

MINUTES

ISLANDS PLANNING COMMISSION JULY 17, 2007 - 6:00 P.M. Fire Station #2, Demere Road, St. Simons Island

MEMBERS PRESENT: Robert Ussery, Chairman
Preston Kirkendall, Vice Chairman
John Dow, Jr.
William Lawrence
Paul Sanders
Desiree Watson
Joan Wilson

STAFF PRESENT: David Hainley, Community Development Director
York Phillips, Planning Manager
Iris Scheff, Planner III
Paul Andrews, Assistant County Engineer
Janet Loving, Admin/Recording Secretary

ALSO PRESENT: Commissioner Uli Keller, BOC
Commissioner Don Hogan, BOC

Chairman Robert Ussery 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.

Minutes/June 19, 2007 Regular Meeting

A motion was made by Mr. Preston Kirkendall to approve the Minutes of the June 19th Islands Planning Commission meeting (with necessary corrections). The motion was seconded by Ms. Desiree Watson and unanimously adopted.

Agenda:

Mr. David Hainley stated that the agent for application #ZM-2007-011 (I) submitted a written request to withdraw this application. A motion was made by Mr. Preston Kirkendall and seconded by Ms. Desiree Watson to approve the applicant's request for withdrawal. Voting Aye: Mr. John Dow, Mr. Preston Kirkendall, Mr. William Lawrence, Mr. Robert Ussery, Ms. Desiree Watson and Ms. Joan Wilson. Voting Nay: Mr. Paul Sanders.

VP-2007-004

Application by Mindy Overly for approval to replace an existing sign to reflect the change in a business name for property at 311 Mallery Street, on the west side of Mallery Street approximately 65 feet north of its intersection with Lord Avenue. The property is zoned GC-Core General Commercial-Core. Parcel ID 04-04460. Mindy Overly, agent for Charles B. Williams, owner.

Ms. Mindy Overly was present for discussion.

The following report from staff was included in the packages for review and was presented by Mr. Hainley.

This is a request for approval of a sign under the Village Preservation provisions (§709 of the Zoning Ordinance). The only change proposed is the sign content. The area of the proposed sign may be either (1) the dimensions of the former sign, or (2) up to ten percent of the area of the face of the building, whichever is greater. (An illustration of the style of the sign was included in the packages for the Planning Commission's review.)

The Village Preservation regulations provide the following criteria for review of proposed exterior changes, including signs:

- A) Conformity of the plans submitted to the purpose and provision of this Ordinance.
- B) Conformity and harmony of external material and design with existing and neighboring structures.
- C) The effect of the improvements on neighboring structures or sites.
- D) The consistence and compatibility with existing architectural design building exterior finishes used on neighboring properties or in the overlay zone.
- 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.

- 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.

Staff recommends that this request be approved for the following reasons:

1. The proposed sign meets the criteria of the Zoning Ordinance and makes a positive contribution to the overall character of the Village area.

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

Following review, a motion was made by Mr. Paul Sanders to approve this application. The motion was seconded by Mr. William Lawrence and unanimously adopted.

ZM-2007-005 (I)

Consider a request to rezone from R-9 One-Family Residential to LC Local Commercial, property consisting of 25,382 square feet (approximately 0.58 acre), located on the northeast corner of the intersection of Frederica Road and Barnes Plantation Road on St. Simons Island. The property has 110 feet of frontage on Frederica Road and 245 feet on Barnes Plantation Road. The address of the property is 1708 Frederica Road. Parcel ID 04-02466. Larry Bryson, agent for Jasper L. Wilson, owner.

Mr. Larry Bryson and Mr. Jasper Wilson were present for discussion.

The following report from staff was included in the packages for review and was presented by Mrs. Iris Scheff.

This application was deferred at the April 17th meeting at the request of the applicant in order to reconsider the zoning classification. It was also deferred at the June 19th meeting by the Planning Commission in order to meet the requirements of Section 1105.1 d. (*Additional details are contained in the April 17th and June 19th Minutes*) In the meantime, a new conceptual site plan layout has been provided by the applicant for the Planning Commission's consideration.

