

M I N U T E S

GLYNN COUNTY PLANNING COMMISSION
DECEMBER 5, 1995 9:00 A.M.

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

STAFF PRESENT: Dan Reuter, Planning Official
Mark Schroeder, Planner III
Deborah Taylor, Zoning Administrator
Anne Kilponen, Transportation Planner
Janet Loving, Administrative Secretary

Chairman Wayne Stewart called the meeting to order, followed by a moment of silence and the Pledge of Allegiance.

Chairman Stewart advised that Items 12 and 13 on the agenda would be addressed first.

Election of Vice Chairman for 1996

The nominating committee selected Mr. Wayne Stewart as Vice Chairman of the Planning Commission for 1996. The floor was then open for nominations. Mr. Lee Noel nominated Mr. Robert Fell for Vice Chairman. The nomination was seconded by Mrs. Iris Touw. Nominations were closed and ballots were issued to the members. Mr. Stewart received 4 votes and Mr. Fell received 3 votes. Mr. Wayne Stewart was elected to serve as Vice Chairman of the Glynn County Planning Commission for 1996.

Election of Chairman for 1996

The nominating committee selected Mr. Richard Parker as Chairman of the Planning Commission for 1996. The floor was then open for nominations. Mr. Robert Fell nominated Mr. Lee Noel for Chairman. The nomination was seconded by Mrs. Iris Touw. Nominations were closed and ballots were issued to the members. Mr. Parker received 5 votes and Mr. Noel received 2 votes. Mr. Richard Parker was elected to serve as Chairman of the Glynn County Planning Commission for 1996.

Site Plan (SP-11-95)
Oglethorpe at Beachview
Two proposals per applicant's request.
Proposed multi-family development to
consist of 9 units. Subject property
zoned Resort Residential

Option #1: 26,205 sq. ft., located on the southeast corner of Oglethorpe Avenue and Demere Road;

Option #2: Involves the above property and the property located on the southwest corner of Oglethorpe Avenue and Demere Road, located within the St. Simons Village Preservation District, to provide off-site parking spaces (per Section 611.3 of the Glynn County Zoning Ordinance-Location of Off-Street Parking Areas, under unusual circumstances and hardship).

Property zoned Resort Residential;
Property owned by Private Investments, Inc.
(Jim Robertson, President)

Mr. Larry Evans and Mr. Jim Robertson were present for discussion.

Mr. Mark Schroeder presented the staff's report. He stated per the applicant's request, the Oglethorpe at Beachview site plan is being presented to the Planning Commission for comments and/or approval. The proposed development consists of a total of nine condominium units located on the south end of St. Simons Island. The project will be located on approximately .6 acres. The property is zoned Resort Residential which permits a maximum density of 16 units per acre. The proposed development will have a density of 15 units per acre which is in conformance with Resort Residential standards.

Mr. Schroeder stated that a major hurdle to achieving the desired number of units and the large square footage of each unit (averaging around 2,500 square feet) has been conforming with Section 705.4 6) which limits site coverage to 50% for all multi-family developments on St. Simons Island. Mr. Schroeder stated that in order to retain the original concept of large units, a swimming pool, and covered parking, the applicant has proposed off-site parking. To consider off-site parking, the location must be in conformance with Section 611.3 Location of Off-Street Parking, as follows:

Section 611.3 Location of Off-Street Parking Areas of the Glynn County Zoning Ordinance states, "Required off-street parking areas for one and two-family residences shall be located on the same lot as the principal building to be served. Under unusual circumstances and hardship, parking areas for all other permitted uses may be located off-site, provided that the parking area is not more than four hundred (400) feet from the premises of the principal building or use to be served by such areas, and provided that the owner or owners of said off-street parking areas relinquish all development rights over his property until such time that parking space is provided elsewhere."

Mr. Schroeder stated that the applicant has located seven required parking spaces off-site across Demere Road. Although the off-site parking clearly meets the 400 ft. requirement, the Planning and Zoning Division, with the support of other review departments, has determined that the need for off-site parking is **not** due to "**unusual circumstances and hardship**". As an additional note, the off-site parking is located within the St. Simons Village Preservation District. The parking location and design (including landscape buffering) needs to be reviewed and approved by the County Engineer and the Planning and Zoning Division.

Mr. Schroeder pointed out that the current design of off-site parking does not meet engineering design standards for maneuvering space (note: tree impedes ability to enter and back out from the proposed parking spaces) or consider landscape buffering. The maneuvering problem was outlined in a letter dated November 1, 1995. An alternative plan has been prepared that conforms with the site coverage requirement and provides on-site parking. This plan was submitted on November 30, 95 at 3:10 p.m. and is currently being reviewed.

Mr. Schroeder stated staff is recommending the following options to be considered by the Planning Commission:

Option #1

Approve the site plan with all of the improvements located on the .6 acre tract subject to the following:

1. Final approval of drainage;
2. Engineering requires relocating the four parking spaces along Demere Road to the southwest corner of the site (possibly perpendicular to the roadway). This requirement was initially outlined in a September 20, 1995 review letter; and
3. Final water and sewer plans shall be approved as part of the building permit.

