

**MINUTES**  
**GLYNN COUNTY PLANNING COMMISSION**  
**June 17, 2003 - 6:00 P.M.**

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**MEMBERS PRESENT:** Hal Hart, Chairman  
Mike Aspinwall  
Ann McCormick  
Gary Nevill  
Robert Ussery  
Jonathan Williams

**ABSENT:** Perry Fields

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

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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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Upon a motion made by Mr. Robert Ussery and seconded by Ms. Ann McCormick, the agenda for the June 17, 2003 Planning Commission meeting was unanimously adopted.

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GC-2003-07

Application by Mike Clements, agent for Nina Lewis, to rezone from R6 Residential to MR Medium Residential property located at 1107 George Lotson Ave. near the intersection of Cumming Lane and consisting of 2.595 acres with 164.78 feet of frontage on George Lotson Ave.

Mr. Mike Clements and Ms. Nina Lewis were present for discussion.

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

This is a proposal for construction of 18 dwelling units similar in architectural character to the existing adjacent multi-family development to the south known as Captain's Walk. The applicant was the original developer of Captain's Walk and Village Green, both multi-family developments adjacent to the south and west of the subject property. A quiet title action is currently underway for the property, which is owned by Nina Lewis by a tax deed issued February 3, 1981. Ms. Lewis reports that the quiet title action will be complete and a new deed recorded sometime in mid-June 2003. As of the date of this report a new deed has not been recorded.

The subject property is undeveloped and forested. The area to the south and west is characterized by multi-family development, with R-6 single-family development immediately to the north and east along George Lotson Avenue.

The future land use map identifies this area as medium to high density residential. The proposed zoning classification would allow development to 16 units per acre, although the general layout plan submitted with the proposal shows approximately 7.2 units per acre.

- Zoning History: Properties to the west and south of the subject property were among several properties rezoned from GR General Residential to MR Medium Residential in a zoning action initiated by the Brunswick-Glynn County Joint Planning Commission in 1982 following creation of the MR zoning district in 1981.
- Access: Access is proposed by way of Captain's Walk private drive. As developer of Captain's Walk, Mr. Clements retained right of access to adjoining properties by virtue of Paragraph 9.05 of the Declaration of Condominium for Captain's Walk. This section reads in part, "Condominium property shall be conveyed subject to a non-exclusive easement for pedestrian and vehicular ingress and egress over and across the drives and parking areas for access to and from Mallory Street and the adjoining properties now or hereafter owned by Declarant."

A question was raised at the May 20, 2003 Planning Commission hearing as to whether this right of access is still in effect or has expired. The Planning Commission requested the applicant to respond to this issue. A copy of Attorney's response is included in this report. This response has been reviewed by the County Attorney's office, which found that a substantial basis for applicant's claim of easement has been shown, and easements are not lightly terminated by the courts. There exists substantial basis to proceed with the understanding that opponents to this opinion have the option of contesting the question in court and should move quickly.

- Traffic: The 18 proposed dwelling units would generate approximately 180 trips ADT (Average Daily Trips) that would use a section of Mallory Street with a speed limit of 25 mph. Glynn County Traffic Engineering reported that this additional count would not significantly impact the traffic flow of the area. The 2002 St. Simons Traffic Study Phase I findings did not identify this section of Mallory Street as a critical road section in the 2025 traffic models. In contrast, the study identified the portion of Kings Way/Ocean Boulevard west of Mallory Street as "critical" for 2025.

At the May 20<sup>th</sup> hearing, the Planning Commission requested additional information as to the current traffic and traffic capacity of George Lotson Avenue. A report by the County's Traffic Safety Division (included in the packages) indicates that the current traffic on George Lotson Avenue would increase and "would be an undesirable condition for this roadway in its present design state." The report also indicates that the increased traffic at the Captain's Walk intersection with Mallory Street "would be an undesirable condition for this roadway in its present design state." Staff has not explored what design changes would be required to mitigate these conditions.

- Wetlands and drainage: A portion of the subject property has an elevation of 10 feet MSL, compared to elevations as high as 14 to 16 feet MSL on adjacent development to the south. After a cursory review of the site, Glynn County Engineering staff suggests that a stormwater detention area will be needed as part of the overall site plan for the area.
- Water and Sewer: Glynn County Water and Sewer is available from George Lotson Ave. The County is currently upgrading many older components of the system to meet current needs.
- Natural resources: This property is part of a 6-acre tract identified by DNR Coastal Resources Division staff as an area of mature maritime forest and a wildlife habitat. This site has been discussed for possible acquisition by the Glynn County Greenspace

Advisory Committee, and has been ranked highly under the Decision Matrix, but no specific proposal for its acquisition has been made to the Board of Commissioners.

The Glynn County Greenspace Advisory Committee has requested the Planning Commission to defer consideration of this application for sixty days to permit it to carry out negotiations with the owner.

**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 proposed use is compatible with the existing multi-family development to the west and south and is consistent with the future land use map. To be compatible with the single family uses located to the north and east, however, there would be no access to George Lotson Ave. and development on this site would be buffered from the single-family development. Development of this site would reduce the size of any greenspace parcel in this vicinity, and may limit the potential for establishing any such parcel.**

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

**If the development of this site is oriented toward the west and south and included buffers to the north and east, there would be little or not adverse impact on existing adjacent property. An adverse impact would be created, however, if the proposed development at this density were to have an orientation to George Lotson Avenue.**

- 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.

**Generally no. The project will generate additional traffic and demand for public utilities and services. Traffic could create an impact on George Lotson Avenue if the proposed development were to have access to that street. A report of the Traffic Safety Division (attached) indicates that if the access to the site were from the west there would be an impact on the Mallory entrance to the Captain's Walk development.**

- 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 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.

**The County's Greenspace Program began subsequent to the adoption of the Comprehensive Plan and the development of much of this area. Consideration of this site for acquisition under the program would certainly affect its suitability for development, but if the determination were not made to acquire the site, there would be no obstacle to its development.**

The proposed rezoning is consistent with the future land use map. Based on the proposed density, the proposed development is supported by the infrastructure in the area, provided that access can be had through the existing Captain's Walk project. Inasmuch as Captain's Walk has a required 25-foot natural buffer along George Lotson Avenue, it would be consistent to require a similar buffer to protect the single-family development along George Lotson Ave. If access cannot be provided through Captain's Walk, this site should be limited to the uses and density allowed under the current zoning so as to be compatible with the character of existing development along George Lotson Avenue.

