

M I N U T E S

GLYNN COUNTY PLANNING COMMISSION
JANUARY 4, 1994 9:00 A.M.

MEMBERS PRESENT: Wayne Stewart, Chairman
Jerome Clark
Georgia DeSain
Glenda Jones
Jack Kite
Richard Parker

ABSENT: Ira Moore

STAFF PRESENT: Larry Taylor, Acting Director
Deborah Taylor, Zoning Admin.
Jennifer Detloff, Planner
Janet Loving, Admin. Secretary

Chairman Wayne Stewart called the meeting to order and a moment of silent prayer was held for Mr. Ira Moore.

**Preliminary Plat
Timber Ridge Subd., Phase II
Located off Cate Road
Zoned Mh-12 One-Family Residential
108 Acres, 165 Single-Family Lots**

Diversified Investments, Inc., Property Owner/Developer

Mr. Harry Driggers and Mr. Ralph Lackey were present for discussion.

Mr. Larry Taylor presented the staff's report. He stated that this plat meets all the requirements for preliminary plat approval and it has been approved by the County Engineer. Mr. Taylor stated that staff recommends approval subject to the developer and staff working on the realignment of Cate Road and Canal Road to meet DOT geometric standards for road improvements needed when Spur 25 is extended.

Mr. Harry Driggers stated he does not agree with DOT's plan for extending Spur 25 along Cate Road. He stated he will work with the county and set aside the necessary lots; however, he stated he will protest DOT's plan regarding the Spur extension.

Chairman Wayne Stewart suggested to Mr. Lee Noel, Chairman of the Citizens Advisory Committee (CAC), that perhaps this is a matter for the CAC to look into. He stated that Spur 25 should be extended to the Sterling area to better serve the citizens.

Following review, a motion was made by Mr. Jack Kite to approve the Preliminary Plat of Timber Ridge Subdivision, Phase II subject to staff's recommendation. The motion was seconded by Mr. Jerome Clark and unanimously adopted.

**Preliminary Plat
Sandlewood Subdivision, Phase II
Located off Cate Road
Zoned R-6 One-Family Residential
8.4 Acres, 44 Single-Family Lots
Diversified Investments, Inc., Property Owner/Developer**

Mr. Harry Driggers and Mr. Ralph Lackey were present for discussion.

Mr. Larry Taylor presented the staff's report. He stated that this plat meets all the requirements for preliminary plat approval and it has been approved by the County Engineer. Mr. Taylor stated staff recommends approval.

Following review, a motion was made by Ms. Glenda Jones to approve the Preliminary Plat of Sandlewood Subdivision, Phase II. The motion was seconded by Ms. Georgia DeSain and unanimously adopted.

**Preliminary Plat
Picric Park Subdivision
Located off Picric Street
Zoned Freeway Commercial
6.6 Acres, 6 Lots
Investments 84, Inc., Property Owner/Developer**

Mr. Harry Driggers and Mr. Ralph Lackey were present for discussion.

Mr. Larry Taylor presented the staff's report. He stated that this plat meets all the requirements for preliminary plat approval and it has been approved by the County Engineer. He stated that on December 16, 1993, the Glynn County Board of Commissioners placed a hold on all subdivision plats on city water and/or sewer until approval from the Board of Commissioners has been granted. Mr. Taylor stated staff recommends approval subject to the Board of Commissioners approval for city water and sewer expansion.

Following review, a motion was made by Mr. Richard Parker to approve the Preliminary Plat of Picric Park Subdivision. The motion was seconded by Mr. Jerome Clark and unanimously adopted.

GC-17-93

Continue discussion on Request to Rezone from R-12 One-Family Residential to Mh-20 One-Family Residential Mobile Home, approximately 55,600 square feet located on the north side of Carters Drive, 578.39 feet west of Altama Avenue.

Property owned by Ernest and Sylvia Carter.

Ms. Peggy White was present for discussion.

Mr. Larry Taylor presented the staff's report. He stated that this request was heard at the October 5th Planning Commission Meeting. At that time, the applicant requested a rezoning to M-20 One-Family Residential Manufactured Home. The Planning Commission adopted a motion to recommend approval of that request subject to all requirements of the Glynn County Zoning Ordinance and Subdivision Regulations being met.

Mr. Taylor explained that prior to the request being heard by the Glynn County Board of Commissioners, the applicant requested that the application be amended to request a rezoning to Mh-20 One-Family Residential Mobile Home instead of Manufactured Home; however, that request had to be heard by the Planning Commission for a recommendation prior to the County Commission taking action.