Option #2

Approve the site plan with the seven off-site parking stalls located on the southwest corner of Oglethorpe Avenue and Demere Road. Approval is subject to the following:

1. The Planning Commission finds that the off-site parking is a result of **unusual circumstances and hardship**;
2. Right-of-way must be deeded to the developer before parking spaces can be considered along Oglethorpe;
3. Modify existing parking stall layout to provide adequate maneuvering area and provide a landscaped buffer of the parking area;
4. Recommend additional measures be taken to ensure that pedestrians may safely cross Demere Road to their residence;

5. Recommend providing additional landscaping on the project site along Demere Road to discourage parking along the roadway;
6. The off-site parking area shall be surveyed out and tied into the proposed project. All development rights are waved for the parking area and open space associated with the parking (requirement of Section 611.3);
7. Recommend the proposed dumpster be enclosed/buffered from neighboring properties; and
8. Final water and sewer plans shall be approved as part of the building permit.

It was noted that the developer preferred option #2; however, the Planning Commission saw no unusual circumstances or hardship and therefore a motion was made by Mrs. Iris Touw to deny option #2. The motion was seconded by Mr. Robert Fell and unanimously adopted. Discussion continued on option #1.

Mr. Richard Parker stated there are too many unanswered questions regarding parking, maneuvering space and landscaping. Mr. Fell stated he would like to see the final engineering plans showing what the development will look like. Mr. Evans stated he would make changes to option #1 and asked for the Planning Commission's approval subject to conditions; however, following discussion, a motion was made by Mr. Richard Parker to deny option #1 as presented. The motion was seconded by Mrs. Iris Touw. Voting Aye: Mr. Jerome Clark, Mr. Robert Fell, Mrs. Glenda Jones, Mr. Lee Noel, Mr. Richard Parker and Mrs. Iris Touw. Abstained From Voting: Mr. Wayne Stewart.

Site Plan (SP-13-95)

Hampton River Villas

Located at Hampton Point, north end of St. Simons Island, 2.84 acres, zoned Planned Development-General 28 condominiums, density of 10 units per acre.

Property owned by Hampton Group.

Mr. Jim Bishop and Mr. Robert Ussery were present for discussion.

Mr. Schroeder presented the staff's report. He stated that the applicant is proposing the development of 28 condominiums on property that is zoned Planned Development-General. He pointed out that this particular site is denoted as townhomes on the master plan. The townhomes area permits up to 10 dwelling units per acre. The development density is proposed at 10 units per acre (28 units on 2.84 acres).

Mr. Schroeder stated that each residential unit is designed with porches overlooking green spaces or marsh and river views. He stated that initially, the project will be owned and maintained by The Hampton Group; however, once the appropriate number of units are sold, the development will be managed by a condo association.

Mr. Schroeder further stated that the development has a proposed site coverage of 41% which is well below the maximum site coverage of 50%. He explained that approvals for the project have been received from the Building Inspections Office, Engineering, Fire, Planning & Zoning, Public Works and the Sanitation Department. The Water and Sewer Department completed its first review and the comments were presented to the developer on November 21, 1995. Thomas & Hutton Engineering Company has informed the Planning Division that they intend to address all of the conditions of December 1, 1995.

Mr. Schroeder stated staff recommends approval of the Hampton River Villas (submitted November 29, 1995) subject to the following:

Water & Sewer

1. Written approval of the water and sewer plans.

Following discussion, a motion was made by Mrs. Glenda Jones to approve this request. The motion was seconded by Mr. Jerome Clark. Further discussion ensued.

Mr. Robert Fell wanted to know why the Water & Sewer Department's approval was not available. Chairman Stewart explained that the director, Mr. Robert Benson, has been out of town due to death in the family. Mr. Fell stated he is concerned about the Planning Commission not seeing other departments' final approval. Mr. Noel expressed the same feelings. He stated that everything should be presented and heard at the public hearings, including other departments' comments. He stated this is a terrific project and will probably be very beneficial to St. Simons; however, "a public hearing is for the public to hear everything."

Mr. Schroeder explained that water and sewer reviewed the first set of plans with Thomas and Hutton Engineers and the only comments he received were minor. He stated that the layout of the project will not change. Chairman Stewart stated that developers or property owners should not be penalized for the delays of county departments. He further stated that the Water and Sewer Department has been communicating with other departments and operating better now than they have been in the past.

Mr. Bishop stated he and the others are willing to do whatever is necessary to fulfil their obligations and responsibility to Glynn County.

After discussion, the motion for approval was unanimously adopted.

**Request for extension of Preliminary Subdivision
Plat approvals for Sandalwood Subdivision, Phase II
and Timber Ridge Subdivision, Phase II
Preliminary plats approved on January 4, 1994.**

Per Section 703.6 of the Glynn County Subdivision Regulations, if streets have not been opened or a final plat filed for a subdivision which has been granted preliminary approval within two years of such approval, then the plat of such subdivision shall be re-submitted for preliminary approval.