The land use presently designated in the adopted Glynn County Comprehensive Future Land Use Plan for this property is commercial. Southward along Frederica Road on the same side as the subject property as well as the opposite side along Frederica to its intersection with Demere Road is also depicted as commercial on the Future Land Use. A substantial area of medium density residential is depicted south and east of the subject property. The existing land use is low density residential.

The “Jasper Wilson Property” is a commercial zoning request for just over a half-acre site with ingress and egress proposed on Frederica Road. Adjacent to the rezoning request site is an apparent street entitled “Barnes Plantation Road,” which is actually a *driveway* used for both (1) the condominium complex located about 120 ft. away from its intersection with Frederica Road, and (2) ingress and egress for the commercial stores south of the subject site. The request proposes commercial use for a bank, Sapelo Southern Bank.

The application for rezoning was received in the Community Development office on February 5, 2007. The material submitted for review states that the bank would be in character with the neighborhood because

“...with the exception of the adjoining property to the north, which is zoned R-9, One-Family Residential, all surrounding properties are zoned HC (Highway Commercial) or PD-G (Planned Development, General). The owner to the north has indicated he may request a rezoning at some future date. His letter is attached.”

The application further states that the request would not be detrimental to the property or persons in the area because

“...businesses surround this property. The proposed bank would be a good neighbor, minimizing impact.”

No request for subdivision is submitted nor does there appear to be a need to subdivide the subject property.

It is important to assess the demand that will be placed on public facilities in this location. Characteristics of the site such as traffic counts, density, intensity of use and the design configuration against the backdrop of adjacent properties and uses help determine if fire and police protection, water and sewer, school capacity, and traffic network are sufficient for the property to be developed for commercial use.

The projected traffic impact for a commercial drive-in bank was estimated by various means, including how many employees, square footage of the bank, or the number of drive-in windows. Number of drive-in windows was chosen for the purposes of this rezoning. Ranges were given, with the low end being 207 ADT per window or 414 trips per day [207 trips x 2 windows], and the high end being 802.75 ADT per window, or 1,605.5 ADT per day [802.75 x 2 windows]. An average rate per day per drive-in window was 411.17 trips, times two windows as depicted in the concept plan with the application, calculates to 822.34 trips per day [411.17 x 2 windows] on a weekday.

Also depicted on the concept plan was a building with dimensions of approximately 50' x 47' or 2,350 square feet. Using this as a foundation for the calculations results in the following ADT for the 2,350 square feet bank: average rates of 265.2 ADT per 1,000 sf = $2,350 / 1,000 = 2.35$ x average rate per thousand square feet of bank of 265.2 ADT = 623.22 ADT for the proposed Sapelo Southern Bank.

An average rate based on an average of the two methods shown above- one based on the number of windows (the first example), and one based on the square footage of the drive-in bank of 2,350 square feet, was used in the chart below as a moderate base from which to derive the approximate average trips per day $[822.34 \text{ ADT} + 623.22 \text{ ADT} = 1,445.56 / 2 = 722.78 \text{ ADT}]$ for the proposed Sapelo Southern Bank.

	Schools	Water*
Transportation**		
Drive In Bank (2,350 sf)	N/A	$.16 \text{ GPD} \times 2350 \text{ sq ft} = 376 \text{ GPD}$
		<u>723 ADT</u>

*Projected water use based upon minimum standards for public water systems, Georgia Environmental Protection Division and estimated number of bathrooms. GPD is gallons per day.

** Projected traffic based upon professional standards in Institute of Traffic Engineering Manual, 6th Edition. (ADT means Average Daily Trips)

The total number of projected traffic trips for the rezoning is 723 Average Daily Trips. Frederica Road currently has in excess of 7,700 ADT and a service level of “C” or better (Georgia DOT defined level of service). Future estimated traffic shows projected traffic on Frederica is expected to grow to 11,300 ADT by 2030, Level of Service “D”.