Mr. Taylor stated that the request at this time is to subdivide the vacant parcel of land into two lots and rezone to allow the location of a manufactured home and a mobile home. He stated that this request was heard again at the December 7th Planning Commission Meeting. He stated at that time, the Planning Commission expressed concern about the property being rezoned to allow a mobile home. A temporary zoning to allow a mobile home due to a financial hardship was suggested. Following discussion at that meeting, the Planning Commission adopted a motion to defer the request.

Mr. Taylor stated that after reviewing the Planning Commission's concerns and suggestions, staff recommends that the applicant submit a plat subdividing the property into two lots as proposed by the owner, and meet all the requirements of the Glynn County Zoning Ordinance and the Subdivision Regulations. The lot on which the applicant wants to locate the manufactured home should be rezoned to M-20 One-Family Residential Manufactured Home, as originally requested, and the lot that the applicant wants to place a mobile home on should remain zoned R-12 One-Family Residential with a special use permit being granted, along with documentation confirming that a financial hardship exists.

Mr. Taylor stated that according to the Glynn County Zoning Ordinance, the only hardship listed in the Ordinance is medical hardship; however, the language does not state specifically that any other type hardship shall or shall not be permitted; therefore, if sufficient documentation is submitted confirming the financial hardship, a special use permit may be granted.

Chairman Wayne Stewart added that if the hardship continues to exist after the two year time period, the applicant may request an extension from the Planning Commission. Mr. Taylor pointed out that staff recommends approval to rezone a portion of the property from R-12 One-Family Residential to Mh-20 One-Family Residential to allow a manufactured home, and recommends approval of a special use permit for a documented financial hardship. These recommendations for approval are subject to the applicant presenting a survey to staff showing the property subdivided into two lots.

Following discussion, a motion was made by Mr. Jack Kite to recommend approval of the rezoning as stated by staff, and also recommend approval of the special use permit for a documented financial hardship. The motion was seconded by Ms. Glenda Jones and unanimously adopted.

GC-4-94

Request to Rezone from Freeway Commercial to Medium Residential, 6.845 acres fronting 460 feet on the east side of Picric Street, beginning 250 feet south of Scarlett Street and lying immediately north of the Georgia Power easement and west of Southern Railroad.

Property owned by Investments 84, Inc.

Mr. Harry Driggers and Mr. Ralph Lackey were present for discussion.

Mr. Larry Taylor presented the staff's report. He stated that this request is to rezone a 6.845 acre tract currently zoned Freeway Commercial. He stated the property is a portion of a larger tract consisting of 27.23 acres which was rezoned from R-9 One-Family Residential to Freeway Commercial in July, 1986. He explained that at the time of that rezoning, the only access to the tract was via Scarlett Street off U. S. Highway 341; however, it was understood that another access road would be constructed to serve the tract. He stated since that time, a road has been constructed, also known as Scarlett Street, off Glyndale Drive. The subject property has frontage on this new road.

Mr. Taylor stated that the property is located immediately north of an R-9 One-Family Residential District. The applicant is requesting a rezoning of the property to Medium Residential to allow the development of duplexes on individual lots. Medium Residential allows multi-family development at a maximum of 16 units per acre.

Mr. Taylor stated in order to further evaluate this request, the following matters were considered in developing staff's recommendation:

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

Adjacent property is commercial and single-family. This rezoning would be a logical transition between the two zoning districts.

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

Would be less adverse than Freeway Commercial, as presently zoned.

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

Yes.

4) 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, commercial would be more excessive.

5) Whether the zoning proposal is in conformity with the policy and intent of the Comprehensive Land Use Plan;

Does not conform, but the request to residential is actually a down zoning from commercial, as shown in the Comprehensive Land Use Plan.

6) Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal;

None.

Mr. Taylor stated that by allowing medium residential zoning between the two zoning districts this would be a logical transition from commercial to single-family, and therefore staff recommends approval.

Following discussion, a motion was made by Mr. Richard Parker to recommend approval of this request. The motion was seconded by Ms. Georgia DeSain and unanimously adopted.

SUP-1-94

Request for a Special Use Permit to allow the location of a restaurant in the General Commercial-Core Zoning District, St. Simons village area and conformance with the Village Preservation Ordinance. Address known as 321 Mallory Street, former site of Vic's Corner (grocery and deli).

Property owned by Angela Waanounou.

Mr. Malcolm Goldin, agent, was present for discussion.

Mr. Larry Taylor presented the staff's report. He stated that the special use permit application previously filed by agent John A. Jones to allow a restaurant and bakery was withdrawn after receiving a recommendation of denial from the Planning Commission at the December 7, 1993 meeting. He stated that a special use permit application has been submitted by Mr. Malcolm Goldin, requesting a restaurant/New York Style Deli to be known as "Village Deli".

