

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

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

ABSENT: Robert Ussery

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

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.

A motion was made by Mr. Mike Aspinwall and seconded by Mr. Gary Nevill, to adopt the agenda for the May 6th Planning Commission meeting. Voting Aye: Mr. Mike Aspinwall, Mr. Hal Hart, Ms. Ann McCormick, Mr. Gary Nevill and Mr. Jonathan Williams. (Mr. Fields had not arrived yet.)

GC-2003-06

Application by William Edenfield, agent for Sea Island Company and Diane Bowen, to amend the Island Health Medical Park Planned Development Zoning Text for property located in the northwest quadrant of the intersection of Sea Island Road and Demere Road, consisting of 19.7 acres, to provide for a reduction of parking requirements for medical offices.

In order to clarify an unresolved issue, staff and the applicant requested a continuance until the May 20th meeting. The Planning Commission concurred.

PP2003-0331-1540 Mack Harris Cove

Request by Larry Bryson for approval of a preliminary plat on property zoned General Residential, located near the intersection of Carteret and Cypress Mill Roads. The subject 1.4 acre plat is proposing the creation of 6 lots. The proposal was formerly known as Carojens Place.

Mr. Larry Bryson was present for discussion.

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

The proposed preliminary plat originally was submitted under the name Carojens Place. The original plat had a number of design issues and problems that created obstacles from the perspective of public infrastructure improvements. These design issues largely stemmed from the shape of the parcel. The newly designed preliminary plat is an improvement when compared to the original design.

During the review process, the proposal was distributed to GIS, Engineering, Fire Department, Traffic Safety, Drainage and Planning. All comments were that the plat is in compliance with county codes, ordinances and regulations. The construction plans will require review and approval from the City of Brunswick.

Staff recommends that the 6 lot preliminary subdivision plat named Mack Harris Cove be approved.

Mr. Gary Nevill wanted to know the date that the previous plat was submitted. Mr. Frazier stated that it was submitted on April 26, 2002.

Ms. McCormick expressed concerns about the road name (Egret Circle) being different from that of the subdivision (Mack Harris Cove). Mr. Frazier stated that originally, the road name was called Mack Harris Circle; however, according to GIS the name "Harris" is already associated with another subdivision.

Following discussion, 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, Mr. Hal Hart, Ms. Ann McCormick, Mr. Gary Nevill and Mr. Jonathan Williams. Abstained From Voting: Mr. Perry Fields.

PP2003-0129-1500 Fox Run

Request by Bill Morton, Jr. for approval of a preliminary subdivision plat. The request is for a 65 lot subdivision on 22.7 acres located on Harry Driggers Boulevard adjacent to Walden Shores apartment complex. The subject property is located in the Golden Isles Gateway Planned Development District. The Planning Commission denied the original submittal at the April 1st meeting. The proposal has been modified and resubmitted.

Messrs. Phillip Jackson, Chris Amos and Bill Morton, Jr. were present for discussion.

In a memorandum addressed to the Planning Commission, Mr. Frazier explained this request was presented at the April 1st meeting and the following issues were raised and have been addressed by the applicant.

- Modified note 3 indicating that each lot will be used for a two-family dwelling unit and will not be re-subdivided.

- Inclusion of a density table describing how the applicant arrived at the calculations.
- Expanded the vegetative buffer along Harry Driggers Boulevard to 30 ft.

Staff has met with the applicant to discuss the relationship of the Branigar PD Text to the Glynn County Zoning Ordinance. Issues discussed included:

- Does a two-family residential use fall under the General Residential (GR) provision specified in the Branigar PD Text?
- Is a two-family residence considered multi-family as defined in the Subdivision Regulations?

Staff determined that a two-family residence may be considered under the GR provision specified in the Branigar PD Text. Additionally, staff determined that a two-family residence is not considered multi-family by the definition in the Zoning Ordinance.

Mr. Frazier stated that staff's recommendation is for approval subject to the condition that the lots would not be re-subdivided at any point in time in the future.

Mr. Phillip Jackson, agent for Mr. Morton, gave a brief presentation. He stated that the proposed development conforms with the requirements of the GR zoning district for a two-family dwelling. He stated that the applicant would not be pursuing further subdivision of the lots. The lot sizes exceed the minimum requirements for the two-family dwelling and they also exceed the minimum density requirement. He pointed out that the development would be a nice addition to the community.

