

M I N U T E S

GLYNN COUNTY PLANNING COMMISSION
DECEMBER 6, 1994 9:00 A.M.

MEMBERS PRESENT: Jack Kite, Chairman
Jerome Clark
Robert Fell
Glenda Jones
Lee Noel
Richard Parker
Wayne Stewart

STAFF PRESENT: Dan Reuter, Planning Official
Deborah Taylor, Zoning Admin.
Jennifer Detloff, Planner
Janet Loving, Admin. Secretary

ALSO PRESENT: Gary Moore, County Attorney

Chairman Jack Kite called the meeting to order and the invocation was given, followed by the Pledge of Allegiance.

Mr. Wayne Stewart stated that before the agenda is discussed, he had an issue to address. At the last County Commission meeting, the Board of Commissioners made reference to video taping the Planning Commission meetings; however, no decision was made. He wanted to know why staff was ordered to tape this meeting. Mr. Dan Reuter explained that he was instructed by the County Administrator, Mr. Lee Gilmour, to video tape today's meeting. Mr. Stewart stated he objects to this action. He feels that the Planning Commission should not be singled out and the meetings should not be taped. He further stated the County Commission has not made a decision on this issue and therefore Mr. Gilmour does not have the power to do such.

Attorney Gary Moore advised that Mr. Gilmour cannot over-ride a decision made by the County Commission; however, he does have the power to instruct an employee to tape a meeting. He stated Mr. Reuter reports directly to the Administrator and is bound to carry out his instructions. Mr. Stewart stated "it is wrong for one person to arbitrarily decide to video tape a meeting." Mr. Reuter stated Mr. Gilmour has also requested that the Water and Sewer Commission and the Airport Commission consider video taping their meetings. Attorney Moore stated that the County Commissioners will study this issue and address it at a later date.

GC-27-87

Review the following conditions placed on Rezoning Request GC-27-87, approved on December 17, 1987: 1) The owners convey a .2 acre tract on the western boundary of said property to Glynn County to be used as a park for observing the marsh and serve as a demarcation line between commercial and residential properties on the north side of Demere Road, while reserving an easement for a lift station; and 2) The owners will landscape the park area and construct a 6 ft. high wall to shield the park area from the commercial development.

The following information was included in the packages for the Planning Commission's review.

- a) A letter from the County Administrator addressing why this matter has been sent back to the Planning Commission by the Glynn County Board of Commissioners;
- b) Minutes from the Glynn County Board of Commissioners Meeting of December 17, 1987 (when this rezoning was approved);
- c) A letter from Kenneth L. Williams, Waffle House, dated November 23, 1994; and
- d) The staff's report that was forwarded to the County Commission regarding this request, including the Planning Commission's recommendation from their meeting of November 1, 1994, as follows:

Review Rezoning Application GC-27-87, 1.957 acre tract fronting 236.84 feet on the north side of Demere Road approximately 600 feet west of the Demere Road and Frederica Road intersection, site of Waffle House, to consider amending the condition placed on the rezoning when approved on December 17, 1987 regarding the park area.

On December 17, 1987, the Glynn County Board of Commissioners approved the rezoning of a tract of land containing 1.957 acres, fronting 236.84 feet on the north side of Demere Road approximately 600 feet west of the Demere Road and Frederica Road intersection, subject to six (6) conditions. The two (2) conditions of concern at this time are: 1) the owners convey a .2 acre tract on the western boundary of said property to Glynn County to be used as a park for observing the marsh and serve as a demarcation line between commercial and residential properties on the north side of Demere Road, while reserving an easement for a lift station; and 2) the owners will landscape the park area and construct a 6 foot high wall to shield the park area from the commercial development.

The area intended for a park is not suitable to function as a walk-way and park. County staff feels that an area of property left in its natural state would better serve the purpose of separating commercial and residential uses, and the isolated nature of the park may not be suitable for public use.

Staff recommends that the developer, Waffle House, be required to meet the following requirements to create a green open area and demarcation line between the commercial and residential properties on the north side of Demere Road - 1) the area dedicated to Glynn County will be left in its natural state as an undisturbed buffer area; 2) dedicate to Glynn County an additional area shown on the

site plan immediately east of the park area to be left in its natural state as an undisturbed buffer area; 3) place additional

landscaping on the southern location of the buffer area as an additional landscaping screen; 4) protect an existing 16 inch oak tree adjacent to Demere Road by providing drip-line irrigation system watering and no further encroachment of parking area than is existing; and 5) recommend acceptance of \$2,500.00 to Glynn County for recreation purposes on St. Simons Island.

PLANNING COMMISSION RECOMMENDATION:

A motion was made by Mr. Lee Noel to recommend that the developer, Waffle House, be required to meet the following requirements, to create a green open area and demarcation line between the commercial and residential properties on the north side of Demere Road:

- 1) The area dedicated to Glynn County (December 17th, 1987) be left in its natural state as an undisturbed buffer area;
- 2) Reserve by Deed Restriction an additional area shown on the site plan immediately east of the park area to be left in its natural state as an undisturbed buffer area;
- 3) Place additional landscaping on the southern location of the buffer area as an additional landscaping screen;
- 4) Protect an existing 16" oak tree adjacent to Demere Road by providing drip-line irrigation system watering and no further encroachment of parking area than is existing; and
- 5) Recommend acceptance of \$2,500.00 to Glynn County for recreation purposes on St. Simons Island.

The motion was seconded by Mr. Robert Fell. Voting Aye: Mr. Jerome Clark, Mr. Robert Fell, Mr. Jack Kite and Mr. Lee Noel. Abstain from Voting: Ms. Glenda Jones, Mr. Richard Parker and Mr. Wayne Stewart. The motion carried for approval.

Several citizens were present for discussion, and everyone was given an opportunity to state their concerns.

Chairman Jack Kite explained that he did not fully understand the motion made by Mr. Noel at the November 1st Planning Commission meeting, which is why he addressed that in a letter to the Board of Commissioners. He stated he was not aware that the demarcation line was included in the first recommendation forwarded to the Board of Commissioners. Chairman Kite then read Mr. Noel's motion and asked if it is what Mr. Noel stated. Mr. Noel replied yes, because that was the position of staff. Chairman Kite stated he did not understand the motion that way. He stated this Commission has a primary responsibility to hear these requests without prejudice. He stated if the demarcation phrase was part of the motion, then this means that the "Planning Commission is passing judgement on the motion upcoming by the adjacent property owners before they have a chance to state their case."

Chairman Kite further stated he would like to have a motion that the Planning Commission recommends the conditions of GC-27-87 be amended to allow the property owner to eliminate the wall and walkway, provided they meet the following conditions:

- 1) The area dedicated to Glynn County (December 17th, 1987) be

left in its natural state as an undisturbed buffer area;

- 2) Reserve by Deed Restriction an additional area shown on the site plan immediately east of the park area to be left in its natural state as an undisturbed buffer area;
- 3) Place additional landscaping on the southern location of the buffer area as an additional landscaping screen;
- 4) Protect an existing 16" oak tree adjacent to Demere Road by providing drip-line irrigation system watering and no further encroachment of parking area than is existing; and
- 5) Recommend acceptance of \$2,500.00 to Glynn County for recreation purposes on St. Simons Island.