Mr. Taylor stated that an interior building layout plan addressing the seating capacity has been submitted. The plan states that the table seating will only be the amount of parking space quota allowed by the Ordinance. However, the preliminary business plan states that the applicant would like indoor seating for approximately 50 people and outdoor cafe type seating for approximately 30 people during appropriate weather conditions. The applicant is also requesting that the restaurant/deli be open 24 hours.

Mr. Taylor stated that staff recommends approval of the restaurant/deli, subject to the following conditions:

- 1) Hours of operation to be limited to 6:00 a.m. until 10:00 p.m., with no outside sound system or music;
- 2) Since parking is mostly on county right-of-way, parking spaces must always remain public with no control of use, such as limiting parking to applicant, customers, or employees only, which consist of 12 parking spaces;
- 3) The owner being required to put in curbing and a sidewalk along Ocean Boulevard to limit access to the street at any point. The paved parking area to be extended into the twenty foot alley along the property, creating a paved ingress and egress with arrows to indicate the traffic flow. Also, a planter area to be provided between the access points and the parking area. All traffic improvements would be subject to approval by the Traffic Safety Engineer and the County Engineer;
- 4) Outside seating will be limited only to the area that is presently under covered area which would accommodate approximately 24 seats;
- 5) Dumpsters or parking shall not, at any time, limit or block access to the twenty foot alley along the property. Dumpsters will be required to be covered at all times and no outside storage; and
- 6) Signage must conform to the St. Simons Village Preservation requirements.

Mr. Malcolm Goldin gave a brief presentation. He stated that the merchants and employees he spoke with in the area are in favor of the 24 hour deli operation. He then presented a petition with signatures of merchants, employees and residents in support of this request. He stated he agrees with staff regarding the dumpsters; however, he stated due to expenses, he would like some time to put in the curbing and sidewalk. Mr. Goldin stated that there is not a good place for coffee, breakfast and sandwiches on the Island that is not fast food, and his main objective is to provide a decent place for citizens to enjoy.

Chairman Wayne Stewart stated that he understands the expense of putting in curbing and sidewalks; however, the safety of the citizens is more important. Mr. Stewart pointed out that he had received several phone calls from citizens in the area who are in favor of the 24 hour operation.

Mr. William Hooker, St. Simons Island resident, stated he is in favor of the 24 hour deli operation. He stated to restrict the applicant's hours of operation is unfair. Mr. Hooker stated that competition and choice of the location will enhance the character of the village.

Mr. Bob Fell, St. Simons Island resident, stated he is opposed to the 24 hour operation due to the possibility of the area becoming a "teenage hangout" after midnight.

Mr. Lee Noel stated this request is totally out of character for the village area. He urged the Planning Commission to stick with the condition that the hours of operation be limited to 6:00 a.m. until 10:00 p.m.

Chairman Wayne Stewart asked if alcoholic beverages would be served. Mr. Goldin stated he does not intend to apply for a liquor license at this time.

There was further discussion regarding traffic flow and parking. Mr. Kirk Schlemmer, Senior Comprehensive Planner for Coastal Georgia RDC, stated in his opinion, angling the parking spaces makes it difficult to enter the restaurant/deli. Mr. Bill Hooker reviewed the plans and suggested one way parking on Mallory Street as an improvement to the traffic flow. Mr. Taylor stated the only way to control the traffic is through signage and signage is not allowed for an alley. He stated there would not be a way to monitor the traffic due to the two way parking. He also stated that because of the delivery trucks, the alley would have to remain two way.

Mr. Bob Fell asked if the deli will supply sandwiches to the Sunset Cafe. Mr. Goldin stated there will be a separate kitchen to serve the Sunset Cafe.

Following discussion, a motion was made by Mr. Richard Parker to recommend approval of this request, along with the applicant's request to operate the restaurant/deli as a 24 hour service subject to the following conditions:

- 1) No outside sound system or music;
- 2) Since parking is mostly on county right-of-way, parking spaces must always remain public with no control of use, such as limiting parking to applicant, customers, or employees only, which consist of 12 parking spaces;
- 3) The owner being required to put in curbing and a sidewalk along Ocean Boulevard to limit access to the street at any point. The paved parking area to be extended into the twenty foot alley along the property, creating a paved ingress and egress with arrows to indicate the traffic flow. Also, a planter area to be provided between the access points and the parking area. All traffic improvements would be subject to approval by the Traffic Safety Engineer and the County Engineer;
- 4) Outside seating will be limited only to the area that is presently under covered area which would accommodate approximately 24 seats;
- 5) Dumpsters or parking shall not, at any time, limit or block access to the twenty foot alley along the property. Dumpsters will be required to be covered at all times and no outside storage; and
- 6) Signage must conform to the St. Simons Village Preservation requirements.

The motion was seconded by Ms. Georgia DeSain. Voting Aye: Mr. Jerome Clark, Ms. Georgia DeSain, Ms. Glenda Jones, Mr. Jack Kite and Mr. Richard Parker. Abstained From Voting: Mr. Wayne Stewart.