A survey was recently conducted for Sapelo Bank of three of their bank offices located at Perry Lane Road, Cypress Mill Road, and St. Simons Island. A sample of number of transactions, number of drive thru customers, and number of inside customers was counted four different days (see chart below).

It was stated that the number of transactions represented one or more transactions per customer, therefore the number of drive through visits plus inside visits were more closely associated to the number of expected auto trips. The bank anticipates traffic trips for the proposed site to be similar to the Perry Lane office at first, rising to the Cypress Mill numbers over time. These numbers are dissimilar to the numbers provided in the ITE manual.

Date	Sapelo Southern Bank Sample Survey								
	Perry Lane			Cypress Mill			SSI		
	Trans.	Dr-thru	Inside	Trans.	Dr-thru	Inside	Trans.	Dr-thru	Inside
6-08-07	89	28	32	281	121	60	34		
6-11-07	72	18	20	249	67	58	10		
6-12-07	32	13	12	132	38	28	9		
6-13-07	61	24	22	108	35	25	4		

Estimated Parking Requirements: Commercial (1 parking space per each 200 sf of space = $(50 \times 47 = 2,350 / 200 \text{ sf} = 11.75 \text{ or } 12 \text{ spaces})$

Total Required Parking: 12 spaces

Total Proposed Parking: 17 spaces

Engineering comments that:

“...additional right of way is needed for Frederica Road, which should be similar in scale to the property to the south. Direct access to Frederica Road should be removed given the proximity to the traffic light and the road intersection to the north and considering the existing traffic issues along this section of Frederica....”

Note: The applicant has depicted twenty-five (25) feet that could be dedicated for additional right-of-way to align with the right-of-way to the south.

Utilities are proposed to be Glynn County water and sewer. Utilities staff comments that public sewer as proposed is not available to this site. In addition, public water is proposed but is not available to this site. The nearest County owned and maintained water main is located on the west side of Frederica Road. Jacking and boring of Frederica Road is not a possibility due to the number of buried utilities underneath Frederica Road. There is no “bury depth survey” of each utility. Therefore, no one can ensure the boring of steel casing will not cause damage to buried utilities. While there are two possible routes to nearby water and sewer lines the applicant has not indicated how they specifically plan to provide service to the site. If the zoning were to be approved the applicant would have to depict the plans to obtain water and sewer facilities to the site.

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 use seems suitable but the particular site less suitable for a high traffic facility such as a drive-in bank with two through lanes, which generates many traffic trips daily.

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

Yes. The entrances will adversely affect existing uses due to how “tight” (small, tightly configured for the intense uses that occur) for the subject site. Adjacent sites containing condominiums and various stores are in close proximity and affect this site.

- 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.

Yes. As referenced above, vehicles entering and leaving both the condominiums and the adjacent shopping center will conflict as right turns onto Frederica Road further interfere with vehicles moving in and out of the subject site.

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

Yes. The Future Land Use is Commercial for this area and for this site.

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

Yes, for reasons given above. Previous development, site size, and configuration in relation to adjacent sites have hindered the ability for the subject site to have flexibility in configuration and to achieve safe or efficient ingress and egress.

The proposal is consistent with the Glynn County Comprehensive Plan Future Land Use Map. Yet the existing adjacent uses are already at or near capacity with respect to already in place configurations of site space, ingresses/egresses, driveways, and adjacent site parking spaces and drive aisles. The proposed bank will add to already occurring congestion.

According to additional information distributed earlier by Mrs. Scheff, drainage infiltration specs and plans for this rezoning request were received by staff on July 9th and July 12th respectively, and were therefore not available to be distributed or reviewed by staff in time to address them. Upon review, the following are issues that remain for the Jasper Wilson rezoning request:

- A plan depicting an alternative as to how water and sewer will be provided arrived July 12, 2007.* Upon review, the plans show a possible path that does not meet traditional construction standards. If a rezoning were approved, a Planning Commission site plan, Building Permit site plan, and Environmental Protection (EPD) would be sent proposed water and sewer plans to review and evaluate. Staff notes that the proposed water and sewer concept introduces boring under Frederica Road.
- Storm drainage infiltration technical data specification sheets were supplied July 9, 2007.* Upon review, the data was not site plan specific. Staff has no actual studies to determine whether the concept is feasible.
- Tree drip line is depicted but no plan for root zone protection is provided.