At this point, Mr. Wayne Stewart offered a motion for point of discussion. The motion was seconded by Ms. Glenda Jones. Mr. Stewart explained that his motion will not include recognizing a demarcation line at this time. He suggested a public hearing be held on St. Simons Island with the Jewtown residents, Waffle House developers, and all property owners on the north side of Demere Road beginning at the west side of the Waffle House and extending down to any undeveloped land. After which, the Planning Commission would discuss this matter with staff and then forward a recommendation to the Board of Commissioners.

Attorney Gary Moore explained that the applicants adjacent to the Waffle House property cannot have a decision made by the Planning Commission or by the Board of Commissioners that would prejudice their case in anyway. He stated when those property owners make their application they are entitled to receive a full and fair hearing on their application alone. He stated "there should be and can be nothing in any adjacent property owners' rezoning or change in conditions that would prejudice the case of any adjoining property owner. For that reason, the inclusion of the demarcation line means nothing. If the decision is made, then indeed that property line needs to be the end of the commercial development on the north side of Demere Road. However, that is a decision the Planning Commission will have to make when the next property comes up. It is not one you can make with this piece of property."

Attorney Tom Lee stated that the demarcation line was put there for historical reasons. The Superior Court ruled in favor of the county and stated it could protect the north side of Demere Road. He stated that decision was repealed but never reversed. Subsequently, the owners of the property came back and stated they wanted to develop the property commercially. According to the Minutes, the County Commission agreed but stated this would be the end of commercial development on that side of Demere Road. He stated this proposal changes the master plan. According to the master plan and based on the County Commission's concept, that area is zoned MR.

Attorney Doug Alexander agreed that this matter was litigated, appealed and Judge Killian was upheld. He stated at that point, the rezoning of the Waffle House was denied. Later, the county came along and decided to rezone that area, thereby, changing the policy. He stated the demarcation line was moved without notifying the adjacent property owners. Attorney Alexander stated that it is

inappropriate for the Planning Commission or the County Commission to impose a demarcation line without a proper hearing. He agreed with Mr. Stewart about having a public hearing with all property owners to further discuss this matter.

Chairman Jack Kite pointed out that the Planning Commission was asked in November to "consider amending the conditions that were placed on the rezoning when approved on December 17, 1987 regarding the park area." He stated there was nothing in those conditions that mentioned the demarcation line. The motion that he thought was passed and sent to the County Commission containing that phrase should not have been in there because it was not part of the conditions that the Planning Commission was amending.

Mr. Wayne Stewart stated his motion does not include the demarcation line. He stated his motion is to vote on the five conditions and clean up the Waffle House situation at this time. He stated the demarcation line or where residential stops and commercial starts should be addressed at a public hearing on St. Simons Island with St. Simons residents. He reiterated that his motion does not include any reference to the demarcation line. It only includes the five conditions read by the Chairman.

Mrs. Doris Eagen Turner, St. Simons Island resident, stated that at the September 13, 1994 Planning Commission meeting, she and Mrs. Berthinia Gibson were present to express their concerns regarding the demarcation line, and at that time, it was agreed that the demarcation line would stay in place. Also at that meeting, Mr. Vernon Lewis, the Building Official, stated Waffle House had agreed to comply with all zoning conditions. Mrs. Turner stated she fails to see how it was never understood that this demarcation line had been in existence. Chairman Kite explained that he is not questioning its existence. He stated that the demarcation phrase, to his understanding, was not included in the motion made in November.

Mr. Lee Noel stated it is very clear in his mind that the motion he made used the wording printed by staff, and used the term "green open area and demarcation line between the commercial and residential properties." He stated this is clearly substantiated in the County Commission Minutes of 1987. He believes his motion stated that and that is what was voted on. Chairman Kite insisted he did not understand the motion that way. Mr. Wayne Stewart also stated that in support of Mr. Kite, he did not remember the motion that way. He stated the issue is being clouded and the Planning Commission needs to pass these conditions and clean up the Waffle House. He stated the five recommendations from the Planning Commission do not say anything about a demarcation line.

Attorney Gary Moore explained that there is nothing the Planning Commission could say about this application that would affect the adjoining property owners' application.

Mr. Jack Caldwell, President of Residents United For Planning and Action (RUPA), requested that the Planning Commission vote to uphold the demarcation line.

Ms. Glenda Jones pointed out that at the November meeting, she abstained from voting on this issue because of the fifth recommendation regarding the \$2,500 dollars to Glynn County. She stated there were several things discussed including a suggestion made by Mrs. Gibson to have additional lighting along Demere Road for safety reasons. However, nothing was stated in the motion as to what the \$2,500 dollars would be used for. It just strictly said "recreation", which could be numerous things. Ms. Jones stated she was not aware that the Planning Commission was voting on a demarcation line at that time.

Mrs. Deborah Taylor explained that Mr. Noel's motion was to accept staff's recommendations. She stated the five conditions were spelled out in the staff's report, but the demarcation line was referred to in the preceding paragraph. However, when the Planning Commission voted to accept staff's recommendation, they accepted that entire comment. They did not say, "we accept these five conditions." She stated they accepted staff's recommendations.

Mr. Wayne Stewart pointed out that using the \$2,500 dollars for additional lighting should be addressed by the Board of Commissioners.

Following discussion, a motion was made by Mr. Wayne Stewart to accept the five conditions stated by staff. The motion was seconded by Ms. Glenda Jones. Further discussion ensued regarding the use of the \$2,500 dollars for recreation purposes. Chairman Kite stated that Mr. Lee Gilmour asked if the Planning Commission have any objections to lighting or any other general government purposes being authorized for the \$2,500 dollar donation from the Waffle House. Mr. Stewart stated the Planning Commission has no objection to using the \$2,500 dollars for other general government purposes. He stated he would like to amend his motion and add that as condition #6.

Mrs. Berthinia Gibson stated her reason for recommending additional lighting for the area is because that was where the marsh walk was intended to be, and inasmuch as it was going to be in that community, she thought it would be a good safety measure for that area.

Mr. Noel asked Mr. Stewart if his motion is to approve the five enumerated items from the November 17th meeting, plus condition #6 regarding the use of the \$2,500 dollars for other general government purposes. Mr. Stewart replied yes. The amended motion was seconded by Ms. Glenda Jones.

For the record, Mr. Stewart repeated his motion to approve the five conditions stated by staff as follows:

- 1) The area dedicated to Glynn County (December 17th, 1987) be left in its natural state as an undisturbed buffer area;

- 2) Reserve by Deed Restriction an additional area shown on the site plan immediately east of the park area to be left in its natural state as an undisturbed buffer area;
- 3) Place additional landscaping on the southern location of the buffer area as an additional landscaping screen;
- 4) Protect an existing 16" oak tree adjacent to Demere Road by providing drip-line irrigation system watering and no further encroachment of parking area than is existing; and
- 5) Recommend acceptance of \$2,500.00 to Glynn County for recreation or other general government purposes as designated by the Glynn County Board of Commissioners.