The Planning Commission may want to consider the request of the Greenspace Committee to allow it an opportunity to seek protection of the unique natural area found on this site. A sixty-day delay is not likely to adversely affect the owner's interest in this project.

Staff recommends approval only if the project can achieve access through the existing Captain's Walk project. Approval would be recommended only with the following conditions:

1. Density not to exceed 8 dwelling units per acre.
2. A 25-foot natural buffer to be provided along the northern and eastern boundaries, consistent with the buffer on the east side of the existing Captain's Walk project.

Mr. Phillips stated that several letters from groups expressing concerns and opposition to this request have been submitted. Also submitted was a petition containing approximately 36 signatures of residents of Captain's Walk opposed to this request.

Mr. Phillips pointed out that if the Planning Commission takes action on this item tonight, it would then be forwarded to the Board of Commissioners for their July 17<sup>th</sup> meeting.

Mr. Mike Aspinwall wanted to know if a new deed for the property had been recorded. Mr. Phillips indicated that he did not think so and stated that the applicant would probably have to answer that question.

At this time, Mr. Phillips read into the record, a memorandum dated June 12, 2003 from Mr. Jerry Hegstrom, Assistant County Attorney, as referenced in the staff's report. (The County Attorney's memo and all other correspondence on this application can be found in the files contained in the Planning & Zoning Division.) Mr. Phillips stated that in his opinion, the easement right does otherwise meet the access requirement of Section 601, which constitutes the memorandum from the County Attorney.

There were more than 30 people present to oppose this request. Chairman Hart placed a 5 to 10 minute time limit on those wishing to speak. Mr. Clements reserved his time to respond after the opposition.

Attorney Tom Lee, representing some of the homeowners of Captain's Walk, stated that he disagrees with the County Attorney's position in this matter. He pointed out that at the last meeting (May 20, 2003) Attorney Jennifer MacMillan advised that the Declarant is no longer involved in the Captain's Walk Association and therefore has lost his rights as such. He stated that if anyone has the right, it would be Mike Clements and his family members. However, Mike Clements is not the owner of the property. He is the agent for Nina Lewis. To answer Mr. Aspinwall's question about the final deed being recorded, Mr. Lee stated that there would not be a final deed. He explained that there is an order entered by Don Napier, but it would not become final until it goes to Superior Court and that has not taken place yet. He stated that the application shows that Nina Lewis is the applicant and Mike Clements is the agent. The application also shows that the development is to become part of Captain's Walk, which everybody now agrees, cannot happen. As pointed out at the May 20<sup>th</sup> meeting, the 7-year right expired on June 9, 1988. The last development was in 1987 and there have been no other developments since that time.

Attorney Lee stated that he disagrees with staff's interpretation about whether or not there is adequate access to this property. Section 601 of the ordinance outlines street access as follows: "...no building shall hereafter be erected, constructed, moved or relocated on a lot not abutting a publicly dedicated, accepted and maintained street, or on a lot not having an officially approved permanent record easement to such a street, or on a private street..." Mr. Lee stated that there is no officially approved easement to the property in question. He stated that staff is wrong in considering Mallory as being the access point.

Attorney Lee stressed that it is unfair to the property owners for Mike Clements to come in and try to develop an additional piece of property when he sold the property and told those individuals that they were getting a quality development with privacy, etc. Now he's trying to make a little more money by ruining the access to Captain's Walk. He stated that there is no 50 ft. area set aside for an easement. Both phases would be substantially impacted if the applicant were allowed to put the easement through to access 18 units on the adjoining property. Mr. Lee further stressed that the adjoining property owners don't know what Mike Clements is proposing to build, they don't know the quality, they don't know the quantity, and they don't know if he will develop the area. "Until such time as he is the owner of the property, he has no right to use the easement, regardless of what the County Attorney says, and neither does Nina Lewis."

Attorney Lee stated that in his opinion, there has to be adequate access to Mallory Street. According to the ordinance, a minor street requires 50 ft. Staff refers to the road in question as a private drive. However, "private drive" is not listed anywhere in the Subdivision Regulations or the Zoning Ordinance, per se. He then asked, "what is a private drive and does this mean that you would allow a condominium development to go through someone's driveway to develop another project?" He stated that the answer is "no, absolutely not." That would be a poor concept and poor planning. He stated that this means to him that the applicant would have to have a 50 ft. access easement to connect into the public street. Without it, they do not have adequate access.

In conclusion, Mr. Lee stated that it is ironic that there are two public dedicated paved roads accessing this property and staff is asking to orient this toward a private easement, across private property. Again, he stated that this is not good planning especially when the property could be utilized in the R-6 Zoning District, rather than the proposed M-R District.

Ms. Meredith Trawick, resident of St. Simons Island, was present to oppose this request. She stated that neither Ms. Lewis nor her attorney has a right at this time to come before the Planning Commission, unless Ms. Lewis is the sole owner of this piece of property in question. She further stated that the existing neighborhood is a quiet neighborhood and it does not need to have a thoroughfare going through it. She added that this particular acreage is one of the last maritime forests on St. Simons Island and she would hate to see it turned into condominiums. Ms. Trawick then asked Ms. Lewis if she is the owner of the property. Ms. Lewis' response was "yes."

Mr. Jack McDonald, resident of Captain's Walk, was present to oppose this request. He stated that the property does not belong to Mr. Clements, nor has it been in his family for many years and the same can be said for Ms. Lewis, who has been paying the taxes for many years. He stated that neither one of them lives near this property and he doubts if they would live on the property if it were developed. Therefore, why should they be given any consideration to change the zoning? Mr. McDonald stated that Ms. Lewis knew the present zoning before she started paying the taxes. "She took a risk that she could get the county to change the zoning so that she could try to make a lot of money by selling it to a developer." He stated that the people who live in the area should be given a higher consideration. Mr. McDonald urged the Planning Commission to not change the zoning. "Leave it as it is."

Mr. Frank Quinby, Chairman of the Southeast GA Sierra Club, stated that this application should be denied for the following reasons: 1) there is no certified survey of the property; 2) there is no topographical map showing the physical features or the affect

on surrounding neighbors; 3) there is no drainage plan; 4) there is no adequate water for fire protection; and 5) ownership is questionable.