Mr. Jackson stated that several questions were raised at the April 1st meeting. The applicant has since addressed all of the issues and is now seeking a favorable vote at this time.

For clarification, Mr. Fields stated that Lot 44 will be a duplex but it is a single lot and will not be split. Mr. Jackson's reply was "that's correct." Mr. Fields then indicated that it is not the applicant's intention to come back and ask for an 801 on Lot 44 to split it into two lots. Mr. Jackson's reply was "that's correct."

Mr. Fields wanted to know how the setbacks would be handled. Mr. Jackson stated that the setbacks are graphically shown with typical dimensions. Mr. Fields asked if the largest lot size is less than ½ acre with a 20 ft. setback being maintained on all lots. Mr. Jackson replied yes, this is also included in the notes on the first page of the plat.

Mr. Frazier reminded the Planning Commission that staff's recommendation is for approval subject to the lots not being re-subdivided at any time in the future.

Following discussion, a motion was made by Ms. Ann McCormick to approve this request subject to staff's recommendation that the lots are not to be re-subdivided at any time in the future. The motion was seconded by Mr. Jonathan Williams and unanimously adopted.

PP2202-1218-0930 Caleb's Crossing

Application by Kern-Coleman & Company, agent for Title Properties, LLC, for approval of a revised preliminary plat in accordance with the Planned Development Zoning Text for the Golden Isles Gateway Planned Development (Tract R4W) for property located on the north side of Harry Driggers Boulevard, approximately 14,600 ft. west of its intersection with US 17 and consisting of 33.37 acres with approximately 2,349 ft. of frontage on Harry Driggers Boulevard. The revised preliminary plat incorporates a phasing plan for the development.

Mr. Toss Allen was present for discussion.

A copy of the revised plat for Caleb's Crossing was included in the packages for the Planning Commission's review. The applicant has addressed issues raised by staff after reviewing the construction plans. The new plat includes phasing lines in accordance with Section 703.11 of the Glynn County Subdivision Regulations. Mr. Frazier stated that staff's recommendation is for approval.

For clarification, Mr. Fields asked if the original preliminary plat had been previously approved with a 10 ft. setback. Mr. Phillips explained that the item before the Planning Commission at that time, which proposed the 10 ft. setback, was a modification of the PD Text. Prior to the Planning Commission's action, that portion of the request was withdrawn. Therefore, the request was approved with the original 20 ft. setback requirement. The preliminary plat that the Planning Commission received reflected the 20 ft. setback and not the 10 ft. setback.

Mr. Fields asked if the issue of the minimum frontage had been addressed. Mr. Frazier replied yes. He further stated that there were some previous notes that originally did not accurately reflect the standards for development, but those have been undated on the plat.

Mr. Nevill wanted to know if staff or the Community Development Director could approve the phasing of the preliminary plat. Mr. Frazier stated that during review, the consensus was to bring this back to the Planning Commission to allow the members an opportunity to re-visit some of the issues such as lot width.

Mr. Toss Allen gave a brief presentation. He explained that there were some discrepancies in the notes regarding the quadruplexes now being shown as single lots. One indicated 39 lots and one indicated 154 lots. However, this has been clarified and both notes say 154 lots.

Ms. Nancy Thomason expressed concerns about approval of the 10 ft. setback from the wetlands. She stated that she does not understand how this can be done in accordance with federal law. Ms. Thomason stated that she spoke with someone from EPD who in turn told her to contact the Army Corps, and it is her understanding that there has to be a 25 ft. setback from wetlands. Mr. Fields disagreed. He explained that "there is no federal statute, ordinance, law or regulation requiring a setback from wetlands." The wetlands themselves are the buffer. State law says that there is a 25 ft. setback from state waters, which is determined as the line of rested vegetation. He stated that there is a 25 ft. buffer from marshlands. Mr. Fields stated that the confusion could be the difference between the two terms "wetlands" and "marshlands." Ms. Thomason stated that when she spoke to EPD she very clearly used the term "wetlands." EPD was adamant that if these are jurisdictional wetlands and have water that connects with ground water, or if there is a stream flowing through it, these are considered waters of the state and the 25 ft. setback applies. Mr. Fields and Ms. Thomason debated this issue and clearly disagreed with each other.