It was the consensus of the Planning Commission that instead of adding a 6th condition, the phrase "or other general government purposes as designated by the Glynn County Board of Commissioners" would be included with condition #5.

At this point, Attorney Alexander had comments which he stated refers to the second item on the agenda. He stated he has just learned that staff is going to make recommendations to the Planning Commission that some of the requirements being removed from the Waffle House be placed on the adjacent property. Attorney Alexander stated this is inappropriate and the Planning Commission should be aware that he objects to this.

The vote for the amended motion made by Mr. Stewart and seconded by Ms. Jones is as follows: Voting Aye: Mr. Jack Kite, Mr. Jerome Clark, Mr. Robert Fell, Ms. Glenda Jones, Mr. Richard Parker and Mr. Wayne Stewart. Voting Nay: Mr. Lee Noel.

GC-20-94

Request to Rezone from Medium Residential to Planned Commercial, 1.239 acres, fronting 226.53 feet on the north side of Demere Road, being a portion of the Willie Mells Estate, beginning approximately 950 feet west of Frederica Road, St. Simons Isl.

Property owned by Ms. Mary L. Wilson and Ms. Celia Mitchell Buchanan.

Ms. Mary Wilson and Attorney Doug Alexander were present for discussion.

Mr. Dan Reuter presented the staff's report. He stated that this request is to rezone 1.239 acres from Medium Residential to Planned Commercial. The property is located on the north side of Demere Road, immediately across the street from Demere Village, with a total frontage of 226.53 feet.

Mr. Reuter explained that this property was submitted for rezoning to Local Commercial and heard at the Planning Commission's Regular Meeting of August 2, 1994. At that time, the Planning Commission adopted a motion to recommend that this request be denied due to other available commercial property in the vicinity being better suited for commercial development. He stated that the Planning Commission's recommendation was forwarded to the County Commission for public hearing. However, prior to being heard by the County Commission, the applicant requested a deferment and has now amended his application to obtain a Planned Commercial zoning. Therefore, the rezoning request is back before the Planning Commission for consideration.

Mr. Reuter pointed out that the Planned Commercial Zoning Text submitted states the only permitted use to be a fast food restaurant. It further states that the site design and architectural design will be compatible with surrounding commercial buildings in design and size. Landscaping will be extensive and thick, especially on the common west side. The dumpster site will be fenced and put on the opposite side from the residential common line.

Mr. Reuter stated that the zoning text and project site plan shows the building setback from the common boundary line with the residential district to be a minimum of 60 ft. which exceeds the 50 ft. county requirement. He stated that the front building setback is a minimum of 47 ft. which exceeds the 25 ft. county requirement.

Mr. Reuter explained that the project site plan does not address the necessary issues, i.e., outdoor lighting fixtures as to direction and intensity, size of the proposed structure, building size and parking ratio to meet the requirements of the Zoning Ordinance, internal traffic circulation, dimensions and specifications of proposed landscape areas fronting Demere Road, location and dimensions of acceleration and deceleration lanes, entrance line up with access across the street, relocation of bikepath/walkway for acceleration and deceleration lanes and dedication of easement for new bikepath/walkway.

Mr. Reuter pointed out that several parcels along the south side of this section of Demere Road have been rezoned to Planned Development or Planned Commercial. On the north side of Demere Road immediately to the east of the subject property is a tract of land that was rezoned to Local Commercial in 1987, as discussed in the previous item (GC-27-87).

Mr. Reuter explained that the Glynn County Comprehensive Plan designates this area to be Medium Density Residential; however, the Comprehensive Plan contains a policy that directs any change in zoning classification on Demere Road from residential to commercial to be done under a Planned Commercial classification. Planned Commercial allows commercial development to proceed but minimizes adverse impacts to the existing residential neighborhood.

Mr. Reuter 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;

The proposed use is suitable for commercial development south and east of the property, but it is not suitable for commercial development west of the property (which is low density residential).

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

The proposed use would adversely affect residential property west of the subject property.

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

The property has a reasonable economic use as currently zoned (Medium Residential/16 units per acre).

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;

The zoning proposal would create an additional point of access and vehicular turning movements on Demere Road. The current annual average daily traffic count on Demere Road is 13,279 trips per day. The Institute of Transportation Engineers (ITE) 1991 Trip Generation Manual projects approximately 632 average weekday trips per 1,000 sq. ft. of floor area. Based on a 3,500 sq. ft. fast food restaurant with a drive-in window, the projected increase daily traffic would be 2,122 trips per day.

The ITE projects 6.47 trips per day for an average residential apartment. Based on the current zoning of Medium Residential, the property could have a density of twenty units. The projected traffic increase would be 129 trips per day.

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

The Comprehensive Land Use Plan shows the property as Medium Density Urban, which designates only residential districts. The Land Use Plan shows the eastern property line of the site as the boundary for Medium Density Urban and General Commercial.

Policy I - 3.8 of the Comprehensive Plan states that "future rezonings on Demere Road between Sea Island Road and Frederica Road and on Frederica Road between Demere Road and Lawrence Road shall be limited to Planned Development or Planned Commercial."

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;

The existing residential and commercial boundary is intended to protect the residential character on the north side of Demere Road. Without a clear designation of a commercial boundary, an incremental encroachment of commercial uses into the residential neighborhood west of the site could result.

Mr. Reuter pointed out that this rezoning would move the existing commercial and residential boundary that has been designated in the Land Use Plan to the western property line of the site. Additionally, the proposed use could produce a negative impact on the adjacent residential district. He stated these facts are specific to this site and should be addressed in the zoning proposal.

Mr. Reuter stated the project site plan only proposes a ten foot buffer with slashed pines and wax myrtles every twenty-five feet on the western property line adjacent to the residential district. The proposed buffering of the site from the residential area to the west is inadequate to establish a new commercial and residential boundary and mitigate the negative impacts of the proposed use on the residential area.

Mr. Reuter stated staff feels that a reasonable evaluation of this request cannot be made without addressing the above noted factors on the project site plan and in the zoning text. Therefore, staff recommends deferral of this request until the applicant can show a method of mitigating the impact on the residential district and establishing a commercial and residential boundary to include the following:

1. A 20 ft. landscaped buffer with wax myrtles;
2. A 6 ft. high concrete block with tabby or stucco wall at an elevation equal to the proposed structure, and constructed at the buffer setback line, not on the property line; and
3. Height, direction and intensity of all proposed outdoor lighting.

As previously stated, Mr. Reuter suggested that a revised project site plan be submitted to show the following:

1. Outdoor lighting fixtures as to direction and intensity;
2. Size of the proposed structure;
3. Building size and parking ratio to meet the requirements of the Zoning Ordinance;
4. Internal traffic circulation, dimensions and specifications of proposed landscape areas fronting Demere Road;
5. Location and dimensions of acceleration and deceleration lanes;
6. Entrance to line up with access across Demere Road; and
7. Relocation of bikepath/walkway for acceleration and deceleration lanes and dedication of easement for new

bikepath/walkway.