Diversified Investments, Inc., Developer/Owner

Mr. Harry Driggers was present for discussion.

Mr. Schroeder read the following letter of request submitted by Mr. Driggers: "Due to the delay in obtaining approval from the EPD on the water system in Timber Ridge Subdivision, Phase II and the water and sewer approval in Sandalwood Subdivision, Phase II, we hereby request an extension of the preliminary plans. We are now in the process of installing the utilities in these two subdivisions at this time."

Mr. Schroeder pointed out that the developer is only requesting a one-year extension.

Following discussion, a motion was made by Mr. Richard Parker to approve this request. The motion was seconded by Mr. Robert Fell. Voting Aye: Mr. Jerome Clark, Mr. Robert Fell, Mrs. Glenda Jones, Mr. Lee Noel, Mr. Richard Parker and Mr. Wayne Stewart. Abstained from Voting: Mrs. Iris Touw.

GC-30-95

Request to Rezone from R-12 One-Family Residential to Office Commercial, a strip consisting of 0.15 acres located on the southeast corner of Plantation Way (frontage of 50 ft.) and Frederica Road (frontage of 116.20 ft.) and having an average depth of 54 ft.

Property owned by HILL-LEW.

Mr. Glenn Lewis was present for discussion.

Mrs. Deborah Taylor explained that she received information from the County Attorney yesterday (December 4th) regarding this request and she shared this information with the Planning Commission and with Mr. Lewis. She stated this is a strip of land that was quit claimed by the county to an individual that carried deed restrictions within the deed. The following are the restrictions:

1. No structure of any nature will be placed or erected upon said property;
2. No commercial use shall be made of said property; and

3. No trees of over 6 inches in diameter will be cut or removed from said property without the consent and approval of Grantors.

Mrs. Taylor stated the County Attorney feels that everyone needs to be aware that this property is still under those restrictions and he has stated that no structure of any nature can be placed or erected upon said property.

Chairman Stewart stated that basically this is a legal question, and not a rezoning. Mr. Reuter agreed that there is a legal question regarding the deed to this property; however, that is a separate issue from the zoning. He stated the single lot is zoned R-12 and is not 12,000 sq. ft. He stated in the best interest of Glynn County, perhaps the Planning Commission should go forward and review the request.

Mrs. Touw asked what is the purpose in reviewing this request, and also, is there a rezoning to consider. Mrs. Taylor explained that the request is to rezone from R-12 to Office Commercial. When she received the interpretation from the County Attorney regarding the restrictions he stated "hence, those restrictions would prohibit development of the kind proposed in this rezoning application." She further asked the County Attorney if his interpretation meant any type development on the property, whether it is commercial or residential and he stated it would make no difference in that no structure is allowed to be placed on the property. Chairman Stewart pointed out that the advertisement stated that this is a request to rezone from R-12 One-Family Residential to Office Commercial, and therefore the request has to be reviewed as advertised.

Mrs. Taylor presented the staff's report. She stated that this request is to rezone a 0.16 acre strip of land from residential to commercial. The subject property is a 50 ft. strip of land that Glynn County gave a Quit Claim Deed to Hungerford House, Inc. in 1974 in exchange for a portion of Lot 1 in Black Banks Subdivision for the location of a fire station. The subject property was then purchased by HILL-LEW in 1983.

Mrs. Taylor stated that the 50 ft. strip, running parallel to Frederica Road, and located immediately west of Lots 2 - 6 of Black Banks, begins at the southern end of the subject property and continues to the north to the County Fire Station. The property was submitted as part of a larger tract of land being requested to be rezoned in previous years, located on the north side of Plantation Way (private) but was denied. The 0.16 acre being requested to be rezoned alone should not be considered in the same manner as when it was proposed to be a portion of a larger request and only to be used as open area.

Mrs. Taylor explained that staff has reviewed other documentation and feels that this 50 ft. strip, consisting of 0.16 acres, was granted and designated as such. The strip has been and continues to be used for recreational purposes for the community in that the Glynn County's bicycle path is located on the strip of land. However, Mrs. Taylor stated that the concept plan submitted with this request does not show the sidewalk being located on the subject property. She pointed out that the surrounding area contains a mixture of uses, i.e. a bank to the south, commercial to

the west and single-family residential to north and east. She stated staff feels the subject property lies within an established single-family residential subdivision.

Mrs. Taylor stated that from reviewing the documents located in the Planning & Zoning office, staff found the following:

The subdivision plat for Black Banks Subdivision Revision No.1, dated 1966, shows the 50 ft. strip that has no designation but in such configuration that it indicates it possibly serves as a buffer area between the county right-of-way and the subdivision.

The Official Zoning Plate Map #60, shows this as "Frederica Road Strip" but shows a zoning classification of residential.