Also provided were letters, petitions, accident reports, and support materials from the Board of Directors of Barnes Plantation Condominium Association, Inc., stating that as a seven member board representing 160 homeowners they are unanimously opposed to the Jasper Wilson rezoning request.

Mrs. Scheff stated that staff ultimately had recommended approval because of the fact that the Future Land Use is commercial, but due to the number of issues associated with this request, the following stipulations were suggested in staff's recommendation:

- 1) A plan showing how a connection to and provision of water and sewer will be provided to the site; and
- 2) Twenty-five (25) feet additional right-of-way shall be dedicated along Frederica Road.

Mrs. Scheff stated that staff's alternative recommendation is to deny this request based upon the lack of water and sewer connections; the potential high traffic generation for a small site; and the difficulty of ingress/egress within a very short distance of a traffic light with four-way intersection; as well as any other issues identified and expressed by the public and members of the commission.

Chairman Ussery stated that the plans that the members received in the packages indicate that water and sewer is available on the applicant's side of the road and would not require a boring. He then asked if staff has information to the contrary. Mrs. Scheff stated that staff does not have the actual water and sewer plans. The applicant would have to address the issue.

Mr. Paul Sanders wanted to know why a site plan is being intermixed with a rezoning matter, especially since the site plan is not in question. Chairman Ussery explained that because of the size of the site in this particular case, it is important to have some notion as to how the property might be used in order to fully understand the zoning issues.

Mr. John Dow made reference to information included in the staff's report, (Page 2, Paragraph 4) which states that "...The owner to the north has indicated he may request a rezoning at some future date. *His letter is attached.*" Mr. Dow wanted to know if this letter actually exists. Mrs. Scheff stated that staff could not find the letter in the file. Mr. Dow then asked where the statement came from. Mrs. Scheff replied that it came from a cover memo from the applicant.

Ms. Desiree Watson had questions concerning the number of drive-thru lanes. The staff's report indicates two-lanes, but the slide presentation indicates three-lanes. Mrs. Scheff stated that the third lane is proposed to be an ATM. However, it is really a matter of interpretation as to whether the ATM area is considered to be a drive-thru that produces traffic. Mrs. Scheff went on to explain how she calculated the amount of traffic included in the report with regard to the number of drive-thru lanes.

Ms. Watson wanted to know if staff is making the 25 ft. right-of-way a condition of the rezoning request. Mrs. Scheff replied yes. Ms. Watson stated that if the applicant decides not to give the 25 ft. right-of-way would staff's recommendation be the same. Mrs. Scheff replied no.

Mr. Preston Kirkendall wanted to know what type of water and sewer service is being provided for the two houses located next to the property in question. Mrs. Scheff stated that she believes that the two houses are on a well and septic tank.

Mr. William Lawrence had additional questions about the average daily trips. Mrs. Scheff explained that staff provided the information that the applicant submitted based on actual sites that they have within this area.

Mr. Sanders asked if the 25 ft. right-of-way is intended for a deceleration lane, to which Mrs. Scheff replied yes. Ms. Watson noted that Engineering did not address the 25 ft. right-of-way as being necessary for a deceleration lane for safety. Mrs. Scheff explained that there was a progression of comments from Engineering. At first they wanted no access onto Frederica Road, but upon learning that the Barnes Plantation entrance was a private driveway, they then suggested the restriction of a right-in/right-out only.

During a brief presentation, Mr. Larry Bryson addressed the items that were discussed at the last meeting and stated that these are also reflected in the text. He stated that there is an existing water and sewer crossing under Frederica Road that serves Hanover Square. Don Hutchinson, project engineer, has spoken with Tim Ransom who has indicated that a new man-hole will have to be set around the waterline, but he is not aware of any reason why they cannot tap the line in the water connection and parallel Frederica to the property.