It was noted that several citizens (for and against) were present for discussion. Everyone was given an opportunity to state their concerns, beginning with persons speaking in favor of the request, followed by opposition.

Attorney Doug Alexander stated he is present on behalf of Mr. Joe McDonough, who is the agent for the applicants. He stated Mr. McDonough is out of town and could not be present today.

Attorney Alexander explained that this morning is the first time he was aware of staff's recommendation for a deferral on this request. He stated the applicants would like to urge the Planning Commission to move forward on this request. He stated had his clients been aware of the problems acknowledged by staff, they would have been prepared to address the problems. As stated during the presentation of item #1 (GC-27-87), Attorney Alexander pointed out that the Planning Commission has been asked to recommend removal of the requirement for the 6 ft. high concrete wall on the Waffle House property, but staff is now seeking to replace the wall at this location. He stated this is "totally inappropriate, and if a wall was not required for Waffle House, then there should not be a requirement for a wall on this property."

Attorney Alexander then addressed the 20 ft. landscaped buffer. He stated the applicants would have no objection to the 20 ft. buffer, except for the fact that they do not have the 20 ft. He stated if Glynn County would be willing to deed the property to the developer in this situation, the developer would be willing to deed a 20 ft. strip of land down the west side of that property, which could then be used as a buffer.

Attorney Alexander stated there are three basic problems in this case. He stated the first problem is the "so called demarcation line." He explained that the Federal Court and the State Court both upheld the denial of the plot referred to as the Waffle House. He stated Glynn County saw fit to change that, and in doing so, the county set up the demarcation line, which was "totally inappropriate." He stated that a demarcation line means that the property owners beyond that line can never change their property from residential to commercial. He stated from a legal point of view, that is "inappropriate", which brings him to the second problem.

Attorney Alexander stated the property owners affected by the demarcation line were never notified or given an opportunity to be heard. He stated the property owners were never notified in December of 1987 when Glynn County adopted the resolution to rezone the Waffle House property. He stated "they did not know of any existence of a so called demarcation line until they attempted to file an application to rezone their property."

Attorney Alexander stated the third issue which poses a substantial amount of opposition is the area known to some residents

as Jewtown. He then elaborated on the history of Jewtown and stated what was historically known as Jewtown no longer exists. He presented three deeds and several plat maps and explained the history of each piece of property. He stated there is nothing on the maps identifying the area as Jewtown. He further stated that no one has defined specifically where historic Jewtown is located.

Attorney Alexander reiterated that it is "totally inappropriate for the Planning Commission or the County Commission to attempt to establish a demarcation line and say that beyond this point you can go no further." He stated this also poses serious legal questions. He feels that each parcel should be dealt with on an individual basis. Attorney Alexander stated his clients have complied with the law, they are entitled to have their property rezoned, and they are urging the Planning Commission to approve their application.

Mr. Gloster Buchanan, adjoining property owner, gave a brief history of the area and his property. He stated he has lived in the area for approximately 60 years. Mr. Buchanan stated what the residents refer to as Jewtown is not Jewtown, and the only remaining historical building in that area is the Episcopal Church. He stated he lives on Demere Road, and that area is not considered to be in Jewtown.

Ms. Mary Lee Wilson, owner of the property in question, stated she and Ms. Celia Buchanan were never notified of the demarcation line in 1987. She stated they never received a letter and there were no public announcements about this. She stated if they had known about this they would have attended the meetings to protest. She stated it is an illegal act to put in a line without notifying the adjacent property owners. She stated every adjacent property owner within 200 feet should have received a letter from the Board stating their intentions. She further stated that, "you are elected by the people, we must hear what you have to say, and you must hear what we have to say."

Ms. Wilson reiterated that the demarcation line was put in without notifying the adjacent property owners. She stated it is an illegal act, it is spot zoning, and it infringes on her rights. She then asked the Planning Commission to rescind the action taken in 1987. Ms. Wilson also gave a brief history of the Jewtown area. She stated Jewtown does not exist and the only remaining historical site is the Episcopal Church.

It was noted by Chairman Jack Kite that the Board of Commissioners established the demarcation line, not the Planning Commission, and therefore, the Planning Commission does not have the power to rescind it.

Attorney Doug Alexander presented the following for the record:

"A decision by the Planning Commission to deny this zoning reclassification requested would be arbitrary, capricious, and unreasonable, and in violation of the Georgia and United States Laws and Constitution. Such a decision would bear no rational relationship to any legitimate government interest of the Board of Commissioners or the Planning Commission. It would

effectively prohibit the development of the property resulting in a serious economic injury to the owners.

"In addition, the present zoning of the property insofar as it prohibits the use proposed by the owners results in an illegal confiscation of this property without just compensation. As a result, the denial of the rezoning will unlawfully and unconstitutionally deprive the owners of due process of law and equal protection under the law. Finally, a denial would deprive the owners of the reasonable use of their property without due process of law and constitute a public taking of this property without just and adequate compensation first being paid and would constitute an inverse condemnation."

Mr. Frank Quinby, BATS Citizens Advisory Committee member, expressed concerns regarding the site plan. He stated the plan does not show where the entrance is to the Waffle House, sufficient setbacks and buffers are not provided on the plan, and it does not show how the adjacent property will be affected. He stated there are several things that should be shown on the site plan to enable the Planning Commission and citizens to make a reasonable judgement.

Mr. Jack Caldwell, presented the following letter from Residents United For Planning And Action (RUPA) regarding the demarcation line:

"...The intent of this action was clearly to set up a line that said this far and no further intrusion into an historic, settled neighborhood. The residents took this as a promise by their county government to protect the integrity of their neighborhood...Has the interest of the majority of the residents changed? No, they still want their neighborhood protected from commercial development. Is there a dire shortage of commercial property on St. Simons? No, it would appear that there is plenty of space suitable for yet another fast food restaurant...We urge you to keep the promises that were made by our county government to the residents of Jewtown, and to reject the request for commercial zoning."

Mr. Caldwell stated that Attorney Alexander has done a good job of wiping out Jewtown based on legal description; however, legal descriptions do not make a community. He stated years ago there were communities that did not exist on maps but they were meaningful communities. He stated Jewtown is particularly a meaningful community. Mr. Caldwell stated he has lived in the area for 17 years and he knew about Jewtown within a month of moving here. He stated Jewtown is a "cultural community well-defined" and it is no big deal that it was not identified on the maps. He stated years ago black people were practically non-persons in the south and black communities were hardly worthy of being noticed. Mr. Caldwell stated this neighborhood deserves the same kind of support as any other neighborhood.

Mr. Jim Gould stated that in 1977 he was asked to serve on a committee to draw up a master plan for St. Simons Island. He stated the committee worked on the plan for 2 years and Glynn County spent \$77,000. The plan stated that along Demere Road would be residential and multi-residential property; however, no one is following that plan. Mr. Gould stated since there are so many other commercial

developments in the area, "what's one more." He stated in his opinion, it would be hypocritical to deny these applicants a chance to sell their property. Mr. Gould also pointed out that taxes will be raised because of what already exists in the area, and people cannot afford to keep their property.