Mrs. Taylor stated that 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, without adequate buffers it would be an encroachment into the residential subdivision.

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

Yes.

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

Not zoned R-12 Residential, but if the strip of land is a parcel of land that could be developed, it could be developed as residential with a lesser acreage requirement (R-6). The small acreage being developed with a single-family residence would have less impact on the area than commercial.

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;

Yes.

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

No, shown as Medium Density Residential.

The Plan's locational guidelines point out that commercial uses should be developed in compact clusters and not penetrate residential areas.

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

The deed limitations of development rights on the strip of land could possibly only allow this to be used as presently used.

Mrs. Taylor stated staff feels that the property is not appropriate for Office Commercial use being in close proximity to existing residential structures. Therefore, staff recommends denial; however, staff feels that if the area is determined to be land that can be developed, a rezoning to R-6 One-Family Residential could be supported. She pointed out that all of the information obtained that relates to the development rights of the tract has been submitted to the County Attorney.

Mr. Glenn Lewis gave a brief presentation. He stated his property is 6,556 sq. ft. and is non-conforming to R-12. He stated the Planning Commission has an obligation to rezone the property to a constitutional use.

Mr. Lewis stated he found numerous flaws in the staff's report. First, he pointed out that staff referred to a quit claim, which is a claim to the property; however, this does not make any representation to title to that property. He stated there is no record that Glynn County has any title to the property, and therefore any restrictions are based on their interest in the property. He stated the county may have a legal interest in the property because it was designated as Frederica Strip on the plat. This was accepted by the county and is part of the county record. Mr. Lewis stated contract rezoning is unconstitutional. He then presented copies of Article III, Covenants and Warranties of the Official Code of Georgia for the Planning Commission's review.

Secondly, Mr. Lewis stated the property has an average depth of 50 ft., not 54 ft. as legally advertised. He pointed this area out on the map. Mrs. Taylor explained how the average depth is calculated in accordance with the Glynn County Zoning Ordinance, and stated that the legal advertisement cannot be changed.

Mr. Lewis stressed that the bicycle path is not located on the strip of land as indicated in the staff's report. He stated if the bicycle path is on the property he would like compensation for it. He then presented a copy of the county survey showing the location of his property. Mr. Ray Richard, County Engineer, stated that in viewing the site, a portion of the sidewalk is out of the 50 ft. strip. Chairman Stewart questioned how the bicycle path was placed on private property. Mr. Richard stated that the bicycle path has been in that location for a number of years. Chairman Stewart asked Mr. Richard to get with other county staff and verify a more accurate location of the bicycle path, possibly by means of a survey. Mr. Richard stated the county would have to retain the services a registered land surveyor; however, he stated he would research this matter further.

In closing, Mr. Lewis stated he chose this particular rezoning because it would not impact adjoining property owners. He presented a traffic report, and highlighted sections of the Comprehensive Land Use Plan for review. Mr. Lewis stated that the "staff's report is bias and does not represent the facts." He further stated

that he tried to show sensitivity to the Black Banks homeowners by requesting an R-12 zoning; however, if this request is not approved, he stated he would come back and request an R-6 zoning. Nevertheless, Mr. Lewis "pledged that the property will be developed."

Chairman Stewart advised that the Planning Commission would hear opposition after a short recess. The meeting resumed at 10:50 a.m. At this time, Chairman Stewart introduced and welcomed Anne Kilponen as the new Transportation Planner in the Planning & Zoning Division.

Discussion continued on Item #4 (GC-30-95). Mr. Austin Catts, president of the Black Banks Homeowners Association, stated that the residents of Black Banks are strongly opposed to this request. He stated they all agree with the staff's report and with the County Attorney. Mr. Catts stated the problem with developers is they refuse to develop property in the way in which the property is zoned. He stated this particular property is zoned residential and should remain as such. Mr. Catts stated that Office Commercial is inconsistent and out of character with the neighborhood and would cause a significant traffic problem. He asked the Planning Commission to consider the historical value of their neighborhood and deny this request.

Following discussion, a motion was made by Mr. Richard Parker to deny this request due to the rezoning being an encroachment into a residential neighborhood. The motion was seconded by Mr. Robert Fell and unanimously adopted.

GC-31-95

Request to Rezone from PD-G Planned Development-General (17-71 Sea Palms West) to PD-R Planned Development-Residential, 60.219 acres (52.25 acres upland and 7.964 acres marsh) known as Parcels 30, 34, 35 and 36 Sea Palms West Master Plan, having 2,460 ft. of frontage on Stevens Road and being developed as "The Commons At Frederica".

Property owned by Sonid Development Company, L.L.C. with the exception of Lot 96 owned by Jimmy W. and Becky W. Canter, Lot 143 owned by David C. McKim, Lots 69, 134 and 148 owned by Richard M. Thomas, and Lot 136 owned by John N. and Audrey Burnett.

Attorney Jameson Gregg, Mr. Jack Dinos and Mr. John Dinos were present for discussion.