Mr. Dave Kyler, Chairman of the Greenspace Advisory Committee, referred to his June 6, 2003 letter asking that this request be deferred for a 60 day period to allow the Greenspace Committee a chance to explore possible conservation options with the property owner.

Mrs. Else Rieger of Captain's Walk stated that she is opposed to this request due to the potential decrease in property value. She asked the Planning Commission to deny this request and save the private easement.

Ms. Sherena Arrington of 1206 George Lotson Lane stated that the current zoning is correct and should remain as such. She stated that she would appreciate having other single family dwellings in the area. Ms. Arrington pointed out that when a previous rezoning occurred in her neighborhood to allow a condominium development she did not speak up for herself, but now she is speaking up to help others in the area. She expressed concerns about increased traffic and safety hazards.

Ms. Ann Kaufman of 33 Captain's Walk stated that there is a one-way street in front of her house but if this development were allowed, a road would have to be cut right up to her front door. She stated that she loves her home and she does not want to lose it.

Attorney Charlie Spaulding stated that he is present to represent Ms. Vida McMinn, owner of property located at 1104 George Lotson Avenue. He stated that Ms. McMinn is strongly opposed to this request. He then read into the record, a letter dated May 30, 2003 urging the Planning Commission to deny this request.

Ms. Eileen Hutcheson of 96 Village Green was present to oppose this request for environmental reasons. She stated that ownership is questionable at this point, and she asked that the applicant consider a rezoning to Conservation Preservation. She further stated that the area in question is the last stand of 'maritime forest' and should remain in perpetuity as a wildlife sanctuary.

Mr. Mike Clements, agent for Nina Lewis, gave a brief presentation. He pointed out that explicit information contained in the Planning Commission packages states that any land now or hereafter adjacent to the property that he owns now or in the future confirms that he has a legal right to the easement. The County Attorney has also stated that he has a legal right to the easement. Mr. Clements stated that this is not a courtroom; this is a Planning Commission and the issues brought up today will be answered somewhere else. He stated that the topographical questions, engineering, drainage questions and water issues would be taken care of at the next stage after the zoning. These will be done the same way that he did Captain's Walk.

Mr. Clements stated that as far as the R-6 zoning versus what he is asking for, he is only asking for a density of 7.2. The density on the current zoning of R-6 is 7. He stated that he is not asking for a four-story condominium. He is asking to do a completion of Captain's Walk and these are two-story units. Mr. Clements stated that what he has done on St. Simons Island speaks for itself. He pointed out that he has no problem with extra restrictions being placed on the plans because his standards are high enough to withstand any restrictions. He stated that the R-6 zoning is horrible in its present condition, which is why this type of zoning does not happen anymore. The only way to develop under R-6 would be to clear cut the land. Mr. Clements stated that he feels that his proposal is in the best interest of the surrounding owners so that they would have some alternative. He pointed out that when he developed Captain's Walk he saved every tree. Again, he stated that would adhere to any restrictions deemed necessary.

Ms. Julianna Etcheson wanted to know how Mr. Clements feels about the Greenspace Committee's proposal. Mr. Clements stated that it is common knowledge that he has been involved with this project for almost four months. No one contacted him to negotiate anything and he doesn't think they really want to. Mr. Aspinwall asked if he would be adverse to the idea of rezoning the property to Conservation Preservation.

Mr. Clements replied, yes he would. He stated that if they (Greenspace Committee) had acted in good faith he would have been negotiating for three months, but no one contacted him.

For clarification, Mr. Clements stated that he is not expanding Captain's Walk. It is very explicit that after 7 years his rights expired. Again, he stated that he is not expanding Captain's Walk; he is using an easement through Captain's Walk that has been on record for 20 years.

Mr. Alvin Brilcambourg of Captain's Walk was also present to speak in opposition of this request.

Mr. Robert Ussery stated that if the easement goes through, there would be a big impact on Captain's Walk from this development, and if there is an impact, it should be minimal. Also, the current zoning allows adequate use for the owner. There is no compelling reason to change the zoning. Therefore, Mr. Robert Ussery made a motion to recommend denial of this request for the above stated reasons. The motion was seconded by Mr. Mike Aspinwall. Voting Aye: Mr. Mike Aspinwall, Mr. Hal Hart, Ms. Ann McCormick, Mr. Gary Nevill and Mr. Robert Ussery. Abstained From Voting: Mr. Jonathan Williams.

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At this time, the Planning Commission took a 10 minute recess. The meeting resumed at 7:20 p.m.

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GC-2003-08

Application by Robert Ussery, agent for Golden Isles Marina LLC, to amend the Golden Isles Marina Planned Development text to provide for multi-family dwellings for property located at 206 Marina Drive located west of Frederica River on the south side of the F.J. Torras Causeway and consisting of 6.81 acres with approximately 600 feet of frontage on F. J. Torras Causeway.

Mr. Robert Ussery stepped down from the meeting and joined his constituents in the audience to act in his capacity as agent for the applicant.

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

This is a proposal to change the existing Golden Isles Marina development. The existing complex includes a marina and boat storage, shops, offices, restaurants, and residential uses. The original marina was permitted in the 1970's and the expansion was permitted in 1982. The proposal is primarily to eliminate a large existing restaurant and to increase the number of residential units. The proposed planned development text (Exhibit A) is a complete revision of the 1982 text, and includes more detail.

Also submitted is an analysis of the sewage treatment facility (Exhibit B) and an analysis of traffic impacts (Exhibit C). Both of these analyses indicate that the proposed development can be accommodated.

Finally, a revised master plan for the development of the overall site has been submitted. This master plan would become part of the revised zoning and would be the basis for reviewing specific site plans, which will have to be submitted before any construction permits can be issued.

Certain natural changes may have occurred in the configuration of the marsh since the original permitting of this project. An analysis is now underway and the determination of the marsh delineation will have to be reflected in the site plan for any new construction.

The adopted Glynn County Comprehensive Plan designates this area for commercial and low density residential uses.

**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 proposed changes will be consistent with the existing development and uses.**

- 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. The analysis of traffic impacts indicates that there will be a reduction in demand due to the changes. The analysis of sewage treatment indicates that the demand will be within the design capacity of the existing system and that the existing system is operating within treatment parameters.**

- 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 for commercial and low density residential uses.**

- 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 proposed change is consistent with the existing development and within the capacity of the existing infrastructure. Some details of the modified development will need to be addressed through the site plan review process that will take place before construction. The Planning Commission will review a site plan when one is submitted. Staff's recommendation is for approval.