Attorney Tom Lee explained that "two wrongs don't make a right." He stated staff has said the planned development text does not meet the requirements. He then expounded on zoning classifications and explained that according to the ordinance, this property is not acceptable for commercial development. He further stated that in 1981-1982, staff did a detailed study of the Jewtown area and it was classified two ways, historically and residentially. Attorney Lee stated that there is an existing historical Jewtown and several prominent black families still live there.

Mrs. Doris Eagen Turner, St. Simons Island resident, stated she is concerned that the applicants continue to say they were not aware of the demarcation line. She stated that the September 15, 1987 meeting was well advertised and well attended. She presented a copy of the sign-in sheet which contained approximately 303 signatures of attendees, i.e., residents from Jewtown, Brockinton, Walmar Road, etc. She stated it seems very unlikely that people did not know what was going on. Mrs. Turner also presented news articles from the Islander dated Sept. 2, 1987, Sept. 7, 1987 and Sept. 16, 1987; The Brunswick News dated Dec. 18, 1987; and the Florida Times Union dated Dec. 18, 1987, all pertaining to this issue.

Mrs. Turner stated if the property is not adequate for this rezoning, then the request should not be considered. She stated it is time to "stop moving people out of their community and out of their homes. The community must be protected."

Mrs. Berthinia Gibson stated she owns the adjoining property and she has lived in Jewtown all of her life. She stated she left the area for three years to attend school; however, upon completing her education, she moved back to Jewtown. Mrs. Gibson stated her 80 year old parents also live in the area, and it would be very difficult for them to leave their home at this point in life due to the commercialism.

Mrs. Gibson stated she cannot understand how someone can say there is no Jewtown. She stated Mr. Gloster Buchanan was president of the Jewtown Homeowners Association at one time and he did a very good job. Several community meetings were held and they were well attended; however, Mrs. Gibson stated there are some people who did not attend those meetings, never attended County Commission meetings and never attended Planning Commission meetings, and therefore they don't know what's going on. She stressed the importance of attending meetings in order to stay informed.

Mrs. Gibson then referred to the demarcation line. She explained that in 1987 Mr. Nicholson (former County Commissioner) stated "the buck must stop some place and we need to protect these people, they have a right to their community." She stated over the years, she and others tried to purchase the property from the

applicants for residential use; however, under oath during a deposition, it was said that the property was being held for a member of the family to build on.

In closing, Mrs. Gibson respectfully asked the Planning Commission to protect the community of Jewtown. She pointed out that an informal survey was conducted in the area and 98% of the residents stated they do not want any more commercialization.

Chairman Kite asked how many people reside in Jewtown. Mrs. Gibson stated there are approximately 40 original residents.

Ms. Avis Wilson, St. Simons Island resident, explained that not all black residents are being represented. She agreed with Mr. Stewart about having a public hearing to enable everyone an opportunity to speak. She stated she respects and appreciates all the concerns expressed about black people; however, she stated again that not all blacks are being represented and she thinks a public hearing would help.

Mr. Hal Hart briefly explained the history of Planned Commercial zoning.

Mr. Wayne Stewart stated he would like to give the applicants, Attorney Alexander and staff a chance to discuss staff's recommendations; afterwards, the request should be presented back to the Planning Commission for review. Therefore, due to the applicants not being aware of the restrictions stated by staff, Mr. Stewart made a motion to defer this request until all restrictions and recommendations are discussed among staff and the applicants. The motion was seconded by Mr. Richard Parker. Further discussion ensued.

Mr. Robert Fell stated if this request is deferred, he would like to see a public hearing conducted on St. Simons Island, possibly at the Casino, regarding the Jewtown situation; however, Mr. Stewart disagreed. He stated the public hearing is not to discuss the Jewtown situation and he would not amend his motion to that affect. He explained that the motion is to defer this request to give the applicants an opportunity to address the issues brought forth by staff. Mr. Fell stated his comment was a suggestion due to the conflict regarding how many people in the Jewtown area are opposed to this. He stated he was not making a motion.

Mr. Lee Noel asked why the applicants were not aware of staff's recommendations. Mr. Reuter explained that staff reviewed the application very carefully and between preparing the staff's report and the Planning Commission packages, there just wasn't enough time to discuss this with the applicants. He stated for this reason, staff recommended a deferral at this time.

Following discussion, the motion for deferral was unanimously adopted.

At this point, the Planning Commission took a 10 minute recess. The meeting resumed at 10:50 a.m.

Mr. Richard Parker stated after giving a considerable amount of thought to video taping the Planning Commission meetings, he agrees with Mr. Stewart that the meetings should not be taped. He stated the Planning Commission does not work for Mr. Gilmour. The County Commission has decided to discuss this issue at a worksession and he (Mr. Parker) does not think it is proper for Mr. Gilmour to order Mr. Reuter to tape this meeting. Thereupon, a motion was made by Mr. Richard Parker that the video camera be disconnected pending a decision by the Board of Commissioners. The motion was seconded by Mr. Wayne Stewart. Mr. Reuter explained that the video equipment is inadequate and could only record in 30 minute increments. He stated the camera is battery operated and has already exhausted. Therefore, due to the camera already being off, the motion and the second to disconnect the equipment were withdrawn.

GC-31-94

Request to Rezone from Forest Agricultural to Mh-12 One-Family Residential Mobile Home, 0.77 acre tract (divided into two lots) fronting 120 feet on the west side of Cate Road, beginning approximately 659 feet north of Hautala Drive and 789 feet south of Elm Road.

John H. and Linda J. Smith, property owners, were present to represent this request.

Mrs. Deborah Taylor presented the staff's report. She stated that this request is to rezone a tract of land to Mh-12 One-Family Residential to allow the property to be subdivided into two lots in order to permit the existing site-built home and a mobile home.

She stated that the property is zoned Forest Agricultural which allows a mobile home. Forest Agricultural also requires a minimum lot size of 20,000 sq. ft. per lot and the subject property only consists of a total of 23,581 sq. ft. (40,000 sq. ft. would be required for two lots).

Mrs. Taylor explained that the property owner is requesting a zoning change to Mh-12 One-Family Residential, which requires a minimum lot size of 12,000 sq. ft., with public water. She stated that the mobile home lot will be served by an individual septic tank and public water.

Mrs. 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;

Yes, the area has a mixture of site built homes, mobile homes, manufactured homes and a cemetery.

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

Should have no adverse effect.

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. When subdivided, one lot will front on Cate Road with the second lot having access via 25 ft. private access easement across the front lot.

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

Yes.

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;

Public water now being available in the area, which allows for smaller lots if the zoning is approved.

Mrs. Taylor stated staff recommends approval of this request.

Following discussion, a motion was made by Mr. Wayne Stewart to recommend approval of this request. The motion was seconded by Mr. Jerome Clark and unanimously adopted.

