision.

Mr. Clay Brogden was present for discussion.

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

The applicant proposes construction of a 190 ft. telecommunications tower to serve up to four co-locations. According to the application, the need for this tower site is three fold: 1) to provide better coverage on the north end of St. Simons Island, 2) to overcome the dense foliage on the island that limits existing coverage, and 3) to provide a better level of coverage, up to and including in-building, on Sea Island.

The proposed site is within a parcel owned by Georgia Power Company and used as an electric utility sub-station.

Under Section 1403 A., a telecommunications monopole in excess of 150 ft. in height requires approval of a special use permit in addition to a building permit. Site plan review by the Planning Commission is required because of the location on St. Simons and because the request involves a special use permit.

The proposed location meets the requirements of Section 1403 regarding location within a permitted zoning district and that no existing towers are within 1 mile (applicant states that the nearest tower is 1.3 miles away).

Section 1404 sets forth a number of general requirements for all telecommunications facilities. These requirements must be met prior to issuance of a building permit. The applicant has met all of these requirements at this time, and has received approval from the Federal Aviation Administration (FAA).

The applicant is also requesting modification of the landscape standard under Section 1404(A) 7a, which specifies a four-foot landscaped strip. The proposed facility will be located in a wooded area more than 100 ft. off Lawrence Road. The construction will retain much of the existing natural vegetation such that the ground facilities will not be visible to the public. The applicant is requesting a modification of landscape requirements to permit dense existing vegetation to serve as screening.

The applicant is further requesting a reduction of the provision regarding tower setback from off-site residential structures or lots. There are no existing residential structures within the distance of the height of the proposed 190 ft. tower, as provided under Section 1404(A) 10a(i). However, Section 1404 (B)5 provides that towers adjacent to a residential use be set back from the nearest point of a residential lot a distance at least equal to its total height. The proposed tower is 140 ft. from a residential lot.

The proposed use is in keeping with the need for adequate telecommunications service throughout the county and is compatible with the area, particularly due to the wooded nature of the area. The need cannot be met through co-location on an existing tower within one mile of this site.

Staff recommends approval of the special use permit with the reduction of setback provision under Section 1404(B)5 to 140 ft., and modification of the landscape provision under Section 1404(A)7a, to allow existing vegetation to serve as landscaped buffer.

It was noted that this request requires separate action by the Planning Commission. (The special use permit request will be forwarded to the County Commission for final action.)

Following discussion, a motion was made by Mr. Gary Nevill to recommend approval of the special use permit per staff's recommendation. The motion was seconded by Mr. Jay Kaufman and unanimously adopted.

A motion was made by Mr. Gary Nevill to approve the site plan with reduction of the setback and modification of the landscape provisions as recommended by staff. The motion was seconded by Mr. Jay Kaufman and unanimously adopted.

VP-2003-03

Application by Steven and Karen White for an addition to a residence at 616 Demere Way, St. Simons Island

Mr. Ed Mecchella was present for discussion.

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

The purpose of the residential addition and renovation is to increase living area to four bedrooms, open up smaller rooms and change architectural look from a 1950's era Ranch to a beach cottage style.

A screened porch will be added to the back of the house covering an area that is currently a deck. New addition will be wood board and batten, which conforms to neighborhood structures. (A paint and shingle sample has been provided.) The applicant states that no trees will be removed from the site.

A detailed analysis of Article VII, Section 709.5 as to lot coverage, height and building footprint has not been done by staff due to the limited information provided by the applicant.

Under Article VII, Section 709.8. consideration of proposed improvements shall be based on a variety of criteria, including but not limited to the following:

- A) Conformity of the plans submitted to the purpose and provision of this ordinance.
Proposed residential design is as submitted appears to be in conformance with the regulations.
- B) Conformity and harmony of external material and design with existing and neighboring structures.
Proposed design, materials and colors are in harmony with existing and neighboring structures. Many of the adjacent and nearby structures are a combination of brick and wood siding.
- C) The effect of the improvements on neighboring structures or sites.
Proposed design would have a positive aesthetic effect.
- D) The consistence and compatibility with existing architectural design and building exterior finishes used on neighboring properties or in the overlay zone.
Proposed design and materials are consistent and compatible with the existing architectural design in the neighborhood.
- E) Exterior materials, exterior doors and windows, color schemes and other building elements which are considered compatible with neighboring structures in the overlay zone and appropriate for the area.
Proposed design and materials are consistent and compatible with the existing architectural design in the neighborhood.