Mrs. Nancy Barrows of 1 Marina Drive stated that she and her husband Bob are in favor of this request. They feel that the proposal would be the best use of the property with the least impact.

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

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GC-2003-09

Application by James F. Watson of Victory Storage Company to remove a zoning condition associated with the existing HC (Highway Commercial) zoning prohibiting direct access from Community Road for property located on the west side of Community Road, south of its intersection with Shell Drive and consisting of 1.9247 acres with 269 feet of frontage on Community Road.

Mr. James Watson was present for discussion.

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

This property was one of three tracts rezoned in August 1999 from LI Limited Industrial to HC Highway Commercial (GC-18-99). At that time, a condition was attached to prohibit access via Community Road (see Board of Commissioners minutes for August 5, 1999, attached). This proposal is to remove the condition so as to allow development of this site to have access from Community Road (SR 303). Subsequent to the 1999 rezoning, the applicant obtained staff's approval of a re-subdivision creating three parcels within the 1.92-acre tract closest to Community Road. This action provided for a shared access for the two lots fronting on Community Road.

The area is commercial and light industrial in character, with commercial uses primarily along Community Road and industrial uses to the west along the internal streets in the industrial park.

The Glynn County Comprehensive Plan designates this area for commercial use.

Community Road is a state highway (SR 303) and is under the jurisdiction of the Georgia DOT. This road is subject to the access standards of the Georgia DOT, which has issued a permit for an entrance at this location.

**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.**

- 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 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.**

The proposal does not change the uses or intensity of use of the site, but modifies a condition limiting the development of the property. Access to state highways is a function of the Georgia DOT and is administered by that agency according to specific rules and procedures. The site in question has received approval by the state for an entrance. Staff has difficulty in supporting a restriction on access that is not consistent with the DOT standards for access management.

Staff's recommendation is for approval to amend the condition attached to the approval of the HC zoning by removing the restriction on access to Community Road.

Following a brief discussion, a motion was made by Mr. Gary Nevill to recommend approval to remove condition attached to approval of the HC zoning (no access via Community Road). The motion was seconded by Ms. Ann McCormick and unanimously adopted.

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GC-2003-10

Application by Richard McKinna to rezone from GI General Industrial to PDR Planned Development Residential property located on the north side of GA Highway 99 just west of Southern Pines Mobile Home Village and consisting of 27.76 acres with 1,765 feet of frontage on GA Highway 99.

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

Before presenting the staff's report, Mrs. Segers stated that staff received letters of concern from Norfolk Southern, GA Pacific and Seaboard Construction Company with regard to this request. She then proceeded with the staff's report as follows:

This proposed single-family residential development is intended to create a maximum of 100 residential lots on the 27.8-acre tract, with a maximum gross density of 3.6 dwelling units per acre. The development will feature areas of open space, buffers and two ponds. No jurisdictional wetlands have been identified on the site, however a jurisdictional determination application to the U.S. Army Corps of Engineers is pending.

The Comprehensive Plan Future Land Use Map identifies this area as Industrial. The area currently is rural in nature, with large stands of pine. The Southern Pines Mobile Home Village is located adjacent to and east of the subject property. Located further east some 750 feet is the boundary of Tract R-7 of the Golden Isles Gateway PD-G. This tract is intended for residential development. To the west is the Georgia Pacific Sawmill

Facility. Property to the north and south is largely pine forest. Property to the northeast is the western portion of the PAWS Wildlife District (a part of the Golden Isles Gateway development).

Water and Sewer: The developer has a proposal before Glynn County for a public/private partnership to extend water and sewer services to the site. In the event that water and sewer will not be extended prior to development, Section 5.15 of the proposed planned development text provides for a private (community) water system and individual septic tanks and calls for a reduction of the gross density to approximately 1.3 units per acre to provide for a minimum net area of 1/2 acre for each lot, per Glynn County Environmental Health Regulations.

**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 to the east and southeast is planned for single-family residential development. The tract to the southeast, known as Serendipity, has received preliminary plat approval.**

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

**Unlikely, given the proposed densities.**

- 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.

**Unlikely. The development will access from GA Highway 99, which is slated for four-lane improvements beginning with design in 2007. Expansion of utilities is currently under review.**

- 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 Industrial.**

- 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.**

Although the subject property and surrounding area is identified as industrial, the character of this area of the county has changed since the drafting of the Future Land Use Map. The northern area of the county is a significant growth area, particularly along U.S. Highway 341 and the area between U.S. 341 and Interstate 95. Given the significant number of residential developments planned for this area and the water and sewer proposal now under consideration by the county, the zoning proposal is an appropriate use for the subject property. Staff's recommendation is for approval.

Mr. Ussery had questions about Plumb Creek. Mrs. Segers stated that the applicants would have to describe what Plumb Creek is and its relationship to the Timber Company.

Mr. Ray Richard explained that several years ago, GA Pacific sold a lot of their land that was slated to be more valuable for development rather than timber management to a company called the Timber Company. This particular company owns property and significant holdings in the Sterling area. The Timber Company sold the property to Plumb Creek. Plumb Creek is the largest landowner in the United States who buys and sells land. They placed several properties up for sale, with the proposed being part of that property. Mr. McKinna purchased the property this past March. Mr. Richard stated that they initially looked at developing the property in its current zoning, which is General Industrial. However, they met with several local realtors who advised that there was not a large demand at this time for General Industrial. As a result, they determined that it would take several years to develop this property, so they therefore looked at other uses. Mr. Richard pointed out other residential developments located in the area. Regarding the letters of opposition, he stated that he thought everyone would be in favor of a down-zoning, but apparently there is some opposition.

Mr. Richard stated that the Railroad Company states that the parcel is adjacent to their tracks, but it is not. He then pointed this area out on the map and stated that they are at least 1500 ft. from the railroad tracks. He further stated that there is a gas line easement that runs between the sawmill and this development and they felt that it was a good transition. Most of the property in the area that is zoned FA will probably be rezoned for residential. He stated he believes that most people would prefer residential rezoning rather than more industrial rezoning, which is why they felt this was an appropriate and marketable use of the property.

Mr. Richard stated that he understands Seaboard Construction's concerns. Their primary concerns seem to be desiring additional industrial development in the area. He stated that he looked into the possibility of that type of market because on a per acre basis, industrial property is worth more than residential property, but not if you cannot sell it.