Mrs. Taylor presented the staff's report. She stated that this request is to remove 60 acres from the Sea Palms West Planned Development and rezone to Planned Development-Residential. This acreage is known as Parcels 30, 34, 35, and 36 in the Sea Palms West-Zoning Text and Master Plan that was approved in 1980. The Planned Development Zoning Text submitted with this request would allow the same type development, cluster homes and single-family lots at the same density and development standards as currently allowed, but would create an individual Planned Development.

Mrs. Taylor explained that the main reason this application is being requested, is to allow the developer and property owners the opportunity to request that the roads within the development be dedicated to Glynn County. The Planned Development for Sea Palms West states that all roads will be private. The subject property, consists of 60 acres located off Stevens Road, which is a county dedicated road. Mrs. Taylor pointed out that the property is not served by roads located within the Sea Palms West Tract as are other parcels. The County Engineer has stated that the roads constructed in the first phase of this residential development, known as "The Commons At Frederica", have been designed to meet all requirements of the Glynn County Subdivision Regulations and would recommend that Glynn County accepts the roads. The first phase of this development consists of 48 lots. The total development will consist of approximately 177 lots.

Mrs. Taylor explained that if this request is approved, the Planned Development for Sea Palms West would also be amended. The Sea Palms Planned Development allows a total number of housing units of 1,062, which would have to be adjusted accordingly.

Mrs. Taylor stated that 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.

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

Yes.

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.

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 approval or disapproval;

Desire to dedicate roads that have already been constructed and proposed roads to Glynn County and not remain as private.

Mrs. Taylor stated staff recommends approval of this request, subject to meeting all requirements of the Planned Development Zoning Text dated November, 1995.

Mr. Lee Noel asked when was Sea Palms West Master Plan submitted. Mrs. Taylor stated it was submitted in 1980 and it was approved and accepted by the Glynn County Board of Commissioners.

Mr. Noel stated he understands why the developer would wish for Glynn County to assume responsibility for the roads, but he does not understand why Glynn County would look for more roads to be responsible for. Mr. Reuter replied possibly for emergency access. He explained that according to the Zoning Text, the developer has a right to request that Glynn County accept the roads; however, Glynn County does not officially accept the roads until the developer submits a final plat which goes directly to the Board of Commissioners. Mrs. Taylor stated that the County Engineer has been working with the developers on the roads in Sea Palms West but he was not aware that the Zoning Text did not allow dedication of the roads.

Mr. Noel asked if there were any other restrictions on the quality of the development. Mrs. Taylor stated there are still some common open areas and all initial requirements will have to be met. She stated the development standards have not changed.

Following discussion, a motion was made by Mr. Jerome Clark to approve this request. The motion was seconded by Mrs. Iris Touw. Further discussion ensued. By voting on this motion, Mr. Noel asked if the Planning Commission is endorsing the developer's request that the roads be accepted. Chairman Stewart stated that the Planning Commission is voting on the Planned Development request, not the roads. Accepting the roads is a separate issue.

After a brief presentation by Attorney Gregg and further discussion, the motion for approval was unanimously adopted.

GC-32-95

Request to amend the Planned Development-General 23-95 Zoning Text and Master Plan regarding buffers and off-street parking, development to be known as "Shops At Sea Island: West". Property consisting of 16.82 acres and fronting 933 ft. on the south side of Sea Island Road.

Property owned by Sea Island Company.

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

Mrs. Taylor presented the staff's report. She stated that the subject property involved in this request was rezoned from Resort Residential to Planned Development-General on September 7, 1995 to allow a commercial development to be known as "Shops At Sea Island: West", meeting the requirements of the PD Zoning Text dated July, 1995. She stated that the request at this time involves two proposed PD Zoning Text and Master Plan amendments also involving the easternly buffer/setback and off-street parking requirements.

Mrs. Taylor pointed out that the PD Zoning Text approved at the time of the rezoning stated East - 20 ft. buffer/setback (abutting Shops at Sea Island). She stated the first proposed amendment requests the following revision:

East (along Shops at Sea Island) - 20 ft. buffer/setback, with the exception of a 300 ft. segment of shops directly behind the existing Harris Teeter Grocery Store.

Mrs. Taylor stated staff feels that the proposed amendment to revise the buffer/setback between the existing Sea Island Development, service area behind Harris Teeter Grocery Store, and the subject property would give the developer the ability to screen the service area behind Harris Teeter as proposed on the revised plan.

Mrs. Taylor stated that the second proposed amendment involves off-street parking. The PD Zoning Text approved under exceptions or variation from the requirements of the Zoning Ordinance states the following:

Off-street parking: The number of spaces required for "Theaters, Auditoriums, and Similar Places of Public Assembly", shall be reduced from 1 space for each 4 seats to 1 space for each 6 seats."

The proposed amendment at this time is for further reduction in the parking standards. The following is being requested for the remainder of the commercial center:

To provide the flexibility required to retain and preserve native trees, off-street parking requirements shall be reduced as much as 10% less than requirements set forth in the Glynn County Zoning Ordinance.