F) The use of landscaping to cause the improvement to conform to the character of the area or to buffer the improvement from the neighboring sites.

No landscaping improvements have been proposed. Applicant states that no trees would be removed.

It appears that the height limit and building footprint increase meet the requirements of the ordinance. Provisions of Section 709.8 have been met.

Following a brief presentation by Mr. Mecchella, a motion was made by Mr. Mike Aspinwall to approve this request. The motion was seconded by Mr. Jonathan Williams and unanimously adopted.

PP-2003-0817-1000 Willow Creek Plantation, Phase II, Blocks C, D, E

(Formerly PP- 97-16) Application by Sunbelt, Inc., owner, for approval of a preliminary plat for property located south of Baumgartner Road and generally north and west of Deer Wood Way. The property is located approximately one mile west of US 82 and one-half mile north of US 17. The project consists of 110 lots on 70.58 acres.

Mr. Robert Jenkins and Mr. Charles Johnson were present for discussion.

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

This request was deferred from the September 16th Planning Commission meeting. It is a request for approval of a preliminary plat for property located south of Baumgartner Road and generally north and west of Deer Wood Way. The property is located approximately one mile west of US 82 and one-half mile north of US 17. The project consists of 110 lots on 70.58 acres.

Phase I of the subdivision, and Phase II, Blocks A and B were platted earlier and have been largely developed. This portion was originally submitted for review in 1997 and was under review, but did not reach the point of being presented to the Planning Commission. The applicant is seeking to complete the review process started at that time.

There are some issues regarding drainage. This is part of larger area that drains through this property and under a bridge on US 17. A portion of the drainage system is wetland (most likely jurisdictional) and marsh. Staff has met with the applicant and his design team to discuss additional information and possible solutions that might be pursued during the construction plan phase. These issues may affect the final plat (such as easements that are determined to be needed after the detailed design is complete) but should not materially affect the review of the preliminary plat.

The project is proposed to be served by individual wells and septic tanks, as were the earlier phases. The applicant has submitted a request for approval by the Board of Commissioners of a variance under §606.2 of the Subdivision Regulations, but that request has not yet been heard.

Comments concerning wetland delineation have been discussed with the applicant and will be addressed during the review of construction plans. In addition, staff has determined that Baumgartner Road is on a list for paving by the county, although there is no indication as to when this might occur.

The Planning Commission deferred action at the September 16th in order to allow the applicant to gather more information and carry out more analysis. The plans circulated to the Planning Commission have not been reviewed by staff; however, staff's recommendation is for approval.

Following review, a motion was made by Mr. Gary Nevill to approve this request. The motion was seconded by Mr. Jay Kaufman and unanimously adopted.

PP-2003-0805-1300 Moss Creek Villas

Application by Michael D. Fell, agent for Moss Creek Villas, LLC, owner, for approval of a preliminary plat for property located on the east side of Old Cypress Mill Road near its intersection of Poplar Lane. The project consists of 85 row house units located on 10.622 acres zoned MR Medium Residential.

Attorney William Ligon, representing the applicant, was present for discussion.

This request was denied at the September 16th meeting. This is a request by the applicant for further discussion.

Attorney William Ligon gave a brief overview of this project, including past history. He explained that the applicant chose this type of development for financial reasons. It is easier to get this type of development financed as fee simple rather than a condominium development.

For clarification, Mr. Ligon wanted to know why the Planning Commission denied this request at the September 16th meeting. Vice Chairman Robert Ussery explained that their denial was based on this request not meeting the requirements of the ordinance. He stated that it was the consensus of the Planning Commission that this was a subdivision development rather than a townhouse or row house development as presented and it did not meet the requirements of the Subdivision Regulations. Mr. Ligon presented several points as to how this development could meet those requirements, and a general discussion followed.