Mr. Richard McKinna stated that he received support from adjoining neighbors who advised that they would like to see a residential development rather than industrial. He stated he did not know that there would be opposition by the industries, therefore he did not ask the residents to attend today's meeting.

Mr. McKinna stated that they named the development "Sawmill Plantation." The potential buyers know that there is a sawmill in the area. If the property does not sell as residential, this would in essence be his loss. He feels like this is a good mix and the best use of the property. People will go in knowing that there is industrial in the area, therefore it is not a situation of "buyer beware."

Mr. Steve Swan, Seaboard Construction Company, apologized to Mr. McKinna for submitting his letter of concern late, but he was not notified other than a phone call from one of the neighbors. He stressed that he is not strongly opposed to this development. He stated that his company is pro-active on any development in Glynn County. However, he does want the developer to be aware of their activities and the asphalt plant. He stated that they also have an aggregate unloading facility in the area. Before a final decision is made, he asked that the developers come by and observe their facilities and operations so that potential buyers would know what they're getting in to.

At this time, Mr. Swan briefly described the general activities of the asphalt plant. He explained that the "shaker" does get very loud and they also have a very loud "air horn" that can be heard at least 2 miles away from the plant. He pointed out that they purchased property around their plant as protection from the noise and visual affects. Mr. Swan stated that they have made a large investment and just wanted to explain their concerns.

Chairman Hart pointed out that the ordinance indicates that property owners within 200 ft. would be notified in writing of the meeting, etc. Seaboard Construction does not fall within that category, which is why Mr. Swan was not notified.

Mr. Vernon Copeland of GA Pacific stated that he has the same concerns as Seaboard Construction Company. He stated that he is not opposed to the development, but there are issues of concern with their operation. He explained that the sawmill would be very close to the proposed subdivision, within several hundred feet. Normally, GA Pacific runs a 24-hour operation, but that is not the case at the moment. He stated that if the developers were to come by and observe their operation at this time, more than likely they would think that it is pretty quiet. However, the noise varies, especially when the sawmill is running. He stated that they have approximately 20 trucks entering and exiting the facility. On a sawmill day they would have at least 150 log trucks and chip trucks entering the facility. They also have back-up alarms that can be heard as near as Highway 341. He invited the developers to come out and observe their operation before any final decisions are made so that the buyers would be aware of the type of activities to expect.

Mr. Ray Richard pointed out that the distance across the front end of the property is about 1800 ft. to 2000 ft. from the actual activity in the sawmill. For Seaboard Construction it would be about a half-mile or a quarter of a mile. He stated that there are several residential properties in the area and he doesn't know of any constant complaints.

Mr. Ussery wanted to know who owns the property immediately to the west of Atlantic Gas & Light Company. Mr. Richard stated that GA Pacific owns that piece of property. It is part of their mill property, but it is not developed.

There was a brief discussion regarding a possible buffer against the right-of-way and whether or not there are restrictions on further development of the property. Mr. Richard wanted to know if it would make things easier if the applicant were to offer a 50 ft. buffer on the residential side. Mr. Ussery stated that it might, but he is not sure if 50 ft. would make a difference when the sawmill is running.

Mr. Aspinwall commented that he feels that this can be done, but it would be really bad planning to put families and children in that type of environment. He stated that he appreciates what the applicants have done, but he cannot support putting residences in that area.

Mr. Ussery stated that in light of the letters from the various industries, is it possible to defer this request to allow individuals to come in and discuss this further. Mr. Richard and Mr. McKinnon stated that they are willing to agree to a deferral. Mr. Ussery stated that in his opinion, it is a questionable place to put a family. Mr. Nevill stated that he would like to see the buffer issue worked out.

Following discussion, a motion was made by Mr. Jonathan Williams to defer this request until the July 15<sup>th</sup> Planning Commission meeting, beginning at 6:00 p.m. The motion was seconded by Mr. Robert Ussery. Voting Aye: Mr. Hal Hart, Mr. Gary Nevill, Ms. Ann McCormick, Mr. Jonathan Williams and Mr. Robert Ussery. Abstained From Voting: Mr. Mike Aspinwall.

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GC-2003-11

Application by Strother-Stewart Development LLC and Tim Tyre, agent for Strother-Stewart Development, to rezone from R-12 Residential to R-9 Residential property located east of Tyre Street (Formerly McLane Street), and lying between Stewart Street and McIntosh Avenue, east of Oglethorpe Park development on Frederica Road and consisting of 1.25 acres with approximately 493.42 feet of combined frontage on Stewart Avenue, Tyre Street, and McIntosh Avenue.

Mr. Tim Tyre was 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 request to change the residential zoning of the property to allow a re-subdivision that creates more lots. This question was considered in a separate application (GC-2002-08) that proposed R-6 zoning. The recommendation by the Planning Commission for denial of that proposal also prompted an amendment to the Glynn County Zoning Ordinance to prohibit establishment of new R-6 zoning districts on St. Simons Island.

The property is currently platted with four lots, one of which contains a recently completed residence. The applicant has submitted a lot layout with six lots, but this sketch does not constitute a formal request for re-subdivision. It is possible that meeting all requirements for lot size and width may yield fewer than six lots.

The area is residential, with homes on smaller lots. The area to the west is zoned R-6, but individual lot sizes generally exceed the 6,000 square foot minimum lot size of the R-6 district. Zoning to the east is R-12.

The Glynn County Comprehensive Plan shows this area for low-density residential use.

The area is served by public water and sewer and by other urban infrastructure. While there are some limitations in capacity, the small size of the proposed development should not present a specific problem. On the other hand, a trend toward increasing densities in already established areas could present significant difficulties with respect to adequate services.

**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 proposed use is consistent with the use of the surrounding area and with the uses that would be permitted under the existing zoning. The difference is with the size of lots permitted. The number of lots with the requested zoning might be six, while the existing zoning permits four lots.**

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

**The proposed use will not adversely affect the surrounding area per se, but a general trend of reducing lot sizes might have an impact.**

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

**Yes. The existing zoning permits four lots. Single family residential lots on St. Simons Island constitute a reasonable economic use.**

- 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.