Mr. Bryson stated that there was concern about the drip-line on the trees. He stated that they have actually gone out and measured the drip-lines, added those to the plans and created a landscaped area around the large oak tree. However, there is one oak tree that will have to be removed. Also, there is a magnolia tree that they will try to relocate.

Mr. Bryson stated that they have once again adjusted the site and pulled the parking off of the right-of-way. They were able to put in a landscaped area, a walkway area and a front porch entry by "readjusting and squeezing."

Regarding the curb cut with the neighboring property, Mr. Bryson stated that if they are able to proceed, they would like to try to negotiate with the county and the neighbor to see what would be workable to perhaps create a single curb cut that would benefit everyone.

Mr. Bryson stated that they have provided specifications for the underground retention system, which would be located under the parking lot. He stated that an attempt to obtain traffic counts from some of the neighboring banks in the community was unsuccessful. However, he did receive word from one of the banks that on their busiest day, their transactions are less than 300 per day.

Mr. Dow asked Mr. Bryson about the letter referenced in the staff's report supposedly received from the property owner to the north indicating a desire to request a rezoning at a future date. Mr. Bryson explained that when they initially submitted the project months ago, he was informed by the owner that the neighbor was favorable and that a letter would be forthcoming. Obviously since then, he has learned that the neighbor is not favorable and there is no letter. Mr. Bryson apologized for this mix-up.

Mr. Dow expressed concerns about the 25 ft. right-of-way, which led to additional discussion. Ms. Watson noted that Mr. Bryson seem somewhat hesitant to express for his client that they indeed would intend to dedicate the 25 ft. Mr. Bryson stated it appears that it all depends on what is attached as a condition of approval if the Planning Commission were to make such a motion. Ms. Watson stated that her concern is that staff has recommended as a condition of zoning that the 25 ft. be dedicated, which she feels is an improper request and therefore could not vote in favor of it.

Mr. William Lawrence was uncertain about the location of the ingress/egress. Mr. Bryson pointed the area out on the map in relation to Barnes Plantation, the private property and the traffic light.

Several residents were present to oppose this request. Among those speaking in opposition were Mrs. Ila Davis Williams and Mrs. Diane Haywood of 1790 Frederica Road whose property would be the most impacted. Mrs. Haywood is adamantly opposed to this request for a number of reasons (see June 19th Minutes), but she is mostly concerned about the safety of her children and other children in the neighborhood with respect to the amount of traffic that a bank would generate. Mrs. Williams stated that if this request is approved for a bank, it would literally push her out of her home and she has no where else to go. As pointed out by Attorney Jack Overman, this proposed bank would be in Mrs. Haywood's front yard. Additionally, Mr. Overman expressed concerns about the pump station and stated that it was built for residential use and not for commercial use. He presented a petition of 160 residents of Barnes Plantation opposing this rezoning request.

Also present to speak in opposition were Mr. Dennis Burgess, Ms. Meredith Trawick, Mr. Bill Hooker, Mr. Dick Wiederhorn, Mr. Billy Baker, Mr. & Mrs. Gary Schwartz and Ms. Tory Braden. Those in opposition were concerned about traffic safety, ingress/egress, utilities, flooding, trees, buffers and the infrastructure in general.

Mr. Dow stated that it is reasonable to assume that at some point something other than a house is going to sit on the property and it is also reasonable to expect that whatever does, it is going to have an impact on Frederica Road. The question is, "how do

we minimize the impact.” Mr. Dow stated that he is not opposed to something other than residential, but this is not a good site for a bank.

Chairman Ussery agreed that the property is no longer suitable for residential use. He stated that he understands Mr. Wilson’s dilemma, but a bank is an inappropriate use for this site. In fact, any use that generates traffic, such as a fast food restaurant, dry cleaners, or anything with a drive-thru would be inappropriate. However, there are some other possibilities, such as a bicycle shop, or something with a less intense use.