During the course of discussion, Mr. Ussery stated that the Planning Commission is not prepared at this time to consider the applicant's options point by point in conjunction with the requirements of the ordinance. Mr. Phillips stated that he would confer with the applicant to resolve some of the concerns and bring this request back for the Planning Commission's consideration at the next meeting.

SP-2003-0923-1100 Telecommunications Tower

Application by Site Development Services, Inc., agent for Edwin Fendig, owner, for site plan approval for a telecommunications tower on property located on the south side of Arnold Road and on the northwest side of East Peachtree Street, and consisting of approximately .95 acres. The application seeks approval for a reduction in the setback provision.

Mr. Kevin Wiles and Ms. Tina Chambers were present for discussion.

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

This is a request for approval of a site plan for a telecommunications tower. The property is located on the south side of Arnold Road and on the northwest side of East Peachtree Street, and consists of approximately .95 acres. The applicant seeks approval of a reduction of the setback provision under Article XIV (Telecommunications Facilities) of the Zoning Ordinance.

The property is zoned LI (Limited Industrial). To the southwest and west is R-6 with residential uses. To the east and south is RR with commercial uses. To the northeast on the opposite side of Arnold Road is a mix of residential and commercial zoning, largely undeveloped.

The proposed tower is roughly in line with the northwest/southeast runway at Malcolm McKinnon Airport. As a result, the Federal Aviation Administration (FAA) has established a height limit of 114 ft., and the proposed tower is 112 ft. Because of the height limit, there will be a limit to the number of antennas that can be supported by this tower. Another tower is proposed nearby and will be reviewed at a future date by the Planning Commission. The other tower is necessitated because of the capacity limit on this tower.

The proposed tower is set back only approximately 30 ft. from the adjoining residential land to the southwest, and approximately 81 ft. from the existing dwelling. The ordinance provision for setbacks calls for the setback to equal at least the height of the tower (112 ft.). This setback is impractical due to the small size of the lot and the generally small size of lots in this part of the county. The ordinance provides that the Planning Commission may reduce the requirement if the goals of the ordinance are met. Among other issues, the goals of the ordinance include the reduction of impact on the community. The wooded nature of the site and the area will contribute to limited visibility of this tower and, consequently, to reduced impact on the community.

Staff has reviewed the proposed site layout and does not have any concerns. Therefore, staff's recommendation is for approval of the site plan and the setback reduction.

Following review, a motion was made by Mr. Jay Kaufman to approve this site plan and the setback reduction per staff's recommendation. Also, no Certificate of Occupancy to be issued until the old tower is removed. The motion was seconded by Mr. Jonathan Williams and unanimously adopted.

MINUTES

Regular Meeting: September 16th

A motion was made by Mr. Gary Nevill to approve the Minutes of the September 16, 2003 Planning Commission meeting. The motion was seconded by Mr. Jonathan Williams. Voting Aye: Mr. Jay Kaufman, Mr. Gary Nevill, Mr. Robert Ussery and Mr. Jonathan Williams. Mr. Mike Aspinwall did not attend the September 16th meeting and therefore abstained from voting.

STAFF ITEMS

a) Community Planning Institute Training

Additional information on the two-day training session was included in the packages for review. The members were advised to contact Mr. Phillips if they are interested in attending this workshop, which will take place on Jekyll Island, November 6th and 7th.

Also under **Staff Items**, Mr. John Peterson distributed copies of proposed revisions to three ordinances regarding Land Disturbance Activities (LDA's). He pointed out the highlighted changes along with the definition section that has been added. A copy of the *Development Procedures Manual* was also included. Mr. Peterson stated that these ordinances have now come back from EPD with their initial comments, which have been addressed by staff. EPD has indicated that they have no further comments. Mr. Peterson

stated that the County Attorney's office has completed its review and feels that the document is ready to be advertised. The Planning Commission was asked to review these revisions and report all comments back to Mr. Peterson before the advertisement deadline.

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