Mrs. Taylor further stated staff feels that the open area and adequate off-street parking are both very important issues. Allowing the flexibility to reduce parking, if not needed, would allow the developer to retain significant live oak trees that are located on the site which could benefit the development and the surrounding area. She stated that when the Planning Commission reviews the site plan for the proposed development, in accordance with Section 619 and 723 of the Zoning Ordinance, the parking would be reviewed and a determination could be made to allow the reduced parking based on the type use proposed and the possibility of trees having to be removed.

Mrs. Taylor stated that staff recommends approval of both amendments to the Planned Development Zoning Text and Master Plan for "Shops At Sea Island - West", as proposed.

Attorney Gilbert gave a brief presentation. He stated that a small sketch was submitted to Harrison Point residents by Mr. Jim Benefield and Ms. Adcock for clarification of this request.

Following discussion, a motion was made by Mrs. Glenda Jones to recommend approval of this request. The motion was seconded by Mr. Jerome Clark. Further discussion ensued.

Mrs. Iris Touw had comments regarding the footage used for building setbacks and buffers. She stated the definitions for setbacks and buffers are not precisely the same, therefore by interchanging the two is a misrepresentation. She asked staff and Sea Island representatives to examine the two closely for clarification.

Mr. Bill Edenfield stated it was their intention to have the setback and buffer limit at the same dimension; however, he stated he will work with staff to define the two in the Text.

After discussion, the motion for approval was unanimously adopted.

**Compliance with the St. Simons
Village Preservation District
(Deferred from November 7th Meeting)**

Review exterior building changes to 204, 206 and 208 Mallory Street; Review changes to the signage and interior building layout for Special Use Permit (eating establishment), previously granted to Island Depot due to change in ownership and name.

Mr. Abbas Vakili, property owner, was present for discussion.

At the November 7th Meeting, Mrs. Iris Touw and Mr. Robert Fell were asked to work with Mr. Vakili on the color scheme and sketch plan. Mrs. Touw reported that they met with representatives of the St. Simons Pier Association and other merchants and changes were made in the height of the structure. She stated there was a consensus among the representatives that the proposal being presented today is acceptable to all.

Mr. Schroeder stated that the height was lowered to be even with the neighboring structure. The awning was lowered by 1 ft. bringing it approximately 3 ft. above Fanto Seas and 2 ft. above Just 4 Funn Toys overhang.

Regarding the Special Use Permit, Mr. Schroeder stated that the applicant shall comply with the existing conditions with the exception that no space be devoted to retail space, thus 100% of the floor area will be used for the restaurant. This is to give the applicant greater flexibility in the future to lease the remaining portion of the building to other tenants. Mr. Schroeder stated that the applicant has provided a floor plan depicting the 400 sq. ft. of patron space and the 16 customer seats.

Mr. Vakili stated he agrees with the color scheme recommended by staff.

Following discussion, a motion was made by Mr. Richard Parker to approve this request to comply with the St. Simons Village Preservation District. The motion was seconded by Mrs. Glenda Jones and unanimously adopted.

**Compliance with the St. Simons
Village Preservation District**

**Review exterior and interior building changes to Sand Castle Cafe
and Grill located at 117 Mallory Street, St. Simons Village.**

Property owned by Tim Wellford.

Melissa Wellford was present for discussion.

Mr. Schroeder presented the staff's report. He stated that the applicant is proposing to modify the existing facade of the Sand Castle Cafe & Grill. The proposal calls for enclosing the existing porch and shifting the entrance to the far right and out to the front property line. The new wall will consist of three sets of windows and a glass door. The wall material will be pavilion peach stucco and the existing signage and awning will remain the same.

Mr. Schroeder explained that by closing the deck, inclement weather will not have an affect on patron seating. The relocation of the door is intended to provide a better flow for patrons waiting for a seat. Currently, people waiting for a seat are channeled back up a narrow seating area which does not function well.

Mr. Schroeder stated that the application appears to conform with the provisions outlined in Section 709 of the Glynn County Zoning Ordinance. He stated that staff recommends approval of the proposed facade modifications. The applicant has submitted some alternatives which are slight variations to the current proposal involving the deck and door placement.

Following discussion, a motion was made by Mrs. Glenda Jones to approve this request to comply with the St. Simons Village Preservation District. The motion was seconded by Mr. Jerome Clark and unanimously adopted.

At this time (12:00), it was the consensus of the Planning Commission to take a lunch break. The meeting resumed at 1:15 p.m.

**Review Administrative and Format Changes to the
Glynn County Zoning Ordinance, in accordance with
Article XI of the Ordinance.**

The three page text change, format and table of contents were included in the packages for the Planning Commission's review. Mr. Schroeder stated that the section numbers in the Ordinance will remain the same. Mr. Reuter pointed out that the County Commission will receive a copy of these changes.