Mr. Preston Kirkendall stated that if the Planning Commission were to approve this for Local Commercial, restricting the use of a bank, there are at least 50 other uses that would be allowed. Those uses would also have to be assessed. He then asked what the applicant’s option would be if this request were denied. Mr. Hainley explained that if the applicant chooses to withdraw his application before it goes to the Board of Commissioners he would only have to wait six months before re-applying. However, if he chooses not to withdraw the application it will go forward, and if the Board denies the request, the applicant has to wait a year before re-applying.

At this time, Mr. Jasper Wilson explained that he made several attempts to do something productive with his property since discovering that it would not be suitable for residential, and when the developers approached him about the bank, he felt that this was an ideal use. He stated that Mrs. Haywood and others in attendance are family members of his and he loves them dearly, but he has to move forward. He stated that without rezoning the property to commercial who would want to purchase it for anything other than commercial.

Chairman Ussery explained that the feeling among the Planning Commission is the possibility of limiting the use. In other words, still allow a commercial rezoning but not allow a bank. He stressed that a bank is a very intense use for the location in question, especially with the only access being on Frederica Road. Unfortunately, the perspective buyer may choose not to purchase the property. However, it would give Mr. Wilson some direction and perhaps give him something other than a home to sell. He would have a commercial use to sell at that point. Mr. Kirkendall read a list of some of the uses permitted under Local Commercial zoning.

Chairman Ussery stated that another option would be to re-submit as an Office Commercial type zoning, which would allow some uses that are less intense. Mr. Wilson reiterated that he doesn’t think anyone would purchase the property for anything other than a commercial use. Chairman Ussery advised Mr. Wilson that staff would assist him further with his options. Attorney Jack Overman stated that he understands the situation and on behalf of the Barnes Plantation Condominium Association, they are also willing to work with Mr. Wilson.

Following discussion, a motion was made by Mr. William Lawrence recommending denial of this rezoning request for a bank and suggested that the owner of the property seek an alternate use. The motion was seconded by Ms. Joan Wilson and unanimously adopted.

The Planning Commission took a 10 minute recess. The meeting resumed at 7:45 p.m.

ZM-2007-017 (I)

Consider a request to rezone to PD-G Planned Development-General, property consisting of 15.442 acres located on the south side of the F.J. Torras Causeway and on the southwest side of Kings Way. The property has approximately 600 feet of frontage on the Causeway and approximately 840 feet of frontage on Kings Way. The property is zoned Local Commercial. Parcel ID 04-05788 and 04-05821. Property owned by Sea Island Company.

Mr. Bill Edenfield, Mr. Jim Evans and Attorney Jim Gilbert were present for discussion.

The following report from staff was included in the packages for review and was presented by Mr. Phillips:

The property is generally vacant, with a small marina. The proposed land use is a mixed development with hotel (maximum 100 sleeping rooms), residential units (single-family, townhouse or multi-family, not exceeding 110 units), mixed-use marina and commercial area (not exceeding 30,000 square feet). The overall site coverage is limited to 50%.

This site is bordered on the west by the Frederica River, across which is the Golden Isles Marina planned development (shops, restaurants, marina, and condominium multi-family dwellings). To the north is the Torras Causeway, across which is Gascoigne Park. To the east is Kings Way, and to the east and south are marsh areas.

The proposal involves a mixed-use project with residential units, hotel, and commercial/marina. This is in contrast to potential development under the current Local Commercial zoning, which would permit retail, restaurants, and marina, but would not permit residential or hotel.

The nature of the project and of the surrounding area suggests that there is little likelihood of conflicts due to incompatible land uses.

Engineering comments on the initial submittal have been addressed in the revised text and plan. Comments on the re-submittal have not been received as of the date of this report. Issues related to drainage and layout can be addressed at the time of site plan review.

One of the advantages of the mixed-use project is the reduced traffic demand. First, the project will exhibit a lower trip generation rate. The proposed project is expected to produce 3,030 total daily trips compared to over 10,700 for a project under the current zoning. More significantly, the afternoon peak-hour trips (which represent the highest traffic load during the day) will total 224 vs. almost 1,000 under the current zoning scenario. (A Traffic Study was included in the packages for review.)