**The increase in the number of units by this specific proposal will not burden the infrastructure serving the area, although a general trend of increasing density might create an impact.**

- 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 for low-density residential use.**

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

**There have been no changes in conditions in the subject area that would support an increase in density above the density of the surrounding area.**

A reduction of lot size from 12,000 square feet to 9,000 square feet for this size property would not significantly increase densities within the neighborhood, nor overburden the existing infrastructure. Staff's recommendation is for approval.

Mr. Tim Tyre gave a brief presentation, followed by comments from Mr. Brandon Sigman, adjacent property owner, who was present to speak in favor of this request. Mr. Sigman stated that the applicant's proposal conforms to his house and he feels that this would be a good transition.

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

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GC-2003-12

Application by Frederica Academy to rezone from R-12 to PD-G Planned Development General property located at 200 Hamilton Road and consisting of 21.34 acres with approximately 905 feet of frontage on Hamilton Road.

Mr. Jim Benefield and Mr. Bill Edenfield were present for discussion.

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

This proposed Planned Development provides for the current and future expansion plans of Frederica Academy, a co-educational college preparatory school. Elements of Frederica Academy campus identified as areas of growth and expansion include, but are not limited to: new upper school facility, new gymnasium/activity center; renovation of Hamilton Hall; expansion of new lunchroom facility; renovation of existing gymnasium; courtyard enhancements; lower school modifications; new primary center; and future arts facility.

The general area is a mix of residential and commercial uses. Areas directly to the north and south are zoned R-12. Property to the west across Sea Island Road is zoned RR Resort Residential, and property to the east is zoned MR Medium Residential and GC General Commercial. The GC area is developed by Georgia Power Company as offices and substation. The area to the north is developed as Hamilton Landing, a residential subdivision. Areas to the south and west are undeveloped.

The Comprehensive Plan Future Land Use Map identifies this area as Public/Institutional, with the western 3.415-acre tract identified as residential. This tract was acquired by Frederica Academy from Sea Island Company subsequent to the adoption of the Future Land Use Map.

The subject property has been zoned R-12 since at least since the major zoning map revisions of the 1960's. Under the current Glynn County Zoning Ordinance, a private school is not included as a permitted use. This proposal seeks to establish the existing school as a permitted use to provide for capital improvements.

The proposal provides for the continuation of the R-12 permitted uses and adds private school as a permitted use. Further, the zoning text provides for a building height of 45 feet for school uses, and retains the 35 ft. maximum height for all other uses.

**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. It provides for the continuation of the existing use.**

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

**No. The existing use and proposed expansion is in harmony with the adjacent or nearby property.**

- 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.

**Not likely. Future development may require rerouting of existing water and sewer utilities. Road networks in the area are under study by the county as part of improvements to the Demere Road/Sea Island intersection.**

- 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 Public/Institutional and 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 proposal allows the current use to be considered a permitted use, thus providing for expansion of the use. The use is consistent with the Future Land Use Map. Further, the proposed zoning as a Planned Development provides for site plan approval and review of possible utility re-routing and improvements. Staff's recommendation is for approval with the understanding that the technical issues be addressed at the site plan approval process.

Mr. Jim Benefield gave a brief history of the school and the layout of the property, including the setbacks. He stated that there is a requirement in the Zoning Text that there be either a 30 or 50 ft. setback between a PD District and a Residential District. There is no mention of a rear setback line in the Zoning Text. Mr. Benefield stated that he is asking for approval of this request with the addition of the 10 ft. setback on the north boundary line of the property.

Mr. Frank Dineen, adjacent property owner and Frederica Academy Board Member, was present to speak in favor of this request. He stated that he has spoken with several homeowners in the area and there has been no opposition to this proposal. Also, he does not see any problems with the proposal.

In discussing the setbacks and buffers in the PD Text, Mr. Phillips suggested adding the following to Item j): "The existing permanent adjacent 100 ft. buffer could partially be taken to meet the provision for a 30 ft. setback, provided that the Planning

Commission approves the nature of the buffer within that area at the time of site plan review.” It was then suggested that this be included under Item d) and referenced under Item j). There was also a numerical correction on Page 1 of the PD Text (*Other Development Requirements* should be changed to number 2 instead of number 4.

Chairman Hart stated that under *Other Development Requirements*, “Minimum Lot Area” is all residential and should be reflected as such, with the exception of “Maximum Building Height.”

Following discussion, a motion was made by Mr. Robert Ussery, seconded by Mr. Jonathan Williams and unanimously adopted to recommend approval of this request with the following stipulation:

**Item d) Include the following statement**

*A development setback of 10 ft. will be required for institutional uses in lieu of the required 30 ft. setback on the northern side of the property adjacent to the existing residential neighborhood recognizing the existing buffer on the residential side of the property line. (As well as other changes discussed.)*

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At this time, the Planning Commission took a 10 minute recess. The meeting resumed at 9:10 p.m.

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VP-2002-02

Application by Mike Slayton to construct an addition to a residence located at 601 Ocean Boulevard. Property is located on the northwest corner of Ocean Boulevard at its intersection with Oak Street. Property also described as Lot 1, Block C, St. Simons Park.

Mr. Larry Bryson was present for discussion.

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

This proposal is to construct an addition to the existing two-bedroom one bath cottage, which has 894 square feet of heated space. The proposal includes construction of a master bedroom and master bath over a two-car garage and expansion of the existing kitchen, to be located to the rear of the 5,553 square foot lot. The addition will match the finishes and colors of the existing structure. This includes ship lap siding and wood trims painted white, wood trims to match existing trim profiles, and roof shingle texture and color to match existing asphalt fiberglass shingles.

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

A) Conformity of the plans submitted to the purpose and provision of this ordinance.

**Proposed residential design is as submitted is in conformance with the ordinance, with the exception of the building footprint standard as described below.**

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 light colored ship lap or clapboard.**

C) The effect of the improvements on neighboring structures or sites.

**Proposed design would have a positive aesthetic effect, although the building footprint is in excess of the permitted standard as described below.**

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.

**Proposed landscaping would maintain the aesthetics of the site.**

Article VII, Section 709.5 General Provisions as to lot coverage, height and building footprint.

**Lot Coverage:**

Lot coverage of the development is 1,931 sq. ft. This is 34.8% of the 5,533 sq. ft. lot and below a 50% lot coverage.

**Height:**

Height may not exceed 10 feet above the average of adjacent side properties. The height of the adjacent structure to the east, 603 Oak Street, is 19 feet, and the structure existed in November 1992. Height of the adjacent structure to the west across Oak Street, at 559 Ocean Boulevard, is approximately 22 feet and the structure existed in November 1992. An average of these heights is 20.5 feet. The proposed development is 25 feet, with a difference of 4.5 feet above the average height, which is less than the 10 feet permitted.