Mr. Gary Nevill stated that the Planning Commission is being asked to approve the phasing plan and not re-approve the subdivision itself. Therefore, a motion was made by Mr. Nevill to approve this request. The motion was seconded by Mr. Perry Fields and unanimously adopted.

SP2002-0311-0957 Arnold House

Request by James G. Timbes, Owner/Developer for extension of site plan approval for a project zoned HC Highway Commercial, located on the southeast side of Ocean Boulevard and northeast of Neptune Drive, St. Simons Island.

SP2002-0311-1020 Arnold House

Request by James G. Times, Owner/Developer for extension of site plan approval for a project zoned RR Resort Residential, located southeast of Ocean Boulevard on the northeast side of Neptune Drive and on the northeast side of Forest Street, St. Simons Island.

Mr. Larry Bryson and Mr. James G. Timbes were present for discussion.

In a memorandum addressed to the Planning Commission, Mr. Phillips explained that this proposal involves two projects that are abutting and are on parcels with different zoning classifications. They have therefore been designed and reviewed as separate projects and require two separate votes. In both cases, the use involves a hotel with only limited accessory uses. Based on the discussion at the time of the most recent extension (May 7, 2002) the most significant issue relates to protection of trees through a more careful design of the parking area. (Copies of earlier staff comments, the applicant's response and excerpts from the May 7th meeting were included in the packages for review.)

Since this approval, the ordinance has been amended to allow for reduction in parking in order to increase green space. Otherwise, there have been no changes in regulations or conditions that affect this proposal. Staff's recommendation is for approval.

Mr. Larry Bryson, representing the applicant, explained that he turned in an application on February 27th to actually remove the prior approval; however, the request was too late to be placed on the agenda. He then resubmitted the entire packet as a new project, was reassigned new numbers, went back through the process, and was granted approval. The applicant is now asking for an extension of that approval.

Mr. Mike Aspinwall expressed concerns about the trees on Ocean Boulevard and the fact that there was prior discussion of trying to save some of those trees. Mr. Bryson stated that at the May 7th meeting, the approval was granted with the applicant to consider reducing the parking in an effort to save the trees. He stated that they have been waiting until the project actually starts to see if the potential is there. The Planning Commission at that time allowed up to a 10% reduction if the applicant could save a tree. Mr. Aspinwall stated that Mr. Timbes at that time indicated that he would make an effort to save those trees; however, the trees are still marked. Mr. Bryson pointed out that the plan has not been altered. It is just as the Planning Commission approved it. Mr. Aspinwall questioned the applicant's current intentions for the trees. Mr. Bryson stated that the intent would be the same as it was the last time. They would certainly like to save the trees if at all possible.

Ms. Kim Gollin asked if the applicant is requesting a second extension on this site plan. Chairman Hart replied no, this is the first extension. Mr. Phillips stated that he indicated in his report that this was the second extension. However, the clarification was made that when the request was presented for an extension the first time, it was actually re-submitted as a proposal and got a full review and approval last year (May 7, 2002). Technically, this is the first extension of the May 7th approval.

Mr. Fields stated that if the Planning Commission approves the site plan as submitted the applicant would have to build what has been approved. Mr. Phillips stated essentially, that is correct. Mr. Fields stated that if the applicant decides to change the design of the building, then that would require the Planning Commission's review and approval. Mr. Phillips pointed out that there is a provision in the ordinance that outlines what qualifies as a change that would require the Planning Commission's approval.

Following discussion, a motion was made by Mr. Gary Nevill to approve the Arnold House **Highway Commercial** site plan. The motion was seconded by Ms. Ann McCormick. Voting Aye: Mr. Perry Fields, Mr. Hal Hart, Ms. Ann McCormick, Mr. Gary Nevill and Mr. Jonathan Williams. Abstained From Voting: Mr. Mike Aspinwall.

At this time, Chairman Hart called for discussion on the Resort Residential portion of this site plan. Mr. Phillips, Mr. Bryson and Mr. Fields indicated that their comments were the same as stated for the Highway Commercial portion. The floor was then open for public comment.