Secondly, a certain number of trips in a mixed-use project are “internal;” or “capture” trips. These are trips made to a destination within the project that would otherwise have been made to a destination outside of the project. This tends to lower the total traffic below what would have been the traffic generated by the total of the various uses added together. The Traffic Study suggests that the typical mixed-use project can have a reduction of between 10% and 20% for internal trips, but further states that no reduction was made to maintain a “conservative” approach to trip generation estimates.

Coordination of the proposed project with the “Gateway” project now under design is an issue. This project is intended to relieve congestion at the east end of the Causeway where it enters St. Simons Island, and to better accommodate future increased levels of traffic. The Traffic Study reviews this issue and concludes that the proposed development will have a lower impact than would a development under the existing zoning.

The Utilities Plans Reviewer indicates that the project is compliant, but that there may be issues associated with the capacity of one of the lift stations serving this site. This issue can be addressed at the time of site plan or building permit review. The applicant has submitted an analysis of development under the current zoning as compared with the proposed development. The analysis shows that water use would be higher, but that sewer line and pumping capacity demand would be fairly similar.

In conformance with Section 1103 of the Glynn County Zoning Ordinance, the following findings of fact are to be considered in making a decision on a request for rezoning:

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

Yes. The proposed use is similar in character to the use at the Golden Isles Marina located on the west side of the Frederica River.

- 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 most significant impact will be on the road system, but the proposed use would have a much smaller impact than would development under the existing zoning.

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

Yes. The Future Land use Map shows this area for commercial 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.

No.

The proposed development is compatible with the nearby development at the Golden Isles Marina and with the surrounding area. The most significant infrastructure issue is traffic, which has been analyzed in a separate study provided by the applicant. The result of this study is that the proposed development would have less of an impact than would development under the existing Local Commercial zoning.

Staff's recommendation is that this rezoning request be approved for the following reasons:

1. The proposal is compatible with the surrounding development; and
2. Impacts on infrastructure are generally less than those of development under the existing zoning or can be resolved through the design review process.

Attorney Jim Gilbert gave a brief power point presentation and highlighted the principal parts of the revised text pursuant to discussions with staff, including additional meeting rooms, function rooms, offices, etc. as permitted accessory uses for the hotel.

Parking ratios for uses and accessory uses is also clarified in the revised text, as well as off-site water and wastewater improvements that will be paid for by the developer.

Mr. Gilbert explained that Sea Island Company's two core businesses are real estate and the resort. The health of each depends on the other. He stated that over the years the company branched out into other areas such as retail with the Shops at Sea Island and the landscape center/hardware store. However, as time went on the company sold both of those properties and completely rebuilt the resort, which allowed them to concentrate even more on the two core businesses. He stated that the Sea Island Company spent \$500 million dollars on the new Cloister Hotel and accompanying spa, and pointed out that the money was spent in five years rather than in ten years as originally planned. The company had real estate that would not develop but would sell to ensure the health of the core businesses.

At this time, Mr. Gilbert gave a brief history of the Yacht Club property and pointed out property that the company had either donated or swapped to Glynn County and other entities, such as Frederica Academy. He stated that they had an offer from a developer to purchase the Yacht Club property under the Local Commercial zoning for a lot more money than they will sell it for under the Planned Development zoning. He stated that the company needs to sell the property but they do not want to sell it with the current zoning.

Mr. Gilbert stated that the marina would be regulated and permitted by the Department of Natural Resources and would be a small community dock with no more than 35 boat slips. He stated that it would not extend into the river any farther than the existing docks. He stated that the tract would have 50 ft. and 25 ft. buffers on the marsh side of the property depending on the location. The buffer along Kings Way will be 25 ft. from the edge of the right-of-way.

A major issue is the entrance to the property, which Mr. Gilbert stated would be relocated farther up Kings Way away from the Causeway and would be worked in with the Gateway project. He stated that if the Gateway project is done, this project would not adversely affect traffic. He then introduced Mr. Jim Evans of PBS&J, who elaborated on the traffic concerns.