**Building Footprint:**

Building footprint is 1,931 square feet. Structure to the east is 1,098 sq. ft. and structure to the west is 1,428 sq. ft. Average footprint of these two side structures is 1,679.5 sq. ft. The proposed building footprint is 251.5 sq. ft. in excess of the average of the adjacent structures.

The proposed construction meets all criteria except for the limitation on the building footprint. Staff's recommendation is for denial in view of the fact that the proposed building footprint exceeds the standard in the ordinance.

For clarification, Mrs. Segers stated that staff made its interpretation on the adjacent side lots. She explained that the specific language of 709.5 states that "the building footprint may be increased no more than the average of the building footprint of the building and structures located on the adjacent side lots existing at the time of the adoption of the ordinance." However, the applicant considered a different interpretation. She pointed this out on the map. Mr. Nevill did not agree and stated he does not consider the area as a side lot. He considers it as a street. Mr. Ussery stated that adjacent means beside, and it doesn't matter if it is beside on the rear, beside on the front or beside on the side.

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

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SP2003-0521-1200 Hampton Plantation Club

Request by Inn of Lake City, Inc. for approval of a site plan on property that is zoned planned development and located at 100 Tabbystone, Hampton Plantation, St. Simons Island. The proposed use of the property is for a pool and cabana.

Mr. Joe Combs was present for discussion.

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

Mr. Joe Combs of Ussery-Rule Architects submitted a request to determine what procedures apply for the proposed development. Staff reviewed the request and in accordance with Section 619.5 Conditions, Restrictions, and Exemptions determined that the site plan approval process applied. The proposed new structure will have footprint coverage of approximately 1500 sq. ft.

The development is within the Hampton Plantation Planned Development area. The PD Text for this area was approved by the County Commission in July of 1988. The Text governing this development further validates requirements for Planning Commission review and approval.

The site plan was distributed to Engineering, GIS, and Planning. The Development Review Team (DRT) returned approvals on all accounts.

The PD Text states that a clubhouse complex supporting the golf course will be located adjacent to the proposed interior lake. Included in the complex will be a restaurant, pro shop, tennis courts with cabana, swimming pool, driving range, and men's and women's locker rooms. The governing text also states that the maximum building height shall be 45 feet above average natural grade and site coverage shall not exceed 60% of the lot area.

The site plan conforms with the Zoning Ordinance, Subdivision Regulations, and the Planned Development Text. Staff's recommendation is for approval.

Following review, a motion was made by Ms. Ann McCormick to approve this request. The motion was seconded by Mr. Gary Nevill. Voting Aye: Mr. Mike Aspinwall, Mr. Hal Hart, Mr. Gary Nevill, Ms. Ann McCormick and Mr. Jonathan Williams. Abstained From Voting: Mr. Robert Ussery.

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SP2003-0603-1605 Holiday Inn

Request by Dixon Management Group, Inc. for approval of a site plan on property that is zoned planned development and located on the corner of Glynco Parkway and Spur 25. The proposed use of the property is for a hotel and restaurant.

Mr. Ron Flick, Mr. Bruce Dixon and Mr. Don Hutchinson were present for discussion.

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

Mr. Don Hutchinson of Korb Engineering submitted a site plan for a new hotel to be located in the Golden Isles Gateway Planned Development district. The proposed hotel and restaurant will be located adjacent to the Fairfield Inn and in proximity to the Microtel Inn - other hotels located in this portion of the district.

The plans were distributed to the Development Review Team (DRT) and several comments were returned as follows:

- Public Works Drainage Coordinator states plans are compliant but a Right of Way Permit will be required and landscaping may have restrictions.
- Fire Inspector states plans are compliant subject to adding 2 fire hydrants; 1 within 50 feet of Fire Department Connection and 1 at the entrance to hotel from Glynco Parkway. Also requires review of sprinkler and fire alarm plans during building permit review.
- Traffic Safety Engineer states no right turn exit onto Glynco Parkway (right entrance from Glynco Parkway only) is allowed and that all exits must be on Gateway Boulevard or Gateway Circle. Also, only two curb cuts/access points allowed per use.
- Utilities Management Plans Reviewer states approved with condition that plans are revised showing meter locations for domestic water supply to the hotel and restaurant.
- Assistant County Engineer states the plan is compliant subject to the: (1) flows from the flume from Glynco Parkway being included in the drainage calculations and (2) revising plans if a ditch is required to direct flume water to the cross drain. Additionally, the Assistant County Engineer notes that the entrance on Gateway Center Boulevard may take an undesirable amount of water from the roadway. Adding a concrete gutter along the drive and/or revising grading plans at the drive would reduce this undesirable situation.

Section 619.4 of the Zoning Ordinance addresses Planning Commission review and approval procedures for site plans, which states that the Planning Commission shall be guided by the following standards and requirements before acting on a site plan.

- *Adequate provisions are made for ingress and egress and the flow of traffic, which may reasonably be anticipated.* The comments of the Traffic Safety Engineer indicate that the proposed layout, as submitted, is not in compliance with Section 614 of the Zoning Ordinance.
- *Adequate provisions are made to control the flow of storm water from and across the property.* The Assistant County Engineer indicates that drainage calculations and plans require revisions.
- *Adequate provisions are made to buffer intensive uses.* The plans do not indicate a buffer along Glynco Parkway or Spur 25. Numerous site developments and residential subdivisions have been required to show a 30 ft. buffer along Glynco Parkway, including Summit Commercial Park, Fox Run, and Caleb's Crossing. Additionally, Summit Commercial Park included a landscape plan and Caleb's Crossing a second 30 ft. buffer along Lexington Park Drive. These requirements stem from a design manual imposed by the developer (Branigar) and are not requirements of the Glynn County or the planned development text. As such, the county will not enforce the requirements, but recognizes that they exist.
- *Adequate open space has been provided.* The current plan indicates 35% of the 3 acre site will be grassed, natural, and/or landscaped.

Typically, site development plans are reviewed by Branigar and staff receives a recommendation letter. This application was not accompanied by a letter from Branigar.