Following review, a motion was made by Mr. Lee Noel to accept the changes to the Glynn County Zoning Ordinance as presented by staff. The motion was seconded by Mrs. Glenda Jones and unanimously adopted.

Review Administrative and Format Changes to the Glynn County Subdivision Regulations, in accordance with Article XI of the Ordinance

The format changes were included in the packages for the Planning Commission's review. Also, Mr. Schroeder stated that due to the department's name change from Zoning & Development Review to Planning & Zoning Division, this change was noted to make the Ordinance legally correct.

Following review, a motion was made by Mr. Richard Parker to accept the changes to the Glynn County Subdivision Regulations as presented by staff. The motion was seconded by Mrs. Glenda Jones and unanimously adopted.

MINUTES

Mrs. Touw pointed out that paragraph 6 on page 30 regarding the nominating committee should state that Mrs. Jones and Mr. Clark were appointed co-chairpersons of the nominating committee. Also, reflecting back on Application #GC-29-95 presented at the November 7th meeting, Mrs. Touw stated that several citizens who attended that meeting approached her to express their appreciation for the positive comments made by Mrs. Jones about the way in which everyone conducted him/herself.

Following discussion, a motion was made by Mr. Richard Parker to approve the Minutes of the November 7, 1995 Planning Commission meeting with minor corrections. The motion was seconded by Mr. Jerome Clark and unanimously adopted.

STAFF ITEMS

Mr. Reuter stated it has been discovered that a permit was issued to someone and construction of a single-family residential house in the Village Preservation District is in progress. He stated that the Planning Office was not aware of this. In the future, such occurrences should be avoided, which is one of the reasons for hiring a Zoning Enforcement Constable, Mr. Alex Grant. As part of Mr. Grant's duties, he will examine all building permits for correct zoning and locations, violations, etc. Mr. Grant will work closely with Mrs. Taylor of the Planning

Office and Mr. Ellis Carter of the Building Inspections Division. Mrs. Taylor flagged this permit three months ago, but apparently the applicant came back and submitted a request for a building permit. Someone in the Building Inspections Division signed off on the permit and now construction has commenced. Mr. Reuter stated there is a problem with site coverage in this case.

Mr. Richard Parker asked if the property owner knows he/she is in violation of the Ordinance. Mrs. Taylor stated she is not sure if the property owner was notified. Mr. Robert Fell stated that since a permit was issued, a violation may be questionable. The property owner might not have known he/she had to come before the Planning Commission.

Chairman Stewart suggested a motion be made to have Mr. Keith Flanagan include a one page explanation of the Village Preservation Plan and possibly a small location map in the applications of persons requesting a building permit for St. Simons Island. This process will notify each person that it is also their responsibility to check before construction commences. Thereupon, a motion to that affect was made by Mr. Parker and seconded by Mr. Clark. Further discussion ensued.

Mr. Reuter suggested that the building permit be re-designed so that Mrs. Taylor or the Zoning Enforcement Constable signs off on every permit. Mr. Noel suggested that staff draft a letter to Mr. Flanagan informing him of these problems and ask him, as Director of Community Development, to please institute a policy to control this. Chairman Stewart suggested a draft letter asking Mr. Flanagan or some of his associates to develop a policy and report back to the Planning Commission at the next meeting. He stated he does not think one person can solve this problem. It needs to be in writing as an absolute standard procedure. Thereupon, the motion and the second were withdrawn. A motion was then made by Mr. Lee Noel to have staff draft a letter asking Mr. Flanagan or some of his associates to develop a policy and report back to the Planning Commission at their January meeting. The motion was seconded by Mr. Robert Fell and unanimously adopted.

A) Status Report - Comprehensive Plan

Mr. Reuter stated that the Natural and Historic Resource committee meeting is scheduled for tomorrow (Dec. 6th) at 5:00 p.m. He advised that he will prepare a draft of everything that has been discussed regarding the Comprehensive Plan for the Planning Commission's review. He stated that a worksession should be scheduled in January for further discussion. Chairman Stewart stated he feels another worksession is needed in December before the public hearings begin on the Comprehensive Plan. He stated perhaps it can be discussed further at the Planning Commission's worksession which is scheduled for tomorrow (Dec. 6th) at 1:30 p.m.

B) Sketch Plan Review

Mr. Reuter advised that Section 702 of the Subdivision Regulations states the following regarding sketch plan review: "Previous to filing an application for approval of a preliminary plat, a sketch plan may be submitted to the Planning and Zoning Division (staff of the Planning Commission) for review and

recommendation." Mr. Reuter explained that an applicant came in with a plat but he had already gone to an engineer and work was done on the plat; however, through discussion with staff, the applicant decided to withdraw and re-do the plat. The applicant had already made a substantial investment, but on his own accord, he withdrew because of staff's recommendations.