Ms. Nancy Thomason stated that due to the history of opposition to this plan from the St. Simons community, she would like for the Resort Residential portion of this site plan to be denied. She would like full publication and notification for neighborhood input. Ms. Thomason stated that since the applicant did not proceed with this project, she feels that it is within the Planning Commission's power to not grant the extension. Mr. Phillips explained that according to county ordinances, site plans are not required to be advertised. Legally, site plans are required to be placed on the agenda for public hearing. Mr. Aspinwall added that when this request originated a year ago, he personally talked to most of the neighbors, and some of them did come to the meeting at that time and voiced their concerns. This is just an extension of that approval.

Following discussion, a motion was made by Mr. Gary Nevill to approve the Arnold House **Resort Residential** site plan. The motion was seconded by Mr. Jonathan Williams. Voting Aye: Mr. Perry Fields, Mr. Hal Hart, Ms. Ann McCormick, Mr. Gary Nevill and Mr. Jonathan Williams. Abstained From Voting: Mr. Mike Aspinwall.

SP2003-0218-1645 St. Paul's Baptist Church

Request by Larry Bryson, agent for St. Paul's Baptist Church for approval of a site plan for an addition to the existing church, located on the north side of Demere Road, west of its intersection with Oliver Lane.

Mr. Larry Bryson was present for discussion.

This project involves an addition to the existing church consisting of a social hall and accessory activities. The site has been increased by the addition of the parcel immediately to the west, so that the total church site now occupies the property between Oliver Lane and LaCosta Lane. The proposal also involves adding parking to the rear of the church and along the northern part of the site.

In reviewing this site plan, staff determined that a number of issues needed to be resolved. These issues were outlined and included in the staff's report for the Planning Commission's review. Staff's recommendation is for approval subject to the following:

- 1) Site plan approval for the parking on the western part of the site (currently subject to the scenic easement) shall be effective only if the Board of Appeals approves a modification of the variance for the Gates Condominium. Also, the Board of Commissioners approval of a partial release of the scenic easement to accommodate the proposed parking.
- 2) Issuance of a building permit shall be contingent upon meeting all applicable regulations.

Reference was made to the extensive history and value of the above referenced church and the fact that it is grandfathered in. In an attempt to clarify the parking issue, Mr. Bryson explained that the existing site is grass parking and it does meet the requirements for the existing sanctuary. He stated that he prepared a site plan that shows

the area being paved to accommodate the existing structure and the proposed addition. However, it was noted that the issue of parking was unnecessary in that building a social hall would not increase parking.

During the course of discussion, it was suggested that the site plan be modified to separate the western portion and submit it as a separate site plan, and also correct the plan notes on the eastern portion. These modifications are to ensure that there is no reference to development on the portion of the property that is subject to the scenic easement. It was the consensus of the Planning Commission to continue this item at the May 20th meeting for additional review.

MINUTES

Regular Meeting: April 1st

Regular Meeting: April 15th

A motion was made by Mr. Mike Aspinwall to approve the Minutes of the **April 1, 2003** Planning Commission meeting. The motion was seconded by Ms. Ann McCormick. Voting Aye: Mr. Mike Aspinwall, Mr. Perry Fields, Ms. Ann McCormick, Mr. Gary Nevill and Mr. Jonathan Williams. Abstained From Voting: Mr. Hal Hart.

A motion was made by Mr. Gary Nevill to approve the Minutes of **April 15, 2003** Planning Commission meeting. The motion was seconded by Mr. Mike Aspinwall. Voting Aye: Mr. Mike Aspinwall, Mr. Perry Fields, Mr. Hal Hart, Mr. Gary Nevill and Mr. Jonathan Williams. Abstained From Voting: Ms. Ann McCormick.

CHAIRMAN ITEMS

a) **Planning Commission Members**

Mr. Perry Fields had questions about Boykin Ridge Subdivision, which he stated the Planning Commission approved as modular homes. However, the applicant is now proposing to construct stick built homes. Mr. Fields wanted to know if this requires additional action from the Planning Commission. Mr. Phillips stated that he does not think additional action is required but he would check into this and report back to the Planning Commission.

b) **Dead End Street Committee Report**

Mr. Gary Nevill stated that the committee has scheduled a meeting to discuss the actual length and distance between turnarounds. Mr. Fields commented that he has been involved in some discussions about the breakaway emergency exit at the north end of Sea Island and other locations. He stated that currently there is a gate that automatically opens at the sound of the siren of emergency vehicles. He stated that perhaps the committee should consider the feasibility of using this type of gate with regard to dead-end streets for emergency vehicles. He stated that he would try to obtain more information on this for staff's review.