Discuss the conditions of approval on Cup-2-92.
Restaurant known as Sunset Cafe located at
303 Mallory Street, St. Simons village area.

Mr. Malcolm Goldin was present for discussion. Mr. Larry Taylor presented the following:

Request for a Conditional Use Permit in the GC-Core General Commercial-Core District, for the location of a Restaurant at 303 Mallory Street; Lots 6 and 7, Block 1, Island Retreat Subdivision, located on the corner of Lord Avenue & Mallory Street, St. Simons Island.

Property owned by Angela Waanounou.

Mr. Taylor stated that the above request was heard at the Glynn County Planning Commission Meeting of April 7, 1992. He stated that at that time, the Commission unanimously adopted a motion to approve the request subject to the following:

- 1) No loud music outside the establishment;
- 2) Hours of operation to be from 11:00 a.m. until 1:00 a.m.;
- 3) Review the parking situation to see if additional off-street parking can be accommodated;
- 4) Community Development staff to review and approve the exterior improvements that will be made; and
- 5) Off-duty police to be provided by the owner on weekends and holidays when a large crowd is expected.

Mr. Taylor stated that Sunset Cafe has applied for a new liquor license and the County Commission has requested that prior to granting the license, Planning and Zoning staff would be required to sign off stating that all zoning requirements are met. Mr. Taylor stated that staff does not feel the above conditions are being met. Therefore, this request has been placed on the agenda for discussion.

Mr. Taylor pointed out that due to the legal time change allowing bars to remain open until 2:00 a.m., condition #2 needs to be amended. The applicant is requesting an extra hour of operation. Also, staff emphasizes that entertainment be contained inside of the business, encourages the applicant to provide off-duty police, encourages less use of the porch and suggests that the dumpsters be monitored.

Mr. Taylor explained that the Planning Commission will have to vote on amending the hours of operation. He stated that Mr. Goldin is subleasing the business at this time; however, when he becomes the operator of the business, he will have to come back to the Planning Commission for a change of operation.

Following discussion, a motion was made by Mr. Richard Parker to recommend that the hours of operation be changed so that the establishment may remain open until 2:00 a.m. instead of 1:00 a.m. The motion was seconded by Mr. Jack Kite. Voting Aye: Mr. Jerome Clark, Ms. Georgia DeSain, Ms. Glenda Jones, Mr. Jack Kite and Mr. Richard Parker. Abstained From Voting: Mr. Wayne Stewart.

Review Landscape Plan for Waffle House, to be located on Demere Road, St. Simons Island.

Mr. Robert Moody was present for discussion.

Mr. Larry Taylor explained that at the December 7, 1993 Planning Commission Meeting, the Commission recommended that this request be forwarded to the County Commission for a definition of "Island Style of Architecture". The County Commission approved the request subject to the Planning Commission's recommendation for approval of the landscape plan.

Mr. Robert Moody presented the landscape plan. He explained that 10 trees were added to the 42 existing trees. Construction plans were amended to relocate the entrance in order to save a large oak tree. Mr. Moody stated that the landscape plan for the Waffle House meets all of the zoning conditions and adheres to the cohesiveness of the area.

Following review, a motion was made by Mr. Jack Kite to recommend approval of the landscape plan for the Waffle House. The motion was seconded by Mr. Jerome Clark and unanimously adopted.

Upon a motion made by Mr. Jack Kite and seconded by Ms. Glenda Jones, the Minutes of the December 7, 1993 Planning Commission Meeting were approved and unanimously adopted.

Staff Items

Discuss setting a public hearing on the Regional River Corridor Protection Plan.

Mr. Kirk Schlemmer gave a brief background on the Regional River Corridor Protection Plan. He explained that in order for Glynn County to retain its "Qualified Local Government" status, the River Corridor Plan or another suitable plan as an amendment to the Glynn County Comprehensive Plan had to be adopted before December 31, 1993. Since the Comprehensive Plan was not amended, Glynn County has currently lost its "Qualified Local Government" status.

Chairman Wayne Stewart stated that at the December 7th Planning Commission Meeting, the Commission adopted a motion to defer this document until a public hearing is conducted within 90 days. He explained that this motion was adopted due to the Planning Commission not having enough time to review the document.

Following discussion, it was the consensus of the Planning Commission to schedule two public hearings - one on the mainland and one on St. Simons Island, to discuss the Regional River Corridor Protection Plan.

Under Commission Items, Chairman Wayne Stewart advised the Commission that he would confer with the new County Commission Chairman to schedule a joint worksession between the Planning Commission and the County Commission to coordinate efforts for 1994.

The meeting adjourned at 10:25 a.m.