In an effort to save time and money, Mr. Reuter suggested that before an application is submitted, the applicant should be required to meet with the Plan Review Committee and hear the Committee's comments. He pointed out that this suggestion derived from the last worksession. Chairman Stewart stated that this is already part of the Ordinance, but the word "may" is the deciding factor. He stated if we choose to make it mandatory, the Planning Commission would have to take action and then forward it to the Board of Commissioners in order to change the Ordinance.

Mr. Reuter presented a book from the American Planning Association titled "Model Subdivision Regulations". He stated that Sketch Plan Review is discussed in this book. Mr. Reuter stated this process should be considered and he pointed out that it would not hold up an application. Chairman Stewart asked staff to explain this process in a letter to engineers, developers, etc. for their comments and bring this back to the Planning Commission so that steps can be made toward getting it on the Board of Commissioners agenda.

C) Historic Resource Survey

Mr. Reuter stated that Glynn County received a grant from the Department of Natural Resources to do a historic resource survey of the unincorporated county. The survey will be completed in February and will be presented to the Planning Commission to be included in the Comprehensive Plan. Glynn County has hired Mr. Robert Ciucevich who is in the process of identifying historical resources in the county.

D) County Decal Policy

Mr. Reuter read a letter dated November 21, 1995 that he received from the County Administrator, Mr. Lee Gilmour, regarding a policy established by the Board of Commissioners which states that "...Citizens appointed to advisory or legislative boards/agencies can be reimbursed for this expense based on documentation provided. The reimbursements will be funded from the program associated with that group." Mr. Reuter pointed out that Section 1-19-6 of the Planning Commission Ordinance states "The members shall receive no compensation, but shall be reimbursed from budgeted funds of the Commission for their actual expenses properly incurred in the performance of their duties." Mr. Reuter stated it is his understanding that the Planning Commission members will be reimbursed for mileage (@.25 cents per mile) and .35 cents for the causeway toll. However, Chairman Stewart stated this should be left to the discretion of each individual member.

Also under Staff Items, Mr. Reuter reminded the members of his suggestion to have a three member standing sub-committee to address ordinance changes, amendments, etc. Afterward, the committee members would present their comments to the entire Planning Commission. Mr. Reuter stated he still thinks this is a good idea.

At this time, Chairman Stewart took the opportunity to thank staff and the Planning Commission members for their cooperation, hard work, and support over the years. He stated a lot has been accomplished and this would not have been possible without everyone's support. Mr. Reuter also thanked staff and the Planning Commission for their team efforts and support.

COMMISSION ITEMS

Mr. Noel stated he respects everyone's individuality. "If we always agreed with each other we would not have the benefit of everyone's thinking ability." He thanked staff for always giving their best.

Also, Mr. Noel reiterated the importance of hearing everything at the public hearings. He asked that there be **NO** more recommendations where later approval from other departments are to occur. He stated he realizes that other departments won't always have all of the information, but they should at least be in attendance to state their recommendations. Mr. Noel stated the planning members want to see the full package, but more importantly, the public needs to see the full package. Mrs. Jones agreed with Mr. Noel. She added that in dealing with people's livelihood, "we deserve to let the people of Glynn County know why a project can or cannot be approved." Chairman Stewart suggested that staff get other department's comments or approval in writing stating what they can or cannot approve so that everyone is informed.

Mr. Fell expressed concerns about the Planning Commission's recommendations and the recommendations later made by the Engineer. More specifically, Mr. Fell referred to a project that he voted for at Retreat Shopping Center. He stated "that is an abominable situation and we ought to change it." He stated he does not think the Planning Commission approved the small deceleration lane at that site. He further stated there was no sign-off by the Engineer at the time of approval by the Planning Commission, and he sincerely apologized to the citizens of St. Simons for voting for that particular project. A motion was then made by Mr. Noel to ask the Glynn County Traffic Safety Engineer to re-study this issue and report back to the Planning Commission. The motion was seconded by Mr. Fell and unanimously adopted.

Reflecting back on the matter of a permit being issued for construction of a residence in the St. Simons Village District, Mrs. Touw stated it seems that the person received the building permit legitimately and there is not much that can be done now; however, she stated it should be brought to the person's attention who issued the permit. Mrs. Touw also stated there should be a stiff penalty for violators of the Ordinance. Mrs. Taylor suggested contacting the person who received the permit and request that he/she attend the worksession tomorrow for further discussion. The Planning Commission concurred. Chairman Stewart stated that the Building Inspection's department head should also attend the worksession. Mr. Jerome Clark stated he does not think it would be fair to penalize someone for something that was not their fault.

Mr. Fell stated there needs to be a committee to define buffers in Glynn County. He also commended staff for the great job they did in cleaning up the Zoning Ordinance and the Subdivision Regulations and asked that the same be done for the St. Simons Village Preservation District Ordinance.

Mrs. Jones thanked Chairman Stewart for all of his support and stated that he has done an outstanding job as Chairman.

Mr. Clark expressed his appreciation for staff and for the clarity and timeliness in receiving information.

There being no further business to discuss, the meeting adjourned at 2:30 p.m.