GC-32-94

Request to Rezone from Limited Industrial to Highway Commercial, 1.23 acre tract known as Tract 21 of the Key Industrial Park, fronting

209.90 feet on the north side of Community Road and beginning 303.80 feet east of Key Circle (address known as 3805 Community Road).

Property owned by Driggers Construction Company

Mr. Harry Driggers was present for discussion.

Mrs. Deborah Taylor presented the staff's report. She stated that this request is to rezone a lot currently the site of Driggers Construction Company. The property owner would like to add to the existing building. She explained that due to the side yard setback requirement in Limited Industrial being twenty-five feet, the addition could not be done as proposed, because the building would only be 15 ft. from the property line. Highway Commercial only requires a side yard setback of seven feet.

Mrs. Taylor stated that the building on the subject property is a permitted use in Highway Commercial, would meet all requirements for that district, and would also be compatible with the surrounding zoning and land use. She pointed out that in 1977, 1981 and 1991 there have been several rezonings to Highway Commercial along this section of Community Road.

Mrs. 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;

Would be compatible.

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

Should have no adverse effect.

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

Yes, with both zoning classifications.

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.

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

Shown as Industrial.

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;

Other rezonings in the immediate area to Highway Commercial.

Mrs. Taylor stated staff recommends approval of this request.

Following discussion, a motion was made by Mr. Wayne Stewart to recommend approval of this request. The motion was seconded by Mr. Jerome Clark and unanimously adopted.

GC-33-94

Request to Rezone from R-6 One-Family Residential to General Residential, Lots 8, 9, 10 and 11, Block P of Beverly Shores Subdivision, consisting of a total of 40,250 sq. ft., having a total frontage of 304.86 ft. on the west side of Carteret Road (unopened), lying immediately north of a 40 ft. drainage canal and 125 ft. south of Bishop Street.

Thomas H. Gibson, property owner, was present to represent this request.

Mrs. Deborah Taylor presented the staff's report. She stated that this request is to rezone four single-family residential lots (Lots 8, 9, 10 and 11, Block P) in Beverly Shores Subdivision. She stated the lots are located on an existing platted county right-of-way that was never opened. She stated that the property owner would like to open the right-of-way and rezone the property to allow the development of duplexes, one duplex per lot with a total of eight units.

Mrs. Taylor explained that the property is a portion of an existing single-family residential area. Directly across Carteret Road is a tract of land zoned Planned Development which is being developed as a single-family subdivision with 87 lots.

Mrs. 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;

No, the proposed zoning would allow a multi-family development within a single-family residential area.

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

Yes, the proposed zoning could adversely affect the existing and future single-family property in the area.

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;

The property has access to Carteret Road which is being cleared and proposed to be unpaved. The County Engineer has stated a medium density development would require Carteret Road to be a paved county road.

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

No, shown as Low-Density Urban.

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;

The subdivision lots are located at the rear of the existing single-family subdivision. The property has existing or proposed single-family residential development on all sides. Therefore, the request would be considered spot zoning.

Mrs. Taylor stated staff recommends denial of this request due to property being part of an existing single-family subdivision and located within a single-family area. She stated a rezoning to multi-family (duplexes) would be spot zoning.

Mr. Gibson gave a brief presentation. He stated that until he decided to buy the property there was some question as to whether or not the county owned all of Carteret Road. He stated that this is a dead-end street that runs in to a 40 ft. drainage canal that will never be opened to the rest of Carteret Road.

Mr. Gibson explained that he is not trying to build an apartment complex. He stated he is trying to build four nice duplexes that would increase the value and that would be better than the majority of the homes in the area.

Mr. Gibson stated Mr. Ray Richard, Glynn County Engineer, advised that if the rezoning is approved for duplexes, the road should be paved. He further stated Mr. Richard advised that if he applied for an abandonment of the road, Mr. Richard's recommendation would be for approval and therefore Mr. Gibson could maintain the road.

Mr. Gibson stated that the majority of the neighborhood is rental property. He stated he had not received any opposing phone calls regarding this request. He stated he is trying to turn undesirable lots into usable assets to the community.

Chairman Jack Kite asked if there was an access to the lots before the right-of-way was cleared. Mr. Gibson replied no. The road was used for access to clean the ditch; however, there is some question as to whether or not there is still access to the ditch because the county does not have an easement onto his property to reach the ditch. Mr. Gibson stated he is not concerned about that. His concern is to get the road open and build on the four lots. He stated he is willing to take ownership of the road.

Ms. Carolyn Tarte of 222 Carteret Road asked Mr. Gibson if he intends to close the ditch and extend the road through the dead-end. Mr. Gibson replied no. The road would not be extended through Carteret Road.

Mr. George Carnell stated he and others in the neighborhood are retired and have paid for their homes. He explained that the character of the neighborhood has changed because of social engineering and he is very concerned about property values, safety and traffic. Mr. Carnell stressed that he wants to keep his home; however, if the character of the neighborhood continues to change, he would have to leave.

Ms. Julian Dadin, 165 Stafford Avenue, Mr. Ed Price, 213 Carteret Road, and Mr. Tom VanAlstyne, 221 Carteret Road, were all present to oppose this request.

Following discussion, a motion was made by Mr. Lee Noel to recommend denial of this request. The motion was seconded by Mr. Robert Fell and unanimously adopted.

GC-35-94

Request to amend the Planned Development Zoning Text and Master Plan for McKinnon Commercial Park GC-25-85. Property owned by Glynn County.

Due to anticipation of a lengthy discussion on this item, Chairman Jack Kite suggested item #7, Application #SUP-5-94, be discussed at this time, followed by item #6 (GC-35-94).

SUP-5-94

Request for a Special Use Permit in an R-9 One-Family Residential Zoning District to locate of a mobile home as a documented medical hardship. The subject property consists of approximately 22,000 sq. ft. with frontage of 230 ft. on the north side of Glyndale Drive and lying immediately west of the Southern Railroad (a portion of Lot 12 in Glyndale Subdivision, Section C), address known as 153 Glyndale Drive.

Mrs. Marjorie Carter, property owner, was present to represent this request.

Mr. Dan Reuter presented the staff's report. He stated that this request is for a Special Use Permit in an R-9 One-Family Residential District to allow the location of a mobile home as a documented medical hardship. He stated that the property currently has one existing site built home which is occupied by the owner.

Mr. Reuter explained that Mrs. Carter needs to have her son move a mobile home on the property to enable her to look after him and provide needed assistance.

Mr. Reuter pointed out that a statement has been received from Dr. Terrance M. Harris documenting this hardship. In his letter, Dr. Harris advises that Mrs. Carter's son needs to live in close proximity to receive necessary assistance from her.

Mr. Reuter stated that according to Section 702.4 of the Glynn County Zoning Ordinance, a mobile home may be allowed as a special use for a two (2) year period when a documented hardship exists, provided such use meets all other requirements of the Glynn County Zoning Ordinance. He stated there is adequate property (22,002 sq.ft.) under the current zoning classification to meet the requirements for a mobile home as a medical hardship.