According to ordinance requirements for parking, 1.1 spaces per room, 1 space for each 70 square feet of patron spaces, and 2 rooms per restaurant employee is required, which results in 158 required spaces. The plan indicates 139 spaces plus 4 handicap spaces have been provided, based on the 10% parking reduction clause in the zoning ordinance. The Planning Commission could reduce parking requirements to as few as 119 spaces.

The site plan is generally in compliance with the requirements of the applicable regulations and of the planned development zoning text. A modification of the access to Glynco Parkway (i.e., by eliminating the exit onto eastbound Glynco Parkway) would be needed to comply with the comments of the Traffic Safety Engineer. Other adjustments are technical in nature and can be resolved before issuance of the building permit.

Staff's recommendation is for approval of the site plan subject to correcting the access to Glynco Parkway and subject to all other comments being resolved before issuance of the building permit.

Mr. Ron Flick gave a brief overview of the decision making that went into selecting the site access, ingress and egress onto Glynco Parkway.

Chairman Hart had questions about how the Planning Commission handled the issue of the 30 ft. buffer in the past. Mr. Phillips explained that the landscaping and buffer shown on the plan meets the requirements of the ordinance. In the Golden Isles Gateway Development, there is a design manual that was prepared by Branigar that applies to developments occurring within that area. It is a private matter between the developer and the purchasers. He stated that it is not up to Glynn County to impose that particular standard. Mr. Phillips stated that staff only looks at the proposal in terms of county ordinances, and this meets the county ordinances.

Mr. Bruce Dixon, developer and operator for this particular property, assured the Planning Commission that landscaping would be extensive and quite attractive.

Following discussion, a motion was made by Mr. Gary Nevill to approve this request. The motion was seconded by Mr. Mike Aspinwall and unanimously adopted.

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#### SP-2003-0516-1300 Kirby Warehouses

Request by St. Simons Storage Company for approval of a site plan on property that is zoned planned development and located in the Malcolm-McKinnon Airport (Industrial Area) on St. Simons Island.

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:

This is a new request for a site development plan. The Development Review Team (DRT) reviewed three revisions to this site plan and has approved the proposed development.

This project is located within a cluster of non-residential uses as part of the general commercial/industrial area on the southern part of the Malcolm-McKinnon Airport property. Land is leased to the users by the Airport Commission, and the users make the improvements. The county is responsible for utilities and drainage, as well as road maintenance. To the south is the Sandcastle residential development, separated from this area by a thickly wooded buffer. The site drains through a swale in the buffer.

This site is part of the "Service Commercial" area within the Malcolm-McKinnon Commercial Park Planned Development. The regulations for this area are not as stringent as they are for the "Limited Commercial" area on the north side of the airport.

The proposed development meets the requirements of the Planned Development Text and 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 Ms. Ann McCormick. Voting Aye: Mr. Mike Aspinwall, Ms. Ann McCormick, Mr. Gary Nevill, Mr. Robert Ussery and Mr. Jonathan Williams. Voting Nay: Mr. Hal Hart.

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SP-200206041518 Martin Marietta-Brunswick Yard

Request by Tom Pruitt, agent for Martin Marietta Aggregates, owner, for extension of site plan approval for a construction aggregate distribution yard/asphalt plant on property consisting of approximately 21 acres lying between the CSX Railroad Tracks and the Norfolk Southern Railroad Tracks, generally south of SR 330 (Community Road) and east of US 341.

Mr. Tom Pruitt, Mr. Mike Blowbaum and Mr. David Brisley were present for discussion.

In a memorandum addressed to the Planning Commission, Mr. Phillips explained that this site plan was approved on July 2, 2002 subject to a number of conditions. (The July 2<sup>nd</sup> Minutes were included in the packages for review.) The applicant has been working to fulfill the conditions, but has not completed the task at this time. In addition, a permit was requested from the Environmental Protection Division of the GA Department of Natural Resources (DNR) addressing air quality impacts. The news media reported that DNR has decided to issue the permit, but staff has not received any communication on the subject.

There have not been any changes in applicable regulations or in the conditions affecting the site plan approval. Staff's recommendation is for approval of the extension subject to the original conditions of approval.

Mr. Phillips gave an overview of the project for the benefit of those who were not on the Planning Commission when the site plan was originally approved. He also briefed the members on the list of conditions associated with the project as follows:

- 1) That there be a 30 foot buffer along the north property line where it abuts the residential zoning, that it be a planted buffer, and that 50% of the planting done is with native evergreen and drought resistant shrubs that will not to exceed 10 to 12 feet in height, and that the remaining 50% of the planted buffer be of trees with a 2 inch caliper and that they will be 10 to 12 feet in height to start with. The idea is that 50% is low and 50% will be high to try and have a combination there.
- 2) Fire protection to be agreed upon between the applicant and staff.
- 3) Road improvements needed to be agreed upon between the applicant and staff.
- 4) Drainage to be agreed upon between the applicant and staff.

Mr. David Brisley expounded on the road issue, followed by a brief discussion. Afterward, a motion was made by Mr. Mike Aspinwall to approve the extension of this site plan subject to the original conditions of approval. The motion was seconded by Ms. Ann McCormick. Voting Aye: Mr. Mike Aspinwall, Ms. Ann McCormick, Mr. Gary Nevill and Mr. Robert Ussery. Voting Nay: Mr. Hal Hart. Abstained From Voting: Mr. Jonathan Williams.

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## MINUTES

### **Regular Meeting: May 20<sup>th</sup>**

A motion was made by Mr. Robert Ussery to approve the Minutes of May 20, 2003 Planning Commission meeting. The motion was seconded by Ms. Ann McCormick. Voting Aye: Mr. Hal Hart, Ms. Ann McCormick, Mr. Gary Nevill, Mr. Robert Ussery and Mr. Jonathan Williams. Mr. Mike Aspinwall did not attend the May 20<sup>th</sup> meeting and therefore abstained from voting.

### **Regular Meeting: June 3<sup>rd</sup>**

A motion was made by Ms. Ann McCormick to approve the Minutes of June 3, 2003 Planning Commission meeting. The motion was seconded by Mr. Mike Aspinwall. Voting Aye: Mr. Mike Aspinwall, Mr. Hal Hart, Ms. Ann McCormick, Mr. Gary Nevill and Mr. Robert Ussery. Mr. Jonathan Williams did not attend the June 3<sup>rd</sup> meeting and therefore abstained from voting.

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There being no further business to discuss, the meeting adjourned at 10:05 p.m.