It was noted that several residents were present to oppose this request. Chairman Ussery opened the floor for public comments beginning with Ms. Suzanne Hill who reminded everyone that St. Simons is a fragile barrier island. She expressed concerns about the increased stress on the infrastructure, including the fact that the salt water intrusion into the Floridan Aquifer is occurring in other areas along the coast.

Ms. Tory Braden suggested having a second entrance to help take away some of the stress of traffic, especially in cases of emergency evacuations.

Ms. Meredith Trawick also expressed concerns about increased traffic problems associated with this project.

Ms. Nancy Thomason stated that this is an enormous project that needs more study. She stated that the public has not had enough time to be made aware of this project. She also feels that it could potentially ruin the Island, and the Sea Island Company really needs to think about what this will do to their business as well as other businesses. Mr. John Turbidy concurred and stated that homeowners in the Island Club will be dramatically affected by this project. He also spoke out against the recent action taken on the “Palmettos at Demere,” which backs up to the Island Club property. He felt that it was an outrage for the County Commissioners to approve this project after it was denied by the Islands Planning Commission. Mr. Turbidy stated that he has high regards for the Sea Island Company and for the work that they’ve done, but he feels that this particular project needs more study and consideration. Additionally, he feels that the current traffic problems should be resolved first.

Mr. Dennis Beachum, representing RUPA, was also present to speak in opposition to this request.

A question was raised as to the developer of this project. Mr. Gilbert explained that although someone else will develop the property, Sea Island Company will have contracts and covenants and will retain a lot of control over the property as it develops. He stated that they have a commitment from the purchaser that allows Sea Island to assist the new owners with the site plan preparation, building design and landscaping.

During the course of discussion, members of the commission cited several items that they felt should be amended in the text. The members also noted Sea Island’s outstanding record of being a responsible asset in the community and their high standard of development. As pointed out by Mr. Dow, Sea Island could build a huge shopping center under the current zoning, but the proposed zoning gives up something that would be very intrusive. It is a down-zoning and a trade-off that serves the better good of the community.

Following discussion, a motion was made by Mr. John Dow to recommend approval of this rezoning subject to the following amendments (to be supervised by the Planning Staff):

- 1) No Pylon Signs
- 2) No more than 35 boat slips
- 3) Signage to be a maximum of 6 ft. in height
- 4) Signs attached to or painted on the exterior walls of the building shall not exceed 24 sq. ft. or 10% (or whichever is smaller)
- 5) No signage to be visible from the causeway

The motion was seconded by Mr. Preston Kirkendall. Voting Aye: Mr. John Dow, Mr. Preston Kirkendall, Mr. William Lawrence, Mr. Paul Sanders, Mr. Robert Ussery and Ms. Desiree Watson. Abstained From Voting: Ms. Joan Wilson.

The Planning Commission took a 5 minute recess. The meeting resumed at 9:20 p.m.

TA-2007-011

Consider an amendment to the Glynn County Subdivision Regulations, Article VI (Design Standards), Section 602 (Streets), Subsection 602.2 (General Provisions), (g) Permanent Dead-End Streets, so as to modify the provisions regarding the length of permanent dead-end streets; and for other purposes.

The amendment was included in the packages for the Planning Commission’s review and was presented by Mr. Hainley.

Following review, a motion was made by Mr. Preston Kirkendall, seconded by Mr. Paul Sanders and unanimously adopted recommending approval of this proposed amendment.

TA-2007-012

Consider an amendment to the Glynn County Subdivision Regulations, Article VI (Design Standards), Section 602 (Streets), Subsection 602.5 (Private Streets), (c) so as to modify the provisions regarding repair and maintenance of water and sewer facilities located in private streets; and for other purposes.

The amendment was included in the packages for the Planning Commission’s review and was presented by Mr. Hainley.

Following discussion, a motion was made by Mr. John Dow, seconded by Mr. William Lawrence and unanimously adopted recommending approval of this proposed amendment with the word “shall” being added to line 37 as follows:

Line 37: ...the county **shall** have no responsibility whatsoever for their...

There being no further business to discuss, the meeting was adjourned at 9:30 p.m.