Mr. Reuter stated that staff feels this is a documented medical hardship and meets the requirements of the Glynn County Zoning Ordinance. He stated staff recommends approval of this request.

Following discussion, a motion was made by Mr. Wayne Stewart to recommend approval of this request. The motion was seconded by Mr. Robert Fell and unanimously adopted.

GC-35-94

Request to amend the Planned Development Zoning Text and Master Plan for McKinnon Commercial Park GC-25-85. Property owned by Glynn County.

Mr. Dan Reuter presented the staff's report. He explained that this request is to amend the Planned Development Zoning Text and Master Plan for McKinnon Commercial Park, which was approved by the Glynn County Board of Commissioners on July 3, 1985.

Mr. Reuter stated staff reviewed the proposed amendments and feels the following minor changes should be made:

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Proposes the addition of Bed and Breakfast Lodging Accommodations.

Staff feels that this type use should be allowed only as a Tourist

Home, in accordance with Section 302. 91 of the Glynn County Zoning Ordinance. A Tourist Home is a dwelling in which sleeping accommodations in less than ten rooms are provided or offered for the use of guests in return for compensation and means may or may not be offered.

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#1 and #2, Minimum Lot Area, Minimum Lot Width states - Shall be established by the Airport Commission.

Staff feels that a minimum lot area and lot width should be established compatible with General Commercial requirements of the Glynn County Zoning Ordinance, which are: Minimum Lot Area-1,875 sq. ft.; Minimum Lot Width-25 ft.

#3, Minimum Front Yard states - Measured from the nearest abutting street right-of-way line, shall be 20 ft. or as established by the Airport Commission.

Staff feels the minimum front yard setback should be a minimum of 20 ft.

#6, Maximum Building Height should also incorporate the language stated on Page 9A 12) 1. to state a two-story height limitation.

Page 9A

#11, Language should be added to state that signage shall meet the requirements of Article VIII. Signs of the Glynn County Zoning Ordinance.

Mr. Reuter 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 to the west and south of the site consists of aviation, wholesale, commercial and office uses. Adjacent and nearby property to the east and north of the site is low density residential. The proposed changes to the development text would be more suitable to residential areas than the existing text.

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

The proposed zoning text changes are generally more restrictive and therefore would diminish adverse affects on nearby property more than the existing text.

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;

The zoning proposal would not result in a greater use of public facilities than the existing development text. Also, a new road is being proposed to connect from Skylane Drive to Airport Road to accommodate proposed lots being developed in conformance with the proposed revised zoning text.

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

Shown as commercial and institutional.

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;

A new road design will accommodate uses within the McKinnon Airport property without creating new access points on Demere Road. The changes would create a more restrictive development towards visual quality and compatibility with surrounding land uses.

Mr. Reuter stated that staff recommends acceptance of the proposed zoning text with the changes stated previously. He stated staff considers the changes to be generally more restrictive than the existing development text. The addition of a Tourist Home (with 10 units or less), would not create a use incompatible with the residential areas. He further stated staff recommends that size, location and orientation of proposed structures be reviewed during site planning for scale and compatibility with the general area.

Mr. Ray Snow, Chairman of the Airport Commission, gave a brief presentation and explained why the Commission instigated tougher restrictions. He stated that the land is very valuable on St. Simons Island and should be developed to its highest and best use within the proposed restrictions. He stated that he would like to clear the air concerning innuendos about smoking mirrors and motels. He stated there is no hidden agenda. The Airport Commission is only trying to maintain and develop both airports to the best use for the citizens of Glynn County.

Mr. Lee Noel stated he had several questions. His first question being, is there not enough space in the service commercial area for expanded commercial activity on the existing lot. Mr. Snow replied that approximately 90% of that area is exhausted.

Mr. Noel stated his second question is regarding the 100 ft. setback area. He asked if there are any plans in the proposal to buffer the area with vegetation. Mr. Snow explained that the 100 ft. buffer belongs to Glynn County and the Airport has no authority over that piece of property.

Mr. Noel asked what would happen if the Airport Commission is not allowed to open the commercial parcels. Mr. Snow stated that if this were to happen, it would mean a loss of income to the citizens of Glynn County. The county would forfeit a lot of revenue.

Mr. Noel asked if the Water and Sewer Department had been consulted to assess their ability to meet the needs of the Airport Commission. Mr. Snow stated everything is being done in steps and water and sewer had not been consulted yet; however, water and sewer, traffic, etc. will be taken into consideration.

Mr. Noel had further questions regarding expansion. Mr. Bob Turner, Vice Chairman of the Airport Commission, elaborated on the reasons for expanding the airport property.

At this point, Mr. Noel stated before he offers a motion, he would like to read the following:

"Mr. Chairman, I believe this proposed amendment is one of the most significant which the Planning Commission has been asked to consider in recent years. We are being asked to recommend to the County Commission land use which will significantly expand commercial and aviation activity on one of the most important public properties in Glynn County. McKinnon Airport has an immense impact on Glynn County, on almost all St. Simons residents, and on the thousands of visitors we host each year. We are not being asked to approve a road and thirteen new commercial parcels on public land; we are being asked to approve a far-reaching change in McKinnon Airport which will affect life in the county for years to come.

"I do not believe that we or the citizens of the county have enough information to reach a conclusion on this proposal, nor have the issues concerning the direction of economic growth been fully addressed at this time. Allow me to mention some of the issues which should be aired in order to reach a wise decision. Some have to do with quality of life, some have to do with responsible use of public lands, and most of these issues are political but this is what open discussion is all about. Here is a partial list of things which we should know a lot more about:

1. What are the true future volumes of flight operations at McKinnon...?
2. McKinnon Airport is already over the allowable decibel or noise level. Since there are many people already complaining about noise, shouldn't we understand how it will be contained in the future...?
3. What about road traffic in the area...?
4. Demere Road is one of the scenic treasures of Glynn County...

- What about the sight of a row of commercial buildings as one passes the location of the old garden plot on Demere Road...?
5. There are many other concerns about this expansion of McKinnon Airport, not the least of which is the concern about safety...
 6. ...Where do we want significant **commercial** development to occur in Glynn County. I believe our strategy should be to concentrate on bringing commerce and jobs to the mainland..."

In conclusion, Mr. Noel stated that he does not believe this is a simple question of approving an amendment to the master plan. "It is much bigger than that." Mr. Noel commenced to offer a motion; however, Chairman Kite advised that more discussion is needed.

Mrs. Doris Eagen Turner addressed some of the issues expressed by Mr. Noel. Regarding the flight operations in a residential area, Mrs. Turner stated the airport was there before the residential areas were approved. She also had comments about where commercial development should be located. She stated that where to locate commercial development is a situation that no one can address. Mrs. Turner stated she feels that the Airport Commission has tried very hard to develop this property so that it is self supporting.

Mr. Bill Hooker, a local architect, stated he prepared the Planned Development Zoning Text for McKinnon Commercial Park. He stated these are the most restrictive changes ever brought forth to the Planning Commission. He elaborated on some of the points contained in the Zoning Text.