STAFF ITEMS

a) **Discuss proposed ordinance implementing earlier decision to make the GIS Zoning Map the Official Zoning Map**

In a memo addressed to the Planning Commission, Mr. Phillips explained that the zoning map is incorporated into the Zoning Ordinance by reference in Article IV, and provisions are made in Article XI for amendments to the zoning map. In 2002, staff made a presentation to the Planning Commission and to the Board of Commissioners describing the benefits of establishing the Official Zoning Map on the county's Geographic Information System (GIS). At that time, it was pointed out that an amendment would need to be presented to the Planning Commission and to the Board of Commissioners to implement the change. (The proposed amendment was included in the packages for review.) Staff's recommendation is for approval.

After a brief discussion, the Planning Commission authorized staff to advertise the proposed amendment to implement the GIS Zoning Map as the Official Zoning Map with the following change (strike through lines to be deleted and highlighted words to be added): The Official Zoning Map shall be maintained through the GIS System ~~and shall be as~~ amended from time to time...

b) **Standards for wetland buffers**

In a memo addressed to the Planning Commission, Mr. Phillips stated that pursuant to previous discussions, staff has been working on setting up a workshop to review a number of issues related to wetlands and marsh regulations. The Planning Commission informally determined that an appropriate setback standard for wetlands would be 7 ft., and requested staff to prepare an amendment to implement that standard. The proposed amendment with standards set at 7 ft. for habitable floors was included in the packages for the Planning Commission's review.

Mr. Phillips stated that he received a phone call from Mr. Reed Jackson offering the assistance of DNR to help arrange the workshop. Also, as requested by Mr. Fields, staff will get a number of different parties representing different points of view. Mr. Phillips stated that staff is open to any recommendations for representatives.

Ms. Nancy Thomason expressed concerns about the proposed changes, particularly where it states that "the minimum 15 ft. setback shall be maintained along marsh boundaries, as certified by the Coastal Marshland Protection Act." She pointed out that what is certified in the Coastal Marshland Protection Act is 25 ft. Glynn County has had this in the ordinance for a long time, but you are now talking also about "development adjacent to freshwater wetlands, defined as those protected by Section 404 as determined by the U.S. Corps of Engineers, shall provide a buffer of 7 ft. setback." Ms. Thomason stated that she doesn't understand how the Planning Commission is even considering these changes. Mr. Fields and Ms. Thomason debated this issue once again, and did not agree.

Mr. James Holland stated that having the workshop is a step forward especially in recognizing wetlands and how critical they are to fisheries, human life, etc. He stated that he would be glad to get some professionals from the University of GA. He stated that the Marine Extension Services would be delighted to put this together. Again, he offered his assistance on setting up a workshop with professionals who understand buffers.

Mr. Dave Kyler elaborated on the water quality problems in GA. He stated that hopefully, Mr. Lee Sutton would be at the workshop to convey that these buffers are very critical to getting a handle on water quality problems. Mr. Kyler encouraged the Planning Commission to not only iron out the apparent conflicts between different regulatory requirements for setbacks, but to even consider the idea of adopting local ordinance requirements that go beyond the regulatory requirements by state and federal agencies because it is in this community's own best interest.

Mr. Phillips stated that once the workshop has been arranged with a confirmed time, date, location, etc., a notice will be placed in the newspaper and forwarded to individuals on staff's mailing list. Also, different organizations throughout the community will be notified.

c) Height Limitations

A brief summary of discussions on this item was included in the packages for review and was presented by Mr. Phillips, followed by a general discussion. No action required at this time.

d) Site Coverage

A brief summary of discussions on this item was included in the packages for review and was presented by Mr. Phillips, followed by a general discussion. Mr. Fields reiterated points about not needing site coverage. In his opinion, there is no problem but perhaps they should consider lowering the percentage of footprint.

e) Calendar of Ordinance Amendments

A list of ordinance amendments currently before the Planning Commission, along with a schedule of upcoming meetings was included in the packages for review and presented by Mr. Phillips, followed by a general discussion.

There being no further business to discuss, the meeting adjourned at 8:35 p.m.