Mr. Bob Turner addressed some of the comments made by Mr. Noel. He explained that this is not an amendment to commercialize the airport. It is already in existence. He stated the Airport Commission is trying to clarify and strengthen the language to meet the obligations of Glynn County Ordinances and the Federal Government Standards.

Following discussion, Mr. Lee Noel stated the following:
"Whereas the proposed amendment to the Master Plan of the Glynn County Airport Commission will have major effects on the quality of life of Glynn County for years to come, and whereas the issues are highly complex and interrelated, and whereas much information concerning the effects of the proposed development is not well known, therefore, be it resolved that this Planning Commission shall defer its decision on the pending request, and furthermore, this Planning Commission recommends that the Glynn County Board of Commissioners sponsor a series of public hearings to examine the direction of the airport strategy and related economic development. Further, be it resolved, at the conclusion of those hearings, the Airport Commission may then re-apply to the Planning Commission for appropriate amendments to the zoning text and the Master Plan."

Chairman Kite pointed out that Mr. Noel made a statement and not a motion; however, Mr. Noel advised that this is his motion. Due to a minor dispute over the terms "whereas" and "be it resolved", Mr. Noel made a motion that the Planning Commission defer its decision on the pending request and recommend that the Glynn County Board

of Commissioners sponsor a series of public hearings to examine the direction of the airport strategy and related economic development. The motion was seconded by Mr. Robert Fell. Voting Aye: Mr. Robert Fell and Mr. Lee Noel. Voting Nay: Mr. Jerome Clark, Ms. Glenda Jones, Mr. Jack Kite, Mr. Richard Parker and Mr. Wayne Stewart. The motion was defeated.

Further discussion ensued, followed by a motion made by Mr. Wayne Stewart to approve the amendments of this request as recommended by staff. The motion was seconded by Mr. Jerome Clark. Voting Aye: Mr. Jerome Clark, Ms. Glenda Jones, Mr. Jack Kite, Mr. Richard Parker and Mr. Wayne Stewart. Voting Nay: Mr. Robert Fell and Mr. Lee Noel. The motion carried for approval.

NOTE: As a matter of record, Mr. Noel's statement is attached in its entirety.

Election of Chairman and Vice Chairman for 1995

Mrs. Deborah Taylor presented copies of the Planning Commission By-Laws consisting of election procedures, standing committees, etc.

The nominating committee consists of Mr. Richard Parker, Mr. Robert Fell and Ms. Glenda Jones. Mr. Parker, chairman of the nominating committee, presented the following report.

The committee met on Friday, December 2, 1994 at 10:00 a.m. in Mr. Parker's office. At that time, the committee nominated Mr. Wayne Stewart for chairman, placed Mr. Lee Noel on the ballot as the second candidate for chairman, and nominated Mr. Jack Kite as vice chairman. As required in the by-laws, the nominating committee prepared ballots.

At this time, Chairman Kite asked for nominations from the floor. Mr. Fell stated in the event Mr. Noel is not elected chairman, he would like to nominate Mr. Noel for vice chairman. That motion was seconded by Mr. Kite. A motion was made and seconded that nominations be closed. Mr. Parker gave each member a ballot containing the names of the nominees for chairman and vice chairman. Each member was asked to cast a vote for the candidate of their choice. Afterwards, the nominating committee counted the votes.

Mr. Parker announced that Mr. Wayne Stewart is elected to serve as Chairman of the Glynn County Planning Commission beginning January, 1995, and Mr. Jack Kite is elected to serve as Vice Chairman of the Glynn County Planning Commission beginning January, 1995.

Mrs. Taylor pointed out that also according to the by-laws, the Planning Commission shall designate a recording secretary to keep the minutes and records of the Planning Commission meetings. Thereupon, Chairman Jack Kite designated Ms. Janet Loving to

continue as the Recording Secretary for the Glynn County Planning Commission.

Adopt 1995 Meeting Schedule

All regular Planning Commission meetings will be held at 9:00 a.m. the first Tuesday of each month, with the exception of a holiday or election day. At which time, an alternate Tuesday may be selected.

Upon a motion made by Mr. Wayne Stewart and seconded by Ms. Glenda Jones, the 1995 Planning Commission Meeting Schedule was approved and unanimously adopted as follows:

Jan.	10th	July	11th
Feb.	7th	Aug.	1st
Mar.	7th	Sept.	12th
Apr.	4th	Oct.	3rd
May	2nd	Nov.	7th
June	6th	Dec.	5th

Mr. Stewart stated that as chairman elect for 1995, the Planning Commission will have night meetings periodically.

APPROVAL OF MINUTES

A motion was made by Mr. Wayne Stewart to approve the Minutes of the November 1, 1994 Planning Commission Meeting until otherwise noted. The motion was seconded by Mr. Richard Parker and unanimously adopted.

STAFF ITEMS

Mr. Dan Reuter reported that the Glynn County Planning and Zoning Department conducted five Comprehensive Plan public information meetings during October and November, 1994 to provide Glynn County residents with planning information and to solicit comments on public issues. Advertisements of the meetings were placed in two local newspapers and mailed to community organizations. Mr. Reuter presented a summary of the meetings for the Planning Commission's review. The summary contained an introduction, executive summary, comments, advertisements, and a survey.

It was the consensus of the Planning Commission to review the information contained in the summary report and have a worksession in January for further discussion and to formulate committees.

Mr. Reuter distributed information entitled, "How to Organize for Local Planning", for the Planning Commission's review.

Mr. Jack Caldwell presented a letter from Residents United For Planning And Action (RUPA) endorsing their support to the concept of scenic corridor designation for key roads on St. Simons Island and the mainland. Mr. Reuter also presented a letter from Mr. Dave Kyler, Senior Planning Analyst with the Coastal Georgia RDC, containing comments geared toward clarifying the purpose and intent of the Scenic Corridor Overlay District, which was drafted as a generic proposal prepared in 1993 as part of the CGRDC's planning for the 1996 Olympics.

Also under Staff Items, Mr. Reuter presented an agenda of a two day Community Planning Institute Conference to be held at the Holiday Inn in Macon, GA, February 24th and 25th, regarding basic planning concepts and procedures. Mr. Reuter stated the Planning and Zoning Department will pay the registration fee for members interested in attending. Mr. Reuter further advised that staff is planning a Christmas Luncheon and all members are invited. He stated he would confer with everyone on a date, time and place. The Planning and Zoning Department will pick up the tab.

COMMISSION ITEMS

Mr. Wayne Stewart suggested staff coordinate the public hearing with the Jewtown residents and all adjacent property owners beginning at the Waffle House down to the Brockinton Development, and also look into the possibility of using the Episcopal Church on St. Simons Island to conduct the public hearing.

At this point, Mr. Stewart requested an executive session with Mr. Reuter and the Planning Commission members immediately following today's meeting, to discuss a personnel matter.

There being no further business to discuss, the meeting adjourned at 12:30 p.m.

